

MINUTES OF THE DEVELOPMENT COMMITTEE

Meeting Date: Tuesday, 6 December 2016
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 4.05pm

The following members were present:

Clr Patricia White - Chairperson
Clr Amanda Findley – left 6.32pm
Clr Joanna Gash
Clr John Levett
Clr Nina Cheyne
Clr Annette Alldrick – left 6.38pm
Clr Kaye Gartner
Clr Andrew Guile – arrived 4.07pm
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Russ Pigg - General Manager

Apologies / Leave of Absence

An apology was received from Clr Wells.

Confirmation of the Minutes

RESOLVED (Clr Cheyne / Clr Alldrick) MIN16.941

That the Minutes of the Development Committee held on Monday 07 November 2016 be confirmed.

CARRIED

Declarations of Interest

Clr Watson - DE16.11 – Planning proposal – Falls Creek/Woollamia Deferred Area – Bushfire Planning Issues - pecuniary interest declaration – he and his wife own property in the Woollamia area and the result of this decision may be seen to have a positive or negative affect – will leave the room and will not take part in discussion or vote.

Clr Guile - DE16.11 – Planning proposal – Falls Creek/Woollamia Deferred Area – Bushfire Planning Issues – less than significant non pecuniary interest declaration – he ran as a

Shoalhaven Independent and may be seen as a political associate – will remain in the room and will take part in discussion or vote.

Clr Pakes - DE16.11 – Planning proposal – Falls Creek/Woollamia Deferred Area – Bushfire Planning Issues - less than significant non pecuniary interest declaration - he ran as a Shoalhaven Independent and may be seen as a political associate – will remain in the room and will take part in discussion or vote.

Clr Kitchener - DE16.11 – Planning proposal – Falls Creek/Woollamia Deferred Area – Bushfire Planning Issues - less than significant non pecuniary interest declaration - he ran as a Shoalhaven Independent and may be seen as a political associate – will remain in the room and will take part in discussion or vote.

Clr Proudfoot - DE16.11 – Planning proposal – Falls Creek/Woollamia Deferred Area – Bushfire Planning Issues - less than significant non pecuniary interest declaration - he ran as a Shoalhaven Independent and may be seen as a political associate – will remain in the room and will take part in discussion or vote.

DEPUTATIONS AND PRESENTATIONS

Note: Clr Guile arrived at the meeting

DE16.14 – Huskisson Town Centre - Service Lanes Review - Funding and Costing Options

Mr Greg Kilpatrick addressed the meeting in relation to this item.

DE16.15 - Interim Heritage Order Request - Chinaman's Island Cottages, Lake Conjola

Ms Glenda Milham addressed the meeting in relation to this item.

DE16.18 – Possible Change – Height of Buildings – Shoalhaven Local Environment Plan 2014 – Anson Street, St Georges Basin

Ms Maureen Webb (St Georges Basin Community Forum) addressed the meeting in relation to this item.

DE16.20 - Gateway Determination - Planning Proposal - Warrah Road, Bangalee

Ms Sam Wilson from URBIS Town Planners addressed the meeting in relation to this item.

REPORTS

Procedural Motion - Bring Item Forward

MOTION (Clr Guile / Clr Proudfoot)

That the following items be brought forward for consideration:

- DE16.14 - Huskisson Town Centre - Service Lanes Review - Funding and Costing Options
- DE16.15 – Interim Heritage Order Request – Chinaman’s Island Cottages, Lake Conjola
- DE16.18 – Possible Change – Height of Buildings – Shoalhaven Local Environment Plan 2014 – Anson Street, St Georges Basin
- DE16.20 – Gateway Determination – Planning Proposal – Warrah Road, Bangalee

CARRIED

**DE16.14 Huskisson Town Centre - Service Lanes Review -
Funding and Costing Options**

**HPERM Ref:
D16/324563**

Recommendation

That Council:

