

The Chief Executive Officer is required (under Section 375A of the Local Government Act September 1993) and in accordance with Council's Code of Meeting Practice to keep a register containing for each planning decision made of the council or council committee, the names of councillors who supported the decision and those that opposed the decision. This provision applies to planning decisions made by councillors in relation to:

- * Development Applications
- * Environmental Planning Instruments
- * Development control plans
- * Development contribution plans

Council Meeting Date	Item	Resolution	Councillors Supporting Decision	Councillors Opposing Decision
23-Aug-22	10.3.3 Development Application- DA0577/2021-Lot 61 DP1105944 - 9 Minga Avenue, Shellharbour City Centre (11918584)	That Council approve DA No. 0577/2021 for the construction of a mixed use development consisting of 9 commercial tenancies, one Cafe, 46 residential units and basement parking (Shop Top Housing) Lot 61 DP 1105944, No. 9 Minga Avenue, Shellharbour City Centre subject to the conditions of consent in Attachment 8 of this report.	CARRIED 6/3 For: C Homer K Marsh M Hamilton C Gow J Graf J Davey	Against: M Duffy-Moon R Petreski L Stefanovski
23-Aug-22	10.3.6 Proposed Amendments to Shellharbour Local Environmental Plan 2013 and State Environmental Planning Policy (Precincts-Regional) 2021 Mapping Anomalies - Calderwood and Albion Park (11919418)	That Council: 1. Support the amendment to the zoning and other planning controls in Shellharbour Local Environmental Plan 2013 generally as shown in Attachments 2 to 14 2. Request the Minister for Planning and Homes amend the State Environment Planning Policy (Regional – Precinct) 2021 Appendix 5 Calderwood Site zoning and other planning controls to generally reflect the current cadastre 3. Endorse this report for submission to the Department of Planning and Environment for an expedited amendment of Shellharbour Local Environmental Plan 2013 in accordance with Section 3.22 of the Environmental Planning Assessment Act 1979 4. Delegate to the Chief Executive Officer or his nominated delegate, the authority to submit a Section 3.22 request to the Department of Planning and Environment to consider amending Shellharbour Local Environmental Plan 2013 and State Environmental Planning Policy (Precincts – Regional) 2021 Appendix 5 Calderwood Site 5. Delegate to the Chief Executive Officer or his nominated delegate, the authority to make changes to the zoning and other planning controls of Shellharbour Local Environmental Plan 2013 that are required by the Department of Planning and Environment, are minor in nature and comply with the intent of the proposed amendments.	CARRIED UNANIMOUSLY C Homer K Marsh J Davey M Duffy-Moon C Gow J Graf M Hamilton R Petreski L Stefanovski	
27-Sep-22	10.3.1 Planning Proposal Application 0002/2021 - Ron Costello Oval, William Street, Shellharbour to amend Shellharbour Local Environmental Plan 2013 (11939622)	That items 10.3.1, 10.3.2 and 10.3.3 be dealt with together and that they be deferred to a future meeting to allow Councillors the opportunity to get further information and clarification from Council Officers to enable Councillors to make an informed decision.	CARRIED on Mayor's Casting Vote For: Cr Davey Cr Marsh Cr Gow Mayor Homer	Against: Cr Stefanovski Cr Petreski Cr Hamilton Cr Duffy-Moon
27-Sep-22	10.3.2 Planning Proposal Application 003/2021 - Albion Park Showground, 108A Tongarra Road, Albion Park to amend Shellharbour Local Environmental Plan 2013 (11939620)			

27-Sep-22	10.3.3 Planning Proposal Application 0004/2021 - Beverley Whitfield Park, Shellharbour Road, Shellharbour to amend Shellharbour Local Environmental Plan 2013 (11939621)			
13-Dec-22	10.3.2 Shellharbour Local Environmental Plan 2013 Planning Proposal 1/2022 – 418 Princes Highway and 10 Colden Drive, Albion Park Rail (11974660)	<p>That Council:</p> <ol style="list-style-type: none"> 1. Prepare Planning Proposal No 1/2022 to amend Shellharbour Local Environmental Plan 2013 in the following manner: <ol style="list-style-type: none"> a. Amend Shellharbour LEP 2013 Land Zoning Map generally in accordance with Attachment 4b b. Amend Shellharbour LEP 2013 Height of Building Map generally in accordance with Attachment 5b c. Amend Shellharbour LEP 2013 Floor Space Ratio Map generally in accordance with Attachment 6b d. Amend Shellharbour LEP 2013 Minimum Lot Size Map generally in accordance with Attachment 7b. 2. Authorise the Chief Executive Officer or their delegate to submit Shellharbour Local Environmental Plan 2013 Planning Proposal No 1/2022 to the NSW Department of Planning & Environment in accordance with section 3.34 of the Environmental Planning & Assessment Act 1979 for review and gateway determination. 3. Delegate to the Chief Executive Officer or their delegate, authority to make minor mapping and Local Environmental Plan instrument changes to Shellharbour Local Environmental Plan 2013 Planning Proposal No 1/2022 if and as required by the NSW Department of Planning & Environment's gateway determination. 4. As part of its gateway submission, apply to the Department of Planning & Environment for Council to use its plan making related delegations, including making or not making the plan under section 3.36 of the Environmental Planning and Assessment Act, after any public exhibition of the draft plan. 5. Approve Shellharbour Local Environmental Plan 2013 Planning Proposal No 1/2022 to be publicly exhibited in accordance with the gateway determination. 6. Endorse a further report be provided to Council for consideration after the public exhibition period has closed, detailing the public exhibition outcomes and with further recommendations regarding adoption. 	<p>Carried unanimously</p> <p>C Homer K Marsh J Davey M Duffy-Moon C Gow J Graf M Hamilton R Petreski L Stefanovski</p>	

