

Planning Proposal

In relation to

Lot 1 Ryrie Street

Michelago

**Prepared for
Robyn & Sue Spratt**

Feb 2011

(Job Ref. 5208)

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INTRODUCTION

This planning proposal has been prepared by Coastplan Consulting on behalf of Robyn and Sue Spratt, owner's of Lot 1 Ryrie Street, Michelago to provide justification for the proposed

rezoning of the land from its present zone of 1(a) "General Rural Zone" to Zone 2 "Village Zone". The Planning Proposal has been prepared in accordance with the requirements of the Environmental Planning and Assessment Act and *A guide to preparing Local Environmental Plans* (Department of Planning 2009).

The owner of the land has been endeavouring to have the land considered for rezoning to allow for the land to be subdivided since 2003. At that time a report for the rezoning and a development application for subdivision was prepared by Bill Swan and Associates. However, this was not supported by Council as discussion with Council indicated that the subject land was to be considered for rezoning with the preparation of the Draft Cooma-Monaro Council Local Environmental Plan. The preparation of this plan has been delayed significantly with a number of issues remaining unresolved and not likely to be resolved in the near future. Therefore, this Planning Proposal has been prepared to support an amendment to the existing Yarrawlumla Local Environmental Plan 2002 to amended the zoning map to rezone the subject site.

A draft plan of subdivision (Appendix A) has been prepared to indicate the number of lots that could be accommodated on the subject site with the service station, motel and restaurant being contained within the proposed lots. Development consent has been granted by Council for a two (2) lot subdivision on the subject site. The land was subdivided to allow for the existing Motel and Restaurant to be contained on a separate lot.

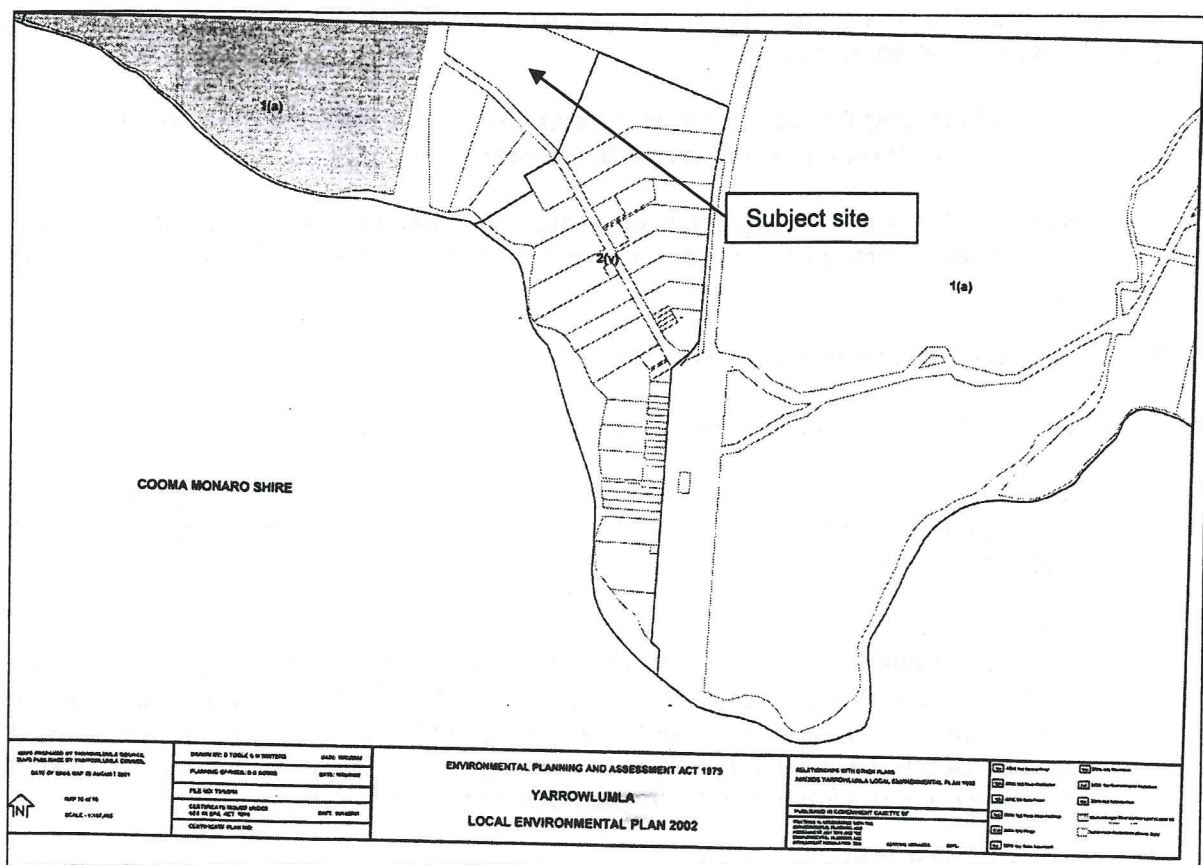


Figure 1 Yarrawlumla Local Environmental Plan Zoning Map

PART 1 OBJECTIVES

The objective of this planning proposal is to zone the land to enable the subject site to be subdivided and developed for residential purposes.

The subject site currently comprises a service station, motel and restaurant. The subject land adjoins land within the 2(v) "Village Zone" under the provisions of Yarrawlumla Local Environmental Plan 2002.

PART 2 EXPLANATION OF PROVISIONS

To achieve the above objectives, the existing zoning map should be amended to include the subject land within Zone 2(v) under the provisions of Yarrawlumla Local Environmental Plan 2002.

