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SCANNED

Ms Ann Prendergast
Acting General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

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S. Stannard	✓

Dear Ms Prendergast

Request for Pre-Gateway Review – Notification to Council of Determination

I refer to the request for a Pre-Gateway Review. Details of the proposed instrument are summarised below:

Dept. Ref. No.	PGR_2013_WINGE_002_00
LGA	Wingecarribee
LEP to be amended	Wingecarribee Local Environmental Plan 2010
Address/Location	'Commungie' Lot 3 DP706194 Yarrawa Road and 'Chelsea Gardens' Lot 12 DP866036 Lovelle Street, Moss Vale
Proposal	Rezoning the land to R2 Low Density Residential, R3 Medium Density Residential, RE1 Public Recreation and B1 Neighbourhood Centre and changing the development standards of the land to allow residential (up to 1500 lots), open space and local business purposes.

Please find attached the advice of the Southern Region Joint Planning Panel (JRPP) with regard to the above request for a Pre-Gateway Review.

I have considered the request for review together with the recommendation of the JRPP. As delegate of the Minister for Planning and Infrastructure, I have determined that the proposed instrument should proceed to Gateway Determination.

Please advise if Council is prepared to be the Relevant Planning Authority (RPA) for this matter, and submit a planning proposal within 40 days of the date of this letter. I have determined that the additional information the JRPP recommended should accompany a planning proposal can be required as part of a Gateway Determination. No further studies are required for the planning proposal to proceed to Gateway Determination. The earlier site investigation reports, commissioned by Council would be sufficient to assist in justifying the proposal for a Gateway Determination assessment.

If Council advises it is not prepared to be the RPA or if a planning proposal is not submitted within the 40 days of the date of this letter, an alternate RPA may be appointed to prepare one.

The Department's 'A guide to preparing local environmental plans' provides advice on procedures for the various stages in the independent review process. The guide is available on-line at www.planning.nsw.gov.au/gateway-process. You can check the progress of the request for review on the LEP Tracking System at <http://pgrtracking.planning.nsw.gov.au/PublicList.aspx>.

I have also noted that the JRPP in conducting their assessment of the request for Gateway Review, have made a number of recommendations on Council's strategic planning activities. In particular they have identified adjoining lots to those subject to the Gateway Review which Council may wish to consider the future urban development.

THIRD YEAR

The JRPP has also highlighted the need for Council to review its strategic planning documents such as the Wingecarribee Shire Our Future Strategic Plan 2002 and for a land and housing monitor to be established to support the Strategy.

The Department maintains its willingness to work with Council on an updated local Strategy and the monitoring process necessary to evaluate the success of both the existing and any future strategy.

If you have any questions with regard to the issues raised in this letter, please contact Mr Brett Whitworth, Regional Director, Southern Region of the Department of Planning and Infrastructure on (02) 4224 9450.

Yours sincerely



Neil McGaffin
A/Deputy Director General
Planning Operations and Regional Delivery

9.12.13.

Encl. Southern JRPP Pre-Gateway Review recommendations

**Joint Regional Planning Panel
Pre-Gateway Review**

The Southern Joint Regional Planning Panel has considered the request for a review of the proposed instrument as detailed below.

The Pre-Gateway Review:

Date of Review:	7-8 November 2013
Dept. Ref. No:	2013STH023
LGA:	Wingecarribee Shire
LEP to be Amended:	Wingecarribee LEP 2010
Address / Location:	'Coomungie' Lot 3 DP 706194 Yarrawa Road and 'Chelsea Gardens' Lot 12 DP 866036 Lovelle Street, Moss Vale
Proposed Instrument:	PGR_2013_WINGE_002_00

Reason for review:	☒	The council has notified the proponent that the request to prepare a planning proposal has not been supported
	☐	The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal

In considering the request, the JRPP has reviewed all relevant information provided by the proponent as well as the views and position of the department and the relevant local government authority.

Based on this review the JRPP recommends the following:

JRPP RECOMMENDATION:	☒	The proposed instrument should be submitted for a Gateway determination subject to provision of additional information
	☐	The proposed instrument should not be submitted for a Gateway determination
Composition of Recommendation:	☐ Unanimous ☒ Not unanimous	Comments: majority support

JRPP Advice and Justification for Recommendation:

1. Request for review

The Director-General, as Delegate of the Minister for Planning and Infrastructure, has requested that the Southern Joint Regional Planning Panel (regional panel) carry out a pre-Gateway review of proposed instrument PGR_003_WINGE_002_00 and to prepare advice concerning the merits of the proposal. The request for the review has been made by Murray Sowter on behalf of Glen Ayr Pastoral Pty Ltd and J Avery Pty Ltd on 8 August 2013.

The regional panel constituted for this matter comprised Allen Grimwood (Acting Chair) and Alison McCabe as state appointed members, and Laurel Cheetham and Councillor Ian Scandrett appointed by Council to represent the community.

