

Planning Proposal

to amend Wingecarribee Local Environmental Plan 2010

To:

1. Amend the Land Use Table to include secondary dwellings as permitted with consent in the R2 Low Density Residential zone; and
2. Amend Schedule 2 Exempt development to include subdivision of Council public roads proposed for closure under the *Roads Act 1993*.

**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 1 for Gateway Determination

August 2025

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Introduction

Description

The Planning Proposal comprises two intents:

- 1 – To list *secondary dwellings* as permitted with consent, in the R2 Low Density Residential zone. Currently this permissibility is via an innominate provision.
- 2 – Include subdivision of Council public roads as a form of exempt development.

Part 1 – Objectives & Intended Outcomes of the Planning Proposal

The objective of the Planning Proposal is to update the Wingecarribee Local Environmental Plan 2010 to be more relevant and provide more efficient mechanisms for undertaking Council business.

In response to community enquiries and suggestions, the Planning Proposal seeks to address the omission of secondary dwellings as permitted with consent in the R2 Low Density residential zone. This will reaffirm to the community that secondary dwellings are a permitted land use within the R2 zone and, thereby, may encourage the kind of diverse, affordable infill development opportunities encouraged within Council's adopted strategic documents.

With regard to the closure of Council public roads, this action is facilitated under Part 4 Division 3 of the Roads Act 1993 which allows Council to close a Council public road if:

- a) The road is not reasonably required as a road for public use (whether for present or future needs), and
- b) The road is not required to provide continuity for an existing road network, and
- c) If the road provides a means of vehicular access to particular land, another public road provides lawful and reasonably practicable vehicular access to that land.

The proposed amendment is sought because, until recently., NSW Land Registry Services (LRS) would accept a Plan of Road Closure prepared by a surveyor and signed by Council as property owner on the Deposited Plan (DP) Administration Sheet. However, LRS requirements now state that, whilst still signing the Plan as Property Owner, Council must also 'approve' and sign the subdivision certificate on the DP Administration sheet. That 'approval' requires a DA.

This process adds to the time and cost associated with closing a Council road and is also an impost on Council's resources in requiring a DA planner to process the DA when time could be more effectively be spent in assessment of genuine development proposals.

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:

To achieve the objectives of the planning proposal, the following amendments to the WLEP would be required.

1. Amend the **Land Use Table** to include secondary dwellings as permitted with consent in the R2 Low Density Residential zone; and
2. Amend **Schedule 2 Exempt development** to include subdivision of Council public roads proposed for closure under the [Roads Act 1993](#).

No map amendments will be required to achieve the intended outcomes of the Planning Proposal.

Part 3 - Justification of Strategic & Site-specific Merit

Strategic Merit

Both recommended amendments align with Council's efficiency goals without compromising sound planning outcomes.

The proposed amendment to secondary dwellings is supported in both the Local Strategic Planning Statement and the Local Housing Strategy as indicated below.

Wingecarribee Local Strategic Planning Statement

- ***Planning Priority 4.1 - Promote infill development and increased densities in appropriate locations, and facilitate a greater mix of housing types to ensure our housing stock is reflective of the needs of our community***

Infill development also provides an opportunity to reinforce the viability of some of our smaller town and village centres (i.e. Bundanoon and Robertson), to ensure these communities continue to have access to important services into the future (i.e. supermarkets, doctors etc.) Increasing housing choice in these areas will also provide an opportunity for residents to age in appropriate housing within their communities. Council is committed to increasing housing choice and diversity but is equally committed to protecting and enhancing the heritage and character of our towns and villages and ensuring that new housing is consistent with the values and expectations of our community.

(page 46)

Relevant actions arising from this objective which are supported through the Planning Proposal include:

- *Provide a diverse mix of housing types and choice to meet the needs of our community both now and into the future*
- *Provide an increase in smaller housing options in the Shire, with a target of 20% of all new dwellings to be medium density or small lot housing options*
- *Provide a 50/50 split of infill and greenfield development to meet our housing needs*
- *Facilitate ageing in place by increasing housing choice and adaptable housing options, and provide seniors housing in appropriate locations close to transport and services*
- *Ensure the Wingecarribee planning framework facilitates a mix of housing types and lot sizes and provides certainty to the community and development industry*
- *Review Council's LEP and DCP provisions and remove any unnecessary barriers to achieving our planning priorities*
- *Manage the release of new greenfield development areas to ensure greenfield land does not compromise infill development*

- ***Planning Priority 4.2 - Provide a greater mix of price points in the housing market to improve housing affordability, and work with community housing providers to increase the stock of social and community housing throughout the Shire.***

Housing affordability is a significant issue for low to moderate income households in the Wingecarribee, where the median weekly rent and median monthly mortgage repayments are significantly higher than the NSW average. It is important for housing policy to facilitate a diverse range of housing options and price points across the housing continuum, to ensure that our community has access to housing that meets their needs, aspirations and capacities.

