

## MINUTES OF THE DEVELOPMENT COMMITTEE

**Meeting Date:** Tuesday, 9 May 2017  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 5:00pm

The following members were present:

Clr Patricia White - Chairperson  
Clr Joanna Gash  
Clr John Wells  
Clr Amanda Findley  
Clr John Levett – arrived at the meeting at 5.02 pm  
Clr Nina Cheyne  
Clr Annette Alldrick  
Clr Kaye Gartner  
Clr Andrew Guile  
Clr Mitchell Pakes  
Clr Greg Watson  
Clr Mark Kitchener  
Clr Bob Proudfoot  
Mr Russ Pigg - General Manager

### Apologies / Leave of Absence

Nil

### Confirmation of the Minutes

**RESOLVED** (Clr Wells / Clr Gartner) MIN17.373

That the Minutes of the Development Committee held on Tuesday 11 April 2017 be confirmed.  
Wells/Gartner

CARRIED

### Declarations of Interest

Clr Watson – DE17.30 – Planning Proposal and Development Control Plan - Falls Creek / Woollamia Deferred Areas – pecuniary interest declaration – as he owns a property at 23 Seasongood Road, Woollamia and the decision of the Committee may impact on the value of his property – will leave the room and will not take part in discussion or vote.

## DEPUTATIONS AND PRESENTATIONS

Mr Daniel Thompson addressed the Committee in relation to DE17.36 Moss Vale Road South Urban Release Area - Detailed Supporting Plans

Clr Levett joined the meeting at 5.02pm

## REPORTS

### Procedural Motion - Bring Item Forward

**MOTION** (Clr Gartner / Clr Guile)

That the matter of item DE17.36 Moss Vale Road South Urban Release Area - Detailed Supporting Plans be brought forward for consideration.

**DE17.36 Moss Vale Road South Urban Release Area - Detailed Supporting Plans**

**HPERM Ref: D17/106420**

Note: A deputation on this matter was provided earlier in the meeting.

### Recommendation (Item to be determined under delegated authority)

That Council:

1. Support the proposed insertion of a clause in Shoalhaven Local Environmental Plan 2014 that allows for an exception to the minimum lot size in the Moss Vale Road South Urban Release Area and prepare a Planning Proposal to submit to the NSW Department of Planning and Environment for Gateway determination.
2. Give in principle support for the current Indicative Layout Plan for the Urban Release Area, which will be utilised in the proposed Development Control Plan Chapter.
3. Commence the preparation of a Development Control Plan Chapter and Contributions Plan for the Moss Vale South Urban Release Area as required by Part 6 of Shoalhaven LEP2014.
4. If necessary, receive a further report following receipt of the Gateway determination.

**RESOLVED** (Clr Gartner / Clr Watson)

MIN17.374

That Council:

1. Support the proposed insertion of a clause in Shoalhaven Local Environmental Plan 2014 that allows for an exception to the minimum lot size in the Moss Vale Road South Urban Release Area and prepare a Planning Proposal to submit to the NSW Department of Planning and Environment for Gateway determination.
2. Give in principle support for the current Indicative Layout Plan for the Urban Release Area, which will be utilised in the proposed Development Control Plan Chapter.
3. Commence the preparation of a Development Control Plan Chapter and Contributions Plan for the Moss Vale South Urban Release Area as required by Part 6 of Shoalhaven LEP2014.
4. If necessary, receive a further report following receipt of the Gateway determination.

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

AGAINST: Nil  
CARRIED

**DE17.29 Draft Planning Agreement - Enterprise Avenue, South Nowra - Proposed Public Exhibition** **HPERM Ref: D17/56925**

**Recommendation (Item to be determined under delegated authority)**

That Council:

1. Support the requested changes to the draft Planning Agreement requested by Palmira Holdings Pty Ltd.
2. Publicly exhibit the draft Planning Agreement (Attachment 1) for a minimum period of 28 days as required by legislation.
3. Identify a budget to compensate for part of the design and construction of Enterprise Avenue.
4. Commence the process to acquire part of Lot 2 DP 1170503 to enable to construction of Enterprise Avenue.
5. Council staff report back to the Development Committee after the public exhibition period.

**RESOLVED** (Clr Wells / Clr Gash)

MIN17.375

That Council:

1. Support the requested changes to the draft Planning Agreement requested by Palmira Holdings Pty Ltd.
2. Publicly exhibit the draft Planning Agreement (Attachment 1) for a minimum period of 28 days as required by legislation.
3. Identify a budget to compensate for part of the design and construction of Enterprise Avenue.
4. Commence the process to acquire part of Lot 2 DP 1170503 to enable to construction of Enterprise Avenue.
5. Staff report back to the Development Committee after the public exhibition period.

