

Planning Proposal

Pursuant to Section 55 of the Environmental Planning & Assessment Act 1979

Proposed LEP Amendment

10 Ha Rural Lifestyle Lots and IN1 Industry Land Use Close to Marulan Village



Lot 203 DP 870194
Hume Highway, Marulan
"Medway" Proposal

JW Planning Pty Ltd
Planning Proposal – Hume Highway Marulan
April 18th 2012

1.0 Background

The planning proposal involves under-utilized “broad acre” rural land adjacent to the Hume Highway and the existing Marulan Village. It is unlikely that the existing minimum lot size of 100ha provides adequate economies of scale to viably undertake broad-acre rural enterprises without supplementary off farm income.

An opportunity exists under the proposal to allow smaller, more sustainable lot sizes to:

- foster a diversity of smaller, more sustainable rural enterprises;
- offer a “lifestyle choice” close to the Marulan village centre and within a 90 minute commute to Sydney and Canberra;
- encourage optimum use of predominately cleared rural land within 400m of existing services and facilities within Marulan Village;
- to encourage additional population within 400m of Marulan village to support the village and provide housing/lifestyle choice close to existing employment and business enterprise activities/zones; increase the limited industrial land for primarily for freight transport, logistics and warehouse and distribution activities associated with the Hume Highway and its connecting Canberra, Goulburn and Sydney which see 30,000 vehicles per day that use the Highway.

After consultation with Goulburn Mulwaree Council planning officers on the 16th April 2012 (in accordance with Council resolution 3rd April 2012) this planning proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act (the Act, 1979) and *A Guide to Preparing Planning Proposals* (Department of Planning, July 2009).

This document will facilitate Councils’ consideration, as the relevant planning authority under Section 55 of the Act, and the Minister for Planning and Infrastructures’ consideration of the proposal in accordance with Section 56 of the Act.

Technical studies have been prepared for the site for a previous rezoning request that did not progress. These studies have been used to support the strategic consideration of this planning proposal. If supported by Council and the Gateway Determination, these studies will be updated and supplemented as necessary to satisfy current policy and statutory planning requirements.

1.1 Site Context

The subject site is located approximately 400m from the village centre of Marulan (refer **Figure 1**). The site is referred to as the “Medway site”.

Figure 1 Local Context



Source: Google Earth annotated by JWP

Marulan village is flanked (near to the subject site) by considerable areas of land zoned for employment (IN1 and IN2 zones) and business enterprise (B2 and B6 zones).

1.2 Site Description

The subject site is legally described as Lot 203 DP 870194. The site is predominately cleared, but does contain isolated areas of remnant and regrowth vegetation.

Broad acre rural activities potentially threaten the long term protection of the vegetated areas, whereas smaller rural lots can viably protect existing biodiversity values. This is because vegetation on a small rural lot provides amenity (that can be protected by use of building envelopes, conservation agreements etc), whereas areas of vegetation on the site of a broad acre agricultural activity can give rise to land use inefficiencies, therefore increasing the risk of gradual clearing.

The extent of the site considered to have biodiversity significance is illustrated in **Figure 2**. A future development application for subdivision and development of the land in this area is subject to the additional considerations of *Clause 7.2 Environmentally Sensitive Land – Biodiversity of Goulburn Mulwaree LEP 2009* that requires among other things, for the consent authority to be satisfied that the development is designed, sited and managed to avoid potential adverse environmental impacts.

The purpose of Clause 7.2 is to provide finer grain LEP controls to support the dominant land use zoning rather than zoning to accommodate all the planning characteristics of the land.

Figure 2 Environmentally Sensitive Land Map



Source: Goulburn Mulwaree LEP 2009 (annotated by JWP)

2.0 Intended Outcomes

As illustrated in **Figures 2** and **3** the site is located adjacent to existing Marulan, forms a logical extension of the village and provides additional population to use existing services and facilities within Marulan Village whilst utilising the site's location adjacent to the existing highway service centre and the Hume Highway to permit employment and industrial enterprises associated with the Hume Highway.

