WEEKLY CIRCULAR

ISSUE NO. 18

ISSUE DATE: 1 June 2018

2018
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<td>Monday 18 June 2018</td>
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<td>East Bowral Community Centre Management Committee</td>
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<td>Canyonleigh Hall Management Committee AGM</td>
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<td>Bong Bong Common Management Committee AGM</td>
<td>Tuesday 14 August 2018</td>
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<td>Hill Top Community Centre Management Committee AGM</td>
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<td>Robertson Community Centre</td>
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The purpose of this Weekly Circular is to inform Councillors of a development application which seeks consent to subdivide 34-36 Bong Bong Road, Mittagong to create six lots for the purpose of dwelling houses.

Site Description

The land is known as Lot 3 DP 565895 and Lot 4 Sec 2 DP 651, being 34-40 Bong Bong Road, Mittagong (Attachment 1). It is a 5427m² parcel of two developed residential lots on the eastern side of Bong Bong Road, Mittagong, around 3km east of the town centre. It is accessible by vehicle from Bong Bong Road, which at this location is sealed and incorporates kerb and gutter to each side. There is no paved footpath along the land’s Bong Bong Road frontage.

Each of the two lots is occupied by a dwelling house and associated buildings and works, including a swimming pool on the northernmost Lot 3 DP565895 (34-36 Bong Bong Road).

The land slopes gently/moderately and fairly uniformly from west to east, away from Bong Bong Road. Vegetation on the land mainly comprises managed lawns, along with domestic tree and other landscape plantings.

Surrounding properties are mostly used for low density residential accommodation purposes.

Proposed Development

On 10 April 2018, 18/0403 was lodged with Council seeking consent to subdivide the land in two stages to create six lots for the purpose of dwelling houses.

A plan of the proposal can be found at Attachment 2.

Permissibility

Under Wingecarribee Local Environmental Plan 2010 (the LEP), the land is in Zone R2 Low Density Residential, and the minimum size shown on the Lot Size Map in relation to the land is 700m². Development (including subdivision of land) for the purpose of dwelling houses is permissible with development consent in Zone R2, and each of the proposed lots exceeds the minimum required 700m² area.

The provisions of the Mittagong Town Plan Development Control Plan also apply to the land and proposed development.
Assessment Timeline

The application was notified to adjoining and adjacent landowners with the notification period concluding on 8 May 2018. Council received two submissions, raising concerns regarding stormwater drainage.

The land includes bush fire prone land, so the development requires authorisation under section 100B of the Rural Fires Act 1997 in respect of bush fire safety of subdivision of land that could lawfully be used for residential purposes. Accordingly, the application has been referred to the NSW Rural Fire Service (RFS). At the time of writing, Council has not received RFS’ response.

The application shall be determined under delegated authority, unless it is requested by a Councillor that the application be determined by full Council.


Should you require any further information, please contact Councillor.Request@wsc.nsw.gov.au
The purpose of this Weekly Circular is to inform Councillors of a development application which seeks consent to a Boarding House at 116 Mittagong Road, Bowral.

Site Description

The site is known as Lot 22 DP 529628, being 116 Mittagong Road Bowral (Attachment 1).

The site is currently characterised by an existing dwelling house with associated outbuildings. Development on site comprises the former dwelling structure located at the front of the site, setback at a distance of 27m from Mittagong Road. A Carport and small metal gardening shed make up the remainder of development within the site.

The site is moderately landscaped, with a number of trees planted within the front setback to the site, with a number of trees also planted to the rear of the lot.

The site has a shallow slope, with a fall of 6.5m from the rear of the site towards the street. The slope is moderately consistent across the site, with a significant rise initially from the Mittagong Road frontage into the lot. The site has an overall area of 1,907.0m², is regular in shape, with a street frontage of 20.2m and a site depth of 95m.

The surrounding development is characterised by residential development. The sites to the north and south are characterised by single storey detached dwellings on large lots. The lot immediately to the south is larger in size, with a tennis court located to the rear of the lot. This tennis court forms the development that is located to the east of the site. To the west is Mittagong Road, with the main southern railway located beyond. A Development Application has recently been received that relates to the site immediately to the south. This DA (DA-18/0530) seeks Council consent to demolish existing buildings and construct a townhouse development consisting of 10 dwellings with associated landscaping.

In general, the site is located within an R3-Medium Density Residential zone that is currently undergoing significant change. A number of multi-dwelling housing developments have been completed in recent years, with additional applications consented to on Clarke Street and a further DA under assessment (DA 17/1676) for multi-dwelling housing on Clarke and Cliff Streets.

