



MINUTES

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

Wednesday 7 December 2022

The meeting commenced at **2:00 pm**

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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 7 DECEMBER 2022 COMMENCING AT 2:00 PM

Present:	Chairperson	Julie Walsh
	Expert	Scott Barwick
	Expert	Heather Warton
	Community Representative	Richard Colley

In Attendance:	Director Communities and Place	Adan Davis
	Manager Strategic Planning	Michael Park
	Planning Consultant	Jeremy Swan
	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

5 PLANNING PROPOSALS

5.1 Planning Proposal - Mittagong Airfield

Report Author: Senior Strategic Land Use Planner

Authoriser: Executive Manager Strategic Outcomes

***Mr Scott Lee (Applicant)** addressed the panel in support of the Council Officer's recommendation.*

OFFICER'S RECOMMENDATION

THAT

1. The Planning Proposal (PP-2022-3467) to amend Schedule 1 (Additional Permitted Uses) of Wingecarribee Local Environmental Plan 2010 to enable boundary adjustment by subdivision between Lot 841 DP1253894 and Lot 11 DP1226788, to retain a maximum of two (2) lots (one of which would preserve the existing dwelling entitlement) BE SUPPORTED, and
2. The Planning Proposal be submitted for a Gateway determination in accordance with s.3.34 of the *Environmental Planning & Assessment Act 1979*.

PANEL ADVICE

1. **The Planning Proposal (PP-2022-3467) to amend Schedule 1 (Additional Permitted Uses) of Wingecarribee Local Environmental Plan 2010 to enable boundary adjustment by subdivision between Lot 841 DP1253894 and Lot 11 DP1226788, to retain a maximum of two (2) lots (one of which would preserve the existing dwelling entitlement) BE SUPPORTED, and**
2. **The Planning Proposal be submitted for a Gateway determination in accordance with s.3.34 of the Environmental Planning & Assessment Act 1979.**
3. **Consideration be given by the applicant to lodging a concurrent development application for the subdivision application for the boundary adjustment.**

REASONS:

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

VOTING:

Unanimous

6 DEVELOPMENT APPLICATIONS

6.1 DA22/0583.01 – Modification to Construction of a New Community Hall and Associated Works at Lots 145 – 152 in DP 751259, Lot 1 in DP 327438, Lot 155-157 & 163 in DP 751259 and Lot 1 Community Hall - Penrose Oval 300 Kareella Road, Penrose

Report Author: Development Officer - Planning (Contractor)

Authoriser: Director Communities and Place

No speakers registered to address panel on this matter.

OFFICER'S RECOMMENDATION

THAT the Local Planning Panel determines modification DA22/0583.01 for the Construction of a New Community Hall and Associated Works at 300 Kareela Road, Penrose for APPROVAL, subject to the conditions of consent in Attachment 1 to this report.

PANEL'S DECISION

The Local Planning Panel determines modification DA22/0583.01 to amend the Development consent for the Construction of a New Community Hall and Associated Works at 300 Kareela Road, Penrose by APPROVAL, subject to the amended conditions of consent in Attachment 1 to the Council Officer's report with additional condition (90) as follows:

Condition 90 Ongoing Use – Parking

A total of 37 parking spaces plus 2 accessible parking spaces are to be provided at all times for the use of the Community Hall in accordance with the stamped approved plans.

Reason: To ensure that the development provides sufficient parking whilst in use.

REASONS:

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

VOTING:

Unanimous

6.2 DA21/1043 - Subdivision of land and carrying out of works to create 23 residential lots and carrying out of works for the purpose of reads at 1 & 7 Reg Grundy Drive Bundanoon, Lot 18 in DP 1219744, and Lot 11 in DP 1219744

Reference: 21/1043
Report Author: Development Assessment Planner
Planner Authoriser: Director Communities and Place

Ms Lynda Philpot addressed the Panel to speak against the Development Application.

Mrs Vanessa Riepler addressed the Panel to speak against the Development Application.

Mr Colin Tyson addressed the Panel to speak against the Development Application.

Ms Samantha Bruce (unable to attend due to sickness), Mr Colin Tyson presented on her behalf to speak against the Development Application.

Mr Doug Graham (RG Capital Australia – Applicant), addressed the Panel to speak in favour of the Development Application.

OFFICER'S RECOMMENDATION

THAT the Local planning Panel determines development application 21/1043 for subdivision of land and carrying out of works to create 22 community title residential lots, 1 community title lot and carrying out of works for the purpose of roads by APPROVAL, subject to the conditions specified in Attachment 1 of the report.

PANEL'S DECISION

The Local Planning Panel further defers development application 21/1043 for subdivision of land and carrying out of works to create 22 community title residential lots, 1 community title lot and carrying out of works for the purpose of roads to obtain the following:

- 1. An amended consolidated set of conditions, including**
 - a) The additional conditions for the WaterNSW concurrence in respect of the amended plans date 14 June 2022.**
 - b) Amended conditions of consent and in the Community Management Statement to ensure that the Vegetation Management Plan (Version 3) is implemented and to ensure that the provisions of the Community Management Statement and the Vegetation Management Plan are consistent.**
 - c) Additional conditions containing specific reference to the recommendations of the Koala Assessment Report.**

2. To clarify that the NSW Rural Fire Service had regard to the proposed Vegetation Management Plan (Version 3) in issuing general terms of approval.
3. To clarify that the NSW Natural Resources Access Regulator advice remains that the proposed development as amended does not require controlled activity approval under Section 91 of the Water Management Act 2000.
4. Request the applicant to clarify that the findings of the Koala Assessment Report remain valid, notwithstanding the change in classification from *Threatened to Endangered* for the Koala.

Upon receipt of the above that matter may be determined electronically by the Panel constituted by the same members if possible, subject to the discretion of the chair.

REASONS:

The Panel is not satisfied that it has sufficient information to finally determine the application and imposed appropriate conditions.

VOTING:

Unanimous

7 MEETING CLOSURE

Local Planning Pane meeting closed at 4.43pm.
