

MINUTES OF THE DEVELOPMENT COMMITTEE

Meeting Date: Monday, 7 November 2016
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 4.05 pm

The following members were present:

Clr John Wells - Chairperson (Acting)
Clr Amanda Findley
Clr Joanna Gash
Clr Nina Cheyne
Clr Kaye Gartner
Clr Annette Alldrick
Clr Andrew Guile – arrived 4.19pm
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Russ Pigg - General Manager

Election of Chairperson

RESOLVED (Clr Findley / Clr Gartner) MIN16.834

That Clr Wells be appointed as the Acting Chairperson for the Meeting in the absence of Councillor White.

CARRIED

Apologies / Leave of Absence

Clr White and Clr Levett

Confirmation of the Minutes

RESOLVED (Clr Findley / Clr Cheyne) MIN16.835

That the Minutes of the Development Committee held on Monday 10 October 2016 be confirmed.

CARRIED

Declarations of Interest

Nil.

DEPUTATIONS

DEV16.4 - Exhibition Outcomes/Finalisation - Shoalhaven Development Control Plan 2014 - Draft Amendment No 5 - Stage 2 Housekeeping – Mr Steve Richardson (Cowman and Stoddart) spoke **against** parts of the recommendation.

DEV16.8 – 25 Junction Street, Nowra Lot 1 DP 81167 – Mr Alex Kelly (Lawyer requested by Lee Carmichael of Lee Carmichael Town Planning) spoke **for** the recommendation.

Note: Clr Guile arrived, the time being 4.19pm

Procedural Motion – Permission to Address the Committee

RESOLVED (Clr Proudfoot / Clr Gash)

MIN16.836

That Lee Carmichael of Lee Carmichael Town Planning be permitted to address the Development Committee.

CARRIED

DEV16.8 – 25 Junction Street, Nowra Lot 1 DP 81167 – Mr Lee Carmichael of Lee Carmichael Town Planning addressed the Committee.

DEV16.8 – 25 Junction Street, Nowra Lot 1 DP 81167 – Ms Jennifer Parkyn - spoke **against** the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Wells / Clr Gash)

MIN16.837

That the matters of items DE16.4 Exhibition Outcomes/Finalisation - Shoalhaven Development Control Plan 2014 - Draft Amendment No 5 - Stage 2 Housekeeping and DE16.8 Development Application – 25 Junction Street, Nowra – Lot 1 DP 81167 be brought forward for consideration.

CARRIED

REPORTS

**DE16.4 Exhibition Outcomes/Finalisation - Shoalhaven
Development Control Plan 2014 - Draft Amendment No 5
- Stage 2 Housekeeping**

**HPERM Ref:
D16/298267**

Recommendation (Item to be determined under delegated authority)

That the Development Committee:

1. Note the submissions received during the exhibition of Shoalhaven DCP 2014 Draft Amendment No. 5 - Stage 2 Housekeeping
2. Adopt Amendment No.5 to Shoalhaven DCP 2014 as exhibited with the inclusion of the following changes to respond to the submissions as per Attachment 2 - Submission Summary Table:
 - a. Minor editorial changes in Chapter G9: Development on Flood Prone Land; and
 - b. Content changes in Chapter G9: Development on Flood Prone Land, Chapter G10: Caravan Parks in Flood Prone Areas and the Dictionary as outlined in Attachment 2 and Attachment 4.
 - c. Defer the draft changes to Chapter G9: Development on Flood Prone Land relating to subdivision in Greenwell Point to seek legal advice and remove the current wording in the DCP to consider alternative provisions in Shoalhaven Local Environmental Plan 2014 to implement development controls identified in the Lower Shoalhaven River Floodplain Risk Management Plan. Prepare an additional report following the receipt of legal advice to outline possible alternative provisions.
3. Rescind Council Policy: POL 12/118 Finders Estate – Zincalume Roofs
4. Undertake a future review of DCP Chapter G9: Development on Flood Prone Lane to improve the readability of controls with simplified wording and formatting
5. Notify the adoption of Amendment No.5 to Shoalhaven Development Control Plan 2014 in the local newspapers in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Regulations
6. Notify the NSW Department of Planning & Environment and those who made a submission on this matter that Amendment No.5 to Shoalhaven DCP 2014 has been adopted.

