

Planning Proposal

Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 (WLEP 2010) to allow Camping Grounds at Moss Vale Showground 18-46 Robertson Road, Moss Vale – Lot 1 DP738800 and Lots 4 and 5 DP6103; and to amend WLEP 2010 to allow a Recreation Facility (Indoor) on Australian Rail Track Corporation Land at the Cnr of Caalong and Congewoi Streets, Robertson (No lot or DP Description)

Version 2 – For Gateway Determination

September 2014



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ATTACHMENTS WHICH FORM PART OF THIS PLANNING PROPOSAL
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0	Planning Proposal (This Document)
1	Evaluation Criteria for Delegation of Plan Making Functions (MS Word)
2	Report to Council of 9 July 2014
3	Resolution of Council of 9 July 2014
4.	Submission from Lee Environmental Plan on behalf of Moss Vale Showground Trust
5.	Submission from Robertson & District Swimming Pool Association Inc.
6.	Sydney Catchment Authority Comments

LOCAL GOVERNMENT AREA : WINGECARRIBEE SHIRE COUNCIL

ADDRESS OF LAND

SHIRE WIDE LOCATION

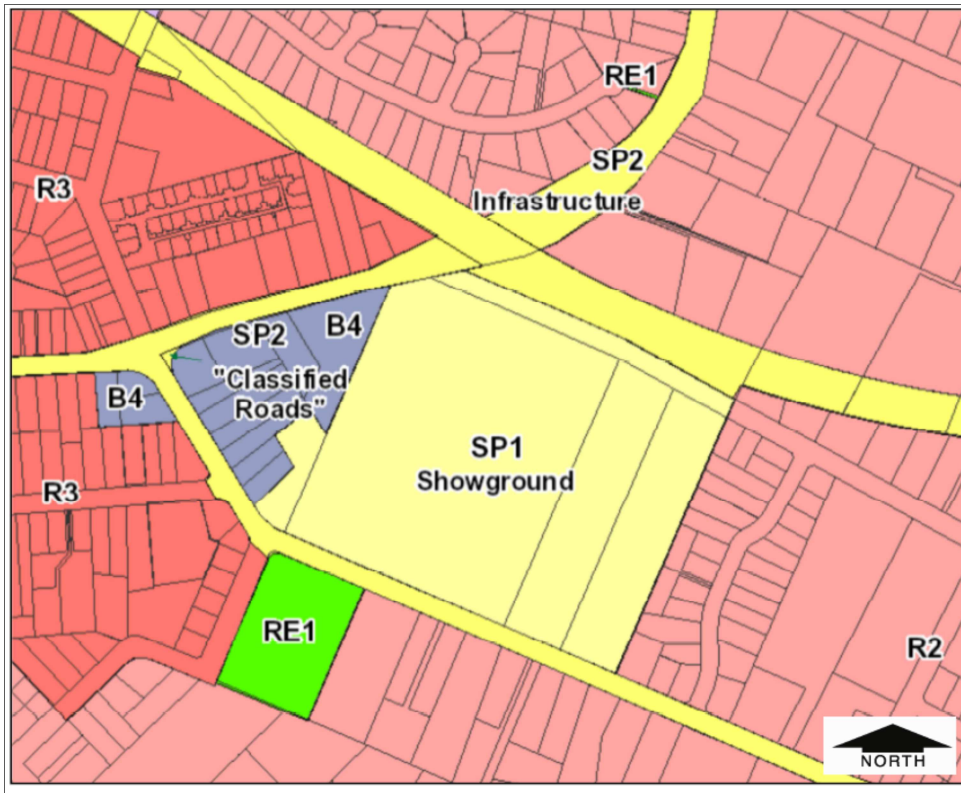


SITE LOCATION & DESCRIPTION

ADDRESS OF LAND: This Planning Proposal has to separate components on two separate parcels of land as follows:

