



Premise

PLANNING PROPOSAL

AMENDMENT TO THE UPPER LACHLAN LOCAL
ENVIRONMENTAL PLAN 2010 – AMEND ZONE AND LOT
SIZE - LOT 24 DP 1119250 - 4273 GOULBURN ROAD,
CROOKWELL

Report No: 24853
25 July 2023

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EXECUTIVE SUMMARY

The Planning Proposal is submitted to the Upper Lachlan Shire Council to rezone and amend the lot size for land being identified as:

- Lot 24 DP 1119250 – 4273 Goulburn Road, Crookwell from RU1 – Primary Production to R2 Low Density Residential and R5 Large Lot Residential with minimum lots sizes from 800m² and 2,000m² respectively to enable the development of dwellings houses on lots to be created under the Upper Lachlan Local Environmental Plan 2010 (LEP 2010).

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.

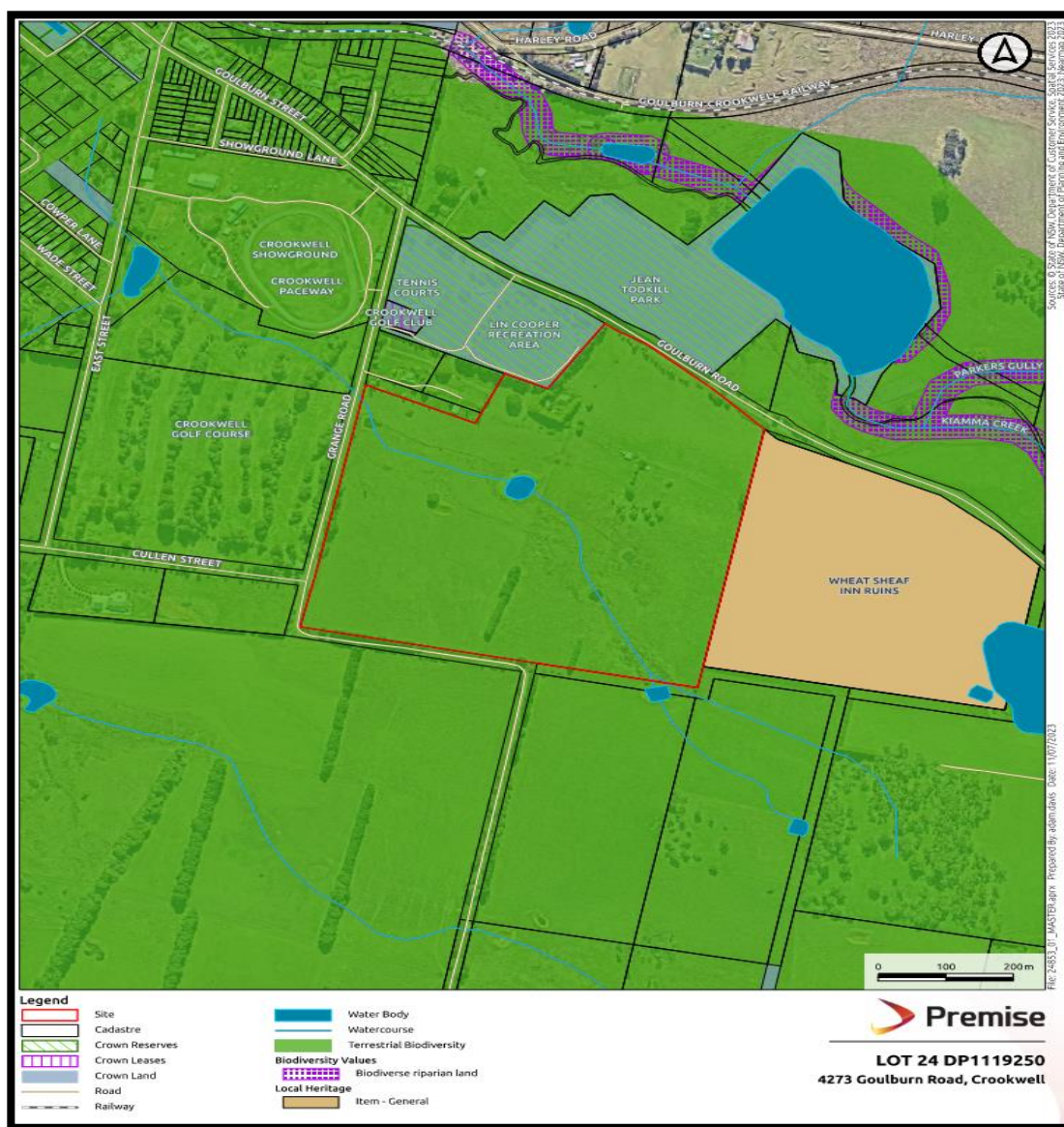
The Planning Proposal demonstrates that there is site specific planning merit and justified by addressing the matters required pursuant to s3.33(2) of the *Environmental Planning and Assessment Act 1979* as well as relevant strategic documents, objectives and actions within the relevant regional and 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 gateway determination in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

PART 1 - OBJECTIVES

The objective of this Planning Proposal is to rezone and amend the minimum lot size for land being:

- Lot 24 DP 1119250 – 4273 Goulburn Road, Crookwell from RU1 – Primary Production to R2 Low Density Residential and R5 Large Lot Residential with minimum lots sizes from 800m² and 2,000m² respectively to enable the development of dwellings houses on lots to be created under the Upper Lachlan Local Environmental Plan 2010 (LEP 2010).
- The Planning Proposal will align with the area identified in the Upper Lachlan Local Strategic Planning Statement dated 20 June 2020 (ULLSPS), ensuring that future development is undertaken in a manner which achieves the objectives and consistency with the plan while providing the opportunity to satisfy the identified housing deficiencies.

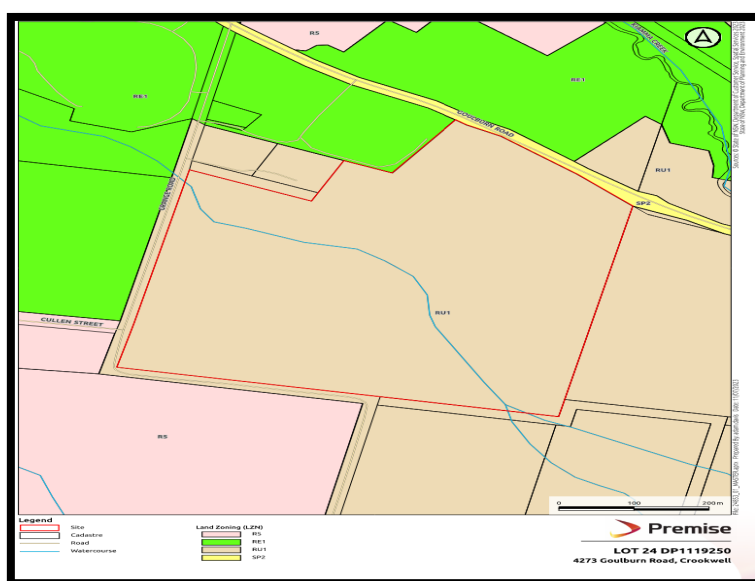


Locality Plan

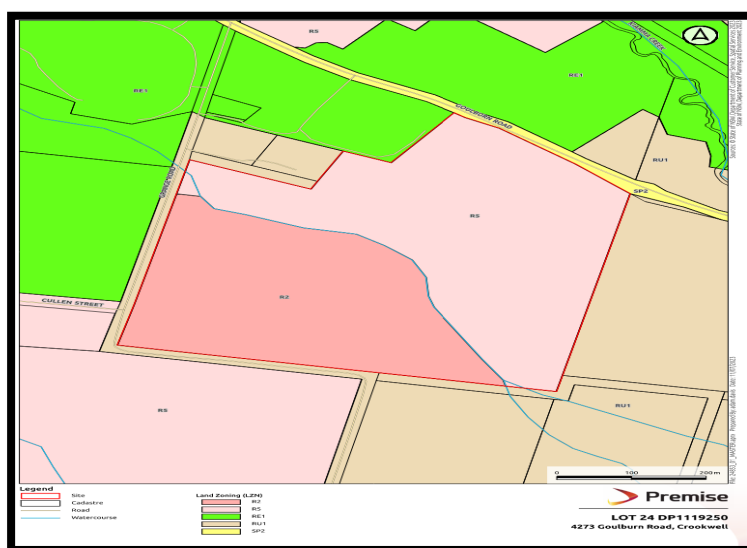
PART 2 – EXPLANATION OF THE PROVISIONS

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

1. Amending Upper Lachlan Land Zoning Maps – Sheet LZN_005D and Sheet LZN_005G by changing the zoning of:
 - Lot 24 DP 1119250 (part) from RU1 Primary Production to R2 Low Density Dwelling.
 - Lot 24 DP 1119250 (part) from RU1 Primary Production to R5 Large Lot Residential.

