

MINUTES OF THE DEVELOPMENT COMMITTEE

Meeting Date: Tuesday, 8 May 2018
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.02pm

The following members were present:

Clr Joanna Gash - Chairperson
Clr Amanda Findley
Clr Patricia White
Clr John Levett
Clr Nina Cheyne
Clr Kaye Gartner
Clr Mitchell Pakes
Clr Greg Watson
Clr Bob Proudfoot
Mr Russ Pigg - General Manager

Apologies / Leave of Absence

Apologies were received from Clr Alldrick, Clr Kitchener, Clr Guile and Clr Wells.

Confirmation of the Minutes

RESOLVED (Clr White / Clr Cheyne) MIN18.329
That the Minutes of the Development Committee held on Tuesday 10 April 2018 be confirmed.
CARRIED

Declarations of Interest

Nil.

DEPUTATIONS AND PRESENTATIONS

DE18.37 – DA17/2435 – 148 Island Point Road, St Georges Basin – Lot 43 DP 25550
Travis Harpley spoke for the recommendation.

DE18.38 – RD18/1002 – 160 Kinghorne Street, Nowra – Lot 2 DP 566370
Lee Carmichael and Alex Kelly, representing PDC Lawyers & Planners, spoke against the recommendation.

DE18.40 – Heritage investigations – Chinaman's Island, Lake Conjola

Glenda Milhan and Michelle Innes spoke against the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Cheyne / Clr Proudfoot)

MIN18.330

That the matters of items DE18.37, DE18.38 and DE 18.40 be brought forward for consideration.

CARRIED

**DE18.37 DA17/2435 – 148 Island Point Road, St Georges Basin –
Lot 43 DP 25550**

**HPERM Ref:
D18/124969**

Recommendation (Item to be determined under delegated authority)

That Council resolve to reaffirm the current requirements of Chapter N23: St Georges Basin, Village Centre, SDCP 2014 and Shoalhaven Contributions Plan 2010 (SCP 2010) in support of the rear service lane arrangement to have one-way access, noting the available width.

RESOLVED (Clr Watson / Clr Proudfoot)

MIN18.331

That Council:

1. Resolve to reaffirm the current requirements of Chapter N23: St Georges Basin, Village Centre, SDCP 2014 and Shoalhaven Contributions Plan 2010 (SCP 2010) in support of the rear service lane arrangement to have one-way access, noting the available width; and
2. Receive a report on providing the road using recoupment of section 7.11 (former s 94) contributions funds once the review of the current contributions plan is complete.

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

AGAINST: Nil

CARRIED

**DE18.38 RD18/1002 – 160 Kinghorne Street, Nowra – Lot 2 DP
566370**

**HPERM Ref:
D18/133417**

Recommendation (Item to be determined under delegated authority)

That Council resolve to reaffirm the determination (refusal) of DA17/2242, dated 15 December 2017 for the demolition of an existing dwelling and ancillary outbuildings and construction of multi dwelling housing – six (6) dwellings at Lot 2 DP 566370, 160 Kinghorne Street, Nowra.

RESOLVED (Clr Gash / Clr Proudfoot)

MIN18.332

That:

1. The proposal is considered capable of approval on the basis that the development will provide variety and increase in housing supply in Nowra; and
2. A further report be provided to the May Ordinary Council meeting attaching conditions of consent.

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

AGAINST: Clr Findley and Russ Pigg
CARRIED

**DE18.40 Heritage Investigations - Chinaman's Island, Lake
Conjola**

**HPERM Ref:
D18/128260**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Support the listing of the former timber railway on Chinaman's Island as an archaeological site in Schedule 5 of Shoalhaven Local Environmental Plan 2014 and include the item in the upcoming Heritage Housekeeping Amendment to Shoalhaven Local Environmental Plan 2014.
2. Not support the listing of the remaining cottages on Chinaman's Island as local heritage items in Schedule 5 of Shoalhaven Local Environmental Plan 2014.
3. Support the mitigation recommendations for the partial or total removal of the remaining cottages as outlined in the Louise Thom Heritage Assessment (Attachment 2):
 - a. Full archival recording.
 - b. Preparation of a Heritage Interpretation Strategy and provision of interpretive information at Lake Conjola.
 - c. Provision of a copy of the Heritage Assessment to the Shoalhaven City Library and each of the remaining leaseholders.
4. Advise the remaining leaseholders, Conjola Community Association and Department of Industry - Crown Lands of this decision.