1. Prepare an amendment to the Shoalhaven Contributions Plan 2010 to:
 - a. Amend the acquisition area of Currambene Street service lane Section 94 project (03ROAD0057) to reflect Council's resolved position to not acquire No. 12 Currambene Street for a proposed vehicle link (as per the map included in Attachment 2).
 - b. Include the previously exhibited draft Morton Street service lane Section 94 project (03ROAD0058) as per the map included in Attachment 2 with minor amendments determined by infrastructure requirements and design and the exclusion of the proposed laneway from Lot 12 DP 7169, No. 11 Currambene Street.
 - c. Obtain updated acquisition and construction costs for both projects and include these in the draft Shoalhaven Contributions Plan 2010 amendment.
2. Receive a further report to consider the actual draft amendments to Shoalhaven Contributions Plan 2010.
3. Consider the following changes to Chapter N18 of the Shoalhaven Development Control Plan 2014 through a future review of this chapter to:
 - a. Remove the proposed service vehicle link between the Currambene Street service lane and Currambene Street (through Lot 2 DP 662583, No. 12 Currambene Street) and include provisions relating to service vehicle access on individual properties.
 - b. Update the service lane provisions in accordance with updated infrastructure requirements and design.
4. Commit to funding the upfront costs for the construction of the Morton Street and Currambene Street service lanes in accordance with the following principles:
 - a. Fund the initial expenditure of the works using loan funds or through general revenue allocations in the future Capital Works Program of up to \$3.24 million and request a further report should it require more than this amount.
 - b. Recoup part of the expended funds through Section 94 contributions levied by Shoalhaven Contributions Plan 2010 for future development.
 - c. Include the design and construction of the Currambene Street and Morton Street service lanes in Council's capital works planning.
5. Notify the affected landowners of Council's resolution.

Recommendation (Clr Proudfoot / Clr Gash)

That Council:

1. Prepare an amendment to the Shoalhaven Contributions Plan 2010 to:
 - a. Amend the acquisition area of Currambene Street service lane Section 94 project (03ROAD0057) to reflect Council's resolved position to not acquire No. 12 Currambene Street for a proposed vehicle link (as per the map included in Attachment 2).
 - b. Include the previously exhibited draft Morton Street service lane Section 94 project (03ROAD0058) as per the map included in Attachment 2 with minor amendments determined by infrastructure requirements and design and the exclusion of the proposed laneway from Lot 12 DP 7169, No. 11 Currambene Street.
 - c. Obtain updated acquisition and construction costs for both projects and include these in the draft Shoalhaven Contributions Plan 2010 amendment.

2. Receive a further report to consider the actual draft amendments to Shoalhaven Contributions Plan 2010.
3. Consider the following changes to Chapter N18 of the Shoalhaven Development Control Plan 2014 through a future review of this chapter to:
 - a. Remove the proposed service vehicle link between the Currumbene Street service lane and Currumbene Street (through Lot 2 DP 662583, No. 12 Currumbene Street) and include provisions relating to service vehicle access on individual properties.
 - b. Update the service lane provisions in accordance with updated infrastructure requirements and design.
4. Commit to funding the upfront costs for the construction of the Morton Street and Currumbene Street service lanes in accordance with the following principles:
 - a. Fund the initial expenditure of the works using loan funds or through general revenue allocations in the future Capital Works Program of up to \$3.24 million and request a further report should it require more than this amount.
 - b. Recoup part of the expended funds through Section 94 contributions levied by Shoalhaven Contributions Plan 2010 for future development.
 - c. Include the design and construction of the Currumbene Street and Morton Street service lanes in Council's capital works planning.
5. Notify the affected landowners of Council's resolution.

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

AGAINST: Clr Kitchener

CARRIED

DE16.15 Interim Heritage Order Request - Chinaman's Island Cottages, Lake Conjola

HPERM Ref: D16/346783

Recommendation (Item to be determined under delegated authority)

That in accordance with the Committee's delegated authority from Council, that Council not support a heritage assessment and allow the current end of lease demolition arrangements with DPI - Lands to remain.