Proposed Development

On 21 March 2018, DA18/0308 was lodged with Council seeking consent to construct a 23 room Boarding House. Specifically, the application includes the following elements;
- Demolition of all existing structures on site
- Construction of boarding house containing two separate buildings, each of two storeys in height. Designed to appear as sets of townhouses. Each building contains:
  - Block A.
    - 10 residential units
    - Managers apartment
    - Communal lounge
    - One accessible unit
  - Block B
    - 12 residential units
    - One accessible Unit
- Parking for eight (8) vehicles (one space of which will be designated as disabled parking), two (2) motorcycles and space for bicycle parking (number undefined).
- One additional car space for use of the on-site manager
- Landscaping to remainder of site

Elevations and site plan of the proposal can be found at Attachment 2.

Permissibility

The site is zoned R3 – Medium Density Residential under the Wingecarribee Local Environmental Plan 2010 with a Boarding House permissible with development consent (not listed as a prohibited use within the zone land use table).

The application specifically seeks approval under the provisions contained within State Environmental Planning Policy (Affordable Rental Housing) 2009. Of particular note are the controls within the Wingecarribee LEP and Bowral Town DCP that do not apply to this form of development under this SEPP. These controls relate to:

- Density or scale: if the density or scale of the buildings when expressed as a FSR are not more than;
  - The existing FSR for any form of residential development on the land
- Building Height: if the application complies with controls within the LEP
- Landscaped area: if the landscape treatment of the front setback is compatible with the surrounding streetscape
- Solar Access: if the communal living room receives a minimum of 3 hours of direct sunlight between 9am and 3pm in mid-winter
- Private Open Space: if at least the following are provided;
  - An area of 20m², with a minimum dimension of 3m; and
  - An area of 8m², with a minimum dimension of 2.5m for use of the on-site manager.
- Parking: If not located in an accessible area (as defined by the SEPP), at least 0.4 parking spaces per unit. An additional space for use by the on-site manager.
- Accommodation size: if each boarding room has a GFA of at least;
  - 12m² for a single lodger
  - 16m² in any other case

The SEPP defines an accessible area as being located within 800m walking distance of a public entrance to a railway station (irrespective of the frequency of service). The site is located at a distance of 1.1km from Bowral Train Station.

Car parking requirements under the provisions within the SEPP are significantly less than required by general development under the DCP. As discussed below, there are significant concerns from the community regarding this. The application is currently deficient by 1 parking spaces, which will be required to be addressed by the applicant.
Assessment Timeline

The application has been notified to adjoining and adjacent landowners with the notification period due to conclude on the 25 May 2018. At the time of drafting, a total of 18 submissions have been received raising issues such as:

- Amount of car parking provided
- Traffic generation
- Social Impacts associated with potential tenants within Boarding House
- Loss of character within Northern Entrance Precinct
- Development not compatible with surrounding residential uses
- Height not suitable for location
- Overshadowing impacts to surrounding properties
- Insufficient setbacks
- Landscaping Impacts
- Privacy impacts to surrounding development
- Lack of Communal Open Space
- Boarding house not an appropriate land use in the R3 zone
- Close proximity to Heritage Conservation Zone
- Distance of proposal from Bowral Train Station and other Public Transport Services.
- Reduction in property values in area
- Affordable Housing is not appropriate or required in Bowral
- The Southern Highlands is a tourist destination with this form of development detracting from this
- Concern that the application of the SEPP does not apply at this location
- Impacts to Visual Amenity

It should also be noted that a number of submissions have indicated that Council should make representations to the Minister of Planning to exclude Wingecarribee Shire from the operation of the State Environmental Planning Policy (Affordable Rental Housing) 2009.

These issues raised in the exhibition process will be addressed within the assessment of the application. Some aspects will require further information to be provided by the applicant following receipt of referral responses.

The application has been internally referred to Accredited Certifiers and Development Engineers.

The application has been externally referred to Roads and Maritime Services (RMS) and Water NSW. Comments have been received from both external agencies indicating that additional information is required to enable the assessment of the application. A request for further information has been issued to the applicant on 2 May 2018 seeking this additional information. No response has yet been received. On receipt of this information, both external agencies will be informed and assessment recommenced.

The application has been called up to be determined by full Council at a future Council meeting (date to be determined).


Should you require any further information, please contact Councillor.Request@wsc.nsw.gov.au
COUNCIL WEEKLY CIRCULAR

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<td>SUBJECT:</td>
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<tr>
<td>CONTACT NAME:</td>
<td>Nick Wilton, Group Manager Planning Development and Regulatory Services</td>
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<td>FILE NUMBER:</td>
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The purpose of this Weekly Circular is to inform Councillors of a development application which seeks consent for Commercial Alterations and Additions to Mittagong RSL at 148-150 Old Hume Highway Mittagong.

