

## Memo to Councillors

Planning and Place Division

**To:** All Councillors

**From:** Louise Kerr, Director Planning and Place

**Date:** 28 June 2022

**Subject:** Item 12.1 – Outcome of Public Exhibition (Planning Agreement Policy 2022)

**Record Number:** 2022/391632

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Dear Councillors,

I refer to Item 12.1 – Outcome of Public Exhibition (Planning Agreement Policy 2022) and to my email to all Councillors sent earlier today in response to comments made by Councillor Glanville.

Following a review of the matters identified by Councillor Glanville, I recommend that two minor amendments be made to the draft Planning Agreement Policy 2022.

It is recommended that the first sentence under the heading ‘Offer to Enter into a Planning Agreement’ on page 2 of the Policy be amended to read as follows:

**The Offer to Enter into a Planning Agreement (the “Offer”) is initiated by a developer and an offer can be made at any time. An offer to enter into a Planning Agreement can be made before an application is lodged to Council, during the assessment phase of the application, or after determination (such as once Council supports a Planning Proposal or a development consent is issued).’**

It is also recommended that the fourth sentence under the heading ‘Application of Section 7.11 or Section 7.12 development contributions’ on page 6 of the Policy be amended to read as follows:

**An application to modify the consent by deletion or modification of any condition of consent that refers to section 7.11 or section 7.12 may also need to be made following execution of the PA.**

Accordingly, an alternate report recommendation is put forward for Council’s consideration.

### RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Note the outcome of the public exhibition of the draft Planning Agreement Policy 2022.

2. Adopt the Planning Agreement Policy 2022 subject to the following amendments:

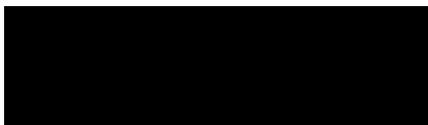
- The first sentence under the heading 'Offer to Enter into a Planning Agreement' on page 2 of the Policy be amended to read as follows:

**The Offer to Enter into a Planning Agreement (the "Offer") is initiated by a developer and an offer can be made at any time. An offer to enter into a Planning Agreement can be made before an application is lodged to Council, during the assessment phase of the application, or after determination (such as once Council supports a Planning Proposal or a development consent is issued).**

- The fourth sentence under the heading 'Application of Section 7.11 or Section 7.12 development contributions' on page 6 of the Policy be amended to read as follows:

**An application to modify the consent by deletion or modification of any condition of consent that refers to section 7.11 or section 7.12 may also need to be made following execution of the PA.**

Should you have any questions in relation to the above, please do not hesitate to contact my office on 8495 6415.



Louise Kerr  
Director Planning and Place