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Reference: 002/1415/PP (#715565)

20 February 2015



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General Manager  
Southern Region  
NSW Department of Planning & Environment  
PO Box 5475  
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Department of Planning  
& Environment  
RECEIVED

26 FEB 2015

Southern Region-Wollongong

Dear Mr Whitworth

**Planning Proposal - Minimum lot size reduction at Mountain Ash Road and Rosemount Road, Brisbane Grove & Gundry**

On 18<sup>th</sup> November 2015, Council received a planning proposal from CJS Planning Services seeking a reduction in the minimum lot size applying to thirteen lots located along Mountain Ash Road and Rosemount Road in Brisbane Grove and Gundry from 100ha and 10ha respectively to 2 hectares.

On 17<sup>th</sup> February 2015 Council considered the abovementioned request to amend Goulburn Mulwaree LEP 2009 (the planning officer's report and the planning proposal are attached) and resolved (15/29).

*That Council support the planning proposal for Minimum lot size reduction on rural land at Mountain Ash Road and Rosemount Road, Brisbane Grove & Gundry in its current form and request a gateway determination from the Department of Planning & Environment.*

Therefore in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*, Council submits the enclosed planning proposal for a Gateway determination. Council will not be seeking delegation in relation to this matter. A 28 day exhibition period is appropriate given the nature of the proposal. It is estimated that the LEP amendment could be finalised within approximately 12 months (commencing the week following the date of a gateway determination).

The planning report identified a number of matters in which additional information is required to support the proposal should it receive a positive gateway determination, including:

- Traffic and access
- Servicing
- Flood risk
- Identification and management of natural resource & environmental attributes
- Contamination information to address SEPP 55

Should you have any enquiries please contact the undersigned during office hours by phone on (02) 4823 4535 or email [emma-jayne.leckie@goulburn.nsw.gov.au](mailto:emma-jayne.leckie@goulburn.nsw.gov.au).

Yours faithfully

A handwritten signature in blue ink, appearing to read "Emma-Jayne Leckie".

Emma-Jayne Leckie  
Manager Strategic Planning

Enc. Planning Officer's Report – 17 February 2015 (#715634)  
Planning Proposal (#709339)



# PLANNING PROPOSAL

Mountain Ash Road, Brisbane Grove

A proposal to amend Goulburn Mulwaree LEP 2009 to permit the subdivision of the subject land into 2 hectare allotments for rural lifestyle living.

**CJS** Planning Services

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## Part 1 – Objectives and intended outcome

- To reduce the minimum lot size (“mls”) of 132 Rosemont Road, Gundry (Lot 1 in DP 853498) from 10ha to 2ha
- To reduce the mls of the properties listed below from 100ha to 2ha

Address	Lot / Deposited Plan
15 Mountain Ash Road, Brisbane Grove	1//779194
35 Mountain Ash Road, Brisbane Grove	103//70346
101 Mountain Ash Road, Brisbane Grove	1//835278, 104//126140, 105//126140, 106//126140
109 Mountain Ash Road, Brisbane Grove	2//835278
148 Mountain Ash Road, Brisbane Grove	3//835278
188 Mountain Ash Road, Gundry	22//811954
206 Mountain Ash Road, Gundry	23//811954
274 Mountain Ash Road, Gundry	24//811954
4 Barretts Lane, Gundry	1//731427

The subject land is approximately 277ha in area. The planning proposal has the potential to yield up to 134 allotments.

## Part 2 – Explanation of Provisions

The intended outcome could be achieved by amending the Goulburn Mulwaree LEP 2009 (“GM LEP”), Lot Size Maps - Sheet LSZ\_001E and Sheet LSZ001

The current zoning map and mls map for the subject land is shown in **Appendix A**.

## Part 3 – Justification

### Section A - Need for the Planning Proposal

#### 3.1 Is the planning proposal a result of any strategic study or report?

No

#### 3.2 Is the planning proposal the best means of achieving the objectives or intended outcomes or is there a better way?

In late 2013, Goulburn Mulwaree Council (“GMC”) resolved not to proceed with a comprehensive review of the GM LEP given the uncertainty surrounding legislative amendments to the NSW planning system.

Subdivision of the subject land to achieve the lot yield sought can not be achieved under the current LEP and NSW planning provisions.

The planning proposal is necessary to initiate an amendment to the mls provisions of the GM LEP.

## Section B - Relationship to strategic planning framework

### 3.3 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

The subject land is covered by the Sydney Canberra Corridor Regional Strategy (“Regional Strategy”). The Regional Strategy under the heading of Rural Villages and Lifestyle Housing lists a number of outcomes and actions (pages 38-40). The consistency / inconsistency of the planning proposal with the relevant outcomes and actions is discussed in **Appendix B**.

The Natural Environment outcomes and actions contained in the Regional Strategy are addressed in Subsection 3.7 of this planning proposal.

### 3.4 Is the planning proposal consistent with a council’s local strategy or other local strategic plan?

#### 3.4.1 Goulburn Mulwaree Strategy 2020

In general terms the Goulburn Mulwaree Strategy 2020 (“2020 Strategy”) contains the following directions regarding development in the rural areas surrounding Goulburn:

- *The protection of agricultural lands and buffer areas around agricultural activities is considered a key factor affecting future growth of the local government area (p.23);*
- *Future growth areas should be identified as part of broader land use strategies. This identification assists in informing landowners with land outside the strategy release areas so they will be less likely to have unrealistic expectations about land use potential (p.55); and*
- *To achieve ecologically sustainable development the 2020 Strategy has been prepared to ensure agricultural land objectives:*
  - *Prevent inappropriate fragmentation of agricultural lands;*
  - *Protect and conserve prime agricultural lands and encourage sustainable agricultural operations;*
  - *Permit compatible non - agricultural land uses within rural zones that would not adversely affect the future productivity of the site; and*
  - *Prevent development of inappropriate non - agriculture land uses including large lot residential that will adversely affect the productivity potential of agricultural areas and result in inappropriate fragmentation (p.304).*

This planning proposal is consistent with the 2020 Strategy in terms of providing a large lot residential housing option that will not significantly affect agricultural productivity or result in inappropriate fragmentation of farmland.

### 3.4.2 Goulburn Mulwaree Community Strategic Plan

The Community Strategic Plan (“CSP”) adopted by GMC on 17 April 2012 is a broad based strategic document for the local government area.

The CSP seeks to provide opportunity for rural lifestyle, settlement, housing, sustainable farming and natural resource protection.

This planning proposal is consistent with the CSP in terms of providing further housing options for rural lifestyle with minimal social, economic or environmental impact.