Site Description

The site is known as Lots 1 and 2 DP 1086496, being 148-150 Old Hume Highway, Mittagong (Attachment 1).

The site is currently developed as the Mittagong Returned Services League Club and has been in operation at the site since 1976. The site has undergone a number of extensions throughout the years with the most recent addition completed in 2015.

The overall site comprises the main RSL Building constructed along the western boundary of the site. This building is surrounded by three large car parking areas with the capacity for 338 vehicles. Further, The Springs Resort motel is located in the southern portion of the site and has its own car parking area for 62 cars.

The site is relatively flat, with a slight fall characterised across the site into a central canal that provides drainage for the site. The site has an overall size of 36,400m2, is irregular in shape and has street frontages to the Old Hume Highway (207m) and Bessemer Street (210m).

The surrounding development is predominately residential, with a large number of residential dwellings bordering the site to the south and west. A McDonald’s restaurant is located to the south of the motel building with areas of public open space located to the north-west.

A pre-DA meeting was held with Council in January 2018 to discuss the proposed alterations prior to submission of the DA.

Proposed Development

On 6 April 2018, DA18/0381 was lodged with Council seeking consent for commercial alterations and additions to the existing Mittagong RSL club buildings. Specifically, the application includes the following elements:

- Improve upon the building’s exterior aesthetics
- Construct a new kids play facility
- Alterations and Additions, as follows;
  - Ground Floor
- New access/egress stairs from function room
- Closing in the upper terrace area
  - First floor
    - Installation of Cool room into existing kitchen
    - Modify existing Plant room
    - Construct new toilet facilities for use within play centre
    - Construct new kitchen for play centre
    - Construct foyer and reception space for play centre
    - General space/seating space
    - Separate toddler play space
    - New café/terrace
  - Mezzanine
    - Bumper car arena
    - Arcade
    - Disco
    - 2 x Party rooms

Elevations and site plan of the proposal can be found at Attachment 2.

Permissibility

The site is zoned B4 – Mixed Use under the Wingecarribee Local Environmental Plan 2010 and in this zone, a Registered Club is permissible with development consent. The application seeks alterations and additions to this permissible land use.

Clause 4.3 of the WLEP provides a development standard relating to the height of buildings. The site is mapped as having a height of buildings of 12.5m, with the proposal seeking approval to construct the mezzanine component of the RSL building to a height of 13.5m. A clause 4.6 variation request has been submitted with the application seeking a variation to this control. This will be considered as part of the assessment of the application.

Assessment Timeline

The application has been notified to adjoining and adjacent landowners with the notification period due to conclude on 30 May 2018. At the time of drafting no submissions had been received by Council.

The application has been internally referred to Accredited Certifiers, Development Engineers, Tree and Vegetation Officer, Environmental Health and the Transportation Engineer.

The application has been externally referred to Water NSW. No comments have been received to date.

The application shall be determined under delegated authority, unless it is requested by a Councillor that the application be determined by full Council.


Should you require any further information, please contact Councillor.Request@wsc.nsw.gov.au
COUNCIL WEEKLY CIRCULAR

ITEM NO:  5

SUBJECT: DEVELOPMENT APPLICATION FOR RETENTION OF EXISTING COTTAGE AS SECONDARY DWELLING 2680 OLD HUME HIGHWAY, WOODLANDS

CONTACT NAME: Nick Wilton, Group Manager Planning Development and Regulatory Services

FILE NUMBER: 18/0435

The purpose of this Weekly Circular is to inform Councillors of a development application which seeks consent to retain an existing cottage as a secondary dwelling at 2680 Old Hume Highway, Woodlands.

Site Description

The site is legally described as Lot 10 DP 776861 and has an address of 2680 Old Hume Highway, Woodlands. The site is situated on the western side of the Old Hume Highway and is bounded to the north by the Hume Motorway. The site is located approximately 4 kilometres north-west of the Bowral Town Centre.

The site is an irregular shaped lot with an area of approximately 17 hectares, being partly cleared and partly covered with native remnant vegetation. Although having a frontage to the Old Hume Highway, the site is currently accessed from Joadja Crescent to the south.

Existing improvements upon the land include a small single storey brick cottage (the subject of this development application) and a new, much larger single storey principal dwelling that was approved by Council under DA 17/1228 in September 2017.

There are extensive views from the elevated sections of the site, in particular from the location of the new principal dwelling that is situated in the south-east corner of the site. The existing cottage is situated approximately 140m to the west of the principal dwelling at a lower elevation.

The site is adjoined by similar rural properties. Joadja Crescent is a small rural road that services eight properties that nestle between the Old Hume Highway and the Hume Motorway. The nearest dwelling houses are approximately 250 metres to the west and 400 metres to the south. The existing vegetation and topography of the site retains the sites sense of privacy and relative isolation.

