
MINUTES OF THE SPECIAL DEVELOPMENT COMMITTEE MEETING HELD ON WEDNESDAY 17 JULY 2013, IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA COMMENCING AT 4:00 PM, RECONVENED THURSDAY 18 JULY 2013, WEDNESDAY 24 JULY 2013, FRIDAY 26 JULY 2013, MONDAY 29 JULY 2013, WEDNESDAY 31 JULY 2013, FRIDAY 9 AUGUST 2013 AND WEDNESDAY 14 AUGUST 2013

The following members were present:

Clr White – Chairperson
 Clr Tribe
 Clr Robertson
 Clr Kearney
 Clr Anstiss
 Clr Wells
 Clr Baptist
 Clr Guile – arrived 4:19 pm
 Clr Watson
 Clr Kitchener
 Clr Gash
 Russ Pigg – General Manager

Note: Leave of absence has been granted for Clr Findley and Clr McCrudden.

1. Declarations of Interest

Clr White declared the following pecuniary interests in Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition.

1.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	41 Treetops Avenue, Mollymook
Relationship of identified land to councillor	Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2(a1) Residential
Proposed change of zone/planning control	R2 Low Density Residential
Effect of proposed change of zone/planning control on councillor	Unknown

2.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	9 Scribbly Gum Crescent, Ulladulla

Relationship of identified land to councillor	Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2(a1) Residential
Proposed change of zone/planning control	R2 Low Density Residential
Effect of proposed change of zone/planning control on councillor	Unknown

Clr Tribe declared the following pecuniary interest in Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition.

1.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	107East Street, Nowra
Relationship of identified land to councillor	Councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2 (a1) Residential, 5 (d) Special Uses
Proposed change of zone/planning control	R1 General Residential
Effect of proposed change of zone/planning control on councillor	Unknown

Clr Robertson declared the following pecuniary interest in Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition.

1.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	12 Maroney Avenue, St Georges Basin
Relationship of identified land to councillor	Councillor has interest in the land..
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2(c) Residential
Proposed change of zone/planning control	R2 Low Density Residential

Effect of proposed change of zone/planning control on councillor	Unknown
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Clr Kearney declared the following pecuniary interest in Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition.

1.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	13 Yanderra Road, Tapitallee
Relationship of identified land to councillor	Councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2 (a3) Residential
Proposed change of zone/planning control	R5 Large Lot Residential
Effect of proposed change of zone/planning control on councillor	Unknown

Clr Anstiss declared the following pecuniary interests in Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition.

1.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	82 Illaroo Road, North Nowra
Relationship of identified land to councillor	Councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2 (a1) Residential
Proposed change of zone/planning control	R2 Low Density Residential
Effect of proposed change of zone/planning control on councillor	Unknown

2.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	59 Coconut Drive, North Nowra
Relationship of identified land to councillor	Associated person of councillor has interest in the land.

Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2(c) Residential
Proposed change of zone/planning control	R2 Low Density Residential
Effect of proposed change of zone/planning control on councillor	Unknown

3.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	Lot 5 Nobblers Lane, Terara
Relationship of identified land to councillor	Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land. Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control	1(g) Rural Flood Liable
Proposed change of zone/planning control	RU1 Primary Production
Effect of proposed change of zone/planning control on councillor	Unknown

Clr Wells declared the following pecuniary interests in Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition.

1.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	6A Tannery Road, Cambewarra
Relationship of identified land to councillor	Councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2(a1) Residential
Proposed change of zone/planning control	R2 Low Density Residential
Effect of proposed change of zone/planning control on councillor	Unknown

2.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	63 Bridge Road, Nowra
Relationship of identified land to councillor	Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	3(d) Business
Proposed change of zone/planning control	B3
Effect of proposed change of zone/planning control on councillor	Unknown

3.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	2 Hamilton Place, Bomaderry
Relationship of identified land to councillor	Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2(a1) Residential
Proposed change of zone/planning control	R2 Low Density Residential
Effect of proposed change of zone/planning control on councillor	Unknown

Clr Baptist declared the following pecuniary interest in Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition.

1.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	16 Lurnea Avenue Bawley Point
Relationship of identified land to councillor	Councillor has interest in the land
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2 E Residential

Proposed change of zone/planning control	R1
Effect of proposed change of zone/planning control on councillor	Nil

Clr Guile declared the following pecuniary interests in Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition.

1.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	100 Kangaroo Valley Road, Berry
Relationship of identified land to councillor	Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2(a3) Residential
Proposed change of zone/planning control	R5 Large Lot Residential
Effect of proposed change of zone/planning control on councillor	Unknown

2.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	5/27 Bowada Street, Bomaderry
Relationship of identified land to councillor	Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2(b1) Residential
Proposed change of zone/planning control	R3 Medium Density Residential
Effect of proposed change of zone/planning control on councillor	Unknown

Clr Watson declared the following pecuniary interests in Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition.

1.

Address of land in which councillor or an associated person, company or body has a proprietary interest	3 Angus Avenue South Nowra
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Relationship of identified land to councillor	Councillor has interest in the land. Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land. Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control	Industrial, Shoalhaven LEP 1985
Proposed change of zone/planning control	Shoalhaven LEP 2013 IN1
Effect of proposed change of zone/planning control on councillor	Nil

2.

Address of land in which councillor or an associated person, company or body has a proprietary interest	23 Seasongood Rd Woollamia
Relationship of identified land to councillor	Councillor has interest in the land. Associated person of councillor has interest in the land..
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	Industrial, Shoalhaven LEP 1985 1C3
Proposed change of zone/planning control	Shoalhaven LEP 2013 Large Lot Residential
Effect of proposed change of zone/planning control on councillor	Appreciable financial loss

3.

Address of land in which councillor or an associated person, company or body has a proprietary interest	4/14 Hyam Street Nowra
Relationship of identified land to councillor	Associated person of councillor has interest in the land..
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	Shoalhaven LEP 1985 2B2
Proposed change of zone/planning control	Shoalhaven LEP 2013 Equivalent Zone
Effect of proposed change of zone/planning control on councillor	Nil

4.

Address of land in which councillor or an associated person, company or body has a proprietary interest	72 Bowerbird Street South Nowra
Relationship of identified land to councillor	Associated person of councillor has interest in the land..
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2 (c) Residential

Proposed change of zone/planning control	R2 Low Zoning Residential
Effect of proposed change of zone/planning control on councillor	Nil

Clr Kitchener declared the following pecuniary interests in Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition.

1.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	3 & 4 Faust Close, Mollymook Beach
Relationship of identified land to councillor	Councillor has interest in the land. Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2(a1) Residential
Proposed change of zone/planning control	R2 Low Density residential
Effect of proposed change of zone/planning control on councillor	Nil

Clr Gash declared the following pecuniary interests in Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition.

1.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	97 The Marina, Culburra Beach
Relationship of identified land to councillor	Councillor has interest in the land Co-owner
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2 (a4)
Proposed change of zone/planning control	R2
Effect of proposed change of zone/planning control on councillor	Unknown

2.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	32 Illaroo Road, Nowra

Relationship of identified land to councillor	Councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2 (a1)
Proposed change of zone/planning control	R2
Effect of proposed change of zone/planning control on councillor	Unknown

3.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	23 Boorawine Terrace Co-owner
Relationship of identified land to councillor	Councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2 (a1)
Proposed change of zone/planning control	R2
Effect of proposed change of zone/planning control on councillor	Unknown

Conflict of Interest Declaration – Russ Pigg – Pecuniary interest – Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions – Post Re-Exhibition – Being he owns property in the Shoalhaven (Woorin Close, Bomaderry), along with his brother (Ranch Avenue St Georges Basin) and son (Banool Circuit, Bomaderry) – zones R1 and R2 – Will remain in the room.

2. Deputations

Mr Terry Barrett, Australian Conservation Foundation Shoalhaven Branch, addressed the meeting in relation to Issue 7.10, Page 172 – Bomaderry Creek Regional Park.

Mr Trevor Allen, JW Planning, addressed the meeting in relation to Issue 3.3, Page 15 – RU Primary Production Zone.

Conflict of Interest Declaration - Clr Gash – Significant non pecuniary interest – Being the owner of Worrigeer House Reception Centre, Mr John Bennett, is known to her – Left the room, did not take part in discussion or vote.

Note: Guile arrived at the meeting, the time being 4:19 pm.

Mr John Bennett, Worrigeer House Function Centre, addressed the meeting in relation to Issue 4.1, Page 39 – Objection / Support for Post 2011 Exhibition Zoning Changes, Part Lot 16 DP 861146 “Worrigeer House Reception Centre”.

Note: Gash returned to the meeting at the conclusion of the deputation, the time being 4:25 pm.

Conflict of Interest Declaration - Clr Guile - Less than significant non pecuniary interest – Being the owner of Worrigeer House Reception Centre, Mr John Bennet, and Clr Guile are both members of the Liberal Party – Remained in the room.

Mr Peter Price, on behalf of Mr & Mrs Sneesby, addressed the meeting in relation to Issue 4.1, Page 39 – Objection / Support for Post 2011 Exhibition Zoning Changes, Lot 68 & 69 DP 15507 Princes Highway Falls Creek, Schedule 1 Additional Permitted Use – Industry.

Mr Stephan Andeusiw, Uniplan Australia, addressed the meeting in relation to Issue 4.1, Page 39 – Objection / Support for Post 2011 Exhibition Zoning Changes, Lot 11 DP7025 15 Field Street Huskisson, Proposed Change to B2.

Ms Gail Taylor, resident on behalf of herself, Robert Mosig and Joe Bragg, addressed the meeting in relation to Issue 4.2, Page 48 – E3 Zoning Over Existing Caravan Parks – Submissions.

Mr Simon Apperley, SET Consultants, addressed the meeting in relation to Issue 4.4, Page 51 – Rezoning Requests, Minimum Lots Size Changes and Schedule 1 Considered without Significant Merit and/or Justification, Request No. 2.

Mr Paolo Giammarco, resident, addressed the meeting in relation to Issue 4.4, Page 51 – Rezoning Requests, Minimum Lots Size Changes and Schedule 1 Considered without Significant Merit and/or Justification, Request No. 3.

MOTION:

Moved: Guile / Second:

That Mr Paolo Giammarco be granted an extension of time to address the Committee.

MOTION LAPSED DUE TO LACK OF SECONDER

Mr John Holt, Mollymook Golf Club, addressed the meeting in relation to Issue 4.5, Page 90 – Requests for Zoning Changes, Minimum Lot Size Change or Schedule 1 Inclusions with Merit and/or Sufficient Justification, Request No. G.

Ms Georgia Sedgmen, Resolution Planning, addressed the meeting in relation to Issue 5.4, Page 127 – Jaspers Brush Airfield and Air Transport Facilities in Rural Zones.

MOTION:

Moved: Guile / Second:

That Ms Georgia Sedgmen be granted an extension of time to address the Committee.

MOTION LAPSED DUE TO LACK OF SECONDER

Mr Peter Moggah, RMB Lawyers on behalf of Sky Dive the Beach, addressed the meeting in relation to Issue 5.4, Page 127 – Jaspers Brush Airfield and Air Transport Facilities in Rural Zones.

Mr Garry Druett, Wandandian Progress Association, addressed the meeting in relation to Issue 6.1, Page 133 – Rural Residential Zones at Wandandian.

Mr John Kubale, resident, addressed the meeting in relation to Issue 6.2, Page 134 – Tapitallee – Rural Residential Zones and Lot Averaging.

Mr Trevor Kilner, resident, addressed the meeting in relation to Issue 6.2, Page 134 – Tapitallee – Rural Residential Zones and Lot Averaging.

Mr Leigh Hughes, Visionata Architects on behalf of the Fitch Family, addressed the meeting in relation to Issue 7.4, Page 154 – Area Specific Height of Buildings – Southern.

Mr Peter Cronin, on behalf of the owner of the Bangalee Road West URA, addressed the meeting in relation to Issue 7.6, page 164 – Bangalee Road West URA.

Mr Peter Taranto, resident, addressed the meeting in relation to Issue 7.7, page 166 – Crams Road URA.

Mr Doug Gallagher, Parma Yerriyong Community Group, addressed the meeting in relation to Issue 7.12, Page 176 – Yerriyong Crown Land.

Ms Melinda Norton, resident, addressed the meeting in relation to Issue 7.12, Page 176 – Yerriyong Crown Land.

Mr Stuart Dixon, Cowman Stoddart on behalf of Motorcycling NSW, addressed the meeting in relation to Issue 7.12, Page 176 – Yerriyong Crown Land.

Ms Janet Cain, Currarong Progress Association, addressed the meeting in relation to Issue 9.1, Page 205 – Crown Land at Currarong.

Mr Murray Turnbull, resident, addressed the meeting in relation to Issue 8.4, Page 188 – Area Specific Biodiversity Map Overlay Southern.

Mr Shaun Tobin, Allen Price & Associates, addressed the meeting in relation to Issue 9.2, Page 207 – Culburra Beach Expansion Area and Lake Woolumboola Catchment.

Mr Peter Hudson, Red Head Villages Association, addressed the meeting in relation to the following issues:

- Issue 7.4, Page 154 – Area Specific Height of Buildings – Southern; and
- Issue 12.2, Page 218 – Berry.

Mr Chris Grounds, LEP Review Group, addressed the meeting in relation to the following issues:

- Issue 5.5, Page 129 – Heritage Estates; and
- Issue 8.7, Page 201 – Council Foreshore Reserves – Request E2 Zone.

Mr Steve Richardson, Cowman Stoddart, addressed the meeting in relation to the following issues:

- Issue 4.1, Page 39 – Objections / Support for Post 2011 Exhibition Zoning Changes, Lot 11 DP 7025 15 Field Street Huskisson – Proposed Change to B2;
- Issue 7.3, Page 148 – Area Specific Height of Buildings – Central, Lots 1 & 6 DP 1082382 St Georges Basin; and
- Issue 13.4, Page 281 – High Conservation Value Crown Land.

Mr Tim Foley, Allen Price & Associates, addressed the meeting in relation to the following issues:

- Issue 4.4, Page 51 – Rezoning Requests, Minimum Lot Size Changes and Schedule 1 Considered without Significant Merit and/or Justification, Request No. 1;
- Issue 4.4, Page 51 – Rezoning Requests, Minimum Lot Size Changes and Schedule 1 Considered without Significant Merit and/or Justification, Request No. 9;
- Issue 4.5, Page 90 – Requests for Zoning Change, Minimum Lot Size Change or Schedule 1 Inclusions with Merit and/or Sufficient Justification, Request No. O.

Ms Kerry Rourke, Allen Price & Associates, addressed the meeting in relation to the following issues:

- Issue 4.4, Page 51 – Rezoning Requests, Minimum Lot Size Changes and Schedule 1 Considered without Significant Merit and/or Justification, Request No. 15;
- Issue 4.4, Page 51 – Rezoning Requests, Minimum Lot Size Changes and Schedule 1 Considered without Significant Merit and/or Justification, Request No. 18; and
- Issue 4.5, Page 90 – Requests for Zoning Change, Minimum Lot Size Change or Schedule 1 Inclusions with Merit and/or Sufficient Justification, Request No. C.

