
MINUTES OF THE DEVELOPMENT COMMITTEE MEETING HELD ON TUESDAY, 1 MARCH, 2016 IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA COMMENCING AT 4.00PM

The following members were present:

Clr White - Chairperson
Clr Gash
Clr Tribe
Clr Robertson
Clr Kearney
Clr Anstiss
Clr Wells
Clr Baptist
Clr Findley
Clr Watson
Clr Kitchener
Russ Pigg – General Manager

Apologies:

Apologies were received from Clr Guile

1. Confirmation of the Minutes of the Development Committee meeting held on Tuesday 2 February 2016

MOTION:

Moved: Kearney / Second: Baptist

(MIN16.129) RESOLVED that the Minutes of the Development Committee meeting held on Tuesday 2 February 2016 be confirmed.

CARRIED

2. Declarations of Interest

Conflict of Interest Declaration - Clr Robertson – Significant non pecuniary interest – Confidential Item 1 – The person named in confidence is known to him and close friends of his, with whom he has long standing disagreements, it may be perceived that my vote on this matter may be swayed by my friendship with those he is in conflict with – will leave the room.

Conflict of Interest Declaration - Clr Watson – Non significant non pecuniary interest – Confidential Item 1 – A party to the legal proceedings is known to him – will remain in the room.

REPORT OF THE GENERAL MANAGER

PLANNING AND DEVELOPMENT

3. Development Application - Proposed Subdivision of Dual Occupancy at Lot 18 DP1045765 Wattlevale Place Ulladulla. Applicant: Rygate & West. Owner: H & C Martin
File SF10490 (PDR)
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MOTION: Moved: Wells / Second: Baptist

(MIN16.130) RESOLVED in accordance with the Committee's delegated authority from Council, that the Committee:

- a) Confirms support for the proposed exception; and
- b) The application be determined under delegated authority.

CARRIED

FOR: White, Gash, Tribe, Robertson, Kearney, Anstiss, Wells, Baptist, Findley, Watson, Kitchener, Russ Pigg

AGAINST: Nil.

4. NSW Right to Farm Policy - Release File 21709e
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MOTION: Moved: Wells / Second: Kearney

(MIN16.131) RESOLVED, in accordance with the Committee's delegated authority from Council, that:

- a) The report on the release of the NSW Right to Farm policy be received for information;
- b) In the preparation of future documents relating to Planning and Development, that the right to farm be taken into account.

CARRIED

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5. Worrigee Urban Release Area - Planning Proposal (Rezoning) - Shoalhaven Development Control Plan 2014 draft Chapter NB2 and Shoalhaven Contributions Plan 2010 draft Amendment No. 7 - Owners: Umbene Pty Ltd and R&J Coney
File 49004e, 49572e, 49573e (PDR)
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MOTION: Moved: Robertson / Second: Baptist

(MIN16.132) RESOLVED, in accordance with the Committee's delegated authority from Council, that the Committee:

- a) Adopt the Planning Proposal (Rezoning) for the Worrigee Urban Release Area with the following changes:
 - i) Rezone the existing R1 General Residential land to R2 Low Density Residential, instead of R5 Large Lot Residential
 - ii) All other provisions, including the minimum lot size of 2,500m² retained as exhibited
 - iii) If necessary include site specific provisions to facilitate the intended and desired subdivision outcomes, particularly related to the rural or environmental protection zoned residue components of the subject land.
- b) Adopt Shoalhaven Development Control Plan Chapter NB2 and Shoalhaven Contributions Plan 2010 Amendment No. 7 as exhibited
- c) Submit the Planning Proposal for the Worrigee Urban Release Area to the NSW Parliamentary Counsel Office with instructions to prepare an amendment to Shoalhaven Local Environmental Plan 2014 under Section 59(1) of the Environmental Planning and Assessment Act 1979.
- d) Notify the adoption of Shoalhaven Development Control Plan Chapter NB2 and Shoalhaven Contributions Plan 2010 - Amendment No. 7 in local newspapers in accordance with the requirement of the Environmental Planning and Assessment Act 1979 and its Regulations.
- e) Advise the NSW Department of Planning and Environment and the people/agencies who made submissions on the Planning Proposal of Council's resolution.

CARRIED

FOR: White, Gash, Tribe, Robertson, Kearney, Anstiss, Wells, Baptist, Findley, Watson, Kitchener, Russ Pigg

AGAINST: Nil.

NOTICES OF MOTION

6. Willows Caravan Park Full Compliance and Fire Audit

File 25006E

MOTION:

Moved: Watson / Second: Baptist

(MIN16.133) RESOLVED, in accordance with the Committee’s delegated authority from Council, that a full compliance, fire and regulatory audit of the Willows Caravan Park be conducted.

CARRIED

CONFIDENTIAL REPORT

PLANNING AND DEVELOPMENT

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

Item	Reason
Land and Environment Court Case No.40252 2004 – Legal Proceedings	Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege 10A(2)(g)
Jerberra Estate Land and Environment Court Legal Proceedings	Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege 10A(2)(g)

Pursuant to Section 10(A)(4), the public were invited to make representations to the Development Committee before any part of the meeting is closed, as to whether that part of the meeting should be closed. The Chairperson asked the General Manager if any written representations had been received as to whether that part of the meeting should be closed.

MOTION:

Moved: Wells / Second: Baptist

That the Development Committee Meeting exclude the press and public from the Meeting pursuant to Section 10(A)(1)(a) of the Local Government Act, 1993 as it was to consider items of a confidential nature in relation to matters pursuant to Section 10(A)(2)(g).

CARRIED.

Note: Clr Robertson left the room.

The meeting moved into confidential the time being 4.07pm.

The meeting moved into open session, the time being 4.08pm.

The following resolutions of the Confidential session were made public.

7. Land & Environment Court Case No. 40252 2004 – Legal Proceedings
File DA03/1859, 32740E
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(MIN16.134) RESOLVED that the recommendation remain confidential until the legal action has concluded.

8. Jerberra Estate Land & Environment Court Legal Proceedings File 28040

(MIN16.135) RESOLVED that the recommendation remain confidential until the legal action has concluded.

There being no further business, the meeting concluded, the time being 4.09pm.

Clr White
CHAIRPERSON