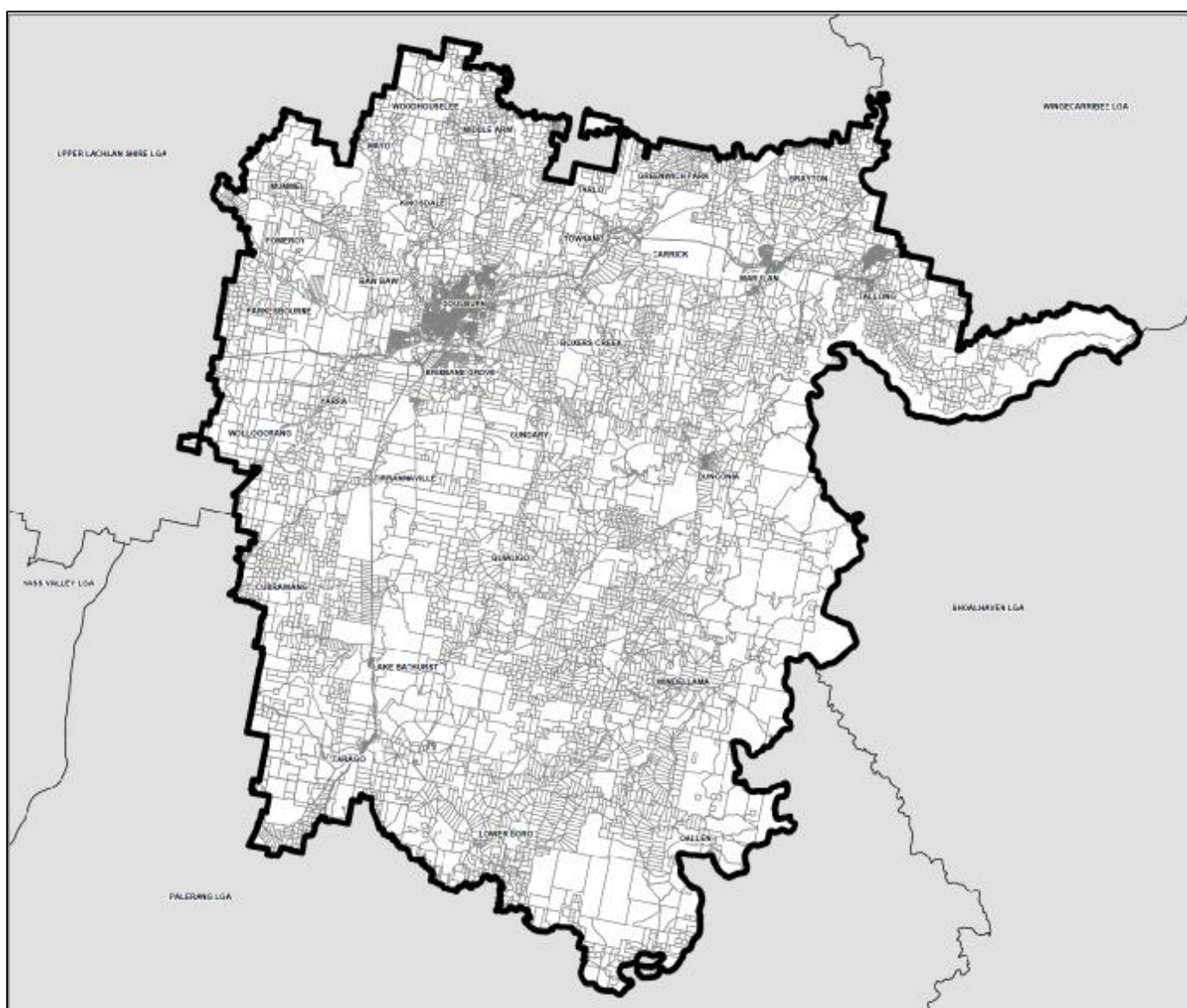
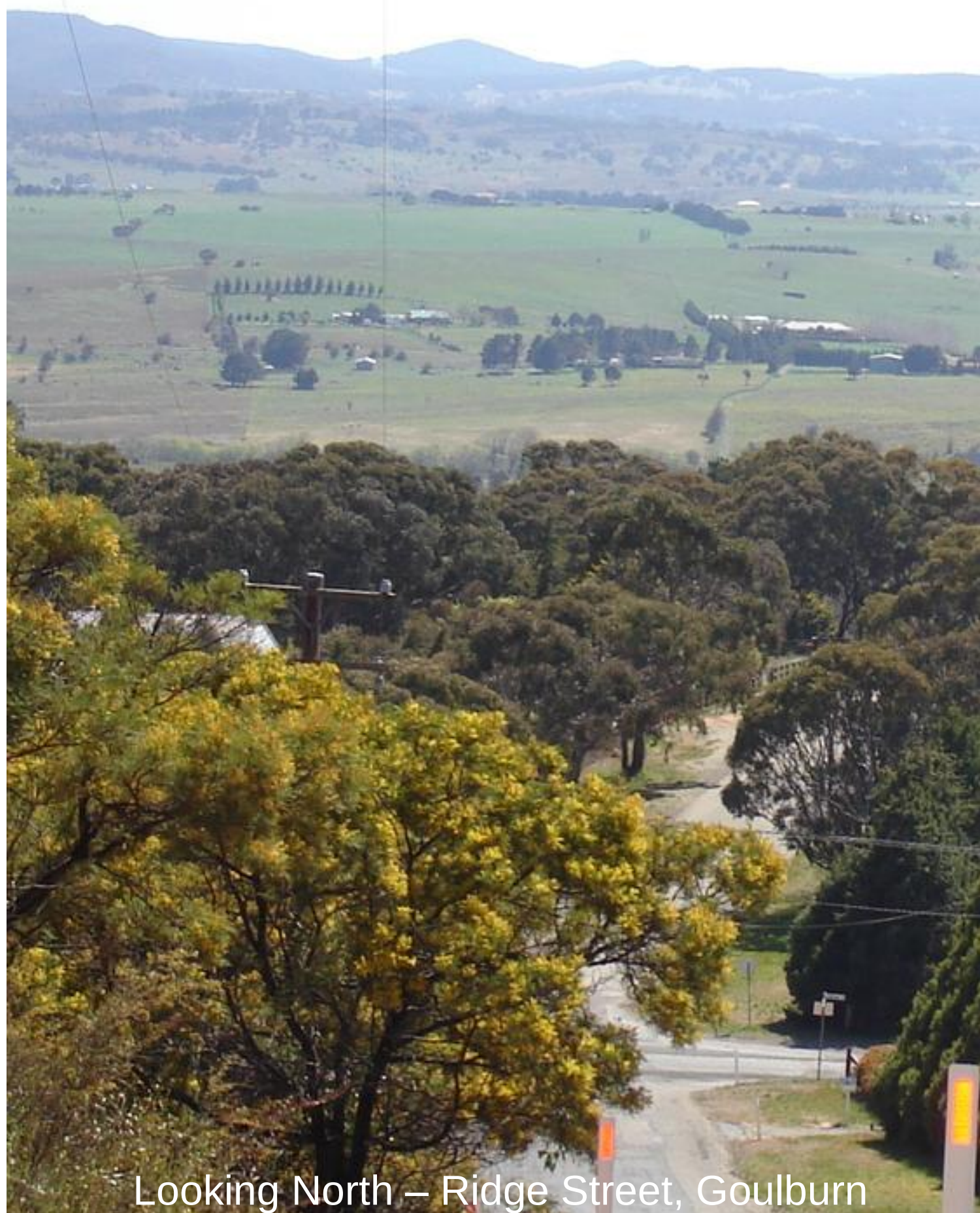


**Goulburn Mulwaree Council
Revised Proposal
Draft Rural lands Planning Proposal
Goulburn Mulwaree Local Environmental Plan 2009
– Amendment No. 2**

15 June 2010





Looking North – Ridge Street, Goulburn

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Part 1 – Objectives

1.1 Background

Council in partnership with the State Government's planning reform program has put in place:

- § Goulburn Mulwaree Strategy 2020 and Goulburn Mulwaree Biodiversity Strategy;
- § Goulburn Mulwaree Local Environmental Plan 2009; and
- § Goulburn Mulwaree Development Control Plan 2009.

At the 24 July 2008 Council Meeting the following issues were raised for consideration in the first amendment of the Principal Plan, Goulburn Mulwaree Local Environmental Plan 2009:

- § The need to provide a wider application of environmental protection zones; and
- § The need to re-examine the 100 hectares rural minimum allotment size to provide for a range of rural allotment sizes.

On 11 August 2008, Council gave notice pursuant to Section 54 of it's intention to prepare a Draft LEP amendment which will re-examine and revise Goulburn Mulwaree Local Environmental Plan 2009 with respect to the 100 hectare minimum rural lot size.

It is recommended that this amendment be made pursuant to the proposed 'gateway' reform amendment to Part 3 of EP & A Act which commenced on 1 July 2009.

As part of the early investigation, Council sought and received input from an advisory working group comprising representatives from Council, Department of Planning and Department of Primary Industries.

On 1 September 2009 a 'gateway determination' was issued for the original proposal subject to the 'removal of the rural averaging clause from RU1 and RU2 zoned land'.

In the period following the initial gateway determination and prior to community consultation Council has undertaken more detailed investigations following finalisation of Sydney Catchment Authority's strategic land and water capability stage 2 mapping. As a result adjustments have been made to the proposed lot size areas by the reduction of some areas, the introduction of additional environmental management zoned areas and development of set of new development standards for inclusion in Goulburn Mulwaree Development Control Plan 2009, Amendment No. 1. In addition the opportunity has been taken to include two new model local clauses which addressed topics on minimum lot sizes for dual occupancy, multi dwelling housing and residential flat buildings and exceptions to minimum lot sizes for certain residential development which have been raised by Council with the Department in the preparation of Goulburn Mulwaree Local Environmental Plan 2009.

