

MINUTES OF THE DEVELOPMENT & ENVIRONMENT COMMITTEE

Meeting Date: Tuesday, 11 May 2021
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.02pm

The following members were present:

Clr Mitchell Pakes - Chairperson
Clr Amanda Findley
Clr Joanna Gash
Clr John Wells
Clr Patricia White
Clr Kaye Gartner
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Stephen Dunshea - Chief Executive Officer

Apologies / Leave of Absence

An apology was received from Clr Guile.

Confirmation of the Minutes

RESOLVED (Clr Digiglio / Clr Levett) MIN21.240

That the Minutes of the Development & Environment Committee held on Tuesday 6 April 2021 be confirmed.

CARRIED

Declarations of Interest

Clr Wells – Exhibition Outcomes and Finalisation - Planning Proposal - Hitchcocks Lane, Berry (PP029) – less than significant non pecuniary interest declaration – the church that he attends is on Schofields Lane, whose connection to the Planning Proposal is included in the reports – will remain in the room and will take part in discussion and vote on the matter.

Clr Pakes – DE21.45 Development Application – 39 The Lake Circuit, Culburra Beach – Lot 1553 DP 12278 – less than significant non pecuniary interest declaration – he lives in the street – will leave the room and will not take part in discussion or vote on the matter.

Stephen Dunshea, CEO - 21.40 - Report Back - Rezoning Options - Tomerong Quarry, Lot 4 DP775296, Parnell Road, Tomerong – less than significant non pecuniary interest declaration – resident of Tomerong – will leave the room and will not take part in discussion or vote on the matter.

MAYORAL MINUTES

Nil.

DEPUTATIONS AND PRESENTATIONS

DE21.42 Exhibition Outcomes and Finalisation - Planning Proposal - Hitchcocks Lane, Berry (PP029) (Page 42)

Rick Gainford representing Huntingdale Park Resident Action Group addressed the meeting and spoke against the recommendation.

DE21.43 - Update - Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey

Alfred Wellington addressed the meeting and spoke against the recommendation.

DE21.45 - Development Application – 39 The Lake Circuit, Culburra Beach – Lot 1553 DP 12278.

Paul McGuire addressed the meeting and spoke for the recommendation.

DE21.47 - SF10804 – 104 Taylors Lane, Cambewarra – Lot 3 DP 851823

James Robinson addressed the meeting and spoke for the recommendation.

DE21.48 - Modification Application No. DS20/1619 – 2 Lawrence Ave & 61 Kinghorne St Nowra – Lot 2 DP 1264717 (formerly known as Lot 2 DP 1243710) & Lot 1 DP 1243710

Adrian Turnbull addressed the meeting and spoke for the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Gash / Clr Gartner)

MIN21.241

That the matter of the following items be brought forward for consideration.

- DE21.42 - Exhibition Outcomes and Finalisation - Planning Proposal - Hitchcocks Lane, Berry (PP029)
- DE21.43 - Update - Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey
- DE21.45 - Development Application – 39 The Lake Circuit, Culburra Beach – Lot 1553 DP 12278
- DE21.47 - SF10804 – 104 Taylors Lane, Cambewarra – Lot 3 DP 851823
- DE21.48 - Modification Application No. DS20/1619 – 2 Lawrence Ave & 61 Kinghorne St Nowra – Lot 2 DP 1264717 (formerly known as Lot 2 DP 1243710) & Lot 1 DP 1243710

CARRIED

DE21.42 Exhibition Outcomes and Finalisation - Planning Proposal - Hitchcocks Lane, Berry (PP029)	HPERM Ref: D21/135895
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Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt Planning Proposal (PP029) as exhibited with the minor changes outlined in this report.
2. Prepare and exhibit a draft Planning Agreement for a Landscape Screen (to mitigate visual impacts of development) based on the draft Planning Agreement Terms (negotiated terms of agreement between Council and the proponents) for a minimum of 28 days.
3. Liaise with the NSW Parliamentary Counsel's Office (PCO) to amend the Shoalhaven Local Environmental Plan (LEP) 2014 under Council's delegation, with finalisation of the LEP amendment to occur only when the Planning Agreement for the Landscape Screen is signed and registered.
4. Adopt and finalise Chapter N3 of Shoalhaven Development Control Plan (DCP) 2014 as exhibited, except for the changes outlined in this Report.
5. Prepare and progress an amendment to the Shoalhaven Contributions Plan (CP) 2019 Project 01OREC0009 (Land acquisition for passive open space – Princes Highway, Berry) to provide embellishments to the passive open space area between Hitchcocks Lane and Huntingdale Park Road, in response to increased demand due to population growth.
6. Advise key stakeholders of this decision and when the LEP and DCP amendments are finalised.

