

Planning Proposal

to amend Wingecarribee Local Environmental Plan 2010

PP-2025-1438

Purpose of Amendment:

This Planning Proposal seeks to amend the Wingecarribee Local Environmental Plan (WLEP) 2010 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*.

Prepared by Wingecarribee Shire Council in accordance with the Local Environmental Plan Making Guideline (August 2023)

The Planning Proposal has been categorised as *Standard*

Version 2 for Public Exhibition

September 2025

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Introduction

Description

The Planning Proposal seeks to amend the Wingecarribee Local Environmental Plan (WLEP) 2010 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*.

This a whole of Shire Planning Proposal.

Part 1 – Objectives & Intended Outcomes of the Planning Proposal

This Planning Proposal seeks to amend WLEP 2010 to permit with consent *backpackers' accommodation, bed and breakfast accommodation* and *serviced apartments* within the E1 Local Centre zone in addition to *hotel or motel accommodation* which is already permitted with consent. All proposed land uses are a form of *tourist and visitor accommodation* under the Standard Instrument Dictionary.

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.

The Standard Instrument LEP Dictionary identifies the group term *tourist and visitor accommodation* as comprising the following specific land use terms - *backpackers' accommodation, bed and breakfast accommodation, farm stay accommodation, hotel and motel accommodation* and *serviced apartments*.

Under the new E1 zone, the Department included only *hotel and motel accommodation* as permitted with consent. The result of this decision 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.

Council discussed this Planning Proposal with the Department of Planning, Housing and Infrastructure's Local Planning and Council Support (Southern, Western and Macarthur Region) and received in principle support for the proposed amendment. A Gateway Determination was subsequently issued on 18 August 2025. No state agency referrals were required.

Although the proposed amendment would enable all forms of *tourist and visitor accommodation* within the smaller towns and villages which were previously zoned B1, this is not considered to be potential detrimental to those Local Centres due to the application of clause 7.11 of WLEP 2010 which was introduced into WLEP2010 when the E zone amendments came into force. This clause applies to all E1 zoned land which was previously zoned B1 and, as the objectives indicate, is to ensure that the character and amenity of these smaller areas, many of which have historical significance, are protected in the assessment of any Development Application, be it for a form of *tourist and visitor accommodation* or any other development permitted with consent in the E1 zone. Clause 7.11 is reproduced below.

7.11 Development in local centres

(1) *The objectives of this clause are as follows—*

- (a) to ensure the scale and function of development in local centres are appropriate for the location,*
- (b) to ensure development in local centres is compatible with the desired future character and amenity of surrounding residential areas.*

(2) *This clause applies to land identified as “Area A” on the [Land Zoning Map](#).*

(3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered—*

- (a) the impact of the development on—*
 - (i) the amenity of surrounding residential areas, and*
 - (ii) the desired future character of the local centre, and*
- (b) whether the development is consistent with the hierarchy of centres.*

These provisions apply in addition to any provisions incorporated into the new comprehensive DCP.

It is noted that *Farm stay accommodation*, which is also a form of *tourist and visitor accommodation*, is not specifically included in this proposed amendment as this land use applies only to a working farm and this Proposal is limited to the E1 Local Centre employment zone only. However, it is further noted that the Parliamentary Counsel's Office (PCO) prefers to use its discretion in determining how best to reflect supported amendments within a Local Environmental Plan.

The role of the Planning Proposal is to identify those specific terms within the group term *tourist and visitor accommodation* which Council deems a desirable minimum to include as permitted with

consent in the E1 Local Centre zone, namely *backpackers' accommodation, bed and breakfast accommodation, hotel and motel accommodation and serviced apartments*.

The Planning Proposal does not affect current complying development pathways which may apply under relevant State Environmental Planning Policies, or to the operation of short term rental accommodation.

Part 2 - Explanation of the Provisions

- To achieve the intended outcomes of the Planning Proposal the following amendments to the WLEP 2010 instrument will be required:
 - 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 finally inserted.
 - No maps are required for this amendment.