1.2 Intended Outcomes

To implement amendments to the principal Local Environmental Plan, Goulburn Mulwaree Local Environmental Plan 2009 across the Goulburn Mulwaree Local Government Area (Figure 1) which:

- (a) introduces a range of rural lot sizes (10, 20 and 40 hectares) adjacent to Goulburn City, Marulan township and the Villages of Tallong, Bungonia and Tarago;
- (b) extends the current 2 hectare minimum lot size adjacent to the western peri-urban edge of Goulburn City;
- (c) introduces a 1 hectare minimum lot size and a RU5 Village zone adjacent to the former Towrang railway station;
- (d) introduces an averaging lot size local clause which applies to zone E3 Environmental Management which involves the substitution of 100 or 40 hectares allotments in any proposed subdivision with a minimum allotment of 10 hectares provided the average lot size in the subdivision is maintained at 100 or 40 hectares which ever is appropriate;
- (e) introduces additional environmental protected areas including biodiversity links between Bungonia State Conservation Area and the Tarlo River National Park, Marulan, Tallong and the National Park and Bungonia and the National Park and the Lake Bathurst / Morass Wet Land Catchment area;
- (f) corrects minor zoning map drafting errors at 74 Slocombe Street Goulburn, Lot 5 DP 87178 Tarago, Lot 2 DP 871782 Tarago, Lot 5 DP 222748 Tarago, 14 Mary Martin Drive Goulburn, Lot 15 Ada Street Goulburn and 36 Chantry Street Goulburn;
- (g) amends the Local Government Boundaries between the Councils of Goulburn Mulwaree, Palerang and upper Lachlan Shire on Goulburn's western Local Government Boundary by extending the current zone and minimum lot size in the Goulburn Mulwaree Local Environmental Plan 2009;
- (h) introduces additional zoning changes including new:
 - § E3 – Environmental Management areas east of Goulburn and at Marulan, Tallong, Bungonia and Tarago,
 - § RU2 – Rural Landscape areas,
 - § RU6 – Transition areas; and
 - § R5 – Large Lot Residential area adjacent to the western peri-urban edge of Goulburn City.
- (i) introduces additional model local clauses which intend:
 - § to achieve planned residential density in certain zones and
 - § to encourage housing diversity without adversely impacting on residential amenity.
- (j) rectifies an oversight of no minimum lot size over part lot 14 DP 1102589 at Ducks Lane, Goulburn.

Part 2 – Explanation of Provisions

2.1 Zone and Lot Size mapping amendments

- (a) Amendment of Goulburn Mulwaree Local Environmental Plan 2009, Amendment No. 1: -

Lot size maps:

Sheets LSZ: 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019 and 020 (In accordance with proposed lot size maps shown at appendix A), and

- (b) Amendment of Goulburn Mulwaree Local Environmental Plan 2009:-

Land Zoning maps:

Sheets LZN: 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019 and 020 (In accordance with the proposed zoning maps shown at appendix B), and

2.2 Amendment of Goulburn Mulwaree Local Environmental Plan 2009.

Local Environmental Plan 2009 be amended by the insertion of a Local model clause along the following lines:

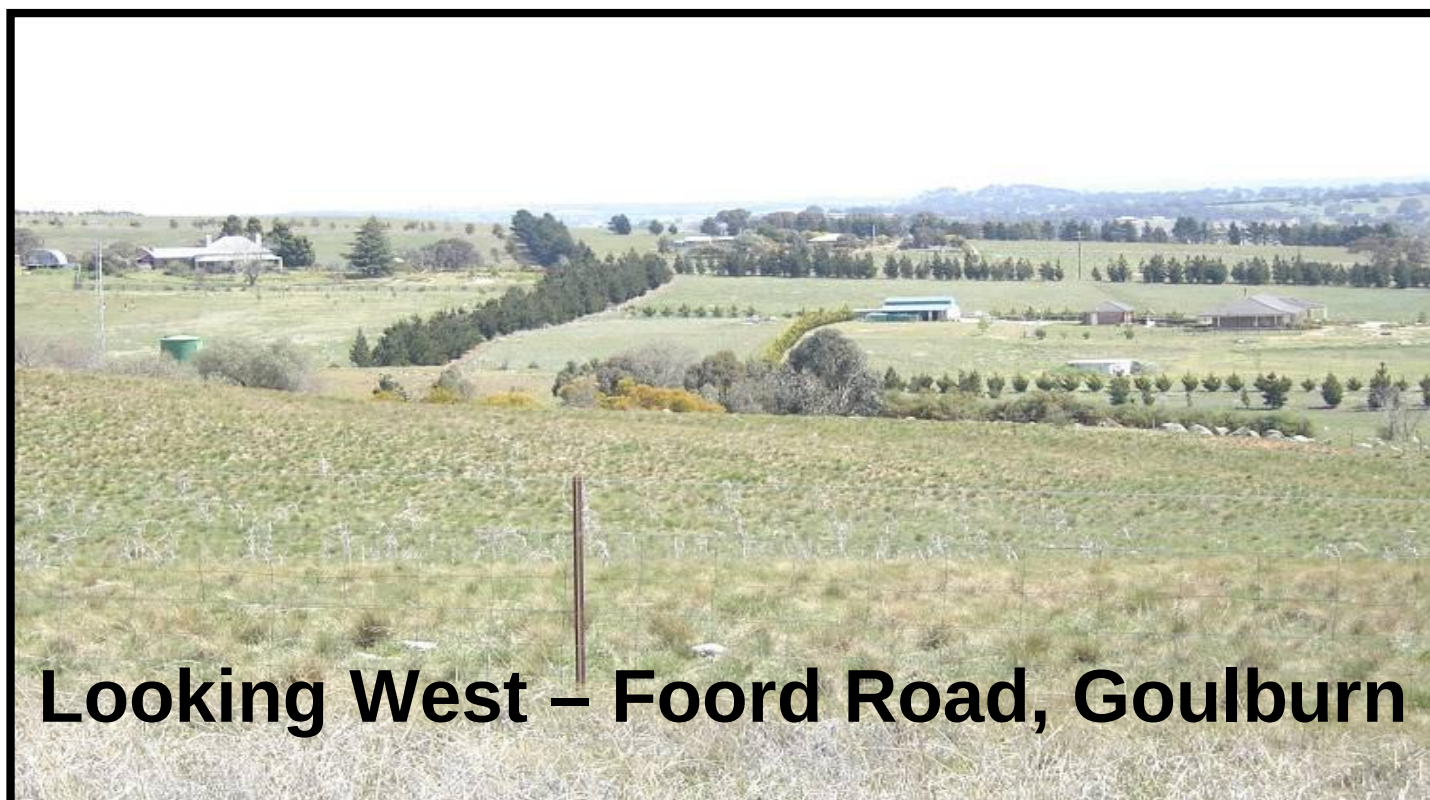
4.1A Minimum lot size for lot averaging schemes in Zones E3 and E4

1. The objective of this clause is to ensure that lots sizes and subdivision patterns in lot averaging schemes in certain environmental zones allow buildings to be sited to protect the environmental values of the area.
2. This clause applies to the subdivision of land:
 - (a) that requires development consent, and
 - (b) in Zone E3 Environmental Management and E4 Environmental Living, and
 - (c) carried out after the commencement of this Plan.
3. Despite clause 4.1(4), the size of each lot resulting from the subdivision must not be less than the minimum size shown on the Lot Size Map in relation to that land.
4. Despite subclause (3), development consent must not be granted to the subdivision unless:
 - (a) each residential lot created by the subdivision will have an area of at least 10 hectares; and
 - (b) the total number of residential lots from the subdivision will not exceed the number of lots that could be created by a subdivision in accordance with subclause (3); and
 - (c) the residue lot will include land identified as having special ecological, scientific, cultural or aesthetic values.

2.3 Correction of minor zoning mapping errors.

Amendment of Goulburn Mulwaree Local Environmental Plan 2009 land zoning maps (Appendix B) in accordance with:

- (a) No. 74 Slocombe Street, Goulburn.
No. 74 is part of Council's public recreation network and should have been zoned RE1 Public Recreation, and
- (b) Tarago
 - Lot 5 DP 871782
Lot 5 is part of a rural holding held in private ownership and should not have been zoned RE1 Public Recreation.
Correct zoning is RU1 Primary Production.
 - Lot 2 DP 871782
Lot 2 is part of Council's public recreation network and should have been zoned RE1 Public Recreation.
 - Lot 5 DP 222748
Lands Department have advised Council that Lot 5 (showground) should have been zoned RE1 Public Recreation, and
- (c) No. 14 Mary Martin Drive, Goulburn.
No.14 is part of Council's public recreation network and should have been zoned RE1 Public Recreation, and
- (d) Lot 15 Ada Street, Goulburn.
Lot 15 is part of Council's public recreation network and should have been zoned RE1 Public Recreation, and
- (e) No. 36 Chantry Street, Goulburn.
No. 36 is part of Council's open space network but is privately owned land and should have been zoned RE2 Private Recreation.



2.4 Proposed Local Government Boundary changes:

Following gazettal of the new Local Government Area, amendment of Goulburn Mulwaree Local Environmental Plan 2009, Amendment No. 1 to reflect the following local government boundary changes:

- (a) Amendment of Goulburn Mulwaree Local Environmental Plan 2009 lot size map, sheets LSZ 001 and 009 in accordance with proposed lot size maps shown at Appendix A, and
- (b) Amendment of Goulburn Mulwaree Local Environmental Plan 2009 Land zoning map, sheets LZN 001 and 009 in accordance with proposed zoning maps shown at Appendix B, and
- (c) Amendment of Goulburn Mulwaree Local Environmental Plan 2009 Heritage map, sheets HER 001 and 016 in accordance with the proposed heritage maps shown at Appendix B, and
- (d) Amendment of Goulburn Mulwaree Local Environmental Plan 2009 Land Application map, sheet LAP 001 in accordance with proposed Land Application Map shown at Appendix A, and
- (e) Amendment of Goulburn Mulwaree Local Environmental Plan 2009, Natural Resources Sensitivity Map – Biodiversity, sheets BDV 001 and 002 in accordance with the proposed Natural Resources Sensitivity Maps – Biodiversity shown at Appendix B.

2.5 Proposed minor zoning and lot size changes:

Amendment of Goulburn Mulwaree Local Environmental Plan 2009 by the introduction of minor zoning boundary changes to:

- (a) Land zoning map, sheet 002. Extension of the R5 large lot residential zone to encompass the majority of the proposed 2 hectare minimum lot size area, consistent with the Goulburn Mulwaree Strategy 2020, figure 12 'Goulburn Growth areas' (Appendix B);
- (b) Land zoning map, sheet 020, to include additional infill E3 environmental management zones to complete the environmental link along Council's eastern border with the Shoalhaven (Appendix B);
- (c) Land zoning map, sheet 009, 010 and 012, to include additional infill RU2 rural landscape zones adjacent to the E3 environmental management zone and an additional E3 zoned area adjacent to Tarago (Appendix B); and
- (d) Land zoning map, sheets 001, 002, 003, 004, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 018, 019 and 020, to include additional RU6 transition zones and E3 Environmental Management zones adjacent to town and villages and including in the latter case connections to the National Park. (Appendix B); and
- (e) Amendment of Goulburn Mulwaree Local Environmental Plan 2009 lot size map, sheet 001 and zoning map, sheet 001 at Towrang (Appendix A and B). The proposed RU5 Village zone and 1 hectare minimum lot size recognises the current smaller village allotments supporting an existing small community adjacent to the former Towrang railway station.
- (f) Amendment of Goulburn Mulwaree Local Environmental Plan 2009, Amendment No. 1 lot size map, sheets 002 and 003. Part Lot 14 DP 1102589 at Goulburn is zoned RU6 Transition and acts as a buffer

between R5 and B6 zones. An oversight has the area with no minimum lot size. The proposed minimum lot size of 100 hectares will rectify the situation.