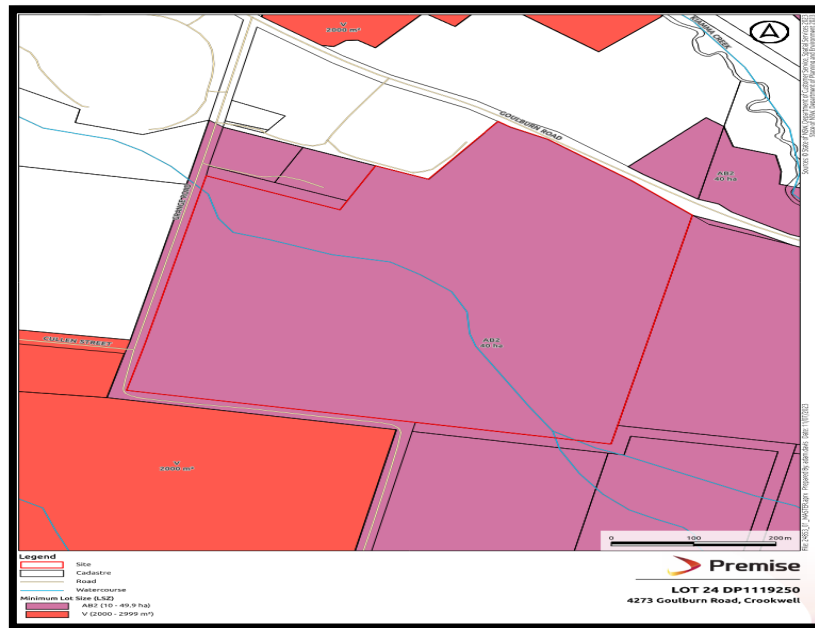


Current Land Zoning Map

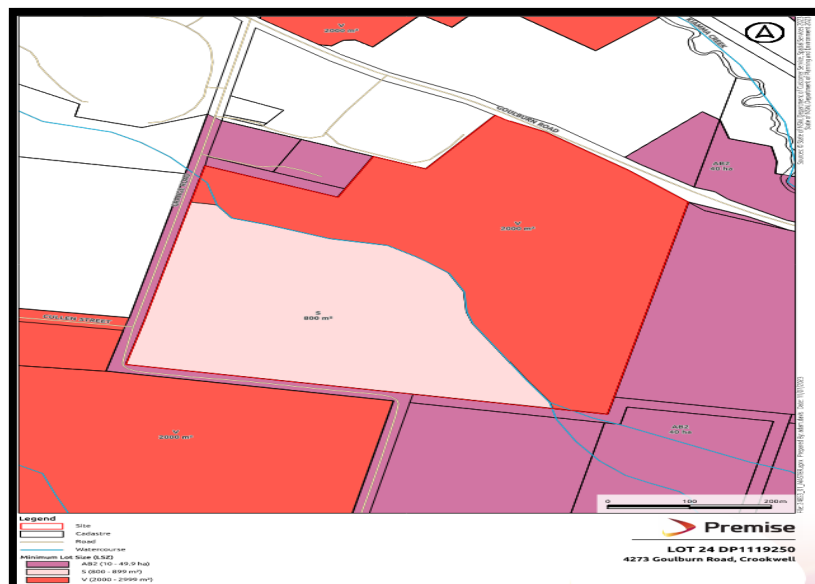


Proposed Land Zoning Map

2. Amending Upper Lachlan Lot Size Maps – Sheet LSZ_005D Sheet LSZ_005G by changing the minimum lot size to.
 - Lot 24 DP 1119250 (part) from "AB2" (40ha) to "S" (800m²).
 - Lot 24 DP 1119250 (part) from "AB2" (40ha) to "V" (2,000m²).



Current Lot Size Map



Proposed Lot Size Map

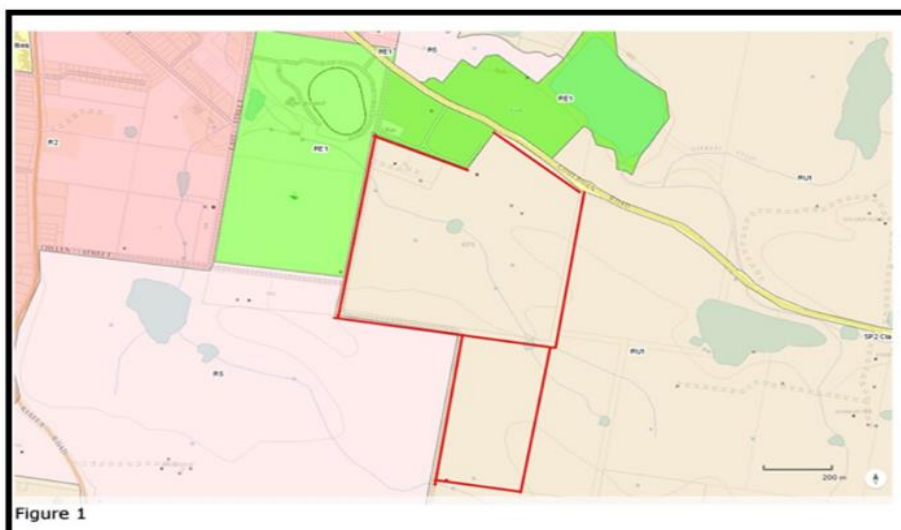
PART 3 - JUSTIFICATION

1. IS THE PLANNING PROPOSAL A RESULT OF AN ENDORSED LSPS, STRATEGIC STUDY OR REPORT?

The planning proposal has been prepared in response to the Upper Lachlan Local Strategic Planning Statement dated June 2020 (ULLSPS).

The identified land was included in the ULLSPS on the 17 February 2022 under Council Resolution 20/22. A copy of the Council report dated 17 February 2022 and Council Resolution 20/22 are contained within Appendix B.

Extracts of the mapping of the area are provided below:



Extract – ULSC Business Paper – 17 February 2022 – Goulburn Road LSPS Investigation Area



Extract – Amended LSPS- Crookwell Investigation Area

The planning proposal is consistent with the Statements which defines the following key actions:

Key Actions: Urban Land:

- Develop residential opportunities, and design public places of creativity and innovation.
- Zone land for mixed use, aged care and tourism developments and provide for urban diversity.
- Design towns for walking and cycling, promote density and facilitate a mix of collaborative uses.
- Manage and enhance the distinctive character of each village through a master plan.
- Lobby and promote the development of rural liability facilities in villages and towns.
- Facilitate villages that are empathetic to the existing agri-scape.
- Provide new space to grow around existing villages and towns and provide for infill opportunities.

The Planning Proposal will:

- Zone land for urban diversity.
- Provide opportunities for housing diversity and green space.
- Promotes active recreation options for cycling and walking.
- Integrates with active transport network and opportunities.
- Minimises impact on the Indigenous, European, rural and natural landscapes.

The Planning Proposal is consistent with the Upper Lachlan Shire Local Strategic Planning Statement 2040 and will provide an opportunity for new settlement close to an existing urban Centre. Table 1 of the Statement (Upper Lachlan Shire Council Priorities, Principles and Actions) details the future directions for the Council area – see table below.

Planning Principles	Priority 1 Non-Urban Land	Priority 2 Urban Land	Priority 3 Tourism	Priority 4 Business Development
Drivers of Growth and Sustainability	1.1	2.1	3.1	4.1

	<p>(a) Promote a diverse agriculture based economy</p> <p>(b) Develop and agricultural strategy to provide for value adding opportunities and succession</p>	<p>(a) Develop village residential opportunities</p> <p>(b) Design public places of creativity and innovation</p>	<p>(a) Identify and locate new tourism opportunities.</p> <p>(b) Support tourism as a key sector in the Shire.</p>	<p>(a) Promote a diversified transitioning economy and provide for small business development.</p> <p>(b) Provide strategic support to entrepreneurs and tourism operators.</p>
Productivity and Collaborative Diversity	<p>1.2</p> <p>(a) Plan for diverse agro-businesses and agricultural land reform</p> <p>(b) Encourage vertical integration of rural economy</p> <p>(c) Improve the diversity of land holding options to promote protection, production and investment.</p>	<p>2.2</p> <p>Zone land for mixed-use, aged care and tourism developments and provide for urban diversity.</p>	<p>3.2</p> <p>Plan for new tourism destination opportunities as an economic benefit.</p>	<p>4.2</p> <p>(a) Encourage and support growth in a variety of sectors to enable diversification of the Upper Lachlan economy.</p>
Connectivity, Transport and Movement	<p>1.3</p> <p>(a) Improve biodiversity connectivity and protection</p> <p>(b) Continue to improve road access for commercial opportunities.</p> <p>(c) Improve telecommunications.</p>	<p>2.3</p> <p>(a) Design towns for walking and cycling, promote density, increase accessibility and facilitate a mix of collaborative uses</p> <p>(b) Explore and promote active recreation options for walking and cycling</p>	<p>3.3</p> <p>(a) Continue to improve road access and reuse of alternative transport facilities for destination activity</p> <p>(b) Encourage cycling and walking opportunities throughout the Shire.</p>	<p>4.3</p> <p>(a) Promote smart hubs and improve internet access capacity</p> <p>(b) Promote transport hubs</p> <p>(c) Promote energy hubs</p>

