

# **Planning Services**

IRF19/3250

## Gateway determination report

LGA	Goulburn Mulwaree
PPA	Goulburn Mulwaree Council
NAME	Rezoning of land at Crookwell Road, Mistful Park from B1 Neighbourhood Centre Zone and part R5 Large lot Residential Zone to R3 Medium Density Residential Zone, B2 Local Centre Zone and RE1 Public Residential Zone and rezoning of land at George Street, Marulan from B2 Local Centre Zone to B6 Enterprise Corridor Zone and R1 General Residential Zone (10-30 homes, 254 jobs).
NUMBER	PP_2019_GOULB_004_00
LEP TO BE AMENDED	Goulburn Mulwaree Local Environmental Plan 2009
ADDRESS	George Street Marulan & Crookwell Road Mistful Park, Goulburn.
DESCRIPTION	Lots 1-9 DP 1220973, Lots 3-12 Section 1 DP 3012 & Lots E, F & G DP 26410
RECEIVED	7 <sup>th</sup> May 2019
FILE NO.	IRF19/3250
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

## 1. INTRODUCTION

#### 1.1 Description of planning proposal

The planning proposal seeks to amend the provisions of the Goulburn Mulwaree Local Environmental Plan 2009 to:

- Rezone land at Mistful Park, Goulburn (Lots 6-8 DP 1220973) from B1 Neighbourhood Centre to R3 Medium Density Residential with a minimum lot size of 1,500m<sup>2</sup>.
- Introduce the R3 Medium Density Residential zone into the LEP.
- Rezone a detention pond at Mistful Park, Goulburn (Lot 9 DP 1220973) from B1 Neighbourhood Centre to RE1 Public Recreation.
- Rezone land at Mistful Park, Goulburn (Lots 1-5 DP 1220973) from B1 Neighbourhood Centre and part R5 Large Lot Residential to B2 Local Centre with a floor space ratio of 0.5:1.

- Add 'tourist and visitor accommodation', camping grounds' and 'caravan parks' as additional permitted uses for land at Mistful Park, Goulburn (Lot 6 DP1220973).
- Amend the floor space restrictions on 'neighbourhood shops' from 1,000m<sup>2</sup> to a maximum of 250m<sup>2</sup>.
- Rezone land at George Street, Marulan, from B2 Local Centre with a floor space ratio of 1.2:1 to B6 Enterprise Corridor with a floor space ratio of 0.8:1.
- Rezone land at George Street, Marulan from B2 Local Centre with a floor space ratio of 1.2:1 to R1 General Residential with 700m<sup>2</sup> minimum lot size and no floor space ratio.

## 1.2 Site description & Surrounding area

The subject land at Mistful Park is located on the western side of Mistful Park Road. The site is currently vacant and undeveloped. The site is surrounded by the Marys Mount urban release area (Figure 1 - Mistful Park Site Map).



Figure 1 - Mistful Park Site Map (Source: Planning Proposal document)

The subject land in Marulan located south of Railway Parade consists of 13 lots containing residential dwellings and is surrounded by residential development (Figure 2 – Marulan Site Map).

The subject land is Marulan located north of the railway line comprises vacant lots, light industrial development and residential dwellings along George Street. The site adjoins the Hume Highway to the east, the railway line to the south, rural land and residential development to the west and rural land to the north (Figure 2– Marulan Site Map).



Figure 2 – Marulan Site Map (Source: Planning Proposal document)

## 1.3 Existing planning controls

The Mistful Park site is currently zoned B1 Neighbourhood Centre and part R5 Large Lot Residential under the Goulburn Mulwaree LEP 2009 (Figure 3 – Mistful Park current zoning map)



Figure 2 - Mistful Park Current Zoning (Source: Planning Proposal document)

The two subject sites at Marulan are currently zoned B2 Local Centre with a Floor Space Ratio of 1.2:1 under the Goulburn Mulwaree LEP 2009 (Figure 3 – Marulan current zoning map)



Figure 3 – Marulan current zoning map (Source: Planning Proposal document)

## 1.5 Summary of recommendation

It is recommended that the planning proposal should proceed as submitted with conditions for the following reasons:

- The proposal will provide additional housing, including medium density housing, at Mistful Park, Goulburn in the Marys Mount urban release area.
- The proposal will provide employment land in Goulburn and Marulan which may support approximately 254 local jobs.
- The proposal will facilitate visitor accommodation and public open space in Goulburn and Marulan.
- The proposal is consistent with the South East and Tablelands Regional Plan, Goulburn Mulwaree Employment Land Strategy, the Tablelands Regional Community Strategic Plan 2036 and exhibited draft Urban and Fringe Housing Strategy.