### 3.5 Is the planning proposal consistent with applicable State Environmental Planning Policies?

#### 3.5.1 State Environmental Planning Policy (Rural Lands) 2008

The Rural Planning Principles outlined in the State Environmental Planning Policy (Rural Lands) 2008 (“Rural Lands SEPP”) relate to:

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

The Rural Lands SEPP also contains provisions relating to Rural Subdivision Principles and matters for consideration when determining a development application for a rural subdivision.

The planning proposal is consistent with the Rural Lands SEPP in the following terms:

- The proposal facilitates rural lifestyle, settlement and housing in close proximity to a major regional centre (approximately 3 km).
- The proposal is consistent with the rural settlement strategy endorsed by GM LEP (Amendment No 2) whereby lot sizes less than 40ha are congregated around existing towns and villages.

- The proximity of the subject land to Goulburn and adjoining land with mls provisions less than 40ha will ensure that the proposal will not result in fragmentation of farm land.
- The proximity of the site to Goulburn and adjoining land with mls provisions of 20 and 10ha ensures the proposal will increase compatibility and minimise any potential for land use conflicts caused by intensive agricultural uses.
- The proximity of the subject land to the Hume Highway and network of local roads will minimise the potential for land use conflicts. The ridgeline to the south of the subject land will also assist to reduce any land use conflicts if there was to be any significant intensification of use in the surrounding rural land.
- The planning proposal will have minimal environmental impact on the local biodiversity and water resources.
- The subject land is adequately serviced in terms of electricity, telecommunications, road network and associated services (e.g. school bus and postal services). The proximity to Goulburn will ensure ready access to all the services provided by the Regional centre (e.g. health, education, employment, recreational and social etc).
- No significant development of an intensive agricultural or rural industry nature has been approved in close proximity to the subject land. The surrounding rural area is used predominately for rural residential purposes with agricultural activities restricted to grazing.

### 3.5.2 State Environmental Planning Proposal (Drinking Water Catchment) 2011

Refer to **Appendix B** of this planning proposal.

### 3.5.3 Goulburn Mulwaree LEP 2009

The subject land is zoned RU1 Primary Production under the GM LEP. The objectives and land use table associated with the rural zone are provided as follows:

#### **1 Objectives of zone**

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and with adjoining zones.*
- *To promote the use of agricultural land for efficient and effective agricultural production.*
- *To avoid or minimise impacts on the natural environment and protect environmentally sensitive land.*
- *To allow the development of non-agricultural land uses which are compatible with the character of the zone.*
- *To allow the development of processing, service and value-adding industries related to agriculture and primary industry production.*
- *To protect and enhance the water quality of receiving watercourses and groundwater systems to reduce land degradation.*
- *To minimise the visual impact of development on the rural landscape.*

## 2 Permitted without consent

*Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Home occupations; Roads*

## 3 Permitted with consent

*Cellar door premises; Dwelling houses; Extractive industries; Hardware and building supplies; Intensive livestock agriculture; Intensive plant agriculture; Kiosks; Landscaping material supplies; Light industries; Markets; Open cut mining; Plant nurseries; Roadside stalls; Rural supplies; Timber yards; Any other development not specified in item 2 or 4*

## 4 Prohibited

*Amusement centres; Attached dwellings; Boat building and repair facilities; Business premises; Dual occupancies; Exhibition homes; Exhibition villages; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Multi dwelling housing; Registered clubs; Residential flat buildings; Restricted premises; Retail premises; Self-storage units; Semi-detached dwellings; Seniors housing; Serviced apartments; Sex services premises; Shop top housing; Vehicle body repair workshops; Vehicle repair stations; Wharf or boating facilities; Wholesale supplies*

In accordance with the GM LEP and associated maps, the subject land:

- Has a mls of 100 hectares (apart from 132 Rosemont Road, Gundry which has a mls of 10ha)
- Is not identified as a heritage item nor is located in a heritage conservation area
- Is not identified as land for acquisition
- Is not located within an urban release area
- Is not identified as bushfire prone land
- Is not identified as being within a flood planning area
- Is not identified as minerals and extractive resources land, and
- Is identified on the Natural Resources Sensitivity Map – Biodiversity Map

The maps referred to above are shown in **Appendix C**.

The GM LEP has been the subject of five amendments since being adopted in 2009. LEP Amendment No 2 (Rural Lands Planning Proposal) represents the most comprehensive work undertaken by Council in terms of a Rural Settlement Strategy. As a consequence of LEP Amendment No 2 the mls provisions of 20,000ha of rural land was reduced from 100ha to either 40ha, 20ha or 10 ha. The table below summarises the change in mls provisions and the land (in hectares) available for rural lifestyle choice:

Minimum Lot Size (LGA wide)	LEP 2009 (ha)	LEP 2009 Am No.2 (Ha)	Difference (ha)	Potential (lots)
100ha	310,300	289,700	- 20,600	Nil
40ha	0	9,550	+ 9,550	32
20ha	0	10,250	+ 10,250	144
10ha	569.6	1,932	+ 1,362	53
			<b>Total</b>	<b>229</b>

Amendments to the GM LEP have also resulted in the release of additional land with a 2,000m<sup>2</sup> mls. This land located in the Bonnett Park precinct adds to the existing precincts, such as Clyde Street, in terms of offering this housing option.

By comparison the land dedicated for a lifestyle choice based upon a 2ha mls is largely restricted to the existing precinct of Run-O-Waters and the yet to be developed precinct around Foord Road in Goulburn. Marulan also offers a 2ha rural residential lifestyle choice at Betley Park. It is understood however that a substantial part of the Betley Park development has been acquired for buffer zone to an adjoining quarry.

During the LEP Amendment No 2 process, Council considered a submission for a property in Brisbane Grove south of Goulburn which sought to reduce its mls to 2ha. Council resolved to defer the matter for further investigation. This would suggest that Council recognises the need for new areas (in addition to the 2ha precincts mentioned above) to cater for the demand for this lifestyle choice.