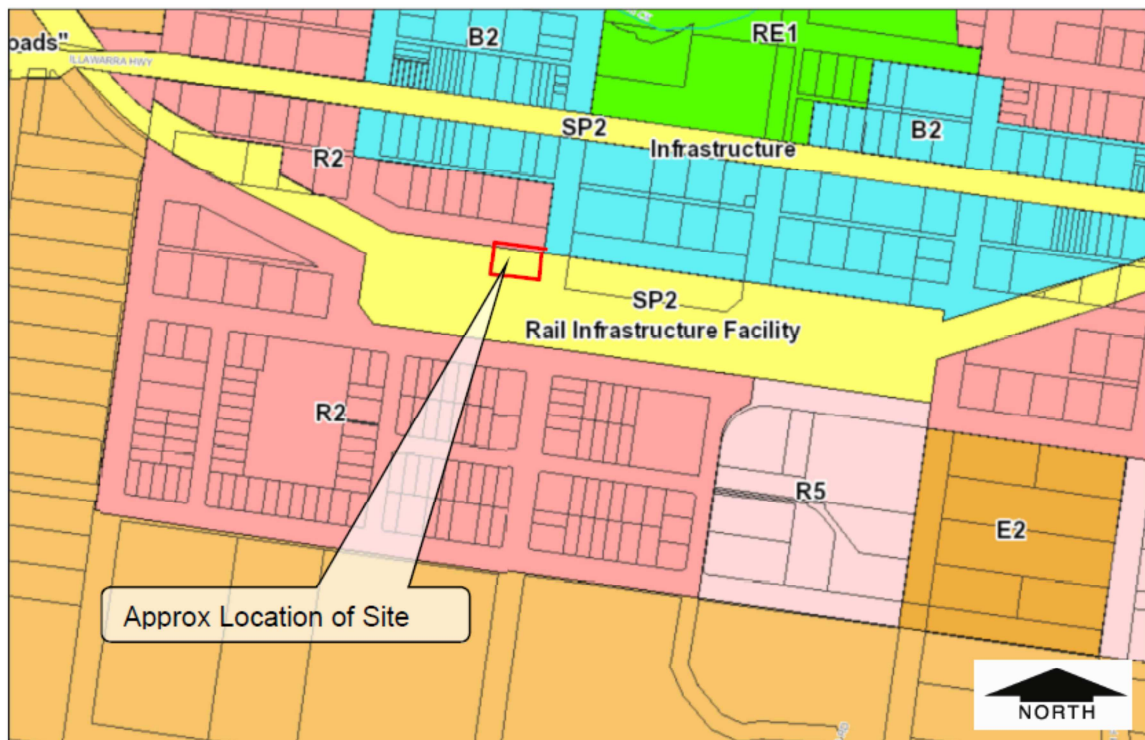
- a. Moss Vale Showground – 18-46 Robertson Road, Moss Vale – Lot 1 DP738800 and Lots 4 and 5 DP6103. **(Figure 1)**
- b. Proposed Robertson Pool – Australian Rail and Track Corporation Land at the Corner of Caalong and Congewoi Streets, Robertson. **(Figure 2)**

Figure 1 – Extract of zone Maps, Moss Vale Showground



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Figure 2 – Extract of zone Maps – ARTC Rail Land Robertson



Further detail of both sites is included in Part 4 Mapping of this document.

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PART 1 : OBJECTIVES OR INTENDED OUTCOMES

The objectives of the Planning Proposal are to:

- a. Permit with consent camping grounds at the Moss Vale Showground - 18-46 Robertson Road, Moss Vale – Lot 1 DP738800 and Lots 4 and 5 DP6103, **Figure 1**.
- b. Permit with consent a recreation facility (indoor) for the purpose of an indoor swimming pool and general fitness centre, **Figure 2**.