RESOLVED (Clr White / Clr Gartner)

MIN18.333

That Council:

1. Recognises the heritage significance of the cottages and the former timber railway on Chinaman's Island;
2. Lists the cottages and the former timber railway as local heritage items in Schedule 5 of Shoalhaven Local Environmental Plan 2014 (as part of housekeeping amendments to the LEP); and
3. Writes to both local State Members of Parliament advising them of Council's support for heritage listing of the cottages and former timber railway and seek their support in having them preserved.

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

AGAINST: Nil

CARRIED

REPORTS

DE18.31 Planning Proposal (Rezoning) Guidelines - Proposed Revisions

**HPERM Ref:
D18/16929**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Endorses the attached draft revision to the Planning Proposal (Rezoning) Guidelines for public exhibition.
2. Exhibits the draft revision to the Planning Proposal (Rezoning) Guidelines in accordance with the attached Community Engagement and Communications Strategy.
3. Receive a further report to consider feedback received during the public exhibition period and enable finalisation of the Guidelines.

RESOLVED (Clr Findley / Clr Cheyne)

MIN18.334

That Council:

1. Endorses the attached draft revision to the Planning Proposal (Rezoning) Guidelines for public exhibition.
2. Exhibit the draft revision to the Planning Proposal (Rezoning) Guidelines in accordance with the attached Community Engagement and Communications Strategy.
3. Receive a further report to consider feedback received during the public exhibition period and enable finalisation of the Guidelines.

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

AGAINST: Nil

CARRIED

DE18.32 Proposed Project Commencement - Shoalhaven Growth Management Strategy (Version 2)

**HPERM Ref:
D18/30665**

Recommendation (Item to be determined under delegated authority)

That Council

1. Formally commence the preparation of the Shoalhaven Growth Management Strategy Version 2, and
2. Hold a detailed Councillor workshop to consider the form and content of the Shoalhaven Growth Management Strategy Version 2 and the approach to be taken to prepare it.

RESOLVED (Clr White / Clr Gartner)

MIN18.335

That Council:

1. Formally commence the preparation of the Shoalhaven Growth Management Strategy Version 2, and
2. Hold a detailed Councillor workshop to consider the form and content of the Shoalhaven Growth Management Strategy Version 2 and the approach to be taken to prepare it.

FOR: Clr Gash, Clr Findley, Clr White, Clr Levett, Clr Cheyne, Clr Gartner, Clr Pakes, Clr

Watson, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

Note: The meeting adjourned, the time being 7.19pm.

Note: The meeting reconvened, the time being 7.44pm.

DE18.33 Proposed Submission - Discussion Paper: Planning for the Future of Retail and proposed changes to retail land use definitions

**HPERM Ref:
D18/127062**

Recommendation (Item to be determined under delegated authority)

That Council make a submission to the NSW Department of Planning and Environment on the Discussion Paper: Planning for the Future of Retail and the associated amendments proposed to retail land use definitions in the Standard Instrument LEP, based on the content of this report.

RESOLVED (Clr Findley / Clr White)

MIN18.336

That Council make a submission to the NSW Department of Planning and Environment on the Discussion Paper: Planning for the Future of Retail and the associated amendments proposed to retail land use definitions in the Standard Instrument LEP, based on the content of this report.

