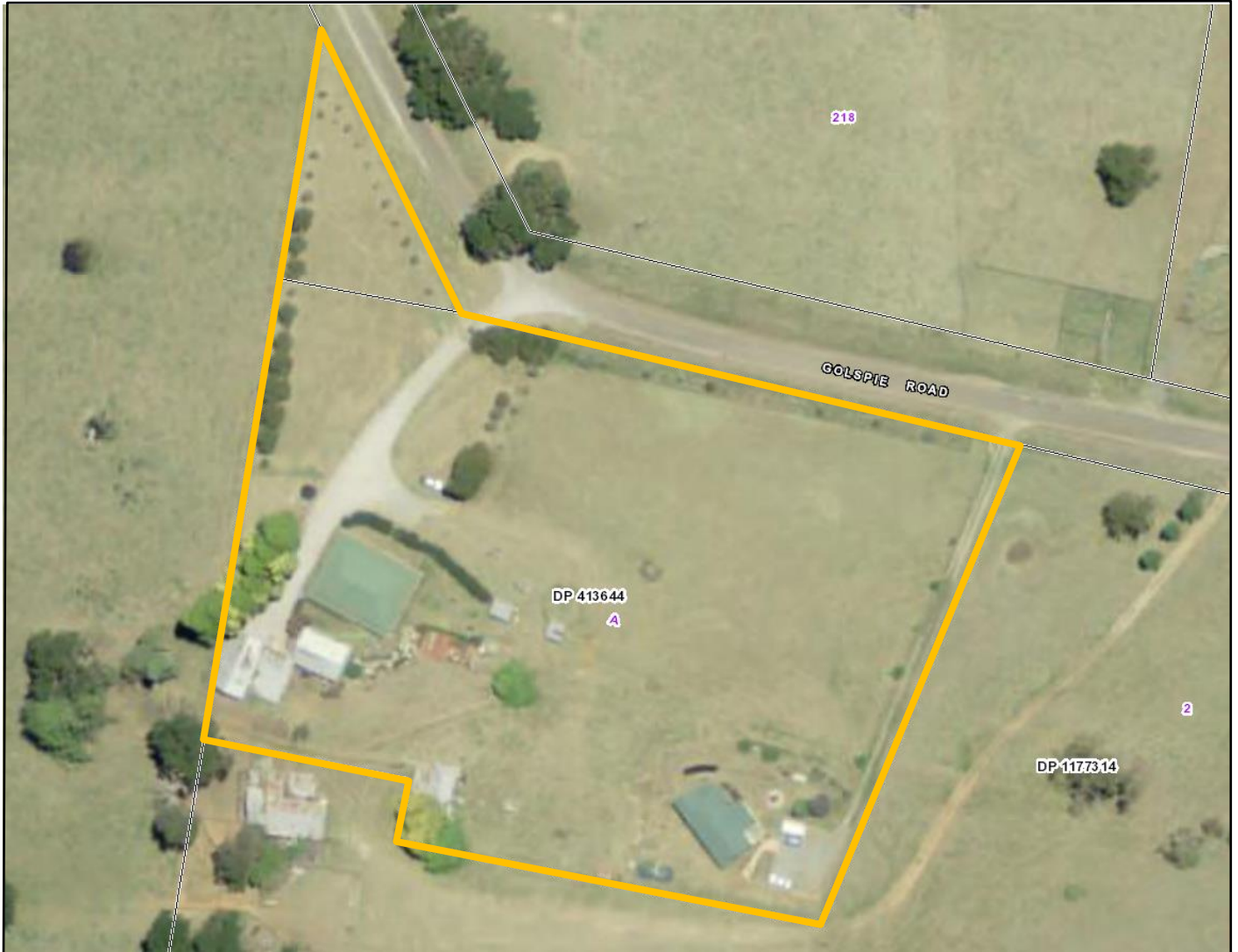


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PLANNING PROPOSAL

101 GOLSPIE ROAD, TARALGA

Lot A DP 413644

March 2019

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EXECUTIVE SUMMARY

This Planning Proposal is submitted to the Upper Lachlan Shire Council to request an amendment to *Upper Lachlan Local Environmental Plan 2010* (LEP) to enable the two (2) existing dwelling houses on Lot A DP 413644 at 101 Golspie Road, Taralga to be located on separate parcels of land by the subdivision of the subject land having an area of 2.02ha into two (2) allotments which is located in a R5 Large Lot Residential Zone and RU1 Primary Production Zone of Upper Lachlan Local Environmental Plan 2010 (LEP 2010) where a minimum lot size of 2ha and 100ha respectively apply and has been prepared by Kingsdale Consulting Pty Ltd on behalf of the residents, Mr Phillip Croke and Mrs Helen Pitt.

This Planning Proposal has been prepared in accordance with Division 3.4 of the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning and Environment “A Guide to Preparing Planning Proposals” and addresses the following specific matters in the Guideline and *Environmental Planning and Assessment Act 1979*;

- Part 1 - objectives or intended outcomes;
- Part 2 - explanation of provisions;
- Part 3 - justification;
 - questions to consider when demonstrating the justification;
- Part 4 - mapping;
- Part 5 - community consultation;
- Part 6 - project timeline.

The primary objective and intended outcome of the Planning Proposal is to amend the Upper Lachlan LEP by enabling the subject land to have a minimum lot size of 10,000m² and to rezone part of the land from RU1 Primary Production Zone to R5 Large Lot Residential Zone.

The Upper Lachlan Shire Council provided a response to the draft Planning Proposals dated November 2018 and February 2019 (copies at Appendix 12) and all the matters raised have been addressed in this version (March 2019) of the Planning Proposal.

The subject parcel of land (Lot A DP 413644) was created by a Council approved subdivision on the 13 November 1959 – see Figure 2. The *Upper Lachlan Local Environmental Plan 2010* maps do not accurately reflect the boundaries of this allotment and inadvertently divide the allotment by zoning and lot size boundaries. This Planning Proposal which is of minor significance will enable this error to be corrected

The Planning Proposal demonstrates that there is site specific planning merit and justified by addressing the matters required pursuant to s3.33(2) of the *Environmental Planning and Assessment Act 1979* as well as relevant strategic documents, objectives and actions within the relevant regional and sub-regional strategies, relevant State policies, Ministerial Directions and environmental impacts.

It is recommended that this Planning Proposal be endorsed by the Upper Lachlan Shire Council and forwarded to the Minister for Planning for a gateway determination in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

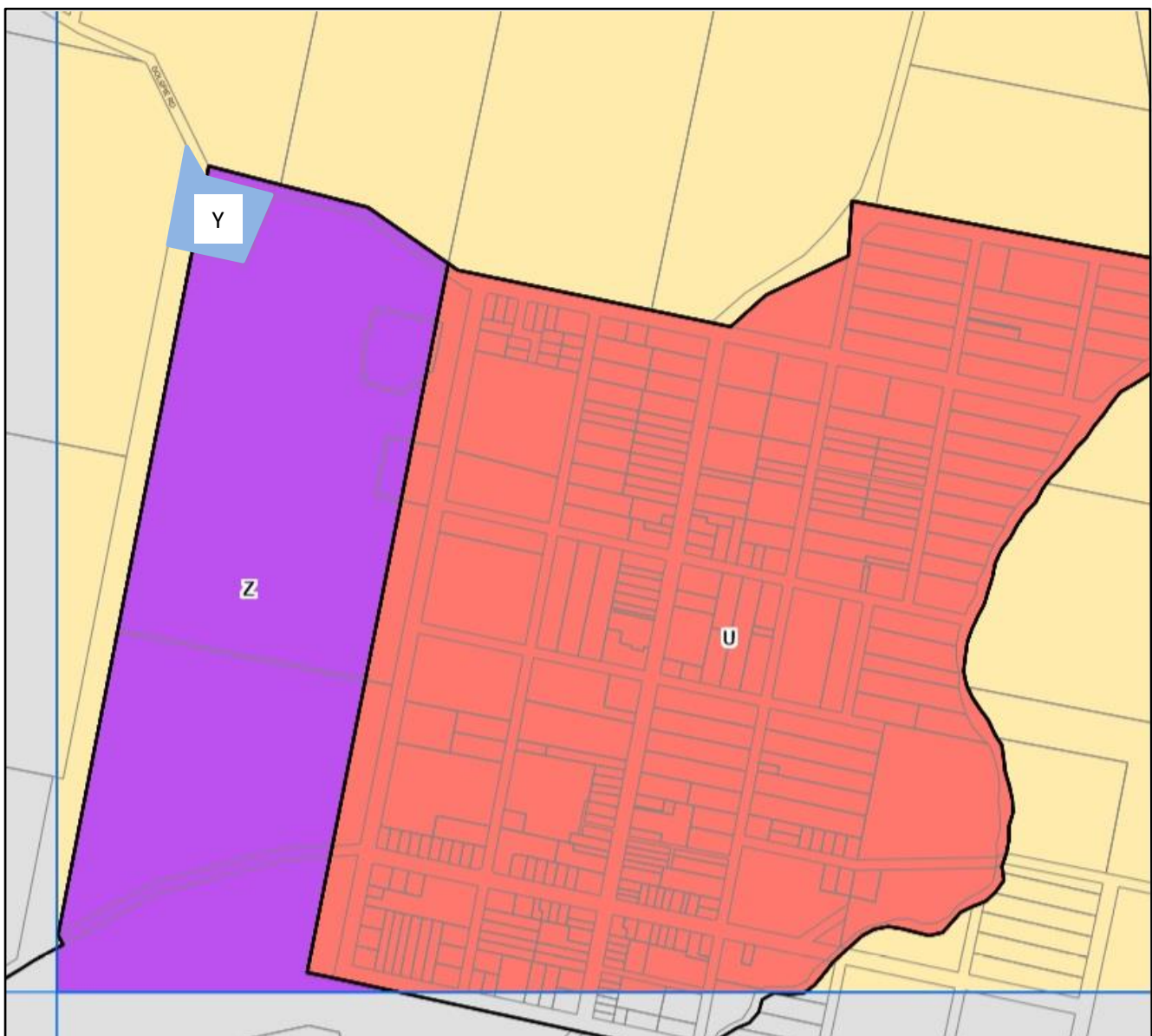
PART 1—OBJECTIVES

To enable the two (2) existing dwelling houses on Lot A DP 413644 at 101 Golspie Road, Taralga to be located on separate parcels of land by the subdivision of the subject land having an area of 2.02ha into two (2) allotments which is located in a R5 Large Lot Residential Zone and RU1 Primary Production Zone of Upper Lachlan Local Environmental Plan 2010 (LEP 2010) where a minimum lot size of 2ha and 100ha respectively apply (see Figures 3 and 4 on pages 37 and 38).

PART 2 - EXPLANATION OF THE PROVISIONS

The proposed outcome will be achieved by an amendment to the Upper Lachlan Local Environmental Plan 2010 as follows:

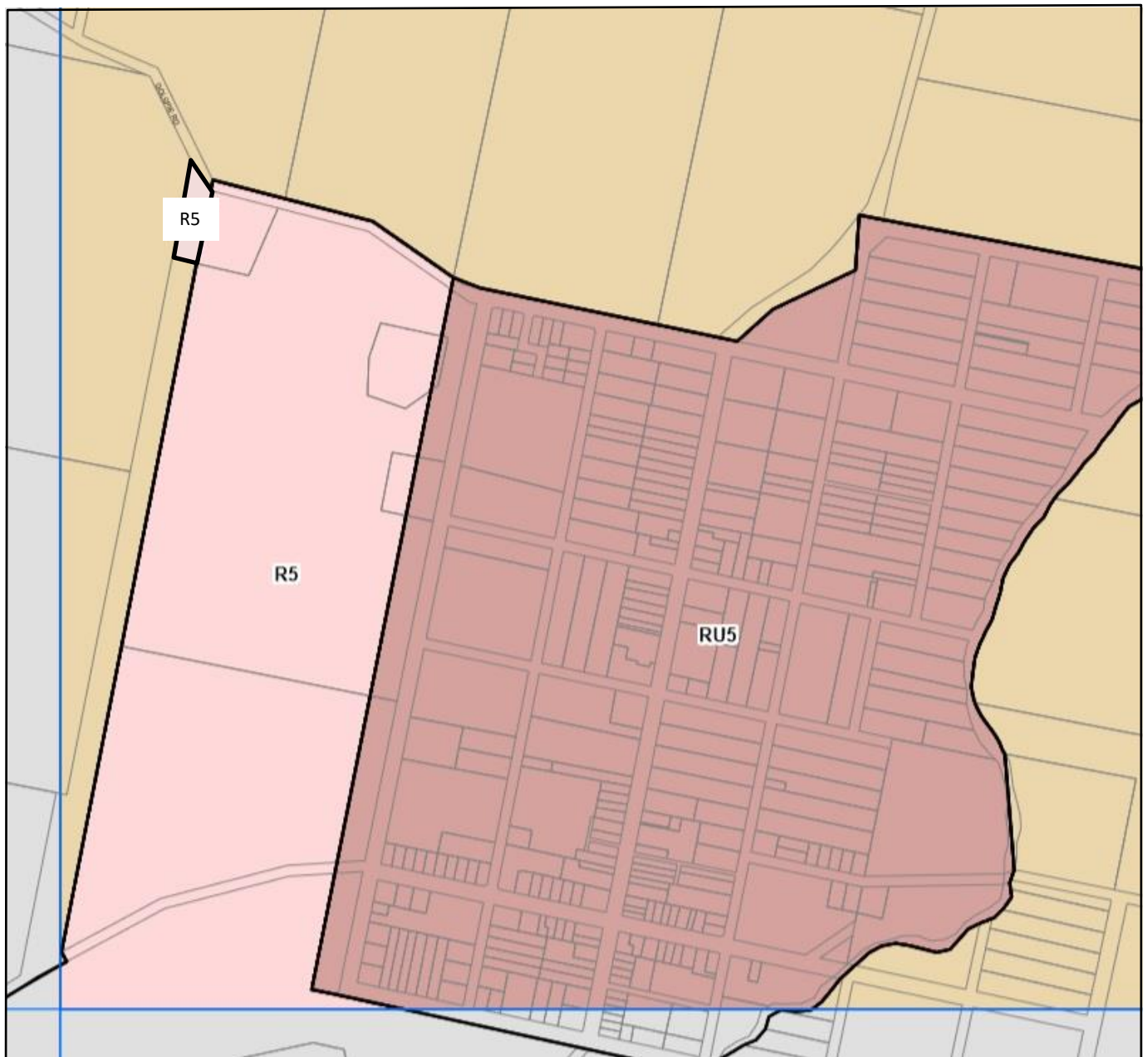
- (1) *Amending Upper Lachlan Land Lot Size Map Sheet LSZ_008B by identifying Lot A DP 413644 having a minimum lot size of 10,000m² (Y) – see map below.*



Amendment to Upper Lachlan Lot Size Map – Sheet LSZ_008B

(Map Source: NSW Legislation website)

- (2) *Amending Upper Lachlan Land Zoning Map Sheet LZN_008B by rezoning part of Lot A DP 413644 from RU1 (Primary Production) to R5 (Large Lot Residential Zone) – see map below.*



Amendment to Upper Lachlan Land Zoning Map – Sheet LZN_008B
(Map Source: NSW Legislation website)

PART 3 - JUSTIFICATION

Section A – Need for Planning Proposal

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

The planning proposal is not a result of any current strategic study or report. It is as a result of a request by the property owners to address a historical development which has resulted in two (2) dwellings being erected on a single small area allotment. The proponent has advised;

“History of the two houses on a 2 hectare subdivision.

Early to mid 1900’s Picker’s owned about 48 hectares. Main house built early 1900’s. Cottage built around 1940’s to early 1950’s for their son. Sold to Campbells around late 1950’s to early 1960’s. Sold to Bill Connor around early 1960’s. Bill Connor subdivided 2 hectares with the two houses and sold the block to the Todd family. Sold to Pitt’s in 1974. Cottage replaced in 2001. Main house renovated around 2006.” (See Annexure 1)

The subject land is located within R5 Large Lot Residential Zone and RU1 Primary Production Zone of Upper Lachlan Local Environmental Plan 2010 (LEP 2010) where a minimum lot size of 2ha and 100ha respectively apply. The land is approx. 417m from a RU5 Village zone having a lot size of 1,000m². The Planning Proposal is consistent with the current Upper Lachlan Strategy Plan 2020 Vision which states that *“Urban development should be facilitated primarily in areas already zoned for that purpose. This includes all land within existing village boundaries – both vacant and developed areas. Opportunities for infill housing within developed areas can be supported. This approach provides greater housing choice and promotes living close to existing services and facilities. This reflects the needs of declining household sizes and an ageing population”* and *“Large lot residential living and rural small holdings should be focused around the existing Village zones. The future use of rural lands will seek to balance agricultural requirements, environmental constraints and minimise potential for land use conflicts. These areas comprise unserviced lots that will be defined by minimum lot sizes for dwelling entitlements. Prime agricultural lands are a key resource and need protection. The Strategy aims to prevent future fragmentation of these areas.”* (Page 197)

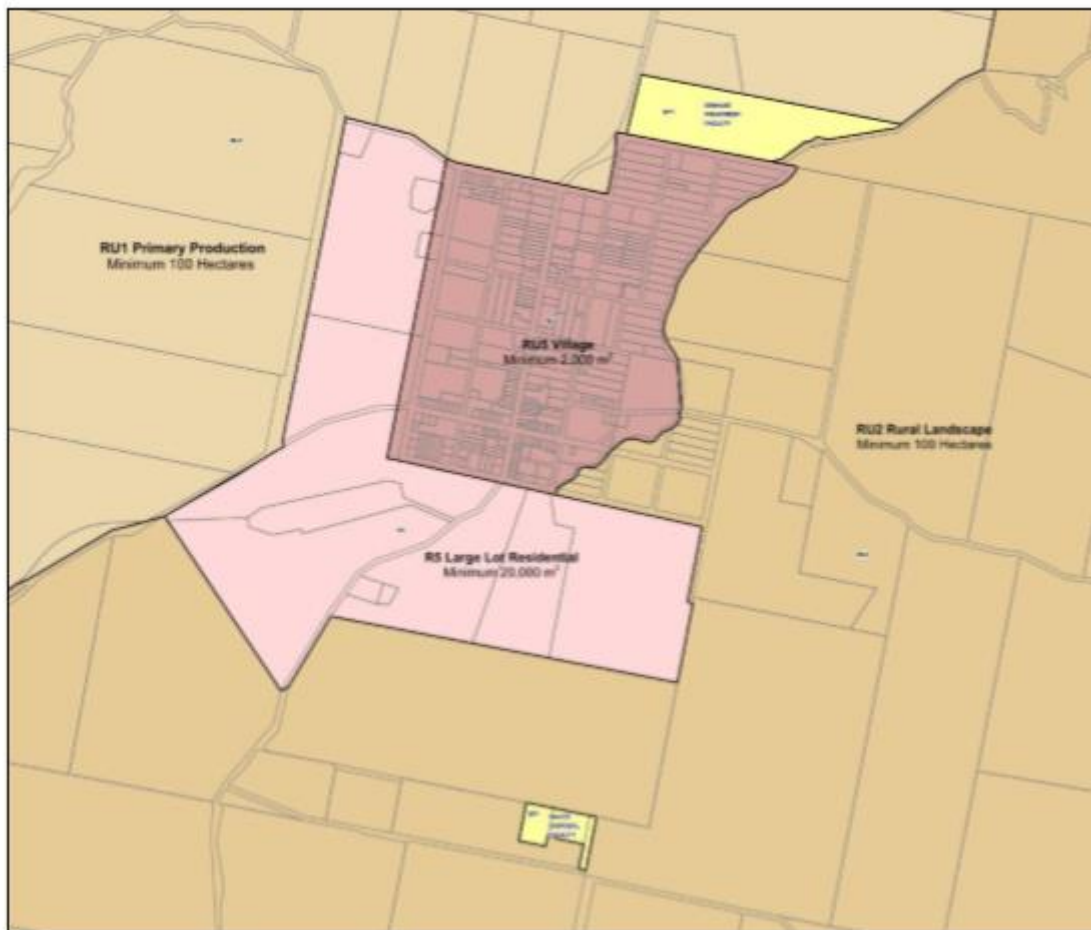
The subject land comprises substantially (70%) part of this R5 Large Lot Residential zone.

