

MINUTES

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

Wednesday 1 June 2022

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

Table Of Contents

1 OPENING OF THE MEETING	3
2 ACKNOWLEDGEMENT OF COUNTRY	3
3 APOLOGIES.....	3
4 DECLARATIONS OF INTEREST	3
5 PLANNING PROPOSALS	3
6 DEVELOPMENT APPLICATIONS	4
6.1 Demolition Of A Building, Erection Of Buildings And Carrying Out Of Works For The Purpose Of Multi Dwelling Housing	4
6.2 Development Application 22/0712 - Subdivision Of Land To Create Two Lots - Lot 1 DP258420, No 10 Old Hume Highway Berrima.....	6
7 MEETING CLOSURE.....	7

**MINUTES OF THE LOCAL PLANNING PANEL MEETING OF WINGECARRIBEE SHIRE COUNCIL
HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON
WEDNESDAY 1 JUNE 2022 COMMENCING AT 3:30 PM**

Present:	Chairperson	Julie Walsh
	Expert	Scott Barwick
	Expert	Larissa Ozog
	Community Representative	Richard Colley
In Attendance:	Acting Manager Planning, Development and Regulatory Services	Nancy Sample
	Senior Town Planner	Chris Young
	Senior Town Planner	Roland Wong
	ICT Operations	Tim Franklin
	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 Straight Islanders present here today.”

3 APOLOGIES

There were no apologies for the meeting.

4 DECLARATIONS OF INTEREST

Larissa Ozog declared a Non-Pecuniary, Non-Significant Interest in item’s 6.1 & 6.2 as she is a panel member of the Wollongong LPP, which Mr Scott Lee is also a member. However, does not know him in any professional capacity. She will remain in the meeting and take part in voting on all matters listed.

Julie Walsh declared a Non-Pecuniary / Significant Interest in item 6.2 as she was a member of the WLPP that considered the previous DA for this site on 7 July 2021. She will not take part any discussion and refrain from voting on this matter.

5 PLANNING PROPOSALS

There were no Planning Proposals listed at this meeting.

6 DEVELOPMENT APPLICATIONS

6.1 Demolition of a building, erection of buildings and carrying out of works for the purpose of multi dwelling housing

Report Author: Senior Development Assessment Planner

Authoriser: Director Communities and Place

Michael Sugg – addressed the panel on behalf of residents and against the recommendation

Scott Lee, Applicant – addressed the panel in support of the Officer’s recommendation.

Justin Dikes, designer – addressed the panel in support of the application

OFFICER’S RECOMMENDATION

THAT the Wingecarribee Local Planning Panel determines development application 22/0223 for demolition of a building, erection of buildings and carrying out of works for the purpose of multi dwelling housing, and subsequent subdivision of land to create four lots and common property under Strata Title at Lot 1 DP1267002 (former Lot 1 DP508745), 24 Waverly Parade, Mittagong by GRANTING CONSENT subject to the conditions specified in Attachment 1 to this report.

PANEL DETERMINATION

*The Wingecarribee Local Planning Panel determines development application 22/0223 for demolition of a building, erection of buildings and carrying out of works for the purpose of multi dwelling housing, and subsequent subdivision of land to create four lots and common property under Strata Title at Lot 1 DP1267002 (former Lot 1 DP508745), 24 Waverly Parade, Mittagong by **REFUSAL** for the reasons specified below.*

REASONS:

1. The removal of the Cedrus Deodara (tree number 3 in the front of the site) is not supported having regard to the significant contribution the tree makes to the site, streetscape and locality.
2. The proposal fails to satisfy the objectives and controls of sections C3.3, S3.11.2, C17.2, C17.3 and C3.6.1 of the Mittagong Town Plan Development Control Plan (DCP) in respect to the retention of any significant landscape features on the site.
3. The proposal fails to satisfy section 4.15 of the EP&A Act in that the removal of the Cedrus Deodara will have an adverse visual environmental impact on the streetscape and immediate locality.
4. The Landscape Plan fails to satisfy the controls in section A3.6 of the Development Control Plan (DCP).

VOTING:

UNANIMOUS

6.2 Development Application 22/0712 - Subdivision of Land to Create Two Lots - Lot 1 DP258420, No 10 Old Hume Highway Berrima

Report Author: Senior Development Assessment Planner

Authoriser: Director Communities and Place

Mr Scott Lee, applicant – addressed the panel in support of the Officer’s recommendation.

Julie Walsh declared a Non-Pecuniary, Significant interest in item 6.2, as she was a member of the WLPP that considered the previous DA for this site on 7 July 2021. She did not take part in any discussion or voting on this matter.

Julie Walsh left the chamber at 3.56pm and Scott Barwick assumed the chair.

OFFICER’S RECOMMENDATION

THAT the Local Planning Panel determines development application 22/0712, for the subdivision of land to create two lots, at Lot 1 DP258420, 10 Old Hume Highway Berrima, by approval subject to conditions specified in Attachment 1 to this report.

PANEL DETERMINATION

The Wingecarribee Local Planning Panel determines development application 22/0712, for the subdivision of land to create two lots, at Lot 1 DP258420, 10 Old Hume Highway Berrima, by REFUSAL subject to the reasons listed below.

REASONS:

- 1. The site is identified in Part A section 9 of the Berrima Village Development Control Plan (DCP) ‘Development within a heritage context’ with the potential for residential development to have access from Wilkinson Street rather than at the Old Hume Highway frontage. This preferred planning outcome has not been pursued.**
- 2. The development fails to satisfy the objectives of clause 5.10 (1)(a) and (b) of the WLEP 2010 and will have potential adverse impact on the heritage significance of the conservation area and adjacent heritage items (C15.10 (4) of the LEP).**
- 3. The proposed development fails to satisfy the design principles and guidelines contained in the Berrima Village DCP contained in Part A, section 9 (Development within a Heritage Context).**

4. The proposal fails to satisfy clause 7.10 of the WLEP 2010 in that it has not been confirmed that the necessary public utility infrastructure is available to service the proposed lot.
5. Appropriate considerations of the constraints of the site relating to existing vegetation, vehicle access and sewer infrastructure capacity upon the potential development of the site has not been made. This would be assisted with the provision of concept drawings to demonstrate that any proposed building envelope can provide a suitable dwelling.

VOTING:

UNANIMOUS

Note:

Julie Walsh did not vote on this matter, the voting Panel members were Scott Barwick, Larissa Ozog and Richard Colley.

7 MEETING CLOSURE

The meeting closed at 5.13pm
