

MINUTES OF THE DEVELOPMENT COMMITTEE

Meeting Date: Tuesday, 14 February 2017
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5:02pm

The following members were present:

Clr Amanda Findley
Clr Patricia White - Chairperson
Clr Joanna Gash
Clr John Wells
Clr John Levett
Clr Nina Cheyne
Clr Annette Alldrick
Clr Kaye Gartner
Clr Andrew Guile
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Russ Pigg - General Manager

Apologies / Leave of Absence

Nil

Confirmation of the Minutes

RESOLVED (Clr Wells / Clr Guile)

MIN17.73

That the Minutes of the Development Committee held on Monday 23 January 2017 be confirmed.

CARRIED

Declarations of Interest

Clr Kitchener – DE17.17 – DA Fee Exemption South Coast Branch Surf Life Saving – less than significant non pecuniary interest declaration – is a member of the Mollymook Surf Life Saving Club, a reasonable person might consider I am taking an advantage to Surf Life Saving – will remain in the room and will take part in discussion or vote.

Clr Pakes – DE17.17 – DA Fee Exemption South Coast Branch Surf Life Saving – significant non pecuniary interest – he is the elected vice president of the South Coast Surf Life Saving Branch – will leave the room and will not take part in discussion or vote.

Clr Alldrick – DE17.11 – Notice of Motion – Subdivision Application – 7 Bangalee Road, Tapitallee – pecuniary interest – she is a resident of Tapitallee – will leave the room and will not take part in discussion or vote.

Clr Wells – DE17.12 – Notice of Motion – Development Application – Coastal Palms Caravan Park - Shoalhaven Heads – DA17/1019 – significant non pecuniary interest – his mother in law resides permanently at this property – will leave the room and will not take part in discussion or vote.

DEPUTATIONS AND PRESENTATIONS

Mr Andrew Lesley made submission but withdrew his request to provide a deputation in relation to DE17.14 – Council Land Reclassification Housekeeping Planning Proposal - Post Exhibition Consideration and Finalisation.

Mr Peter Price addressed the Committee in relation to DE17.15 – Development Application DA16/1123 – 56 - 69 Graham St, Nowra, Lots H, J & K & DP 39320

Mr Matthew Wales (Wales & Associates) addressed the Committee in relation to DE17.15 – Development Application DA16/1123 – 56 - 69 Graham St, Nowra, Lots H, J & K & DP 39320

Procedural Motion - Bring Item Forward

RESOLVED (Clr Wells / Clr Gash) MIN17.74

That the matter of item DE17.15 Development Application DA16/1123 – 56 - 69 Graham St, Nowra, Lots H, J & K & DP 39320 be brought forward for consideration.

CARRIED

DE17.15	Development Application DA16/1123 – 56 - 69 Graham St, Nowra, Lots H, J & K & DP 39320	HPERM Ref: D17/217
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Recommendation (Item to be determined under delegated authority)

That Council:

1. Confirm that it supports the height variation
2. Refer the application back to staff for determination.

RESOLVED (Clr Gash / Clr Gartner) MIN17.75

That Council:

1. Confirm that it supports the height variation
2. Refer the application back to staff for determination.

FOR: Clr Findley, Clr White, Clr Gash, Clr Wells, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Kitchener and Russ Pigg

AGAINST: Clr Watson and Clr Proudfoot

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

DE17.11 Notice of Motion - Subdivision Application - 7 Bangalee Road, Tapitallee

**HPERM Ref:
D17/39662**

Clr Alldrick – pecuniary interest – she is a resident of Tapitallee – left the room and did not take part in discussion or vote.

Recommendation (Item to be determined under delegated authority)

To report to Council recommendations and updates on the progress of the Tapitallee Development Application.

RESOLVED (Clr Cheyne / Clr Gartner)

MIN17.76

That the report in relation to Notice of Motion - Subdivision Application - 7 Bangalee Road, Tapitallee be received for information.

FOR: Clr Findley, Clr White, Clr Gash, Clr Wells, Clr Levett, Clr Cheyne, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

DE17.12 Notice of Motion - Development Application - Coastal Palms Caravan Park - Shoalhaven Heads - DA17/1019

**HPERM Ref:
D17/39684**

Clr Wells – significant non pecuniary interest – his mother in law resides permanently at this property – left the room and did not take part in discussion or vote.

Note: Clr Alldrick returned to the meeting, the time being 5.50pm.

Note: Clr Gartner left the meeting, the time being 5.55pm.

Recommendation (Item to be determined under delegated authority)

That the time for consideration of DA17/1019 be extended to allow for more considered feedback to Council and that an information evening be held with Council representation to attend the meeting to further explain the elements of the DA.

RESOLVED (Clr Cheyne / Clr Guile)

MIN17.77

That the time for consideration of DA17/1019 be extended to allow for more considered feedback to Council and that an information evening be held with Council representation to attend the meeting to further explain the elements of the DA.

FOR: Clr Findley, Clr White, Clr Gash, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

DE17.13 Notice of Motion - Crown Land adjacent to Shoalhaven Heads Golf Course

**HPERM Ref:
D17/40293**

Recommendation (Item to be determined under delegated authority)

That

1. The General Manager report back to Council on the botanical status of the land at Lot 7010 DP 1035145, Scott Street, Shoalhaven Heads, and
2. If it is confirmed that it is littoral rainforest, council consider submitting making an additional submission to have the land identified in the final State Environmental Planning Policy (Coastal Management) 2016, maps as a coastal wetland and littoral rainforest area.

