



# MINUTES

of the  
Wingecarribee Local Planning Panel  
Meeting

held remotely using audio visual link and open to members of the  
community via webcast

on

**Wednesday 4 August 2021**

The meeting commenced at 3.30pm



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## MINUTES OF THE LOCAL PLANNING PANEL MEETING

Wednesday 4 August 2021



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### MINUTES OF THE LOCAL ASSESSMENT PANEL MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD REMOTELY USING AUDIO VISUAL LINK AND OPEN TO MEMBERS OF THE COMMUNITY VIA WEBCAST ON WEDNESDAY 4 AUGUST 2021 COMMENCING AT 3.30PM

<b>Present:</b>	Chairperson	Michael Mantei*
	Expert	Linda Kelly*
	Expert	Alf Lester*
	Community Representative	Dennis McManus*
<b>In Attendance:</b>	Interim Deputy General Manager	Marissa Racomelara*
	Interim Deputy General Manager	Malcolm Ryan*
	Manager Development Assessment	Nancy Sample*
	Manager Strategic Land Use Planning	Michael Park*
	Senior Strategic Land Use Planner	Susan Stannard*
	Development Assessment Planner	Ross Jauncey*
	Coordinator ICT Operations	Ian Vong*
	Administration Officer	Michelle Richardson*

**NOTE:** Due to current government requirements around social distancing due to the COVID-19 pandemic, Panel Members and staff attended the meeting remotely via zoom audio visual link. This is indicated by \*.

## 1. OPENING OF THE MEETING

The Chairperson opened the meeting and welcomed members of the public and the press.

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## 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 Straight Islanders present here today.”

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## 3. APOLOGY

There were no apologies at this Meeting.

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## **4. DECLARATIONS OF INTEREST**

Under the Planning Panels Code of Conduct panel members must avoid or appropriately manage any conflicts of interest (including actual, potential or reasonable perceived conflicts). The onus is on each panel member to identify conflicts of interest and take appropriate management measures. Should the chair consider that a conflict has not been disclosed or managed reasonably they can require additional measures be taken to uphold the integrity of the panel.

There were no declarations of interest made at this meeting.

## 5. DEVELOPMENT APPLICATIONS

### 5.1 Recreation Facility (Indoor) Southern Highlands Bridge Club - David Woods Playing Fields, Boardman Road Bowral, Lot 146 and 147 DP 1231974

Report Author: Development Assessment Planner  
Authoriser: Manager Development Assessment

#### OFFICER'S RECOMMENDATION

*THAT the WLPP grant consent under section 4.15 of the Environmental Planning and Assessment Act 1979 to approve Development Application 21/1527 for the construction of a new single storey clubhouse building and associated car park at Lot 146 and 147 DP 1231974, Boardman Road Bowral subject to the development consent conditions attached to this report.*

#### PANEL DETERMINATION

1. ***THAT the WLPP grants deferred commencement consent under section 4.16 of the Environmental Planning and Assessment Act 1979 to approve Development Application 21/1527 for the construction of a new single storey building for the purpose of indoor recreation use including playing Bridge, and associated car park at Lot 146 and 147 DP 1231974, Boardman Road Bowral subject to the following deferred commencement conditions:***
  - a) ***the submission of an amended plan showing relocation of the carpark to the north to facilitate a minimum landscape set back of ten metres from the Boardman Road boundary.***
  - b) ***The applicant shall make the following amendments to the approved plans prior to the issue of an operational consent:***
    - (i) ***A schedule of materials and colours for all external building materials, and***
    - (ii) ***A detailed landscape plan prepared by a Landscape Architect that includes proposed landscaping of the building surrounds, car park and includes the proposed bioretention basin.***
  - c) ***the amended plans shall be prepared in consultation with council's Heritage Advisor.***
2. ***The following operational conditions are imposed on the development consent:***
  - a) ***No fencing is approved as part of this development consent .***
  - b) ***Prior to the issue of the Occupation Certificate, the carpark to service the Southern Highlands Bridge Club shall be completed in accordance with the approved plans and to the satisfaction of the Manager Development Assessment. All works shall be completed prior to the issue of the Occupation Certificate.***
3. ***The panel otherwise imposes the draft conditions recommended in the Council Officer's assessment report.***