## 2. PROPOSAL

## 2.1 Objectives or intended outcomes

The stated objectives of the planning proposal are to:

• Support the future development of a mixed use precinct at Mistful Park, Goulburn supporting a small retail centre, medium density housing and visitor accommodation to service the current and future population living in Marys Mount:

- Ensure the zoning along Thoroughfare Street, Railway Parade and Austin Street, Marulan is consistent with the residential nature of the area;
- Ensure that land currently zoned B2 Local Centre, north of the rail line in Marulan, is rezoned to another zone that is more suited to the kind of development that would be supported so close to the Hume Highway; and
- Ensure that large scale developments are limited to commercially zoned land.

<u>Comment:</u> The objectives of the planning proposal are considered adequate and are acceptable for public exhibition.

## 2.2 Explanation of provisions

The planning proposal states that it will facilitate the amendment of the Goulburn Mulwaree Local Environmental Plan 2009 as follows:

- Amend Clause 5.4 to change the total allowable retail floor space for neighbourhood shops from 1,000m<sup>2</sup> to 250m<sup>2</sup>.
- Amend the land zoning map to rezone the identified lots north of the Marulan railway line from B2 Local Centre to B6 Enterprise Corridor and amend the associated floor space ratio maps from 1.2:1 to 0.8:1.
- Amend the land zoning map to rezone Lots 3-12 section 1 DP 3012 and Lots E, F and G DP26410 from B2 Local Centre to R1 General Residential, amend associated floor space ratio map from 1.2:1 to no floor space ratio and introduce a minimum lot size of 700m<sup>2</sup>.
- Amend the land zoning map to rezone Lots 6-8 DP1220973 from B1 Neighbourhood Centre to R3 Medium Density Residential and introduce a minimum lot size of 1500m<sup>2</sup>. Add tourist and visitor accommodation, camping grounds and caravan parks as additional permitted uses for Lot 6 DP 1220973 under Schedule 1.
- Introduce a land use table for the R3 Medium Density Residential zone into the LEP.
- Amend the land zoning map to rezone the detention pond at Lot 9 DP1220973 from B1 Neighbourhood Centre to RE1 Public Recreation.
- Amend the land zone map to rezone Lot 1-5 DP 1220973 from B1 Neighbourhood Centre and part R5 Large Lot Residential to B2 Local Centre and introduce a floor space ratio map of 0.5:1.

<u>Comment:</u> The explanation of provisions is clear and an appropriate means of achieving the intended outcomes of the planning proposal.

## 2.3 Mapping

The proposal will require the amendment of three LEP maps, being the zoning, minimum lot size, and floor space ratio maps applying to the subject land. The planning proposal includes zoning, lot size and floor space ratio maps of the subject lands. Council does not propose to include a map for the proposed Schedule 1 additional permitted use.

<u>Comment:</u> The maps provided in the planning proposal are considered adequate for public exhibition purposes.

## 3. NEED FOR THE PLANNING PROPOSAL

The proposal as it applies to Marulan is from a recommendation of the Goulburn Mulwaree Employment Lands Strategy which was endorsed by the Department in July 2017. The planning proposal as it applies to Mistful Park is consistent with the Employment Lands Strategy as it will support the future growth of Marys Mount Urban Release area and could potentially provide up to 254 local jobs.

Rezoning the subject lands at Marulan from B2 Local Centre to B6 Enterprise Corridor and to R1 General Residential reflects the current land use and facilitates more appropriate uses adjoining the Hume Highway. The proposal will also shorten the length of the B2 Local Centre along George Street, which better reflects the current and planned retail area.

The planning proposal as it applies to the Mistful Park B1 Neighbourhood Centre is not a result from any particular strategy or study, however Council has identified that it is illogical and counterproductive to have over 7 hectares of land commercially zoned outside of Goulburn's CBD that is incapable of supplying 1,000m<sup>2</sup> retail floor area of neighbourhood shops. Council has also identified that the retail floor space restriction for neighbourhood shops, which is also permitted in all R1 General Residential and R2 Low Density Residential land, is too high to effectively concentrate retail development in existing commercially zoned land.