- *Provide a diverse range of housing options and price points across the housing continuum, to ensure that our community has access to housing that meets their needs, aspirations and capacities*
- *Investigate ways of supporting affordable housing opportunities via collaboration and partnership arrangements between developers, State Government, local community housing providers, Local Aboriginal Land Councils and community based groups*
- *Ensure Council processes support streamlined approval for housing, particularly special needs housing.*
- *Develop an affordable housing strategy for the Wingecarribee Shire.*

The Wingecarribee Local Housing Strategy

The LHS also reflects these objectives and actions with an emphasis on the desired 50/50 split between new living areas an infill development. In summary, the Planning Priorities of the LHS are:

Planning Priority 1 – Promote infill development and increased densities in appropriate locations, and facilitate a greater mix of housing types to ensure our housing stock is reflective of the needs of our community. An appropriate mix of housing types is needed to ensure that our residents have greater choice and access to housing that meets the diverse needs of our community.

Planning Priority 2 – Provide a greater mix of price points in the housing market to improve housing affordability, and work with community housing providers to increase the stock of social and community housing throughout the Shire Housing affordability is an issue that requires action from all levels of Government and ensuring our community has equitable access to housing is a significant housing challenge for the Shire.

Planning Priority 3 – Provide for well planned new release areas to meet the long-term housing needs of the community and ensure that our growing communities are supported by essential infrastructure.

Secondary dwellings are contributing to infill development through secondary dwelling development in new living areas at a current rate of 20% of new housing stock.

Enhanced efficiency and business improvement are key elements of the recently adopted Operational Plan and Budget, specifically:

- *We will focus on targeted operational efficiencies*
- *We will continue to seek efficiencies and savings through our continuous improvement*

The exemption of subdivision of council roads from the DA process contributes towards such efficiencies.

Site-specific Merit

An application for a secondary dwelling would be assessed for site specific suitability at the DA stage. The proposed closure of a Council public road would also be assessed and justified through the decision making process.

Section A – Need for the Planning Proposal

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

Both amendments align with Council's LSPS, LHS and Operational Plan as discussed under the Strategic Merit (Part 3) heading above.

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

The Planning Proposal is considered the only means of addressing these amendments.

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)?

The Planning Proposal seeks to emphasise that opportunities for secondary dwellings are available in the R2 Low Density Residential zone to encourage such development and opportunities for housing diversity.

Specifically, with regard to the South East and Tablelands Regional Plan 2036, the following Directions are relevant:

Direction 24 – Deliver greater housing supply and choice

Direction 25 - Focus housing growth in locations that maximise infrastructure and services

Direction 27 – Deliver more affordable housing

With regard to the draft South East and Tablelands Regional Plan 2041, *Theme 4* addresses planning for fit for purpose housing and services and includes the following objectives:

Objective 17 – Plan for a supply of housing in appropriate locations

Objective 18 – plan for more affordable, low cost and social housing

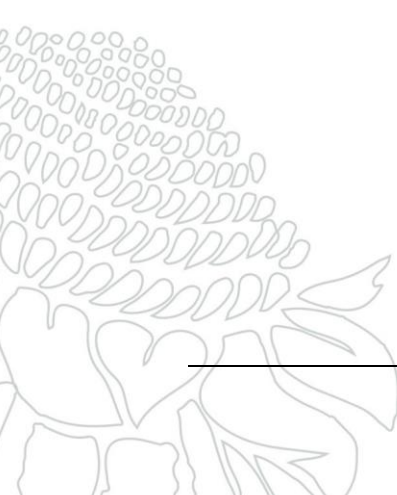
These directions and objectives reinforce those in the Wingecarribee LSPS and LHS discussed above.

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

The relevance to both the Wingecarribee LSPS and LHS are discussed at Strategic Merit (Part 3) heading above.

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

The Planning Proposal is considered consistent with all applicable state and regional studies.



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 the inclusion of secondary dwellings within the R2 zone as permitted with consent may highlight this opportunity and increase the provision of housing diversity through increased awareness of secondary dwellings.</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> <i>(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and</i> <i>(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and</i>	

(g) providing opportunities for infrastructure to demonstrate good design outcomes.

The Planning Proposal will have no direct impact on this SEPP although it will facilitate “improving regulatory certainty and efficiency through a consistent planning regime”.

