

10.6.2 Mobile Tiny Homes Pilot Program

Directorate: Planning and Environment

Business Unit: Planning and Environment

Author: Michael Park, Executive Director Planning and Environment

Manager: Michael Park, Executive Director Planning and Environment

Approver: Wayde Peterson, Chief Executive Officer (Acting)

Executive Summary

The purpose of this report is to seek Council endorsement to prepare a Planning Proposal to facilitate a two (2) year 'Mobile Tiny Homes' pilot program.

This report responds to a previous resolution of Council, dated 26 March 2024, where it was resolved to trial a two (2) year pilot program that would allow mobile tiny homes to be used as rental accommodation in association with an existing dwelling.

Recommendation

That Council:

- 1. Prepare a Planning Proposal to amend Shellharbour Local Environmental Plan 2013 to facilitate a two (2) year pilot program that would allow moveable dwellings (commonly referred to as mobile tiny homes) to be installed as exempt development on residential properties in association with an existing dwelling.**
- 2. Submit the Planning Proposal to the Department of Planning, Housing and Infrastructure for Gateway determination and request for Council to use its plan making delegations.**
- 3. Endorse the Planning Proposal for public exhibition in accordance with relevant conditions imposed under any Gateway determination.**

Background

At the Council meeting of 26 March 2024, Council resolved to:

- 1. Trial a 2 year pilot program that would allow mobile tiny homes to be used as rental accommodation in association with an existing dwelling (with a maximum of 1 mobile tiny home per property),*

2. *Develop a Local Approvals Policy under the provisions of the Local Government Act 1993, that would facilitate the trial and allow for mobile tiny homes to be installed as exempt development.*

The resolution of Council followed advice provided by the Department of Planning, Housing and Infrastructure (DPHI), that a Local Approvals Policy (LAP) would provide a legal framework to facilitate the pilot program under the provisions of the *Local Government Act 1993*.

However, following the development of a Local Approvals Policy, further advice from DPHI indicated that a Local Approvals Policy in isolation did not turn off the requirements for land use approval under the *Environmental Planning and Assessment Act (EP&A) 1979*, and that a development application would still be required to install moveable dwellings (mobile tiny homes) under the program.

Council has since worked with DPHI to determine an appropriate legal mechanism to facilitate the pilot program. Without legislative change, an amendment to Council's Local Environmental Plan (LEP) is required to allow 'mobile tiny homes' to be installed without a development application, and this report seeks Council endorsement to prepare a Planning Proposal to amend the Shellharbour LEP to facilitate the trial.

At the completion of the trial period, a report will be presented back to Council detailing the outcomes of the trial, including the number of mobile tiny homes installed during the period and any concerns raised in relation to the trial. At that stage, Council will be able to determine whether to revert back to the existing approval pathway for mobile tiny homes, to extend the trial period, or to implement the changes on a permanent basis.

Existing Rules for Tiny Homes

'Tiny homes' are gaining popularity as a unique way of living, however, the legislative framework around tiny homes is complex. A tiny home is not a defined land use under NSW legislation, however, the term typically refers to either:

- A compact house fixed to a trailer (like a caravan) defined as a 'Moveable Dwelling'. As they are built on a trailer, they can be registered under the Road Transport Act 2013.
- A small dwelling attached to the land, often as a secondary home (e.g. a granny flat). These are defined as a secondary dwelling.

The current approval requirements vary depending on the type of tiny house and the zoning of the land where it's located.

If the tiny house or caravan complies with Clause 77 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* then approval is not required. These provisions allow for a caravan to be installed without approval provided it is used for habitation only by the owner or members of the owner's household.

The pilot program seeks to broaden these existing provisions and allow mobile tiny homes (moveable dwellings) to be installed without approval, irrespective of who occupies the home.

Planning Proposal

An amendment to an LEP is made through the preparation of a planning proposal. A planning proposal explains the intent of the proposed change(s) and the justification for the LEP amendments. More information on the process for making and amending an LEP can be found in the State Government's [Local Environmental Plan Making Guideline](#).

