

**SHOALHAVEN CITY COUNCIL**

**REGIONAL DEVELOPMENT COMMITTEE**

to be held on Monday 14 March, 2016  
commencing at 4.00 pm

City Administrative Centre  
Bridge Road  
NOWRA NSW 2541

16 March, 2016

Dear Member

**NOTICE OF MEETING**

You are hereby requested to attend the **Regional Development Committee** meeting to be held on **Monday 14 March 2016**, commencing at **4.00 pm** in the City Administrative Centre, Bridge Road, Nowra in the Jervis Bay Room for consideration of the following business.

Yours faithfully

R D Pigg  
**General Manager**

**BUSINESS OF MEETING**

1. Apologies
2. Minutes of the Previous Meeting
3. Declarations of Interest
4. Report of the General Manager  
    Planning & Development Services
5. Confidential Report of the General Manager  
    Planning & Development Services

**MEMBERSHIP – Quorum (3)**

Mayor – Clr Gash – Chairperson  
All Councillors  
General Manager or nominee

**Delegation**

To consider staff reports sent to the Joint Regional Planning Panel and make determinations in support or otherwise including making representations to the Joint Regional Planning Panel.

Cell Phones:

Council's Code of Meeting Practice states, "All cell phones are to be turned off for the duration of the meeting".

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**MINUTES OF THE REGIONAL DEVELOPMENT COMMITTEE MEETING HELD ON MONDAY  
30 NOVEMBER 2015 IN COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE  
ROAD, NOWRA COMMENCING AT 5.00PM**

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The following members were present:

Clr Gash – Chairperson  
Clr Tribe  
Clr Robertson  
Clr Kearney  
Clr Anstiss  
Clr White  
Clr Baptist  
Clr Findley  
Clr Guile  
Clr Kitchener  
Russ Pigg – General Manager

Others Present:

Tim Fletcher – Director Planning and Development Services  
James Bonner – Development Coordinator  
Cathy Bern – Section Manager, Development Services  
Richard Payne – Media Manager  
Greg Pullen – Economic Development Manager  
Kelie Lowe – Environmental Services Manager

Apologies:

Apologies were received from Clr Wells and Clr Watson.

1. Minutes of Previous Meeting

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MOTION:

Moved: Baptist / Second: White

RESOLVED that the Minutes of the meeting of the Regional Development Committee held on Thursday 5 November 2015 be confirmed.

CARRIED

2. Deputations

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Ms Melinda Norton addressed the committee in relation to item 1 - Staged development application for a motorsports facility, comprising upgrade and extension of the existing Nowra District Motorcycle Club and construction of a new sealed road racing track with associated buildings and car parking. Application seeks a staged consent to the overall masterplan with operational consent for stage 1 being the clearing of native vegetation on the land where the road racing track is to be located - Lot 7308 DP 1147573, Lot 7309 DP 1148878, and Part Lot 7313 DP 1148869 Braidwood Road, Yerriyong. Applicant: Cowman Stoddart Pty Ltd Owner: Crowns Lands

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Mr Stuart Dixon (Cowman Stoddart) addressed the Committee in relation to item 1 - Staged development application for a motorsports facility, comprising upgrade and extension of the existing Nowra District Motorcycle Club and construction of a new sealed road racing track with associated buildings and car parking. Application seeks a staged consent to the overall masterplan with operational consent for stage 1 being the clearing of native vegetation on the land where the road racing track is to be located - Lot 7308 DP 1147573, Lot 7309 DP 1148878, and Part Lot 7313 DP 1148869 Braidwood Road, Yerriyong. Applicant: Cowman Stoddart Pty Ltd Owner: Crowns Lands

Note: Clr Findley asked if Allan Stevenson be heard for three minutes, the Mayor moved the following:

PROCEDURAL MOTION:

Moved: Gash / Second: White

That Mr Stevenson not be permitted to speak at the meeting.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Gash, Baptist

AGAINST: Findley, Guile, Kitchener and Russ Pigg

## **REPORT OF GENERAL MANAGER**

### **PLANNING AND DEVELOPMENT**

3. Staged development application for a motorsports facility, comprising upgrade and extension of the existing Nowra District Motorcycle Club and construction of a new sealed road racing track with associated buildings and car parking. Application seeks a staged consent to the overall masterplan with operational consent for stage 1 being the clearing of native vegetation on the land where the road racing track is to be located - Lot 7308 DP 1147573, Lot 7309 DP 1148878, and Part Lot 7313 DP 1148869 Braidwood Road, Yerriyong. Applicant: Cowman Stoddart Pty Ltd Owner: Crowns Lands File: RA14/1000

MOTION:

Moved: Baptist / Second: White

RECOMMENDED that the General Manager in consultation with the Mayor make a deputation to the JRPP meeting to support a deferral of the determination of RA14/1000 to allow proper assessment of the amended plan and application.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Gash, Baptist, Kitchener and Russ Pigg

AGAINST: Guile, Findley

There being no further business, the meeting concluded, the time being 6.10 pm.