RESOLVED (Clr Guile / Clr Gartner)

MIN16.942

That:

1. Council seek advice from the member of South Coast the Hon Shelley Hancock as to her support for the heritage value of the cottages on Chinaman's Island;
2. Seek support from the Local Member to make representations to the Minister
3. Subsequent to parts 1) and 2) Council undertake a heritage assessment of the Chinaman's Island cottages to determine their heritage significance.
4. If required a further report back to council on this matter

FOR: Clr Findley, Clr White, Clr Gash, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Levett and Russ Pigg

CARRIED

**DE16.18 Possible Change - Height of Buildings - Shoalhaven
Local Environmental Plan 2014 - Anson Street, St.
Georges Basin**

**HPERM Ref:
D16/350122**

Recommendation (Item to be determined under delegated authority)

That the Development Committee decide whether it wishes to pursue reducing the 'height of building' controls in Shoalhaven Local Environmental Plan 2014 over Lots 1 and 6 DP1082382 Anson Street, St. Georges Basin and if so which of the options outlined in the report to pursue.

RESOLVED (Clr Findley / Clr Cheyne)

MIN16.943

That Council retain the current 8m height control over the western part of Lot 1 DP 1082382 and prepare a planning proposal to amend the height of buildings map over the remainder of Lot 1 and the whole of 6 DP1082382 Anson Street, St Georges Basin and remove the current 13m height and replace with 8.5m mapped height.

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

AGAINST: Nil

CARRIED

**DE16.20 Gateway Determination - Planning Proposal - Warrah
Road, Bangalee**

**HPERM Ref:
D16/357943**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Proceed to publicly exhibit the Planning Proposal to rezone land (Lot 21 to 24 DP 714096) at Warrah Road, Bangalee, in accordance with the Gateway determination with the following changes:
 - a. The proposed residential area be shown as R2 Low Density Residential
 - b. The proposed residential area be given a minimum lot size of 2,500m²
 - c. The proposed residential area be given a maximum height of building of 8.5m
2. Update the supporting Bushfire Hazard Study and Aboriginal Archaeological Assessment prior to exhibition the Planning Proposal.
3. Write to the Department of Planning and Environment in relation to the reasonableness of the Gateway determination requirement to prepare a biodiversity review of Lots 21-23 and Provision of Infrastructure Assessment.
4. Write to the proponent to advise them of this resolution and advise them to submit the additional biodiversity assessment as part of the formal public exhibition period for the Planning Proposal.
5. Advise adjoining land owners and relevant community groups of the future exhibition arrangements for the Planning Proposal.

MOTION (Clr Cheyne / Clr Levett)

That Council:

1. Proceed to publicly exhibit the Planning Proposal to rezone land (Lot 21 to 24 DP 714096) at Warrah Road, Bangalee, in accordance with the Gateway determination with the following changes:

- a. The proposed residential area be shown as R2 Low Density Residential
 - b. The proposed residential area be given a minimum lot size of 2,500m²
 - c. The proposed residential area be given a maximum height of building of 8.5m
2. Update the supporting Bushfire Hazard Study and Aboriginal Archaeological Assessment prior to exhibition the Planning Proposal.
 3. Write to the Department of Planning and Environment in relation to the reasonableness of the Gateway determination requirement to prepare a biodiversity review of Lots 21-23 and Provision of Infrastructure Assessment.
 4. Write to the proponent to advise them of this resolution and advise them to submit the additional biodiversity assessment as part of the formal public exhibition period for the Planning Proposal.
 5. Advise adjoining land owners and relevant community groups of the future exhibition arrangements for the Planning Proposal.

PROCEDURAL MOTION – MOTION BE PUT (Clr Findley / Clr Cheyne)

That the MOTION be PUT.

FOR: Clr Findley, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner and Russ Pigg

AGAINST: Clr White, Clr Gash, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

LOST

DEBATE CONTINUED THEN THE MOTION WAS PUT

FOR: Clr Findley, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner and Russ Pigg

AGAINST: Clr White, Clr Gash, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

MOTION LOST

RESOLVED (Clr Watson / Clr Pakes)

MIN16.944

FORESHADOWED MOTION

That Council consider the proponents additional biodiversity assessment prior to the public exhibition.