Part 3 - Justification of Strategic & Site-specific Merit

Strategic Merit

The objectives of the E1 zone are:

- To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.
- To encourage investment in local commercial development that generates employment opportunities and economic growth.
- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To generally conserve and enhance the unique sense of place of business centre precincts by ensuring new development integrates with the distinct urban scale, character, cultural heritage and landscape setting of the precincts, particularly when located within a heritage conservation area or where the development may impact a heritage item.
- To ensure adequate provision is made for infrastructure that supports the viability of business centre precincts, including public car parking, traffic management facilities, public

transport facilities, cyclist facilities, pedestrian access paths, amenities, facilities for older people and people with disabilities and general public conveniences.

- To maximise the efficient use of land in business centre precincts to promote more compact and accessible places.
- To ensure new development has regard to the character and amenity of adjacent and nearby residential areas.

Permitting *tourist and visitor accommodation* within the E1 Local Centre provides opportunities for property owners to diversify their existing businesses and increased overnight visitation would benefit the entire local economy. It would also contribute to the efficient use of existing business areas.

More modest forms of *tourist and visitor accommodation* within the E1 Local Centre, other than just *hotel or motel accommodation*, would encourage adaptive reuse of buildings which would enhance the presentation of the town and village and offer protection to heritage buildings. Increased visitation could enhance the viability of existing recreation infrastructure and provide funding to extend it further.

Management of associated infrastructure provisions would not necessarily create an additional burden as these are aspects of any new development and would be addressed through the Development Application process. This process would also ensure that new development has regard to the character and amenity of adjacent and nearby residential areas.

The Wingecarribee Local Strategic Planning Statement (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.* (page 37)

Planning Priority 3.19 (Our Shire supports businesses and attracts people to work, live and visit) within the Wingecarribee LSPS address tourism:

Wingecarribee Shire Council is committed to developing and promoting the Southern Highlands as a destination in which to live, work, invest, play, learn, visit and enjoy. Our Shire has a healthy and diverse economy, driven by the health, tourism, education, manufacturing, agriculture, construction and professional industry sectors. Our proximity to Sydney, Canberra and Wollongong provides a strong base for economic development, and our natural areas, rural landscapes and vibrant towns and villages will continue to support our visitor economy. (page 40)

Identified Actions to achieve this outcome include:

- *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.*

This Planning Proposal specifically implements these two identified Actions.

It is further noted that certain forms of *tourist and visitor accommodation* support local workers as well as tourists. *Backpacker accommodation* and *serviced apartments* particularly serve this use. Increased opportunities to provide such accommodation benefit the Shire more broadly and not just the visitor economy.

Site-specific Merit

It is proposed that *tourist and visitor accommodation* be permitted with consent in the E1 zone. The location and size of E1 zones varies across the Shire. It is the role of the Development Application process to determine if a specific site is suitable for a specific form of this land use. A new comprehensive Wingecarribee Local Environmental Plan is currently being prepared. It will include specific objectives and controls for the assessment of *tourist and visitor accommodation* which will be applied as appropriate to each proposed locality.

Section A – Need for the Planning Proposal

1 - Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?

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

- *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 Planning Proposal seeks to achieve these outcomes. Further detail is provided at Part 4 below.

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

The Department of Planning, Housing and Infrastructure has advised that it does not support the amendment being achieved under clause 3.22 of the *Environmental Planning & Assessment Act 1979* given that these land uses were not previously permitted in the B1 zone. Therefore, a Planning Proposal is required to enable community consultation.

Section B – Relationship to the Strategic Planning Framework

3 - Will the Planning Proposal give effect to the objectives and actions of the SE & Tablelands Regional Plan (including any draft plans or strategies)?

Direction 8 of the SE & Tablelands Regional Plan 2036 (Protecting important agricultural land) is identified as attracting tourism with accommodation in nearby towns and villages ideally placed to support this Direction.

