

MINUTES OF THE DEVELOPMENT COMMITTEE

Meeting Date: Monday, 23 January 2017
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5:04pm

The following members were present:

Clr Patricia White - Chairperson
Clr Amanda Findley
Clr Joanna Gash
Clr John Wells
Clr John Levett
Clr Nina Cheyne
Clr Annette Alldrick
Clr Kaye Gartner
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Ben Stewart – Acting General Manager

Apologies / Leave of Absence

Nil

Confirmation of the Minutes

Recommendation

That the Minutes of the Development Committee held on Tuesday 06 December 2016 be confirmed.

RESOLVED (Clr Findley / Clr Wells)

MIN17.1

That the Minutes of the Development Committee held on Tuesday 06 December 2016 be confirmed.

CARRIED

Declarations of Interest

Clr Cheyne – less than significant non pecuniary interest – DE17.1 Rescission Motion - Gateway Determination - Planning Proposal - Warrah Road, Bangalee. will remain in the room and will take part in discussion or vote – the conflict is one of perception that the subdivision could affect my property value. She does not believe that she has a specific pecuniary interest as she is one of the many residents who live within the vicinity of the subdivision.

DEPUTATIONS AND PRESENTATIONS

Mr Dennis Johnson addressed the Committee in relation to DE17.1 – Rescission Motion - Gateway Determination - Planning Proposal - Warrah Road, Bangalee.

Mr Lee Carmichael addressed the Committee in relation to DE17.6 - Development Application SF10534 – Proposed 2 lot subdivision at Lot 7 DP249396 (No.1) Tulip Street, Hyams Beach.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Proudfoot / Clr Wells) MIN17.2

That the following items be brought forward for consideration:

- DE17.1 – Rescission Motion - Gateway Determination - Planning Proposal - Warrah Road, Bangalee and
- DE17.6 - Development Application SF10534 – Proposed 2 lot subdivision at Lot 7 DP249396 (No.1) Tulip Street, Hyams Beach.

CARRIED

Procedural Motion – Deputation

RESOLVED (Clr Findley / Clr Levett) MIN17.3

That Mr James McCullough be permitted to provide a deputation in relation to DE17.6 - Development Application SF10534 – Proposed 2 lot subdivision at Lot 7 DP249396 (No.1) Tulip Street, Hyams Beach.

CARRIED

Mr James McCullough addressed the Committee in relation to DE17.6 - Development Application SF10534 – Proposed 2 lot subdivision at Lot 7 DP249396 (No.1) Tulip Street, Hyams Beach.

NOTICES OF MOTION / QUESTIONS ON NOTICE

DE17.1	Rescission Motion - Gateway Determination - Planning Proposal - Warrah Road, Bangalee	HPERM Ref: D16/400228
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Note: Clr Cheyne – less than significant non pecuniary interest – DE17.1 Rescission Motion - Gateway Determination - Planning Proposal - Warrah Road, Bangalee – remained in the room and took part in discussion or vote – the conflict is one of perception that the subdivision could affect my property value. She does not believe that she has a specific pecuniary interest as she is one of the many residents who live within the vicinity of the subdivision.

Recommendation (Item to be determined under delegated authority)

That Council rescind the Motion relating to Item DE16.20 of the Development Committee Meeting held 6 December 2016.

MOTION (Clr Gartner / Clr Cheyne) MIN17.4

That Council rescind the Motion relating to Item DE16.20 of the Development Committee Meeting held 6 December 2016.

FOR: Clr Findley, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner and Ben Stewart

AGAINST: Clr White, Clr Gash, Clr Wells, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

LOST

DE17.6 Development Application SF10534 – Proposed 2 lot subdivision at Lot 7 DP249396 (No.1) Tulip Street, Hyams Beach

HPERM Ref: D16/404195

Recommendation (Item to be determined under delegated authority)

That the request for the exception under Clause 4.6 of the Shoalhaven Local Environmental Plan 2014 (variation), to the minimum lot size:

1. Not be supported; and
2. Refer the application back to staff for determination.

MOTION (Clr Findley / Clr Levett)

That the request for the exception under Clause 4.6 of the Shoalhaven Local Environmental Plan 2014 (variation), to the minimum lot size:

1. Not be supported; and
2. Refer the application back to staff for determination.

RESOLVED (Clr Watson / Clr Kitchener)

MIN17.5

That the Development Committee defer the Development Application SF10534 – Proposed 2 lot subdivision at Lot 7 DP249396 (No.1) Tulip Street, Hyams Beach to the Development Committee Meeting, Tuesday 14 March 2017 in order to assess the flow on effects of future potential subdivisions.

FOR: Clr White, Clr Findley, Clr Gash, Clr Wells, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Levett and Ben Stewart

CARRIED

DE17.2 Notice of Motion - Gateway Determination - Planning Proposal - Warrah Road, Bangalee

HPERM Ref: D16/400234

Recommendation (Item to be determined under delegated authority)

That Council proceed to public exhibition in accordance with the Gateway determination.

Note: As advised by the Chair, this item was not dealt with as the rescission motion was lost, see MIN17.4 (DE17.1).

REPORTS

DE17.3	Submission - Department of Planning & Environment - Improving Voluntary Planning Agreements	HPERM Ref: D16/389453
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Recommendation (Item to be determined under delegated authority)

That Council make a submission to the NSW Department of Planning & Environment on the draft Voluntary Planning Agreement Framework based on Attachment 1 prior to the deadline of 27 January 2017.