PART 3 JUSTIFICATION

Section A – Need for the Planning Proposal

1 Is the Planning Proposal a result of a Strategic Study or Report?

The Planning Proposal is not a result of any Strategic Study or Report. However, the subject site is located between the Monaro Highway and the existing 2(v) Village Zone. Whilst the land is within the Rural Zone it is not used for agricultural purposes. The subject site contains a number of commercial developments including a service station, motel and restaurant. The subject site is seen as a natural extension of the village zone to the Monaro Highway and allows for the village to be visible from vehicles utilising the highway. A previous application for rezoning has been submitted to Council, however, this application was deferred to allow for the rezoning of the land to be considered in the Draft Cooma-Monaro Local Environmental Plan. The preparation of this Plan has been delayed and unlikely to be gazetted in the near future.

2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

It is considered that the Planning proposal is the only means of allowing for the subdivision of the land for residential purposes as the minimum lot size in the rural zone would not allow for this to occur.

3 Is there a net community benefit?

The following matters should be considered to determine the net community benefit:

- Will the LEP be compatible with agreed State and Regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?

Comment

There is no specific State and Regional Strategic Directions that relate to the Cooma Monaro Local Government area. However, Michelago is located approximately 50kms south of the centre of Canberra and Queanbeyan which is included within the Sydney-Canberra Corridor Regional Strategy. It is important that the planning proposal does not impact on the implementation of this strategy.

The aims of the Strategy are to:

- *Cater for a housing demand of up to 25,200 new dwellings by 2031 to accommodate the additional 46,350 people expected in the Region over the period 2031.*
- *Increase the amount of housing in existing centres to ensure the needs of future households are better met, in particular the needs of smaller households and an ageing population.*

- *Manage the environmental impact of settlement by focusing on new urban development in existing identified growth areas such as Bowral, Goulburn and Queanbeyan.*
- *Only consider additional development sites if it can be demonstrated that they satisfy the Sustainability Criteria (Appendix 1).*
- *No new rural residential zones will be supported unless as part of an agreed structure plan or local settlement strategy.*
- *Ensure an adequate supply of land to support economic growth and provide capacity to accommodate a projected 27 800 new jobs, particularly in the areas of manufacturing, transport and logistics, business services, health, aged care and tourism.*
- *Limit development in places constrained by important primary industry resources and significant scenic and cultural landscapes.*
- *Protect the cultural and Aboriginal heritage values and visual character of rural towns and villages and surrounding landscapes. NSW government agencies will use this Strategy when developing their own plans for investment in infrastructure. Where development or rezoning increases the need for State infrastructure, the Minister for Planning may require a contribution to the provision of such infrastructure, having regard to the NSW Government's State Infrastructure Strategy and Equity Considerations.*

The rezoning of the land to allow for it to be subdivided will only generate approx 20 lots with the development of the lots taking some time given that the land to the east is currently being subdivided which will satisfy the short term demand for vacant land. A copy of a proposed subdivision plan is Annexure B to this Planning Proposal. The proposal is considered to be minor in terms of the demand for 25,200 new dwellings that are identified in the strategy.

The strategy states that *"Although there is strong demand for urban growth and development in the corridor, the demand is uneven with some areas experiencing growth and other areas experiencing nominal or no growth. The challenge of the Strategy is to ensure that the demand for urban growth is directed to major regional centres of Queanbeyan, Goulburn and Bowral. Enabling growth to occur within the smaller settlements such as Marulan and Bungendore without losing their character as rural settlements is also a challenge for the Strategy"*.

The development of the subject land for residential purposes will increase the existing density of housing in the village. However, the proposed lots will be large, being approximately 2000m² and have a similar area to the recently approved subdivision on the land to the east. Therefore, I contend that the proposal is not likely to impact on the existing character of the Michelago village.

The proposal provides an opportunity for rural lifestyle housing without impacting on viable agricultural land.

The Michelago village is located to the east of the Murrumbidgee River with Michelago Creek draining to the river. The Murrumbidgee River provides an important water resource. The use of onsite effluent disposal systems has the potential to impact on water quality. The effluent disposal report prepared for the subdivision of the land indicates that each site can achieve a suitable effluent disposal area in accordance with Council's requirements. The setback of the site from Michelago Creek is sufficient to prevent any pollution of the creek and have any impact on water quality. There are effluent treatment and disposal systems that are available to reduce the likelihood of any contamination of the ground water.

The Queanbeyan City Residential and Economic Strategy 2031 identified the need for an additional 130 hectares of employment land in Queanbeyan, at a site at South Jerrabomberra adjacent to the industrial area of Hume in the ACT. This will be rezoned for employment uses, to support continued economic development. This will provide employment opportunities for future residents of the subject site should the rezoning and future development occur.

It is considered that the proposed rezoning of the land to allow for residential development and the expansion of the Michelago village will not impact on the objectives of the Sydney-Canberra Corridor Regional Strategy.

- Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?

Comment

The LEP is not located within a Global/Regional City, Strategic Centre or Corridor nominated within the Metropolitan Strategy or other Regional/Sub Regional Strategy.

- Is the LEP likely to create a precedent or create/or change the expectations of the land owner or other land owners?

Comment

The subject site adjoins the existing village zoned land and has frontage to the Monaro Highway and Ryrie Street which provides direct access from the Highway to the Michelago village. The subject site is seen as a natural extension to the Village zone and allows the village to be more prominent and viewed from the Highway which will tend to attract people to stop providing a boost for the economic viability of the existing business within the village.