Direction 9 is to grow tourism in the region. Tourist and visitor accommodation across the towns and villages of the Shire is crucial to initiating this Direction. Tourism is recognised as essential to regional prosperity, heading the list of priority growth sectors for the region.

Direction 12 (Promote business activities in urban centres) recognises the role tourism plays in supporting these centres. Tourist and visitor accommodation would enhance these initiatives. Action 12.2 (Encourage mixed use developments that cater for commercial, retail, residential and tourism uses through local planning controls) relates directly to this Planning Proposal.

The draft SE & Tablelands Regional Plan 2041 includes the objective of promoting a year-round visitor economy. Supporting this objective is Strategy 12.3 *to investigate the suitability of tourist and visitor accommodation and supporting land uses in strategic centres*. The draft Plan also recognises the importance of tourist and visitor accommodation in providing worker accommodation thereby supporting broad economic goals.

The Planning Proposal supports all of these Regional objectives, strategies and actions.

4 - Is the Planning Proposal consistent with Council's adopted and endorsed Local Strategic Planning Statement and Local Housing Strategy?

The Wingecarribee Local Strategic Planning Statement (WLSPPS) 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.* (page 37)

Planning Priority 3.19 (Our Shire supports businesses and attracts people to work, live and visit) within the Wingecarribee LSPS addresses tourism:

Wingecarribee Shire Council is committed to developing and promoting the Southern Highlands as a destination in which to live, work, invest, play, learn, visit and enjoy. Our Shire has a healthy and diverse economy, driven by the health, tourism, education, manufacturing, agriculture, construction and professional industry sectors. Our proximity to Sydney, Canberra and Wollongong provides a strong base for economic development, and our natural areas, rural landscapes and vibrant towns and villages will continue to support our visitor economy. (page 40)

Identified Actions to achieve this outcome include:

- *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.*

This Planning Proposal specifically implements these two identified LSPS Actions.

5 - Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

No additional state or regional studies or strategies have been referenced in this Planning Proposal.

6 - Is the Planning Proposal consistent with applicable SEPPs?

SEPP (Housing) 2021	<i>The intent of this SEPP is to deliver a sufficient supply of safe, diverse and affordable housing</i> https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0714
Assessment – Consistent <i>The principles of this Policy are:</i> <i>(a) enabling the development of diverse housing types, including purpose-built rental housing,</i> <i>(b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,</i> <i>(c) ensuring new housing development provides residents with a reasonable level of amenity,</i> <i>(d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,</i> <i>(e) minimising adverse climate and environmental impacts of new housing development,</i> <i>(f) reinforcing the importance of designing housing in a way that reflects and enhances its locality,</i> <i>(g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,</i> <i>(h) mitigating the loss of existing affordable rental housing.</i> <i>The Planning Proposal is considered consistent with this SEPP because it is offering alternatives to housing supply for tourist and visitors, and workers, which does not involve the use of dwelling houses for short term rental accommodation (STRA).</i>	

SEPP (Transport and Infrastructure) 2021	<i>The intent of this SEPP is to provide well-designed and located transport and infrastructure integrated with land use</i> https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0732
Assessment – Consistent <i>The key intentions of this SEPP include:</i> <i>(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and</i> <i>(b) providing greater flexibility in the location of infrastructure and service facilities, and</i> <i>(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and</i> <i>(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and</i>	

- (e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and
- (f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and
- (g) providing opportunities for infrastructure to demonstrate good design outcomes.

The Planning Proposal is considered consistent with this SEPP because the provision of tourist and visitor accommodation is considered a form of infrastructure essential to supporting the visitor economy and providing short term worker accommodation.

SEPP (Primary Production)

The intent of this SEPP is to support and protect the productivity of important agricultural lands. They enhance rural and regional economies through a sustainable, diverse and dynamic primary production sector that can meet the changing needs of a growing NSW.

<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0729>

The key aims of this SEPP are:

- (a) to facilitate the orderly economic use and development of lands for primary production,
- (b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,
- (c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,
- (d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,
- (e) to encourage sustainable agriculture, including sustainable aquaculture,
- (f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,
- (g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.