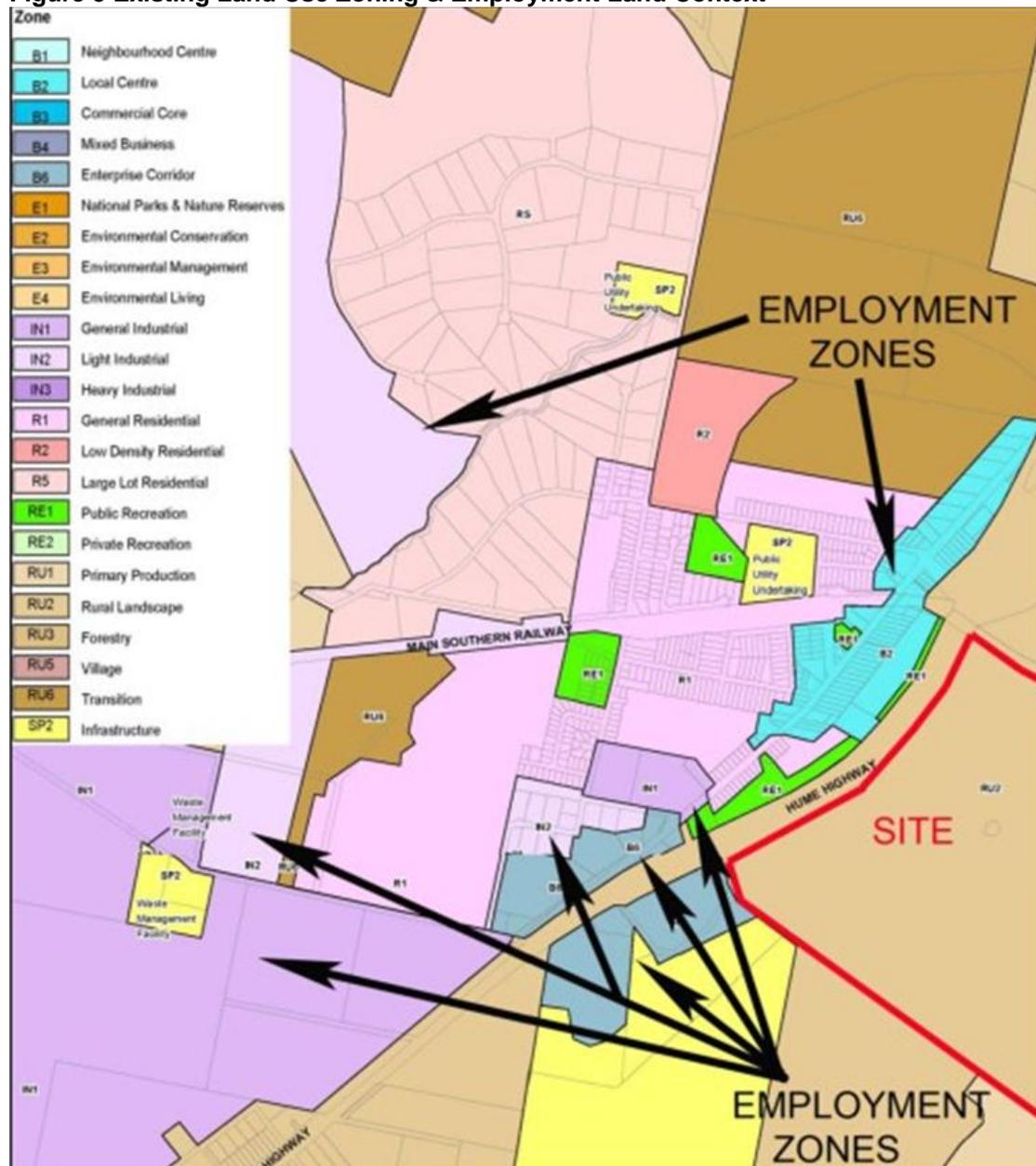
The site has subdivision consent for 7 x 40ha lots. The owner is reluctant to carry out the approved subdivision as it will fragment the land and artificially limit optimum utility from the land resource.

It is considered that:

- a) the land is not likely to support a viable broad acre rural land use either on the existing parent lot size, or the approved 40ha lot size. The cost of maintaining a 100ha or a 40ha parcel of broad acre rural land is unlikely to be feasibly met by the economic return of a rural activity on this site;
- b) the location of the site offers more significant opportunities to use the land for a range of smaller, more intensive rural activities and/or rural lifestyle opportunities, in close proximity to off-farm income sources;

- c) the subdivision pattern of the area surrounding Marulan and the nature of intensive rural enterprises more likely to prove viable and/or sustainable (hydroponics, market gardens, orchards, flower and greenhouse enterprises, for example) suggests that a 10 hectare minimum lot size is more likely to be used for an economic purpose than a 40 or 100 hectare lot.
- d) An industrial zoning of part of the site will complement the highway service centre and truck stop amenities, and combined with the 10 ha lot size proposal allows future land owners to live close to employment and increase patronage to local retail and services in Marulan.

Figure 3 Existing Land Use Zoning & Employment Land Context



Source: Goulbourn Mulwaree LEP 2009 (annotated by JWP)

Access to the site would be via the existing off ramp to the highway service centre. **Figure 4** illustrates the application of the IN1 zone to the site and potential access to the remainder of the site from Dorothy Brewer Drive. Exiting the site is via the current on ramp for the highway service centre.

