



**Goulburn Mulwaree Council**

**B6 Enterprise Corridor and Currawang Planning  
Proposal**

**Goulburn Mulwaree Local Environmental Plan 2009**

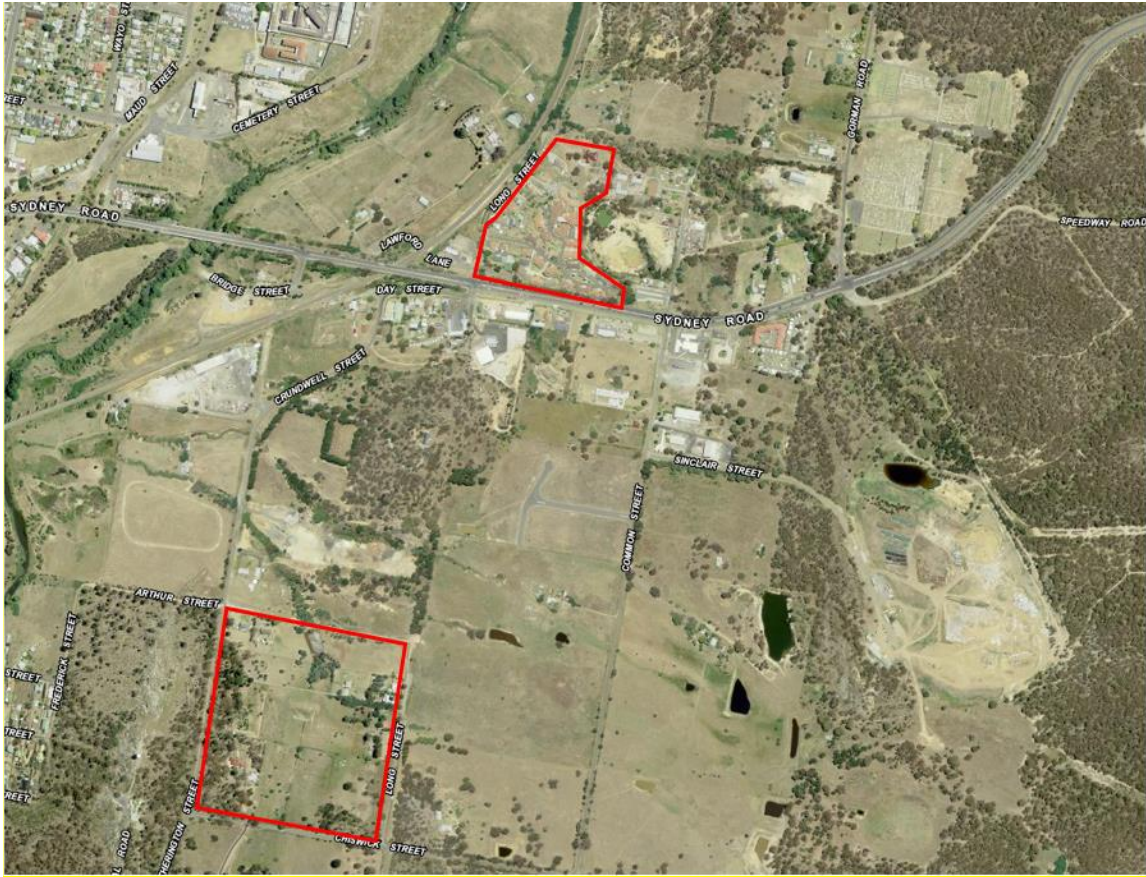
**30 July 2020**

<b>Version</b>	<b>Comment</b>	<b>Date</b>
<b>1</b>	<b>For WaterNSW</b>	<b>27 March 2020</b>
<b>2</b>	<b>For Gateway Determination</b>	<b>3 June 2020</b>
<b>3</b>	<b>For Gateway Determination (Amended)</b>	<b>30 July 2020</b>

# Introduction

The purpose of this planning proposal is to rezone parts of the B6 Enterprise Corridor zone to a zone that is more consistent with current land uses and to apply a zone and minimum lot size standard under the *Goulburn Mulwaree Local Environmental Plan 2009* (GM LEP) to currently unzoned land at Currawang. The planning proposal will affect the following lands:

- Land at 2-26 Long Street, Goulburn (**Figure 1**). It is proposed that this land be rezoned from B6 Enterprise Corridor with a floor space ratio of 0.8 to R1 General Residential with no floor space ratio and a minimum lot size of 700m<sup>2</sup>.
- Land bordered by Arthur Street, Chiswick Street, Long Street and Hetherington Street, Goulburn (**Figure 1**). It is proposed that this land be rezoned from B6 Enterprise Corridor with a floor space ratio of 0.8 to RU2 Rural Landscape with no floor space ratio and a minimum lot size of 20,000m<sup>2</sup>.
- Land at 134 and 138 George Street, Marulan (**Figure 2**). It is proposed that this land be rezoned from B6 Enterprise Corridor with a floor space ratio of 0.8 to RU6 Transition with no floor space ratio and a minimum lot size of 100 hectares.
- Land at Station Street, George Street and Brayton Road, Marulan (**Figure 2**). It is proposed that this land be rezoned from B6 Enterprise Corridor with a floor space ratio of 0.8 to R1 General Residential with no floor space ratio and a minimum lot size of 700m<sup>2</sup>.
- Land at 1716 and 1801 Currawang Road, Currawang (**Figure 3**). This land is currently unzoned and is not incorporated as part of any Local Environmental Plan. It is proposed that this land be zoned as E3 Environmental Management with a minimum lot size of 100 hectares. This will also require inclusion of this land under the land application map under s1.3 of the GM LEP.

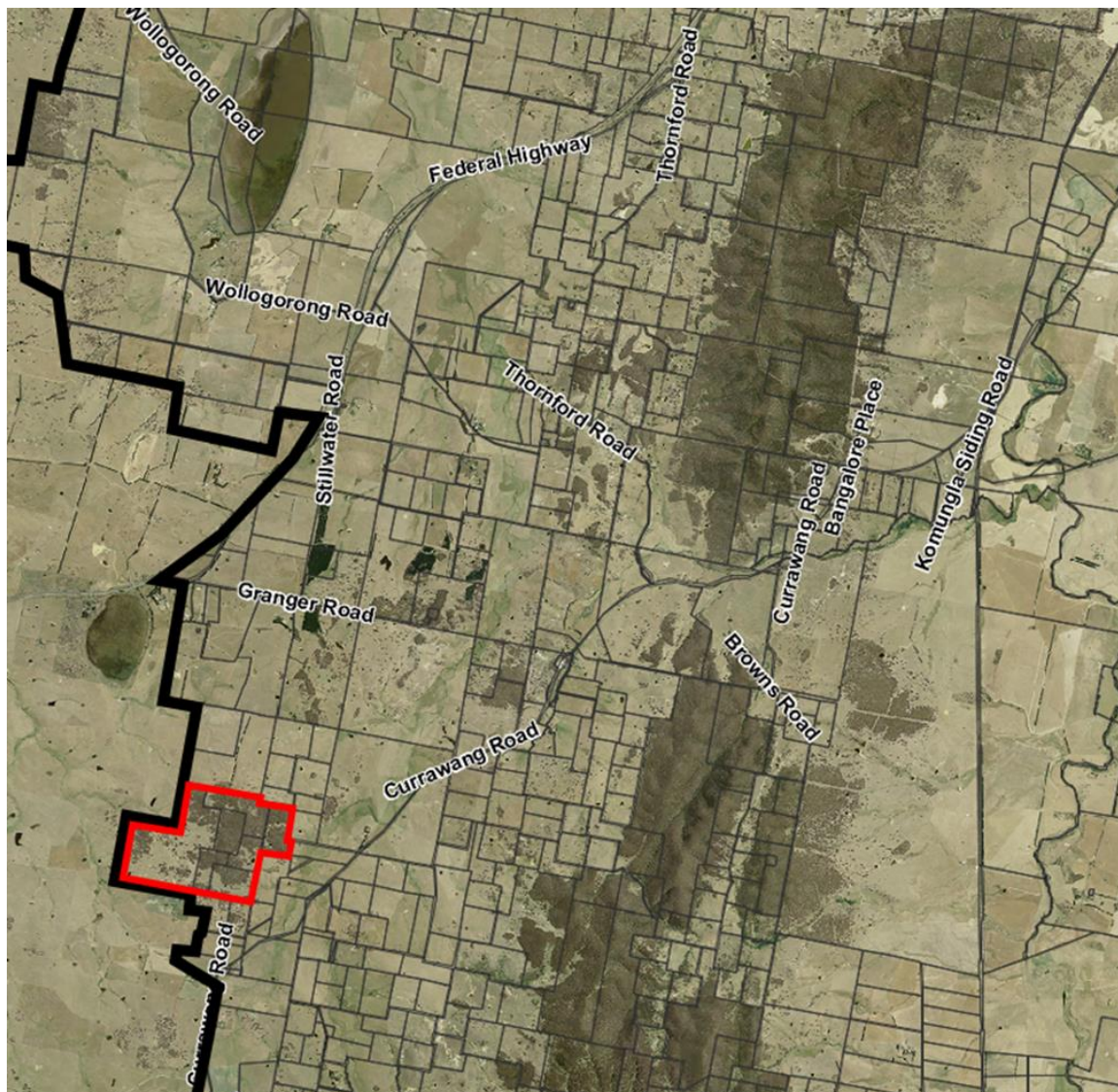


**Figure 1:** Subject lands in Goulburn shown in red, being land at 2-26 Long Street (top) and land bordered Arthur Street, Chiswick Street, Long Street and Hetherington Street (bottom).



**Figure 2:** Subject lands in Marulan shown in red, being 134 and 138 George Street (top) and land at Station Street, George Street and Brayton Road (bottom).





**Figure 3:** Subject lands at Currawang shown in red, in relation to the Goulburn Mulwaree local government boundary shown in black.

The rezoning of land within the B6 Enterprise Corridor zone is intended to ensure that the zoning of the land reflects both the current and future likely residential or rural residential usage of the area whilst the application of a zone and minimum lot size to land in Currawang is intended to ensure that zoning and development controls can be easily applied to the land. As all proposed rezoning's are intended to reflect current usage of the site, it is not expected that this planning proposal will result in the development, redevelopment or intensification of any of the subject lands, beyond what is permitted under the current zoning arrangement.

The proposed amendments to the GM LEP have been reported to Council on two (2) separate occasions, being the 1 October 2019 Council Meeting for the proposed amendment relating to Currawang and the 17 December 2019 Council Meeting for the proposed amendments to the B6 Enterprise Corridor zone. This planning is considered to action the resolutions for each of those matters, being as follows:

Council resolution 1 October 2019 (2019/375):

***That***

- 1. The report from the Graduate Strategic Planner regarding unzoned land at Currawang Road, Currawang be received.***
- 2. A planning proposal be prepared to zone Lot 1 DP 590583 and Lots 131, 141, 150, 154, 190 and 204 DP 750047 to RU1 Primary Production with a minimum lot size of 100 hectares under the Goulburn Mulwaree Local Environmental Plan 2009.***
- 3. The planning proposal, once drafted, be forwarded to the Department of Planning, Industry and Environment for a gateway determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979.***
- 4. The Department of Planning, Industry and Environment be advised that the preferred zone for the site is RU1 Primary Production, while noting that Council is willing to instead rezone part or all of the land to E3 Environmental Management with the same minimum lot size if it is required in order to proceed with the planning proposal.***
- 5. The Department of Planning, Industry and Environment be advised that Council wishes to be issued with an authorisation to use delegation for this planning proposal.***
- 6. In the event that the Department of Planning, Industry and Environment issues a gateway determination to proceed with the planning proposal, consultation be undertaken with the community and government agencies in accordance with any directions of the gateway determination.***
- 7. The planning proposal will not incur a fee/charge to the landowner as it is Council initiated to rectify a zoning anomaly.***

Council resolution 17 December 2019 (2019/521):

***That***

- 1. The report from the Strategic Planner regarding the B6 Enterprise Corridor be received.***
- 2. A planning proposal be prepared to amend the Goulburn Mulwaree Local Environmental Plan 2009 in the following ways:***
  - (a) Rezone the land identified in this report on Long Street, Goulburn, north of Sydney Road from B6 Enterprise Corridor with a floor space ratio of 0.8 to R1 General Residential with no floor space ratio and a minimum lot size of 700m<sup>2</sup>.***
  - (b) Rezone the land identified in this report contained by Arthur Street, Long Street, Chiswick Street and Hetherington Street, Goulburn from B6 Enterprise Corridor with a floor space ratio of 0.8 to RU2 Rural Landscape with no floor space ratio and a minimum lot size of 20,000m<sup>2</sup>.***

***(c) Rezone the land identified in this report on Station Street, George Street and Brayton Road, Marulan from B6 Enterprise Corridor with a floor space ratio of 0.8 to R1 General Residential with no floor space ratio and a minimum lot size of 700m2.***

***(d) Rezone the land identified in this report on the northernmost area of George Street, Marulan from B6 Enterprise Corridor with a floor space ratio of 0.8 to RU6 Transition with no floor space ratio and a minimum lot size of 100 hectares.***

***3. The planning proposal, once drafted, be forwarded to the Department of Planning, Industry and Environment for a gateway determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.***

***4. The Department of Planning, Industry and Environment be advised that Council wishes to be issued with an authorisation to use delegation for this planning proposal.***

***5. In the event that the Department of Planning, Industry and Environment issues a gateway determination to proceed with the planning proposal, consultation be undertaken with the community and government agencies in accordance with any directions of the gateway determination.***

***6. No fee be charged to any applicable landowner, as this is a Council initiated planning proposal.***

It should be noted that Council is now proceeding with rezoning the subject lands at Currawang to E3 Environmental Management with a minimum lot size of 100 hectares based on preliminary advice issued by the Biodiversity and Conservation Division of the Department of Planning, Industry and Environment (DPIE) prior to this version of the planning proposal being prepared (separately enclosed). This advice argues strongly in favour of the application of the E3 Environmental Management zone and Council does not wish to contest this argument in favour of the application of the RU1 Primary Production zone.

## **Part 1 – Objectives**

The objectives of this planning proposal are to:

1. Rezone land within the B6 Enterprise Corridor zone in Goulburn and Marulan to be consistent with the current and likely future residential and rural residential nature of the site; and
2. To extend the applicable area of the GM LEP and apply a zone and minimum lot size provision to currently unzoned land at 1716 and 1801 Currawang Road, Currawang.



