



IRF25/803

Gateway determination report – PP-2023-1168

Redground Rd, Crookwell

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Draft Planning Proposal, prepared by Precise Planning, dated May 2023
Attachment A: Flora and Fauna Assessment, prepared by Ecoplaning, dated 18 February 2025.
Attachment B: Flood Impact and Risk Assessment, prepared by CivPlan, dated 13 February 2023.
Attachment C: Traffic Engineering Report, prepared by Modus, dated 20 February 2025.
Attachment D: Council Report and Resolution, Ordinary Meeting, Thursday 20 March 2025.

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Upper Lachlan Shire Council
PPA	Upper Lachlan Shire Council
NAME	Redground Road, Crookwell
NUMBER	PP-2023-1168
LEP TO BE AMENDED	Upper Lachlan Local Environmental Plan 2010
ADDRESS	39 Redground Road, Crookwell
DESCRIPTION	Lot 1 DP 1064795
RECEIVED	4/04/2025
FILE NO.	IRF25/803
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are:

- To encourage the development of low-density residential housing to meet the needs of the community.
- To enable the efficient and appropriate use of land.
- To align the appropriate use of land with a suitable zone and development controls.

The proposal is to rezone land and amend the minimum lot size to enable subdivision for residential purposes. The land has an area of 2 ha and by creating a minimum lot size of 800m² the site has the potential for approximately 16 lots.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Upper Lachlan LEP 2010 per the changes below:

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	RU1 Primary Production	R2 Low Density Residential
Minimum lot size	100ha	800m ²
Number of dwellings	1	16

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The subject site, 39 Redground Road, Crookwell is legally described as Lot 1 DP 1064795 and is located on the northwestern edge of the township of Crookwell. The site is rectangular in shape measuring 2ha in size with a frontage to Redground Road.

The existing lot boundaries have approximate dimensions of 75m in the north to south direction and 267m in the east to west direction. The site has a gentle slope from the north-western corner to the south-eastern corner.

Currently there is a driveway into the site from the eastern boundary that leads to a dwelling and a shed in the centre of the site.

The road to the north of the site is a Crown Road reserve.



Figure 1 Subject site (source: Planning Proposal)

The subject land can be serviced by Council's existing water and sewer infrastructure systems. The road network is considered to be adequate and new access roads linking the existing

infrastructure will be constructed with future development. Note that if the proposed development were to proceed Council will be required to take ownership of the Crown Road Reserve (extension of North Street).

The subject site is located just over 1km from the town centre of Crookwell, approximately 800m from Crookwell high school and 300m to Crookwell skate park and playground.

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the zoning and lot size maps, which are suitable for community consultation.

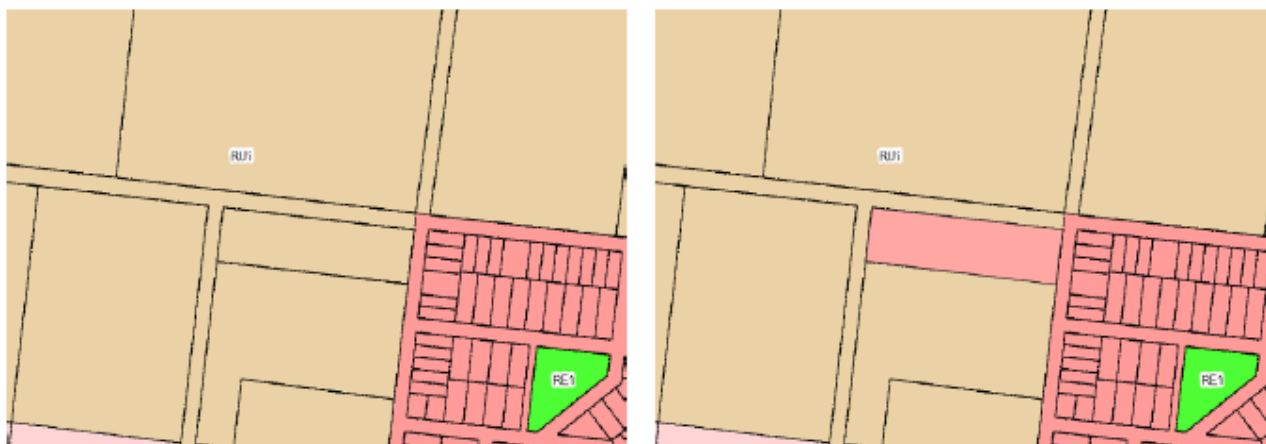


Figure 2 Current and Proposed Zoning Map (Source: Planning Proposal)