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

AGAINST: Clr Proudfoot

CARRIED

DE18.34 Exhibition Outcomes and Finalisation – Shoalhaven Development Control Plan 2014 – Draft Amendment No. 14 – Proposed Chapter G18 Streetscape Design for Town and Village Centres

**HPERM Ref:
D18/74047**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive the report on the submissions received during the exhibition of Shoalhaven Development Control Plan 2014 Draft Amendment No. 14 - Chapter G18: Streetscape Design for Town and Village Centres and its supporting documents (Streetscape Technical Manual and Development Control Plan Dictionary) for information.
2. Adopt Shoalhaven Development Control Draft Amendment No. 14 - Chapter G18: Streetscape Design for Town and Village Centres and its supporting documents, (Streetscape Technical Manual and Development Control Plan Dictionary), as exhibited with minor amendments as outlined in the report and provided in Attachments 2 to 5.
3. Note for future consideration, when appropriate, the priority streetscape renewal projects identified in the submissions.
4. Notify the adoption of Shoalhaven Development Control Plan 2014 Amendment No. 14 - Chapter G18: Streetscape Design for Town and Village Centres and its supporting documents (Streetscape Technical Manual and Development Control Plan Dictionary) in local newspapers in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Regulations.

5. Notify submitters and the NSW Department of Planning & Environment of the adoption of Shoalhaven Development Control Plan 2014 Amendment No. 14 - Chapter G18: Streetscape Design for Town and Village Centres and its supporting documents, Streetscape Technical Manual and Development Control Plan Dictionary.

RESOLVED (Clr Gash / Clr Cheyne)

MIN18.337

That Council:

1. Receive the report on the submissions received during the exhibition of Shoalhaven Development Control Plan 2014 Draft Amendment No. 14 - Chapter G18: Streetscape Design for Town and Village Centres and its supporting documents (Streetscape Technical Manual and Development Control Plan Dictionary) for information.
2. Adopt Shoalhaven Development Control Draft Amendment No. 14 - Chapter G18: Streetscape Design for Town and Village Centres and its supporting documents, (Streetscape Technical Manual and Development Control Plan Dictionary), as exhibited with minor amendments as outlined in the report and provided in Attachments 2 to 5.
3. Note for future consideration, when appropriate, the priority streetscape renewal projects identified in the submissions.
4. Notify the adoption of Shoalhaven Development Control Plan 2014 Amendment No. 14 - Chapter G18: Streetscape Design for Town and Village Centres and its supporting documents (Streetscape Technical Manual and Development Control Plan Dictionary) in local newspapers in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Regulations.
5. Notify submitters and the NSW Department of Planning & Environment of the adoption of Shoalhaven Development Control Plan 2014 Amendment No. 14 - Chapter G18: Streetscape Design for Town and Village Centres and its supporting documents, Streetscape Technical Manual and Development Control Plan Dictionary.

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

AGAINST: Nil

CARRIED

DE18.35 Proposed Submission - Aboriginal Land Claims No. 6427, 26210 and 26251 - Koloona Drive, Watersleigh

HPERM Ref: D18/104373

Recommendation (Item to be determined under delegated authority)

That Council notify the NSW Department of Industry – Crown Lands Aboriginal Land Claims Investigation Unit that it does not support Aboriginal Land Claim Numbers 6427, 26210 and 26251 over Lot 7310 DP 1152344 at Koloona Drive, Watersleigh, for the following reasons:

1. In relation to Claim No.6427, at 31 March 2000, the land:
 - a. Formed part of the Bangalee Reserve and was being lawfully used for its reserve purpose of “Public Recreation”; and
 - b. Contained Council infrastructure that was used for this purpose, being the ‘Forest Walk’ walking trail and viewing barrier.
2. In relation to Claim No. 26210, at 21 June 2010, the land formed part of the Bangalee Reserve and was being lawfully used for its reserve purpose of “Public Recreation”.
3. In relation to Claim No. 26251, at 21 June 2010, the land:
 - a. Formed part of the Bangalee Reserve and was being lawfully used for its reserve

purpose of “Public Recreation”; and

- b. Contained Council infrastructure that was used for this purpose, being the ‘Forest Walk’ walking trail and viewing barrier.