## Part 2 – Explanation of Provisions

This planning proposal will amend the GM LEP in the following ways (refer **Part 4 Mapping**):

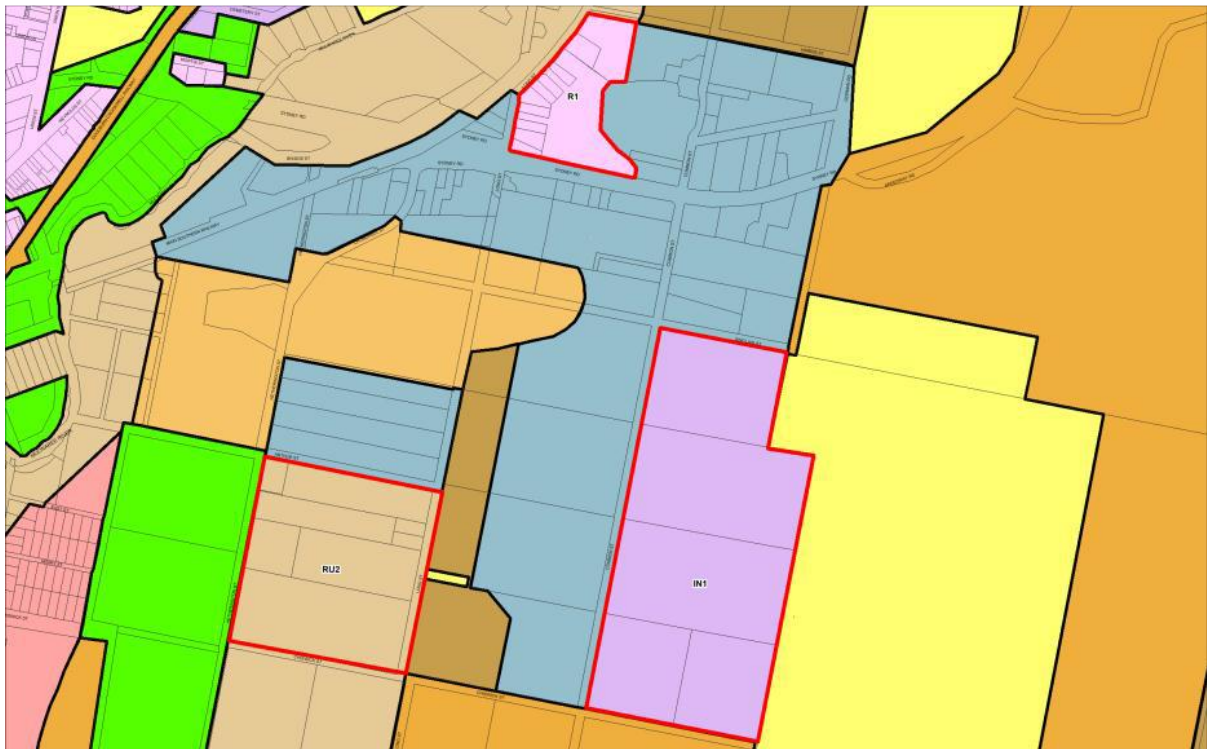
1. Rezone land at 2-26 Long Street, Goulburn from B6 Enterprise Corridor with a floor space ratio of 0.8 to R1 General Residential with no floor space ratio and a minimum lot size of 700m<sup>2</sup>, being:
  - Lots 1 and 2 DP 1196725;
  - Lot 22 DP 1113506;
  - Lots 1-6 DP 38459;
  - Lot 1 DP 995523; and
  - Lot 12 DP581011.
2. Rezone land contained by Arthur Street, Long Street, Chiswick Street and Hetherington Street, Goulburn from B6 Enterprise Corridor with a floor space ratio of 0.8 to RU2 Rural Landscape with no floor space ratio and a minimum lot size of 20,000m<sup>2</sup>, being:
  - Lots A and M DP 163373;
  - Lot 33 DP 1062014;
  - Lot B DP 152471;
  - Lots 1 and 2 DP 153553;
  - Lot 2 DP 845895;
  - Lot Y DP 160746; and
  - Lot 1 DP 845895.
3. Rezone land on Station Street, George Street and Brayton Road, Marulan from B6 Enterprise Corridor with a floor space ratio of 0.8 to R1 General Residential with no floor space ratio and a minimum lot size of 700m<sup>2</sup>; being
  - Lot 1 DP 841582;
  - Lots 40, 41 and 43 DP 28002;
  - Lot 1 DP 1062993;
  - Lot B DP 332337; and
  - Lot 51 DP419287.
4. Rezone land at 134 and 138 George Street, Marulan from B6 Enterprise Corridor with a floor space ratio of 0.8 to RU6 Transition with no floor space ratio and a minimum lot size of 100 hectares, being;
  - Lot 1 DP 17363; and
  - Lot 20 DP 522273.
5. Include land at 1716 and 1801 Currawang Road, Currawang into the land application map under s1.3 of the GM LEP and zone it as E3 Environmental Management with a minimum lot size of 100 hectares. This land includes:
  - Lot 1 DP 590583; and
  - Lots 131, 141, 150, 154, 190 and 204 DP 750047.

## Part 3 – Justification

### Section A – Need for the Planning Proposal

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

Primarily no. As detailed in the report to Council on 17 December 2019 (separately enclosed), the primary catalyst for the proposed rezoning of land within the B6 Enterprise Corridor was the difficulty many residents had faced in selling their homes due to the unwillingness of banks to offer reasonable financing to people willing to buy dwellings on land where dwellings are currently prohibited. While this was the primary catalyst for the planning proposal, it does not form part of the justification for this planning proposal on planning grounds. The primary justification for this planning proposal is to rezone land within the B6 Enterprise Corridor to be consistent with what is the current and likely future residential or rural residential use of the land. It is not expected that any identified sites within the B6 Enterprise Corridor zone will be cleared and used for semi-industrial or commercial use in the foreseeable future. This justification and recommendation for rezoning subject lands within the B6 Enterprise Corridor in Goulburn are, however, supported by a direct recommendation from Council's *Employment Land Strategy* (**Figure 4**, pp. 126-127).



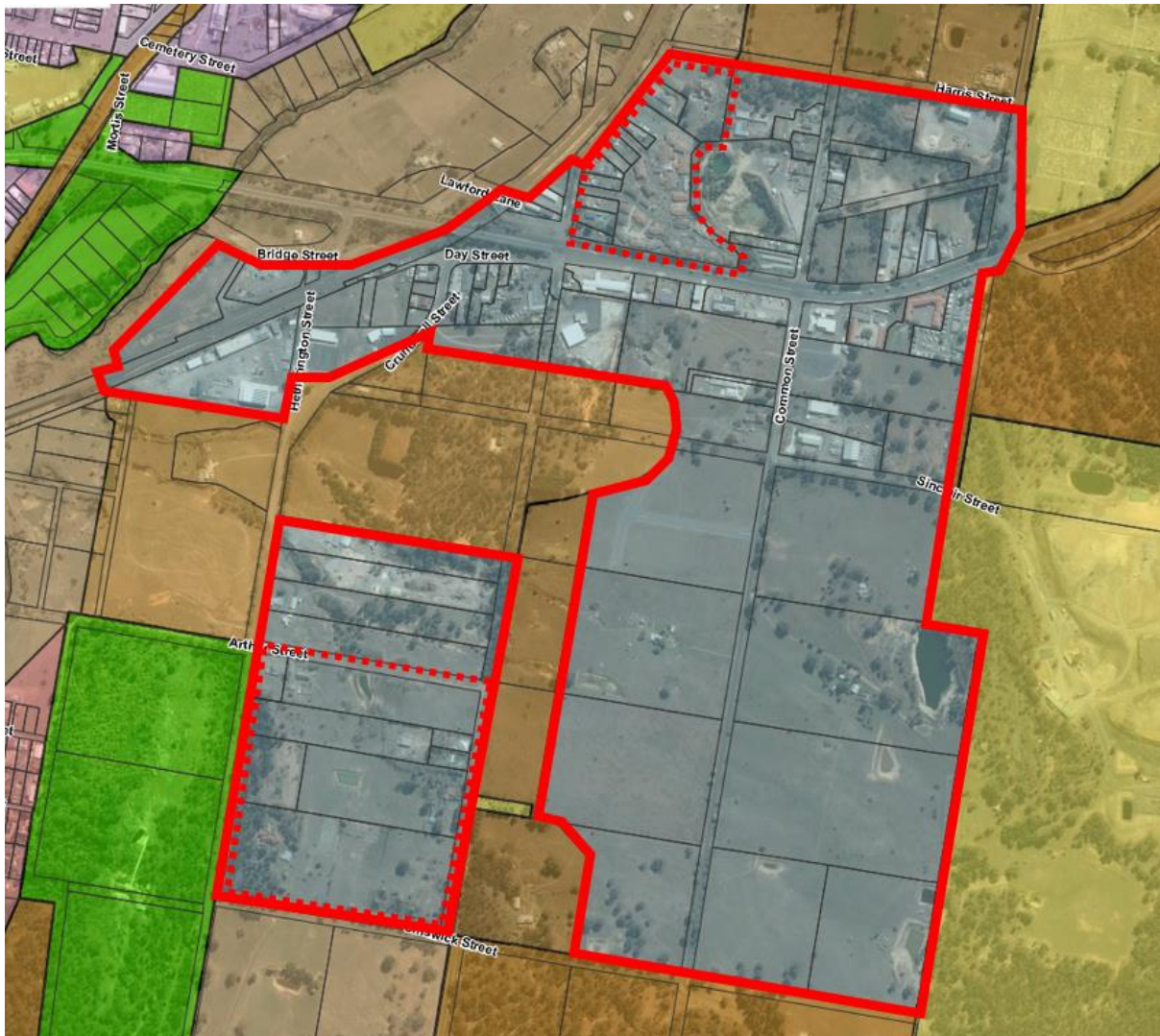
**Figure 4:** Extract from the *Employment Land Strategy* showing its suggested rezoning of the B6 Enterprise Corridor. The proposed rezoning's that are relevant to the planning proposal are all outlined in red, with the exception of the proposed IN1 General Industrial rezoning (bottom right), which is subject to another planning proposal.

The proposed application of a zone and minimum lot size to land in Currawang was triggered by a report to Council on 1 October 2019 (separately enclosed). As per the report, the events leading up to this land becoming unzoned and this planning proposal being triggered are summarised as follows:

- The subject site was last zoned as 1(a) Rural under the *Mulwaree Local Environmental Plan 1995*, commencing from the time that the subject land was in the former Mulwaree Shire.
- Following the 2004 Council amalgamations, the subject land then became a part of the former Palerang Council. At the time, Palerang Council did not immediately prepare its own Local Environmental Plan (LEP) and appeared to rely on the *Mulwaree Local Environmental Plan 1995*, and a combination of other pre-2004 Council amalgamation Local Environmental Plans to govern their zoning. The subject land kept its 1(a) Rural zoning under the *Mulwaree Local Environmental Plan 1995* throughout this period.
- In 2011, a minor boundary adjustment occurred between the former Palerang Council and Goulburn Mulwaree Council, resolving a split property issue between the two Council's and resulting in the subject land becoming a part of the Goulburn Mulwaree local government area. The subject land continued to retain its 1(a) Rural zoning under the *Mulwaree Local Environmental Plan 1995* as this was the most recent Local Environmental Plan to apply to the area.
- In 2014, the former Palerang Council prepared its own LEP, the *Palerang Local Environmental Plan 2014*. At the time, it would have appeared that Palerang Council was the last local government to actively use and rely on the *Mulwaree Local Environmental Plan 1995*. This resulted in the insertion of a clause under s1.8 of the *Palerang Local Environmental Plan 2014* that finally repealed the *Mulwaree Local Environmental Plan 1995* and any zoning that applied under it. The unintended consequence of this was that it caused the subject land to become unzoned.
- A review of Council's geographic information system (GIS) in late September 2019 brought attention to the lack of zoning for this land and it was decided that the zoning of this land should be resolved as soon as possible at the meeting of Council on 1 October 2019.

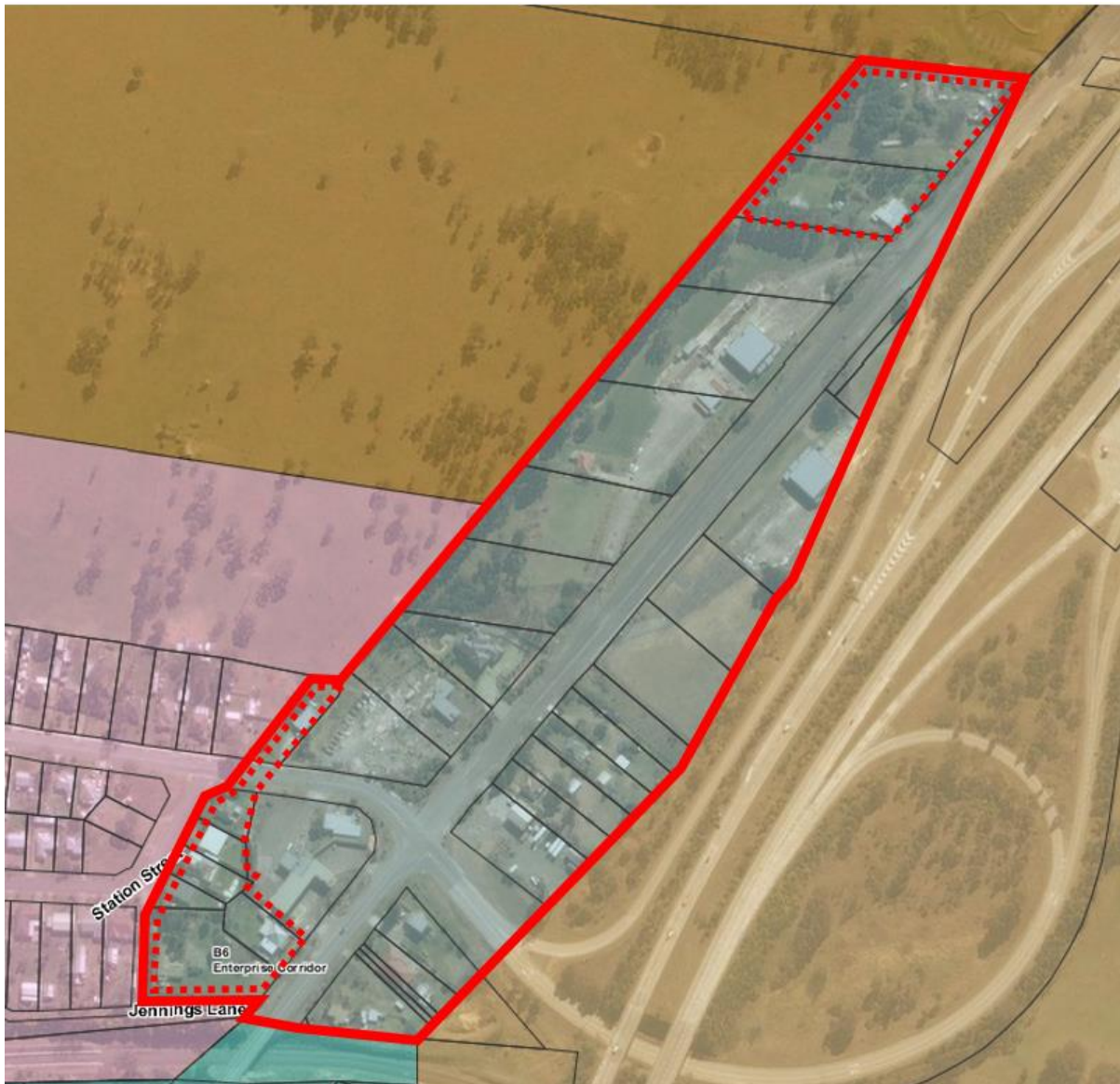
**3.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. The current B6 Enterprise Corridor zoning over the Goulburn and Marulan subject sites are not reflective of their current or likely future usage. All subject sites identified in the B6 Enterprise Corridor zone have existing dwellings or are immediately adjacent to other existing dwellings. Maintaining the B6 Enterprise Corridor over these lots is highly unlikely to facilitate the kinds of commercial or semi-industrial development allowed for under the B6 Enterprise Corridor zone in the foreseeable future and any such development on any one lot is likely to result in land use conflict due to the number of dwellings in the vicinity of each subject area. It is considered that this justification is also supported by the current ample supply of undeveloped B6 Enterprise Corridor land in close proximity (**Figures 5 and 6**).



**Figure 5:** B6 Enterprise Corridor zoned land in Goulburn (outlined in red), in relation to the subject lands in Goulburn (in dotted red). It is clear from the aerial photograph that there is almost no development on over 50% of the land zoned as B6 Enterprise Corridor.





**Figure 6:** B6 Enterprise Corridor zoned land in Marulan (outlined in red), in relation to the subject lands in Marulan (in dotted red). It is clear from the aerial photograph that there is almost no development on close to 50% of the land zoned as B6 Enterprise Corridor.