The Planning Proposal is considered consistent with this SEPP because it is not contrary to any of the key aims of the SEPP.

SEPP (Biodiversity and Conservation) 2021

The intent of this SEPP is to preserve, conserve and manage NSW's natural environment & heritage

<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0722>

Assessment – Consistent

The aims of this SEPP are:

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and

(b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

It is noted that 2.3(1)(b) of the SEPP identifies land within the R3 Medium Density Residential zone as land to which the SEPP applies.

The Planning Proposal is considered consistent with this SEPP because it is not contrary to any of the key aims of the SEPP.

SEPP (Resilience and Hazards) 2021

The intent of this SEPP is to manage risks and building resilience in the face of hazards

<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0730>

Assessment – Consistent

The key aims of that part of the SEPP applicable to the Shire include:

- (d) to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and*
- (e) to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact*

The Planning Proposal is considered consistent with this SEPP because it is not contrary to any of the key aims of the SEPP.

SEPP (Industry and Employment) 2021 –

The intent of this SEPP is to grow a competitive and resilient economy that is adaptive, innovative and delivers jobs

<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0723>

Assessment – Consistent

The provisions of Chapter 3 (Advertising & Signage) are the only part of this SEPP applicable to land in Wingecarribee Shire. The Planning Proposal is considered consistent with this SEPP because it is not contrary to any of the key aims of the SEPP.

SEPP (Resources and Energy) 2021

The intent of this SEPP is to promote the sustainable use of NSW's resources and transitioning to renewable energy

<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0731>

Assessment – Consistent

The provisions of Chapter 2 (Mining, petroleum production & extractive industries) are the only part of this SEPP applicable to land in Wingecarribee Shire. The Planning Proposal is considered consistent with this SEPP because it is not contrary to any of the key aims of the SEPP.

SEPP (Planning Systems) 2021	<i>The intent of this SEPP is to provide a strategic and inclusive planning system for the community & the environment</i> https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0724
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Assessment – Consistent

The provisions of this SEPP address State significant development and land owned by an Aboriginal Land Council and are therefore not relevant to this Planning Proposal.

SEPP (Regional Precincts) 2021	<i>The intent of this SEPP is to consider State significant precincts, Activation precincts and other specific precincts including the Southern Highlands Regional Shooting Complex</i> https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0727
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Assessment – Consistent

The only provisions of this SEPP which apply to Wingecarribee Shire relate to the Southern Highlands Regional Shooting Complex and is therefore not relevant to this Planning Proposal.

7 - Is the Planning Proposal consistent with applicable s9.1 Ministerial Directions?

Focus Area 1 Planning Systems	<i>The intent of this Focus Area is to support the broader NSW planning framework, including its processes and collaborative approaches to strategic and land use planning and decision making. They seek to achieve long-term, evidence-based, strategically led planning that is inclusive, democratic, responsive to the community and the environment, and ensures decisions are transparent and prompt.</i>
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1.1 Implementation of Regional Plans

Assessment – Consistent

The objective of this Direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.

The Planning Proposal is considered consistent with this Direction because it aligns with adopted Strategies and Plans including state, regional and local.

1.2 Development of Aboriginal Land Council land

Assessment – Consistent

The objective of this direction is to provide for the consideration of development delivery plans prepared under Chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021 when planning proposals are prepared by a planning proposal authority.

The Planning Proposal is considered consistent with this Direction because no Aboriginal Land Council land is involved.

1.3 Approval and Referral Requirements

Assessment – Consistent

The objective of this Direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

The Planning Proposal is considered consistent with this Direction because it is not contrary to any of the key aims of the SEPP.