FOR: Clr White, Clr Gash, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner and Russ Pigg

CARRIED

Note: Clr Findley left the meeting at 6.32pm during debate on the foreshadowed motion.

DE16.11 Planning Proposal - Falls Creek/Woollamia Deferred Areas - Bushfire Planning Issues

**HPERM Ref:
D16/328009**

Clr Watson – DE16.11 - Planning Proposal - Falls Creek/Woollamia Deferred Areas - Bushfire Planning Issues - pecuniary interest declaration – he and his wife own property in the Woollamia area this decision may be seen to have a positive or negative affect and - left the room and did not take part in discussion or vote.

Clr Guile - DE16.11 – Planning proposal – Falls Creek/Woollamia Deferred Area – Bushfire

Planning Issues – less than significant non pecuniary interest declaration – he ran as a Shoalhaven Independent and may be seen as a political associate – will remain in the room and will take part in discussion or vote.

Clr Pakes - DE16.11 – Planning proposal – Falls Creek/Woollamia Deferred Area – Bushfire Planning Issues - less than significant non pecuniary interest declaration - he ran as a Shoalhaven Independent and may be seen as a political associate – will remain in the room and will take part in discussion or vote.

Clr Kitchener - DE16.11 – Planning proposal – Falls Creek/Woollamia Deferred Area – Bushfire Planning Issues - less than significant non pecuniary interest declaration - he ran as a Shoalhaven Independent and may be seen as a political associate – will remain in the room and will take part in discussion or vote.

Clr Proudfoot - DE16.11 – Planning proposal – Falls Creek/Woollamia Deferred Area – Bushfire Planning Issues - less than significant non pecuniary interest declaration - he ran as a Shoalhaven Independent and may be seen as a political associate – will remain in the room and will take part in discussion or vote.

Note: Clr Alldrick left the meeting at 6.38pm

Recommendation (Item to be determined under delegated authority)

That Council:

1. Proceed with the Planning Proposal based on the following potential development outcomes:
 - a. In respect of 1, 3, 5, 7, 9, 11, 13, 18, 20, 21 and 23 Seasongood Road, and 49, 53, and 59 Woollamia Road, to potentially enable a two lot subdivision of each of the lots, such that:
 - i. New dwelling sites will be located within 200 metres of the public road.
 - ii. In respect of 21 and 23 Seasongood Road, the new dwelling sites be positioned no further from the road than the existing dwelling at 21 Seasongood Road and Asset Protection Zones be based on a maximum bushfire attack level of 19 kW/m²
 - b. In respect of 111 Woollamia Road, to potentially enable a three lot subdivision based on establishment of a reciprocal right of way between Woollamia Road and Falls Road as outlined in the report prepared by SET Consultants, subject to the owner surrendering the consent for three tourist cabins (DA00/2847) which have not yet been constructed.
2. Revise the Planning Proposal based on the above proposed development outcomes and seek the NSW Department of Planning and Environment's approval to publicly exhibit the Planning Proposal.
3. Prepare a draft site-specific chapter (Chapter N16) for inclusion in Shoalhaven Development Control Plan 2014 and brief Council prior to exhibiting the draft DCP chapter concurrently with the Planning Proposal.
4. Invoice each landowner for 50% of the costs (currently \$1,423.50) prior to exhibition of the Planning Proposal, and the remaining 50% after Council has resolved to finalise the Planning Proposal.

RESOLVED (Clr Gash / Clr Kitchener)

MIN16.945

That Council:

1. Proceed with the Planning Proposal based on the following potential development outcomes:
 - a. In respect of 1, 3, 5, 7, 9, 11, 13, 18, 20, 21 and 23 Seasongood Road, and 49, 53, and 59 Woollamia Road, to potentially enable a two lot subdivision of each of the lots, such that:
 - i. New dwelling sites will be located within 200 metres of the public road.