Further justification as to the specific zoning and minimum lot size provisions for each subject area are justified below:

#### 2-26 Long Street, Goulburn

The proposed rezoning of land at 2-26 Long Street, Goulburn from B6 Enterprise Corridor with a floor space ratio of 0.8 to R1 General Residential with no floor space ratio and a minimum lot size of 700m<sup>2</sup> is intended to support the current and likely future use of this land as sewerage low to medium density residential area (**Figure 7**, refer **Part 4 Mapping**). Both the proposed zone and minimum lot size are consistent with other low to medium density residential areas in Goulburn. The proposed zone also follows a direct recommendation from Council's *Employment Land Strategy* (p. 127).

The northern part of the subject area has been mapped as being of High Ecological Value on the High Environmental Value under the *South East and Tablelands Regional Plan 2036*. However, as indicated



on the aerial photography, the area already contains a dwelling and it is not expected to be developed further as a result of this planning proposal. It is acknowledged that this northernmost lot is significantly larger than the minimum lot size, however further development of this lot would be subject to adequate assessment of biodiversity constraints and effect on water quality. There is also existing sewer capacity in the area to support any such development.

It should also be noted the current B6 Enterprise Corridor zone likely poses a greater threat to this ecological community and on water quality as it contains no minimum lot size to prevent land fragmentation and also permits the kinds of large footprint semi-industrial and commercial developments that would be prohibited under the R1 General Residential zone.



**Figure 7:** Aerial photo of current development at 2-26 Long Street, Goulburn and High Ecological Value mapping of the site. This land comprises of an aged care residence and a cluster of low to medium density residential development.

#### Arthur Street, Long Street, Chiswick Street and Hetherington Street, Goulburn

The proposed rezoning of land contained by Arthur Street, Long Street, Chiswick Street and Hetherington Street, Goulburn from B6 Enterprise Corridor with a floor space ratio of 0.8 to RU2 Rural Landscape with no floor space ratio and a minimum lot size of 20,000m<sup>2</sup> is intended to support the current and likely future use of the land as unsewered rural residential land (**Figure 8, refer Part 4 Mapping**). Both the proposed zone and minimum lot size is consistent with other rural residential land to the immediate south of the subject area and ensures a contiguous pattern of development.

The western and south eastern part of the subject area has been mapped as being of High Ecological Value on the High Environmental Value under the *South East and Tablelands Regional Plan 2036*. However, as indicated on the aerial photography, most of the lots already contain dwellings and it is not expected to be developed further as a result of this planning proposal.

It should also be noted the current B6 Enterprise Corridor zone likely poses a greater threat to this ecological community as it permits the kinds of large footprint semi-industrial and commercial developments that would be prohibited under the RU2 Rural Landscape zone. Future subdivision of this area is also unlikely as the area is significantly constrained by the presence of an overland flow

flood path running throughout the site, which is to be preserved as a drainage reserve under s8.6 of the *Goulburn Mulwaree Development Control Plan 2009*, and significantly bushfire prone land, which is subject to additional assessment under s4.14 of the EP&A Act and s100B of the *Rural Fires Act 1997*.



**Figure 8:** Current development at Arthur Street, Long Street, Chiswick Street and Hetherington Street, Goulburn. This land is predominately large lot rural residential land.

#### Station Street, George Street and Brayton Road, Marulan

The proposed rezoning of land on Station Street, George Street and Brayton Road, Marulan from B6 Enterprise Corridor with a floor space ratio of 0.8 to R1 General Residential with no floor space ratio and a minimum lot size of 700m<sup>2</sup> is intended to support the current and likely future use of the land as a sewered general residential area (**Figure 9**, refer **Part 4 Mapping**). The proposed zone and minimum lot size are consistent with other residential land to the immediate west and only one lot would be able to be subdivided under the new minimum lot size, which is within the local sewer network capacity.



**Figure 9:** Current development at Station Street, George Street and Brayton Road, Marulan. This land is predominately low to medium density residential land.

#### 134 and 138 George Street, Marulan

The proposed rezoning of land at 134 and 138 George Street, Marulan from B6 Enterprise Corridor with a floor space ratio of 0.8 to RU6 Transition with no floor space ratio and a minimum lot size of 100 hectares is intended to support the existing unsewered rural residential use of the land on the fringe of Marulan (**Figure 10**, refer **Part 4 Mapping**). Both the proposed and minimum lot size is considered with other rural residential land to the immediate north and west and the lots would continue to benefit from dwelling entitlement under the GM LEP.





**Figure 10:** Current development at 134 and 138 George Street, Marulan. This land is used as low density rural residential development land.

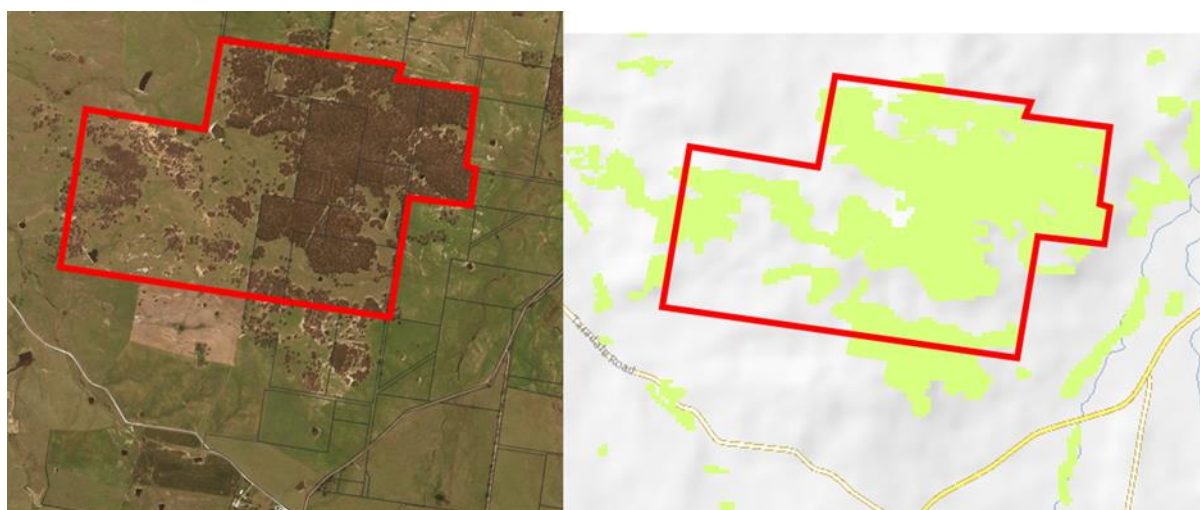
#### 1716 and 1801 Currawang Road, Currawang

For the subject land at Currawang, it is important that the subject land gets a zone and minimum lot size provision as soon as possible as the absence of any zoning or minimum lot size can make it incredibly difficult to determine appropriate planning pathways for development (i.e. application of Exempt and Complying Development Codes etc.) and to assess any future development applications and apply development controls. The lack of a zone leaves the site without any planning objectives and direction (apart from those provided by State Environmental Planning Policies) and is inconsistent with land use planning policy and the NSW *Environmental Planning and Assessment Act 1979* as it does not provide for the orderly development of land.

Additionally, Council cannot rely on the application of clause 2.4 of the *Standard Instrument-Principle Local Environmental Plan* to assess development applications as no Local Environmental Plan currently applies to the subject area.

The intention of this planning proposal is to zone this land as E3 Environmental Management with a minimum lot size of 100 hectares. This intent is consistent with preliminary advice provided by the Biodiversity and Conservation division of DPIE (separately enclosed) and the current land use, being

mainly extensive agriculture on land that is mapped as High Environmental Value under the *South East and Tablelands Regional Plan 2036* ecological mapping (**Figure 11**).



**Figure 11:** Aerial image and High Environment Value lands in the Currawang subject area. The land is predominately used for extensive agriculture (grazing).

## Section B – Relationship to Strategic Planning Framework

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

Consistency with relevant actions of the *South East and Tablelands Regional Plan 2036* are detailed in **Table 1** below. Irrelevant actions have been excluded.

**Table 1:** Compliance with actions in the *South East and Tablelands Regional Plan 2036*.

Action	Compliance of Planning Proposal
<b>4.2 Maintain a supply of appropriately serviced employment land to create opportunities for new industrial development (p.19).</b>	<p>While this planning proposal does propose the reduction in the total amount of land zoned in B6 Enterprise Corridor, it is considered that this planning proposal is still consistent with this action (refer section <b>3.2</b>). All of the subject lands identified in the B6 Enterprise Corridor for rezoning are already developed lands used for residential accommodation. It is highly unlikely that these residential dwellings will be bought and cleared at such a scale that could support the much larger development footprints required for industrial or semi industrial uses, given that all areas are within 2km of large tracts of vacant B6 Enterprise Corridor land. It is therefore considered that this land, irrespective of zoning, does not currently contribute to the supply of industrial land in the region.</p> <p>As previously noted in this planning proposal, the subject areas in Goulburn and Marulan also both have vast tracts of existing undeveloped B6 Enterprise Corridor land. Rezoning only a small fraction of this land in</p>



Action	Compliance of Planning Proposal
	both locations is not considered to threaten the oversupply of existing B6 Enterprise Corridor land.
<b>8.2 Protect identified important agricultural land from land use conflict and fragmentation and manage the interface between important agricultural land and other land uses through local environmental plans (p.25).</b>	<p>This planning proposal is consistent with this action as the application of a 100 hectare minimum lot size to subject lands at Currawang ensures that this predominately agricultural land cannot be further fragmented, where no such minimum lot size provisions currently apply. The proposed minimum lot size of 20,000m<sup>2</sup> for the land to be rezoned to RU2 Rural Landscape also limits rural fragmentation near Goulburn.</p> <p>None of the subject lands are mapped as Biophysical Strategic Agricultural Land.</p>
<b>14.2 Protect the validated high environmental value lands in local environmental plans (p.35).</b>	<p>Both of the subject areas in Goulburn and the subject area in Currawang are mapped as being of as High Ecological Value (HEV) as part of the <i>South East and Tablelands Regional Plan 2036</i> ecological mapping (refer section 3.2). None of the sites have been identified as a being as part of an ecological corridor as part of the <i>South East and Tablelands Regional Plan 2036</i> ecological mapping and none of the sites have been identified on the Biodiversity Values Map, to which the <i>Biodiversity Conservation Regulation 2017</i> applies.</p> <p>This planning proposal is considered to be consistent with this action as no further development of any of the subject lands is anticipated as a direct result of this planning proposal. The decision to zone the subject land at Currawang to E3 Environmental Management, in light of the extensive HEV mapped area, is also considered to comply with this action.</p> <p>Any significant development of any of the subject sites would also likely exceed the biodiversity clearing thresholds under s7.2 of the <i>Biodiversity Conservation Regulation 2017</i>, requiring more thorough assessment should a development application be lodged.</p> <p>It should also be noted that the proposed rezoning to R1 General Residential and RU2 Rural Landscape for the subject lands in Goulburn will also prohibit the kinds of large-footprint semi-industrial and commercial development that is permitted under the current B6 Enterprise Corridor zone. In this sense, the rezoning is likely to also significantly reduce the likelihood of large scale vegetation clearing.</p>

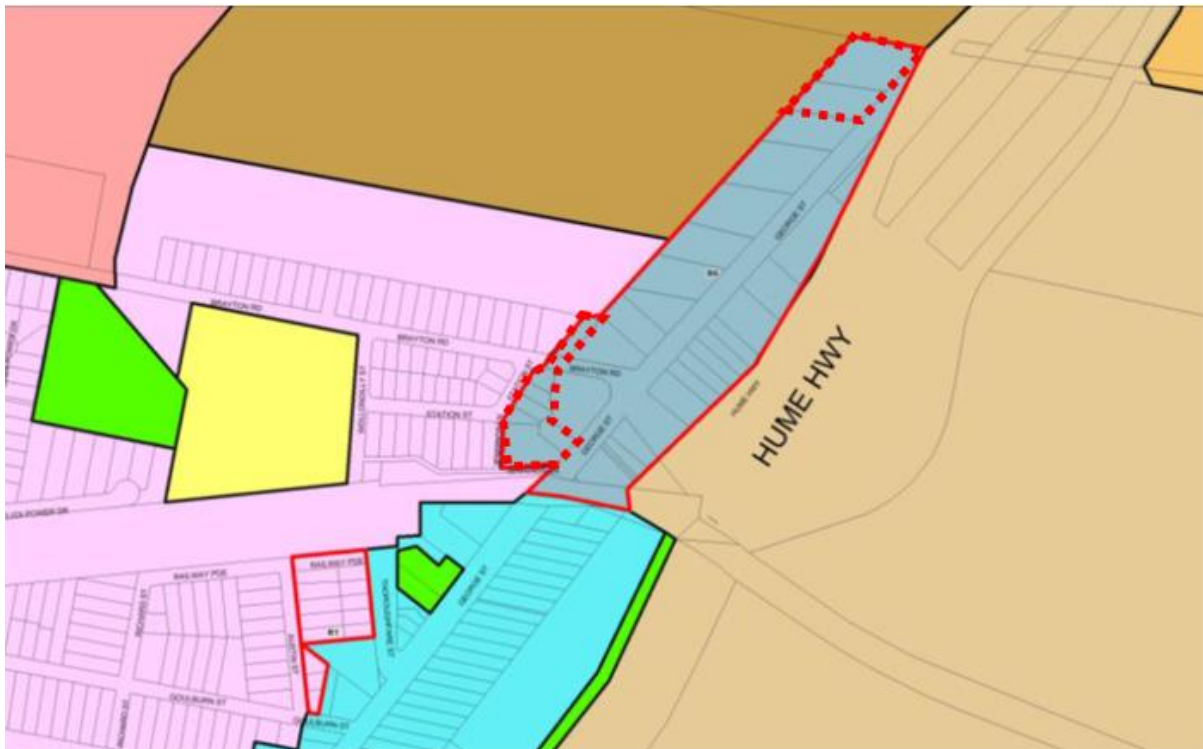
### 3.4 Is the planning proposal Consistent with Council's local strategy or other local strategic plan?

This planning proposal, as it relates to the rezoning of land within the B6 Enterprise Corridor, is partially consistent with Council's adopted *Employment Land Strategy*. As mentioned in section 3.1, the proposed rezoning of subject lands in Goulburn is consistent with a direct recommendation of this strategy (pp.126-127). It is also acknowledged that the proposed rezoning of land in the B6 Enterprise Corridor in Marulan is directly inconsistent with the recommendations of this strategy.

For Marulan, one of the direct recommendations of the *Employment Land Strategy* was to rezone all land zone B2 Local Centre north of the rail line to B6 Enterprise Corridor, inclusive of all of the subject lands in Marulan for the purposes of this planning proposal (**Figures 12 and 13**, p. 121). This recommendation was subject to a previous planning proposal and subsequently resulted in the full implementation of the recommendation, resulting in the subject lands being rezoned to B6 Enterprise Corridor on 19 October 2019.



**Figure 12:** Land zoning prior to the adoption of the *Employment Land Strategy* and rezoning completed on 19 October 2019 (subject lands shown in dotted red).



**Figure 13:** Recommended, and now current, zoning of Marulan under the *Employment Land Strategy* (subject lands shown in dotted red).

It was not until after this rezoning occurred that Council was made aware of the difficulties many residents had in selling their homes in land zoned as B6 Enterprise Corridor, prompting a review into whether or not Council could rezone the land to be more reflective of current residential development. It was through this review process that it was determined that some of the land containing dwellings that was rezoned to B6 Enterprise Corridor would be extremely unlikely to be redeveloped into the kinds of commercial or semi-industrial development supported by the zone in the foreseeable future and would rather remain as residential areas (refer section 3.2 for analysis of these sites). This variation to a direct recommendation in the *Employment Land Strategy* is therefore considered justified on the planning grounds that the B6 Enterprise Corridor is improperly applied to these areas and would not otherwise contribute to the creation of new employment lands. As previously noted in this planning proposal, it is also unlikely that the reduction in the existing amount of land zoned as B6 Enterprise Corridor will eliminate the existing oversupply of B6 Enterprise Corridor land.