2.6 Proposed inclusion of model local clauses:

4.1B Minimum lot sizes for dual occupancy, multi dwelling housing and residential flat buildings

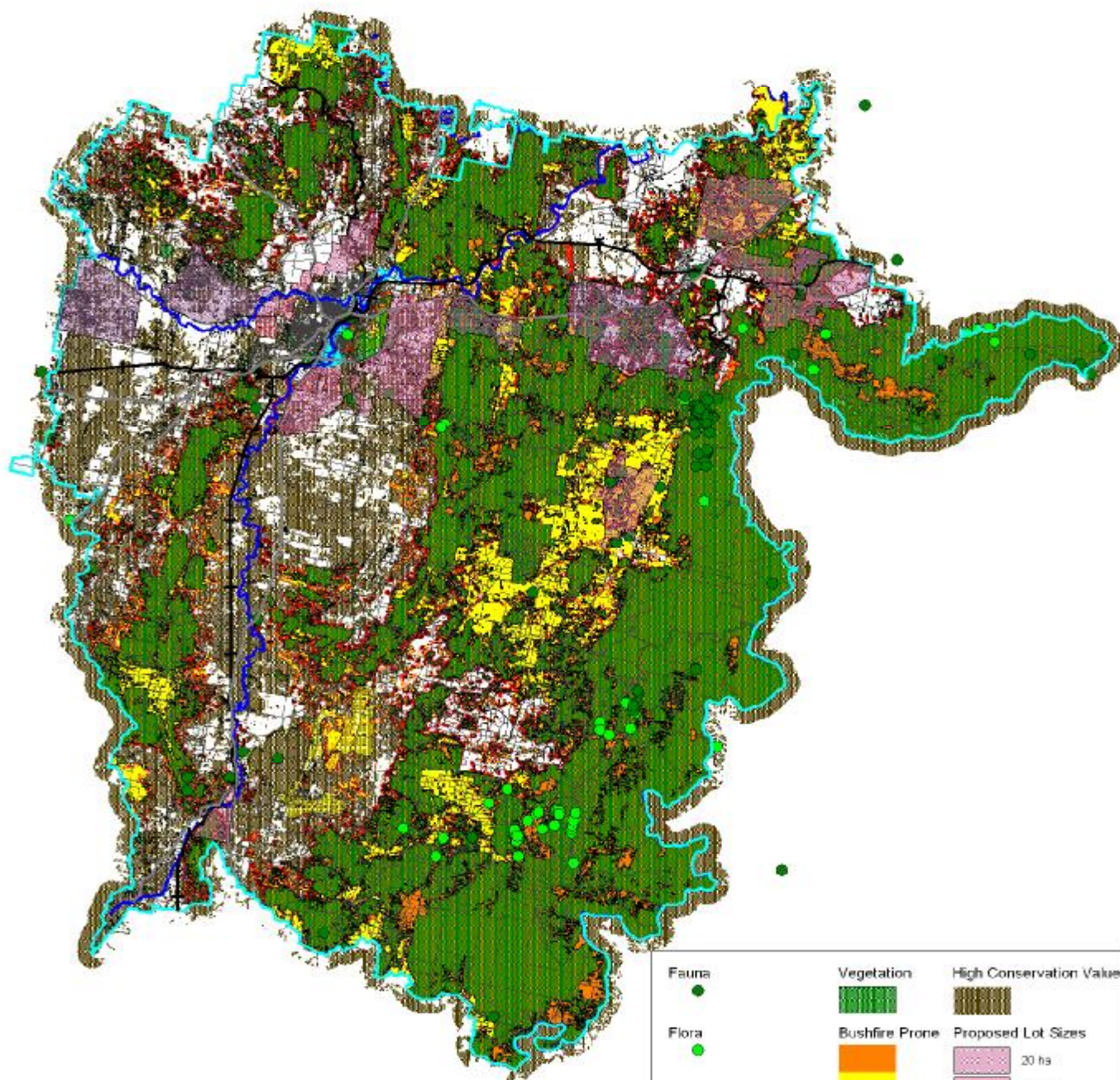
- (1).The objective of this clause is to achieve planned residential density in certain zones
- (2).This clause applies to the following zones:
 - (a) R1 General Residential and
 - (b) R2 Low Density Residential.
- (3).Development consent may be granted to development on a lot for any of the following purposes if the area of the lot is equal or greater than the area specified for that purpose:
 - § Zone R1 General Residential
 - (a) Multi dwelling housing (1050m²) and
 - (b) Residential flat building (1050m²).
 - § Zone R2 Low Density Residential
 - (a) Multi dwelling housing (1050m²)

4.1C Exceptions to minimum lot sizes for certain residential development

- (1).The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.
- (2).This clause applies to the following zones:
 - (a) R1 General Residential and
 - (b) R2 Low Density Residential.
- (3).Despite clause 4.1, development consent may be granted to the subdivision of a lot on which development for any of the following purposes is proposed to be carried out if the area of each resulting lot is equal to or greater than the area specified for that purpose:
 - (a) Attached dwellings (350m²) and
 - (b) Semi detached dwellings (350m²).
- (4).Despite any other provision of this plan, development consent may be granted to a single development application for both of the following:
 - (a) The subdivision of land into 5 or more lots if the size of each lot is equal to or greater than 300m² and
 - (b) Development for the purpose of an attached dwelling, semi detached dwelling or a dwelling house on each lot resulting from the subdivision.



Figure 1
Impact of Proposed Rural Lifestyle
Development Area on Environmentally Constrained Areas



Legend

- V. Major Centre
- Minor Centre
- Local Town
- Main Road
- + Rail Line
- LGA Boundary

- Fauna
- Flora
- Lake Bathurst Alluvium
- 1 in 100yr Flood Extent
- Vegetation
- Bushfire Prone
- Bushfire Buffer
- LGA Boundary
- High Conservation Value
- Proposed Lot Sizes
 - 20 ha
 - 10 ha
 - 40 ha

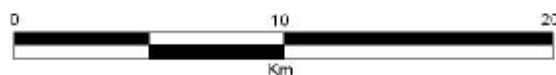
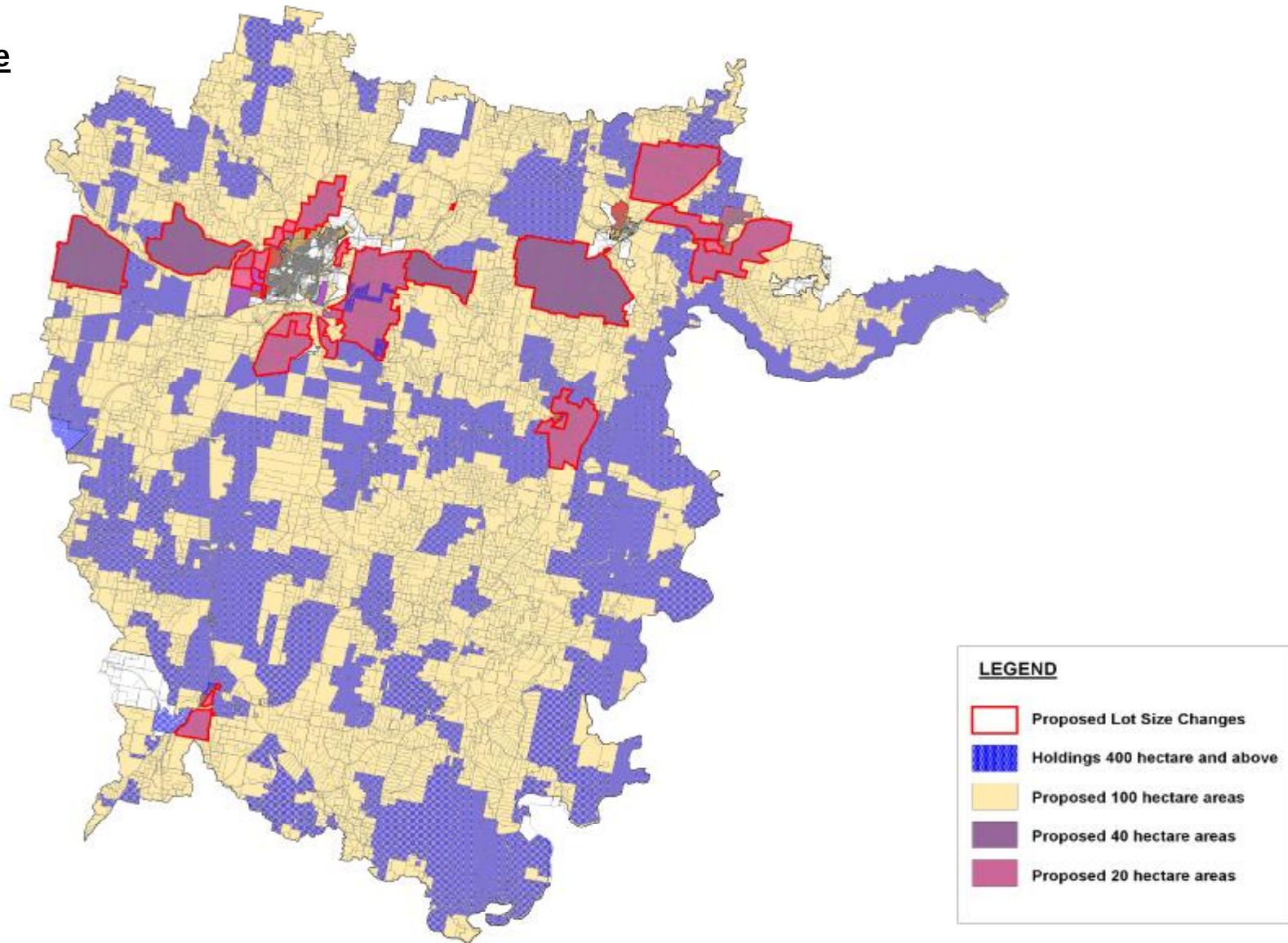


Figure 2
Holdings
400ha and above



Part 3 – Justification

Section A – Need for Planning Proposal

3.1 Is the Planning Proposal a result of any strategic study or report?

The main two elements of this Planning Proposal were recommended outcomes resulting from Council's consideration, on 24 July 2008 of submissions received as part of the exhibition of the Goulburn Mulwaree principal Local Environmental Plan 2009.

(a) Rural minimum lot size.

