



MINUTES OF THE STRATEGIC COMMITTEE MEETING

HELD AT COUNCIL CHAMBERS, BREESE PARADE, FORSTER

On Tuesday, 8 September 2009

Keith O'Leary
GENERAL MANAGER

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Minutes of the Strategic Committee Meeting of the Great Lakes Council held at the Council Chambers, Breese Parade, Forster on Tuesday 8 September 2009 commencing at 9.40am.

PRESENT

Present: Clr J McWilliams, Clr C McCaskie, Clr L Roberts, Clr J Stephens, Clr K Hutchinson, Clr L Gill, Clr L Vaughan, Clr J Weate

IN ATTENDANCE

General Manager - Keith O'Leary, Director Engineering Services - Ron Hartley, Director Planning & Environmental Services - Glenn Handford, Director Corporate & Community Services - Steve Embry.

APOLOGIES

70 RESOLUTION

(Moved L Roberts/Seconded L Vaughan)

That the apology received from Clr Tuffy be accepted.

ADOPTION OF MINUTES OF MEETING

71 RESOLUTION

(Moved L Roberts/Seconded L Gill)

That the Minutes of the Strategic Meeting of 11 August 2009, copies of which were distributed among the Councillors, be taken as read and confirmed as a true record of proceedings.

DECLARATIONS OF PECUNIARY & NON-PECUNIARY CONFLICTS OF INTEREST

Nil.

PRESENTATIONS

Community Strategic Plan

A presentation on the Community Strategic Plan was given by Consultants Stephen Blackadder - Blackadder & Assoc & Allison Bone from KJA.

Dwellings & Dual Occupancy DCP & Stroud Heritage DCP

A presentation on DCP's 33 and 46 was provided by Consultants Bennell & Associates and Deicke Richards.

CONSIDERATION OF OFFICERS' REPORTS:

DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES

1 PES - Draft Amended Stroud Heritage DCP No.33

Index: SP-DCP-33; DCP Review 2007 Project
Author: Strategic Land Use Planner - Rebecca Underwood
Strategic Committee Meeting: 8 September 2009

RECOMMENDATION:

It is recommended that:

- A. Pursuant to clause 18 of the *Environmental Planning and Assessment Regulation 2000*, Council adopt draft Development Control Plan No.33 Stroud Heritage as Amended (as contained in Attachment 'A') for public exhibition purposes; and
- B. Notification of the exhibition of the document in Item 'A' be given in the manner prescribed under the Regulations; and
- C. A copy of the document in Item 'A' be forwarded to the Department of Planning in accordance with the provisions of the Planning Reform Fund Memorandum of Understanding; and
- D. In response to the NSW Housing Code implications for the urban areas of Stroud, that an expanded heritage conservation area be considered for Stroud and public consultation on this matter be undertaken in association with the public exhibition of the draft Amended Stroud Heritage Development Control Plan No.33.

72 RESOLUTION

That the above recommendation be adopted.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a Council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

FOR VOTE - Clr J McWilliams, Clr C McCaskie, Clr L Roberts, Clr J Stephens, Clr K Hutchinson, Clr L Gill, Clr L Vaughan, Clr J Weate
ABSENT. DID NOT VOTE - Clr M Tuffy

2 PES - Draft Single Dwelling House & Dual Occupancy DCP No.46

Index: SP-DCP-46; DCP Review 2007 Project
Author: Strategic Land Use Planner - Rebecca Underwood
Strategic Committee Meeting: 8 September 2009

RECOMMENDATION:

It is recommended that:

- A. Pursuant to clause 18 of the *Environmental Planning and Assessment Regulation 2000*, Council adopt draft Single Dwelling House and Dual Occupancy Development Control Plan No.46 (as contained in Attachment 'A') for public exhibition purposes; and
- B. Notification of the exhibition of the document in Item 'A' be given in the manner prescribed under the *Regulations*; and
- C. A copy of the document in Item 'A' be forwarded to the Department of Planning in accordance with the provisions of the Planning Reform Fund Memorandum of Understanding.

73 RESOLUTION

That the above recommendation be adopted.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a Council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

FOR VOTE - Clr J McWilliams, Clr C McCaskie, Clr L Roberts, Clr J Stephens, Clr K Hutchinson, Clr L Gill, Clr L Vaughan, Clr J Weate
ABSENT. DID NOT VOTE - Clr M Tuffy

Council adjourned for lunch 12.51pm.

Council reconvened at 1.30pm.

3 PES - Draft Development Control Plan No.48 - Hawks Nest (low density residential)

Index: SP-DCP-48; DCP Review 2007 Project
Author: Senior Strategic Land Use Planner - Alexandra Macvean
Strategic Committee Meeting: 8 September 2009

RECOMMENDATION:

It is recommended that Council:

- A. Adopt Development Control Plan No.48 – Hawks Nest (Low density residential development) for implementation, as contained in Attachment 'A' to this report.
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- B. Forward the adopted Development Control Plan No.48 – Hawks Nest (Low density residential development) to the Department of Planning.
- C. Consolidate the relevant Hawks Nest provisions of *DCP No.52 Tea Gardens-Hawks Nest Town Centres* and final draft *DCP No.48 – Hawks Nest (Low density residential development)* into one locality-based development control plan for Hawks Nest, following Council's adoption of the latter.
- D. Amend Council's Section 149 (5) Certificate to include the following notation on all affected properties in Winda Woppa:

“This land is within an area (Winda Woppa) that has been and continues to be subject to severe coastal erosion.