28-Feb-23	10.3.2 Planning Proposal 0005/2020 – Final consideration of Infrastructure Zoning Amendment	<p>That Council:</p> <p>1. Adopt the following amendments to Shellharbour Local Environmental Plan 2013 for the purpose of making the Local Environmental Plan under section 3.36(2) of the Environmental Planning & Assessment Act 1979:</p> <p>a. Amend the following Shellharbour LEP 2013 Land Zone Map sheets, in accordance with Attachment 1, under separate cover:</p> <p>i. EZN_014, LZN_017, LZN_018, LZN_023, LZN_024, LZN_028, LZN_029, LZN_030, LZN_031.</p> <p>b. Amend the following Shellharbour LEP 2013 Height of Building Map sheets, in accordance with Attachment 2, under separate cover:</p> <p>i. HOB_014, HOB_017, HOB_018, HOB_023, HOB_024, HOB_028, HOB_029, HOB_030, HOB_031.</p> <p>c. Amend the following Shellharbour LEP 2013 Lot Size Map sheets, in accordance with Attachment 3, under separate cover:</p> <p>i. LSZ_014, LSZ_017, LSZ_018, LSZ_023, LSZ_024, LSZ_028, LSZ_029, LSZ_030, LSZ_031.</p> <p>d. Amend the following Shellharbour LEP 2013 Floor Space Ratio Map sheets, in accordance with Attachment 4, under separate cover:</p> <p>i. FSR_014, FSR_017, FSR_018, FSR_023, FSR_024, FSR_028, FSR_029, FSR_030, FSR_031.</p> <p>2. Delegate the Chief Executive Officer authority to:</p> <p>a. Sign the Map Cover Sheet;</p> <p>b. Sign the written Local Environmental Plan; and</p> <p>c. Send the Planning Proposal to the regional office of the NSW Department of Planning & Environment in accordance with section 3.36(2) of the Environmental Planning & Assessment Act 1979 to place the amending Local Environmental Plan on the NSW Legislation website.</p>	<p>Carried unanimously</p> <p>C Homer K Marsh J Davey M Duffy-Moon C Gow J Graf M Hamilton R Petreski L Stefanovski</p>	
18-Apr-23	10.3.3 Consideration of Planning Proposal PP0003/2022 to amend the Shellharbour Local Environmental Plan 2013 for Lot 1 DP 549286, No. 400 Shellharbour Road and Lot 14 DP 716238, No. 2 Ocean Beach Drive Shellharbour (12035726)	<p>That Council not support the preparation of Planning Proposal PP0003/2022 at Lot 1 DP 549286, No. 400 Shellharbour Road and Lot 14 DP 716238 No. 2 Ocean Beach Drive Shellharbour for the following reasons:</p> <p>a. The effect of the increased site specific zoning, height and floor space ratio proposed, would create a site with land use controls anomalous to and out of character with its surrounds;</p> <p>b. The proposal is inconsistent with Section 9.1 Directions under the Environmental Planning and Assessment Act;</p> <p>c. The proposal is inconsistent with the Shellharbour Local Housing Strategy;</p> <p>d. The proposal is inconsistent with the Shellharbour Employment Lands Study;</p> <p>e. The proposal is inconsistent with Council’s Local Strategic Planning Statement;</p> <p>f. The proposal is inconsistent with Council’s Community Strategic Plan 2022 – 2032; and</p> <p>g. The proposal is not supported by Sydney Water based on odour and visual amenity issues associated with its nearby Water Resource Recovery Facility.</p>	<p>Carried unanimously</p> <p>C Homer K Marsh J Davey M Duffy-Moon C Gow J Graf M Hamilton R Petreski L Stefanovski</p>	

09-May-23	<p>10.3.2 Proposed Planning Agreement for the provision of a District Park, Local Park and Monetary Contributions associated with the subdivision of proposed Lot 100 and Lot 101 (in the subdivision of Lot 1 in DP 608238) Calderwood Road, Calderwood – DA0290/2018 (12047105)</p>	<p>That:</p> <ol style="list-style-type: none"> 1. Council endorse for the purpose of exhibition, the draft Planning Agreement between Council and Sekisui House Services Pty Ltd. The Planning Agreement is for the provision of Developer Contributions and Community Infrastructure, as required under Condition B30 of Development Consent DA0290/2018. 2. Council place the draft Planning Agreement for proposed Lot 100 and Lot 101 (in the subdivision of Lot 1 in DP 608238) Calderwood Road, Calderwood on public exhibition for a period of at least 28 days in accordance with Section 7.5(1) of the Environmental Planning and Assessment Act 1979. 3. Should no valid opposing submissions to the Draft Planning Agreement be received as a result of the public notification process, the Chief Executive Officer or their nominated delegate and Mayor be granted delegation to enter into the agreement on Council's behalf. 4. Should any valid opposing submissions to the Draft Planning Agreement be received as a result of the public notification process, the matter be reported back to Council for further consideration. 	<p>Carried unanimously</p> <p>C Homer K Marsh J Davey M Duffy-Moon C Gow J Graf M Hamilton R Petreski L Stefanovski</p>	
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