RESOLVED (Clr White / Clr Findley)

MIN21.242

That Council:

1. Adopt Planning Proposal (PP029) as exhibited with the minor changes outlined in this report and noting the following:
 - a. The use of Schofields Lane be considered and continue to be investigated as part of the Development Application (DA) process for this PP area and that Council engage with Transport NSW and the State Member for Kiama the Hon Gareth Ward MP with the aim of allowing access to Schofields Lane.
 - b. That the Unnamed Link Road:
 - i. Be considered as the Primary Access Road in the DA application for the PP area and the construction of this road be required as the first stage of any DA approval.
 - ii. The flood construction requirements/standards be considered as part of the DA for the subdivision.
 - c. That the proposed deletion of the connection to Hitchcocks Lane and the nature of use be reconsidered during the DA process for the PP due to community interest.
2. Prepare and exhibit a draft Planning Agreement for a Landscape Screen (to mitigate visual impacts of development) based on the draft Planning Agreement Terms (negotiated terms of agreement between Council and the proponents) for a minimum of 28 days.
3. Liaise with the NSW Parliamentary Counsel's Office (PCO) to amend the Shoalhaven Local Environmental Plan (LEP) 2014 under Council's delegation, with finalisation of the LEP amendment to occur only when the Planning Agreement for the Landscape Screen is signed and registered.
4. Adopt and finalise Chapter N3 of Shoalhaven Development Control Plan (DCP) 2014 as exhibited, except for the changes outlined in this Report.

5. Prepare and progress an amendment to the Shoalhaven Contributions Plan (CP) 2019 Project 01OREC0009 (Land acquisition for passive open space – Princes Highway, Berry) to provide embellishments to the passive open space area between Hitchcocks Lane and Huntingdale Park Road, in response to increased demand due to population growth.
6. Advise key stakeholders of this decision and when the LEP and DCP amendments are finalised.
7. Conduct investigations into the potential Schofields Lane link as close to Princes Highway as possible to maintain the agricultural integrity of the block that the road will traverse.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

DE21.43 Update - Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey

HPERM Ref: D21/171031

Recommendation

That Council:

1. Receive the Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey update for information.
2. Proceed with the verification work (shallow scrapes to identify grave cuts) as recommended by Navin Officer Heritage Consultants on Lots 7 and 8 to verify the GPR survey results, to be funded by the proponent.
3. Consistent with Council's previous decision to fund the GPR work on the adjoining Lot 9, allocate \$6,220 (excl GST) to fund the verification work on Jerrinja LALCs land (Lot 9) subject to their agreement.
4. Continue to liaise with key stakeholders including the Jerrinja LALC, Council's Aboriginal Advisory Committee, and the Huskisson Heritage Association (HHA).

MOTION (Clr Findley / Clr Digiglio)

That:

1. Council not proceed with any further destructive attempts to validate the existence of graves on the sites as found by the ground penetrating radar, given that any further desecration is discriminatory in respect to the burial rights of Indigenous people who have occupied Australia in excess of 60,000 years.
2. Council accept the analysis that has been undertaken by Hunter Geophysics recording a high confidence of over 50 graves across the sites at Huskisson.
3. Precautionary Principles be applied to the application.

