

Planning and Environment

Standing Committee Meeting Minutes

Held on Tuesday 3 March 2009

at the Council Chambers, Bega commencing at 2.33 pm

PRESENT Councillor Campbell (CHAIRPERSON) and Councillors Allen, Britten, Hede, Hughes, Pincini, Sandrey, Seckold and Wykes

IN ATTENDANCE Mr Peter Tegart – General Manager, Ms Leanne Barnes – Group Manager Community and Relationships, Mr Andrew Woodley – Group Manager Planning and Environment, Mr Doug Mein – Group Manager Infrastructure Waste & Water, Ms Michelle Preo – Minute Secretary

1. Confirmation of minutes

RESOLVED on the motion of Crs Britten and Allen

That the Minutes of the Planning and Environment Committee meeting held on 10 February 2009, as circulated, be taken as read and confirmed.

IN FAVOUR: Crs Allen, Britten, Campbell, Hede, Hughes, Pincini, Sandrey, Seckold and Wykes

AGAINST: Nil

2. Apologies

There were no apologies.

3. Bega Valley Aboriginal Cultural Heritage Study

It was moved by Crs Hughes and Wykes

1. That Council complete the Aboriginal Cultural Heritage Study as soon as possible.
2. That Council note minor changes have been made to the current referral process in that development applications with minimum impact potential are not being referred to the Local Land Councils.
3. That the protocol/referral process be further refined following completion of the Study.

An amendment was moved by Crs Pincini and Allen

1. That Council re-form the steering committee and complete the Aboriginal Heritage Study as soon as possible and nominate Crs Britten and Seckold to that Committee.
2. That Council note minor changes have been made to the current referral process in that development applications with minimum impact potential are not being referred to the Local Land Councils.
3. That the protocol/referral process be further refined following completion of the Study.

The amendment was put to the vote and it was

RESOLVED on the motion of Crs Pincini and Allen

1. That Council re-form the steering committee and complete the Aboriginal Heritage Study as soon as possible and nominate Crs Britten and Seckold to that Committee.
2. That Council note minor changes have been made to the current referral process in that development applications with minimum impact potential are not being referred to the Local Land Councils.
3. That the protocol/referral process be further refined following completion of the Study.

IN FAVOUR: Crs Allen, Britten, Campbell, Hede, Pincini, Sandrey, Seckold and Wykes

AGAINST: Cr Hughes

4. Improving the sustainability of Council's operations

RESOLVED on the motion of Crs Wykes and Hughes

That Council further progresses the sustainability of its own operations by joining the DECC '*Sustainability Advantage*' program.

IN FAVOUR: Crs Britten, Campbell, Hede, Hughes, Pincini, Sandrey, Seckold and Wykes

AGAINST: Cr Allen

5. Merimbula Town Centre – Planning proposals

Pecuniary interest

Cr Britten declared a pecuniary interest on the basis that he is the owner of commercial property in Merimbula and departed the meeting room, taking no part in debate or voting on this item.

RESOLVED on the motion of Crs Wykes and Sandrey

That Council resolve to:

- a) nominate the sites shown in Attachment 1 for potential road widening and/or road diversion purposes subject to finalisation of traffic modelling and studies underway;
- b) hold further discussions and negotiations with owners of key sites in the Merimbula Town Centre.

IN FAVOUR: Crs Allen, Campbell, Hede, Hughes, Pincini, Sandrey, Seckold and Wykes

AGAINST: Nil

ABSENT: Cr Britten

Cr Britten returned to the meeting room.

6. DA No. 2008.0136: Regularisation of unauthorised clearing and construction of a private driveway – Old Mill Road, Wolumla

Following an address to Council, this item was deferred in keeping with Council's Code of Meeting Practice.

7. DA No. 2002.1091: Modification of consent – Aged persons housing development, Tathra Road, Kalaru

Non Pecuniary Conflict of interest

Cr Campbell declared a conflict of interest on the basis that he is a member of the Steering Committee of the Lions Club proposal for Kalaru and departed the meeting room, taking no part in debate or voting on this item.

Cr Allen took the Chair for this item.

RESOLVED on the motion of Crs Britten and Sandrey

1. That the application to modify Development Consent 2002.1091 be approved as submitted in accordance with the Draft Notification of Determination and Draft Development Consent submitted to Council at its meeting dated 3 March 2009.
2. That those persons who made a submission during the exhibition process be advised of Council's determination.

IN FAVOUR: Crs Allen, Britten, Hede, Hughes, Pincini, Sandrey, Seckold and Wykes

AGAINST: Nil

ABSENT: Cr Campbell

Cr Campbell returned to the meeting room and resumed the Chair.

8. DA No. 2008.0207: Staged concessional lot subdivision – Princes Highway, Frogs Hollow

RESOLVED on the motion of Crs Britten and Allen

That this item be deferred until a report is prepared on the potential impacts of the proposed subdivision on Yellow Pinch Pipeline, and appropriate means to address same.

IN FAVOUR: Crs Allen, Britten, Campbell, Hede, Hughes, Pincini, Sandrey, Seckold and Wykes

AGAINST: Nil

9. DA No. 2008.0481: Erection of a dwelling – Lot 21 DP 707712, Wallaga Lake Road, Bermagui

RESOLVED on the motion of Crs Britten and Pincini

1. That Development Application No. 2008.0481 for a dwelling be approved subject to the terms and conditions as detailed in the Draft development consent as submitted to Council at its meeting dated 3 March 2009 with an amendment to Condition 13 so that effluent performance indicator levels are **not** greater than the prescribed amounts.
2. That those individuals who made a submission during the public exhibition of the application be formally advised of Council's determination.

IN FAVOUR: Crs Allen, Britten, Campbell, Hede, Pincini, Sandrey, Seckold and Wykes

AGAINST: Cr Hughes

10. DA No. 2008.0479: Erection of a dwelling – Lot 22 DP 707712, Wallaga Lake Road, Bermagui

RESOLVED on the motion of Crs Britten and Pincini

1. That Development application No. 2008.0479 for a dwelling be approved subject to the terms and conditions as detailed in the Draft development consent as submitted to Council at its meeting dated 3 March 2009 with an amendment to Condition 13 so that effluent performance indicator levels are **not** greater than the prescribed amounts.
2. That those individuals who made a submission during the public exhibition of the application be formally advised of Council's determination.

IN FAVOUR: Crs Allen, Britten, Campbell, Hede, Pincini, Sandrey, Seckold and Wykes

AGAINST: Cr Hughes

11. DA No. 2007.0144: Request for modification of consent – construction of 222 seat entertainment establishment – Stage 2 Twyford Hall redevelopment – Market Street, Merimbula

RESOLVED on the motion of Crs Britten and Hede

That the request for modification under Section 96 of the Environmental Planning and Assessment Act 1979 of Development Consent No. 2007.0144 being for the construction of an entertainment establishment – theatre by deletion of Condition 7 is approved.

IN FAVOUR: Crs Britten, Campbell, Hede, Hughes, Pincini, Sandrey, Seckold and Wykes

AGAINST: Cr Allen

Closure

There being no further business the Chairperson closed the meeting at 3.45 pm.

CONFIRMED

CHAIRPERSON