		(c) Promote active transport and explore opportunities to develop an active transport network.		
Character, Identity and Heritage	1.4 (a) Protect and enhance Indigenous, European, rural and natural landscapes (b) Prepare an Aboriginal Cultural Heritage study	2.4 Manage and enhance the distinctive character of each village through a masterplan. Develop character statements for urban development	3.4 Leverage and celebrate our natural and cultural heritage, creative expression, climate and natural beauty	4.4 Reinforce the village town centres, small business character and facilitate innovation.
Lifestyle and Liveability	1.5 Promote opportunities for housing diversity, off farm income and green spaces to meet changing requirements	2.5 Promote arts, culture and nature as part of the urban framework	3.5 (a) Conserve and adaptive reuse of heritage assets (b) Enhance areas of high environmental value and visual significance	4.5 Identify the commercial locations and focus points of the villages and structure business growth into them
Population	1.6 Identify business opportunities that can value add to local business and attract investment and employment.	2.6 Lobby and promote the development of rural liveability facilities in villages	3.6 Plan for increased human and infrastructure capacity in these tourism phenomena and provide new destination activities	4.6 Plan for increased capacity in various growth sectors and seek value adding options.
Landscape	1.7 (a) Recognise environmental	2.7 (a) facilitate villages that are empathetic	3.7 (a) Utilise the temperate climate	4.7 Create focal points by siting

	landscape values as to the existing agri-landscape as a commercial productive or space, small place for active activities within recreation elements protected bounded recreation mixed-use (b) Promote green spaces opportunities commercially infrastructure and (b) Enhance (b) Identify driven precincts ecosystem service utilisation of green biodiversity values opportunities infrastructure and through landscape (c) Undertake a increase trees assessments to biodiversity facilitate tourism assessment of the opportunities LGA and develop a rural planning strategy			
Structural Elements	1.8 (a) Identify and protect high-values agricultural land or land with high environment value (b) Review minimum lot size opportunities to facilitate agrarian investment	2.8 (a) Provide new space to grow around existing villages and towns and provide for infill opportunities (b) Lobby for more open spaces, parks, conservation areas, walking and cycling tracks	3.8 Identify tourist-focused locations and provide for their development	4.8 Identify and develop growth localities close to Canberra, Yass and Goulburn

The Planning Proposal is consistent with the directions highlighted in the above table in that the development will:

- Improve opportunities to develop residential opportunities.
- Provide for urban diversity.
- Enable and encourage walking and cycling and promote active recreation options.
- Provide new space to grow around an existing town.
- Recognise the rural landscape as a recreation element and identify the existing waterway as an environmentally sensitive aspect that needs protecting.
- Identify this growth locality being close to Canberra, Yass, Goulburn and Sydney.

Upper Lachlan Shire Draft Housing Strategy (October 2021):

The Upper Lachlan Shire Draft Housing Strategy (2021) includes the following vision in respect to population and housing:

“To manage the demand for housing and associated population growth in a sustainable way to support a prosperous future for the community of Upper Lachlan while recognising and preserving the particular values, characters and liveability of the existing villages and rural areas within the Shire.”

The strategy includes the following details regarding the growth of Crookwell:

5 Development Investigation Areas**B. Investigation Areas for Growth**

“A number of impediments to infill development within the existing town and village boundaries has been identified, including stringent planning controls which limit development activity and the ability to provide a diverse range of housing. Further, land banking, which is most apparent in or around the towns of Crookwell, Gunning and Grabben Gullen, places further limitations on the ability to expand and develop towns to accommodate future growth and change... ”.

7 Mechanisms to Deliver the Options**B. Investigate Potential Growth Areas**

This Strategy also identifies ‘investigation areas’ for the towns and villages to ensure that sufficient land is available to accommodate growth in the medium to long term, with the timing and need for this land dependent on the level of future growth.

I. Amend Minimum Lot Sizes

“Consideration may also be given to a future reduction in the minimum lot size to 500sqm in the main towns of Crookwell, Gunning, Taralga and Collector, where supported by suitable infrastructure, including sewer”.

The Planning Proposal will also support the strategic vision for Crookwell and the Upper Lachlan Draft Housing Strategy will be amended to include Resolution 20/22 (dated 17 February 2022) to include the subject land.

2. IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

Having regard to the objects of the *Environmental Planning and Assessment Act 1979*, a Planning Proposal is considered to be the only means of achieving the intended outcomes of the proposed minimum lot size and rezoning for the subject land. The Planning Proposal is seeking this amendment in accordance with Section 3.21(1) of the *Environmental Planning and Assessment Act 1979* which states:

3.21 Review of environmental planning instruments

- (1) The Planning Secretary shall keep State environmental planning policies and councils shall keep their local environmental plans and development control plans under regular and

periodic review for the purpose of ensuring that the objects of this Act are, having regard to such changing circumstances as may be relevant, achieved to the maximum extent possible.

3. WILL THE PLANNING PROPOSAL GIVE EFFECT TO THE OBJECTIVES AND ACTIONS OF THE APPLICABLE REGIONAL OR DISTRICT PLAN STRATEGY?

The regional or sub-regional strategies applying to the land are the South East and Tablelands Regional Plan 2036 and The Tablelands Regional Community Strategic Plan 2016-2036.

South East and Tablelands Regional Plan 2036

The Planning Proposal is consistent with the relevant goals of the *South East and Tablelands Regional Plan 2036*;

Goal 1: A connected and prosperous economy.

Direction 8 – Protect important agricultural land: The Direction states “The South East Tablelands offers stable and favourable growing conditions and easy access to export markets. It is well placed to take advantage of growing demand from Asia and the Sydney Basin, where the capacity to feed, residents is forecast to drop from 20 percent of food demand to less than six percent over the next 15 years.” And “Important agricultural land will be mapped to guide planning decisions, local environmental plans and infrastructure investment, and to provide information on important agricultural industries and resources. They may include biophysical attributes and socio-economic data.” Actions include “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.”

Comment: The land is mapped as important agricultural lands. A submission by the owners was made in relation to the draft mapping of important agricultural land. The final mapping is yet to be finalised. The location of the land is on the extremity of the draft mapping with no major impacts or conflicts perceived in relation to the planning proposal. The increased supply of residential land in this location with access to local businesses means more sustainable transport options and reduced travel times to employment opportunities which will result in a connected and prosperous community.

Councils amended LSPS provides for the growth of Crookwell and away from intensive agricultural production close to the town while providing a buffer between residential and agricultural activity.

Direction 12 – Promote business activities in urban centres: The Direction states “New retail activity will be directed to existing centres to increase centre viability, capitalise on existing transport and community facilities, attract complementary activities, and enhance the value of existing public spaces.”

Comment: The resultant increase in population of Crookwell will revitalise and reinvigorate the commercial and retail activity in the existing commercial centre within walking and cycling distance which will provide a positive social and economic benefits to the locality.

Goal 2: A diverse environment interconnected by biodiversity corridors.

Direction 15 – Enhance biodiversity connections: The Direction states “Regional biodiversity corridors are native vegetation links within a region, between regions or between significant biodiversity features. They expand and link different habitats and are critical to the long-term ecological connections, particularly in the context of long-term climate change.” And “Land uses within regional biodiversity corridors should maintain and, where possible, enhance ecological connectivity.”

Comment: The land is currently used for sheep / cattle grazing with improved pastures and does not contain any significant tree vegetation and certainly no understorey vegetation. The biodiversity is therefore substantially monoculture. The Planning Proposal will result in the planting of locally sourced native vegetation and will be implemented in accordance with a site-specific development control plan. The site will therefore contribute to enhancing biodiversity connections.

The proposal envisages a corridor through the site to enhance connectivity and improve walking paths.

Goal 3: Healthy and connected communities.

Direction 22 - Build socially inclusive, safe and healthy communities: The Direction states “Neighbourhoods and centres will be environmentally sustainable, socially inclusive, easy to access, healthy and safe. This is particularly important as the population ages and the climate changes. The design and location of recreation facilities, sporting infrastructure, parks and public buildings should encourage people to be physically active where they work and in their neighbourhoods. Neighbourhood communities will reconnect with the surrounding landscape via walkways, cycleways and public transport. These networks will be considered for extension as part of planning for residential release areas and renewal sites. With an older population, homes should be close to active and interesting public spaces and should be well designed and adaptable. Adaptable housing has a flexible floor plan that enables simple modifications to suit the changing needs of residents. This allows people to stay in their own homes as they age, or as their level of mobility changes.” Actions include “Integrate walking and cycling networks into the design of new communities to encourage physical activity and promote energy efficiency in new development proposals.”

Comment: These actions will be incorporated into the development.

Direction 23 - Protect the region’s heritage: The Direction states “Heritage is irreplaceable and should be appreciated, valued, and protected for the benefit of current and future generations. Harm to Aboriginal objects and places, or areas of significance to Aboriginal people, should be avoided. Where impacts on Aboriginal and historic heritage cannot be avoided, appropriate heritage management mechanisms must be implemented. Areas of high growth can have cumulative impacts on Aboriginal cultural heritage values and historic places. Early investment at the strategic planning stage can protect and preserve heritage and provide greater certainty for stakeholders during the development assessment process.”

Comment: An Aboriginal and Historical Cultural Heritage Due Diligence Assessment has been undertaken by Past Traces Consulting and is separately attached – Appendix C. The assessment concludes that the potential for impacting on unrecorded heritage sites within the project area is assessed as extremely low, based on landform analysis and field survey.

Goal 4: Environmentally sustainable housing choices.

Direction 24 - Deliver greater housing supply and choice: The Direction states “Having a ready supply of well-located land for residential development will create downward pressure on house prices, maximise use of existing infrastructure and protect environmentally sensitive areas.”

Comment: The subject land will provide an additional housing supply and choice and will cater to a range of diverse options. Future residents will have access to services, jobs, and transport. The existing town is highly constrained by waterways and drainage paths. This proposal provides a most cost effective alternative to development.

Direction 28 - Manage rural lifestyles: The Direction states “A consistent planning approach will identify suitable locations for new rural residential development that avoids fragmentation of productive agricultural land and lessens the impact on high environmental value assets, cultural and heritage assets, or areas with important rural landscapes. Rural residential development should not increase pressure on infrastructure and services and should be located on land free from natural hazards.” Action includes “Locate new rural residential areas: close to existing urban settlements to maximise the efficient use of existing infrastructure and services, including roads, water, sewer and waste services, and social and community infrastructure; to avoid and minimise the potential for land use conflicts with productive, zoned agricultural land and natural resources; and to avoid areas of high environmental, cultural and heritage significance, important agricultural land and areas affected by natural hazards.”