The planning proposal, as it relates to land at Currawang, is not inconsistent with any strategy as it simply involves the application of Local Environmental Plan, zone and minimum lot size provisions to currently unzoned land.

### **3.5 Is the planning proposal consistent with the applicable State Environmental Planning Policies (SEPP)?**

Whilst all SEPPs which apply to the State apply to this planning proposal, it is considered that there are no relevant SEPP's, apart from the *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*, that require a specific response given that no aspect of this planning proposal is designed to, or otherwise expected to result in, the development, redevelopment or intensification of any land, beyond what is currently permitted on the subject lands. All land being rezoned in the B6 Enterprise Corridor zone is being rezoned to reflect current and likely future land usage and the

application of a zone and minimum lot size to unzoned land at Currawang will not result in any development that could not be expected from any other land in the local government area zoned as E3 Environmental Management.

#### State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

It is noted that the *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011* applies to all subject lands with the exception of subject lands at Currawang, which is located outside of the Sydney drinking water catchment. Given that the majority of all subject lands are already developed to the extent allowable under the proposed zones and that no new development, redevelopment or intensification of land is likely to occur as a direct result of this planning proposal, beyond what is currently possible, it is considered that it is appropriate to rely on the requirement in this SEPP for all developments requiring development consent to demonstrate a neutral or beneficial impact on water quality.

It should be noted that all land proposed to be rezoned to R1 General Residential are sewered, while all unsewered subject lands will be rezoned to a rural zone, largely limiting the amount of unsewered development that could occur. It is also worth noting that the current application of the B6 Enterprise Corridor allows for more intensive uses on the subject lands, such as commercial and semi-industrial uses, which presents a greater risk to water quality in the Sydney drinking water catchment now than what could be expected under the proposed new zoning and minimum lot size arrangement.

### **3.6 Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?**

The planning proposal is consistent with the s9.1 Ministerial directions as detailed in **Table 1**.

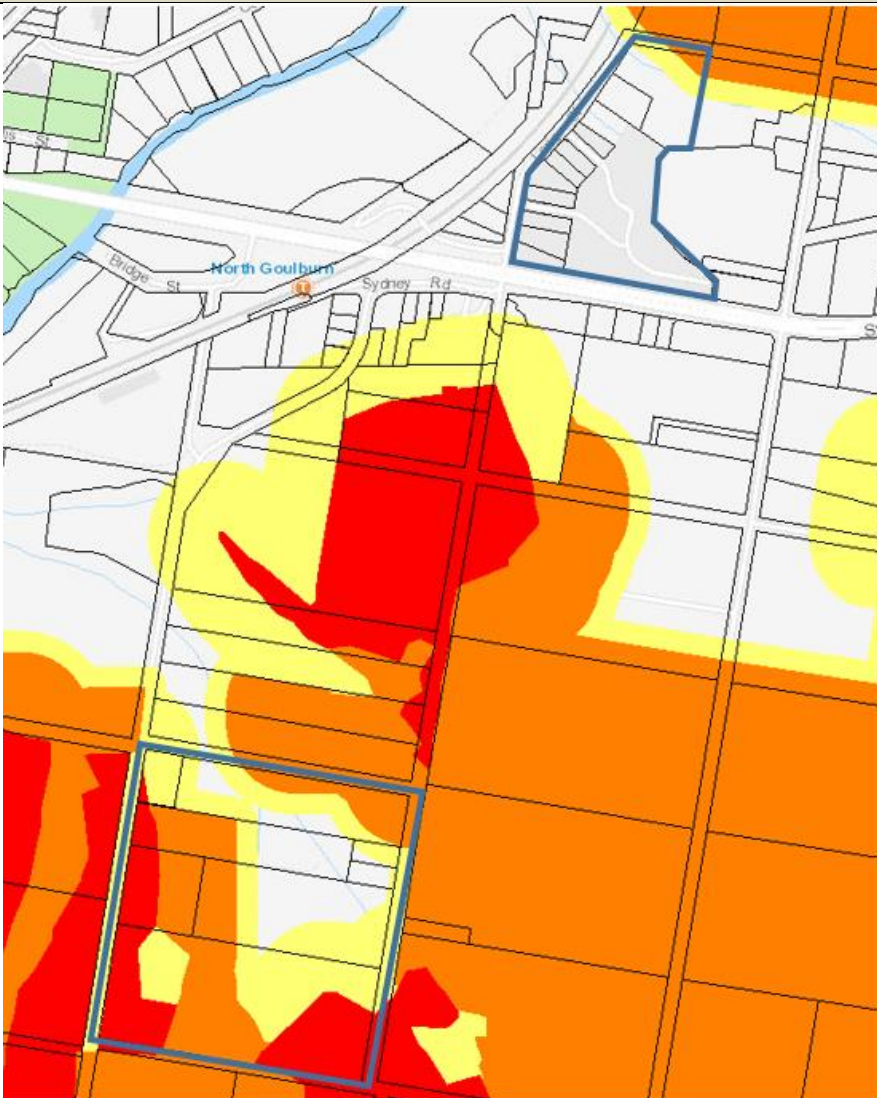
**Table 3:** Planning proposal compliance with s9.1 Ministerial Directions.

Direction	Compliance of Planning Proposal
<b>Direction 1.1 – Business and Industrial Zones</b>	<p>It is acknowledged that this planning proposal is inconsistent with this direction with respect to the rezoning of land within the B6 Enterprise Corridor zone to rural and residential zones. However it should be noted that all subject lands identified for rezoning in Goulburn are supported by direct recommendations in Council’s adopted <i>Employment Land Strategy</i> (pp.126-127).</p> <p>It is also considered that the inconsistency caused by rezoning of subject lands in Marulan from B6 Enterprise Corridor to RU6 Transition, RU2 Rural Landscape and R1 General Residential is of minor significance, given that much of this land would have been highly unlikely to have been cleared of existing residential uses and developed into the kinds of commercial or semi-industrial development supported by the zone in the foreseeable future, therefore not contributing to the supply of employment lands (refer section <b>3.2</b> for specific site analysis).</p>

<b>Direction</b>	<b>Compliance of Planning Proposal</b>
	As previously noted in this planning proposal, it is also unlikely that the reduction in the existing amount of land zoned as B6 Enterprise Corridor will eliminate the existing oversupply of B6 Enterprise Corridor land.
<b>Direction 1.2 - Rural Zones</b>	This planning proposal does not involve the rezoning of an existing rural zone to a residential, business, industrial, village or tourist zone. Although this planning proposal can nonetheless still be considered to be consistent with the intent of this direction, given that the proposed E3 Environmental Management zoning and 100 hectare minimum lot size relating to the subject land at Currawang would ensure that the land is maintained as agricultural land.
<b>Direction 1.3 – Mining Petroleum and Extractive Industries</b>	Not applicable. This planning proposal does not alter the permissibility of mining and extractive resources.
<b>Direction 1.4 – Oyster Aquaculture</b>	Not applicable to the Goulburn Mulwaree local government area.
<b>Direction 1.5 – Rural Lands</b>	<p>This planning proposal does not involve the rezoning or alteration of a minimum lot size of rural zoned land. Although this planning proposal can nonetheless still be considered to be consistent with the intent of this direction, given that the proposed E3 Environmental Management zoning and 100 hectare minimum lot size relating to the subject land at Currawang would ensure that the land is maintained as agricultural land.</p> <p>The proposed RU2 Rural Landscape zone at Goulburn with a 20,000m<sup>2</sup> will also limit fragmentation of agricultural land near Goulburn.</p>
<b>Direction 2.1 – Environment Protection Zones</b>	Not applicable. This planning proposal does not involve the rezoning of an existing environmental zone.
<b>Direction 2.2 – Coastal Management</b>	Not applicable to the Goulburn Mulwaree local government area.
<b>Direction 2.3 – Heritage Conservation</b>	Not applicable. This planning proposal does not affect any items, places or areas of Aboriginal or non-Aboriginal heritage.
<b>Direction 2.4 – Recreational Vehicle Areas</b>	Not applicable. The planning proposal does not enable the establishment of a recreational vehicle area.
<b>Direction 2.5 – Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs</b>	Not applicable to the Goulburn Mulwaree local government area.
<b>Direction 3.1 – Residential Zones</b>	This planning proposal is consistent with this direction as all land that is being rezoned to a residential zone will be rezoned to R1 General



<b>Direction</b>	<b>Compliance of Planning Proposal</b>
	Residential, which allows for a variety of different densities of dwellings in existing sewered areas.
<b>Direction 3.2 – Caravan Parks and Manufactured Home Estates</b>	Not applicable. This planning proposal does not alter the permissibility of caravan parks or manufactured home estates.
<b>Direction 3.3 – Home Occupations</b>	Not applicable. This planning proposal does not alter the permissibility of home occupations.
<b>Direction 3.4 – Integrating Land Use and Transport.</b>	<p>This planning proposal is consistent with this direction as all proposed urban zones will apply to existing urban zoned land that is unlikely to be subject to new development, beyond which is currently permitted under the current zoning arrangement. This means that new transportation infrastructure is not required for any of the subject lands.</p> <p>All subject lands to be rezoned to R1 General Residential are also in close proximity from the Goulburn or Marulan Town Centres.</p>
<b>Direction 3.5 – Development Near Regulated Airports and Defence Airfields</b>	Not applicable. This planning proposal does not relate to any land near a regulated airport.
<b>Direction 3.6 – Shooting Ranges</b>	Not applicable. This planning proposal does not relate to or affect any land on or near shooting ranges.
<b>Direction 3.7 – Reduction in non-hosted short term rental accommodation period</b>	Not applicable to the Goulburn Mulwaree local government area.
<b>Direction 4.1 – Acid Sulphate Soils</b>	Not applicable to the Goulburn Mulwaree local government area.
<b>Direction 4.2 – Mine Subsidence and Unstable Land</b>	Not applicable to the Goulburn Mulwaree local government area.
<b>Direction 4.3 – Flood Prone Land</b>	Not applicable. This planning proposal does not relate to any flood prone land.
<b>Direction 4.4 – Planning for Bushfire Protection</b>	It is acknowledged that all subject lands are partly or wholly bushfire prone (Figures 14-16).

Direction	Compliance of Planning Proposal
	 <p>The map displays a portion of Goulburn, Australia, with a focus on subject lands outlined in blue. The map uses a color-coded system to represent different vegetation categories and their buffers. A central area, primarily within the blue-outlined subject lands, is colored red, indicating Vegetation Category 1. Surrounding this red area is a larger region colored dark orange, representing Vegetation Category 3. A yellow buffer zone is shown, which encompasses the red and dark orange areas, indicating the buffer to both vegetation categories. The map also shows local streets, including Bridge St, Sydney Rd, and North Goulburn, and a river flowing through the area.</p> <p><b>Figure 14:</b> Subject lands in Goulburn (outlined in blue). The map shows Vegetation Category 1 in red, Vegetation Category 3 in dark orange and the buffer to both categories in yellow.</p>

Direction	Compliance of Planning Proposal
	<div data-bbox="523 232 1410 913">  </div> <p data-bbox="523 922 1410 1025"><b>Figure 15:</b> Subject lands in Marulan (outlined in blue). The map shows Vegetation Category 1 in red, Vegetation Category 3 in dark orange and the buffer to both categories in yellow.</p> <div data-bbox="523 1070 1410 1630">  </div> <p data-bbox="523 1639 1410 1778"><b>Figure 16:</b> Subject lands in Currawang (outlined in blue). The map shows Vegetation Category 1 in red, Vegetation Category 2 in light orange/dark yellow and Vegetation Category 3 in orange. No buffer to any of the categories is shown in this map all land shown is bushfire prone.</p> <p data-bbox="523 1823 1410 2020">It is considered that this planning proposal is consistent with this direction as no new development, redevelopment or intensification of land is expected to be facilitated as a direct result of this planning proposal, beyond what is currently permitted on the subject site. Additionally, the subject lands most vulnerable to bushfire, being the subject lands at</p>

Direction	Compliance of Planning Proposal
	<p>Currawang and land contained Arthur Street, Long Street, Chiswick Street and Hetherington Street, Goulburn, are only proposed to be rezoned to rural or environmental zones. It is also worth noting that these subject lands currently have no applicable minimum lot size, meaning that they could potentially be subdivided and further developed without the processing of this planning proposal.</p> <p>Controls applicable under <i>Planning for Bushfire Protection 2006</i> and <i>Planning for Bushfire Protection 2019</i> will continue to apply to all subject lands.</p>
<b>Direction 5.2 – Sydney Drinking Water Catchment</b>	<p>This planning proposal is considered to be consistent with this direction as no new development, redevelopment or intensification of land is expected to be facilitated as a direct result of this planning proposal as the primary function of this planning proposal will be to amend zoning to be more reflective of current and future likely residential and rural residential use. The removal of the B6 Enterprise Corridor zone also limits the variety of different light industrial and commercial developments permissible on the land that may pose more of a risk to water quality than residential development permissible under the RU6 Transition, RU2 Rural Landscape and R1 General Residential zones. Furthermore, the application of a minimum lot size to land contained Arthur Street, Long Street, Chiswick Street and Hetherington Street, Goulburn can be considered to limit the intensification of unsewered land in the Sydney Drinking Water Catchment.</p> <p>All future developments requiring consent on the subject lands within the Sydney drinking water catchment would also be required to demonstrate a neutral or beneficial impact on water quality in accordance with the <i>State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011</i> and be connected to Council's reticulated stormwater and sewerage network where available. All land proposed to be rezoned to R1 General Residential has access to Council's stormwater and sewerage services.</p> <p>Further comment in relation to each of the applicable subject sites is provided below, in relation to their respective mapping under the Strategic Land and Water Capability Assessment (SLWCA) maps. Please note that this direction does not apply to the subject lands at Currawang as it is located outside of the Sydney drinking water catchment.</p>

Direction	Compliance of Planning Proposal
	<p data-bbox="523 277 852 309"><u>2-26 Long Street, Goulburn</u></p> <p data-bbox="523 344 1396 456">This land is proposed to be rezoned from B6 Enterprise Corridor with a floor space ratio of 0.8:1 to R1 General Residential with no floor space ratio and a minimum lot size of 700m<sup>2</sup>.</p> <p data-bbox="523 510 1396 658">As identified under the SLWCA maps for this area, the land has been identified as a low to moderate risk to water quality for the zone and minimum lot size proposed (<b>Figure 17</b>). This area is fully serviced with Council's water and sewer network.</p> <p data-bbox="523 712 1396 860">As indicated throughout this document, no development of this area is anticipated as a result of this planning proposal. Aerial photography of this area also indicates that the site is already heavily developed (refer section <b>3.2</b>)</p>



