

cw-CS9 Planning Proposal to Amend WLEP 2010 to permit the Short Term Letting of Residential Dwellings for Tourist and Visitor Accommodation.

Reference: 5901
Responsible Officer: Group Manager Strategic and Assets

Clr J Uliana declared a pecuniary interest in Item cw-CS9, Planning Proposal to Amend WLEP 2010 to permit the Short Term Letting of Residential Dwellings for Tourist and Visitor Accommodation, as he is an owner of residential property seeking to operate as a short stay. He stated that he would leave the chamber when this matter was discussed, take no part in the debate and refrain from voting thereon.

PURPOSE

The purpose of this report is to advise Council of the options available for the management of the short term letting of residential dwellings for tourist and visitor accommodation. It is recommended that a Planning Proposal be prepared to amend Wingecarribee Local Environmental Plan 2010 (WLEP 2010) to insert a clause permitting the short term letting of residential dwellings for tourist and visitor accommodation as a form of exempt development.

At this juncture, time being 7.00pm Clr J Uliana left the meeting.

The Group Manager, Strategic and Assets addressed Council on this matter.

The Manager Governance, Legal and Human Resources addressed Council on this matter.

MN 230/13

MOTION moved by Clr L A C Whipper and seconded by Clr T D Gair:

1. **THAT** Council resolve to prepare a Planning Proposal under section 55 of the Environmental Planning & Assessment Act 1979, to insert into WLEP 2010 the following Local Clause:

“Short-term rental accommodation [local]

(1) The objective of this clause is to enable the temporary use of dwellings as short-term rental accommodation for tourists and visitors without requiring development consent.

(2) Despite any other provision of this plan, development consent is not required for the use of a dwelling as short-term rental accommodation for visitors (except bed and breakfast accommodation).

(3) In this clause ‘short-term tourist and visitor accommodation’ is tourist and visitor accommodation that is used for a maximum period of 45 consecutive days in any 12 month period per individual or group.”

PASSED

.....Cont'd

COMMITTEE REPORTS

.....Cont'd

In accordance with the Local Government Act (section 375A – Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

Councillor	For	Against
Clr J G Arkwright	X	
Clr H R Campbell	X	
Clr J R Clark	X	
Clr T D Gair		X
Clr G McLaughlin		X
Clr G M Turland		X
Clr I M Scandrett		X
Clr J Uliana	A	
Clr L A C Whipper	X	

On being put to the meeting, voting on the motion was tied at four (4) votes all and the Mayor exercised her casting vote in favour of the Motion.

AMENDMENT moved by Clr G M Turland and seconded by Clr I M Scandrett:

1. THAT Council resolve to prepare a Planning Proposal under section 55 of the Environmental Planning & Assessment Act 1979, to insert into WLEP 2010 the following Local Clause:

 “Short-term rental accommodation [local]

 (1) The objective of this clause is to enable the temporary use of dwellings of four bedrooms or less as short-term rental accommodation for tourists and visitors without requiring development consent.

 (2) Despite any other provision of this plan, development consent is not required for the use of a dwelling, with four (4) bedroom or less, as short-term rental accommodation for visitors (except bed and breakfast accommodation).

 (3) In this clause ‘short-term tourist and visitor accommodation’ is tourist and visitor accommodation that is used for a maximum period of 14 consecutive days in any 12 month period per individual or group”.
2. THAT Council develop a fact sheet AND THAT Council prepare a notification policy in relation this amendment.

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COMMITTEE REPORTS

.....Cont'd

In accordance with the Local Government Act (section 375A – Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

Councillor	For	Against
Clr J G Arkwright		X
Clr H R Campbell		X
Clr J R Clark		X
Clr T D Gair	X	
Clr G McLaughlin	X	
Clr G M Turland	X	
Clr I M Scandrett	X	
Clr J Uliana	A	
Clr L A C Whipper		X

On being put to the meeting, voting on the Amendment was tied at four (4) votes all and the Mayor exercised her casting vote against the Amendment.

LOST

MOTION PASSED

At this juncture, time being 7.10pm Clr J Uliana rejoined the meeting.