

8.5 Planning Proposal and Draft Development Control Plan - 34 Queen Street, Campbelltown

Reporting Officer

Manager Strategic Land Use Planning
City Planning and Environment

Community Strategic Plan

Objective	Strategy
2 Places For People	2.3.1 Ensure all people in Campbelltown have access to safe, secure, and affordable housing

Delivery Program

Principal Activity
2.1.1.3 Deliver effective land use planning to ensure community needs are met

Officer's Recommendation

1. That Council endorse the Planning Proposal at attachment 1 which seeks to amend the Campbelltown Local Environmental Plan 2015 as it applies to 34 Queen Street, Campbelltown by rezoning part of the site from MU1 – Mixed Use to R4 – High Density Residential, increasing the maximum permissible height of building from 26 m to 28 m and 52 m and introducing a maximum floor space ratio of 2.85:1.
2. That subject to recommendation No.1, further expert advice regarding flooding be obtained and the Planning Proposal then be forwarded to the Department of Planning, Housing and Infrastructure for a Gateway Determination.
3. That subject to recommendation No.1, Council endorse the draft Development Control Plan at attachment 4 and allow its public exhibition, subject to the inclusion of any required adjustments following the receipt of additional flooding information.
4. That subject to a positive Gateway determination, the Planning Proposal and draft Development Control Plan be exhibited in accordance with Gateway Determination requirements.
5. That Council request delegation to make the local environmental plan under Section 3.36 of the *Environmental Planning and Assessment Act, 1979*.
6. That a report on the outcome of the public exhibition of the Planning Proposal and draft Development Control Plan be presented to Council.

Executive Summary

- On 28 June 2023 FPD Planning Pty Ltd submitted a Planning Proposal Request (PPR) and supporting studies, including an urban design study providing a conceptual layout and building design to Council seeking an amendment to the Campbelltown Local Environmental Plan 2015 (CLEP 2015) in relation to 34 Queen Street, Campbelltown. A draft Development Control Plan (draft DCP) was also submitted to Council.
- The PPR seeks to amend the CLEP 2015 by rezoning a portion of the site from MU1 – Mixed Use to R4 – High Density Residential, increasing the maximum permissible height of buildings from 26 m to 28 m and 52 m and introducing a maximum floor space ratio of 2.85:1 for the site.
- The PPR was ultimately considered to have sufficient strategic merit, and on 4 October 2023 a letter was sent to 11 public agencies requesting preliminary comments on the Planning Proposal (the Proposal). In response, Council received 10 preliminary submissions, with many raising no concerns. One agency submission raised the need to undertake further investigation into flooding.
- A presentation of the Proposal was provided to Councillors on 24 October 2023 by the proponent.
- The Proposal was presented to the Campbelltown Local Planning Panel (the Panel) on 22 November 2023. The Panel was supportive of the Proposal subject to the proponent addressing certain matters. After consideration of the Panel's comments, the Applicant revised the Proposal and provided responses to the key matters raised by the Panel.
- The Proposal has been assessed against all relevant state and local strategic planning instruments, including the Re-imagining Campbelltown City Centre Master Plan. The Proposal is considered to have sufficient strategic and site-specific merit to be further progressed.
- This report recommends that Council endorse the Proposal for the purposes of requesting a Gateway Determination from Department of Planning, Housing and Infrastructure (DPHI) and endorse the draft DCP for community consultation.

Purpose

The purpose of this report is to inform Council of a Proposal which seeks to amend the CLEP 2015 for 34 Queen Street, Campbelltown by:

- rezoning a portion of the subject site from MU1 – Mixed Use to R4 – High Density Residential
- increasing the maximum permissible height of building from 26 m to 28 m and 52 m
- introducing a maximum floor space ratio of 2.85:1.

The report provides an assessment of the Proposal against relevant strategic planning instruments.

The report seeks Council's endorsement for the Proposal to be forwarded to the Minister for Planning and Public Spaces for a Gateway Determination, once further information regarding flooding has been provided.

Further the report seeks Council's endorsement for public exhibition of the related draft DCP.

Property Description	34 Queen Street, Campbelltown
Lot description	Lot 1 DP 539856
Application No	2287/2023/E-PP & PP-2023-1344
Applicant	FPD Planning on behalf of Arben Management
Owner	H&R Properties Pty Ltd
Date Received	28 June 2023

History

A PPR was submitted by the Applicant on 28 June 2023.

Councillors were briefed on the PPR by the applicant on 24 October 2023.

A report on the Proposal was considered by the Panel on 22 November 2023.

The Proposal has been amended to address concerns raised by Council, state agencies and the Panel.

Further expert advice is required relating to flooding matters and this work is proposed to be undertaken prior to requesting a Gateway Determination from DPHI.

Report

1. The site

The subject site is privately owned and is located approximately 800 m from Campbelltown Railway Station and currently contains 3 commercial buildings (Officeworks, MCAS Superstore and a medical centre).

