

## MINUTES OF THE DEVELOPMENT COMMITTEE

**Meeting Date:** Tuesday, 10 April 2018  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 5.00pm

The following members were present:

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

### Apologies / Leave of Absence

**RESOLVED** (Clr Cheyne / Clr White) MIN18.255

That:

1. A leave of absence be granted to Clr Alldrick for the period 10 April 2018 until 15 May 2018 inclusive.
2. An apology be received from Clr Guile.

CARRIED

### Confirmation of the Minutes

**RESOLVED** (Clr White / Clr Gartner) MIN18.256

That the Minutes of the Development Committee held on Tuesday 13 March 2018 be confirmed.

CARRIED

Note: Clr Findley advised that the Mayoral Minute regarding leasing Nowra Neighbourhood Centre for homeless accommodation arising from the Homelessness Taskforce Shoalhaven will be submitted to the Strategy & Assets Committee on 17 April 2018.

### Declarations of Interest

Nil

## DEPUTATIONS AND PRESENTATIONS

### DE18.23 – S96 Modification Application – Tomerong Quarry – Parnell Rd, Tomerong – Lot 4 DP 775296

Lester Shute spoke for the recommendation.

### DE18.28 – Development Application DA17/2337 – 16 Coolangatta Road, Coolangatta – Lot 1 DP 1204108

Allan Murphy spoke for the recommendation. The Deputation was made later in the meeting, see MIN18.261.

## REPORTS

### DE18.23 S96 Modification Application – Tomerong Quarry - Parnell Rd, Tomerong – Lot 4 DP 775296

HPERM Ref:  
D18/49185

#### Recommendation (Item to be determined under delegated authority)

That the Development Committee resolve to refuse Application DS16/1532 to modify DA90/1912 to modify condition 14(h) for the following reasons:

1. The modification application has not adequately demonstrated that the proposal will not have adverse environmental impacts on the built environment and social impacts on the locality. (Section 79C(1)(b) of Environmental Planning and Assessment Act, 1979)
2. The information submitted with the modification application does not satisfactorily demonstrate that the site is suitable for the proposed modification. (Section 79C(1)(c) of Environmental Planning and Assessment Act, 1979)
3. Having regard to the information submitted with the modification application and having regard to submissions received, the modification of the consent is not considered to be in the public interest. (Section 79C(1)(e) of Environmental Planning and Assessment Act, 1979)

#### RESOLVED (Clr Wells / Clr Pakes)

MIN18.257

That the Development Committee resolve to refuse Application DS16/1532 to modify DA90/1912 to modify condition 14(h) for the following reasons:

1. The modification application has not adequately demonstrated that the proposal will not have adverse environmental impacts on the built environment and social impacts on the locality. (Section 79C(1)(b) of Environmental Planning and Assessment Act, 1979)
2. The information submitted with the modification application does not satisfactorily demonstrate that the site is suitable for the proposed modification. (Section 79C(1)(c) of Environmental Planning and Assessment Act, 1979)
3. Having regard to the information submitted with the modification application and having regard to submissions received, the modification of the consent is not considered to be in the public interest. (Section 79C(1)(e) of Environmental Planning and Assessment Act, 1979)

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

AGAINST: Nil

CARRIED

**DE18.24 Proposed Submission - Aboriginal Cultural Heritage Reforms**

**HPERM Ref:  
D17/362593**

**Recommendation (Item to be determined under delegated authority)**

That Council make a submission to the NSW Office of Environment & Heritage on the proposed Aboriginal Cultural Heritage Reforms based on the content of this report.

**RESOLVED** (Clr Wells / Clr White)

MIN18.258

That Council make a submission to the NSW Office of Environment & Heritage on the proposed Aboriginal Cultural Heritage Reforms based on the content of this report.

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

AGAINST: Nil

CARRIED

**DE18.25 Proposed Exhibition - Review of Shoalhaven Contributions Plan 2010**

**HPERM Ref:  
D18/67978**

**Recommendation (Item to be determined under delegated authority)**

That Council:

1. Adopt for exhibition purposes the draft Amendment No. 10 to Shoalhaven Contributions Plan 2010 as attached;
2. Exhibit draft Amendment No. 10 for a minimum period of 28 days in accordance with legislation;
3. Receive a further report after public exhibition to consider any submissions and to adopt the amendment for finalisation; and
4. Acknowledge a further amendment to the Contributions Plan will be necessary once the two significant projects identified in this report have been revised and adopted by council.