RESOLVED (Clr Wells / Clr Gash) MIN17.6

That Council make a submission to the NSW Department of Planning & Environment on the draft Voluntary Planning Agreement Framework based on Attachment 1 prior to the deadline of 27 January 2017.

CARRIED

DE17.4	Draft State Environmental Planning Policy (Coastal Management) 2016 - proposed Council submission	HPERM Ref: D16/393179
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Recommendation (Item to be determined under delegated authority)

That Council make the submission attached to this report to the NSW Department of Planning and Environment on the draft State Environmental Planning Policy 2016 (Coastal Management), accompanying maps and draft section 117 Ministerial direction by 31 January 2017.

RESOLVED (Clr Wells / Clr Kitchener) MIN17.7

That:

1. Council make the submission attached to this report to the NSW Department of Planning and Environment on the draft State Environmental Planning Policy 2016 (Coastal Management), accompanying maps and draft section 117 Ministerial direction by 31 January 2017.
2. Council make representations to the State Government through our Local Members in regards to Councils concerns in this regard.
3. The General Manager seek as a matter of urgency a deputation to the NSW Planning Minister Hon Rob Stokes, the Member for the South Coast, Hon Shelley Hancock, The Member for Kiama, Hon Gareth Ward, the Upper House Member Hon Paul Green and the Upper House Green Member, Hon Justin Fields and that those representatives be given a thorough briefing prior to the deputation.

CARRIED

DE17.5	Draft Planning Agreement - 18 Haigh Ave, Nowra and 103 Plunkett St, Nowra – Lot 1 in DP 781046 & Lot 1001 in DP 1176270	HPERM Ref: D16/397895
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Recommendation (Item to be determined under delegated authority)

That in accordance with the Committee's delegated authority from Council, the Committee endorse the draft Planning Agreement between Shoalhaven City Council (Council) and the Developer (RG Property Ten Pty Ltd) of Lot 1 DP 781046 (No. 18 Haigh Ave, Nowra) and Lot 101 DP 1176270 (No. 103 Plunkett St, Nowra), which was publicly exhibited from 26 October – 30 November 2016.

RESOLVED (Clr Wells / Clr Gash)

MIN17.8

That in accordance with the Committee's delegated authority from Council, the Committee endorse the draft Planning Agreement between Shoalhaven City Council (Council) and the Developer (RG Property Ten Pty Ltd) of Lot 1 DP 781046 (No. 18 Haigh Ave, Nowra) and Lot 101 DP 1176270 (No. 103 Plunkett St, Nowra), which was publicly exhibited from 26 October – 30 November 2016.

CARRIED

DE17.6 Development Application SF10534 – Proposed 2 Lot Subdivision At Lot 7 Dp249396 (No.1) Tulip Street, Hyams Beach

HPERM REF: D16/404195

Item dealt with earlier in the meeting see MIN17.5

DE17.7 Development Application SF10532 Two Lot Subdivision – E754 Woollamia Rd, Woollamia – Lot 8 DP 27524

HPERM Ref: D17/2635

Recommendation (Item to be determined under delegated authority)

That the request to permit the provision of effluent pumpout service to proposed Lot 2:

1. Be supported.
2. Refer the application back to staff for determination.

RESOLVED (Clr Pakes / Clr Wells)

MIN17.9

That the request to permit the provision of effluent pumpout service to proposed Lot 2:

1. Be supported.
2. Refer the application back to staff for determination.

CARRIED

Procedural Motion - Matters of Urgency

RESOLVED (Clr Watson / Clr Proudfoot)

That an additional item Property Matter - Additional Lane on Princes Hwy, Nowra – be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as urgent due to the potential sale of the property.

DE17.8 Property Matter - Additional Lane on Princes Hwy, Nowra

RESOLVED (Clr Watson / Clr Proudfoot)

MIN17.10

That:

1. This be dealt with under the Development Committees delegated authority from Council

2. Council bring to the attention of the Roads and Maritime Services the property on the corner of the Princes Hwy that is currently for sale and is critical for the future highway widening and the additional travel lane.

CARRIED

Procedural Motion - Matters of Urgency

RESOLVED (Clr Alldrick / Clr Cheyne)

That an additional item Development Application – Lot 1 DP 130825 Princes Hwy (Emerald Dr), Meroo Meadow, be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as urgent as the submission closed and the residents feel they need more time for considerations such as access and it could be determined prior to the next available meeting.

DE17.9 Development Application - Lot 1 DP130825 Princes Hwy (Emerald Dr) Meroo Meadow

RESOLVED (Clr Alldrick / Clr Cheyne)

MIN17.11

That:

1. All delegations for SF10541 be withdrawn and this matter be reported to council for consideration.
2. A residents briefing meeting be held on the abovementioned application.
3. The time for submissions be extended until the residents briefing meeting can be held.

Note: Clr Proudfoot left the meeting at 7:23pm.

CARRIED

Procedural Motion - Matters of Urgency

RESOLVED (Clr Levett / Clr White)

That an additional item DS16/1512 - Section 96 amendment for the quarry on Parnell Rd, Tomerong to increase the extraction rate be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as urgent due to the broad public interest.

DE17.10 DS16/1512 - Section 96 Amendment for the Quarry on Parnell Rd Tomerong

RESOLVED (Clr Levett / Clr White)

MIN17.12

That the Development Committee call in an application to Council for determination (DS16/1512) - Section 96 amendment for the quarry at Parnell Rd, Tomerong.

Note: Clr Proudfoot returned to the meeting at 7:25pm

Note: Clr Watson left the meeting at 7:29pm

CARRIED

There being no further business, the meeting concluded, the time being 7.29pm.

Clr White
CHAIRPERSON