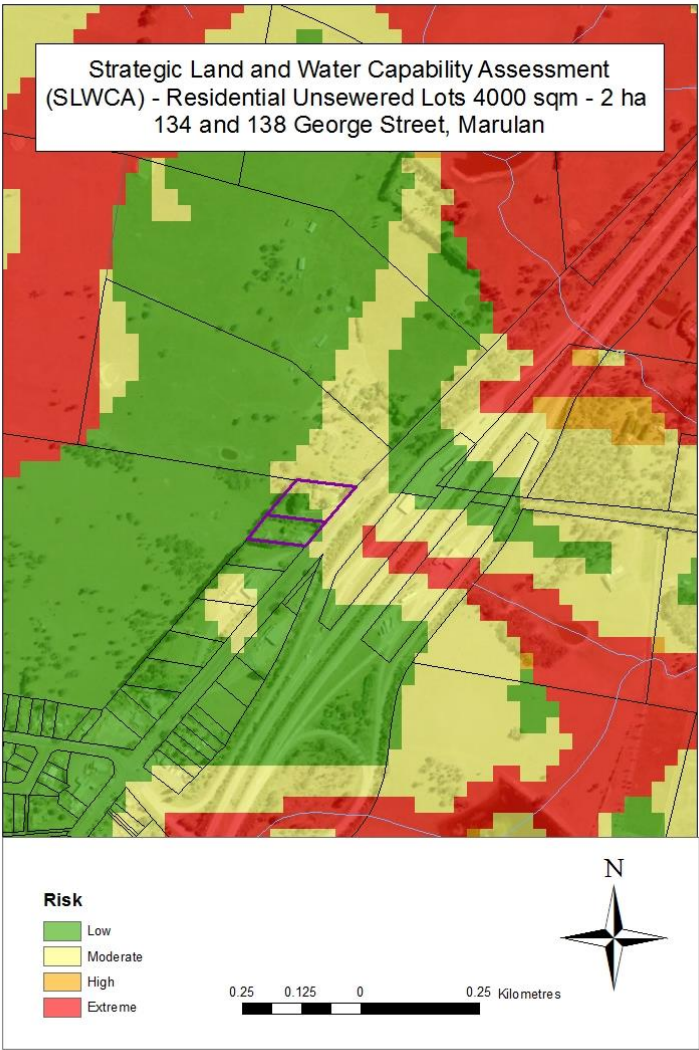
Direction	Compliance of Planning Proposal
	<div data-bbox="576 275 1305 1355"> <p>Strategic Land and Water Capability Assessment (SLWCA) - Residential Sewered Development: 2-26 Long Street, Goulburn</p> <p><b>Risk</b></p> <ul style="list-style-type: none"> <li>Low</li> <li>Moderate</li> <li>High</li> <li>Extreme</li> </ul> <p>0.25 0.125 0 0.25 Kilometres</p> <p>N</p> </div> <p><b>Figure 17:</b> Subject land at Long Street, Goulburn</p> <p><u>Arthur Street, Long Street, Chiswick Street and Hetherington Street, Goulburn</u></p> <p>This land is proposed to be rezoned from B6 Enterprise Corridor with a floor space ratio of 0.8:1 and no minimum lot size to RU2 Rural Landscape with no floor space ratio and a minimum lot size of 20,000m<sup>2</sup>.</p> <p>As indicated on the SLWCA maps below the subject area is predominately mapped as being either a moderate or extreme risk to water quality for the one and minimum lot size proposed (<b>Figure 18</b>). This site is also unsewered and not connected to Council’s stormwater network.</p>

Direction	Compliance of Planning Proposal
	<div data-bbox="576 271 1289 1330"> <p>Strategic Land and Water Capability Assessment (SLWCA) - Residential Unsewered Lots: 4000sqm - 2 ha Arthur/Long/Chiswick/Hetherington Street, Goulburn</p> <p><b>Risk</b></p> <ul style="list-style-type: none"> <li>Low</li> <li>Moderate</li> <li>High</li> <li>Extreme</li> </ul> <p>0.25 0.125 0 0.25 Kilometres</p> </div> <p><b>Figure 18:</b> Subject land at Arthur Street, Long Street, Chiswick Street and Hetherington Street, Goulburn</p> <p>It is nonetheless considered that the planning proposal is considered appropriate for the subject site as no further development is expected to occur, should it be rezoned to RU2 Rural Landscape. The rezoning from B6 Enterprise Corridor and application of a minimum lot size of 20,000m<sup>2</sup> is also considered to massively reduce the land's current potential risk to water quality in the Sydney drinking water catchment, as there is currently no restriction on minimum lot sizes and the kinds of semi-industrial and commercial developments that pose an elevated risk to the catchment are currently permitted in the area.</p> <p>It should also be noted that the minimum lot size of 20,000m<sup>2</sup> does not necessarily lend itself to greater subdivision potential in the subject area, as the prohibition of septic tanks within 40m of a watercourse would</p>

Direction	Compliance of Planning Proposal
	<p>effectively remove the possibility of further residential development within the land identified as having an extreme risk to water quality. Other constraints listed below are also considered to significantly limit the development potential of the land, having the added effect of also protecting the Sydney drinking water catchment:</p> <ul style="list-style-type: none"> <li>• Overland flow flooding/large scale stormwater drainage, enforced broadly through s4.15 of the EP&amp;A Act as well as specifically enforced under s8.6 of the <i>Goulburn Mulwaree Development Control Plan 2009</i>.</li> <li>• Bushfire prone land, enforceable through s4.14 of the EP&amp;A Act (for dwellings) and 100B of the <i>Rural Fires Act 1997</i> (for subdivisions).</li> <li>• Potentially significant ecological biodiversity, enforceable through the <i>Biodiversity Conservation Regulation 2017</i>.</li> </ul> <p><u>Station Street, George Street and Brayton Road, Marulan</u></p> <p>This land is proposed to be rezoned from B6 Enterprise Corridor with a floor space ratio of 0.8:1 to R1 General Residential with no floor space ratio and a minimum lot size of 700m<sup>2</sup>.</p> <p>This subject area is identified as being of a low risk to water quality on the SLWCA maps for the zone and minimum lot size proposed (<b>Figure 19</b>). This land is not likely to be developed as a direct result of this planning proposal as it is already heavily developed as indicated by aerial photography (refer section <b>3.2</b>).</p> <p>This land is fully serviced by both stormwater and sewer.</p>

Direction	Compliance of Planning Proposal
	<div data-bbox="576 271 1294 1339"> <p data-bbox="614 315 1257 421">Strategic Land and Water Capability Assessment (SLWCA) - Residential Sewered Development Station Street, Marulan</p> <p data-bbox="619 1176 662 1196"><b>Risk</b></p> <ul data-bbox="619 1205 724 1305" style="list-style-type: none"> <li>Low</li> <li>Moderate</li> <li>High</li> <li>Extreme</li> </ul> <p data-bbox="810 1272 1150 1292">0.25 0.125 0 0.25 Kilometres</p> <p data-bbox="1193 1144 1209 1164">N</p> </div> <p data-bbox="523 1391 1410 1458"><b>Figure 19:</b> Subject land at Station Street, George Street and Brayton Road, Marulan</p> <p data-bbox="523 1503 963 1536"><u>134 and 138 George Street, Marulan</u></p> <p data-bbox="523 1570 1410 1715">This land is proposed to be rezoned from B6 Enterprise Corridor with a floor space ratio of 0.8:1 to RU6 Transition with no floor space ratio and a minimum lot size of 100 hectares. This land is not serviced by Council’s stormwater or sewer network.</p> <p data-bbox="523 1760 1410 1973">This land is identified as being a low or moderate risk to water quality as indicated on the SLWCA map below for the zone and minimum lot size proposed (<b>figure 20</b>). This lot is likewise also not expected to be developed as direct result of this planning proposal. The restrictive RU6 Transition zone and minimum lot size is also considered to restrict the development potential to what is already located there (being two detached dwelling houses).</p>



Direction	Compliance of Planning Proposal
	<div data-bbox="576 271 1278 1317"> <p>Strategic Land and Water Capability Assessment (SLWCA) - Residential Unsewered Lots 4000 sqm - 2 ha 134 and 138 George Street, Marulan</p>  <p><b>Risk</b></p> <ul style="list-style-type: none"> <li>Low</li> <li>Moderate</li> <li>High</li> <li>Extreme</li> </ul> <p>0.25 0.125 0 0.25 Kilometres</p> </div> <p><b>Figure 20:</b> Subject land at 134 and 138 George Street, Marulan</p> <p>Preliminary advice was also obtained from WaterNSW on 17 April 2020 and is detailed and addressed in section <b>3.11</b> of this planning proposal. WaterNSW has provided their general support for this planning proposal and their advice has since been incorporated into this document.</p>
<b>Direction 5.3 - Farmland of State and Regional Significance on the NSW Far North Coast</b>	Not applicable to the Goulburn Mulwaree local government area.
<b>Direction - 5.4 Commercial and Retail Development along the Pacific Highway, North Coast</b>	Not applicable to the Goulburn Mulwaree local government area.



Direction	Compliance of Planning Proposal
<b>Direction 5.9 – North West Rail Link Corridor Strategy</b>	Not applicable to the Goulburn Mulwaree local government area.
<b>Direction 5.10 – Implementation of Regional Plans</b>	<p>This planning proposal is consistent with this direction. Compliance with the relevant with directions of the <i>South East and Tablelands Regional Plan 2036</i> is detailed below (as per <b>Table 1</b> of this planning proposal):</p> <p><b>4.2 Maintain a supply of appropriately serviced employment land to create opportunities for new industrial development (p.19).</b></p> <p>While this planning proposal does propose the reduction in the total amount of land zoned in B6 Enterprise Corridor, it is considered that this planning proposal is still consistent with this action (refer section <b>3.2</b>). All of the subject lands identified in the B6 Enterprise Corridor for rezoning are already developed lands used for residential accommodation. It is highly unlikely that these residential dwellings will be bought and cleared at such a scale that could support the much larger development footprints required for industrial or semi industrial uses, given that all areas are within 2km of large tracts of vacant B6 Enterprise Corridor land. It is therefore considered that this land, irrespective of zoning, does not currently contribute to the supply of industrial land in the region.</p> <p>As previously noted in this planning proposal, the subject areas in Goulburn and Marulan also both have vast tracts of existing undeveloped B6 Enterprise Corridor land. Rezoning only a small fraction of this land in both locations is not considered to threaten the oversupply of existing B6 Enterprise Corridor land.</p> <p><b>8.2 Protect identified important agricultural land from land use conflict and fragmentation and manage the interface between important agricultural land and other land uses through local environmental plans (p.25).</b></p> <p>This planning proposal is consistent with this action as the application of a 100 hectare minimum lot size to subject lands at Currawang ensures that this predominately agricultural land cannot be further fragmented, where no such minimum lot size provisions currently apply. The proposed minimum lot size of 20,000m<sup>2</sup> for the land to be rezoned to RU2 Rural Landscape also limits rural fragmentation near Goulburn.</p> <p>None of the subject lands is mapped as Biophysical Strategic Agricultural Land.</p>

Direction	Compliance of Planning Proposal
	<p><b>14.2 Protect the validated high environmental value lands in local environmental plans (p.35).</b></p> <p>Both of the subject areas in Goulburn and the subject area in Currawang are mapped as being of as High Ecological Value (HEV) as part of the <i>South East and Tablelands Regional Plan 2036</i> ecological mapping (refer section <b>3.2</b>). None of the sites have been identified as a being as part of an ecological corridor as part of the <i>South East and Tablelands Regional Plan 2036</i> ecological mapping and none of the sites have been identified on the Biodiversity Values Map, to which the <i>Biodiversity Conservation Regulation 2017</i> applies.</p> <p>This planning proposal is considered to be consistent with this action as no further development of any of the subject lands is anticipated as a direct result of this planning proposal. The decision to zone the subject land at Currawang to E3 Environmental Management, in light of the extensive HEV mapped area, is also considered to comply with this action.</p> <p>Any significant development of any of the subject sites would also likely exceed the biodiversity clearing thresholds under s7.2 of the <i>Biodiversity Conservation Regulation 2017</i>, requiring more thorough assessment should a development application be lodged.</p> <p>It should also be noted that the proposed rezoning to R1 General Residential and RU2 Rural Landscape for the subject lands in Goulburn will also prohibit the kinds of large-footprint semi-industrial and commercial development that is permitted under the current B6 Enterprise Corridor zone. In this sense, the rezoning is likely to also significantly reduce the likelihood of large scale vegetation clearing.</p>
<b>Direction 5.11 - Development of Aboriginal Land Council land</b>	<p>Not applicable to the Goulburn Mulwaree local government area.</p>
<b>Direction 6.1 – Approval and Referral Requirements</b>	<p>This planning proposal is consistent with this direction. While this planning proposal will need to be referred to WaterNSW for preliminary comments, it is considered that the planning proposal may not be required to be referred to any other agency for comment. This is because the purpose of this planning proposal is to apply zones that are consistent with the current and future likely residential and rural residential character of the subject lands within the B6 Enterprise Corridor, as well as apply a zone and minimum lot size standard to currently unzoned land. It is therefore considered that no development, redevelopment or intensification of the subject lands is likely in the foreseeable future, beyond what is already</p>

Direction	Compliance of Planning Proposal
	permitted, which could cause excessive environmental degradation, water quality issues, increases in risk to human life, fragmentation of agricultural land or increased pressure on local and state government infrastructure.
<b>Direction 6.2 - Reserving Land for Public Purposes</b>	Not applicable. This planning proposal does not create, alter or reduce land dedicated or zoned for a public purpose.
<b>Direction 6.3 – Site Specific Provisions</b>	This planning proposal does not contain any site specific development controls and is therefore considered to be consistent with this direction.
<b>Directions Part 7 – Local Plan Making</b>	This part is not applicable to the Goulburn Mulwaree local government area.

## Section C – Environmental, social and economic impact.

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

It is considered that there is little to no likelihood that this planning proposal will result in adverse effects on the environment as no further development is expected to be facilitated as a direct result of this planning proposal as all subject sites are being rezoned to reflect current land uses, rather than desired future uses. It should also be noted that the current zoning of subject sites in Goulburn and Marulan is B6 Enterprise Corridor with no minimum lot size, which permits the kind of large footprint commercial, semi-industrial development and land fragmentation that could put existing ecological communities at a far greater risk than the proposed zones and minimum lot sizes for these areas.

It is acknowledged that the subject lands at Goulburn and Currawang have been mapped as High Ecological Value as part of the *South East and Tablelands Regional Plan 2036* ecological mapping. Refer section 3.2 of this planning proposal for an assessment of this impact.

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

As no additional development potential is expected to be facilitated by this planning proposal, it is considered that there will be no other adverse environmental effects.

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

This planning proposal is expected to ensure that existing residential or rural residential areas maintain as such for the foreseeable future. It is expected that this will improve market certainty around these areas, thereby assisting homeowners in selling their homes to future homebuyers without their ability to access financing for buying a home being prejudiced by the incompatible land zoning. Otherwise it is not expected that this planning proposal will have any notable social or

economic effects as no additional development is expected to be facilitated as a result of this planning proposal.

## **Section D – State and Commonwealth interests**

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

All subject lands are currently serviced by local road connections, with all land to be rezoned to R1 General Residential being connected to Council's water and sewer network. As no additional development potential is expected to be facilitated by this planning proposal, it is considered that there is existing adequate public infrastructure available. There is also capacity within the existing local water and sewer network to accommodate any development potential under the existing and proposed zoning.

### **3.11 What are the views of State and Commonwealth public authorities' consultation in accordance with the gateway determination?**

#### WaterNSW

This planning proposal was referred to WaterNSW on 27 March 2020 for preliminary advice prior to seeking a gateway determination from DPIE. WaterNSW responded on 17 April 2020, providing their general support for this planning proposal and providing a few points that would benefit from clarification in the planning proposal (separately enclosed). These points are summarised and addressed below:

- WaterNSW suggested claims that the planning proposal will result in no further intensification warrant further justification. In response to this point, the planning proposal was amended to qualify these statements by adding that no further intensification of subject lands were possible, beyond what is already permitted under the current zoning arrangement. This was the original reasoning behind these statements.
- WaterNSW suggested that acknowledgement should be given to the range of lot sizes in the subject areas proposed to be rezoned to R1 General Residential, given that some could potentially still be subdivided under the proposed minimum lot size and result in pressure on existing sewerage capacity. In response to this point, section 3.2 of this planning proposal was amended to recognise that some subdivision potential may be preserved. It was also added that any further subdivision would need to address environmental constraints at the development application stage and would otherwise be within the sewer capacity of the local area.
- WaterNSW suggested a minor rewording on p. 22 of the planning proposal provided for comment. This wording was corrected as suggested by WaterNSW and is considered inconsequential to the overall content of this planning proposal.