MOTION (Clr Watson / Clr Guile)

That the Development Committee:

1. Note the submissions received during the exhibition of Shoalhaven DCP 2014 Draft Amendment No. 5 - Stage 2 Housekeeping
2. Adopt Amendment No.5 to Shoalhaven DCP 2014 as exhibited with the inclusion of the following changes to respond to the submissions as per Attachment 2 - Submission Summary Table:
 - a. Minor editorial changes in Chapter G9: Development on Flood Prone Land; and
 - b. Content changes in Chapter G9: Development on Flood Prone Land, Chapter G10: Caravan Parks in Flood Prone Areas and the Dictionary as outlined in Attachment 2 and Attachment 4.
 - c. Adopt the draft changes to Chapter G9: Development on Flood Prone Land relating to subdivision at Greenwell Point.
 - d. Should Staff believe the Shoalhaven River Floodplain Risk Management Plan is inconsistent with the D C P seek legal advice regarding the desirability of amending the Plan and then refer matter to Shoalhaven Natural Resources and Floodplain Management Committee.

3. Rescind Council Policy: POL 12/118 Finders Estate – Zincalume Roofs
4. Undertake a future review of DCP Chapter G9: Development on Flood Prone Lane to improve the readability of controls with simplified wording and formatting
5. Notify the adoption of Amendment No.5 to Shoalhaven Development Control Plan 2014 in the local newspapers in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Regulations
6. Notify the NSW Department of Planning & Environment and those who made a submission on this matter that Amendment No.5 to Shoalhaven DCP 2014 has been adopted.

LOST on the casting vote of the chair

FOR: Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Findley, Clr Gash, Clr Wells, Clr Cheyne, Clr Aldrick and Clr Gartner

RESOLVED (Clr Findley / Clr Gartner)

MIN16.838

That the Development Committee:

1. Note the submissions received during the exhibition of Shoalhaven DCP 2014 Draft Amendment No. 5 - Stage 2 Housekeeping
2. Adopt Amendment No.5 to Shoalhaven DCP 2014 as exhibited with the inclusion of the following changes to respond to the submissions as per Attachment 2 - Submission Summary Table:
 - a. Minor editorial changes in Chapter G9: Development on Flood Prone Land; and
 - b. Content changes in Chapter G9: Development on Flood Prone Land, Chapter G10: Caravan Parks in Flood Prone Areas and the Dictionary as outlined in Attachment 2 and Attachment 4.
 - c. Defer the draft changes to Chapter G9: Development on Flood Prone Land relating to subdivision in Greenwell Point to seek legal advice and remove the current wording in the DCP pending a further report on further advice.
3. Rescind Council Policy: POL 12/118 Finders Estate – Zincalume Roofs
4. Undertake a future review of DCP Chapter G9: Development on Flood Prone Lane to improve the readability of controls with simplified wording and formatting
5. Notify the adoption of Amendment No.5 to Shoalhaven Development Control Plan 2014 in the local newspapers in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Regulations
6. Notify the NSW Department of Planning & Environment and those who made a submission on this matter that Amendment No.5 to Shoalhaven DCP 2014 has been adopted.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr Cheyne, Clr Aldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

DE16.8	Development Application – 25 Junction Street, Nowra – Lot 1 DP 81167 DP	HPERM Ref: D16/316144
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Recommendation (Item to be determined under delegated authority)

That the Committee grant consent to Development Application DA16/1369 for a multi-unit housing development, comprising, 3 single storey units with garages (2 x 3 bedroom and 1 x 2 bedroom) in accordance with the conditions as detailed in Attachment 1.

RESOLVED (Clr Gash / Clr Wells)

MIN16.839

That the Committee grant consent to Development Application DA16/1369 for a multi-unit housing development, comprising, 3 single storey units with garages (2 x 3 bedroom and 1 x 2 bedroom) in accordance with the conditions as detailed in Attachment 1.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

DE16.4	EXHIBITION OUTCOMES/FINALISATION - SHOALHAVEN DEVELOPMENT CONTROL PLAN 2014 - DRAFT AMENDMENT NO 5 - STAGE 2 HOUSEKEEPING	HPERM REF: D16/298267
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Item dealt with earlier/later in the meeting see MIN16.837

DE16.5	Development of an Affordable Housing Strategy for Shoalhaven	HPERM Ref: D16/312373
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Recommendation (Item to be determined under delegated authority)