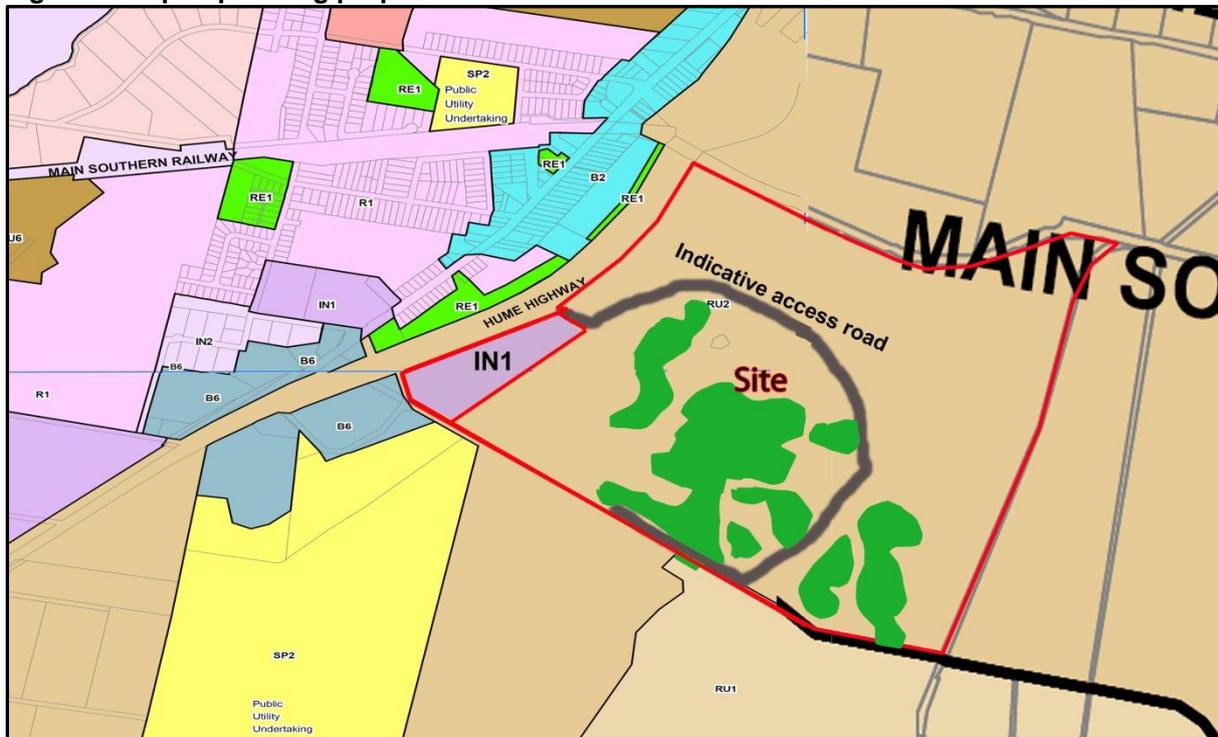
Access to Marulan from the site will be via the interchange currently being constructed at South Marulan Rd as part of the consent by the Minister for Planning and Infrastructure for the hard rock Lynwood Quarry. This interchange is proposed to be completed by mid 2012. Access to the site from Marulan is via the Marulan interchange. Therefore, all access to the site will be left in and left out. The capacity for the site to have a through road back on to the Hume Highway will be subject to consultation with RMS as part of the consultation process.

3.0 Explanation of Provisions

The proposal is to amend the Goulburn Mulwaree LEP 2009:

- Land Zoning Map to rezone part of the site from RU1 to IN1 Industrial in accordance with **Figure 4**;
- Minimum Lot Size Map to permit smaller rural lot sizes on this site and to take advantage of the sites locational attributes.

Figure 4. Map of planning proposal for the site



The 10 hectare minimum lot size is already provided for within the Minimum Lot Size schedule, and there is no other land in or around Marulan with a 10 hectare minimum lot size (refer **Figure 5**). The proposal therefore provides a alternative rural land/lifestyle product in the Marulan area.

