

## Part B Planning and environmental context

### 3. Statutory planning context

This Section outlines the environmental legislation that applies to the Upper Lachlan LGA. It also reviews relevant state and regional planning policies and guidelines that provide the strategic context for the consideration of future land uses. The local planning context is discussed in *Section 4*.

#### 3.1 Legislative framework

##### 3.1.1 Commonwealth legislation

###### **Environment and Biodiversity Conservation Act 1999**

The *Environment Protection and Biodiversity Conservation Act 1999* is administered by the Commonwealth Department of Environment, Water, Heritage and the Arts. The Act is designed to protect six items or areas of 'national environmental significance' (listed below) from specific actions or undertakings. Any proposed action that has the potential to significantly affect a matter of national environmental significance must be referred to the Commonwealth Minister for Environment and Heritage. Section 26 of the Act also provides that any actions that may have a significant impact on any Commonwealth land must also be referred to the Commonwealth Minister for the Environment and Heritage for assessment and determination.

The Act states that the following are matters of national environmental significance:

- World Heritage properties.
- Wetlands of international significance (i.e. RAMSAR wetlands).
- Listed threatened species and communities.
- Listed migratory species protected under international agreements (CAMBA and JAMBA).
- Protection of the environment from nuclear actions.
- The marine environment.

Part 3 of the *Environment Protection and Biodiversity Conservation Act 1999* provides that an action that 'has, will have or is likely to have a significant impact on a matter of national environmental significance' may not be undertaken without prior approval from the Commonwealth Minister for the Environment, Water, Heritage and the Arts, as provided for under the provisions of Part 9 of the Act.

Any proposed works within Upper Lachlan are likely to affect any matter of national environmental significance or significant impact on commonwealth owned property would be referred to the Department of Environment, Water, Heritage and the Arts (Commonwealth) for assessment.

### 3.1.2 NSW legislation

#### **Environmental Planning and Assessment Act 1979**

Planning in NSW is guided by the *Environmental Planning and Assessment Act 1979* (the Act). Section 5 of the Act lists the objectives of the legislation which seek to encourage:

- the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment
- the promotion and coordination of the orderly and economic use and development of land
- the protection, provision and coordination of communication and utility services
- the provision of land for public purposes
- the provision and coordination of community services and facilities
- the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats
- ecologically sustainable development
- the provision and maintenance of affordable housing
- the sharing of the responsibility for environmental planning between the different levels of government in the State
- the increased opportunity for public involvement and participation in environmental planning and assessment.

The framework for environmental planning in NSW is contained within Part 3 of the Act. Part 3 provides for the preparation of environmental planning instruments to implement the objects of the Act, including state environmental planning policies, regional environmental plans and local environmental plans, as well as other mechanisms (such as development control plans and Section 94 contributions plans).

#### **Protection of the Environment Operations Act 1997**

The *Protection of the Environment Operations Act 1997* provides a regulatory framework for the management of activities that has the potential to adversely impact on the environment. This framework is established through the preparation and adoption of Protection of the Environment Policies, the issue of environment protection licenses and enforcement through environment protection notices. This Act is largely administered by the Environmental Protection Agency, in conjunction with local councils.

#### **National Parks and Wildlife Act 1974**

The *National Parks and Wildlife Act 1974* governs the establishment, preservation and management of national parks, historic sites and certain other areas. The Act also provides the basis for the legal protection and management of threatened native flora and fauna and Aboriginal sites across NSW.

Pursuant to Section 87 (Permits relating to Aboriginal objects) and Section 90 (Destruction of Aboriginal objects or places), permits are required from the Department of Environment

and Climate Change for development or works likely to affect vegetated areas or areas/items of Aboriginal significance.

### **Threatened Species Conservation Act 1995**

The *Threatened Species Conservation Act 1995* and associated *Threatened Species Amendment Act 2002* provide for the conservation of threatened species, populations and ecological communities of animals and plants. The Acts provide a framework for the assessment of any action that may affect threatened species.

A statement of significance is a legislative requirement pursuant to Section 5A of the *Environmental Planning and Assessment Act 1979*, which is required for the assessment of impacts on species listed under the *Threatened Species Conservation Act 1995*. This test is designed to assess the potential significance of any impact of a proposed development on threatened species, populations and communities or their habitats. Where it is determined by the proponent that a significant effect is likely, a Species Impact Statement must be prepared to assess the level of impact.