FOR: Clr Findley, Clr Wells, Clr Gartner, Clr Digiglio, Clr Alldrick and Clr Levett

AGAINST: Clr Pakes, Clr Gash, Clr White, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

LOST

RECOMMENDATION (Clr Gash / Clr White)

That Council:

1. Receive the Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey update for information.
2. Proceed with the verification work (shallow scrapes to identify grave cuts) as recommended by Navin Officer Heritage Consultants on Lots 7 and 8 to verify the GPR survey results, to be funded by the proponent.
3. Consult with Jerrinja Local Aboriginal Land Council (LALC) on work on the adjoining Lot 9, and subject to their agreement allocate \$6,220 (excl GST) to fund the verification work on Jerrinja LALCs land (Lot 9).
4. Continue to liaise with key stakeholders including the Jerrinja LALC, Council's Aboriginal Advisory Committee, and the Huskisson Heritage Association (HHA).

FOR: Clr Pakes, Clr Gash, Clr White, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Clr Findley, Clr Wells, Clr Gartner, Clr Digiglio, Clr Alldrick and Clr Levett

CARRIED

Procedural Motion - Matters of Urgency

MOTION (Clr Watson)

That an additional item be introduced to recognise the passing of Uncle Doug Longbottom as a matter of urgency.

The Chairperson ruled the matter as urgent as being in the public interest.

DE21.53 Recognition of the Late Uncle Doug Longbottom

RESOLVED (Clr Watson / Clr Proudfoot)

MIN21.243

That Council:

1. Fly the Aboriginal flag at half mast for the next three days and observe one minutes silence at tonight's meeting in recognition of the passing of Uncle Doug Longbottom.
2. Send a letter of condolence on behalf of Council to the family of Uncle Doug Longbottom.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

DE21.45 Development Application – 39 The Lake Circuit, Culburra Beach – Lot 1553 DP 12278

**HPERM Ref:
D21/102976**

Clr Pakes – DE21.45 Development Application – 39 The Lake Circuit, Culburra Beach – Lot 1553 DP 12278 – less than significant non pecuniary interest declaration – he lives in the street – left the room and did not take part in discussion.

Note: Clr Pakes left the meeting at 6:45pm.

Note: Clr Proudfoot took the Chair.

Recommendation (Item to be determined under delegated authority)

That Development Application DA20/2120 for construction of a detached garage ancillary to an existing dwelling house at Lot 1553 DP 12278, 39 The Lake Circuit, Culburra Beach be approved subject to the recommended conditions of consent contained in Attachment 2 of this report.

RESOLVED (Clr Watson / Clr Gash)

MIN21.244

That Development Application DA20/2120 for construction of a detached garage ancillary to an existing dwelling house at Lot 1553 DP 12278, 39 The Lake Circuit, Culburra Beach be approved subject to the recommended conditions of consent contained in Attachment 2 of this report.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

Note: Clr Pakes returned to the meeting and resumed the Chair at 6:46pm.

DE21.47 SF10804 – 104 Taylors Lane, Cambewarra – Lot 3 DP 851823

HPERM Ref: D21/148654

Recommendation (Item to be determined under delegated authority)

That:

1. Development Application SF10804 for staged residential subdivision to create 217 Torrens Title allotments, including 213 residential allotments, three (3) open space allotments, one (1) residue lot, and demolition of existing structures, earthworks, and provision of roads, drainage and utility infrastructure along with associated landscaping works at Lot 3 DP 851823, 104 Taylors Lane, Cambewarra be approved subject to the recommended conditions of consent contained in Attachment 2 of this report, and receipt of written certification that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure.
2. No access is to be permitted to Taylors Lane at this time and that a suitable turning head is to be submitted to and approved by Council prior to the issue of a Subdivision Works Certificate for all road termination points.

RESOLVED (Clr White / Clr Wells)

MIN21.245

That:

1. Development Application SF10804 for staged residential subdivision to create 217 Torrens Title allotments, including 213 residential allotments, three (3) open space allotments, one (1) residue lot, and demolition of existing structures, earthworks, and provision of roads, drainage and utility infrastructure along with associated landscaping works at Lot 3 DP 851823, 104 Taylors Lane, Cambewarra be approved subject to the recommended conditions of consent contained in Attachment 2 of this report, and receipt of written certification that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure.
2. No access is to be permitted to Taylors Lane at this time and that a suitable turning head is to be submitted to and approved by Council prior to the issue of a Subdivision Works Certificate for all road termination points.

