

Permit camping ground at Moss Vale Showground and Rezone railway land at Robertson to RE1

Proposal Title :	Permit camping ground at Moss Vale Showground and Rezone railway land at Robertson to RE1		
Proposal Summary :	Proposal to add the words "camping grounds" to the "SP1 Showground" map notation for Moss Vale Showground at Lot 1, DP 738800 and Lots 4-5, DP 6103, Moss Vale; and Rezone land at the corner of Caalong and Congewoi Sts, Robertson from SP2 Railway Infrastructure Facility to RE1 Private Recreation to permit a recreation facility (indoor) to allow a swimming pool and indoor fitness centre.		
PP Number :	PP_2014_WINGE_008_00	Dop File No :	14/14701

Proposal Details

Date Planning Proposal Received :	01-Sep-2014	LGA covered :	Wingecarribee
Region :	Southern	RPA :	Wingecarribee Shire Council
State Electorate :	GOULBURN	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :			
Suburb :		City :	Postcode :
Land Parcel :	Cnr Caalong and Congewoi Sts, Robertson		
Street :			
Suburb :		City :	Postcode :
Land Parcel :	Lot 1, DP 738800 and Lots 4 & 5 DP 6103, Moss Vale		

DoP Planning Officer Contact Details

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RPA Contact Details

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Sydney-Canberra Corridor Regional Strategy	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **These are both relatively minor proposals. Both initiated by community groups.**

The first proposal is to allow the Moss Vale Showground Trust to permit camping at the Showground site all year round.

The second is to rezone part of the land owned by Australian Rail Track Corporation at Robertson to permit an indoor swimming pool and fitness centre.

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The first proposal is to allow the Moss Vale Showground Trust to permit camping at the Showground site all year round.**

The second is to rezone part of the land owned by Australian Rail Track Corporation at Robertson to permit an indoor swimming pool and fitness centre.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment :

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

2.3 Heritage Conservation

4.4 Planning for Bushfire Protection

5.1 Implementation of Regional Strategies

5.2 Sydney Drinking Water Catchments

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 44—Koala Habitat Protection

Drinking Water Catchments Regional Environmental Plan No. 1

e) List any other matters that need to be considered :

SECTION 117 DIRECTIONS:

2.3 HERITAGE CONSERVATION: This Direction does apply to the planning proposal as it affects items, places, buildings, works, relics moveable objects or precincts of environmental heritage significance.

The proposal is considered to be **CONSISTENT** with this direction.

4.4 PLANNING FOR BUSHFIRE PROTECTION: This Direction does apply to the planning proposal as it will affect/is in close proximity to land mapped as bushfire prone land.

RECOMMENDATION: The Director- General can need to be satisfied that the requirements of the Direction have been met. A condition should be included in the Gateway determination that consultation should be undertaken with the Rural Fire Service in accordance with the Direction.

5.1 IMPLEMENTATION OF REGIONAL STRATEGIES: This Direction does apply to the planning proposal as the Sydney-Canberra Corridor/Illawarra/South Coast Regional Strategy applies to the land.

The proposal is considered to be **CONSISTENT** with this direction.

5.2 SYDNEY DRINKING WATER CATCHMENT: This Direction does apply to the planning proposal as the land is within the Sydney drinking water catchment.

The proposal is considered to be **CONSISTENT** with this direction.

6.1 APPROVAL AND REFERRAL REQUIREMENTS: Council has identified that this Direction applies to the planning proposal, however it does not apply as it doesn't include provisions that require the concurrence, consultation or referral of development applications to the Minister or a public authority.

6.2 RESERVING LAND FOR PUBLIC PURPOSES : This Direction does apply to the planning proposal as it will reduce existing zonings or reservations of land for public purposes and requires the approval of the relevant public authority and the Secretary of the Department.

The proposal is considered to be **CONSISTENT** with this direction as the Gateway determination will issue the necessary approval.

RECOMMENDATION: The Secretary of the Department approves of the proposal to alter the zonings of land for public purposes.

6.3 SITE SPECIFIC PROVISIONS: This Direction does apply to the planning proposal as it allows a particular development to be carried out.