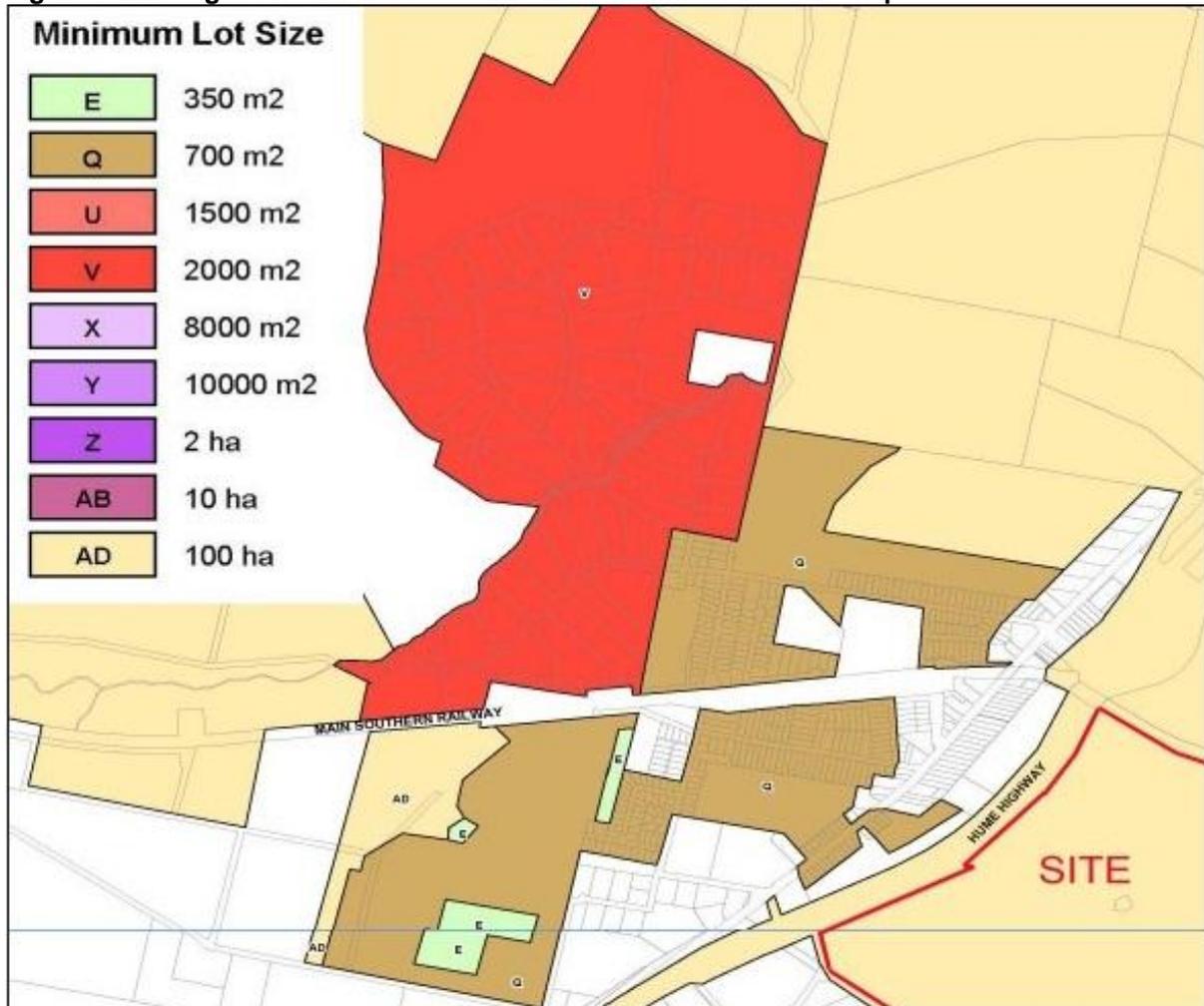
Zoning of part of the site to an Environmental Protection Zone has been considered. Should this be pursued it would raise the following policy issues:

- It would be the only environmental protection zone in the immediate area for the purposes of biodiversity protection;
- whether or not similar vegetation in the area be zoned similarly to ensure that disjunct biodiversity corridors for avifauna are maintained.

- Clause 7.2 of the Goulburn Mulwaree LEP 2009 and the associated biodiversity map have been established to provide a finer grain of detail to a landscape planning issue;
- Clause 7.2 and the 7 part test are matters for consideration at the DA stage under Section 79C of the Act and effectively achieve what an environmental zoning would be seeking for the site.

The above issues indicate that application of an environmental zoning to part of the site would be an unnecessary and inconsistent policy to protecting the biodiversity values of the site.

Figure 5 Existing Goulburn Mulwaree LEP 2009 Minimum Lot Size Map



Source: Goulburn Mulwaree LEP 2009 (annotated by JWP)

4.0 Proposal Justification

4.1 Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

Goulburn Mulwaree Strategy 2020 - was prepared by Council in 2006. It identified that Marulan was experiencing green field development pressures and that modest residential growth was forecast for the town – the same as for Goulburn. The Strategy identified the need for standard residential lots as well as larger sized lots. Whilst identifying particular areas for this growth it does not identify the Medway site per say. Furthermore, the Strategy does not address the economic, social and environmental implications of limiting land supply to relatively small rural residential lots (2000m²) and relatively large rural lots (100ha) for agricultural production without the provision of relatively medium sized rural lots (e.g 10 ha) in the market. This also includes the address the viability of 100ha lots of low agricultural productivity and viability close to the town of Marulan.