In respect to Taralga itself, the Upper Lachlan Strategy Plan 2020 Vision includes the following criteria regarding proposed R5 Large Lot Residential development to the west of the Village (Table 11-2):

- *This area is undulating and generally unconstrained.*
- *This area is to provide sensitive extension to the existing village and comprises good road access via Martyn Street and Cooper Street.*
- *Internal road network would be required as part of subdivision design.*
- *Good access to main street commercial area via Bunnaby Street.*
- *Buffer to be provided in accordance with water Directorate buffer guidelines from water treatment plant and any future sewage treatment plant to avoid conflict.*
- *Rural aesthetics and vistas into the village to be maintained where available.*
- *Large allotment sizes will offer varying design layouts to be considered and application of differing rural residential products.*

- *Opportunity for cycle and pedestrian share-way into the Village centre.*
- *Issues associated with water pressure and connectivity to utilities to be resolved.*
- *On site effluent disposal would be permitted where reticulated system is unavailable. Developer funded utilities to be permitted.*
- *Relatively free of vegetated areas.*
- *Not impacted by bushfire prone areas.*
- *Unlikely to result in land use conflicts given appropriate buffer from existing village uses. Does not comprise prime agricultural lands and therefore would not remove from productivity potential of the area.*
- *Development controls to guide development design and protect amenity and promote a livable community.*
- *Limited European or Aboriginal heritage identified.*

The land referred to above is shown on the map below (Figure 11-2 of the Upper Lachlan Strategy Plan 2020 Vision):



The Planning Proposal is compliant with these criteria insofar that:

- This subject land is undulating and generally unconstrained.
- This subject land has frontage to Golspie Road which provides a high standard of access to Martyn Street and Orchard Street.
- No internal road network will be required as part of subdivision design. See draft design at Appendix 5.

- There is good access to the main street commercial area via Golspie Road.
- The subject land is not in close proximity to the water treatment plant and sewage treatment plant.
- Rural aesthetics and vistas into the village will be maintained.
- The proposed subdivision will be consistent with the objectives of the R5 Large Lot Residential zone.
- Cycle and pedestrian access to the village centre is not appropriate in this instance.
- Issues associated with water pressure and connectivity to utilities are not relevant as connection to reticulated water and sewerage infrastructure is not justified – see Item 10, Section D on page 31.
- The existing on-site effluent disposal systems are operating satisfactorily and can be permitted where a reticulated system is unavailable in this instance. The extension of reticulated water and sewerage infrastructure is not feasible or economically viable – see Item 10, Section D on page 31.
- The subject land is relatively free of vegetated areas.
- The subject land is not in bushfire prone area.
- The development is unlikely to result in land use conflicts given that the existing development has been extant prior to 1974, does not comprise prime agricultural lands and will have no impact on the productivity potential of the area.
- The development will have no impact on the amenity of the area and will continue the livable community.
- There is no European or Aboriginal heritage identified – see Annexures 6 and 7.

The proponent has also consulted with the Upper Lachlan Shire Council and The Hon Anthony Roberts MP (NSW Minister for Planning) with a copy of the correspondence at Annexure 2.

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

It is considered that this planning proposal is the most appropriate means of achieving the proposed minimum lot size and rezoning for the subject land and is seeking this amendment as a minor nature in accordance with Section 3.22(1)(b) of the *Environmental Planning and Assessment Act 1979* which states:

3.22 Expedited amendments of environmental planning instruments

(1) An amending environmental planning instrument may be made under this Part without compliance with the provisions of this Act relating to the conditions precedent to the making of the instrument if the instrument, if made, would amend or repeal a provision of a principal instrument in order to do any one or more of the following:

(b) address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature.

The objective of the planning proposal is able to be achieved by either:

- (i) Include an additional permitted use for the particular land through Schedule 1 of the Upper Lachlan Local Environmental Plan 2010; or
- (ii) Amend the Minimum Lot Size map (sheet LSZ_008B) and Land Zoning map (sheet LZN_008B) for the particular land.

These options are considered below.

- (i) Include an additional permitted use for the particular land through Schedule 1 of the Upper Lachlan Local Environmental Plan 2010

The draft Planning Practice Note (Schedule 1 Additional Permitted Uses) includes the following applicable statements:

Schedule 1 should only be used in exceptional circumstances.

For reasons of clarity, land use permissibility should preferably be controlled by the zones and the Land Use Table.

Where this is not possible and the intended outcome is adequately justified by council, the use of Schedule 1 may be acceptable.

The following principles should be applied when considering including additional permitted uses in the LEP Schedule 1:

- *Clearly identify the land affected including the address, lot and DP numbers.*
- *Entries are to be listed by alphabetical order of suburb and then by street name and number, where possible.*
- *Only use terms included in Land Use Table Direction 5 in the Standard Instrument Order.*
- *Development standards should be identified on the relevant maps where applicable (e.g. FSR/height/lot size). Other conditions are to be minimised.*

In relation to dot point 3 above (*Only use terms included in Land Use Table Direction 5 in the Standard Instrument Order*), these land uses are:

*Advertising structures; Agricultural produce industries; Agriculture; Air transport facilities; Airports; Airstrips; Amusement centres; Animal boarding or training establishments; Aquaculture; Artisan food and drink industries; Attached dwellings Backpackers' accommodation; Bed and breakfast accommodation; Bee keeping; Biosolids treatment facilities; Boarding houses; Boat building and repair facilities; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Business premises
Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria Dairies (pasture-based); Dairies (restricted); Depots; Dual occupancies; Dual occupancies (attached); Dual occupancies (detached); Dwelling houses
Early education and care facilities; Eco-tourist facilities; Educational establishments; Electricity generating works; Emergency services facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extensive agriculture; Extractive industries
Farm buildings; Farm stay accommodation; Feedlots; Flood mitigation works; Food and drink premises; Forestry; Freight transport facilities; Function centres; Funeral homes
Garden centres; General industries; Group homes; Group homes (permanent) or permanent group homes; Group homes (transitional) or transitional group homes
Hardware and building supplies; Hazardous industries; Hazardous storage*

establishments; Health consulting rooms; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Heliports; High technology industries; Highway service centres; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Horticulture; Hospitals; Hostels; Hotel or motel accommodation
Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture
Jetties
Kiosks
Landscaping material supplies; Light industries; Liquid fuel depots; Livestock processing industries; Local distribution premises
Marinas; Markets; Medical centres; Mooring pens; Moorings; Mortuaries; Multi dwelling housing
Neighbourhood shops; Neighbourhood supermarkets
Offensive industries; Offensive storage establishments; Office premises; Open cut mining
Passenger transport facilities; Places of public worship; Plant nurseries; Port facilities; Public administration buildings; Pubs
Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Residential care facilities; Residential flat buildings; Resource recovery facilities; Respite day care centres; Restaurants or cafes; Restricted premises; Retail premises; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings
Sawmill or log processing works; School-based child care; Schools; Secondary dwellings; Self-storage units; Semi-detached dwellings; Seniors housing; Service stations; Serviced apartments; Sewage reticulation systems; Sewage treatment plants; Sewerage systems; Sex services premises; Shops; Shop top housing; Signage; Small bars; Specialised retail premises; Stock and sale yards; Storage premises
Take away food and drink premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Turf farming
Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Viticulture
Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Waste or resource transfer stations; Water recreation structures; Water recycling facilities; Water reticulation systems; Water storage facilities; Water supply systems; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

It will be noted that "subdivision" is not included in this Land Use Table Direction 5 in the Standard Instrument Order.

In relation to dot point 4 above (*Development standards should be identified on the relevant maps where applicable (e.g. FSR/height/lot size)*), the proposed variation to the development standard should be identified on the lot size map of the Upper Lachlan Local Environmental Plan 2010 and the use of Schedule 1 in this instance is not appropriate.

- (ii) Amend the Minimum Lot Size map (sheet LSZ_008B) and Land Zoning map (sheet LZN_008B) for the particular land.

The proposed variation to the development standard can be achieved by amending Upper Lachlan Land Lot Size Map Sheet LSZ_008B by identifying the particular land having a minimum lot size of 10,000m² (see lot size map on page 5) and rezoning part of the land from RU1 Primary Production Zone to R5 Large Lot Residential Zone (see zoning map on page 6).

Subsequent subdivision of the land is permissible pursuant to Clause 2.6 of the Upper Lachlan Local Environmental Plan 2010.

The planning proposal is the best means of achieving the objective of the Planning Proposal.

Section B - Relationship to strategy planning framework

3. *Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?*

The planning proposal is consistent with the objectives and actions contained within the Sydney - Canberra Regional Strategy 2006-31 which aims to:

- *cater for a housing demand of up to 25,200 new dwellings to accommodate an additional 46,350 people (by 2031);*
- *increase the amount of housing in existing centres to ensure the needs of households are better met, especially for the ageing population;*
- *manage the environmental impact of settlement by focusing new urban development in existing identified growth areas;*
- *only considering additional development areas if they satisfy a Sustainability Criteria;*
- *no new rural residential zones will be supported unless as part of an agreed structure plan or local settlement strategy;*
- *ensure an adequate supply of land to support economic growth and provide capacity for an additional 27,800 new jobs, particularly in the areas of manufacturing, transport and logistics, business services, health, aged care and tourism;*
- *limit development in places constrained by important primary industry resources and significant scenic and cultural landscapes.*
- *protect the cultural and Aboriginal heritage values and visual character of rural towns and villages and surrounding landscapes.*(Page 13)

In respect to these Aims, the Planning Proposal:

- Will maintain the existing population in the area.
- Will maintain the level of housing in the area.
- Will have no environmental impact.
- Is not considered an additional development area.
- Is currently located in a residential zone.

- Will have no impact on manufacturing, transport and logistics, business services, health, aged care and tourism.
- Will have no impact on primary industry resources and significant scenic and cultural landscapes.
- Will have no impact on cultural and Aboriginal heritage values and visual character of rural towns and villages and surrounding landscapes.

4. ***Is the planning proposal consistent with a council's local strategy or other strategic plan?***

The planning proposal is consistent with the Upper Lachlan Strategy Plan 2020 Vision which informed the Upper Lachlan Local Environmental Plan 2010 and states that *“Urban development should be facilitated primarily in areas already zoned for that purpose. This includes all land within existing village boundaries – both vacant and developed areas. Opportunities for infill housing within developed areas can be supported. This approach provides greater housing choice and promotes living close to existing services and facilities. This reflects the needs of declining household sizes and an ageing population”* and *“Large lot residential living and rural small holdings should be focused around the existing Village zones. The future use of rural lands will seek to balance agricultural requirements, environmental constraints and minimise potential for land use conflicts. These areas comprise unserviced lots that will be defined by minimum lot sizes for dwelling entitlements. Prime agricultural lands are a key resource and need protection. The Strategy aims to prevent future fragmentation of these areas.”* (Page 197)

The majority (70%) of the subject land is located in a residential zone intended for residential development and the Planning Proposal is compliant with the criteria regarding proposed R5 Large Lot Residential development to the west of the Village (Table 11-2) insofar that:

- This subject land is undulating and generally unconstrained.
- This subject land has frontage to Golspie Road which provides good access to Martyn Street and Orchard Street.
- No internal road network will be required as part of subdivision design. See draft design at Annexure 5.
- There is good access to the main street commercial area via Golspie Road.
- The subject land is not in close proximity to the water treatment plant and sewage treatment plant.
- Rural aesthetics and vistas into the village will be maintained.
- The proposed subdivision is consistent with the objectives of the R5 Large Lot Residential zone being:
 - *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
Comment: The existing dwellings are located in a rural setting and have no impact on environmentally sensitive locations and scenic quality.
 - *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
Comment: The subject land is located adjacent to the western limit of the R5 Large Lot Residential zoned land and approx. 417m from a RU5 Village zone having a lot size of 1,000m² and will not hinder the proper and orderly development of the Taralga urban area in the future.

- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
Comment: No additional residential development will occur and there will be no increase in the demand for public services or public facilities.
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
Comment: The existing dwellings have been extant for approx. 70 years without any land use conflicts being evident.
- *To encourage subdivision of land that is consistent with the constraints and opportunities of the land.*
Comment: The future subdivision of the land recognizes the constraints and opportunities of the land – see proposed subdivision plan at Appendix 5.
- *To maintain areas of high conservation value vegetation.*
Comment: The land is not identified as high value vegetation on the Upper Lachlan Natural Resources Sensitivity - Biodiversity Map. (see Appendix 11)
- Cycle and pedestrian access to the village centre is not appropriate in this instance.
- Issues associated with water pressure and connectivity to utilities are not relevant as connection to reticulated water and sewerage infrastructure is not justified – see Item 10, Section D on page 31.
- The existing on site effluent disposal systems are operating satisfactorily and can be permitted where a reticulated system is unavailable in this instance. The extension of reticulated water and sewerage infrastructure is not feasible or economically viable – see Item 10, Section D on page 31.
- The subject land is relatively free of vegetated areas – see photographs at Appendix 9.
- The subject land is not in a bushfire prone area – see Annexure 8.
- The development is unlikely to result in land use conflicts given that the existing development has been extant prior to 1974, does not comprise prime agricultural lands and will have no impact on the productivity potential of the area.
- The development will have no impact on the amenity of the area and will continue the livable community.
- There is no European or Aboriginal heritage identified – see Annexures 6 and 7.

In respect to the objectives of the RU1 Primary Production Zone, the following comments are provided:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
Comment: The rezoning of approx. 0.6ha will have no impact.
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
Comment: The rezoning of approx. 0.6ha will have no impact.
- *To minimise the fragmentation and alienation of resource lands.*
Comment: The Planning Proposal will have no impact on the alienation of resource lands.
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

Comment: The Planning Proposal maintains existing adjoining land uses.

- *To promote the use of agricultural land for efficient and effective agricultural production.*

Comment: The rezoning of approx. 0.6ha will have no impact.

- *To allow for the development of non-agricultural land uses that are compatible with the character of the zone.*

Comment: The Planning Proposal maintains the existing land uses and character of the zones.

- *To allow the development of processing, service and value adding industries related to agriculture and primary industry production.*

Comment: The rezoning of approx. 0.6ha will have no impact.

- *To minimise the visual impact of development on the existing agricultural landscape character.*

Comment: The rezoning of approx. 0.6ha will have no impact.

- *To protect and enhance the water quality of watercourses and groundwater systems and to reduce land degradation.*

Comment: The rezoning of approx. 0.6ha will have no impact.

- *To maintain areas of high conservation value vegetation.*

Comment: The land is not identified as high value vegetation on the Upper Lachlan Natural Resources Sensitivity - Biodiversity Map. (see Appendix 11)

5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The current State Environmental Planning Policies are:

State Environmental Planning Policy No 1—Development Standards

State Environmental Planning Policy No 19—Bushland in Urban Areas

State Environmental Planning Policy No 21—Caravan Parks

State Environmental Planning Policy No 30—Intensive Agriculture

State Environmental Planning Policy No 33—Hazardous and Offensive Development

State Environmental Planning Policy No 36—Manufactured Home Estates

State Environmental Planning Policy No 44—Koala Habitat Protection

State Environmental Planning Policy No 47—Moore Park Showground

State Environmental Planning Policy No 50—Canal Estate Development

State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas

State Environmental Planning Policy No 55—Remediation of Land

State Environmental Planning Policy No 62—Sustainable Aquaculture

State Environmental Planning Policy No 64—Advertising and Signage

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development

State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Coastal Management) 2018

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Gosford City Centre) 2018
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (Infrastructure) 2007
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007
State Environmental Planning Policy (Kurnell Peninsula) 1989
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007
State Environmental Planning Policy (Penrith Lakes Scheme) 1989
State Environmental Planning Policy (Rural Lands) 2008
State Environmental Planning Policy (State and Regional Development) 2011
State Environmental Planning Policy (State Significant Precincts) 2005
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011
State Environmental Planning Policy (Sydney Region Growth Centres) 2006
State Environmental Planning Policy (Three Ports) 2013
State Environmental Planning Policy (Urban Renewal) 2010
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (Western Sydney Employment Area) 2009
State Environmental Planning Policy (Western Sydney Parklands) 2009
 The only applicable State Environmental Planning Policy is discussed below:

(i) State Environmental Planning Policy (Drinking Water Catchment) 2011:

The *State Environmental Planning Policy (Drinking Water Catchment) 2011* was gazetted on 1 March 2011 and aims:

- (a) *to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal, and*
- (b) *to provide that a consent authority must not grant consent to a proposed development unless it is satisfied that the proposed development will have a neutral or beneficial effect on water quality, and*
- (c) *to support the maintenance or achievement of the water quality objectives for the Sydney drinking water catchment.*

The subject land is not affected by any natural watercourse – see topographic map at Annexure 3 and contour survey at Annexure 4. The existing residential development has on-site wastewater disposal facilities which have been assessed by Strategic Environmental and Engineering Consulting (SEEC) Wastewater Management: Site and Soil Evaluation and Disposal System Design report dated 17 January 2019 – see Annexure 13. This report includes the following statements and recommendations:

Wastewater Management Systems

The western dwelling is currently being serviced by a septic tank to absorption trench system. There are a total of two trenches which are 0.6m by 15m long. The eastern dwelling is also being serviced by a septic tank to absorption trench system with two trenches that are 0.6m by 40m long. As the current wastewater management systems are operating effectively no alterations are proposed. However reserve areas sized to current council and WaterNSW standards are required in case they are ever needed. In this case, the reserve areas have been sized to accommodate for Evapotranspiration/Absorption (ETA) beds. For the western dwelling a reserve area of

120 m² is needed. This could be provided as two 3m by 20m ETA beds. For the eastern dwelling a reserve area of 160 m² is required. This could be provided as four 2m by 20m ETA beds. If ever constructed, the beds must be built to the requirements of AS/NZS1547:2012 (Figures 1 and 4).

It is required that all new developments within the Sydney drinking water catchment have a Neutral or Beneficial Effect (NorBE) on water quality. This is assessed using the NorBE assessment tool which includes a Wastewater Effluent Model (WEM). SEEC has undertaken the WEM (Figures 2 and 3) for the development and determined the reserve wastewater management systems would have a neutral or beneficial effect on water quality. Note the orientation of the EMAs in the WEM models are slightly different to that proposed. This is a result of the model not accurately showing the slope direction.

Conclusions and Recommendations

We conclude the site is suited to dispose primary-treated effluent in the existing wastewater management systems. Specifically, our recommendations are:

1. To leave the current wastewater management systems as they are;
2. To protect the current EMAs from vehicle and stock access (fence them off if necessary) ;
3. To provide suitable reserve areas sized to the specifications of this report and leave them undeveloped;
4. To preferentially select low phosphorus, liquid detergents;
5. To manage the wastewater systems according to the details of this report, its appendices and the manufacturer's recommendations; and
6. Any intensification of the land use is to be subject to a new wastewater assessment.