Comment: This proposal satisfies the Actions of this direction in that the development is close to existing an urban settlement to maximise the efficient use of existing infrastructure and services and social and community infrastructure; will avoid and minimise the potential for land use conflicts with productive, zoned agricultural land and natural resources; and will avoid areas of high environmental, cultural and heritage significance, important agricultural land and areas affected by natural hazards.

This development maximises the use of existing infrastructure and services and doesn’t require new services that would impose excessive costs on Council. The development is on the edge of an existing urban area and supports the Upper Lachlan Council narrative regarding housing that is responding to demographic changes and housing affordability pressures by allowing a mix of housing types.

Local Narratives (Upper Lachlan)

The Narrative states “The Upper Lachlan Local Government Area will see a 36 per cent growth in the number of people aged over 65 by 2036. The area has a population of around 8,000, with Crookwell and Gunning providing a health and medical service, a fire brigade, police services, banking, a post office, and retail offerings” and in respect to housing it states, “Support the rural lifestyle and the unique cultural and historic heritage of the area’s villages” and “Support a variety of housing options and land developments to cater for an ageing population.”

Comment: The Planning Proposal reflects the existing R2 and RU5 zone in Crookwell by providing low density and large lot residential development, which is very flexible, will offer a wide range of housing options whilst maintain the culture and heritage of Crookwell.

The Tablelands Regional Community Strategic Plan 2016-2036

The Tablelands Regional Community Strategic Plan 2016-2036 identifies the community aspirations via the strategic priorities that achieve the future visions for the region. These include:

- Environment
- Economy
- Community
- Infrastructure
- Civic Leadership

Environment:

Strategy EN1 requires “Protect and enhance the existing natural environment, including flora and fauna native to the region.”

Further development of the site post zoning, the biodiversity impacts of the proposal must be adequately addressed under the policy and statutory environment at the time. The preparation of a Biodiversity Development Assessment Report under the NSW BAM including the necessary offsetting that the process requires for impacts to native vegetation.

Strategy EN2 requires “Adopt environmental sustainability practices.”

This development maximises the use of existing infrastructure and services, therefore reducing new services, improving environmental and infrastructure sustainability.

Strategy EN3 requires “Protect and rehabilitate waterways and catchments.”

The development will ensure the existing waterway is protected from stock grazing by utilising the drainage as part of a public reserve for the proposal, enabling recreational activities and walking paths which will enable the waterway area to naturally rehabilitate.

Strategy EN4 requires “Maintain a balance between growth, development, and environmental protection through sensible planning.”

It is considered that the approach taken to achieve this objective, including consideration of environmental constraints, will maintain the balance between growth, development, and the environment.

Economy:

Strategy EC3 requires “Support and foster conditions that enable local and small/home-based businesses to grow.”

This is anticipated by the ample lot size proposed and the location of the site being adjacent to an existing residential and recreational zone.

Community:

Strategy C05 requires “Maintain our rural lifestyle.”

The Planning Proposal is aimed at achieving this objective by providing large area residential lots adjacent to an urban boundary enabling a rural lifestyle to thrive in the locality. The land is within easy walking distance to the town centre and surrounded by rural vistas and existing open space recreation areas.

Infrastructure:

Strategy IN3 requires “Maintain and improve road infrastructure and connectivity.”

There is considered adequate infrastructure in the area to support the proposed residential development. New access roads linking with existing infrastructure will be constructed at the developer’s cost. Improved pedestrian access within the subdivision will enhance existing poor-quality walking / cycling infrastructure.

Leadership

Strategy CL4 requires “Actively investigate and communicate funding sources and collaboration opportunities that can strengthen the region.”

The development will contribute funding towards the provision of services throughout the Upper Lachlan Council area in accordance with the Upper Lachlan Development Contributions Plan 2007.

4. IS THE PLANNING PROPOSAL CONSISTENT WITH A COUNCIL LSPS THAT HAS BEEN ENDORSED BY THE PLANNING SECRETARY OF GCS, OR ANOTHER ENDORSED LOCAL STRATEGY OR STRATEGIC PLAN?

Upper Lachlan Local Strategic Planning Statement (June 2020 as amended)

The planning proposal has been prepared and aligned in response to the ULLSPS. Ensuring that the future development is undertaken in a manner that achieves the objectives and consistency with the plan providing the opportunity to satisfy the identified housing deficiencies.

The identified land was included in the ULLSPS on the 17 February 2022 under Council Resolution 20/22. A copy of the Council report dated 17 February 2022 and Council Resolution 20/22 are contained within Appendix B.

Upper Lachlan Shire Draft Housing Strategy (October 2021):

The Upper Lachlan Shire Draft Housing Strategy (2021) includes the following vision in respect to population and housing:

“To manage the demand for housing and associated population growth in a sustainable way to support a prosperous future for the community of Upper Lachlan while recognising and preserving the particular values, characters and liveability of the existing villages and rural areas within the Shire.”

The strategy includes the following details regarding the growth of Crookwell:

5 Development Investigation Areas

B. Investigation Areas for Growth

“A number of impediments to infill development within the existing town and village boundaries has been identified, including stringent planning controls which limit development activity and the ability

to provide a diverse range of housing. Further, land banking, which is most apparent in or around the towns of Crookwell, Gunning and Grabben Gullen, places further limitations on the ability to expand and develop towns to accommodate future growth and change... ”.

7 Mechanisms to Deliver the Options

B. Investigate Potential Growth Areas

This Strategy also identifies ‘investigation areas’ for the towns and villages to ensure that sufficient land is available to accommodate growth in the medium to long term, with the timing and need for this land dependent on the level of future growth.

I. Amend Minimum Lot Sizes

“Consideration may also be given to a future reduction in the minimum lot size to 500sqm in the main towns of Crookwell, Gunning, Taralga and Collector, where supported by suitable infrastructure, including sewer”.

The Planning Proposal will also support the strategic vision for Crookwell and the Upper Lachlan Draft Housing Strategy will be amended to include Resolution 20/22 (dated 17 February 2022) to include the subject land.

Upper Lachlan Community Strategic Plan Vision 2023:

The Upper Lachlan Community Strategic Plan Vision 2023 includes the following Vision and Mission Statement:

The Vision for our future is:

To be a diverse local government area that provides various lifestyle, business enterprise, leisure and recreation alternatives, whilst ensuring environmental sustainability, preservation of our history and a sense of belonging in our community.

Mission Statement:

To provide services and facilities to enhance the quality of life and economic viability within the Council area.

The planning proposal is consistent with the Upper Lachlan Community Strategic Plan Vision 2023 in that the development will provide for various lifestyle living opportunities whilst ensuring environmental sustainability, preservation of history and a sense of belonging in a community as well as providing services and facilities to enhance the quality of life and economic viability within the Council area.

The natural division of the identified waterway between the large lot residential adjoining agricultural zoned land and the R2 Low density adjoining recreational areas, provides opportunities for lifestyle, business enterprise, leisure, and recreation options for new residents to the areas who will participate in local community functions and organisations. The proposal does not impact on historical items and measured environmental safeguards on future residential development.

5. IS THE PLANNING PROPOSAL CONSISTENT WITH ANY OTHER APPLICABLE STATE AND REGIONAL STUDIES OR STRATEGIES?

Not applicable.

6. IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE SEPPS?

The current State Environmental Planning Policies applying to the land are detailed below (Source: NSW Planning Portal – 11 July 2023):

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Exempt and Complying Development) 2008
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Primary Production) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Resources and Energy) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development: Land Application 2002

Applicable State Environmental Planning Policies are discussed below:

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 1 – Preliminary

Noted.

Chapter 2 – Vegetation in non-rural areas

Not applicable.

Chapter 3 – Koala habitat protection 2020 and Chapter 4 Koala habitat protection 2021

A Biodiversity Assessment undertaken by Macrozamia Environmental Consulting details that: "Vegetation in the landscape may be used by Koalas however habitat is poor and sparse. There are no nearby recent koala sightings and no recent recordings of the Koala occur in the Bionet wildlife atlas.

The vegetation in the project area is therefore no core Koala habitat, trees may be of use to Koalas however it is unlikely there is a resident local population.

The proposal will not require the removal of Koala habitat.

Consequently, the development is likely to have a low or no impact on Koalas or Koala habitat.”

Chapter 5 – River Murray Lands

Not applicable.

Chapter 6 – Water Catchments

Not applicable.

Chapters 7-12 (Repealed)

Not applicable.

Chapter 13 – Strategic conservation planning

Not applicable.

State Environmental Planning Policy (Primary Production) 2021

Chapter 2 – Primary production and rural development

The following is provided in response to the aims of the chapter:

- The proposal will not impact on the economic use and development of adjoining lands for primary production.
- The proposal adjoins existing R5 Large Lot Residential and recreation areas. The proposed R5 Large Lot Residential is located along the boundary of adjoining RU1 Primary Production zoned land. This provides a suitable buffer to minimise land uses and potential land use conflicts.
- The proposal is also consistent with the Upper Lachlan Local Strategic Planning Statement and Draft Housing Strategy which balances the primary production and residential development which also incorporates the environmental assets of the land and area.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of land

Clause 4.6(1) (Contamination and remediation to be considered in determining a development application) relevantly states that a consent authority must not consent to the carrying out of any development on land unless:

- a) It has considered whether the land is contaminated, and
- b) If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

Comment:

A site inspection was carried out in June 2022. No obvious contamination on the land within the development was identified.