SEPP (Primary Production)	<i>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.</i> https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0729
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Assessment – Consistent - not applicable

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 does not directly relevant.

SEPP (Biodiversity and Conservation) 2021	<i>The intent of this SEPP is to preserve, conserve and manage NSW's natural environment & heritage</i> https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0722
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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 any relevant impacts would be addressed at the DA stage.

SEPP (Resilience and Hazards) 2021	<i>The intent of this SEPP is to manage risks and building resilience in the face of hazards</i>
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<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 potential development for secondary dwellings would provide additional accommodation to build resilience.

SEPP (Industry and Employment) 2021 –	<i>The intent of this SEPP is to grow a competitive and resilient economy that is adaptive, innovative and delivers jobs</i>
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<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0723>

Assessment – Consistent – Not applicable

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 does not apply.

SEPP (Resources and Energy) 2021	<i>The intent of this SEPP is to promote the sustainable use of NSW's resources and transitioning to renewable energy</i>
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<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 does not apply.

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
Assessment – Consistent – Not applicable <i>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.</i>	
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
Assessment – Consistent – Not applicable <i>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.</i>	

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>
1.1 Implementation of Regional Plans	
Assessment – Consistent <i>The objective of this Direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</i> <i>The Planning Proposal is considered consistent with this Direction because it aligns with several Directions of the South East and Tablelands Regional Plan 2035 and the draft Regional Plan 2041.</i>	
1.2 Development of Aboriginal Land Council land	
Assessment – Consistent <i>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.</i> <i>The Planning Proposal is considered consistent with this Direction because no Aboriginal Land Council land is involved.</i>	

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 PP would reduce approval requirements for subdivision of Council public roads.

1.4 Site Specific Provisions

Assessment – Consistent

The objective of this Direction is to discourage unnecessarily restrictive site-specific planning controls.

The Planning Proposal is considered consistent with this Direction because it does not impose any additional approval requirements. With regard to Council road closures, it would remove the requirement for a DA.

1.5 – 1.22 – Planning Systems Place Based

Assessment – Consistent

None of these place-based Directions apply to Wingecarribee Shire.

Focus Area 2 Design & Place

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.

NB: This Focus Area is not included in the current Ministerial Directions.

Focus Area 3 Biodiversity & Conservation

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.

3.1 Conservation Zones (previously 2.1 Environment Protection Zones)

Assessment – Consistent

The objective of this Direction is to protect and conserve environmentally sensitive areas.

The Planning Proposal is considered consistent with this Direction because such impacts would be considered through the relevant assessment and review processes.

3.2 Heritage Conservation

Assessment – Consistent

The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

The Planning Proposal is considered consistent with this Direction because such impacts would be considered through the relevant assessment and review processes associated with the applications.

3.3 Sydney Drinking Water Catchments

Assessment – Consistent

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:

- (a) new development within the Sydney drinking water catchment must have a neutral or beneficial effect on water quality (including groundwater), and*
- (b) future land use in the Sydney drinking water catchment should be matched to land and water capability, and*
- (c) the ecological values of land within a Special Area should be maintained.*

The Planning Proposal is considered consistent in principle with this Direction because such impacts would be considered through the relevant assessment and review processes.

Confirmation of consistency with this Direction will remain unresolved until consultation is undertaken with Water NSW.

3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs

Assessment – Consistent – Not applicable

This Direction is not applicable to Wingecarribee Shire.

3.5 Recreation Vehicle Areas

Assessment – Consistent – Not applicable

The objective of this Direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.

The Planning Proposal is considered consistent with this Direction because such impacts would be considered through the relevant assessment and review processes associated with the applications.

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 such impacts would be considered through the relevant assessment and review processes associated with the applications.</i> <i>Confirmation of consistency with this Direction will remain unresolved until consultation is undertaken with Water NSW.</i>	
4.2 Coastal Management	
Assessment – Consistent – Not applicable <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 such impacts would be considered through the relevant assessment and review processes associated with the applications.</i> <i>Where bush fire prone land would be affected by the changes, consistency would remain unresolved until consultation is undertaken with NSW RFS. This would occur at both the Planning Proposal referral stage and at any subsequent DA stage.</i>	
4.4 Remediation of Contaminated Land	
Assessment – Consistent <i>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.</i>	

The Planning Proposal is considered consistent with this Direction because such impacts would be considered through the relevant assessment and review processes associated with the applications.

4.5 Acid Sulphate Soils

Assessment – Consistent – Not applicable

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 such impacts would be considered through the relevant assessment and review processes associated with the applications.