Mr Matt Philpott, Allen Price & Associates, addressed the meeting in relation to the following issues:

- Issue 4.4, Page 51 – Rezoning Requests, Minimum Lot Size Changes and Schedule 1 Considered without Significant Merit and/or Justification, Request No. 22;
- Issue 9.3, Page 210 – Zoning of Land in the Vicinity of Lake Wollumboola; and
- Issue 12.1, Page 240 – Tomerong, Sussex Inlet, Swan Lake, Cudmirrah and Berrara.

3. Meeting Adjournment

MOTION:

Moved: Wells / Second: Baptist

RESOLVED that the Special Development Committee meeting of Wednesday 17 July 2013 be adjourned and reconvene Thursday 18 July 2013 at 4:00 pm.

CARRIED

The meeting adjourned, the time being 7:07 pm.

The Special Development Committee reconvened on Thursday 18 July 2013, the time being 4:01 pm.

The following members were present:

Clr White – Chairperson
Clr Tribe
Clr Robertson
Clr Kearney
Clr Anstiss
Clr Wells
Clr Baptist
Clr Guile
Clr Watson
Clr Kitchener
Clr Gash

Apologies:

Apologies were received from Russ Pigg

Note: Leave of absence has been granted for Clr Findley and Clr McCrudden.

4. Deputations

Keith Learn, Kangaroo Valley Community Association, Kangaroo Valley Tourist Association and Kangaroo Valley Environment Group, addressed the meeting in relation to the following issues:

- Issue 4.1, Page 39 – Objections / Support for Post 2011 Exhibition Zoning Changes, Lot 1 DP 596037 40 Mt Scanzi Road Kangaroo Valley;
- Issue 7.1, Page 142 – Height of Buildings; and
- Issue 10.1
- , Page 214 – Kangaroo Valley.

John Nelson, Bawley Point / Kioloa Community Association, addressed the meeting in relation to the following issues:

- Issue 3.5, Page 22 – RU5 Village Zone;
- Issue 3.9, Page 28 – Business Zones;
- Issue 3.10, Page 30 – RE1 Public Recreation Zone; and
- Issue 7.4, Page 154 – Area Specific Height of Buildings – Southern.

Mrs Janice Shalhoub, Ulladulla & Districts Community Forum, addressed the meeting in relation to the following issues:

- Issue 2.2, Page 6 – Aims of Plan;
- Issue 4.5, Page 90 – Requests for Zoning Change, Minimum Lot Size Change or Schedule 1 Inclusions with Merit and/or Sufficient Justification, Request No. G;
- Issue 7.4, Page 154 – Area Specific Height of Buildings – Southern;
- Issue 8.2, Page 183 – Biodiversity Map Overlay;
- Issue 12.4, Page 254 – Milton, Mollymook and Ulladulla.

Note: Clr Gash was absent for part of Mrs Shalhoub's deputation.

Mr Alan Burrows, LEP Review Group, addressed the meeting in relation to the following issues:

- Issue 2.2, Page 6 – Aims of Plan;
- Issue 3.3, Page 16 – RU1 Primary Production Zone;
- Issue 3.4, Page 19 – RU2 Rural Landscape Zone;
- Issue 3.5, Page 22 – RU5 Village Zone;
- Issue 3.8, Page 26 – R3 Medium Density Residential Zone;
- Issue 7.1, Page 142 – Height of Buildings;
- Issue 7.3, Page 149 – Area Specific Height of Buildings – Central; and
- Issue 7.4, Page 154 – Area Specific Height of Buildings – Southern.

Mrs Frances Bray, Lake Woolumboola Protection Association and LEP Review Group, addressed the meeting in relation to the following issues:

- Issue 8.1, Page 179 – Clause 7.5 Biodiversity;
- Issue 8.2, Page 183 – Biodiversity Map Overlay;
- Issue 8.5, Page 194 – Clause 7.6 Water and Water Overlay;
- Issue 8.6, Page 200 – Clause 5.9 Preservation of Trees or Vegetation;
- Issue 8.7, Page 201 – Council Foreshore Reserves – Request E2 Zone;
- Issue 9.1, Page 205 – Crown Land at Currarong;
- Issue 9.2, Page 207 – Culburra Beach Expansion Area and Lake Wollumboola Catchment; and
- Issue 9.3, Page 210 – Zoning of Land in the Vicinity of Lake Wollumboola.

Mr Kevin Gorman, resident, addressed the meeting in relation Issue 4.3, Page 50 – Rezoning Requests, Minimum Lots Size Changes and Schedule 1, Request No. 6.

Clr White – acknowledge Clrs as they wish to speak –
Questions re deputations – if you wish to ask a question there will be a 2min limit

PLANNING AND DEVELOPMENT

5. Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition File 33363E & 45262E (PDR)

Note: Clr Anstiss left the meeting, the time being 5.26.

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, confirms that Council:

- a) Generally consider the matters in this Special Development Committee Report generally in the context of the adopted “ground rules” and the “best fit” transfer approach to draft Shoalhaven LEP 2013; and**

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- b) **Generally consider the individual preferred options/changes to draft Shoalhaven LEP 2013 as set out in the sections of this report via the successive recommendations.**

CARRIED

FOR: Tribe, Robertson, Kearney, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

SECTION 2 – COMMUNITY CONSULTATION, AIMS OF PLAN AND LAND RECLASSIFICATION SUBMISSIONS

Note: Cllr Anstiss returned to the meeting, the time being 5.28pm.

Recommendation 2.1

MOTION:

Moved: Guile / Second: Wells

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions on community consultation for information and take into account the LEP Review Groups request for transparent, merit based decisions that are in the best interest of Shoalhaven in considering the submissions.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson Kitchener, White

AGAINST: Nil

Recommendation 2.2

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions received on the Aims of the Plan in draft LEP 2013 for information only, and adopt the aims as exhibited.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Guile, Watson, Kitchener, White

AGAINST: Baptist

Recommendation 2.3

MOTION:

Moved: Guile / Second: Wells

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the report on the Public Hearing on the land reclassifications in draft LEP 2013 for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

SECTION 3 – LAND USE TABLES (LUTS) AND ZONES

Recommendation 3.1

MOTION:

Moved: Wells / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the general submissions made on the Land Use Tables in the draft LEP 2013 for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 3.2

MOTION:

Moved: Wells / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the general submissions regarding rural zones in draft LEP 2013 for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 3.3

Conflict of Interest Declaration – Cllr Anstiss – Pecuniary Interest – Being that her husband owns a business in the RU1 zone – Left the room, did not take part in discussion or vote.

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **Retain the exhibited RU1 Zone Land Use Table; and**
- b) **Receive the Department of Primary Industries submission concerning prime crop and pasture land for information.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 3.4

Conflict of Interest Declaration – Tim Fletcher – Director Planning and Development – Pecuniary Interest – Landowner – Left the room, did not take part in discussion or vote.

Note: Cllr Anstiss returned to the meeting.

MOTION:

Moved: Watson / Second: Guile

That the Special Development Committee, in accordance with its delegated authority, retain the exhibited RU2 Zone Land Use Table.

Cllr Guile withdrew his seconding

MOTION:

Moved: Watson / Second: Wells

RESOLVED that the Special Development Committee, in accordance with its delegated authority retain the exhibited RU2 Zone Land Use Table.

AMENDMENT:

Moved: Guile / Second: Kearney

That the Special Development Committee, in accordance with its delegated authority:

- a) Adopt the exhibited RU2 Zone Land Use Table; and
- b) Remove 'caravan parks' as a permissible use in the RU2 Rural Landscape zone given that the 'camping grounds' and 'eco-tourist facilities' land uses provide appropriate additional short term holiday accommodation opportunities.

AMENDMENT LOST

FOR: Tribe, Kearney, Anstiss, Gash, Guile

AGAINST: Robertson, Wells, Baptist, Watson, Kitchener, White

PROCEDURAL MOTION:

Moved: Watson / Second: Guile

That the matter be reintroduced so that Clr Gash is given an opportunity to speak.

PROCEDURAL MOTION CARRIED

MOTION CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 3.5

Note: Tim Fletcher returned to the meeting.

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority,

- a) **Adopt RU5 Village zone as exhibited; and**
- b) **Amend RU5 zone LUT to include 'retail premises' as permissible with consent and also remove 'cemeteries' as a permissible use.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 3.6

Conflict of Interest Declaration – Tim Fletcher – Director Planning and Development – Pecuniary Interest – Landowner – Left the room, did not take part in discussion or vote.

MOTION:

Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

-
- a) That the submission supporting the removal of 'boat repair facilities as a permissible use in the R1 zone be received for information; and
- b) Retain 'Veterinary Hospitals' as a land use in the R1 zone.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 3.7

Note: Tim Fletcher returned to the meeting.

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) i) Retain the following land uses in the R2 zone:
- Exhibition homes
- ii) Removal of the following land uses in the R2 zone:
- Emergency services facilities
 - Exhibition villages
- b) Receive the submission supporting the inclusion of detached dwellings in the R2 Low Density Residential zone for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 3.8

Conflict of Interest Declaration – Tim Fletcher – Director Planning and Development – Pecuniary Interest – Landowner - Left the room, did not take part in discussion or vote.

Conflict of Interest Declaration – Gordon Clark – Strategic Planning Manager – Pecuniary Interest – Landowner - Left the room, did not take part in discussion or vote.

MOTION:

Moved: Guile / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

a) **Retain the following land uses in the R3 zone:**

- **Residential Flat Buildings;**
- **Tourist and visitor accommodation.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 3.9

Note: Tim Fletcher and Gordon Clark returned to the meeting.

MOTION:

Moved: Watson / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **Receive the submissions on the B2 Local Centre and B5 Business Development zones be received for information;**
- b) **Amend the B4 Mixed Use zone to permit ‘attached dwellings’ with consent; and**
- c) **Amend the B1 zone to include ‘markets’ with consent.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 3.10

MOTION:

Moved: Guile / Second: Wells

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions relating to the RE1 Public Recreation zone for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 3.11

MOTION:

Moved: Watson / Second:

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) Receive the submissions on the E2 and E3 zones for information;
- b) Amend the E3 LUT to include 'camping grounds' and 'eco-tourist facilities' as uses permitted with consent;
- c) Amend the E2 LUT to include 'eco-tourist facility' as a use permitted with consent; and
- d) Amend the E2 and E3 LUT to include, with consent, water recreation structures, and boat sheds.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 3.12

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions on the W2 and W3 zones for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Nil

6. Meeting Adjournment

MOTION: Moved: Wells / Second: Gash

RESOLVED that the Special Development Committee meeting of Thursday 18 July 2013 be adjourned and reconvene Wednesday 24 July 2013 at 4:00 pm.

CARRIED

The meeting adjourned, the time being 7:05 pm.

The Special Development Committee reconvened on Wednesday 24 July 2013, the time being 4.02 pm.

The following members were present:

Clr White – Chairperson
Clr Tribe
Clr Robertson
Clr Anstiss
Clr Wells
Clr Baptist
Clr Findley – arrived at 4.05pm
Clr Guile
Clr Watson
Clr Kitchener
Clr Gash – Left the meeting at 6.52pm
Russ Pigg – General Manager – Left the meeting at 6:00pm

Others present:

Tim Fletcher – Director Planning and Development
Gordon Clark – Strategic Planning Manager
Marie Louise Foley – Senior Strategic Planner
Jessica Rippon – Senior Strategic Planner
Richard Payne – Media Manager

Apologies were received from Clr Kearney

Note: Leave of absence has been granted for Clr McCrudden.

7. Declarations of Interest

Conflict of Interest Declaration – Russ Pigg – Pecuniary interest – Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions – Post Re-Exhibition – Being he owns property in the Shoalhaven (Woorin Close, Bomaderry), along with his brother (Ranch Avenue St Georges Basin) and son (Banool Circuit, Bomaderry) – zones R1 and R2 – Will remain in the room.

Conflict of Interest Declaration - Clr Gash - Significant Non Pecuniary Interest – Item 4.1 – Lot 16 DP 861146 Worrigea Road, Worrigea - the owners are personal friends- Will leave the room and not take part in discussion or vote.

Conflict of Interest Declaration - Clr Anstiss - Pecuniary Interest – Item 4.4 – Rezoning Request, Minimum Lots Size Changes and Schedule 1 Considered without Significant Merit/or Justification – Husband owns land in the area – Will leave the room and not take part in discussion or vote.

Conflict of Interest Declaration – Item 2, Recommendation 18 - **Clr Findley** – significant non pecuniary interest – Public Officer of Ulladulla Aquaculture Research and Recreation Centre which has an interest over the land.

Clr Findley declared the following pecuniary interests in Item 1 – Draft Shoalhaven Local Environmental Plan 2013 - Consideration of Submissions - Post Re-Exhibition.

1.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	17 Thomas Street Milton
Relationship of identified land to councillor	Councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2A1 Residential
Proposed change of zone/planning control	R3 Low Density Residential
Effect of proposed change of zone/planning control on councillor	Unknown

2.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	1100 The River Road Brooman
Relationship of identified land to councillor	Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	1(d) Rural (General Rural)
Proposed change of zone/planning control	RU2 Rural Landscape
Effect of proposed change of zone/planning control on councillor	Unknown

3.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	1200 The River Road Brooman

Relationship of identified land to councillor	Councillor has interest in the land
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	1(d) Rural (General Rural)
Proposed change of zone/planning control	RU2 Rural Landscape
Effect of proposed change of zone/planning control on councillor	Unknown

4.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	22 Osterley Avenue, Orient Point
Relationship of identified land to councillor	Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2(a1) Residential
Proposed change of zone/planning control	R2 Low Density Residential
Effect of proposed change of zone/planning control on councillor	Unknown

5.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	2b Graham Street, Milton
Relationship of identified land to councillor	Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2(a1) Residential
Proposed change of zone/planning control	R2 Low Density Residential
Effect of proposed change of zone/planning control on councillor	Unknown

6.

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest	56 Gordon Street, Milton

Relationship of identified land to councillor	Associated person of councillor has interest in the land.
Matter giving rise to pecuniary interest	
Nature of land that is subject to a change in zone/planning control by proposed LEP	The identified land.
Current zone/planning control	2(a1) Residential
Proposed change of zone/planning control	R2 Low Density Residential
Effect of proposed change of zone/planning control on councillor	Unknown

SECTION 4 –2011 ZONING CHANGES AND REQUESTS FOR ZONING CHANGE OR MINIMUM LOT SIZE CHANGE

Recommendation 4.1

Note: Cllr Findley arrived 4.05

MOTION:

Moved: Guile / Second: Robertson

RESOLVED that the **Special Development Committee, under delegated authority, retain the proposed R5/E2 zones as exhibited in draft LEP 2009 for Lot 1 DP 596037, consistent with the previous Council resolution.**

CARRIED

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

AGAINST: Nil

MOTION:

Moved: Watson / Second: Wells

RESOLVED that the **Special Development Committee, under delegated authority, invite Mr John Bennett, who provided a deputation to the Special Development Committee, to answers questions from the Committee.**

CARRIED

MOTION

RESOLVED that the **Special Development Committee, under delegated authority:**

- a) **Retain the exhibited B4 zone for Lot 16 DP 861146 Worrigea Road Worrigea; and**
- b) **Delete the Schedule 1 allowance over the property.**

CARRIED

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

AGAINST: Nil

MOTION: Moved: Findley / Second: Guile

RESOLVED that the Special Development Committee, under delegated authority:

- a) **Apply the previously exhibited RU2 Rural Landscape Zone across the whole of lots 203 DP 1056358, Lot 7 DP 827728 & Part 44 DP 1072229, The Wool Road, St Georges Basin, consistent with LEP 'best fit transfer'; and**
- b) **Consider the requested rezoning via a planning proposal following the completion of the LEP.**

CARRIED

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

AGAINST: Nil

MOTION: Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, under delegated authority, retain the exhibited SP3 zone over Lot 21 DP 654657.