In August 2004, a reform proposal for this Act was produced by the former Department of Environment and Conservation. The reform addresses the following key areas:

- better biodiversity outcomes in urban and coastal areas by integration with better strategic land-use planning, changes to the development assessment process and accreditation of flora and fauna consultants
- embedding threatened species conservation in rural areas within native vegetation protection
- listing of threatened species as a scientific process
- better prioritised actions for recovery and threat abatement
- upgrading of enforcement and compliance provisions
- the establishment of expert advisory councils to advise the Minister.

This reform was recognised through the *Threatened Species Legislation Amendment Act 2004*. In 2006, a further amendment to the Act was made, being the *Threatened Species Legislation Amendment (Biodiversity Banking) Act 2006*. This amendment incorporated the biobanking provisions, which include the following key elements:

- (a) *the establishment of biobank sites on land by means of biobanking agreements entered into between the Minister and the owners of the lands concerned*
- (b) *the creation of biodiversity credits in respect of management actions carried out or proposed to be carried out on or in respect of biobank sites that improve biodiversity values*
- (c) *a system that enables those biodiversity credits, once created and registered, to be traded (including by being purchased by developers) and used as an offset against the impact of proposed development on biodiversity values*
- (d) *the establishment of a biobanking assessment methodology, by order of the Minister published in the Gazette, for the purpose of determining both the number of biodiversity credits that may be created in respect of management actions or proposed management actions and the number of biodiversity credits that must be*

*retired in connection with a development in order to ensure that it improves or maintains biodiversity values.*

### **Water Management Act 2000**

The controlled activity provisions of the *Water Management Act 2000* replace the similar provisions contained in the now repealed *Rivers and Foreshores Improvement Act 1948*. These provisions provide for the protection of river and lakeside lands across NSW. A controlled activity is defined by the Act as:

- the erection of a building or the carrying out of a work (within the meaning of the *Environmental Planning and Assessment Act 1979*)
- the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise
- the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise
- the carrying out of any other activity that affects the quantity or flow of water in a water source.

Any controlled activity requires an approval under Chapter 3 Part 3 of this Act and relevant sections of the *Water Management Amendment (Controlled Activities) Regulation 2008*.

### **Native Vegetation Conservation Act 2003**

This Act provides for the conservation of native vegetation through the prevention of inappropriate clearing. It also encourages rehabilitation of native vegetated areas. Under the Act, a vegetation survey may be required for development to identify native species potentially affected by site disturbance, and assessment of the extent of any disturbance. Where clearance areas exceed exemptions provided under the Act, an approval for clearing native vegetation may be required from the Department of Environment and Climate Change.

Mitigation and management measures may be required to redress any vegetation losses and ensure that native vegetation is maintained as required by the Act. The Act requires that where native vegetation is removed, appropriate replanting strategies are required to off-set the extent of removal.

This Act was updated in 2006, changes generally relating to management and implementation of the Act.

### **Heritage Act 1977**

The *Heritage Act 1977* details statutory responsibilities for historic buildings and gardens, historic places and objects, historical archaeological sites, and historic shipwrecks. The Act is administered by the Heritage Council of NSW, through the NSW Heritage Office – a division of the Department of Planning. The Act protects all historical archaeological sites, places and relics in NSW older than 50 years, regardless of their level of cultural heritage significance.

An excavation permit is required for any works, excavations or activities associated with an archaeological site. Excavation permits are issued by the Heritage Council of NSW pursuant to Section 60 or Section 140 of the Act. It is an offence to disturb or excavate land to discover, expose or move a relic without obtaining a permit from the Heritage Council of NSW.

Excavation permits are usually issued subject to a range of conditions that relate to matters such as reporting requirements and artefact cataloguing, storage and curation. The State Heritage Register lists items with State heritage significance endorsed by the Heritage Council of NSW. Items are added to the Register by the Minister on the recommendation of the Heritage Council of NSW, following an assessment of their significance and consultation with owners and the broader community. The Heritage Council of NSW has established the State Heritage Register Committee to recommend items to the Minister for inclusion in the Register.

A permit may be required from the Heritage Council of NSW for works or activities associated with a registered place or object.

### **Roads Act 1993**

Section 138 of the *Roads Act 1993* prohibits a number of activities, including the conducting of work in, on or over a public road, without consent from the appropriate roads authority.

Future works undertaken along or over State-owned public roads would require consent from the Roads and Traffic Authority of NSW. Consent is pursuant to Section 139 of the Act, which provides that consent may be granted for a specific structure, work or tree, or to structures, works or trees of a specified class.

Alternatively, consent for works relating to a public road can be granted as integrated development under Section 91 of the *Environmental Planning and Assessment Act 1979*.