3. Defer approval of the proposed large lots within Stage 4B to allow the applicant to pursue construction of the development in part and resolve the design of the currently proposed large lots to potentially include additional small lot production if Council saw merit in this.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Gartner, Clr Digiglio, Clr Aldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

DE21.48 Modification Application No. DS20/1619 – 2 Lawrence Ave & 61 Kinghorne St Nowra – Lot 2 DP 1264717 (formally known as Lot 2 DP 1243710) & Lot 1 DP 1243710

HPERM Ref: D21/142797

Recommendation (Item to be determined under delegated authority)

That:

1. The proposed modifications to Condition 33(a) and 33(c) be determined by means of approval according to the draft determination at Attachment 1.
2. The proposed modifications to Conditions 17 and 33(b) of Development Consent No. DA18/2326 lodged as part of Modification Application No. DS20/1619 be determined by way of refusal.
3. Council issue a part approval which incorporates modifications to the conditions of consent which were approved at the Development & Environment Committee Meeting (MIN21.171) on 6 April 2021.

MOTION (Clr Findley / Clr Levett)

That:

1. The proposed modifications to Condition 33(a) and 33(c) be determined by means of approval according to the draft determination at Attachment 1.
2. The proposed modifications to Conditions 17 and 33(b) of Development Consent No. DA18/2326 lodged as part of Modification Application No. DS20/1619 be determined by way of refusal.
3. Council issue a part approval which incorporates modifications to the conditions of consent which were approved at the Development & Environment Committee Meeting (MIN21.171) on 6 April 2021.

AMENDMENT (Clr Wells / Clr Proudfoot)

That:

1. The proposed modifications to Condition 33(a) and 33(c) be determined by means of approval according to the draft determination at Attachment 1 amended to include further concession of the reduction in required carparking spaces by 5 carparking spaces.
2. Condition 17 of the Development Consent be adjusted to include a further concession of 5 carparking spaces.
3. The proposed modifications to 33(b) of Development Consent No. DA18/2326 lodged as part of Modification Application No. DS20/1619 be determined by way of refusal.
4. Council issue a part approval which incorporates modifications to the conditions of consent which were approved at the Development & Environment Committee Meeting (MIN21.171) on 6 April 2021.

Clr Watson raised a Point of Order against Clr Digiglio for her comment referring to averting planning controls. The Chair ruled this as a Point of Order and asked Clr Digiglio to withdraw her comment and apologise. Clr Digiglio withdrew her comment and apologised.

PROCEDURAL MOTION (Clr Gartner / Clr Wells)

That the AMENDMENT be PUT.

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

AGAINST: Clr Findley, Clr Gartner, Clr Digiglio, Clr Levett and Stephen Dunshea

CARRIED

The AMENDMENT was PUT to the meeting and declared CARRIED.

FOR: Clr Pakes, Clr Gash, Clr Wells, Clr White, Clr Alldrick, Clr Watson, Clr Kitchener, and Clr Proudfoot.

AGAINST: Clr Findley, Clr Gartner, Clr Digiglio, Clr Levett and Stephen Dunshea.

The AMENDMENT became the MOTION and was PUT to the meeting and was declared CARRIED.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN21.246

That:

1. The proposed modifications to Condition 33(a) and 33(c) be determined by means of approval according to the draft determination at Attachment 1 amended to include further concession of the reduction in required carparking spaces by 5 carparking spaces.
2. Condition 17 of the Development Consent be adjusted to include a further concession of 5 carparking spaces.
3. The proposed modifications to 33(b) of Development Consent No. DA18/2326 lodged as part of Modification Application No. DS20/1619 be determined by way of refusal.
4. Council issue a part approval which incorporates modifications to the conditions of consent which were approved at the Development & Environment Committee Meeting (MIN21.171) on 6 April 2021.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Alldrick, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Clr Gartner, Clr Digiglio and Clr Levett

CARRIED

Note: Clr Gartner left the meeting at 7:43pm.

Note: The meeting adjourned, the time being 7:43pm.

Note: The meeting reconvened, the time being 8:03pm.