A number of submissions (44), supported by valid reasons objected to the blanket imposition of the 100 hectare minimum rural lot size and also sought reinstatement of the previous 40 hectare minimum area. The latter position is supported by the State Rural Land Policy which was introduced in May 2008. Council decided to defer consideration of these submissions pending consideration of a report from a special investigation working group which was looking at a range of rural lot sizes and the introduction of an averaging lot subdivision proposal. The working group comprised representatives from Council, Department of Planning (Wollongong Regional Office) Department of primary Industries (Goulburn Office) and the Rural Lands Protection Board (Goulburn Office).

(b) Environmental zones.

The Department of Environment, Climate Change and Water also raised concerns with respect to the inadequate protection mechanisms for environmental values contained in the principal Local Environmental Plan.

Although this was a view not shared by Council or at the end of the day by the Department of Planning, Council agreed to undertake a major review of the application of E2 and E3 Environmental zones at the principal plans first review period.

This has been undertaken as part of the original and revised planning proposals and the proposed amendment No. 2 to Goulburn Mulwaree Development Control Plan 2009, Amendment No. 1. Additional E3 zoned areas are incorporated in this revised planning proposal.

(c) Strategic land and water capability assessment (SLWCA).

Sydney Catchment Authority has undertaken SLWCA stage 2 mapping within their hydrological catchment. The mapping has been used by Council to determine capability for extensive agriculture, intensive livestock and plant agriculture and residential unsewered development for lots from 0.4 to 2 hectares within the proposed rural lot size areas, notwithstanding that the proposed range of rural lot sizes varies from 1, 2, 10, 20 and 40 hectares. This was done as a precautionary approach for the future development of those areas.

SLWCA investigations have lead to recommended changes to the principal LEP 2009, Amendment No. 1, the original rural lands planning proposal and to the

development of a new set of development standards for inclusion as a proposed amendment to GM DCP 2009, Amendment No. 1 (Appendix E). Proposed development standards have highlighted constraints to be avoided or mitigated and provided indicative development areas and dwelling construction principles.

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

The intended outcomes for objectives 1.2 (a), (b) and (c) are about providing a balance between social, economic and environmental interests of the Community.

The alternative to providing a relatively small area (about 8% - Local Government Area) for a range of rural lot sizes and maintaining the bulk of the Local Government Area at a 100 hectare minimum rural lot size was to revert back to the old 40 hectare provision across 97% of the Local Government Area. The Planning Proposal is seen as being more sustainable and consistent with the State Environmental Planning Policy (Rural Lands) 2008.

A small community has established itself adjacent to the former Towrang railway station (intended outcomes 1.2(c)). It consists of a number of dwellings, community hall, rural fire service and public recreation area. The community is seeking recognition for their unofficial village and an appropriate minimum lot size to suit that village.

The alternative to objective 1.2 (d) is to allow 40 or 100 hectare conventional subdivisions. The averaging lot planning proposal by clustering 10 hectares lots while still maintaining a 40 or 100 hectare average lot size can:

- § avoid environmentally sensitive areas and constraints,
- § protect land values and financial farm equity,
- § provide a large farm residue, self sustaining smaller lots (in water supply effluent disposal and buffer areas) and manageable lot sizes (in managing weeds, feral animals and bush fire), and
- § prevent rural land fragmentation.

Other methods used in the principal Local Environmental Plan 2009 to implement natural resource management principles other than the use of environmental zones (objective 1.2 (e)) were the use of the rural landscape zone, overlay sensitivity map and supporting Local Environmental Plan clause and extensive development standards. These methods could also be relied upon here and no additional areas zoned environmental protection, however Council gave an undertaking to review their current zones. The environmental zoned area will increase in the Local Government Area by about 342km² in this revised planning proposal.

It is considered that the only method of achieving objectives 1.2(f) and (g) is by Local Environmental Plan amendment.

In respect of objective 1.2 (h) the planning proposal has introduced infill zoning changes to zones E3, RU2, RU6 and R5 which are either consistent with the Goulburn Mulwaree Strategy 2020 or outcomes from the consideration of the principal Local Environmental Plan 2009.

The adoption of the model clauses 4.1B and 4.1C will achieve planned residential density and encourage housing diversity.

3.3 Will the net community benefit outweigh the cost of implementing and administering the Planning Proposal?

Base cases examined are:

(a) An increase in the area zoned environmental.

Benefits:

- § Planning Proposal will add to the regions rich and diverse array of natural assets which contribute to it's ecological value and character. Local Government Area managed for conservation purposes will increase by about 17% over the principal Local Environmental Plan 2009 providing habitat connections between Tarlo National Park and Morton National Park, Marulan, Tallong and Morton National Park, Bungonia and Morton National Park and the Shoalhaven river corridor and the Lake Bathurst / Morass wetland Catchment Area.
- § Planning Proposal will provide a range of benefits such as maintaining water quality, providing habitat and visual amenity.
- § Planning Proposal will protect land identified by Southern Rivers Catchment Management Authority as worthy of protection – Lake Bathurst / Morass Wetland Catchment Area.
- § Planning Proposal will satisfy Agencies concerns for additional environmental zoned land.

Costs:

- § Some private land holdings will be disadvantaged.
- § The general imposition of additional regulatory burdens over privately held agricultural lands, and
- § This part of Planning Proposal will not add to employment generating potential of the Local Government Area.

Conclusion:

The rezoning of additional environmental areas will provide a net community benefit.

(b) To rezone an additional area of about 8% of the Local Government Area for rural lifestyle purposes.

Benefits:

- § Planning Proposal will provide a balance between social, economic and environmental interests of the community by setting aside land (approximate) in the Local Government Area for the following purposes:
 - 3% Urban,
 - 8% Rural Lifestyle,
 - 30% Environmental Protection, and
 - 59% Rural,

- § Planning Proposal will direct development away from the majority of the Local Government Area land assessed as being of high / medium conservation value.

Notwithstanding, the areas affected (about 6%) will be protected by the operation of Goulburn Mulwaree Local Environmental Plan clause 7.2 – Environmental Sensitive Land – Biodiversity and by Development Control Plan 2009, clause 3.13 Biodiversity Management,

- § Planning Proposal will provide opportunities for rural lifestyle, settlement and housing adjacent to towns and villages that will contribute to the social and economic welfare of the rural communities and those towns and villages,

- § Planning proposal will avoid constrained areas by having 'planned' development areas which:

- Reasonably avoid the constrained areas (figure 1), larger productive rural holdings 400 hectares and above (Figure 2) and significant agricultural lands (Figures 3 and 4);
- Are concentrated adjacent to developed towns and villages and along a serviced existing development corridor;
- Have a minimum rural lifestyle lot size, where unserviced of either 10 hectares, 20 hectares or 40 hectares which are of sufficient size for collection of potable water, installation of on site effluent disposable systems, to manage constraints on site and to provide a buffer area within the lot if necessary; and
- Avoid the significant regional biodiversity corridors linking Bungonia State Conservation area with the Tarlo River National Park and the eastern Shoalhaven corridor linking up with the extended Lake Bathurst / Morass Wetland Catchment Land.
- Can avoid areas mapped as not capable of supporting small lot (2ha) residential development (SLWCA)

In addition dwelling opportunities created by proposed 40 or 100 hectares rural subdivision will be better managed in the Environmental Management zones by the averaging lot development proposal to avoid identified constraints.

Costs:

- § Potential reduction in area available for farm businesses,
- § Potential to increase rural land use conflicts,
- § Impact on land values for farming purposes as land values are based on residential rather than agricultural capacity,
- § Additional servicing costs to service and maintain residential land uses within the rural landscape,
- § Potential to increase social isolation,
- § Potential to add to resource and ecosystem degradation,
(In this regard in the areas identified for rural lifestyle development known constraints are extensive vegetation cover, bushfire prone land, fauna and flora hot spots and high / medium conservation value areas), and
- § Potential to restrain the use of rural land.