The site is known as 34 Queen Street, Campbelltown (Lot 1 DP 539856) and has an area of 13,200 m². The site is located towards the northern end of Queen Street, Campbelltown. An aerial photograph of the site is in Figure 1.

The site is adjacent to 22-32 Queen Street, Campbelltown which incorporates the former 'Brands on Sale' building. The Brands on Sale site currently has an active consent (2278/2022/DA-RA) for the demolition of existing structures and the construction of 5 residential towers across 2 podiums containing 558 apartments, ground floor commercial premises on the MU1 zoned part of the site, 5 levels of basement car parking, a 2000 m² publicly

accessible park and internal access roads. Demolition has recently commenced at 22-32 Queen Street.

The subject site is located adjacent to a local heritage item known as 'Congregational Manse' (Local Item – I32) located southwest of the site at No. 38 Queen Street.

Campbelltown Performing Arts High School is located to the southeast, at the rear of the subject site.



Figure 1: Site Location – 34 Queen Street, Campbelltown

2. Summary of the Planning Proposal

The Proposal seeks to amend the CLEP 2015 to rezone a portion of the site at 34 Queen Street, Campbelltown (Lot 1 DP 539856) from MU1 – Mixed Use to R4 – High Density Residential. The Proposal also seeks to increase the maximum permissible building height from 26 m to 28 m and 52 m and introduce a maximum floor space ratio of 2.85:1 for the site. The proposed zoning, height of building and floor space ratio maps are shown in Figures 2, 3 and 4.