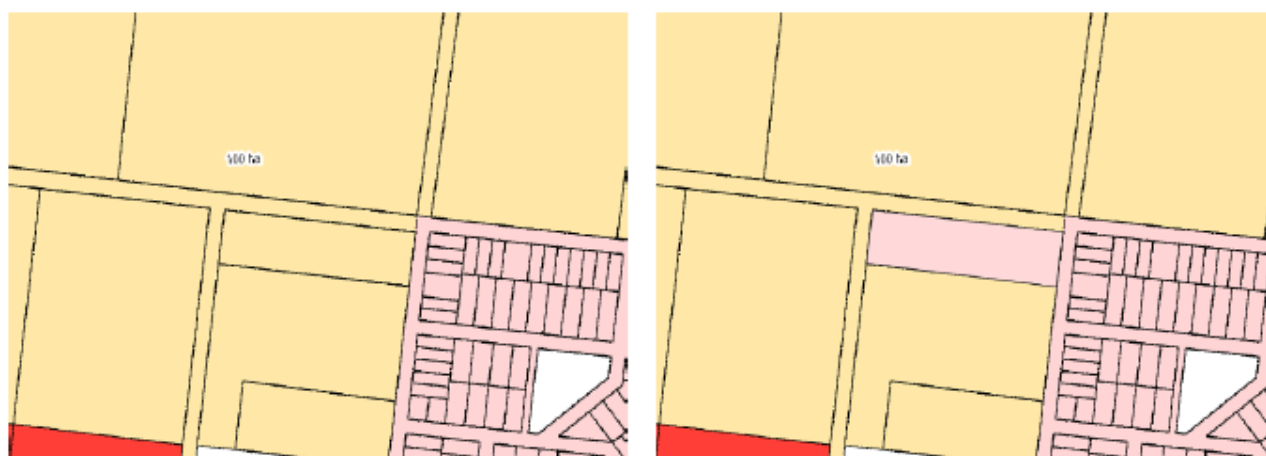


Figure 3 Current and Proposed Minimum Lot Size Map (Source: Planning Proposal)

2 Need for the planning proposal

The planning proposal seeks to rezone land and amend the minimum lot size to enable the subdivision of the site into an additional 16 residential lots with a minimum lot size of 800m².

The planning proposal is a result of the endorsed Upper Lachlan Local Strategic Planning Statement 2020 (LSPS). The site is identified in the 'local growth area' (figure 4) and considered suitable for rezoning to R2 Low Density Residential. The identified "R2 zone land is proposed in order to encourage low density residential housing to meet the needs of the community" (pg.57).

The planning proposal is the only means by which the proposal can be achieved.