The proposal will therefore have minimal environmental impact, comply with the Neutral or Beneficial Effects (NorBE) test for impact on water quality and therefore complies with the aims of the *State Environmental Planning Policy (Drinking Water Catchment) 2011*.

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

The following table is a list of Directions issued by the Minister for Planning to relevant planning authorities under Section 9.1 Directions by the Minister (previous s117) of the *Environmental Planning and Assessment Act 1979*. These directions apply to planning proposals lodged with the Department of Planning on or after the date the particular direction was issued:

Section 117 Directions	Issue Date/Date effective	Relevant	Inconsistent
1. Employment and Resources	1 July 2009 (Except for new Direction 1.2 effective 14 April 2016 and 1.1 effective 1 May 2017)		
1.1 Business and Industrial Zones		No	-
1.2 Rural Zones		Yes	Yes
1.3 Mining, Petroleum Production and Extractive Industries		No	-
1.4 Oyster Aquaculture		No	-
1.5 Rural Lands		Yes	No
2. Environment and Heritage	1 July 2009 (Except for new Direction 2.5 effective 2 March 2016, Direction		
2.1 Environment Protection Zones		No	-
2.2 Coastal Protection		No	-

2.3 Heritage Conservation	2.1 and 2.4 effective 14 April 2016 and Direction 2.2 effective 3 April 2018)	Yes	No
2.4 Recreation Vehicle Areas		No	-
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP's		No	-
3. Housing, Infrastructure and Urban Development	1 July 2009 (Except for new Direction 3.6 effective 16 February 2011, Direction 3.1, 3.2, 3.4 and 3.5 effective 14 April 2016)		
3.1 Residential Zones		Yes	No
3.2 Caravan Parks and Manufactured Home Estates		No	-
3.3 Home Occupations		No	-
3.4 Integrating Land Use and Transport		Yes	No
3.5 Development Near Licensed Aerodromes		No	-
4. Hazard and Risk	1 July 2009 (Except for new Direction 4.2 effective 12 April 2016)		
4.1 Acid Sulphate Soils		No	-
4.2 Mine Subsidence and Unstable Land		No	-
4.3 Flood Prone Land		Yes	No
4.4 Planning for Bushfire Protection		Yes	No
5. Regional Planning	1 July 2009 (Except for new Direction 5.2 effective 3 March 2011, Direction 5.9 effective 30 September 2013, Direction 5.4 effective 21 August 2015, Direction 5.8 and 5.10 effective 14 April 2016, Direction 5.1 and 5.3 effective 1 May 2017)		
5.1 Implementation of Regional Strategies		Yes	No
5.2 Sydney Drinking Water Catchments		Yes	No
5.3 Farmland of State and Regional Significance on the NSW Far North Coast		No	-
5.4 Commercial and Retail Development along the Pacific Highway North		No	-
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)		No	-
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)		No	-
5.7 Central Coast (Revoked 10 July 2008.		No	-
5.8 Second Sydney Airport: Badgerys Creek		No	-
5.9 North West Rail Link Corridor Strategy		No	-
5.10 Implementation of Regional Plans		No	-
6. Local Plan Making	1 July 2009		
6.1 Approval and Referral Requirements		No	-
6.2 Reserving Land for Public Purposes		No	-
6.3 Site Specific Provisions		Yes	No
7. Metropolitan Planning	14 January 2015 (Except for Direction 7.2 effective 22 September 2015) 19 December 2016 15 May 2017 25 July 2017 5 August 2017		
7.1 Implementation of A Plan for Growing Sydney		No	-
7.2 Implementation of Greater Macarthur Land Release Investigation		No	-
7.3 Parramatta Road Corridor Urban Transformation Strategy		No	-

7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	22 December 2017	No	-
7.5 Implementation of Greater Parramatta Priority Growth Area Land Use and Infrastructure Implementation Plan		No	-
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan		No	-
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor		No	-

The applicable s9.1 Directions (previous s117 Directions) are discussed below:

DIRECTION 1.2: RURAL ZONES

Objective

- (1) *The objective of this direction is to protect the agricultural production value of rural land.*

What a relevant planning authority must do if this direction applies

- (4) *A planning proposal must:*
- (a) *not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.*

Consistency

- (5) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*
- (a) *justified by a strategy which:*
- (i) *gives consideration to the objectives of this direction,*
- (ii) *identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
- (iii) *is approved by the Director-General of the Department of Planning, or*
- (b) *justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or*
- (c) *in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*
- (d) *is of minor significance.*

Comment:

The Planning Proposal does seek to rezone land from a rural zone to a residential zone to address a historical development which has resulted in two (2) dwellings being erected on a single small area allotment. This inconsistency is justified in this instance as the area to be rezoned is only approx. 0.6ha in area and is contained within an existing freehold parcel of land. Additionally, the area of land subject to this planning proposal (Lot A DP 413644) is only 2.02ha and is of minor significance in respect to the development of the Council area. The planning proposal will not affect the agricultural production value of rural land in the Upper Lachlan Council area.

DIRECTION 1.5: RURAL LANDS

Objectives

- (1) *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.*

What a relevant planning authority must do if this direction applies

- (4) *A planning proposal to which clauses 3(a) or 3(b) apply must be consistent with the Rural Planning Principles listed in State Environmental Planning Policy (Rural Lands) 2008.*
- (5) *A planning proposal to which clause 3(b) applies must be consistent with the Rural Subdivision Principles listed in State Environmental Planning Policy (Rural Lands) 2008.*

Note: State Environmental Planning Policy (Rural Lands) 2008 does not require a relevant planning authority to review or change its minimum lot size(s) in an existing LEP. A relevant planning authority can transfer the existing minimum lot size(s) into a new LEP. However, where a relevant planning authority seeks to vary an existing minimum lot size in an LEP, it must do so in accordance with the Rural Subdivision Principles listed in State Environmental Planning Policy (Rural Lands) 2008.

Consistency

- (6) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*
- (a) *justified by a strategy which:*
 - i. *gives consideration to the objectives of this direction,*
 - ii. *identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites, and*
 - iii. *is approved by the Director-General of the Department of Planning and is in force, or*
 - (a) *is of minor significance.*

Comment:

The Planning Proposal seeks to address a historical development which has resulted in two (2) dwellings being erected on a single small area allotment. The RU1 zoned land is only approx. 0.6ha in area and is contained within an existing freehold parcel of land. A dwelling is currently located within this area of land and the Planning Proposal will have no impact on the agricultural production value of this land. Additionally, the area of land subject to this planning proposal (Lot A DP 413644) is only 2.02ha and is of minor significance in respect to the development of the Council area.

DIRECTION 2.3: HERITAGE CONSERVATION

Objective

- (1) *The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.*

Where this direction applies

- (2) *This direction applies to all relevant planning authorities.*

When this direction applies

(3) *This direction applies when a relevant planning authority prepares a planning proposal.*

What a relevant planning authority must do if this direction applies

(4) *A planning proposal must contain provisions that facilitate the conservation of:*

- (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,*
- (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and*
- (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.*

Consistency

(5) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:*

- (a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or*
- (b) the provisions of the planning proposal that are inconsistent are of minor significance.*

Comment: The subject land is not located in the vicinity of any heritage item - see Upper Lachlan LEP 2010 Heritage Map HER_008B (Part) at Annexure 6. Also see the Australian Heritage Information Management System (AHIMS) searches with 50m and 200m buffers at Annexure 7 which indicate there no Aboriginal sites located in or near the subject land.

DIRECTION 3.1: RESIDENTIAL ZONES**Objectives**

(1) *The objectives of this direction are:*

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

Where this direction applies

(2) *This direction applies to all relevant planning authorities.*

When this direction applies

(3) *This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:*

- (a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),*

- (b) any other zone in which significant residential development is permitted or proposed to be permitted.

What a relevant planning authority must do if this direction applies

(4) A planning proposal must include provisions that encourage the provision of housing that will:

- (a) broaden the choice of building types and locations available in the housing market, and
- (b) make more efficient use of existing infrastructure and services, and
- (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and
- (d) be of good design.

(5) A planning proposal must, in relation to land to which this direction applies:

- (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
- (b) not contain provisions which will reduce the permissible residential density of land.

Consistency

(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:
 - (i) gives consideration to the objective of this direction, and
 - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
 - (iii) is approved by the Director-General of the Department of Planning, or
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
- (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) of minor significance.

Comment: The subject land is substantially (70%) located within an existing R5 Large Lot Residential zone and represents only approx. 0.8% of this zoned land. The Planning Proposal will have no impact within this zone and it is not intended that the reduction in the minimum lot size for the subject land will set a precedent for this R5 Large Lot Residential zone. Additionally, the area of land subject to this planning proposal (Lot A DP 413644) is only 2.02ha and is of minor significance in respect to the development of the Council area.

DIRECTION 3.4: INTEGRATING LAND USE AND TRANSPORT

Objective

(1) 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.*

Where this direction applies

- (2) *This direction applies to all relevant planning authorities.*

When this direction applies

- (3) *This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.*

What a relevant planning authority must do if this direction applies

- (4) *A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:*
 - (a) *Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and*
 - (b) *The Right Place for Business and Services – Planning Policy (DUAP 2001).*

Consistency

- (5) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*
 - (a) *justified by a strategy which:*
 - (i) *gives consideration to the objective of this direction, and*
 - (ii) *identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
 - (iii) *is approved by the Director-General of the Department of Planning, or*
 - (b) *justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*
 - (c) *in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*
 - (d) *of minor significance.*

Comment: The Planning Proposal will have no impact as additional residential development will not occur (it is intended that the existing dwellings will be retained) and the existing access arrangements will also be retained. Additionally, the area of land subject to this planning proposal (Lot A DP 413644) is only 2.02ha and is of minor significance in respect to Integrating Land Use and Transport in the Council area.

DIRECTION 4.3: FLOOD PRONE LAND

Objectives

- (1) *The objectives of this direction are:*

- (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and
- (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

Where this direction applies

- (2) This direction applies to all relevant planning authorities that are responsible for flood prone land within their LGA.

When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.

What a relevant planning authority must do if this direction applies

- (4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).
- (5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.
- (6) A planning proposal must not contain provisions that apply to the flood planning areas which:
 - (a) permit development in floodway areas,
 - (b) permit development that will result in significant flood impacts to other properties,
 - (c) permit a significant increase in the development of that land,
 - (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or
 - (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.
- (7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).
- (8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).

Consistency

- (9) A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that:

- (a) *the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or*
- (b) *the provisions of the planning proposal that are inconsistent are of minor significance.*

Comment: The land is not subject to flooding.

DIRECTION 4.4: PLANNING FOR BUSHFIRE PROTECTION

Objectives

(1) *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.*

Where this direction applies

(2) *This direction applies to all local government areas in which the responsible Council is required to prepare a bush fire prone land map under section 146 of the Environmental Planning and Assessment Act 1979 (the EP&A Act), or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.*

When this direction applies

(3) *This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.*

What a relevant planning authority must do if this direction applies

(4) *In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made,*

(5) A planning proposal must:

- (a) *have regard to Planning for Bushfire Protection 2006,*
- (b) *introduce controls that avoid placing inappropriate developments in hazardous areas, and*
- (c) *ensure that bushfire hazard reduction is not prohibited within the APZ.*

(6) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:

- (a) *provide an Asset Protection Zone (APZ) incorporating at a minimum:*
 - (i) *an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and*
 - (ii) *an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,*
- (b) *for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as*

- defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with,*
- (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,*
 - (d) contain provisions for adequate water supply for firefighting purposes,*
 - (e) minimise the perimeter of the area of land interfacing the hazard which may be developed,*
 - (f) introduce controls on the placement of combustible materials in the Inner Protection Area.*

Consistency

- (7) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service, to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.*

Comment: The land is not bushfire prone - see Upper Lachlan Bush Fire Prone Land Map (Part) at Annexure 8.

DIRECTION 5.1: IMPLEMENTATION OF REGIONAL STRATEGIES

Objective

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

Where this direction applies

- (2) This direction applies to land to which the following regional strategies apply:*
- (a) Far North Coast Regional Strategy*
 - (b) Lower Hunter Regional Strategy*
 - (c) Illawarra Regional Strategy*
 - (d) South Coast Regional Strategy*
 - (e) Sydney–Canberra Corridor Regional Strategy*
 - (f) Central Coast Regional Strategy, and*
 - (g) Mid North Coast Regional Strategy.*

When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal.*

What a relevant planning authority must do if this direction applies

- (4) Planning proposals must be consistent with a regional strategy released by the Minister for Planning.*

Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the regional strategy:*
- (a) is of minor significance, and*
 - (b) the planning proposal achieves the overall intent of the regional strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.*

Comment: The proposal is consistent with the outcomes and actions nominated in the Sydney - Canberra Regional Strategy 2006 - 2031. The Strategy, in respect to Rural Villages and Lifestyle Housing, states that:

- *Future residential growth is predominantly accommodated within existing centres or contiguous to existing settlements. (Page 38)*

Comment: The subject land and existing dwellings are located on land being contiguous to the RU5 Village zone of Taralga.

- *Towns and villages continue to play an important role in providing for housing choice across the Region. Growth and development will be managed in a way that protects and builds on the important built form, heritage and rural character of many of the towns and villages. (Page 38)*

Comment: The Planning Proposal will have no impact on the built form, heritage and rural character of the village of Taralga.

The Sydney - Canberra Regional Strategy 2006 – 2031 also includes the following actions to achieve the objectives of the Strategy. The relevant actions identified are:

- *Local environmental plans and other statutory planning controls will align with the Regional Strategy's settlement hierarchy (as shown on the Strategy Map) to contain the spread of urban development, efficiently utilise existing services and infrastructure, and protect areas of high conservation value. (Page 39)*

Comment: The Planning Proposal will not result in the spread of urban development as any subdivision of the subject will not result in the erection of additional dwellings. The proposed development will also utilise existing services and infrastructure in Taralga and not impact on areas of high conservation value.

- *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): Upper Lachlan Strategy – 2020 Vision. These documents will align with the Regional Strategy's settlement hierarchy, as shown on the Strategy Map. (Page 39)*

Comment: The Upper Lachlan Strategy – 2020 Vision includes the following requirements to accommodate sustainable growth:

“Urban development should be facilitated primarily in areas already zoned for that purpose. This includes all land within existing village boundaries – both vacant and developed areas. Opportunities for infill housing within developed areas can be supported. This approach provides greater housing choice and promotes living close to existing services and facilities. This reflects the needs of declining household sizes and an ageing population” and “Large lot residential living and rural small holdings should be focused around the existing Village zones. The future use of rural lands will seek to balance agricultural requirements, environmental constraints and minimise potential for land use conflicts. These areas comprise unserviced lots that will be defined by

minimum lot sizes for dwelling entitlements. Prime agricultural lands are a key resource and need protection. The Strategy aims to prevent future fragmentation of these areas.” (Page 197)

Comment: The subject land and existing dwellings are substantially (70%) located within an existing R5 Large Lot Residential zoned land being contiguous to the RU5 Village zone of Taralga. The rezoning of the small area (0.6ha) of RU1 land will have no impact on prime agricultural land.

DIRECTION 5.2: SYDNEY DRINKING WATER CATCHMENTS

Objective

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

Where this Direction applies

(2) This Direction applies to the Sydney drinking water catchment in the following local government areas:

<i>Blue Mountains</i>	<i>Campbelltown</i>	<i>Cooma Monaro</i>
<i>Eurobodalla</i>	<i>Goulburn Mulwaree</i>	<i>Kiama</i>
<i>Lithgow</i>	<i>Oberon</i>	<i>Palerang</i>
<i>Shoalhaven</i>	<i>Sutherland</i>	<i>Upper Lachlan</i>
<i>Wingecarribee</i>	<i>Wollondilly</i>	<i>Wollongong.</i>

When this Direction applies

(3) This Direction applies when a relevant planning authority prepares a planning proposal that applies to land within the Sydney drinking water catchment.

What a relevant planning authority must do if this Direction applies

(4) A planning proposal must be prepared in accordance with the general principle that water quality within the Sydney drinking water catchment must be protected, and in accordance with the following specific principles:

- (a) new development within the Sydney drinking water catchment must have a neutral or beneficial effect on water quality, and*
- (b) future land use in the Sydney drinking water catchment should be matched to land and water capability, and*
- (c) the ecological values of land within a Special Area that is:*
 - (i) reserved as national park, nature reserve or state conservation area under the National Parks and Wildlife Act 1974, or*
 - (ii) declared as a wilderness area under the Wilderness Act 1987, or*
 - (iii) owned or under the care control and management of the Sydney Catchment Authority, should be maintained.*

(5) When preparing a planning proposal that applies to land within the Sydney drinking water catchment, the relevant planning authority must:

- (a) ensure that the proposal is consistent with State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011, and*
- (b) give consideration to the outcomes of the Strategic Land and Water Capability Assessment prepared by the Sydney Catchment Authority, and*
- (c) zone land within the Special Areas owned or under the care control and management of Sydney Catchment Authority generally in accordance with the following:*

Land	Zone under Standard Instrument (Local Environmental Plans) Order 2006
<i>Land reserved under the National Parks and Wildlife Act 1974</i>	<i>E1 National Parks and Nature Reserves</i>
<i>Land in the ownership or under the care, control and management of the Sydney Catchment Authority located above the full water supply level</i>	<i>E2 Environmental Conservation</i>
<i>Land below the full water supply level (including water storage at dams and weirs) and operational land at dams, weirs, pumping stations etc.</i>	<i>SP2 Infrastructure (and marked "Water Supply Systems" on the Land Zoning Map)</i>

and

- (d) consult with the Sydney Catchment Authority, describing the means by which the planning proposal gives effect to the water quality protection principles set out in paragraph (4) of this Direction, and*
- (e) include a copy of any information received from the Sydney Catchment Authority as a result of the consultation process in its planning proposal prior to the issuing of a gateway determination under section 56 of the Environmental Planning and Assessment Act 1979.*

Consistency

(6) A planning proposal may be inconsistent with the terms of this Direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.

Comment: A Wastewater management: Site and Soil Evaluation and Disposal System Design report has been prepared by Strategic Environmental and Engineering Consulting includes the following statements and recommendations (see Annexure 13).

Wastewater Management Systems

The western dwelling is currently being serviced by a septic tank to absorption trench system. There are a total of two trenches which are 0.6m by 15m long. The eastern dwelling is also being serviced by a septic tank to absorption trench system with two trenches that are 0.6m by 40m long. As the current wastewater management systems are operating effectively no alterations are proposed. However reserve areas sized to current council and WaterNSW standards are required in case they are ever needed. In this case, the reserve areas have been sized to accommodate for Evapotranspiration/Absorption (ETA) beds. For the western dwelling a reserve area of 120 m² is needed. This could be provided as two 3m by 20m ETA beds. For the eastern dwelling a reserve area of 160 m² is required. This could be provided as four 2m by 20m ETA beds. If ever constructed, the beds must be built to the requirements of AS/NZS1547:2012 (Figures 1 and 4).

It is required that all new developments within the Sydney drinking water catchment have a Neutral or Beneficial Effect (NorBE) on water quality. This is assessed using the NorBE assessment tool which includes a Wastewater Effluent Model (WEM). SEEC has undertaken the WEM (Figures 2 and 3) for the development and determined the reserve wastewater management systems would have a neutral or beneficial effect on water quality. Note the orientation of the EMAs in the WEM models are slightly different to that proposed. This is a result of the model not accurately showing the slope direction.