PART 2 : EXPLANATION OF THE PROVISIONS

The provisions of the Planning Proposal will amend Wingecarribee Local Environmental Plan 2010 as follows:

Map to be Amended	Details amendment
Sheet LZN_007H	Add the words “camping ground” under the zoning notation “SP1 Showground” in respect of Lot 1 DP738800 and Lots 4 and 5 DP6103, Figure 1 .
Sheet LZN_011B	Add RE1 Private recreation area to a specified area on land known as Australian Rail and Track Corporation Land (ARTC) at the Corner of Caalong and Congewoi Streets, Robertson, Figure 2 .

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PART 3 : JUSTIFICATION OF OBJECTIVES, OUTCOMES & PROCESS

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is the result of two separate but simultaneous submissions, from two separate and independent community entities:

- Moss Vale Showground Trust; and
- Robertson & District Swimming Pool Association Inc.

The submissions requesting amendments to WLEP 2010 from the above parties are included as Attachments 4 and 5.

In respect of the above submissions, Council at its' Planning and Strategic Peak Committee of Whole Meeting, 9 July 2014 considered a report on the two matters (Attachment 2) and made the following resolution (Attachment 3):

- 1. THAT the Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to permit with consent development for the purposes of a camping ground on No 18-46 Robertson Road, Moss Vale Lot 1 DP 738800 and Lots 4 and 5 DP 6103 and to permit with consent development for the purposes of recreation facility (indoor) on Australian Rail Track Corporation Land on the Corner of Caalong and Congewoi Streets, Robertson be prepared and forwarded to the NSW Department of Planning and Environment for a Gateway Determination under section 55 of the Environmental Planning & Assessment Act 1979.**
- 2. THAT Council make a donation equivalent to the Planning Proposal fees (\$5,356) from the Contingency Fund.**
- 3. THAT the applicants be informed of Council's decision.**
- 4. THAT the Robertson & District Swimming Pool Association Inc be invited to attend an Information Session for Councillors to outline their proposal for the Recreation Facility (Indoor).**

This Planning Proposal has been prepared in accordance with Item 1 of the resolution.

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2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal is the only method available to achieve the desired outcomes of both respective Community organisations.

- A temporary use Development Application under Clause 2.8 of WLEP 2010 is not desirable for the Moss Vale Showground Trust as they would like to offer camping facilities 365 days per year.
- The current SP2 Rail Infrastructure Facility zone does not permit Recreation Facility (indoor), however the ARTC has agreed in principle to leasing the land for such purpose. Whilst there may be other suitably zoned land in Robertson for the facility, all previous attempts to utilise such land have not eventuated, as explained in the Robertson & District Swimming Pool Association Inc's submission (Attachment 5)

Section B – Relationship to strategic planning framework**3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including draft strategies)?**

The Planning Proposal is considered consistent with the Sydney Canberra Corridor Regional Strategy as follows:

- Camping Grounds at the Moss Vale Showground will provide short term accommodation for visitors to the Wingecarribee Shire (p.38). No long term accommodation is to be provided, as caravan parks will not be permitted.
- The Indoor Swimming Centre proposed in Robertson will reduce the need for commuting between Regional Centres, as services are provided locally (p.31), encouraging walkable centres.

4. Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?

The Planning Proposal is generally consistent with the *Wingecarribee Shire Community Strategic Plan 2031+* as they fulfil and/or are in concept consistent with the following goals of the strategy:

Leadership

Goals 1.1 to 1.5 encourage community participation, mutual trust, networking, utilising community assets, building on common interests

Comment: Both proposals have been initiated by Community Organisations and will be funded and managed by those community organisations, which build upon the above mentioned goals.

People

Goals 2.1 to 2.4 encourage community to have access to a variety of cultural, recreational and sporting opportunities; that the community be inclusive and healthy lifestyles encouraged; that services and facilities are provided locally to meet needs of the community; that the community fosters a diverse, creative and vibrant community.

