

13 NOTICE OF MOTION(S)

13.1 NOTICE OF MOTION - LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

Attachments: Nil

I, Councillor Alfie Walker, give notice that at the next Ordinary Meeting of Council be held on 20 April 2021, I intend to move the following motion:-

MOTION

That:

1. Any development application received by Council prior to the close of business on the 31 May 2021 that is complete in terms of fulfilling the requirements of all legislation and Council policy including payment of lodgement fees will be subject to the applicable s94 or s94A Plan that is in force at the 31 May 2021.
2. Council encourage applicants to submit their applications a minimum of 3 business days prior to 1 June 2021 in order to avoid applications not being formally accepted prior to the deadline.

RATIONALE

At its meeting held 16 March 2021, Council resolved to adopt the Goulburn Mulwaree Local Infrastructure Contributions Plan 2021 (LICP). The Plan is scheduled to come into effect on 1 June 2021, at which time the previous Goulburn Mulwaree s94 and s94A Plans will be repealed. The relevant part of that resolution stated:-

Council adopt the Goulburn Mulwaree Local Infrastructure Contributions Plan 2021, as amended in Attachment 1 subject to a commencement date of 1 June 2021 under clause 31(4) of the NSW Environmental Planning and Assessment Act Regulations 2000.

In accordance with the resolution, all development applications (DAs) or complying development certificates (CDCs) which have been lodged but not determined from 1 June 2021 are subject to the rates specified in the new plan. The new plan does not affect development consents applying to land in the Goulburn Mulwaree local government area containing conditions requiring contributions or levies under the plans which are being repealed.

As Council are aware, the development assessment process is influenced by many factors, some of which can be controlled by Council and others not so much. An example of this is the heavy reliance upon cooperation from State Government agencies in reviewing referrals and providing feedback and concurrence to Council prior to a consent being determined. It is therefore reasonable to expect that a number of developers may be negatively impacted through no fault of their own, and as a result end up having to comply with the new LICP rather than the former s94 and s94A Plans.

I therefore believe that whilst time is still on our side, that Council consider the constraints contained within the broader development application process and consider reviewing its previous resolution, and seek to allow any development application that has been lodged and accepted (i.e. an application that is complete in terms of fulfilling the requirements of all legislation, Council policy and payment of lodgement fees) by close of business on 31 May 2021 be subject to the relevant Contributions Plan that is in force at the time. Accordingly, any development application received on 1 June 2021 and thereafter will be subject to the new LICP.

For clarity and for applicants to comply with the general intent of this motion, it is recommended that applicants allow a minimum of 3 business days prior to 1 June 2021 to allow their development application to be submitted, reviewed for completeness and accepted for lodgement. The completeness of an application will be the responsibility of the applicant, and no further extension should be granted.

I commend this Notice of Motion to Council.

Cr Alfie Walker

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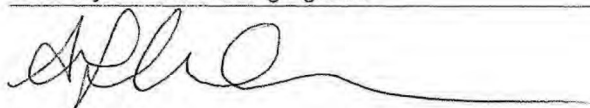
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I commend this Notice of Motion to Council.

Ordinary Council Meeting Agenda

20 April 2021



Cr Alfie Walker

14 NOTICE OF RESCISSION(S)

Nil