A planning overview indicates that the merits of the site are not being recognised by the current minimum lot size provision applicable to the land:

The site is within:

- 800m of Marulan Rail Station;
- 400m of existing Main Street;
- 400m of Bus Stop;
- 500m of Marulan Post Office;
- 400m of Marulan Public School;

and is adjacent to:

- Hume Highway;
- Gas Pipeline;
- Sewer Treatment Facility;
- Existing Water Reservoir (on-site).

Community consultation and expectations - the strategic directions for Marulan established by the Goulburn Mulwaree 2020 Strategy were developed through consultation with the Marulan community some 6 to 7 years ago prior to council's adoption of the strategy in 2006. Recent consultation with Council planning staff indicates that the community has a strong desire to maintain development on the western side of Marulan to prevent future fragmentation of the town.

The sentiment of this concern is understood but the planning proposal does not fragment the town for the following reasons:

- a) the proposed IN1 zone is for employment generating purposes co located with the highway service centre that captures south bound passing trade. The proposed IN1 mirrors the same IN1 land use and highway service centre opposite that captures north bound passing trade;
- b) The historic bypassing of Marulan by the Hume Highway, like the bypassing of any village or town, has had an impact on Marulan businesses. The recapture of lost passing trade has been made through past council decisions and the establishment of the highway service centres. It would be prudent for the strategy to build upon the strategic benefits of the highway service centres by allowing ancillary economic activities that diversify the employment base and in turn support patronage of retailing and services within Marulan Main Street.
- c) The proposed 10ha rural lots will socially and economically support Marulan. Future residents will undertake their local shopping and obtain local services within Marulan and hence

increase the primary trade area and spending for local business in Marulan. Comments from Council planning officers indicating concern on the potential fragmentation of the town by having development on the east side of the highway would be true if the planning proposal included commercial development or community facilities. However, this is not the case. All future residents would physically and conceptually relate to Marulan and current and future residents.

- d) The proposal will add to the diversity of lot sizes available in and around Marulan which helps to provide housing choice for different stages of the life cycle, different incomes and different lifestyles. It is a more sustainable use of strategically located land.

Supply and demand of small rural lots vs. rural residential lots - Comments from Council planning staff questioning the need for small rural lots when existing vacant rural residential lots are not being developed raises the following questions concerning the existing supply of rural residential lots in Marulan:

- a) Are the existing rural residential lot sizes in this location correct for the market?
- b) Are they too small?
- c) Is the marketing of these lots appropriate?
- d) Is the funding by financial institutions of prospective lot buyers available and on attractive terms for this lot type?
- e) Is the sale price for lots attractive for prospective buyers comparative to similar lots in the LGA? and
- f) Is the product appropriate within the current economic climate?

The global financial crisis has severely impacted upon the demand and investment for housing across NSW. Within this context, these questions highlight the complex issues that affect supply and demand and are outside of Council's control. However, more importantly these issues are affected by the variable of time.

LEP's have a typical life time of 15 to 20 years. Professional experience in local and state government and in the development industry indicates that the supply of appropriate zoned land should equate to some 15 years supply to readily accommodate:

- a) the variables of demands within the property cycle over the short, medium and long term;
- b) diversity of sites for competition and choice;
- c) different land owner aspirations and timelines; and
- d) lead timeframes to develop the land including obtaining development consents, infrastructure provision and development financing.

This therefore, should be the strategic planning horizon to be considered in both the zoning of land and its subsequent development and the issues of supply and demand within Marulan.

The proposal for 10 ha lots on the subject site would be a lot size and product that is not available in Marulan. The lots are large enough to facilitate appropriately scaled and type of rural activities should future owners wish to pursue without conflicting adjoining land owners or alternatively, are not too small to feel like a residential area (for down sizing farmers) and not too large to maintain and can be supplemented by off farm income from jobs in Marulan, Goulburn, Canberra or western Sydney. Such a flexible proposition is not available for existing rural residential lots with a minimum size of 2000m² available in Marulan.

The site is more visible and more accessible and hence has a locational advantage and therefore, has different attributes and circumstances to existing rural residential lots in Marulan.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The amendment to the existing LEP is the most appropriate mechanism to enable the proposal.

3. Is there a net community benefit?

The net community benefits include:

- Cost effective and more sustainable travel to work, and improved living conditions through delivery of more affordable housing land located close to places of employment demand (quarries and associated industry, local employment areas);
- Contributing to the social mix of Marulan, adding to the critical mass of population needed to sustain the existing village (socially, economically and environmentally) and helping to maintain a vibrant and sustainable community;
- Increase in eligible volunteers for community service;
- Contribution to the economic strength of Marulan through increased economic activity directly attributable to population growth and employment activities in the IN1 zone;
- Multiplier effects in the town and throughout the region as a result of construction employment and employment from the industrial zoning; and
- Increased trade and economic activity in the surrounding area including more customers for the village of Marulan and existing businesses and services.