Comment: The proposed Robertson Pool (indoor) meets many of the above goals, as it is providing a local facility to meet local needs, it will be open to all members of the public, it has been fostered from a creative and vibrant community group and will encourage healthy lifestyles. In respect to camping grounds at Moss Vale Showground, the above goals are being met as camping provides a recreational activity to visitors to the shire and fosters a creative solution to provide funding to the Moss Vale Showground Trust to ensure their financial stability and that the land remains in community ownership under the Trust.

Places

Goals 3.1 to 3.5 encourage integrated and efficient transport networks; that towns remain distinct and separated; that urban design is inspiring and creates places people want to live; that housing options are diverse; that heritage is recognised and protected.

Comment: The proposals are not contrary to the above objectives, as they are proposed within existing town boundaries, will utilise current transport networks, provide a place of temporary accommodation to travellers and have no impact on heritage items or conservation areas.

Environment

Goals 4.1. to 4.3 recognise that the distinct and diverse nature of the natural environment is to be protected and enhanced; people live sustainably; waste generation is reduced; and the community becomes carbon neutral.

Comment: Both proposals are to be carried out upon land that does not contain any significant environmental factors; will generate low amounts of waste and have minimal carbon footprints. Whilst it is recognised that an indoor heated pool will have some energy usage, this is offset to some extent by Robertson residents not having to travel to other centres to utilise similar facilities.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is generally consistent with the following relevant State Environmental Planning Policies (SEPP):

SEPP 44 Koala Habitat Protection

SEPP 44 applies to all land within the Wingecarribee Shire Local Government Area. Neither of the subject sites is identified with any known Koala populations or food trees. Nevertheless, should the Planning Proposal proceed to amend WLEP 2010, subsequent development applications will be required for each of the proposals, which will need to

revisit environmental factors in greater detail. However current evidence suggests that no Koala populations or their habitats exist on the subject sites.

SEPP Sydney Drinking Water Catchment 2011

In accordance with the Section 117 Directions the planning proposal was referred to the Sydney Catchment Authority (SCA) on 15 August 2014 for comment. Attachment 6 contains the submission from the SCA in its entirety; however, in summary the SCA identified that each development will need to comply with the SEPP, by demonstrating at the development application stage they will have a neutral or beneficial effect on water quality (NorBE). Further, the SCA has also considered the proposals according to their Strategic Land and Water Capability Assessments (SLWCA) constraints mapping.

In terms of the SLWCA constraints, the SCA has noted that each site has access to Council's reticulated sewerage system and comments that the proposals therefore pose a low risk, in terms of sewerage disposal and water quality. In terms of stormwater the SCA comments that each development will need to provide details at the Development Application stage to address the disposal of stormwater in accordance with the principles of NorBE.

As such, Council must ensure any future development results in a neutral or beneficial effect on water quality resulting from the sites once developed. Such detail will need to be submitted with future development applications for each of the sites involved.

6. Is the Planning Proposal consistent with applicable Section 117 Directions?

Direction	Assessment
1. Employment and Resources	
1.1 Business and Industrial Zones	Not Relevant
1.2 Rural Zones	Not Relevant
1.3 Mining, Petroleum Production and Extractive Industries	Not Relevant
1.4 Oyster Aquaculture	Not Relevant
1.5 Rural Lands	Not Relevant
2. Environment and Heritage	
2.1 Environment Protection Zones	Not Relevant
2.2 Coastal Protection	Not Relevant
2.3 Heritage Conservation	Consistent - The MV Showground does not contain any Heritage items, however the ARTC Land at Robertson contains items of Heritage. The proposed site for the indoor swimming pool is located approximately 300 metres to the northwest of the Heritage Items. Notwithstanding, it is recommended that the Planning Proposal be referred to the NSW Office of Environment and Heritage for comment following Gateway Determination.