The land on the south western side of Ryrie Street between the village zone and the Monaro Highway is also within the 1(a) Agricultural zone and the owners of this land may have some expectation that this land may also be suitable for inclusion in the village zone. It may be most appropriate to consider this matter in the preparation of the consolidated Cooma-Monaro LEP.

- Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?

Comment

There are no other spot rezoning applications currently in the locality, however, other land may be identified for rezoning in the Draft Cooma-Monaro LEP.

- Will the LEP facilitate permanent employment generating activity or result in a loss of employment lands?

Comment

The LEP will not facilitate a permanent employee generating activity and will not result in a loss of employment lands.

- Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?

Comment

The LEP will allow for additional residential land within the village of Michelago. There appears to be additional demand for land within the village which is evident from the commencement of a subdivision on the adjoining land to the east where a number of lots have been sold.

In relation to the provision of affordable housing, the cost of land within the Michelago village is approximately \$100,000 cheaper than in Canberra or Queenbeyan which reduces the cost of housing making it more affordable. The proposal is considered to provide affordable housing options for both Canberra and Queenbeyan. The ACT Affordable Housing Strategy has identified a shortage in affordable housing options within Canberra with the demand particularly for an ageing population increasing significantly over the next twenty (20) years. It is considered that the additional supply of residential land within Michelago will have a positive impact on the provisions of affordable housing.

- Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?

Comment

The subject site has direct frontage to the Monaro Highway which provides direct vehicle access to Canberra and Queenbeyan approximately 50km to the north. An existing rail line runs through the existing village of Michelago, however, a train service is not available and has not been available on the line since 1989. Countrylink provides a bus service from Michelago to Canberra on a daily basis and a school bus service is available from Michelago to Canberra on school days.

There is no pedestrian or cycle infrastructure within the village of Michelago.

- Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?

Comment

The proposed development of the site for residential purposes may cause an increase in car distances travelled by residents to attend work and secondary and tertiary education or to shop and access services. However, the increase is likely to be insignificant as only approximately 20 lots can be provided on the subject site. The additional traffic is unlikely to impact on road safety as an assessment of the application for subdivision on the adjoining land indicates that the existing road system is adequate to cater for additional traffic.

- Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal?

Comment

There has been no significant government investment in infrastructure or services in the area other than maintenance of the Monaro Highway which provides improved facilities for car users.

- Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?

Comment

Preliminary investigations indicate that the proposal will not impact on land that the government has identified a need to protect or have other environmental impacts. The land is not constrained by any environmental factors such as flooding, or bushfire.

- Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?

Comment

The LEP will allow for an expansion of the existing village zone and will therefore be compatible with the adjoining land to the east which is within the village zone. The proposal will adjoin the existing agricultural land to the north. The expansion of residential areas adjoining rural area can at times, depending on land uses, and agricultural activities, cause some conflict where odour and dust are generated by the use of the agricultural land. However, this does not appear to be the case here. Further, there is a 20m vegetated buffer on the adjoining agricultural land to the north. There is currently a small motel on the subject land. The owner of the land has advised that the use of the adjoining agricultural land has not caused any nuisance for the occupants of the motel. Due to the small number of lots that could potentially be created as a result of the rezoning, it is unlikely that any additional impact will result from the rezoning of the land.

- Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?

Comment

No

- If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?

Comment

Not applicable

- What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?

Comment

The proposed LEP will provide additional residential land and opportunities for housing offering a different lifestyle choice and affordable housing. The additional lots within the village zone will help support the existing small business within the village. The implications of not proceeding at present will delay any future rezoning of the land will not allow for these opportunities to be achieved in the short term. If the draft plan is not made at the present time the rezoning will be delayed until it is considered under the Draft Cooma-Monaro LEP. The preparation of which has been delayed for considerable time.

Having considered the abovementioned matters, it is concluded that there will be a net community benefit from the LEP.

Section B – Relationship to Strategic Planning Framework

Community Strategic Plans

Council has prepared the Cooma Monaro Social Plan for community wellbeing 2007- 2012 (Social Plan). The plan was prepared as part of Council's Strategic Planning Project. As part of the Project, Council is developing a number of plans which will assist in achieving the direction and measuring achievement. These plans are:

- the Social Plan for community wellbeing
- a Strategic Direction document
- a Local Environmental Plan
- Development Control Plan(s)
- planning for the central business district
- a State of the Environment Report
- a Natural Resources Action Plan
- Developer Contributions Plan for community services and facilities.

Of these plans the only relevant plan that has been completed at this stage is the Social Plan. The extract from the plan relating to Michelago is in Appendix D to the report. Table 3.7 of the Social Plan outlines a summary of issues, strategies, responsibilities and priority. The issues that are relevant to the rezoning proposal relate to the following.

Overcrowding on the school bus

The State Government is obliged to provide free public transport to all students travelling in excess of 1km to school. The increase in population resulting from the rezoning may require additional bus facilities to be provided to meet the additional demand.

High transport costs and limited community support services.

The increase in population resulting from the rezoning may support the establishment of health and community services outreach to Michelago which will reduce transport costs for people having to travel to access community support services in Cooma, Queanbeyan and Canberra.

Upgrade playground, oval, seating and shade required in the playground and upgrade of playground equipment.

The payment of S94 contributions as a result of the subdivision of the land will enable upgrade work identified in the plan to be completed.

The rezoning proposal is generally consistent with the Social Plan. Further assessment of the social impact of the rezoning proposal is discussed in a later section of this report.

