

# MINUTES

of the  
**Local Planning Panel**  
held in  
**Council Chambers,**  
**Wingecarribee Shire Council Civic Centre,**  
**68 Elizabeth Street, Moss Vale**

**Wednesday 25 September 2024**

The meeting commenced at **2:07 pm**

**MINUTES OF THE LOCAL PLANNING PANEL  
WEDNESDAY 25 SEPTEMBER 2024**

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**MINUTES OF THE LOCAL PLANNING PANEL MEETING OF WINGECARRIBEE SHIRE COUNCIL  
HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON  
WEDNESDAY 25 SEPTEMBER 2024 COMMENCING AT 2:07 PM**

<b>Present:</b>	Chairperson	Steven Layman
	Council Representative – Expert Member	Stephen Leathley (Via TEAMS)
	Council Representative – Expert Member	Sheridan Burke
	Community Representative	Chris McCann
<b>In Attendance:</b>	Director Communities and Place	Michael McCabe
	Manager Planning, Development and Regulation	Jon Shillito
	Executive Manager Strategic Outcomes	Deniz Kilic
	Executive Assistant Director Communities and Place	Leesa Stratford

## **1 OPENING OF THE MEETING**

The Chairperson opened the meeting.

## **2 ACKNOWLEDGEMENT OF COUNTRY**

The Chairperson acknowledged country:

“Wingecarribee Shire Council acknowledge the Gundungurra and Tharawal people as the traditional custodians of this land we now call the Wingecarribee Shire. I pay my respect to Elders both past, present and emerging. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.”

## **3 APOLOGIES**

There were no apologies for the meeting.

## **4 DECLARATIONS OF INTEREST**

There were no Declarations of Interest made for the meeting.

## **5 PLANNING PROPOSALS**

### **5.1 Planning Proposal to Insert Additional Farm Stay Accommodation Provisions into Wingecarribee Local Environmental Plan 2010 – Post Exhibition Report**

**Report Author: Coordinator Strategic Planning**  
**Authoriser: Executive Manager Strategic Outcomes**

**Mr Barry Anstee addressed the Panel on this matter.**

#### **OFFICER'S RECOMMENDATION**

THAT the attached Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to insert clause 5.24 Farm Stay Accommodation and to permit Farm Stay Accommodation with consent in the RU4 Primary Production zone be finalised under s3.36 of the Environmental Planning & Assessment Act 1979.

#### **PANEL ADVICE**

**The Local Planning Panel support the proposal to amend Wingecarribee Local Environmental Plan 2010 to insert clause 5.24 Farm Stay Accommodation and to permit Farm Stay Accommodation with consent in the RU4 Primary Production zone to be finalised under s3.36 of the Environmental Planning & Assessment Act 1979.**

#### **REASONS:**

**The Panel notes and agrees with the Officer's recommendations.**

#### **VOTING:**

**Unanimous**

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## **6 DEVELOPMENT APPLICATIONS**

### **6.1 Dwelling House and Attached Secondary Dwelling, Lot 8 DP1286738 No33 Cordeaux Street, Willow Vale**

**Report Author: Coordinator Planning Assessment**  
**Authoriser: Director Communities and Place**

#### **OFFICER'S RECOMMENDATION**

*THAT the Local Planning Panel determines development application DA24/0189 for development of a dwelling house and secondary dwelling on land at 33 Cordeaux Street, Willow Vale by APPROVAL, subject to conditions specified in Attachment 1 to this report.*

#### **PANEL'S DETERMINATION**

**The Wingecarribee Planning Panel indicates its intent to APPROVE development application DA24/0189 for development of a dwelling house and secondary dwelling on land at 33 Cordeaux Street, Willow Vale, subject to conditions specified in the Officer's report and subject to the confirmation through written legal advice as to the consent authority's need or ability to vary the relevant control (i.e. the non-discretionary development standard at Clause 53 subclause (2)(b) of the Housing SEPP), AND THAT the written legal advice be circulated amongst the Panel for concurrence prior to the approval of the application.**

#### **REASONS:**

**The Panel notes and generally agrees with the Officer's recommendations, subject to the legal advice.**

#### **VOTING:**

**Unanimous**

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## 6.2 Delegations & Guidelines - Wingecarribee Local Planning Panel

**Report Author:                   Manager Development Assessment and Regulation**  
**Authoriser:                       Director Communities and Place**