2.4 Recreation Vehicle Areas	Not Relevant
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Not Relevant
3.2 Caravan Parks and Manufactured Home Estates	Not Relevant
3.3 Home Occupations	Not Relevant
3.4 Integrating Land Use and Transport	Not Relevant
3.5 Development Near Licensed Aerodromes	Not Relevant
3.6 Shooting Ranges	Not Relevant
4. Hazard and Risk	
4.1 Acid Sulfate Soils	Not Relevant
4.2 Mine Subsidence and Unstable Land	Not Relevant
4.3 Flood Prone Land	Not Relevant
4.4 Planning for Bushfire Protection	Consistent - The MV Showground is not affected by Bushfire Maps. However the ARTC land is mapped as bushfire prone in the south east corner some 450 metres from the proposed site of the indoor pool complex. Due to the open grassland nature of the site it is recommended that the Planning Proposal be referred to NSW RFS following Gateway Determination.
5. Regional Planning	
5.1 Implementation of Regional Strategies NB: This Direction has been revised to include previous Directions 5.6 and 5.7.	Consistent – Refer to Section B3 of this report.
5.2 Sydney Drinking Water Catchments	Consistent – The application was referred to the Sydney Catchment Authority who raised no objections to the Planning Proposal. The SCA comments are addressed in the SEPP Section above and contained in full as Attachment 6.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not Relevant
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not Relevant
5.8 Second Sydney Airport: Badgerys Creek	Not Relevant

5.9 North West Rail Link Corridor Strategy	Not Relevant
6. Local Plan Making	
6.1 Approval and Referral Requirements	Consistent – The Planning Proposal does not propose any further provisions to WLEP 2010 that would require concurrence, consultation or referral of development applications to a Minister or public authority or create designated development.
6.2 Reserving Land for Public Purposes	Consistent – the planning proposal does not reduce existing zonings or reservations of land for public purposes.
6.3 Site Specific Provisions	Consistent – the planning proposal will not impose any development standards or additional requirements in addition to those already contained in WLEP 2010 in permitting the proposed land uses on the sites the subject of this report.

Section C – Environmental, Social & Economic Impacts

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Planning Proposal?

There is no evidence to suggest that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Planning Proposal.

8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The only other environmental impact will be the disposal of wastewater from the both subject developments. Each site has access to Council's reticulated sewerage system, so no impact is foreseen. Further the SCA has commented that they see both proposed developments as low risk.

9. Has the Planning Proposal adequately addressed any social and economic effects?

It is not expected that any impacts to European or Aboriginal Heritage will result from the Planning Proposal. Nevertheless, as the ARTC Land contains Rail Heritage Items, it is recommended that the Planning Proposal be referred to the NSW Office of Environment and Heritage for comment post Gateway Determination.

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the Planning Proposal?

There is adequate public infrastructure to cater for both proposed developments that would subsequently result from this Planning Proposal.

PART 4 – MAPPING

Two maps under WLEP 2010 would require amendment as shown in **Figure 3** and **Figure 4** at the end of this report.

PART 5 – COMMUNITY CONSULTATION

The Planning Proposal will be exhibition in accordance with the requirements of the Gateway Determination.

PART 6 – TIMELINE

It is anticipated that the Planning Proposal will progress in accordance with the following key timeline milestones.

MILESTONE	INDICATIVE DATE
Gateway Determination	October 2014
Completion of technical studies if required	N/A
Revised/updated Planning Proposal (if required)	N/A
Public Exhibition/Consultation with government agencies	November 2014
Public hearing – if required (if not exclude)	December 2014
Report to Council on exhibition of Planning Proposal.	February 2015
Documents to DP&I & PCO.	March 2015
Approximate completion date	April 2015

DELEGATIONS

Council is applying to use its delegations to complete this Proposal. Refer to Attachment 1.