CARRIED

FOR: Tribe, Robertson, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Findley, Russ Pigg

MOTION: Moved: Watson / Second: Kitchener

RESOLVED that the Special Development Committee, under delegated authority, retain the exhibited Schedule 1 "Additional Permitted Use" allowing Lot 68 and 69 DP 15507 Princes Highway, Falls Creek to be used for the purpose of the manufacture of timber frames and trusses and associated uses.

CARRIED

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

AGAINST: Robertson, Wells, Guile

MOTION: Moved: Watson / Second: Guile

That the Special Development Committee, under delegated authority, retain the exhibited B2 zone and adopt an 8.5m Height of Buildings for Lot 11 DP 7025, 15 Field Street Huskisson.

Note: Mr Steve Richardson and Mr Dominic Sorelli who provided deputations to the Special Development Committee were invited to answer questions from the Committee.

LOST

FOR: Anstiss, Gash, Wells, Guile, Watson, Kitchener

AGAINST: Tribe, Robertson, Baptist, Findley, White, Russ Pigg

FORESHADOWED MOTION: Moved: Findley

That the Special Development Committee, under delegated authority, retain the exhibited B2 zone and adopt an 7.5m Height of Buildings for Lot 11 DP 7025, 15 Field Street Huskisson.

MOTION LAPSED

MOTION: Moved: Findley / Second: Tribe

That the Special Development Committee, under delegated authority:

- a) Retain the previously exhibited R2 Low Density Residential zone and 7.5m Height of Buildings for Lot 11 DP 7025, 15 Field Street Huskisson, consistent with LEP "best fit" transfer; and
- b) Consider the requested changes via a planning proposal following the completion of the LEP.

LOST

FOR: Findley, Tribe

AGAINST: Robertson, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White, Russ Pigg

Note: Clr Watson asked for a comment from Clr Findley to be withdrawn – the Chair requested a withdrawal of the comment and an apology for the remarks.

Clr Findley refused the request

Clr Guile asked for a point of order

Clr White ruled a point of order

MOTION: Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, under delegated authority:

- a) Retain the exhibited B2 zone; and**

b) Adopt an 8m Height of Buildings for Lot 11 DP 7025, 15 Field Street Huskisson.

CARRIED

FOR: Robertson, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Tribe, Findley, Russ Pigg

PROCEDURAL MOTION:

Moved: Findley

A member of the LEP Review Group or Huskisson Wollamia Voice to come forward and discuss their submission if they are present at the meeting.

PROCEDURAL MOTION LAPSED

Note: Clr Watson requested the comment from Clr Findley be withdrawn and a Point of Order be made in relation to comments directed to Clr White in her position as Chair.

Clr White requested a Point of Order

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, under delegated authority, retain the exhibited zones for Lot 4 DP 268209, 220 Moss Vale Road, Cambewarra.

CARRIED

FOR: Tribe, Robertson, Anstiss, Gash, Baptist, Guile, Watson, Kitchener, White

AGAINST: Findley, Russ Pigg

MOTION:

Moved: Findley

That the Special Development Committee, under delegated authority, revert back to the initially exhibited zones for Lot 4 DP 268209 Moss Vale Road, Cambewarra consistent with the Nowra Bomaderry Structure Plan.

MOTION LAPSED DUE TO LACK OF SECONDER

Conflict of Interest Declaration - Clr Wells – Significant Non Pecuniary Interest – friends with the owner of the land - left the room, did not take part in discussion or vote.

Conflict of Interest Declaration – Russ Pigg – Significant Non Pecuniary Interest – friends with the owner of the land - left the room, did not take part in discussion or vote.

Conflict of Interest Declaration – Gordon Clark – Significant Non Pecuniary Interest – friends with the owner of the land - left the room, did not take part in discussion or vote.

Conflict of Interest Declaration – Tim Fletcher – Significant Non Pecuniary Interest – friends with the owner of the land - left the room, did not take part in discussion or vote.

MOTION: Moved: Guile / Second: Robertson

RESOLVED that the Special Development Committee, under delegated authority, receive the submission regarding Lot 27 DP 793734 5 Maculata Close, Cambewarra for information

CARRIED

FOR: Tribe, Robertson, Anstiss, Gash, Wells, Baptist, Findley, Guile, Watson, Kitchener, White

AGAINST: Nil

MOTION: Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, under delegated authority, receive all submissions within Table 4.1 for information.

CARRIED

FOR: Tribe, Robertson, Anstiss, Gash, Wells, Baptist, Findley, Guile, Watson, Kitchener, White

AGAINST: Nil

MOTION: Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, under delegated authority, note the general comment regarding draft LEP 2013 rezoning applications for information.

CARRIED

FOR: Tribe, Robertson, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Findley

Recommendation 4.2

Note: Russ Pigg left the meeting

MOTION: Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, under delegated authority, that:

- a) **Caravan parks specifically identified in section 4.2 and other existing caravan parks identified by staff that are proposed to be zoned E3 be**

deferred from the Plan and included in a planning proposal to be commenced immediately;

- b) The General Manager be given delegated authority by Council to progress the planning proposal; and
- c) The Planning proposal seek to zone these caravan parks to SP3 and if possible the planning proposal be incorporated into the gazettal of the LEP 2013.

Note: Clr Watson requested an apology from Clr Findley. Clr Findley declined to apologise.

CARRIED

FOR: Tribe, Robertson, Anstiss, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Findley

Note: Clr Wells asked that his following statement be tabled:

“Was a previous manager of Holiday Haven Parks with Shoalhaven City Council as a previous staff member and is currently a Crown Land Administrator in another Council area and remained in the room”.

Issue 4.3 – Rezoning Requests, Minimum Lots Size Changes and Schedule 1

No recommendation

Recommendation 4.4 – Request No 1

Conflict of Interest Declaration - Clr Anstiss – Significant Non Pecuniary Interest – Landowner is a friend - left the room and did not take part in discussion or vote.

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, under delegated authority:

- a) Undertake more detailed analysis of the accuracy of the zoning maps associated with Request No 1 (4.4); and
- b) Make any required adjustments to the plan prior to its submission to the Department of Planning and Infrastructure.

CARRIED

FOR: Tribe, Robertson, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Findley

Recommendation 4.4 – Request No 2

Note: Cllr Anstiss returned to the meeting

MOTION:

Moved: Guile / Second: Watson

That the Special Development Committee, under delegated authority, support Request No 2, 4.4.

LOST

FOR: Guile, Watson, Kitchener,

AGAINST: Tribe, Robertson, Anstiss, Gash, Wells, Baptist, Findley, White

MOTION

Moved: Tribe / Second: Findley

RESOLVED that the Special Development Committee, under delegated authority,

- a) Not support Request No 2 (4.4);**
- b) Retain the existing exhibited controls; and**
- c) Receive for information.**

CARRIED

FOR: Tribe, Robertson, Anstiss, Gash, Wells, Baptist, Findley, White

AGAINST: Guile, Watson, Kitchener

Recommendation 4.4 – Request No 3

MOTION:

Moved: Wells / Second: Guile

Note: Cllr Gash left the meeting

RESOLVED that the Special Development Committee, under delegated authority, that:

- a) An on-site meeting be held for Request No 3 (4.4) to determine if the E2 zone is an appropriate zone; and**
- b) A report be brought back to the Special Development Committee.**

CARRIED

FOR: Tribe, Anstiss, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Robertson, Findley

PROCEDURAL MOTION:

Moved: Guile / Second: Findley

That the Special Development Committee, under delegated authority, give permission for a member of the gallery, who did not present a deputation, to answer questions.

PROCEDURAL MOTION LOST

FOR: Robertson, Findley, Guile

AGAINST: Tribe, Anstiss, Wells, Baptist, Watson, Kitchener, White

Recommendation 4.4 – Request No 4

MOTION:

Moved: Findley / Second: Tribe

RESOLVED that the Special Development Committee, under delegated authority, not support Request No 4 (4.4), retain existing exhibited controls and receive for information.

CARRIED

FOR: Tribe, Robertson, Anstiss, Wells, Baptist, Findley, Guile, Watson, Kitchener, White

AGAINST: Nil

8. Meeting Adjournment

MOTION:

Moved: Guile / Second: Findley

RESOLVED that the Special Development Committee meeting of Wednesday 24 July 2013 be adjourned and reconvene Friday 26 July 2013 at 4:00 pm.

CARRIED

There being no further business, the meeting concluded at 7:02pm

The Special Development Committee reconvened on Friday 26 July 2013, the time being 4:05 pm.

The following members were present:

Clr White – Chairperson

Clr Tribe

Clr Anstiss

Clr Baptist

Clr Findley

Clr Watson

Clr Kitchener

Clr Gash

Russ Pigg – General Manager

Apologies were received from Clr Robertson, Clr Kearney, Clr Wells, Clr Guile

Note: Leave of absence has been granted for Clr McCrudden.

Note: Further meetings of the Special Development Committee will be scheduled as follows:

- a) Friday, 9 August, 2013, 4:00 pm to 7:00 pm;
- b) Wednesday, 14 August, 2013, 4:00 pm to 8:00 pm (Shoalhaven Arts Board meeting to be postponed);
- c) Tuesday, 20 August, 2013, 4:00 pm to 8:00 pm (Access Advisory Committee meeting to be postponed); and
- d) Friday, 23 August, 2013, 4:00 pm to 7:00 pm.

Recommendation 4.4 – Request 5

MOTION: Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 5 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 6

MOTION: Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 6 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 7

MOTION: Moved: Findley / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, not support Request No 7 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 8

MOTION:

Moved: Watson / Second: Tribe

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, support Request No 8 (4.4), that the small portion of land currently zoned R2 that is part of Lot 1 DP 29703 and fronts Cambewarra Road Bomaderry be zoned SP3 Tourist.

CARRIED

FOR: Tribe, Baptist, Anstiss, Watson, Kitchener, Gash, White

AGAINST: Findley, Russ Pigg

Recommendation 4.4 – Request 9

MOTION:

Moved: Findley / Second: Anstiss

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, not support Request No 9 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 10

MOTION:

Moved: Watson

That the Special Development Committee, in accordance with its delegated authority, support Request No 10 (4.4), change of zoning to low density residential purposes consistent with the proposed zoning of the adjoining land to the east and a minimum lot size of 2,000m² to 3,000m² be applied to the land.

MOTION WITHDRAWN

MOTION:

Moved: Findley / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 10 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 11

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 11 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 12

MOTION:

Moved: Findley / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 12 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 13

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 13 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 14

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 14 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 15

MOTION:

Moved: Findley / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 15 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 16

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 16 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 17

MOTION:

Moved: Watson / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, support Request No 18 (4.4) and change the zone of Lot 553 DP 1069250 Lively Street Vincentia to RE2 Private Recreation.

CARRIED

FOR: Tribe, Baptist, Anstiss, Watson, Kitchener, Gash, White

AGAINST: Findley, Russ Pigg

Additional Item – Notification of Neighbouring Properties and CCBs

Note: Clr White left the meeting, Clr Baptist assumed the Chair.

MOTION:

Moved: Findley

That the Special Development Committee, in accordance with its delegated authority, request that the General Manger (Planning & Development) notify neighbours and CCBs where the Special Development Committee changes the zoning from that which was exhibited in Draft LEP 2013.

MOTION LAPSED DUE TO LACK OF SECONDER

Recommendation 4.4 – Request 18

Note: Clr White returned to the meeting and resumed the Chair.

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 18 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 19

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 19 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 20

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **Receive for information and retain the existing proposed zone / minimum lot size;**
- b) **Decline to hold the requested public hearing regarding Lot A DP 160818 1A Riversdale Avenue Mollymook, due to the minor significance of this matter; and**
- c) **Any further consideration to be by way of separate Planning Proposal.**

CARRIED

FOR: Tribe, Baptist, Anstiss, Findley, Watson, Kitchener, Russ Pigg, White

AGAINST: Gash

Recommendation 4.4 – Request 21

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 21 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 22

MOTION:

Moved: Findley / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **Not support Request No 22 (4.4), retain existing exhibited controls and receive for information; and**
- b) **Review the zone on the corner of Deering and St Vincent Streets Ulladulla as part of a future planning proposal with the intent of extending the B4 zoning.**

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 23

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 23 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 24

MOTION:

Moved: Findley / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 24 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.4 – Request 25

MOTION:

Moved: Baptist / Second: Findley

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support Request No 25 (4.4), retain existing exhibited controls and receive for information.

CARRIED

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

AGAINST: Nil

Recommendation 4.5.A

MOTION:

Moved: Findley / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **In finalising the draft LEP seek confirmation that this land and other similarly affected land at Berry is no longer required for the bypass and as such can be given the most appropriate existing or adjacent zone.**
- b) **Should this confirmation not be received in a timely manner consider adjusting the SP2 zones at Berry via a Planning Proposal.**

CARRIED

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

AGAINST: Nil

Recommendation 4.5.B

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, include the request to amend the zoning of Lot 12 DP 816490 22 Prince Alfred St, Berry from R2 to B2 or R1 in the list of matters for consideration/review following finalisation of draft LEP 2013.

CARRIED

FOR: Tribe, Baptist, Anstiss, Findley, Gash, Russ Pigg, White

AGAINST: Watson, Kitchener

Recommendation 4.5.C

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive for information and advise the landowners to submit a planning proposal to move the R5 zone located on Lot 2 DP 882059 Abernethys Lane, Meroo Meadow from the southern side of the Western Bypass Corridor to the northern side.

CARRIED

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

AGAINST: Nil

Recommendation 4.5.D

MOTION:

Moved: Findley / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, consider any rezoning of Lot 10 DP 859101, Main Road, Cambewarra as a future planning proposal should the Department of Education have no interest in the land.

CARRIED

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

AGAINST: Nil

Recommendation 4.5.E

MOTION:

Moved: Findley / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the zoning of part of the land currently zoned Rural 1(g) Flood Liable in LEP 1985 at Mount Vista Close, Berry from R2 Low Density Residential to RU1 Primary Production in accordance with the “best fit transfer” and include this change in the finalisation of draft LEP 2013.