### **Water Management Act 2000**

The *Water Management Act 2000* provides for the integrated and sustainable management of NSW waters. The Act details the framework for development of water sharing provisions within defined management plans. Section 20 of the Act details the matters to be addressed within the water sharing provisions of management plans. The Act refines the regulatory framework from the *Water Act 1912* for licensing and approvals for water supply and floodplain works.

## **3.2 State and regional planning context**

### **3.2.1 State Environmental Planning Policies**

The following state environmental planning policies are relevant to the future growth of and activity in the Upper Lachlan and will guide its strategic planning framework to 2020.

#### **SEPP No. 1 – Development Standards**

This SEPP provides scope to make development standards more flexible. It allows a Council to approve a development proposal that does not comply with a set standard where this can be shown to be unreasonable or unnecessary.

#### **SEPP No. 4 – Development Without Consent and Miscellaneous Exempt and Complying Development**

This SEPP provides a framework for developments to be undertaken without consent, where not specifically prohibited by an LEP.

#### **SEPP No. 6 – Number of Storeys in a Building**

This SEPP provides clarification for interpretation of height provisions in an LEP.

### **SEPP No. 8 – Surplus Public Lands**

Aims to promote and coordinate the orderly and economic use of public lands that are now surplus to public needs. The Policy does not apply to existing national parks, crown land, state recreation areas, state forests, or land reserved for open space, recreation, national parks or coastal protection. All development to which this Policy applies is subject to the Minister's consent.

### **SEPP No. 9 – Group Homes**

This SEPP controls the development of group homes on all land where dwellings are allowed.

### **SEPP No. 11 – Traffic Generating Developments**

Applies to development specified in the Schedules to the Policy. It establishes the Roads and Traffic Authority of NSW as the key traffic management authority for consultation about traffic generating development. The Policy aims to ensure that development that is likely to generate substantial vehicular movements is appropriately considered against the broader traffic planning initiatives of the Roads and Traffic Authority of NSW.

### **SEPP No. 15 – Rural Landsharing Communities**

This policy aims to encourage and facilitate the development of rural land sharing communities committed to environmentally sensitive and sustainable land use practices. This SEPP only applies to two small areas of the former Mulwaree Shire that are not within the Sydney or Shoalhaven Water Catchment Areas.

### **SEPP No. 16 – Tertiary Institutions**

This policy permits any kind of tertiary institution on land zoned for a specific kind of tertiary institution.

### **SEPP No. 21 – Caravan Parks**

Ensures that where caravan parks or camping grounds are permitted under an environmental planning instrument, movable dwellings, as defined in the *Local Government Act 1993*, are also permitted. The specific kinds of movable dwellings allowed under the *Local Government Act 1993* in caravan parks and camping grounds are subject to the provisions of the Caravan Parks Regulation.

This policy requires development consent for new caravan parks and camping grounds and for additional long-term sites in existing caravan parks and enables (with the consent of Council), long-term sites in caravan parks to be subdivided by leases of up to 20 years.

### **SEPP No. 22 – Shops and Commercial Premises**

This policy applies to the former Crookwell and Mulwaree Shire Council areas. It allows, with the consent of Council, a change from a shop to another kind of shop or commercial premises, or alternatively a commercial premises to a shop or another kind of commercial premises where the new use is prohibited under an environmental planning instrument, if the Council is satisfied that the change of use will have not more than a minor environmental impact and is in keeping with the objectives (if any) of the zone.

### **SEPP No. 30 – Intensive Agriculture**

Requires development consent for cattle feedlots with the capacity for 50 or more cattle, or piggeries with the capacity for 200 or more pigs. The Policy sets out information and public notification requirements.

The Policy has been designed to achieve greater consistency in environmental planning and assessment for cattle feedlots and piggeries across NSW and extends the definition of the term 'rural industry' to include composting facilities and works, including facilities and works for the production of mushroom substrate.

### **SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)**

This SEPP identifies the intent to ensure that urban consolidation objectives are met in all urban areas throughout NSW. The SEPP focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used. It promotes the preparation of consolidation strategies by Councils. Councils are still responsible for the majority of rezonings. The SEPP sets out guidelines for the Minister to follow when considering whether to initiate a regional environmental plan (REP) to make particular sites available for consolidated urban redevelopment. Where a site is rezoned by an REP, the Minister will be the consent authority.

### **SEPP No. 33 – Hazardous and Offensive Development**

This Policy introduces revised definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. It applies to all environmental planning instruments. Under this Policy, consent authorities are required to carefully consider each proposal, including its location and proposed operations. The Policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the Policy. Any application to carry out a potentially hazardous or potentially offensive development is to be advertised for public comment, and applications to carry out potentially hazardous development must be supported by a preliminary hazard analysis (PHA).

