

ECONOMY

5.1 OUR SHIRE ATTRACTS PEOPLE TO WORK, LIVE AND VISIT

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Related Policies/Legislation:	NSW Environmental Planning & Assessment Act 1979 Wingecarribee Regional Economic Development Strategy 2018-2022

Related Documents:	Wingecarribee Local Environmental Plan 2010 Wingecarribee Community Strategic Plan
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Superseded Policy/GM Practice Note: Nil

OBJECTIVES

The objectives of this policy are:

- to provide a direct 'line of sight' between the South East and Tablelands Regional Plan, the Destination Management Plan, the Community Strategic Plan and Council's planning framework as it relates to rural tourism development
- to outline a clear approval pathway for certain rural tourism related developments in the Wingecarribee Shire
- to provide greater certainty and consistency in the assessment of rural tourism related development proposals for both the industry and the broader community, and
- to set out criteria for determining when Council will consider a Planning Proposal to rezone land to SP3 Tourist.
- to limit opportunistic tourism development in rural locations.

POLICY STATEMENT

Council recognises that tourism is a key economic driver for the Shire. Tourism is a key employer of young people offering 'first job' and 'part time' job opportunities for the young and part time as well as full time jobs for men and women across a broad age range and



across a broad range of skill sets. It is also recognised that the Shire can provide opportunities for year-round tourism.

Council also recognises the economic challenges that traditionally face rural communities and that rural based tourism provides the potential for a broader economic base in such communities.

The benefits of tourism are acknowledged in the Wingecarribee Shire Community Strategic Plan (June 2017) as indicated below:

Economy - Our Shire attracts people to work, live and visit.

- *Strategy 5.1.2 - increase local employment opportunities for people in all stages of life*
- *Strategy 5.1.4 - provide diversity in tourist attractions and experiences and*
- *Strategy 5.1.5 - promote Southern Highlands' unique brand identity.*

However, the Wingecarribee Community Strategic Plan also reflects the community's preference that these goals and strategies be balanced against community and environmental impacts which are not always positive (Strategy 5.1.3 - *ensure tourism balances the economic benefits with impact on environment and community.*)

The Wingecarribee Rural Tourism Policy seeks to maintain that balance by providing a framework within which both Council and the tourism industry can address large scale rural tourism proposals at a strategic level, to ensure that any negative impacts can be identified and appropriately mitigated.

It is noted that the Wingecarribee Local Environmental Plan (WLEP) 2010 allows for a range of small scale and boutique tourism uses in our rural areas, and the Wingecarribee Development Control Plans (DCPs) contain controls to mitigate the impacts of these uses. This Policy provides an assessment framework for large scale rural tourism uses that are not currently permissible under the WLEP 2010.

SCOPE

This Policy outlines the principles and commitments that will guide the assessment of planning proposals to rezone land to SP3 Tourist and the subsequent assessment of development applications for tourist related development.

Function Tourism in the E3 Environmental Management zone

The E3 Environmental Management zone accounts for some 49% of all land within the Shire. Development of the rural weddings tourist market is restricted in the E3 Environmental Management zone due to function centres, restaurants and cafes being prohibited in the zone. Council is not supportive of broad scale amendments to WLEP 2010 to permit function centres or those forms of tourist and visitor accommodation which are prohibited in the E3 zone. However, Council will consider site specific amendments to WLEP for rural tourism



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related proposals in accordance with the Regional Plan, the Destination Management Plan and this Policy.

The South East and Tablelands Regional Plan (page 66) specifically identifies the highest priorities for the Shire as including:

- *Protect high environmental value lands including regionally significant biodiversity corridors*
- *Protect the Sydney Drinking Water Catchment*
- *Protect important agricultural lands as a resource for food security*
- *Protect the shires valued heritage assets*

The E3 Environmental Management zone, together with the E1 National Parks and Nature reserves and E2 Environmental Conservation zones, represent Council's key strategic zoning and land use framework for achieving these Regional Plan priorities.

The SP3 Tourist zone was introduced into the Shire with the making of WLEP 2010. This zone, as its name suggests, permits, with Council consent, a broad range of tourist related development. The objectives of the SP3 Tourist zone are:

- a) to provide for a variety of tourist-oriented development and related uses, and
- b) to ensure that development is sympathetic with the rural setting and landscape features of the site and minimises impact on the scenic values of nearby development and land use activity.

The SP3 Tourist zone allows for more intensive land uses that can impact on environmentally sensitive lands and can place unacceptable pressure on the Shire's rural roads network, much of which is unsealed. Council is also mindful that such development has the potential to create land use conflicts across the Shire.

Therefore, with regard to a Planning Proposal to rezone land to SP3 Tourist, this Policy only enables such a Proposal to be considered within the following pathway framework:

- 1) Council shall not consider a Planning Proposal for the purposes of rezoning land to SP3 Tourist if the subject land is within any Landscape Conservation Area mapped under Wingecarribee Local Environmental Plan 2010.
- 2) Council shall not consider a Planning Proposal for the purposes of rezoning rural land to SP3 Tourist without supporting evidence which demonstrates to Council's satisfaction that a tourist facility has been operating on the subject land for at least three (3) years. The intent of this restriction is to limit opportunistic tourism development in rural locations.
- 3) Council shall not consider a Planning Proposal for the purposes of rezoning land to SP3 Tourist unless accompanied by a Concept Master Plan which:
 - a) indicates the intended extent of the tourist development proposed for the subject site, and