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

The potential impacts of the proposal and desirable outcomes for the location are discussed as follows in response to the relevant Ministerial Directions:

Ministerial Directions	Consistency with Direction	Potential impacts / Desirable outcomes
1.2 – Rural Zones	An increase in the permissible density of land is justified in terms of the proposals minor significance and consistency with the Regional Strategy (see Appendix B).	The proposal will not significantly affect the agricultural production value of rural land in the Goulburn Mulwaree area. The site due to its proximity to Goulburn and adjoining land with mls provisions less than 40ha lends itself to rural lifestyle living.
1.5 – Rural Lands	An increase in the permissible density of land is justified in terms of the proposals minor significance and consistence with the Rural Lands SEPP (See Section 3.5.1 of this proposal).	The proposal will facilitate the orderly and economic development of rural lands for rural and related purposes by the provisions of rural lifestyle living in close proximity to an existing Regional centre thereby reducing fragmentation of rural lands.
2.1 – Environmental Protection Zones	An increase in the permissible density of land is justified in terms of the proposals minor significance and consistency with the Regional Strategy (see Appendix B)	The proposal will have minimal environmental impact (see Subsection 3.7 of this planning proposal).
4.4 Bushfire protection	The proposal will not place inappropriate development in hazardous areas	The site is desirable in terms of bushfire hazard category, alternate access arrangements and proximity to fire fighting services.
5.1 – Implementation of Regional Strategies	An increase in the permissible density of land is justified in terms of its consistency with the Regional Strategy (see Appendix B).	The proposal is consistent with the outcomes and actions nominated in the Regional Strategy. The site is located in close proximity to an existing Regional centre.
5.2 – Sydney Drinking Water Catchments	An assessment of the proposal in terms of the strategic land and water capability of the site will be undertaken by SCA as part of any Agency consultation process.	The proposal will have minimal environmental impact. Compliance with the Neutral or Beneficial Effects (NorBE) test for impact on water quality is anticipated.

## Section C – Environmental, social and economic impact

The following information is based upon a desk top review of publicly available information. In particular the 2007 Assessment Report prepared by the Department of Planning in relation to the proposed Southern Distribution Business Park provides relevant information relating to the environmental attributes of the site.

### **3.7 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?**

The site is predominately grassland with lightly scattered timber including remnant stands of Blakely's Red Gum. No Endangered populations or ecological communities are known to occur on site. Native grasses are not common. The clearing of land and use for grazing purposes has resulted in the introduction of noxious weeds.

The Environmentally Sensitive Lands Map will remain unchanged and protect any remnant vegetation located on site under clause 7.2 of the GM LEP. It is understood that Council is working with the Office of Environment and Heritage to refine the accuracy of the biodiversity map.

Investigations in the form of a fauna assessment suggest that a sparse population of Striped Legless Lizard, considered to be a threatened species, may occur along the native grasslands of the Gundry Travelling Stock Route. The degraded nature of the site due to pasture improvement means the value of the land to sustain the Striped Legless Lizard is low.

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

The subject land is located within the gentle undulating and open slopes of the Gundry Plains. The bulk of the site is located in a shallow valley about 2km wide and 3km long. The topography ranges from relatively flat land to sloping landform with gradients of 10 to 1.

Soil types include sand, sandy loam, clay and gravel of varying depth and moderate fertility. There are also a few outcrops of silty sandstone and quartz.

The land is located in a hydrologic catchment which contains numerous overland flow paths and intermittent creeks which drain to the north-west via a drainage line that runs parallel to the southern side of Mountain Ash Road. The drainage line discharges to Gundry Creek which flows to the Mulwaree Chain-O-Ponds and ultimately into the Wollondilly River.

The proposal is unlikely to impact upon existing flood events as most of the flooding is associated with water backed up from the confluence of the Wollondilly River. In flood events Windellama Road and Mountain Ash Road tend to be inundated near their intersection. The subject land is only prone to minor flooding.

There is no indication of site contamination that would cause environmental or health impacts. Given the proximity to Goulburn it is unlikely that the storage of large volumes of fuel and chemicals occurred on site. Likewise access to waste disposal facilities at Goulburn would suggest that illegal disposal of waste on the site is highly unlikely.

### 3.9 Has the planning proposal adequately addressed any social and economic affects?

The area has a long history of agricultural use. The proposal provides an opportunity to achieve the highest and best use of land with suitable environmental protection measures.

The subject land is not identified as a heritage item nor is located in a heritage conservation area however individual heritage items can be found in close proximity. The most significant site of cultural interest is the 1924 Motor Cycle Grand Prix Memorial. The memorial erected at the start of the 1914 Tourist Trophy Race and 1924 Motor Cycle Grand Prix on Windellama Road is located adjacent to the subject land.

No known sites of Aboriginal significance or interest are listed in the Australian Heritage Information Management System (AHIMS). Appendix B of the Goulburn Mulwaree DCP 2009, which was developed in consultation with the Pejar Local Aboriginal Land Council suggest that the site is located within Aboriginal Sensitive Land and consequently an Archaeological Survey must be prepared and lodged with any development application for land subdivision.

## Section D – State and Commonwealth interests

### 3.10 Is there adequate public infrastructure for the planning proposal?

The proposal is supported by the following hierarchy of sealed roads:

Road	Description
Hume Highway	A 110km/h dual carriage way. The pavement is concrete or asphalt.
Bungonia Road	A local collector road which crosses the Hume Highway and terminates at Braidwood Road in Goulburn. The road has a light duty pavement approximately 7.2-8m wide with 80km/h alignment.
Windellama Road	A local collector road which intersects with Bungonia Road. The road has a light duty pavement approximately 7.2-8m wide with 80km/h to 100km/h alignment
Mountain Ash Road	A local collector road which provides direct access to the subject land. The road has a light duty pavement approximately 7.2-8m wide with 80km/h to 100km/h alignment.
Rosemont Road	A minor rural road intersecting with Bungonia Road on the southern side of the Hume Highway also provides direct access to the subject land.
Barretts Lane	A 1.2 km lane approximately 4m wide partly sealed servicing three rural properties.

As suggested elsewhere in this planning proposal, the subject land is adequately serviced in terms of electricity, telecommunications and associated services (e.g. school bus and postal services). The site permits ready access to all the benefits offered by Goulburn (e.g. health, education, employment, waste management facilities, recreational and social etc).

The subject land is not services by reticulated water supply or mains sewer. The reticulated water supply terminates at Braidwood Road.

### 3.11 What are the views of state and Commonwealth public authorities with the gateway determination?

The relevant State and Commonwealth public authorities will be consulted as a consequence of any Gateway determination.

## Part 4 - Mapping

The following maps have been referenced throughout the planning proposal and included as Appendix A and C.