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Figure 3 - Amendment to Zoning Map for Moss Vale Showground – Insert words “Camping Ground” under “Showground”

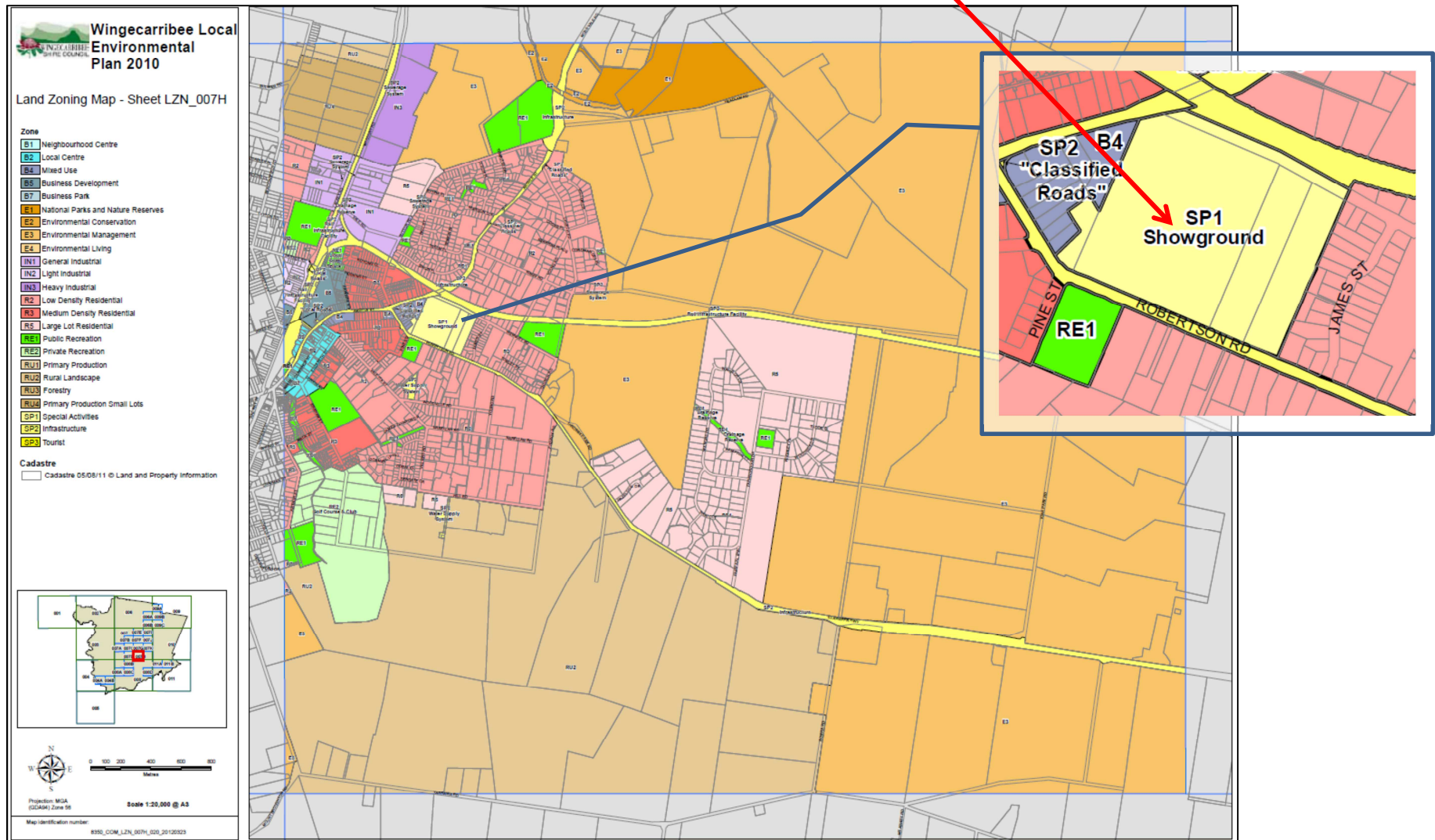


Figure 4 –Amendment to Zoning Map for ARTC Land Robertson – Insert RE2 Private Recreation Zone