Regional Strategies

The subject site is not located within an area that is subject to any regional strategies, however, a Sydney-Canberra Corridor Regional Strategy affects land to the north and a Memorandum of Understanding has been developed between the NSW and ACT Government to provide a co-ordinated approach to the implementation to the strategy. Information has been provided in the above section that indicates that the proposed LEP will not impact on the strategies and outcomes of the Sydney-Canberra Corridor Regional Strategy. The proposal will provide additional dwellings without impacting on existing rural land, employment, the existing drinking water catchment and environment and natural resources having a high conservation value.

Regional Environmental Plans

As of 1 July 2009, Regional Environmental Plans (REP's) are no longer part of the hierarchy of Environmental Planning Instruments in New South Wales. A number of existing REP's were retained and deemed to be State of Environmental Planning Policies.

There are no REP's that have been retained and deemed to be State Environmental Planning Policies that are relevant to the proposed LEP.

State Environmental Planning Policies

State Environmental Planning Policy No 55 – Remediation of Land

Part of the site has been used for a service station which has the potential to cause contamination. A Phase 1 Environmental Site Assessment was carried out by Coffey Environments dated 19 September 2008. (Appendix B). The summary and conclusions in Part 4 of this Report indicate the presence of UST's suggests that the current use of the site has potential to contaminate the surrounding soil and/or underlying groundwater with TPH, BTX, PAHs and lead associated with the storage of petroleum products on site. The Report contains the following recommendation:

Based on the findings of this Phase 1 ESA, it was established that the site has activities which have the potential to introduce a variety of contaminants onto the site. The purpose of a Phase 1 ESA is to assess the risk of contamination and does not aim to collect information regarding the distribution or concentration of potential contaminants which can only be done with the implementation of a sampling program. As such, a Phase 2 Environmental Site Assessment would be required to assess the sub surface conditions of the service station for potential contamination. The objectives of a Phase 2 ESA would be to:

- *Assess the underlying soil for potential chemicals of concern in the vicinity of the service station identified in this Phase 1 ESA; and*
- *Assess groundwater for possible contamination resulting from current and past activities on the site and assess the likely migration of groundwater contamination beneath the site by installing a series of groundwater monitoring wells on the site.*

This assessment should be completed in accordance with the NSW EPA (1994) "Guidelines for Assessing Service Station Sites"

The Phase 2 Environmental Site Assessment would be required to assess the sub surface conditions of the service station for potential contamination should the Council resolve to send the Planning Proposal to the minister and the proposal obtains a gateway determination.

State Environmental Planning Policy – (Rural Lands) 2008

SEPP (Rural Lands) 2008 is applicable to the planning proposal as the land is currently zoned for rural purposes within the Cooma-Monaro LGA.

The aims of this Policy are as follows:

- a) to facilitate the orderly and economic use and development of rural lands for rural and related purposes,
- b) to identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State,

- c) to implement measures designed to reduce land use conflicts,
- d) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,
- e) to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.

The Rural Planning Principles are:

- (a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,
- (b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,
- (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,
- (d) in planning for rural lands, to balance the social, economic and environmental interests of the community,
- (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,
- (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,
- (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,
- (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

The following information is provided in relation to these principles:-

- a. The planning proposal will not impact on the potential, productive and economic activities in rural areas as the land is currently used for a service station, motel and restaurant and not used for agricultural purposes.
- b. Not applicable as the land is not used for agricultural proposes.
- c. Not applicable as the land is not used for agricultural purposes.
- d. The planning proposal will allow for the subdivision of the land to provide approx 20 additional residential lots within the village of Michelago which will not impact on the balance between social, economic and environmental interests of the community.
- e. The planning proposal will not impact on any natural resources and will maintain biodiversity as no native vegetation will be required to be removed as a result of the planning proposal.
- f. The proposal will not impact on any existing water resources and whilst the site has potential to be contaminated by the existing service station use, this matter can be adequately addressed. The planning proposal will be consistent with this principle in that it will expand the existing semi rural lifestyle, settlement and housing opportunities within the locality.
- g. The proposal will not impact on the existing services and infrastructure available within the Michelago locality. Water supply can be provided to the proposed lots by individual rainwater storage on each lot. Each lot will be large enough to

accommodate onsite effluent disposal and electricity and communication infrastructure is available to the land. The small number of additional lots that can be provided as a result of this planning proposal will not impact significantly on the existing infrastructure.

- h. There is no applicable regional strategy of the Department of Planning relating to this locality and there are no applicable Local Strategies endorsed by the Director General. In relation to the planning principles outlined in SEPP (Rural Lands) 2008, an assessment of these principles outlined above indicates that the planning proposal is consistent with these planning principles.

Ministerial Directions (S117 Directions)

The following 117 Directions will be applicable to the planning proposal.

1.2 Rural Zones

The objective of this direction is to protect the agricultural value of rural land. This Direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary). The Direction requires the relevant planning authority must not rezone land from a rural zone to residential, business, industrial, village or tourist zone. The planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director General of the Department of Planning that the provisions of the planning proposal are inconsistent are justified by

- a. A strategy which:

- i Gives consideration to the objectives of this Direction,
- ii Identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
- iii Is approved by the Director General of the Department of Planning or be justified by a study prepared in support of a planning proposal which gives consideration to the objectives of this Direction, or
- iv In accordance with the relevant Regional Strategy or Sub Regional Strategy prepared by the Department of Planning which gives consideration to the objectives of this Direction or,
- v Is of minor significance.

