

## **CL19.363    Rescission Motion - DE19.128 Proponent Initiated Planning Proposal (Rezoning) - Lot 1 DP 1246435, 55 Wire Lane, Berry**

**HPERM Ref:**     D19/428000

**Submitted by:**    Clr Greg Watson  
                              Clr Patricia White  
                              Clr Joanna Gash

### **Purpose / Summary**

Note: This item was deferred from the Ordinary meeting of 17 December 2019.

The following Rescission Motion, of which due notice has been given, is submitted for Council's consideration.

### **Recommendation**

That Council rescind the Motion relating to Item DE19.128 of the Development & Environment Committee held on Tuesday 3 December 2019.

### **Background**

The following resolution was adopted at the Development and Environment Committee held Tuesday 3 December 2019 (MIN19.909).

*That Council:*

- 1. Not proceed with a Planning Proposal to rezone 55 Wire Lane, Berry (Lot 1 DP 1246435) to an R5 Large Lot Residential zoning, with a 1 ha minimum lot size, and inform the proponent and submitters of this decision.*
- 2. Advise the proponents of the Local Strategic Planning Statement process, invite them to engage with this process and any associated work on a rural land strategy and the review of the Growth Management Strategy.*

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## **CL19.364 Notice of Motion - DE19.128 Proponent Initiated Planning Proposal (Rezoning) - Lot 1 DP 1246435, 55 Wire Lane, Berry**

**HPERM Ref:** D19/434508

**Submitted by:** Cllr Greg Watson  
Cllr Patricia White  
Cllr Joanna Gash

### **Purpose / Summary**

Note: This item was deferred from the Ordinary meeting of 17 December 2019.

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

### **Recommendation**

That Council proceed with the Planning Proposal as submitted.

### **Note by the CEO**

This Notice of Motion will be dealt with if the preceding Rescission Motion is carried.

Should the Rescission Motion be accepted and Council wish to support the proponent initiated Planning Proposal, as discussed at the Development & Environment Committee, the following recommendation may be more appropriate:

*That:*

- 1. Council support the proponent initiated Planning Proposal request to rezone 55 Wire Lane, Berry (Lot 1 DP 1246435) to R5 Large Lot Residential with a mapped minimum lot size of 1 ha under Shoalhaven LEP2014 on the basis that it is considered to be appropriate for a decision*
- 2. Council submit the proponents Planning Proposal document to the NSW Department of Planning, Industry & Environment requesting the initial Gateway determination, noting that additional and updated or additional studies will be undertaken post Gateway to support the Planning Proposal;*
- 3. Dependent on the outcome of the Gateway determination Council receive a further report on the Planning Proposal;*
- 4. Council advise the proponents and submitters of this decision.*

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