REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.2
SUBJECT	Refusal of the Planning Proposal for land at 361-365 North Rocks Road, North Rocks
REFERENCE	F2022/00105 - D08733114
APPLICANT/S	EG
OWNERS	NextSense (Former Royal Institute for Deaf and Blind Children)
REPORT OF	Senior Project Officer

CSP THEME: **FAIR**

PURPOSE

The purpose of this report is to seek Council's resolution to not proceed with the Planning Proposal for land at 361-365 North Rocks Road, North Rocks, thereby formally ending the Planning Proposal process.

RECOMMENDATION

(a) **That** Council refuse the Planning Proposal at 361-365 North Rocks Road, North Rocks for the following reasons:

1. The Planning Proposal is inconsistent with the Housing Diversity Precinct Criteria in Council's approved Parramatta Local Strategic Planning Statement as follows:

    a. the proposed increases in height (between 9m to 25m) and density (overall site FSR of 1.35:1), and site layout leads to built form and public domain outcomes that are incompatible with the local context;

    b. the predominance of mid-rise 4-7 storey residential flat buildings is incompatible with the local context and detracts from the strategic intent to promote medium density typologies of 2-3 storeys;

    c. inadequate provision of affordable housing;

    d. the lack of sufficient documentation to demonstrate no adverse traffic impacts, and the proposed measures to improve public transport access are not considered feasible;

    e. poor strategic merit in relation to access, topographical, environmental and amenity considerations; and

    f. inadequate open space provision considering the requirements of Council's Community Infrastructure Strategy.

(b) **That** the applicant be advised of Council's decision.

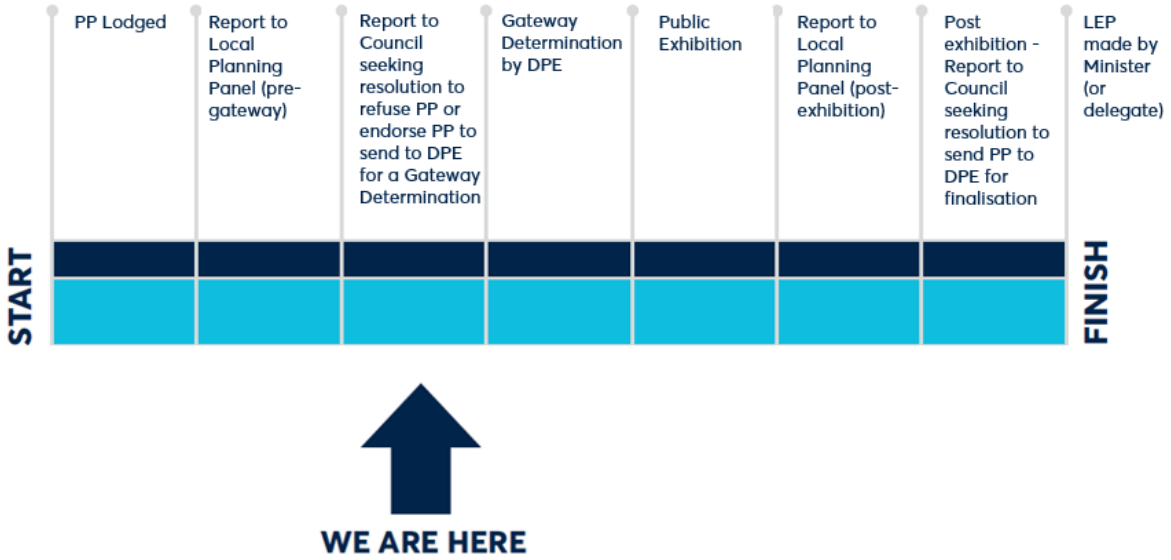
(c) **Further, that** Council note the following advice of the Local Planning Panel dated 18 October 2022 wherein:

1. The Panel noted the Council officer recommendation and the applicant's position;

2. The Panel noted the difference in the Council officer and applicant's position regarding the site's capacity to accommodate built form greater than 3 storeys, and the compliance of the proposal with Housing Diversity Precinct Criteria 6 within Council's adopted Local Strategic Planning Statement requiring the proposal to be predominantly low rise (2-3 storeys);

3. The Panel did not support the applicant's request to defer consideration of the matter and recommended the matter be reported to Council.