In relation to these matters, the proposed rezoning of the land from a rural zone to a village zone is considered to be of minor significance, as the land has an area of 6.7 hectares which is not large enough to support a viable agricultural activity and the land is not used for agricultural purposes.

1.5 Rural Lands

The objectives of this Direction are:-

- a. To protect the agricultural production value of rural land,
- b. Facilitate the orderly and economic development of rural lands for rural related purposes.

This Direction applies to all planning proposals to which Statement Environmental Planning Policy (Rural Lands) 2008 applies. SEPP Rural Lands 2008 applies to the Cooma-Monaro Local Government area, therefore, this Direction applies. This Direction applies to proposals where a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural or environmental protection zone. Under the terms of this Direction, the planning authority must ensure that the planning proposal is consistent with

the Rural Planning Principles listed in State Environmental Planning Policy (Rural Lands) 2008.

An assessment of the planning proposal in relation to the provisions of the SEPP (Rural Lands) 2008 outlined previously indicates that the proposal is consistent with the provisions of the SEPP.

3.1 Residential Zones

The objectives of this Direction are:

- a. to encourage a variety and choice of housing types to provide for existing and future housing needs,
- b. to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- c. to minimise the impact of residential development on the environment and resource lands.

This Direction applies when a relevant planning authority prepares a planning proposal that will affect land within any zoning where any significant residential development is permitted or proposed to be permitted. I contend that this planning direction does not apply to the planning proposal as it will generate approx 20 additional lots which is not considered to be significant residential development.

3.4 Integrated Land Use and Transport

The objectives of this Direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- a. Improving access to housing, jobs and services by walking, cycling and public transport, and
- b. Increasing the choice of available transport and reducing dependence on cars, and
- c. Reducing travel demand including the number of trips generated by development and the distance travelled, especially by car, and
- d. Supporting the efficient and viable operation of public transport services, and
- e. Providing for the efficient movement of freight.

This Direction applied all relevant planning authorities and applies to this planning proposal as it is proposed to create a zone relating to urban land including land zoned for village purposes. The planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:

- a. *Improving Transport Choice – Guidelines for Planning and Development (DUAP 2001) and,*
- b. *The right place for businesses and services – Planning Proposal (DUAP 2001).*

The following information is provided in relation to the objectives of this direction:

- a. The location of the proposed village zone will result in future residents still having to travel for work by car as there are limited work opportunities within the existing Michelago village. Limited opportunities for public transport exist with the existing rail line not being utilised, however, a bus service to Canberra is provided. The future development of residential land will contain footpaths to encourage access by walking and the road system within the Michelago village with low number of cars will be suitable for cycling.

The likely destination for residents would be Canberra or Queanbeyan for access to work, services and shopping.

- b. There are limited existing pedestrian, cycle and public transport opportunities available within the Michelago village. The design of the proposed subdivision that would be possible, should the land be rezoned, allows direct pedestrian access to Ryrie Street which is the main feeder road to Michelago Village which will allow access to the village from the land.
- c. Due to the isolated nature of the village, any additional residential development will generate additional vehicle movements and the distance travelled by car.
- d. Due to the small number of residents within the Michelago village, the existing bus service that provides access to Canberra is appropriate to serve the site. The existing public transport network will be used if it is appropriate to the needs of the future residents of Michelago. The increase in population resulting from the subdivision of the land will improve the viability of the existing bus service.
- e. Not applicable.

Improving Transport Choice – Guidelines for Planning

The guidelines apply to the urban areas of NSW and to all stages of planning and development. They focus on creating areas, land uses and development designs that support more sustainable transport outcomes. They complement changes to planning policies and statutory provisions promoting integrated land use and transport planning in the state. Whilst this guideline is important to the improvement in transport choice, it is directed to larger centres where the integration of land uses is considerably more important and critical to providing opportunities for sustainable transport outcomes. The proposed rezoning to allow for a small number of additional lots in what is considered a very small rural village is not likely to raise any issues that would normally be assessed under these guidelines.

Development, and the Right Place for Business and Services – Planning Policy

The policy applies to developments that:

- generate many trips from employees, customers or visitors
- provide important services, and generally have a gross floor space of 1,000 m² or more.
- Floor space is a guide only and the policy implications for development will vary according to its location, regional setting and cumulative effects.

Such developments include:

- retailing, which refers to all places where goods are traded to the public including markets, bulky goods warehouses, 'big box' superstores and factory outlets
- leisure and entertainment facilities
- offices (other than those offices ancillary to industrial or non-retail commercial land uses)
- health and education facilities

- community and personal services.

It is considered that the guidelines are not applicable to the proposed development as the proposal does not relate to any of the above matters.

5.2 Sydney Drinking Water Catchments

The objective of this Direction is to protect water quality in the hydrological catchment. This direction applies to the hydrological catchment in the Cooma-Monaro Local Government Area. Under the provisions of Drinking Water Catchment Regional Environmental Plan No 1, "hydrological catchment" means the area of land within the region declared by order under Section 4 (6) of the Act published in Gazette No 175 of 16 November 2001 on page 9268 that is within the outer edge of the heavy black line shown on the map.

A review of the list of sub catchments listed in the SEPP and the maps of the Sydney Catchment Authority (See Appendix C) indicate that the subject site is not in any of the Sydney Drinking Water Catchments or Sub Catchments and is therefore not applicable.

6.1 Approval and Referral Requirements

The objective of this Direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development. This Direction applies to all relevant planning authorities when planning proposal has been prepared.