CARRIED

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

AGAINST: Nil

Recommendation 4.5.F

MOTION:

Moved: Tribe / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zone of Lot 241 DP 755952 194 Old Southern Road, South Nowra to R1 General Residential.

CARRIED

FOR: Tribe, Baptist, Anstiss, Watson, Kitchener, Gash, Russ Pigg, White

AGAINST: Findley

Recommendation 4.5.G

MOTION:

Moved: Watson / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, include an allowance for Lot 621 DP 804355 Maisie Williams

Drive, Mollymook in Schedule 1 of the draft LEP to enable standard residential lots in the vicinity of Maisie Williams Drive.

CARRIED

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

AGAINST: Nil

Recommendation 4.5.H:

MOTION: Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **Not support the request to rezone Lot 2 DP 1064296, 13 Princes Highway Ulladulla; and,**
- b) **Amend the Land Reservation Acquisition overlay to read “classified road” over the properties Lot 1, 2 & 4 DP 25615, Lot 11 DP 1063231 and Lot 1 & 2 DP 1064296, Princes Highway, Ulladulla.**

CARRIED

FOR: Tribe, Baptist, Anstiss, Findley, Watson, Gash, Russ Pigg, White

AGAINST: Kitchener

Recommendation 4.5.I

MOTION: Moved: White / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, retain the exhibited zoning over Lot B DP 160887, 51 Wason Street Milton and consider the request to change the zoning from R2 to B2 as a separate proposal in the future following the review of the Milton DCP.

CARRIED

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

AGAINST: Nil

Recommendation 4.5.J

MOTION: Moved: Watson / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, include the proposal to amend the zoning of Lot 80 DP 16557,

101 Ethel Street Sanctuary Point, to SP3 in the “gateway” process to be undertaken other caravan parks proposed to be zoned E3.

CARRIED

FOR: Tribe, Baptist, Anstiss, Watson, Kitchener, Gash, Russ Pigg, White

AGAINST: Findley

Recommendation 4.5.K

MOTION:

Moved: Tribe / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the zoning of Lot CP SP 85166, 14 Goonawarra Dr, Cudmirrah from SP3 to B4 given the minor nature of this change that reflects the existing approved use.

AMENDMENT:

Moved: Findley / Second:

That the Special Development Committee, in accordance with its delegated authority, amend the zoning of Lot CP SP 85166, 14 Goonawarra Dr, Cudmirrah from SP3 to B4 given the minor nature of this change that reflects the existing approved use and the adjoining property owners be notified.

AMENDMENT LAPSED DUE TO LACK OF SECONDER

MOTION CARRIED

FOR: Tribe, Baptist, Anstiss, Watson, Kitchener, Gash, Russ Pigg, White

AGAINST: Findley

Recommendation 4.5.L

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the zoning of Lot 2 DP 874126, 2 The Basin Road, St Georges Basin from B2 to R2 given the minor nature of this change that reflects the existing approved use.

CARRIED

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

AGAINST: Nil

Recommendation 4.5.M

MOTION:

Moved: Gash / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, retain the request to amend the zoning Lot 1 DP 1172613 Green Street Ulladulla from RU2 to part Industrial and part Residential on the list of matters for consideration/review following finalisation of draft LEP 2013.

CARRIED

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

AGAINST: Nil

Recommendation 4.5.N

MOTION: Moved: Findley / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) Receive for information and not support the requested zone change to part SP3;
- b) Include an allowance clause to reflect the current winery, restaurant and tourist use of Lot 2 DP 1048495, Washburton Road, Ulladulla (Cupitt's Winery & Restaurant) in the matters for consideration/review following the finalisation of draft LEP 2013 or via the submission of a separate planning proposal by the owner.

CARRIED

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

AGAINST: Nil

Recommendation 4.5.O

MOTION: Moved: Findley / Second: Russ Pigg

RESOLVED that the Special Development Committee, in accordance with its delegated authority, advise the applicant to lodge an application for the proposed subdivision of Lot 23 DP 793122, Mattes Way, Bomaderry under Clause 5.10(10) once the draft LEP has commenced.

CARRIED

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

AGAINST: Nil

Recommendation 4.5.P

Conflict of Interest Declaration – Clr Gash – Less than significant non pecuniary interest – Being the property owner is known to her – Remained in the room, did not take part in discussion or vote.

MOTION:

Moved: Watson / Second: Findley

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zone of that part of the Lot 19 DP 1073776, Bennett Place Worrigeer not identified in the Nowra Bomaderry Structure Plan as conservation and riparian area from E3 to RU2.

CARRIED

FOR: Tribe, Baptist, Anstiss, Findley, Watson, Kitchener, Russ Pigg, White

AGAINST: Nil

9. Meeting Adjournment

MOTION:

Moved: Findley / Second: Watson

RESOLVED that the Special Development Committee meeting of Friday 26 July 2013 be adjourned and reconvene Monday 29 July 2013 at 4:00 pm.

CARRIED

There being no further business, the meeting concluded at 6:31 pm

The Special Development Committee reconvened on Monday 29 July 2013, the time being 4:03 pm.

The following members were present:

Clr White – Chairperson

Clr Tribe – arrived 5:23 pm, Recommendation 7.1

Clr Robertson

Clr Kearney

Clr Wells

Clr Baptist

Clr Guile – arrived 4:04 pm

Clr Findley

Clr Watson

Clr Kitchener

Clr Gash

Russ Pigg – General Manager – Left the meeting 7:02 pm

Apologies were received from Clr Anstiss

Note: Leave of absence has been granted for Clr McCrudden.

SECTION 5 – KANGAROO VALLEY HERITAGE PRECINCTS; BERRY CONSERVATION AREA; HUNTINGDALE PARK BERRY; JASPERS BRUSH AIRFIELD/AIR TRANSPORT FACILITIES IN RU ZONES; HERITAGE ESTATES AND ELOUERA ESTATE, EROWAL BAY

Recommendation 5.1

MOTION:

Moved: Guile / Second: Kitchener

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **Amend Schedule 5 of the draft LEP 2013 and the Heritage Map Overlay for Kangaroo Valley Township to reflect parts of DCP 66 Heritage Areas as detailed below:**
 - **Map the Kangaroo Valley Pioneer Museum (Lot 7007 DP 1075462, 2029 Moss Vale Road), the Hampden Bridge and the road carriageway north and south of the bridge as ‘Hampden Bridge Heritage Conservation Area’ (Note: two private lots removed);**
- b) **Retain the Heritage Map Overlay for the Village Precinct as exhibited.**

CARRIED

FOR: Robertson, Wells, Baptist, Findley, Guile, Watson, Kitchener, White

AGAINST: Kearney, Gash, Russ Pigg

Recommendation 5.2

MOTION:

Moved: Guile / Second: Wells

RESOLVED that the Special Development Committee, in accordance with its delegated authority, reaffirm Council’s intention to investigate the inclusion of Berry Township Urban Area as a Heritage Conservation Area in the LEP as a matter for consideration following the completion of draft LEP 2013.

CARRIED

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

AGAINST: Nil

Recommendation 5.3

MOTION:

Moved: Guile / Second: Wells

RESOLVED that the Special Development Committee, in accordance with its delegated authority, retain the exhibited draft LEP 2013 zoning for Huntingdale Park, Berry and receive the submissions for information.

CARRIED

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

AGAINST: Nil

Recommendation 5.4

MOTION:

Moved: Findley

That the Special Development Committee, in accordance with its delegated authority, retain 'air strip' in the RU1 and RU2 zones and remove 'air transport facilities' from the RU1 and RU2 zones Citywide and deal with any appropriate future proposals that fall outside the 'airstrip' definition on a case by case basis via a separate Planning Proposal (rezoning).

MOTION LAPSED DUE TO LACK OF SECONDER

MOTION:

Moved: Watson / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, retain 'air transport facilities' and 'airstrip' as permissible uses (with consent) in the RU1 and RU2 zones, as exhibited in draft LEP 2013.

CARRIED

FOR: Robertson, Kearney, Gash, Wells, Baptist, Guile, Watson, Kitchener, Russ Pigg, White

AGAINST: Findley

Recommendation 5.5

MOTION:

Moved: Guile / Second: Robertson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, retain the Heritage Estates zoning as exhibited and prepare a Planning Proposal without delay to rezone Heritage Estates from RU2 Rural Landscape to E2 Environmental Conservation (in accordance with MIN12.544 and MIN13.114).

CARRIED

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

AGAINST: Nil

Recommendation 5.6

MOTION:

Moved: Guile / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority, following the finalisation of LEP 2013, Council prepare a Planning Proposal to rezone the paper subdivision at Erowal Bay known as Elouera Estates to E2 Environmental Conservation.

CARRIED

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

AGAINST: Nil

SECTION 6 – RURAL RESIDENTIAL ZONES (RU4, R5, E4), LOT AVERAGING PROVISIONS AND RURAL SUBDIVISION

Recommendation 6.1

MOTION:

Moved: Baptist / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, apply the proposed RU4 zone to the total area of the current Rural 1(c) zone at Wandandian.

CARRIED

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

AGAINST: Nil

Issue 6.2 Tapitallee - Rural Residential Zones and Lot Averaging

MOTION:

Moved: Guile / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority, apply the proposed RU4 zone to the total area of the current Rural 1(c) zone at Tapitallee and maintain the approach to lot averaging in this area as exhibited in draft LEP 2013.

CARRIED

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

AGAINST: Nil

Recommendation 6.3

MOTION: Moved: Findley / Second: Kitchener

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding the rural residential zones at Little Forest / Yatte Yattah for information.

CARRIED

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

AGAINST: Guile

Recommendation 6.4

MOTION: Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, apply the proposed RU4 zone to the total area of the current Rural 1(c) zone at Evelyn Road, Tomerong in draft LEP 2013.

CARRIED

FOR: Robertson, Kearney, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Findley, Russ Pigg

Recommendation 6.5

MOTION: Moved: Guile / Second: Findley

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the general submissions regarding the proposed E4 and RU4 zones on the outskirts of Berry for information and retain the zoning as exhibited in draft LEP 2013.

CARRIED

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

AGAINST: Nil

Recommendation 6.6

MOTION:

Moved: Findley / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding the inclusion of the R5, RU4 and E4 zones in draft LEP 2013 for information.

CARRIED

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

AGAINST: Nil

Recommendation 6.7

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the general submissions regarding lot averaging for information.

CARRIED

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

AGAINST: Nil

Recommendation 6.8

MOTION:

Moved: Robertson / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding lot averaging in the R5 zone for information.

CARRIED

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

AGAINST: Nil

Recommendation 6.9

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend draft LEP 2013 to ensure the creation of a residue

allotment is possible for Lot 1 DP 828093, 2 Roseville Road, Bomaderry after the future subdivision of the R1 zoned land.

CARRIED

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

AGAINST: Nil

Recommendation 6.10

MOTION:

Moved: Baptist / Second: Wells

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding rural subdivision at Bawley Point in draft LEP 2013 for information.

CARRIED

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

AGAINST: Nil

SECTION 7 – HEIGHT OF BUILDINGS, URBAN RELEASE AREAS, BOMADERRY REGIONAL PARK, WESTERN BYPASS, AND YERRIYONG

Recommendation 7.1

Note: Clr Tribe arrived at the meeting.

MOTION:

Moved: Findley

That the Special Development Committee, in accordance with its delegated authority, amend Clause 4.3 to set a maximum building height of 8.5m for all land not shown on the Height of Building map overlay.

MOTION LAPSED DUE TO LACK OF SECONDER

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, adopt the Height of Building Clause (4.3) and map overlay as exhibited in draft LEP 2013, with changes resulting from subsequent decisions relating to the tables in the balance of the report.

AMENDMENT:

Moved: Findley

That the Special Development Committee, in accordance with its delegated authority, adopt the Height of Building Clause (4.3) and map overlay as exhibited in draft LEP 2013 and include R3 and R5 zones in rural and coastal villages.

AMENDMENT LAPSED DUE TO LACK OF SECONDER

MOTION CARRIED

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

AGAINST: Findley

Recommendation 7.2

MOTION:

Moved: Findley

That the Special Development Committee, in accordance with its delegated authority:

- a) Receive the submissions regarding height of buildings in the Northern area for information; and
- b) Kangaroo Valley be height mapped at 8.5 metres and that height restriction be applied to both rural and residential zones not covered by DCP height limits.

MOTION LAPSED DUE TO LACK OF SECONDER

MOTION:

Moved: Guile / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding height of buildings in the Northern area for information.

CARRIED

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

AGAINST: Findley

Recommendation 7.3

MOTION:

Moved: Watson / Second: Guile

That the Special Development Committee, in accordance with its delegated authority:

- a) Receive the submissions regarding height of Buildings in Central Area for information; and
- b) Change the maximum Height of Building to 11.0 metres for the western portion of Lot 1 DP 1082382 within the DCP town centre, and the Height of Building for the

remaining eastern portion of Lot 1 DP 1082382 and Lot 6 DP 1082382 be 13.0 metres.

LOST

FOR: Kearney, Guile, Watson, Kitchener

AGAINST: Tribe, Robertson, Gash, Wells, Baptist, Findley, Russ Pigg, White

PROCEDURAL MOTION: Moved: Findley / Second: Guile

That the items listed in the Table 7.3 be considered individually.

PROCEDURAL MOTION LOST

FOR: Findley, Guile, Russ Pigg

AGAINST: Tribe, Robertson, Kearney, Gash, Wells, Baptist, Watson, Kitchener, White

FORESHADOWED MOTION: Moved: Tribe / Second: Robertson

That the Special Development Committee, in accordance with its delegated authority:

- a) Receive the submissions regarding height of Buildings in Central Area for information; and
- b) Retain the exhibited maximum 8 metre Height of Building overlay for the western portion of Lot 1 DP 1082382; and Remove the Height of Building overlay from the remaining eastern portion of Lot 1 DP 1082382 and entirely from Lot 6 DP 1082382.

1ST AMENDMENT: Moved: Findley / Second: Russ Pigg

That the Special Development Committee, in accordance with its delegated authority:

- a) Receive the submissions regarding height of buildings in Central Area for information;
- b) Map R3 zones at Huskisson to 8.5 metres maximum height of building; and
- c) Retain the exhibited maximum 8 metre Height of Building overlay for the western portion of Lot 1 DP 1082382; and Remove the Height of Building overlay from the remaining eastern portion of Lot 1 DP 1082382 and entirely from Lot 6 DP 1082382.

1ST AMENDMENT LOST

FOR: Baptist, Findley

AGAINST: Tribe, Robertson, Kearney, Gash, Wells, Guile, Watson, Kitchener, Russ Pigg, White

2ND AMENDMENT: Moved: Guile / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **Receive the submissions regarding height of Buildings in Central Area for information; and**
- b) **Retain the exhibited maximum 8 metre Height of Building overlay for the western portion of Lot 1 DP 1082382, and the Height of Building overlay for the remaining eastern portion of Lot 1 DP 1082382 and Lot 6 DP 1082382 be retained at 13 metres.**

2ND AMENDMENT CARRIED

FOR: Kearney, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Tribe, Robertson, Findley, Russ Pigg

2ND AMENDMENT BECOMES THE MOTION

MOTION CARRIED

FOR: Kearney, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Tribe, Robertson, Findley, Russ Pigg

Recommendation 7.4.1

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding building heights in Sussex Inlet and surrounds including provision for flood heights in flood prone areas be received for information.