PLANNING PROPOSAL TIMELINE



OVERVIEW OF THE PLANNING PROPOSAL

1. On 2 June 2021, a Planning Proposal was lodged with Council by the applicant to amend the *Parramatta (former The Hills) Local Environmental Plan 2012* (PLEP 2012) for the land at 361-365 North Rocks Road, North Rocks to:

   (a) Amend the **Land Zoning** (LZN) map from R2 Low Density Residential to part R3 Medium Density Residential and part R4 High Density Residential;

   (b) Increase the maximum **Height of Buildings** (HOB) map from 9m (2 storeys) to part 9m, 11m, 16m, 23m and 25m (2-7 storeys); and

   (c) Amend the **Floor Space Ratio** (FSR) map from no maximum FSR to a maximum FSR of 1.35:1.

2. The Planning Proposal seeks to facilitate a new residential precinct of up to 1,080 dwellings (approximately) that is between 2-7 storeys high as detailed in **Table 1** and visually represented in **Figure 1**.

Land use or typology	Quantum	Building height
Detached dwellings	9	2 storeys
Townhouses	236	2-3 storeys
Apartments	690	4-7 storeys
Independent Living Units	145	4-6 storeys
Aged Care Facility	60-80 beds	4-6 storeys
Open space	3.8ha (1.5ha public open space)	Not applicable
Community facility	2,700m^2	4-6 storeys
Retail and commercial uses (childcare, general store and medical centre)	700m^2	4-6 storeys

Table 1: Proposed land uses and dwelling typologies

Figure 1: Applicant's scheme - building typologies and storeys (2 June 2021)

3. Council officers consider the Planning Proposal to be inconsistent with the Local Housing Strategy (LHS) and the Local Strategic Planning Statement (LSPS). Specifically, the Planning Proposal is inconsistent with the Housing Diversity Precinct Criteria (HDP Criteria) and strategic objectives in the LSPS to focus growth in the Greater Parramatta and the Olympic Peninsula corridor (GPOP) and Strategic Centres, and to support and enhance the low scale

character and identify of suburban Parramatta (Planning Priorities 4 and 5 respectively). Therefore it is recommended not to proceed with the Planning Proposal based on Council officers' assessment which is outlined in this report and detailed in the Local Planning Panel Report at **Attachment 1**.

SITE DESCRIPTION

4. The subject site is located in the North Rocks Local Centre, which is not part of the growth precincts identified in the LSPS. As shown in **Figure 2**, the site is adjacent to the local shopping centre and has an approximate site area of 12.6ha. It is predominantly occupied by two storey buildings, which were previously being utilised by NextSense (former The Royal Institute for Deaf and Blind Children).

