

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 15 February 2016

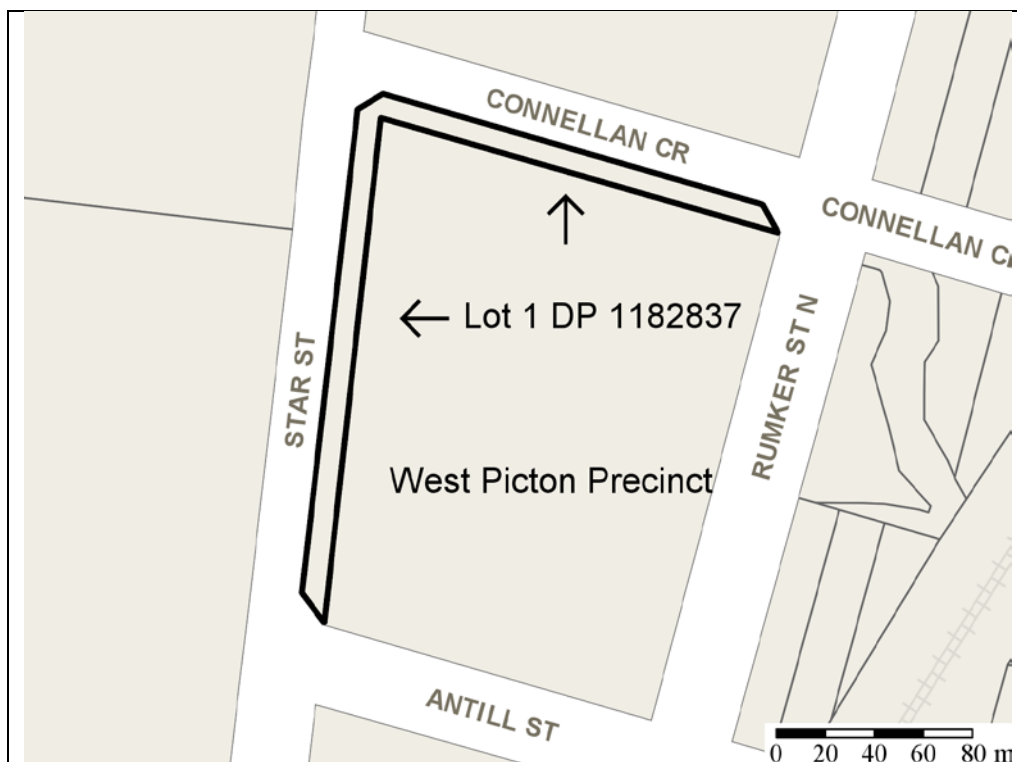
PE7 – Star Street Former Road Reserves Planning Proposal

PE7 Star Street Former Road Reserves Planning Proposal and Draft Development Control Plan 2016 Amendments

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TRIM 7965

Applicant: Planning Ingenuity
Owner: K Morris Management Pty Ltd



LOCATION MAP **N**

Stage	Completed
Preliminary notification	2 May 2014
Gateway Determination	7 August 2014
Consultation with Public Agencies	11 September 2014
Specialist Studies	22 January 2015
Public exhibition/community consultation	7 October – 23 October 2015
Referred to Minister for Publication	Being finalised

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EXECUTIVE SUMMARY

- At its meeting held on Monday 21 December 2015, Council resolved to adopt the draft Local Environmental Plan amendment to the Wollondilly Local Environmental Plan for the Star Street Former Road Reserves Planning Proposal and request the drafting and making of the amendment.
- The Planning Proposal includes amendments to the Wollondilly Development Control Plan 2016 for remediation of contaminated land, maintaining access to adjoining properties and urban release area controls.
- These draft amendments are proposed to be placed on public exhibition.
- There have not been any disclosures of political donations made in regard to this application.
- It is recommended that:
 - The proposed amendments to Wollondilly Development Control Plan 2016 shall be placed on public exhibition for a period of 28 days in accordance with Clause 18 of the *Environmental Planning and Assessment Regulation 2000*.
 - That the applicant, landowner, nearby landowners and persons who made submissions to the planning proposal shall be notified about the public exhibition.