To facilitate the mobile tiny homes pilot program, it is intended to amend Schedule 2 – Exempt Development of the Shellharbour LEP 2013 to allow secondary dwellings as exempt development, where they are capable of being registered under the *Roads Transport Act 2013* (i.e. mobile tiny home).

Attachment 1 details the proposed LEP provisions which aim to appropriately address any site-specific constraints, protect the amenity of existing dwellings, and to manage any potential land use conflicts.

Strategic Merit

Planning proposals are required to demonstrate alignment with both the local and State strategic planning framework or current government priorities in what is referred to as the strategic merit test.

In this regard, the proposed planning proposal seeks to facilitate smaller, more affordable housing options, consistent with the priorities outlined in Council's Local Strategic Planning Statement and Local Housing Strategy. The proposal is therefore considered to have 'strategic merit'.

Site-specific Merit

Planning proposals are required to demonstrate that the proposal is suitable for the subject site and the site is (or can be made) suitable for the resultant development.

In this regard, the provisions outlined in **Attachment 1** aim to address any site-

specific constraints that may exist, only allowing development to occur where the site is suitable.

Council Implications

FINANCIAL / RESOURCES

Council currently levies development contributions on new development across the city, to fund a portion of the cost of providing new infrastructure to support our growing communities. This applies to residential development including subdivision, medium density and secondary dwellings.

The contributions levied on development will vary depending on where the development is located, but generally includes infrastructure such as libraries, community centres, parks, sporting fields, drainage, major roads and traffic facilities.

Under Council's Local Infrastructure Contributions Plan, contributions can only be levied on development that is approved either through a development application, or as complying development. Council does not have the ability to impose development contributions on exempt development.

Therefore, any mobile tiny home installed during the pilot program will not be levied development contributions. While this will further support the affordability of installing a tiny home, it will also result in foregone revenue under Council's development contributions system. This may impact the timing and funding of infrastructure outlined in Council's Local Infrastructure Contributions Plan.

LEGISLATION AND POLICY (INCLUDING ADVOCACY, STRATEGIC AND OTHER PLANS)

The planning proposal will be prepared in accordance with the NSW Governments *Local Environmental Plan Making Guideline 2023* under the provisions of the *Environmental Planning and Assessment Act 1979*.

SOCIAL IMPACT

The pilot program aims to facilitate smaller, more affordable rental housing options across the City, providing greater housing diversity to meet the needs of our community.

SUSTAINABILITY CONSIDERATIONS

The pilot program, including the provisions outlined in **Attachment 1**, aims to positively address a range of social and environmental factors.

LEGAL CONSIDERATIONS

As the planning proposal includes a new Clause to be inserted into Shellharbour LEP, the planning proposal will be referred to the NSW Parliamentary Counsels Office for legal opinion prior to finalisation.

RISK CONSIDERATIONS

Nil

Link to Community Strategic Plan

This report supports the following objectives, strategies and actions of the Community Strategic Plan:

5.1 We are a vibrant and connected City

5.1.1 Our planning reflects the unique character of our City and natural environment and is responsive to the evolving needs of our community

5.1.1.01 Implement Council's Strategic Planning Framework including the Local Strategic Planning Statement, Local Housing Strategy, Shellharbour Local Environmental Plans, Rural Lands Strategy, Heritage Strategy, Employment Lands, Recreation and Open Space, Community and Crown Lands Plans of Management

Previous Council Resolutions

[26 March 2024](#)

Consultation

Internal

Strategic Land Use Planning
Statutory Planning

External

Department of Planning, Housing and Infrastructure

Political Donations Disclosure

Not Applicable

Options

Option 1:

Prepare a planning proposal to amend Shellharbour Local Environmental Plan

2013 to facilitate a two (2) year pilot program that would allow moveable dwellings (commonly referred to as mobile tiny homes) to be installed as exempt development on residential properties in association with an existing dwelling.