Appendix	Figure	Description
A	1	Land Zoning Map
	2	Land Zoning Map
	3	Minimum Lot Size Map
	4	Minimum Lot Size Map
C	1	Locality Plan
	2	Overland flow path and intermittent creek Map
	3	Natural Resources Sensitivity Map
	4	Heritage Items Map
	5	Terrestrial Biodiversity Map
	6	Flood Planning Map
	7	Mineral Resources Area Map
	8	Bushfire Prone Land Map

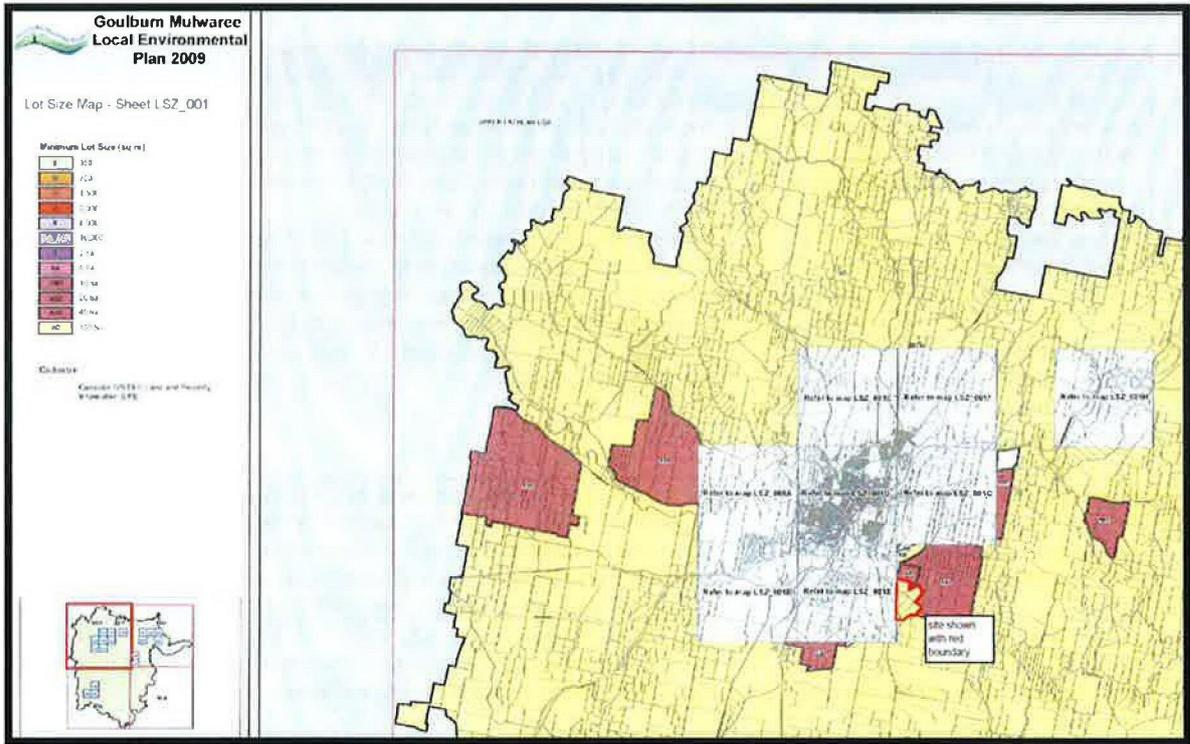
## Conclusion

An assessment of the planning proposal has been completed in accordance with the guidelines prepared by NSW Planning and Environment. It is recommended that the proposal be supported on the following grounds:

1. An increase in the permissible density of land is justified in terms of consistency with the Department's Regional Strategy.
2. The proposal is consistent with Council's 2020 Strategy in terms of providing a large lot residential housing option that will not significantly affect agricultural productivity or result in inappropriate fragmentation of farmland.
3. The proposal is consistent with Council's Community Strategic Plan in terms of providing further housing options for rural life stylers with minimal social, economic or environmental impact.
4. The proposal is consistent with the Rural Lands SEPP, which requires consideration of impacts on services and infrastructure and appropriate location when providing for rural housing.
5. The subject land has suitable infrastructure and its proximity to Goulburn will support economic growth of the Regional centre.
6. Significant land use conflicts are not anticipated and can be managed by title restrictions (e.g. covenant) preventing use of the subject land for intensive agricultural and the like.

