

MINUTES OF THE DEVELOPMENT COMMITTEE

Meeting Date: Monday, 17 July 2017
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.03pm

The following members were present:

Clr Patricia White - Chairperson
Clr John Wells
Clr John Levett
Clr Nina Cheyne
Clr Annette Alldrick
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Russ Pigg - General Manager

Apologies / Leave of Absence

Apologies were received from Clr Gash, Clr Gartner, Clr Guile and Clr Findley.

Confirmation of the Minutes

RESOLVED (Clr Proudfoot / Clr Wells) MIN17.604

That the Minutes of the Development Committee held on Monday 05 June 2017 be confirmed.
CARRIED

Declarations of Interest

Nil

DEPUTATIONS AND PRESENTATIONS

Mr Peter Stutchbury, Peter Stutchbury Architecture, addressed the Committee in relation to DE17.45 Development Application – 52 Cyrus St Hyams Beach – Lot 58 DP 577627

Ms Colleen Platford, of 54 Cyrus Street, Hyams Beach addressed the Committee in relation to DE17.45 Development Application – 52 Cyrus St Hyams Beach – Lot 58 DP 577627

Mr Mark Jones addressed the Committee in relation to DE17.50 Endorsement for Exhibition - Draft Shoalhaven Affordable Housing Strategy

Mr Josh Sanders addressed the Committee in relation to DE17.51 Exhibition & Finalisation - Planning Proposal - Additional Permitted Use - 5C Creston Grove, Bomaderry (PP021)

REPORTS

Procedural Motion - Bring Item Forward

RESOLVED (Clr Wells / Clr Proudfoot)

MIN17.605

That the matters of the following items be brought forward for consideration

- DE17.45 Development Application – 52 Cyrus St Hyams Beach – Lot 58 DP 577627
- DE17.50 Endorsement for Exhibition - Draft Shoalhaven Affordable Housing Strategy
- DE17.51 Exhibition & Finalisation - Planning Proposal - Additional Permitted Use - 5C Creston Grove, Bomaderry (PP021)

CARRIED

DE17.45 Development Application – 52 Cyrus St Hyams Beach – Lot 58 DP 577627

HPERM Ref:
D17/152965

Recommendation (Item to be determined under delegated authority)

That Development Application 16/1341 to demolish the existing dwelling and erect a two storey dwelling and ancillary boathouse arm on Lot 58 DP 577627, 52 Cyrus Street Hyams Beach be approved subject to:

1. The boathouse floor being constructed to a height of 4.75m AHD (without any increase in maximum building height) and in accordance with the requirements of the Advisian report dated 6 June 2017 (report No.301015-03779-001) vis:
 - a. the floor of the boathouse is to be constructed of timber slats to reduce wave uplift pressures;
 - b. access to the boathouse is to be from the landward side or via a timber ramp oriented south-north so that it does not interfere with wave runoff flows;
 - c. The boathouse is to be landscaped to suitably screen the sub-floor area.
2. The additional conditions contained in Attachment 7 of this report.

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN17.606

That Development Application 16/1341 to demolish the existing dwelling and erect a two storey dwelling and ancillary boathouse arm on Lot 58 DP 577627, 52 Cyrus Street Hyams Beach be approved subject to:

1. The boathouse floor being constructed to a height of 4.75m AHD (without any increase in maximum building height) and in accordance with the requirements of the Advisian report dated 6 June 2017 (report No.301015-03779-001) vis:
 - a. the floor of the boathouse is to be constructed of timber slats to reduce wave uplift pressures;
 - b. access to the boathouse is to be from the landward side or via a timber ramp oriented south-north so that it does not interfere with wave runoff flows;

- c. The boathouse is to be landscaped to suitably screen the sub-floor area and the area between the boathouse arm and the dividing fence be landscaped with appropriate vegetation.

2. The additional conditions contained in Attachment 7 of this report.

FOR: Clr Levett, Clr Alldrick, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr White, Clr Wells and Clr Cheyne

CARRIED

DE17.50 Endorsement for Exhibition - Draft Shoalhaven Affordable Housing Strategy

HPERM Ref: D17/146959

Recommendation (Item to be determined under delegated authority)

That Council:

1. Endorse the draft Shoalhaven Affordable Housing Strategy (Strategy) at Attachment 1 with the following changes:
 - a. Identify the Council owned site at 42-46 Coomea Street, Bomaderry as the preferred site for the short term strategy and investigate potential opportunities for expansion to include additional land in the precinct;
 - b. Remove the following sites as potential affordable housing project sites:
 - i. 11 Lamonds Lane, Nowra.
 - ii. Corner Greenwell Point Road and Clipper Road, Nowra.
 - iii. 10 Pleasant Way, Nowra.
 - c. Outline that Council will undertake investigations into the suitability of other sites for affordable housing projects that may also include sites not owned by Council.
 - d. Include a set of desired affordable housing location characteristics and a definition of key centres in line with the Background Report and Discussion Paper.
 - e. Include commentary on the broader approach to affordable housing maintenance.
 - f. Consider the relevant outcomes of the Shoalhaven Economic Development Strategy 2017.
2. Support the public exhibition of the draft Strategy with the Background Report, Discussion Paper and Strategic Framework.
3. Arrange for Dr Judy Stubbs to brief Council on the strategies/actions in the draft Strategy either prior to or during the public exhibition period.
4. Continue to pursue the possibility of an initial demonstration affordable housing development at Coomea Street, Bomaderry with the NSW Government, Community Housing Providers, property industry representatives (e.g. Property Council of Australia) and relevant community consultative bodies.
5. Receive a future report, following the public exhibition period of the draft Strategy, to enable any submissions to be fully considered and any changes made prior to Council adoption.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN17.607