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- b) is sufficient to allow consideration of the cumulative impacts of each land use type proposed for the site at the strategic planning level including assessments at (4) and (7) below.
- 4) Any Planning Proposal for the purposes of rezoning land to SP3 Tourist shall demonstrate to Council's satisfaction that the development will not occur on land that:
 - a) contains any mapped Threatened Ecological Community, or
 - b) will not impact on any mapped Threatened Ecological Community.
- 5) Compliance with (4) above shall be by means of a Biodiversity Development Assessment Report (BDAR) prepared by an accredited assessor as required under the *Biodiversity Conservation Act 2016*. Where a Threatened Ecological Community is indicated on the subject land, the BDAR must demonstrate to Council's satisfaction how the proposal will avoid this area.
- 6) If Council determines that the proposed development will likely result in a serious and irreversible impact on any mapped Threatened Ecological Community, Council will not support the Planning Proposal.
- 7) Any Planning Proposal for the purposes of rezoning land to SP3 Tourist shall demonstrate to Council's satisfaction that any mapped High Value Agricultural Land on the subject land shall avoided in any proposed development.
- 8) Should a property contain either High Value Environmental Land or High Value Agricultural Land, this may result in only a portion of the subject land being considered by Council for rezoning to SP3 Tourist.
- 9) Any land supported for rezoning to SP3 Tourist in accordance with (7) above would also have a minimum lot size applied to it to ensure that only one principal dwelling, and one secondary dwelling, as permitted in the zone, could be constructed on the rezoned area. The purpose of this is to prevent further subdivision of the site for residential development.
- 10) Any Planning Proposal for the purposes of rezoning land to SP3 Tourist involving a Function Centre shall demonstrate to Council's satisfaction compliance with the following provisions, the intent of which is to ensure that any Function Centre is sensitively located and designed so it does not adversely impact on the ecological values, agricultural production, natural resources, or visual, scenic, environmental or residential amenity values of the land. The provisions are:
 - (a) the development will complement the rural or environmental attributes of the land and its surrounds, and
 - (b) the development will not adversely affect the agricultural productivity of adjoining land, and
 - (c) the development will not adversely affect neighbour amenity, and
 - (d) the development is, or will be, serviced by adequate access roads taking into account the scale of the development, and



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- (e) the development has, or will have, access to adequate wastewater systems to service the land without having any adverse impact on the water quality of the area, and
- (f) the location of the development does not impact on any environmentally sensitive land identified on the site, and
- (g) the construction of the development will not result in the removal of any native vegetation and will have regard to the management of biodiversity outcomes, and
- (h) the potential impacts of bushfire and/or flood have been addressed, and
- (i) the development will not create a land use conflict due to noise, traffic, privacy, visual and other amenity impacts, and
- (j) a management strategy will be prepared to minimise any impact on the natural environment or neighbour amenity which includes but is not limited to:
 - (i) measures to remove any threat of serious or irreversible environmental damage, and
 - (ii) mechanisms for monitoring and reviewing the effect of the development on the neighbour amenity including noise and traffic impacts, and
 - (iii) any other matter deemed relevant by the consent authority.

This Policy supports the highest four *Priorities for Wingecarribee* identified in the South East and Tablelands Regional Plan regarding protection of high value environmental and agricultural lands, protection of the Sydney Drinking Water Catchment and protection of the Shire's heritage assets. It also supports the key Actions of the Regional Plan regarding tourism development within the Shire.

The Sydney Surrounds South Destination Management Plan identifies certain key 'ways forward' for the development of the tourism base of the region, as articulated in the Regional Plan. A particular focus of the Destination Management Plan is to provide certainty of investment for tourism development, noting that one key 'enabler of success' is 'ensuring government planning schemes provide certainty for tourism investment and future infrastructure needs' (page4).

The Wingecarribee Rural Tourism Policy is intended to provide this certainty for both future investment and the community. Community values and priorities, as reflected in the Community Strategic Plan 2017 and listed below, are also supported through this Policy.



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Goal	Strategy
2.3 Wingecarribee values and nurtures a diverse, creative and vibrant community	2.3.2 – Acknowledge and respect our Aboriginal cultural heritage and people.
3.2 Wingecarribee has maintained a distinct character and separation of towns and villages	3.2.3 – Identify, protect and promote places of significant cultural heritage.
4.1 Wingecarribee's distinct and diverse natural environment is protected and enhanced	4.1.3 – Conserve the key natural resources of the Shire and minimise the impact from development
5.1 Our Shire attracts people to work, live and visit.	5.1.3 – Ensure tourism balances the economic benefits with impact on environment and community. 5.1.4 – Provide diversity in tourist attractions and experiences.
5.2 Sustainable business and industry work in harmony with local community and environment	5.2.1 Promote business and industry development opportunities suited to our distinct region.
5.3 We support the productive use of agricultural land and promote our diverse and thriving local agricultural industry and its right to farm	5.3.1 Develop and implement initiatives which allow rural industries to innovate, adapt and prosper. 5.3.2 Manage development to ensure it does not impact on viable primary production and food security.

Therefore, as required by the state government, there is a direct 'line of sight' between the Regional Plan, the Destination Management Plan, the Community Strategic Plan and the key proposals contained in the Rural Tourism Policy and this Policy.



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RESPONSIBILITIES

Responsibilities for implementing this policy are shared between Councillors, Executive and staff as follows:

Councillors	Councillors should encourage a positive attitude to encouraging stakeholders to support the Policy. A Councillor's role is to listen to the community and consider various views when making decisions at Council.
Executive	Executive should support the Policy and encourage the appropriate level of engagement by all staff.
Staff	Council staff should provide advice consistent with the Policy and apply the Policy in the assessment of any Planning Proposal to rezone land or otherwise amend WLEP 2010 for tourism development purposes.

APPROVED BY:

WINGECARRIBEE SHIRE COUNCIL

13 November 2019