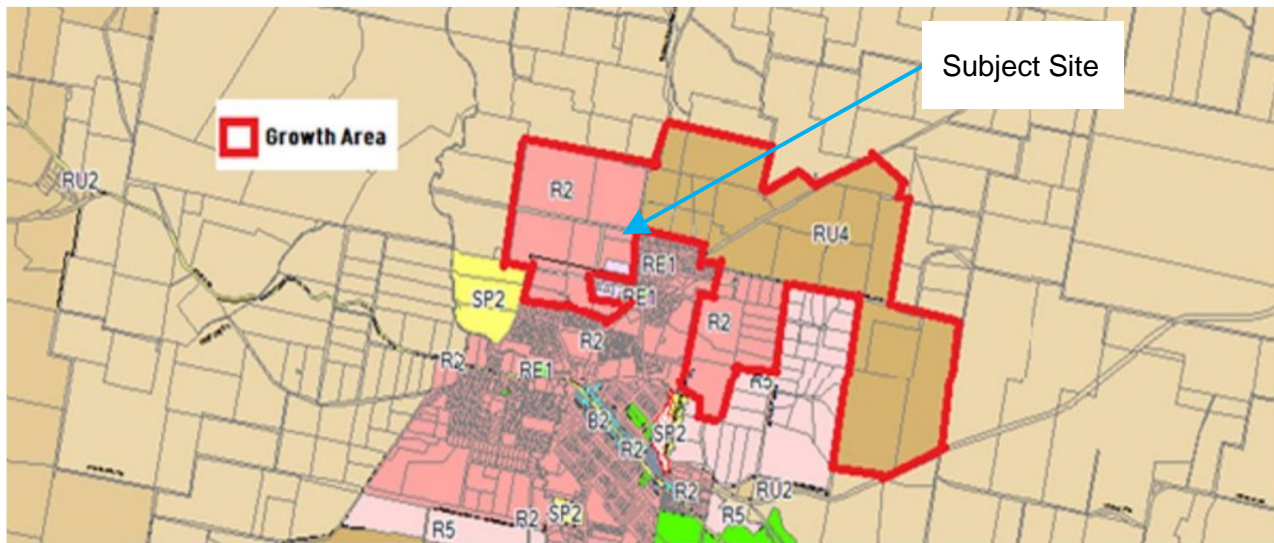


Figure 4 Crookwell Proposed Growth Areas and associated zoning (Source: LSPS 2020)

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the *South East and Tablelands Regional Plan 2036*.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
Goal 1: A connected and prosperous economy	Direction 8 is for the protection of important agricultural land. The site is only 2ha in size and is not identified as important agricultural land due to its proximity to existing residential land and its small lot size. Other sites have been identified in Council's Local Strategic Planning Statement as more suitable for long term agricultural land.
Goal 2: A diverse environment interconnected by biodiversity corridors	The site is not identified as containing any significant biodiversity and is not located within the Sydney drinking water catchment.
Goal 3: Healthy and connected communities	Direction 22 is for building socially inclusive, safe and healthy communities, which includes increasing walking and cycling. The subject site is located within close proximity to existing recreational facilities, schools and the existing town centre. The site was identified in the LSPS for residential development due to its location close to existing services.

Goal 4: Environmentally sustainable housing choices	Direction 24 is to deliver greater housing supply and choice. Direction 25 is to focus housing growth in locations that maximise infrastructure and services, and Direction 28 is to manage rural lifestyles. The LSPS identified the site for potential future development due to its location and potential.
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The exhibited *Draft South East and Tablelands Regional Plan 2041* sets the vision, strategic directives, and objectives for the South East and Tablelands region. The Draft Plan projects that the Upper Lachlan Shire will grow by 1,369 additional residents by 2041.

Crookwell is identified in the Draft Plan as a “Strategic Investigations” area, with the subject site located within this identified area. The Planning Proposal will result in well-planned greenfield development near an existing town centre, allowing development to take advantage of nearby infrastructure and services.

It is considered that the planning proposal is consistent with the objectives of the Draft Regional Plan.

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local strategic planning assessment

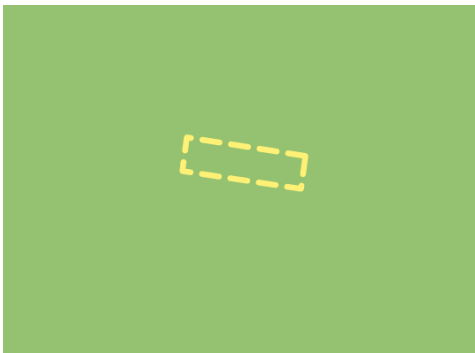
Local Strategies	Justification
Upper Lachlan Local Strategic Planning Statement 2020	<p>The LSPS provides 4 planning priorities and 8 planning principles. The proposal fits within the Urban Land Priority and Principle 4 - Character, Identity, Heritage and Environment.</p> <p>The Crookwell Character Statement provided in the LSPS identifies Crookwell as one of the largest towns, which is well structured for capacity to grow. Future growth has been identified to the north of the existing village centre (figure 4 above). The site subject to this proposal is identified within the “R2” growth area which is “proposed in order to encourage low density residential housing to meet the needs of the community” (pg.57).</p> <p>The planning proposal is in accordance with the LSPS priorities and principles.</p>