WaterNSW also provided an unrelated comment in relation to the process in which planning proposals were prepared for Goulburn's North East Enterprise Corridor, citing that there have now been two (2) planning proposals prepared for this area, discussions about further planning proposals being made and a separate *Draft Urban and Fringe Housing Strategy* that will also make recommendations about residential rezoning. WaterNSW suggested that Council prepare a strategy for this area to limit the number of separate planning proposals required. In response to these comments, Council separately clarified with WaterNSW that the urgent requirement to rezone some



areas, and the complexities and potential delays that could be incurred with rezoning others, has necessitated the need to prepare multiple different planning proposals. Council also added that this planning proposal fulfils an already existing recommendation of the *Employment Land Strategy* as it relates to this area and that the recommendations in the *Draft Urban and Fringe Housing Strategy* generally support any infill rezoning to residential subject to thorough assessment, irrespective of whether or not they have specifically been identified. At this point in time a specific strategy for Goulburn's North East Enterprise Corridor is not considered necessary or relevant to this planning proposal.

Further consultation with WaterNSW is not considered necessary for this planning proposal, given their general support for the planning proposal.

#### Biodiversity and Conservation Division of DPIE

This planning proposal was also referred to the Biodiversity and Conservation Division of DPIE on 26 June 2020, in order to seek guidance on whether or not they would accommodate the application of the RU1 Primary Production zone to the subject land at Currawang or if they would instead prefer the application of the E3 Environmental Management zone. As per Council's resolution on 1 October 2019, Council recommended the application of either zone with a 100 hectare minimum lot size, with the RU1 Primary Production zone being the preferred zone.

The Biodiversity and Conservation Division of DPIE responded on 16 July 2020, advising that they are of the opinion that the land should be zoned as E3 Environmental Management on the grounds that the land was mapped as being of High Ecological Value in accordance with the *South East and Tablelands Regional Plan 2036* and because the zone is otherwise consistent with the current and future land use (separate enclosure). They also advised that they support the introduction of the 100 hectare minimum lot size.

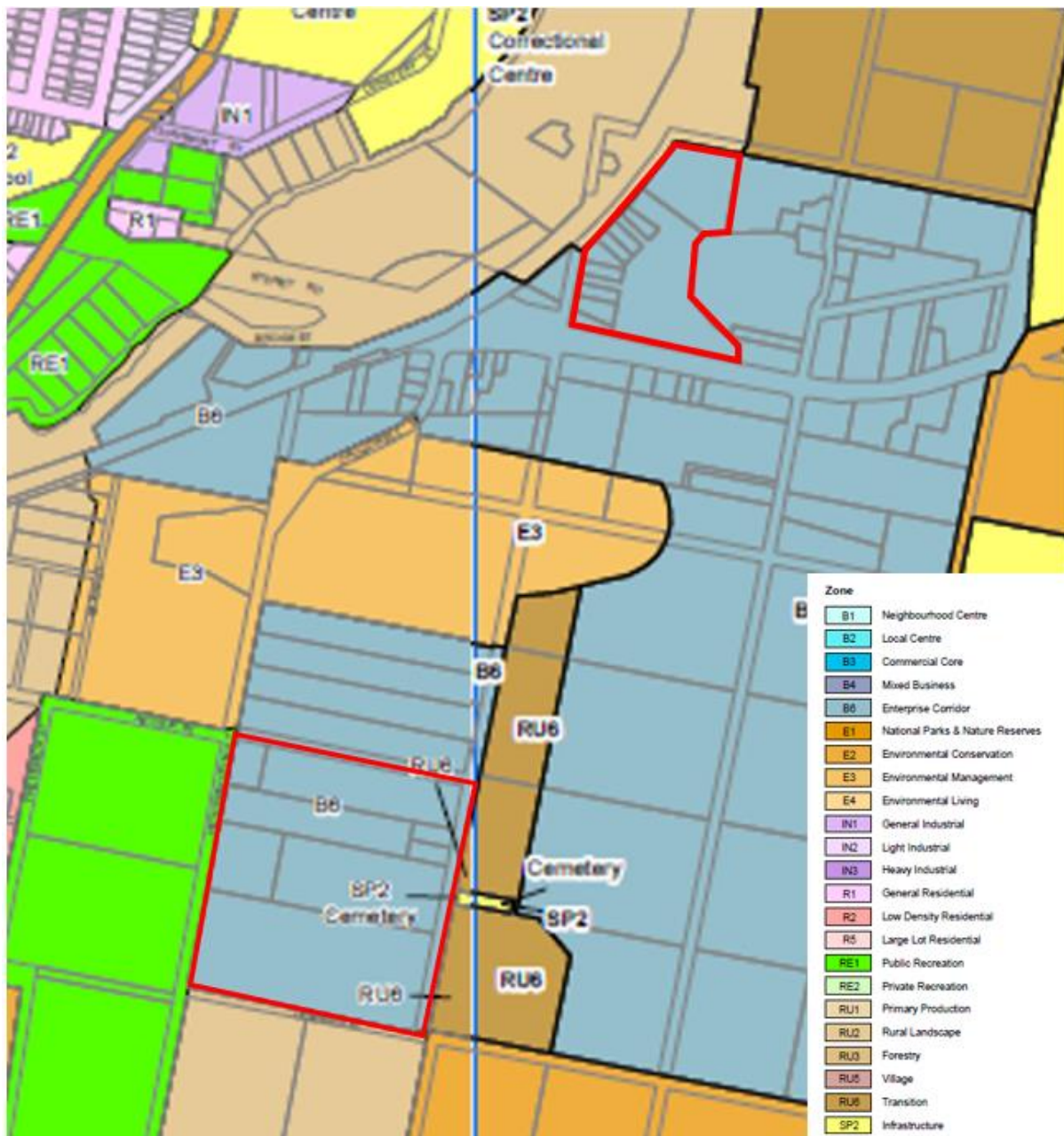
Council does not dispute the justification given to zone the subject land at Currawang to E3 Environmental Management as opposed to its original preferred zone of RU1 Primary Production given the merit of the justification provided.

## Part 4 – Mapping

Indicative maps of the proposed new land application, zoning and minimum lot size maps are below (refer to **Part 2 - Explanation of Provisions** for a summary of amendments). Mapping data, for the purposes of replacing the map sheets in the GM LEP, will be uploaded separately to the NSW Planning Portal at a later point in time.



**Figure 21:** Subject lands location in Goulburn.



**Figure 22:** Current zone map.



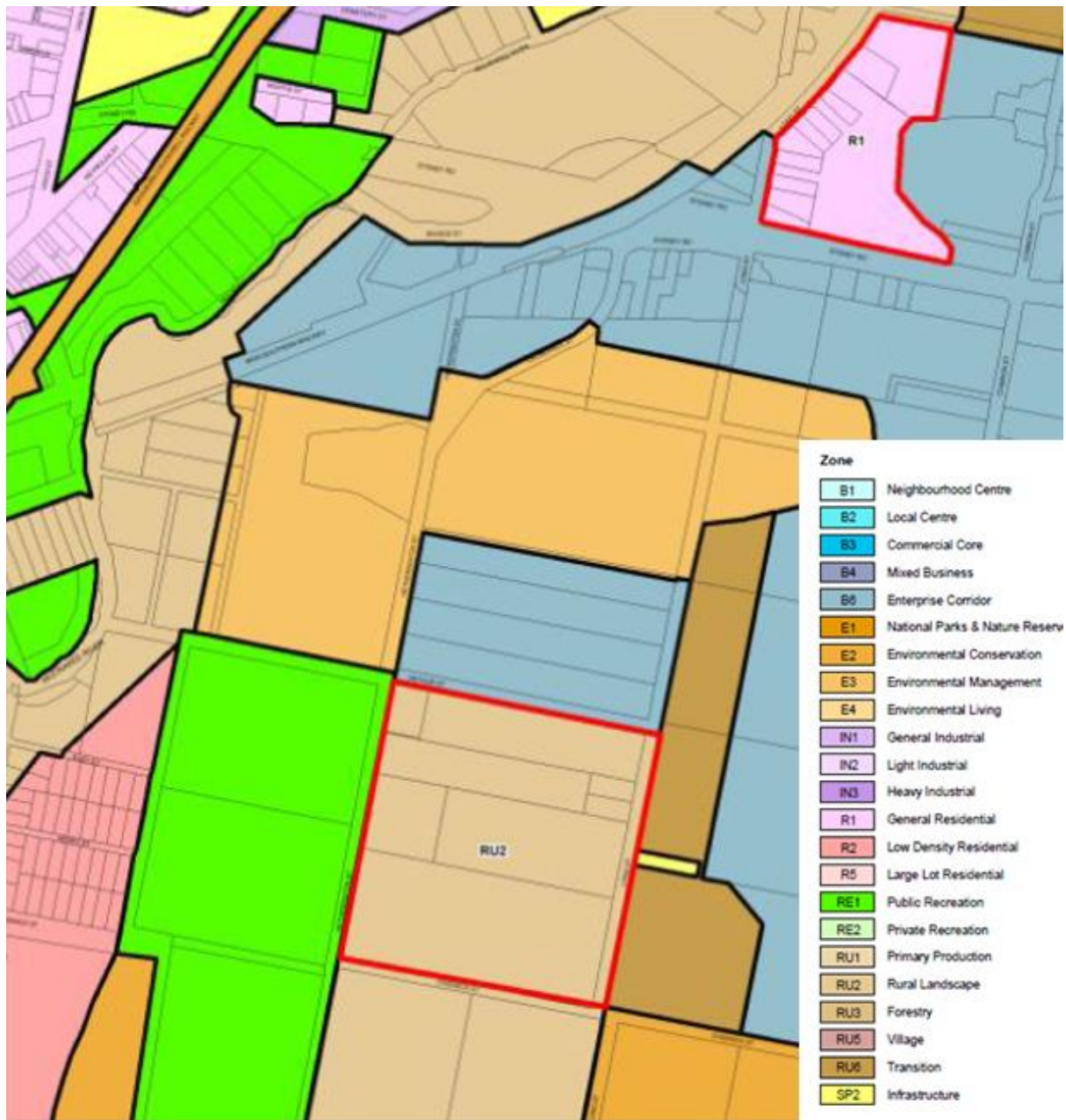
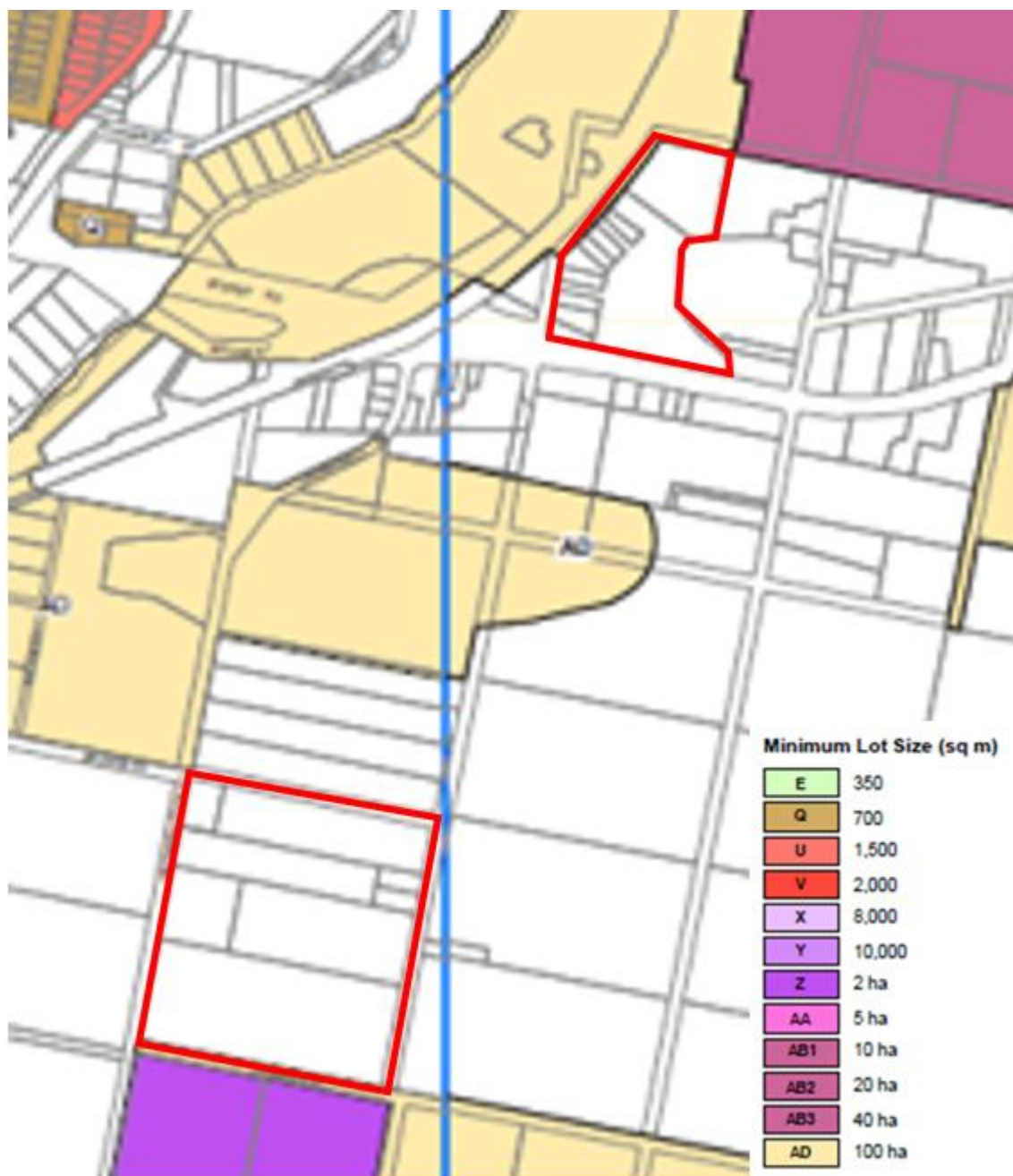
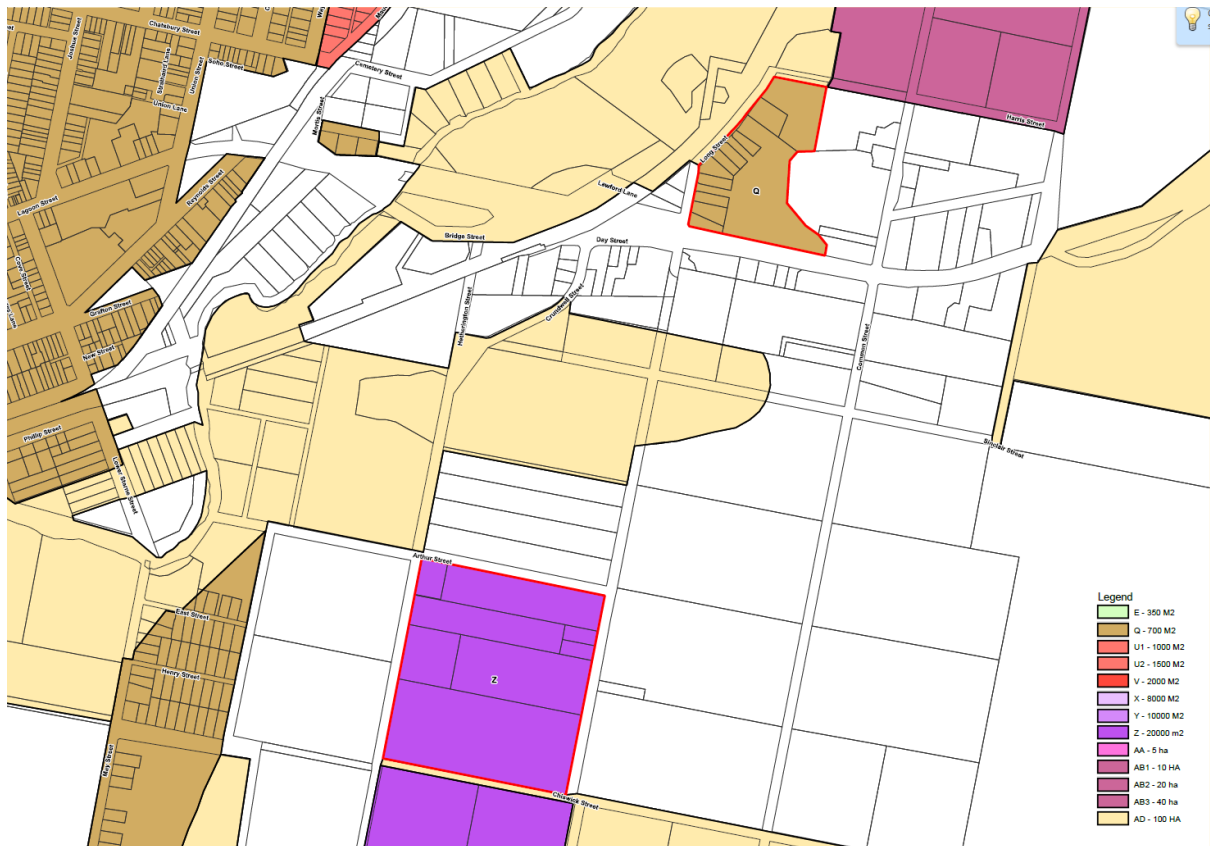


Figure 23: Proposed zone map.