**RESOLVED** (Clr Findley / Clr White)

MIN18.259

That Council:

1. Adopt for exhibition purposes the draft Amendment No. 10 to Shoalhaven Contributions Plan 2010 as attached;
2. Exhibit draft Amendment No. 10 for a minimum period of 28 days in accordance with legislation;
3. Receive a further report after public exhibition to consider any submissions and to adopt the amendment for finalisation; and
4. Acknowledge a further amendment to the Contributions Plan will be necessary once the two significant projects identified in this report have been revised and adopted by council.

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

AGAINST: Clr Kitchener

CARRIED

**DE18.26 DA18/1010 – 27 Quinns Lane, South Nowra – Lot 4 DP  
519090**

**HPERM Ref:  
D18/75316**

**Recommendation**

That Council:

1. Confirm that it supports, pursuant to clause 4.6 (Exceptions to development standards) of SLEP 2014, the applicant's request to vary the height limit of 11m to 15.63m; and
2. Refer the development application (DA18/1010) back to staff for determination.

**RECOMMENDATION (Clr Wells / Clr Findley)**

That Council:

1. Confirm that it supports, pursuant to clause 4.6 (Exceptions to development standards) of SLEP 2014, the applicant's request to vary the height limit of 11m to 15.63m; and
2. Refer the development application (DA18/1010) back to staff for determination.

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

AGAINST: Nil

CARRIED

**DE18.27 DE18.16 - Update and Proposed Next Steps - Nowra CBD  
Fringe Medium Density Study Recommendations Report  
- Public Exhibition**

**HPERM Ref:  
D18/98289**

**Recommendation (Item to be determined under delegated authority)**

That Council:

1. Receive the attached Nowra CBD Fringe Medium Density Study - Recommendations Report prepared by Studio GL for information and endorse it being placed on public exhibition for a minimum period of 28 days to enable community comment.
2. Consider a further report following the exhibition of the Nowra CBD Fringe Medium Density Study Recommendations Report on any comment received, with a view to proceeding to: prepare a Planning Proposal for submission for initial Gateway determination to revise relevant Local Environmental Plan provisions; and a supporting Area Specific Chapter to be inserted in Shoalhaven Development Control Plan 2014.

**RESOLVED (Clr Gash / Clr Gartner)**

**MIN18.260**

That Council:

1. Receive the attached Nowra CBD Fringe Medium Density Study - Recommendations Report prepared by Studio GL for information and endorse it being placed on public exhibition for a minimum period of 28 days to enable community comment.
2. Consider a further report following the exhibition of the Nowra CBD Fringe Medium Density Study Recommendations Report on any comment received, with a view to proceeding to: prepare a Planning Proposal for submission for initial Gateway determination to revise relevant Local Environmental Plan provisions; and a supporting Area Specific Chapter to be inserted in Shoalhaven Development Control Plan 2014.
3. Write to all affected residents as part of the consultation.

FOR: Clr Gash, Clr Findley, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Gartner, Clr

Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

**Procedural Motion - Deputation**

**RESOLVED** (Clr Pakes / Clr White)

MIN18.261

That a deputation be received from Mr Allan relating to DE18.28 – Development Application DA17/2337 – 16 Coolangatta Rd, Coolangatta – Lot 1 DP 1204108.

CARRIED

Allan Murphy spoke for the recommendation.

**DE18.28 Development Application DA17/2337 – 16 Coolangatta Rd, Coolangatta – Lot 1 DP 1204108**

**HPERM Ref:  
D18/98711**

**Recommendation (Item to be determined under delegated authority)**

That the Committee:

1. Confirms that it supports the variation to the policy; and
2. Refer the application back to staff for determination.

**RESOLVED** (Clr Findley / Clr Cheyne)

MIN18.262

That the Committee:

1. Confirms that it supports the variation to the policy; and
2. Refer the application back to staff for determination.

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

AGAINST: Nil

CARRIED

**DE18.29 Additional Item - Development Application - 160 Kinghorne Street, Nowra**

**RESOLVED** (Clr White / Clr Findley)

MIN18.263

That DA17/2242 – 160 Kinghorne Street, Nowra Lot 2 DP 566370 be called in to Council for review under s8.2(1)(a) of the Environmental Planning and Assessment Act 1979, due to significant public interest.

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

AGAINST: Nil

CARRIED

**DE18.30 Additional Item - Development Application - Bangalee Motel - A10 Princes Highway, Berry**

**RESOLVED** (Clr White / Clr Findley) MIN18.264

That DA17/1359 – Bangalee Motel – A10 Princes Highway, Berry Lot 100 DP 1057897 be called in to Council for determination due to significant public interest.

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

AGAINST: Nil

CARRIED

There being no further business, the meeting concluded, the time being 6.08pm.

Clr Gash  
CHAIRPERSON