

MINUTES OF THE DEVELOPMENT & ENVIRONMENT COMMITTEE

Meeting Date: Monday, 21 January 2019
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.09pm

The following members were present:

Clr Joanna Gash – Chairperson
Clr Amanda Findley – left 6.44pm
Clr John Wells
Clr Patricia White – left 6.46pm
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett
Clr Mitchell Pakes
Clr Greg Watson
Clr Bob Proudfoot
Stephen Dunshea – Acting General Manager

Apologies / Leave of Absence

An apology was received from Clr Gartner, Clr Guile and Clr Kitchener.

Confirmation of the Minutes

RESOLVED (Clr Findley / Clr White) MIN19.1
That the Minutes of the Development Committee held on Tuesday 4 December 2018 be confirmed.
CARRIED

Declarations of Interest

Nil

DEPUTATIONS AND PRESENTATIONS

The Chairperson Clr Gash acknowledged the presence of the Hon Shelley Hancock and welcomed her to the meeting.

DE19.3 – Development Application No18/1815 – 270 Back Forest Road, Back Forest Road, Back Forest – Lot 2231 DP 1034774 (page 21)

Stuart Dixon, representing Mr Peter Watts, addressed the meeting to speak against the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Wells / Clr Alldrick)

MIN19.2

That the following matters be brought forward for consideration:

- DE19.3 - Development Application No.18/1815 – 270 Back Forest Road, Back Forest – Lot 2231 DP 1034774
- DE19.5 - DE19.5 - Review of the Lake Conjola Interim Entrance Management Policy and the Citywide Dredging Feasibility Study - Conjola Estuary

CARRIED

REPORTS

DE19.3 Development Application No.18/1815 – 270 Back Forest Road, Back Forest – Lot 2231 DP 1034774

**HPERM Ref:
D18/439193**

Recommendation (Item to be determined under delegated authority)

That Development Application No.18/1815 being for the ‘construction of a rural dwelling and change of use of an existing dwelling to a rural worker’s dwelling’ be refused in accordance with the reasons contained in attachment 1. Determination.

RESOLVED (Clr Proudfoot / Clr Wells)

MIN19.3

That:

1. The Development Application No.18/1815 - 270 Back Forest Road, Back Forest – Lot 2231 DP 1034774 be approved; and
2. A further report be provided to the Council outlining appropriate conditions for consent.

FOR: Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Digiglio, Clr Alldrick, Clr Pakes, Clr Watson and Clr Proudfoot

AGAINST: Clr Findley and Stephen Dunshea

CARRIED

DE19.5 Review of the Lake Conjola Interim Entrance Management Policy and the Citywide Dredging Feasibility Study - Conjola Estuary

**HPERM Ref:
D19/10756**

Recommendation

That Council:

1. Commit to an operational and strategic review of the Lake Conjola Interim Entrance Management Plan;

2. Approach the State Government for assistance in funding the review through the 2019/20 NSW Floodplain Management Grants or Floodplain Grants Scheme or Coastal and Estuary Grant Program and any other available funding opportunities;
3. Seek a further report following the round-table discussion planned for early in the new year with The Hon. Shelley Hancock MP, the Mayor, Councillors, community representatives, government agencies and relevant Council officers, to confirm the scope of the review;
4. Allocate a budget of \$150,000 in the 2019-2020 Budget for the strategic review and community consultation; and
5. Continue water quality monitoring program at the seven (7) sites being monitored with Lake Conjola, noting that this sampling program is outside Council's current operations budget.