- ii. In respect of 21 and 23 Seasongood Road, the new dwelling sites be positioned no further from the road than the existing dwelling at 21 Seasongood Road and Asset Protection Zones be based on a maximum bushfire attack level of 19 kW/m²
 - b. In respect of 111 Woollamia Road, to potentially enable a three lot subdivision based on establishment of a reciprocal right of way between Woollamia Road and Falls Road as outlined in the report prepared by SET Consultants, subject to the owner surrendering the consent for three tourist cabins (DA00/2847) which have not yet been constructed.
2. Revise the Planning Proposal based on the above proposed development outcomes and seek the NSW Department of Planning and Environment's approval to publicly exhibit the Planning Proposal.
 3. Prepare a draft site-specific chapter (Chapter N16) for inclusion in Shoalhaven Development Control Plan 2014 and brief Council prior to exhibiting the draft DCP chapter concurrently with the Planning Proposal.
 4. Invoice each landowner for 50% of the costs (currently \$1,423.50) prior to exhibition of the Planning Proposal, and the remaining 50% after Council has resolved to finalise the Planning Proposal.

FOR: Clr White, Clr Gash, Clr Levett, Clr Cheyne, Clr Gartner, Clr Guile, Clr Pakes, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

DE16.12 Shoalhaven LEP 2014 - Review of Flood Controls

**HPERM Ref:
D16/334860**

Note: Clr Watson returned to the meeting.

Recommendation (Item to be determined under delegated authority)

That the Committee:

1. Prepare a Planning Proposal (PP012) – Review of Flood Controls to amend Shoalhaven LEP 2014 as follows:
 - a. Remove the Flood Planning Area maps from Shoalhaven LEP 2014 to ensure that the most accurate and up to date flood mapping is relied upon from Council's adopted Flood Risk Management Studies and Plans (FRMSP).
 - b. Update Clause 7.3 in Shoalhaven LEP 2014 to provide consistency with the definitions in the *NSW Floodplain Development Manual* and to identify historic flooding information and subsequently provide controls for areas previously mapped as Rural 1(g) (Flood Liable) and Residential 2(a4) (Restricted Development) in Shoalhaven LEP 1985 that fall outside the adopted flood study areas.
 - c. Incorporate provisions for stock mounds in flood prone or acid sulphate soil areas.
2. Consider a further report to adopt PP012 – Review of Flood Controls for submission to the NSW Department of Planning of Environment for Gateway determination.
3. Endorse the preparation of an online Flood Planning map to provide a publicly accessible and interactive display of adopted Flood Study mapping and historic flooding information.

RESOLVED (Clr Guile / Clr Levett)

MIN16.946

That the Committee:

1. Prepare a Planning Proposal (PP012) – Review of Flood Controls to amend Shoalhaven LEP 2014 as follows:

- a. Remove the Flood Planning Area maps from Shoalhaven LEP 2014 to ensure that the most accurate and up to date flood mapping is relied upon from Council's adopted Flood Risk Management Studies and Plans (FRMSP).
 - b. Update Clause 7.3 in Shoalhaven LEP 2014 to provide consistency with the definitions in the *NSW Floodplain Development Manual* and to identify historic flooding information and subsequently provide controls for areas previously mapped as Rural 1(g) (Flood Liable) and Residential 2(a4) (Restricted Development) in Shoalhaven LEP 1985 that fall outside the adopted flood study areas.
 - c. Incorporate provisions for stock mounds in flood prone or acid sulphate soil areas.
2. Consider a further report to adopt PP012 – Review of Flood Controls for submission to the NSW Department of Planning of Environment for Gateway determination.
 3. Endorse the preparation of an online Flood Planning map to provide a publicly accessible and interactive display of adopted Flood Study mapping and historic flooding information.

