

MINUTES OF THE DEVELOPMENT & ENVIRONMENT COMMITTEE

Meeting Date: Tuesday, 5 November 2019
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

Clr Joanna Gash - Chairperson
Clr Patricia White
Clr John Wells
Clr John Levett
Clr Nina Digiglio
Clr Annette Alldrick
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener – left 8.03pm
Clr Bob Proudfoot
Mr Stephen Dunshea - Chief Executive Officer

Apologies / Leave of Absence

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

Confirmation of the Minutes

RESOLVED (Clr White / Clr Pakes) MIN19.803

That the Minutes of the Development & Environment Committee held on Tuesday 01 October 2019 be confirmed.

CARRIED

Declarations of Interest

Nil

Call Over of the Business Paper

All items on the Agenda were withdrawn for debate.

MAYORAL MINUTES

Nil

DEPUTATIONS AND PRESENTATIONS

DE19.110 Development Application – 52 Cyrus Street Hyams Beach – Lot 58 & DP 577627

Mr Theo van Veenendaal addressed the meeting and spoke for the recommendation.

Ms Colleen Platford addressed the meeting and spoke against the recommendation.

DE19.111 Development Application - SF10689 – Greens Road GREENWELL POINT – Lot 1 DP 625828

Mr Anthony Barthelmess of Rienco Consulting, representing the owners, addressed the meeting and spoke against the recommendation.

DE19.112 Development Application – SF10741 – 636 Murramarang Road KIOLOA – Lot 9 DP 245582

Ms Susan Clelland addressed the meeting and spoke for the recommendation.

DE19.113 Exhibition Outcomes & Finalisation - Planning Proposal PP018, Draft DCP Chapter N18 and Draft Planning Agreement - 510 Beach Road, Berry

Mr Matthew Philpott, representing Allen Price & Scarratts, addressed the meeting and spoke in favour of the recommendation.

DE19.122 Review of Tabourie Lake Entrance Management Policy

Mr Mike James addressed the meeting and spoke for the recommendation.

Mr John Sandlands addressed the meeting and spoke against the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Pakes / Clr White)

MIN19.804

That the matter of the following items be brought forward for consideration:

- DE19.110 - Development Application – 52 Cyrus Street Hyams Beach – Lot 58 & DP 577627
- DE19.111 - Development Application - SF10689 – Greens Road GREENWELL POINT – Lot 1 DP 625828
- DE19.112 - Development Application SF10741 – 636 Murramarang Road KIOLOA – Lot 9 DP 245582
- DE19.113 - Exhibition Outcomes & Finalisation - Planning Proposal PP018, Draft DCP Chapter N18 and Draft Planning Agreement - 510 Beach Road, Berry
- DE19.122 - Review of Tabourie Lake Entrance Management Policy.
- DE19.124 - Potential Impact of Invasive Aquatic Weeds on Sydney Drinking Water Catchment and Shoalwater Infrastructure

CARRIED

REPORTS

DE19.110 Development Application – 52 Cyrus Street Hyams Beach – Lot 58 & DP 577627

**HPERM Ref:
D19/294076**

Recommendation (Item to be determined under delegated authority)

That Council approve Development Application DA16/1341 for demolition of the existing dwelling and construction of a two-storey dwelling and boat house situated at 52 Cyrus Street, Hyams Beach legally described as Lot 58 in DP577627, subject to the recommended conditions of consent contained in Attachment 2 of this report.

RESOLVED (Clr White / Clr Proudfoot)

MIN19.805

That:

1. Council approve Development Application DA16/1341 for demolition of the existing dwelling and construction of a two-storey dwelling at 52 Cyrus Street Hyams Beach described as Lot 58 in DP577627.
2. The boat shed and boat shed arm are not approved under this consent and are to be deleted from the Construction Certificate plans prior to issue of the Construction Certificate.
 - a. The boatshed arm and boat shed shall be deleted.
 - b. Condition 26 be amended by deletion of c, d and e.
 - c. Deletion of Conditions 8, 10 and 45.