MOTION (Clr White / Clr Proudfoot)

That Council:

1. Commit to an operational and strategic review of the Lake Conjola Interim Entrance Management Plan:
 - a. The Conjola Community Association (CCB) be involved in discussions
 - b. A Meeting be convened in the next 2 weeks to start discussions on the review of the Entrance Management Plan.
2. Approach the State Government for assistance in funding the review through the 2019/20 NSW Floodplain Management Grants or Floodplain Grants Scheme or Coastal and Estuary Grant Program and any other available funding opportunities;
3. Seek a further report following the round-table discussion planned for early in the new year with The Hon. Shelley Hancock MP, the Mayor, Councillors, community representatives, government agencies and relevant Council officers, to confirm the scope of the review;
4. Allocate a budget of \$150,000 in the 2019-2020 Budget for the strategic review and community consultation; and
5. Continue water quality monitoring program at the seven (7) sites being monitored with Lake Conjola, noting that this sampling program is outside Council's current operations budget.
6. Continue to monitor the infrastructure for public safety and undertake maintenance where necessary on council owned infrastructure
7. Any resident who believes that their infrastructure has been damaged due to water levels should write to council and relevant agencies, outlining their concerns

AMENDMENT (Clr Findley / Clr Digiglio)

That Council:

1. Commit to an operational and strategic review of the Lake Conjola Interim Entrance Management Plan:
 - a. The Conjola Community Association (CCB) be involved in discussions
 - b. A Meeting be convened in the next 2 weeks to start discussions on the review of the Entrance Management Plan.
2. Approach the State Government for assistance in funding the review through the 2019/20 NSW Floodplain Management Grants or Floodplain Grants Scheme or Coastal and Estuary Grant Program and any other available funding opportunities;
3. Seek a further report following the round-table discussion planned for early in the new year with The Hon. Shelley Hancock MP, the Mayor, Councillors, community representatives,

- government agencies and relevant Council officers, to confirm the scope of the review;
4. Allocate a budget of \$150,000 in the 2019-2020 Budget for the strategic review and community consultation; and
 5. Continue water quality monitoring program at the seven (7) sites being monitored with Lake Conjola, noting that this sampling program is outside Council's current operations budget.
 6. Continue to monitor the infrastructure for public safety and undertake maintenance where necessary on council owned infrastructure
 7. Any resident who believes that their infrastructure has been damaged due to water levels should write to council and relevant agencies, outlining their concerns
 8. Council write to OEH and DPI Fisheries requesting environmental monitoring of Lake Conjola to ensure the current natural processes fit with the objectives for maintaining the lake as an ICOLL, and a copy of this correspondence be sent to the Member for South Coast – The Hon Shelley Hancock and all relevant Ministers
 9. Council work with the Government agencies to identify research opportunities for the effects of climate disruption on the lake and the ecologies represented.

FOR: Clr Findley, Clr Levett, Clr Digiglio, Clr Alldrick and Stephen Dunshea

AGAINST: Clr Gash, Clr White, Clr Wells, Clr Pakes, Clr Watson and Clr Proudfoot

AMENDMENT LOST

Clr Findley raised a Point of Order against Clr Pakes, bringing her comments into disrepute.

The Chairperson ruled in favour of the Point of Order.

Clr Pakes withdrew his comments.

RESOLVED (Clr White / Clr Proudfoot)

MIN19.4

That Council:

1. Commit to an operational and strategic review of the Lake Conjola Interim Entrance Management Plan:
 - a. The Conjola Community Association (CCB) be involved in discussions
 - b. A Meeting be convened in the next 2 weeks to start discussions on the review of the Entrance Management Plan.
2. Approach the State Government for assistance in funding the review through the 2019/20 NSW Floodplain Management Grants or Floodplain Grants Scheme or Coastal and Estuary Grant Program and any other available funding opportunities;
3. Seek a further report following the round-table discussion planned for early in the new year with The Hon. Shelley Hancock MP, the Mayor, Councillors, community representatives, government agencies and relevant Council officers, to confirm the scope of the review;
4. Allocate a budget of \$150,000 in the 2019-2020 Budget for the strategic review and community consultation; and
5. Continue water quality monitoring program at the seven (7) sites being monitored with Lake Conjola, noting that this sampling program is outside Council's current operations budget.
6. Continue to monitor the infrastructure for public safety and undertake maintenance where necessary on council owned infrastructure
7. Any resident who believes that their infrastructure has been damaged due to increased water levels should write to Council and relevant agencies, outlining their concerns.

