

MINUTES OF THE DEVELOPMENT COMMITTEE

Meeting Date: Monday, 5 June 2017
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5:00pm

The following members were present:

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

Apologies / Leave of Absence

Apologies were received from Clr Gartner and Clr Kitchener

Confirmation of the Minutes

RESOLVED (Clr Findley / Clr Gash) MIN17.474

That the Minutes of the Development Committee held on Tuesday 09 May 2017 be confirmed.

CARRIED

Declarations of Interest

Nil

DEPUTATIONS AND PRESENTATIONS

Mr John Willmott addressed the Committee in relation to DE17.40 Planning Proposal (Rezoning) - St Vincent and Deering Streets, Ulladulla.

Mr Anthony Barthelmess addressed the Committee in relation to DE17.42 SF10554 – 1 Greens Road Greenwell Point – Lot 1 DP 530097.

Mr Tony Marshall addressed the Committee in relation to DE17.43 Development Application – 98 Canberra Crescent, Burrill Lake – Lot 149 DP 15648

Procedural Motion - Bring Item Forward

RESOLVED (Clr Gash / Clr Cheyne)

MIN17.475

That the following items be brought forward for consideration:

- DE17.40 – Planning Proposal (Rezoning) – St Vincent and Deering Streets, Ulladulla (Your Urban Designer)
- DE17.42 – SF10554 – 1 Greens Road Greenwell Point – Lot 1 DP 530097
- DE17.43 – Development Application – 98 Canberra Crescent, Burrill Lake – Lot 149 DP 15648

CARRIED

REPORTS

DE17.40 Planning Proposal (Rezoning) - St Vincent and Deering Streets, Ulladulla (Your Urban Designer)

HPERM Ref: D17/91270

Recommendation (Item to be determined under delegated authority)

That Council:

1. Give in principle support for the proposed rezoning and building height review for Lots 1-7, 9 DP 21597 and Lot CP SP 42583, St Vincent and Deering Streets, Ulladulla; and submit a Planning Proposal to the NSW Department of Planning and Environment for Gateway determination upon receipt of the final outstanding owners consent.
2. Request that the following be required as a condition of the Gateway determination:
 - a. Additional visual impact assessment and/or modelling for the planning proposal site following completion of the Review of Building Heights Study (part of Ulladulla CBD) as required by Council.
 - b. Economic feasibility analysis to consider the proposed heights following completion of the Review of Building Heights Study (part of Ulladulla CBD).
 - c. Stage 1 Contamination Assessment for Lots 3-7, 9 DP 21597 and Lot CP SP 42583.
3. Require the proponent to pay pro rata costs associated with the preparation of the Review of Building Heights Study.
4. Advise the proponent, adjacent land owners and relevant community groups of this decision, noting the opportunity for formal consultation later in the process.
5. If necessary, receive a further report following receipt of the Gateway determination.

RESOLVED (Clr Gash / Clr Findley)

MIN17.476

That Council:

1. Give in principle support for the proposed rezoning and building height review for Lots 1-7, 9 DP 21597 and Lot CP SP 42583, St Vincent and Deering Streets, Ulladulla; and submit a Planning Proposal to the NSW Department of Planning and Environment for Gateway determination upon receipt of the final outstanding owners consent.
2. Request that the following be required as a condition of the Gateway determination:
 - a. Additional visual impact assessment and/or modelling for the planning proposal site following completion of the Review of Building Heights Study (part of Ulladulla CBD) as required by Council, which considers up to 14 mts on the subject site.
 - b. Economic feasibility analysis to consider the proposed heights following completion of the Review of Building Heights Study (part of Ulladulla CBD).
 - c. Stage 1 Contamination Assessment for Lots 3-7, 9 DP 21597 and Lot CP SP 42583.
3. Require the proponent to pay pro rata costs associated with the preparation of the Review of Building Heights Study.
4. Advise the proponent, adjacent land owners and relevant community groups of this decision, noting the opportunity for formal consultation later in the process.
5. If necessary, receive a further report following receipt of the Gateway determination.

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

AGAINST: Nil

CARRIED

DE17.42 SF10554 – 1 Greens Road Greenwell Point – Lot 1 DP 530097

HPERM Ref: D17/140378

Recommendation (Item to be determined under delegated authority)

That the Committee:

1. Confirm that it does not support the departure from the Performance Criteria P3.2 and P3.3 of Control 5.3 *Subdivision in the Floodplain*, Chapter G9, SDCP 2014; and
2. Refer the application (SF10554) back to staff for determination.

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN17.477

That Council

1. Supports the departure from the Performance Criteria P3.2 and P3.3 of Control 5.3 *Subdivision in the Floodplain*, Chapter G9, SDCP 2014.
2. Refer the application (SF10554) back to staff for determination.

FOR: Clr White, Clr Wells, Clr Levett, Clr Guile, Clr Pakes, Clr Watson, Clr Proudfoot and Russ Pigg

AGAINST: Clr Gash, Clr Findley, Clr Cheyne and Clr Alldrick

CARRIED

DE17.43 Development Application – 98 Canberra Crescent, Burrill Lake – Lot 149 DP 15648

**HPERM Ref:
D17/144057**

Recommendation (Item to be determined under delegated authority)

That the Development Committee

1. Support the variation to maximum building height of 8.5m set by clause 4.3 of Shoalhaven LEP 2014 for two storey pole home at 98 Canberra Crescent, Burrill Lake to a maximum building height of 11.15m;
2. Refer the application back to staff for determination.