The proposal is consistent with the requirements of the 117 Direction in that it is not proposed to include any requirements for concurrence, consultation or referral of development applications to a Minister or public authority.

Section C - Environmental, Social and Economic Impact Likely Environmental Impacts

Flora and Fauna

A Preliminary Flora and Fauna Impact was carried out by Jeff Butler and Associates in 2007. The report contains the following summary:-

Lot 1 (the study area) is situated at the northern part of the open natural temperate grassland areas of the Monaro plains. Highly sought after by early settlers, a great proportion of these extensive grassy ecosystems were intensively grazed (and in some cases cropped) many decades ago for agricultural enterprises. When introduced pastures were gaining popularity, many new species were established in the region.

*The vegetation type recorded within the study area at the time of assessment was a highly modified grassland, due to introduced species and a significant degree of soil disturbance. It is also the site of a service station, an inn and a residence and the associated infrastructure and garden plantings that accompany such developments. There is no part of the site that is not in a highly modified condition, though in one small area Tall Speargrass (*Austrostipa bigeniculata*) dominates a small, lesser disturbed area. In some areas, Kangaroo Grass (*Bromella australis*) is of moderate occurrence.*

There are no clearly defined ephemeral flow lines contained within the study area, though some artificial drainage lines have been created as part of other infrastructure on the site. Any runoff flowing from the study area enters Michelago Creek and flows

to the Murrumbidgee River. Two dams are situated on the site, though one may be associated with effluent treatment.

The significant weeds noted were African Love Grass (Eragrostis curvula). Serrated Tussock (Nassella trichotoma) and Briar Rose (Rosa rubiginosa). The infestations of the latter two are light and would be easily controlled. The African Love Grass is widespread.

No threatened flora species were observed during the assessment.

The fauna assessment concludes that there are few if any habitat values that remain associated with the study area. The poor quality of the existing vegetation, together with the current intensity of development and its associated disturbances would not attract many species when lesser developed areas are available in the near vicinity.

This report concludes that there is no threatened flora or fauna issues present as an impediment to the rezoning of this land as part of the village zone, providing the ameliorative measures are adopted.

As little change has occurred on the site since the report was prepared, it is unlikely that there would be any threatened species, populations, endangered ecological community or habitat within the subject site.

A Flora and Fauna Assessment was carried out to accompany the development application for the subdivision of the adjoining land to the east. This Flora and Fauna Assessment did not identify any threatened species on this site. Given that this site has similar attributes to the adjoining land, it is unlikely that any future development for the site for residential purposes will have any significant effect on any threatened species, populations, endangered ecological community or their habitat.

The site does not contain good quality native vegetation under Council's predictive native vegetation mapping. However the adjoining railway reserve contains some good quality remnant native temperate grassland. The proposal will not impact this area.

Aboriginal Cultural Heritage

An Archaeological Heritage Survey has been carried out by Patricia Saunders (May 2003). The report indicates the following:

1. There are no Aboriginal or European cultural heritage constraints to the proposed redevelopment of the site of the Michelago Inn, Michelago, NSW;
2. No further archaeological surveyor investigation is required within the study area as shown in Figure 1 of this report.
3. If any previously undetected Aboriginal site or relic is uncovered or unearthed during redevelopment activity, work at that location must cease immediately and advice on appropriate action be obtained from the NSW National Parks and Wildlife-Service, Southern Cultural Heritage Unit.

Whilst the report was prepared some time ago nothing has changed on the site which would require the report to be updated.

Effluent Disposal

On site effluent disposal will be required for the future residential use of the land. The proposed lots will be in excess of 2000m² in accordance with council's requirements for minimum lot size in the village zone where on site effluent disposal is to be used. A report has been prepared by Peter Fogarty (2003) which has assessed the suitability of land for on-site disposal of effluent for a similar subdivision of the land. Council's requirements for onsite effluent disposal have not changed since the report was completed. Peter Fogarty also prepared a report for the adjoining subdivision which was recently approved. As the subject site has similar attributes to the adjoining site it would appear that the site is suitable for the onsite disposal of effluent.

Council officers have raised some concern about the long term impacts of onsite effluent disposal on ground water quality. As the technology continues to develop, this impact can be minimised by utilising treatment systems that produce higher quality effluent or by utilising lined mounds that limit seepage into the ground thereby limiting any potential impact on the ground water.

Other Likely impacts

As stated previously development consent was issued by Council in July 2010 for a 16 Lot subdivision on the adjoining land to the east of the subject site. In order to gauge the likely impacts on the community the report to the Council in relation to this application has been reviewed. The report indicates that a small number of submissions were received when the application was originally advertised. The application was amended on a number of occasions and on each occasion the application was again advertised which resulted in a small number of submissions. Many of the issues raised relate specifically to the subdivision and were overcome by the changes that were made to the lot size and number of lots during the assessment process which resulted in a reduction in the number of lots from 32 to 16.

However, there were a number of issues raised which relate to the compatibility with the adjoining rural land, the character of the village, the services available in the village including water and sewer and traffic. As the rezoning of the land will result in a similar subdivision to what has been approved on the adjoining site the above issues would also be relevant to the proposed subdivision plan for the subject site which is included in Appendix A.

The location of the proposed lots in relation to the adjoining agricultural land to the north has been addressed in a previous section of this report and concludes that there is not likely to be any impact.

The size of the lots which are in excess of 2000m² in accordance with Council's requirements is consistent with the lots in the recently approved subdivision. The size of the lots will enable sufficient space for onsite effluent disposal and allow separation between dwellings which will be consistent with the existing village character. There is no reticulated water and sewerage service available within the village. The use of onsite disposal has been supported by an expert report and rainwater tanks will have to be provided to each dwelling.