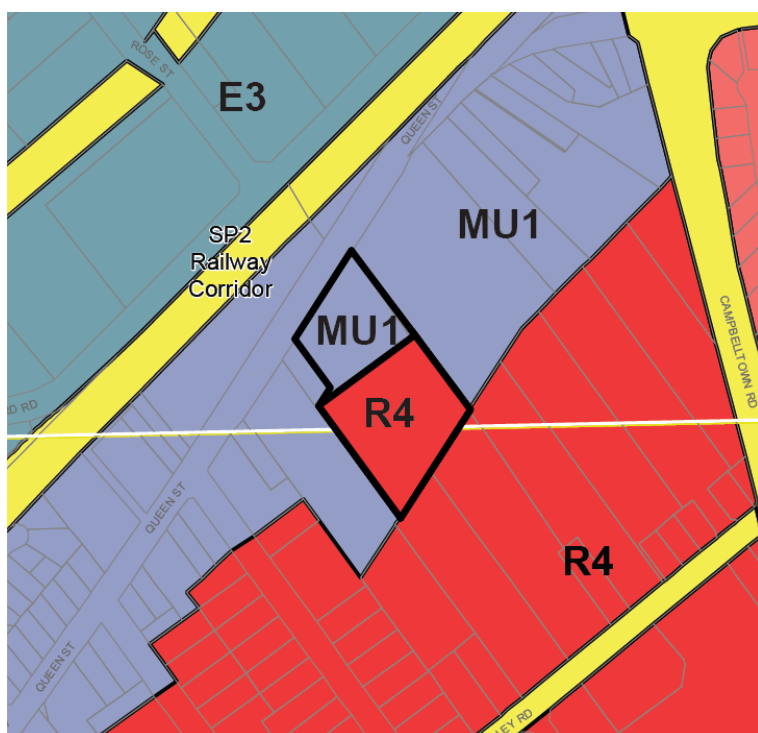


Figure 2: Proposed Zoning – MU1 Mixed Use and R4 High Density Residential

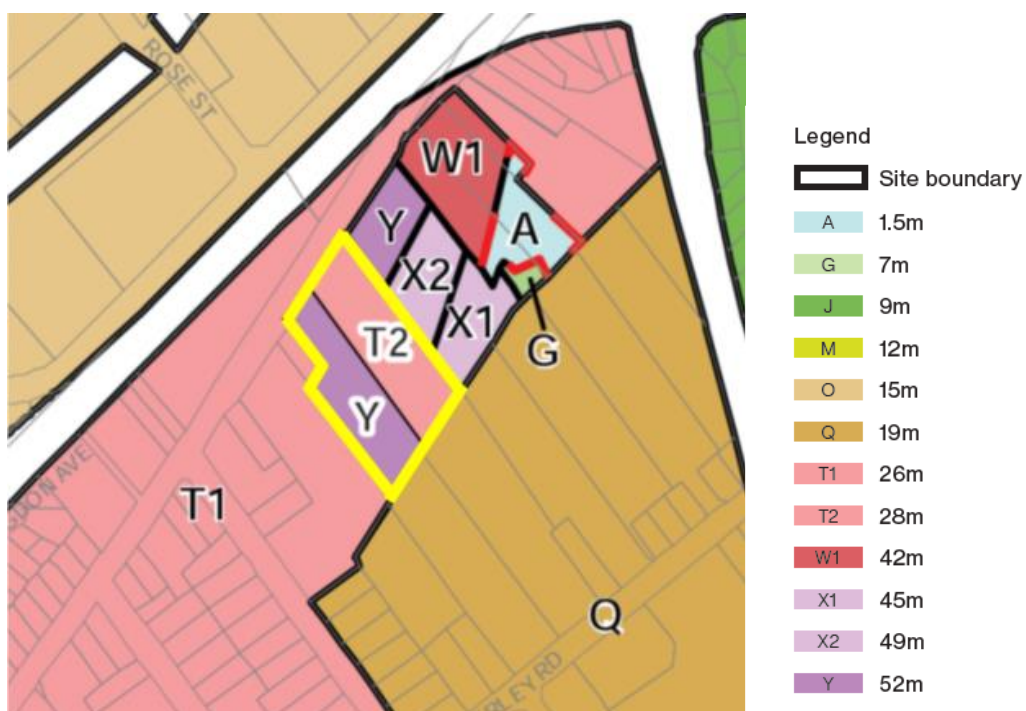


Figure 3: Proposed Height of Building for subject site identified in yellow.

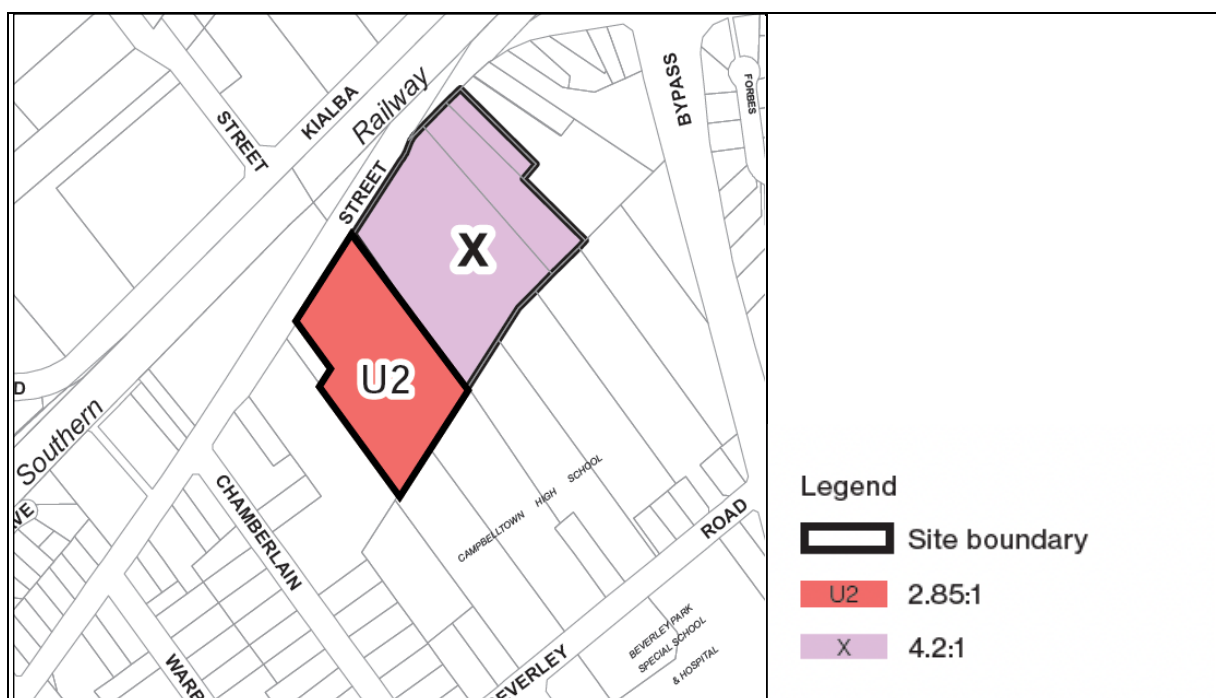


Figure 4: Proposed Floor Space Ratio shown as U2

The proposed rezoning of the site will facilitate redevelopment for about 395 residential apartments, 2,000 m² of non-residential floor space and 2,660 m² of open space at ground level (20 per cent of the site area) of which about 650 m² is proposed to be publicly accessible. The conceptual layout and building design also show approximately 1,810 m² rooftop open space (14 per cent of the site area).

The proposed masterplan/layout and massing for the site are shown in Figures 5 and 6.