It is considered that the planning proposal is the appropriate mechanism to amend the Goulburn Mulwaree LEP 2009 and implement the intended objectives of the proposal.

## 4. STRATEGIC ASSESSMENT

## 4.2 Regional

The planning proposal states that it is consistent with the applicable actions under Direction 12 of the South East and Tablelands Regional Plan, namely:

Action 12.2: Encourage mixed use developments that cater for commercial, retail, residential and tourism uses through local planning controls.

The planning proposal states that it will allow a mix of uses to be permissible at Mistful Park through a combination of commercial zoning, residential zoning and the use of Schedule 1 in the LEP to allow tourist and visitor accommodation, camping ground and caravan park as additional permitted uses.

Action 12.3: Reinforce the role and function of centres as the primary places for commerce, retail, social activity and regional services through local strategies and LEPs.

The planning proposal states that it will further enhance centres as the primary places for commerce, retail, social activity and regional services by creating a new mixed-use precinct at Mistful Park while limiting commercial and retail development outside Goulburn's established centres by reducing the retail floor space allowable for neighbourhood shops (permitted in both the R1 General Residential and R2 Low Density Residential zones) from 1,000m<sup>2</sup> to 250m<sup>2</sup>.

Action 12.4: Focus future commercial and retail activity in existing commercial centres, unless there is a demonstrated need and positive social and economic benefits to locate this activity elsewhere.

The planning proposal states that it is consistent with the action because it seeks to upzone the B1 Neighbourhood Centre to a B2 Local Centre Zone, which will more effectively support the current and future growth of the Marys Mount Urban Release Area. The proposed changes to the retail floor space of neighbourhood shops and rezoning at Marulan also acts to consolidate commercial activities to Goulburn and Marulan's respective town centres.

Action 12.5: Require proposals for new retail development to demonstrate how they respond to retail supply and demands needs, respond to innovations in the retail sector and maximise the use of existing and planned infrastructure (including public transport and community facilities).

The planning proposal states that it will provide more intensively zoned commercial land at Mistful Park, in an area where the residential population is expected to increase in coming years, as a result of current residential zoning and the recommendations of the draft Urban and Fringe Housing Strategy. The area is largely undeveloped and has access to existing infrastructure and services.

<u>Comment:</u> It is considered that the planning proposal is consistent with the actions of the Regional Plan as it:

- will facilitate a mixed-use precinct at Mistful Park which will permit a range of landuses that will support the Marys Mount Urban Release Area.
- will establish a suitable B2 Local Centre Zone in the Marys Mount Urban Release Area which will not compete with the Goulburn CBD.
- will facilitate retail, commercial and enterprise corridor development in Marulan.
- will facilitate commercial and other development to occur which has access to infrastructure and services.

## 4.3 Local

## Tablelands Regional Community Strategic Plan 2036

Council has advised the proposal is consistent with the Tablelands Regional Community Strategic Plan 2036, specifically strategy EC3 'Support and foster conditions that enable local and small/home based business to grow'. The proposal will allow new business to develop and will support a range of pre-existing business.

<u>Comment:</u> It is considered that the proposal is consistent with the Tablelands community Strategic Plan 2036 because it will facilitate retail and business development in the Mistful Park and Marulan commercial centres.

## Goulburn Mulwaree Strategy 2020

Council considers that the planning proposal is beyond the scope of the Goulburn Mulwaree Strategy 2020 given that the proposal builds upon the recommendations of Council's exhibited Draft Urban and Fringe Housing strategy and Employment Lands Strategy.

## Goulburn Mulwaree Employment Land Strategy

The planning proposal as it relates to Marulan B2 Local Centre zone, was a recommendation of the Employment Lands Strategy. As it applies to Mistful Park the

proposal is consistent with the strategy as it addresses the predicted retail under supply that is expected to occur in Goulburn in 2020.

The planning proposals as it relates to total retail floor space allowable for neighbourhood shops is consistent with the strategy, as it limits large scale retail development outside the commercially zoned land.

<u>Comment:</u> Council's view that the proposal is consistent with the Employment Lands Strategy is supported. In particular, the Marulan site is identified for rezoning to improve the functioning of the B2 Local Centre and to provide for additional employment land. The planning proposal will support the intended role of the Mistful Park Local Centre as well as the Goulburn CBD, consistent with the Employment Lands Strategy.

