



## 7.2 Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 with regard to the minimum lot size of land at Villiers Road and Hill Road Moss Vale

Reference: x  
Report Author: Manager Strategic Land Use Planning  
Authoriser: General Manager

### PURPOSE

The purpose of this report is to seek Council endorsement of a Planning Proposal to amend the current minimum lot size provisions for land situated at Villiers Road (Lot 8 DP 875224, Lot 9 DP 875224 and Lot 5 DP 844943) and Hill Road (Lot 3 DP 844943 and Lot 4 DP 844943) in Moss Vale, from 8,000m<sup>2</sup> to 2,000m<sup>2</sup>.

**THIS ITEM WAS REFERRED FROM LOCAL PLANNING PANEL MEETING ON 2 FEBRUARY 2022.**

### RECOMMENDATION

**THAT the Planning Proposal be submitted to the Department of Planning Industry and Environment for Gateway determination under section 3.34 of the Environmental Planning and Assessment Act 1979.**

### PANEL ADVICE

This matter was considered at the Local Planning Panel meeting of 2 February 2022 and the Panel supported the staff recommendation.

### REPORT

#### **BACKGROUND**

The purpose of the Planning Proposal is to seek an amendment of the current minimum lot size provisions of 8,000m<sup>2</sup> for land situated at Villiers Road (Lot 8 DP 875224, Lot 9 DP 875224 and Lot 5 DP 844943) and Hill Road (Lot 3 DP 844943 and Lot 4 DP 844943) in Moss Vale as a consequence of the rezoning of the Chelsea Gardens Coomungie Urban Release Area (URA) to the immediate south of the subject land.

The subject land is currently zoned R5 Low Density Residential with a minimum lot size of 8,000m<sup>2</sup> and is bounded by the Chelsea Gardens Coomungie URA to the south, and an established residential area to the north with a minimum lot size of 2,000m<sup>2</sup> and the Moss vale Golf Course to the west, as indicated in **Figures 1 and 2** below.

