

4.3 Planning Proposal - Lot 40 DP 1230679 - 5 Sims Road, Gerringong - Commencement

21/162OC

Committee recommendation that Council :

1. support the proponent led Planning Proposal on Lot 40 DP 1230679, 5 Sims Road Gerringong, proceeding to the Department of Planning, Industry and Environment (DPIE) for Gateway Determination (the next step in the planning proposal process) as it satisfies the strategic merit and site specific merit test.
2. provide further detailed communication to the community about the process that is to be followed for all planning proposals and the future further engagement that is required to occur for this process under legislation.

(Councillors Reilly and Steel)

For: Councillors Brown, Honey, Reilly, Steel, Watson, Way and Westhoff

Against: Councillors Rice and Sloan

4.4 Planning Proposal - Multiple Lots - South Kiama - Finalisation

Disclosure of Interest - Councillor Watson

Councillor Watson declared a less than significant non-pecuniary interest in relation to Item *4.4 Planning Proposal - Multiple Lots - South Kiama - Finalisation* as he is a near neighbour. Councillor Watson took part in discussion and voted on this matter.

21/163OC

Committee recommendation That Council write to the Minister for Planning and Public Spaces to:

1. Inform the Minister that the proponent lead Planning Proposal, PP_2019_KIAMA_004_00, for land south of Saddleback Mountain Road, north of Weir Street and to the west of and immediately adjacent to the Princes Highway now fails to satisfy the Strategic Merit and Site-Specific Merit Tests for the following reasons:
 - other initiatives have now been pursued by Council, some to completion, to meet projected housing needs identified in the Illawarra Shoalhaven Regional Plan. This includes:
 - the planning proposal for Henry Parkes Drive, Kiama Downs
 - the planning proposal for 48 Campbell Street, Gerringong
 - completion of the Local Strategic Planning Statement and

- the commitment to prepare and adopt a Local Housing Strategy by 30 June 2022
 - the proposal is inconsistent with Ministerial Directions 2.3 Heritage Conservation, 4.3 Flood Prone Land and 6.1 Approval and Referral Requirements
 - the amount of fill the proponent considers necessary to make the site suitable is excessive and completely outside Council's policy framework and provisions. The proposed cut and fill in fact suggests that the site is in not suitable for this level of development, noting the Southern Planning Panel's conclusion that the site would have site-specific merit through further refinement and reduction in initial yields (with no reduction of yields provided in this application)
 - there remains significant community opposition to the proposed development and this development is not deemed to be within the public interest
 - there also remains significant concerns relating to the following matters:
 - impacts on local educational facilities particularly Kiama High School and Primary School to be able to support the additional population resulting from this proposal
 - significant impacts on traffic and movement particularly the intersection between Saddleback Mountain Rd and South Kiama Drive and local roads leading from there to the Princes Highway. A full traffic assessment and modelling is still required and needs to be associated with Council's Kiama Traffic and Parking Study
 - reservations remain regarding the ability for the site to be serviced by Sydney Water, given lack of forward planning that has occurred by Sydney Water to date.
2. Recommend that the NSW Department of Planning, Industry and Environment issue an amended Gateway Determination to no longer proceed with PP_2019_KIAMA_004_01 to rezone multiple Lots between Saddleback Mountain Road, Weir Street and the Princes Highway, Kiama.

(Councillors Sloan and Reilly)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson, Way and Westhoff

Against: Nil

A Point of Order was ruled and business suspended at 6.34pm, to deal with an act of disorder and the retraction of comments made in relation to Item 4.4.