FOR: Clr White, Clr Gash, Clr Levett, Clr Cheyne, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

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| DE16.13 Review of the Nowra CBD Contributions Discount Subsidy Policy | HPERM Ref: D16/324536 |
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Recommendation (Item to be determined under delegated authority)

That the Development Committee

1. Extend the Nowra CBD Contributions Discount Subsidy Policy for an additional 12 months from the initial review date
2. Advise the Nowra CBD Revitalisation Committee members, Nowra CBD Business Chamber and the Shoalhaven Business Chamber of this resolution

RESOLVED (Clr Guile / Clr Cheyne) MIN16.947

That the Development Committee:

1. Extend the Nowra CBD Contributions Discount Subsidy Policy for an additional 12 months from the initial review date
2. Advise the Nowra CBD Revitalisation Committee members, Nowra CBD Business Chamber and the Shoalhaven Business Chamber of this resolution

FOR: Clr White, Clr Gash, Clr Levett, Clr Cheyne, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Proudfoot and Russ Pigg

AGAINST: Clr Kitchener

CARRIED

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| DE16.14 HUSKISSON TOWN CENTRE - SERVICE LANES REVIEW - FUNDING AND COSTING OPTIONS | HPERM REF: D16/324563 |
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Item dealt with earlier in the meeting.

DE16.15 INTERIM HERITAGE ORDER REQUEST - CHINAMAN'S ISLAND COTTAGES, LAKE CONJOLA

HPERM REF: D16/346783

Item dealt with earlier in the meeting see MIN16.942

DE16.16 Council Submission - Proposed Medium Density Housing Code and Draft Design Guide

HPERM Ref: D16/347254

Recommendation (Item to be determined under delegated authority)

That Council make a submission to the NSW Department of Planning & Environment on the proposed Medium Density Housing Code and draft Design Guide based on Attachment 1 prior to the deadline of 12 December 2016.

RESOLVED (Clr Gash / Clr Gartner)

MIN16.948

That Council make a submission to the NSW Department of Planning & Environment on the proposed Medium Density Housing Code and draft Design Guide based on Attachment 1 prior to the deadline of 12 December 2016.

CARRIED

DE16.17 Exhibition Outcomes/Finalisation - Shoalhaven Development Control Plan 2014 - Draft Amendment No. 13 - Chapter G4: Tree and Vegetation Management

HPERM Ref: D16/348177

Recommendation (Item to be determined under delegated authority)

That the Development Committee

1. Note the submissions received during the exhibition of Shoalhaven Development Control Plan 2014 Draft Amendment No. 13 – Chapter G4: Tree and Vegetation Management
2. Adopt Amendment No. 13 to the Shoalhaven Development Control Plan 2014 as exhibited with the inclusion of the following changes to Chapter G4:
 - a. Minor editorial changes
 - b. Content and mapping changes as outlined in the submission summary table in the report
3. Notify the adoption of Amendment No.13 to Shoalhaven Development Control Plan 2014 in the local newspapers in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Regulations
4. Notify the NSW Department of Planning & Environment and those who made a submission on this matter that Amendment No. 13 to Shoalhaven DCP 2014 has been adopted
5. Prepare a separate Development Application form, checklist and brochure to clarify and simplify the application process for the removal of trees and vegetation prescribed by Shoalhaven LEP 2014 and Shoalhaven DCP Chapter G4: Tree and Vegetation Management
6. Undertake a further review of the exempt provisions in Chapter G4: Tree and Vegetation Management to ensure consistency with Clause 5.9 of Shoalhaven LEP 2014.
7. Continue the preparation of a Planning Proposal to amend Shoalhaven LEP 2014 Clauses Map to ensure the Clause 5.9 mapping is consistent with the DCP Chapter G4 maps and submit to State Government for initial Gateway determination.

RESOLVED (Clr Gartner / Clr Cheyne)