REASONS:

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1. The Panel has considered the Council officers' assessment report, including supplementary information concerning the Plan of Management for David Woods Playing Fields adopted by Council under the *Local Government Act 1993*, and all relevant planning controls contained in Wingecarribee LEP 2010, Bowral Town Plan DCP, the EP&A Act and LG Act 1993. The Panel has also considered all written submissions received by Council from Government Agencies and members of the public.
2. The Panel has amended the description of the proposed development as described in the Council officers recommendation to read "a new single storey building for the purpose of indoor recreation use including playing Bridge" so as to better reflect the intended use of the building and to provide a degree of flexibility for future uses of the facility.
3. The Panel is concerned about the presentation of the proposed carpark to Boardman Road. In particular, the proximity of the carpark to the property boundary limits opportunity for a landscaped setback. In the Panel's opinion, landscaping involving a mixture of ground covers, shrubs and trees is required to soften the visual impact of the proposed carpark. A setback similar to the setback of the existing carpark to Boardman Road, which the Panel estimates at 10 m, is required. Relocation, and if possible redesign, of the carpark to increase the setback to 10 metres is required as a deferred commencement condition.
4. Additional deferred commencement conditions have been imposed to require preparation of a detailed landscape plan (incorporating the landscape treatment referred to above) and details of building materials and colours. These details are required to ensure that the landscape design and materials and colours are carefully considered and become central components of the approved development.
5. The submitted plan is silent on proposed fencing. Given the potential visual impact of future security fencing, and the absence of such details in the application, the Panel determination will exclude fencing. The construction of future fencing will require an application to modify the development consent.
6. The submitted plans are also silent on the timing of construction of the carpark. The panel has imposed a condition requiring the carpark to be constructed before issue of an occupation certificate for the building to ensure that carparking will be available prior to the commencement of the use.
7. The Panel otherwise adopts the draft conditions contained in the Council officers' assessment report.

VOTING : UNANIMOUS

## 6. PLANNING PROPOSALS

### 6.1 Planning Proposal to reclassify Lots 11, 12 and 13 DP 1150964, "Calwalla" Sheepwash Road, Glenquarry

Report Author: Senior Strategic Land Use Planner  
Authoriser: Manager Strategic Land Use Planning

#### OFFICERS' RECOMMENDATION

THAT

1. *the Planning Proposal to insert Lots 11, 12 and 13 DP 1150964, being Council property "Calwalla", Sheepwash Road, Glenquarry, into Schedule 4 (Classification and reclassification of public land) Part 2 (Land classified, or reclassified, as operational land – no interests changed) of WLEP 2010, in accordance with clause 5.2 of WLEP 2010, be finalised under s3.36 of the Environmental Planning & Assessment Act 1979, and*
2. *Land Reclassification (Part Lots) Map Sheet RPL\_007L be amended to reflect the reclassification.*

#### PANEL ADVICE

THAT

1. ***the Planning Proposal to insert Lots 11, 12 and 13 DP 1150964, being Council property "Calwalla", Sheepwash Road, Glenquarry, into Schedule 4 (Classification and reclassification of public land) Part 1 (Land classified, or reclassified, as operational land – no interests changed) of WLEP 2010, in accordance with clause 5.2 of WLEP 2010, be finalised under s3.36 of the Environmental Planning & Assessment Act 1979, and***
2. ***Land Reclassification (Part Lots) Map Sheet RPL\_007L be amended to reflect the reclassification.***

VOTING UNANIMOUS

REASONS:

The Panel has considered the Council officers' assessment report. The Panel considers that the planning proposal has site specific and strategic merit and otherwise generally agrees with reasons contained in the Council officer's report.

## 6.2 Planning Proposal to Reclassify from Community to Operational Council owned land, being Lot 1 DP1246504, 7-11 Burgess Street Bundanoon

Report Author: Senior Strategic Land Use Planner  
Authoriser: Manager Strategic Land Use Planning

Ms Ann Rocca addressed the Panel on this item.