CARRIED

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

AGAINST: Nil

Recommendation 7.4.2

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the draft LEP 2013 Height of Buildings Map overlay for R1 zoned land at Lot 2 DP 1161638 Inyadda Drive, Manyana and Lot 106 DP 755923 (Por 106) Inyadda Drive, Manyana to 8.5 metres.

CARRIED

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

AGAINST: Nil

Recommendation 7.4.3

MOTION: Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the Height of Buildings Map overlay for B2 zoned land at Lot 1 DP 1161638 Curvers Drive, Manyana to 8.5 metres.

CARRIED

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

AGAINST: Nil

Recommendation 7.4.4

MOTION: Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, map the maximum Height of Building for Lot 7 DP 111567 7 Alaska Street, Cunjarong Point at 7.5 metres, consistent with adjoining lots.

CARRIED

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

AGAINST: Nil

Recommendation 7.4.5

MOTION: Moved: Baptist / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, map the maximum Height of Building for Lot 24 DP 1180149 North Bendalong Road, Bendalong at 6.0 metres, consistent with the approved development and sensitive visual location.

CARRIED

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

AGAINST: Nil

Recommendation 7.4.6

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission of support regarding building heights in Manyana for information.

CARRIED

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

AGAINST: Nil

Recommendation 7.4.7

MOTION:

Moved: Guile / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding building heights in North Bendalong for information.

CARRIED

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

AGAINST: Nil

Recommendation 7.4.8

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding building heights in Ulladulla South Business Precinct and Ulladulla South Harbour Precinct for information.

CARRIED

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

AGAINST: Nil

Recommendation 7.4.9

MOTION:

Moved: Guile / Second: Findley

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding building heights in Ulladulla Town Centre as reflected in DCP56 for information.

CARRIED

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

AGAINST: Nil

Recommendation 7.4.10

MOTION:

Moved: Findley / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, remove the FSR overlay for the DCP 56 deferred area (Lot 1 DP 529128, Lot 54 DP 263391, Lot 56 DP 263391, Lot 52 DP 263391, Lot 50 DP 263391 and Lot 51 DP 263391) and reconsider once the detailed work in completed.

CARRIED

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

AGAINST: Nil

Recommendation 7.4.11

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding 11-25 Wason Street Ulladulla Height of Buildings and floor space ratios be received for information.

CARRIED

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

AGAINST: Nil

Recommendation 7.4.12

MOTION:

Moved: Guile

That the Special Development Committee, in accordance with its delegated authority, retain the Height of Building Map for Bawley Point and Kioloa as exhibited.

MOTION LAPSED DUE TO LACK OF SECONDER

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, map the R5 zone at Bawley Point at a maximum of 8.5 metres on the Height of Buildings overlay and map the vegetated ridgeline to the west of Bawley Point village on the Natural Resources Sensitivity – Scenic Protection (NRS) overlay.

CARRIED

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

AGAINST: Guile

PROCEDURAL MOTION:

Moved: Findley / Second: Wells

RESOLVED that the Special Development Committee meeting continue past 7:00 pm to consider recommendations up to Recommendation 7.7.

CARRIED

Recommendation 7.5

Note: Russ Pigg left the meeting.

MOTION:

Moved: Findley / Second: Wells

That the Special Development Committee, in accordance with its delegated authority, retain the zones for the Moss Vale Road South URA as exhibited in draft LEP 2013 and include the R3 zoned land within the URA on the Urban Release Area overlay.

LOST

FOR: Tribe, Kearney, Gash, Wells, Findley

AGAINST: Robertson, Baptist, Guile, Watson, Kitchener, White

FORESHADOWED MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, reduce the E3 zoned buffers along Moss Vale Road consistent with the northern side of the road and retain all other zones for the Moss Vale Road South URA as exhibited in draft LEP 2013.

CARRIED

FOR: Tribe, Robertson, Kearney, Gash, Wells, Baptist, Findley, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 7.6

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) Amend the minimum lot sizes to 3,000m² for the Bangalee West URA in accordance with the request of the landowner; and
- b) Remove the rural buffer along Illaroo Road and expand the residential area of Bangalee West URA up to Illaroo Road.

CARRIED

FOR: Tribe, Robertson, Kearney, Gash, Wells, Baptist, Findley, Guile, Watson, Kitchener, White

AGAINST: Nil

Recommendation 7.7

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) Defer the area identified as Lots 21, 22,23, 24 DP 714096 from the Draft LEP 2013 to enable further specific consideration;
- b) Remove the deferred area from all relevant overlays; and
- c) Consider a planning proposal for the site after the completion of the investigations into alleged illegal clearing.

CARRIED

FOR: Robertson, Kearney, Gash, Wells, Baptist, Guile, Watson, Kitchener, White

AGAINST: Tribe, Findley

10. Meeting Adjournment

MOTION:

Moved: Baptist / Second: Kearney

RESOLVED that the Special Development Committee meeting of Monday 29 July 2013 be adjourned and reconvene Wednesday 31 July 2013 at 4:00 pm.

CARRIED

There being no further business, the meeting concluded at 7:32 pm

The Special Development Committee reconvened on Wednesday 31 July 2013, the time being 4:02pm.

The following members were present:

Clr White – Chairperson
Clr Tribe
Clr Robertson
Clr Kearney
Clr Anstiss
Clr Baptist
Clr Guile
Clr Findley
Clr Watson
Russ Pigg – General Manager – Arrived 4.04pm

Apologies were received from Clrs Kitchener, Wells, Gash and McCrudden.

Recommendation 7.8

MOTION: Moved: Robertson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, adopt the zones for Cabbage Tree Lane URA as exhibited in draft LEP 2013.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White

AGAINST: Nil

Recommendation 7.9

MOTION: Moved: Guile / Second: Robertson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, adopt the zones for the Worrigee URA as exhibited in draft LEP 2013.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White

AGAINST: Nil

Recommendation 7.10

MOTION: Moved: Guile / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority, in relation to Bomaderry Creek Regional Park:

- a) Retain the R1 General Residential zone over Lot 109 DP 3060, Lot 7312 DP 1153421, Lot 152 DP 751258 and Lot 22 DP 1173629, as exhibited in draft LEP 2013.
- b) Retain the SP2 zone for the proposed North Nowra Link Road, as exhibited in draft LEP 2013.
- c) Retain the R2 zone over Lot 7012 DP 1069243 as exhibited in draft LEP 2013.
- d) Retain the RE1 Zone over Lot 7313 DP 1153421 as exhibited in draft LEP 2013.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Guile, Watson, White

AGAINST: Findley, Russ Pigg

Recommendation 7.11

MOTION:

Moved: Findley / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, retain the alignment of the Western Bypass as exhibited in draft LEP 2013.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Pigg

AGAINST: Nil

Recommendation 7.12

MOTION:

Moved: Watson / Second:

That:

- a) Adopt SP2 zoning for all areas; and
- b) Include an allowance clause in Schedule 1 of the LEP to allow for a motorsport facility on the site.

MOTION LAPSED DUE TO LACK OF SECONDER

MOTION:

Moved: Tribe / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, revert back to the previously exhibited SP2 and RU2 zones

over Lot 7309 DP 1148878 and 7308 DP 1147573, and include an allowance clause in Schedule 1 of the LEP to allow for a motorsport facility on the site.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Watson, White

AGAINST: Findley, Guile, Russ Pigg

SECTION 8 – ENVIRONMENTAL MANAGEMENT CLAUSES & OVERLAYS, CLAUSES 5.9 PRESERVATION OF TREES OR VEGETATION, E2 ZONING OF COUNCIL RESERVES, AND SHORT TERM RENTAL ACCOMMODATION CLAUSE.

Recommendation 8.1.1 – Clause 7.5 and E Zones

MOTION: Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, apply clause 7.5 Biodiversity to lands zoned E2.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.1.2 – Clause 7.5 and Urban Areas

MOTION: Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the application of Biodiversity Clause 7.5 to urban areas for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.1.3 – Jervis Bay Marine Park, Changes to Clause 7.5

MOTION: Moved: Watson / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding requesting changes to the Biodiversity Clause 7.5 for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.1.4 – NSW Office of Water, Changes to Clause 7.5

MOTION: Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding requested changes to the Biodiversity Clause 7.5 for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.1.5 – Community Submission, Changes to Clause 7.5

MOTION: Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding requested changes to the Biodiversity Clause 7.5 for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.1.6 – Changes to Clause 7.5, Habitat Corridors

MOTION: Moved: Baptist / Second: Robertson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding requested changes to the Biodiversity Clause 7.5 for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.1

MOTION:

Moved: Findley / Second: Robertson

That the Special Development Committee, in accordance with its delegated authority, write to the Department of Planning and Infrastructure referring submissions received on Clause 7.5 and requesting a review of the Biodiversity clause to strengthen it, outside Council's LEP Process.

LOST

FOR: Findley, Robertson

AGAINST: Tribe, Kearney, Anstiss, Baptist, Guile, Watson, White, Russ Pigg

Recommendation 8.2.1 – Biodiversity Maps Overlay

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive various submissions regarding the biodiversity maps overlay for information and not reinstate the Biodiversity Map Overlay in areas zoned for rural, residential, business, industrial use.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Guile, Watson, White

AGAINST: Findley, Russ Pigg,

Recommendation 8.2.2 – Habitat Corridors

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding the Southern Rivers Catchment Management Authority habitat corridors for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.2.3 – Biodiversity Overlay and Environmental Zones

MOTION:

Moved: Guile / Second: Robertson

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submissions regarding the application of the **Biodiversity Overlay map to environmental zones for information.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.3.1 – Biodiversity Map Overlay, Falls Creek

MOTION: Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding changes to the **Ecological Sensitivity Overlay applied at Falls Creek for information.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.3.2 – Biodiversity Map Overlay, Woollamia

MOTION: Moved: Baptist / Second: Guile

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submissions regarding **Lot 14 DP 1045217 Edendale Street, Woollamia for information.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.3.3 – Habitat Corridors, Woollamia

MOTION: Moved: Baptist / Second: Guile

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding **Lot 69 DP 15266 36 Streamside Street, Woollamia for information.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.4.1 – Biodiversity Overlay, Tomerong

MOTION:

Moved: Findley / Second:

That the Special Development Committee, in accordance with its delegated authority, receive the submission regarding Lot 1 to 3DP 1158140 Tom Davis Road, Tomerong, for information.

MOTION LAPSED DUE TO NO SECONDER

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the biodiversity overlay be removed from the 3 lots mentioned in the submission (Lots 1 to 3 DP 1158140).

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Guile, Watson, White

AGAINST: Findley, Russ Pigg

Recommendation 8.4.2 – Badgee Lagoon

MOTION:

Moved: Findley / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the zoning and associated overlays for the Badgee Lagoon expansion area in Draft LEP 2013 to reflect the recent amendment made to Shoalhaven LEP 1985 (Amendment No 242) and reinstate the NRS Water Overlay as previously exhibited in Draft LEP 2009.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.4.3 – Manyana

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding the Kylor land biodiversity overlay for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Guile, Watson

AGAINST: Findley, White, Russ Pigg

Recommendation 8.4.4 – Ulladulla High School

MOTION: Moved: Baptist / Second: Robertson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding Lot 1 DP 595313 South Street, Ulladulla and the biodiversity overlay for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.4.5 – Mollymook

MOTION: Moved: White / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding lot 621 DP 804355 Maisie Williams Drive, Mollymook and the biodiversity overlay for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Guile, Watson, White, Russ Pigg

AGAINST: Findley

Recommendation 8.5.1 – Department of Primary Industries, Clause 7.6 Water and Water Overlay

MOTION: Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the clause for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.5.2 – Jervis Bay Marine Park, Changes to Clause 7.6

MOTION: Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding changes to Clause 7.6 for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.5.3 – Department of Primary Industries (Huskisson), Changes to Clause 7.6

MOTION: Moved: Guile / Second: Robertson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding changes to Clause 7.6 for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.5.4 – Changes to Clause 7.6.2 (b)

MOTION: Moved: Watson/ Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, support the rewording of Clause 7.6.2(b) to clarify all areas that are included within the “sensitive area mapping”.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.5.5 – Willinga Lake, Bawley Point

MOTION: Moved: Watson / Second: Guile

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding Willinga Lake, Bawley Point for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.5.6 – Sydney Catchment Authority Submissions

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding **SP2 Infrastructure Zones (water supply system) at Tallowa Dam, Bendeela Pondage, Bendeela Recreation Area and Kangaroo Pipeline** and a requested addition to **Clause 7.6.5** for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.5.7 – Water Overlay Additions

Note: Clr Tribe was absent from the meeting.

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, support the inclusion of the following waterways on water overlay:

- **Foreshore at Curley Bay**
- **Numbaa Island**
- **Lake Wollumboola**
- **Estuarine Creek west of Berry's Bay**
- **Willinga Lake**
- **Durras Lake**
- **The land in the western half of the LGA**

CARRIED

FOR: Robertson, Kearney, Anstiss, Baptist, Guile, Watson, White

AGAINST: Findley, Russ Pigg

Recommendation 8.5.8 – Edendale Street, Woollamia

Note: Clr Tribe was absent from the meeting.

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, include the tidal estuary that flows under Edendale Street, Woollamia and Woollamia Road, Woollamia on the NRS Water Map Overlay in Draft LEP 2013.

CARRIED

FOR: Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.6.1 – Changes to Clause 5.9 to clarify wording

Note: Clrs Tribe and Anstiss were absent from the meeting.

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding changes to Clause 5.9 for information.

CARRIED

FOR: Robertson, Kearney, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.6.2 – Department of Primary Industries, Changes to Clause 5.9

Note: Clrs Anstiss and Tribe returned to the meeting

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Department of Primary Industries submission regarding changes to Clause 5.9 for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.6.3 – Subclause Clause 5.9(a)

MOTION:

Moved: Findley / Second: Anstiss

That the Special Development Committee, in accordance with its delegated authority, consider to include of subclause 5.9(a) into the LEP as a future amendment following the review of Council's Tree Management Policy.

LOST

FOR: Kearney, Anstiss, Findley

AGAINST: Tribe, Robertson, Baptist, Guile, Watson, White, Russ Pigg

FORESHADOWED MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding Sub Clause 5.9 a) for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Guile, Watson, White, Russ Pigg

AGAINST: Findley

Recommendation 8.7

MOTION:

Moved: Watson / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **Receive the submissions requesting E2 Environmental Conservation zoning for Council Reserves for information and the proposed zonings, as exhibited in draft LEP 2013, be retained for Council Reserves; and**
- b) **The zoning of Council's reserves be considered as part of the ongoing review of Council land and as a possible future planning proposal.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.8.1 – Change Request, Short Term Rental Accommodation Clause

MOTION:

Moved: Watson / Second: Kearney

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding short term rental accommodation for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 8.8.2 – Amend Short Term Rental Accommodation Clause

MOTION: Moved: Robertson / Second: Kearney

That the Special Development Committee, in accordance with its delegated authority, retain Clause 7.3.2 as exhibited and receive the submissions regarding short term rental accommodation for information.