FOR: Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Digiglio and Clr Proudfoot

AGAINST: Clr Alldrick, Clr Pakes, Clr Watson, Clr Kitchener and Stephen Dunshea

CARRIED

DE19.111 Development Application - SF10689 – Greens Road GREENWELL POINT – Lot 1 DP 625828

**HPERM Ref:
D19/306348**

Recommendation (Item to be determined under delegated authority)

That Development Application SF10689 for a 'four (4) lot Torrens Title subdivision and placement of fill to create building platforms' be determined by way of refusal for the reasons set out in the Notice of Determination (Attachment 1) to this report.

MOTION (Clr Pakes / Clr Proudfoot)

That Council approve the Development Application SF10689 for a 'four (4) lot Torrens Title subdivision and placement of fill to create building platforms' under section 4.15 subject to the conditions outlined in Attachment 2 to this report, on the following planning grounds:

1. To provide opportunity for housing on land that is zoned for Residential Development.
2. The land can be modified to provide suitable building platforms above the 1%AEP.
3. The impacts of the development can be mitigated by conditions of development consent.

MOTION (Clr Wells / Clr White)

That the MOTION be PUT.

FOR: Clr Gash, Clr White, Clr Wells, Clr Alldrick, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Clr Levett, Clr Digiglio, Clr Pakes and Clr Watson

CARRIED

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN19.806

That Council approve the Development Application SF10689 for a 'four (4) lot Torrens Title subdivision and placement of fill to create building platforms' under section 4.15 subject to the conditions outlined in Attachment 2 to this report, on the following planning grounds:

1. To provide opportunity for housing on land that is zoned for Residential Development.
2. The land can be modified to provide suitable building platforms above the 1%AEP.
3. The impacts of the development can be mitigated by conditions of development consent.

FOR: Clr Gash, Clr White, Clr Wells, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Levett, Clr Digiglio, Clr Alldrick and Stephen Dunshea

CARRIED

DE19.112 Development Application SF10741 – 636 Murramarang Road KIOLOA – Lot 9 DP 245582

HPERM Ref: D19/344549

Recommendation (Item to be determined under delegated authority)

That Council:

1. Support the request to permit the provision of new additional effluent pumpout services to proposed Lot 1 (Development Application SF10741 - 636 Murramarang Road, Kioloa)
2. Refer the application back to staff for determination.

RESOLVED (Clr White / Clr Pakes)

MIN19.807

That Council:

1. Support the request to permit the provision of new additional effluent pumpout services to proposed Lot 1 (Development Application SF10741 - 636 Murramarang Road, Kioloa)
2. Refer the application back to staff for determination.

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

AGAINST: Nil

CARRIED

DE19.113 Exhibition Outcomes & Finalisation - Planning Proposal PP018, Draft DCP Chapter N18 and Draft Planning Agreement - 510 Beach Road, Berry

HPERM Ref: D19/319484

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt and finalise the Planning Proposal (PP018) as exhibited with the changes outlined in this report.
2. Adopt and finalise Chapter N28 of Shoalhaven Development Control Plan (DCP) 2014 (Amendment 36) as exhibited with the changes outlined in this report.

3. Based on advice from the Environment, Energy and Science (EES) group of the NSW Department of Planning, Industry and Environment (DPIE) that Council is not required to be a party to the Planning Agreement, liaise with the proponent and EES to have Council removed from the final Planning Agreement.
4. To ensure that the legal mechanism for the transfer of the E1 land to NPWS is secured, only forward the Planning Proposal to DPIE for finalisation after the Planning Agreement has been signed by both parties.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN19.808

That Council:

1. Adopt and finalise the Planning Proposal (PP018) as exhibited with the changes outlined in this report.
2. Adopt and finalise Chapter N28 of Shoalhaven Development Control Plan (DCP) 2014 (Amendment 36) as exhibited with the changes outlined in this report.
3. Based on advice from the Environment, Energy and Science (EES) group of the NSW Department of Planning, Industry and Environment (DPIE) that Council is not required to be a party to the Planning Agreement, liaise with the proponent and EES to have Council removed from the final Planning Agreement.
4. To ensure the legal mechanism for the transfer of the E1 land to NPWS is secured, forward the PP to DPIE for finalisation and advise them that the notification of the amended LEP cannot occur until the VPA with OEH is signed by both parties.