In relation to traffic, the additional traffic is likely to be minimal based on 6-8 vehicle movements per dwelling. The existing intersection at Ryrie Street and the Monaro Highway has appropriate turning lanes. It was identified in the report to council that the existing pavement in Ryrie Street may need to be widened to cater for the additional traffic which will be carried out by Council should the need arise.

Therefore, it is concluded that the future development of the site is not likely to have any significant impact on the existing village.

Natural Hazards

Bushfire

The subject site is not identified as bushfire land on Council's Bushfire Prone Land map.

Flooding

The land is not impacted by flooding.

Social and Economic Effects

Social Context

The Cooma Monaro Shire Council Social Plan 2007-2012 (The Social Plan) provides baseline information in relation to the current social context. The community Plan includes the following information in relation to the Village of Michelago.

At the 2005 Strategic Planning Project community workshop held in Michelago people stated that they liked the areas proximity to the ACT for employment opportunities, proximity to the coast and National Park. They liked the rural environment, freedom and the positives this brings to family life.

Much of the community saw the village as offering development opportunities but would like development managed. People also stated that there was a diverse range of people of all incomes and background who make up the Michelago community. The described the community as friendly, self reliant and organised.

It is estimated that the village of Michelago has a population of 70 people. The number of people surrounding Michelago is difficult to estimate.

The Social Plan indicates that the following services are available in the village.

The **community assets** include:

- the primary school
- historic railway station
- playground, oval and tennis courts
- community hall
- Anglican and Catholic churches
- pony club grounds
- cemetery
- rural fire shed

There are a number of **commercial enterprises** in the village including the following:

- service station
- motel
- general store (which provides postal services, liquor retail and video hire)

Government services provided at Michelago include:

- a police station
- community nursing
- home visit following the birth of a child from Queanbeyan Hospital or ACT hospitals
- mobile library

- mobile preschool
- primary school
- recycling and waste collection
- Home and Community Care Services

The village does not have reticulated water or sewer.

Community groups include:

- Michelago Region Community Association
- Land care
- Michelago Pony Club
- Rural Fire Service

Events and activities

- Pony club
- playgroup

The social plan was based on information contained in the 2001 census. The 2006 census is now available and provides more up to date information. An extract from the 2006 census is set out below and provides the most recent information in relation to the locality although there appears to have been a large number of new dwellings constructed in the village since 2006. Whilst the data relates to the census district it gives some general indication of the makeup of the population in Michelago and the various age groups compared to rest of the state.

Total persons (excluding overseas visitors)	795	-	19,855,288	-
Males	417	52.5%	9,799,252	49.4%
Females	378	47.5%	10,056,036	50.6%
Indigenous persons (comprises Aboriginal and Torres Strait Islander)	8	1.0%	455,031	2.3%

In the 2006 Census (held on 8th August 2006), there were 795 persons usually resident in Michelago (Suburb): 52.5% were males and 47.5% were females. Of the total population in Michelago (Suburb) 1.0% were Indigenous persons, compared with 2.3% Indigenous persons in Australia.

Age groups:

0-4 years	39	4.9%	1,260,405	6.3%
5-14 years	144	18.1%	2,676,807	13.5%
15-24 years	79	9.9%	2,704,276	13.6%
25-54 years	354	44.5%	8,376,751	42.2%
55-64 years	106	13.3%	2,192,675	11.0%
65 years and over	72	9.1%	2,644,374	13.3%
Median age	39	-	37	

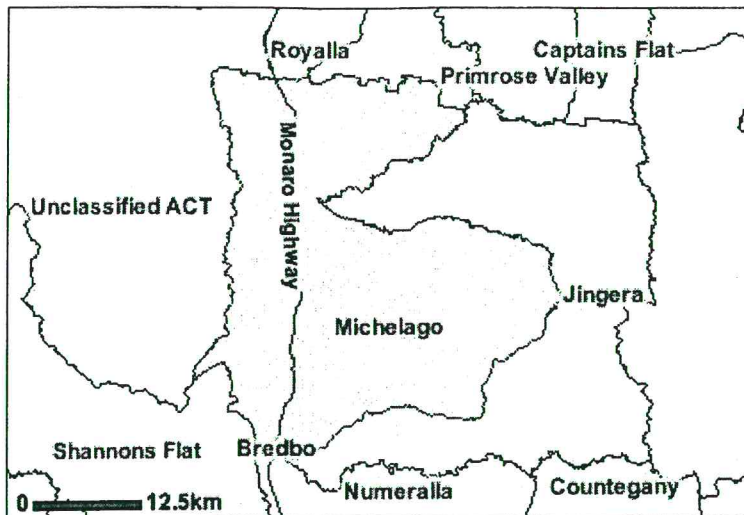


Figure 2 Michelago Census district (Bureau of Statistics)

Population

The proposed rezoning will allow for the development of 19 additional residential lots. The development will result in an increase in the population of the village of Michelago by approximately 47 persons (2.5 persons per household).

It is difficult to determine the exact present population of Michelago as the village is part of a larger census district which includes a number of small villages and rural areas. The census district is shown in Figure 1. The bureau of statistics indicates that the total population of the district at the 2006 census was 795. It is estimated that the current population of the village of Michelago is approximately 150 based on 60 existing houses at an occupancy of 2.5 persons per house. The recently approved subdivision on the adjoining land for 16 lots would result in a potential increase of approx 40.