A Site Plan can be found at Attachment 1.

Proposed Development

On 18 April 2018, DA 18/0435 was lodged with Council seeking consent for the retention of an existing cottage that will become the secondary dwelling to the recently constructed principal dwelling. The secondary dwelling is proposed to provide accommodation for an on-site manager to facilitate the agricultural functions of the site.
The development proposal does not involve any works. It seeks to simply retain the existing cottage to be utilised as a secondary dwelling. The existing cottage is described upon the submitted plans at Attachment 2 that show both the elevations. The total floor area is 114m².

Permissibility

The site is within the E3 – Environmental Management zone under the Wingecarribee Local Environmental Plan 2010. Within the E3 zone, secondary dwellings are permissible with development consent.

The E3 zone has the following objectives:

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To encourage the retention of the remaining evidence of significant historic and social values expressed in existing landscape and land use patterns.
- To minimise the proliferation of buildings and other structures in these sensitive landscape areas.
- To provide for a restricted range of development and land use activities that provide for rural settlement, sustainable agriculture, other types of economic and employment development, recreation and community amenity in identified drinking water catchment areas.
- To protect significant agricultural resources (soil, water and vegetation) in recognition of their value to Wingecarribee’s longer term economic sustainability.

The proponent has stated within the Statement of Environmental Effects (SEE) that:

“With the introduction of the new principal dwelling and the retention of the existing smaller cottage, which is suitable for an on-site manager, guest accommodation, family accommodation or general rental, it is far more likely that the site can be maintained and be managed in a way that is beneficial for its long term sustainability rather than just becoming a rural residential property.”

Clause 5.4 of the LEP - Controls relating to miscellaneous permissible uses, applies to the proposal. Subclause (9) relates specifically to secondary dwellings and states:

(9) Secondary dwellings
If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is greater:

(a) 60 square metres,
(b) 33% of the total floor area of the principal dwelling.

The new principal dwelling is approximately 369.29m² (having reference to the approved plans under 17/1228 from Macdonald Jones Homes).

The existing cottage, proposed to be retained as the secondary dwelling, is greater than 60m² and therefore subclause (b) must be applied. At 33% of the principal dwelling floor area, the secondary dwelling can be a maximum of 121.87m². The total floor area of the existing cottage is approximately 114m².

The subject site is located within the E3 – Environmental Management zone and is therefore subject to the provisions of the Rural Lands DCP. Section B2.3 of the DCP refers to Dual Occupancy and Secondary Dwelling developments. The key aim of this section of the DCP is to ensure that development does not adversely impact upon rural localities through an inappropriate scattering of dwellings across the landscape.
The proposal seeks a variation to Clause B2.3.3(c) of the DCP which states:

(c) A secondary dwelling which is separate from the principal dwelling shall be located no more than 50 metres from the principal dwelling so that the effect of the relative locations is to create a ‘group’ of buildings.

The distance between the existing cottage and the principal dwelling is approximately 140 metres. The applicant stated within the SEE that:

“This distance is considered to be acceptable in this case because the location of the new principal dwelling was accepted in full knowledge of the location of the existing cottage. Although Council has imposed a condition (within the development consent for DA 17/1228) that the cottage be decommissioned, there are no conditions of consent that relate to the removal of the cottage, nor any condition that indicates a desire to remove the cottage from the site.”

The following comment was made in the Assessment Report for DA 17/1228 regarding the separation of the existing cottage and the principal dwelling:

**B2.1 Siting, Design and Landscaping of Residential Development**

The proposal is considered to be responsible to the scenic and historic landscape of the shire. The siting of the proposed dwelling is considered acceptable and responsive to the surrounding rural residential context.

The visual impacts from this proposal are considered reasonable. The development will not be visually prominent and is responsible to the landscape. There is separation between the existing dwelling and the proposed dwelling, however the visual impacts from this separation are not considered to be detrimental.

**Assessment Timeline**

The application has been notified to adjoining and adjacent landowners with the notification period due to conclude on 31 May 2018. At the time of drafting, no submissions had been received for the proposal.

The application has been internally referred to Accredited Certifiers and Contributions Planner.

The application shall be determined under delegated authority, unless it is requested by a Councillor that the application be determined by full Council.


Should you require any further information, please contact Councillor.Request@wsc.nsw.gov.au
ATTACHMENT 2 – PLANS OF EXISTING COTTAGE

USE OF EXISTING BUILDING AS SECONDARY DWELLING
For DAVID AND VICTORIA SCANLAN
2080 OLD HUME HWY
LOT 10 DP 776861
WINGECARRIBE SHIRE

ELEVATIONS AND FLOOR PLANS
Scale 1:100
Date 09.04.2018