REPORT

BACKGROUND

At its meeting held on Monday 21 December 2015, Council resolved to support the planning proposal to proceed to being finalised. The planning proposal included draft amendments to the Wollondilly Development Control Plan.

1.1 SITE DESCRIPTION

The Planning Proposal applies to Lot 1 DP 1182837 which has been formed from parts of the former Crown Road reserves that adjoin Lot 1 DP 995172 being Nos 21-31 Rumker Street, West Picton. Lot 1 DP 995172 also known as West Picton Precinct was rezoned to allow residential development through an amendment to Wollondilly Local Environmental Plan 2011 which was published (gazetted) on 31 January 2014. This land was formerly part of the Picton Tahmoor Thirlmere New Urban Lands Planning Proposal.

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The subject site comprises 3,713 sqm of land as a continuous relatively flat 10m wide strip adjacent to the northern and western boundaries of West Picton Precinct. This land was previously part of the unformed Crown road reserves of Connellan and Star Streets before being acquired by the current landowner.

1.2 DESCRIPTION OF PROPOSAL

The purpose of this planning proposal is to establish the appropriate land use zone on the site to enable its future redevelopment in conjunction with the West Picton Precinct for low density residential lots with a minimum lot size of 450m². It is estimated that the rezoning would allow for the development of a small number (around 5) lots at a residential density of between 12-15 lots/ha. This represents a minor increase in the number of lots (around 45) anticipated to be developed on the West Picton precinct site.

CONSULTATION

2.1 CONSULTATION WITH COUNCIL STAFF

Consultation will be undertaken with Council staff during the exhibition of the proposed draft development control amendments.

2.2 COMMUNITY CONSULTATION

The *Environmental Planning and Assessment Regulation 2000 Clause 18* requires that a draft development control plan is exhibited for a **28 day** period. A public notice will be placed in the local newspaper. The proposed amendments will also be made available for public viewing on Council's website and at Council's Administration Building. Letters will also be sent to adjoining and nearby landowners and persons who previously made submissions to the planning proposal.

2.3 WOLLONDILLY LOCAL ENVIRONMENTAL PLAN, 2011 (WLEP 2011)

The amendment to WLEP 2011 includes an amendment to the Urban Release Area Map. The provisions relating to this map require the preparation of a development control plan in accordance with Part 6 Urban release areas Section 6.3 Development Control Plan.

2.4 WOLLONDILLY DEVELOPMENT CONTROL PLAN 2016 (WDCP 2016)

Amendments are proposed to WDCP 2016 Volume 2 Urban Release Areas and Volume 3 Subdivision of Land.

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Subdivision of Land – Volume 3 WDCP 2016

As the former road reserves site will be added to the Picton West precinct the draft amendments will be integrated with controls for that site.

It is proposed to add site-specific subdivision controls to Part 3 – Picton West and these are detailed in the following table:

Objective	Proposed Control
1. To ensure that contaminated land is suitably assessed and remediated prior to residential development.	1. For the purpose of Clause 7(4) of State Environmental Planning Policy No. 55 – Remediation of Land, Lot 1 DP 1182837 is taken to contain potentially contaminated land and shall require further assessment and remediation prior to any development consent being granted for subdivision.
2. To ensure that satisfactory road access is provided for land owners using the right of carriageway across the site to access their properties.	2. Satisfactory road access shall be provided to properties benefiting from the right of carriageway applying to Lot 1 DP 1182837 prior to construction of any future subdivision of the site. 3. The unformed road reserve named Connellan Crescent shall be constructed prior to the release of the Subdivision Certificate for the site.

Urban Release Area – Volume 2 WDCP 2016

West Picton Precinct was within the Picton Tahmoor Thirlmere New Urban Lands Planning Proposal (PTT). It is proposed to apply the same Urban Release Area Controls under section 2.3 to this site.