There are no known potentially contaminating activities that would have related to the prior use of the site. There is no information that the land has been subject to any notices concerning the need

for remediation of the site. There is no information to indicate that the land has been subject to voluntary remediation by any prior landowner.

From this assessment there appears to be no contamination or potential contamination of the land which is the subject of the proposal.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 – Infrastructure

The following is provided in response to the aims of the chapter:

- The policy applies to Upper Lachlan Shire Council and requires consultation with Council related infrastructure and services.
- A Traffic Impact Assessment and addendum in relation to the initial comments from TfNSW. A copy of the reports is separately attached – Appendix D.
- The policy also requires consultation with TfNSW with regards to Schedule 3 Traffic generating development. Initial consultation was undertaken as part of the Scoping Proposal for the project. Associated correspondence and reporting is separately attached.

7. IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (S9.1 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

Direction	Applies?	Consistency?
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	Yes
1.2 Development of Aboriginal Land Council land	No	N/A
1.3 Approval and Referral Requirements	Yes	Yes
1.4 Site Specific Provisions	No	N/A
Focus Area 1: Planning Systems – Place Based		
1.5 Parramatta Road Corridor Urban Transformation	No	N/A
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	N/A

1.7 Implementation of Greater Parramatta Priority Growth Area Land Use and Infrastructure Implementation Plan	No	N/A
1.8 Implementation of Wilton Priority Growth Area Land Use and Infrastructure Implementation Plan	No	N/A
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	N/A
1.10 Implementation of Western Sydney Aerotropolis Plan	No	N/A
1.11 Implementation of Bayside West Precincts 2036 Plan	No	N/A
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	No	N/A
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	No	N/A
1.14 Implementation of Greater Macarthur 2040	No	N/A
1.15 Implementation of Pyrmont Peninsula Place Strategy	No	N/A
1.16 North West Rail Link Corridor Strategy	No	N/A
1.17 Implementation of the Bays West Place Strategy	No	N/A
1.18 Implementation of the Macquarie Park Innovation Precinct	No	N/A
1.19 Implementation of the Westmead Place Strategy	No	N/A
1.20 Implementation of the Camellia-Rosehill Place Strategy	No	N/A
1.21 Implementation of South West Growth Area Structure Plan	No	N/A
1.22 Implementation of the Cherrybrook Station Place Strategy	No	N/A
Focus Area 2: Design and Place		

Focus Area 3: Biodiversity and Conservation		
3.1 Conservation Zones	No	N/A
3.2 Heritage Conservation	No	N/A
3.3 Sydney Drinking Water Catchments	No	N/A
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	No	N/A
3.5 Recreation Vehicle Areas	No	N/A
3.6 Strategic Conservation Planning	No	N/A
3.7 Public Bushland	No	N/A
3.8 Willandra Lakes Region	No	N/A
3.9 Sydney Harbour Foreshores and Waterways Area	No	N/A
3.10 Water Catchments Protection	No	N/A
Focus Area 4: Resilience and Hazards		
4.1 Flooding	Yes	Yes
4.2 Coastal Management	No	N/A
4.3 Planning for Bushfire Protection	No	N/A
4.4 Remediation of Contaminated Land	No	N/A
4.5 Acid Sulfate Soils	No	N/A
4.6 Mine Subsidence and Unstable Land	No	N/A
Focus Area 5: Transport and Infrastructure		
5.1 Integrated Land Use and Transport	No	N/A
5.2 Reserving Land for Public Purposes	No	N/A
5.3 Development Near Regulated Airports and Defence Airfields	No	N/A

5.4 Shooting Ranges	No	N/A
Focus Area 6: Housing		
6.1 Residential Zones	Yes	Yes
6.2 Caravan Parks and Manufactured Homes Estates	No	N/A
Focus Area 7: Industry and Employment		
7.1 Business and Industrial Zones	No	N/A
7.2 Reduction in non-hosted short term rental accommodation period	No	N/A
7.3 Commercial and Retail Development along Pacific Highway, North Coast	No	N/A
Focus Area 8: Resources and Energy		
8.1 Mining, Petroleum and Extractive Industries	No	N/A
Focus Area 9: Primary Production		
9.1 Rural Zones	Yes	Yes
9.2 Rural Lands	Yes	Yes
9.3 Oyster Aquaculture	No	N/A
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A

The applicable s9.1 Directions applicable are discussed below:

DIRECTION 1.1: IMPLEMENTATION OF REGIONAL PLANS

Objective

The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.

Application

This direction applies to a relevant planning authority when preparing a planning proposal for land to which a Regional Plan has been released by the Minister for Planning.

Direction 1.1

- (1) Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.

Consistency

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

- (a) the extent of inconsistency with the Regional Plan is of minor significance, and
- (b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions or actions.

Comment:

The planning proposal is consistent with the objectives and actions contained within the South East and Tablelands Regional Plan 2036 and The Tablelands Regional Community Strategic Plan 2016-2036. See Section B Item 3.

DIRECTION 1.3: APPROVAL AND REFERRAL REQUIREMENTS

Objective

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

Application

This direction applies to all relevant planning authorities when preparing a planning proposal.

Direction 1.3 (1) A planning proposal to which this direction applies must:

- (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and
- (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:
 - i. the appropriate Minister or public authority, and
 - ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act, and
- (c) not identify development as designated development unless the relevant planning authority:
 - i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the class of development is likely to have a significant impact on the environment, and

- ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.

Consistency

A planning proposal must be substantially consistent with the terms of this direction. Note: In this direction “public authority” has the same meaning as section 1.4 of the EP&A Act.

Comment:

Future development because of this Planning Proposal will be subject to the current Upper Lachlan Local Environmental Plan 2010 provisions which will encourage the efficient and appropriate assessment of the development.

DIRECTION 4.1: FLOODING

Objectives

The objectives of this direction are to: (a) 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) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.

Application

This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.

Direction 4.1

- (1) A planning proposal must include provisions that give effect to and are consistent with:
 - (a) the NSW Flood Prone Land Policy,
 - (b) the principles of the Floodplain Development Manual 2005,
 - (c) the Considering flooding in land use planning guideline 2021, and
 - (d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council.
- (2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Employment, Mixed Use, W4 Working Waterfront or Special Purpose Zones.
- (3) A planning proposal must not contain provisions that apply to the flood planning area which:
 - (a) permit development in floodway areas,
 - (b) permit development that will result in significant flood impacts to other properties,

- (c) permit development for the purposes of residential accommodation in high hazard areas,
 - (d) permit a significant increase in the development and/or dwelling density of that land,
 - (e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,
 - (f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent,
 - (g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or
 - (h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.
- (4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply 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 dwelling density of that land,
 - (d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,
 - (e) are likely to affect the safe occupation of and efficient evacuation of the lot, or
 - (f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.
- (5) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.

Consistency

A planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that:

- (a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or
- (b) where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles of the Floodplain Development Manual 2005 or
- (c) the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the Floodplain Development Manual 2005 and consistent with the relevant planning authorities' requirements, or
- (d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.

Note: In this direction:

- (a) "flood prone land" "flood storage" "floodway" and "high hazard" have the same meaning as in the Floodplain Development Manual 2005.
- (b) "flood planning level" "flood behaviour" and "flood planning area" has the same meaning as in the Considering flooding in land use planning guideline 2021.
- (c) Special flood considerations are outlined in the Considering flooding in land use planning guideline 2021 and an optional clause in the Standard Instrument (Local Environmental Plans) Order 2006.
- (d) Under the floodplain risk management process outlined in the NSW Government's Floodplain Development Manual 2005, councils may produce a flood study followed by a floodplain risk management study and floodplain risk management plan.

Comments:

A preliminary Flood Assessment has been undertaken by Strategic Environmental and Engineering Consulting (SEEC) – Appendix E. The modelling identifies that flood extent within the site and critical flow details for the pre and pose development. The Flood Assessment indicates that the development will:

- (a) Be consistent with the NSW Government Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005; and
- (b) Ensure that the provisions of the Upper Lachlan Local Environmental Plan 2010 and Upper Lachlan Floodplain Risk Management Plan and Study will include consideration of the potential flood impacts on and off the subject site.

DIRECTION 6.1: RESIDENTIAL ZONES

Objectives

The objectives of this direction are to:

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

Application

This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted.

Direction 6.1

- (1) 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.
- (2) 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

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

- (a) justified by a strategy approved by the Planning Secretary 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), 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, Regional Plan or District Plan prepared by the Department of Planning and Environment which gives consideration to the objective of this direction, or
- (d) of minor significance.

Comments:

The proposed R2 and R5 zones will provide for diverse and affordable housing choices to cater for the planned expansion of the Crookwell township.

DIRECTION 9.1: RURAL ZONES

Objective

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

Application This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).

Direction (1)(a) applies to all relevant planning authorities.

Direction (1)(b) only applies in the following local government areas: Ashfield Canada Bay Kogarah North Sydney Auburn Canterbury Ku-ring-gai Parramatta Bankstown City of Sydney Lake Macquarie Sutherland Baulkham Hills Fairfield Lane Cove Warringah Blacktown Gosford Leichhardt Waverley Blue Mountains Hawkesbury Liverpool Willoughby Botany Bay Holroyd Manly Wollondilly Burwood Hornsby Marrickville Woollahra Camden Hunters Hill Mosman Wollongong Campbelltown Hurstville Newcastle Wyong

Direction 9.1

- (1) A planning proposal must:
 - (a) not rezone land from a rural zone to a residential, employment, mixed use, SP4 Enterprise, SP5 Metropolitan Centre, W4 Working Waterfront, village or tourist zone.
 - (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).