The Winda Woppa area has been subject to a moratorium preventing further building works during the period from 10 July 1984 to 14 November 1989. The reason for the moratorium was that Jimmy's Beach is a recession area and subject to severe erosion.

The Council has carried out expensive sand renourishment works and has resolved to continue to do so. The restriction on building has therefore now been lifted on the basis the renourishment works will continue. It should be noted that if Council had not carried out these expensive renourishment works then it is highly likely that severe damage to property and dwellings along the beach area would have already occurred and eventually all properties on the peninsula would be affected adversely.

The approval by Council to allow building on the peninsula is subject to these works continuing and accordingly special local contributions in addition to normal rates may be required in the future to supplement available funds from Council and Government to protect the properties from erosion and damage. The extent of future contributions may be somewhat dependent on erosion rates.”

74 RESOLUTION

(Moved L Roberts/Seconded C McCaskie)

- A. Adopt Development Control Plan No.48 – Hawks Nest (Low density residential development) as amended, for implementation.
- B. Forward the adopted Development Control Plan No.48 – Hawks Nest (Low density residential development) to the Department of Planning.
- C. Consolidate the relevant Hawks Nest provisions of *DCP No.52 Tea Gardens-Hawks Nest Town Centres* and final draft *DCP No.48 – Hawks Nest (Low density residential development)* into one locality-based development control plan for Hawks Nest, following Council's adoption of the latter.
- D. Amend Council's Section 149 (5) Certificate to include the following notation on all affected properties in Winda Woppa:

“This land is within an area (Winda Woppa) that has been and continues to be subject to severe coastal erosion.

The Winda Woppa area has been subject to a moratorium preventing further building works during the period from 10 July 1984 to 14 November 1989. The reason for the moratorium was that Jimmy's Beach is a recession area and subject to severe erosion.

The Council has carried out expensive sand renourishment works and has resolved to continue to do so. The restriction on building has therefore now been lifted on the basis the renourishment works will continue. It should be noted that if Council had not carried out these expensive renourishment works then it is highly likely that severe damage to property and dwellings along the beach area would have already occurred and eventually all properties on the peninsula would be affected adversely.

The approval by Council to allow building on the peninsula is subject to these works continuing and accordingly special local contributions in addition to normal rates may be required in the future to supplement available funds from Council and Government to protect the properties from erosion and damage. The extent of future contributions may be somewhat dependent on erosion rates.”

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a Council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

FOR VOTE - Clr J McWilliams, Clr C McCaskie, Clr L Roberts, Clr J Stephens, Clr K Hutchinson, Clr L Gill, Clr L Vaughan, Clr J Weate
ABSENT. DID NOT VOTE - Clr M Tuffy

PUBLIC ADDRESSES

Draft Development Control Plan No 47 - Tea Gardens

Mr Peter Childs of Creighton Properties and & Mr Geoff Cox (on behalf of Juergen Seil) addressed Council in respect of the Draft Development Control Plan No. 47 - Tea Gardens (Low Density Residential).

DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES

4 PES - Draft Development Control Plan No.47 - Tea Gardens (Low Density Residential)

Index: SP-DCP-47; DCP Review 2007 Project
Author: Senior Strategic Land Use Planner - Alexandra Macvean
Strategic Committee Meeting: 8 September 2009

RECOMMENDATION:

It is recommended that Council:

- A. Adopt the Development Control Plan No.47 – Tea Gardens (Low density residential development) for implementation, as contained in Attachment 'A' to this report.
 - B. Forward the adopted Development Control Plan in item 'A' to the Department of Planning.
 - C. Combine the relevant Tea Gardens provisions of *DCP No.52 Tea Gardens-Hawks Nest Town Centres* with the final draft *DCP No.47 – Tea Gardens (Low density residential development)* into one locality-based development control plan for Tea Gardens, following Council's adoption of the latter.
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75 RESOLUTION

(Moved L Gill/Seconded J McWilliams)

That the item be deferred to the next Strategic Committee Meeting for report and further consideration of matters raised within oral presentations.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a Council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

FOR VOTE - Clr J McWilliams, Clr C McCaskie, Clr L Roberts, Clr J Stephens, Clr K Hutchinson, Clr L Gill, Clr L Vaughan, Clr J Weate
ABSENT. DID NOT VOTE - Clr M Tuffy

PUBLIC ADDRESSES

Draft Development Control Plan No. 39 Pacific Palms

Mr Doug Sneddon & Mr Eden Wyatt addressed Council in respect of the Draft DCP No. 39 Pacific Palms (Elizabeth Beach, Blueys Beach & Boomerang Beach).

DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES

5 PES - Draft DCP No.39 Pacific Palms (Elizabeth Beach, Blueys Beach & Boomerang Beach)

Index: SP-DCP-39; DCP Review 2007 Project
Author: Senior Strategic Planner - Alexandra Macvean
Strategic Committee Meeting: 8 September 2009

RECOMMENDATION:

It is recommended that Council:

- A. Adopt Development Control Plan No.39 – Pacific Palms (Elizabeth Beach, Blueys Beach & Boomerang Beach) for implementation, as contained in attachment 'A' to this report.
- B. Forward the adopted Development Control Plan No.39 – Pacific Palms (Elizabeth Beach, Blueys Beach & Boomerang Beach) to the Department of Planning.
- C. Amend Council's Section 149 (5) Certificate to include the following notation on all identified lots at Blueys and Boomerang Beaches:

“All lots on the eastern side of Newman Avenue; 6, 8, 10 and 12 Blueys Way; 2, 4, and 6 Banksia Street Blueys Beach; and 112 - 124 Boomerang Drive Boomerang Beach are located on beachfront land which is subject to dynamic coastal erosion, sea level rise and recession.

Council has received state government funding to undertake a Boomerang Beach and Blueys Beach Coastal Processes and Hazard Definition Study. To date, consultants have not been engaged and it is expected that results and recommendations will not be available for at least 12 months. Future development options will be guided by the results of the study.”

(Moved L Gill/Seconded J McWilliams)

That the above recommendation be adopted.

An amendment was moved and seconded (L Roberts/C McCaskie) that the matter be deferred to the next Strategic Committee Meeting for report and further consideration of matters raised within oral presentations including the following:

1. Clarification to the wildlife corridor and landuse designation or land adjacent to the caravan park;
2. The use of building materials; and
3. Integrated housing and lot controls.
4. Front fencing

FOR VOTE - Clr C McCaskie, Clr L Roberts, Clr J Stephens, Clr K Hutchinson, Clr L Vaughan, Clr J Weate

AGAINST VOTE - Clr J McWilliams, Clr L Gill

ABSENT. DID NOT VOTE - Clr M Tuffy

The amendment was put to the vote and declared carried and upon becoming the substantive motion was also carried.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a Council or committee meeting. Accordingly, the Chairperson called for a division in respect of the amendment, the results of which were as follows:

FOR VOTE - Clr C McCaskie, Clr L Roberts, Clr J Stephens, Clr K Hutchinson, Clr L Vaughan, Clr J Weate

AGAINST VOTE - Clr J McWilliams, Clr L Gill

ABSENT. DID NOT VOTE - Clr M Tuffy

76 RESOLUTION

(Moved L Roberts/Seconded C McCaskie)

That the matter be deferred to the next Strategic Committee Meeting for report and further consideration of matters raised within oral presentations including the following:

1. Clarification to the wildlife corridor and landuse designation or land adjacent to the caravan park;
2. The use of building materials; and
3. Integrated housing and lot controls.
4. Front fencing

DIRECTOR ENGINEERING SERVICES

6 ES - DA669-08 - Subdivision of Lot 54 DP 1039382 and Lot 41 DP 1123812, Spinifex Avenue, Tea Gardens - Relocation of Easement

Index: Development Applications - Subdivisions Important
Author: Engineering Development Officer - Dean Hartmann
Strategic Committee Meeting: 8 September 2009

RECOMMENDATION:

That the Common Seal of Council be affixed to the 88B Instrument associated with the subdivision of Lot 54 DP 1039382 and Lot 41 DP 1123812 to formalise the relocation of the easement over the drainage berm within proposed Lot 43.

77 RESOLUTION

(Moved J Weate/Seconded L Vaughan)

That the above recommendation be adopted.

7 ES - Monthly Works Progress Report

Index: Corporate Management - Administrative Matters - Works Depot
Author: Operations Manager - Robert Fish
Strategic Committee Meeting: 8 September 2009

RECOMMENDATION:

That the information contained in the report be noted.

78 RESOLUTION

(Moved L Gill/Seconded J Weate)

That the above recommendation be adopted.

DIRECTOR CORPORATE & COMMUNITY SERVICES

8 CCS - IPART Draft Report - Revenue Framework for Local Government 2009

Index: Government Relations - Inquiries - IPART
Author: Director Corporate & Community Services - Steve Embry
Strategic Committee Meeting: 8 September 2009

RECOMMENDATION:

That the Draft Submission in response to the IPART Report be lodged by the closing date of 18 September 2009.

79 RESOLUTION

(Moved J Stephens/Seconded L Roberts)

That the above recommendation be adopted.

LATE URGENT BUSINESS

Council's Freeze on Staff Replacement

80 RESOLUTION

(Moved C McCaskie/Seconded L Gill)

That in relation to Council's decision to make savings of \$150,000 through a freeze on staff replacements during 2009/10, that the Mayor be delegated authority to authorise replacement of staff in Council's Structure through discussions with the General Manager.

MEETING CLOSURE

The meeting closed at 3.40pm

CHAIRPERSON