Option 2:

Not proceed with the Mobile Tiny Homes Pilot Program.

Conclusion

This report seeks Council endorsement to prepare a Planning Proposal to facilitate a two (2) year 'Mobile Tiny Homes' pilot program.

Subject to Council endorsement, the Planning Proposal will be submitted for Gateway determination and publicly exhibited in accordance with the requirements of the Gateway determination.

Attachments

1. Proposed LEP Provisions

Attachment 1 – Draft Local Environmental Plan Provisions

Schedule 2 Exempt development

Note 1.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 specifies exempt development under that Policy. The Policy has State-wide application. This Schedule contains additional exempt development not specified in that Policy.

Note 2.

Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

Secondary Dwelling

1. Must be located on land containing one (1) existing dwelling house on its own Torrens Title allotment.
2. Must be capable of being registered under the *Roads Transport Act 2013* and pursuant to the *Road Transport (Vehicle Registration) Regulation 2017*, must not exceed the following dimensions:
 - a. If registered as a motor vehicle, must not exceed a length of 12.5m, a width of 2.5m, and a height of 4.3m.
 - b. If registered as a trailer, must not exceed a length of 12.3m, a width of 2.5m, and a height of 4.3m.
3. Must not be located on land that is:
 - a. Flood-prone land,
 - b. Bushfire-prone land,
 - c. Land which contains Heritage items or draft Heritage items,
 - d. Land in a foreshore area,
 - e. Land in an environmentally sensitive area,
 - f. Contaminated lands.
4. Must connect to existing reticulated sewer systems and potable water connections on site.
5. Must connect to existing stormwater drainage systems on site.
6. Must not require the removal, pruning or other clearing of protected trees, unless the tree removal or pruning works are exempt.

- 7.** Must not contravene the conditions of a development consent that applies to the land, including the provision of car parking for the principal dwelling on the site.
- 8.** Must meet the following set back requirements:
 - a.** Be located behind the front building line of the primary dwelling.
 - b.** Provide for a minimum 1.8m separation from the principal dwelling and attached structures to ensure fire safety in accordance with the National Construction Code 2022.
 - c.** If the site's area is 900sqm or less, must comply with a side setback of at least 0.9m, and a rear setback of at least 3m.
 - d.** If the site's area is between 900sqm – 1,500sqm, must comply with a side setback of at least 1.5m, and a rear setback of at least 5m.
 - e.** If the site's area is 1,500sqm or more, must comply with a side setback of at least 2.5m, and a rear setback of at least 10m.
 - f.** If the site is a corner allotment, be positioned behind the front building line of the primary dwelling, from the primary road boundary.
 - g.** If the site is a corner allotment with a site area less than 600sqm, be setback at least 2m from the secondary road boundary.
 - h.** If the site is a corner allotment with a site area equal to or greater than 600sqm, be setback at least 3m from the secondary road boundary.
 - i.** Be setback 3m from the trunk of any protected tree in accordance with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- 9.** Must retain a minimum 20m² private open space for the primary dwelling.
- 10.** Must be sited on a maximum gradient of 5%.
- 11.** Must not be installed over any easements.
- 12.** Must feature a smoke alarm installed in accordance with the National Construction Code of Australia and Australian Building Codes Board Housing Provisions Standard 2022.
- 13.** Must be anchored or otherwise secured to the site, as required by the manufacturer's specifications, however must be kept on wheels.
- 14.** Must not be attached to the principal dwelling on site, with the exception of utility connections extending from the principal dwelling.
- 15.** Must comply with the relevant industry standards detailed in the Building Code of Australia 1988.