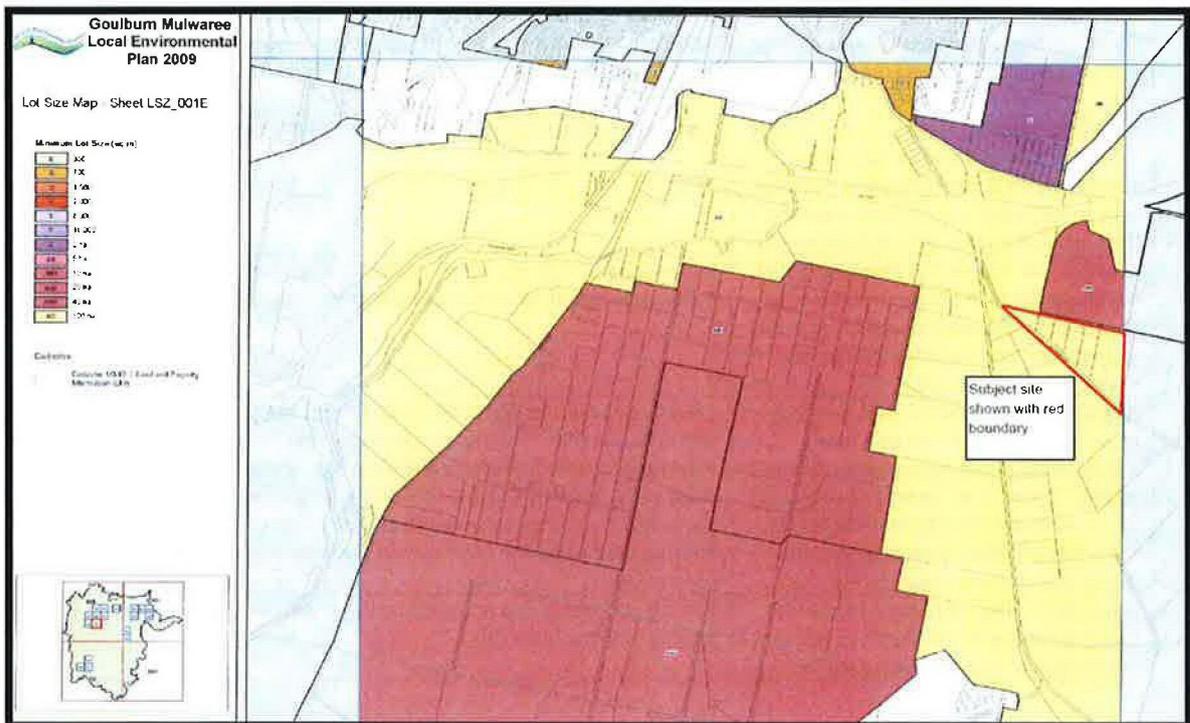


Figure 3: Minimum Lot Size Map



Source: NSW Legislation website

Figure 4: Minimum Lot Size Map



Source: NSW Legislation website

## Appendix B: Sydney - Canberra Corridor Regional Strategy 2006-2031.

<b>Housing and Settlement</b>	
<b>Outcomes</b>	<b>Response</b>
New settlement meets the projected demand for new housing while protecting environmental values and natural resources	The Regional Strategy suggests that 25,200 new homes are required in the Region to support projected growth. The latest projections for Goulburn suggest the population will grow by 5,200 residents by 2031. The proposal will have minimal environmental impact.
An appropriate mix of housing for a range of regional and local choices in housing and lifestyle will be available	The precincts with a 2ha mls are largely restricted to the Run-O-Waters and Foord Road under the Goulburn Mulwaree LEP 2009. Recent sales in the Waterview Estate development suggests that the demand for rural residential lots ranging in size between 1 and 2 ha is very strong.
Additional housing outside the major regional centres is limited to that which supports the role of towns and villages and is generally contained within existing town and village boundaries.	The subject land for the proposal is located approximately 3 km from a major Regional centre.
Adequate infrastructure, community services and transport is provided to service both greenfield and additional infill development.	The subject land is adequately serviced in terms of electricity, telecommunications, sealed road network and associated services (e.g. school bus and postal services). The site permits ready access to all the benefits offered by Goulburn (e.g. health, education, employment, social and recreational, waste management facilities etc).
A reticulated water supply will be provided, which will be subject to satisfying the water supply planning principles	The subject land is not serviced by a reticulated water supply. It should be noted that the Goulburn Airport and the various villages (apart from Marulan) are not serviced by reticulated water.
<b>Actions</b>	<b>Response</b>
Only new areas which are/will be identified in the final versions of the following documents are supported (once endorsed by the Director-General of the Department of Planning): Goulburn Mulwaree Local Environmental Plan and Goulburn Mulwaree Strategy 2020	Goulburn Mulwaree LEP 2009 (Amendment No 2) was adopted as a result of the Rural Lands Planning Proposal prepared by Council. The Rural Lands Planning Proposal represents the most comprehensive rural settlement work undertaken by Council. As a consequence of that process a number of proposals were deferred for further investigation including a submission for a 2ha mls at Brisbane Grove on the southern outskirts of Goulburn. This would suggest that Council is contemplating the expansion of this housing option.
Additional housing areas outside of those set out in this Regional Strategy and supporting local environmental plans are only to be supported if they can satisfy the Sustainability Criteria in Appendix 1.	See the separate response to the Sustainability Criteria.
Councils will ensure that new residential development incorporates measures to improve management of stormwater and wastewater, and consider options for water recycling and use.	It is envisaged that this action relates to low density residential development and not the housing options sought in this proposal.
Additional development areas will only be considered if justified by a local settlement strategy that assesses the net economic and social benefit of additional rural residential land against the loss of the potential development of the land for agricultural activities.	Goulburn Mulwaree LEP 2009 (Amendment No 2) was adopted as a result of the Rural Lands Planning Proposal prepared by Council. The Rural Lands Planning Proposal represents the most comprehensive rural settlement work undertaken by Council. The proposal is consistent with the Rural Lands Planning Proposal in terms of the concentration of small acreage housing options on the outskirts of Goulburn to reduce the fragmentation of farm land.
Planning for rural residential land must be integrated with the supply of relevant infrastructure and transport services.	See the comments above regarding the provision of services in the general locality of the subject site.

Sustainability Criteria		
Criteria	Measurable explanation of criteria	Response
<p><b>1. Infrastructure Provision</b> 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.</p> <p>The provision of infrastructure (utilities, transport, open space and communications) is costed and economically feasible based on government methodology for determining infrastructure development contributions.</p> <p>Preparedness to enter into development agreement.</p>	<p>The planning proposal is consistent with the Regional Strategy and 117 Directions.</p> <p>Required infrastructure relates to internal roads and drainage channels which will be undertaken by the property owner as direct works.</p> <p>Any future development of the site will be subject to Section 94A contributions in accordance with Council’s adopted Plan.</p>
<p><b>2. Access</b> 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:</p> <ul style="list-style-type: none"> <li>&gt; Location/land use – to existing networks and related activity centres.</li> <li>&gt; Network – the area’s potential to be serviced by economically efficient transport services.</li> <li>&gt; Catchment – the area’s ability to contain, or form part of the larger urban area which contains adequate transport services.</li> </ul> <p>Capacity for land use/transport patterns to make a positive contribution to achievement of travel and vehicle use goals.</p> <p>No net negative impact on performance of existing subregional road, bus, rail and freight network.</p>	<p>The site has access to a sealed network of local roads which provided access to Goulburn and a number of access points to the Hume Highway.</p> <p>The road network has sufficient capacity to cope with any additional demand generated by development of the land in accordance with the planning proposal.</p> <p>It is understood that RMS have scheduled the replacement of the existing timber bridge over the Mulwaree Chain-O-Ponds (e.g. Landsdowne Bridge) with a new concrete bridge.</p>
<p><b>3. Housing Diversity</b> 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 is proposed. The rural lifestyle offered by the planning proposal will add to the diversity of housing choice in Goulburn. Existing precinct in Goulburn with a site area of 1-2 ha have proven very popular with buyers.</p>
<p><b>4. Employment Lands</b> 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.</p> <p>Meets subregional employment projections.</p> <ul style="list-style-type: none"> <li>&gt; Employment-related land is provided in appropriately zoned areas.</li> </ul>	<p>The site forms part of the proposed Southern Distribution Business Park which gained concept approval from the Dept of Planning.</p> <p>Despite the above the site is not zoned for the purpose of employment lands.</p> <p>The property owner considers the Business Park to be economically unviable and does not intend to pursue the Concept Approval.</p>
<p><b>5. Avoidance of Risk</b> Land use conflicts, and risk to human health and life, avoided</p>	<p>No residential development within 1:100 floodplain.</p> <p>Avoidance of physically constrained land e.g.</p> <ul style="list-style-type: none"> <li>&gt; high slope</li> <li>&gt; highly erodible.</li> </ul> <p>Avoidance of land use conflicts with adjacent or existing or future land use as planned under relevant subregional or regional strategy.</p> <p>Where relevant, available safe evacuation route (flood and bushfire).</p>	<p>Land use conflicts are considered to be low. Any concerns regarding conflicts with adjoining rural lands may be abated by subdivision design and use of restrictive covenants.</p> <p>The subject land is not adversely affected by steep slopes, erosion, flooding or bushfire.</p>

