

# Planning and Environment

## Standing Committee Meeting Minutes

Held on Tuesday 5 May 2009

at the Council Chambers, Bega commencing at 3.04 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 Jim Collins – Acting Group Manager Infrastructure Waste & Water, Ms Janelle Curtis – Minute Secretary

### 1. Confirmation of minutes

RESOLVED on the motion of Crs Sandrey and Seckold that the Minutes of the Planning and Environment Committee meeting held on 14 April 2009, as circulated, be taken as read and confirmed.

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

AGAINST: Nil

ABSENT: Nil

### 2. Apologies

There were no apologies

### 3. DA No. 2008.0340: Commercial redevelopment of the Central Hotel, 90-94 Gipps Street, Bega

#### Pecuniary Interest

Cr Wykes declared a pecuniary interest on the basis that he is the owner a business located adjacent to the property concerned and departed the meeting room, taking no part in debate or voting on this item.

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

Cr Wykes returned to the meeting room.

#### **4. DA No. 2009.0067: Boundary adjustment – Lakewood Drive, Merimbula**

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##### **Pecuniary Interest**

Cr Britten declared a pecuniary interest on the basis that he the applicant and departed the meeting room, taking no part in debate or voting on this item.

RESOLVED on the motion of Crs Sandrey and Wykes:

1. That Development Application 2009.0067 for a boundary adjustment between Lot 1881 DP 1014185 and Lot 100 DP 1070254, Lakewood Drive, Merimbula be approved subject to conditions outlined in the draft consent provided as Attachment C to this report.
2. That the NSW Rural Fire Service be notified of Council's decision.

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

AGAINST: Nil

ABSENT: Cr Britten

Cr Britten returned to the meeting room.

#### **5. DA No. 20090125: Additions to existing dwelling – Lot 15 DP24452, Monaro Street, Merimbula**

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##### **Pecuniary Interest**

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

RESOLVED on the motion of Crs Sandrey and Seckold that Development Application 2009.0125 for alterations to an existing dwelling be approved subject to the terms and conditions as detailed in the draft Development Consent submitted to Council at its meeting of 5 May 2009.

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

AGAINST: Nil

ABSENT: Cr Wykes

Cr Wykes returned to the meeting room.

## **6. DA No. 2006.0508: Modification application regarding Bermagui Surf Life Saving Club**

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It was moved by Crs Cr Britten and Wykes

1. That the Section 96 application to modify Development Consent 2006.0508 for the construction of a Community Facility – Surf Life Saving Club and radio control room on Reserve No 83225, Dickinson Park, off Lamont Street Bermagui be determined in the following manner.

a) Condition 11 be amended to read:

A minimum of 14 off street car parking spaces shall be provided in accordance with Council's Development Control Plan No 7: Parking.

Four spaces be provided before release of the occupation certificate, a further five spaces within three years from occupancy certificate and the balance within five years from the occupancy certificate.

b) Deletion of conditions 10, 13, 25, 49 and 50 be refused for the following reasons:

i) Deletion of Condition 13 in relation to provision of traffic calming devices within Public Reserve No 83225 would not be in the interest of public safety. The condition is considered appropriate in mitigating any adverse impacts associated with the range of pedestrian and vehicular uses within the Reserve.

ii) Deletion of Condition 10 and 25 would not be in the public interest as those conditions provides for the functional and efficient use of public reserve land and is a requirement of Council's adopted Development Control Plan 7 (Car Parking) and the Bermagui Foreshore Reserves Plan of Management

iii) Deletion of Conditions 49 and 50 in relation to standard engineering works and practices would be contrary to the provisions of the Bega Valley Council Technical Specification.

Cr Hede foreshadowed a motion that:

1. That the Section 96 application to modify Development Consent 2006.0508 for the construction of a Community Facility – Surf Life Saving Club and radio control room on Reserve No. 83225, Dickinson Park, off Lamont Street Bermagui be refused for the following reasons;

a. Deletion of Conditions 10 and 11 would be contrary to the provisions of Development Control Plan No. 7 and inconsistent with the requirements of

the Bega Valley Local Environmental Plan 2002 and the Bermagui Foreshore Reserves Plan of Management.

- b. Deletion of Condition 13 in relation to provision of traffic calming devices within Public Reserve No. 83225 would not be in the interest of public safety. The condition is considered appropriate in mitigating any adverse impacts associated with the range of pedestrian and vehicular uses within the Reserve.
- c. Deletion of Condition 25 would not be in the public interest as it provides for the functional and efficient use of public reserve land and is a requirement of the Bermagui Foreshore Reserves Plan of Management.
- d. Deletion of Conditions 49 and 50 in relation to standard engineering works and practices would be contrary to the provisions of the Bega Valley Shire Council Technical Specification.

The motion was put to the vote and it was

RESOLVED

- 1. That the Section 96 application to modify Development Consent 2006.0508 for the construction of a Community Facility – Surf Life Saving Club and radio control room on Reserve No 83225, Dickinson Park, off Lamont Street Bermagui be determined in the following manner.
  - a) Condition 11 be amended to read:

A minimum of 14 off street car parking spaces shall be provided in accordance with Council's Development Control Plan No 7: Parking.

Four spaces be provided before release of the occupation certificate, a further five spaces within three years from occupancy certificate and the balance within five years from the occupancy certificate.
  - b) Deletion of conditions 10, 13, 25, 49 and 50 be refused for the following reasons:
    - i) Deletion of Condition 13 in relation to provision of traffic calming devices within Public Reserve No 83225 would not be in the interest of public safety. The condition is considered appropriate in mitigating any adverse impacts associated with the range of pedestrian and vehicular uses within the Reserve.
    - ii) Deletion of Condition 10 and 25 would not be in the public interest as those conditions provides for the functional and efficient use of public reserve land and is a requirement of Council's adopted

Development Control Plan 7 (Car Parking) and the Bermagui  
Foreshore Reserves Plan of Management

- iii) Deletion of Conditions 49 and 50 in relation to standard engineering works and practices would be contrary to the provisions of the Bega Valley Council Technical Specification.

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

AGAINST: Crs Hede, Seckold and Hughes

ABSENT: Nil

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**7. DA No. 2008.0416: Multi unit housing development – Beach Street, Tathra**

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

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**8. DA No. 2009.0089: Pambula pool complex upgrade**

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RESOLVED on the motion of Crs Pincini and Britten that the report be deferred, as requested by the applicant, to enable further discussion between the applicant and staff regarding staging conditions.

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

AGAINST: Nil

ABSENT: Nil

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**9. Review of Companion Animal Management Policy & Guideline**

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RESOLVED on the motion of Crs Britten and Wykes that a draft proposal for a companion animal leash free area at the southern end of Beares Beach Bermagui, together with minor changes at Main Beach Merimbula and Short Point Reserve leash free areas, be advertised in the local media and on Council's website and that, at the close of the exhibition period, the matter be reported back to Council for determination.

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

AGAINST: Nil

ABSENT: Nil

## 10. Southern Councils Group – Climate Change Statement of Intent

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RESOLVED on the motion of Crs Wykes and Allen:

1. That Council endorses the Southern Councils Group's Statement of Intent – Regional Response to Climate Change.
2. That Council write to the Southern Councils Group Board to inform it of Council's endorsement.

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

AGAINST: Nil

ABSENT: Nil

### Closure

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There being no further business the Chairperson closed the meeting at 3.30 pm.

CONFIRMED .....

CHAIRPERSON