Figure 5: Master Plan 34 Queen Street

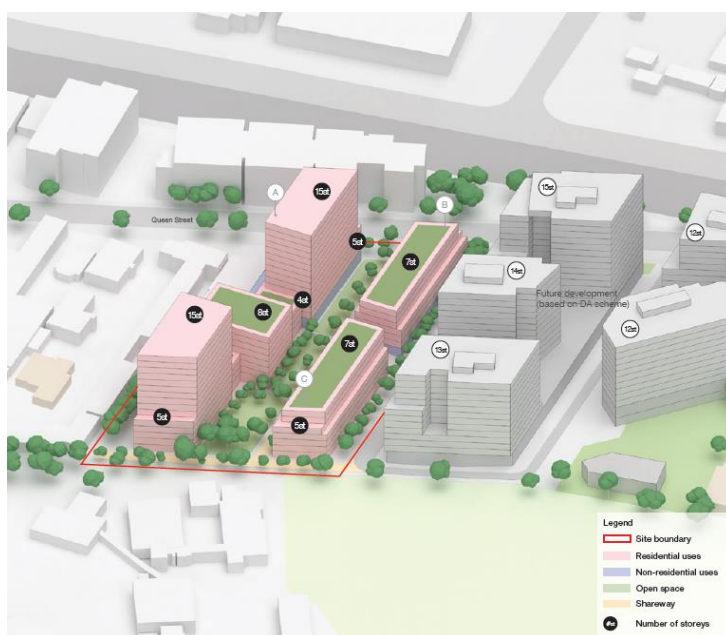


Figure 6: Proposed massing of buildings

3. Assessment of the Planning Proposal

This section provides an assessment of the Proposal. The Proposal will enable additional housing in Campbelltown consistent with Local and State strategies. The Proposal will allow for the site to be redeveloped with publicly accessible open space being provided and public domain improvements which is consistent with the vision identified in the Reimagining Campbelltown City Centre Master Plan.

3.1 Local Planning Directions – Previously known as Ministerial Directions

The Proposal has been assessed having regard to the Local Planning Directions authorised by section 9.1 of the EP&A Act and the full assessment is detailed in the Proposal. The most relevant directions are discussed below:

- **Direction 1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor**

The Proposal is largely consistent with the Campbelltown Precinct Plan identified in the Glenfield to Macarthur Urban Renewal Corridor Strategy, particularly as a portion of the site will be rezoned to provide high density residential development. The remainder of the site will remain in the current MU1 mixed use zone, which does not permit purely residential development as envisioned in the corridor strategy. This inconsistency is considered justifiable as the Proposal will still enable high density residential development on this part of the site, with just the ground floor of this part of the site required to be used for non-residential uses.

A more detailed discussion on this matter is provided in Part 4 of this report.

- **Direction 4.1 Flooding**

Direction 4.1 applies as the site is partially impacted by flooding. One of the objectives of Direction 4.1 is to ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and include consideration of the potential flood impacts both on and off the subject land. The particular directions to achieve this objective are spelt out within the Direction.

A flood study was submitted with the Proposal. A state agency submission has requested additional information regarding flooding in order to demonstrate that Direction 4.1 has been satisfied. This is discussed in more detail in Part 5 of this report.

- **Direction 7.1 Employment Zones**

Direction 7.1 applies because the Proposal seeks to rezone a portion of the land from MU1 mixed Use to R4 High Density Residential zone.

The inconsistency is justified via a Retail Demand Study entitled The Assessment of Retail Floor Space Demand prepared by GapAdvisory. The study provides an assessment of the sites capacity to accommodate retail and commercial floorspace as part of the proposed renewal of the site. The inconsistency is also justified as the Vision for the site identified in the Glenfield to Macarthur Urban Renewal Corridor Strategy is for high density residential development rather than mixed use development that contains employment land uses.

The study concludes that, given the site's proximity to 22-32 Queen Street, which is proposed to include 9,000 m² to 10,000 m² of retail floorspace, there will be limited additional demand for commercial space within this locality.

3.2 Consideration of State Environmental Planning Policies

An assessment of the Proposal against all State Environmental Planning Policies (SEPPs) has confirmed that the Proposal is consistent with those SEPPs. Further detail in relation to the relevant SEPPs is outlined in the Proposal at attachment 1.

4. Strategic Context – Relationship to Local and State Policies

Detailed assessment of the Proposal against regional and local strategies and policies has been undertaken (refer to attachment 13). The Proposal is not inconsistent with the following strategies and policies:

- Greater Sydney Region Plan
- Western City District Plan
- Campbelltown Local Strategic Planning Statement
- Re-imagining Campbelltown City Centre Master Plan
- Draft Greater Macarthur 2040
- Campbelltown Community Strategic Plan – Campbelltown 2032
- Campbelltown Strategic Review of Employment Lands Strategy
- Campbelltown Local Housing Strategy

The Proposal is largely consistent with the Glenfield to Macarthur Urban Renewal Corridor Strategy. There is some minor inconsistency with this strategy, which is considered to be justified as discussed below:

- **Glenfield to Macarthur Urban Renewal Corridor Strategy**

The Glenfield to Macarthur Urban Renewal Corridor Strategy (Corridor Strategy) was identified as a growth corridor by the State Government for the purposes of providing further jobs, open space, improved movement networks and revitalisation of existing urban centres through good design.