**Minutes of the Ordinary Council Meeting
of Shellharbour City Council held in the Council Chambers,
Council Administration Centre, Shellharbour City Centre
on Tuesday, 23 September 2025 commencing at 6:00 PM**

Present

Mayor	Chris Homer
Councillor	Kellie Marsh
Councillor	Mitch Ellis
Councillor	John Davey
Councillor	Moira Hamilton
Councillor	Craig Ridding
Councillor	Lou Stefanovski
Councillor	Robert Petreski
Councillor	Kane Murphy

In attendance

Chief Executive Officer (Acting)	W Peterson
Executive Director Infrastructure Services	B Stewart
Executive Director Community and Culture	K Jessep
Executive Director Planning and Environment	M Park
Executive Manager Corporate Governance and Risk (Public Officer)	F Lepouras
Executive Manager Financial Services (CFO)	J Hepperlin
Executive Manager Technology and Corporate Services	M Chiodo
Executive Manager Infrastructure and Projects	D Brilsky
Executive Manager Works and Services	T Fraser
Project Delivery Officer	B Angeloski
Works Engineer	M Fletcher
Contracts Manager	V Morrow
Senior Financial Accountant	N Okorafor
Governance Manager	L Davey
Executive Assistant Governance and Civic Support (Minute Taker)	A Buckley

1 Acknowledgement to Country

Shellharbour City Council acknowledges the Traditional Custodians of the Dharawal Country and recognise their continued connection to the land we meet on today. We pay our respects to Elders past, present and emerging and the contribution they make to the life of this city and this region and extend our recognition to their descendants who continue to live on country.

Webcasting Statement

Council broadcasts its meeting live to enhance the accessibility of Council Meetings to the broader Shellharbour City Community. Recordings can be downloaded from Council's website for later viewing. For further information on Privacy refer to Council's website.

Council accepts no responsibility for any defamatory or offensive statements. Conduct standards of behaviour during Council meetings and Public Address forums are available on Council's website.

Should Council need to consider confidential matters during a Council Meeting, the open Council meeting will adjourn, the online webstreaming will be paused and will resume when the open meeting has resumed.

Please ensure that mobile phones and other electronic devices are turned off or are in silent mode for the duration of the meeting.

In the event of an emergency, please evacuate the building using the nearest exit and follow the instructions given by the wardens. Do not use the lifts.

Statement of Ethical Obligations

The Mayor and Councillors are reminded of their Oath/Affirmation of office made under Section 233A of the *Local Government Act 1993* and their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

2 Apologies

Nil

3 Leave of Absence

Nil

4 Confirmation of Minutes

4.1 Extraordinary Council Meeting 12 August 2025

142 RESOLVED Cr Kane Murphy / Cr John Davey

That the Minutes of the Extraordinary Council Meeting held on 12 August 2025 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

4.2 Committee of the Whole (Confidential) 12 August 2025

143 RESOLVED Cr Kellie Marsh / Cr Moira Hamilton

That the Minutes of the Committee of the Whole (Confidential) Meeting held on 12 August 2025 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

4.3 Ordinary Council Meeting 26 August 2025

144 RESOLVED Cr Lou Stefanovski / Cr John Davey

That the Minutes of the Ordinary Council Meeting held on 26 August 2025 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

5 Disclosures of Interest

Nil

6 Condolences

Council, since its last meeting, has learned with genuine regret of the passing of the following members of our community:

Gillian Mitchell	of	Albion Park Rail
Alan Binns	of	Barrack Point
Leonard (Lenny) Kelley	of	Dunmore
Mary Murray	of	Flinders
June Tobin	of	Oak Flats
Matthew Edward Murphy	of	Shellharbour
Cecil William Luc`	of	Shellharbour
Lorraine Crane	of	Warilla

145 A Motion of condolence was passed by all present standing for one minute's silence.

7 Mayoral Statements / Report / Presentations

Since the last meeting, the Mayor attended the following events:

27 August 2025	• ShineHub's Community Renewables Program
28 August 2025	• Photo Opportunity - Hegarty Park Playground Renewal • Photo Opportunity - Bateman Park Playground Renewal
1 September 2025	• Illawarra Regional Volunteer of the Year Award Ceremony • Illawarra Academy of Sport Athlete of the Year Awards & 40th Anniversary Celebration
5 September 2025	• Site Visit with Dr Brown at Ngaoara Wollongong • MCCI 50th Anniversary Gala Dinner
9 September 2025	• Reddall Reserve Markets
10 September 2025	• Destination Management Plan (DMP) Industry Workshop
12 September 2025	• UOW 50th Anniversary Dinner & Awards
13 September 2025	• Production of Rome Sweet Rome
15 September 2025	• Healthy Cities - VIP Networking Cocktail Event
17 September 2025	• STARS Biannual Award Celebration

	• PromenART Media Opportunity • Eats and Beats Media Opportunity
19 September 2025	• Waterfront Tavern's Altius Grey Goose Experience
20 September 2025	• Eats and Beats Street Series - Oak Flats • Shellharbour City Suns AFL Presentation 2025
21 September 2025	• Malta Regatta Day • Men's Premier League Grand Finals

8 Mayoral Minutes

8.1 Mayoral Minute: Transport access to the new Shellharbour Hospital

146 RESOLVED Mayor Chris Homer

That the Mayor write to the NSW State Government to seek their support and funding for the critical infrastructure upgrade on Dunmore Road to support the new Shellharbour Hospital.

CARRIED UNANIMOUSLY

9 Councillor Statements / Reports

Nil

10 Reports

The Addresses to Council Forum was held prior to the Council Meeting at 4.45pm with one speaker on item 10.4.5 Commemorative naming of stands at John O'Dwyer Oval Croom Regional Sporting Complex.

Agenda Item No and Title	Name	For, Against or Neutral
10.4.5 Commemorative naming of stands at John O'Dwyer Oval Croom Regional Sporting Complex	1. Katie Dent	For

147 RESOLVED Cr Kellie Marsh / Cr Lou Stefanovski

That standing orders be suspended in order for Item 10.4.5, the subject of Addresses to Council, to be considered here in the agenda.

CARRIED UNANIMOUSLY

10.4.5 Commemorative naming of stands at John O'Dwyer Oval Croom Regional Sporting Complex

148 RESOLVED Cr Kellie Marsh / Cr Craig Ridding

That:

1. Council endorse the proposed commemorative naming of the stands at John O'Dwyer Oval in Croom Regional Sporting Complex as the 'Ian Hatfield Stand' and the 'Richard (Rick) Watkins Stand' and for the naming proposal to be placed on public exhibition for a period of 28 days calling for submissions.
2. If no submissions are received as a result of public exhibition that require further consideration, that Council adopt the commemorative naming of the 'Ian Hatfield Stand' and the 'Richard Watkins Stand' at John O'Dwyer Oval in Croom Regional Sporting Complex.

CARRIED UNANIMOUSLY

149 RESOLVED Councillor John Davey / Councillor Moira Hamilton

That standing order be resumed.

CARRIED UNANIMOUSLY

10.1 Chief Executive Officer

10.1.1 Election of Deputy Mayor

150 RESOLVED Cr Kellie Marsh / Cr Lou Stefanovski

That Council:

1. Proceed with the election of a Deputy Mayor.

2. Determine the length of the term for the position of Deputy Mayor be for a period of 12 months.
3. Determine the method of election for the position of Deputy Mayor be by show of hands (open voting).
4. Formally request the Returning Officer (Executive Manager Corporate Governance and Risk) to call for nominations for the position of Deputy Mayor.
5. Formally request the Returning Officer (Executive Manager Corporate Governance and Risk) to proceed with the election of the Deputy Mayor.

CARRIED UNANIMOUSLY

The Executive Manager Corporate Governance and Risk/Public Officer read out the nomination received for Deputy Mayor:

Councillor Marsh nominated by Mayor Homer and Councillor Murphy

The Executive Manager Corporate Governance and Risk/Public Officer called for any further nominations. None were received.

The Executive Manager Corporate Governance and Risk/Public Officer declared Councillor Marsh as Deputy Mayor for the period to September 2026.