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

AGAINST: Nil

CARRIED

DE19.122 Review of Tabourie Lake Entrance Management Policy

**HPERM Ref:
D19/345193**

Recommendation (Item to be determined under delegated authority)

That Council adopt the Tabourie Lake Entrance Management Policy (June 2019), with the policy recommendation to increase the trigger level, for mechanical opening, from 1.17m AHD to 1.3m AHD.

RESOLVED (Clr White / Clr Proudfoot)

MIN19.809

That Council adopt the Tabourie Lake Entrance Management Policy (June 2019), with the policy recommendation to retain the trigger level, for mechanical opening, of 1.17m AHD.

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

AGAINST: Clr Levett and Clr Digiglio

CARRIED

**DE19.124 Potential Impact of Invasive Aquatic Weeds on Sydney
Drinking Water Catchment and Shoalwater
Infrastructure**

**HPERM Ref:
D19/342970**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Write to the Minister for Agriculture and Western New South Wales, urging the Department to introduce a Special Biosecurity Zone for management of aquatic weeds in the WaterNSW Sydney Drinking Water Catchment and Shoalhaven River Catchment;
2. Write to the Illawarra Shoalhaven Joint Organisation (ISJO) seeking their support for establishment of the Special Biosecurity Zone;
3. Write to other councils that have land management roles in the broader Sydney Drinking Water Catchment seeking their support for establishment of the Special Biosecurity Zone. These councils are:
 - a. Wollondilly Shire Council;
 - b. Wingecarribee Shire Council;
 - c. Blue Mountains City Council;
 - d. Lithgow City Council;
 - e. Goulburn Mulwaree Council;
 - f. Queanbeyan Palerang Regional Council;
 - g. Oberon Council; and
 - h. Upper Lachlan Shire Council.
4. Write to the Local Land Services regional weed committees that are established in the catchment area seeking their support for establishment of the Special Biosecurity Zone. These weeds committees are:
 - a. South East Regional Weed Committee;
 - b. Greater Sydney Regional Weed Committee; and
 - c. Central Tableland Regional Weed Committee.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN19.810

That Council:

1. Write to the Minister for Agriculture and Western New South Wales, urging the Department to introduce a Special Biosecurity Zone for management of aquatic weeds in the WaterNSW Sydney Drinking Water Catchment and Shoalhaven River Catchment;
2. Write to the Illawarra Shoalhaven Joint Organisation (ISJO) seeking their support for establishment of the Special Biosecurity Zone;
3. Write to other councils that have land management roles in the broader Sydney Drinking Water Catchment seeking their support for establishment of the Special Biosecurity Zone. These councils are:
 - a. Wollondilly Shire Council;
 - b. Wingecarribee Shire Council;
 - c. Blue Mountains City Council;
 - d. Lithgow City Council;
 - e. Goulburn Mulwaree Council;

- f. Queanbeyan Palerang Regional Council;
 - g. Oberon Council; and
 - h. Upper Lachlan Shire Council.
4. Write to the Local Land Services regional weed committees that are established in the catchment area seeking their support for establishment of the Special Biosecurity Zone. These weeds committees are:
- a. South East Regional Weed Committee;
 - b. Greater Sydney Regional Weed Committee; and
 - c. Central Tableland Regional Weed Committee.

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

AGAINST: Nil

CARRIED

DE19.108 Updated - Parkcare Action Plans - Shoalhaven Heads Native Botanic Gardens / Kings Point / Nashos Rotary Park / Plantation Point	HPERM REF: D19/293353
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Item dealt with earlier in the meeting see MIN19.811

DE19.109 Draft Low Density Residential Amendment - Shoalhaven DCP 2014 (DCP2014.25) - Post Exhibition Consideration and Finalisation	HPERM REF: D19/332187
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Item dealt with earlier in the meeting see MIN19.812

DE19.110 Development Application – 52 Cyrus Street Hyams Beach – Lot 58 & DP 577627	HPERM REF: D19/294076
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Item dealt with earlier in the meeting see MIN19.805

DE19.111 Development Application - SF10689 – Greens Road Greenwell Point – Lot 1 DP 625828	HPERM REF: D19/306348
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Item dealt with earlier in the meeting see MIN19.806

DE19.112 Development Application SF10741 – 636 Murramarang Road Kioloa – Lot 9 DP 245582	HPERM REF: D19/344549
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Item dealt with earlier in the meeting see MIN19.807

DE19.113 Exhibition Outcomes & Finalisation - Planning Proposal PP018, Draft DCP Chapter N18 and Draft Planning Agreement - 510 Beach Road, Berry	HPERM REF: D19/319484
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Item dealt with earlier in the meeting see MIN19.808

Procedural Motion - Adjournment of Meeting

MOTION (Clr Proudfoot / Clr Levett)

That the meeting be adjourned for 5 minutes.