Conclusions and Recommendations

We conclude the site is suited to dispose primary-treated effluent in the existing wastewater management systems. Specifically, our recommendations are:

- 1. To leave the current wastewater management systems as they are;*
- 2. To protect the current EMAs from vehicle and stock access (fence them off if necessary);*
- 3. To provide suitable reserve areas sized to the specifications of this report and leave them undeveloped;*
- 4. To preferentially select low phosphorus, liquid detergents;*
- 5. To manage the wastewater systems according to the details of this report, its appendices and the manufacturer's recommendations; and*
- 6. Any intensification of the land use is to be subject to a new wastewater assessment.*

The proposal will therefore have minimal environmental impact and comply with the Neutral or Beneficial Effects (NorBE) test for impact on water quality.

DIRECTION 6.3: SITE SPECIFIC PROVISIONS

Objective

- (1) The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.*

Where this direction applies

- (2) This direction applies to all relevant planning authorities.*

When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.*

What a relevant planning authority must do if this direction applies

- (4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:*
- (a) allow that land use to be carried out in the zone the land is situated on, or*
 - (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or*
 - (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.*
- (5) A planning proposal must not contain or refer to drawings that show details of the development proposal.*

Consistency

(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.

Comment: The Planning Proposal is considered to be of minor significance and intends to provide for the retention of the existing dwellings and associated uses on each of two (2) lots in the future subdivision of Lot A DP 413644 (see plan at Annexure 5). There are no restrictive site-specific planning controls proposed.

Section C-Environmental, Social and Economic Impact

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?

There is no likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal. There is no known critical habitat or threatened species, populations or ecological communities, or their habitats located on the subject land - see Annexure 10 being a copy of the NSW Environment and Heritage Bionet map. Additionally, the Upper Lachlan Natural Resources Sensitivity - Biodiversity Map Sheet NRB_008 (Part) does not identify the subject land as containing biodiversity - see Annexure 11. There is no likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal.

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

There are no other likely environmental effects as a result of the planning proposal. The land and lots to be created by subdivision (see plan at Annexure 5) have available all necessary services and infrastructure.

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

The planning proposal provides a positive social and economic effect by enabling the two (2) existing dwelling houses on Lot A DP 413644 at 101 Golspie Road, Taralga to be located on separate parcels of land by the subdivision (see plan at Annexure 5) of the subject land into two (2) allotments with consent in the Zone R5 Large Lot Residential of *Upper Lachlan Local Environmental Plan 2010* (LEP 2010) where a minimum lot size of 2ha applies. The Planning Proposal will also address a historical development which has resulted in two (2) dwellings being erected on a single small area allotment.

Section D-State and Commonwealth Interests

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

No public infrastructure will be required as a consequence of support of this planning proposal as both future parcels of land have existing access from Golspie Road (see

photographs at Annexure 9) and the existing dwellings will continue to utilize existing on-site wastewater disposal facilities and rainwater tanks for potable water. Additionally, any future development applications for the subdivision of the subject land (see plan at Annexure 5) will appropriately consider the requirements for any public infrastructure. The area to which Zone R5 Large Lot Residential applies does not have reticulated water or sewer, however, electricity is available to the existing dwellings. The village of Taralga does have reticulated water and sewerage infrastructure and the estimated cost of providing this infrastructure to the subject land is:

Design and Contingency		\$50,000
Reticulated Water:	568m @ \$120/m =	\$68,160
Reticulated sewerage:	568m @ \$110/m =	\$62,480
Sewer Pump Station		\$250,000
	TOTAL	\$430,640

It is not feasible or economically viable for reticulated water and sewerage infrastructure to be extended to the subject land and the Upper Lachlan Strategy Plan 2020 Vision states in respect to large lot residential living and rural small holdings that *“These areas comprise unserviced lots that will be defined by minimum lot sizes for dwelling entitlements”* (Page 197). Enquiries were made to the Upper Lachlan Council regarding the capacity of the existing reticulated water and sewerage infrastructure to service the R5 zoned area but no information has been provided. In any event, this Planning Proposal will have no impact on the capacity of the Taralga water and sewerage infrastructure. Dwelling 1 has a front setback of 92m from Golspie Road and Dwelling 2, a front setback of 54m from Golspie Road. The Upper Lachlan DCP 2010 requires a minimum front setback of 10m. Side and rear setbacks of Dwelling 1 are 19m and 8m respectively and for Dwelling 2, 19m and 30m respectively which also exceed the DCP requirement of 5m.

In respect to access, photographs of the available sight distance are included at Annexure 9 showing:

Dwelling 1:	Sight distance west	145m
	Sight distance east	180m
Dwelling 2	Sight distance west	250m
	Sight distance east	315m

In respect to the required sight distance, Austroads *Guide To Road Design Part 4a: Unsignalised And Signalised Intersections* (Section 3.2.2) provides the following formula to determine a Safe Intersection Sight Distance (SISD):

$$SISD = [(D_T \times V) / 3.6] + [V^2 / (254 \times (d + 0.01 \times a))]$$

where:

SISD = safe intersection sight distance (m)

DT = decision time (s) = observation time (3 s) + reaction time (s): refer to the Guide to Road Design – Part 3: Geometric Design (Austroads 2009a) for a guide to values

V = operating (85th percentile) speed (km/h)

d = coefficient of deceleration – refer to Table 3.2 and the Guide to Road Design – Part 3: Geometric Design (Austroads 2009a) for a guide to values

a = longitudinal grade in % (in direction of travel: positive for uphill grade, negative for downhill grade)

In this instance:

(i) Dwelling 1 Access –Sight Distance West:

DT = 3 + 1.5 (design speed <90kph – see Section 5.2.2 of RMS Supplement at Annexure 14) = 4.5

V = 70kph (this 85th percentile is considered appropriate for this location for traffic travelling in an easterly direction considering the road alignment, narrow bitumen width (approx. 5.5m) and average to poor condition of the road pavement)

d = 0.36 (See Section 5.2.3 of RMS Supplement at Annexure 14)

a = 3%

and

$$\begin{aligned}\text{SISD} &= [(4.5 \times 70) / 3.6] + [70^2 / (254 \times (0.36 + 0.01 \times 3))] \\ &= 87.5 + 49.5 \\ &= 137\text{m}\end{aligned}$$

A Safe Intersection Sight Distance of 137m is required. The minimum sight distance west at the existing driveway is 145m which exceeds the calculated minimum requirement.

(ii) Dwelling 1 Access –Sight Distance East:

DT = 3 + 1.5 (design speed <90kph – see Section 5.2.2 of RMS Supplement at Annexure 14) = 4.5

V = 80kph (this 85th percentile is considered appropriate for this location for traffic travelling in a westerly direction considering the road alignment, narrow bitumen width (approx. 5.5m) and average to poor condition of the road pavement)

d = 0.36 (See Section 5.2.3 of RMS Supplement at Annexure 14)

a = 3%

and

$$\begin{aligned}\text{SISD} &= [(4.5 \times 80) / 3.6] + [80^2 / (254 \times (0.36 + 0.01 \times 3))] \\ &= 100 + 76.4 \\ &= 176.4\text{m}\end{aligned}$$

A Safe Intersection Sight Distance of 177m is required. The minimum sight distance east at the existing driveway is 180m which exceeds the calculated minimum requirement.

(iii) Dwelling 2 Access –Sight Distance West:

DT = 3 + 1.5 (design speed <90kph – see Section 5.2.2 of RMS Supplement at Annexure 14) = 4.5

V = 80kph (this 85th percentile is considered appropriate for this location for traffic travelling in an easterly direction considering the road alignment, narrow bitumen width (approx. 5.5m) and average to poor condition of the road pavement)

d = 0.36 (See Section 5.2.3 of RMS Supplement at Annexure 14)

a = 3%

and

$$\begin{aligned}\text{SISD} &= [(4.5 \times 80) / 3.6] + [80^2 / (254 \times (0.36 + 0.01 \times 3))] \\ &= 100 + 64.6 \\ &= 164.6\text{m}\end{aligned}$$

A Safe Intersection Sight Distance of 165m is required. The minimum sight distance west at the existing driveway is 250m which exceeds the calculated minimum requirement.

(iv) Dwelling 2 Access –Sight Distance East:

DT = 3 + 1.5 (design speed <90kph – see Section 5.2.2 of RMS Supplement at Annexure 14) = 4.5

V = 80kph (this 85th percentile is considered appropriate for this location for traffic travelling in a westerly direction considering the road alignment, narrow bitumen width (approx. 5.5m) and average to poor condition of the road pavement)

d = 0.36 (See Section 5.2.3 of RMS Supplement at Annexure 14)

a = 3%

and

$$\begin{aligned}\text{SISD} &= [(4.5 \times 80) / 3.6] + [80^2 / (254 \times (0.36 + 0.01 \times -3))] \\ &= 100 + 76.4 \\ &= 176.4\text{m}\end{aligned}$$

A Safe Intersection Sight Distance of 177m is required. The minimum sight distance east at the existing driveway is 315m which exceeds the calculated minimum requirement.

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

Any requirement to consult State and Commonwealth public authorities, as advised by the Department, will be undertaken in accordance with the relevant community consultation requirements.

PART 4 MAPPING

The following maps are included as part of the Planning Proposal:

- | | |
|----------|--|
| Figure 1 | The land subject to the Planning Proposal (Lot A DP 413644). |
| Figure 2 | The land subject to the Planning Proposal – Deposited Plan |
| Figure 3 | Upper Lachlan LEP 2010 Land Use Zone Map (Current). |
| Figure 4 | Upper Lachlan LEP 2010 Minimum Lot Size Map (Current). |
| Figure 5 | Aerial photograph identifying the subject land - General Locality. |
| Figure 6 | Aerial photograph identifying the subject land. |
| Figure 7 | Upper Lachlan LEP 2010 Minimum Lot Size Map (Amended). |
| Figure 8 | Upper Lachlan LEP 2010 Land Use Zone Map (Amended). |

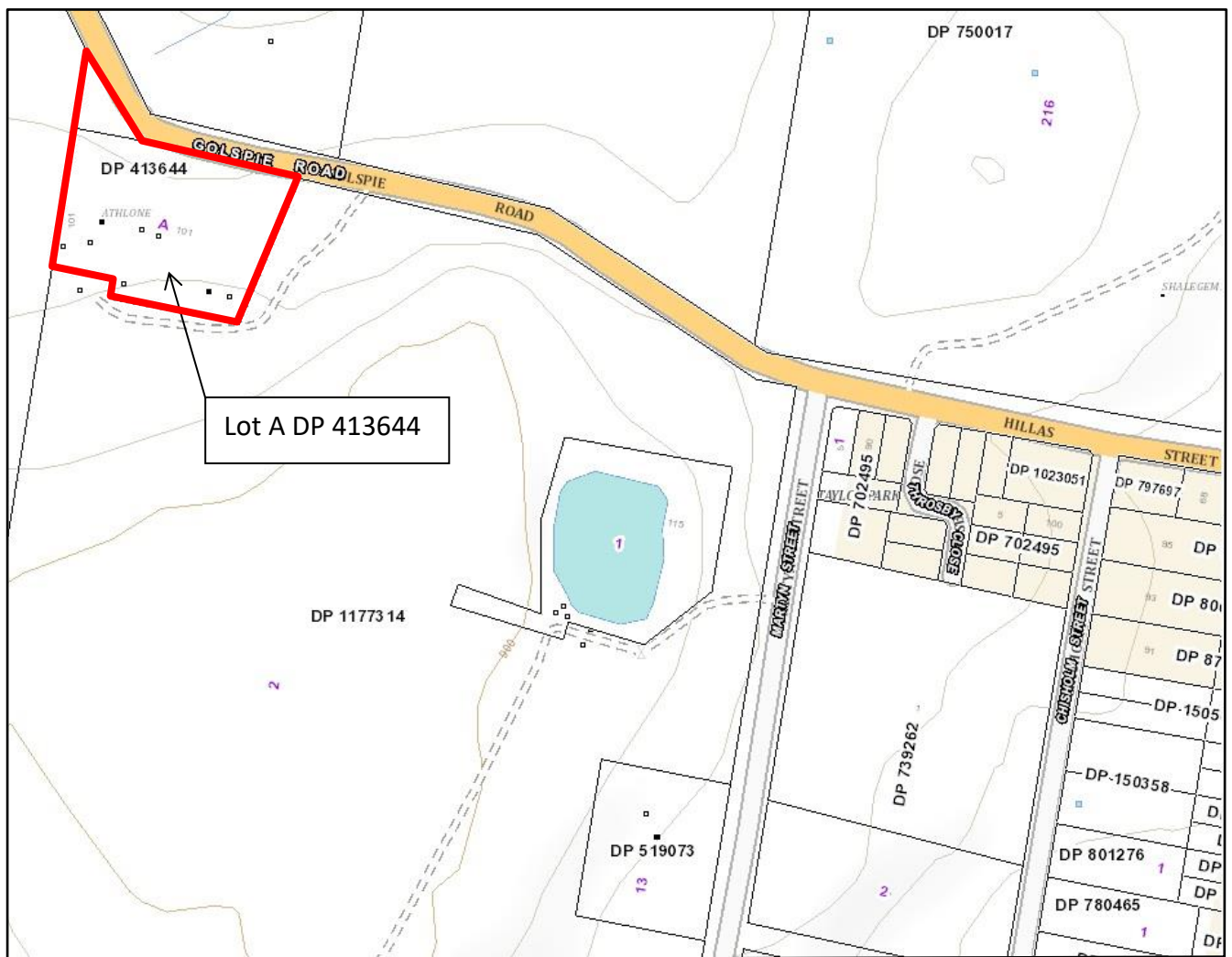
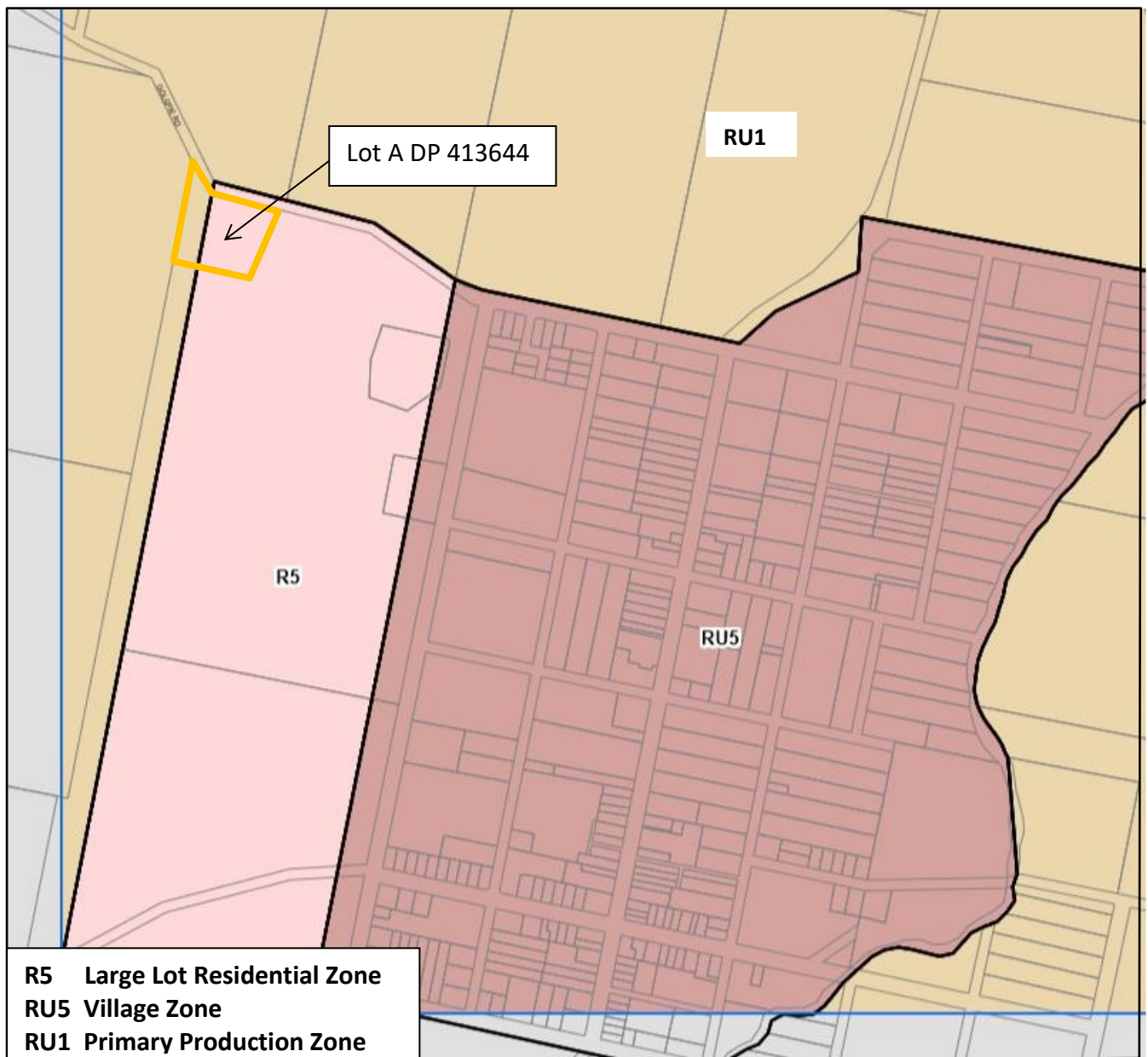
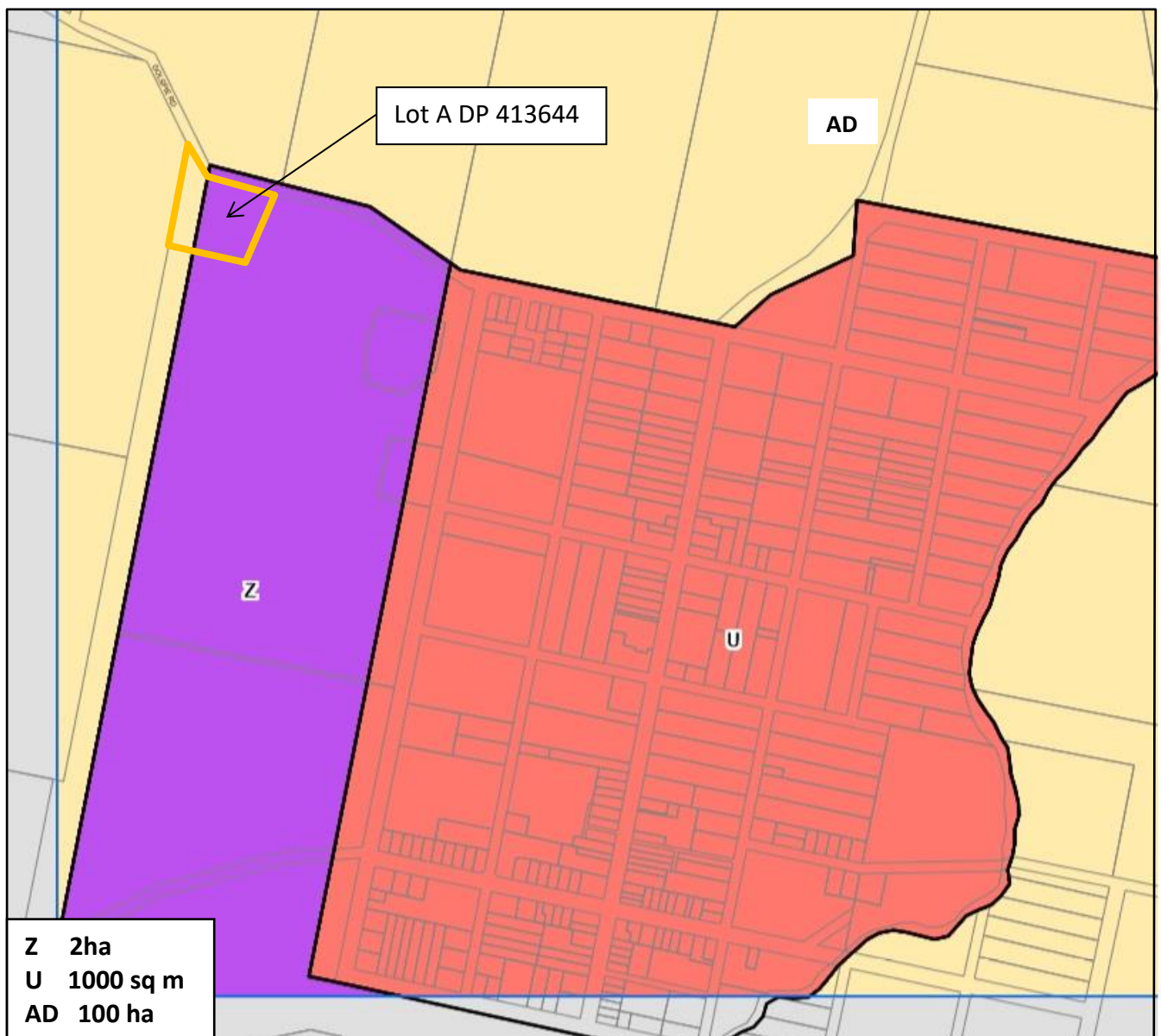