## Draft Urban and Fringe Housing Strategy.

The Draft Urban and Fringe Housing Strategy has been prepared by Council to investigate and identify areas suitable for the provision of additional housing to assist Council to meet the housing demands generated by expected population growth. The draft Strategy was exhibited in January and February 2019.

The Draft Urban Fringe Housing Strategy recommends focusing much of Goulburn's residential development northwards of the Marys Mount Urban Release Area, which necessitates the need for further commercial development in this area to provide current and future residents with retail and commercial services.

It is considered that the planning proposal is consistent with the Draft Urban and Fringe Housing Strategy as the proposal will support current and planned growth of the Marys Mount Urban Release Area as Goulburn's major growth area.

## 4.4 Section 9.1 Ministerial Directions

Council has identified that the following directions are particularly relevant to the planning proposal:

## **Direction 1.1 Business and Industrial Zones**

The objectives of this Direction are to encourage employment growth in suitable locations, protect employment land in business and industrial zones and support the viability of identified strategic centres.

The Direction states that a proposal must retain existing commercial areas and must not reduce the potential commercial floor space.

The planning proposal is partially inconsistent with this direction. The planning proposal will result in land at Mistful Park being rezoned from B1 Neighbourhood Centre to R3 Medium Density Residential and land at Marulan being rezoned from B2 Local Centre with a floor space ratio of 1.2:1 to B6 Enterprise Corridor with a floor space ratio of 0.8:1 and R1 General Residential with a minimum lot size of 700m<sup>2</sup>.

The planning proposal states that the inconsistency is justified for the following reasons:

• The remaining area of Mistful Park will be up-zoned from B1 Neighbourhood Centre to B2 Local Centre. This will facilitate the development of shops with a retail floor space in excess of 1,000m<sup>2</sup>, which is prohibited in the current zone. This provides a net increase of retail floor space which is consistent with the direction.

- The rezoning of land at Marulan from B2 Local Centre to B6 Enterprise Corridor and R1 General Residential is consistent with the recommendations from the *Employment Lands Strategy*, satisfying 5 (a) of the direction.
- The floor space ratio of 0.8:1 for the land in Marulan proposed to be rezoned B6 Enterprise Corridor is consistent with the floor space ratio in other similarly zoned areas in Goulburn Mulwaree. The floor space ratio is suitable for maintaining an appropriate bulk and scale for the subject area.
- The land to be rezoned R1 General Residential in Marulan is comprised of single residential dwellings and shows no signs of being developed into the future. The extent of the remaining B2 Local Centre will ensure that Marulan has a large enough supply of commercially zoned land.

<u>Comment:</u> The Secretary's delegate may be satisfied that any inconsistency with Direction 1.1 Business and Industrial Zones is justified by the Goulburn Mulwaree Employment Land Strategy or is of minor significance.

## **Direction 3.1 Residential Zones**

The objectives of this direction are to encourage a variety and choice of housing types to provide for existing and future housing needs; make efficient use of existing infrastructure and ensure new housing has appropriate access to infrastructure and services; and minimise the impact of residential development on the environment. The planning proposal states that the proposal is consistent with the direction as it will:

- Broaden the choice of building types and locations at Mistful Park, Goulburn by allowing medium density living under the R3 Medium Density Residential zone, with access to commercial services.
- Utilise existing road, water and sewer infrastructure at Mistful Park and Marulan.
- Reduce housing pressure on Goulburn's urban fringe.
- Not reduce the amount of residential development allowable on the land.

<u>Comment:</u> Council's view that the planning proposal is consistent with the direction is supported. The planning proposal will facilitate housing supply and diversity, including providing for medium density housing, in the Mistful Park area. The planning proposal will facilitate the establishment of a residential zoning on land in Marulan that reflects the current residential development on the land.

## **Direction 3.2 Caravan Parks and Manufactured Home Estates**

The objective of this direction is to provide a variety of housing types and opportunities for caravan parks and manufactured home estates. The planning proposal states that it is consistent with the direction as the land that may permit a manufactured home estate by allowing *Caravan Parks* as an additional permitted use under Schedule 1 of the Goulburn Mulwaree LEP is not located in any land specified under the Schedule 2 of SEPP 36 Manufactured Home Estates. Subdivision by community title will also be permissible with consent on the site and a development application may be made under SEPP 36 Manufactured Home Estates.