4.2 Relationship to strategic planning framework

1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The proposal for smaller rural lots adjacent to Marulan is consistent with the Department of Planning and Infrastructure policy to focus growth on existing infrastructure and existing townships within the Sydney-Canberra Corridor Regional Strategy. The proposal addresses policies concerning lifestyle choice, employment, energy and resource efficiency.

Key economic challenges identified in the Sydney to Canberra Regional Strategy addressed by the proposal include:

- reduce commuting journeys – the site is within the walkable catchment of Marulan;
- build regional strength – the proposed IN1 provides an opportunity to build upon the capture of passing south bound traffic by the existing highway service centre. This and the proposed smaller rural lots provides a higher range of diversified economic activities that in turn support the economic and social viability of the retail and services in Marulan;
- the proposed 10ha lots is a lot size that is currently not provided for in Marulan. Only 2000m² to 100ha minimum lot size is permitted.
- build vitality – The Marulan economy is not diverse, based on quarries and associated industrial uses. The proposal will help to bring a diverse group of people to the area which will help culturally and socially, and provide a more secure economy;
- build agriculture – The proposed lot sizes are more conducive to a diversity of small intensive rural enterprises, rather than the existing “broad acre” mono rural economy;

- water – water is available to the site;

The proponents have not acted on a DA approval for a seven (7) lot 40ha subdivision of the land given the strength of their conviction for the Medway proposal which provides a more sustainable use of land within the walkable catchment of town facilities - existing rail, bus, school, medical and post office.

The proposal for general industry on the south west portion of the site could be considered to be an urban land use that has not been specifically identified by the Sydney to Canberra Corridor Regional Strategy 2008. To this end the sustainability criteria in Appendix 1 of the Regional Strategy have been considered as follows:

Threshold Sustainability Criteria for any proposed development site outside designated areas in the Sydney–Canberra Corridor Regional Strategy	Measurable explanation of criteria	Response
<p>1. Infrastructure Provision Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way</p>	<p>Development is consistent with the Sydney–Canberra Corridor Regional Strategy, any subregional strategy, the State Infrastructure Strategy and relevant section 117 direction. The provision of infrastructure (utilities, transport, open space and communications) is costed and economically feasible based on government methodology for determining infrastructure development contributions. Preparedness to enter into development agreement.</p>	<p>The planning proposal is consistent with the Strategy and 117 directions</p> <p>The infrastructure required is the upgrading of access to the site from Dorothy Brewer Drive and the highway.</p> <p>Subject to consultation, the details of works required can then be detailed and then costed.</p> <p>If necessary a development agreement may be required.</p>
<p>2. Access Accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be existing or provided</p>	<p>Accessibility of the area by public transport and/or appropriate road access in terms of: > Location/land use – to existing networks and related activity centres. > Network – the area’s potential to be serviced by economically efficient transport services. > Catchment – the area’s ability to contain, or form part of the larger urban area which contains adequate transport services. Capacity for land use/transport patterns to make a positive contribution to achievement of travel and vehicle use goals. No net negative impact on performance of existing sub regional road, bus, rail and freight network.</p>	<p>The site has controlled access to the Hume Highway and to Marulan. Hence the site draws upon its location attributes for efficient transport services and will not have a negative impact upon the Highway.</p>
<p>3. Housing Diversity Provide a range of housing choices to ensure a broad population can be housed</p>	<p>Contributes to the geographic market spread of housing supply, including any government targets established for aged, disabled or affordable housing.</p>	<p>No urban housing proposed.</p>
<p>4. Employment Lands Provide regional/local employment opportunities to support the Sydney–Canberra Corridor’s expanding role in the wider regional and NSW economies</p>	<p>Maintain or improve the existing level of subregional employment self-containment. Meets subregional employment projections. Employment-related land is provided in appropriately zoned areas.</p>	<p>Will improve the existing level of sub regional employment self-containment by providing 10ha of appropriately zoned employment land</p>
<p>5. Avoidance of Risk Land use conflicts, and risk to human health and life, avoided</p>	<p>No residential development within 1:100 floodplain. Avoidance of physically constrained land e.g high slope, highly erodible.Avoidance</p>	<p>Land use conflict risks are low. Site is not adversely affected by slopes, erosion, flooding or bushfire and will be collocated with the existing</p>