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

AGAINST: Nil  
CARRIED

**DE17.30 Planning Proposal and Development Control Plan - Falls Creek / Woollamia Deferred Areas** **HPERM Ref: D17/85943**

Clr Watson – pecuniary interest declaration – left the room and did not take part in discussion or vote - owns a property at 23 Seasongood Road, Woollamia and the decision of the Committee may impact on the value of his property.

**Recommendation (Item to be determined under delegated authority)**

That:

1. Council endorse the updated Falls Creek / Woollamia Deferred Areas Planning Proposal and draft Development Control Plan Chapter N16 for public exhibition and proceed to

exhibit for a minimum period of 28 days.

2. Council staff be authorised to make any necessary minor changes to improve readability/usability of the draft Development Control Plan Chapter prior to exhibition.
3. Report the outcomes of the exhibition period back to the Development Committee for final consideration.

**RESOLVED** (Clr Gartner / Clr Guile)

MIN17.376

That:

1. Council endorse the updated Falls Creek / Woollamia Deferred Areas Planning Proposal and draft Development Control Plan Chapter N16 for public exhibition and proceed to exhibit for a minimum period of 28 days.
2. Council staff be authorised to make any necessary minor changes to improve readability/usability of the draft Development Control Plan Chapter prior to exhibition.
3. Report the outcomes of the exhibition period back to the Development Committee for final consideration.

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

AGAINST: Nil

CARRIED

**DE17.31 Housekeeping Amendment 2016 Planning Proposal (PP022) - Minor Mapping & Instrument Changes**

**HPERM Ref: D17/91489**

Clr Watson returned to meeting 5.24 pm

**Recommendation (Item to be determined under delegated authority)**

Council submit the Housekeeping Amendment 2016 Housekeeping Planning Proposal (PP022) to the NSW Department of Planning and Environment for initial Gateway determination.

**RESOLVED** (Clr Wells / Clr Levett)

MIN17.377

That Council submit the Housekeeping Amendment 2016 Housekeeping Planning Proposal (PP022) to the NSW Department of Planning and Environment for initial Gateway determination.

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

AGAINST: Nil

CARRIED

**DE17.32 Strategic Planning Policies - Review**

**HPERM Ref: D17/15895**

**Recommendation (Item to be determined under delegated authority)**

That Council:

1. Reaffirm the following policies;
  - a. POL 12/326 Contaminated Lands Policy
  - b. POL 15/54 Nowra CBD Banner Policy

2. Reaffirm the following policies and amend these policies through future reviews;
  - a. POL 12/217 Development - Coastal Areas - Planning & Development
  - b. POL 12/239 Rates - Small Lot Rural Subdivisions - Dealing with Unpaid Rates & Charges
  - c. POL 12/243 Voluntary Planning Agreements
  - d. POL 12/308 Payment of Development Contributions and Section 64 Headworks Charges by Deferment or Instalments ( under special circumstances )
  - e. POL 16/258 Nowra CBD Contributions Discount Subsidy Policy
  - f. POL 14/48 Road Closure - Events - Junction Court

**RESOLVED** (Clr Findley / Clr Gartner)

MIN17.378

That Council:

1. Reaffirm the following policies;
  - a. POL 12/326 Contaminated Lands Policy
  - b. POL 15/54 Nowra CBD Banner Policy
2. Reaffirm the following policies and amend these policies through future reviews;
  - a. POL 12/217 Development - Coastal Areas - Planning & Development
  - b. POL 12/239 Rates - Small Lot Rural Subdivisions - Dealing with Unpaid Rates & Charges
  - c. POL 12/243 Voluntary Planning Agreements
  - d. POL 12/308 Payment of Development Contributions and Section 64 Headworks Charges by Deferment or Instalments ( under special circumstances )
  - e. POL 16/258 Nowra CBD Contributions Discount Subsidy Policy
  - f. POL 14/48 Road Closure - Events - Junction Court

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

AGAINST: Nil

CARRIED

**DE17.33 Development Application DS16/1079 – Proposed Building Envelope - Variation to Restrictions as to User - Lot 13 DP829169 Moss Vale Road Kangaroo Valley**

**HPERM Ref: D17/79579**

**Recommendation**

That Council:

1. Support the request for a relocated building envelope, based on the information as submitted, subject to a restriction being negotiated with the applicant to limit the scale of any future dwelling in the envelope; and
2. Return the application for staff to determine under delegation.