<u>Comment:</u> It is considered that the planning proposal is consistent with the direction. Council has identified that the subject land at Mistful Park (Lot 6 DP1220973) in the proposed R3 Medium Density area is a suitable location for caravan parks and manufactured home estates and there is a demand for this type of accommodation for tourists (particularly for local motorsports events).

## **Direction 3.3 Home Occupations**

The objective of this direction is to encourage low impact small businesses in dwelling houses. The planning proposal is consistent with this direction as home occupations are permitted in the land use table for the proposed residential zones.

## **Direction 3.4 Integrating Land Use and Transport**

The objective of this direction is to ensure urban developments achieve improved access to housing, jobs and services by walking cycling and public transport, reduce dependence on cars, support efficient operation of public transport and provide efficient movement of freight.

The planning proposal states that it is consistent with the direction as the land to be rezoned at Mistful Park already contains a bus service. The subject land in Marulan is not likely to be serviced by public transport in the current or near future given that Marulan does not have the population or urban foot print to support public transport.

<u>Comment:</u> It is considered that the planning proposal is consistent with the direction because the proposed residential development in the Mistful Park/Marys Mount Urban Release Area has a public bus service.

## **Direction 5.2 Sydney Drinking water Catchment**

The objective of this direction is to protect water quality in the Sydney drinking water catchment and requires consultation with Water NSW. On the 6<sup>th</sup> May 2019 Water NSW issued a letter to council confirming the planning proposal has adequately addressed their concerns.

<u>Comment:</u> It is considered that the planning proposal is consistent with the direction. WaterNSW has not raised any outstanding issues or requested further consultations on the planning proposal. The Mistful Park and Marulan sites both have access to sewerage reticulation.

## **Direction 5.10 implementation of Regional Plans**

The objective of this direction is to give legal effect to the vision, goals, directions and actions contained in the regional plan.

The planning proposal states that the proposal is consistent with the direction because it is consistent with the South East and Tablelands Regional Plan.

<u>Comment</u>: As previously discussed, it is considered that the planning proposal is consistent with the South East and Tablelands Regional Plan and is therefore also consistent with the direction.

## **Direction 6.1 Approval and referral requirements**

The objective of this direction is to ensure the LEP provisions encourage the efficient and appropriate assessment of the development.

The planning proposal states that the proposal is consistent with the direction because no input will be required from government agencies for the development of the subject lands.

<u>Comment:</u> It is considered that the planning proposal is consistent with the direction because the proposal does not seek to insert provisions in the LEP requiring approval of, or referral of, development applications to government agencies.

#### **Direction 6.2 Reserving Land for Public Purposes**

The objective of this direction is to facilitate the provision of public services and facilities by reserving land for public purposes.

The planning proposal states that approval from the Department of Planning and Environment is required to rezone part of the land at Mistful Park to RE1 Public Recreation in order to satisfy this direction. Council requests that approval is given because the land mostly comprises a stormwater detention basin which is unsuitable for development and the land is already dedicated to Council for community use.

<u>Comment:</u> It is considered that the proposed rezoning of the land at Mistful Park containing the detention basin is suitable to be rezoned to RE1 Public Recreation because it is unlikely to be further developed and the land has been dedicated to Council for community use.

<u>Recommendation</u>: That the Secretary's delegate grant approval to rezone part of the land at Mistful Park containing the detention basin to RE1 Public Recreation.

## **Direction 6.3 Site Specific Provisions**

The objective of this direction is to is to discourage unnecessary restrictive sitespecific planning controls.

The planning proposal states that it is inconsistent with this direction as it introduces the R3 Medium Density Residential zone to the Goulburn Mulwaree Local Environmental Plan, and accompanies a site-specific amendment to the Goulburn Mulwaree Development Control Plan 2009 applying to Mistful Park. However, this is considered justified as the R3 Medium Density Residential Zone is most suited to encourage medium density development at the subject land.

<u>Comment:</u> It is considered that the planning proposal is inconsistent with the direction because it proposes a Schedule 1 Additional Permitted Use on part of the Mistful Park site to permit tourist and visitor accommodation, camping grounds and caravan parks. The inconsistency is, however, considered to be of minor significance because the proposed additional permitted uses are considered suitable for the land, but the uses are not supported to be added to the R3 Medium Density Residential Zone land use table.

<u>Recommendation</u>: The Secretary's delegate may be satisfied that any inconsistency with Direction 6.3 Site Specific Conditions is of minor significance.