Figure 1: The land subject to the Planning Proposal (Lot A DP 413644)
(Map Source: Six Maps)



**Figure 3: The current Land Use Zones applying to the land
Zone R5 Large Lot Residential and Zone RU1 Primary Production
(Land Zoning Map – Sheet LZN_008B)
Upper Lachlan Local Environmental Plan 2010
(Map Source: NSW Legislation website)**



**Figure 4: The current Minimum Lot Sizes relating to the land
(Lot Size Map - Sheet LSZ_008B)
Upper Lachlan Local Environmental Plan 2010
(Map Source: NSW Legislation website)**

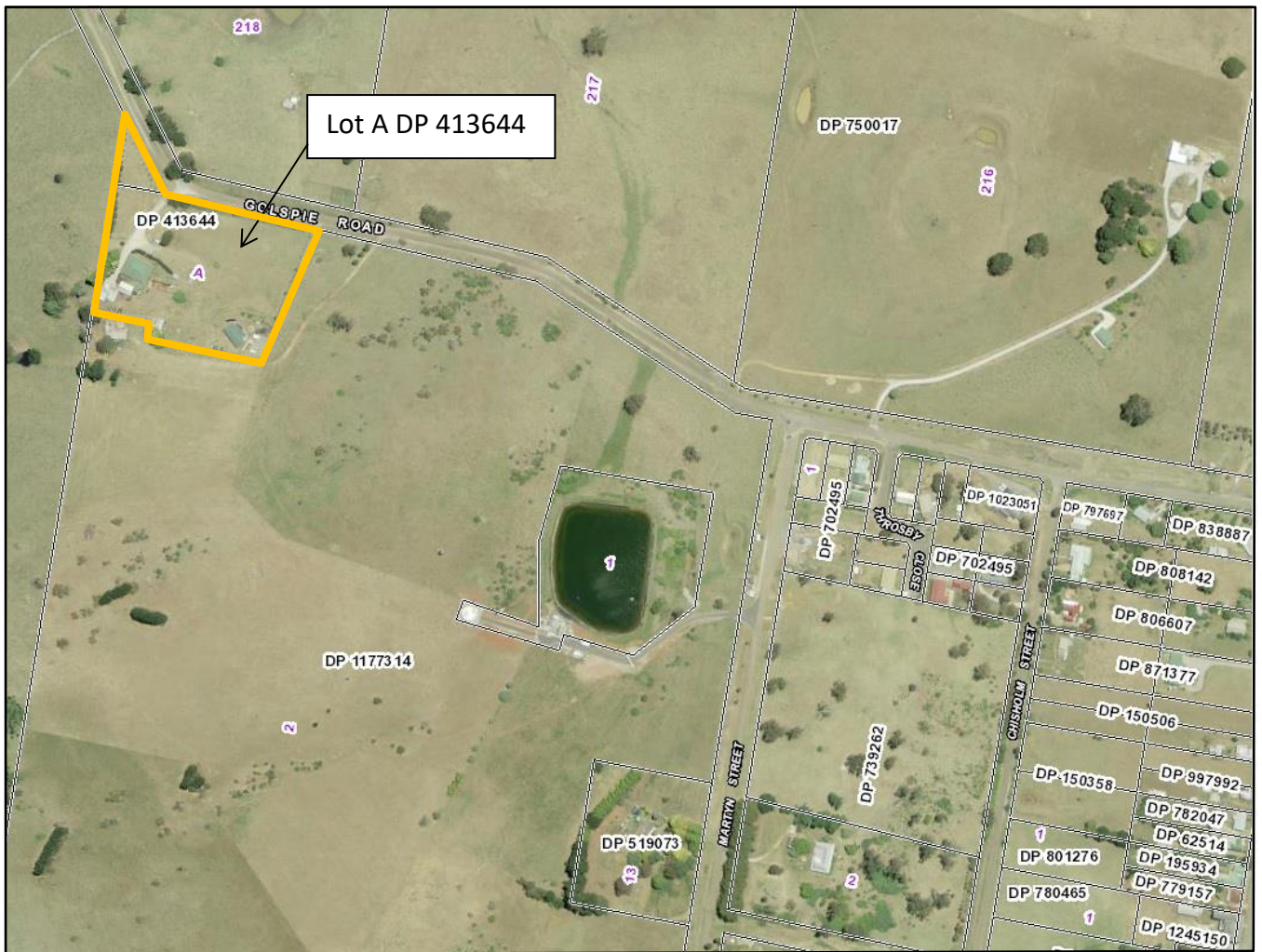
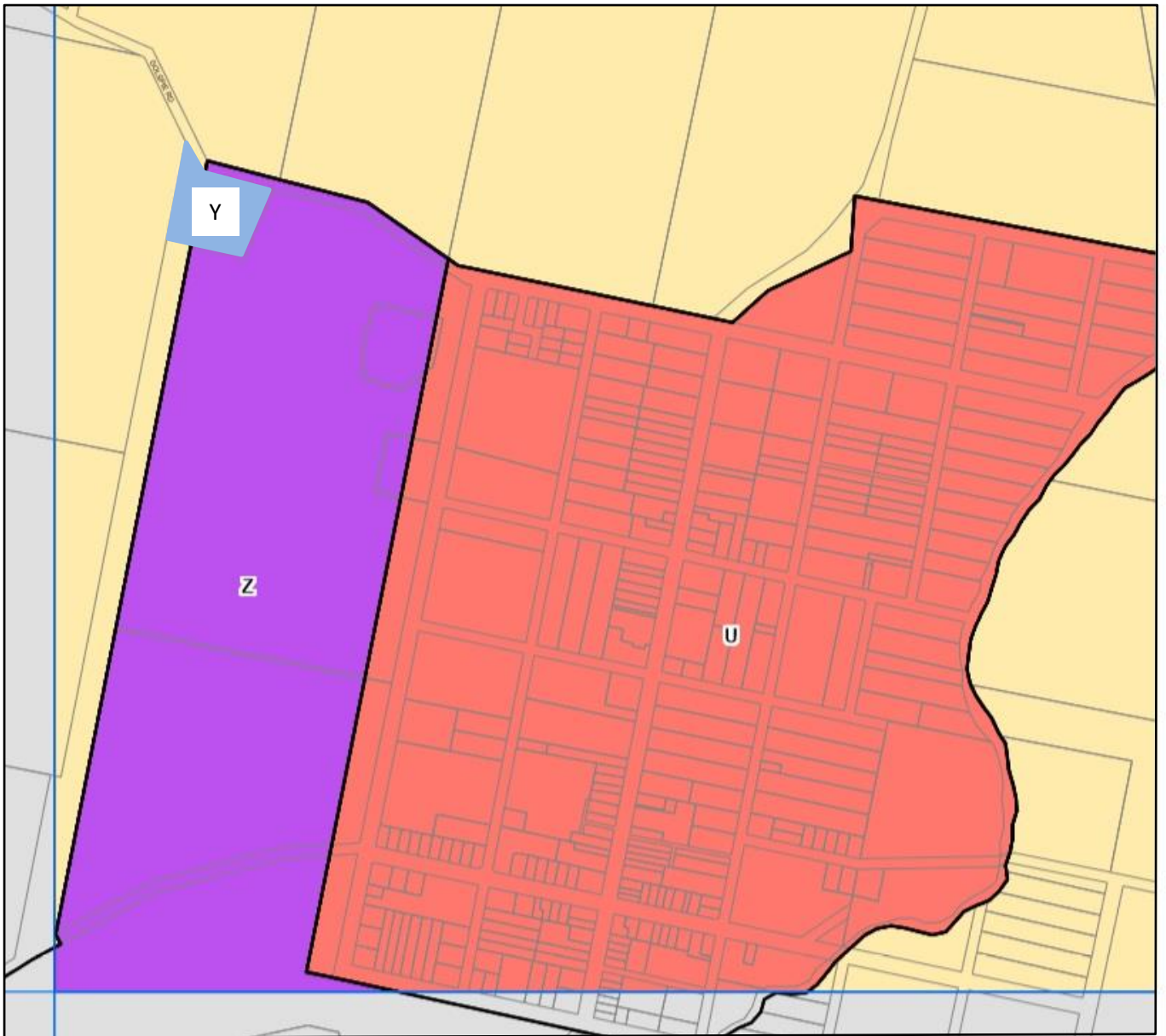


Figure 5: Aerial photograph identifying the subject land – General Locality
(Map Source: Six Maps)



Figure 6: Aerial photograph identifying the subject land
(Map Source: Six Maps)



**Figure 7: The proposed Minimum Lot Size to apply to the land
Minimum Lot Size 10000 sq m (Y)
(Lot Size Map - Sheet LSZ_008B)
Upper Lachlan Local Environmental Plan 2010
(Map Source: NSW Legislation website)**

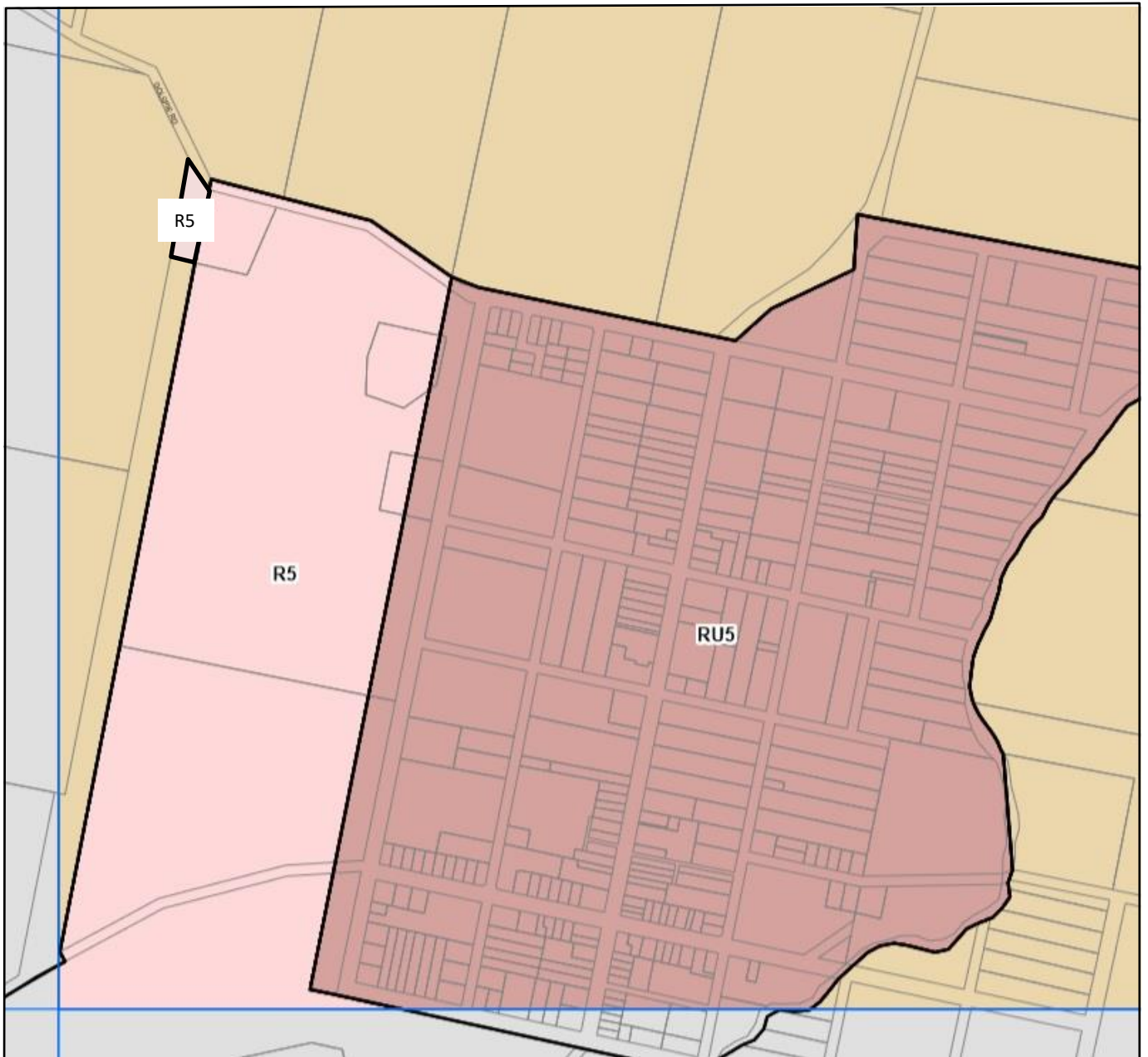


Figure 8: The proposed amendment to Upper Lachlan Land Zoning Map
R5 large Lot Residential Zone
(Land Zoning Map - Sheet LZN_008B)
Upper Lachlan Local Environmental Plan 2010
(Map Source: NSW Legislation website)

PART 5 COMMUNITY CONSULTATION

The document “A guide to preparing local environmental plans” outlines the consultation required for different types of planning proposals and the gateway determination will specify the community consultation that must be undertaken on the planning proposal. It is expected that the exhibition period for this low impact proposal will be 14 days. A ‘low’ impact planning proposal is a planning proposal that, in the opinion of the person making the Gateway determination is:

- consistent with the pattern of surrounding land use zones and/or land uses;
- consistent with the strategic planning framework;
- presents no issues with regard to infrastructure servicing;
- not a principal LEP;
- does not reclassify public land.

The Planning Proposal will be notified in local newspapers that circulate the area affected, Council's website, in writing to adjoining landowners and public authorities. Details of the Planning Proposal and how to make a submission will be included in this notification. Kingsdale Consulting Pty Ltd will respond to any feedback from the Council, public authorities and the community in relation to the Planning Proposal.

PART 6 PROJECT TIMELINE

The following project timeline is provided for the planning proposal:

Anticipated commencement date (*date of Gateway determination*):

April 2019

Anticipated timeframe for the completion of required technical information:

May 2019

Timeframe for government agency consultation (*pre and post exhibition as required by Gateway determination*):

May / June 2019

Commencement and completion dates for public exhibition period:

June / July 2019

Dates for public hearing (if required):

Not required

Timeframe for consideration of submissions:

August 2019

Timeframe for the consideration of a proposal post exhibition:

August 2019

Date of submission to the department to finalise the LEP:

August 2019

Anticipated date RPA will make the plan (if delegated):

September 2019

Anticipated date RPA will forward to the department for notification:

September 2019

CONCLUSION and RECOMMENDATION

An assessment of the Planning Proposal has been completed in accordance with the guidelines prepared by NSW Department of Planning and is the best means of achieving the intended outcome of the planning proposal to enable the two (2) existing dwelling houses on Lot A DP 413644 at 101 Golspie Road, Taralga to be located on separate parcels of land by the subdivision of the subject land.

The Planning Proposal also meets all the relevant State, Regional and Local planning policies and is considered to be of minor significance.

It is recommended that this Planning Proposal be endorsed by the Upper Lachlan Shire Council and forwarded to the Minister for Planning for a Gateway Determination in accordance with the *Environmental Planning and Assessment Act 1979* as the Proposal:

- is justified in terms of consistency with all the relevant State, Regional and Local planning policies.
- addresses a historical development which has resulted in two (2) dwellings being erected on a single small area allotment.
- is considered to be of minor significance.

ANNEXURES

Annexure 1

History of the two houses on a 2 hectare allotment.

PHILLIP CROKE
101 GOLSPIE ROAD
TARALGA 2580
PHONE 0438 472 427

TO JACQUELINE IMPEY
UPPER LACHLAN SHIRE COUNCIL

THIS LETTER IS TO REQUEST UPPER LACHLAN
SHIRE COUNCIL TO PREPARE AND SUPPORT A PLANNING
PROPOSAL FOR REZONING FROM 2 HECTARES TO
1 HECTARE ON BEHALF OF HELEN PITT
LOT A DP 413644 101 GOLSPIE ROAD TARALGA NSW

HISTORY OF TWO HOUSES ON A 2 HECTARES
SUBDIVISION.

EARLY TO MID 1900'S PICKER'S OWNED
ABOUT 48 HECTARES.

MAIN HOUSE BUILD EARLY 1900'S
COTTAGE BUILD AROUND 1940'S EARLY 1950'S
FOR THERE SON,
SOLD TO CAMPBELL'S AROUND LATE 1950'S
EARLY 1960'S.

SOLD TO BILL CONNOR AROUND EARLY 1960'S.
BILL CONNOR SUBDIVIDED 2 HECTARES WITH
THE TWO HOUSES AND SOLD THE BLOCK TO
THE TODD FAMILY.

SOLD TO PITT'S IN 1974

COTTAGE REPLACE IN 2001
MAIN HOUSE RENOVATE AROUND 2006

Philip L Croke.

Annexure 2

Letter from Upper Lachlan Shire Council dated 18 January 2018

Letter from The Hon Anthony Roberts MP (NSW Minister for Planning) dated 1 August 2017



ABN 81 011 241 592

All correspondence addressed to the General Manager, Upper Lachlan Shire Council

Crookwell Office: 44 Spring Street, Crookwell NSW 2583

p: 02 4830 1000 | f: 02 4832 2066 | e: council@upperlachlan.nsw.gov.au | www.upperlachlan.nsw.gov.au

Gunning Office: 123 Yass Street, Gunning NSW 2581

p: 02 4845 4100 | f: 02 4845 1426 | e: council@upperlachlan.nsw.gov.au

Taralga Office: Taralga Community Service Centre, Orchard Street, Taralga NSW 2580

p: 02 4840 2099 | f: 4840 2296 | e: taralgaco@cointernet.com.au

Environment and Planning Department – TRIM F11/182-09 D2018/269 and F11/183-09

18 January 2018

Mr Phillip Croke
101 Golspie Road
TARALGA NSW 2580

Dear Sir,

Rezoning Enquiry – Lot A, DP 413644, 101 Golspie Road, Taralga.

Reference is made to your enquiry to determine whether the existing dwellings are lawful and the potential for rezoning to reduce the existing minimum lot size and you are advised as follows:

A search of Council's records has confirmed that in 2001 the former Mulwaree Shire Council sent a letter confirming that the two existing dwelling houses were built prior to 1970 and were therefore considered lawful. Subsequently Development Application No. 001/516 and Construction Certificate No. 001/516 were approved on 1.8.2001 for a dwelling house to replace one of the existing dwelling houses.