### **SEPP No. 36 – Manufactured Home Estates**

This Policy aims to assist in improving design outcomes for manufactured home estates in suitable locations. Key elements of manufactured home estates include affordability and security of tenure for residents. This Policy enables manufactured home estates to be developed on lands where caravan parks are permitted. Criteria is established that a proposal must satisfy prior to Council permitting such development. Subdivision of estates either by community title or by leases of up to 20 years is also enabled with the permission of Council.

### **SEPP No. 44 – Koala Habitat Protection**

This Policy encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure longevity and habitat protection. The Policy applies to 107 local government areas, including the former Crookwell and Gunning Shires. Local councils cannot approve development or activity in an area affected by the Policy without an investigation of core koala habitat.

### **SEPP No. 48 – Major Putrescibles Landfill Sites**

This Policy applies to all landfills that receive waste from more than one local government area, or where the volume of waste exceeds specified thresholds. Assessment is required to

determine whether a legitimate demand for a landfill is present and whether proposals are appropriately located. Given the potentially significant impacts associated with such proposals, the Policy ensures that proposals for landfills are only approved following a comprehensive environmental assessment.

#### **SEPP No. 55 – Remediation of Land**

This Policy provides that land must not be rezoned or developed if it is unsuitable for a proposed use because it is contaminated. If the land is determined to be unsuitable, remediation must take place before the land is developed. The Policy is relevant in considering possible contamination sources in the assessment of potential new development areas, particularly sensitive land uses such as housing and education. In such cases, a preliminary assessment of the likelihood of contamination is required prior to rezoning of land.

#### **SEPP No. 58 – Protecting Sydney’s Water Supply**

This Policy seeks to ensure that development within Sydney’s drinking water catchments does not affect water quality. Certain types of development require notification to the Director-General of the Department of Planning, or concurrence, before they can be approved. Ministerial consent is generally needed where development is potentially a high risk to water quality.

#### **SEPP No. 60 – Exempt and Complying Development**

This Policy provides a more effective and efficient approval process for certain classes of development identified within the Policy. Exempt and complying development identified within this Policy are recommended to remain effective in any future local environmental plan relevant to Upper Lachlan.

#### **SEPP No. 64 – Advertising and Signage**

Seeks to manage the impact of outdoor advertising and sets comprehensive provisions to be considered as part of any development application explicitly for signage or where signage is ancillary to another use.

#### **SEPP No. 65 – Design Quality of Residential Flat Development**

This SEPP establishes certain design principles to raise the design quality of residential flat development across NSW. It also includes provision for the establishment of Design Review Panels to provide independent expert advice to Councils on the merit of residential flat development.

#### **SEPP (Housing for Seniors or people with a disability)**

This Policy is designed to encourage the provision of housing that meets the needs of seniors or persons with a disability. Residential care facilities that make efficient use of infrastructure and services, while increasing the supply and diversity of dwellings that meet specified needs, are encouraged. The Policy over-rides local planning controls that prevent the development of housing for seniors or persons with a disability. The Policy specifies development standards that must be adhered to when applying this Policy, including design principles and support services.

### **SEPP (Building Sustainability Index: BASIX)**

This Policy operates in conjunction with *Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004* to ensure the effective introduction of BASIX provisions in NSW. The Policy ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans.

State Environmental Planning Policy No. 1 does not apply in relation to any development standard arising under BASIX.

### **SEPP (Major Projects)**

This Policy defines certain developments as 'major projects' under Part 3A of the *Environmental Planning and Assessment Act 1979*. Such projects must be determined by the Minister for Planning. No state significant sites have been identified in Upper Lachlan within the Policy.

### **SEPP Rural Lands 2008**

This policy identifies Rural Planning Principles and Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State.

The Rural Planning Principles outline a range of social, economic and environmental matters to be considered when preparing an LEP for rural areas. Section 117 Direction 1.5 – Rural Lands, also requires that when a council prepares an LEP for land within a rural or environmental protection zone it is consistent with the rural planning principles listed in the SEPP.

The SEPP does not require councils to review their minimum lot size(s) or change lot sizes in existing LEPs. Councils can transfer existing lot size(s) currently applying into the new LEP. Should the council seek to review the minimum lot size(s) in a rural or environmental protection zone consideration will be to be given to the rural subdivision principles outlined in the SEPP.

Clause 9 of the SEPP allows for the subdivision of rural land for the purpose of primary production (no dwelling) below the minimum prescribed lot size applying to the land. Concessional lot provisions from LEPs to minimise land use conflicts and fragmentation of rural lands has been removed.