The Cooma-Monaro Social Plan indicates that the village has a population of 70 which was based on the 2001 census and a house count. There have been a considerable number of houses constructed in the village in the last 5 years therefore an increase in population.

The potential growth in population as a result of the rezoning and the development of the land for residential purposes will be approximately 47. Whilst this is an increase in the order of 23% it is not a large number. Due to the location of the village in close proximity to Canberra and Queanbeyan it is likely that the future residents will utilise service in these localities that are not currently available in Michelago. Due to the relatively small increase in population of Michelago as a result of the proposed rezoning as compared to the population of Canberra (approx 325,000) and Queanbeyan (35,000) the likely impact on the social, health and education services in these localities as a result of the increase in population is likely to be negligible.

Education

A primary school is located in Ryrie in close proximity to the subject site. The number of students attending the school fluctuates from year to year. In 2006 there were 37 students (Social Plan) and in 2011 there are 27 students (myschool website). Based on the 2006 census approx 18% of the population is of primary school age which would result in approximately 8 additional school age children from the 19 additional lots. It appears that the school would be able to cater with this increase.

Secondary school aged children have to travel to Queanbeyan, Canberra or Cooma to attend high school. A school bus service is available to both of these centres from the village

and operates on school days. However the overcrowding of the school bus from Canberra has been raised as an issue in the social plan.

Affordable Housing

The development of the site for residential purposes will provide affordable housing opportunities within close proximity to Canberra and Queanbeyan. The provision of affordable housing has not been identified as a major issue in the Cooma- Monaro Social Plan however it has been identified as a major issue in the ACT and the Queanbeyan Local Government area. The location of Michelago is within easy vehicle access to employment opportunities in the ACT and Queanbeyan and therefore provides an opportunity to provide affordable housing because of lower land prices. Whilst the Social Plan indicates that the land and house prices are high compared to other area in the LGA they are considered low compared to land and house prices in Canberra and Queanbeyan.

Development consent was issued by Council in July 2010 for a 16 lot subdivision on the adjoining land to the east. Work has been commenced on the site and a total of 3 lots have been sold and 8 lots are subject to offer. The selling agent has advised that he has been very surprised by the level of interest in the land. He also advised that the purchases are generally young couples from Canberra and Queanbeyan that are taking advantage of the cheaper land prices and are prepare to travel to work. The agent also advised that the land price in this subdivision is in excess of \$100,000 cheaper than land in Canberra and Queanbeyan which is very scarce. When you add the cost of providing on site effluent disposal of approx \$20,000 the land is still much cheaper than blocks of land in Canberra.

Employment

Due to the location of Michelago there will be employment opportunities available in Queanbeyan and Canberra for the residents of the village. The Queanbeyan Community Vision 2021 indicates that 7% of jobs within Queanbeyan are filled by people in the former Yarrowlunla Shire Council area which contained the village of Michelago. This confirms the preparedness of residents of this locality to travel to the larger centres to work. The census indicates that the sectors of health and community services, education and government administration, agriculture, forestry and fishing and defence employed the most number of people in the collection district. Most of these employment opportunities are available in Queanbeyan and the ACT.

Open Space and facilities

The existing open space and facilities available in the village consists of a playground, oval and tennis courts and pony club grounds and community hall. The Yarrowlunla Council S94 plan relates to land within Michelago. The plan identifies the following works for completion as part of the plan.

Ryrie Street Reserve – prepare Management Plan
Revegetation – land rehabilitation
Smiths Road area - double bay fire shed
Community Hall - extend existing building/ facilities
Provision of Recreation Trails

Any future development of the site for residential purposes will result in the payment of contributions in accordance with the plan.

It appears that the existing and proposed open space and facilities will be adequate for the increase in population resulting from the rezoning of the site.

Section D – State and Commonwealth Interests

Public Infrastructure

The planning proposal will not result in any additional infrastructure to be provided by any State or Commonwealth Government Authority. The subject land already contains a number of uses that would be permitted within the proposed zone and any expansion of these uses is unlikely to result in any additional infrastructure.

Consultation with State Government Agencies

There has not been consultation with any government departments by Coastplan Consulting. However, it is understood that Council has discussed this matter with the Department of Planning to seek their opinion as to whether the matter can be dealt with as an amendment to the LEP rather than wait for the preparation of the consolidated LEP.

As the subject site is not impacted by any natural hazards and the various consultants reports that have been produced have not identified any issues, we do not see any need to consult any state government agencies.

A Strategic Planning Discussion Paper was prepared by Council in 2005 and was sent to a wide range of government agencies. As the Strategic Planning Project involves the development of a Local Environmental Plan, Council wrote to the government agencies to advise it was consulting under Section 62 of the *Environmental Planning and Assessment Act, 1979*.

PART 4 COMMUNITY CONSULTATION

Proposed Community Consultation

Should the planning proposal result in a gateway determination, the proposed rezoning will be placed on exhibition in accordance with the requirements of the Environmental Planning and Assessment Act. Council has consulted with the local community as part of the strategic planning project in 2005 and 2006. The consultation included a strategic planning discussion paper and workshops including one held in Michelago.

A copy of the Discussion Paper was sent to a wide range of government agencies. Community organisations were advised in writing and copies were distributed via the Monaro Interagency meeting, the Strategic Planning Project website and displayed in Council's foyer.

It is understood that consideration has been given to the rezoning of the subject site as part of the preparation of the Draft LEP and therefore the local community were consulted in relation to this proposal.