CARRIED

Note: The meeting was adjourned, the time being 7.08pm.

Note: The meeting reconvened, the time being 7.16pm

The following members were present:

Clr Joanna Gash - Chairperson
Clr Patricia White
Clr John Wells
Clr John Levett
Clr Nina Digiglio
Clr Annette Alldrick
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Stephen Dunshea - Chief Executive Officer

**DE19.108 Updated - Parkcare Action Plans - Shoalhaven Heads
Native Botanic Gardens / Kings Point / Nashos Rotary
Park / Plantation Point**

**HPERM Ref:
D19/293353**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Endorse the updated 'Parkcare' plans for Shoalhaven Heads Native Botanic Gardens (previously known as Curtis Park Arboretum Parkcare Group), Kings Point, Nashos Rotary Park and Plantation Point.
2. Continue to allocate ongoing annual funding of \$400 (CPI adjusted and exc GST) per each group to cover safety PPE, miscellaneous materials, waste disposal and purchase of minor tools.

RESOLVED (Clr White / Clr Proudfoot)

MIN19.811

That Council:

1. Endorse the updated 'Parkcare' plans for Shoalhaven Heads Native Botanic Gardens (previously known as Curtis Park Arboretum Parkcare Group), Kings Point, Nashos Rotary Park and Plantation Point.
2. Continue to allocate ongoing annual funding of \$400 (CPI adjusted and exc GST) per each group to cover safety PPE, miscellaneous materials, waste disposal and purchase of minor tools.

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

AGAINST: Nil

CARRIED

**DE19.109 Draft Low Density Residential Amendment - Shoalhaven
DCP 2014 (DCP2014.25) - Post Exhibition Consideration
and Finalisation**

**HPERM Ref:
D19/332187**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt the draft Low Density Residential Amendment (the Amendment) as exhibited, with the inclusion of the changes to draft Chapter G12 as shown in Attachment 2, based on:
 - a. The summary of submissions at Attachment 1.
 - b. The amendments in Table 1 in this Report that were proposed at the 3 September 2019 Development & Environment Committee meeting; as modified by the Staff recommendations in Column 2 of Table 1.
2. Notify the adoption of the Amendment in local newspapers in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulations.
3. Rescind existing Chapter G12: Dwelling Houses, Rural Worker's Dwellings, Additions and Ancillary Structures of Shoalhaven Development Control 2014 when the Amendment is made effective.
4. Advise key stakeholders, including relevant industry representatives, of this decision and when the Amendment will be made effective.

MOTION (Clr Pakes / Clr Watson)

That the item be deferred until the Ordinary meeting of Council to be held on 28 November, to allow staff to provide advice to Council on opportunities to include more flexibility in the ancillary structures clause.

FOR: Clr Pakes and Clr Watson

AGAINST: Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Digiglio, Clr Alldrick, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

LOST

MOTION (RESOLVED) (Clr Proudfoot / Clr Pakes)

MIN19.812

1. Adopt the draft Low Density Residential Amendment (the Amendment) as exhibited, with the inclusion of the changes to draft Chapter G12 as shown in Attachment 2, based on:
 - a. The summary of submissions at Attachment 1.
 - b. The amendments in Column 1 of Table 1 in this Report that were proposed at the 3 September 2019 Development & Environment Committee meeting. Amendment 'e.' in Column 1 is to be corrected to refer to dot point 2. Acceptable solution A33.2 and associated table 4 and figure 10 are retained as exhibited.
2. Notify the adoption of the Amendment in local newspapers in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and Regulations.
3. Rescind existing Chapter G12: Dwelling Houses, Rural Worker's Dwellings, Additions and Ancillary Structures of Shoalhaven Development Control 2014 when the Amendment is made effective.
4. Advise key stakeholders, including relevant industry representatives, of this decision and when the Amendment will be made effective.

