

Plain Development Manual 2005.

- d) the Flood Impact Risk Assessment does not adequately address the Considering Flooding in Land Use Planning Guideline 2021.
 - e) the Flood Impact Risk Assessment does not adequately address the Flood Risk Management Manual 2023.
 - f) the proposal will permit development within a floodway and the proposed development sought will result in a larger portion of the site being classified as a floodway.
 - g) the proposal will result in significant flood impacts to neighbouring properties.
 - h) the proposal will facilitate high density residential development within a high hazard flood area.
 - i) the proposal will result in an increase of residential dwellings on flood affected land.
 - j) the proposal would likely result in a significant increase in government spending to reduce and alleviate flood hazards on and surrounding the site.
 - k) The DPE Environment and Heritage Group (EHG) and NSW State Emergency Services (SES) do not support the proposal due to significant community exposure to flood hazard, and evacuation management of the site.
- 2 If Council and/or NSW Department of Planning and Environment support the finalisation of the Planning Proposal, a future report be considered by Council relating to the Planning Agreement Offer, prior to finalisation (notification) of the Planning Proposal.

Division (Planning Matter)

For: Councillors Saravinovski, Curry, Morrissey, Muscat, Fardell, Jansyn, Tsounis, Werner, Barlow, Hanna, Douglas and Sedrak

The Motion was declared carried.

11.3 CPE23.032 Planning Proposal Request - 26 Tupia Street, Botany

Councillor Awada had previously declared a conflict of duty in regard to this item, and left the meeting for consideration of, and voting on, this item.

Councillor Nagi had previously declared that a conflict of duty in regard to this item, and left the meeting for consideration of, and voting on, this item.

RESOLUTION

Minute No. 2023/220

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Council notes the advice of the Bayside Local Planning Panel; and
- 2 That Council does not support the Planning Proposal Request for land at 26 Tupia Street, Botany for the following reasons:
 - a) The Planning Proposal seeks substantially greater height and floor space than is permitted in the Bayside Local Environmental Plan 2021 (BLEP 2021) but fails to provide sufficient justification for these increases.
 - b) The Planning Proposal would not promote the orderly development of land as referred to in s1.3(c) of the Environmental Planning & Assessment Act 1979.
 - c) Given the expected increase in density that the Planning Proposal seeks, it presents increased flooding risks to a greater number of people, yet fails to adequately address the risks to the residents of living on flood prone land, and has not satisfied provisions around the emergency evacuation of residents during flood events.
 - d) The current R3 zoning and planning controls for the site are noted, however, intensification is not appropriate for the site.
 - e) The Planning Proposal is inconsistent with a number of Ministerial directions relating to Planning Proposals made under s9.1 of the Environmental Planning & Assessment Act, 1979.

Division (Planning Matter)

For: Councillors Saravinovski, Curry, Morrissey, Muscat, Fardell, Jansyn, Tsounis, Werner, Barlow, Hanna, Douglas and Sedrak

The Motion was declared carried.

11.3 CPE23.033 Draft Car Share Policy**RESOLUTION**

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That the draft Car Share Policy and assessment matrix be endorsed for public exhibition.
- 2 That prior to the Council meeting that an updated list of potential sites be circulated to councillors along with the assessment matrix.