Meetings have been held with representatives of Glen Ayr Pastoral Pty Ltd and J Avery Pty Ltd (the proponent), Wingecarribee Shire Council (Council) and representatives of the Department of Planning and Infrastructure (Southern Region) on 7 and 8 November 2013. Departmental representatives attended all meetings as observers and to provide advice.

2. The planning proposal

The proposal involves the rezoning of two adjoining agricultural properties - Chelsea Gardens and Coomungie that have a combined area of 123.7 hectares to allow for residential development on the south east edge of Moss Vale. The land is zoned RU2 Rural Landscape under Wingecarribee Local Environmental Plan (LEP) 2010 and is currently used for cattle grazing. The land is also included in Wingecarribee LEP 2010 as an urban release area.

The proposed instrument PGR_003_WINGE_002_00 that was submitted for review comprises amendments to Wingecarribee LEP 2010:

- to rezone the land as part R2 Low Density Residential, part R3 Medium Density Residential, part RE1 Public Recreation and part B1 Neighbourhood Centre, and
- to change the Lot Size Map from 40 hectares (Q) to principally 450m² (G) with pockets of 300m² (D) and 1,000m² (U) consistent with a concept masterplan submitted with the Planning Proposal.

The Planning Proposal was lodged with Wingecarribee Shire Council on 6 May 2013. The proponent lodged an application for a pre-Gateway Review on 8 August 2013 on the basis that Council had not dealt with the Planning Proposal within 90 days.

Council considered the Planning Proposal at an ordinary meeting held on 14 August 2013 and resolved to defer the matter pending a further information session. Council then resolved at a meeting on the 9 October 2013 to not support the rezoning and to prepare a planning proposal to remove Chelsea Gardens and Coomungie from the Urban Release Area Map in Wingecarribee LEP 2010. Council also resolved to commence discussions to investigate the potential for land located in the vicinity of the Moss Vale enterprise corridor to be rezoned in the future for urban residential purposes. Council has not yet progressed this planning proposal.

3. Strategic merit assessment

Site planning

The regional panel notes that the planning proposal has been prepared using *A guide to preparing planning proposals* and *A guide to preparing local environmental plans* both issued by the Department. The guidelines set out the minimum information that is needed for a Relevant Planning Authority to be satisfied that a proposal has merit to proceed to a more detailed planning phase.

The regional panel has reviewed documentation submitted by the proponent and has met with the proponent to enable discussions about the planning proposal. However, in documentation provided with the planning proposal, important issues such as the suitability of the land for development, the location and capacity of existing services, and constraints to access have not been adequately considered. The concept masterplan and site analysis do not contain sufficient information to enable an understanding of the relationship of the site with adjoining land and to facilitate good access to the centre of Moss Vale.

The regional panel understands the need to ensure that the site is capable of accommodating the level of development that would be enabled by the proposed instrument before it proceeds to a favourable Gateway determination. In this instance, a more detailed site analysis would assist to ensure that there is connectivity with adjoining urban development and the centre of Moss Vale, and within the site itself, for example, to maximise access to any proposed commercial or community uses and open space. The relationship to the rural landscape that surrounds the site should also be considered in subdivision design.

Servicing

It is noted in section 2.1 Service Infrastructure of the Planning Proposal that reticulated water and sewer are provided to adjoining urban land and that modelling needs to be carried out to determine the extent of augmentation that is required to service the subject land. The Planning Proposal does not contain any preliminary analysis of traffic impacts on the surrounding local and arterial road network.

It is the view of the regional panel that modelling and analysis must be carried out before the proposal proceeds to a gateway determination to evaluate the extent and costs of augmentation that are required to reticulated water and sewer systems and the road network to cater for the additional load generated by the proposed urban subdivision and to provide the optimum transport network to link the site to Moss Vale centre. This is consistent with a housing and settlement action of the Sydney-Canberra Corridor Regional Strategy to integrate planning for urban land with the supply of relevant infrastructure and transport provision. Knowledge of servicing requirements will also inform subdivision design, lot yield and the staging of land release.

Land supply

The Sydney-Canberra Corridor Regional Strategy 2008 contains regional housing supply targets which project an undersupply of 3,000 dwellings over the period to 2031. This is based on demand for an additional 8,700 dwellings and a population of 58,800 persons in 2031. The current supply was estimated to be 2,200 potential dwellings in existing urban areas and 3,500 dwellings in proposed or planned release areas. The required 3,000 dwellings are to be provided in 'greenfield' development areas. It is identified in the strategy that 1,400 residential lots will be located in Moss Vale in the short to medium term. This estimate includes 1,000 to 1,200 lots to be developed in Chelsea Gardens and Coomungie. The population projection for Wingecarribee has since been revised down to 51,000 persons in 2031.

A Demographic and Housing Study prepared by SGS Economics and Planning in 2012 for Wingecarribee Council estimated that existing and future residential zoned land in Wingecarribee Shire can accommodate 28,965 dwellings, 5,818 of those dwellings being in Moss Vale. SGS used a

'meshblock' method based on ABS census areas which do not correlate with land use zones to estimate dwelling capacities. Population was forecast to be 52,901 in 2031. Demand was estimated in this study to be an additional 6,284 dwellings giving a surplus of 22,681 dwellings in 2031.