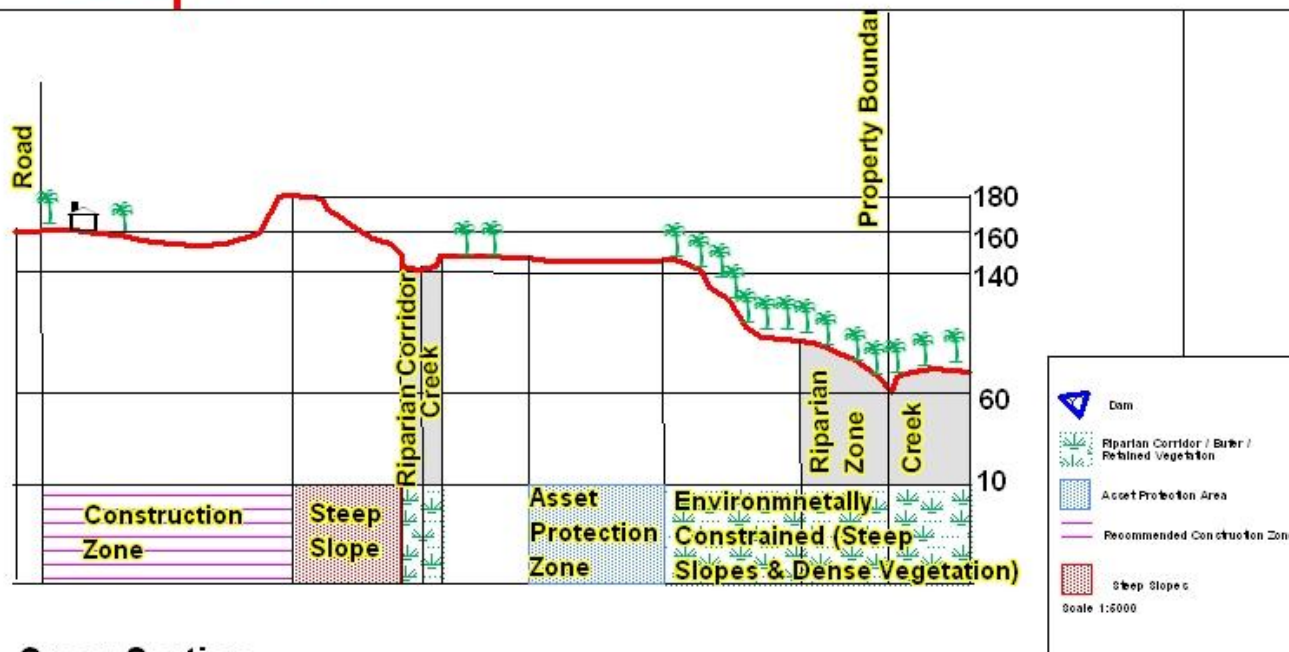
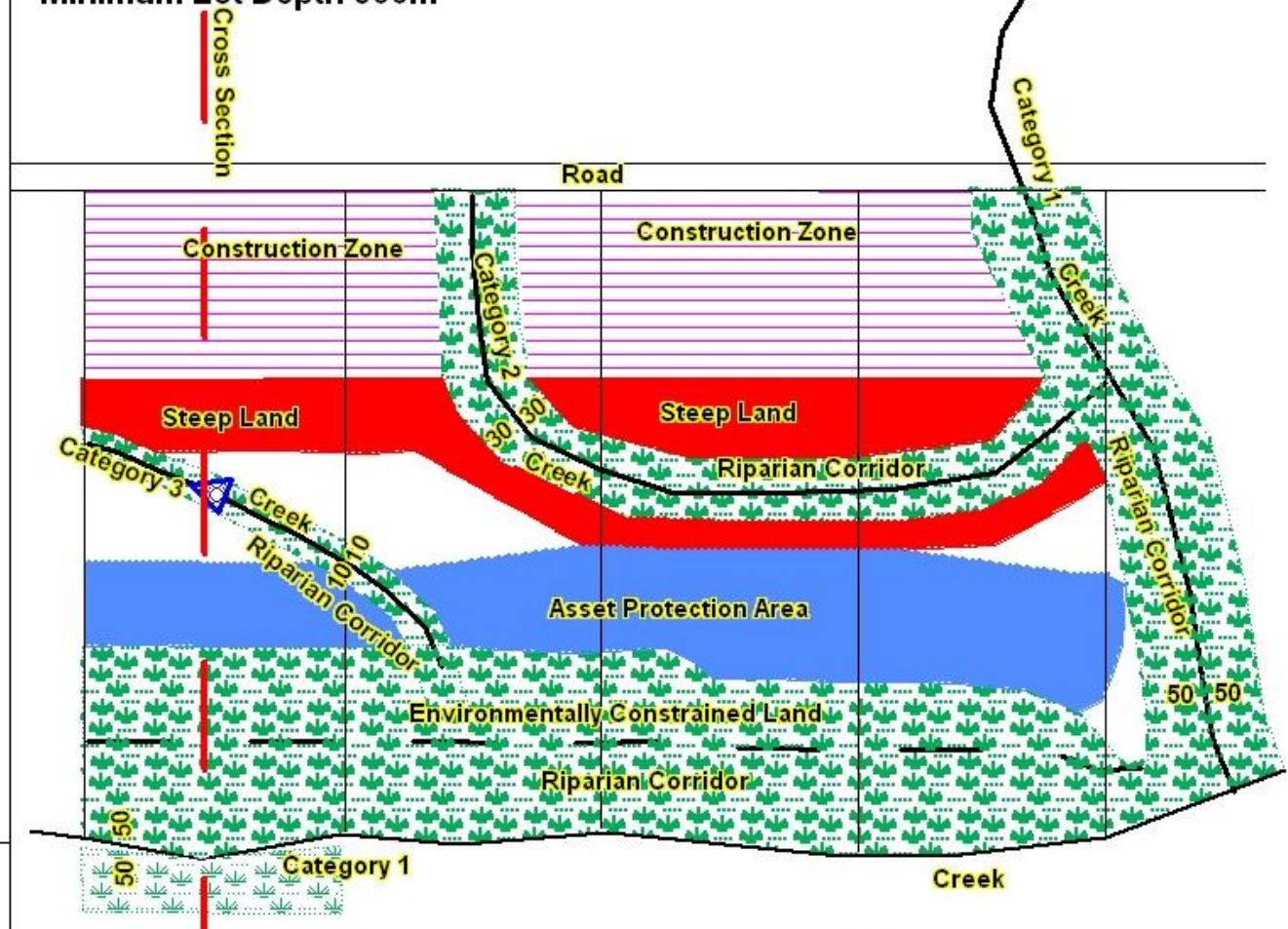
Conclusion:

The Planning responses to the cost's scenario include:

- § Protection of 95% of significantly identified agricultural lands (figure 4),
- § Protection of large agricultural holdings (figure 2)

- § Management of environmental constraints via the development application process.
- § Self sufficient lot sizes.
- § Avoidance of on site constraints in the subdivision design (following sketch),
- § No requirements for the extension of basic services.
- § Protection of biodiversity sensitivity areas by the use of development standards and lot clustering.
- § Minimisation of land use conflicts by:
 - Use of Environmental Management zones,
 - Large lots (10, 20 and 40 hectares),
 - Use of transition zones, and
 - Extensive Development Control Plan 2009, Amendment No. 1 and proposed Amendment No. 2 development standards.

The planning responses will ensure a net community benefit.

"Sketch"**Subdivision Controls (DCP 2009)****Minimum Lot Size 10 Hectares****Minimum Lot Width 200m****Minimum Lot Depth 500m**

Cross Section
Scale 1:4000

(c) To introduce a lot averaging subdivision option for the Environmental Management zone.

Benefits:

The introduction of an averaging lot proposal in Environmental Management zones with the area restricted to a minimum lot size of 40 or 100 hectares will achieve better social, economic, environmental and agricultural outcomes by:

- § Restricting subdivision to holdings of 80 or 200 hectares or more;
- § The clustering of the smaller (10 hectare) lots in the most advantageous position;
- § The residue lot in the basic two lot subdivision having a reasonable agricultural minimum area of 70 or 190 hectares. This increases by 30 or 90 hectares for each additional small 10 hectare lot created;
- § Subdivision being better designed to protect significant environmentally sensitive land by consolidating such areas in the larger residue lot;
- § Protecting land values and therefore financial farm equity which is based on subdivision potential and not rural production;
- § Giving equity protection to banks and lending authorities;
- § Avoiding 40 or 100 hectare lots which are too large for lifestyle blocks but too small for a reasonable farm holding and a waste of good agricultural land;
- § The minimum 10 hectare lot being large enough to be self sustaining in water supply, on site effluent disposal and buffer areas;
- § The minimum 10 hectare lot being able to be better managed for weeds, feral animals, fencing and bush fire protection;
- § Helping to prevent the fragmentation of rural land by the creation of larger residue lots;
- § No additional lots, therefore no additional dwelling opportunities being created; and
- § By listening to the rural community who at the exhibition of the principal Local Environmental Plan demonstrated solid support for such a proposal.

Costs:

The costs are essentially the same costs as identified in case (b), however they equally apply to the traditional 40 or 100 hectare subdivision option.

(Note: The test has not been applied to the Local Environmental Plan amendments required as a result of the local government area boundary changes as these are mandatory changes. The same applies to the minor zoning Local Environmental Plan amendments which in isolation would have constituted section 73A error corrections.)

Conclusion:

The averaging subdivision option for E3 zoned land is a site specific planning response designed to minimise development and public costs and to provide better environmental outcomes and therefore provide a net community benefit for individual subdivision proposals.

Section B – Relationship to Strategic Planning Framework

3.4 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

Sydney – Canberra Corridor Regional Strategy 2006 – 31.

The revised Planning Proposal builds on the co-ordinated approach taken to settlement planning in the principal planning instruments recently adopted by Council and the Department.

- § Goulburn Mulwaree Strategy 2020 and Goulburn Mulwaree Biodiversity Strategy, and
- § Goulburn Mulwaree Local Environmental Plan 2009, Amendment No. 1 and
- § Goulburn Mulwaree Development Control Plan 2009, as amended.

Sydney – Canberra Corridor Regional Strategy update report, 2009 has acknowledged the finalisation of the Goulburn Mulwaree Local Environmental Plan 2009 and its compliance with key directions on a sustainable water supply, residential and employment land releases, preservation of important agricultural lands and the protection of high value conservation areas.

An examination of the Regional Strategy's rural lands and primary production outcomes / actions confirms the revised planning proposal's consistency with the Regional Strategy:

- § It will further protect significant agricultural lands and better manage rural subdivision in environmental zone E3;
- § It will strengthen scenic, environmental and economic values;
- § It will locate rural lifestyle development adjacent to towns, villages and communities;
- § It will help stimulate the rural economy by the introduction of increased housing opportunities;
- § It will provide a greater level of certainty for land owners and allow orderly development of fringe urban lands by the introduction of additional RU6 zoned areas; and
- § It will maintain controls introduced into the existing EPIs on extractive industries and mineral resources, wind farms and land use conflicts.

In conclusion the rural lands planning proposal maintains and strengthens the desired actions and outcomes of the Regional Strategy:

- § "rural residential development has been limited to those areas on the fringes of existing villages";
- § "identification and protection of extractive industries through the use of zoning / LEP mapping";
- § "identification of environmentally sensitive lands";

- § compliance with the Rural Lands SEPP 2008;
- § proposed large lot unsewered residential areas have had strategic land and water capability assessments in accordance with the Sydney Catchment Authority mapping;
- § protection of important agricultural areas; and
- § provision of additional alternative housing opportunities in the rural areas.

3.5 Is the Planning Proposal consistent with the local council's community strategic plan or other local strategic plan?

Goulburn Mulwaree Strategy 2020 endorsed by the Department of Planning on 30 December 2008.

Chapter 12 of the Strategy sets out principles for the development of rural and agricultural areas. The rural lands planning proposal maintains consistency with those principles:

- § protection of agricultural productivity, suitability and capacity;
- § promotion of rural activities;
- § protection / preservation of environmentally sensitive lands;
- § additional standards to minimise land use conflicts;
- § protection / retention of large agricultural holding; and
- § conditional / cautious approach to the reduction of rural minimum allotment size.

Justification for the above conclusions are contained in the examination of the proposal against the provisions of the Rural Lands SEPP detailed under 3.6 following.

Proposed R5 large lot residential area on the western peri-urban edge of Goulburn City is infill development which is consistent with Goulburn Mulwaree Strategy 2020, figure 12 'Goulburn Growth areas'.

Goulburn Mulwaree Biodiversity Strategy

Goulburn Mulwaree Biodiversity Strategy endorsed by the Department of Planning on 30 December 2008 identified high / medium conservation valued areas which have been protected in the principal plan (clause 7.2 Environmentally Sensitive Land – Biodiversity), and in Goulburn Mulwaree Development Control Plan 2009, amendment No. 1 Biodiversity Management and proposed amendment No. 2.

3.6 Is the Planning Proposal consistent with the applicable State Environmental Planning Policies (SEPP)?

SEPPs which apply to the draft rural lands planning proposal, in particular to the proposed new rural lifestyle areas are:

(a) SEPP (Rural Lands) 2008:

This is the key SEPP with respect to the major component of the planning proposal that is the proposed changes to the existing minimum rural lot size. The draft planning proposal has been extensively examined, in appendix C against the rural planning principals and rural subdivision principals listed in SEPP (Rural Lands) 2008.

