

MINUTES

of the
Wingecarribee Local Planning Panel
held via
Zoom,
Electronic Meeting
on
Wednesday 6 April 2022

The meeting commenced at **3:30 pm**

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**MINUTES OF THE LOCAL PLANNING PANEL MEETING OF WINGECARRIBEE SHIRE COUNCIL
HELD IN ZOOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 6 APRIL
2022 COMMENCING AT 3:30 PM**

Present:	Chairperson	Julie Walsh
	Expert	Alf Lester
	Expert	Scott Barwick
	Community Representative	Robert Staas
In Attendance:	Director Communities and Place	Geoff King
	Acting Manager Planning, Development and Regulatory Services	Nancy Sample
	Manager Strategic Planning	Michael Park
	Coordinator ICT Operations	Ian Vong
	Executive Assistant Director Communities and Place	Leesa Stratford

1 OPENING OF THE MEETING

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

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

Mr Scott Barwick declared a less-than-significant non-pecuniary interest in Item 6.4 as he knows the applicant’s planning consultant on a professional basis, with Mr Lee having provided backlog planning services to the firm of which he was a Director of approximately 3 years ago. He stated that this past professional association does not preclude him from exercising his duties as a member of the panel. In this circumstance the Chair determined he could participate in the determination of that item.

5 PLANNING PROPOSALS

5.1 Agritourism Nominations under Standard Instrument Amendment Order

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

OFFICER'S RECOMMENDATION

THAT the proposed nominations under the draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021, as described in this report, be supported for Council endorsement by the Interim Administrator.

PANEL DECISION

1. The Panel considers that is regrettable that the timetable provided by the Department of Planning does not enable appropriate community consultation in respect of the proposed changes to Wingecarribee LEP 2010 as a consequence of the proposed changes to the standard instrument.
2. The Panel does not support the introduction of additional permissible uses of "Farmgate Premises" and "Farm Experience Premises" in the RU4, C3 and C4 zones and the additional permitted use of "Farm Stay Accommodation" in the RU4 zone in the absence of a formal Planning Proposal with appropriate community engagement.
3. The Panel does not support the full extent of nominations and changes as set out in the Council Officer's report. Instead the Panel supports the following nominations under the *draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021* be supported for Council endorsement by the Interim Administrator.

Clause 5.23(2)(b) nominate a maximum gross floor area for *Farm stay accommodation* of 60m²

Clause 5.23(2)(c) nominate maximum number of guests for *Farm stay accommodation* of 10
Clause 5.23(2)(d) nominate maximum number of moveable dwellings on a landholding for *Farm stay accommodation* of 3

Clause 5.24(2)(a) nominate maximum gross floor area for *Farm gate premises* of 100m²

Clause 5.24(2)(b) nominate maximum number of guests for *Farm gate premises* of 25

4. The Panel recommends a Planning Proposal be prepared to nominate alternative maxima controls for these land uses and additional zones where such land uses may be considered appropriate to be permitted.

REASONS:

As above

VOTING:

Unanimous

6 DEVELOPMENT APPLICATIONS

6.1 Development Application 22/0925 - for Construction of a Steel-framed Electronic Scoreboard at Bradman Oval, Cnr Boolwey and Glebe Street, Bowral

Report Author: Senior Development Assessment Planner

Authoriser: Director Communities and Place

OFFICER'S RECOMMENDATION

THAT the Wingecarribee Local Planning Panel determines development application 22/0925 for construction of a steel-framed electronic scoreboard at Bradman Oval by APPROVAL subject to the conditions specified in Attachment 1 to this report.

PANEL DECISION

THAT the Wingecarribee Local Planning Panel determines development application 22/0925 for construction of a steel-framed electronic scoreboard at Bradman Oval by APPROVAL subject to the conditions specified in Attachment 1 to the Council Officer's report subject to condition 12 being changed to a deferred commencement condition.

REASONS

The Panel generally agrees with the Council Officer's report but has changed Condition 12 of the Determination of Consent (building materials and colour scheme) to a deferred commencement condition for certainty.

VOTING

Unanimous

6.2 Development application 21/2058 - Subdivision of land and carrying out of works to create three lots, and carrying out of works for the purpose of private roads, Lot 5 DP867717, Earl Street, Bowral

Report Author: Senior Development Assessment Planner
Authoriser: Acting Manager Planning, Certification and Compliance

OFFICER'S RECOMMENDATION

THAT the Wingecarribee Local Planning Panel determines development application 21/2058 for subdivision of land and carrying out of works to create three lots, and carrying out of works for the purpose of private roads, at Lot 5 DP867717, Earl Street, Bowral by REFUSAL of consent for the reasons specified in Attachment 1 to this report.

PANEL DECISION

THAT the Wingecarribee Local Planning Panel determines development application 21/2058 for subdivision of land and carrying out of works to create three lots, and carrying out of works for the purpose of private roads, at Lot 5 DP867717, Earl Street, Bowral by REFUSAL of consent for the reasons specified in Attachment 1 to the Council Officer's report, with the additional following reason:

- ***Lack of owner's consent for the necessary roadworks over the right of way traversing 8-10 Carlisle Street, Bowral***

REASONS

The Panel generally agrees with the Council Officer's report.

VOTING

Unanimous

6.3 Development Application 22/1184 - Residential Alterations and Additions - Deck, Extensions, Internal and Carport. Lot14 DP 1992, 3 Crown Street, Burrawang

Report Author: Accredited Certifier
Authoriser: Director Communities and Place

OFFICER'S RECOMMENDATION

THAT the Independent Advisory Planning Assessment Panel determines development application DA22/1184 for Lot 14 Dep 1992, 3 Crown Street, Burrawang by APPROVAL of consent for the reasons specified in Attachment 1 to this report.

PANEL DECISION

THAT the Wingecarribee Local Planning Panel determines development application DA22/1184 for Lot 14 Dep 1992, 3 Crown Street, Burrawang by APPROVAL of consent subject to the conditions specified in Attachment 1 the Council Officer's report amended to include the plan numbers in condition one (1).

REASONS

The Panel generally agrees with the Council Officer's report.

VOTING

Unanimous

6.4 Development Application 18/0308 - Demolition of Existing Structures and Construction of a Boarding House at Lot 22 DP 529628, 116 Mittagong Road, Bowral

Report Author: Development Officer - Planning (Contractor)
Authoriser: Director Communities and Place

OFFICER'S RECOMMENDATION

THAT the Local Planning Panel determines DA18/0308 – Proposed demolition of existing structures and construction of a boarding house and associated works at Lot 22 DP 529628, 116 Mittagong Road, Bowral by APPROVAL, subject to the conditions specified in Attachment 1 to the report.

PANEL DECISION

THAT the Local Planning Panel determines DA18/0308 – Proposed demolition of existing structures and construction of a boarding house and associated works at Lot 22 DP 529628, 116 Mittagong Road, Bowral by APPROVAL, subject to the conditions specified in Attachment 1 to the Council Officer's report amended as follows:

- 1. A deferred commencement condition be imposed requiring a landscape plan (to include suitable additional canopy trees and a 1.8 high lapped and capped fence to north boundary) Plan of Management, five (5) motorcycle spaces and five (5) bicycle spaces, external building materials details, and fixed privacy screens to upper level north facing units (Maximum 1.5 metres in height).*
- 2. Ongoing use Conditions regarding the maximum total occupants and maximum occupants per unit and compliance with the Plan of Management.*

REASONS

The Panel generally agrees with the Council Officer's report, but has changed some of the conditions to deferred commencements conditions for certainty.

VOTING

unanimous

7 MEETING CLOSURE

Meeting closed 5.15pm