### OFFICERS RECOMMENDATION

THAT

1. *the Planning Proposal to insert Lot 1 DP1246504, being Council owned land at 7-11 Burgess Street, Bundanoon, into Schedule 4 (Classification and reclassification of public land) Part 2 (Land classified, or reclassified, as operational land – no interests changed) of WLEP 2010, in accordance with clause 5.2 of WLEP 2010, be finalised under s3.36 of the Environmental Planning & Assessment Act 1979, and*
2. *Land Reclassification (Part Lots) Map Sheet RPL\_008A be amended to reflect the reclassification.*

### PANEL ADVICE

THAT

1. *the Planning Proposal to insert Lot 1 DP1246504, being Council owned land at 7-11 Burgess Street, Bundanoon, into Schedule 4 (Classification and reclassification of public land) Part 1 (Land classified, or reclassified, as operational land – no interests changed) of WLEP 2010, in accordance with clause 5.2 of WLEP 2010, be finalised under s3.36 of the Environmental Planning & Assessment Act 1979, and*
2. *Land Reclassification (Part Lots) Map Sheet RPL\_008A be amended to reflect the reclassification.*

VOTING UNANIMOUS

REASONS The Panel has considered the Council officers' assessment report, written submissions received from members of the public and Ms Rocca's representations at the Panel meeting. The Panel considers that the planning proposal has site specific and strategic merit and otherwise generally agrees with reasons contained in the Council officer's report.



### 6.3 Planning Proposal to rezone land at 254 Centennial Road Bowral (Centennial Vineyards) from E3 Environmental Management to SP3 Tourist.

Report Author: Senior Strategic Land Use Planner  
Authoriser: Manager Strategic Land Use Planning

#### OFFICER'S RECOMMENDATION

THAT

1. *the Planning Proposal to rezone land at 254 Centennial Road Bowral (Centennial Vineyards), being Lot 1 DP 126196, Lot 1 DP 435373, Lot 5A DP 16192 and part Lot 1 DP 16192 from E3 Environmental Management to SP3 Tourist be finalised under s 3.36 of the Environmental Planning & Assessment Act 1979, and*
2. *any future Development Application over the SP3 Tourist zoned land provide a Concept Master Plan, as required under the Rural Tourism Policy, and demonstrate to Council's satisfaction that no clearing of native vegetation will be required.*

#### PANEL ADVICE

THAT

1. *the Planning Proposal to rezone land at 254 Centennial Road Bowral (Centennial Vineyards), being Lot 1 DP 126196, Lot 1 DP 435373, Lot 5A DP 16192 and part Lot 1 DP 16192 from E3 Environmental Management to SP3 Tourist be finalised under s 3.36 of the Environmental Planning & Assessment Act 1979, and*
2. *any future Development Application over the SP3 Tourist zoned land provide a Concept Master Plan, as required under the Rural Tourism Policy, and demonstrate to Council's satisfaction that no clearing of native vegetation will be required.*

VOTING UNANIMOUS

REASONS The Panel has considered the Council officers' assessment report and written submissions received from members of the public. The Panel considers that the planning proposal has site specific and strategic merit and otherwise generally agrees with reasons contained in the Council officer's report.

## 6.4 Planning Proposal for Provisions Relating to Secondary Dwellings in Rural Zones

Report Author: Senior Strategic Land Use Planner  
Authoriser: Manager Strategic Land Use Planning

### OFFICER'S RECOMMENDATION

***THAT** the Planning Proposal to insert the Standard Instrument optional clause 5.5 into the Wingecarribee Local Environmental Plan 2010 to provide development standards for secondary dwellings in rural zones be finalised under s3.36 of the Environmental Planning & Assessment Act 1979.*

### PANEL ADVICE

***THAT** the Planning Proposal to insert the Standard Instrument optional clause 5.5 into the Wingecarribee Local Environmental Plan 2010 to provide development standards for secondary dwellings in rural zones be finalised under s3.36 of the Environmental Planning & Assessment Act 1979.*

VOTING UNANIMOUS

REASONS The Panel has considered the Council officers' assessment report and written submissions received from members of the public. The Panel considers that the planning proposal has strategic merit and otherwise generally agrees with reasons contained in the Council officer's report.

The panel moved into closed session at 3.50pm.

The meeting reopened at 5.10pm when the Chair announced the Panel's decisions

## 7. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.25 PM