

16.3 PLANNING PROPOSAL - 515 CROOKWELL ROAD KINGSDALE - AMENDMENT - URBAN RELEASE AREA PROVISIONS

Author: Senior Strategic Planner
Director Planning & Environment

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: Nil

Reference to LSPS:	Planning Priority 4: Housing – Vision 2040 - A range and diversity in housing type, which is contextual and affordable and is primarily centred around Goulburn and Marulan.
Address:	Part Lot 103 & Lot 104 DP 1007433, 515 Crookwell Road, Kingsdale

RECOMMENDATION

That:

1. The report from the Senior Strategic Planner regarding the proposed Urban Release Area (URA) to the Goulburn Mulwaree Local Environmental Plan 2009 be received.
2. Council amends the Goulburn Mulwaree Local Environmental Plan 2009 to include Part Lot 103 & Lot 104 DP 1007433, 515 Crookwell Road, Kingsdale as an Urban Release Area (URA), by way of an amendment to the existing Planning Proposal.
3. Council amends the Goulburn Mulwaree Development Control Plan (DCP) 2009 to include Urban Release Area (URA) provisions for the Sooley Precinct that address the requirements of clause 6.2A(3) of the Goulburn Mulwaree Local Environmental Plan (LEP) 2009, by way of an amendment to the existing Planning Proposal.

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

BACKGROUND

Council resolved, at its ordinary meeting held on 20 September 2022 to provide in principle support to a Planning Proposal to rezone land from C3 Environmental Management to R5 Large Lot Residential at Part Lot 103 & Lot 104 DP 1007433, 515 Crookwell Road, Kingsdale.

A recent Planning Proposal application has been submitted for land directly adjoining the subject site to the south (i.e. 407 & 457 Crookwell Road) and has similar considerations to the subject Planning Proposal.

This report considers the application of Part 6 of the Goulburn Mulwaree Local Environmental Plan 2009 in relation to additional matters for consideration for an urban release area. This is an additional matter for consideration following due to the planning proposal process and initial consultation with TfNSW around integration of the Sooley precinct and its access to Crookwell Road (as a classified road).

REPORT

Early consultation has been undertaken with Transport for NSW (TfNSW), in relation to both Planning Proposals referenced above in the Solley Precinct of the Urban and Fringe Housing Strategy. Additional information was requested to ascertain the extent of upgrade work that will be required within the existing state road network (Crookwell Road) to ensure that future subdivision and development can be adequately serviced.

TfNSW have also indicated their preference to impose an Urban Release Area (URA) status on the land subject to this Planning Proposal, by virtue of Part 6 of the *Goulburn Mulwaree Local Environmental Plan (LEP) 2009*. This LEP Part also includes provisions relating to designated state public infrastructure (clause 6.1), however this not relevant to the land as currently the State does not levy this type of contribution in Goulburn Mulwaree.

What is relevant are provisions relating to essential public utility infrastructure (clause 6.2) to ensure that adequate arrangements are made to provide these services when they are required for future development.

Clause 6.2A is also relevant and requires the imposition of specific Development Controls within the *Goulburn Mulwaree Development Control Plan (DCP) 2009*:

6.2A Development control plan

(3) *The development control plan must provide for all of the following—*

- (a) *a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing,*
- (b) *an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,*
- (c) *an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,*
- (d) *a network of active and passive recreation areas,*
- (e) *stormwater and water quality management controls,*
- (f) *amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,*
- (g) *detailed urban design controls for significant development sites,*
- (h) *measures to encourage higher density living around transport, open space and service nodes,*
- (i) *measures to accommodate and control appropriate neighbourhood commercial and retail uses,*
- (j) *suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.*

These provisions largely apply in the subdivision phase to ensure that the number of new intersections required on Crookwell Road can be minimised, by requiring road connections between subdivision proposals, as well as master planning to ensure that future development is integrated between the two sites, orderly, cost-effective and logical.

The inclusion of the Part 6 urban release area provisions was not originally included as a recommendation in the previous Council report on this matter, as prior consultation held with Council's Utilities section regarding water and sewer infrastructure can be achieved on the land without the imposition of an Urban Release Area (URA) clause. This was also deemed the case with the existing local road network.

There are areas currently identified as Urban Release Areas within the GM LEP 2009 in Goulburn and Marulan, these areas are also subject to the *Greenfield Housing Code* which allows for complying development assessment of 1 – 2 storey dwellings and attached dwellings.

Should the Sooley Precinct more generally be identified as a URA (and being a greenfield site) this Code will only facilitate complying development under the Code to the R2 zone only as R5 zoned land is excluded from participating in the Greenfield Housing Code.

As previously stated above the main intent of the Part 6 URA LEP provisions is to facilitate the coordination, staging and orderly roll out of infrastructure between different sites within the Sooley precinct and is largely necessitated for the coordination of access to Crookwell Road.

Conclusion and Recommendation

This report recommends (in addition to those recommendations as resolved by Council on the 20 September 2022) that Council amends the *Goulburn Mulwaree Local Environmental Plan (LEP) 2009* to include part Lot 103 & Lot 104 DP 1007433, 515 Crookwell Road, Kingsdale as an Urban Release Area (URA), and that Council amends the *Goulburn Mulwaree Development Control Plan (DCP) 2009* to include Urban Release Area (URA) provisions for the Sooley Precinct that address the relevant requirements of Part 6 of the *Goulburn Mulwaree Local Environmental Plan (LEP) 2009*.

FINANCIAL IMPLICATIONS

This amendment will seek to ensure a coordinated, cost-effective approach to development in the Sooley Precinct. It is mainly intended to facilitate a coordinated road/access network for the release area but also provides some protection to Council in the event that other infrastructure is delayed.

LEGAL IMPLICATIONS

The amendment to include the URA provisions provides a stronger basis for the timely and provision of infrastructure as a prerequisite to the subdivision phase of the development process.