The Proposal is largely consistent with the Strategy and is consistent with the Campbelltown Precinct Plan adopted as part of this Strategy.

Under the Strategy, buildings in this location are identified as being able to accommodate heights from 7+ storeys that will provide a location for residents close to local services and existing transport hubs. These would be setback from the street to ensure the scale and feel of Queen Street is maintained. Detailed planning would be required to identify appropriate height and built form outcomes in this area.

The Proposal is considered to be largely consistent with the Corridor Strategy as the portion of the site fronting Queen Street is proposed to retain the MU1 zone and not be rezoned to R4 High Density Residential as per the vision under the Corridor strategy. This departure from the Corridor Strategy is considered reasonable as it will help provide an active street frontage to Queen Street, as identified in the Campbelltown precinct plan.

In addition, the Reimagining Campbelltown City Centre Master Plan, which was prepared after the Corridor Strategy, denotes this section of Queen Street, including the adjacent site (22-32 Queen Street) as city centre living which recommends active street frontages to Queen Street.

The subject site is also located in walking distance to Campbelltown Train Station (approximately 800 m).

4.1 Campbelltown Local Planning Panel (the Panel) advice

The Proposal was considered by the Panel on 22 November 2024. The Panel were supportive of the Proposal subject to a number of suggestions.

The Panel advice and recommendations along with responses to their recommendations is located at attachment 14. The applicant has addressed these recommendations except for the further information required for flooding. It is recommended that this be addressed prior to requesting a Gateway Determination.

4.2 Site and Strategic Merit of the Proposal

The subject site is located within the commercial core of Campbelltown CBD and is currently zoned MU1 – Mixed Use. The Proposal seeks to rezone a portion of the site towards the rear to R4 – High Density Residential.

The Proposal has site and strategic merit due to the location of the site within the context of the Campbelltown City Centre and its consistency with the Re-imagining Campbelltown City Centre Master Plan and the Western City District Plan. The Proposal will facilitate the provision of additional housing close to Campbelltown Railway Station

Additionally, the Proposal is generally consistent with the Corridor Strategy. The proposed rezoning of the site to R4 will be consistent with the Strategy which identifies the site as accommodating high density residential land uses.

The Proposal will reduce the amount of potential commercial floorspace on the site. The Retail and Demand Study prepared to support the Proposal determined the site does not have capacity to accommodate non-retail uses for the entirety of the site given its depth. Zoning a portion of the site to R4 is considered the most appropriate outcome for this site to ensure the activation and revitalisation of Queen Street.

The Proposal further provides 2,660 m² of publicly accessible open space which will provide the future residents of the site and surrounding residents with amenity and passive recreation opportunities.

5. State Agency Preliminary Consultation

Preliminary feedback was sought from State Agencies. The following Agencies did not raise any concerns:

- Heritage NSW
- Water NSW
- Endeavour Energy
- Transport for NSW
- Sydney Trains
- South Western Sydney Local Health District
- Sydney Water
- Department of Communities and Justice
- NSW Police

The Department of Climate Change, Energy, Environment and Water (DCCEEW) (formerly Environment and Heritage Group) advised that further flood information would be required before it could support the Proposal. The further information requested by DCCEEW includes:

- Update the Proposal to address consistency with the Section 9.1 Direction for flooding.
- Address consistency with the NSW Government's Flood Prone Land Policy and the principles of the Flood Risk Management Manual 2023.
- Further discussion about the 1 per cent AEP flood extent and hazard
- Further information on existing flood behaviour, flood constraints and flood risk
- Further information on existing flood risks and the potential for change due to the proposed development and climate change in accordance with the NSW Government's Flood Impact and Risk Assessment Guideline.

- Include information on how the floodway, flood storage and flood path will be maintained on the site.
- Address post development flood risk and impact of flooding on future users of the site and access and egress.

This information will be sought from the Applicant before a formal referral is sent to DCCEE post Gateway Determination.

All submissions received from agencies are included in attachment 15.

6. Matters for further consideration

6.1 Heritage

The subject site is located adjacent to a local heritage item known as 'Congregational Manse' (Local Item - I32) located at 38 Queen Street, Campbelltown. The Proposal seeks to establish connections to the adjoining sites, including 38 Queen Street to provide a better relationship with the local area.

The subject site is also near a State Heritage Item (State Item - I00497) being Warby's Stables and Barn at 12-14 and 18-20 Queen Street. The State heritage items are located to the northeast of the subject site adjacent to 22-32 Queen Street.

The applicant prepared a Heritage Impact Assessment (attachment 6), and the finding of the study is included in the Proposal.

Heritage NSW provided preliminary comment on the Proposal and did not raise any concerns relating to the Proposal.

Any future development application on the site will need to respond to the local heritage significance of the heritage item at 38 Queen Street, Campbelltown and establish a design that will be considered sympathetic to the local area.