In regard to your request to reduce the minimum lot size from 2 hectares to 1 hectare you are advised that any proposed rezoning must proceed in accordance with the Department of Planning and Environment's Gateway Process which includes preparation of a Planning Proposal. This is the link to the Department's Gateway Information website:
<http://www.planning.nsw.gov.au/Plans-for-your-area/Local-Planning-and-Zoning/The-Gateway-Process>

As part of this process there must be supporting studies and information which includes the justification for any change in zoning and/or minimum lot size. The Department's website provides guidelines to assist with the process. Consideration must also be given to relevant studies undertaken in the preparation of *Upper Lachlan Local Environmental Plan 2010 (LEP 2010)*. Council recommends you engage the services of a suitably qualified professional to prepare the planning proposal and relevant supporting reports and submissions.

For any further information please contact Council's Environment and Planning Department on (02) 48 301 000.

Yours faithfully,

Jacqueline Impney
Senior Strategic Planner
for
John K Bell
General Manager

Disclaimer: while every effort has been made to ensure the accuracy of this response, Council accepts no responsibility for any errors or omissions.



Anthony Roberts MP

Minister for Planning, Minister for Housing, Special Minister of State

17/09525

The Hon Pru Goward MP
Member for Goulburn
Minister for Family and Community Services
Minister for Social Housing
Minister for the Prevention of Domestic Violence and Sexual Assault
PO Box 168
GOULBURN NSW 2580

Dear Minister

Thank you for your representations on behalf of Mr Phillip Croke and Ms Helen Pitt of Taralga about the potential subdivision of their property.

I appreciate the reasons that prompted Mr Croke and Ms Pitt to contact you.

I am advised that Mr Croke and Ms Pitt's land is zoned a combination of RU1 Primary Production, with a minimum lot size of 100 hectares, and R5 Large Lot Residential, with a minimum lot size of 2 hectares under the Upper Lachlan Local Environmental Plan (LEP) 2010. I understand they wish to subdivide the area zoned R5 Large Lot Residential but are of the understanding that they cannot do so because this area is below the LEP's minimum lot size.


To enable a subdivision of the land, the Department has advised me that the minimum lot size would need to be changed. Mr Croke and Ms Pitt would need to request Upper Lachlan Shire Council to prepare a planning proposal to amend this control in the LEP. If Council supports the proposal it would seek a Gateway determination from the Department of Planning and Environment for the proposal to proceed to community consultation.

To find out more about the rezoning process, your constituents may wish to read the Department's guide to preparing planning proposals, by searching 'Gateway process' on the Department's website at www.planning.nsw.gov.au.

In an effort to be of assistance, the Department has contacted the Council for information and advice on this matter. The Department notes that Council's senior planner, Ms Jacqueline Impey can assist you constituents and can be contacted on (02) 4830 1000.

If Mr Croke and Ms Pitt have any more questions about this matter, please advise them to contact Mr Graham Towers, Acting Team Leader, Southern Region, at the Department on 4224 9467.

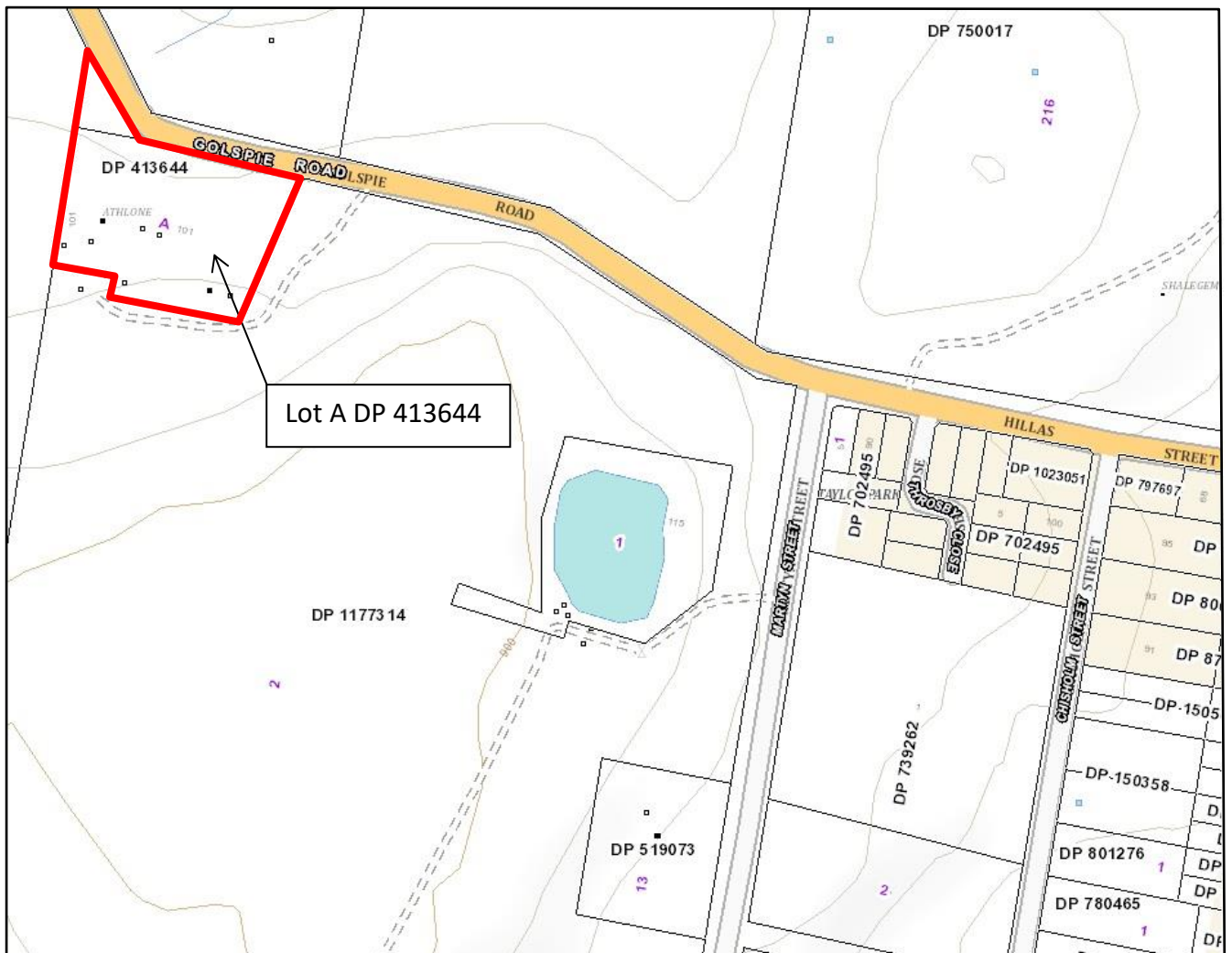
Yours faithfully


Anthony Roberts MP
Minister for Planning
Minister for Housing
Special Minister of State

1 AUG 2017

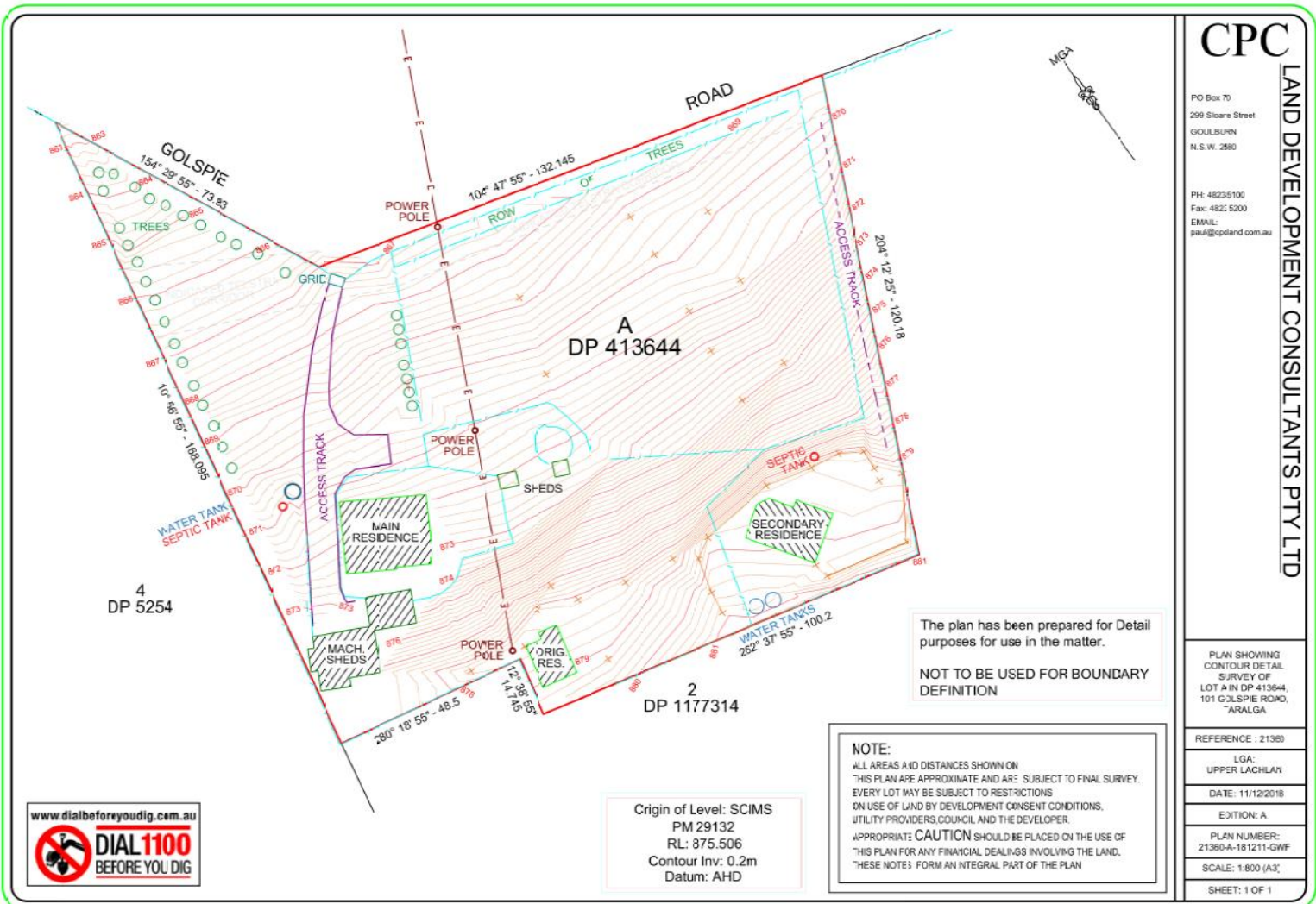
Annexure 3

Topographic Map



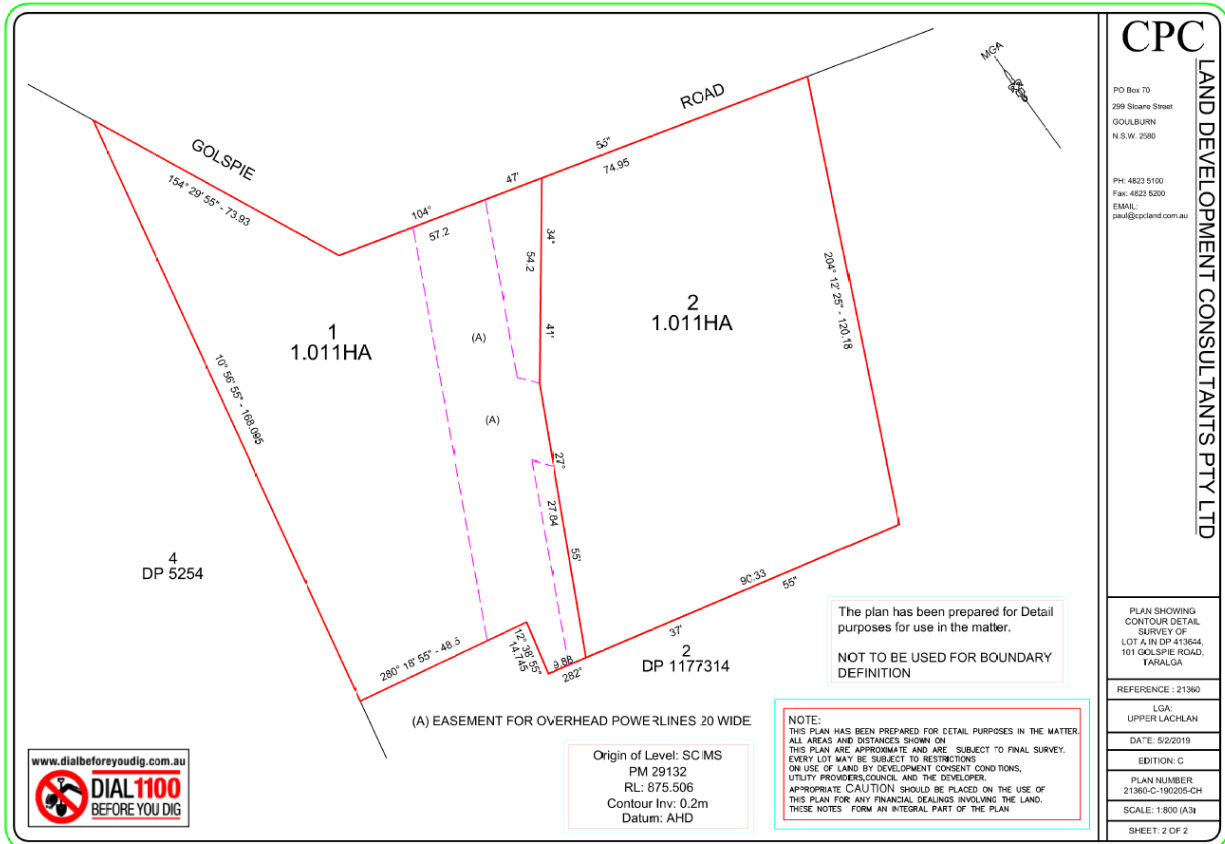
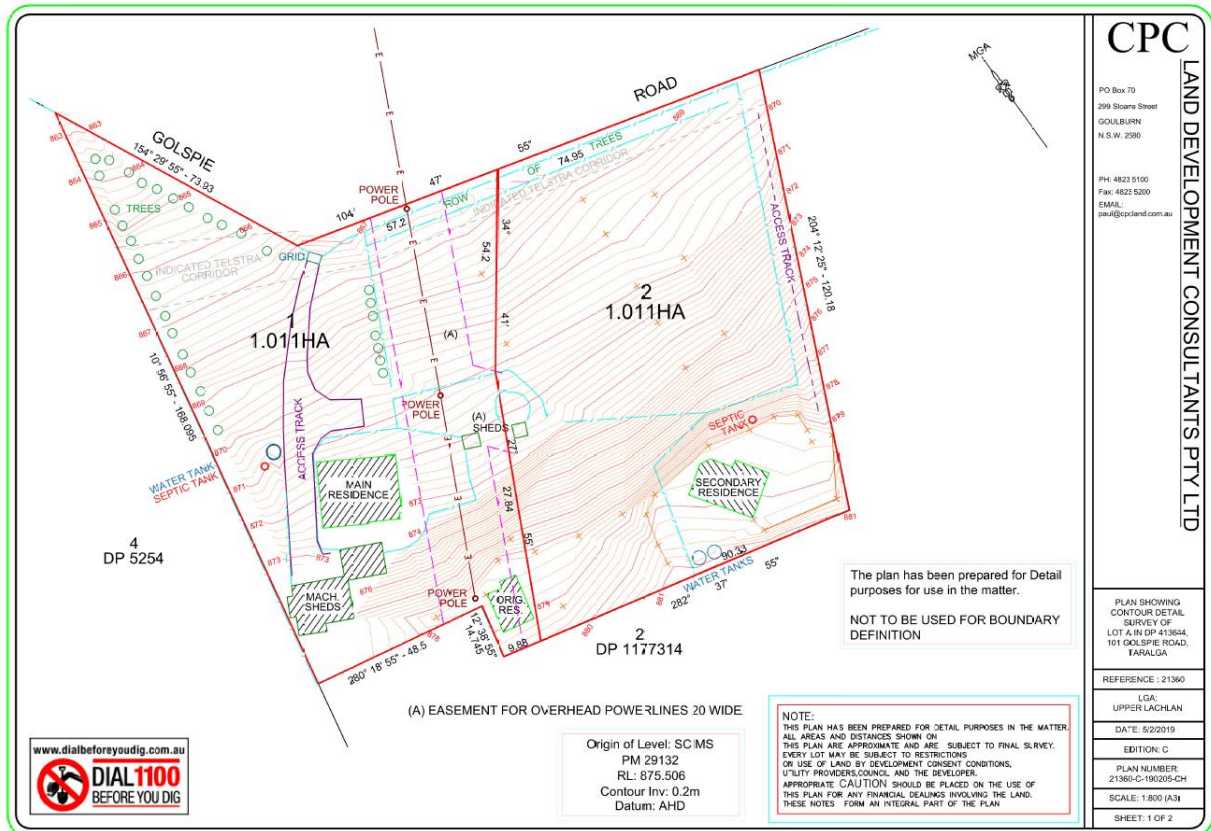
Annexure 4

Contour Survey



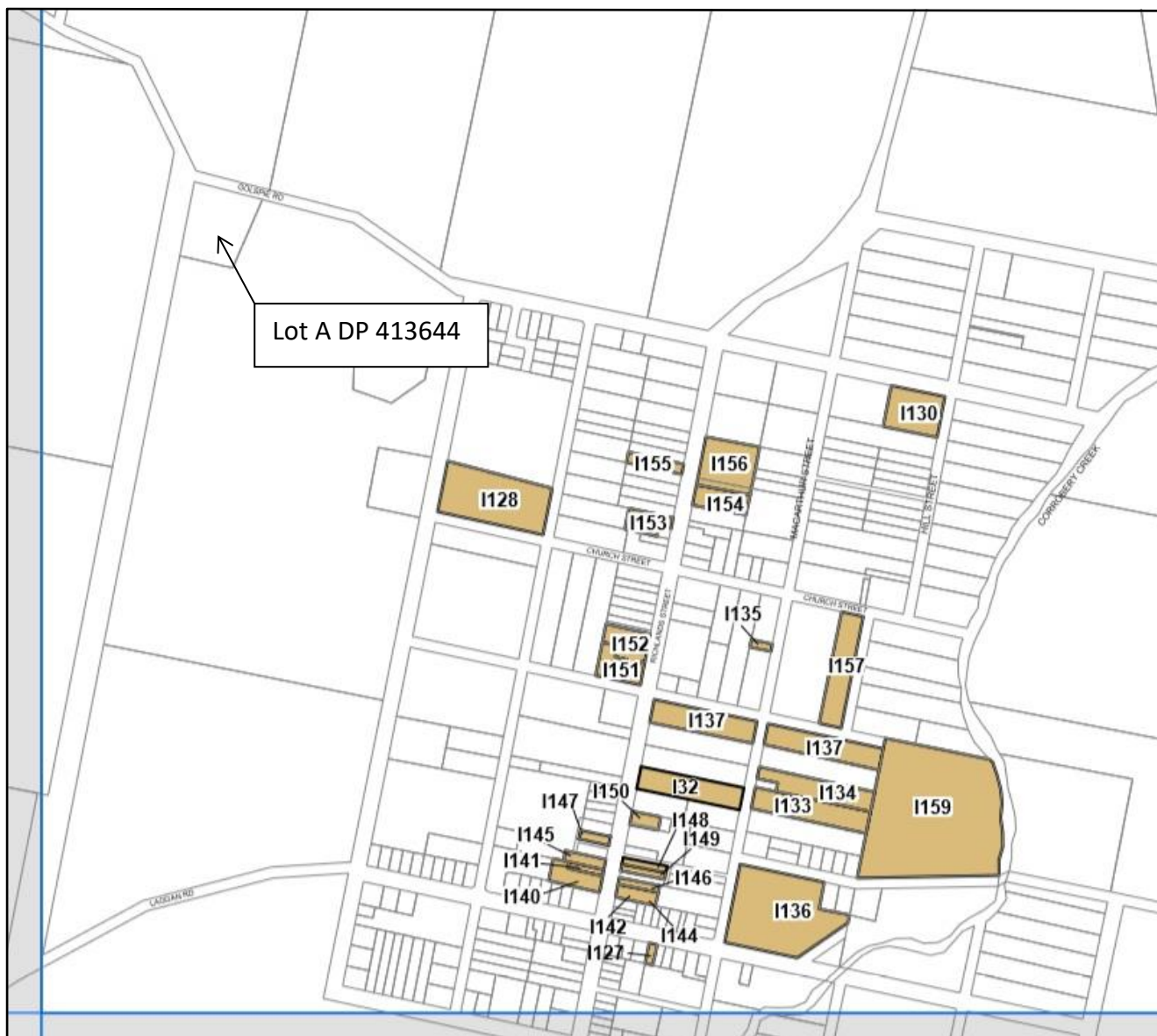
Annexure 5

Proposed Plan of Subdivision



Annexure 6

Upper Lachlan LEP 2010 – Heritage Map
HER_008B (Part)