The proposal is considered to be **CONSISTENT** with this direction.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

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Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Mapping is suitable for public exhibition**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council has not specified an exhibition period.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Wingecarribee LEP 2010**

Assessment Criteria

Need for planning proposal :

Part 1 of the planning proposal to permit camping at the Moss Vale Showground is due to a dispute between Council and the Moss Vale Showground Trust about how much camping is currently permissible on the site. Council believes that camping not associated with a specific event is not permissible under the current zoning. To facilitate camping all year round, the words "camping ground" needs to be added to the map notation for SP1 Showground.

Part 2 of the planning proposal has identified the subject land as the site for a future indoor recreation facility. The Robertson and District Swimming Pool Association Inc. has had problems identifying a suitable site for this development. The ARTC has agreed to lease the subject land to the Association once a planning proposal that rezones the site has been made.

Consistency with strategic planning framework :

The proposal is not inconsistent with the planning framework.

Environmental social economic impacts :

There are economic and social benefits to both proposals. These are clearly outlined in Council's reports and planning proposal. Camping at the Showground provides and alternative tourist accommodation option for the area as well as a regular stream of income for the Trust. The indoor recreation facility at Robertson will enable local residents, schools and other groups to access these types of facilities without the need to travel long distances to other centres.

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Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority Consultation - s56(2)(d) : **NSW Rural Fire Service**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal - Caalong and Congewoi Street Robertson.pdf	Proposal Covering Letter	Yes
Planning Proposal - Version 2 for Gateway.pdf	Proposal	Yes
Attachment 1 - Delegation Request Evaluation Form.doc	Proposal	Yes
Attachment 2 - Report 05-2014 9 July P&S.pdf	Proposal	Yes
Attachment 3 - Resolution 15-2014 9 July P&S Committee Minutes.pdf	Proposal	Yes
Attachment 4 - MV Show Ground Submission.pdf	Proposal	Yes
Attachment 5 - Letter from ARTC agreeing to proposal 070814.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **2.3 Heritage Conservation**
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies
5.2 Sydney Drinking Water Catchments

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**6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions**

Additional Information :

It is **RECOMMENDED** that the General Manager, as delegate of the Minister for Planning, determine under section 56(2) of the EP&A Act that an amendment to the Wingecarribee LEP 2010 to add the words "camping grounds" to the "SP1 Showground" map notation for Moss Vale Showground at Lot 1, DP 738800 and Lots 4-5, DP 6103, Moss Vale; and Rezone land at the corner of Caalong and Congewoi Sts, Robertson from SP2 Railway Infrastructure Facility to RE1 Private Recreation should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of 'A guide to preparing local environmental plans (Planning and Infrastructure, 2013)'.

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

*** NSW Rural Fire Service (s117 Direction 4.4)**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

3. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

5. Council be authorised to use the Minister's plan making functions under sections 59(2),(3)&(4) of the Environmental Planning and Assessment Act 1979.

6. SECTION 117 DIRECTIONS - It is recommended that:

(a) The Secretary's delegate can be satisfied that the planning proposal is consistent with s117 Directions 2.3 Heritage Conservation, 5.1 Implementation of Regional Strategies, 5.2 Sydney Drinking Water Catchments, 6.2 Reserving Land for Public Purposes, and 6.3 Site Specific Provisions.

(b) The Secretary's delegate approves the proposal to alter the existing of zoning of land reserved for public purposes under Direction 6.2 Reserving Land for Public Purposes;

(c) The Secretary's delegate can be satisfied that the planning proposal will be consistent with s117 Direction 4.4 Planning for Bushfire Protection, when Council has consulted with the Rural Fire Service prior to undertaking community consultation;

(d) The Secretary's delegate can be satisfied that the planning proposal is consistent with all other relevant s117 Directions or that any inconsistencies are of minor significance; and

(e) No further consultation or referral is required in relation to s117 Directions while the planning proposal remains in its current form.

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7. The planning proposal is considered to be consistent with all relevant SEPPs.

Supporting Reasons :

The proposal will facilitate recreational and tourist accommodation uses with public benefits.

Signature:

G. Towers Team Leader

Printed Name:

Graham Towers Date: 3/2/14.