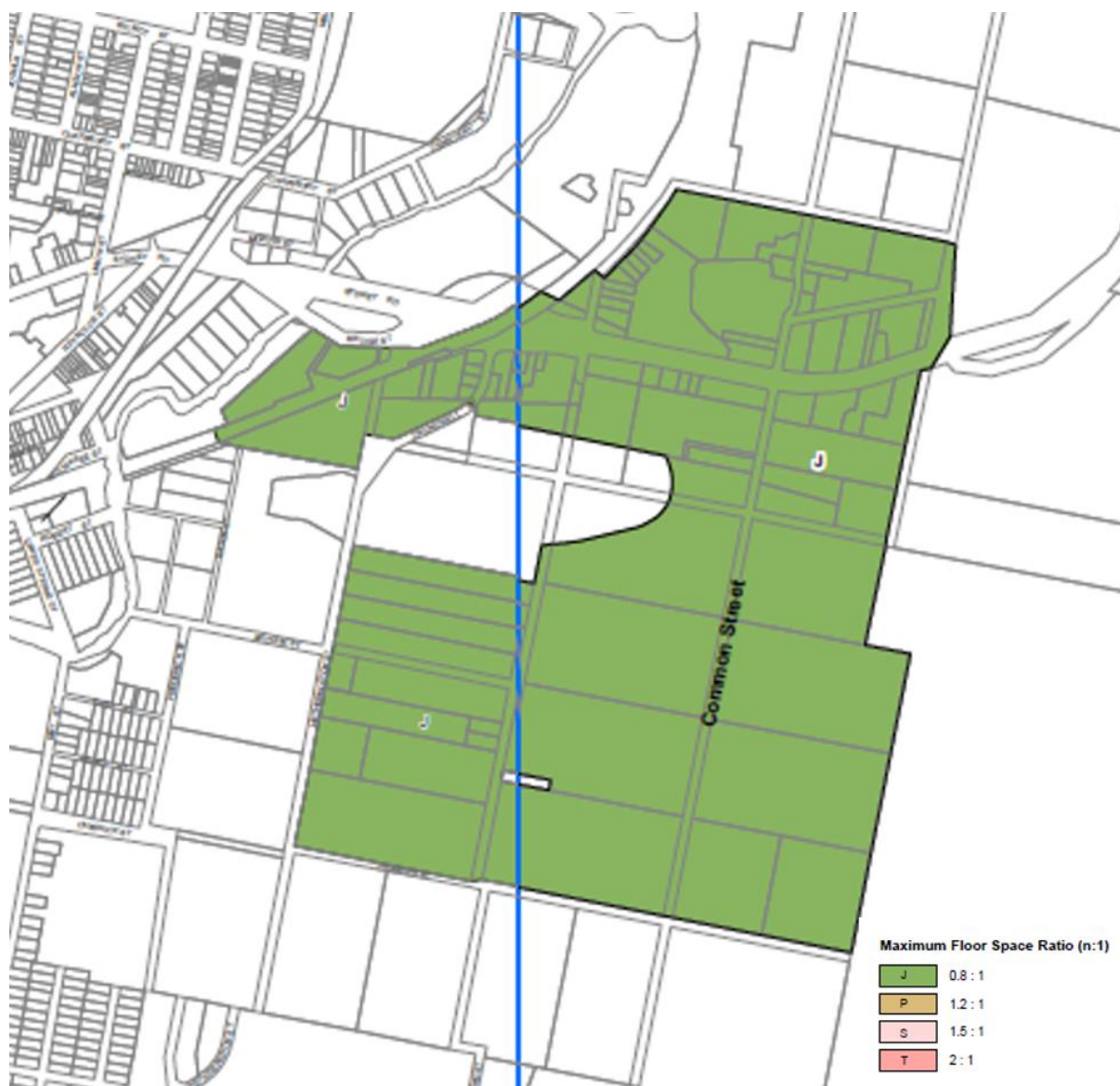




**Figure 24:** Current minimum lot size map.



**Figure 25:** Proposed minimum lot size map.



**Figure 26:** Current floor space ratio map.



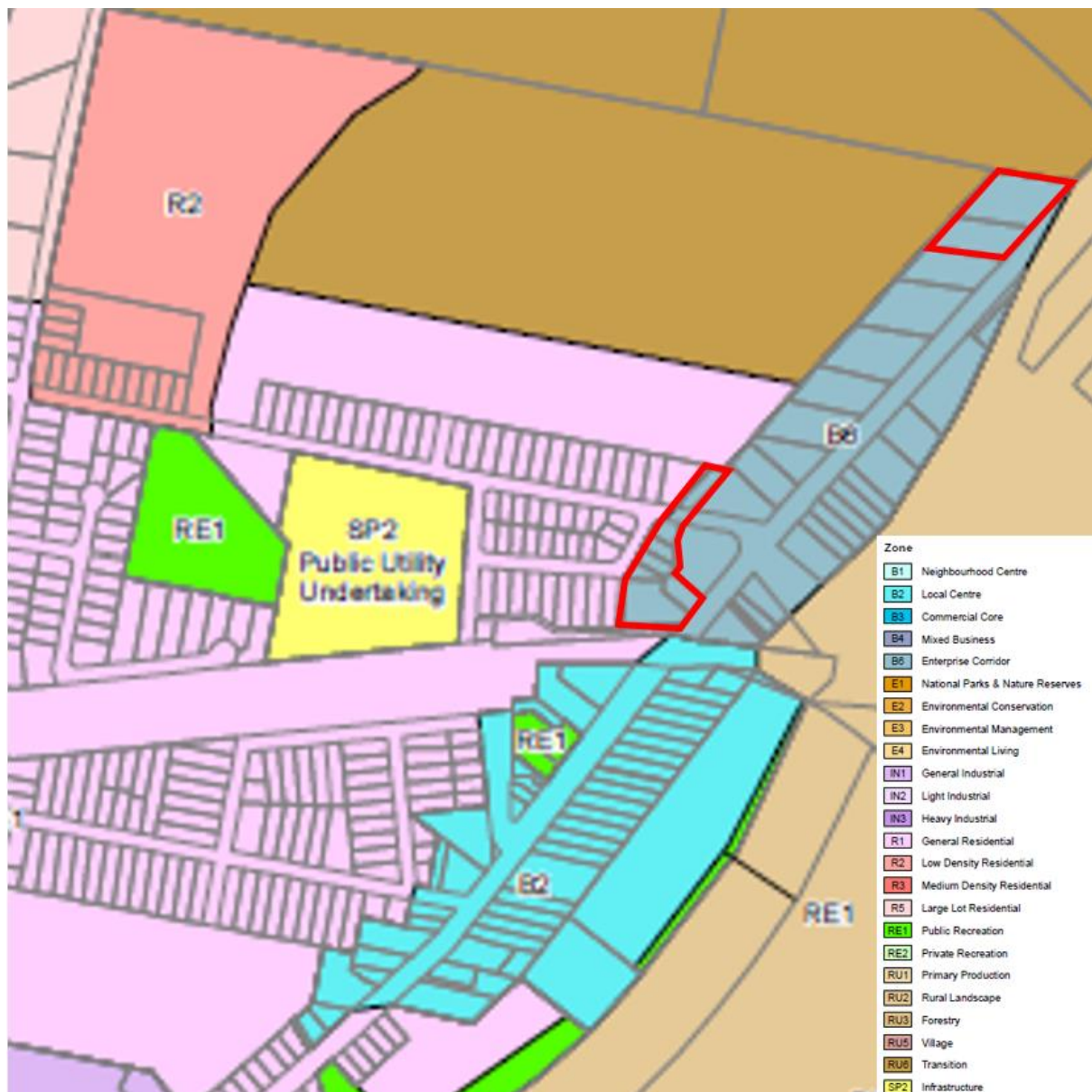


**Figure 27:** Proposed floor space ratio map.

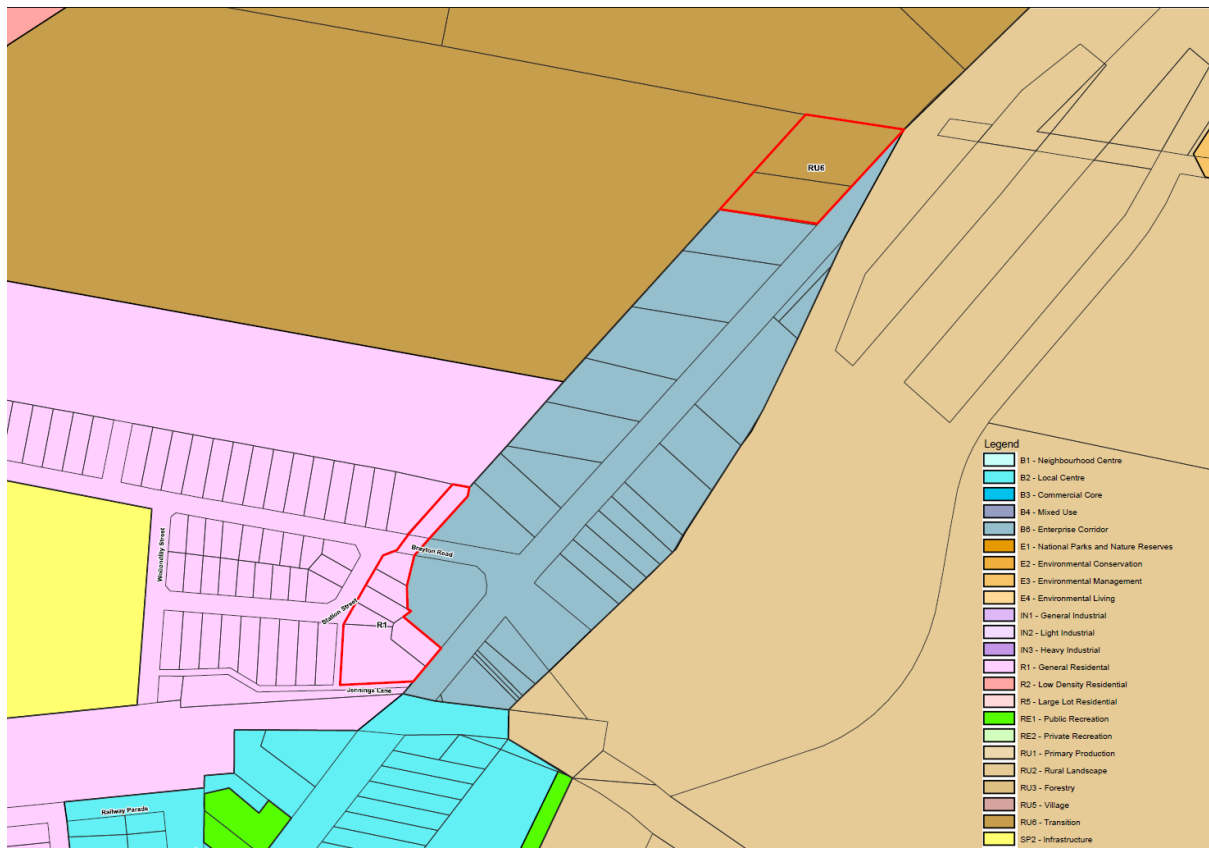


**Figure 28:** Subject lands location in Marulan.

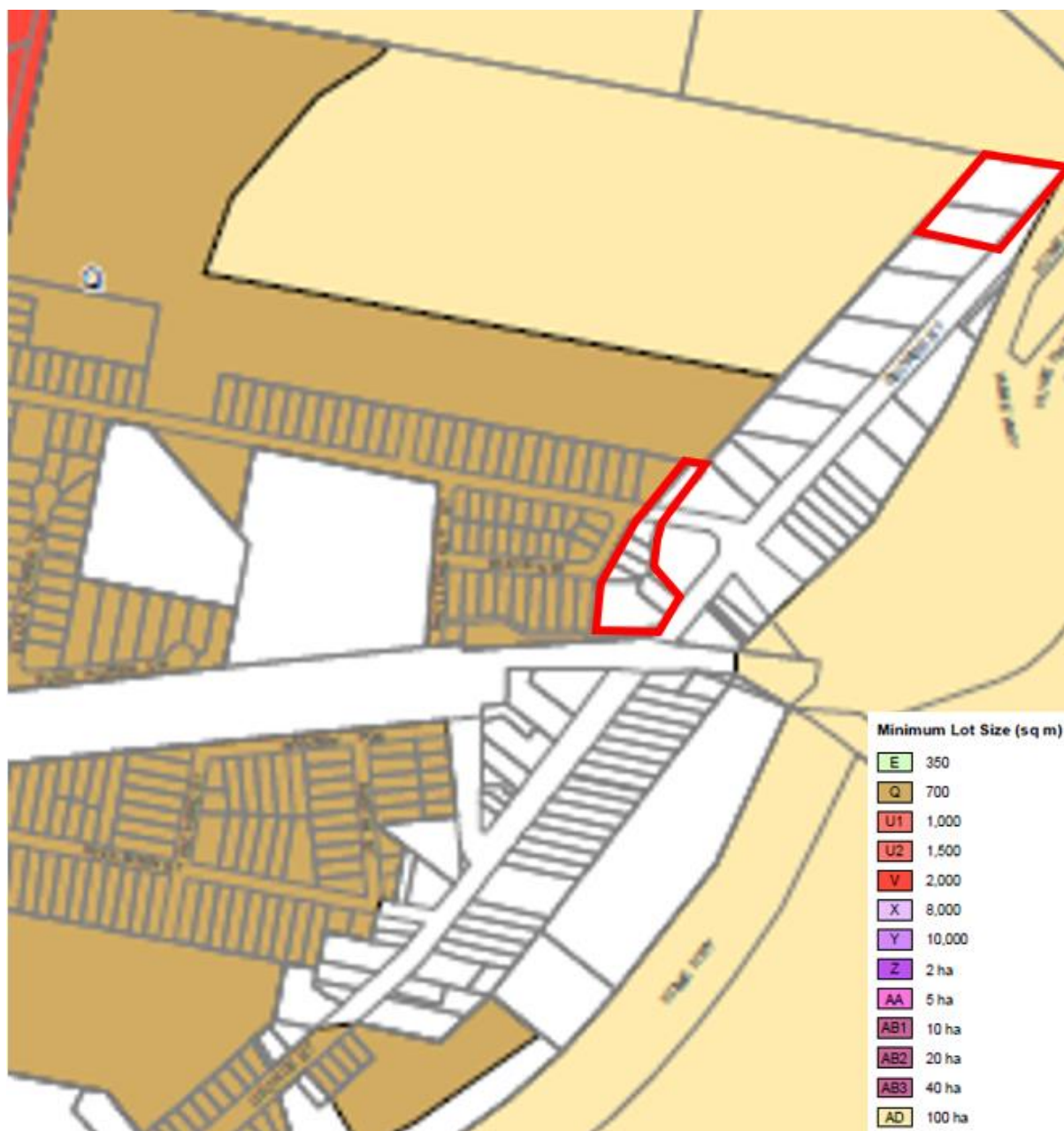




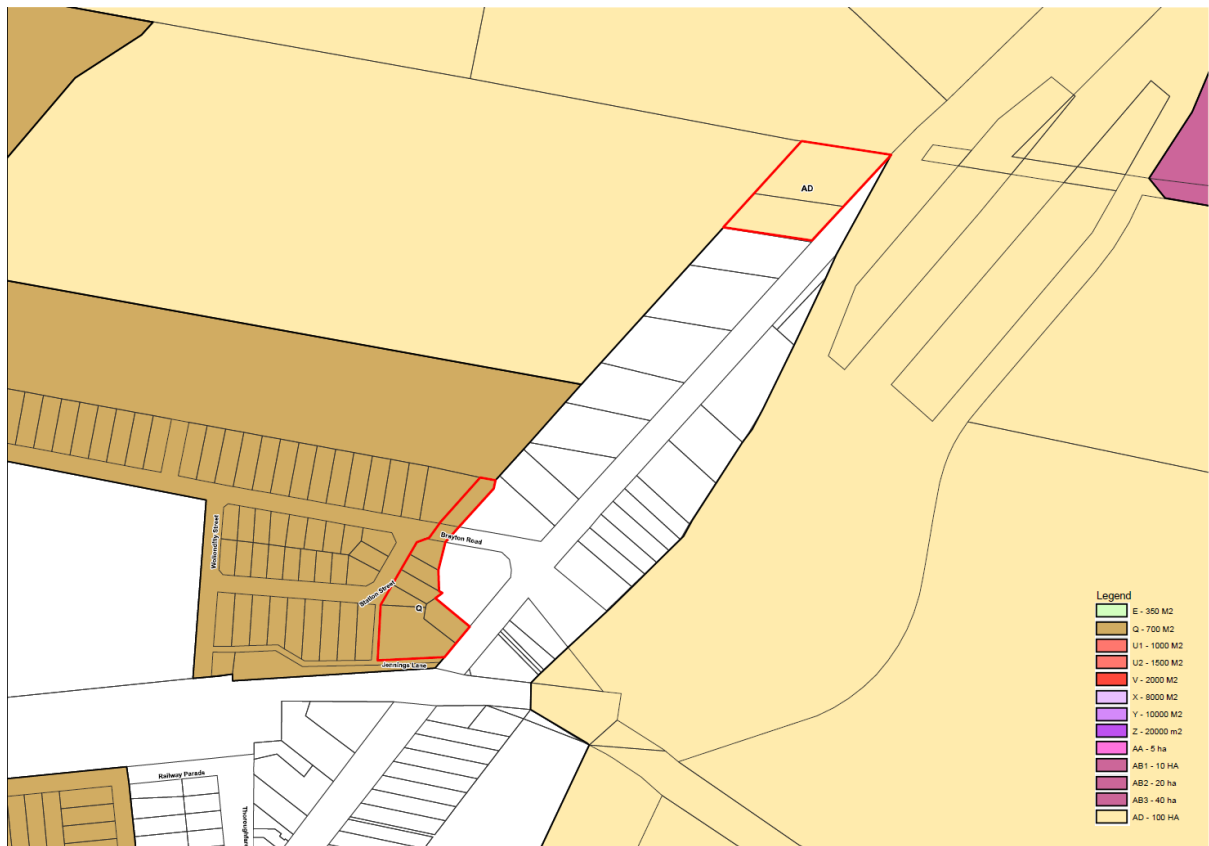
**Figure 29:** Current zone map.



**Figure 30:** Proposed zone map.



**Figure 31:** Current minimum lot size map.



**Figure 32:** Proposed minimum lot size map.

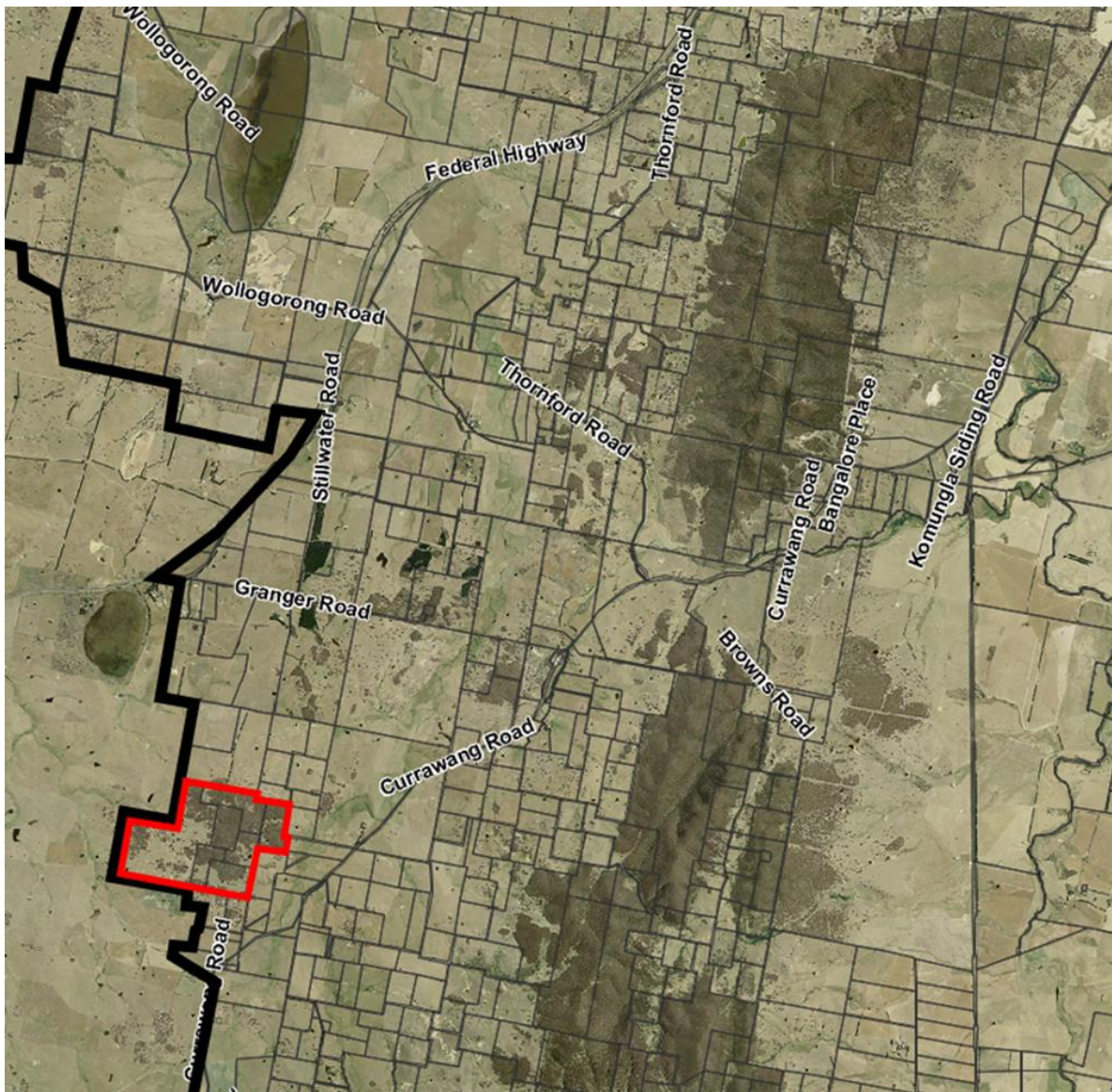




**Figure 33:** Current floor space ratio map.

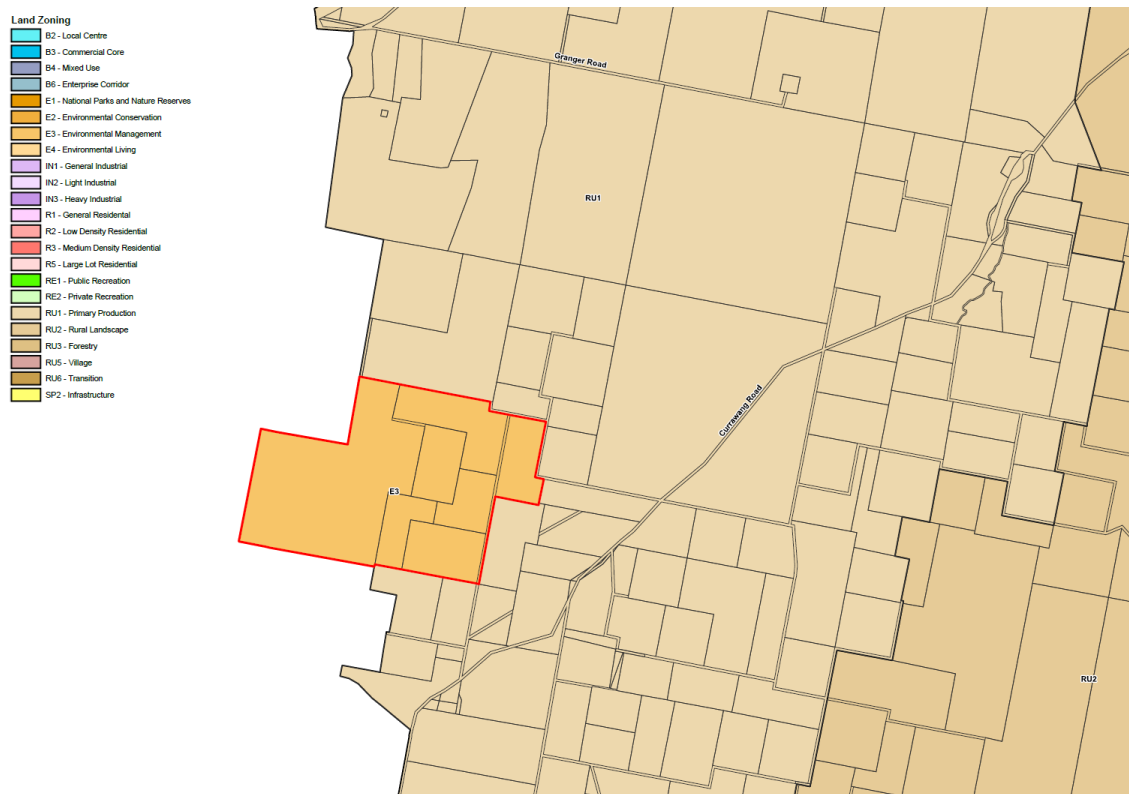


**Figure 34:** Proposed floor space ratio map.

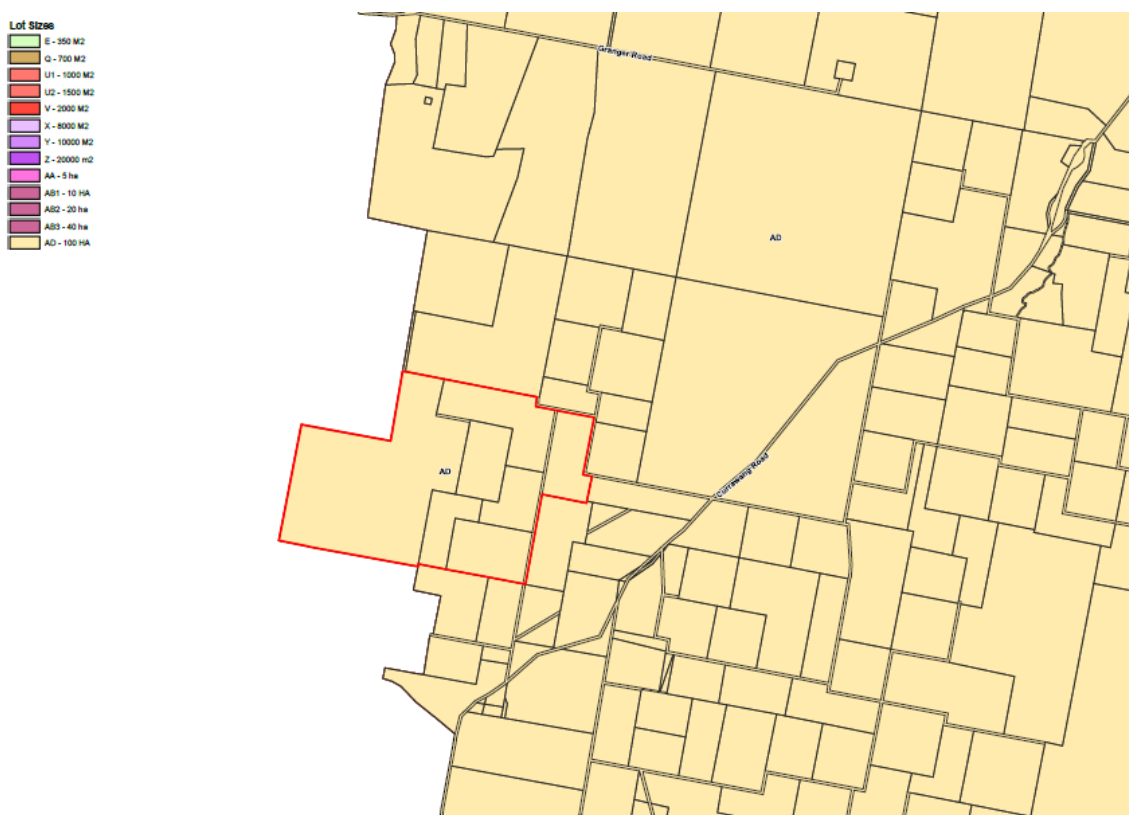


**Figure 35:** Subject land location in Currawang (in red) in relation to the Goulburn Mulwaree local government boundary (in black).





**Figure 36:** Proposed zone map with subject land outlined in red (Note: this land will also need to be incorporated into the land application map under s1.3 of the GM LEP).



**Figure 37:** Proposed minimum lot size map with subject land outlined in red (Note: this land will also need to be incorporated into the land application map under s1.3 of the GM LEP).