Annexure 7

AHIMS Search Result



Office of
Environment
& Heritage

AHIMS Web Services (AWS) Search Result

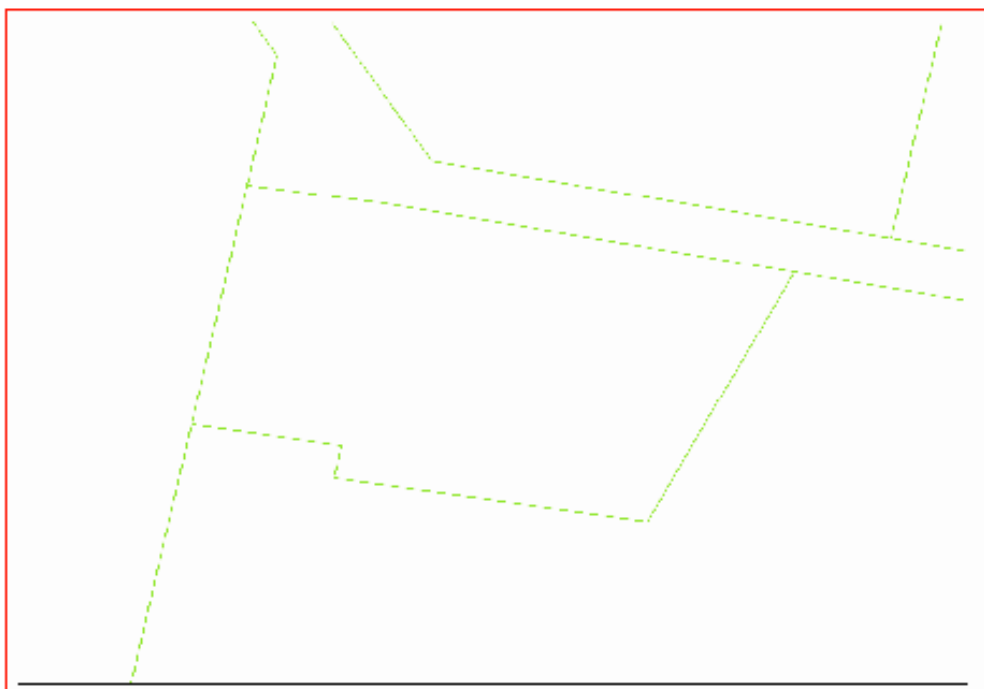
Purchase Order/Reference : Croke
Client Service ID : 377120

Robert Mowle
P O Box 1326
Goulburn New South Wales 2580
Attention: Robert Mowle
Email: robert@laterals.com.au
Dear Sir or Madam:

Date: 18 October 2018

AHIMS Web Service search for the following area at Lot: A, DP:DP413644 with a Buffer of 50 meters, conducted by Robert Mowle on 18 October 2018.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *



Robert Mowle
P O Box 1326
Goulburn New South Wales 2580
Attention: Robert Mowle
Email: robert@laterals.com.au
Dear Sir or Madam:

Date: 18 October 2018

**AHIMS Web Service search for the following area at Lot: A, DP:DP413644 with a Buffer of 200 meters,
conducted by Robert Mowle on 18 October 2018.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.

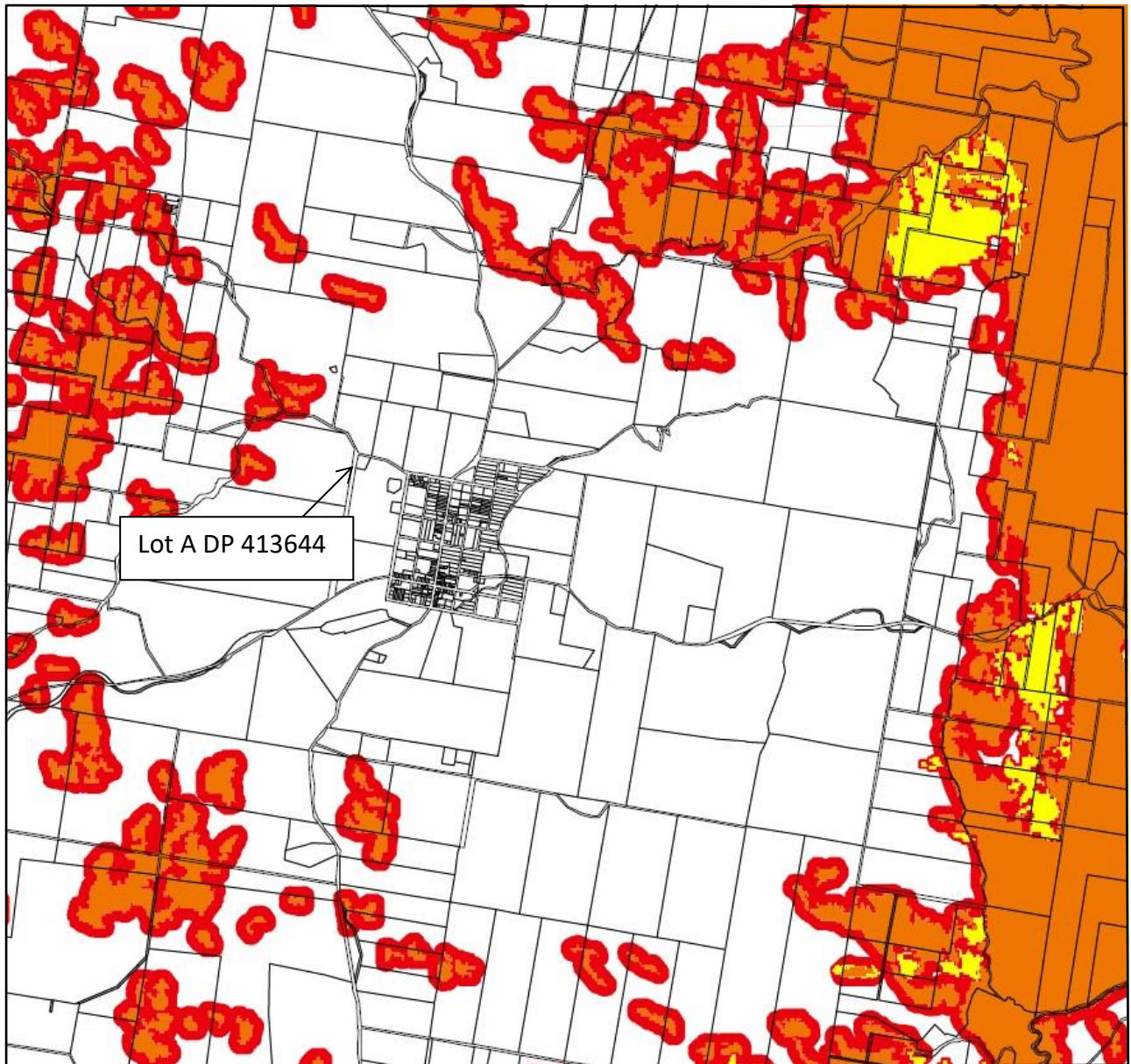


A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Annexure 8

Upper Lachlan Bushfire Prone Land Map (Part)



Annexure 9

Site Photographs (22 October 2018)



Existing Dwellings



Driveway to Dwelling 1



Dwelling 1



Driveway to Dwelling 2



Dwelling 2



Driveway to Dwelling 2 – Sight Distance West 250m



Driveway to Dwelling 2 – Sight Distance East 315m



Driveway to Dwelling 1 – Sight Distance West 145m



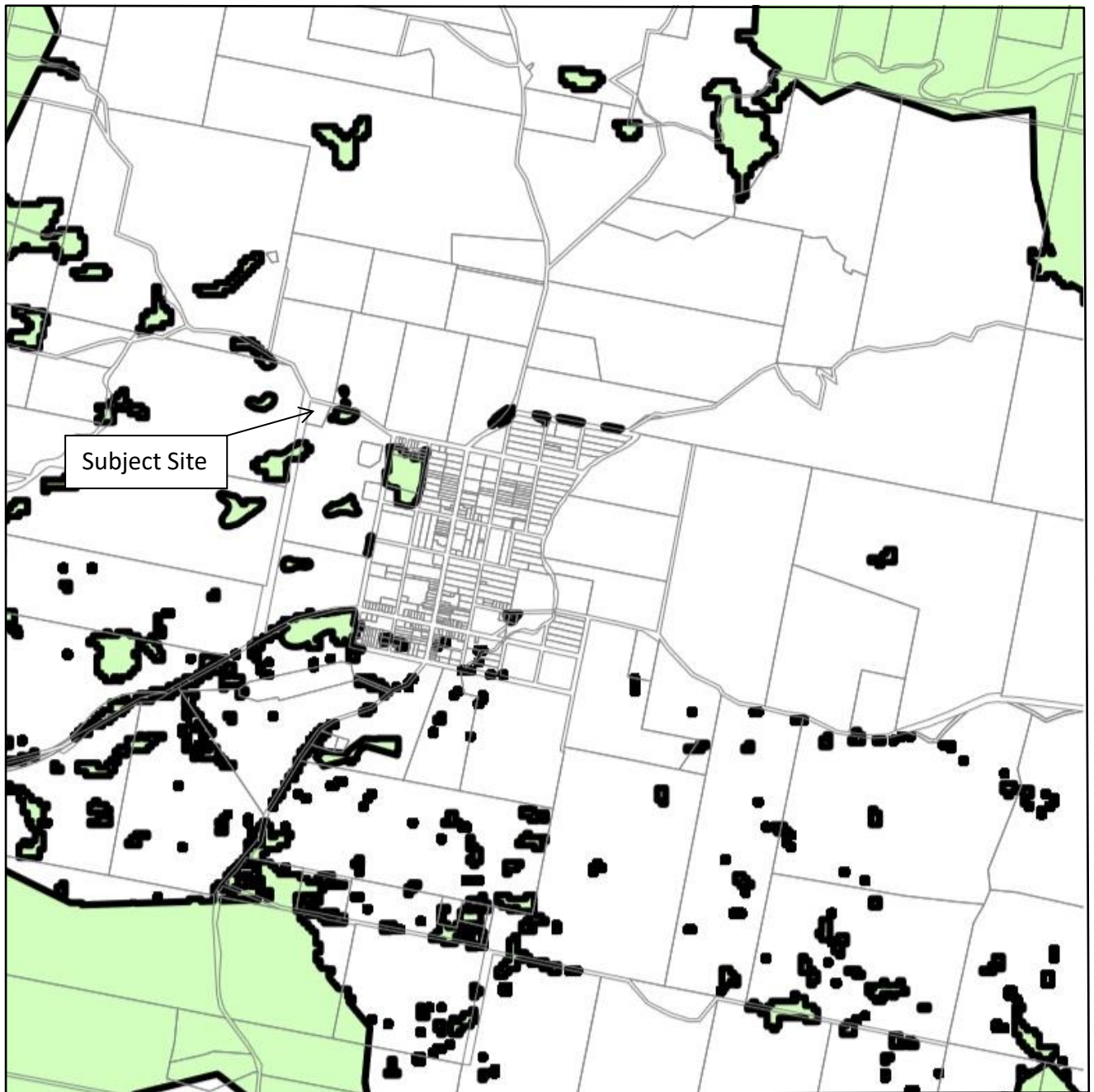
Driveway to Dwelling 1 – Sight Distance East 180m

NSW Environment and Heritage Bionet Map



Annexure 11

Upper Lachlan Natural Resources Sensitivity - Biodiversity Map Sheet NRB_008 (Part)



Annexure 12

Upper Lachlan Council letter dated 10 December 2018



ABN 91 011 241 032

Upper Lachlan Shire Council

All correspondence addressed to the General Manager, PO Box 42, GUNNING NSW 2581

Crookwell Office: 44 Spring Street, Crookwell NSW 2583

p: 02 4830 1000 | f: 02 4832 2066 | e: council@upperlachlan.nsw.gov.au | www.upperlachlan.nsw.gov.au

Gunning Office: 123 Yass Street, Gunning NSW 2581

p: 02 4845 4100 | f: 02 4845 1426 | e: council@upperlachlan.nsw.gov.au

Taralga Office: Taralga Community Service Centre, Orchard Street, Taralga NSW 2580

p: 02 4840 2099 | f: 4840 2296 | e: taralgacsc@upperlachlan.nsw.gov.au

Our Ref: F18/397

10 December 2018

Kingsdale Consulting Pty Ltd
PO Box 539
GOULBURN NSW 2580

Dear Robert

RE: PLANNING PROPOSAL – LOT A DP 413644 - 101 GOLSPIE ROAD, TARALGA

Further to a preliminary review of the Planning Proposal and the strategic planning directions established for Taralga in the Upper Lachlan Strategy 2020 the following additional information is required:

- An indicative plan of subdivision that demonstrates the capability and suitability of the site to support the proposal lot size and also meets Council requirements for access, setbacks, easement etc.
- A report from a suitably qualified person that addresses Councils requirements for on-site effluent disposal, WaterNSW NorBE requirements and accounts for future development and redevelopment on each proposed lot.
- The Planning Proposal needs to fully address the findings and recommendations of the Upper Lachlan Strategy 2020 in respect of Taralga village (extract of key findings attached). There are specific recommendations affecting the R5 Large Lot Residential zoned areas.
- The Planning Proposal needs to address the capacity, or lack of capacity, of reticulated water and sewerage in Taralga to service the R5 zoned area. It is not sufficient to indicate that reticulated services are not available to the land.
- The Planning Proposal does not address alternatives to the current approach of amending the MLS map – e.g. why Schedule 1 is not available to the proposal (refer Draft Planning Practice Note attached - which I don't think was ever finalised by the Department).
- The Planning Proposal needs to address the strategic implications and precedent of reducing lot sizes in the R5 zoned area having regard to:
 - The objectives of the zone, and
 - The range of permissible land uses in the zone that have the potential to increase future residential development densities (e.g. dual occupancies, secondary dwellings) based on a reduced MLS.

For any further information please contact Council's Environment and Planning Department on 02 4830 1000.

Yours faithfully


Tina Dodson

Director Environment and Planning

enable farming pursuits and agricultural land uses and enable farmers to purchase and lease land at prices that are not inflated by urban uses.

11.1.2 Taralga

Taralga will continue as a rural town servicing surrounding rural areas and villages. Based on a detailed assessment of Taralga and its function as a rural centre within Upper Lachlan, the Strategy would retain its Village zoning and introduces areas for large lot residential and rural small holdings.

The existing Village zone will be retained for the urban area enabling a variety of land use zones including commercial, employment, recreational and mixed uses.

Community views about Taralga demonstrated a willingness to:

- extend the town boundary to the capacity of the sewerage system
- ensure planning is sympathetic to the historic settlement pattern
- promote flexibility in residential lot sizes
- development controls to promote sympathetic design and retain the aesthetic environment of the village
- protect heritage buildings
- improve the economic use of land where utilities are provided
- provide a transition between larger and smaller lots
- define minimum lot sizes

Figure 11-2 identifies the key expansion areas identified for Taralga and aims to retain appropriate use of prime agricultural areas south and north of Taralga and promote large lot residential development where this development may be serviced by the existing utilities.

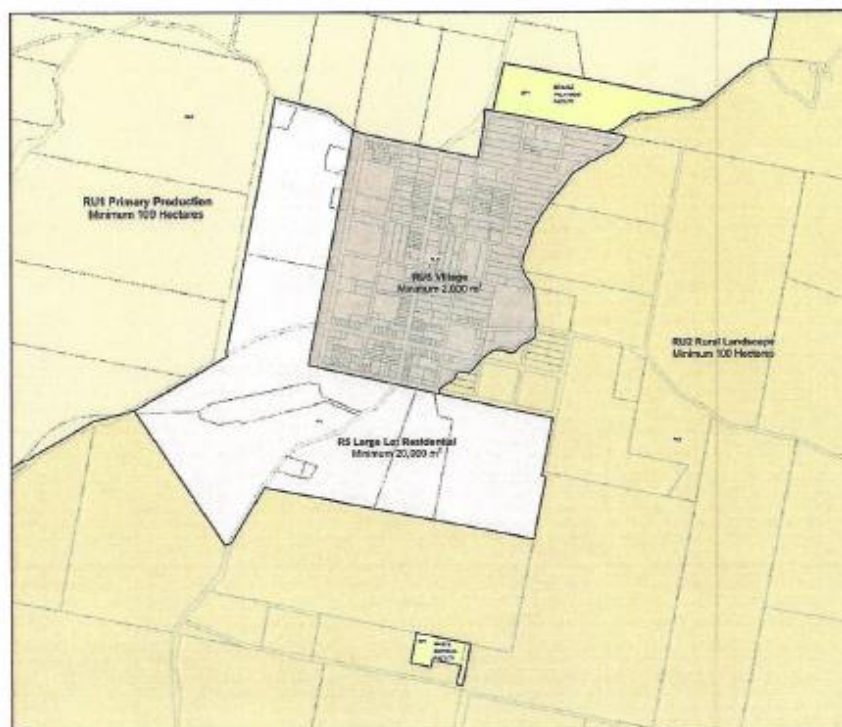


Figure 11-2 Taralga growth areas

Although Taralga has capacity for growth, much of this capacity may be absorbed through infill development within the existing village boundary. This however is limited by existing utilities particularly reticulated water supply, topography and capacity for reticulated sewer services.

As Taralga is currently serviced by individual on-site septic tank systems, growth and expansion of Taralga will be heavily reliant on the construction of a reticulated sewer system. The 2005 environmental assessment of Taralga's proposed sewerage system advised that the environmental impact of the proposal is acceptable and would significantly improve the utilities base of Taralga.

Population growth within and around Taralga, will result in increasing expectations and demands for a more reliable utilities base. The provision of additional facilities and services in the village, including recreation and aged care facilities, as well as demand for employment generating activities (e.g. service and light industries) will attract further growth.

