

## MINUTES OF THE DEVELOPMENT & ENVIRONMENT COMMITTEE

**Meeting Date:** Tuesday, 5 October 2021

**Location:** Microsoft Teams

**Time:** 5.01pm

The following members were present (remotely):

Clr Mitchell Pakes - Chairperson

Clr Amanda Findley

Clr Joanna Gash

Clr John Wells

Clr Patricia White

Clr Kaye Gartner – joined the meeting 5:06pm

Clr Nina Digiglio

Clr Annette Alldrick

Clr John Levett

Clr Andrew Guile – joined the meeting 5:22pm – left at 7:00pm

Clr Greg Watson

Clr Mark Kitchener

Clr Bob Proudfoot

Mr Stephen Dunshea - Chief Executive Officer

### Apologies / Leave of Absence

Nil

### Confirmation of the Minutes

**RESOLVED** (Clr Watson / Clr White)

MIN21.685

That the Minutes of the Development & Environment Committee held on Tuesday 07 September 2021 be adopted with the following amendment:

Clr Watson was not present during discussion of Item 21.94 - DA20/1466 – 8-12 Princes Highway Mollymook – Lot 1 & 2 DP518702 & Lot 3 DP523625 – due to internet issues.

CARRIED

## **Declarations of Interest**

Clr Proudfoot – DE21.119 - Proposed Road Closure - Lot 4 DP 872852 (Vincentia) St Georges Basin Country Club and Response to Questions on Notice – less than significant non pecuniary interest declaration –will leave the meeting and not take part in discussion or vote – He is the President of the St Georges Basin Country Club.

Clr Gash – DE21.112 – Proposed Coastal Amendment – Shoalhaven DCP 2014 Amendment (DCP2014.39) – less than significant non pecuniary interest declaration –will remain in the meeting and will take part in discussion and vote – She is a resident of the area.

Note: Clr Proudfoot left the meeting at 5:35pm

**DE21.119 Proposed Road Closure - Lot 4 DP 872852 (Vincentia) St  
Georges Basin Country Club and Response to  
Questions on Notice**

**HPERM Ref:  
D21/354817**

Clr Proudfoot - less than significant non pecuniary interest declaration - He is the President of the St Georges Basin Country Club – left the meeting and did not take part in discussion or vote.

**Recommendation**

That Council:

1. Resolve to close the road reserves that adjoin Lot 4 DP 872852 Vincentia and sell to the owner of Lot 4 being the St Georges Basin Country Club with compensation for the sale of the land payable based on Independent Valuation advice.
2. Impose the conditions on the proposed closed road requested by Council's Environmental Services Department as shown below:
  - a. The 88B Instrument must contain a provision that it cannot be varied, modified, or released without the consent of the relevant parties as appropriate and without the consent of the Shoalhaven City Council.
  - b. The covenant must stipulate that:
    - All native vegetation must be retained unless subject to a formal development application approval under the NSW EP&A Act 1995.
    - All retained native vegetation must be declared off limits to course users
  - c. Upon endorsement by Council the covenant must be registered with LRS or the appropriate land registration body at the time of registration.

3. Require the portion comprised in the road closure be consolidated into one lot with the parent Lot being Lot 4 DP 872852.
4. Require all costs associated with the road closure, registration of documents and sale to be borne by St Georges Basin Country Club.
5. Authorise the Chief Executive Officer to sign any documentation required to give effect to this Resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

**RECOMMENDATION** (Clr White / Clr Pakes)

That Council:

1. Resolve to close the road reserves that adjoin Lot 4 DP 872852 Vincentia and sell to the owner of Lot 4 being the St Georges Basin Country Club with compensation for the sale of the land payable based on Independent Valuation advice.
2. Impose the conditions on the proposed closed road requested by Council's Environmental Services Department as shown below:
  - a. The 88B Instrument must contain a provision that it cannot be varied, modified, or released without the consent of the relevant parties as appropriate and without the consent of the Shoalhaven City Council.
  - b. The covenant must stipulate that:
    - All native vegetation must be retained unless subject to a formal development application approval under the NSW EP&A Act 1995.
    - All retained native vegetation must be declared off limits to course users pertaining to Development Application DA 01/1213 and the Environmental Management Plan.
  - c. Upon endorsement by Council the covenant must be registered with LRS or the appropriate land registration body at the time of registration.
3. Require the portion comprised in the road closure be consolidated into one lot with the parent Lot being Lot 4 DP 872852.
4. Require all costs associated with the road closure, registration of documents and sale to be borne by St Georges Basin Country Club.
5. Authorise the Chief Executive Officer to sign any documentation required to give effect to this Resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

FOR: Clr Pakes, Clr Gash, Clr Wells, Clr White, Clr Guile, Clr Watson, Clr Kitchener and Stephen Dunshea

AGAINST: Clr Findley, Clr Gartner, Clr Digiglio, Clr Alldrick and Clr Levett

CARRIED

Note: Clr Proudfoot returned to the meeting at 5:55pm.