NOTE: Cllr Robertson withdrew his moving of the motion

FORESHADOWED MOTION: Moved: Anstiss / Second: Kearney

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority,

a) **Modify Clause 7.3.2 to read:**

“Despite any other provision of this plan, development consent is not required for the use of a dwelling as short-term rental accommodation for visitors (except for bed and breakfast accommodation), if the use is only short-term and does not interfere generally with the neighbourhood in any way, including by noise or traffic”;

b) **Include a chapter in the proposed Citywide DCP to support the operation of the amended clause; and**

c) **Staff report on the framework of the Kiama Council Short Term Rental Accommodation Development Control Plan**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White

AGAINST: Russ Pigg

SECTION 9 – CROWN LAND AT CURRARONG, CULBURRA EXPANSION AREA AND LAKE WOLLUMBOOLA CATCHMENT, ZONING OF LAND WITHIN THE VICINITY OF LAKE WOLLUMBOOLA AND BURTON ST SHOPS VINCENTIA

Recommendation 9.1

MOTION:

Moved: Findley / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zoning of the exhibited R2 portion of Lot 2 DP 1145680, Currarong Road, Currarong, to E2 Environmental Conservation.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 9.2

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority,

- a) Receive the submissions regarding Culburra Beach Expansion Area and Lake Wollumboola for information; and
- b) Defer the zoning of all the Halloran landholdings within the Shoalhaven until a master plan or overall approach for Halloran land has been prepared and considered.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Guile, Watson, White, Russ Pigg

AGAINST: Findley

Recommendation 9.3

Note: Cllr Kearney was absent from the meeting

MOTION:

Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) Receive the submissions outlined in Table 9.3 for information;
- b) Rezone Lot 1 DP 614607, East Crescent, Culburra Beach once the land is in Council's ownership;

-
- c) **Defer the zoning of Copper Cup Point and Kinghorn Point until a master plan or overall approach for Halloran land has been prepared and considered; and**
 - d) **Retain the remaining zones at “Kinghorn Point” as exhibited.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Guile, Watson, White, Russ Pigg

AGAINST: Findley

Recommendation 9.4

Note: Clr Kearney returned to the meeting.

MOTION:

Moved: Guile / Second: Watson

That the Special Development Committee, in accordance with its delegated authority rezone the residential land adjoining the Burton Street shops B2 in accordance with the request of the landowner.

Note: Clr Guile stood down as the mover of the motion

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **Receive for information and adopt the zones for the Burton Street shops as exhibited in draft LEP 2013; and**
- b) **Following a more detailed planning exercise related to the future use of the Vincentia shopping centre, consider revisiting the zones and building heights as a future LEP amendment via a Planning Proposal.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

SECTION 10 – REMAINING AREA SPECIFIC ISSUES – NORTHERN AREA

Recommendation 10.1.1 – Kangaroo Valley Rural 1(g) Zone

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, Investigate the inclusion of an overlay or hatching in the draft LEP for the currently zoned Rural 1(g) land in Kangaroo Valley to protect its uniqueness via stronger controls.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White

AGAINST: Russ Pigg

Recommendation 10.1.2 – Kangaroo Valley Rural 1(b) Zone

MOTION:

Moved: Guile / Second: Findley

RESOLVED that the Special Development Committee, in accordance with its delegated authority, include the land currently zoned Rural 1(b) along Moss Vale Road through Kangaroo Valley Village on the scenic preservation hatching overlay in Draft LEP 2013.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.1.3 – Kangaroo Valley Rural 1(c) Zone

MOTION:

Moved: Guile / Second: Findley

RESOLVED that the Special Development Committee, in accordance with its delegated authority, investigate the inclusion of an overlay or hatching in the draft LEP for the currently zoned Rural 1(c) land in Kangaroo Valley to protect its uniqueness via stronger controls.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White

AGAINST: Russ Pigg

Recommendation 10.1.4 – Kangaroo Valley DCP66

MOTION:

Moved: Guile / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding DCP66 and draft LEP 2013 for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.1.5 – Drinking Water Catchment SEPP

MOTION:

Moved: Guile / Second: Robertson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the draft LEP 2013 note that relates to SEPPs to include the Sydney Drinking Water Catchment SEPP.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.2.1 – Berry Land Use Tables

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding prohibition of specific land uses on the outskirts of Berry for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.2.2 – Berry Alliance Submissions Support

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submissions supporting the **Berry Alliance** submissions for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.2.3 – Foxground/Berry Bypass

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, include the approved **Foxground/Berry Bypass** alignment on the land zoning and land reservation map overlays in draft **LEP 2013**.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.2.4 – Broughton Creek Floodplain Risk Management Plan

MOTION:

Moved: Guile / Second: Robertson

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, amend the **Flood Planning Area** map overlay in draft **LEP 2013** to include the data from the adopted **Broughton Creek Floodplain Risk Management Study and Plan**.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.2.5 – Far Meadow RU1 Zone

MOTION:

Moved: Guile / Second: Kearney

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding the **RU1 zone at Far Meadow** for small acreages for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.2.6 – Council Owned Land, Beach Road, Berry

MOTION: Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding Lot B DP 185785 Beach Road, Berry for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.3.1 – Jerrinja Local Aboriginal Land Council Land, Shoalhaven Heads

MOTION: Moved: Guile / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority, rezone Lot 1 DP 1144194 Gerroa Road Shoalhaven Heads from RE1 Public Recreation to E3 Environmental Management and SP2 Infrastructure to IN2 Light Industrial.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.3.2 – Shoalhaven Heads Golf Club Zoning

MOTION: Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of the golf course at Shoalhaven Heads for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.3.3 – Road Reserve at David Berry and Bolt Streets, Shoalhaven Heads

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding Crown Road reserve between David Berry Street and Bolt Street Shoalhaven Heads for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.3.4 – Coolangatta Mountain Public Access

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding public access to National Park on Coolangatta Mountain for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.3.5 – Bryces/Coolangatta Roads

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the suggestions regarding 25 acre lots on Coolangatta Road and Bryces Road for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.3.6 – Shoalhaven Heads Community Hall

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the heritage significance of the Shoalhaven Heads Community Hall for information and add to the matters for consideration following the completion of LEP 2013.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

Recommendation 10.4 – Heritage Listing, Worrigeer Street, Nowra

MOTION: Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority remove Lot 26 DP 1088027 Worrigeer Street, Nowra from the Heritage Schedule of LEP 2013.

CARRIED

FOR: Tribe, Kearney, Guile, Watson, White, Russ Pigg

AGAINST: Robertson, Anstiss, Baptist, Findley

Recommendation 10.5 – North Nowra Submission:

MOTION: Moved: Findley / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority receive the North Nowra related submissions for information.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Findley, Guile, Watson, White, Russ Pigg

AGAINST: Nil

11. Meeting Adjournment

MOTION: Moved: Baptist / Second: Kearney

RESOLVED that the Special Development Committee meeting of Wednesday 31 July 2013 be adjourned and reconvene Friday 9 August 2013 at 4:00 pm.

CARRIED

There being no further business, the meeting concluded at 6:58pm

The Special Development Committee reconvened on Friday 9 August 2013, the time being 4:00 pm.

The following members were present:

Clr White – Chairperson
Clr Gash
Clr Tribe
Clr Anstiss
Clr Baptist
Clr Findley – left 4:38 pm
Clr Guile
Clr Watson
Clr Kitchener
Russ Pigg – General Manager – arrived 4:12 pm

Apologies were received from Clr Robertson and Clr McCrudden.

Note: Leave of absence has been granted for Clr Wells.

SECTION 11 – REMAINING AREA SPECIFIC ISSUES – CENTRAL AREA

Recommendation 11.1

MOTION: Moved: Findley / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the various submissions regarding Falls Creek for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Findley, Guile, Watson, Kitchener, Gash, White

AGAINST: Nil

Recommendation 11.2

MOTION: Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission issues outlined in Table 11.2 Key Issues – Woollamia for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Findley, Guile, Watson, Kitchener, Gash, White

AGAINST: Nil

Recommendation 11.3.1

MOTION:

Moved: Findley / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission of support from Office of Environment & Heritage regarding the change of zoning boundaries at Lot 7043 DP 1094566 Huskisson Road and Lot 7037 DP 1094569 Berry Street Huskisson for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Findley, Guile, Watson, Kitchener, Gash, White

AGAINST: Nil

Recommendation 11.3.2

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions requesting that the zoning of Lot 7043 DP 1094566 Huskisson Road Huskisson be changed from R1 to E2 for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Findley, Guile, Watson, Kitchener, Gash, White

AGAINST: Nil

Recommendation 11.3.3

Note: Russ Pigg arrived at the meeting, the time being 4:12 pm

MOTION:

Moved: Findley / Second: Anstiss

That the Special Development Committee, in accordance with its delegated authority,

- a) Receive the submissions requesting the preparation of a Master Plan for Huskisson for information;
- b) At the completion of the LEP 2013, commence a DCP process to cover all of Huskisson; and
- c) Map all R3 zones in the township of Huskisson to a maximum height of 8.5m.

Note: Clr Watson raised a Point of Order as the matter of building heights in Huskisson has been dealt with previously, effectively making the above motion a rescission motion.

Note: Clr White ruled on the Point of Order and determined Part c) of the motion is contrary to Recommendation 7.3 previously adopted and requested withdrawal of the motion.

AMENDMENT:

Moved: Baptist / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority,

- a) **Receive the submissions requesting the preparation of a Master Plan for Huskisson for information; and**
- b) **Undertake a process to consider the preparation of a DCP at Huskisson at the completion of LEP 2013.**

Note: Clr Anstiss withdrew her seconding of the motion.

MOTION LAPSED DUE TO LACK OF SECONDER

AMENDMENT BECOMES THE MOTION

AMENDMENT CARRIED

FOR: Tribe, Anstiss, Baptist, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Findley, Guile

Recommendation 11.3.4

MOTION:

Moved: Findley / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding the B2 zoning of carparking in Huskisson for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Findley, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.3.5

MOTION:

Moved: Findley / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding E2 zoning surrounding Currumbene Creek for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Findley, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.3.6

Note: Clr Findley left the meeting, the time being 4:38 pm.

Conflict of Interest Declaration – Clr Guile – Less than significant non pecuniary interest – Being employed by Anglican Schools Group and the property is owned by Anglican Church Property trust there may be a perceived conflict of interest – Remained in the room.

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions in support of zoning land adjacent to Berry Street E2, Anglican Church land SP2 and B2 for Huskisson for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.3.7

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding spot rezoning outside the commercial / retail area of Huskisson for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.3.8

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding developments in Owen Street Huskisson for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.4.1

MOTION:

Moved: Gash / Second: Baptist

That the Special Development Committee, in accordance with its delegated authority, rezone Lot 1 DP 270413 Waldegrave Crescent Vincentia and the adjoining road reserve from R1 to E2 to reflect the approved use of the site in draft LEP 2013.

MOTION WITHDRAWN

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding rezoning Lot 1 DP 270413 Waldegrave Crescent Vincentia and the adjoining road reserve for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.4.2

MOTION:

Moved: White / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding zoning of the foreshore reserve between the eastern end of Vincentia Boat Ramp Park and the western end of Barfleure Beach for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.4.3

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission supporting the reclassification of Lot 180 DP 536100 Plantation Point Parade Vincentia for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.4.4

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding residential care facilities in B2 zone at Vincentia shops for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.4.5

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission from Orion Beach Foreshore Environment Protection Community supporting various zoning changes in Vincentia for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.4.6

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding land clearing along Naval College Road Vincentia for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.4.7

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding traffic congestion in the Vincentia area during holiday periods for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.4.8

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding zoning of Aboriginal Land Council land adjoining Hyams Beach Village for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.5.1

MOTION:

Moved: Baptist / Second: Guile

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding rezoning of Wrights Beach village from RU5 to R2 for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.5.2

MOTION:

Moved: Baptist / Second: Guile

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission requesting the rezoning Bream Beach Caravan Park from SP3 to E2 for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.5.3

MOTION:

Moved: Baptist / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, remove the heritage listing from Lot 20 DP 7984 Sec 2 99 Naval Parade Erowal Bay.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White

AGAINST: Russ Pigg

Recommendation 11.6.1

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend Schedule 1 of draft LEP 2013 to allow for “camping grounds” on Lot 1 DP 1151723 (Red Rock off Currarong Road).

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.6.2

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zone of part of Lot 97 DP 720048 Seagull Street Culburra Beach from RE1 to RE2.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 11.7

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, support the recommendation outlined in Table 11.7 to rezone Lot 101 DP 755928 Myola Road Myola from RU2 to E2 and amend draft LEP 2013 accordingly, subject to the concurrence of Jerrinja Local Aboriginal Land Council.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

SECTION 12 – REMAINING AREA SPECIFIC ISSUES – SOUTHERN AREA

Recommendation 12.1.1

MOTION:

Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the minimum lot size map to 40HA for that part of Lot 2 DP 1094024 Sussex Inlet Road Sussex Inlet zoned E2 in draft LEP 2013 and 7(d2) in Shoalhaven LEP 1985 and retain the minimum lot size provisions for Lot 52 DP 1033684 Sussex Inlet Road Sussex Inlet as exhibited.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White

AGAINST: Russ Pigg

Recommendation 12.1.2

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions requesting that the zone of the Swan Lake Estuarine Channel be changed for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.1.3

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding zoning of land to the north of Swanhaven village for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.1.4

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding rezoning the land east of Swan Lake between Springs Road and Cudmirrah Beach for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.2.1

MOTION:

Moved: White / Second: Gash

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, retain the exhibited zoning of Crown Land at North Bendalong.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.2.2

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submissions regarding the land currently zoned Open Space 6(b) (Private Recreation) at Manyana for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.2.3

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, include the current LEP 1985 30 metre building lines over Lot 2 DP 1121854, Lot 2 DP 1161638 and Lot 106 DP 755923 (Por 106) Inyadda Drive / Sunset Strip Manyana ("Kylor Land") in the Citywide DCP.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.2.4

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding changing R5 zoned land at Manyana to R2 land for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.2.5

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, pursue the heritage listing of the Goodsell grave sites located at Lot 2 DP 1161638 Inyadda Drive Manyana as part of any future Planning proposal over the site.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.2.6

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding the B2 Local Centre zoning at Manyana for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.2.7

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions supporting the Berringer Lake W1 zoning for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.2.8

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission supporting the zoning change from RU5 to R2 for Berringer village for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.2.9

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions supporting the E2 zoning over Green Island for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.2.10

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the zoning of Lot 7 DP 111567 7 Alaska Street Cunjurong Point to B1 Neighbourhood Centre.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.2.11

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission supporting various zoning changes made to Berringer Lake and its surrounds for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.3.1

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submissions regarding zoning of "Killarney" Lot 372 DP 1125806 437 and Lot 7015 DP 1055179 Lake Conjola Entrance Road Lake Conjola for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.3.2

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, remove the Heritage Listing from Lot 41 DP 221956 37 Carroll Avenue Lake Conjola.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.3.3

Note: Clr Gash left the meeting, the time being 5.27 pm.