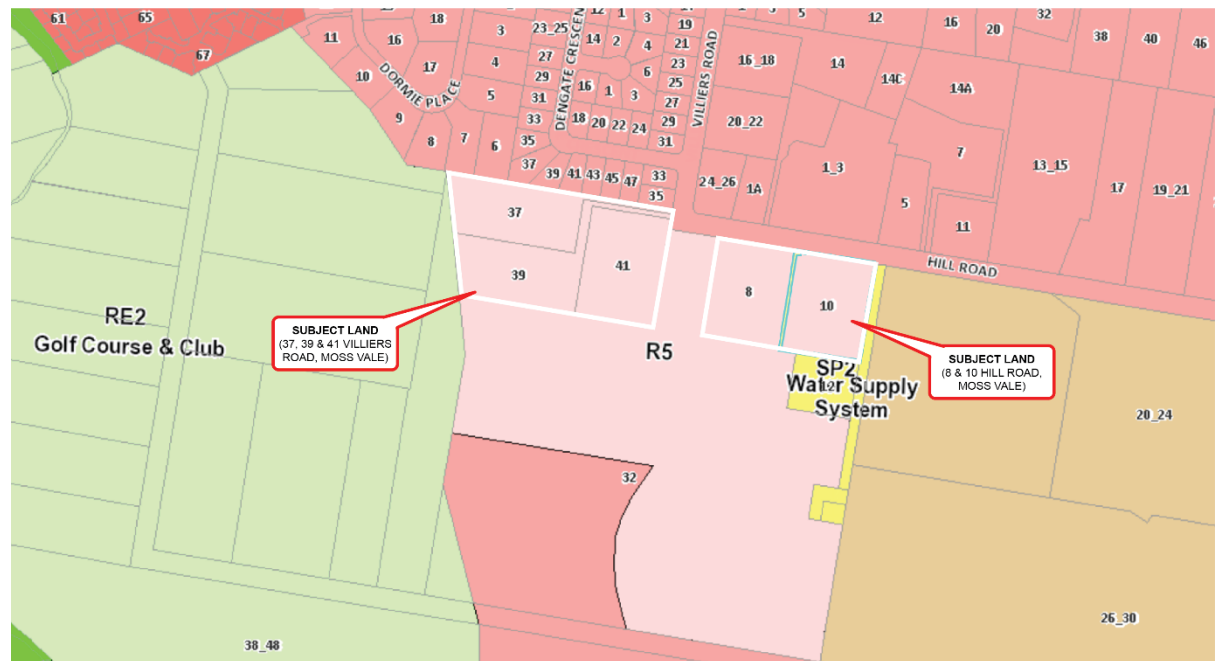


Figure 1 – Existing WLEP 2010 Zoning Provisions

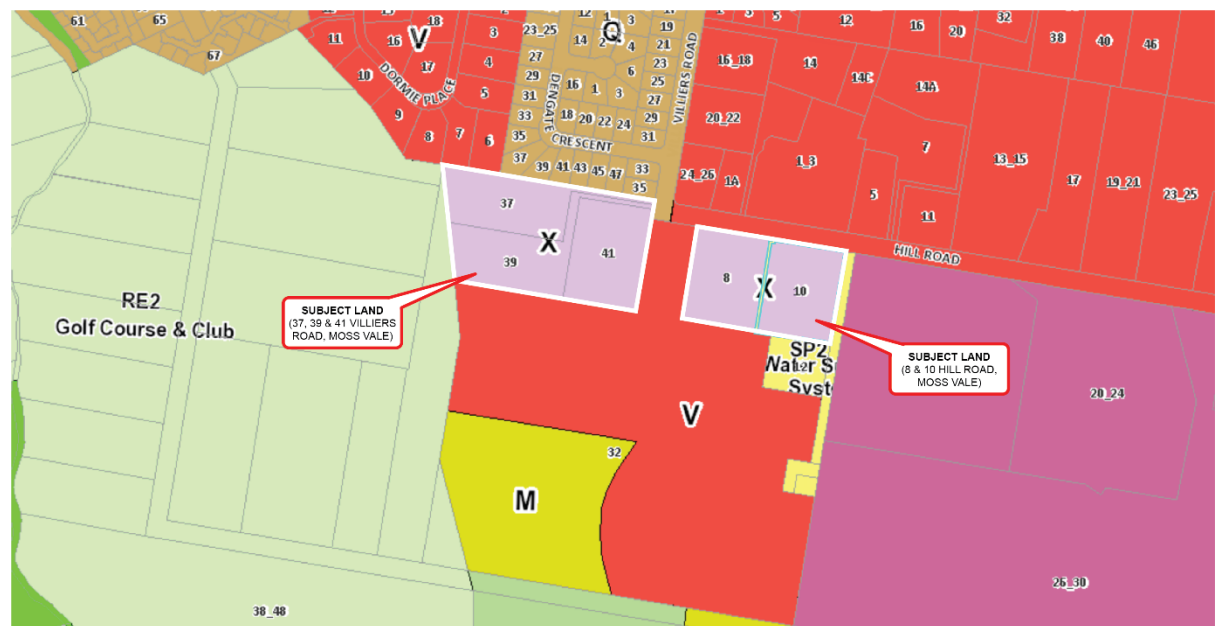


Figure 2 – Existing WLEP 2010 Minimum Lot Size Provisions

In 2017, the Department of Planning, Industry and Environment rezoned land to the south of Moss Vale known as the Chelsea Gardens Coomungie Urban Release Area (URA) for residential development. The URA adjoins the subject land to the south as indicated in **Figure 3** below.





Figure 3 – Location of Subject Land and Chelsea Gardens Coomungie Master Plan



The URA rezoning came about as a result of a proponent-initiated Planning Proposal and thereby created an anomaly in the minimum lot size provisions for land immediately north of the URA on Hill Road and Villiers Road in Moss Vale.

Council is therefore seeking to rectify the identified anomaly by amending the minimum lot size of the subject land from 8,000m<sup>2</sup> to 2,000m<sup>2</sup> under the WLEP 2010. This amendment is considered to provide a more logical lot size pattern for the subject land, which will be generally consistent with the land to the north and south.

It is noted that the subject land is intended to remain zoned R5 Large Lot Residential and the proposed change in minimum lot size would allow for a more logical lot size pattern while enabling a modest increase in housing suited to the constraints of the site.

The Chelsea Gardens Coomungie URA is identified as one of the six new residential living areas under the Wingecarribee Local Housing Strategy (adopted June 2020) and consists of a mix of residential zones with minimum lot sizes ranging from 450m<sup>2</sup> to 2000m<sup>2</sup>

The Local Housing Strategy identified the need to better define the urban boundary of the Chelsea Gardens Coomungie URA and recommended that a number of small allotments surrounding the site be rezoned to provide a more logical urban edge.

Further, the Local Housing Strategy identified the need to undertake an administrative rationalisation of the minimum lot size provisions for the subject land on Hill Road (Lot 3 & 4 DP 844943) and Villiers Road (Lot 8 & 9 DP 875224 and Lot 5 DP 844943) along the Chelsea Gardens Coomungie URA northern boundary.

The intended outcome of this Planning Proposal is to amend the Wingecarribee Local Environmental Plan (WLEP) 2010 to reduce the minimum lot size provisions for the subject land situated at Hill Road and Villiers Road from 8000m<sup>2</sup> to 2000m<sup>2</sup>.

---

## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

All land owners were previously consulted as part of the Wingecarribee Local Housing Strategy 2020. Further community engagement would occur as required under the Gateway determination would the Planning Proposal proceed. This would normally be for a period of at least 28 days and include notification to adjacent and near neighbours.

### **Internal Communication and Consultation**

No further consultation would occur should the Planning Proposal not proceed.

### **External Communication and Consultation**

No further consultation would occur should the Planning Proposal not proceed.



---

## **SUSTAINABILITY ASSESSMENT**

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

There are no governance issues in relation to this report.

---

## **COUNCIL BUDGET IMPLICATIONS**

There are no budget implications in relation to this report. The preparation of the Planning Proposal will be undertaken with existing staff resources.

---

## **RELATED COUNCIL POLICY**

Not Applicable

---

## **CONCLUSION**

The advice of the Wingecarribee Local Planning Panel from the meeting held on 3<sup>rd</sup> November 2021 included the recommendation:

*THAT the Planning Proposal be reported back to the Local Planning Panel for advice prior to being sent to the Department of Planning Industry and Environment for Gateway determination under section 3.34 of the Environmental Planning and Assessment Act 1979.*

The purpose of this report is therefore to report the Planning Proposal back to the Local Planning Panel for consideration in regards to the amendment of the current minimum lot size provisions of 8,000m<sup>2</sup> for land situated at Villiers Road (Lot 8 DP 875224, Lot 9 DP 875224 and Lot 5 DP 844943) and Hill Road (Lot 3 DP 844943 and Lot 4 DP 844943) in Moss Vale as a consequence of the rezoning of the Chelsea Gardens Coomungie Urban Release Area (URA) to the immediate south of the subject land.

---

## **ATTACHMENTS**

1. Planning Proposal for Gateway Determination