The SEPP allows the Minister for Planning the opportunity to list in schedule 2 of the SEPP lands those are of agricultural significance to the State, allowing for the protection of important land. The Minister of Planning may also establish a rural lands planning panel. The purpose of this panel will be to provide advice to the Director-General on rural lands development applications that contravene a development of standard under SEPP No1 – Development Standards or clause 4.6 of the Standard instrument.

### **SEPP ARTC Rail Infrastructure 2004**

This SEPP facilitates the opportunity for development of rail infrastructure facilities where subject to arrangements between Australian Rail Track Corporation Ltd and State rail authorities.

### **SEPP Temporary Structures and Places of Public Entertainment 2007**

This SEPP provides for the erection of temporary structures and the use of places of public entertainment while protecting public safety and local amenity. Implementation of this SEPP included the transfer of the regulation to the *Environmental Planning and Assessment Act 1979*.

### **SEPP Mining, Petroleum Production and Extractive Industries 2007**

This SEPP provides the framework for development of mining, petroleum production and extractive material resources activities and uses. The intent is to ensure that there is orderly use and development of these areas and that there is the establishment of appropriate planning controls to achieve sustainable management of the resources.

### **SEPP Infrastructure 2007**

This SEPP provides the framework for a consistent planning approach across NSW for the provision of infrastructure and services. The SEPP includes requirements for consultation with relevant public authorities in addition to improved regulatory certainty and efficiency.

## **3.2.2 The Sydney - Canberra Corridor Regional Strategy**

The Sydney – Canberra Corridor Regional Strategy 2006 – 2031 was adopted by the NSW State Government in 2008. It represents an agreed approach to planning for the corridor, and complements existing State and Local Government strategies and policies.

The Sydney – Canberra Corridor (SCC) is located along the Hume and Federal Highways between Sydney and Canberra. The Corridor is a nationally important region as a commercial transport route and provides housing for approximately 137,000 people in rural and urban communities.

There are three distinct sectors of the SCC – the northern, central and southern sectors. The northern and southern sectors have experienced the greatest growth recently, due to proximity to Sydney and Canberra. The central sector includes the Upper Lachlan Shire Council area.

The Strategy seeks to guide sustainable growth throughout the SCC through identified aims, which are summarised below:

- catering for a housing demand of up to 25,200 new dwellings to accommodate an additional 46,350 people (by 2031)
- increasing the amount of housing in existing centres to ensure the needs of households are better met, especially for the ageing population
- managing the environmental impact of settlement by focusing new urban development in existing identified growth areas
- only considering additional development areas if they satisfy a Sustainability Criteria
- no allowing new rural residential zones, unless part of a broader strategy
- ensuring an adequate supply of land to support economic growth and provide capacity for an additional 27,800 new jobs (projected)
- limiting development in places constrained by important primary industry resources and significant and cultural landscapes.

Key elements of this Strategy that have been considered in the preparation of the Upper Lachlan Strategy include:

- the need to identify employment generating land uses
- identification of the strength of the rural sector and the need to protect rural lands in the long term
- although population growth is forecast to be modest, it supports identification of new residential areas to promote higher growth\
- encouraging the majority of growth within the existing major centres.

The direction and aims of the Strategy are used to inform this Strategy and have specifically contributed to the preparation of the Growth Strategy for Upper Lachlan contained in Section C.

### 3.2.3 Regional environmental plans

#### Drinking Water Catchments Regional Environmental Plan No. 1

The principal objective of this Plan is to integrate current and future actions to protect the water catchments of Sydney and adjacent regions. The draft Plan was exhibited in late 2000. The final Plan replaced *State Environmental Planning Policy No. 58 – Protecting Sydney’s Water Supply*.

The Plan provides that revision or preparation of new local environmental plans must ensure that future land uses reflect land capability. Recognising that our current understanding of the catchment areas is imperfect, future management will require improved knowledge and understanding in the ability to respond to new knowledge of the catchments.

The Plan also acknowledges that increased urbanisation and rural residential development poses the potential for significant environmental impacts on water quality, particularly during site preparation and construction phases, when vegetation is cleared and soils exposed. Poor management of development areas also poses a threat post-construction, when water quality impacts, including sewer and stormwater run-off and water extraction, can result.

Direction No. 28 under Section 117 of the *Environmental Planning and Assessment Act 1979* requires councils to consider new information, particularly strategic land and water capability assessments, in preparing any new local environmental plans to protect to water quality within the catchment.

### 3.2.4 Section 117 Directions

The following directions issued under Section 117 of the *Environmental Planning and Assessment Act 1979* are likely to be relevant in the preparation of a comprehensive local environmental plan for Upper Lachlan.