1.4 Site Specific Provisions
Assessment – Consistent <i>The objective of this Direction is to discourage unnecessarily restrictive site-specific planning controls.</i> <i>The Planning Proposal is considered consistent with this Direction because it is not contrary to any of the key aims of the SEPP.</i>
1.5 – 1.22 – Planning Systems Place Based
Assessment – Consistent <i>None of these place-based Directions apply to Wingecarribee Shire.</i>

Focus Area 2 Design & Place	<i>The intent of this Focus Area is to establish quality design approaches for new development, public spaces and the environment. They promote the design of places that are healthy, sustainable, prosperous, and supportive of people, the community and Country.</i>
NB: This Focus Area is not included in the current Ministerial Directions.	

Focus Area 3 Biodiversity & Conservation	<i>The intent of this Focus Area is to recognise the fundamental importance of protecting, conserving and managing NSW's natural environment and heritage. They help balance the needs of built and natural environments, respecting both the innate and economic value of the state's biodiversity and natural assets.</i>
3.1 Conservation Zones (previously 2.1 Environment Protection Zones)	
Assessment – Consistent <i>The objective of this Direction is to protect and conserve environmentally sensitive areas.</i> <i>The Planning Proposal is considered consistent with this Direction because it applies to the E1 Local Centre zone only.</i>	
3.2 Heritage Conservation	
Assessment – Consistent <i>The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i> <i>The Planning Proposal is considered consistent with this Direction because it will enhance opportunities for adaptive reuse of heritage items for tourism and visitor accommodation.</i>	
3.3 Sydney Drinking Water Catchments	
Assessment – Consistent <i>The objective of this Direction is to provide for healthy catchments and protect water quality in the Sydney Drinking Water Catchment. This Direction requires that a Planning Proposal must be prepared in accordance with the general principle that water quality within the Sydney drinking water catchment must be protected, and in accordance with the following specific principles:</i> <i>(a) new development within the Sydney drinking water catchment must have a neutral or beneficial effect on water quality (including groundwater), and</i> <i>(b) future land use in the Sydney drinking water catchment should be matched to land and water capability, and</i>	

<i>(c) the ecological values of land within a Special Area should be maintained.</i> <i>The Planning Proposal is considered consistent with this Direction because it does not impact any existing WaterNSW policies, standards or procedures.</i> No state agency referrals were required under the Gateway Determination.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs
Assessment – Consistent <i>This Direction is not applicable to Wingecarribee Shire.</i>
3.5 Recreation Vehicle Areas
Assessment – Consistent <i>The objective of this Direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</i> <i>The Planning Proposal is considered consistent with this Direction because it is not contrary to any of the key aims of the SEPP.</i>

Focus Area 4 Resilience & Hazards	<i>The intent of this Focus Area is to improve responses to natural and development-related hazards, and climate change. They support methods to consider and reduce risk. The principles promote healthy, resilient and adaptive communities, urban areas and natural environments.</i>
4.1 Flooding	
Assessment – Consistent <i>The objectives of this Direction are to:</i> <i>(a) ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</i> <i>(b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</i> <i>The Planning Proposal is considered consistent with this Direction because it is not contrary to any of the key aims of the SEPP.</i>	
4.2 Coastal Management	
Assessment – Consistent -<i>This Direction is not applicable to Wingecarribee Shire.</i>	
4.3 Planning for Bushfire Protection (previously 4.4)	
Assessment – Consistent <i>The objectives of this Direction are to:</i> <i>(a) protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</i> <i>(b) encourage sound management of bush fire prone areas.</i> <i>The Planning Proposal is considered consistent with this Direction because it is not contrary to any of the key aims of the SEPP.</i>	

4.4 Remediation of Contaminated Land

Assessment – Consistent

The objective of this Direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.

The Planning Proposal is considered consistent with this Direction because it is not contrary to any of the key aims of the SEPP.

4.5 Acid Sulphate Soils

Assessment – Consistent

The objective of this Direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. There currently no mapped acid sulphate soils in Wingecarribee Shire.

4.6 Mine Subsidence & Unstable Land

Assessment – Consistent

The objective of this Direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.