Commercial land uses would be limited to the existing Main Street. Future development would be required to retain a commercial presence and not replace existing commercial stock with residential uses. This approach will reinforce the function of the commercial core and minimise pressure from alternative land uses from occupying key sites within the Main Street. Future development will also be guided by development control principles that would encourage future uses to incorporate sound design and be sensitive to the heritage significance of existing structures within Taralga.

While there are a number of large parcels of undeveloped land surrounding the existing Village, prior to any approval for a change of use, a detailed environmental assessment will be needed. The site specific local environmental study would need to identify and assess environmental constraints including bushfire prone areas, flooding and topographic issues that would affect use of the site.

Land surrounding the Village zone to the west and south have been recommended for the future expansion of Taralga. These areas are recommended primarily for large lot residential uses.

Large lot residential to the south and west of Taralga would encourage full time and part time agricultural pursuits while enabling residents to live near the village centre. This area is identified as prime agricultural land and this resource should be protected. These lots will be required to be connected to future reticulated water and sewer. Servicing of these sites would be wholly developer funded.

Following further investigations, detailed subdivision layouts and densities may be derived. Sites may also be identified for future large lot residential estates or subdivided and developed in such a way that they can be further subdivided in the future as required.

Planning for and provision of large lot residential development will relieve pressure on lands defined as prime agricultural south of Taralga and enable these properties to be retained for agricultural operations.

Consideration was also given to enabling expansion of the existing village to the north to promote activity and encourage an urban-rural interface. Due to topographical constraints however, development to the north would be inappropriate and may result in access, servicing and development difficulties.

To determine the need or the suitability of land for industrial uses, it is recommended that an industrial lands study be undertaken to identify land suitable for industrial and employment land uses near Taralga.

Various criteria were used to identify sites for large lot residential land uses surrounding Taralga. Table 11-2 defines the expected land use and development intensity issues that would need to be determined as part of the Strategy implementation.

Table 11-2 Opportunities and development intensity – Taralga

Land use Area	Land use opportunities
South Taralga – R5 Large Lot Residential	<ul style="list-style-type: none"> ▪ This area is generally unconstrained by slope or topography. ▪ Good road access via Goulburn Road. ▪ Productive Class II lands capable of variety of agricultural pursuits including regular cultivation. ▪ Needs to be considered in relation to future sewage treatment plant and irrigation areas – buffer to be provided surrounding sewage treatment plant. ▪ Promoting small scale agricultural pursuits is a key objective of this area to promote yield potential. ▪ Minimum 5 hectare allotment size to enable agricultural pursuits to operate and to encourage ongoing use of fertile lands. ▪ Investigation required to determine connections to reticulated water and sewer (when provided) systems unless developer funded.

Land use Area	Land use opportunities
West Taraiga – R5 Large Lot Residential	<ul style="list-style-type: none"> ▪ Generally free of vegetated areas although some areas comprise mature vegetation. ▪ Low bushfire prone potential. ▪ Would enable continuation of historic grid subdivision pattern for Taraiga. ▪ Opportunity for cycle and pedestrian shared-way into the Village centre. ▪ Dwellings would be permitted where site area exceeds 5 hectares. ▪ Development controls to guide development design and protect rural amenity. ▪ Internal road pattern needed with new development to seal roadway where currently unsealed. ▪ This area to provide transition between residential areas and rural areas ▪ Minimal European or Aboriginal heritage identified. ▪ This area is undulating and generally unconstrained. ▪ This area is to provide sensitive extension to the existing village and comprises good road access via Martyn Street and Cooper Street. ▪ Internal road network would be required as part of subdivision design. ▪ Good access to main street commercial area via Bunnaby Street. ▪ Buffer to be provided in accordance with water Directorate buffer guidelines from water treatment plant and any future sewage treatment plant to avoid conflict. ▪ Rural aesthetics and vistas into the village to be maintained where available. ▪ Large allotment sizes will offer varying design layouts to be considered and application of differing rural residential products. ▪ Opportunity for cycle and pedestrian share-way into the Village centre. ▪ Issues associated with water pressure and connectivity to utilities to be resolved. On site effluent disposal would be permitted where reticulated system is unavailable. ▪ Developer funded utilities to be permitted. ▪ Relatively free of vegetated areas. ▪ Not impacted by bushfire prone areas. ▪ Unlikely to result in land use conflicts given appropriate buffer from existing village uses. ▪ Does not comprise prime agricultural lands and therefore would not remove from productivity potential of the area. ▪ Development controls to guide development design and protect amenity and promote a livable community. ▪ Limited European or Aboriginal heritage identified.

Other areas within the existing Taraiga Village zone would generally remain as existing.

The existing Village zone will continue to allow a variety of residential, commercial, mixed use areas, recreation and industrial. The Village zone reflects the zoning provisions and objectives as identified within the Standard Instrument. Future development within the large lot residential zone and the Village zone would be required to comply with design controls under the forthcoming development control plan.

11.1.3 Gunning

Gunning will be retained as a rural town servicing surrounding rural areas and villages with this role being reinforced by the Strategy. The function of Gunning as a rural centre would be supported through the retention of the Village zone.

The Village zone will operate pursuant to the Standard Instrument enabling a variety of land use zones including commercial, employment, recreational and mixed uses.

Community views about key land use issues for Gunning showed a desire to:

- maintain current density
- limit infill development to suit the heritage nature of the town
- support existing local business
- maintain heritage character
- retain the commercial presence in Main street and constrain conversion into residential
- promote tourism
- minimise high impact land uses within the town centre
- buffer incompatible uses

Figure 11-4 identifies the key expansion areas for Gunning and aims to retain appropriate use of prime agricultural areas south of the Hume Highway. The Strategy also promotes low density residential development within the existing Village given existing capacity across unconstrained areas and balances this with opportunities for infill development within the existing Village where existing capacity permits.

LEP Practice Note

STANDARD INSTRUMENT FOR LEPS

Local Planning

Circular **DRAFT PN**

Issued

Related PN 11-001, PN 11-002, PN 11-003

DRAFT

Schedule 1 Additional Permitted Uses

The purpose of this practice note is to provide guidance to councils on including additional permitted uses for particular land through Schedule 1 of local environmental plans (LEPs) under the Standard Instrument.

Introduction

The Standard Instrument adopts a land use zone-based format for identifying permitted and prohibited land uses. Any uses permitted within the Land Use Table are applicable to the entire zone it relates to.

Clause 2.5 of the Standard Instrument Order allows councils to permit additional uses for particular land. These uses are permitted in addition to those identified in the LEP Land Use Table or other planning instruments such as the Infrastructure SEPP for that site only.

Additional permitted uses for particular land are to be inserted in Schedule 1 of the LEP.

Schedule 1 should only be used in exceptional circumstances

For reasons of clarity, land use permissibility should preferably be controlled by the zones and the Land Use Table.

Where this is not possible and the intended outcome is adequately justified by council, the use of Schedule 1 may be acceptable.

Additional listings in the LEP Schedule 1 should be minimised and should only proceed where council can demonstrate that there is no other acceptable solution to progress the matter.

For example, council should not use Schedule 1 where a rezoning via a planning proposal or adoption of a Development Control Plan can achieve the same outcome. In most cases a site could be rezoned to facilitate the use or the particular use could be included in the zone land use table to permit it in that zone across the local government area.

Principles for drafting Schedule 1

The following principles should be applied when considering including additional permitted uses in the LEP Schedule 1:

- Clearly identify the land affected including the address, lot and DP numbers.
- Entries are to be listed by alphabetical order of suburb and then by street name and number, where possible.
- Only use terms included in Land Use Table Direction 5 in the Standard Instrument Order.
- Development standards should be identified on the relevant maps where applicable (e.g. FSR/height/lot size). Other conditions are to be minimised.

Councils can map additional permitted uses

While this is not compulsory, councils may choose to identify the land where additional permitted uses apply on an Additional Permitted Uses Map (APU Map).

In some situations, it may actually be preferable to have the relevant land identified on an APU Map, e.g. if part of a lot is subject to the additional use.

Even if additional permitted uses are mapped, a description of the development and land affected in LEP Schedule 1 is still required to meet Clause 2.5 of the Standard Instrument.

Further information

Councils are encouraged to liaise with the relevant regional planning teams of the department before proceeding with a proposal to list an item in Schedule 1 of an LEP. This will ensure all relevant options are considered and discussed, and that claims for exceptional circumstances can be justified.

A copy of this practice note, the Standard Instrument, and other specific practice notes and planning circulars on using the Standard Instrument, can be accessed on the department's website:

<http://www.planning.nsw.gov.au/LocalPlanning>

The current version of the Standard Instrument Order is available on the NSW Parliamentary Counsel's office website: www.legislation.nsw.gov.au under 'Browse A-Z In Force'.

If you have further enquiries, please contact the department's Information Centre on ph: 02 9228 6333 or email: information@planning.nsw.gov.au.

Authorised by:

Important note: This practice note does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this practice note.

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Upper Lachlan Shire Council

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Taralga Office: Taralga Community Service Centre, Orchard Street, Taralga NSW 2580

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Our Ref: F18/397

6 March 2019

Kingsdale Consulting Pty Ltd
P O Box 539
GOULBURN NSW 2580

Dear Sir,

**RE: PLANNING PROPOSAL – LOT A DP4136444 – 101 GOLSPIE ROAD,
TARALGA REQUEST FOR ADDITIONAL INFORMATION**

Further to review of the Planning Proposal submitted 16 February 2019 I note that the Minister for Planning (Annexure 2) identifies in respect of the provisions of the ULSC LEP 2010, Lot A contains a split zone of RU1 and R5 and accordingly both 100 ha and 2ha minimum lot sizes (MLS).

The proposal will need to address the objectives and explanation of provisions of both zones and provide an explanation of the relationship to the strategic planning framework.

Council has recently engaged a consultancy to undertake a housing strategy for 12 rural villages and towns in the shire, including Taralga, as part of its required review of the LEP. A key consideration will be the extent to which R5 lot sizing is appropriate to the strategic needs of the shire. This report is expected to be completed in December 2019 and is part of an LEP review.

Your early co-operation in this matter is appreciated.

For further information, please contact Council's Environment and Planning Section on (02)4830 1000.

Yours faithfully

Viv Straw

**Manager Environment and Planning
Upper Lachlan Shire Council**

Annexure 13

Strategic Environmental and Engineering Consulting Wastewater Management: Site and Soil and Disposal System Design

SEE SEPARATE ATTACHMENT

Annexure 14

RMS Supplement to Austroads Guide to Road Design Part 3



Transport
Roads & Maritime
Services

Supplement to Austroads Guide to Road Design Part 3

Publication No: RMS 17.435

Supersedes version: 2.1

Geometric Design (2016) Version 2.2

Austroads has released the Guide to Road Design, Part 3: Geometric Design and all road agencies across Australasia have agreed to adopt the Austroads guides to provide a level of consistency and harmonisation across all jurisdictions. This agreement means that the new Austroads guides and the Australian Standards, which are referenced in them, will become the primary technical references for use within Roads and Maritime Services.

This supplement is issued to clarify, add to, or modify the Austroads Guide to Road Design, Part 3: Geometric Design.

Roads and Maritime accepts the principles in the Austroads Guide to Road Design, Part 3: Geometric Design with variations documented in this supplement under the following categories:

- Roads and Maritime enhanced practice: Roads and Maritime practice that enhances the Austroads Guides
- Roads and Maritime complementary material: Roads and Maritime reference material that complements the Austroads Guides. These documents include Roads and Maritime manuals, technical directions and/or other reference material and are to be read in conjunction with the Austroads Guides
- Roads and Maritime departures: Roads and Maritime practice that departs from the Austroads Guides.

Document information

Title:	Roads and Maritime Supplement to Austroads Guide to Road Design – Part 3: Geometric Design (2016)
Branch/Section/Unit:	Engineering Services/Road Design Engineering/Road Policy, Specifications and Technology
Author:	Road Policy, Specifications and Technology
Contributors:	Standards and Technology Manager, Lead Technology Analyst, Manager Design Review and Special Projects, Manager Road Design, Manager Traffic Signals Operations and Director Road Design
Endorsed by:	Director Road Design
Approvals:	Confer with Director of Engineering
Approved by:	Director of Engineering
Date of Approval and Effect:	31/08/2017
For:	Roads and Maritime Services and road design contractors
Next Review Date:	30/08/2019
Publication Number:	RMS 17.435
Keywords:	Cross section, sight distance, horizontal alignment, vertical alignment

Document history

Version	Date	Reason for amendment	Page No.	Editor
2.2	31/08/2017	Added general traffic lane bus stop information Added rural bus stop figure Removed reference to "V" in curve widening formula.	3 4 5	Road Policy, Specifications and Technology
2.1	07/04/2017	Update to align with current Austroads Guide to Road Design Part 3, released September 2016.	All	Road Policy, Specifications and Technology
2.0	12/08/2015	Major amendment in formatting and reduced content to align with current Austroads Guide to Road Design Part 3.	All	Road Policy, Specifications and Technology
1.0	17/03/2011	First issue.	All	Technology Standards (Road)

The use of design parameters outside of Normal Design Domain requires approval from a representative authorised by the Director Road Design.

Roads and Maritime: complementary material

The following documents provide additional detail of Roads and Maritime best practice. It is necessary to comply with complementary material.

- NSW Bicycle Guidelines
- Roads and Maritime Supplements to Austroads Guides
- Roads and Maritime Australian Standards Traffic Supplements
- Roads and Maritime Traffic Signal Design Guide
- Roads and Maritime Delineation Manual
- Roads and Maritime Standard Drawings
- Roads and Maritime Technical Directions.

The documents are published and can be found on the Roads and Maritime website.

Roads and Maritime: enhanced practice and departures

4 Cross-section

4.6.4 Kerb and channel

Refer to Roads and Maritime standard drawings for kerb profiles used in NSW.

4.7.1 Median width

In addition to the values shown in Table 4.15: Urban median widths, Roads and Maritime accept the following:

Median function	Minimum width (m)
Shelter a pedestrian fence	1.2m

4.8.1 Bicycle lanes – wide kerbside lanes

Roads and Maritime practice is not to use widened lanes for joint use of bicycles and traffic. Designs must take into account Roads and Maritime's regional cycleway network plan.

4.9.2 Bus lanes

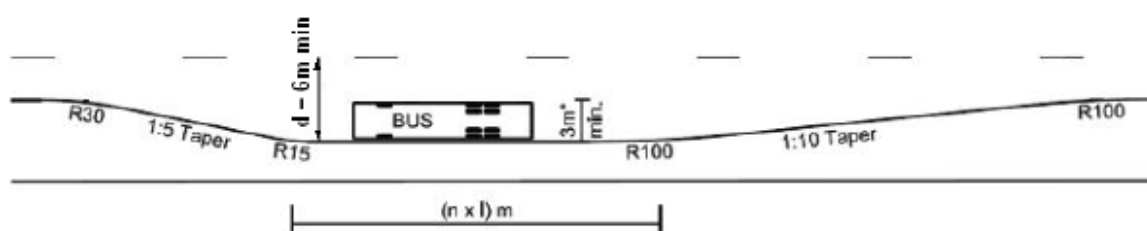
Roads and Maritime practice is to adopt 3.5 metres wide bus lanes for design speeds less than 80 kilometres per hour and 4.0 metres wide bus lanes for design speeds equal to or greater than 80 kilometres per hour.

4.12.2 Bus stops - urban

Where bus stops are located in the general traffic lane, consideration must be given to the adverse effect on traffic.

4.12.3 Bus stops - rural

The approved layout for rural indented bus bays is shown below:



* Width (including clearances) may need to be increased where large/wide buses are involved
n – number of buses using stop simultaneously
l – length of bus (including clearances if desired)
d – either centreline of road, designated centreline or first lane line

5 Sight distance

5.2.2 Driver reaction time

Roads and Maritime practice is to use the following driver reaction times:

Table 5.2: Driver reaction times

Reaction Time (s)	Design Speed (km/h)
2.5	≥ 110
2.0	100
1.5	≤ 90

Note: Higher reaction times should be considered where local conditions warrant.

5.2.3 Longitudinal deceleration

Roads and Maritime uses a coefficient of deceleration of 0.36 for cars on sealed roads.

The tabled value of coefficient of deceleration for buses ensures passenger comfort when decelerating on the approach to a bus stop. This should be considered when designing bus specific facilities.

5.3.2 Truck stopping sight distance

Roads and Maritime does not use truck stopping sight distance as a normal design parameter. Truck stopping sight distance should be checked in approach to truck related facilities (such as inspection bays and weigh bridges), assuming the car / truck speed relationship shown in Table 3.5.

7 Horizontal alignment

7.5.1 Compound curves

In Roads and Maritime practice the desirable ratio of the larger radius to the smaller radius should not exceed 1:0.75. However, in low speed designs, where compound curves with radii less than 1000m are unavoidable, the larger radius to the smaller should not exceed 1:0.5. For high speed design, the design speed criteria and not curve ratios should be satisfied.

7.6 Side friction and minimum curve size

Roads and Maritime uses the desirable maximum values of side friction for cars as the normal design parameter for side friction.

7.8 Curves with adverse crossfall

Roads and Maritime does not use the values shown in Table 7.12: Minimum radii with adverse crossfall for existing urban roads.

7.9 Pavement widening on horizontal curves

Roads and Maritime accepts the application of independently widening lanes or widening evenly across all lanes. Existing and/or proposed traffic composition and lane usage should be considered.

8 Vertical alignment

8.6.7 Minimum length of vertical curves

Roads and Maritime does not use the values shown in Table 8.11: Minimum length vertical curves for reconstruction.

A Extended design domain (EDD) for geometric road design

A.5 Pavement widening

Where normal design domain values for lane widening on curves cannot be achieved, lane widening can be calculated using the following formula. The need for lane widening ceases when widening per lane is less than 0.2 metres.

$$W = \left(\sqrt{R^2 + A(2L + A)} - \sqrt{R^2 - \sum L_i^2} \right) \times \left(1 - e^{\frac{-0.015 \times D \times R}{\sqrt{\sum L_i^2}}} \right) + W_v + C_l$$

Where:

Design vehicle	$\sum L_i^2$	L	A	W _v
Passenger vehicle (5.2m)	9.3025	3.05	0.95	1.94
Service vehicle (8.8m)	25	5	1.5	2.5
Single unit truck / bus (12.5m)	46.9225	6.85	2.2	2.5
Long rigid bus (14.5m)	70.56	8.4	2.6	2.5
Articulated bus (19m)	61.21	5.5	2.6	2.5
Prime mover and semi-trailer (19m)	118.3	5.3	1.6	2.5
Prime mover and semi-trailer (25m)	222.21	5.4	1.6	3.0
B-double (25m)	169.81	4	1	2.5
B-double (26m)	168.775	4.5	1.4	2.5
A double (Type I) (36.2m)	228.9	5.5	1.6	2.5
B triple (35.4m)	245.99	5	1.5	2.5
A triple	333.29	6	1.7	2.5

Note: The design vehicles listed in the table are those listed in Austroads Design Vehicles and Turning Path Templates (2013)

W = Widened lane width (m)
 W_v = Width of vehicle
 R = Radius (m)
 e = Exponential mathematical constant "e"
 D = Degree of curvature (degrees)
 C_l = Lateral clearance (m)
 L = Wheelbase of single unit or prime mover (m)
 A = Front overhang of inner lane vehicle (m)

Lateral clearance

Lane width (m)	C _l (m)
3.0	0.6
3.2	0.7
3.5	0.8
3.7+	0.9

Sealed shoulders

When adjacent to sealed shoulders, the lateral clearance to an edge line (on the inside of a curve) may be reduced to zero as long as the minimum lateral clearance is available in the sealed shoulder width and the shoulder is not used for parking or on-road cyclists.