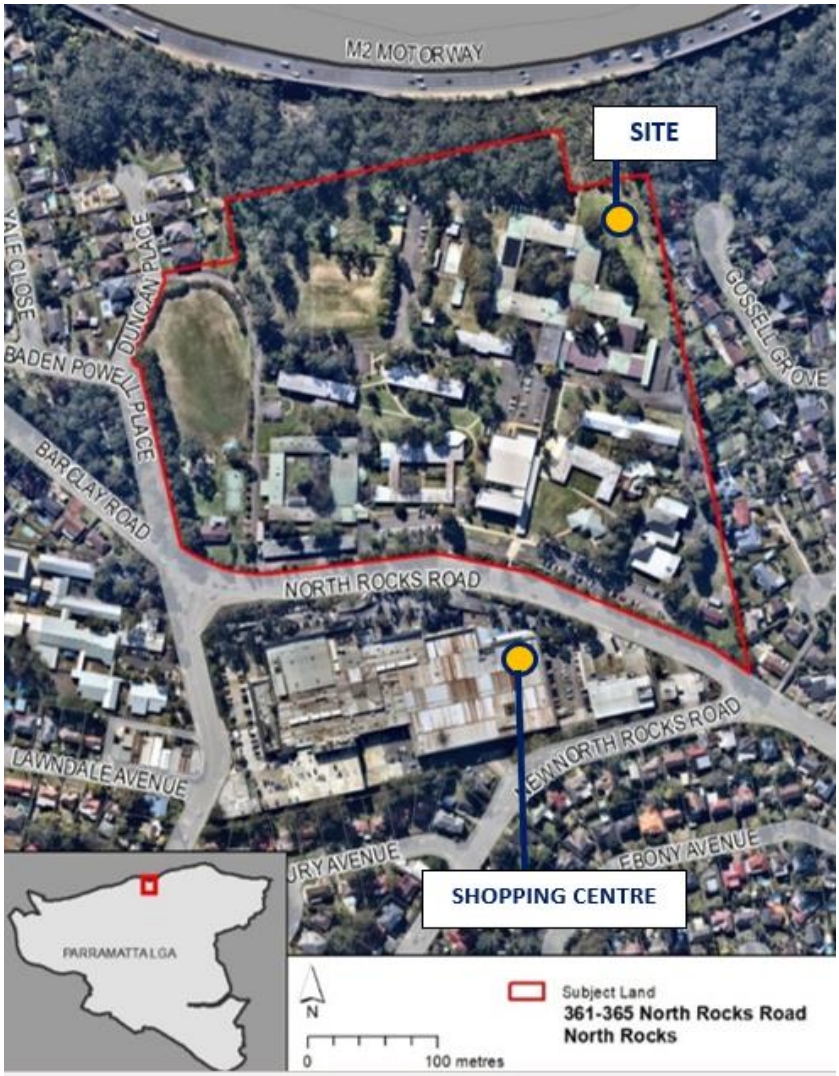


Figure 2: Aerial view of the site at 361-365 North Rocks Road, North Rocks

5. North Rocks has a low scale, suburban setting with predominantly single and double storey dwellings. Immediately to the east and west of the site are single and double storey dwellings. Crown land is located to the north containing dense vegetation adjacent to the M2 motorway. To the south, the shopping centre reads as a single storey from North Rocks Road due to the downward slope in topography and the building sitting lower in the landform (**Figure 3**). The site itself slopes down from the southern to the northern boundary, with an existing gully in the rear central portion of the site.

Figure 3: North Rocks Local Shopping Centre

6. The primary access to the site is at North Rocks Road and a secondary access is located at Duncan Place. The nearest train service is at Epping and the nearest light rail stop will be at Carlingford. There are limited 'all stops' bus services that operate through North Rocks connecting to Epping and Parramatta, and M2 Express bus services are located 1.2km west of the site. Refer to Local Planning Panel report in **Attachment 1** for detailed information on the site characteristics.

BACKGROUND

7. Between late 2018 – 2019, several discussions were held between Council officers and the applicant to discuss concept plans for the redevelopment of the site prior to lodgment of the Planning Proposal. The applicant subsequently lodged a Planning Proposal for the site in March 2019 but this was withdrawn before the LSPS came into effect on 31 March 2020 and established the strategic planning context within which the current proposal needs to be considered.

8. The LSPS has been informed by detailed planning work and sets clear objectives and criteria for future planning of North Rocks and prioritises the preservation of the low-scale character of the area.

9. On 2 June 2021, the current Planning Proposal (**Attachment 2**) was lodged with Council by the applicant to amend the applicable planning controls. An overview of the existing and proposed controls is detailed in the Local Planning Panel Report (**Attachment 1**).

10. Council officers assessed the Planning Proposal, including the consideration of referrals to relevant sections of Council. On 2 March 2022, Council officers issued a Request for Further Information Letter (RFI) to the applicant with an assessment of key issues with a focus on the Housing Diversity Precinct Criteria. To this RFI letter, the applicant requested and was granted an extension to the RFI deadline until 31 May 2022.

11. The applicant provided an interim response in April 2022 and a draft revised masterplan update in August 2022. While the draft masterplan sought to resolve urban design matters such as the site layout, it did not address outstanding concerns raised in the RFI including the excessive height and

density, HDP Criteria, traffic, bushfire risk, natural areas, open space, tree canopy, flood and water management, sustainability, economic development, affordable housing and community facilities. The draft revised masterplan has not been submitted with adequate supporting information and does not replace the June 2021 proposal which is the subject of this report.

12. To progress the assessment of the Planning Proposal in a timely manner, Council officers notified the applicant on 28 July 2022 that the matter would proceed to the Local Planning Panel on 18 October 2022 (refer to Chronology in **Attachment 3**).

PLANNING AGREEMENT

13. A draft letter of offer dated 30 April 2021 in **Attachment 4** has been provided with the Planning Proposal and is detailed in the Local Planning Panel Report in **Attachment 1**. The letter of offer proposes a potentially broad range of infrastructure to support the Planning Proposal. However, the extent of infrastructure required to support the Planning Proposal can only be ascertained after the strategic merit and an appropriate built form outcome have been established.