FOR: Clr Gash, Clr White, Clr Wells, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Clr Levett, Clr Digiglio and Clr Alldrick
CARRIED

DE19.114 Quarterly review for compliance matters

**HPERM Ref:
D19/317494**

Recommendation (Item to be determined under delegated authority)

That Council receive the quarterly report on compliance matters for information.

RESOLVED (Clr Proudfoot / Clr White)

MIN19.813

That

1. Council receive the quarterly report on compliance matters for information.
2. Beach patrols also be provided at Paradise Beach and that Mr Roderick George where possible be involved in discussion at this area.

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

AGAINST: Clr Watson

CARRIED

Note: Clr Kitchener left the meeting at 8:03pm

**DE19.115 Shoalhaven City Council - Mobile Food Vans in the LGA
- Private and Public Lands - SEPP Exempt & Complying
Development - Business Impacts**

**HPERM Ref:
D19/342833**

Recommendation (Item to be determined under delegated authority)

Council receive and note the response from the NSW Department of Planning Industry and Environment concerning the mobile food vans on private and public lands.

RESOLVED (Clr White / Clr Wells)

MIN19.814

Council receive and note the response from the NSW Department of Planning Industry and Environment concerning the mobile food vans on private and public lands.

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

AGAINST: Nil

CARRIED

**DE19.116 Draft Shoalhaven Tree and Vegetation Vandalism
Prevention Policy - Post Exhibition Consideration and
Finalisation**

**HPERM Ref:
D19/318186**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt the draft Shoalhaven Tree and Vegetation Vandalism Prevention Policy as exhibited, with amendments following consideration of Summary of Submissions for Shoalhaven Tree

and Vegetation Vandalism Prevention Policy received during public exhibition as highlighted in Attachment 1;

2. Notify the adoption of the Policy to all who made a submission and CCBs;
3. Notify the adoption of the Policy via media release and provide a link on Council's website to the new Policy;
4. Advise key stakeholders, including relevant industry representatives, of this decision, and when the Policy will be made effective; and
5. Amend Council's Foreshore Reserves Policy and Compliance Policy to reference the Shoalhaven Tree and Vegetation Vandalism Prevention Policy.

RESOLVED (Clr Digiglio / Clr Levett)

MIN19.815

That Council:

1. Adopt the draft Shoalhaven Tree and Vegetation Vandalism Prevention Policy as exhibited, with amendments following consideration of Summary of Submissions for Shoalhaven Tree and Vegetation Vandalism Prevention Policy received during public exhibition as highlighted in Attachment 1;
2. Notify the adoption of the Policy to all who made a submission and CCBs;
3. Notify the adoption of the Policy via media release and provide a link on Council's website to the new Policy;
4. Advise key stakeholders, including relevant industry representatives, of this decision, and when the Policy will be made effective; and
5. Amend Council's Foreshore Reserves Policy and Compliance Policy to reference the Shoalhaven Tree and Vegetation Vandalism Prevention Policy.

FOR: Clr Gash, Clr Wells, Clr Levett, Clr Digiglio, Clr Alldrick and Stephen Dunshea

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

CARRIED

**DE19.117 Berry Grey-headed Flying-fox Camp Emergency Grant
2019**

**HPERM Ref:
D19/350495**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Accept the grant funding of \$17,469 from Local Government NSW;
2. Council support the grant with a \$50,000 in-kind commitment from existing operational budget to manage the ongoing flying fox issues currently experienced in the Shoalhaven LGA; and
3. Write to the Minister of Local Government NSW and the State Member for Kiama thanking them for the grant funding and also outlining concerns regarding the reduction in grant funding and seeking restoration of the full funding of \$50,000 for this round and into the future.

RESOLVED (Clr Wells / Clr White)

MIN19.816

That Council:

1. Accept the grant funding of \$17,469 from Local Government NSW;
2. Council support the grant with a \$50,000 in-kind commitment from existing operational budget to manage the ongoing flying fox issues currently experienced in the Shoalhaven LGA; and

3. Write to the Minister of Local Government NSW and the State Member for Kiama thanking them for the grant funding and also outlining concerns regarding the reduction in grant funding and seeking restoration of the full funding of \$50,000 for this round and into the future.