6.2 Traffic and Access

A Transport Impact Assessment (attachment 7) was submitted and considers the potential development arising from the Proposal and also considers the cumulative impact arising from the proposed development on the adjacent 22-32 Queen Street.

During the assessment of the Proposal, Council's engineers raised the following concerns which were provided to the applicant:

- The transport impact assessment assumes 1.0 per cent per annum growth rate of traffic, however the population growth rate data of Campbelltown LGA is approximately 3.0 per cent and therefore, the traffic impact assessment needs to consider 3.0 per cent annual growth rate of traffic.
- Based on this, an updated traffic impact assessment needs to be provided showing the impact of the proposed development on the local road network especially Queen Street.

In response, JMT Consulting advised that the traffic growth rate is considered appropriate given the historical traffic data collected at nearby intersections to the site demonstrates that

there has either been negative traffic growth, or negligible growth of less than 0.25 per cent per annum over recent times. This traffic data analysis is summarised in the table below and indicates that the 1 per cent per annum growth rate adopted represents a conservative estimate of likely future traffic volumes.

Intersection	AM Peak Hour			PM Peak Hour		
	2016	2022	% Growth	2016	2022	% Growth
Campbelltown Road / Queen Street	3911	3847	-0.3%	4563	4588	0.1%
Chamberlain Street / Queen Street	1787	1653	-1.4%	1838	1859	0.2%

The adopted background growth rate is consistent with that used for the adjacent site. Recent traffic data indicates negligible background traffic growth. The assumptions adopted are therefore considered appropriate for further use, with no update to the traffic modelling required.

Sight line issues and driveway access locations will require further consideration and can be addressed in further work on the draft DCP pos exhibition. The proponent has been advised that collaboration with the adjoining landowner is required in order to provide an access for the site that utilises the signalised intersection servicing No.22-32 Queen Street.

Further Consultation with Transport for NSW will be undertaken after the Gateway Determination stage and at this stage they have not raised any objections.

6.3 Flooding

The flood study submitted to Council indicates that there is flooding through the middle of the site. Figure 7 shows the 1 per cent AEP flood depth and water surface contours. The flood study indicates that there is low risk flood hazard where future buildings and open space are proposed.

A copy of the flood study is shown as (attachment 9).

The Department of Climate Change, Energy, Environment and Water (DCCEEW)(formerly EHG), has raised issues including:

1. Details on existing flood behaviour, flood constraints, and flood risk.
2. Evidence that the Proposal will maintain the site's function as a floodway, flood storage, and flow path.

The proponent is continuing to work with Council to address flooding impacts on the site and will work in consultation with Council to finalise the flood risk assessment.

The flood study submitted with the Proposal demonstrates that flood risk can be suitably managed on the site, and future development can be located above the flood planning level. It is therefore considered appropriate that the Proposal can be supported by Council, with additional flood investigations undertaken prior to requesting a Gateway Determination from the DPHI.

The existing 1 per cent AEP flood depths on the site range from 0.25 m to 1.78 m. The 1.78 m depths are limited to very small areas of the site.

The flood study provides a future development scenario for the 1 per cent AEP for the site. The proposed 1 per cent AEP is shown in figure 7. The future development flood analysis identified that the flood impacts on the site would improve as a result of the redevelopment. Intensity of the flood depth is shown to decrease through the middle and in the southeastern corner of the site. This is the result of a number of measures including:

- Appropriate location of buildings and open space;
- Increased floor levels above the flood planning level;
- Improved drainage and appropriate open style fencing

