

20.5 Notice of motion: Councillor Draisma - Kiama Depot Co-design

Clr Imogen Draisma has submitted the following Notice of Motion for consideration:

MOTION

That Council:

1. Note the community feedback on the efficacy of the communication on the vision for the future of the Shoalhaven Street Precinct (Kiama Depot) and the state-led rezoning proposal, particularly from the residents of the properties adjacent to the site.
2. Receive a report on the options for engaging the community in a co-design for a future Development Application and/or Development Control Plan on the site pending the 'finalisation' of the state-led rezoning process.
3. Refer the costs associated with a co-design process for consideration in the 2026/27 Delivery Program and Operational Plan.

Signed Councillor Imogen Draisma

Councillor information provided**What is the purpose of the motion?**

To ensure that any future development at the Shoalhaven Street Precinct (Kiama Depot) is a reflection of the communities vision.

Background to the motion

Through the state-led rezoning process of the Kiama Depot (also known as the Shoalhaven Street Precinct), the community have raised genuine concerns about the future use of the site under the potential R3 – Medium Density Residential zoning. While some do not support the rezoning to R3, many attribute their concerns to matters that would need to be considered in any future development application.

Council and the ratepayers should be engage in a collaborative process to ensure the best possible outcome on the site for housing delivery, whilst considering the challenges of the site and minimisation of the impact that the future development may have on the properties in the immediate area of the Shoalhaven Street Precinct.

The implementation of a co-design process for the duration of the project would respond effectively to the concerns raised and reflect the expectations of the community.

Source of funding

Nil.

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Chief Executive Officer response

This notice of motion (NoM) was received at 11:54am on 8th December 2025 and such the CEO did not have sufficient opportunity to provide advice or comment.

As part of revising and now implementing the Housing Strategy, Council has been working with the Department of Planning, Housing and Infrastructure and other Government agencies on a range of matters, including the current State Significate Rezoning proposal of the Shoalhaven Street Precinct (Kiama Depot).

It is acknowledged that materials shared by the Department as part of the various community pop-ups caused concerns and confusion within the community. Images shown on the DPHI materials are indicative only and should not be viewed as final designs for the site.

The rezoning proposal is specifically, a proposal to rezone the site from E4 General Industrial to residential. The proposal suggests rezoning the site to R3 Medium Density Residential. This is consistent with Council's Local Housing Strategy which seeks to provide more housing and greater housing types within the existing centres of Gerringong and Kiama.

While staff agree that the proposed development standards (i.e. eight storeys) are not currently found elsewhere in the Local Government Area, they are generally consistent with what is now permissible under the NSW Government's Low- & Mid-Rise Reforms.

As outlined in a separate report in this Agenda, these reforms apply to residential areas within 800m of the Kiama Town Centre and Train Station and make six-storey developments permissible on any R3 Medium Density zoned land within 400m of the Town Centre or Train Station and four-storey developments permissible on any zoned land within 800m.

Much of the existing R3 zoned land within Kiama (i.e. Barney, Brown, Bourrool, Farmer, Manning, Mears, Thomson, Terralong, and, Shoalhaven Streets) are located within 800m of the Town Centre or Train Station. These reforms now establish the new density controls for Kiama. Acknowledging this, Council's Local Housing Strategy contains an action to review R3 zoned areas within Kiama and Gerringong to consider further appropriate application of these reforms.

The NSW Minister for Planning and Public Spaces, the Hon. Paul Scully, is the decision maker for this State Significate Rezoning proposal. A separate report with a submission to the Minister on behalf of Council is included in this Agenda for Councillor's consideration and debate.

If the site is rezoned to residential purposes, a site-specific Development Control Plan can and should be prepared. As outlined in the Background to the Motion, many of the concerns (i.e. overshadowing, building design, setbacks, open space etc.) will be addressed by site-specific DCP controls. In the development of other recent DCP chapters (i.e. Kiama Town Centre, Heritage and Jamberoo Village) staff will implement a co-design process, consistent with the adopted Community Participation Plan (CPP) 2019. No specific resolution is required to do this as this the community participation plan is already adopted.

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Staff are currently preparing 2026/27 work programs for consideration of Councillors as part of the budget process. This work will be included for consideration by Councillors should the Minister determine to rezone the site.

Councillors, following the receipt of advice from the recently formed Finance and Major Projects Advisory Committee, will need to determine how it wishes to proceed with any redevelopment of the site.

It is too pre-emptive to seek to resolve a development application co-design process, as the first step is to develop a DCP. Also progress onwards to any development application process will be subject to future business case reports for the site. Lastly, development application processes require strict probity measures and this would need to be worked through prior to any resolution of Council seeking to embed this action, as staff may not be able to implement the resolution.

Staff share the concerns of the council (including the NoM Councillor) and the community that a DCP process which gives local community a voice in the process would be advantageous. It is however already a resolution of council and part of the community engagement process which staff would implement. To that end, the professional advice of staff is that this NoM whilst commendable and understandable in intent, is not required and that recommendation two (2) **must be** reworded and amended to state the following:

“Subsequent to Ministerial decision making on the re-zoning process, a future report be provided to Council that outlines how staff will implement a co-design process for a Development Control Plan (DCP) on the Shoalhaven Street site consistent with the adopted Community Participation Plan 2019”.