MIN16.949

That the Development Committee

1. Note the submissions received during the exhibition of Shoalhaven Development Control Plan 2014 Draft Amendment No. 13 – Chapter G4: Tree and Vegetation Management
2. Adopt Amendment No. 13 to the Shoalhaven Development Control Plan 2014 as exhibited with the inclusion of the following changes to Chapter G4:
 - a. Minor editorial changes
 - b. Content and mapping changes as outlined in the submission summary table in the report
3. Notify the adoption of Amendment No.13 to Shoalhaven Development Control Plan 2014 in the local newspapers in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Regulations
4. Notify the NSW Department of Planning & Environment and those who made a submission on this matter that Amendment No. 13 to Shoalhaven DCP 2014 has been adopted
5. Prepare a separate Development Application form, checklist and brochure to clarify and simplify the application process for the removal of trees and vegetation prescribed by Shoalhaven LEP 2014 and Shoalhaven DCP Chapter G4: Tree and Vegetation Management
6. Undertake a further review of the exempt provisions in Chapter G4: Tree and Vegetation Management to ensure consistency with Clause 5.9 of Shoalhaven LEP 2014.
7. Continue the preparation of a Planning Proposal to amend Shoalhaven LEP 2014 Clauses Map to ensure the Clause 5.9 mapping is consistent with the DCP Chapter G4 maps and submit to State Government for initial Gateway determination.
8. In any future review of DCP's, Council consider the value of the contribution of mature trees' to providing shade and reducing the heat island effect.

FOR: Clr White, Clr Gash, Clr Levett, Clr Cheyne, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

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| DE16.18 | Possible Change - Height Of Buildings - Shoalhaven Local Environmental Plan 2014 - Anson Street, St Georges Basin | HPERM REF: D16/350122 |
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Item dealt with earlier in the meeting see MIN16.943

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| DE16.19 | Strategic Planning Works Program - Formulation | HPERM Ref: D16/351866 |
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Recommendation (Item to be determined under delegated authority)

That the Development Committee

1. Adopt Attachment 1 as Council's interim Strategic Planning Works Program.
2. Request Council staff to arrange a half day workshop for Councillors in early 2017 to provide an opportunity for their detailed input into the structure and content of the suggested new Strategic Planning Works Program
3. Request that the new Strategic Planning Works Program be reported back to Council for consideration by mid-2017 at the latest.

RESOLVED (Clr Watson / Clr Guile)

MIN16.950

That the Development Committee:

1. Adopt Attachment 1 as Council's interim Strategic Planning Works Program.
2. Request Council staff to arrange a half day workshop for Councillors in early 2017 to provide an opportunity for their detailed input into the structure and content of the suggested new Strategic Planning Works Program
3. During the workshop, consideration be given to the development of the following as a priority:
 - a. of strategic assessments of the urban areas in the Bay and Basin area
 - b. of controls to protect the vicinity of the Berry to Cambewarra escarpment
4. Request that the new Strategic Planning Works Program be reported back to Council for consideration by mid-2017 at the latest.

CARRIED

DE16.20 Gateway Determination - Planning Proposal - Warrah Road, Bangalee

**HPERM REF:
D16/357943**

Item dealt with earlier in the meeting see MIN16.944.

CONFIDENTIAL REPORTS

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

No members of the public made representations.

RESOLVED (Clr Gash / Clr Proudfoot)

That the press and public be excluded from the Meeting, pursuant to section 10A(1)(a) of the Local Government Act, 1993, to consider the following items of a confidential nature.

CDE16.1 Review of Determination - Development Application – Lot 2 DP165748 Bowen Street Huskisson

Advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. 10(A)(2)(g)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to prejudice any court proceedings by revealing matter prepared for the purposes of or in relation to current or future proceedings or prejudice the fair trial of any person, the impartial adjudication of any case or a person's right to procedural fairness.

CARRIED

The meeting moved into confidential the time being 7.17pm.

The meeting moved into open session, the time being 7.24pm.

REPORT FROM CONFIDENTIAL SESSION

The following resolutions of the meeting, whilst closed to the public, were made public.

**CDE16.1 Review of Determination - Development Application –
Lot 2 DP165748 Bowen Street Huskisson**

**HPERM Ref:
D16/365508**

RESOLVED (Clr Gartner / Clr Proudfoot)

MIN16.951C

That the Committee confirm that it supports Option 1, and not support a review of the determination (i.e. refusal) in response to the request for a review under s82A by the applicant.

CARRIED

There being no further business, the meeting concluded, the time being 7.26pm.

Clr White
CHAIRPERSON