10.2 Business Enterprises Directorate

Nil

10.3 Community and Culture Directorate

Nil

10.4 Corporate Services Directorate

10.4.1 Proposed Council Meeting Dates from October 2025 to September 2026

151 RESOLVED Cr Lou Stefanovski / Cr John Davey

That Council adopt the Ordinary Council Meeting dates in the table below, as per the Code of Meeting Practice.

Ordinary Council Meeting Dates October 2025 to September 2026
28 October 2025
18 November 2025
16 December 2025
24 February 2026
24 March 2026
28 April 2026
26 May 2026
23 June 2026
25 August 2026
22 September 2026

CARRIED UNANIMOUSLY

10.4.2 Local Government NSW Annual Conference 2025 - Proposed Motions

152 RESOLVED Cr Kellie Marsh / Cr John Davey

That Council endorse the following Motions to the Local Government NSW (LGNSW) Annual Conference from 23 - 25 November 2025:

Motion 1

That the LGNSW advocate to the NSW State Government to:

1. Increase the pensioner concessions for local council rates, which have been fixed at a maximum of \$250 for general rates since the *Local Government Act 1993* came into effect.
2. Provide an increase to the pensioner concession subsidy to councils, minimising the impact to councils in providing the pensioner concession.

Motion 2

That Council put a motion to the Local Government NSW Annual Conference seeking to waive the fee for the waste levy charged by the NSW State Government to NSW councils as an adverse weather events arises, rather

than wait an unknown time period after the adverse weather event takes place and that the NSW Government also waive the Waste Levy fee charged to the community on landfill cover material used to cover the adverse weather related waste.

CARRIED UNANIMOUSLY

10.4.3 Monthly Investment Report - August 2025

153 RESOLVED Cr John Davey / Cr Kellie Marsh

That Council receive and note the Investment Portfolio report as at 31 August 2025.

CARRIED UNANIMOUSLY

10.4.4 Draft unaudited 2024-2025 Financial Statements - To be referred for audit

154 RESOLVED Cr John Davey / Cr Lou Stefanovski

That Council:

1. Receive and note the draft 2024-2025 Financial Statements.
2. Refer the draft 2024-2025 Financial Statements for audit.
3. Note the requirement to present the audited Financial Statements at a Council meeting and make them publicly available in accordance with Section 418 of the *Local Government Act 1993 (NSW)*.

CARRIED UNANIMOUSLY

10.4.5 Commemorative naming of stands at John O'Dwyer Oval Croom Regional Sporting Complex

This item was considered earlier in the agenda (Resolution No. 148)

10.5 Infrastructure Services Directorate

10.5.1 Endorsement of updated Terms of Reference for newly named Shellharbour Local Transport Forum

155 RESOLVED Cr John Davey / Cr Moira Hamilton

That Council:

1. Acknowledge the change of name of the Shellharbour Traffic Committee to Shellharbour Local Transport Forum;
2. Endorse the updated Terms of Reference (Attachment 2).

CARRIED UNANIMOUSLY

10.5.2 Tender 2025/04 - Design and Construct Shellharbour Boathouse

156 RESOLVED Cr Kellie Marsh / Cr John Davey

That

1. In accordance with Clause 178(1) of the Local Government (General) Regulation 2021 (NSW), Council decline to accept any tender offer for Contract 2025/04 Design and Construction of Shellharbour Boathouse.
2. In accordance with Section 178(3)(e) of the NSW Local Government (General) Regulation 2021, Council enter into negotiations with any person with a view to enter into a contract in relation to the subject matter of the tender and not invite fresh tenders for the following reasons:
 - a. The ability to negotiate, clarify qualifications and refine the scope for Contract 2025/04 will achieve best value outcomes for the project and minimise financial risk
 - b. The existing selective tender process provided a competitive process
 - c. The time delay will limit the service for customers provided in the Marina for a longer period and defer milestones for the grant
3. Council delegate to the Chief Executive Officer or their nominated delegate the authority to undertake and finalise negotiations, execute Contract 2025/04, sign the letters of acceptance, variations and associated documents on behalf of Shellharbour City Council.
4. In accordance with the Government Information (Public Access) Act 2009, once known, that the name of the successful contractor and amount payable under the contract be added to Council's contract register.