The principal planning documents, Goulburn Mulwaree Strategy 2020, Goulburn Mulwaree Biodiversity Strategy, Goulburn Mulwaree Local Environmental Plan 2009 and Goulburn Mulwaree Development Control Plan 2009 have provided the basis for this planning proposals consistency with this SEPP.

A summary of the conclusions are provided here

Clause 7 – “Rural Planning Principals:”**Principle (a)**

Goulburn Mulwaree Local Environmental Plan 2009 has introduced a range of agricultural zones, flexible land use tables and a minimum rural lot size of 100 hectares across the majority of the Local Government Area. The revised planning proposal has added to this and therefore has added to the promotion and protection of rural economic activities,

Principle (b)

The principal planning documents and this revised planning proposal offers opportunities for agriculture (i.e. land uses and rural housing) to keep up with its changing nature and any new trends, demands and issues that may arise for the future,

Principle (c)

The range of planning responses proposed recognises the social and economic benefits of rural development,

Principle (d)

A balanced settlement pattern will result from the revised planning proposal,

Principle (e)

The principal planning documents referred to have identified natural resources and put in place measures for their protection. This revised planning proposal has added to those principles.

Principle (f)

The revised planning proposal provides additional opportunities for rural lifestyle, settlement and housing,

Principle (g)

The revised planning proposal's rural lifestyle areas have been chosen to minimise impacts on services and infrastructure,

Principle (h)

The revised planning proposal is consistent with the Sydney – Canberra Corridor Regional Strategy, Goulburn Mulwaree Strategy 2020 and the Regional Environmental Plan No. 1.

Clause 8 – “Rural Subdivision Principles”**Principle (a)**

Range of planning responses to minimise rural land fragmentation includes:

- § Preserving the larger productive rural holdings (figure 2),
- § Minimising the impacts on significant environmentally sensitive lands, and
- § Minimising service impact costs.

Principle (b)

Range of planning responses to minimise rural land use conflicts includes:

- § Increased use of E3 Environmental Management zones
- § Use of RU6 transition buffer zones,
- § Use of development standards current and proposed,
- § Rationalisation of rural lot sizes,
- § Concentration of development areas adjacent to towns, villages and development corridors, and
- § Use of selective land uses in the land use tables.

Principle (c)

Size and pattern of existing rural holdings is shown in figure 2.

Principle (d)

Natural and physical constraints are shown in figure 1.

Principle (e)

Planning for dwelling opportunities has reasonably avoided constraints, biodiversity corridors, large rural holdings, significant agricultural land and concentrated development within specific areas.

Clause 10

The SEPP also contains matters to be considered in determining development applications for rural subdivision or rural dwellings which adds to the development standards contained in Local Environmental Plan 2009 amendment No. 1 and Development Control Plan 2009, as amended which in turn adds to the minimisation of rural land use conflicts.

Figure 3
DPI Agricultural Classification Map

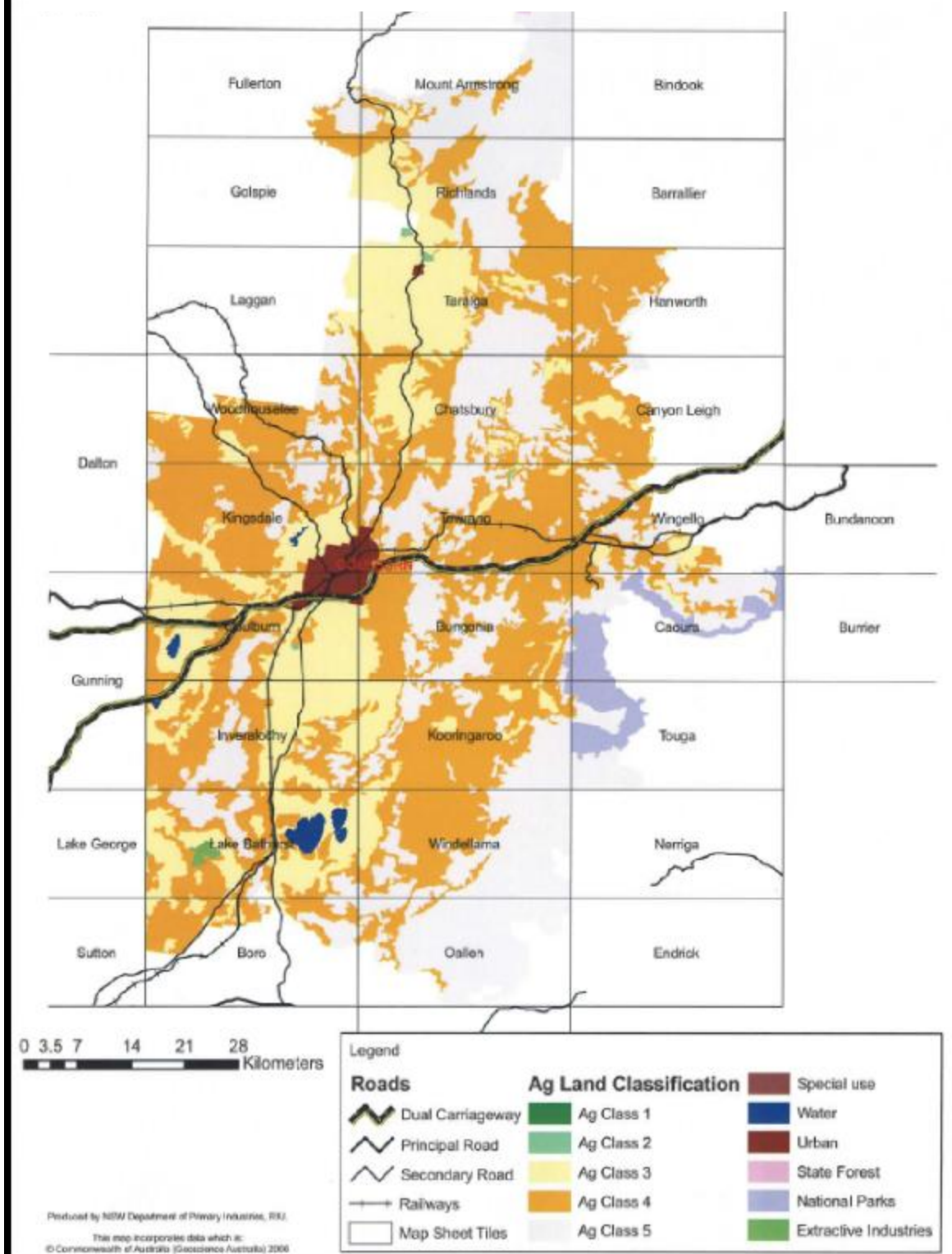
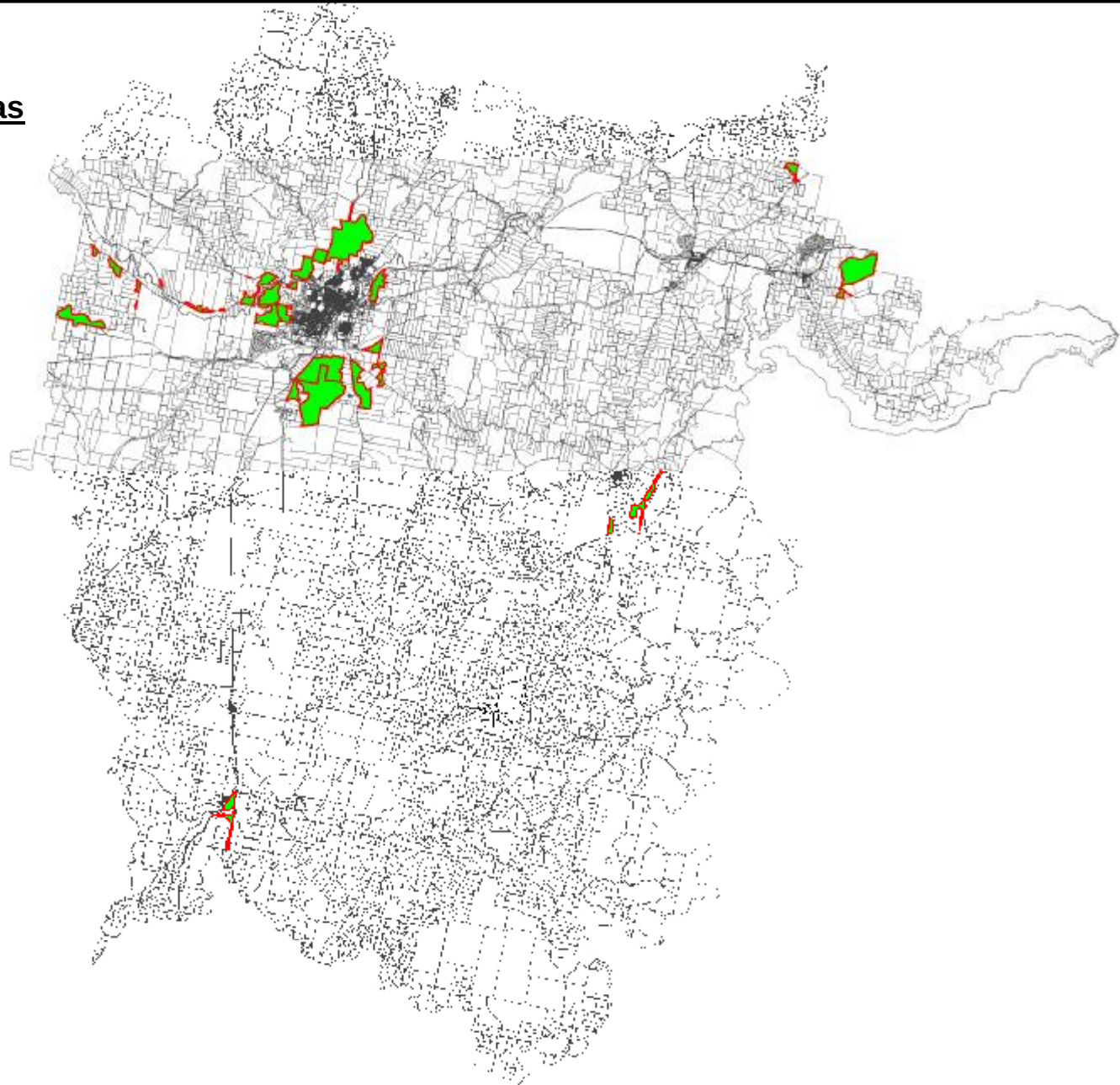


Figure 4
Impact of Proposed Rural
Lifestyle Development Areas
on Significant Agricultural
Land



(b) State Environmental Planning Policy No. 44 – Koala Habitat Protection:

“This Policy encourages the conservation and management of natural vegetation areas that provide for koalas to ensure longevity and habitat protection. This policy applies to 107 local government areas. Local councils cannot approve development or activity in an area affected by the policy without an investigation of core koala habitat”.