Note: Clr Watson left the meeting at 6:15pm

RESOLVED (Clr Proudfoot / Clr Wells)

MIN17.478

That the Development Committee

1. Support the variation to maximum building height of 8.5m set by clause 4.3 of Shoalhaven LEP 2014 for two storey pole home at 98 Canberra Crescent, Burrill Lake to a maximum building height of 11.15m;
2. Refer the application back to staff for determination.

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

AGAINST: Nil

CARRIED

DE17.38 Section 138 Approvals, Roads Act 1993

**HPERM Ref:
D16/374324**

Recommendation (Item to be determined under delegated authority)

That;

1. Section 138 of the Roads Act 1993 be applied consistently to all development where approval is required in the road reserve.
2. A clear modern driveway profile/gradients and associated fact sheet be produced to assist home builders to ascertain suitable garage floor levels and driveway gradients to facilitate integration with Council's road reserve.

Note: Clr Findley left the meeting at 6:24pm

RESOLVED (Clr Wells / Clr Cheyne)

MIN17.479

That

1. Section 138 of the Roads Act 1993 be applied consistently to all development where approval is required in the road reserve.
2. A clear modern driveway profile/gradients and associated fact sheet be produced to assist home builders to ascertain suitable garage floor levels and driveway gradients to facilitate integration with Council's road reserve.

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

AGAINST: Nil

CARRIED

DE17.39 Development Application DA16/1759 - 2159 Moss Vale Road Barrengarry - Lot C in DP 18081	HPERM Ref: D17/88129
--	-----------------------------

Recommendation (Item to be determined under delegated authority)

That Council:

1. Support the following variations to the relevant development standards in Shoalhaven LEP 2014 for the purpose of the erection of a dwelling house on Lot C in DP18081:
 - a. variation to the minimum lot size of 40Ha to 750m2, and
 - b. variation to the 5.5m building height under clause 4.3 to 6.855m.
2. That the application is referred back to staff for determination.

RESOLVED (Clr Guile / Clr Wells) MIN17.480

That Council:

1. Support the following variations to the relevant development standards in Shoalhaven LEP 2014 for the purpose of the erection of a dwelling house on Lot C in DP18081:
 - a. variation to the minimum lot size of 40Ha to 750m2, and
 - b. variation to the 5.5m building height under clause 4.3 to 6.855m.
2. That the application is referred back to staff for determination.

FOR: Clr White, Clr Gash, Clr Wells, Clr Levett, Clr Cheyne, Clr Aldrick, Clr Guile, Clr Pakes, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

DE17.40 Planning Proposal (Rezoning) - St Vincent And Deering Streets, Ulladulla (Your Urban Designer)	HPERM REF: D17/91270
---	-----------------------------

Item dealt with earlier/later in the meeting see MIN17.476

DE17.41 Options - Dual occupancy development - Old residential area of Berry	HPERM Ref: D17/133020
---	------------------------------

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive this options investigation report and provide a direction to progress.
2. Consult with the Berry Forum on the preferred option.

RESOLVED (Clr Wells / Clr Guile) MIN17.481

That Council

1. Investigate additional heritage listings within Berry and additional controls within the DCP to manage character impacts associated with potential dual occupancy development

2. Consider the provision of \$20,000 in the 2017/2018 Budget to review the Shoalhaven Heritage Study to support any additional heritage listings in Berry.
3. Consult with the Berry Forum, Berry Chambers of Commerce and other stakeholder groups on the preferred option.

FOR: Clr White, Clr Gash, Clr Wells, Clr Levett, Clr Cheyne, Clr Aldrick, Clr Guile, Clr Pakes, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

**DE17.42 SF10554 – 1 Greens Road Greenwell Point – Lot 1 DP
530097**

**HPERM REF:
D17/140378**

Item dealt with earlier/later in the meeting see MIN17.477

**DE17.43 Development Application – 98 Canberra Crescent, Burrill
Lake – Lot 149 DP 15648**

**HPERM REF:
D17/144057**

Item dealt with earlier/later in the meeting see MIN17.478

Introduction of Items as Matters of Urgency

Recommendation

That the following addendum reports be introduced as matters of urgency:

1. DE17.44 Development Application – 5 Spinnaker Street, Vincentia – Lot 716 DP 1204850

CARRIED

The Chairperson ruled the matter as one of urgency as it relates to urgent business of Council and allowed its introduction.

ADDENDUM REPORTS

**DE17.44 Development Application – 5 Spinnaker Street, Vincentia
– Lot 716 DP 1204850**

**HPERM Ref:
D17/177122**

Recommendation (Item to be determined under delegated authority)

That the Development Committee:

1. Support the 10.4% variation to the minimum lot size set by clause 4.1 of Shoalhaven LEP 2014 for allotments at 448 m² each for torrens title subdivision of dual occupancy to be erected at 5 Spinnaker Street Vincentia – LOT 716 DP 1204850;
2. Refer the application back to staff for determination

RESOLVED (Clr Wells / Clr Gash)

MIN17.482

That the Development Committee:

1. Support the 10.4% variation to the minimum lot size set by clause 4.1 of Shoalhaven LEP 2014 for allotments at 448 m² each for torrens title subdivision of dual occupancy to be erected at 5 Spinnaker Street Vincentia – LOT 716 DP 1204850;
2. Refer the application back to staff for determination

CARRIED

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

Against: Nil

CARRIED

There being no further business, the meeting concluded, the time being 6.34 pm.

Clr White
CHAIRPERSON