#### 1 – Employment and Resources

##### Direction 1.1 – Business and Industrial Zones

This Direction applies when a council prepares a draft LEP that affects land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). It should be noted that the Crookwell LEP 1994, the

Gunning LEP 1997 and the Mulwaree LEP 1995 do not provide for any Business or Industrial Zones, rather identifying Rural and Village Zones. It is likely that there will be Business and Industrial Zones, focussed on Crookwell, in the LEP.

#### Direction 1.2 – Rural Zones

This Direction applies when a council prepares a draft LEP such that the draft LEP cannot rezone land from a rural zone to a residential, business, industrial, village or tourist zone. There are provisions that allow a draft LEP to be inconsistent with this Direction if it can be demonstrated that the draft LEP is supported by a Strategy which:

- (a) gives consideration to the objectives of this direction
- (b) identifies the land which is the subject of the draft LEP
- (c) is approved by the Director-General of the Department of Planning.

#### Direction 1.3 – Mining, Petroleum Production and Extractive Industries

This Direction applies when a Council prepares a draft LEP that would have the effect of:

- (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or
- (b) restricting the potential development of resources of coal, other minerals, petroleum or extractive minerals which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.

#### Direction 1.5 Rural Lands

This Direction applies when a council prepares a draft LEP that:

- (a) affects land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary), or
- (b) changes the minimum lot size on land within a rural or environment protection zone.

## **2 – Environment and Heritage**

#### Direction 2.1 – Environmental Protection Zones

This Direction applies when a council prepares a draft LEP, by requiring the LEP to safeguard areas of environmental significance.

#### Direction 2.3 – Heritage Conservation

A draft LEP shall contain provisions that facilitate the conservation of:

- (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area.
- (b) Aboriginal objects or Aboriginal places that are protected under the *National Parks and Wildlife Act 1974*

- (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the Council, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

#### Direction 2.4 – Recreation Vehicle Areas

A draft LEP shall not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the *Recreation Vehicles Act 1983*):

- (a) where the land is within an environmental protection zone
- (b) where the land comprises a beach or a dune adjacent to or adjoining a beach
- (c) where the land is not within an area or zone referred to in points (a) and (b) above unless the Council has taken into consideration:
- i. the provisions of *Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September 1985*
  - ii. the provisions of *Recreation Vehicles Act 1983 – Guidelines for Selection, Design and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985*.

### **3 – Housing, Infrastructure and Urban Development**

#### Direction 3.1 – Residential Zones

This Direction seeks to encourage a variety and choice in housing types to address existing and future needs, whilst making efficient use of existing infrastructure and services. The Direction also encourages the reduction in land consumption for housing and associated urban development (increasing densities) as well as promoting good design.

#### Direction 3.2 – Caravan Parks and Manufactured Home Estates

This Direction aims to ensure that Council provides for manufactured home estates and retain existing zones that permit caravan parks. This Direction operates in conjunction with State Environmental Planning Policy No. 36.

The Direction stipulates that in identifying suitable zones and locations for manufactured home estates within a draft local environmental plan Council will be required to take into account the following principles contained in State Environmental Planning Policy No. 36:

- the categories of land set out in Schedule 2 to the State Environmental Planning Policy as to where manufactured home estates should not be located
- the principles listed in Clause 9 of the State Environmental Planning Policy which Council is required to consider when assessing and determining the development and subdivision proposals.

Deviation from this Direction would need to be substantiated in accordance with the Direction.

#### Direction 3.3 – Home Occupations

This Direction requires that a draft LEP permit home occupations to be carried out in dwelling houses without the need for development consent.

### Direction 3.4 – Integrating Land Use and Transport

This Direction aims to ensure that draft LEPs that affect a zone or a provision relating to land for urban purposes (including residential, business or industrial purposes) maintain access to housing, employment and services by walking, cycling and public transport. The Direction seeks to reduce dependence on cars and travel demand, including the number of trips generated by development.

Draft LEPs are to give consideration to *Improving Transport Choice – Guidelines for Planning and Development* (Department of Urban Affairs and Planning 2001), and *The Right Place for Business and Services – Planning Policy* (Department of Urban Affairs and Planning 2001) in locating zones for urban purposes. They are also to include provisions that give effect to and are consistent with the aims, objectives and principles of the above planning policies.

The Strategy is consistent with this zone by appropriately formalising industrial and commercial zones near residential areas to enable alternative travel modes to coexist.