That the Development Committee

1. Receive the Affordable Housing Background Report, Discussion Paper and Strategic Framework prepared by Judith Stubbs and Associates as the initial stages of the development of an Affordable Housing Strategy for Shoalhaven for information
2. Make the Background Report, Discussion Paper and Strategic Framework publicly available and endorse the continued preparation of a draft Affordable Strategy for Shoalhaven based on the Strategic Framework.
3. Receive a future report on the draft Affordable Housing Strategy for Shoalhaven, to enable it to be fully considered prior to proceeding to community consultation/engagement
4. Arrange for Dr Judy Stubbs to brief Council, when appropriate, on the Affordable Housing Strategy work for Shoalhaven

RESOLVED (Clr Findley / Clr Wells)

MIN16.840

That the Development Committee

1. Receive the Affordable Housing Background Report, Discussion Paper and Strategic Framework prepared by Judith Stubbs and Associates as the initial stages of the development of an Affordable Housing Strategy for Shoalhaven for information
2. Make the Background Report, Discussion Paper and Strategic Framework publicly available and endorse the continued preparation of a draft Affordable Strategy for Shoalhaven based on the Strategic Framework.

3. Receive a future report on the draft Affordable Housing Strategy for Shoalhaven, to enable it to be fully considered prior to proceeding to community consultation/engagement
4. Arrange for Dr Judy Stubbs to brief Council, when appropriate, on the Affordable Housing Strategy work for Shoalhaven

FOR: Clr Findley, Clr Gash, Clr Wells, Clr Cheyne, Clr Aldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

DE16.6 Draft Huskisson Foreshore Masterplan - Exhibition Outcomes & Process Finalisation

HPERM Ref: D16/312632

Recommendation (Item to be determined under delegated authority)

That Council

1. Adopt the draft Huskisson Foreshore Masterplan with the following changes:
 - a. Remove the four development scenarios for 59 Owen Street and any content that specifically relates to the development scenarios; and
 - b. Identify priority projects to implement the Wider Town Centre Concept Plan.
2. Commence the process to amend Shoalhaven Development Control Plan 2014 Chapter N18 – Huskisson Town Centre to include relevant aspects of the Urban Design Principles and Wider Town Centre Concept Plan, and to restrict development above ground level on 59 Owen Street.
3. Using the material gathered during the preparation of the draft Masterplan prepare a preferred option for the site that is consistent with the proposed ‘community’ classification and that maintains the view, for possible incorporated into a management plan for the site that supports the proposed ‘community’ classification.
4. Advise submission makers, the Huskisson Chamber of Business and Tourism and the Huskisson -Woollamia Community Voice of this resolution and provide a letter of thanks to the members of the Community Reference Group who assisted with this project.
5. Council staff be thanked and Council continue to support them in the exercise of their duties.

RESOLVED (Clr Watson / Clr Guile)

MIN16.841

That Council

1. Adopt the draft Huskisson Foreshore Masterplan with the following changes:
 - a. Remove the four development scenarios for 59 Owen Street and any content that specifically relates to the development scenarios; and
 - b. Identify priority projects to implement the Wider Town Centre Concept Plan.
2. Commence the process to amend Shoalhaven Development Control Plan 2014 Chapter N18 – Huskisson Town Centre to include relevant aspects of the Urban Design Principles and Wider Town Centre Concept Plan, and to restrict development above ground level on 59 Owen Street.
3. Using the material gathered during the preparation of the draft Masterplan prepare a preferred option for the site that is consistent with the proposed ‘community’ classification and that maintains the view, for possible incorporated into a management plan for the site that supports the proposed ‘community’ classification.

4. Advise submission makers, the Huskisson Chamber of Business and Tourism and the Huskisson -Woollamia Community Voice of this resolution and provide a letter of thanks to the members of the Community Reference Group who assisted with this project.

5. Council staff be thanked and Council continue to support them in the exercise of their duties.

Note: Clr Watson left the meeting, the time being 6.08pm and was not present for the vote.

FOR: Clr Findley, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Gash and Clr Wells

CARRIED

DE16.7 Development Application – No.160 Bolong Road, Bomaderry – Lot 1 DP 838753

HPERM Ref: D16/314387

Recommendation (Item to be determined under delegated authority)

That the Committee:

1. Confirm that it supports, pursuant to Clause 4.6 (Variation to development standards) of SLEP 2014, the applicant's request to vary the height limit of 11m to 34.12m; and
2. Refer the development application (DA14/2161) back to staff for determination.