FOR: Clr Findley, Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Digiglio, Clr Alldrick, Clr

Pakes, Clr Watson, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

REPORTS

**DE19.1 Proposed Amendment - Shoalhaven Development
Control Plan 2014 - Low Density Residential**

**HPERM Ref:
D18/420522**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Support the exhibition of the draft Low Density Residential 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 Low Density Residential Amendment following the conclusion of the public exhibition period.
3. Advise key stakeholders, including relevant industry representatives, of this decision.

MOTION (Clr Pakes / Clr Proudfoot)

That Council defer this matter pending a workshop of Councillors, before the Proposed Amendment – Shoalhaven DCP 2014 – Low Density Residential is placed on draft exhibition.

PROCEDURAL MOTION (Clr Wells / Clr White)

That the MOTION be PUT.

FOR: Clr Findley, Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Digiglio, Clr Alldrick, Clr Pakes, Clr Watson, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

PROCEDURAL MOTION CARRIED

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN19.5

That Council defer this matter pending a workshop of Councillors, before the Proposed Amendment – Shoalhaven DCP 2014 – Low Density Residential is placed on draft exhibition.

FOR: Clr Findley, Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Alldrick, Clr Pakes, Clr Watson, Clr Proudfoot and Stephen Dunshea

AGAINST: Clr Findley, Clr Digiglio

CARRIED

**DE19.2 Proposed Submissions - State Environmental Planning
Policies - Affordable Rental Housing**

**HPERM Ref:
D18/432461**

Recommendation (Item to be determined under delegated authority)

That Council make formal submissions to the NSW Department of Planning and Environment, by the granted extension date of 30 January 2019 consistent with **Attachments 1 & 2** on the:

1. Draft State Environmental Planning Policy No 70 – Affordable Housing (Revised Schemes)

(see **Attachment 1**); and

2. Proposed State Environmental Planning Policy (Affordable Rental Housing) 2009 amendment (see **Attachment 2**).

Note: Clr White left the meeting at 6.44pm

Note: Clr Findley left the meeting at 6.46pm

RESOLVED (Clr Digiglio / Clr Wells)

MIN19.6

That Council make formal submissions to the NSW Department of Planning and Environment, by the granted extension date of 30 January 2019 consistent with **Attachments 1 & 2** on the:

1. Draft State Environmental Planning Policy No 70 – Affordable Housing (Revised Schemes) (see **Attachment 1**); and
2. Proposed State Environmental Planning Policy (Affordable Rental Housing) 2009 amendment (see **Attachment 2**).

FOR: Clr Gash, Clr Wells, Clr Levett, Clr Digiglio, Clr Aldrick, Clr Pakes, Clr Watson, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

DE19.3 Development Application No 18/1815 – 270 Back Forest Road, Back Forest – Lot 2231 DP 1034774

HPERM REF: D18/439193

Item dealt with earlier in the meeting see MIN19.3.

DE19.4 Tallimba Subdivision, Lot 1433 DP 10084407 Tallimba Road, Bangalee

HPERM Ref: D19/9100

Recommendation (Item to be determined under delegated authority)

That the Committee note the next steps for owners with regards to biodiversity assessment presented in the report and as outlined at the meeting with residents on 9 January 2019.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN19.7

That the Committee note the next steps for owners with regards to biodiversity assessment presented in the report and as outlined at the meeting with residents on 9 January 2019.

FOR: Clr Gash, Clr Wells, Clr Levett, Clr Digiglio, Clr Aldrick, Clr Pakes, Clr Watson, Clr Proudfoot and Stephen Dunshea

AGAINST: Nil

CARRIED

DE19.5 Review of the Lake Conjola Interim Entrance Management Policy and the Citywide Dredging Feasibility Study - Conjola Estuary

HPERM REF: D19/10756

Item dealt with earlier in the meeting see MIN19.4.

There being no further business, the meeting concluded, the time being 6.55pm.

Clr Gash
CHAIRPERSON