In addition core koala habitat should be protected with an environmental protection zone.

Goulburn Mulwaree Strategy 2020 has recorded koala sightings. These are not affected by the rural lifestyle development areas and are in the main included in environmental zones. A small percentage are in the rural landscape zone which has core objectives of protecting, managing and restoring environmentally sensitive areas.

(c) State Environmental Planning Policy No. 55 – Remediation of Land:

“The policy provides that land must not be rezoned or developed if it is unsuitable for a proposed use because it is contaminated. If the land is determined unsuitable, remediation must take place before the land is developed. The Policy is relevant in considering possible contamination sources in the assessment of potential new development areas, particularly sensitive land uses such as housing and education. In such cases a preliminary assessment of the likelihood of contamination is required prior to rezoning”.

There are no recorded contaminated sites in the proposed rural lifestyle development areas.

However, potential contamination sites relating to proposed or existing extractive industries have been identified in the proposed development areas south-west of Marulan, north of Marulan and south of Bungonia.

Revised Planning Proposal has deleted these areas from the proposed development areas.

(d) Drinking Water Catchments Regional Environmental Plan No. 1:

This REP requires:

- § The Sydney Catchment Authority (SCA) to prepare strategic land and water capability assessments (SLWCAs) for the hydrological catchment; and
- § Councils, preparing a draft LEP that applies to the hydrological catchment to consider any SLWCA prepared by the SCA.

Post gateway determination, the SCA supplied Council with SLWCA mapping stage 2.

The proposed rural lot size areas have been examined to determine capability for extensive agriculture, intensive livestock and plant agriculture and residential unsewered development for lots from 0.4 to 2

hectares, notwithstanding that the proposed minimum rural lot sizes, in the main are 10, 20 and 40 hectares.

Detailed examination of the findings and constraints was done as an amendment (No. 2) to GM DCP 2009, Amendment No. 1 and is attached at Appendix E. The following is a summary of the findings and recommended amendments to the principal LEP which have been included as part of this revised planning proposal.

Parkesbourne Precinct (west of Goulburn City)

Following is an extract from GM DCP 2009, Amendment No. 2.

The precinct consists of two zoned areas RU1 Primary Production and RU6 Transition with a minimum lot size of 40 hectares.

(i) Strategic Land and Water Capability Assessment (reference SCA)

SLWCA mapping referenced included extensive agriculture, intensive livestock and plant agriculture and residential unsewered development for lots from 0.4 to 2 hectares.

The majority of the examined areas are consistent with SLWCA recommendations with respect to the referenced agricultural land uses. (figure – Appendix J)

Note: RU6 zone prohibits intensive livestock and plant agriculture.

Residential unsewered development investigations have shown that the majority of land is capable of supporting residential development on unsewered lots up to 2 hectares (figure 8.21).

Goulburn Precinct (Goulburn City peri-urban areas)

Following is an extract from the proposed GM DCP 2009, Amendment No. 2

The precinct consists of two zoned areas RU6 Transition and R5 Large Lot Residential with minimum lot sizes of 2, 10 and 20 hectares.

(i) Strategic Land and Water Capability Assessment (reference SCA)

SLWCA mapping referenced included extensive agriculture, intensive livestock and plant agriculture and residential unsewered development for lots from 0.4 to 2 hectares.

The majority of the examined areas are consistent with SLWCA recommendations with respect to the referenced agricultural land uses. (figure – Appendix J)

Note: RU6 zone prohibits intensive livestock and plant agriculture.

Residential unsewered development investigations have shown that the majority of land is capable of supporting residential development on unsewered lots up to 2 hectares (figure 8.25).

Boxers Creek Road Precinct (two areas east of Goulburn City)

Following is an extract from GM DCP 2009, Amendment No. 2.

The precinct consists of two zoned areas RU2 Rural Landscape and RU6 Transition with a minimum lot sizes of 20 and 40 hectares.

(i) Strategic Land and Water Capability Assessment (reference SCA)

SLWCA mapping referenced included extensive agriculture, intensive livestock and plant agriculture and residential unsewered development for lots from 0.4 to 2 hectares.

The majority of the examined RU2 zoned area is inconsistent with SLWCA recommendations with respect to the referenced agricultural land uses. (figure – Appendix J) SLWCA recommends consideration of an alternative zone to the RU2 zone.

Note: RU6 zoned area is consistent with the SLWCA. It also prohibits intensive livestock and plant agriculture.

Residential unsewered development investigations on the RU2 zoned land have shown that the majority of land is not capable of supporting residential development on unsewered lots up to 2 hectares (figure 8.31).

Recommended amendments to the Principal Instrument

§ introduction of a larger minimum lot size of 100 hectares (figure 8.35) over part of the 20 and 40 hectare area.

§ The rezoning of RU2 Rural Landscape area to E3 Environmental Management (figure 8.35).

Towrang Village Precinct

Following is an extract from Goulburn Mulwaree Development Control Plan, Amendment No. 2.

The precinct consists of one zoned area RU2 Rural Landscape with a minimum lot size of 1 hectare.

(ii) Strategic Land and Water Capability Assessment (reference SCA)

SLWCA mapping referenced included extensive agriculture, intensive livestock and plant agriculture and residential unsewered development for lots from 0.4 to 2 hectares.

A slight majority of the examined area is inconsistent with SLWCA recommendations with respect to the referenced agricultural land uses. (figure – Appendix J) SLWCA recommends consideration of an alternative zone to the RU2 zone.

Residential unsewered development investigations have shown that the majority of the land is capable of supporting residential development on unsewered lots up to 2 hectares (figure 8.36).

Consistency with SLWCA findings and the community's wish will be better achieved by consideration of an alternate zone, RU5 Village. This will ensure better environmental outcomes for the future development of this area as a 'village'.

Recommended amendments to the Principal Instrument
The rezoning of RU2 Rural Landscape area to RU5 Village (figure 8.40).

South West Marulan Precinct

Following is an extract from Goulburn Mulwaree Development Control Plan, Amendment No. 2.

The precinct consists of one zoned area RU2 Rural Landscape with a minimum lot size of 40 hectares.

(iii) Strategic Land and Water Capability Assessment (reference SCA)

SLWCA mapping referenced included extensive agriculture, intensive livestock and plant agriculture and residential unsewered development for lots from 0.4 to 2 hectares.

The majority of the examined area is consistent with SLWCA recommendations with respect to the referenced agricultural land uses. (figure – Appendix J) However the Western sector is inconsistent and SLWCA recommends consideration of an alternative zone to the RU2 zone for this part of the area.

Residential unsewered development investigations have shown that the majority of the Eastern sector of this area is capable of supporting residential development on unsewered lots up to 2 hectares (figure 8.41). However the Western sector of the area is not capable of supporting such development (figure 8.41).

Consistency with SLWCA and the following constraint findings (eg high bush fire potential, major riparian corridor, steep slopes and identified mineral resource and buffer areas) will be better achieved by the introduction of additional larger lot size of 100 hectares in the steep 'un-developable' area, mineral and resource buffer areas and consideration of an alternative zone, E3 Environmental Management. In addition the remainder of the area will have a minimum lot size of 40 hectares. This will ensure better environmental outcomes for the future development of the area.

Recommended amendments to the Principal Instrument

§ introduction of a larger minimum lot size of 100 hectares (figure 8.45) over part of the area in the west, north east and south east.

§ The rezoning of part of RU2 Rural Landscape area to E3 Environmental Management (figure 8.45).

Marulan / Tallong Precinct

Following is an extract from Goulburn Mulwaree Development Control Plan, Amendment No. 2.

The precinct consists of two zoned areas RU2 Rural Landscape and RU6 Transition with a minimum lot sizes of 10 and 20 hectares.

(iv) Strategic Land and Water Capability Assessment (reference SCA)

SLWCA mapping referenced included extensive agriculture, intensive livestock and plant agriculture and residential unsewered development for lots from 0.4 to 2 hectares.

The majority of the examined areas are inconsistent with SLWCA recommendations with respect to the referenced agricultural land uses. (figure – Appendix J) SLWCA recommends consideration of an alternative zone over the RU2 and RU6 zoned area.

Residential unsewered development investigations have shown that the majority of land is not capable of supporting residential development on unsewered lots up to 2 hectares (figure 8.46).

Consistency with SLWCA and the following constraint findings (eg high bush fire potential, high aboriginal artefacts potential, major riparian corridors, steep slopes and identified mineral resource and buffer areas) will be better achieved by the introduction of additional larger lot sizes of 40 and 100 hectares over land adjacent to the National Park and mineral resource areas and considerations of an alternative zone, E3 Environmental Management. In addition the majority of the area will have a 20 hectare minimum lot size. This will ensure better environmental outcomes for the future development of the area.

Recommended amendments to the Principal Instrument

- § introduction of a larger minimum lot size including additional 40 and 100 hectare minimum areas (figure 8.50) over part of the area.
- § The rezoning of the RU2 Rural Landscape and RU6 Transition zoned areas to E3 Environmental Management (figure 8.50).

Bungonia Village Precinct

Following is an extract from Goulburn Mulwaree Development Control Plan, Amendment No. 2.

The precinct consists of two zoned areas RU2 Rural Landscape and RU6 Transition with a minimum lot sizes of 10 and 20 hectares.

(i) Strategic Land and Water Capability Assessment (reference SCA)

SLWCA mapping referenced included extensive agriculture, intensive livestock and plant agriculture and residential unsewered development for lots from 0.4 to 2 hectares.

The majority of the RU2 zoned area is inconsistent with SLWCA recommendations with respect to the referenced agricultural land uses. (figure – Appendix J) SLWCA recommends consideration of an alternative zone to the RU2 zone.

Majority of the RU6 zoned area is consistent.

Note: RU6 zoned area is consistent with the SLWCA. It also prohibits intensive livestock and plant agriculture.

Residential unsewered development investigations have shown about a 50/50 split between being capable and not capable of supporting residential development on unsewered lots up to 2 hectares (figure 8.51).

Consistency with SLWCA and the following constraint findings (eg high bush fire potential, high potential for Aboriginal artefacts, major riparian corridors and identified mineral resource and buffer areas) will be better achieved by the introduction of additional larger lot size of 100 hectares land over the identified mineral resource buffer area and consideration of an alternative zone, E3 Environmental Management over the RU2 zoned area with a link to the National Park. In addition the majority of the area will have a minimum lot size of 20 hectares. This will ensure better environmental outcomes for the future development of this part of the area.

Recommended amendments to the Principal Instrument

- § introduction of a larger minimum lot size of 100 hectares (figure 8.56) over part of the area in the south.
- § The rezoning of RU2 Rural Landscape area to E3 Environmental Management (figure 8.56).
- § Extension of E3 zone to the National Park.