Consistency

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

- (a) justified by a strategy approved by the Planning Secretary which:
 - i. gives consideration to the objectives 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), 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, Regional Plan or District Plan prepared by the Department of Planning and Environment which gives consideration to the objective of this direction, or
- (d) is of minor significance.

Comments:

The Planning Proposal seeks to rezone the land from a RU1 Primary Production zone to R2 Low Density Residential and R5 Large Lot Residential and is justified in terms of the minor significance of the proposal and consistency with the Upper Lachlan Local Strategic Planning Statement 2040 and Draft Housing Strategy 2021, South East and Tablelands Regional Plan 2036 and the Sydney-Canberra Regional Strategy 2006-2031.

DIRECTION 9.2: RURAL LANDS

Objective

The objectives of this direction are to:

- (a) protect the agricultural production value of rural land,
- (b) facilitate the orderly and economic use and development of rural lands for rural and related purposes,
- (c) assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State,
- (d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,
- (e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land,
- (f) support the delivery of the actions outlined in the NSW Right to Farm Policy.

Application

This direction applies when a relevant planning authority prepares a planning proposal for land outside the local government areas of Lake Macquarie, Newcastle, Wollongong and LGAs in the Greater Sydney Region (as defined in the Greater Sydney Commission Act 2015) other than Wollondilly and Hawkesbury, that:

- (a) will affect land within an existing or proposed rural or conservation zone (including the alteration of any existing rural or conservation zone boundary) or
- (b) changes the existing minimum lot size on land within a rural or conservation zone. Note: Reference to a rural or conservation zone means any of the following zones or their equivalent in a Standard LEP: RU1, RU2, RU3, RU4, RU6, C1, C2, C3, C4.

Direction 9.2

- (1) A planning proposal must:

- (a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Planning Secretary, and any applicable local strategic planning statement
 - (b) consider the significance of agriculture and primary production to the State and rural communities
 - (c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources
 - (d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions
 - (e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities
 - (f) support farmers in exercising their right to farm
 - (g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land use
 - (h) consider State significant agricultural land identified in chapter 2 of the State Environmental Planning Policy (Primary Production) 2021 for the purpose of ensuring the ongoing viability of this land
 - (i) consider the social, economic and environmental interests of the community.
- (2) A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:
- (a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses
 - (b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains
 - (c) where it is for rural residential purposes:
 - i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres
 - ii. is necessary taking account of existing and future demand and supply of rural residential land.

Note: where a planning authority seeks to vary an existing minimum lot size within a rural or conservation zone, it must also do so in accordance with the Rural Subdivision Principles in clause 5.16 of the relevant Local Environmental Plan.

Consistency

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

- (a) justified by a strategy approved by the Planning Secretary and is in force which:
 - i. gives consideration to the objectives 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), or
- (b) is of minor significance.

Comments:

An increase in the permissible density of land is justified in terms of the minor significance of the proposal as detailed below:

- The planning proposal land adjoins residential zoned land.
- The proposal is consistent with the Upper Lachlan Local Strategic Planning Statement 2040 and Draft Housing Strategy 2021.
- The proximity of the land to adjoining zoned residential land will not result in fragmentation.
- The use of the existing road network will minimise the potential for land use conflict.
- The boundary of the site adjoining rural zoned land abuts the proposed Large Lot residential zone minimising potential land use conflicts with agricultural activities.
- The planning proposal will have minimal environmental impacts on biodiversity and water resources.
- The subject land is adequately services in terms of telecommunications, road network and associated services (e.g. school bus and postal services) with available health and community services provided in Crookwell.
- The proposal will not adversely affect the operation and viability of existing and future rural land uses.
- The proposal is catering for the identified demand for diverse and affordable housing.

8. IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OR THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

A Biodiversity Assessment of the subject land has been undertaken by Macrozamia Environmental Consulting and Biodiversity Mapping undertaken by Premise (Orange) in response to the NSW Department of Planning and Environment comments relating to the proposal. Mapping indicates *“that future assessment of the site may require further fauna survey and that the development on the site may require offsetting under the Biodiversity Offset Scheme (BOS). Development is likely to require referral to the Commonwealth Government for the Upland Wetlands of the New England*

Tablelands EEC unless this area can be avoided.” Copies of the reports are separately attached – See Appendix F.

9. ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

Hydrology – The mapping of the land identified existing dams connecting the natural drainage path across the land. This natural drainage path has been considered in the context of the proposal and flood modelled to ensure not to contribute to areas downstream of the catchment. A pre and post model development flood extents plan is separately attached. See Appendix E.

Ecological Characteristics and Values – Mapping indicates “that future assessment of the site may require further fauna survey and that the development on the site may require offsetting under the Biodiversity Offset Scheme (BOS). Development is likely to require referral to the Commonwealth Government for the Upland Wetlands of the New England Tablelands EEC unless this area can be avoided.” See Appendix F.

Cultural Heritage – An Aboriginal and Historical Cultural Heritage Due Diligence Assessment was undertaken noting “that no Aboriginal or historical sites (object or places) have been identified within the project area. The potential for impacting on unrecorded heritage sites within the project area are assessed as extremely low, based upon landform analysis and field survey.” A copy of the Aboriginal and Historical Cultural Heritage Due Diligence Assessment is separately attached. See Appendix C.

Traffic – TfNSW comments suggest that an upgrade to the intersection of Goulburn Road and Grange Road may be required despite previous reporting that the existing intersection capacity is more than sufficient to accommodate both the existing and potential traffic generation of development which would be achieved in the rezoning proposal. See Appendix D.

10. HOW HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

The area has a long history of agricultural use. The proposal will maximise the development potential of the land and provide diverse and affordable housing opportunities within a planned expansion urban release area. Improved linkages in the local road network and additional contributions towards the provision of community facilities are some of the positive social and economic effects of the proposal.

11. IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

The study area is adequately serviced in terms of electricity, telecommunications and associated services and can be readily extended to service all future lots within the development. The area has ready access to all the benefits offered by Goulburn and Canberra (e.g.. health, education, employment , waste management facilities, recreational and social). The upgrade of infrastructure will be at the expense of the developer.

**12. WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES
CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION?**

Preliminary advice has been obtained from NSW Department of Planning and Environment, Department of Education and Transport for NSW. Copies of the relevant government department correspondence are separately attached – See Appendix G.

Any requirements to consult further with State and Commonwealth public authorities, 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 Current Land Zone Map
- Figure 2 Current Lot Size Map
- Figure 3 Proposed Land Zone Map
- Figure 4 Proposed Lot Size Map
- Figure 5 Conceptual Subdivision Plan

PLANNING PROPOSAL

AMENDMENT TO THE UPPER LACHLAN LOCAL ENVIRONMENTAL PLAN 2010 – AMEND ZONE AND LOT SIZE - LOT 24
DP 1119250 - 4273 GOULBURN ROAD, CROOKWELL