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

AGAINST: Nil

CARRIED

DE19.118 Proposed 2019 Heritage Housekeeping Amendment - Shoalhaven Local Environmental Plan 2014 (PP036)

HPERM Ref: D19/250223

Recommendation (Item to be determined under delegated authority)

That Council:

1. Submit the 2019 Heritage Housekeeping Amendment Planning Proposal (PP036) to the NSW Department of Planning, Industry and Environment for initial Gateway determination and, if favourable, proceed to formal public exhibition in accordance with the terms of the determination and legislative requirements.
2. Advise key stakeholders, including relevant Community Consultative Bodies and any directly affected landowners, of the public exhibition arrangements.
3. Receive a further report on PP036 following the conclusion of the public exhibition period.

RESOLVED (Clr White / Clr Digiglio)

MIN19.817

That Council:

1. Submit the 2019 Heritage Housekeeping Amendment Planning Proposal (PP036) to the NSW Department of Planning, Industry and Environment for initial Gateway determination and, if favourable, proceed to formal public exhibition in accordance with the terms of the determination and legislative requirements.
2. Advise key stakeholders, including relevant Community Consultative Bodies and any directly affected landowners, of the public exhibition arrangements.
3. Receive a further report on PP036 following the conclusion of the public exhibition period.

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

AGAINST: Nil

CARRIED

DE19.119 Public Exhibition Outcomes - Proposed Finalisation - Coastal Hazard Review Planning Proposal and Coastal Management Areas DCP Amendment

HPERM Ref: D19/335874

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt the Planning Proposal (PP026) as exhibited and forward to the NSW Department of Planning, Industry and Environment (DPIE) for finalisation.
2. Adopt and finalise the Shoalhaven Development Control Plan 2014 Chapter G6: Coastal Management Areas Amendment as exhibited, with the inclusion of the changes highlighted in

Attachment 2.

3. Advise key stakeholders, including all CCBs, relevant industry representatives, submitters and/or people who attended the community information session, of this decision, and when the LEP and DCP amendments will be made effective.

RESOLVED (Clr Wells / Clr Digiglio)

MIN19.818

That Council:

1. Adopt the Planning Proposal (PP026) as exhibited and forward to the NSW Department of Planning, Industry and Environment (DPIE) for finalisation.
2. Adopt and finalise the Shoalhaven Development Control Plan 2014 Chapter G6: Coastal Management Areas Amendment as exhibited, with the inclusion of the changes highlighted in Attachment 2.
3. Advise key stakeholders, including all CCBs, relevant industry representatives, submitters and/or people who attended the community information session, of this decision, and when the LEP and DCP amendments will be made effective.

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

AGAINST: Clr Pakes

CARRIED

DE19.120 NOM - Narrawallee Beach Victor Way - Beach Access Stairs

HPERM Ref: D19/325806

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive the report on the update of Notice of Motion to upgrade the Victor Avenue beach access stairs at Narrawallee Beach for information;
2. Endorse staff to seek further geotechnical advice on the slope stability, to inform the design to widen the concrete step section, along the existing alignment;
3. Endorse for inclusion in the design, a crossing point on the steps for periods of heavy use; and
4. Staff report the results of the geotechnical advice back to Council, including design options and detailed costings of design and construction.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN19.819

That Council:

1. Receive the report on the update of Notice of Motion to upgrade the Victor Avenue beach access stairs at Narrawallee Beach for information;
2. Endorse staff to seek further geotechnical advice on the slope stability, to inform the design to widen the concrete step section, along the existing alignment;
3. Endorse for inclusion in the design, a crossing point on the steps for periods of heavy use; and
4. Staff report the results of the geotechnical advice back to Council, including design options and detailed costings of design and construction.
5. Organise an onsite meeting with staff and available Councillors to determine the location and type of barrier to be installed at the rear of the beach.

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

AGAINST: Nil

CARRIED

DE19.121 NOM - St Georges Basin & River Entrance Sussex Inlet - Safe Navigation - Seek Grant Funding - Contact State Minister - Review Classification as ICOLL

HPERM Ref: D19/320589

Recommendation (Item to be determined under delegated authority)

That Council:

1. Note the amendment to map Figure 1.1 – Shoalhaven Coastal Zone in the 2018 Coastal Zone Management Plan for the Shoalhaven Coastline removing the notation of Sussex Inlet as a Council managed entrance as this was an error in the document;
2. Approach the relevant NSW Department to assist Council undertaking a hydrographic survey of Sussex Inlet and a seismic survey in key locations identified as potentially having rock ballast and apply for funding assistance through the Marine Infrastructure Delivery Office or other relevant grant programs; and
3. List for consideration in future quarterly budgets reviews the allocation of up to \$30,000 to contribute to the surveys and preparation of a navigation study to inform the preparation of the coastal management program (CMP) for St Georges Basin and Sussex Inlet.

RESOLVED (Clr White / Clr Watson)

MIN19.820

That Council:

1. Note the amendment to map Figure 1.1 – Shoalhaven Coastal Zone in the 2018 Coastal Zone Management Plan for the Shoalhaven Coastline removing the notation of Sussex Inlet as a Council managed entrance as this was an error in the document;
2. Approach the relevant NSW Department to assist Council undertaking a hydrographic survey of Sussex Inlet and a seismic survey in key locations identified as potentially having rock ballast and apply for funding assistance through the Marine Infrastructure Delivery Office or other relevant grant programs; and
3. List for consideration in future quarterly budgets reviews the allocation of up to \$30,000 to contribute to the surveys and preparation of a navigation study to inform the preparation of the coastal management program (CMP) for St Georges Basin and Sussex Inlet.

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

AGAINST: Nil

CARRIED

DE19.122 Review Of Tabourie Lake Entrance Management Policy

HPERM REF: D19/345193

Item dealt with earlier in the meeting see MIN19.809

DE19.123 Lake Conjola Entrance Update and other matters relating to Mayoral Minute MIN19.143

HPERM Ref: D19/349266

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive the report providing an update on Parts 3, 8 and 10 of the Mayoral Minute (MIN19.143) regarding Lake Conjola for information; and
2. No longer seek approval from the NSW Government Ministers of Crown Lands, Office Environment and Heritage and Department of Primary Industries (Fisheries) to immediately prepare and maintain a “dry notch” at the entrance to Lake Conjola to allow “break out” of the lake should flooding occur.

RESOLVED (Clr Digiglio / Clr Wells)

MIN19.821

That Council:

1. Receive the report providing an update on Parts 3, 8 and 10 of the Mayoral Minute (MIN19.143) regarding Lake Conjola for information; and
2. No longer seek approval from the NSW Government Ministers of Crown Lands, Office Environment and Heritage and Department of Primary Industries (Fisheries) to immediately prepare and maintain a “dry notch” at the entrance to Lake Conjola to allow “break out” of the lake should flooding occur.

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

AGAINST: Nil

CARRIED

DE19.124 Potential Impact of Invasive Aquatic Weeds on Sydney Drinking Water Catchment and Shoalwater Infrastructure

HPERM REF: D19/342970

Item dealt with earlier in the meeting see MIN19.810

DE19.125 Drought Management - Implementation of Water Restrictions

HPERM Ref: D19/364372

Recommendation (Item to be determined under delegated authority)

That Council

1. Note the current water supply situation.
2. Implement Level 1 Water Restrictions from 2 December 2019 irrespective of trigger levels in Council’s Drought Management Plan being met.
3. Undertake a full review of the Drought Management Plan, incorporating “Permanent Water Conservation Measures”, following the recent community survey.
4. Receive a further report at the completion of a revised Draft Drought Management Plan, prior to public exhibition.
5. Review and implement marketing strategies to support the key findings and recommendations from the “Communicating Water Restrictions in the Shoalhaven LGA” Report, August 2019.

RESOLVED (Clr Watson / Clr Pakes)

MIN19.822

That Council

1. Note the current water supply situation.
2. Implement Level 1 Water Restrictions irrespective of trigger levels in Council's Drought Management Plan being met.
3. Not implement Level 1 Water Restrictions from 2 December 2019 if there is a significant rainfall event that will alter the situation.

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

AGAINST: Nil

CARRIED

There being no further business, the meeting concluded, the time being 8.26pm.

Clr Gash
CHAIRPERSON