MOTION:

Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding rezoning Lot 489 DP 1091958 Lakeside Drive Conjola Park for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, White, Russ Pigg

AGAINST: Nil

Recommendation 12.3.4

MOTION:

Moved: Tribe / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding rezoning the R5 land in Conjola Park to RU5 for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, White, Russ Pigg

AGAINST: Nil

Recommendation 12.3.5

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding Lot 1 DP 119779 1 Alma Avenue Fishermans Paradise for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, White, Russ Pigg

AGAINST: Nil

Recommendation 12.3.6

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission requesting an E2 zone for the road reserve on Fishermans Paradise Road Fishermans Paradise for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, White, Russ Pigg

AGAINST: Nil

Recommendation 12.4.1

MOTION:

Moved: Tribe / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission supporting the inclusion of Lot 1 DP 531751 13 Wilfords Lane Milton in Schedule 1 of the draft LEP 2013 for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, White, Russ Pigg

AGAINST: Nil

Recommendation 12.4.2

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, retain the exhibited B4 Mixed Use zoning of Bannisters Resort, Lot 27 DP 224117 191 Mitchell Parade Mollymook Beach.

CARRIED

FOR: Anstiss, Baptist, Guile, Watson, Kitchener, White

AGAINST: Tribe, Russ Pigg

Recommendation 12.4.3

Note: Clr Gash returned to the meeting, the time being 5:34 pm

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend Schedule 1 Clause 1.14(2) – Use of Certain Land – Lot 1 DP 1137716 188 Camden Street Ulladulla to read “Development for the purpose of aquaculture including pond based”.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.4.4

MOTION:

Moved: Baptist / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Ulladulla & Districts Community Forum submission regarding their previous draft LEP 2009 submission on existing use for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.5

MOTION:

Moved: Anstiss / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding Lot 7 DP 1123774 Burrill Lake, for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Guile

Recommendation 12.6.1

MOTION:

Moved: Baptist / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the Kioloa Waste Depot, Lot 5 DP 228311 374 Murramarang Road Bawley Point for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 12.6.2

MOTION:

Moved: Watson / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of a proposed school site in Bawley Point for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

SECTION 13 - REMAINING STATE GOVERNMENT AGENCY COMMENTS AND STAFF IDENTIFIED ANOMALIES/ISSUES

Recommendation 13.1

MOTION:

Moved: Tribe / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the comments of support for changes contained in the draft LEP 2013 in the OEH submission for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.2.1

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **Revise the boundaries of the E1 zone in the final LEP to accurately reflect the boundaries of National Parks and Nature Reserves; and**
- b) **Amend the zoning of the following parcels of land:**
 - **Por 19 DP 755924 Nerriga Crown Land, Douglas Paddock, from E1 to RU2;**
 - **Lot 7310 DP 1164768 Dolphin Point from E1 to E2; and**
 - **Princes Highway Termeil South Brooman No 830, State Forest, from RU3 to E1.**

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.2.2

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the Land Reservation Acquisition Map to identify Lots 2 and 3 DP 8362 Erowal Bay Road Erowal Bay as “National Park”.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.2.3

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, zone the area set aside for conservation on Lot 171 DP 1081810 Highview Drive Dolphin Point to E2 Environmental Conservation as per the Determination of MP05_0024, following concurrence from the landowner.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.2.4

MOTION:

Moved: Guile / Second: Anstiss

RESOVLED that the Special Development Committee, in accordance with its delegated authority, zone the area set aside for conservation as per the subdivision consent on Lot 1433 DP 1008407 Tallimba Road Bangalee, E2 Environmental Conservation, following concurrence from the landowner.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.2.5

MOTION:

Moved: Watson / Second: Guile

RESOVLED that the Special Development Committee, in accordance with its delegated authority, receive the submission for information and retain the exhibited E3 zone over part of Lot 7302 DP 1166566 Scott Street Shoalhaven Heads and remove the biodiversity overlay as per Council’s resolution MIN12.631.

CARRIED

FOR: Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Tribe

Recommendation 13.2.6

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submissions regarding Flood Planning Map updates for Broughton Creek, Bomaderry Creek and Lower Shoalhaven River for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.2.7

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding access to the former North Nowra Tip at Lot 7313 DP 1153421 Illaroo Road North Nowra for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.2.8

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive for information and retain RU2 zoning of Lot 11 DP 804611 102 Gypsy Point Road, Bangalee as exhibited.

CARRIED

FOR: Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Tribe

Recommendation 13.2.9

See Recommendation 13.2.8 – repeated in table

Recommendation 13.2.10

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the NRS Biodiversity overlay over vegetated parts of Lot 1 DP 714002 114 Myola Road Myola.

CARRIED

FOR: Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White

AGAINST: Tribe, Russ Pigg

Recommendation 13.2.11

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of the community title Lot 1 DP 270528 1413 Naval college Road Vincentia for information.

CARRIED

FOR: Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White

AGAINST: Tribe, Russ Pigg

Recommendation 13.3.1

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding Crown Public Roads for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.2

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning trigonometrical sites for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.3

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zoning of Lots 1 and 2 DP 210368 Moss Vale Road Kangaroo Valley and Part Lot 1 DP 909749 Moss Vale Road Kangaroo Valley, “Kangaroo Valley Showground”, from RU5 Village to RE1 Public Recreation.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.4

Note: Clr Tribe left the meeting, the time being 5:56 pm

MOTION:

Moved: Baptist / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Lot 7307 DP 1163028 and Lot 239 DP 751255 Mt Scanzi Road / Bugong Road Kangaroo Valley for information.

CARRIED

FOR: Anstiss, Baptist, Watson, Kitchener, Gash, White

AGAINST: Guile, Russ Pigg

Recommendation 13.3.5

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Lot 1 DP 1034714, Lots 1-5 DP 1115368 and Lot 7301 DP 1152357 Kangaroo Valley Road Bellawongarah, for information.

CARRIED

FOR: Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.6

MOTION:

Moved: Baptist / Second: Anstiss

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding the zoning of Lot 465 DP 1102909 Long Reach Road Long Reach for information.

CARRIED

FOR: Anstiss, Baptist, Watson, Kitchener, Gash, White

AGAINST: Guile, Russ Pigg

Recommendation 13.3.7

MOTION:

Moved: White / Second: Anstiss

That the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Lot 7317 DP 1165162 Bamerang Road Mundamia for information.

LOST ON THE CASTING VOTE OF THE CHAIRPERSON

FOR: Anstiss, Baptist, Kitchener, White

AGAINST: Gash, Guile, Watson, Russ Pigg

Recommendation 13.3.8

Note: Clr Tribe returned to the meeting, the time being 6:05 pm.

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding the zoning of Lot 427 DP 720906 Rainford Road West Nowra for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.9

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding the zoning of road reserves in the vicinity of Cassia Place Ulladulla for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.10

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, change the zone of Lot 7314 DP 1148390 Turpentine Road Yerriyong from RU3 to RU2, to reflect the ownership of the land.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.11

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submissions regarding the zoning of Lot 7310 DP 1165171 Rainford Road and Lots 1 to 3 DP 758794 Sec 56 Bice Road West Nowra for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.12

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding the zoning of part Lot 255 DP 755923 North Bendalong Road Bendalong for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.13

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Lot 7050 DP 1101639 Bendalong Road Bendalong for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.14

MOTION:

Moved: Russ Pigg / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Lot 146 DP 755937 Sussex Inlet Road Sussex Inlet for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.15

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Lot 7309 DP 1164770 Princes Highway Lake Tabourie for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.16

MOTION:

Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zone of Lot 7022 DP 1074345 Streamside Street Woollamia from RU2 to RE1.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.17

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding zoning of Lot 9 DP 758530 Sec 3 26 Currambene Street Huskisson for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.18

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zone of Caramar Creek, adjacent to Lot 32 DP 861840 Currarong Road Kinghorne below mean high water mark, from E1 to W1, given that it does not form part of the National Park.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.19

MOTION:

Moved: Tribe / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning for Lot 7003 DP 1125406 Currarong Road Currarong for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.3.20

MOTION:

Moved: Tribe / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning for Lot 30 DP 821467 Parson Street Ulladulla for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.4.1

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Lots 22 & 23 DP 751273 Illaroo Road Illaroo for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.4.2

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Part Lot 1 DP 569943 Bendeela Road Kangaroo Valley for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.4.3

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Lot 102 DP 755953 Worrigea Road Worrigea for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.4.4

MOTION: Moved: Guile / Second: Watson

That the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Lot 7314 DP 1148388 Blackbutt Road Parma Creek for information.

LOST

FOR: Baptist, Guile, Watson, Kitchener

AGAINST: Tribe, Anstiss, Gash, White, Russ Pigg

FORESHADOWED MOTION: Moved: Tribe / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zoning of Lot 7314 DP 1148388 Blackbutt Road Parma Creek from RU2 to E2.

CARRIED

FOR: Tribe, Anstiss, Gash, White, Russ Pigg

AGAINST: Baptist, Guile, Watson, Kitchener

Recommendation 13.4.5

MOTION: Moved: Guile / Second: Anstiss

That the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Lots 73 & 74 DP 1143074 Pine Forest Road Tomerong and Lot 99 DP 755968 Pine Forest Road Tomerong information.

Note: Clr Anstiss withdrew her seconding of the motion.

MOTION LAPSED DUE TO LACK OF SECONDER

MOTION: Moved: Anstiss / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zone of Lots 73 & 74 DP 1143074 Pine Forest Road Tomerong and Lot 99 DP 755968 Pine Forest Road Tomerong from RU2 to E2.

CARRIED

FOR: Tribe, Anstiss, Baptist, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Guile

Recommendation 13.4.6

MOTION:

Moved: Russ / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Lots 111 and 170 DP 726741 Medlyn Road Sussex Inlet for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.4.7

MOTION:

Moved: Russ / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Lot 7004 DP 1030104 Abrahams Bosom Currarong for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.4.8

MOTION:

Moved: Russ / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding Lot 80 and 204 DP 751255 Budgong Road Budgong and Lot 7009 DP 1021160 Peterson Road Yerryong for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.5.1

MOTION:

Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zone of Lot 24 DP 1173220, Princes Highway, Falls Creek, and that part of Lot 1 DP 1154597, 55 Woncor Ave, Nowra Hill, which is proposed to be acquired by the RMS (proposed Lot 25) to SP2 Infrastructure (Classified Road).

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.5.2

MOTION: Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the table in Clause 5.1(2) to replace 'Roads and Traffic Authority' with 'Roads and Maritime Services' and amend the reference in Schedule 2 Exempt Development – Signs, advertising structures and displays to replace 'RTA' with 'RMS'.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.5.3

MOTION: Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the zoning of Classified State Roads for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.5.4

MOTION: Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the Roads and Maritime Services review of the Draft LEP 2013 maps for information.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

Recommendation 13.6

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the SP2 zone land at Bomaderry as per the NSW Railcorp submission on the 2011 exhibition as follows:

- a) Part of Lot 221 DP 1182436 Princes Highway Bomaderry and Lot 2 DP 1187216 Crown land Bolong Road to RU1 Primary production; and
- b) Retain the zoning of the remaining parcels listed in the report as exhibited.

CARRIED

FOR: Tribe, Anstiss, Baptist, Guile, Watson, Kitchener, Gash, White, Russ Pigg

AGAINST: Nil

12. Procedural Motion - Introduction of Item as a Matter of Urgency

MOTION:

Moved: Guile / Second: Baptist

That Addendum Report 1, Item 1 – Draft LEP 2013 – Post Exhibition Consideration of Additional Matters, Recommendation 15.1 be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as one of urgency and allowed its introduction.

ADDENDUM REPORT 1 – PLANNING AND DEVELOPMENT

Recommendation 14.2

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, retain the exhibited RU1 zones for Lot 2 DP 634373, 1361 Kangaroo Valley Road, Kangaroo Valley and the areas exhibited E2 be changed to E3.

CARRIED

FOR: Anstiss, Baptist, Guile, Watson, Kitchener, Gash

AGAINST: Tribe, White, Russ Pigg

Note: Discussion was held regarding the reintroduction of Babington, Ulladulla and Berry Medical Centre and an additional item of Worrigeer Medical Centre. It was agreed that a rescission motion will be necessary to deal with the reintroduction of items. Any rescission motions submitted will be considered at a subsequent meeting of the Special Development Committee at a date to be determined.

13. Meeting Adjournment

MOTION: Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee meeting of Friday 9 August 2013 be adjourned and reconvene Wednesday 14 August 2013 at 4:00 pm.

CARRIED

The meeting adjourned, the time being 7:11 pm.

The Special Development Committee reconvened on Wednesday 14 August 2013, the time being 4:01pm.

The following members were present:

Clr White – Chairperson
Clr Tribe
Clr Kearney
Clr Anstiss – Arrived at 4.13pm
Clr Baptist
Clr Guile
Clr Watson
Clr Gash

Apologies were received from Clr Robertson, Findley, Kitchener and Russ Pigg

Note: Leave of absence has been granted for Clr Wells and Cr McCrudden

Recommendation 13.7

MOTION: Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Department of Education and Training submission comments for information.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.8

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the NSW Heritage Council's submission comments for information.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.9.1

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Jervis Bay Marine Park submission regarding issues raised in previous versions of the LEP for information.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.9.2

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Jervis Bay Marine Park submission regarding zoning changes allowing additional subdivision in Falls Creek and Woollamia rural residential areas for information.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.9.3

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Jervis Bay Marine Park submission regarding Clause 7.15 Development within the Jervis Bay Region for information.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.9.4

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zone of the entrance of Wowly Gully from E3 to W1.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.10.1

MOTION:

Moved: Watson / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, insert sub clause *(ja) land identified as riparian land in paragraphs (a) or (b) of clause 7.5 (5)* at the end of Clause 3.3 to exclude exempt and complying development on riparian land.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.10.2

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Office of Water submission regarding principal development standards 4.1 minimum subdivision lot size for information.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.10.3

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Office of Water submission regarding Clause 4.2C Subdivision of land fronting a watercourse or over an aquifer for information.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.10.4

MOTION:

Moved: Guile / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Office of Water submission regarding Clause 5.3 Development near zone boundaries for information.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.10.5

MOTION:

Moved: Guile / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Office of Water submission regarding Clause 5.5 Development within the coastal zone for information.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.10.6

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Office of Water submission regarding Clause 5.13 Eco-tourist facilities for information.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.10.7

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the Office of Water submission regarding Part 6 Urban Release Areas – Clause 6.3 Development Control Plan for information.