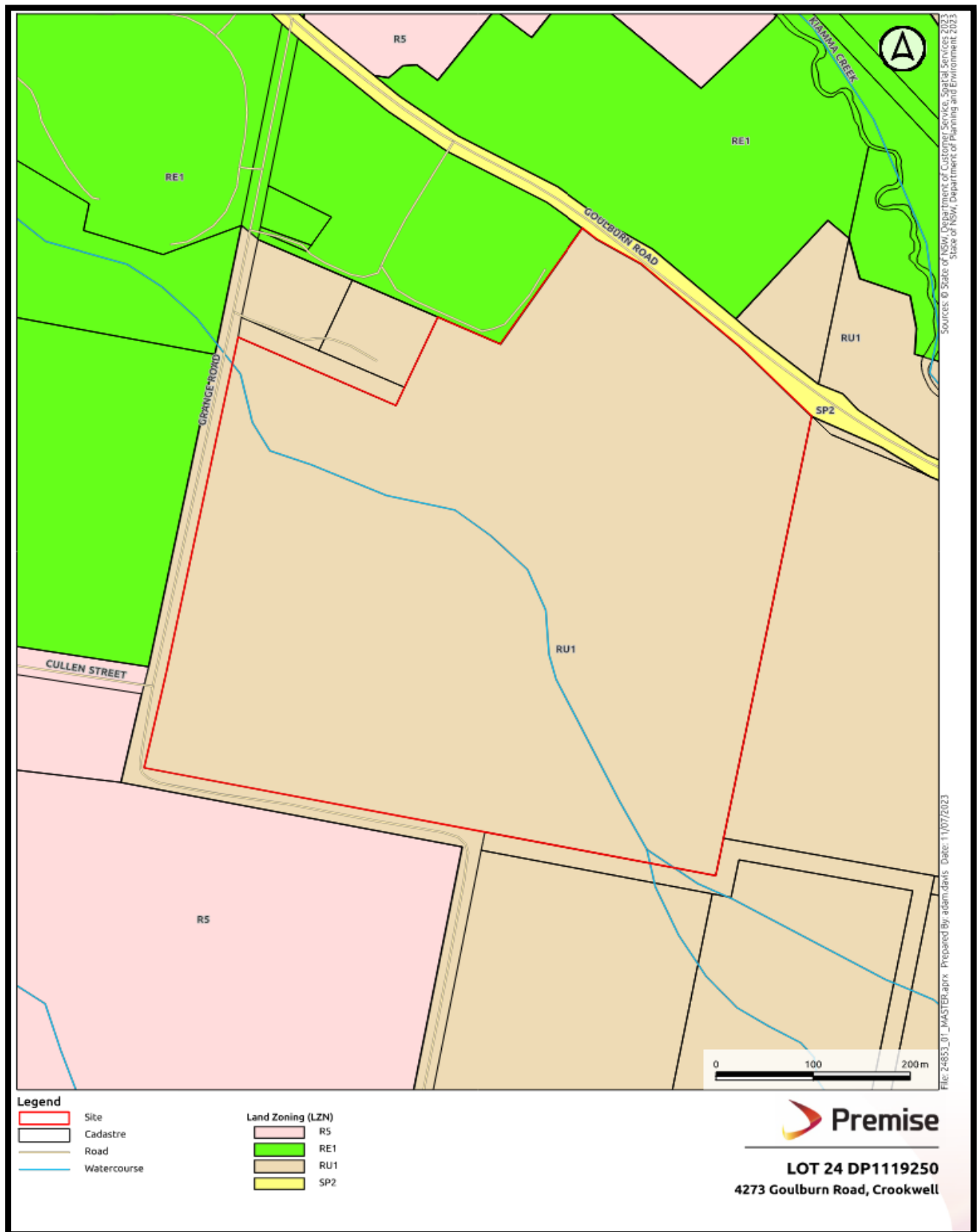


Figure 1 - Current Land Zoning Map

PLANNING PROPOSAL

AMENDMENT TO THE UPPER LACHLAN LOCAL ENVIRONMENTAL PLAN 2010 – AMEND ZONE AND LOT SIZE - LOT 24
DP 1119250 - 4273 GOULBURN ROAD, CROOKWELL

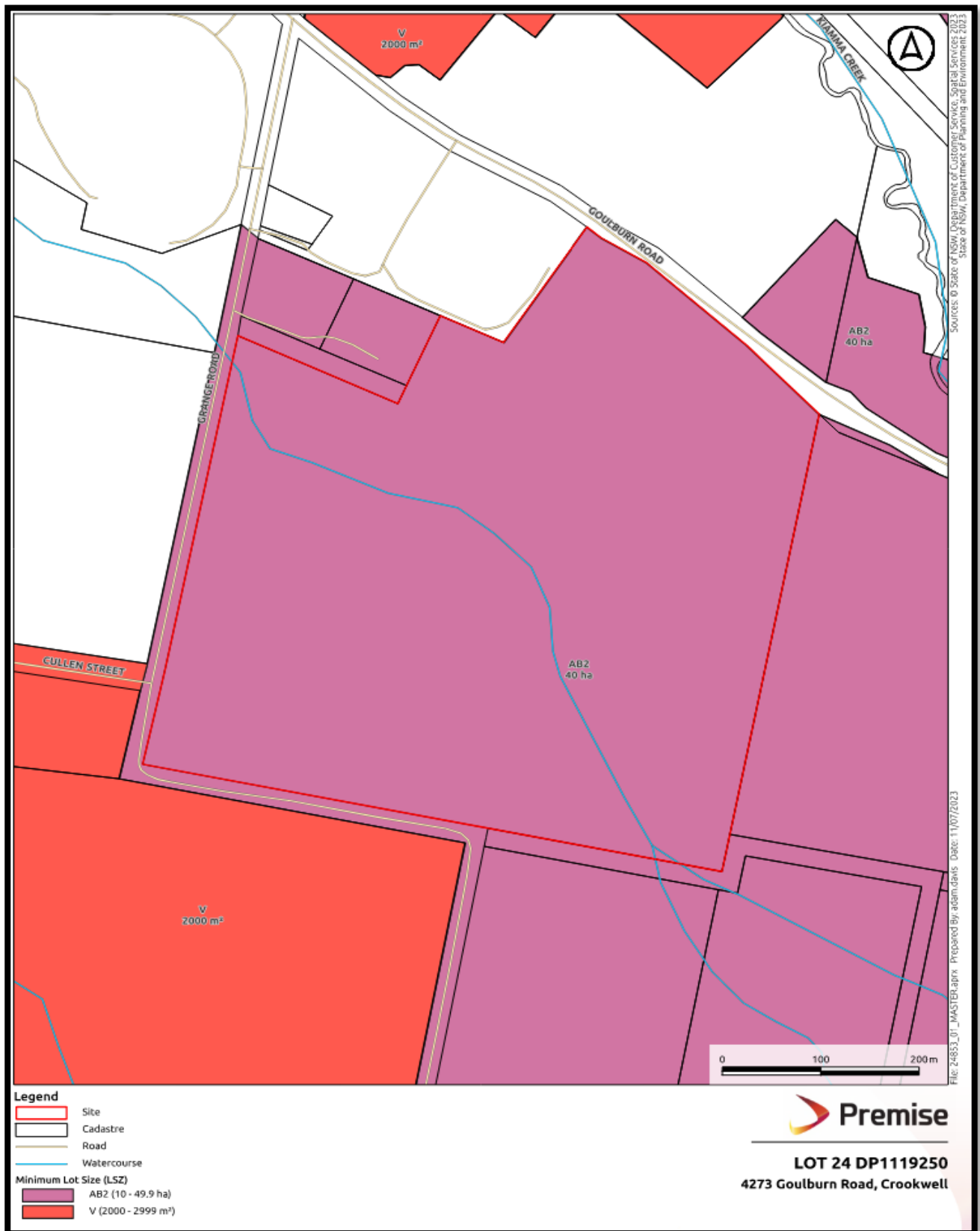


Figure 2 – Current Lot Size Map

PLANNING PROPOSAL

AMENDMENT TO THE UPPER LACHLAN LOCAL ENVIRONMENTAL PLAN 2010 – AMEND ZONE AND LOT SIZE - LOT 24
DP 1119250 - 4273 GOULBURN ROAD, CROOKWELL

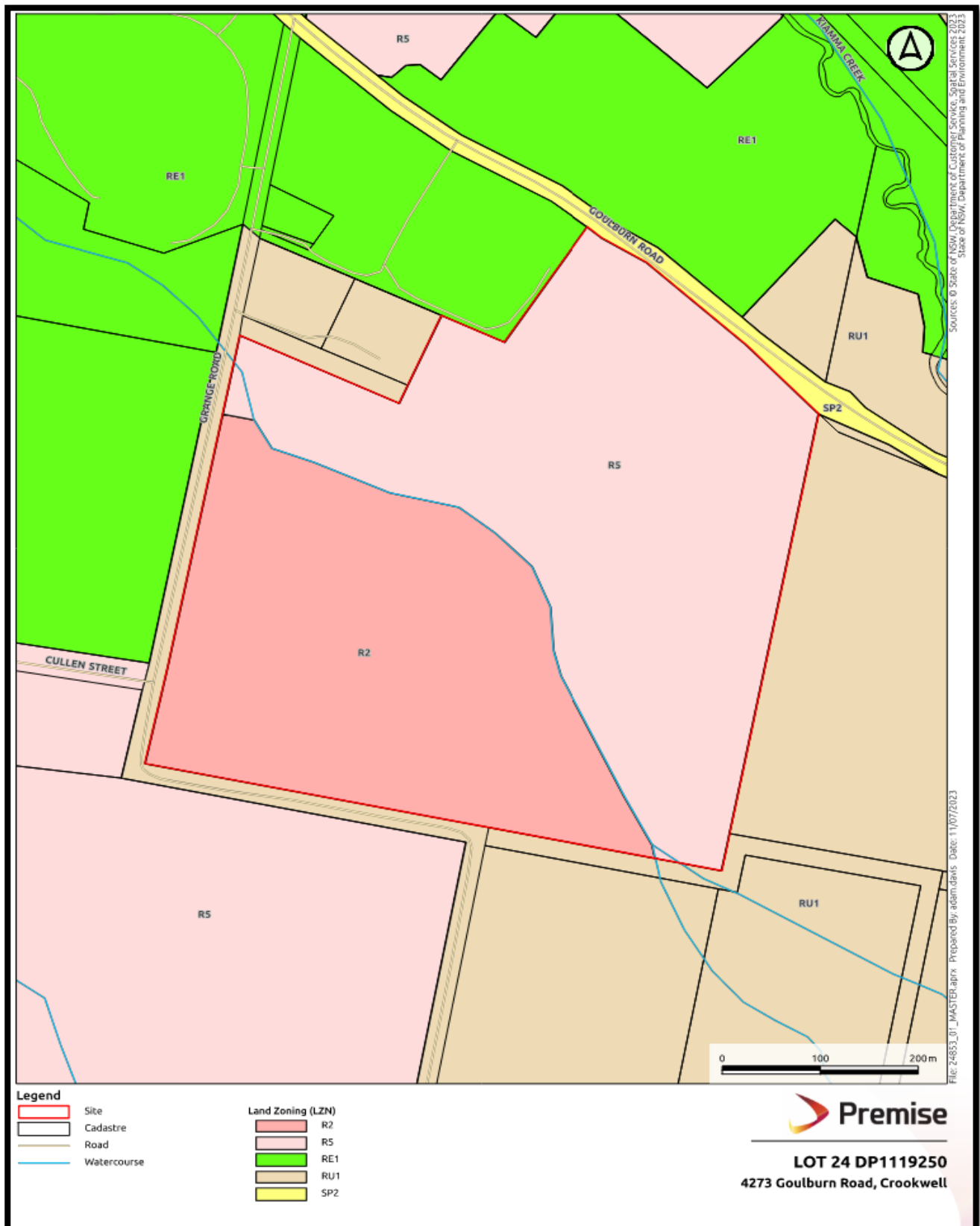


Figure 3 – Proposed Land Zoning Map

PLANNING PROPOSAL

AMENDMENT TO THE UPPER LACHLAN LOCAL ENVIRONMENTAL PLAN 2010 – AMEND ZONE AND LOT SIZE - LOT 24
DP 1119250 - 4273 GOULBURN ROAD, CROOKWELL