FINANCIAL IMPLICATIONS

Funding for this project to date has been achieved through Council’s adopted Fees and Charges.

Council has experienced a record increase in the number of Planning Proposals submitted in addition to the Wilton Junction project. Note that the Wilton Junction project is not a planning proposal but has had significant impact on Strategic Planning resources. All proposals which result in an increased intensity of land use within the Shire shall also lead to increased demand for Council services and facilities over time. Council will need to consider this in the adopted budget and forward estimates.

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ATTACHMENTS

1. Draft Wollondilly Development Control Plan 2016 Amendments

RECOMMENDATION

1. That the amendments to Wollondilly Development Control Plan 2016 as described in Section 2.4 to this report shall be placed on public exhibition for a period of 28 days in accordance with the provisions of Clause 18 of the *Environmental Planning and Assessment Regulation 2000*.
2. That the applicant, adjoining and nearby landowners and persons who made submissions to the planning proposal shall be notified about the public exhibition.

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DRAFT AMENDMENTS TO WOLLONDILLY DEVELOPMENT CONTROL PLAN 2016

Volume 2 – Urban Release Areas

2.3 Picton, Tahmoor Thirlmere New Urban Lands (PTT)

These controls will also apply to Lot 1 DP 1182837

Volume 3 – Subdivision of Land

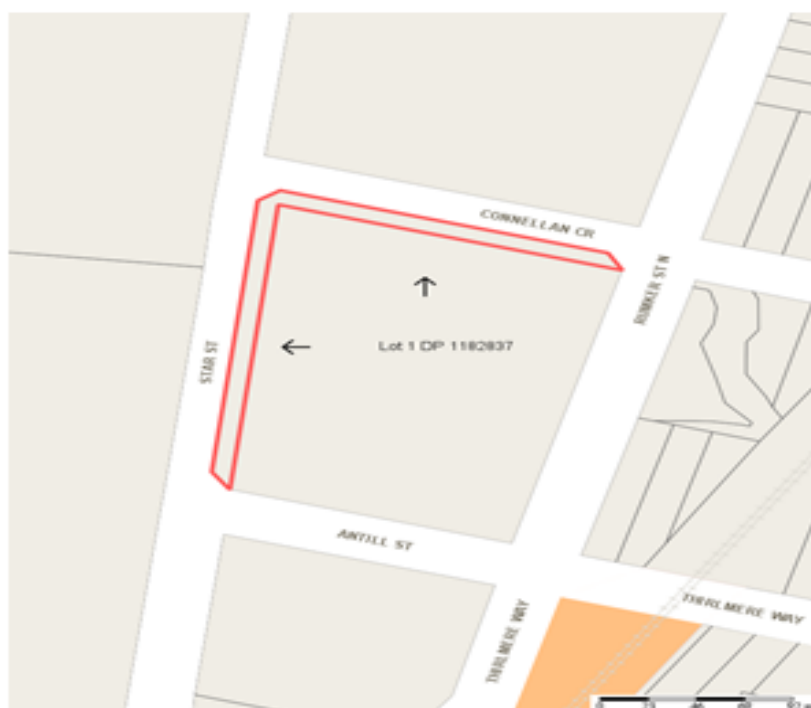
Part 3 Controls for Specific Locations

To be integrated with

3.1 West Picton

Application

1. This section applies to the land identified on the map below:



Objectives

1. To ensure that contaminated land is suitably assessed and remediated prior to residential development.
2. To ensure that satisfactory road access is provided for land owners using the right of carriageway across the site to access their properties.

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Controls

1. For the purpose of Clause 7(4) of State Environmental Planning Policy No. 55 – Remediation of Land, Lot 1 DP 1182837 is taken to contain potentially contaminated land and shall require further assessment and remediation prior to any development consent being granted for subdivision.
2. Satisfactory road access shall be provided to properties benefiting from the right of carriageway applying to Lot 1 DP 1182837 prior to construction of any future subdivision of the site.
3. The unformed road reserve named Connellan Crescent shall be constructed prior to the release of the Subdivision Certificate for the site.