Note: Clr Watson returned to the meeting, the time being 6.09pm

RESOLVED (Clr Gash / Clr Pakes)

MIN16.842

That the Committee:

1. Confirm that it supports, pursuant to Clause 4.6 (Variation to development standards) of SLEP 2014, the applicant's request to vary the height limit of 11m to 34.12m; and
2. Refer the development application (DA14/2161) back to staff for determination.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

DE16.8 DEVELOPMENT APPLICATION – 25 JUNCTION STREET, NOWRA – LOT 1 DP 81167 DP

HPERM REF: D16/316144

Item dealt with earlier/later in the meeting see MIN16.838

DE16.9 Possible Planning Proposal - The Wool Road, St Georges Basin

HPERM Ref: D16/319525

Recommendation (Item to be determined under delegated authority)

1. Provide in principle support for the proposal to jointly rezone Lot 7 DP 827728 and Lot 218 1071257, subject to the following:
 - a. Any loss of industrial zoned land being offset by the identification of new industrial zoned land.

- b. A detailed biodiversity assessment being completed prior to formally considering a Planning Proposal over the site.
- c. An odour assessment being completed within the identified buffer area around the Sewerage Treatment Plant following Gateway determination.
- 2. Seek initial input from the NSW Department of Planning and Environment in regard to the proposed Planning Proposal, particularly in regard to the strategic issue of maintenance of industrial zoned land.
- 3. Notify the proponents of the Council resolution, the outcome of consultation with the NSW Department of Planning and Environment and the studies that need to be prepared to support a formal Planning Proposal.
- 4. Encourage the proponents to have early discussions with the Basin Villages Forum in regard to the Planning Proposal should it proceed to formal lodgement.
- 5. Report back to Council when a formal Planning Proposal has been lodged, following the completion of the necessary studies.

RESOLVED (Clr Guile / Clr Wells)

MIN16.843

- 1. Provide in principle support for the proposal to jointly rezone Lot 7 DP 827728 and Lot 218 1071257, subject to the following:
 - a. Any loss of industrial zoned land being offset by the identification of new industrial zoned land.
 - b. A detailed biodiversity assessment being completed prior to formally considering a Planning Proposal over the site.
 - c. An odour assessment being completed within the identified buffer area around the Sewerage Treatment Plant following Gateway determination.
- 2. Seek initial input from the NSW Department of Planning and Environment in regard to the proposed Planning Proposal, particularly in regard to the strategic issue of maintenance of industrial zoned land.
- 3. Notify the proponents of the Council resolution, the outcome of consultation with the NSW Department of Planning and Environment and the studies that need to be prepared to support a formal Planning Proposal.
- 4. Encourage the proponents to have early discussions with the Basin Villages Forum in regard to the Planning Proposal should it proceed to formal lodgement.
- 5. Report back to Council when a formal Planning Proposal has been lodged, following the completion of the necessary studies.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

**DE16.10 Central Nowra Residential Zones - Character Related
Development Controls**

**HPERM Ref:
D16/320236**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Finalise the character analysis that is currently underway in central Nowra, including the planned consultation with the Old Houses Our History group, landowners and other key stakeholders.
2. Following the completion of the character analysis, Council:
 - a. Receive a further report on the outcomes of the consultants work including recommendations on suitable mechanisms to protect the character of central Nowra.
 - b. Identify specific locations to be considered for a backzoning to an R2 Low Density Residential Zone, where appropriate.
 - c. Prepare a set of detailed planning and character development controls that seek to maintain the character of the central Nowra area.

Note: Clr Guile left the meeting, the time being 6.28pm

RESOLVED (Clr Gash / Clr Cheyne)

MIN16.844

That Council:

1. Finalise the character analysis that is currently underway in central Nowra, including the planned consultation with the Old Houses Our History group, landowners and other key stakeholders.
2. Following the completion of the character analysis, Council:
 - a. Receive a further report on the outcomes of the consultants work including recommendations on suitable mechanisms to protect the character of central Nowra.
 - b. Identify specific locations to be considered for a backzoning to an R2 Low Density Residential Zone, where appropriate.
 - c. Prepare a set of detailed planning and character development controls that seek to maintain the character of the central Nowra area.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

There being no further business, the meeting concluded, the time being 6.30pm.

Clr Wells
CHAIRPERSON