CARRIED

FOR: Tribe, Kearney, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.10.8

Note: Clr Anstiss arrived – 4.13 pm

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the Office of Water submission regarding Clause 7.8 Flood planning land for information.

CARRIED

FOR: Tribe, Kearney, Anstiss Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.11.1

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the Housing Corporation submission regarding increased densities in various areas for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.11.2

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Housing Corporation submission regarding the zonings of properties in Bomaderry for information and encourage NSW Land and Housing to initiate discussions in regards to a potential planning proposal to consider the zoning of their landholdings in a consistent manner and to enable the community to be consulted.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.11.3

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Housing Corporation submission regarding the zoning of their properties in Nowra and Bomaderry to facilitate their renewal and redevelopment for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.12.1

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission from Transgrid relating to the draft LEP for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.12.2

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, check the mapping of State forest boundaries against the mapping provided by Forestry Corporation NSW, if necessary revise the boundaries of the RU3 zone accordingly and advise Forestry Corporation NSW of the outcome.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.12.3

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the Sydney Catchment Authority submission supporting the application of the SP2 Infrastructure (Water Supply System) zonings in the draft LEP and exempt and complying development exemptions and notations for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.12.4

MOTION:

Moved: Watson

That the Special Development Committee, in accordance with its delegated authority, receive the Department of Defence submission for information

MOTION LAPSED DUE TO NO SECONDER

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, replace any reference to 'airport' in Clause 7.16 Development within HMAS Albatross Military Airfield buffer area and Clause 7.17 HMAS Albatross Airspace Operations with 'HMAS Albatross Military Airfield'.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.12.5

MOTION: Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the Department of Primary Industries submission regarding the zoning of water bodies for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.12.6

MOTION: Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission from the Rural Fire Service submission for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.12.7

MOTION: Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the NSW Trade and Investment submission regarding mineral resources in Shoalhaven for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.12.8

MOTION: Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the NSW Department of Primary Industries - South East Region regarding exempt development for dairying in RU1 and RU2 zones for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.13.1

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not support the request at this stage, and consider the inclusion of Broughton Creek Floodplain Risk Management Study and Plan, St Georges Basin Floodplain Risk Management Study and Plan – Climate Change Assessment (2013), Lake Conjola Floodplain Risk Management Study and Plan (2013), Burrill Lake Floodplain Risk Management Study and Plan (2013), and Bomaderry Creek Flood Study (2010) to the Flood Planning Area map overlay as a future amendment to the LEP.

CARRIED

FOR: Tribe, Kearney, Baptist, Guile, Watson, White

AGAINST: Anstiss, Gash

Recommendation 13.13.2

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zone of all cemeteries in Shoalhaven from SP1 to SP2.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.13.3

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the SP2 label of Lot 1 DP 587404 The Wool Road Sanctuary Point from “Sewage Treatment Facility” to “Waste Facility”.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.13.4

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **Change the zone of Lot 239 DP 751255 (Por 239) Budgong Road, Kangaroo Valley from E2 to RU1; and**
- b) **Identify the vegetated areas of Lot 239 DP 751255 (Por 239) Budgong Road, Kangaroo Valley on the NRS – Biodiversity Map.**

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.1

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, request that the Department of Planning and Infrastructure include an additional clause in Part 6 to deal with residue land resulting from the subdivision of the URAs under the draft LEP.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.2

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, identify verified Endangered Ecological Communities on the NRS - Biodiversity Map and include a reference to this mapping in Clause 3.3(2) to exclude these areas from exempt and complying development.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.3

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, remove *Clause 7.22 Subdivision of land - Garrads Lane, Milton and The Heights, Narrawallee* via a future amendment to the LEP once the application that has been lodged under LEP 1985 for the subdivision permitted under this clause has been determined.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.4

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, include the following recent amendments to LEP 1985 into draft LEP 2013:

- a) **Amendment No. 241 - Woollamia Farmlets Rural Residential Lots; and**
- b) **Amendment No. 242 - Badgee Lagoon, Sussex Inlet.**

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.5

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the property description for 170 Moss Vale Road, Kangaroo Valley (Item I232) in Schedule 5 Environmental Heritage to reference Lot 1 DP 1182201.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.6

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the draft LEP 2013 Maps to be consistent with the Standard Technical Requirements for LEP Maps.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.7

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change all references to “LEP 2009” to “LEP 2013” in the draft LEP 2013 Dictionary.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.8

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zone of Lot 24 DP 1173629 Jamieson Road North Nowra to RE1.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.9

MOTION:

Moved: Guile / Second: Kearney

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the Lot Size Map to remove the 40ha minimum lot size from Lot 20 DP 1173031 Moss Vale Road Kangaroo Valley and Lot 2 DP 116469 Moss Vale Road Kangaroo Valley (Sewage Treatment Plant site).

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.10

MOTION:

Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) **Amend Clause 4.2B to remove the reference to mapping of 'prime crop and pasture land';**
- b) **Amend Lot Size Map to add labels for each area to which Clause 4.2B applies and amend area to which Area 7 applies to the area shown on the map in Table 13.14 of this report; and**
- c) **Add RU1 & RU2 to the heading and zones to which Clause 4.2B applies.**

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.11

MOTION:

Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, amend the Height of Building Map to include a 5.5m maximum height of buildings for the area identified as SLRA 12 Tallow Wood Road West Burrill Lake under LEP 1985.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.12

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zone of Lots 1 & 2 DP 12958 Sec E 2-4 Caulfield Parade Old Erowal Bay from R2 to RE1.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.13

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, change the zone of Lot 31 DP 1177065, Lots 1 & 2 DP 217603 and Lot 1 DP 700490, 91-103 Kinghorne Street, Nowra from B3 to B4.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.14

MOTION:

Moved: Guile / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, consider an amendment following the finalisation of the draft LEP to review the boundaries of RU1 based on “prime crop and pasture land”.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 13.14.15

MOTION:

Moved: Gash / Second: Tribe

RESOLVED that the Special Development Committee, in accordance with its delegated authority, remove the SP2 zoning over the proposed Nowra Bomaderry Western Bypass corridor and include a clause (and associated mapping) in the draft LEP similar to Clause 7.5 in the Queanbeyan LEP (South Tralee) 2012 to identify and protect the corridor.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Watson, White

AGAINST: Guile

Recommendation 13.14.16

MOTION:

Moved: Watson / Second: Guile

That the Special Development Committee, in accordance with its delegated authority, make the following minor edits/corrections to the draft LEP:

- a) Remove the term "restriction facilities" from the LUTs as this term is no longer in the Dictionary;
- b) Remove "intensive livestock agriculture" and "intensive plant agriculture" from the RU1 LUT as these uses are covered the "agriculture" group term which is also listed;
- c) Remove "emergency services facilities" from the RU4 LUT as this use is permitted under SEPP Infrastructure'
- d) Remove "residential care facilities" from the R1 LUT as it is covered by the "seniors living" group term which is also listed;
- e) Change "entertainment centres" in the B1 LUT to "entertainment facilities" and include "kiosks", "markets" and "roadside stalls" as permitted with consent as these were previously permitted as individual uses but inadvertently were exhibited as prohibited by the introduction of the "retail premises" group term.'
- f) IN2 Light Industry land use table - Remove "community facilities" from prohibited;
- g) Change "Sewage Treatment Plan" to "Sewage Treatment Plant" at Clause 7.12(2);
- h) Add Part Port 34 DP755971 Prince Edward Avenue Culburra Beach to Heritage Item I186;
- i) Re-insert the following heritage items which were accidentally removed from Schedule 5 Environmental Heritage but are shown on the map:
 - i. Yatte Yattah - Roman Catholic Church and Cemetery Site - Princes Highway - Lot 138 DP 755923;
 - ii. Yatte Yattah - Yatte Yattah Nature Reserve and Waterfalls (2) - Princes Highway - Lot 15A DP 755923 & Part Lot 44 DP 806933;
 - iii. Yatte Yattah - Former Yatte Yattah Public School and Schoolmaster's Residence - 8A Tierney Road - Lot 453 DP 755923; and
 - iv. Yatte Yattah - "Hillview" Private Cemetery - 8B Tierney Road - Lot 6 DP 32380; and
- j) Amend an incorrect property description for the Heritage Item I219 – Colonial Road – Remnants (former Wool Road) to read:
 - i. Lot 100 DP 787610;
 - ii. Lot 33 DP 651186;
 - iii. Lot 1 DP 100976;
 - iv. Lot 1 DP 745965;
 - v. Lot 1 DP 197079; and

-
- vi. Road Reserve.
- k) Amend the property description and mapping for Heritage Item I353 (Former Convent, 22 Junction Street, Nowra) to now cover Lot 91 DP 1182460.

LOST ON THE CASTING VOTE OF THE CHAIRPERSON

FOR: Kearney, Anstiss, Guile, Watson

AGAINST: Tribe, Gash, Baptist, White

PROCEDURAL MOTION:

Moved: Guile / Second: Baptist

That Item 1 Draft Shoalhaven Local Environment Plan 2013 – Consideration of Submissions – Post Re-Exhibition Recommendation 13.14.16 – Small Edits be reintroduced for consideration.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, make the following minor edits/corrections to the draft LEP:

- a) **Remove the term "restriction facilities" from the LUTs as this term is no longer in the Dictionary;**
- b) **Remove "intensive livestock agriculture" and "intensive plant agriculture" from the RU1 LUT as these uses are covered the "agriculture" group term which is also listed;**
- c) **Remove "emergency services facilities" from the RU4 LUT as this use is permitted under SEPP Infrastructure'**
- d) **Remove "residential care facilities" from the R1 LUT as it is covered by the "seniors living" group term which is also listed;**
- e) **Change "entertainment centres" in the B1 LUT to "entertainment facilities" and include "kiosks", "markets" and "roadside stalls" as permitted with consent as these were previously permitted as individual uses but inadvertently were exhibited as prohibited by the introduction of the "retail premises" group term.'**
- f) **Amend the B4 Mixed LUT to add "warehouse and distribution centres" to prohibited;**
- g) **IN2 Light Industry land use table - Remove "community facilities" from prohibited;**
- h) **Change "Sewage Treatment Plan" to "Sewage Treatment Plant" at Clause 7.12(2);**

-
- i) Add Part Port 34 DP755971 Prince Edward Avenue Culburra Beach to Heritage Item I186;
- j) Re-insert the following heritage items which were accidentally removed from Schedule 5 Environmental Heritage but are shown on the map:
- i. Yatte Yattah - Roman Catholic Church and Cemetery Site - Princes Highway - Lot 138 DP 755923;
 - ii. Yatte Yattah - Yatte Yattah Nature Reserve and Waterfalls (2) - Princes Highway - Lot 15A DP 755923 & Part Lot 44 DP 806933;
 - iii. Yatte Yattah - Former Yatte Yattah Public School and Schoolmaster's Residence - 8A Tierney Road - Lot 453 DP 755923; and
 - iv. Yatte Yattah - "Hillview" Private Cemetery - 8B Tierney Road - Lot 6 DP 32380; and
- k) Amend an incorrect property description for the Heritage Item I219 – Colonial Road – Remnants (former Wool Road) to read:
- i. Lot 100 DP 787610;
 - ii. Lot 33 DP 651186;
 - iii. Lot 1 DP 100976;
 - iv. Lot 1 DP 745965;
 - v. Lot 1 DP 197079; and
 - vi. Road Reserve.
- l) Amend the property description and mapping for Heritage Item I353 (Former Convent, 22 Junction Street, Nowra) to now cover Lot 91 DP 1182460.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

SECTION 14 - REMAINING GENERAL SUBMISSION COMMENTS & CONCLUSION

Recommendation 14.1.1

MOTION:

Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission supporting the continuation of the walkway along Orion Beach for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.2

MOTION:

Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding Jerrinja Local Aboriginal Land Council land holdings adjoining Hyams Beach Village for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.3

MOTION:

Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding changes in character of areas resulting from “best fit” transfer of zonings for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.4

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding predicted changes in sea level, temperatures and areas that are likely to be impacted by severe weather events and changes in rainfall patterns for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.5

MOTION:

Moved: Tribe / Second: Kearney

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding the importance of protection of the Shoalhaven natural environment for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.6

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding the uniqueness of Jervis Bay villages for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.7

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding parking in Huskisson for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.8

MOTION:

Moved: Guile / Second: Watson

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding the NSW Government Planning White Paper and other comments for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.9

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the development of Master Plans for each coastal and rural village and town for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.10

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submissions regarding spot rezoning for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.11

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission thanking Council for the opportunity to comment on draft LEP 2013 for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.12

MOTION:

Moved: Anstiss / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the rezoning of Frank Lewis Way, Woollamia for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Watson, White

AGAINST: Guile

Recommendation 14.1.13

MOTION:

Moved: Guile / Second: Anstiss

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding the use of Development Control Plans for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.14

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding permissible uses in E2 zones at Callala Beach for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.15

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority, receive the submission regarding Clause 5.9 Preservation of Trees or Vegetation for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.16

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding zoning of **Comberton Grange** for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.17

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submissions regarding land at the rear of **Wasshaven Place, Wrights Beach** for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.18

MOTION:

Moved: Guile / Second: Kearney

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission regarding rezoning to be considered through the planning proposal process for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.19

MOTION:

Moved: Guile / Second: Gash

RESOLVED that the **Special Development Committee**, in accordance with its delegated authority, receive the submission in support of the draft **LEP 2013** for information.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.1.20

MOTION:

Moved: Guile / Second: Baptist

RESOLVED that the Special Development Committee, in accordance with its delegated authority:

- a) Receive the various comments regarding the subdivision clauses for information; and
- b) Amend Clause 7.19(c) to change “suppot” to “support”.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

ADDENDUM REPORT 1 – PLANNING AND DEVELOPMENT

7. Draft LEP 2013 – Post Exhibition Consideration of Additional Matters

File 33363E & 45262E

Recommendation 14.2

Previously brought forward for consideration

Recommendation 14.3

MOTION:

Moved: Watson / Second: Gash

RESOLVED that the Special Development Committee, in accordance with its delegated authority, include a clause in the draft LEP to allow for subdivision smaller than the minimum lot size lots where there is a current legal use, similar to the clause included in the Cooma-Monaro draft LEP 2012.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.4

MOTION:

Moved: Watson / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, not include the primitive camping ground located at 285

Murramarang Road, Bawley Point in the Planning Proposal for caravan parks located in E3 zones and maintain the proposed E3 zone in this location.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

Recommendation 14.5

MOTION:

Moved: Gash / Second: Guile

RESOLVED that the Special Development Committee, in accordance with its delegated authority, adopt draft Shoalhaven LEP 2013 (with any changes made via the individual resolutions in this report) and submit the draft LEP to the Director General of the Department of Planning and Infrastructure under Section 68 of the Environmental Planning and Assessment Act 1979 (EP&A Act) for commencement.

CARRIED

FOR: Tribe, Kearney, Anstiss, Gash, Baptist, Guile, Watson, White

AGAINST: Nil

There being no further business, the meeting concluded at 5.40pm

Clr White
CHAIRPERSON