The following members were present:

Clr Mitchell Pakes – Chairperson
Clr Amanda Findley
Clr Joanna Gash
Clr John Wells
Clr Patricia White
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Stephen Dunshea - Chief Executive Officer

NOTICES OF MOTION / QUESTIONS ON NOTICE

DE21.36 Notice of Motion - Call in DA20/1762 - 127 Princes Highway, Ulladulla

**HPERM Ref:
D21/148291**

Recommendation (Item to be determined under delegated authority)

That Council call in for determination by the full Council DA20/1762 127 Princes Highway, Ulladulla, due to public interest.

RESOLVED (Clr White / Clr Wells)

MIN21.247

That Council call in for determination by the full Council DA20/1762 127 Princes Highway, Ulladulla, due to public interest.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

REPORTS

DE21.37 Proposed 2020/2021 Housekeeping Amendment to Shoalhaven Local Environmental Plan 2014 (PP044)

**HPERM Ref:
D20/537903**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Submit Planning Proposal PP044 to the NSW Department of Planning, Industry and Environment for an initial Gateway determination, and if favourable:
 - a. Proceed to formal exhibition in accordance with the terms of the determination/legislative requirements; and
 - b. Receive a further report following the conclusion of the public exhibition to enable its finalisation.
2. Advise key stakeholders, including relevant Community Consultative Bodies and any directly affected landowners, of the public exhibition agreements.

RESOLVED (Clr Wells / Clr Digiglio)

MIN21.248

That Council:

1. Submit Planning Proposal PP044 to the NSW Department of Planning, Industry and Environment for an initial Gateway determination, and if favourable:
 - a. Proceed to formal exhibition in accordance with the terms of the determination/legislative requirements; and
 - b. Receive a further report following the conclusion of the public exhibition to enable its finalisation.
2. Advise key stakeholders, including relevant Community Consultative Bodies and any directly affected landowners, of the public exhibition agreements.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

DE21.38 Proposed Review - Planning Controls - Nowra CBD

**HPERM Ref:
D21/155943**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Commence a review of relevant planning controls in the Nowra CBD / commercial core area, including the relevant technical studies (urban design / visual impact assessment, economic feasibility analysis and infrastructure/servicing assessment) and community consultation to identify potential key locations where controls should be revised to encourage positive opportunities that contribute to the revitalisation of the centre.
2. Receive a further report on the outcomes of the review, to consider the detail, prior to proceeding with any Planning Proposal to amend relevant controls in Shoalhaven Local Environmental Plan 2014.

RESOLVED (Clr Proudfoot / Clr Findley)

MIN21.249

That Council:

1. Commence a review of relevant planning controls in the Nowra CBD / commercial core area, including the relevant technical studies (urban design / visual impact assessment, economic feasibility analysis and infrastructure/servicing assessment) and community consultation to identify potential key locations where controls should be revised to encourage positive opportunities that contribute to the revitalisation of the centre.
2. Receive a further report on the outcomes of the review, to consider the detail, prior to proceeding with any Planning Proposal to amend relevant controls in Shoalhaven Local Environmental Plan 2014.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

DE21.39 Shoalhaven Population Forecasts

**HPERM Ref:
D21/155520**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Use the updated population forecasts to inform service planning and delivery across Council.
2. Promote the updated population projections/forecasts to external stakeholders as a resource for their planning and investment decisions, including industry representatives from the Property Council and Urban Development Institute of Australia and local developers.
3. Consider the impact of the updated population projections/forecasts when reviewing the Strategic Planning Work Program, noting that the Program is due to next be considered and confirmed by Council in June 2021.

RESOLVED (Clr Proudfoot / Clr Wells)

MIN21.250

That Council:

1. Use the updated population forecasts to inform service planning and delivery across Council.
2. Promote the updated population projections/forecasts to external stakeholders as a resource for their planning and investment decisions, including industry representatives from the Property Council and Urban Development Institute of Australia and local developers.
3. Consider the impact of the updated population projections/forecasts when reviewing the Strategic Planning Work Program, noting that the Program is due to next be considered and confirmed by Council in June 2021.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

DE21.40 Report Back - Rezoning Options - Tomerong Quarry, Lot 4 DP775296, Parnell Road, Tomerong

**HPERM Ref:
D21/101234**

Stephen Dunshea, CEO - 21.40 - Report Back - Rezoning Options - Tomerong Quarry, Lot 4 DP775296, Parnell Road, Tomerong - significant non pecuniary interest declaration – resident of Tomerong – left the room and did not take part in discussion or vote on the matter.