<p><b>6. Natural Resources</b> Natural resource limits not exceeded/ environmental footprint minimised</p>	<p>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: &gt; Avoids identified significant agricultural land. &gt; Avoids productive resource lands – extractive industries, mining and forestry. Demand for energy does not place unacceptable pressure on infrastructure capacity to supply energy – requires demonstration of efficient and sustainable supply solution.</p>	<p>It is not proposed to connect the site to the reticulated water supply.</p> <p>The site is not considered to be significant agricultural land or productive resource land.</p> <p>The housing generated by development of the land in accordance with the planning proposal will be subject to BASIX sustainability requirements reducing the pressure on the supply of energy.</p>
<p><b>7. Environmental Protection</b> Protect and enhance biodiversity, air quality, heritage and waterway health</p>	<p>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: &gt; Consistent with community water quality objectives for recreational water use and river health (DECC and CMA). &gt; Consistent with catchment and stormwater management planning (CMA and council). Protects areas of Aboriginal cultural heritage value (as agreed by DECC).</p>	<p>No Endangered populations or ecological communities are known to occur on the subject land.</p> <p>No known sites of Aboriginal significance or interest are listed in the Australian Heritage Information Management System (AHIMS).</p>
<p><b>8. Quality and Equity in Services</b> Quality health, education, legal, recreational, cultural and community development and other government services are accessible</p>	<p>Available and accessible services: &gt; Do adequate services exist? &gt; Are they at capacity or is some capacity available? &gt; Has Government planned and budgeted for further service provision? &gt; Developer funding for required service upgrade/access is available?</p>	<p>All services for future residents are located in Goulburn which is recognised as a major Regional centre.</p>