PLANNING PROPOSAL ASSESSMENT

14. The Planning Proposal (June 2021) is inconsistent with the strategic objectives of the Greater Sydney Region Plan (Region Plan), Central City District Plan (District Plan), Council's Local Housing Strategy (LHS) and Local Strategic Planning Statement (LSPS) (refer to the detailed assessment that accompanied the Local Planning Panel Report at **Attachments 1** and **5**). The following is a summary of the key issues.

Greater Sydney Region Plan and Central City District Plan

15. The Region Plan and District Plan identify the strategic objective to provide ongoing housing supply and a range of housing types in appropriate locations, with access to jobs, services and public transport (Objective 10 of Region Plan and Planning Priority C5 of the District Plan). Both of these strategic documents identify the site as an existing urban area within the North Rocks Local Centre. The site is not identified as part of the Greater Parramatta Growth Area (which comprises 12 precincts) where the capacity for additional housing growth is identified and planned for.

16. The proposal is inconsistent with the Region Plan and District Plan primarily as it seeks to locate substantial additional growth outside the identified growth precincts as evidenced by its inconsistencies with the LHS and LSPS as detailed below.

Local Housing Strategy

17. The LHS identifies North Rocks as a high constraint locality due to having less public transport accessibility. The LHS recommends not to actively facilitate additional major rezonings for high constraint localities unless they are for the purpose of housing diversity (Section 2.3.2). Furthermore, it provides that where there is renewal for these localities, it should be lower scale with low

density development reflecting the surrounding character and consistent with the predominant building form. The Planning Proposal does not facilitate low scale development that is reflective of the surrounding character as it proposes up to 690 units in buildings up to 7 storeys and is therefore inconsistent with the LHS.

18. There is no existing or planned major public transport infrastructure for the area. Whilst the Planning Proposal proposes a 10-year temporary bus shuttle connection to M2 Bus Services, this would not adequately address the need for long-term access to, and the additional demand for, major public transport services that would be generated by the redevelopment of the site.

Local Strategic Planning Statement

19. Consistent with the LHS, the LSPS identifies that planned housing growth will primarily occur in growth precincts along the Greater Parramatta and Olympic Park (GPOP) corridor, and that this will be in the form of high-density development. The applicant requested the inclusion of the site as a significant renewal opportunity in the LSPS, however this was not supported. Notably, the LSPS (Section 3.1.2) identifies that additional housing (such as that proposed) is not needed to meet Council's housing delivery targets to 2036.

20. As the site is not a growth precinct, the applicant is seeking to justify the additional housing based upon the HDP Criteria in the LSPS (see **Figure 4** below). Council officers consider the Planning Proposal to be inconsistent with the HDP Criteria, specifically Criteria 1, 5, 6, 7, 8 and 9 relating to urban design and compatibility; open space; predominance of low-rise building forms; housing diversity and maximum building storey height; requirements for residential flat buildings including affordable housing, and environmental and amenity considerations. The Planning Proposal has not satisfied the urban design capability test in HDP Criteria 1 and the requirement to be predominantly low-rise, two to three storeys in HDP Criteria 6 (refer to detailed assessment in **Attachment 5** which accompanied the Local Planning Panel Report in **Attachment 1**).

21. The Planning Proposal is also inconsistent with LSPS Planning Priority 5, which requires development to support and enhance the low-scale character and identity of suburban Parramatta, and Policy Direction 18 which seeks to limit the height of mixed use and residential apartment development in Local Centres to low rise building forms. The proposed building height of 25m (up to 7 storeys) would detract from the established low-scale character of North Rocks, where the predominant building form is single and double storey dwellings.

22. It is therefore recommended that the Planning Proposal not be supported due to its inconsistencies with the strategic objectives of the Region Plan, District Plan, LHS and LSPS.

To be considered as a Housing Diversity Precinct, a site or area must satisfy the following criteria:

(1) Have urban design merit via an urban design capability test that demonstrates the proposed built form is compatible with surrounding development and neighbourhoods.

