

MINUTES OF THE DEVELOPMENT COMMITTEE

Meeting Date: Tuesday, 5 June 2018
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.04pm

The following members were present:

Clr Joanna Gash - Chairperson
Clr Patricia White
Clr Amanda Findley (5.08pm)
Clr John Wells
Clr Kaye Gartner (5.08pm)
Clr John Levett
Clr Nina Cheyne
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Russ Pigg - General Manager (5.05pm)

Apologies / Leave of Absence

Apologies were received from Clr Alldrick and Clr Pakes.

Confirmation of the Minutes

RESOLVED (Clr White / Clr Kitchener) MIN18.418

That the Minutes of the Development Committee held on Tuesday 08 May 2018 be confirmed.

CARRIED

Note: Mr Russ Pigg arrived at the meeting, the time being 5.05pm.

Declarations of Interest

Nil.

Note: Clr Findley and Clr Gartner arrived at the meeting, the time being 5.08pm.

REPORTS

DE18.42 Strategic Planning Works Program - Proposed 2018-2019 Version

**HPERM Ref:
D18/141977**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt and finalise Attachment 2 as Council's 2018-2019 Strategic Planning Works Program.
2. Receive a report on the 2019-2020 Strategic Planning Works Program in June 2019 to coincide with the 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)

MIN18.419

That Council:

1. Adopt and finalise Attachment 2 to this report as Council's 2018-2019 Strategic Planning Works Program.
2. Receive a report on the 2019-2020 Strategic Planning Works Program in June 2019 to coincide with the 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 Gash, Clr Findley, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Gartner, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Watson

CARRIED

DE18.43 Proposed Planning Proposal - Citywide SP3 Tourist Zone Review

**HPERM Ref:
D18/143978**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Support the preparation of the Citywide SP3 Tourist Zone Review Planning Proposal at Attachment 1 and submit to the NSW Department of Planning & Environment for Gateway determination. If Gateway determination is granted, proceed to formal public exhibition in terms of such determination.
2. Prepare an amendment to Chapter V3: Miscellaneous Site-Specific Issues of Shoalhaven Development Control Plan 2014 to establish site specific provisions for Site 6: Mollymook/Ulladulla.
3. Consider the detail of the proposed amendments to Shoalhaven Development Control Plan 2014 via a separate report and if needed a Councillor Briefing prior to exhibition.
4. Advise the owners of the subject land, adjacent land owners and relevant community groups

of this decision, noting the opportunity for formal consultation later in the process.

5. Following public exhibition of the Planning Proposal and draft Chapter V3, submit a further report to Council to address any submissions and finalisation of the process.

RESOLVED (Clr Findley / Clr Wells)

MIN18.420

That Council:

1. Support the preparation of the Citywide SP3 Tourist Zone Review Planning Proposal at Attachment 1 and submit to the NSW Department of Planning & Environment for Gateway determination. If Gateway determination is granted, proceed to formal public exhibition in terms of such determination.
2. Prepare an amendment to Chapter V3: Miscellaneous Site-Specific Issues of Shoalhaven Development Control Plan 2014 to establish site specific provisions for Site 6: Mollymook/Ulladulla.
3. Consider the detail of the proposed amendments to Shoalhaven Development Control Plan 2014 via a separate report and if needed a Councillor Briefing prior to exhibition.
4. Advise the owners of the subject land, adjacent land owners and relevant community groups of this decision, noting the opportunity for formal consultation later in the process.
5. Following public exhibition of the Planning Proposal and draft Chapter V3, submit a further report to Council to address any submissions and finalisation of the process.

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

AGAINST: Nil

CARRIED

**DE18.44 Proposed Adoption - Works in Kind Agreement - 21
Beach Street, Huskisson (Re: DA15/1102)**

**HPERM Ref:
D18/152989**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt, as exhibited, the Works in Kind Agreement for 21 Beach Street, Huskisson associated with DA15/1102.
2. Obtain the necessary signatures on the Works in Kind Agreement to enable its finalisation and once this occurs action a refund to the applicant as per the Agreement.

RESOLVED (Clr Wells / Clr Levett)

MIN18.421

That Council:

1. Adopt, as exhibited, the Works in Kind Agreement for 21 Beach Street, Huskisson associated with DA15/1102.
2. Obtain the necessary signatures on the Works in Kind Agreement to enable its finalisation and once this occurs action a refund to the applicant as per the Agreement..

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

AGAINST: Nil

CARRIED

Procedural Motion - Matters of Urgency

Note: the Director, Planning, Environment & Development advised that Council has received verbal advice from the Department of Planning about the potential to apply for deferral of low Rise Medium Density SEPP. This involves the R1, R2, R3 zones (residential).

If Council wishes to apply for a deferral, Council would need to provide a letter of request by 27 June 2018 and full documented case by 27 September 2018.

The potential issues relate to character and deferral would provide the opportunity to adopt character statements for nominated areas.

Council could also seek greater guidance on how character is to be considered in verification statements, who can provide verification statement and repercussions for incorrect verification statements.

RESOLVED (Clr White / Clr Findley)

MIN18.422

That an additional item State Environmental Planning Policy, Low Rise Medium Density Code be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as urgent as the Department of Planning requires a letter of request by 27 June 2018 if Council wishes to apply for deferment of Low Rise Medium Density SEPP.

DE18.45 Additional item - State Environmental Planning Policy - Low Rise Medium Density Code

MOTION (Clr Findley / Clr Wells)

That Council apply to the Department of Planning, prior to 26 June 2018, seeking deferral from the implementation of the SEPP Low Rise Medium Density Development, for a 12 month period, to allow Council to prepare character profiles/statements for existing residential zones and to seek clarification from the Department of Planning as to:

1. How design verification statements are to address and comply with adopted character statements;
2. Who may issue such statements; and
3. If there are proposed repercussions for issuing an incorrect verification statement.

AMENDMENT (Clr Watson / Clr Proudfoot)

That Council:

1. Apply to the Department of Planning, prior to 26 June 2018, seeking deferral from the implementation of the SEPP Low Rise Medium Density Development, for a 12 month period, to allow Council to prepare character profiles/statements for existing residential zones and to seek clarification from the Department of Planning as to:
 - a. How design verification statements are to address and comply with adopted character statements;
 - b. Who may issue such statements; and
 - c. If there are proposed repercussions for issuing an incorrect verification statement.
2. Delegate authority to the General Manager to determine the final content of application to the

Department of Planning, with respect to restricting the deferral to specific areas, particularly considering the character of areas.

FOR: Clr Watson and Clr Proudfoot

AGAINST: Clr Gash, Clr Findley, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Gartner, Clr Kitchener and Russ Pigg

LOST

RESOLVED (Clr Findley / Clr Wells)

MIN18.423

That Council apply to the Department of Planning, prior to 26 June 2018, seeking deferral from the implementation of the SEPP Low Rise Medium Density Development, for a 12 month period, to allow Council to prepare character profiles/statements for existing residential zones and to seek clarification from the Department of Planning as to:

1. How design verification statements are to address and comply with adopted character statements;
2. Who may issue such statements; and
3. If there are proposed repercussions for issuing an incorrect verification statement.

FOR: Clr Gash, Clr Findley, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Gartner, Clr Kitchener and Russ Pigg

AGAINST: Clr Watson and Clr Proudfoot

CARRIED

There being no further business, the meeting concluded, the time being 5.40pm.

Clr Gash
CHAIRPERSON