**RESOLVED** (Clr Guile / Clr Gartner)

MIN17.379

That Council:

1. Support the request for a relocated building envelope, based on the information as submitted, subject to a restriction being negotiated with the applicant to limit the scale of any future

dwelling in the envelope; and

- Return the application for staff to determine under delegation.

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

AGAINST: Nil

CARRIED

**DE17.34 Planning Proposal (PP012) - Review of Flood Controls in Shoalhaven LEP 2014**

**HPERM Ref: D17/87727**

**Recommendation (Item to be determined under delegated authority)**

That the Committee:

- Endorse the Planning Proposal (PP012) – Review of Flood Controls to amend Shoalhaven Local Environmental Plan (LEP) 2014 for lodgement with the NSW Department of Planning & Environment (DP&E) to request Gateway determination.
- Amend Chapter G9: Development on Flood Prone Land and Chapter G10: Caravan Parks in Flood Prone Areas in Shoalhaven Development Control Plan 2014 as part of a future review of these chapters to ensure consistency with any proposed changes to Shoalhaven LEP 2014.
- Support the preparation of an online Flood Planning map to provide publicly accessible information and interactive display of adopted Flood Study mapping and historic flooding information.

**RESOLVED** (Clr Findley / Clr Gartner)

MIN17.380

That Council:

- Endorse the Planning Proposal (PP012) – Review of Flood Controls to amend Shoalhaven Local Environmental Plan (LEP) 2014 for lodgement with the NSW Department of Planning & Environment (DP&E) to request Gateway determination.
- Amend Chapter G9: Development on Flood Prone Land and Chapter G10: Caravan Parks in Flood Prone Areas in Shoalhaven Development Control Plan 2014 as part of a future review of these chapters to ensure consistency with any proposed changes to Shoalhaven LEP 2014.
- Support the preparation of an online Flood Planning map to provide publicly accessible information and interactive display of adopted Flood Study mapping and historic flooding information.

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

Against: Nil

CARRIED

**DE17.35 Shoalhaven Development Control Plan 2014 - Endorsement**

**HPERM Ref: D17/116953**

**Recommendation (Item to be determined under delegated authority)**

That Council;

- Continue with the current method for amendments to Shoalhaven Development Control Plan 2014 in line with the Strategic Planning Work Program and obligations under the *Environmental Planning and Assessment Act 1979*.

2. Exclude Shoalhaven Development Control Plan 2014 from the four year policy review cycle.

**RESOLVED** (Clr Guile / Clr Aldrick)

MIN17.381

That Council;

1. Continue with the current method for amendments to Shoalhaven Development Control Plan 2014 in line with the Strategic Planning Work Program and obligations under the *Environmental Planning and Assessment Act 1979*.
2. Exclude Shoalhaven Development Control Plan 2014 from the four year policy review.

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

AGAINST: Nil

CARRIED

**DE17.36 MOSS VALE ROAD SOUTH URBAN RELEASE AREA - DETAILED SUPPORTING PLANS**

**HPERM REF: D17/106420**

Item dealt with earlier/later in the meeting see MIN17.374

**DE17.37 Outcomes - Shoalhaven Local Heritage Assistance Fund 2016/2017**

**HPERM Ref: D17/113965**

**Recommendation (Item to be determined under delegated authority)**

1. Receive the Summary Project Report (Attachment 1), which details the outcomes of the Shoalhaven Local Heritage Assistance Fund Program 2016-2017, for information.
2. Reaffirm, in the interim, the Shoalhaven Heritage Strategy 2014-2017 and extend it with minor wording adjustments and updates (as per Attachment 3) to cover 2017-2020.
3. Proceed with a broader review of the extended Shoalhaven Heritage Strategy 2017-2020 and separately report this to Council for endorsement when complete.

**RESOLVED** (Clr Wells / Clr Findley)

MIN17.382

That Council

1. Receive the Summary Project Report (Attachment 1), which details the outcomes of the Shoalhaven Local Heritage Assistance Fund Program 2016-2017, for information.
2. Reaffirm, in the interim, the Shoalhaven Heritage Strategy 2014-2017 and extend it with minor wording adjustments and updates (as per Attachment 3) to cover 2017-2020.
3. Proceed with a broader review of the extended Shoalhaven Heritage Strategy 2017-2020 and separately report this to Council for endorsement when complete.

FOR: Clr White, Clr Gash, Clr Wells, Clr Findley, Clr Levett, Clr Cheyne, Clr Aldrick, 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 5.43 pm.

Clr White  
CHAIRPERSON