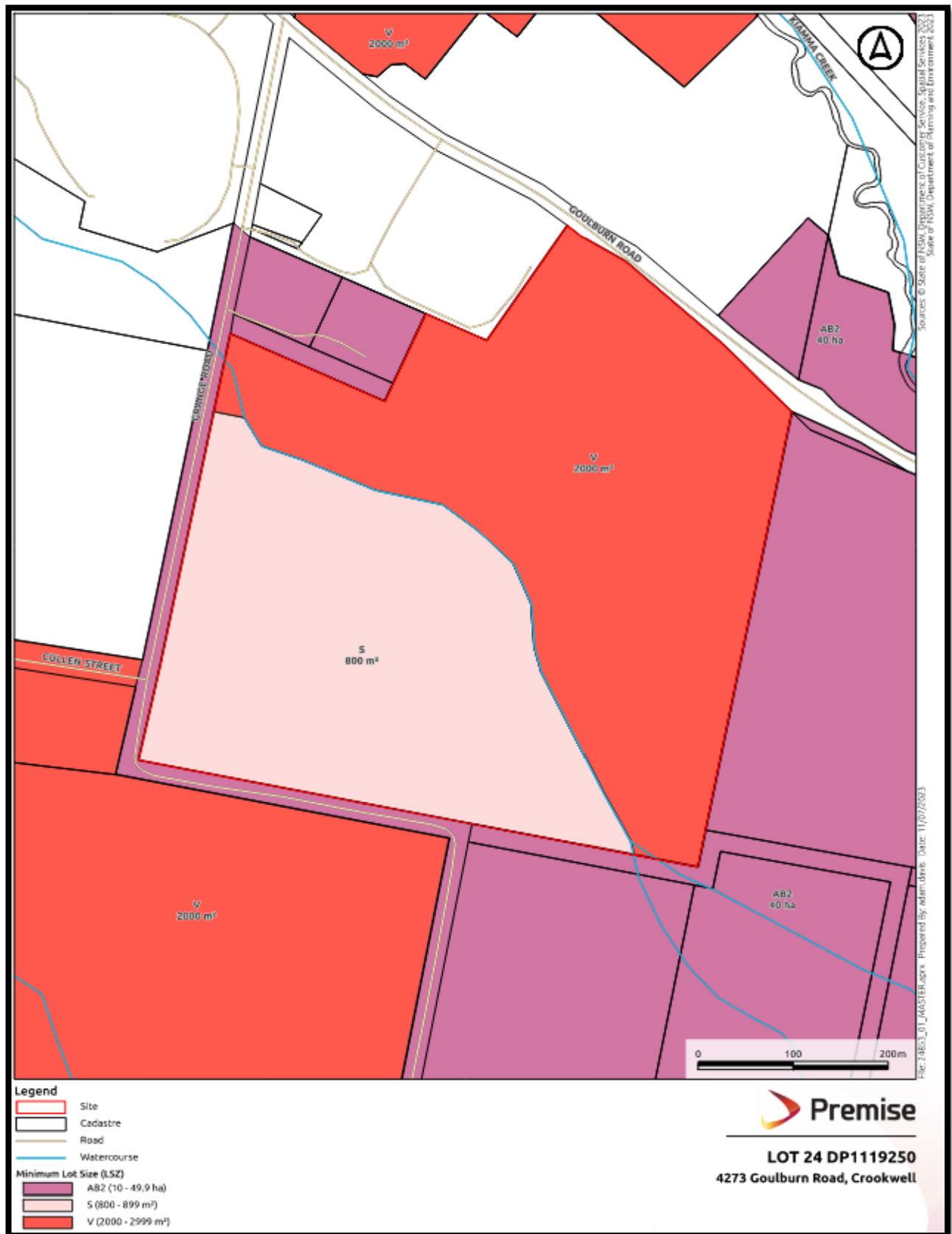


Figure 4 – Proposed Lot Size Map

PLANNING PROPOSAL

AMENDMENT TO THE UPPER LACHLAN LOCAL ENVIRONMENTAL PLAN 2010 – AMEND ZONE AND LOT SIZE - LOT 24
DP 1119250 - 4273 GOULBURN ROAD, CROOKWELL

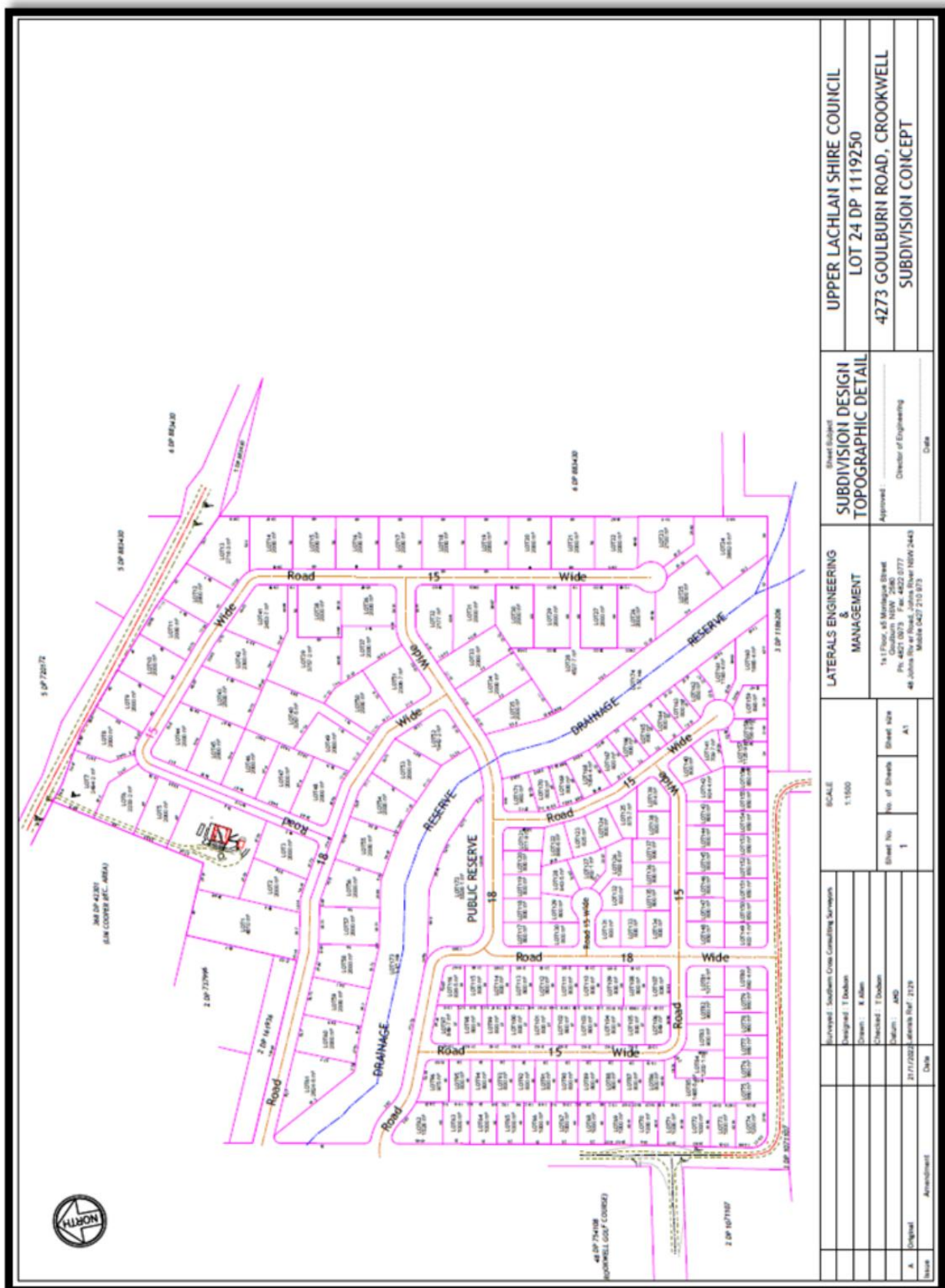


Figure 5 – Concept Subdivision Plan

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 standard proposal will be 20 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 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 the notification. Premise will respond to any feedback from 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):

September 2023

Anticipated timeframe for the completion of required technical information:

December 2023

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

March 2024

Commencement and completion dates for public exhibition period:

May / June 2024

Dates for public hearing (if required):

Not required

Timeframe for consideration of submissions:

July 2024

Timeframe for the consideration of a proposal post exhibition:

July 2024

Date of submission to the department to finalise the LEP:

August 2024

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

September 2024

Anticipated date RPA will forward to the department for notification:

September 2024.



APPENDIX A

DEPOSITED PLAN



APPENDIX B

COUNCIL REPORT AND MINUTES



APPENDIX C

ABORIGINAL AND HISTORICAL CULTURAL HERITAGE DUE DILIGENCE ASSESSMENT



APPENDIX D

TRAFFIC ASSESSMENT



APPENDIX E

PRELIMINARY FLOOD ASSESSMENT



APPENDIX F

BIODIVERSITY ASSESSMENT



APPENDIX G

GOVERNMENT AGENCY RESPONSES



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