The Planning Proposal is considered consistent with this Direction because it is not contrary to any of the key aims of the SEPP.

Focus Area 5 Transport & Infrastructure

The intent of this Focus Area is to support innovative, integrated and coordinated transport and infrastructure, that is well-designed, accessible and enduring. They seek to optimise public benefit and value by planning for modern transport and infrastructure in the right location and at the right time.

5.1 Integrating Land Use and Transport

Assessment – Consistent

The objective of this Direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- (a) improving access to housing, jobs and services by walking, cycling and public transport, and*
- (b) increasing the choice of available transport and reducing dependence on cars, and*
- (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- (d) supporting the efficient and viable operation of public transport services, and*
- (e) providing for the efficient movement of freight.*

The Planning Proposal is considered consistent with this Direction because it is not contrary to any of the key aims of the SEPP.

5.2 Reserving Land for Public Purposes

Assessment – Consistent

The objectives of this Direction are to (a) facilitate the provision of public services and facilities by reserving land for public purposes, and (b) facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.

The Planning Proposal is considered consistent with this Direction because it is not contrary to any of the key aims of the SEPP.

5.3 Development Near Regulated Airports and Defence Airfields

Assessment – Consistent

The objectives of this Direction are to:

- (a) ensure the effective and safe operation of regulated airports and defence airfields;*
- (b) ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and*
- (c) ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.*

The Planning Proposal is consistent with this Direction because it is not contrary to any of the key aims of the SEPP.

5.4 Shooting Ranges

Assessment – Consistent

The objectives of this Direction are to:

- (a) maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range,*
- (b) reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land,*
- (c) identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.*

The Planning Proposal is considered consistent with this Direction because it is not contrary to any of the key aims of the SEPP.

Focus Area 6 Housing	<i>The intent of this Focus Area is to foster long-term, strategic-led and evidence-based approaches to guide a strong supply of well-located homes. They support the delivery of safe, diverse, affordable and quality designed housing that meets the needs of Aboriginal and local communities.</i>
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6.1 Residential Zones

Assessment – Consistent

The objectives of this Direction are to:

- (a) encourage a variety and choice of housing types to provide for existing and future housing needs,*
- (b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- (c) minimise the impact of residential development on the environment and resource lands.*

The Planning Proposal is considered consistent with this Direction because the provision of tourist and visitor accommodation can reduce pressure on housing being used for this purpose instead of providing long term housing solutions.

6.2 Caravan Parks and Manufactured Home Estates

Assessment – Consistent

The objectives of this Direction are to:

- (a) provide for a variety of housing types, and*

(b) provide opportunities for caravan parks and manufactured home estates.
The Planning Proposal is considered consistent with this Direction because it seeks to supplement the housing provides by these options.

Focus Area 7 Resilient Economies	<i>The intent of this Focus Area is to support diverse, inclusive and productive employment opportunities across the state to make NSW more economically competitive. They promote the supply of strategic employment lands, innovative industries and centres as a focus for activity and accessibility.</i>
7.1 Business and Industrial Zones	
Assessment – Consistent <i>The objectives of this Direction are to:</i> <i>(a) encourage employment growth in suitable locations,</i> <i>(b) protect employment land in business and industrial zones, and</i> <i>(c) support the viability of identified centres.</i> <i>The Planning Proposal is considered consistent with this Direction because it is supporting the resilience of the visitor economy.</i>	
7.2 Reduction in non-hosted short-term rental accommodation period	
Assessment – Consistent <i>Not applicable to Wingecarribee Shire.</i>	
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	
Assessment – Consistent <i>Not applicable to Wingecarribee Shire.</i>	

Focus Area 8 Resources & Energy	<i>The intent of this Focus Area is to promote the sustainable development of resources in strategic areas and a transition to low carbon industries and energy. They support positive environmental outcomes and work towards the net zero emissions target and continued energy security, while also promoting diversified activity in regional economies.</i>
8.1 Mining, Petroleum Production & Extractive Industries	
Assessment – Consistent <i>The objective of this Direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</i> <i>The Planning Proposal is considered consistent with this Direction because it is not contrary to any of the key aims of the SEPP.</i>	

