**Minutes of the Development & Environment Committee**

**Meeting Date**: Monday, 18 January 2021

**Location**: Council Chambers, City Administrative Building, Bridge Road, Nowra

**Time**: 5.04pm

The following members were present:

Clr Mitchell Pakes - Chairperson

Clr Amanda Findley

Clr Joanna Gash

Clr John Wells

Clr Patricia White

Clr Kaye Gartner – (Remotely)

Clr Nina Digiglio

Clr John Levett

Clr Greg Watson

Clr Mark Kitchener

Clr Bob Proudfoot

Mr Stephen Dunshea - Chief Executive Officer

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| Apologies / Leave of Absence |

Apologies were received from Clr Alldrick and Clr Guile.

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| **DE21.5 Update - 'Legacy' Planning Proposals - Timing and Progression - NSW Government Direction** | **HPERM Ref: D21/936** |
| **Recommendation (Item to be determined under delegated authority)**  That Council  1. Acknowledge that the Gateway determinations for the Planning Proposals (PPs) in question were terminated by the NSW Department of Planning, Industry & Environment (DPIE) on 15 December 2020.  2. Continue to progress each PP as follows:  a. Warrah Road, Bangalee (PP005): seek a new Gateway determination immediately and if the outcome is favourable, place the PP and supporting documentation on public exhibition.  b. Halloran Trust Land, Culburra (PP006): seek a new Gateway determination at the appropriate point once potential development footprint is more fully resolved in consultation with the proponent and DPIE.  c. Nebraska Estate, St Georges Basin (LP145.1): seek a new Gateway determination at the appropriate point once the policy is adopted that will help resolve the tenure and management of the proposed E2 land (as per Council resolution MIN20.885) to help secure certification for the new planning controls under Clause 34A of the NSW Biodiversity Conservation (Savings and Transitional) Regulation 2017.  d. Badgee Lagoon Deferred Areas, Sussex Inlet (LP407): seek a new Gateway determination for each ‘deferred’ area at the appropriate point, subject to considering a new PP request that will include land adjacent to the northern deferred area and an accompanying overall draft Biodiversity Certification Assessment Report (BCAR).  e. Inyadda Drive, Manyana (PP007): seek a new Gateway determination at the appropriate point once the outcome of the proponent’s upcoming referral under the Commonwealth’s *Environment Protection and Biodiversity Conservation Act* (EPBC Act) is known.  3. Receive further reports on the above matters as appropriate.  4. Receive a future report on revising/updating Council’s Planning Proposal Guidelines once DPIE has updated it is relevant guidelines and the revised Planning Proposal process is clearer. | |
| **RESOLVED** (Clr Watson / Clr Wells) MIN21.6  That Council:   1. Acknowledge that the Gateway determinations for the Planning Proposals (PPs) in question were terminated by the NSW Department of Planning, Industry & Environment (DPIE) on 15 December 2020. 2. Continue to progress each PP as follows:    1. Warrah Road, Bangalee (PP005): seek a new Gateway determination immediately and if the outcome is favourable, place the PP and supporting documentation on public exhibition.    2. Halloran Trust Land, Culburra (PP006): seek a new Gateway determination at the appropriate point once potential development footprint is more fully resolved in consultation with the proponent and DPIE.    3. Nebraska Estate, St Georges Basin (LP145.1): seek a new Gateway determination at the appropriate point once the policy is adopted that will help resolve the tenure and management of the proposed E2 land (as per Council resolution MIN20.885) to help secure certification for the new planning controls under Clause 34A of the NSW Biodiversity Conservation (Savings and Transitional) Regulation 2017.    4. Badgee Lagoon Deferred Areas, Sussex Inlet (LP407): seek a new Gateway determination for each ‘deferred’ area at the appropriate point, subject to considering a new PP request that will include land adjacent to the northern deferred area and an accompanying overall draft Biodiversity Certification Assessment Report (BCAR).    5. Inyadda Drive, Manyana (PP007): seek a new Gateway determination at the appropriate point once the outcome of the proponent’s upcoming referral under the Commonwealth’s *Environment Protection and Biodiversity Conservation Act* (EPBC Act) is known. 3. Receive further reports on the above matters as appropriate. 4. Receive a future report on revising/updating Council’s Planning Proposal Guidelines once DPIE has updated it is relevant guidelines and the revised Planning Proposal process is clearer.   For: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Gartner, Clr Digiglio, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea  Against: Nil  CARRIED | |