Tarago Village Precinct

Following is an extract from Goulburn Mulwaree Development Control Plan, Amendment No. 2.

The precinct consists of two zoned areas RU2 Rural Landscape and RU6 Transition with minimum lot sizes of 10 and 20 hectares.

- (v) Strategic Land and Water Capability Assessment (reference SCA)

SLWCA mapping referenced included extensive agriculture, intensive livestock and plant agriculture and residential unsewered development for lots from 0.4 to 2 hectares.

The majority of the RU2 zoned area is inconsistent with SLWCA recommendations with respect to the referenced agricultural land uses. (figure – Appendix J) SLWCA recommends consideration of an alternative zone to the RU2 zone. Majority of the RU6 zoned area is consistent.

Note: RU6 zoned area is consistent with the SLWCA. It also prohibits intensive livestock and plant agriculture.

Residential unsewered development investigations have shown that the majority of land is not capable of supporting residential development on unsewered lots up to 2 hectares (figure 8.57). Consistency with SLWCA and the following constraint findings (eg high bush fire potential (south sector), high aboriginal artefacts

potential (south sector), major riparian corridors and steep slopes(south sector)) will be better achieved by the introduction of additional larger lot size of 20 hectares in the low capability, 'un-developable' area adjacent to the Mulwaree River and 100 hectares in the steep and low capability 'un-developable' areas in the Southern sector and consideration of an alternative zone, E3 Environmental Management over the RU2 zoned area. In addition the majority of the area will have a minimum lot size of 20 hectares. This will ensure better environmental outcomes for the future development of the area.

Recommended amendments to the Principal Instrument

- § introduction of a larger range of lot sizes including additional 20 and 100 hectares (figure 8.61) over part of the area.
- § The rezoning of RU2 Rural Landscape area to E3 Environmental Management (figure 8.61).

3.7 Is the Planning Proposal consistent with applicable ministerial directions (S117 directions)?

Detailed consideration of the directions are contained in appendix D.

Summary:

Direction 1.2 – Rural zones:

Having regard to the objectives of this direction the revised planning proposal's inconsistency is of minor significance.

Direction 1.3 – Mining petroleum production and extractive industries:

Consultation with the Director – General of Department of Primary Industries is required.

Direction 1.5 – Rural Lands

Appendix C undertakes a detailed examination of SEPP (Rural Lands) 2008, rural planning principals and rural subdivision principals. Revised planning proposal is consistent with the terms of this direction.

Direction 2.1 – Environmental protection zones

Revised planning proposal is consistent with the terms of this direction.

Direction 2.3 – Heritage conservation

Revised planning proposal is consistent with the terms of this direction.

Direction 2.4 – Recreation vehicle areas

Revised planning proposal is consistent with the terms of this direction

Direction 3.1 – Residential zones

Revised planning proposal is inconsistent with part 4(c). Inconsistency was justified by Goulburn Mulwaree Strategy 2020 endorsed by the Director – General on 30 December 2008.

Use of the model clauses will encourage a variety and choice of housing types.

Direction 3.2 – Caravan parks and manufactured home estates

Principal plan, Local Environmental Plan 2009, has given effect to this direction.

Not applicable.

Direction 3.3 – Home occupations

Principal plan, Local Environmental Plan 2009, has given effect to this direction.

Not applicable.

Direction 3.4 – Integrating land use and transport

Having regard to the objectives of this direction the revised planning proposal's inconsistency is of minor significance.

Direction 4.4 – Planning for bushfire protection

Not applicable.

Direction 5.1 – Implementation of Regional Strategies

Revised planning proposal is consistent with the Sydney – Canberra Corridor Regional Strategy. Refer to clause 3.4 of this proposal.

Direction 5.2 – Sydney Drinking Water Catchments

The revised planning proposal is consistent with this direction.

Direction 6.1 – Approval and referral requirements

The revised planning proposal is consistent with the terms of this direction.

Direction 6.2 – Reserving land for public purposes

Principal plan, Local Environmental Plan 2009, has given effect to this direction.

Not applicable.

Section C – Environmental, social and economic impact.

3.8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the proposal?

Goulburn Mulwaree Strategy 2020 and Goulburn Mulwaree Biodiversity Strategy, endorsed by the Director General on 30 December 2008 undertook comprehensive assessments of critical habitat, threatened species, populations, ecological communities and their habitats. Both documents made recommendations to ensure that, where identified they would be protected from adverse future planning proposals. The principal EPIs, Goulburn Mulwaree Local Environmental Plan 2009 and Goulburn Mulwaree Development Control Plan 2009 adopted development standards to that effect. Department of Environment and Climate Change and Primary Industries were consulted in the preparation of the above documents and amendments were made as a result.

Key part of this planning proposal, as recommended by Department of Environment and Climate Change was a review of the application of E2 and E3 environmental zones.

The environmental zoned areas have been increased by about 342 km².

Future development application proposals may be required to do a more detailed examination pursuant to Section 5A of the Act.

Notwithstanding, as a critical habitat, threatened species, populations, ecological communities and their habitats may be affected it is recommended that both Department of Environment and Climate Change and Department of Primary Industries be consulted under Section 34A of the EP&A Act.

3.9 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Known natural constraints in the proposed rural lifestyle areas have been identified in Goulburn Mulwaree Strategy 2020, Goulburn Mulwaree Biodiversity Strategy, Goulburn Mulwaree Local Environmental Plan 2009, Amendment No. 1 and Goulburn Mulwaree Development Control Plan 2009, Amendment No. 1 and proposed amendment No. 2.

Environmental constraints are identified and include:

- § Extensive vegetation cover,
- § Bushfire prone land,

- § Identified fauna and flora hotspots, and
- § High / medium conservation valued areas.

Goulburn Mulwaree Local Environmental Plan 2009, amendment No. 1

Specific affected areas are mapped under Natural Resources Sensitivity Map – Biodiversity, sheets BDV 001, 002 and 003.

Development applications in these areas are subject to clause 7.2 Environmentally Sensitive Land – Biodiversity.

Goulburn Mulwaree Development Control Plan 2009, amendment No.1

Specific affected areas are mapped in the Development Control Plan under:

- § Riparian corridors,
- § Vegetation conservation valued areas, and
- § Key fish habitat.

Development applications in these areas are subject to the provisions of Development Control Plan, clause 3.13 Biodiversity Management.

In addition the proposed amendment No. 2 has examined in some detail the proposed rural lifestyle areas and will put in place additional development standards.

The environmental effects will be managed via the development application process, specifically part 4 development assessment under EP&A Act.

An example of what is required at the development application stage is shown as a “sketch” at clause 3.3 of this planning proposal.

3.10 How has the planning proposal adequately addressed any social and economic effects?

Social and economic effects have been addressed at clause 3.3, net community benefit.

Heritage items including Aboriginal cultural heritage have been identified in Goulburn Mulwaree Local Environmental Plan 2009, amendment No. 1 and Goulburn Mulwaree Development Control Plan 2009, amendment No. 1.

Goulburn Mulwaree Local Environmental Plan 2009, amendment No. 1

Known heritage items in the rural lifestyle areas are:

Schedule 5 – Part 1 Heritage Items

Item No:	Heritage map sheet:
4	HER 001
9, 10, 11, 13, 14, 15	HER 012
18, 345	HER 015
31	HER 019
244	HER 001
311	HER 020

312 HER 018
331, 332 HER 022

Development applications affecting these items are subject to clause 5.10 Heritage Conservation of Goulburn Mulwaree Local Environmental Plan 2009, amendment No. 1.

Goulburn Mulwaree Development Control Plan 2009, amendment No. 1

Individual Aboriginal cultural heritage places were not mapped at the request of the Indigenous Councils. Large scale mapping showing potential areas was done and is shown in the Development Control Plan. The proposed rural lifestyle areas which are affected by this map triggers criteria for the assessment of development applications at clauses 3.1 and 3.2 and appendix A of the Development Control Plan.

Effects on items and places will be managed via the development application process specifically part 4 development assessment under the EP&A Act.

Section D – State and Commonwealth interests

3.11 Is there adequate public infrastructure for the planning proposal?

Public infrastructure has been discussed elsewhere however in summary:

- § Large lot residential area on western peri-urban edge of Goulburn City is infill development between the existing large lot residential area and the proposed rural lifestyle area. Reticulated water supply and higher order Goulburn services are available to this area,
- § Rural lifestyle areas are restricted to the Goulburn City – Marulan Corridor, adjacent to Goulburn, Marulan and villages of Towrang, Tallong, Bungonia and Tarago,
- § All identified rural areas have existing services including power, telephone, sealed roads, primary schools (Tallong and Tarago), waste management facilities (Goulburn, Marulan and Tarago) and are on School bus routes, and
- § The proposed lot sizes of 10, 20 and 40 hectares are of sufficient size to provide their own water supply (roof / dams), on-site effluent disposal and buffer areas to neighbours and to avoid on-site constraints (sketch) and land use conflicts.

3.10 What are the views of State and Commonwealth public authorities consultation in accordance with the gateway determination?

State and public authorities were consulted as part of the preparation of Goulburn Mulwaree Strategy 2020, Goulburn Mulwaree Biodiversity Strategy,

Goulburn Mulwaree Local Environmental Plan 2009 and Goulburn Mulwaree Development Control Plan 2009. Issues raised were dealt with and resolved to the satisfaction of the Department of Planning.

Gateway Determination has specified consultation with:

- § Hawkesbury Nepean and Southern Rivers Catchment Management Authorities;
- § Department of Environment, Climate Change and Water; and
- § Department of Primary Industries.

Part 4 – Community consultation

4.1 Proposed consultation

The planning proposal for the purposes of community consultation is not considered “low impact”.

A twenty eight (28) day public exhibition period, has been determined by the ‘Gateway Determination’.

No public hearing is to be held under section 56(2) (e) of the Environmental Planning and Assessment Act.

Part 5 – Conclusion

This revised planning proposal’s approach to rural development is consistent with the findings of the recent independent inquiry into rural land use and the resulting Rural Lands State Environmental Planning Policy.

It is also consistent with the outcomes of the Sydney – Canberra Corridor Regional Strategy, Strategic Land and Water Capability assessments undertaken by the SCA and the locally endorsed Goulburn Mulwaree Strategy 2020 principles on development of rural areas. It adds significantly to lands recommended for environmental zoning protection, protects the majority of the significant agricultural land and the large farm holdings in excess of 400 hectares. In addition, environmental constraints identified in the proposed rural development areas can be satisfactorily managed via the development application process.

The averaging lot development proposal in the Environmental Management zone will also help protect identified biodiversity sensitive lands.