### OFFICER'S RECOMMENDATION

That the

- (a) Wingecarribee Local Planning Panel (WLPP) pursuant to Section 2.20(8) of the Environmental Planning & Assessment Act 1979 (EPA Act) revoke their current delegation in relation to the conduct of appeals.
- (b) WLPP pursuant to Section 2.20(8) of the EPA Act, delegates to Council's General Manager, the functions of the Panel under Section 8.15(4) of the EPA Act with respect to the control and direction of appeals subject to the WLPP Operational Guidelines.
- (c) Amended WLPP Operational Guidelines, provided in Attachment 1, be adopted.

### PANEL'S ADVICE

1. **Wingecarribee Local Planning Panel (WLPP) pursuant to Section 2.20(8) of the Environmental Planning & Assessment Act 1979 (EPA Act) revoke their current delegation in relation to the conduct of appeals.**
2. **WLPP pursuant to Section 2.20(8) of the EPA Act, delegates to Council's General Manager, the functions of the Panel under Section 8.15(4) of the EPA Act with respect to the control and direction of appeals subject to the WLPP Operational Guidelines.**
3. **Amended WLPP Operational Guidelines, provided in Attachment 1, be adopted.**

### REASONS:

The Panel notes and agrees with the Officer's recommendations.

### VOTING:

Unanimous

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### 6.3 Development Applications Greater Than 180 Days to be reported to the WLPP

**Report Author:                   Manager Development Assessment and Regulation**  
**Authoriser:                       Director Communities and Place**

**Mr Barry Anstee addressed the Panel on this matter**

#### OFFICER'S RECOMMENDATION

*THAT the Wingecarribee Local Planning Panel note the Development Applications that are currently being assessed which have exceeded 180 days since lodgement.*

#### PANEL'S DETERMINATION

**The Wingecarribee Local Planning Panel note the Development Applications that are currently being assessed which have exceeded 180 days since lodgement that will be reported to the Local Planning Panel for determination.**

**The Panel recommends that procedures be put in place to ensure that any additional information required to determine development applications in a timely manner be advised to the applicant in writing and that an appropriate time limit be nominated for the information to be received.**

**The Panel recommend that a quarterly general performance monitoring report be presented to Council, outlining the status of undetermined development applications in excess of 180 days.**

#### REASONS:

**The Panel notes the Officer's recommendations. The Panel considers that it is necessary for procedures to be put in place to ensure the timely determination of development applications.**

**This matter below was drawn to the attention of the Panel:**

#### **7 August 2024 Ordinary Meeting of Council Minute**

#### **Minute 2024/269 item 3 -**

*A routine reporting mechanism be developed for development applications which have been lodged for a period of 180 days or more, with short commentary, to the monthly meeting of the Wingecarribee Local Planning Panel until the Ministerial Order dated 1 July 2024 is satisfied; such reporting to commence at the September meeting.*

**The Panel is of the view that consideration of Development Applications (DAs) that would not otherwise come before it is beyond its remit, that such DAs are a matter for Council operational management and that the advice of the Director Communities and Place and General Manager be sought regarding the above matter.**

#### VOTING:

**Unanimous**

## 6.4 Land & Environment Court Matters - WLPP Briefing

**Report Author:**                    **Manager Development Assessment and Regulation**  
**Authoriser:**                        **Director Communities and Place**

### OFFICER'S RECOMMENDATION

*THAT the:*

1. *Wingecarribee Local Planning Panel (WLPP) note this report and the memo, provided under separate cover, outlining the status of all Appeals relating to the determination or decision of the WLPP and deemed refusals which would, but for the appeal, have come before the panel for determination.*
2. *WLPP provides feedback on this proposed routine reporting mechanism for such Appeals*

### PANEL'S DETERMINATION

1. **The Panel (WLPP) notes this report and the memo, provided under separate cover, outlining the status of all Appeals relating to the determination or decision of the WLPP and deemed refusals which would, but for the appeal, have come before the panel for determination.**
2. **WLPP continue to provide feedback on this proposed reporting mechanism routine for such Appeals**

### REASONS:

**The Panel notes and agrees with the Officer's recommendations**

### VOTING:

**Unanimous**

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## **7 MEETING CLOSURE**

There being no further matters the meeting closed at 3.13pm

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