## 4.5 State environmental planning policies (SEPPs)

Council has identified the following SEPPs apply to, and are consistent with, the planning proposal:

- SEPP Sydney Drinking Water Catchment 2011
- SEPP Infrastructure 2007
- SEPP No: 55 Remediation of Land

<u>Comment:</u> It is considered that the planning proposal is consistent with the above SEPPs. WaterNSW has not raised any outstanding issues in relation to the SEPP Sydney Drinking Water Catchment 2011. Council will need to assess whether subsequent development applications can demonstrate the neutral or beneficial effect on water quality required under this SEPP.

## 5. SITE-SPECIFIC ASSESSMENT

## 5.1 Social & Economic

The planning proposal states that, as it relates to the Marulan B2 Local Centre, it is considered to have a positive economic and social impact as the land will be rezoned to align with the current and future expected development. The land being rezoned to R1 General Residential on Thoroughfare Street, Railway Parade and Austin Street is consistent with the current use of the land, and the land being rezoned to B6 Enterprise Corridor, north of the railway line, is consistent with the kind of development that would be suitable for land close to the Hume Highway.

The planning proposal states that the land at Mistful Park will help secure commercial services for those living in the Marys Mount Urban Release Area, including those living in the two aged care facilities within walking distance of the subject site. By imposing a floor space ratio of 0.5:1, reducing the extent of the commercially zoned land, reducing the retail floor space allowable for neighbourhood shops to 250m<sup>2</sup>, and introducing a site-specific amendment to the Goulburn Mulwaree Development Control Plan 2009, the planning proposal will ensure that commercial uses at Mistful park and on land that permits neighbourhood shops will not risk the economic viability of the Goulburn CBD.

<u>Comment</u>: It is considered that the planning proposal will have a positive social and economic impact by strengthening the Mistful Park and Marulan local centres and providing additional housing and employment opportunities in these areas.

## 5.2 Environmental

The planning proposal states that it is highly unlikely that any critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected by the planning proposal as both sites have been cleared/developed and are already commercially zoned land.

<u>Comment:</u> It is considered that the planning proposal will not have any negative environmental impacts as the subject land is already cleared/developed. Future development of the lands can be connected to sewer, and is unlikely to impact on the drinking water catchment. The rezoning of the land containing the stormwater detention basin to an RE1 Zone will facilitate appropriate environmental management of the land.

## 6. CONSULTATION

## 6.1 Community

Council has proposed a 28-day community consultation period and advertising the proposal in the local newspaper, online, as well as informing key stakeholders. The proposed community consultation is considered appropriate.

## 7. TIME FRAME

Council anticipates a 6-month timeframe to finalise the LEP. It is recommended that a 12-month timeframe is provided in case issues arise during consultation or there are other unforeseen delays.

## 8. LOCAL PLAN-MAKING AUTHORITY

Council has requested to be the local plan making authority. Council's request is considered appropriate due to the local significance of the proposal and given that parts of the proposal are consistent with the endorsed strategic planning for the areas.

## 9. CONCLUSION

It is recommended that the proposal is supported as it:

- will provide additional housing, including medium density housing, at Mistful Park, Goulburn in the Marys Mount Urban Release Area.
- will provide employment land in Marys Mount, Goulburn and Marulan which may support approximately 254 local jobs.
- will facilitate visitor accommodation and public open space in Marys Mount.
- is consistent with the South East and Tablelands Regional Plan, Goulburn Mulwaree Employment Land Strategy, the Tablelands Regional Community Strategic Plan 2036 and the exhibited draft Urban and Fringe Housing Strategy.

## **10. RECOMMENDATION**

It is recommended that the delegate of the Secretary:

- 1. agree that any inconsistencies with section 9.1 Direction 1.1 Business and Industrial Zones and Direction 6.3 Site Specific Provisions are minor or justified.
- 2. agree to the creation of land for public purposes at Mistful Park containing a Council-owned stormwater detention basin in accordance with section 9.1. Direction 6.2 Reserving Land for Public Purposes.

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

- 1. The planning proposal should be made available for community consultation for a minimum of 28 days.
- 2. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.
- 3. Given the local nature of the planning proposal, Council should be the local plan-making authority.

Un Towers. 17/6/19

Je 19/6/19

Graham Towers Team Leader, Southern Region

Ben Eveleigh Director Regions, Southern Planning Services

Assessment officer: Rebeca-Lee Garland Student Planner/George Curtis, Senior Planner, Southern Phone: 42471824