## **4 – Hazard and Risk**

### Direction 4.2 – Mine Subsidence and Unstable Land

This Direction is designed to prevent damage to life, property and the environment by ensuring that appropriate provisions are made for the development of land identified as unstable or subject to subsidence. Draft local environmental plans must permit development of land in a mine subsidence district or on unstable land only with approval from the Director-General of the Department of Planning. Such approval will only be given where it can be shown that:

- The land has been identified in a strategy prepared by the relevant council and approved by the Director-General.
- The rezoning is justified by an environmental study.
- The rezoning is in accordance with the relevant regional strategy prepared by the Department.
- The rezoning is, in the opinion of the Director-General, of a minor significance.

### Direction 4.3 – Flood Prone Land

This Direction ensures that the flood prone land provisions of a draft LEP are commensurate with flood hazard and includes consideration of the potential flood impacts on both on and off the subject land. The draft LEP must also require that all development is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005*.

The Direction imposes restrictions on draft LEPs that seek to rezone land within known flood prone areas that would either permit development, or could adversely affect surrounding areas by altering local flood conditions.

### Direction 4.4 – Planning for Bushfire Protection

This Direction is designed to protect life, property and the environment from bushfire hazards, through discouraging incompatible land uses in identified bushfire prone areas. Draft local environmental plans are required to implement sound management practices for bushfire prone areas, having regard to *Planning for Bushfire Protection 2001* (Department of

Planning 2001), and by introducing controls that avoid the placement of inappropriate development in hazardous areas.

Councils are required to consult with the Commissioner of the NSW Rural Fire Service under Section 62 of the *Environmental Planning and Assessment Act 1979*, and take into consideration any comments made.

## **5 – Regional Planning**

### Direction 5.1 – Implementation of Regional Strategies

A draft LEP are required to be consistent with the Regional Strategies as identified in the Direction. The draft Upper Lachlan LEP is therefore required to be consistent with the provisions of the Sydney – Canberra Corridor Regional Strategy.

### Direction 5.2 – Sydney Drinking Water Catchments

The intent of this Direction is to protect water quality in the hydrological catchments. The Direction identifies several specific provisions that are based on the premise that the hydrological catchment must be protected.

## **6 – Local Plan Making**

### Direction 6.1 – Approval and Referral Requirements

This Direction requires that provisions in a draft LEP encourage the efficient and appropriate assessment of development. This is achieved through minimising the number of referrals for a development application and to establish consistent criteria for the identification of designated development.

### Direction 6.2 – Reserving Land for Public Purposes

This Direction contains specific provisions for reserving land for public purposes. The intent of these provisions is to ensure appropriate provision of public services and facilities and to facilitate removal reservations of public lands where the land is no longer required for acquisition.

### **3.2.5 Special Areas Strategic Plan of Management (2001)**

This Plan of Management was prepared by the Sydney Catchment Authority and the former NSW National Parks and Wildlife Service in 2001, and covers land in the north eastern part of Upper Lachlan. The Plan of Management identifies the major goals and initiatives that both government agencies will aim to achieve within identified special areas, and the strategies and priority actions which will be implemented in achieving those goals over a 5 year timeframe.

The Plan of Management emphasises the establishment of a ‘whole of catchment’ management process to maintain ecological integrity and water quality.

This Plan of Management has been adopted in accordance with the provisions of Section 49 of the *Sydney Water Catchment Management Act 1998*.

Special areas are an important component in an approach to secure high quality water for the population of the Greater Sydney, Blue Mountains and Illawarra regions,, however, urban growth and social changes have resulted in increased pressure for access to special areas. Special areas have been identified in Figure 9-1.

Pressures on special areas include the following:

- Regional *population growth* and quality of life demands create pressure for mining, agriculture and utility developments that are inconsistent with ecosystem function and high water quality.
- Increasing levels of *recreational access* to catchment areas is inconsistent with the maintenance of ecosystem function and high water quality.
- Future changes to both *regulatory requirements* and customer needs could influence the management and potential impacts on special areas.

Areas east and north-east of Taralga are identified as buffer lands and adjoin areas close to key water storages for the Sydney metropolitan region.

The Upper Lachlan Strategy is designed to promote sustainable land use practices in special areas to minimise risks to critical water storage areas.

### 3.2.6 Planning framework for natural ecosystems

*A Planning Framework for Natural Ecosystems of the ACT and NSW Southern Tablelands* was prepared in 2002 by Environment ACT, the former NSW National Parks and Wildlife Service (now the Department of Environment and Climate Change), the former Planning NSW (now the Department of Planning), and the Housing Industry Association (ACT), in cooperation with all local governments in the region.

The project commenced in 1995 in response to the need for a more strategic approach to conservation across the NSW Southern Tablelands and the ACT and to generate greater certainty in planning for the future development of these regions.

The Framework applies only to the former Gunning and Mulwaree Shires and does not apply to the former Crookwell Shire.