Clr Gash  
CHAIRPERSON

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**REPORT OF GENERAL MANAGER**  
**REGIONAL DEVELOPMENT COMMITTEE**

**MONDAY, 14 MARCH 2016**

**PLANNING AND DEVELOPMENT**

1. **Regional Development Application for Masterplan/Staged Development Application (under Section 83B of the EPA Act, 1979) for upgrade of facilities at Riversdale - Lot 101 DP 751273 Por 101 (No.170) Riversdale Road, Lot 227 DP 751273 Por 227 Bundanon Road and Lot 7315 DP 1166783 Bundanon Road, Illaroo.  
Applicant/Owner: locale consulting Pty Ltd/ Bundanon Trust and Crown Lands Office File RA15/1002**
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**SECTION MANAGER:** Cathy Bern.

**PURPOSE:**

To review the staff section 79C Assessment Report which has been submitted to the Joint Regional Planning Panel (JRPP) for consideration at its meeting on 16 March 2016.

**RECOMMENDATION**

**Submitted for consideration.**

**OPTIONS**

1. Support staff's recommendations to the JRPP recommending a deferred commencement approval and advise the JRPP accordingly; or
2. Make an alternative decision and make a separate submission to the JRPP.

**DETAILS**

**Proposal:**

The submitted development application (DA) seeks approval for (summary only):

- a) Three (3) new buildings as follows:
  - i) A creative learning centre building. This building incorporates a reception area, storage for the Arthur Boyd art collection, display/gallery space, multipurpose lecture room, multipurpose wet/dry workshop, auditorium, office space, meeting rooms and associated facilities;

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- ii) An accommodation building. This building incorporates a reception area, 32 rooms (double or twin beds) each with an ensuite bathroom, dining area for 64 people, terrace area, self catering kitchen facilities and housekeeping/general stores areas; and
  - iii) A catering building. This building incorporates a commercial kitchen, kitchen stores area, café area with associated seating for approximately 60 people, laundry, general store and a two (2) bedroom caretakers unit;
- b) The refurbishment and upgrade of the existing Riversdale homestead;
  - c) Demolition of the existing storage/workshop and car parking area;
  - d) Car parking for 120 vehicles and bus parking areas; and
  - e) Associated landscape and access road improvements.

The above works to be undertaken in three (3) stages. The submitted DA proposes no building works at this time and is only seeking approval of the masterplan (i.e. general principle, building envelopes and building footprints) with additional DA's to be lodged with Council for each stage of the proposed development.

#### **Assessment Comments:**

- # A full assessment of the application having regard to the matters for consideration under section 79C(1) of the Environmental Planning and Assessment Act 1979 (EPA Act) has been undertaken by Council staff and has been submitted to the JRPP. A copy of Council staff's assessment report, draft consent conditions, plans and associated documents are contained in **Attachment 'A'**.

#### **LEGAL ADVICE**

Council's has obtained legal advice through Council's Legal Services Co-ordinator in relation to the development application. This advice has been provided to Council as a separate confidential report.

#### **FINANCIAL IMPLICATIONS:**

Any decision that the JRPP makes in relation to this application may be subject to challenge in the Land and Environment Court (L&E Court). A decision to refuse the application could be challenged by the applicant and an approval could potentially face a judicial review by third party objectors. These actions may have a financial impact on Council in that it may have to fund the defence of the JRPP's decision if challenged.

#### **COMMUNITY ENGAGEMENT:**

Council has received three (3) submissions during the public notification period. A more detailed discussion of Council's community engagement, including a discussion of issues raised in the submissions received, is contained in the section 79C assessment attached to this report.

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## **CONCLUSION**

As a result of a detailed section 79C Assessment, the proposal is recommended for deferred commencement approval. The deferred commencement requirements relating to access issues. In relation to these access issues, Council staff are satisfied that there would not be an impediment, other than the granting of legal rights of access, to the use of the lands which the current access to the development site crosses.

Tim Fletcher

**DIRECTOR PLANNING AND DEVELOPMENT SERVICES**

R.D Pigg

**GENERAL MANAGER**

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## **CONFIDENTIAL BUSINESS PAPER AGENDA**

### **PLANNING & DEVELOPMENT SERVICES**

- 1. Regional Development Application for Masterplan/Staged Development Application (under Section 83B of the EPA Act, 1979) for upgrade of facilities at Riversdale - Lot 101 DP 751273 Por 101 (No.170) Riversdale Road, Lot 227 DP 751273 Por 227 Bundanon Road and Lot 7315 DP 1166783 Bundanon Road, Illaroo.  
Applicant/Owner: Locale Consulting Pty Ltd/ Bundanon Trust and Crown Lands Office**

#### **Reason**

Section 10A(2)(g) - Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Pursuant to Section 10A(4) the public will be invited to make representation to the Council meeting, before any part of the meeting is closed, as to whether that part of the meeting should be closed.