That Council:

1. Endorse the draft Shoalhaven Affordable Housing Strategy (Strategy) at Attachment 1 with the

following changes:

- a. Identify the Council owned site at 42-46 Coomea Street, Bomaderry as the preferred site for the short term strategy and investigate potential opportunities for expansion to include additional land in the precinct;
 - b. Remove the following sites as potential affordable housing project sites:
 - i. 11 Lamonds Lane, Nowra.
 - ii. Corner Greenwell Point Road and Clipper Road, Nowra.
 - iii. 10 Pleasant Way, Nowra.
 - c. Outline that Council will undertake investigations into the suitability of other sites for affordable housing projects that may also include sites not owned by Council.
 - d. Include a set of desired affordable housing location characteristics and a definition of key centres in line with the Background Report and Discussion Paper.
 - e. Include commentary on the broader approach to affordable housing maintenance.
 - f. Consider the relevant outcomes of the Shoalhaven Economic Development Strategy 2017.
2. Support the public exhibition of the draft Strategy with the Background Report, Discussion Paper and Strategic Framework.
 3. Arrange for Dr Judith Stubbs to brief Council on the strategies/actions in the draft Strategy either prior to or during the public exhibition period.
 4. Continue to pursue the possibility of an initial demonstration affordable housing development at Coomea Street, Bomaderry with the NSW Government, Community Housing Providers, property industry representatives (e.g. Property Council of Australia) and relevant community consultative bodies.
 5. Receive a future report, following the public exhibition period of the draft Strategy, to enable any submissions to be fully considered and any changes made prior to Council adoption.

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

AGAINST: Nil

CARRIED

DE17.51 Exhibition & Finalisation - Planning Proposal - Additional Permitted Use - 5C Creston Grove, Bomaderry (PP021)

HPERM Ref: D17/163745

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt the Planning Proposal as exhibited.
2. Under Council's delegation for this Planning Proposal, forward the Planning Proposal to the NSW Parliamentary Counsel instructing them to draft an amendment to the SLEP 2014 under Section 59(1) of the Environmental Planning and Assessment Act 1979.
3. Advise the proponent and surrounding landowners of this resolution and again when the LEP Amendment is notified.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN17.608

That Council:

1. Adopt the Planning Proposal as exhibited.
2. Under Council's delegation for this Planning Proposal, forward the Planning Proposal to the NSW Parliamentary Counsel instructing them to draft an amendment to the SLEP 2014 under Section 59(1) of the Environmental Planning and Assessment Act 1979 in accordance with the Gateway Determination from the Department of Planning and Environment dated 27 October 2016
3. Advise the proponent and surrounding landowners of this resolution and again when the LEP Amendment is notified.

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

AGAINST: Nil

CARRIED

**DE17.46 Development Application – 59 Princes Highway Ulladulla
– Lot A DP 346694**

**HPERM Ref:
D17/209331**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Supports the variation to Shoalhaven Development Control Plan 2014 – Chapter G21 – Car Parking and Traffic to allow part of the car parking for the development to be provided on the adjoining road reserve.
2. Refer the application back to staff for determination

RESOLVED (Clr White / Clr Proudfoot)

MIN17.609

That Council:

1. Supports the variation to Shoalhaven Development Control Plan 2014 – Chapter G21 – Car Parking and Traffic to allow part of the car parking for the development to be provided on the adjoining road reserve.
2. Refer the application back to staff for determination

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

AGAINST: Nil

CARRIED

**DE17.47 Waiving of DA Fees - Nowra CBD Access Improvement
Financial Assistance Program**

**HPERM Ref:
D17/192826**

Recommendation (Item to be determined under delegated authority)

That Council endorse the waiver of development application fees to a value of \$300 and the entire construction certificate fee and Principal Certifying Authority fees for successful applications under the Nowra CBD Access Improvement Financial Assistance Program.

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN17.610

That Council endorse the waiver of development application fees to a value of \$300 and the entire construction certificate fee and Principal Certifying Authority fees for successful applications under

the Nowra CBD Access Improvement Financial Assistance Program.