Note: Stephen Dunshea, CEO left the meeting at 8:20pm.

Recommendation (Item to be determined under delegated authority)

That Council receive the report back on the rezoning options for Tomerong Quarry, Lot 4 DP775296, Parnell Road, Tomerong for information.

RESOLVED (Clr Watson / Clr Levett)

MIN21.251

That Council receive the report back on the rezoning options for Tomerong Quarry, Lot 4 DP775296, Parnell Road, Tomerong for information.

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

AGAINST: Clr Digiglio

CARRIED

Note: Stephen Dunshea, CEO returned to the meeting at 8:21pm.

DE21.41 Proposed Submission - NSW Planning Reforms - Agritourism and Small-scale Agriculture Development **HPERM Ref: D21/128569**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Endorse the draft submission on the proposed planning reforms related to agritourism and small-scale agriculture development (Attachment 1) so it can be finalised and sent to the NSW Department of Planning, Industry & Environment for consideration.
2. Request further consultation and dialogue on the proposed reforms before they are finalised.
3. Receive future reports, if required, to enable further comment on the detail of the proposed planning reforms.

RESOLVED (Clr Wells / Clr White)

MIN21.252

That Council:

1. Endorse the draft submission on the proposed planning reforms related to agritourism and small-scale agriculture development (Attachment 1) so it can be finalised and sent to the NSW Department of Planning, Industry & Environment for consideration.
2. Request further consultation and dialogue on the proposed reforms before they are finalised.
3. Receive future reports, if required, to enable further comment on the detail of the proposed planning reforms.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea.

AGAINST: Nil

CARRIED

DE21.42 Exhibition Outcomes and Finalisation - Planning Proposal - Hitchcocks Lane, Berry (PP029) **HPERM REF: D21/135895**

Item dealt with earlier in the meeting see MIN21.242.

DE21.43 Update - Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey **HPERM REF: D21/171031**

Item dealt with earlier in the meeting.

DE21.44 Parkcare Action Plans - Bishop Reserve / Callala Beach / Clifton Park / Mount Vista Close / Nulla Place Reserve **HPERM Ref: D21/33071**

Recommendation (Item to be determined under delegated authority)

That Council

1. Endorse the updated and new Parkcare Plans for
 - a. Bishop Reserve – Mollymook (UPDATED)

- b. Callala Beach Entries – Callala Beach (NEW)
 - c. Clifton Park – Sanctuary Point (UPDATED)
 - d. Mount Vista Close – Berry (NEW)
 - e. Nulla Place Reserve – St Georges Basin (NEW)
2. Continue to allocate ongoing annual operating funding of \$400 (GST exclusive and CPI adjusted) for each Parkcare Group, totalling \$2,000, to cover safety PPE, miscellaneous materials, waste disposal and purchase minor tools. This has been provided for in the Draft 2021/2022 Operating Budget.

RESOLVED (Clr Wells / Clr Gash)

MIN21.253

That Council

- 1. Endorse the updated and new Parkcare Plans for
 - a. Bishop Reserve – Mollymook (UPDATED)
 - b. Callala Beach Entries – Callala Beach (NEW)
 - c. Clifton Park – Sanctuary Point (UPDATED)
 - d. Mount Vista Close – Berry (NEW)
 - e. Nulla Place Reserve – St Georges Basin (NEW)
- 2. Continue to allocate ongoing annual operating funding of \$400 (GST exclusive and CPI adjusted) for each Parkcare Group, totalling \$2,000, to cover safety PPE, miscellaneous materials, waste disposal and purchase minor tools. This has been provided for in the Draft 2021/2022 Operating Budget.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

DE21.45 Development Application – 39 The Lake Circuit, Culburra Beach – Lot 1553 DP 12278

HPERM REF: D21/102976

Item dealt with earlier in the meeting see MIN21.244.