3.3 Section 9.1 Ministerial Directions

The planning proposal’s consistency with relevant section 9.1 Directions is discussed below:

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Consistent	See section 3.1 above
3.1 Conservation Zones	Consistent	The subject site is identified on the Natural Resource Sensitivity - Terrestrial Biodiversity Map (figure 5). The planning proposal is supported by a Flora and Fauna

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>Assessment prepared by Ecoplaning, dated 18 February 2025 (Attachment A).</p> <p>The assessment found that the site had been historically cleared prior to the 1960's and that the likelihood of native vegetation on site was minimal. The site is predominately covered in exotic grassland or "weeds" with native grass covering less than 1% of the site.</p> <p>No threatened species were identified on the subject site, and it was noted that due to historic clearing and agricultural use, the likelihood of any threatened species is 'low'. Regardless of this, a Test of Significance – in accordance with section 7.3 of the BC Act – was completed for the potential of the threatened Striped Legless Lizard which is known to populate the wider area. The Test of Significance concluded that the proposed development was "unlikely to have a significant impact on a presumed local population of Striped Legless Lizard" (pg29).</p>  <p>Figure 5 Terrestrial Biodiversity Map</p>
3.2 Heritage Conservation	Consistent	<p>The subject site is located over 700m from the closest heritage item, being the Crookwell Cemetery to the east. The proposed development will not impact upon the existing heritage items.</p>
3.3 Sydney Drinking Water Catchment	Consistent	<p>The site is located just outside of the Sydney drinking water catchment and will not impact on the catchment.</p>
4.1 Flooding	Consistent	<p>The planning proposal has been supported by a Flood Impact and Risk Assessment prepared by CivPlan, dated 13 February 2024 (Attachment B).</p> <p>The assessment found that the potential for flooding was minor and would be limited to flood inundation spills of the road reserve boundaries and into the proposed lots. Despite this there would still be safe access and egress to and from the proposed lots. This flooding would be of a</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		very minor depth and would be categorised as “generally H1 or at worst H2” (pg. 34).
4.3 Planning for Bushfire Protection	Consistent	The subject site is not identified as bushfire prone land and is located over 800m away from mapped bushfire prone land.
4.4 Remediation of Contaminated Land	Consistent	Based on a Limited Site Investigation for Environmental Contamination that was prepared in support of the planning proposal, the subject site is not identified as containing contamination or previous uses which may potentially contaminate land.
4.5 Acid Sulphate Soils	Consistent	The subject site is not identified as containing potential acid sulphate soils.
5.1 Integrating Land Use and Transport	Consistent	<p>The proposed development will allow for a limited number of additional dwellings on the northern fringe of the existing Crookwell village. The existing village is minimally serviced by public transport and primary employment opportunities are located within the village on surrounding agricultural lands.</p> <p>The proposal has been supported by a Traffic Engineering Report, prepared by Modus Transport and Traffic Engineering, dated 20 February 2025 (Attachment C).</p> <p>The report assessed the proposed traffic movements and determined that the proposal would “have a negligible impact on the operation and safety of the existing road network” (pg.24). The report further stated that no road “upgrades are required as part of the proposed development” (pg.24).</p> <p>It is further noted that Council consulted with Crown Lands (Attachment D) prior to submitting the proposal for Gateway Determination, who advised that “any Crown roads proposed to be upgraded or utilised for access in conjunction with this development will need to be transferred to Council for management as a Council public road” (pg.78). Council have responded to this advice stating “that Council will take the necessary action to directly seek a transfer of that part of the Crown Road that is required to serve any new lots proposed when an application for a subdivision is submitted for consideration” (pg.78).</p>
6.1 Residential Zones	Consistent	The planning proposal seeks to amend the existing RU1 Primary Production Zone to an R2 Low Density Residential Zone. The is supported by Council’s Local Strategic Planning Statement. The proposal will enable a