Council's internal estimate is that there is capacity for only 8,959 new dwellings in zoned urban areas, which includes potentially 2,180 in Moss Vale. Council also estimate that an average of 270 new dwellings per annum have been approved over the past 10 years in existing urban areas and excluding release areas. This comprises approximately 190 dwellings on existing lots and a further 85 dwellings being either multi dwelling developments or dwellings on newly created lots.

One panel member also advised that Council's forecast now is that it has over 30 years of approved housing stock on current population increases, namely 5000 persons up to 2031. That panel member suggested that in the current climate, staff estimates this stock might last as far as 2038.

In light of the considerable variation in housing demand and supply estimates and having regard to the fact that Council has yet to establish a land monitor to accurately estimate land availability, the regional panel is of the view that an oversupply of urban land in appropriately planned locations contiguous with existing urban areas is preferred to an undersupply. This approach assists housing affordability and acknowledges that the release and development of urban land is subject to the aspirations of land owners, their access to capital and lifestyle preferences – factors which are beyond government control. Development of urban release areas is also subject to the availability and timing of the provision of infrastructure and occurs over an extended period of time.

Strategic planning

The site has been extensively investigated for urban development by Wingecarribee Shire Council since 2005 and has been identified by both Council and the NSW Government via the Sydney-Canberra Corridor Regional Strategy as a key area for 'greenfield' housing. The land is mapped as an urban release area in Wingecarribee LEP 2010. It adjoins the existing Moss Vale urban area and, with appropriate transport links, its development would provide a stimulus for the centre.

The regional panel notes that the Wingecarribee Shire Our Future Strategic Plan 2002 contains sound planning principles and provides strategic direction for future development. It is timely that the strategy be revisited to ensure that it reflects the community's expectations for the future, particularly in regards to issues such as the location of future urban development and maintaining separation between settlements, urban form and housing densities. The strategy should be supported by an accurate and current land and housing monitor, and it is recommended that Council liaise with the regional office of the Department regarding appropriate methodology and format.

Summary

The majority of members of the regional panel support the proposed development of Chelsea Gardens and Coomungie subject to the provision of additional information that demonstrates that the land is capable of urban development.

One panel member advised that Council considers that the scale of development is excessive and that, upon due consideration, he supports only elements of the concept plan, i.e. the areas north of the golf course and to the north east near the water tower where the release area adjoins existing

urban development. These two smaller areas are likely to yield 200 lots. This will still require substantial planning of the provisioning of infrastructure and access.

In making recommendations the regional panel believes that, due to the area of land proposed to be developed and its location relative to the town of Moss Vale, the site analysis and concept masterplan be revised to take into account the following matters:

- Linkages to and connectivity with adjoining urban development, and the centre of Moss Vale,
- The area and location of land to be used for commercial purposes,
- Providing a range of lot sizes to cater for a mix of housing types,
- the interface of urban development with the rural landscape backdrop to the site,
- the provision of adequate open space to cater for the resident population,
- flood and stormwater management using water sensitive urban design principles, and
- the staging of land releases according to the provision of services.

The regional panel is of the view that the location of the proposed business zoned land is not well located and should be more centralised to optimize access to facilities.

It is also recommended that land in separate ownership at the north eastern corner of Chelsea Gardens and at the southern edge of Coomungie along Yarrowa Road be considered by Council for urban development and the Wingecarribee LEP 2010 Urban Release Area Map be amended to include that land.

The regional panel also notes that many of the studies supporting the proposal are dated and will need to be revised if the matter proceeds to exhibition.

4. Recommendation

The regional panel recommends that:

- (a) Proposed Instrument PGR_2013_WINGE_002_00 proceeds to a Gateway determination subject to provision of the following information:
 - (i) comprehensive details of water and sewer servicing augmentation requirements and evidence that the capacity of Wingecarribee Shire Council's water and sewerage headworks and reticulation systems are adequate to service the land,
 - (ii) a preliminary analysis of traffic impacts on the surrounding local and arterial road network and any upgrading that is required to cater for traffic generated by the proposed urban subdivision,
 - (iii) A detailed site analysis and revised concept masterplan that responds to servicing requirements and capacity, adjoining land and site constraints.
- (b) Wingecarribee Shire Council consider an amendment to Wingecarribee LEP 2010 Urban Release Area Map to include land in separate ownership at the north eastern corner of Lot 12 DP 866036 and at the southern edge of Lot 3 DP 706194.

- (c) Wingecarribee Shire Council review Wingecarribee Shire Our Future Strategic Plan 2002 to ensure that it reflects the community's expectations for the future.
- (d) Wingecarribee Shire Council commence a land and housing monitor, and liaise with the Southern Region office of the Department of Planning and Infrastructure regarding appropriate methodology and format

Endorsed by:

A handwritten signature in black ink, appearing to read 'A. Grimwood', written in a cursive style.

Allen Grimwood
Acting Chair
Southern Joint Regional Planning Panel

22 November 2013