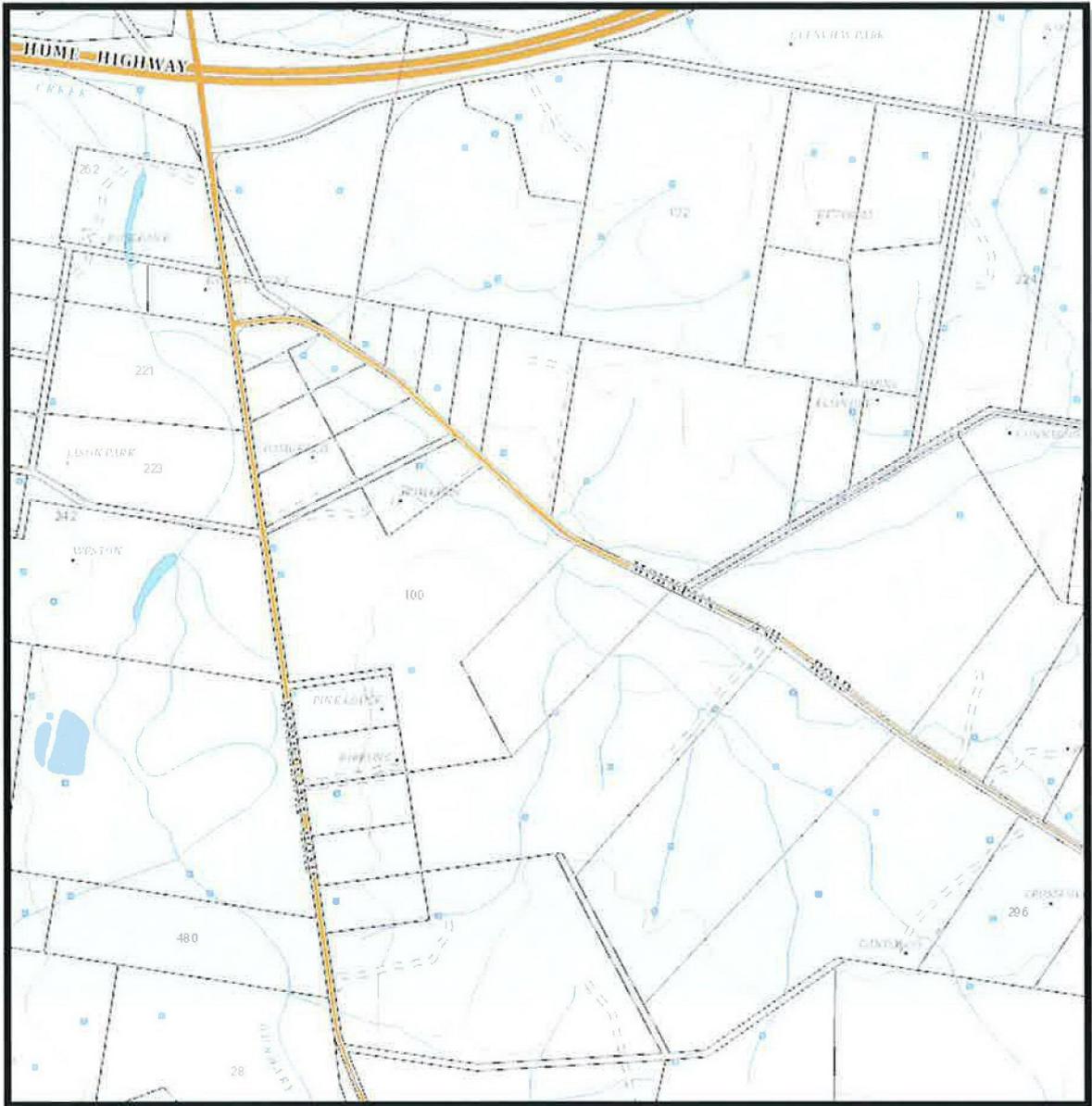
Appendix C – Maps

Figure 1: Locality Plan



Source: Google earth

Figure 2: Overland flow paths and intermittent creeks map



Source: Six Viewer

Figure 3: Natural Resource Sensitivity Map – Biodiversity Map



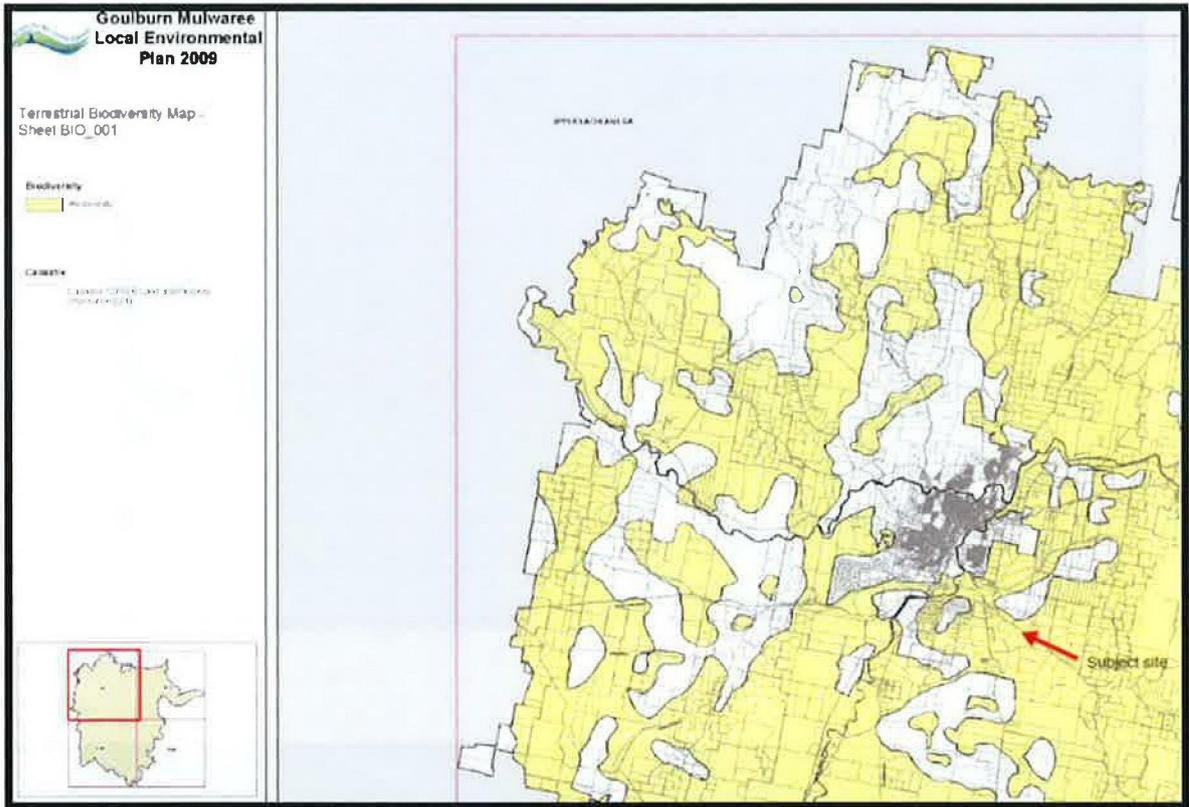
Source: ePlanning Viewer

Figure 4 – Heritage Items Map



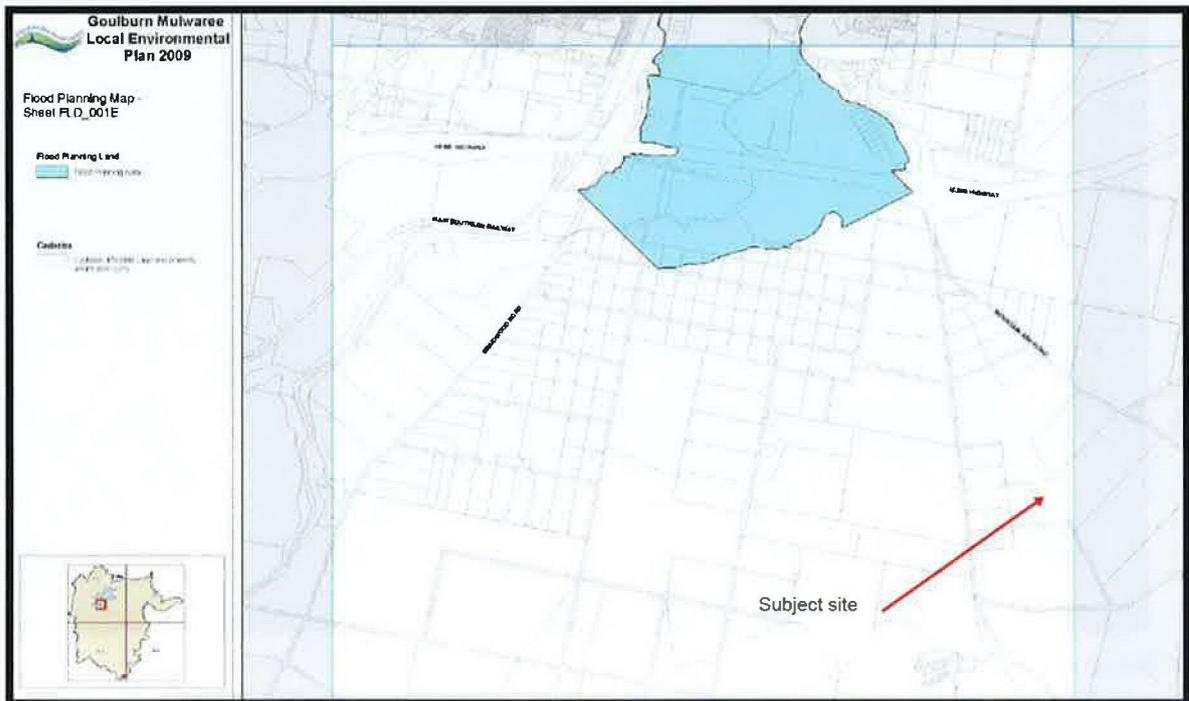