	of land use conflicts with adjacent or existing or future land use as planned under relevant subregional or regional strategy. Where relevant, available safe evacuation route (flood and bushfire).	highway service centre.
6. Natural Resources Natural resource limits not exceeded/environmental footprint minimised	Demand for water within infrastructure capacity to supply water and does not place unacceptable pressure on environmental flows. Demonstrates most efficient/suitable use of land: > Avoids identified significant agricultural land. > Avoids productive resource lands – extractive industries, mining and forestry. Demand for energy does not place unacceptable pressure on infra- structure capacity to supply energy – requires demonstration of efficient and sustainable supply solution.	Demand for water will not place unacceptable pressure on environmental flows. IN1 adjacent to highway service centre is an efficient and suitable use of land that is not agriculturally valuable and does not conflict with productive resource lands.
7. Environmental Protection Protect and enhance biodiversity, air quality, heritage and waterway health	Consistent with government-approved regional conservation plan (if available). Maintains or improves areas of regionally significant terrestrial and aquatic biodiversity (as mapped and agreed by DECC). This includes regionally significant vegetation communities, critical habitat, threatened species, population, ecological communities and their habitats. Maintain or improve existing environmental condition for air quality. Maintain or improve existing environmental condition for water quality: > Consistent with community water quality objectives for recreational water use and river health (DECC and CMA). > Consistent with catchment and stormwater management planning (CMA and council). Protects areas of Aboriginal cultural heritage value (as agreed by DECC).	Site for the industrial zone is cleared farm land adjacent to the highway.
8. Quality and Equity in Services Quality health, education, legal, recreational, cultural and community development and other government services are accessible	Available and accessible services: > Do adequate services exist? > Are they at capacity or is some capacity available? > Has Government planned and budgeted for further service provision? > Developer funding for required service upgrade/access is available?	Proposal for industrial land will allow employees to access existing services in Marulan and Goulburn as the higher order centre

4.3. Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?

The site was the subject of council's settlement strategy in 2003 with a more intensive proposal with no community objection.

In April 2006 Medway held a public meeting/workshop in Marulan attended by over 70 people from the village during the exhibition, councillors present that gave overwhelming support for the former proposal.

The site is not specifically referenced by the Goulburn Mulwaree 2020 Strategy (2006). It is clear from the Strategy that development should be focussed on the western side of the highway. However, it

would appear that the Strategy has not considered the implications of the grade separated interchange at South Marulan (currently being constructed and is due for completion mid 2012) as a condition of the Minister for Planning and Infrastructure's consent in 2005 for the Lynwood quarry.

The draft *Goulburn Mulwaree Community Strategic Plan 2012-2022* does not contain specific reference to land use outcomes for the site. Under *Section 5.3 Strategies and Actions for individual communities - Priorities for Marulan* there is no mention that the Marulan community do not want development on the site or on the east side of the Highway.

Council planning officers have expressed concern that a planning proposal for the site may conflict with the outcomes of the community consultation undertaken during 2005-6 for the 2020 Strategy and 2010 community survey and 2011 public exhibition of the community survey for the Community Plan. For the more recent consultation initiatives, there is no evidence that there is conflict. Subject to council and Department of Planning support, public consultation of the planning proposal will more accurately inform Council what issues and concerns the Marulan community may have with the proposal.

4.4 Is the planning proposal consistent with applicable state environmental planning policies?

State Environmental Planning Policy (Rural Lands) 2008

Clause 7 sets out the following 8 "Rural Planning Principles" that must be considered in preparing any LEP amendments affecting Rural Lands.

- 1. The promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,*
- 2. 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,*
- 3. 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,*
- 4. In planning for rural lands, to balance the social, economic and environmental interests of the community,*
- 5. 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,*
- 6. The provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,*
- 7. The consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,*
- 8. Ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.*

The proposal for the subject site addresses these principles as follows:

- the site is unlikely to be suitable for regular cultivation. The size of the site precludes primary production significant to the local economy. The current use of the land for grazing reflects these factors.
- For the above reason, any future owner wishing to pursue agricultural activities on the subject land would find it difficult to generate produce from the land and would be reliant on off farm income. In effect, the subject land is already used largely as "rural residential lots".

- No natural resources or areas of significant biodiversity or native vegetation would be adversely impacted by the proposal through the application of Clause 7.2 of the LEP and consideration under Section 79C of the Environmental Planning and Assessment Act.

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

This SEPP is relevant in that Marulan is identified on the Drinking Water Catchment map. However, the SEPP applies only for matters under Part 4 of the Act. The type and scale of the development and the implementation of appropriate development controls at the DA stage indicates that future development of the land will satisfy the objectives and requirements of the SEPP.

4.5. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following s117 directions are deemed to be applicable to the proposal:

1.1 Business and Industrial Zones

Objectives

(1) The objectives of this direction are to:

- (a) encourage employment growth in suitable locations,*
- (b) protect employment land in business and industrial zones, and*
- (c) support the viability of identified strategic centres.*

The planning proposal for 10ha of industrial land next to a highway service centre at Marulan is consistent with this direction as the proposal does not reduce the supply of industrial land. The proposed location next to a highway service centre has not been specifically identified by the Sydney to Canberra Corridor Regional Strategy but is consistent with the strategic directions of the Strategy.

1.2 Rural Zones

Objective

The objective of this direction is to protect the agricultural production value of rural land.