(2) Be at least 1 hectare and located either:

a. entirely within a 10 minute walk of, a Strategic or Local Centre, or

b. within the GPOP area, having 30 minute door-to-door access to employment in Parramatta CBD, Westmead or Sydney Olympic Park.

(3) Include or be located within walking distance (800m) of retail convenience.

(4) For sites 1-2 ha in size - contain or be entirely within a 5 minute walk of a park, sportsground or play space as detailed in the Community Infrastructure Strategy

(5) For sites greater than 2 ha in size – require the on-site provision of quality parks, sportsgrounds or play spaces as detailed in the Community Infrastructure Strategy

(6) Be predominantly low-rise, two to three storeys.

(7) Propose one or more of the following housing types:

- attached or detached dwelling houses
- terrace housing
- semi-detached housing
- villas
- townhouses
- manor homes
- co-housing (maximum 3 storeys)
- seniors housing (maximum 3 storeys)
- new age boarding houses (maximum 3 storeys)

(8) Residential flat buildings may be permitted in Housing Diversity Precincts, but only where:

a. The built form is compatible with the surrounding neighbourhood and meets the urban test as per clause (1); and

b. Other housing types are also provided in the precinct, as specified in clause (7); and

c. They contain at least 5-10% permanent affordable rental housing (subject to viability); however, where viable, Council's aspiration is for a higher provision.

(9) Have strategic merit in relation to: access (including to a regular public transport service); constraints; topography; environment; and amenity.

Figure 4: Housing Diversity Precinct Criteria

PARRAMATTA LOCAL PLANNING PANEL

23. On 18 October 2022, the Planning Proposal was reported to the Local Planning Panel (the Panel) for advice. The Panel noted the Council officers' recommendation; that the Applicant sought to defer consideration of the proposal by the Council as they disagree that their proposal is widely different to the intent of Council's Strategic Planning; noted the difference between the two parties is considerable; and recommended the matter to be reported to Council. The full Panel recommendation is detailed below:

(a) The Panel notes that Councils' Strategic Planning officers believe that the proposal at present is inconsistent with the HDP Criteria in Council's approved Parramatta Local Strategic Planning Statement (LSPS) as follows:

i. the proposed increases in height (between 9m to 25m) and density (overall site FSR of 1.35:1), and the site layout will lead to built form outcomes that are incompatible with the local context;

ii. the predominance of mid-rise 4-7 storey residential flat buildings is incompatible with the local context and detracts from the strategic intent to promote medium density typologies of 2-3 storeys;

iii. there is inadequate provision of affordable housing;

iv. there is insufficient documentation to demonstrate that there are no adverse traffic impacts, and the proposed measures to improve public transport access are not considered feasible;

v. there is poor response to site context considering topographical, environmental and amenity considerations; and

vi. there is inadequate open space provision considering the requirements of Council's Community Infrastructure Strategy.

(b) The applicant and consultants seek to defer consideration of this proposal by the Council at this time as they disagreed that their proposal is widely different to the intent of Council Strategic Planning.

(c) The Panel notes the difference between the two parties is considerable as Council planners believe the site is to be restricted to 2 to 3 storeys keeping with their understanding of the interpretation of HDP Criteria in the LSPS.

(d) The applicants' position is that they have provided sufficient opportunities for low density (69% of the site is low density) and believe there is some opportunity for residential flat buildings on this site up to 7 storeys.

(e) The Panel believes it is now time to report this situation to the full Council.

(f) Further, that the applicant be advised of Council's decision.

The Panel decision was UNANIMOUS.

COUNCIL OFFICER RESPONSE TO PANEL RECOMMENDATION

24. It is noted the Panel did not endorse the Council officer recommendation, but also did not support the Applicant's desire for deferment of the proposal, and instead recommended that the matter should be reported to Council for consideration.

25. As is noted in the Panel's Recommendation (c), Council officers have assessed the proposal against the HDP Criteria and LSPS strategic objectives to support and enhance the low scale character and identity of suburban Parramatta. HDP Criteria 1 and 8 require Planning Proposals to have urban design merit which should be demonstrated by an urban design capability test that shows that the proposed built form is compatible with surrounding development and neighbourhoods. As the Panel have indicated in recommendation (c), Council staff consider that development of the site should be of a predominantly low-rise two to three storeys built form in keeping with the character of the area and consistent with Criteria 6.