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		wider variety and typologies of dwellings in proximity to existing services and infrastructure.
9.1 Rural Zones	Justified	The planning proposal seeks to amend the existing RU1 Primary Production Zone to an R2 Low Density Residential Zone. The proposed rezoning is supported by the site's inclusion in Council's Local Strategic Planning Statement. The LSPS identifies the site to be supportive of a R2 zoning due to its location adjacent to the existing village and suitable land typography.
9.2 Rural Lands	Justified	<p>Further to the above, the proposal seeks to amend the minimum lot size of the site, from a minimum lot size of 100ha to 800m². As the site is already fragmented land and undersized at 2ha, it is not highly suitable for agricultural purposes.</p> <p>Previous consultation with the NSW Department of Primary Industries has confirmed that the site is no longer suitable for agricultural purposes and has provided their support to the proposal.</p> <p>The proposal is not considered to impact upon existing rural land uses within the vicinity.</p>

3.4 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

Table 8 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Biodiversity and Conservation 2021	Chapter 3	Consistent	The supporting Flora and Fauna Assessment prepared (Attachment A) assessed the potential for koala habitat on site and determined that as there is no native vegetation or native trees identified on site, that the site is not considered to be potential koala habitat.
Primary Production 2021	Chapter 2 Primary Production and rural development	Consistent	The Subject Site is currently zoned RU1 but is not identified as State significant agricultural land.
Resilience and Hazards 2021	Chapter 3 Hazardous and	Consistent	There are no intended uses of the land which would be classified as hazardous or offensive development.

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
	offensive development		
	Chapter 4 Remediation of land	Consistent	The Subject Site is not known to be impacted by contamination nor is it known to have a history of contaminating land uses.

4 Site-specific assessment

4.1 Environmental

The planning proposal is supported by a Flora and Fauna Report (Attachment A). The report concluded that the subject site is primarily cleared of native vegetation and is not considered to support any native fauna or flora.

A FIRA has also been prepared which did not identify any significant flood risks.

4.2 Social and economic

The planning proposal is considered to have positive social impacts by providing additional housing stock within a well located and serviced area.

The planning proposal is considered to have a positive economic impact as it will create jobs during the construction process and provide housing for the additional workforce within the area.

4.3 Infrastructure

The site has access to existing services, including water and sewerage infrastructure. Crookwell is the primary township in the Upper Lachlan Shire and has access to a local primary school, high school, childcare centres, shops, and recreation and sporting facilities. There are existing good road connections between Orange, Yass, Goulburn and the ACT.

5 Consultation

5.1 Community

The planning proposal is categorised as standard under the LEP Making Guidelines. Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions of the Gateway determination.

5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- NSW Department of Climate Change, Energy, the Environment and Water – Conservation Programs, Heritage and Regulation
- NSW Department of Primary Industries and Regional Development – Agriculture.
- Crown Lands

6 Timeframe

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as standard

The Department recommends an LEP completion date of 12-months, in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the site/planning proposal is standard the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The PP will provide for an additional 16 dwellings in an area close to the township of Crookwell.
- The site is located well in respect to the ACT, Goulburn and Orange and may be attractive to those who wish to live in a rural community with access to employment precincts.
- The PP is considered to have strategic and site merit.
- The PP is consistent with current local and regional strategic plans.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions; 9.1 Rural Zones and 9.2 Rural Lands, are minor or justified.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. The planning proposal is to be updated prior to community consultation to clarify the date of the Flora and Fauna Assessment (Ecoplanning, 18 February 2025).

2. Consultation is required with the following public authorities:
 - NSW Department Climate Change, Energy, the Environment and Water – Biodiversity Conservation and Science
 - NSW Department of Primary Industries and Regional Development - Agriculture
 - Crown Lands
3. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 15 May 2026 be included on the Gateway.



(Signature)

8 May 2025

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12/5/25

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