From the soils, vegetation and condition of the land, the subject site is of low production values (grazing land at best). An agricultural feasibility study can be prepared should the Minister deem it to be necessary.

1.5 Rural Lands

Objective

The objectives of this direction are to:

- (a) protect the agricultural production value of rural land,*
- (b) facilitate the orderly and economic development of rural lands for rural and related purposes.*

The planning proposal adjacent to Marulan facilitates the orderly and economic development of rural lands and related purposes. See 1.2 above.

2.3 Heritage conservation

Objective

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

No items of European heritage significance exist within the subject site. An aboriginal heritage assessment has been completed over the subject site and will be updated if and when necessary.

3.4 Integrating Land Use and Transport

Objective

The objective 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 distances 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.*

The site provides relatively easy access to the large employment providers within the Marulan area and an increase in available land within Marulan will assist in reducing the distances travelled for employment. The planning proposal will utilise existing infrastructure, will facilitate the efficient movement for freight and not impede the operation of the Highway. The proposal is consistent with this direction.

4.4 Planning for Bushfire Protection

Objective

The objectives of this direction are:

- (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and*
- (b) to encourage sound management of bush fire prone areas.*

It will be necessary to consult with the Rural Fire Services following the gateway determination of the proposal. It is expected that any asset protection zone required within the development will be accommodated within each separate allotment.

5.1 Implementation of Regional Strategies

Objective

The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.

The proposal is consistent with the principles of the Sydney-Canberra Corridor Regional Strategy in focussing growth on existing infrastructure and existing townships within the Sydney-Canberra Corridor, (see Item 4.2 Relationship to strategic planning framework).

5.2 Sydney Drinking Water Catchment

Objective

- (1) The objective of this Direction is to protect water quality in the Sydney drinking water catchment.*

As required under the SEPP *Sydney Drinking Water Catchment 2011*, development design and controls at DA stage will ensure that the planning proposal has a neutral effect on water quality. The proposal satisfies the direction objectives.

6.1 Approval and referral requirements

Objective

The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

The Planning Proposal is unlikely to require the concurrence, consultation or consent of a minister or public authority at the Development Application stage.

6.3 Site Specific Provisions

Objective

The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.

No site specific planning controls are proposed.

4.6 Environmental, social and economic impact

1. 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?

An ecological assessment has been prepared which indicates that there are some ecological values on the site (particularly on the steeper slopes) that can be retained and or enhanced through development design. This assessment requires updating to address the most recent threatened species listings by the Scientific Committee under the Threatened Species Act plus current state government policies concerning vegetation and biodiversity. Therefore, an updated biodiversity assessment will be undertaken when Council and Gateway determination provide strategic support to the planning proposal.

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

Soil erosion on steep slopes, salinity and change in water tables have been identified in the land capability report as issues but they did not preclude the rezoning of the site. Management of these issues would be via development design including avoiding roads and dwellings on steep slopes, standard soil and water management practices for rural residential development and limiting the removal of trees and when removed offset with increased number of trees relative to groundwater and ground water recharge areas.

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

The proposal is likely to only have positive social and economic outcomes, as indicated in the net community benefit test and Section 4.0 for justification of the planning proposal.

4.7 State and Commonwealth interests

1. Is there adequate public infrastructure for the planning proposal?

The site has access to capacity within existing public and private infrastructure in the area within Marulan.

2. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

No formal consultation has been carried out at this stage. Consultation will occur with all relevant agencies following the gateway determination.

4.8 Conclusion

This planning proposal for part general industry, to facilitate employment activities including freight transport facilities, warehousing and road transport logistics, seeks to take advantage of the sites' location adjacent to the existing highway service centre on the western side of the Hume Highway at Marulan and more effectively capture economic trade from south bound traffic of some 30,000

vehicles that travel each day along the Sydney to Canberra corridor. The proposal mirrors the highway service centre and industrial zoned land that are located opposite the on the western side of the highway to capture northbound traffic. Future employees on the site will use existing services and facilities in Marulan and hence increase patronage and viability of the services and facilities.

The planning proposal for part 10ha minimum rural lot size over the remainder of the site will facilitate the provision of a small rural lot type that is not currently available within the Marulan area. The proposal will serve the short, medium and long-term lot supply for Marulan and compliment the small rural residential lots supply and bring greater lot diversity and choice to Marulan.

Biodiversity and other environmental issues identified in this submission should be addressed by Clause 7.2 of the Goulburn Mulwaree Local Environmental Plan 2009, through the Planning Proposal process including the public consultation process.

This planning proposal is consistent with the strategic directions and/or principles of the Goulburn Mulwaree 2020 Strategy, the Sydney to Canberra Regional Strategy, and relevant section 117 directions. The proposal therefore has strong strategic merit and we seek council's favorable consideration.