26. North Rocks has a suburban residential character where the predominant built form is single and double storey dwellings. Therefore, the proposed height of buildings of up to 25m (7 storeys) is considered to be incompatible with the character of North Rocks, and the proposal has not satisfied the broad urban design capability test in HDP Criteria 1 (refer to the detailed assessment in **Attachment 5** which accompanied the Local Planning Panel Report at **Attachment 1**).

27. The Panel notes in Recommendation (d) that the Applicant's position is that 69% of the proposed site area is low-density and below three storeys. This is

considered to be a potentially misleading analysis and is not supported as the 69% calculation referred to includes proposed roads and open space in the overall 'low-density' area. The Planning Proposal would actually deliver predominantly 4-7 storey residential flat buildings as is demonstrated in **Table 2** which identifies the percentage of gross floor area that is accommodated in different housing types. This is considered to be a more appropriate means of measuring the predominance of building forms proposed across the site, as is required to be considered under HDP Criteria 6.

Dwelling Type/Use/Height	**No. of Dwellings**	**GFA** (%)	**Housing Mix** (%)
Low rise - dwellings and townhouses (2-3 storeys)	245	26.1%	22.7%
Seniors living (4-6 storeys)	145	25%	13.4%
Residential flat buildings (4-7 storeys)	690	46%	63.9%
Commercial/community buildings	N/A	2.9%	N/A

Table 2: Proposed dwelling/land use mix and Percentage (%) GFA and Housing Mix

28. The applicant contention noted in Recommendation (d) that there is an opportunity for some residential flat buildings on the site up to 7 storeys is not supported given the LSPS Planning Priority 5 to support and enhance the low-scale character and identity of suburban Parramatta. Specifically, Policy Direction 18 of the LSPS directs Council to limit the height of mixed use and residential apartment development in Local Centres to low rise building forms, and the HDP Criteria 6 specifically identifies low-rise as being predominantly 2-3 storeys. The inclusion of 7 storey buildings, despite their proposed location within the central portion and lowest point of the site would also be unsympathetic to the topography and would require the use of significant fill that would introduce substantial environmental change to the site. This approach reflects the lack of strategic merit of the proposal in relation to site constraints, topography and environmental considerations as required by HDP Criteria 9.

CONSULTATION AND TIMING

Stakeholder Consultation

29. Public consultation will take place if the Planning Proposal proceeds to, and obtains, a Gateway determination from the Department of Planning and Environment.

Councillor Consultation

30. An initial briefing was held with Councillors on the Planning Proposal on 21 September 2022. In accordance with normal Council practice, a Councillor briefing on this report will be held before the Council meeting.

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
21 Sep 2022	Councillors	Nil	Nil	City Planning and Design
23 Nov 2022	Councillors	Report finalised before this briefing	Report finalised before this briefing	City Planning and Design

FINANCIAL IMPLICATIONS FOR COUNCIL

31. Fees of $150,000 have been paid by the applicant in June 2021 for the assessment of the planning proposal. The fees are only recognisable from an accounting point of view when a determination is made and have been included in the September Qtr forecast. There are no further direct financial implications for Council because of the recommendations in this report.

	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Revenue				
Internal Revenue				
External Revenue		150,000		
Total Revenue		150,000		
Funding Source	N/A			
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	NIL	150,000		
Funding Source	N/A			
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	N/A			

LEGAL IMPLICATIONS FOR COUNCIL

32. There are no legal implications for Council associated with this report.

Jema Samonte
Senior Project Officer

Kelly Van Der Zanden
Group Manager City Design

David Birds
Group Manager, Major Projects and Precincts

Jennifer Concato
Executive Director City Planning and Design

John Angilley
Chief Financial and Information Officer

Bryan Hynes
Acting Chief Executive Officer

ATTACHMENTS:

1	Attachment 1 Local Planning Panel Report 18 October 2022	24 Pages
2	Attachment 2 Planning Proposal June 2021	159 Pages
3	Attachment 3 Chronology	2 Pages
4	Attachment 4 Draft Letter of Offer	5 Pages
5	Attachment 5 Detailed Council Officer Assessment of Proposal	7 Pages

REFERENCE MATERIAL

9.0	**DEVELOPMENT AND TRAFFIC SERVICES**	
9.8	ADVERTISING AND/OR NOTIFICATION OF A DEVELOPMENT APPLICATION	
9.8	(1) New dwelling and alterations/additions to existing dwelling	$104.00
9.8	(2) Other residential development i.e., dual occupancy	$260.00
9.8	(3) Non-residential development	$208.00

9.0	**DEVELOPMENT AND TRAFFIC SERVICES**	
9.12	MODIFICATION OF A CONSENT - EP&A REG Schedule 4 Part 6 items 6.1-6.9	
9.12	1. under the Act, section 4.55(1A), or 2. under the Act, section 4.56(1) that involves, in the consent authority's opinion, minimal environmental impact	Lesser of: a. 7.54 Fee Units, or b. 50% fee for original application.