Focus Area 9 Primary Production	<i>The intent of this Focus Area is to support and protect the productivity of important agricultural lands. They enhance rural and regional economies through a sustainable, diverse and dynamic primary production sector that can meet the changing needs of a growing NSW.</i>
9.1 Rural Zones	
Assessment – Consistent	

The objective of this Direction is to protect the agricultural production value of rural land and identifies requirements for a Planning Proposal seeking to rezone Rural zoned land to a residential, business, industrial, village or tourist zone.

The Planning Proposal is considered consistent with this Direction because it applies to the E1 zone only.

9.2 Rural Lands

Assessment – Consistent

This Direction applies when a Planning Proposal will either affect land within an existing or proposed rural or conservation zone or changes the existing minimum lot size on land within a rural or conservation zone. The objectives of this Direction are to:

- (a) protect the agricultural production value of rural land,*
- (b) facilitate the orderly and economic use and development of rural lands for rural and related purposes,*
- (c) assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State,*
- (d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,*
- (e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land,*
- (f) support the delivery of the actions outlined in the NSW Right to Farm Policy.*

The Planning Proposal is considered consistent with this Direction because it applies to the E1 zone only.

9.3 Oyster Aquaculture

Assessment – Consistent

The objectives of this direction are to:

- (a) ensure that ‘Priority Oyster Aquaculture Areas’ and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, and*
- (b) protect ‘Priority Oyster Aquaculture Areas’ and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.*

The Planning Proposal is considered consistent with this Direction because there are no ‘Priority Oyster Aquaculture Areas’ in Wingecarribee Shire.

9.4 Farmland of State & Regional Significance on the NSW Far North Coast

Assessment – Consistent

The Planning Proposal is considered consistent with this Direction because it is not applicable to Wingecarribee Shire.

Section C – Environmental, Social & Economic Impacts

8 - Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the Proposal?

It is unlikely that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected by the Proposal as it is limited to the E1 Local Centre where such constraints do not generally occur. Any consequent development application would undergo assessment which would include consideration of these matters.

9 - Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

There are no other likely environmental effects expected to result from the Proposal as it is limited to the E1 Local Centre where such impacts do not generally occur. No state agency referrals were required under the Gateway Determination. Any consequent development application would undergo assessment which would include consideration of these matters.

10 - Has the planning proposal adequately addressed any social and economic effects?

It is considered that that the Planning Proposal adequately addresses all social and economic implications.

Section D – Infrastructure (Local, State & Commonwealth)

Any infrastructure implications resulting from a development application would be considered at that stage and would inform the final decision regarding the development.

11- Is there adequate public infrastructure for the Planning Proposal?

It is unlikely that public infrastructure would be impacted by this Proposal.

Section E – State and Commonwealth Interests

12 - What are the views of state and federal authorities and government agencies consulted in order to inform the Gateway determination?

No state or federal interests are affected by this Planning Proposal.

Part 4 - Maps

No maps are required for this Planning Proposal.

Part 5 - Community Consultation

Community consultation will be considered at the Gateway stage, with the Gateway determination confirming the requirements. Council will undertake community consultation in accordance with the Gateway Determination.

Part 6 - Project Timeline

Stage	Estimated Timeframe and/or date
Consideration by Council	July 2025
Council decision	July 2025
Gateway determination	August 2025
Pre-exhibition	August 2025
Public Exhibition	September – October 2025
Consideration of submissions	November 2025
Reporting of Planning Proposal back Wingecarribee Local Planning Panel and to Council	November 2025 December 2025
Drafting Request / submission to DPE	December 2025/January 2026
Gazettal of LEP amendment	January/February 2026

Delegation

Council has been granted delegation to exercise its local plan-making authority functions in relation to this Planning Proposal.

END OF PLANNING PROPOSAL