RESOLVED (Clr Pakes / Clr White)

MIN18.338

That Council notify the NSW Department of Industry – Crown Lands Aboriginal Land Claims Investigation Unit that it does not support Aboriginal Land Claim Numbers 6427, 26210 and 26251 over Lot 7310 DP 1152344 at Koloona Drive, Watersleigh, for the following reasons:

1. In relation to Claim No.6427, at 31 March 2000, the land:
 - a. Formed part of the Bangalee Reserve and was being lawfully used for its reserve purpose of “Public Recreation”; and
 - b. Contained Council infrastructure that was used for this purpose, being the ‘Forest Walk’ walking trail and viewing barrier.
2. In relation to Claim No. 26210, at 21 June 2010, the land formed part of the Bangalee Reserve and was being lawfully used for its reserve purpose of “Public Recreation”.
3. In relation to Claim No. 26251, at 21 June 2010, the land:
 - a. Formed part of the Bangalee Reserve and was being lawfully used for its reserve purpose of “Public Recreation”; and
 - b. Contained Council infrastructure that was used for this purpose, being the ‘Forest Walk’ walking trail and viewing barrier.

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

AGAINST: Nil

CARRIED

DE18.36 Outcomes - Shoalhaven Local Heritage Assistance Fund 2017-2018

HPERM Ref: D18/115416

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive the annual Summary Project Report (**Attachment 1**), which details the outcomes of the Local Heritage Assistance Fund Program 2017-2018, for information.
2. Adopt the revised Shoalhaven Heritage Strategy 2018-2021 (**Attachment 2**).

RESOLVED (Clr Cheyne / Clr Gartner)

MIN18.339

That Council:

1. Receives the annual Summary Project Report (**Attachment 1**), which details the outcomes of the Local Heritage Assistance Fund Program 2017-2018, for information.
2. Adopt the revised Shoalhaven Heritage Strategy 2018-2021 (**Attachment 2**).

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

AGAINST: Nil

CARRIED

DE18.37 DA17/2435 – 148 ISLAND POINT ROAD, ST GEORGES BASIN – LOT 43 DP 25550 **HPERM REF: D18/124969**

Item dealt with earlier in the meeting see MIN18.331.

DE18.38 RD18/1002 – 160 KINGHORNE STREET, NOWRA – LOT 2 DP 566370 **HPERM REF: D18/133417**

Item dealt with earlier in the meeting see MIN18.332.

DE18.39 Proposed Draft Medium Density Amendment - Shoalhaven Development Control Plan 2014 **HPERM Ref: D18/125082**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Support the exhibition of the draft Medium Density Amendment to Shoalhaven Development Control Plan 2014 for a period of 28 days as per legislative requirements.
2. Receive a further report on the draft Medium Density Amendment following the conclusion of the public exhibition period.
3. Advise key stakeholders, including relevant industry representatives, of this decision.

RESOLVED (Clr Gartner / Clr White) **MIN18.340**

That Council:

1. Support the exhibition of the draft Medium Density Amendment to Shoalhaven Development Control Plan 2014 for a period of 28 days as per legislative requirements.
2. Receive a further report on the draft Medium Density Amendment following the conclusion of the public exhibition period.
3. Advise key stakeholders, including relevant industry representatives, of this decision..

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

AGAINST: Clr Proudfoot

CARRIED

DE18.40 HERITAGE INVESTIGATIONS - CHINAMAN'S ISLAND, LAKE CONJOLA **HPERM REF: D18/128260**

Item dealt with earlier in the meeting see MIN18.333.

**DE18.41 Changes to new legislative provisions relating to the
Joint Regional Planning Panels**

**HPERM Ref:
D18/132059**

Recommendation

That:

1. The Development Committee receive this report for information.
2. A new nominee(s) be considered and recommended for Council's representation on the Regional Planning Panel.
3. The Panel Secretariat be contacted reaffirming current and new members.

RESOLVED (Clr Watson / Clr Pakes)

MIN18.341

That:

1. The Development Committee receive this report for information.
2. Clr Pakes be nominated as Council's representation on the Regional Planning Panel.
3. The Panel Secretariat be contacted reaffirming current and new members.
4. Write to the Minister for Planning about Council's concern of the automatic imputation under the new JRPP legislative provisions that someone involved in property sales is not an appropriate candidate for JRPP panel membership.

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

AGAINST: Nil

CARRIED

There being no further business, the meeting concluded, the time being 7.56pm.

Clr Gash
CHAIRPERSON