13. <u>REPORTS TO COUNCIL - FOR COUNCIL DECISION</u>

13.1 SUBJECT Community Engagement Strategy

REFERENCE F2022/00105 - D08555698

REPORT OF Community Engagement Senior Advisor

4092 RESOLVED (Prociv/Darley)

(a) **That** Council receive and note the Engagement Evaluation and Key Findings Report (October 2022) in respect of the Community Engagement Strategy.

(b) **Further, that** Council adopt the Community Engagement Strategy (found at Attachment 1) to comply with Council's statutory obligations.

Note: question was taken on notice for this item.

13.2 SUBJECT Refusal of the Planning Proposal for land at 361-365 North Rocks Road, North Rocks

REFERENCE F2022/00105 - D08733114

APPLICANT/S EG

OWNERS NextSense (Former Royal Institute for Deaf and Blind Children)

REPORT OF Senior Project Officer

4093 RESOLVED (Valjak/Humphries)

(a) **That** Council refuse the Planning Proposal at 361-365 North Rocks Road, North Rocks for the following reasons:

1. The Planning Proposal is inconsistent with the Housing Diversity Precinct Criteria in Council's approved Parramatta Local Strategic Planning Statement as follows:

   a. the proposed increases in height (between 9m to 25m) and density (overall site FSR of 1.35:1), and site layout leads to built form and public domain outcomes that are incompatible with the local context;

   b. the predominance of mid-rise 4-7 storey residential flat buildings is incompatible with the local context and detracts from the strategic intent to promote medium density typologies of 2-3 storeys;

   c. inadequate provision of affordable housing;

   d. the lack of sufficient documentation to demonstrate no adverse traffic impacts, and the proposed measures to improve public transport access are not considered feasible;

   e. poor strategic merit in relation to access, topographical, environmental and amenity considerations; and

   f. inadequate open space provision considering the requirements of Council's Community Infrastructure Strategy.

(b) **That** the applicant be advised of Council's decision.

(c) **Further, that** Council note the following advice of the Local Planning Panel dated 18 October 2022 wherein:

1. The Panel noted the Council officer recommendation and the applicant's position;

2. The Panel noted the difference in the Council officer and applicant's position regarding the site's capacity to accommodate built form greater than 3 storeys, and the compliance of the proposal with Housing Diversity Precinct Criteria 6 within Council's adopted Local Strategic Planning Statement requiring the proposal to be predominantly low rise (2-3 storeys);

3. The Panel did not support the applicant's request to defer consideration of the matter and recommended the matter be reported to Council.

In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

The planning proposal moved by Councillor Valjak and seconded by Councillor Humphries was CARRIED UNANIMOUSLY.

DIVISION *A division was called, the result being:-*

AYES: Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak, Wang and Wearne

Note: Staff to be put on notice that Council's position about the building is to be retained and not demolished.

13.3 SUBJECT Pre-Gateway - Planning Proposal for land at 8 Lincluden Place, Oatlands

REFERENCE RZ/3/2021 - D08740309

APPLICANT/S Think Planners

OWNERS Zaki Property Pty Ltd As Trustee For Zaki Property Trust

REPORT OF Project Officer

4094 RESOLVED (Esber/Garrard)

(a) **That** Council approve, for the purposes of seeking a Gateway Determination from the Department of Planning and Environment (DPE), the Planning Proposal at **Attachment 1** for the land at 8 Lincluden Place, Oatlands, which seeks the following change to the Parramatta (former The Hills) Local Environmental Plan 2012:

i. Amend the Land Zoning Map from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential.

(b) **That** the Planning Proposal be forwarded to the DPE for a Gateway Determination.

(c) **That** Council advise the DPE that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.

(d) **That** Council delegates authority to the CEO: