

Ordinary Meeting

Meeting Date: Tuesday, 24 March, 2026

Location: The Studio, Shoalhaven Entertainment Centre, Bridge Road, Nowra

The following information was provided to Councillors in response to questions submitted to the CEO prior to the Council Meeting. The information is published in accordance with Section 3.32 of the Code of Meeting Practice.

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CL26.39 – Notice of Motion - Car Parking and Landscaping Controls for Medium Density – Proposed Amendment to the Shoalhaven Development Control Plan 2014**Questions:** Clr Boyd

The DCP wording that is subject to this NoM was proposed as a Mayoral Minute so there is not a great deal of information or detailed staff report. According to the Mayoral Minute these changes were sought to address community concerns raised since 2018.

1. After 5 years of community concern, what happened to trigger the Mayoral Minute?
2. Were the changes proposed in the Mayoral Minute supported by staff?
3. Is a Mayoral Minute or a Notice of Motion an unusual way of initiating changes to the DCP?
4. Would this matter be more efficiently dealt with in the context of Stage 2 of the Planning Scheme?

The depute at the Public Forum intimated that the pattern book designs developed by the State Government for medium density housing could not be used with the current DCP specifications.

5. Is this the case?

Questions: Clr Tribe

6. How is this similar to what we have in place and how does it differ?
7. What unintended consequences can you foresee if this is adopted?
8. What does 1.5 car spaces mean and is it realistic in rural/regional areas?
9. Would this cover the whole Shoalhaven not just CBD's?
10. Any other comments worth noting?

Answer 1: Director – City Development

It is understood that it the previous changes arose (via Mayoral Minute) responding to repeated concerns coming from the broader community around overdevelopment resulting from 2019 changes that were made to the medium density components of the DCP. The Mayoral Minute also referenced examples with two developments that had been called in by Council at Mollymook Beach (attached dual occupancy). Prior to this, the 2019 changes were prompted by an earlier Notice of Motion in December 2018 (MIN18.993) related to setbacks, landscaping, storage and other changes.

Answer 2: Director – City Development

The Mayoral Minute in March 2022 triggered a detailed review of submissions relating to relevant applicable DAs and subsequent detailed reports to Council (September 2022, August 2023 and February 2024). The reports lead to the current version of the DCP Chapter adopted by Council in February 2024.

Answer 3: Director – City Development

Best Practice is to see the DCP reviewed as an entire document, as changes to one chapter can implicate another. Planning reforms initiated by industry or Government priorities are often a nexus to amending the DCP. Benchmarking against other NSW Councils, it is unusual for a DCP review to be initiated through these means. The Primary path for review are strategic planning obligations and staff-initiated in alignment with Local Strategic Planning Statement and state lead change and reform. Mayoral Minute or a Notice of Motion initiation do happen with occasional frequency but are localised and reactive in nature. While staff lead in strategic, reform-driven reviews, 5–10% of targeted, specific and often contentious, amendments may stem from councillor-driven NOMs or Mayoral Minutes. Most

councils would have a low-frequency use of these methods to initiate this type of work because of resource constraints. These sorts of projects require detailed consideration and research which tie up resources outside of existing programs under DPOP actions and other strategic instruments that establish priorities for staff.

Answer 4: Director – City Development

Ideally, yes. Changes of this nature require detailed consideration in the overall strategic planning context as the DCP does not work alone in guiding development. There are other instruments involved such as the LEP, State Environmental Planning Policies, guidelines, regulations that all relate to development also and as such as part of the strategic work program. Recently, as part of MIN25.601 (25 November 2025) resolutions that decided the New Land Use Planning Scheme work it was resolved to;

Answer 5: Director – City Development

If a low-rise NSW Pattern Book design complies with [Part 3BA](#) of the Code SEPP, then it can be approved as complying development. This means **no DA is required** and consideration of the DCP is not required at all.

In a hypothetical scenario where a multi-dwelling proposal does not meet the site or location requirements needed for the complying development pathway - and instead seeks approval for a modified pattern through a DA, for areas outside the low- and mid-rise (LMR) housing areas, on staffs preliminary review the patterns appear to be consistent with DCP Chapters G13 and G21. Further detail is provided below.

The low-rise patterns are specifically designed to increase density within LMR housing areas, which in Shoalhaven occur only on defined area within 800 m of the Nowra and Bomaderry Town Centres. Many of the more compact designs (including those without car parking) are unsuitable for non-LMR areas. Only some patterns include adaptation options that can be used outside LMR areas.

The technical sets and adaptation plans have not been purchased/viewed by staff at yet, so not possible to complete a detailed and full comparison against DCP landscaping, parking and amenity requirements at this time. However, based on the publicly available plans, the following observations are made:

- **Landscaping:** Pattern Book developments must comply with the [NSW Pattern Book Landscape Guide](#), which regulates species selection, paving, turf areas and other elements. Based on the plans and lot size requirements, landscaping outcomes appear consistent with, or may exceed, DCP standards, including greater deep soil requirements (25% of site area) and limits on turf and non-permeable surfaces over the site.
- **Private open space:** Principal private open space is not located forward of the building line, this is consistent with the DCP.
- **Screen fencing:** Screen fencing to private open space is not located forward of the front building line. The DCP allows a 1m encroachment.
- **Car parking:** For 2–3 bedroom dwellings, one space is provided behind the building line (garage or carport) and a second space is located in the driveway within the lot. This aligns with the DCP Chapter G21 requirement for at least one space behind the building line for dual occupancies and attached dwellings of similar scale (No. of beds) facing a public road. Some four bed patterns are available which provide no parking, suggesting they are intended only for the inner LMR areas (good public transport, walking access to services etc). Full confirmation would require access to the full pattern specifications.

The deputation also raised multi-dwelling development in town centres and the potential to reduce visitor parking. Under the DCP Chapter G21, where a development is within 400 m

(measured along an existing pedestrian route) of a retail centre with more than 50 publicly accessible parking spaces, visitor parking may be reduced on merit.

The above only compares the elements in the DCP that the NoM seeks to change or remove.

Answer 6: Director – City Development

The changes suggested to the detailed DCP provisions have not been interrogated or reviewed in depth by staff at this point given other pressing priorities and timing. However generally the changes appear to modify and lessen the current landscaping, private open space and car parking controls or requirements in the DCP related to medium density development forms (dual occupancies, units etc).

Answer 7: Director – City Development

There could be various unintended consequences to community and neighbourhood amenity, character, landscaping, traffic, car parking that need to be assessed and considered in far more detail.

Answer 8: Director – City Development

It will potentially result in a reduction in the number of car parking spaces provided on site in this form of development. This could be problematic given the lack of public transport options in the Shoalhaven and is likely to result in more street parking and possible localised regular congestion.

Answer 9: Director – City Development

The proposed changes will apply as relevant throughout the City where medium density forms of development (e.g. Dual Occupancies, units etc.) are permissible and not just to town centres or similar. For example, ‘dual occupancies’ are permissible in the R2 Low Density Residential zone under Shoalhaven LEP 2014 – this is this is the dominant residential zone in urban area throughout the Shoalhaven.

Answer 10: Director – City Development

Please see below the timeline and comments related to the current DCP provisions that resulted from the Mayoral Minute in March 2022 that triggered a process involving a detailed review by staff and subsequent detailed reports to Council (September 2022, August 2023 and February 2024). This resulted in the current version of the DCP Chapter adopted by Council, February 2024.

- Started in **March 2022** from a Mayoral Minute where it was resolved.

RESOLVED (Clr Findley / Clr D'Ath)

MIN22.197

That Council receive a report as soon as practicable that:

- 1. Considers issues presented by members of the Shoalhaven Community regarding medium density development relating to car parking, private open space, landscaping and accessibility (not exclusively) that have arisen since 2019 when changes occurred.*
- 2. Recommends a range of possible resulting improvements that could be made to Chapter G13: Medium Density and Other Residential Development of Shoalhaven Development Control Plan 2014 (and other chapters of the DCP if required) to address these concerns, including the preparation of a potential draft Chapter G13 for consideration.*

FOR: Clr Findley, Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson and Clr Gray

AGAINST: Nil

- **September 2022** - Report back, including discussion paper. Resolved as recommended – proceed to prepare DCP Amendment.
- **August 2026** – Report to proceed to exhibited amendments
- **February 2024** – Report back post exhibition. Resolved to finalise. Amendment commenced 28 February 2024.

Only one community submission and NO feedback from the development industry despite Council notifying the development industry contacts list (approx. 85 companies etc) through the process as follows:

- 03/10/23 Draft DCP Public exhibition arrangements
- 09/02/24 Post exhibition consideration - Notification of Council meeting
- 19/02/24 Advised of Council adoption of amendment, noting it would become effective on 28 Feb 2024

Information Summary for Links to Relevant Documents:

**Relevant Background Amendment
No. 51 to Shoalhaven DCP 2014
Relevant Medium Density Provision
(Adopted by Council Feb 2024)**

1. Initiated following a Mayoral Minute (MM22.4) considered by Council 28 March 2022.

The can be viewed [here](#) (PDF page 4) and the resultant resolution [here](#) (PDF page 2)
2. Resulted in a detailed report 'Medium Density Housing Review' to Council dated 12 September 2022.

The report can be viewed [here](#) (PDF Page 52) and the resultant resolution [here](#) (PDF Page 16)
3. Report back to Council on the possible resulting improvements to DCP Chapter G13: Medium Density (presented drafts for consideration to proceed to exhibition) dated 28 August 2023.

The report can be viewed [here](#) (PDF Page 12) and the resultant resolution [here](#)
4. The draft DCP review package proceed to exhibition for review and comment from 4 October until 3 November 2023.
5. The post exhibition finalisation report was considered by Council on 12 February 2024 - it was resolved to adopt the relevant changes to the DCP.

The report CL24.28 can be viewed [here](#) (PDF Page 9) and resultant resolution [here](#) (PDF Page 5).
6. DCP Amendment No.51 then came into effect on 28 February 2024

CL26.44 – Notice of Motion - Creation of Big Spotty Flora Reserve

Question: Clr Steele

I am of the understanding that this item was raised during the last term of council and that we actually had an official from the Forestry Commission do a deputation at this meeting.

I am hoping you might be able to locate and provide for me any deputations, either by documentation or video of live deputations, from this prior council meeting relating to this matter.

Answer: Director – City Performance

Council did not receive an official request from the Forestry Corporation to give a deputation on the above item.

Correspondence dated 28 April 2023 was received from Forestry Corporation following the Ordinary Meeting of Council on 23 April 2023. A copy of this letter is attached ([ATTACHMENT 1 – Letter dated 28 April 2023 from Forestry Corporation](#)) for your information, please note that this letter includes redactions as per the NSW GIPA Act 2009.

CL26.47 – Illawarra Shoalhaven Joint Organisation - NSW Government Review

Questions: Clr Boyd

1. As we move towards implementing green bins has SCC been able to incorporate learning from FOGO contamination project conducted by Shellharbour Wollongong and Kiama Councils. That is, have we benefitted from the Joint Organisation concept or has SCC gathered info from across the State?
2. It is in SCC interest to co-operate with/learn from any Council that it needs to implement new initiatives and facilitate efficiencies in any Council operation or activity. What value does the proposed expanded Joint organisation add?

Questions: Clr Steele

3. What are the benefits gained (along with financial indicators) by the association with ISJO, as well as the costs that would be associated with withdrawing from the ISJO, in terms of both short-term costs and long-term costs to do for ourselves what ISJO currently do.
4. Is there any evidence of benefits to joining with more populated regions such as the proposed LGAs?
5. Also, what are the potential costs to the Shoalhaven of a merger with Macarther and Southern Highland Regions etc.?

Answer 1: Director – Shoalhaven Water

The recent ISJO FOGO contamination project has been focused on disposal and recovery options for the contaminated fraction of waste reject material after FOGO (green bin) material has been processed. The report highlighted that the contamination material can be costly to dispose through several different pathways. We will use the learnings from the report as we investigate the roll out of green bins in the Shoalhaven.

The project has confirmed there is a high cost to contamination within the green bin and therefore there is a need to consider contamination reduction strategies as a critical element of the FOGO service. For example, removing the FOGO service from households that contaminate bins. Research shows the majority of contamination comes from a small minority of households.

Answer 2: Chief Executive Officer

At this stage, the LG8 Alliance is a non-statutory advocacy partnership that extends Shoalhaven City Council's strategic reach beyond the Illawarra Shoalhaven Joint Organisation (ISJO).

The ISJO remains the legislated Joint Organisation responsible for regional planning and formal inter-council collaboration. By contrast, the LG8 brings together eight neighbouring councils: Wollongong, Shellharbour, Kiama, Shoalhaven, Wingecarribee, Camden, Wollondilly and Campbelltown to provide a stronger collective voice when engaging with State and Federal Governments on matters of shared regional significance.

This collaboration is being led by Wollongong City Council, with Lord Mayor Brown playing a key convening role. The intent is to create a broader advocacy body capable of influencing major infrastructure, economic and workforce priorities that extend beyond the existing ISJO footprint.

For Shoalhaven, the primary value of participating in a broader alliance is strengthened advocacy for rail and road connections linking the region to Western Sydney International Airport. This includes improved freight and supply chain connectivity, workforce development across the region, particularly in the health sector, and support for growth in adventure and visitor tourism. These are areas where collective advocacy across a larger geography is more likely to achieve results than individual Council efforts.

Unless the NSW Government determines otherwise, the ISJO will continue to operate as the statutory Joint Organisation and manage operational regional initiatives such as the Regional Energy Strategy. The LG8 should be understood as a high-level political and advocacy forum rather than an additional layer of governance or service delivery.

Any future structural change to Joint Organisations would be expected to absorb the existing ISJO rather than create a parallel or additional layer of bureaucracy. At this stage, participation in the LG8 does not involve a formal Joint Organisation structure or additional membership fees for Council. Any future cost implications would be subject to a separate decision by Council once governance, funding and fee arrangements if any are clearly defined.

Matters specific to Shoalhaven, such as coastal management, environmental protection, and other place-based responsibilities, would continue to be managed by Shoalhaven City Council and, where relevant, through existing statutory arrangements such as the ISJO. The LG8 is not intended to address local operational issues, but rather to focus on shared, cross-regional priorities where a collective voice adds value. Regardless of the final model or footprint, Shoalhaven City Council would continue to advocate for issues directly relevant to our local communities while participating in regional collaborations that support improved outcomes for the broader region.

Answers 3-5: Chief Executive Officer

The primary benefit of Shoalhaven City Council's membership in the Illawarra Shoalhaven Joint Organisation (ISJO) is its collective advocacy capability, particularly in securing State and Federal support for large-scale infrastructure and strategic projects that would be difficult for a single council to achieve independently. The core strategic benefits include regional advocacy and leadership, intergovernmental collaboration, and economies of scale.

As a member of the [ISJO Board](#), Shoalhaven's Mayor works alongside other regional leaders to advocate for the interests of the Shoalhaven community, ensuring local priorities are represented and heard at senior levels of government. The ISJO provides a direct and established forum for engagement with NSW and Commonwealth agencies, supporting coordinated planning for regional infrastructure, investment attraction, and long-term economic development. Through this collaboration, Shoalhaven also benefits from shared services and administrative efficiencies, which help to reduce individual council costs while maintaining service quality.

Shoalhaven City Council currently pays an annual membership fee of \$63,800. Additional time would be required to provide a detailed breakdown of the precise short-term and long-term costs and benefits associated with ISJO membership, including any indirect financial or operational efficiencies.

At this stage, the LG8 represents a broader “mega-region” advocacy grouping that extends Shoalhaven City Council’s strategic reach beyond the existing Illawarra Shoalhaven Joint Organisation. While the ISJO remains the statutory body responsible for regional planning, waste management and formal intergovernmental collaboration, the LG8 is a strategic alliance of eight neighbouring councils—Wollongong, Shellharbour, Kiama, Shoalhaven, Wingecarribee, Camden, Wollondilly and Campbelltown—established to collectively lobby State and Federal governments with greater scale and influence. Wollongong City Council, under the leadership of Lord Mayor Brown, has been instrumental in progressing this initiative to strengthen the collective voice of councils across the broader region.

For Shoalhaven, the key benefit of a larger Joint Organisation of Councils would be stronger, more coordinated advocacy for critical transport and economic infrastructure, particularly rail and road connections linking the region to Western Sydney International Airport and Southwest Sydney. These connections are central to boosting the visitor economy, strengthening regional supply chains, and improving workforce mobility. There is also a strong regional focus on workforce development—particularly in the healthcare sector—and on positioning the region as a destination for adventure and nature-based tourism.

Unless the NSW Government decides to change the current governance structure, the Illawarra Shoalhaven Joint Organisation [Illawarra Shoalhaven Joint Organisation](#) will continue to manage operational regional priorities, such as the Regional Energy Strategy.

In contrast, the LG8 functions as a high-level political and strategic vehicle aimed at longer-term regional transformation and economic opportunity.

Any future structural change would be expected to involve the absorption of the existing ISJO into a new or expanded Joint Organisation, rather than the creation of an additional layer of bureaucracy. At this stage, the future fee structure for such an arrangement remains unclear. However, it is anticipated that any newly formed Joint Organisation—regardless of its geographic footprint—would continue to provide Shoalhaven City Council with a strong platform to advocate on issues directly relevant to Shoalhaven communities.

ATTACHMENT 1 – Letter dated 28 April 2023 from Forestry Corporation



Forestry Corporation of NSW ABN 43 141 857 613

Hardwood Forests Division
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28/04/2023
Ref No.: F23/93

Stephen Dunshea
Chief Executive Officer
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541
Via email: council@shoalhaven.nsw.gov.au

Dear Mr Dunshea

Forestry Corporation of NSW has been contacted by local media this week regarding Shoalhaven City Council's motion relating to Forestry Corporation operations in North Brooman State Forest.

While Forestry Corporation is disappointed council has not engaged with us directly regarding this matter in advance of this motion, we would welcome the opportunity to meet with council to discuss proposed operations in North Brooman State Forest and across NSW more broadly.

As background, I have addressed below some of the matters raised in the motion. I invite you to contact me on [REDACTED] to arrange a briefing on these matters, and forest management more generally.

State forest management in NSW

Forestry Corporation of NSW has been appointed to manage State forests for a range of uses including tourism, environmental conservation and renewable timber production. The Regional Forest Agreements between the State and Commonwealth Governments protect the majority of public forest in national parks and reserves, including the areas with the highest conservation value, and designate a small proportion of forested land as State forests for ongoing timber production. Areas harvested for timber are regrowth forests, which have been harvested for timber and regrown many times before.

In the areas that are harvested for timber, there are strict conditions that were developed by expert scientific panels. Operations in native forests are selective, with large areas set aside for habitat in every harvest area. Rainforest and old growth forests, wetlands and riparian zones, threatened ecological communities, ridge and headwater habitat and rocky outcrops and significant trees are permanently protected and there are conditions to ensure plants and animals remain in the harvested areas and that their habitat is protected.

Forestry Corporation employs a local team of professional ecologists, planners and forest technicians that undertakes surveys and prepares comprehensive plans in line with the regulations.

Operations are independently audited and Forestry Corporation is also certified to the Australian Standard for Sustainable Forest Management, Responsible Wood.



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Protection of significant trees

Forestry Corporation is aware of and has mapped significant trees. The tree in North Brooman State Forest has for many years been permanently protected within an exclusion zone that is set aside for conservation and unavailable for timber harvesting. North Brooman State Forest has been harvested and regrown many times over more than 100 years including in 2005, 1978, 1966, 1951 and earlier, but the tree known as Big Spotty has been carefully protected every time.

The planning process for future operations has not yet commenced, but the permanent exclusion zone that has already been established for many years, coupled with the conditions in place in the adjoining compartment and ongoing independent oversight will ensure ongoing protection of the tree locally known as Old Spotty, as well as other environmental features in this compartment.

Exclusion zones make up more than half of the State forest estate, and these areas are mapped as part of the forest management zoning system that has been implemented in NSW State forests for more than 20 years specifically to protect areas and assets of high conservation value. These exclusion zones are in addition to the comprehensive, adequate and representative reserve network established under the Regional Forest Agreements, which protected approximately 83 per cent of public forests in NSW for conservation, largely in the formal national park estate.

Tourism and community access

Forestry Corporation maintains award-winning tourism destinations in many NSW State forests that are also managed to produce sustainable timber.

State Forests support adventure activities in growth areas, such as mountain biking, where the extensive road and trail network maintained for sustainable harvesting operations provides for excellent access. State Forests permit a wide range of activities not available in other public forests such as four wheel driving, trail bike riding, horse riding and dog walking, and are also the only NSW public lands where dedicated camping areas and facilities are available for free.

Forestry Corporation maintains close relationships with many local councils and community groups to promote and develop new tourism opportunities and would be happy to discuss council's tourism proposals for local State forests.

I am happy to provide further detail on all of the matters above and answering any other questions council may have about Forestry Corporation's operations in the local area when we meet in person. I look forward to hearing from you.

Yours sincerely



Lee Blessington
Regional Manager, Southern