



IRF25/1683

Gateway determination report – PP-2025-1438

To include tourist and visitor accommodation as permitted with consent in the E1 Local Centre zone

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Draft Planning Proposal

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Wingecarribee Shire Council
PPA	Wingecarribee Shire Council
NAME	To include tourist and visitor accommodation as permitted with consent in the E1 Local Centre zone
NUMBER	PP-2025-1438
LEP TO BE AMENDED	Wingecarribee Local Environmental Plan 2010
ADDRESS	LGA wide
RECEIVED	30/07/2025
FILE NO.	IRF25/1683
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to:

- To include tourist and visitor accommodation as permitted with consent in the E1 Local Centre zone, providing for, at least, backpackers' accommodation, bed and breakfast accommodation, hotel and motel accommodation and serviced apartments.

The objectives of this planning proposal are clear and adequate.

Note: To add backpackers' accommodation, bed and breakfast accommodation, hotel or motel accommodation and serviced apartments as permitted with consent in the E1 Local Centre zone, this could be achieved by listing each term specifically or replacing individual terms with the group term Tourist and Visitor Accommodation. It is noted that farm stay accommodation is also a form of tourist or visitor accommodation, but it is unlikely that the E1 zone would contain any farms to which this land use would apply. It will be at the discretion of the Parliamentary Counsel's office as to how the amendment is implemented.

1.3 Explanation of provisions

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The planning proposal is LGA wide and applies to all E1 zoned sites.

1.5 Mapping

There are no proposed mapping amendments associated with this PP.

1.6 Background

On 26 April 2023 the Wingecarribee Local Environmental Plan (WLEP) 2010 was amended to reflect amendments to the Standard Instrument LEP. These amendments replaced the previous B1-B7 business zones with E1-E5 employment zones. In so doing, the previous B1 Neighbourhood Centre and B2 Local Centre zones were combined into a new E1 Local Centre zone. Under the previous B1 zone, the group land use term tourist and visitor accommodation was prohibited without exceptions while under the previous B2 Local Centre zone, tourist and visitor accommodation was permitted with consent without exceptions.

Under the new E1 zone, the Department included only hotel and motel accommodation as permitted with consent. The result was that land which has previously been zoned B2 and within which all forms of tourist and visitor accommodation were previously permitted with consent, is now restricted to hotel or motel accommodation with other approved forms of tourist and visitor accommodation now relying on existing use rights. Properties within the E1 zone seeking a new approval for tourist and visitor accommodation are restricted to hotel or motel accommodation only. Council has received requests from smaller town and village associations, including Robertson and Bundanoon, seeking support to enable a broader range of tourist and visitor accommodation, particularly backpackers' accommodation, bed and breakfast accommodation and serviced apartments, being land uses well suited to these locations and which make a valuable contribution to their local visitor economy.

2 Need for the planning proposal

The Planning Proposal is not the result of Council's endorsed LSPS, but it does align with the Wingecarribee LSPS which identifies two actions:

- ensure our planning framework facilitates new and innovative business opportunities, and
- ensure our planning framework facilitates a broad range of tourism opportunities and balances the economic benefits of tourism with impacts on our environment and community.

The PP is not the result of a strategic report or study and is the best way of achieving the intended outcomes for the site.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the South East and Tablelands Regional Plan.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
Draft South East and Tablelands Regional Plan 2041	The PP is consistent with objective 12.3 to investigate the suitability of tourist and visitor accommodation and supporting land uses in strategic centres, as the PP will support tourist and visitor economy in existing centres thereby supporting the economy.
South East and Tablelands Regional Plan 2036	The PP is consistent with Direction 9 to grow tourism in the region, and Direction 12 to promote business activities in urban centres, as the PP will support tourism growth in the region and enhance economic development.

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local strategic planning assessment

Local Strategies	Justification
Wingecarribee Local Strategic Planning Statement (WLSPS)	The WLSPS includes several references to the importance of tourism to the local economy, noting that tourism is a key economic driver for the Shire and an important component of the Southern Highlands economy. Tourism provides employment opportunities across a broad age range and across a broad range of skill sets, as well as flow-on employment opportunities in related industries.

3.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Consistent	See discussion in section 3.1
7.1 Business and Industrial Zones	Consistent	The PP will support the ongoing use and development of existing employment zones as it is supporting the resilience of a visitor economy.

3.4 State environmental planning policies (SEPPs)

The PP is consistent with all relevant SEPPs and will have no impact on the application of those SEPPs for any future development application over the site.

4 Site-specific assessment

4.1 Environmental

The PP is not considered to have any impacts on the environment. Any environmental issues would need to be addressed at the development application (DA) stage.

4.2 Social and economic

The PP is considered to be of economic benefit to the LGA as a whole. Removing restrictions on visitor and tourist accommodation types within the existing employment zones will encourage growth within existing developed areas and support regional economic development. Any social issues would need to be assessed at the DA stage.

4.3 Infrastructure

The PP is not considered to have any direct impact on infrastructure. Any infrastructure requirements would need to be assessed at the DA stage.

5 Consultation

5.1 Community

The planning proposal is categorised as a standard under the LEP Making Guidelines (September 2022). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination.

5.2 Agencies

It is recommended that agency consultation is not required.

6 Timeframe

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as standard

The Department recommends an LEP completion date of 8 months in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the site/planning proposal is standard the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The PP is consistent with local and regional strategic planning.
- The PP is considered to have strategic and site merit.
- The PP has economic benefit to the region.

9 Recommendation

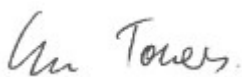
It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. The planning proposal should be made available for community consultation for a minimum of 20 working days

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 27 March 2026 be included on the Gateway.

The timeframe for the LEP to be completed is on or before 27 March 2026



18 August 2025

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