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 such impacts would be considered through the relevant assessment and review processes associated with the applications.

5.2 Reserving Land for Public Purposes

Assessment – Consistent – Not applicable

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 does not relevant to the proposal.

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 considered consistent with this Direction because such impacts would be considered through the relevant assessment and review processes associated with the applications.

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 such impacts would be considered through the relevant assessment and review processes associated with the applications.

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 would encourage greater housing diversity in residential zones with existing services and is therefore consistent with this Direction.

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 would encourage greater housing diversity in residential zones with existing services and is therefore consistent with this Direction.

Focus Area 7 Resilient Economies

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.

7.1 Business and Industrial Zones

Assessment – Consistent – not applicable

The objectives of this Direction are to:

- (a) encourage employment growth in suitable locations,*
- (b) protect employment land in business and industrial zones, and*
- (c) support the viability of identified centres.*

The Planning Proposal is considered consistent with this Direction because it applies to the R2 Low Density Residential zone only.

7.2 Reduction in non-hosted short-term rental accommodation period

Assessment – Consistent – Not applicable

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

7.3 Commercial and Retail Development along the Pacific Highway, North Coast

Assessment – Consistent – not applicable

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

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>
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8.1 Mining, Petroleum Production & Extractive Industries

Assessment – Consistent – not applicable

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.

The Planning Proposal is considered consistent with this Direction because it applies to the R2 Low Density Residential zone only.

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>
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9.1 Rural Zones

Assessment – Consistent – not applicable

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 R2 Low Density Residential zone only.

9.2 Rural Lands

Assessment – Consistent – not applicable

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 R2 Low Density Residential zone only.

9.3 Oyster Aquaculture

Assessment – Consistent – not applicable

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 it applies to the R2 Low Density Residential zone only and 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 – not applicable

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?

There is no likelihood that the Planning Proposal would create any adverse ecological impacts. Any application for a secondary dwelling would be assessed with regard to any adverse impacts, noting it applies only to the R2 Low Density residential zone. The assessment of a Council public road closure does consider potential adverse ecological impacts.

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

There is no likelihood that the Planning Proposal would create any adverse environmental impacts. Any application for a secondary dwelling would be assessed with regard to any adverse impacts, noting it applies only to the R2 Low Density residential zone. The assessment of a Council public road closure does consider potential adverse environmental impacts.

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

The Planning Proposal provides the opportunity for additional housing diversity. It may be that the closure of Council public roads could prove further housing opportunities on the land.

Section D – Infrastructure (Local, State & Commonwealth)

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

The Planning Proposal does not affect infrastructure provisions beyond the requirements of a new dwelling. Infrastructure contributions from secondary dwellings could provide additional funding for infrastructure needs.

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?

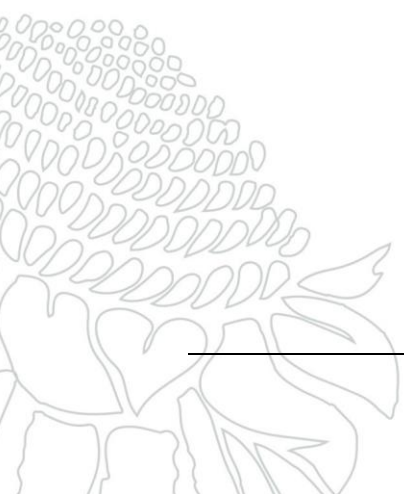
Due to the nature of the Planning Proposal, no agency referrals have been undertaken at this stage. The Planning Proposal would be updated, post agency referrals, prior to public exhibition to reflect agency comments.

Part 4 - Maps

No maps are required for this Planning Proposal.

Part 5 - Community Consultation

Council will undertake community consultation in accordance with the Gateway Determination and Council Policy. Details will be updated prior to the commencement of public exhibition.



Part 6 - Project Timeline

Stage	Timeframe and/or date
Consideration by Wingecarribee Local Planning Panel	August 2025
Council decision	August 2025
Gateway determination	September 2025
Pre-exhibition – agency referrals	October 2025
Public Exhibition	November 2025
Consideration of submissions	December 2025
Post-exhibition review & additional studies	January 2025
Reporting of Planning Proposal back to Wingecarribee Local Planning Panel	February 2025
Reporting of Planning Proposal back to Council	March 2025
Drafting Request / submission to DPE	April 2025
Gazettal of LEP amendment	May 2025

Delegation

Council seeks Delegation and a written *Authorisation to Exercise Delegation* accompanies the Planning Proposal.

END OF PLANNING PROPOSAL