DE21.46 DA20/1970 – 1178 Comerong Island Road, Numbaa – Lot 2 DP 1077521

HPERM Ref: D21/100273

Recommendation (Item to be determined under delegated authority)

That Development Application DA20/1970 for construction of an industrial building for use as a boat building and repair facility at Lot 2 DP 1077521, 1178 Comerong Island Road, Numbaa be approved subject to the recommended conditions of consent contained in Attachment 3 of this report.

RESOLVED (Clr Gash / Clr Alldrick)

MIN21.254

That Development Application DA20/1970 for construction of an industrial building for use as a boat building and repair facility at Lot 2 DP 1077521, 1178 Comerong Island Road, Numbaa be approved subject to the recommended conditions of consent contained in Attachment 3 of this report.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

DE21.47	SF10804 – 104 Taylors Lane, Cambewarra – Lot 3 DP 851823	HPERM REF: D21/148654
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Item dealt with earlier in the meeting see MIN21.245.

DE21.48	Modification Application No. DS20/1619 – 2 Lawrence Ave & 61 Kinghorne St Nowra – Lot 2 DP 1264717 (Formally Known As Lot 2 DP 1243710) & Lot 1 DP 1243710	HPERM REF: D21/142797
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Item dealt with earlier in the meeting see MIN21.246.

DE21.49	DA20/1966 - 29 Strongs Road, Jaspers Brush - Lot 215 DP 1210788 - Single A-Frame Advert Sign	HPERM Ref: D21/142175
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Recommendation (Item to be determined under delegated authority)

That DA20/1966, for the temporary use of land for the placement of an A-frame advertising sign on a trailer, be determined by way of refusal for the reasons set out in the Notice of Determination, Attachment 2 to this report.

RESOLVED (Clr Findley / Clr Digiglio) MIN21.255

That DA20/1966, for the temporary use of land for the placement of an A-frame advertising sign on a trailer, be determined by way of refusal for the reasons set out in the Notice of Determination, Attachment 2 to this report.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener and Stephen Dunshea

AGAINST: Clr Pakes, Clr White and Clr Proudfoot

CARRIED

DE21.50	DA16/1465 - 173 Kinghorne St and 2 & 4 Albatross Rd Nowra - Lot 1, 29 and 30 DP 25114	HPERM Ref: D21/144532
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Recommendation (Item to be determined under delegated authority)

That Development Application DA16/1465 – Mixed Use development consisting of 55 residential units and commercial space on the land known as 173 Kinghorne Street and 2 & 4 Albatross Road, Nowra (Lot 1, 29 and 30 DP 25114) be determined by way of refusal for the reasons set out in the section 4.15 Assessment Report (Attachment 1) and in the Notice of Determination (Attachment 2) to this report.

RESOLVED (Clr Watson / Clr Proudfoot) MIN21.256

That the Item be deferred to the June Development and Environment Committee meeting for further consideration.

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

AGAINST: Clr Findley, Clr Digiglio, Clr Alldrick, Clr Levett and Stephen Dunshea

CARRIED

DE21.51 Northern Coastal Management Program Advisory Committee - Amendment to Terms of Reference

**HPERM Ref:
D21/149763**

Recommendation (Item to be determined under delegated authority)

That the amended Terms of Reference – North / Central / Southern Coastal Management Program Advisory Committees be adopted by Council.

RESOLVED (Clr Wells / Clr White)

MIN21.257

That the amended Terms of Reference – North / Central / Southern Coastal Management Program Advisory Committees be adopted by Council.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

DE21.52 Quarterly Review for Compliance Matters

**HPERM Ref:
D21/154126**

Recommendation (Item to be determined under delegated authority)

That Council receive the quarterly report on compliance matters for information.

RESOLVED (Clr Proudfoot / Clr Alldrick)

MIN21.258

That Council receive the quarterly report on compliance matters for information.

FOR: Clr Pakes, Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

There being no further business, the meeting concluded, the time being 8:58pm.

Clr Pakes
CHAIRPERSON