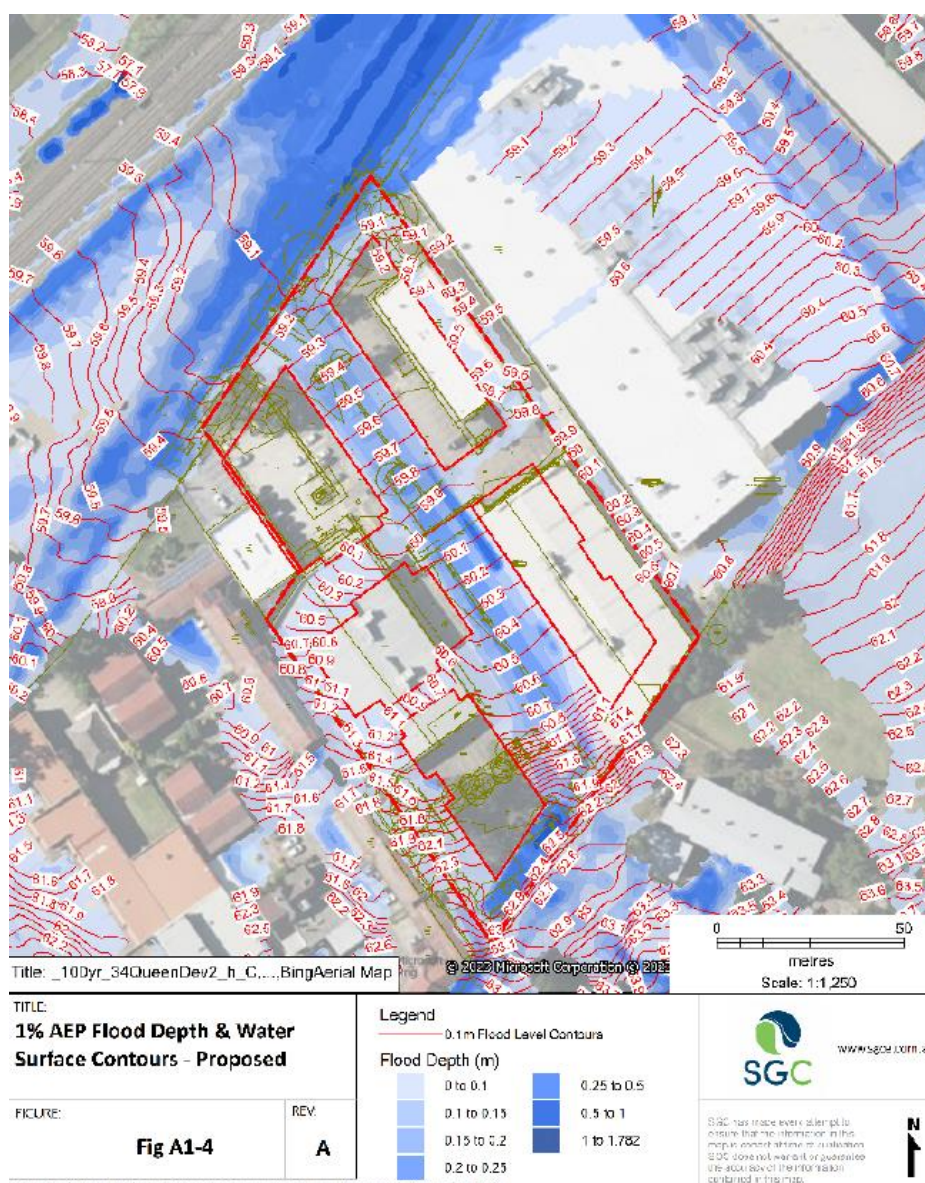


Figure 7: Proposed 1 per cent AEP flood depth and water surface contours

Given the site is identified as largely low risk and the current controls under CLEP 2015 permit development up to 26 m, the site could be redeveloped with flood impacts being managed.

6.4 The loss of employment land

The site currently incorporates 5,100 m² of leasable commercial floorspace through its existing buildings. The Proposal would result in a reduction of the non-residential floor space to 2,000 m².

A Retail Demand Study prepared by GapAdvisory to support the Proposal identified that the site does not have capacity to accommodate retail and non-residential uses across the entire site, given the depth of the site and amount of planned retail and commercial uses proposed at 22-23 Queen Street (7,600 m²). Therefore, zoning a portion of the site to R4 High Density Residential is considered the most appropriate outcome for this site to ensure the activation and revitalisation of Queen Street is not compromised.

The proposed zoning seeks to prioritise the activation and renewal of Queen Street with retail and non-residential uses fronting Queen Street. The proposed R4 High Density Residential zone is consistent with the Campbelltown Precinct Plan in the Corridor Strategy.

6.5 Relationship with the City Centre Planning and Design Framework

Council is currently working on studies to support a planning proposal for Campbelltown City Centre, which will implement part of the Re-imagining Campbelltown City Centre Master Plan. The subject site is located within the broader study area.

The Proposal is consistent with the existing strategic planning framework and objectives of the Re-imagining Campbelltown City Centre Master Plan.

As part of the scoping proposal for the City Centre Planning Proposal Council sought advice from the DPHI on the approach to be taken for planning proposals within the City Centre study area. No clear position was provided.

Council has obligations to assess each planning proposal request it receives and therefore it is proposed that the subject Proposal progress concurrently with Council's investigations for potential LEP changes for Campbelltown City Centre as the proposal is not inconsistent with the existing strategic vision for the area and is of a compatible form with surrounding development including the adjoining proposed development at 22-32 Queen Street.

7. Draft Site Specific DCP Volume 2 No. 34 Queen Street

The proponent submitted a draft site specific DCP for 34 Queen Street, Campbelltown (the draft DCP)(attachment 4) with the proposal as well as an urban design study (attachments 2 and 3).

The draft DCP will form part of Volume 2 of the Campbelltown (Sustainable City) DCP. Subject to Council endorsing the Proposal and DPHI issuing a Gateway Determination, it is proposed that the draft DCP will be placed on public exhibition, concurrently with the Proposal.

The draft DCP will be considered by the Campbelltown Design Excellence Panel prior to any community consultation being undertaken.