CARRIED UNANIMOUSLY

10.5.3 Adoption of Revised Shellharbour Cemetery Masterplan

157 RESOLVED Cr Lou Stefanovski / Cr Robert Petreski

That Council adopts the updated Shellharbour Cemetery Masterplan, as shown in Attachments 2 and 3.

This resolution is a policy position of Council.

CARRIED UNANIMOUSLY

10.6 Planning and Environment Directorate

10.6.1 Endorsement of a Community Representative to Lake Illawarra Coastal Management Program Implementation Group

158 RESOLVED Cr John Davey / Cr Lou Stefanovski

That Council endorse the appointment of Carol Hinkleton as Community Representative to the Lake Illawarra Coastal Management Program Implementation Group for the remainder of the two year term.

CARRIED UNANIMOUSLY

10.6.2 Mobile Tiny Homes Pilot Program

159 RESOLVED Mayor Chris Homer / Cr Kellie Marsh

That Council:

1. Prepare a Planning Proposal to amend Shellharbour Local Environmental Plan 2013 to facilitate a two (2) year pilot program that would allow moveable dwellings (commonly referred to as mobile tiny homes) to be installed as exempt development on residential properties in association with an existing dwelling.
2. Submit the Planning Proposal to the Department of Planning, Housing and Infrastructure for Gateway determination and request for Council to use its plan making delegations.
3. Endorse the Planning Proposal for public exhibition in accordance with relevant conditions imposed under any Gateway determination.

CARRIED UNANIMOUSLY

11 Committee Recommendations and ARIC Minutes for Information

11.1 Aboriginal Advisory Committee Meeting - 20 August 2025

160 RESOLVED Cr Kane Murphy / Cr Lou Stefanovski

That the Recommendations from the Aboriginal Advisory Committee Meeting held on 20 August 2025 be adopted.

CARRIED UNANIMOUSLY

11.2 Disability Access and Inclusion Advisory Committee Meeting - 28 August 2025

161 RESOLVED Cr Kellie Marsh / Cr Moira Hamilton

That the Recommendations from the Disability Access and Inclusion Advisory Committee Meeting held on 28 August 2025 be adopted.

CARRIED UNANIMOUSLY

11.3 Shellharbour Traffic Committee Meeting - 3 September 2025

162 RESOLVED Cr John Davey / Cr Mitch Ellis

That the Recommendations from the Shellharbour Traffic Committee held on 3 September 2025 be adopted.

CARRIED UNANIMOUSLY

12 Items for Information

12.1 Outcomes from Public Exhibition

12.2 Suspension of Alcohol Prohibited Area – Shellharbour Stand Up Paddleboard Festival

12.3 Community Donations and Sponsorship - Applications determined under CEO delegation

12.4 2015/78 FOGO Project Agreement Review

Items 12.1 –12.4 were formally noted.

13 Notices of Rescission / Alteration Motions

13.1 Notice of Rescission Motion / Alteration Motion submitted by Cr Robert Petreski: Recruitment and Selection Panel for a Chief Executive Officer

The Executive Manager Corporate Governance and Risk/Public Officer advised that a Councillor withdrew their signature from the Notice of Rescission Motion and therefore it was withdrawn from the agenda.

14 Notices of Motion

Nil

15 Questions with Notice (must be submitted in writing)

Nil

16 Urgent Business

Nil

17 Consideration of Motions to Declassify Reports Considered in Closed Session

Nil

18 Confidential Business (Committee of the Whole in Closed Session)

Nil

19 Committee of the Whole in Closed Session (Closed to the Public): Adjournment

Nil

20 Committee of the Whole in Closed Session: Consideration of Adoption of Decisions Reached in Closed Session

Nil

21 Meeting closed

Meeting closed at 7:07pm.