Note: Clr Wells and Clr Gartner returned to the meeting at 5:58pm

RESOLVED (Clr Cheyne / Clr Findley)

MIN17.78

That under the delegation of the Development Committee, the note from the General Manager be received for information.

FOR: Clr Findley, Clr White, Clr Gash, Clr Wells, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Guile and Clr Pakes

CARRIED

REPORTS

DE17.14 Council Land Reclassification Housekeeping Planning Proposal - Post Exhibition Consideration and Finalisation

**HPERM Ref:
D16/393791**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt the Planning Proposal as exhibited with the following change:
 - Amend the Planning Proposal to refer to MIN 812 in relation to the sale of 50 Shoalhaven Heads Road, Shoalhaven Heads.
2. As per Council's delegated functions as Relevant Planning Authority, forward the Planning Proposal to NSW Parliamentary Counsel to draft the amendment to the Shoalhaven Local Environmental Plan 2014 and enable it to proceed to finalisation.
3. When considering the future management of the Lively Street, Vincentia land; have regard to issues raised in submissions at Attachment 1 and those identified in the 3 November 2015 Development Committee Report (D15/324914); and
4. Notify submitters and Community Consultative Bodies of this resolution, and again when the Planning Proposal is notified and comes into effect.

RESOLVED (Clr Watson / Clr Proudfoot)

MIN17.79

That Council:

1. Adopt the Planning Proposal as exhibited with the following change:
 - Amend the Planning Proposal to refer to MIN15.812 in relation to the sale of 50 Shoalhaven Heads Road, Shoalhaven Heads.

2. As per Council's delegated functions as Relevant Planning Authority, forward the Planning Proposal to NSW Parliamentary Counsel to draft the amendment to the Shoalhaven Local Environmental Plan 2014 and enable it to proceed to finalisation.
3. When considering the future management of the Lively Street, Vincentia land; have regard to issues raised in submissions at Attachment 1 and those identified in the 3 November 2015 Development Committee Report (D15/324914); and
4. Notify submitters and Community Consultative Bodies of this resolution, and again when the Planning Proposal is notified and comes into effect.

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

AGAINST: Clr Levett

CARRIED

DE17.15 DEVELOPMENT APPLICATION DA16/1123 – 56 - 69 HPERM REF: D17/217
GRAHAM ST, NOWRA, LOTS H, J & K & DP 39320

Item dealt with earlier/later in the meeting see MIN17.75.

DE17.16 Development Application – 1 Brooks Lane, Kangaroo HPERM Ref:
Valley – Lot 102 in DP 1056895 D17/31245

Recommendation (Item to be determined under delegated authority)

That the Council:

1. Support the variations to the 5.5 metre height limit set by clause 4.3 of SLEP-2014;
2. Refer the application back to staff for determination

RESOLVED (Clr Guile / Clr Wells)

MIN17.80

That the Council:

1. Support the variations to the 5.5 metre height limit set by clause 4.3 of SLEP-2014;
2. Refer the application back to staff for determination.

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

Against: Nil

CARRIED

DE17.17 DA Fee Exemption - South Coast Branch Surf Life HPERM Ref:
Saving (NSW) - Proposed Administration, Training & D17/26984
Storage Facility - Integrated Emergency Management
Centre, 92 Albatross Road, Nowra.

Clr Kitchener – less than significant non pecuniary interest declaration – is a member of the Mollmook Surf Life Saving Club, a reasonable person might consider I am taxing an advantage to Surf Life Saving –remained in the room and did take part in discussion & vote.

Clr Pakes – significant non pecuniary interest – he is the elected vice president of the South Coast Surf Life Saving Branch – left the room and did not take part in discussion or vote.

Recommendation (Item to be determined under delegated authority)

For Committee's consideration.

RESOLVED (Clr Wells / Clr Gash) MIN17.81

That the fees be waived for the South Coast Branch Surf Life Saving (NSW) - Proposed Administration, Training & Storage Facility - Integrated Emergency Management Centre, 92 Albatross Road, Nowra.

FOR: Clr Findley, Clr White, Clr Gash, Clr Wells, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

Procedural Motion - Matters of Urgency

Note: Clr Pakes returned to the meeting, the time being 6.43pm.

RESOLVED (Clr Pakes / Clr Guile) MIN17.82

That an additional item the old Service Station at Culburra Beach Contamination be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as urgent as it deals with contamination.

DE17.18 Contamination - Culburra Beach Old Service Station Site

RESOLVED (Clr Pakes / Clr Guile) MIN17.83

That Council receive a verbal report on:

1. The progress of the clean up and clean up order issued to the property owner
2. Options available to Council should the property owner not comply with the clean up orders
3. Receive the verbal report from the Director Planning and Development Services for information

CARRIED

Procedural Motion - Matters of Urgency

RESOLVED (Clr Proudfoot / Clr Findley) MIN17.84

That an additional item DS16/1532 - Section 96 amendment for the quarry on Parnell Rd, Tomerong – Extend Time for Submissions be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as urgent as the submissions close tomorrow.

DE17.19 DS16/1532 - Section 96 Amendment for the Quarry on Parnell Rd Tomerong - Extension of Time for Submissions

RESOLVED (Clr Proudfoot / Clr Findley)

MIN17.85

That

1. Regarding DS16/1532 Section 96 Amendment Quarry Parnell Rd Tomerong, public submissions be extended by a further 21 days.
2. And a residents briefing be held

CARRIED

There being no further business, the meeting concluded, the time being 6.52pm.

Clr White
CHAIRPERSON