The Draft DCP may need to be amended to reflect the additional flooding information required and if that occurs it is proposed to make these amendments prior to public exhibition without a further report to Council.

8. Community Consultation

Community Consultation will be undertaken concurrently with the Proposal.

The outcome of public exhibition, including any state agency submissions, will be reported to Council.

Conclusion

The Planning Proposal seeks to amend the Campbelltown Local Environmental Plan 2015 by rezoning a portion of 34 Queen Street, Campbelltown from MU1 – Mixed Use to R4 – High Density Residential, increasing the maximum permissible height of building from 26 m to 28 m and 52 m and introducing a maximum floor space ratio of 2.85:1 for the site.

The proposed amendments to Campbelltown Local Environmental Plan 2015 will facilitate the redevelopment of the site for approximately 395 apartments, 2,000 m² of non-residential floor space and 2,660 m² of combined communal and public open space at ground level (20 per cent of the site area) and approximately 1,810 m² rooftop communal open space (14 per cent of the site area). Approximately 650 m² of the proposed ground floor open space is also proposed to be publicly accessible and will have landscaped linkages to the adjoining site at 22-32 Queen Street Campbelltown.

The site is strategically positioned to accommodate additional housing and is generally consistent with local and state policies including Re-imagining Campbelltown City Centre Master Plan and the Western City District Plan. The redevelopment of the site will also provide publicly accessible open space and public domain improvements which will rejuvenate the relationship of the site with Queen Street.

Matters relating to flooding are still required to be addressed in response to comments from the Department of Climate Change, Energy, Environment and Water. Updates to the flood study are proposed to be undertaken prior to the Planning Proposal being submitted to the Department of Planning, Housing and Infrastructure for Gateway Determination.

It is recommended that Council endorse the progression of the Planning Proposal to the gateway determination stage, subject to further investigation of flooding.

The draft Development Control Plan provides controls to support the master planning of the site as well as site specific controls to guide future development applications. It is recommended the draft Development Control Plan be publicly exhibited concurrently with the Planning Proposal.

Attachments

- 8.5.1 Planning Proposal (distributed under separate cover)
- 8.5.2 Urban Design Study (distributed under separate cover)
- 8.5.3 Addendum to Attachment A (distributed under separate cover)
- 8.5.4 Draft Development Control Plan - Part 18 34 Queen Street (distributed under separate cover)
- 8.5.5 Retail Study (distributed under separate cover)
- 8.5.6 Arborist Report (distributed under separate cover)
- 8.5.7 HIA and Heritage Addendum (distributed under separate cover)
- 8.5.8 Transport Assessment (distributed under separate cover)
- 8.5.9 Flood Study (distributed under separate cover)
- 8.5.10 Preliminary Site Investigation (distributed under separate cover)
- 8.5.11 Services Report (distributed under separate cover)
- 8.5.12 Survey Plan (distributed under separate cover)
- 8.5.13 Open Space Approach (distributed under separate cover)
- 8.5.14 Relationship to Local and State Policies (distributed under separate cover)
- 8.5.15 Response to Local Planning Panel Advice (distributed under separate cover)
- 8.5.16 State Agency Submissions (distributed under separate cover)

8.5 Planning Proposal and Draft Development Control Plan - 34 Queen Street, Campbelltown

It was **Moved** Councillor Morrison, **Seconded** Councillor Stellino:

1. That Council endorse the Planning Proposal at attachment 1 which seeks to amend the Campbelltown Local Environmental Plan 2015 as it applies to 34 Queen Street, Campbelltown by rezoning part of the site from MU1 – Mixed Use to R4 – High Density Residential, increasing the maximum permissible height of building from 26 m to 28 m and 52 m and introducing a maximum floor space ratio of 2.85:1.
2. That subject to recommendation No.1, further expert advice regarding flooding be obtained and the Planning Proposal then be forwarded to the Department of Planning, Housing and Infrastructure for a Gateway Determination.
3. That subject to recommendation No.1, Council endorse the draft Development Control Plan at attachment 4 and allow its public exhibition, subject to the inclusion of any required adjustments following the receipt of additional flooding information.
4. That subject to a positive Gateway determination, the Planning Proposal and draft Development Control Plan be exhibited in accordance with Gateway Determination requirements.
5. That Council request delegation to make the local environmental plan under Section 3.36 of the *Environmental Planning and Assessment Act, 1979*.
6. That a report on the outcome of the public exhibition of the Planning Proposal and draft Development Control Plan be presented to Council.

A Division was recorded in regard to the Resolution for Item 8.5 with those voting for the Motion being Councillors G Greiss, D Lound, M Oates, W Morrison, M Khalil, M Stellino, J Cotter, M Chivers, M George and R Munro.

Voting against the Resolution were Nil.

205/2024 The Motion on being Put was **CARRIED**.

Meeting Note: Councillor Brticevic, Councillor Chowdhury and Councillor Hunt returned to the chamber at 9:02 pm.