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Wingecarribee Shire Council
PO Box 141
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Attention: David Mathews

Rec Recd
20/6

ABN 16 820 474 487 WINGECARRIBEE SHIRE COUNCIL	
Classification:	MAILING
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File No.	PN 1785160 5901
18 JUN 2014 PM	
OFFICER	ACTION
D. Mathews	✓

Dear David,

RE: Request for Planning Proposal on behalf of the Moss Vale Showground Trust to amend Wingecarribee Local Environmental Plan 2010 in order to allow a camping ground at Moss Vale Showground

I write on behalf of the Moss Vale Showground Trust who have commissioned me to act on their behalf in this matter.

As you are aware, the Trust have held recent discussions with Wingecarribee Shire Council in relation to the use of the Moss Vale Showground for a limited range of on site camping. As I understand the situation, Council was concerned at the existing situation whereby the Trust was making some limited camp sites available for campers/Recreational Vehicle travellers, for short term or overnight stays. This camping was in addition to what occurs when events, such as the annual Moss Vale Show, rodeo or circus, are held at the Showground and people associated with those events camp at the site. I do not believe that Council has raised any concern with this practice.

At the request of Council, the Trust is not currently offering travellers this service. However, this type of camping at the site was not giving rise to any discernable impact, was a reasonable use of the site and the fees payable by these visitors was a vital source of income for the Trust. Therefore the Trust is hopeful of a quick resolution to the current impasse and Council's immediate support is critical to achieving that.

The discussions you have had with me in the past week indicate that Council's preferred process to deal with this situation is to prepare a Planning Proposal to amend the current Wingecarribee Local Environmental Plan 2010 so that the type of camping currently unacceptable to Council can be permitted. It has been indicated to me that there is a general level of support for such an amendment subject to proper assessment through the Planning Gateway process with the Department of Planning.

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- Land and Environment Court • Local Government specialist

Under the WLEP2010, the site carries a SP1 Special Activities Showground zoning. This allows showground uses and other uses either incidental or ancillary to that use. While I have made my view known that this could and should extend to the type of camping that was being promoted by the Trust, at this point in time proceeding with a Planning Proposal to amend the WLEP2010 is supported. The most efficient amendment to WLEP2010 is to retain the existing zoning and add the words 'and camping ground' to the WLEP2010 map.

The definition of camping ground is:

camping ground means an area of land that has access to communal amenities and on which campervans or tents, annexes or other similar portable and lightweight temporary shelters are, or are to be, installed, erected or placed for short term use, but does not include a caravan park.

This definition would provide the scope required for the Trust to achieve its objective. It is important to note that this definition does not include *caravan park* and the Trust wishes to be very clear that they have no intentions or desire to become a caravan park.

I have attached some relevant information in the standard format for Planning Proposals. It is requested that Council use this as the foundation for a report to Council recommending that a Planning Proposal be put to the Department of Planning. I understand that this is all that is required from us at this stage to enable you to prepare that report to Council and secure a formal resolution to proceed.

On the assumption that Council will support the Planning Proposal and the eventual amendment to the WLEP2010, it would be our intention as that process proceeds, to prepare the necessary Development Application that would allow Council to assess and approve camping on the site. To facilitate this, it would be appropriate to utilize the provisions of Section 72J of the *Environmental Planning and Assessment Act 1979* as this allows for some concurrent assessment of the Planning Proposal and the Development Application. This can be very effective, especially in the way members of the public can understand what the practical implications of the Planning Proposal may be.



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It will also reduce the overall time frame to the minimum possible to allow appropriate camping on the site to recommence as soon as possible.

Receipt of development approval would provide the Trust with the confidence to proceed to invest in improving the site amenity and properly promote their camping service. As I said earlier, this will provide a critical source of revenue for the ongoing management of the site which cannot be sustained without attracting income from a range of users.

I would be pleased if you could give consideration to the use of Section 72J for the immediate lodgement of a Development Application and confirm Council's agreement to this process as soon as possible.

The Trust looks forward to the support of Council in this matter and please contact me if any further information is required.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Scott Lee', is written over a horizontal line.

Scott Lee
Lee Environmental Planning
18 June 2014

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Information to Support Planning Proposal for Moss Vale Showground site

Part 1 Objectives and intended outcomes

The objective of the Planning Proposal is to allow camping at the Moss Vale Showground in addition to that already permitted as incidental or ancillary to the showground use. The outcome of this amendment is the ability of the Council to assess a Development Application from the Showground Trust, for a *camping ground* and for Council to consider that use as permissible on the site. It would allow the Trust to utilize the Showground site in an efficient and effective manner with uses that are complimentary to the primary showground use.

Part 2 Explanation of the provisions of proposed instrument

The preferred amendment to WLEP2010 is to retain the existing SP1 Special Activities Showground zoning for the site and to include on the maps, the words '*and camping grounds*'. This would apply only to the subject site. This would expand the permissible uses on the site to showground, camping ground and uses incidental and/or ancillary to those uses. It would enable a Development Application to be lodged and assessed so that a proposal for a camping ground of acceptable scale, with appropriate conditions of consent, can be developed by the Trust. The definition of *camping ground* is sufficient for the purposes of the Trust, noting that the definition does not include a caravan park, which is separately defined and is not part of the Trust's plans for the Showground site.

Other potential options to amend the WLEP2010 that are not favoured include:

- Changing the land use table for this zone rather than the map, however this means that camping grounds would become permissible wherever the SP1 zone was used and this may not be appropriate
- zoning of the site to RE2 Private recreation, however this would mean that a 'showground', falling under the definition of *recreation facility (major)*, would become a prohibited use, therefore introducing the potential for existing use rights to apply to the site
- listing the site in Schedule 1, with the additional use of camping ground, however Schedule 1 is not as transparent as amending the zoning map and is generally only used when there are no other options available

Part 3 Justification and process for implementation

The proposed amendment should be supported because it will allow a reasonable use of the showground site. Camping is, and always has been, closely associated with showgrounds and this amendment will remove any ambiguity in the current interpretation of the land use tables with regard to what constitutes incidental and/or ancillary camping.

The increase in recreational travelers visiting or passing through the Shire needs to be supported through the provision of opportunities for short term stays at well located sites capable of accommodating the full range of recreational vehicles. Council's long term strategic plan for the Shire places an emphasis on promoting tourist related opportunities and this proposal is a practical way of assisting that long term goal. The site has all the attributes to be able to provide a viable option for travellers without any potential impacts on adjoining landowners or the environment generally. It has suitable infrastructure already in place and is easily accessible for travellers. The introduction of camping at the site will in no way undermine the primary use of the site, which will remain as a showground.

Part 4 Maps

The subject site is the Moss Vale Showground, Illawarra Highway, Moss Vale, being all that area currently shown on the Wingecarribee Local Environmental Plan 2010 maps as zoned SP1 Showground. The relevant map would be amended to show the site as SP1 Showground and Camping Ground.

Part 5 Proposed Community Consultation

Community consultation should be in accordance with the Wingecarribee Shire Council adopted policy *Community Engagement & Notification of Proposed Development and Planning Proposals* (adopted 22 February 2012).