## Part 5 – Community Consultation

It is expected that this planning proposal will be placed on exhibition following the receipt of a gateway determination and/or after referrals to other public authorities. It is considered that a 28 day public notification period and community consultation in accordance with DPIE's *A guide to preparing local environmental plans* is appropriate.

## Part 6 – Project Timeline

<b>Gateway Determination</b>	March 2019.
<b>Timeframe for completion of technical studies</b>	Not required.
<b>Timeframe for agency consultations</b>	April 2020.
<b>Public exhibition</b>	May 2020.
<b>Public hearing</b>	Not required.
<b>Consideration of submission</b>	June 2020.
<b>Date of submission of LEP to DPE</b>	June 2020.
<b>Anticipated date of plan made</b>	June 2020.
<b>Anticipated date plan forwarded to DPE for notification</b>	July 2020.

## Conclusion

Goulburn Mulwaree Council has initiated this planning proposal to ensure that certain land within the B6 Enterprise Corridor in Goulburn and Marulan is rezoned to a zone that is consistent with the current and future likely character of the area and to ensure that a zone and minimum lot size standard under the GM LEP is applied to currently unzoned land at 1716 and 1801 Currawang Road, Currawang.

It is recommended that DPIE issue a gateway determination to allow this planning proposal to proceed, subject to any conditions deemed necessary, with Council as the delegated plan-making authority.

## References

HillPDA (2016), *Employment Land Strategy*, available at  
<https://www.goulburn.nsw.gov.au/Development/Plans-Strategies#section-6>