Source: ePlanning Viewer

Figure 5: Terrestrial Biodiversity Map



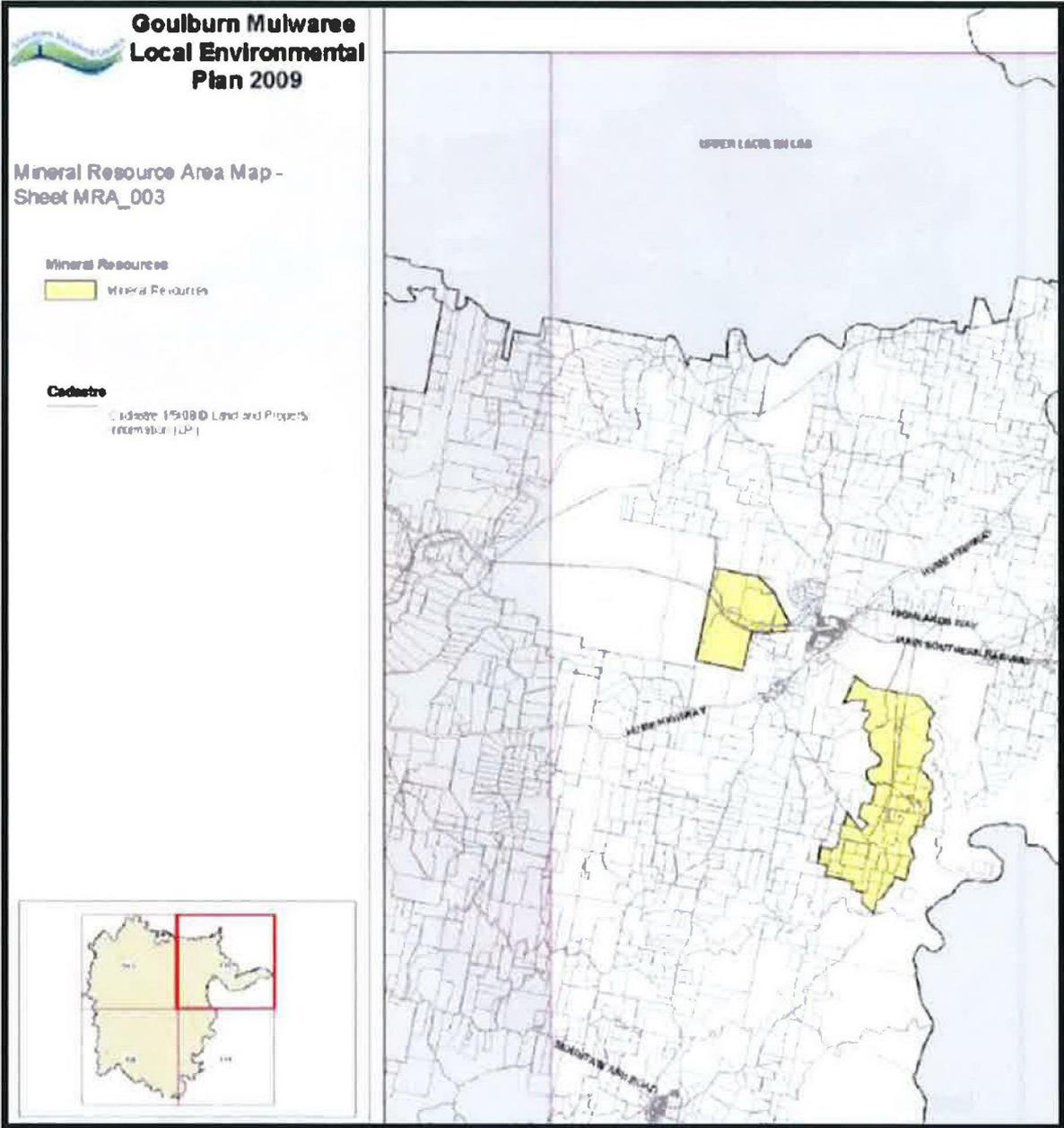
Source: NSW Legislation website

Figure 6: Flood Planning Map



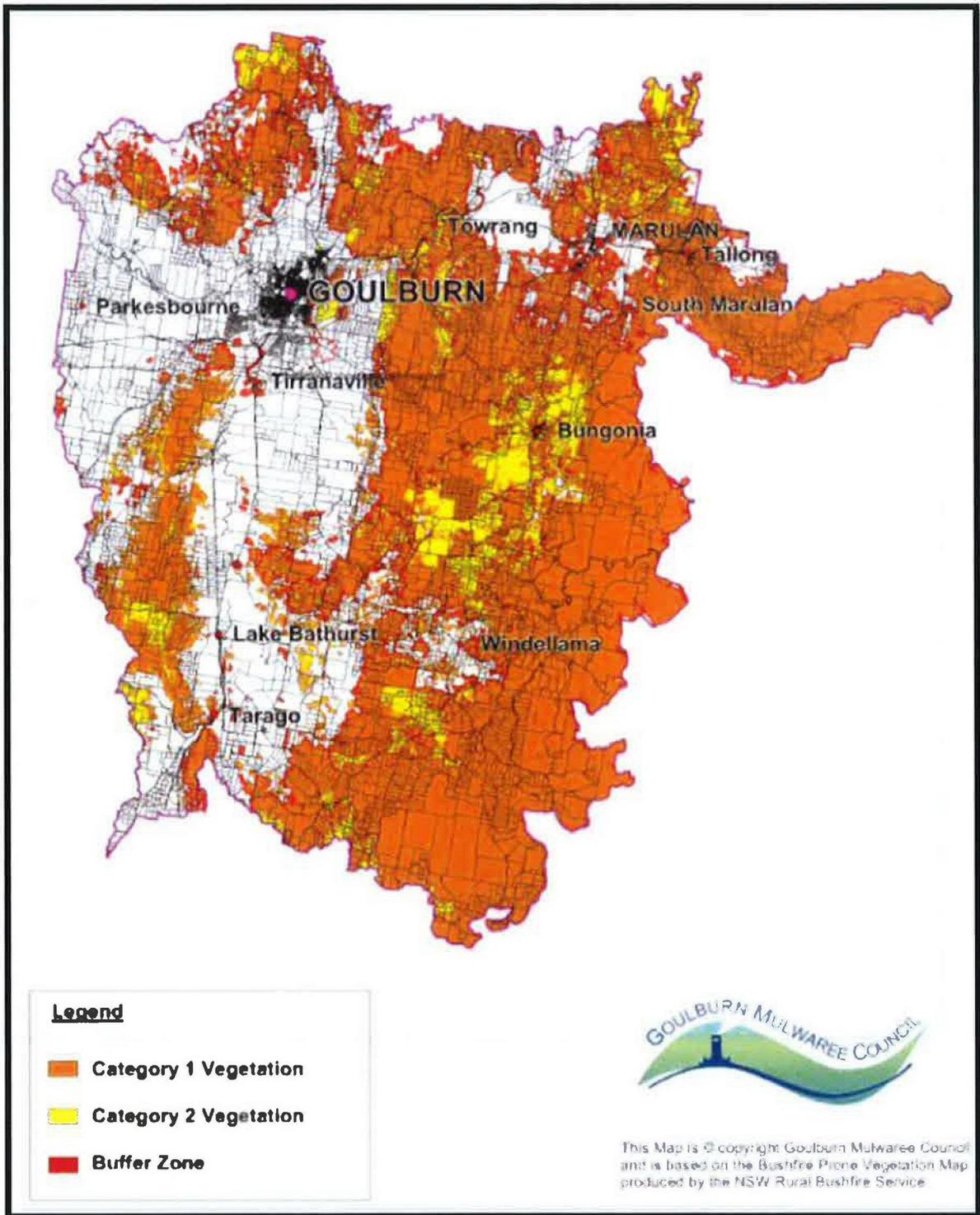
Source: NSW Legislation website

Figure 7: Mineral Resource Area Map



Source: NSW Legislation website

Figure 8: Bushfire Prone Land Map



Source: Goulburn Mulwaree Council website