FOR: Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Pakes, Clr Watson, Clr Proudfoot and Russ Pigg

AGAINST: Clr Kitchener

CARRIED

DE17.48 Shoalhaven LEP 2014 - Review of Subdivision Controls

**HPERM Ref:
D17/144236**

Recommendation (Item to be determined under delegated authority)

That Development Committee:

1. Prepare a planning proposal to amend Shoalhaven Local Environmental Plan 2014 to:
 - a. Investigate inclusion of an exception to clause 4.1 to remove Torrens subdivision restrictions following lawful dual occupancy and multi dwelling housing development.
 - b. Revise Clause 4.1A – Dual occupancy and multi dwelling housing to:
 - i. Remove provisions relating to a minimum lot size for the subdivision of resulting lots and replace with a minimum lot size for the parent lot prior to the erection of a dual occupancy or multi dwelling housing development.
 - ii. Consider expansion of areas to which this provision would apply.
 - c. Investigate the application of a minimum lot size to the parent lot for the erection of a dual occupancy on a battle-axe lot in certain areas and include the term 'battle-axe' in the Shoalhaven LEP 2014 Dictionary.
 - d. Revise Clause 4.1C - Dwellings, attached dwellings and semi-detached dwellings to:
 - i. Reduce the minimum lot size for resulting lots to 300m² or less.
 - ii. Expand application to the R3 and RU5 zones.
 - iii. Investigate additional provisions for urban release areas.
2. Consider a briefing and a further report to consider the detail of the planning proposal for submission to the NSW Department and Planning of Environment for Gateway determination.

RESOLVED (Clr Wells / Clr Cheyne)

MIN17.611

That Development Committee:

1. Prepare a planning proposal to amend Shoalhaven Local Environmental Plan 2014 to:
 - a. Investigate inclusion of an exception to clause 4.1 to remove Torrens subdivision restrictions following lawful dual occupancy and multi dwelling housing development.
 - b. Revise Clause 4.1A – Dual occupancy and multi dwelling housing to:
 - i. Remove provisions relating to a minimum lot size for the subdivision of resulting lots and replace with a minimum lot size for the parent lot prior to the erection of a dual occupancy or multi dwelling housing development.
 - ii. Consider expansion of areas to which this provision would apply.
 - c. Investigate the application of a minimum lot size to the parent lot for the erection of a dual occupancy on a battle-axe lot in certain areas and include the term 'battle-axe' in the Shoalhaven LEP 2014 Dictionary.
 - d. Revise Clause 4.1C - Dwellings, attached dwellings and semi-detached dwellings to:

- i. Reduce the minimum lot size for resulting lots to 300m² or less.
 - ii. Expand application to the R3 and RU5 zones.
 - iii. Investigate additional provisions for urban release areas.
2. Consider a briefing and a further report to consider the detail of the planning proposal for submission to the NSW Department and Planning of Environment for Gateway determination.

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

AGAINST: Nil

CARRIED

DE17.49 Strategic Planning Works Program - Adoption and Finalisation **HPERM Ref: D17/142532**

Recommendation (Item to be determined under delegated authority)

That Council:

- 1. Adopt and finalise Attachment 1 as Council’s Strategic Planning Works Program.
- 2. Request that the Strategic Planning Works Program be reported back to the Development Committee annually in June to coincide with each new financial year.
- 3. Make future changes to the Strategic Planning Works Program only after considering the current program, project priority, staff workload and resources.
- 4. Receive a briefing on how to use the interactive Strategic Planning Works Program when operational.

RESOLVED (Clr Wells / Clr Cheyne) MIN17.612

That Council:

- 1. Adopt and finalise Attachment 1 as Council’s Strategic Planning Works Program.
- 2. Request that the Strategic Planning Works Program be reported back to the Development Committee annually in June to coincide with each new financial year.
- 3. Make future changes to the Strategic Planning Works Program only after considering the current program, project priority, staff workload and resources.
- 4. Receive a briefing on how to use the interactive Strategic Planning Works Program when operational.

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

AGAINST: Nil

CARRIED

DE17.50 ENDORSEMENT FOR EXHIBITION - DRAFT SHOALHAVEN AFFORDABLE HOUSING STRATEGY **HPERM REF: D17/146959**

Item dealt with earlier/later in the meeting see MIN.607.

**DE17.51 EXHIBITION & FINALISATION - PLANNING PROPOSAL -
ADDITIONAL PERMITTED USE - 5C CRESTON GROVE,
BOMADERRY (PP021)**

**HPERM REF:
D17/163745**

Item dealt with earlier/later in the meeting see MIN17.608.

DE17.52 Options Report - Berry Heritage Investigations

**HPERM Ref:
D17/194330**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Resolve to pursue Option 1 as detailed in this report as the appropriate approach to progress heritage investigations in the Berry urban area.
2. Apply for grant funding to support Option 1 via the NSW Government's Heritage Near Me – Local Heritage Strategic Projects grants program.
3. Notify the Berry Forum of this outcome.

RESOLVED (Clr Wells / Clr Cheyne)

MIN17.613

That Council:

1. Resolve to pursue Option 1 – Consideration of additional heritage listings for properties outlined in the report as the appropriate approach to progress heritage investigations in the Berry urban area.
2. Apply for grant funding to support Option 1 via the NSW Government's Heritage Near Me – Local Heritage Strategic Projects grants program.
3. Notify the Berry Forum of this outcome.

FOR: Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Alldrick, 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 6.37pm.

Clr White
CHAIRPERSON