The Framework compiles information on natural ecosystems for the region to assist biodiversity conservation and land use planning. The role of the report is to synthesise a wide range of planning and natural resource information for the region in an integrated manner. The Framework has been designed to:

- Present regional-scale information on natural ecosystems and biodiversity to provide a decision-making context

**Note:** Information mainly relates to those species and ecological communities identified as having conservation significance at the regional scale. Databases have been developed to reflect natural systems, rather than local government or other boundaries.

- Identify important regional issues for the conservation of natural ecosystems.
- Provide guidance for strategic planning at regional and local scales, including planning principles.
- Provide a context for assessing development proposals, including a basis for the formulation of site-scale guidelines and standards.

The Framework supports consistency in regional planning across the Southern Tablelands and the ACT. The Framework was prepared to support the preparation of local environmental studies and the assessment of development applications.

The document provides a strong information base, which helps to minimise conflict between development, conservation and natural ecosystems. However, recent changes, including boundary adjustments, the introduction of revised ministerial directions, the introduction of Part 3A of the *Environmental Planning and Assessment Act 1979*, and the need to conform to the Department of Planning's Standard Instrument, have changed the original statutory context of the framework.

As the former Crookwell local government area comprises a significant proportion of Upper Lachlan, integration of new environmental research into future updates of the Framework will be important.

### **3.2.7 Policy for Sustainable Agriculture in NSW**

The purpose of the Policy for Sustainable Agriculture in NSW, which was prepared by the NSW Government and the former NSW Department of Agriculture (now the Department of Primary Industries) in 1998, is to facilitate a coordinated approach to achieving an ecologically and economically sustainable agricultural sector across NSW. The policy promotes an agreed goal for sustainable agriculture in NSW and a series of common objectives and strategies designed to guide stakeholders towards these targets. The Policy also provides a framework within which individual agencies and interest groups are given the ability to develop specific position statements and action plans.

The complexity and diversity of the agricultural sector is a key policy consideration in implementing any direction, particularly where strategies seek to achieve sustainable agricultural practices. The Policy considers a broad range of issues within the following key areas:

- agricultural production
- land management
- water use and quality
- nature conservation on farms
- rural communities
- integrated management.

Although the Policy considers each issue as important in its own right, for sustainable agriculture to be achieved, the challenges presented within these areas must be addressed through a coordinated approach. For each of these areas, the Policy briefly describes the key issues that need to be addressed, states an agreed objective, and then presents a range of strategies to be adopted by stakeholders in order to meet those objectives.

### **3.2.8 Policy for Protection of Agricultural Land**

The *Policy for Protection of Agricultural Land* (Department of Primary Industries 2004) was prepared to guide the Department of Primary Industries (formerly NSW Agriculture) and councils in the implementation of environmental planning instruments under the *Environmental Planning and Assessment Act 1979*.

The concept of protecting agricultural land under the Policy includes:

- maintaining the availability of land for agriculture

- avoiding unnecessary limitations on the use of that land
- ensuring agricultural enterprises are consistent with the principles of ecologically sustainable development.

The threats to sustainable agricultural production include degradation of the natural resources that support agriculture and alienation of agricultural land. Agricultural land may be alienated directly through the use of lands for non-agricultural purposes and indirectly by incompatible developments on adjacent land leading to restrictions in routine agricultural practices. Non-agricultural development of land currently used for agriculture contributes to this and may force future agricultural production onto more marginal lands.

The Department of Primary Industries recognises that land with the best combination of soil, climate and topography for agricultural production (termed prime agricultural land) is a limited resource in NSW, and its preservation should be encouraged where possible. In addition, agricultural enterprises that are not soil reliant should also be protected, especially where the location or other features of the region give those enterprises a competitive advantage, or where there has been significant investment in facilities or infrastructure to support those enterprises.

The Policy states that land use planning provides certainty and security for agricultural practices and operations. Local plans have the ability to respond to policy, technology and environmental changes that restrict agricultural operations and also provide the justification to quantify potential impacts and alternatives to agricultural operations.

The Policy identifies a number of approaches to ensuring that agricultural operations in NSW remain viable and sustainable. Some of the key approaches include:

- prevent adverse on-site and off-site impacts on the environment and any other sector of the community
- ensure collaboration in the development, implementation and review of plans, policies and legislation relating to agriculture
- ensure the equitable and efficient allocation of land and other natural resources between agriculture and other sectors of the community
- ensure land use planning is undertaken, where appropriate, in association with agriculture to avoid conflict that may jeopardise agriculture's sustainability
- ensure enactment of environmental impact assessment procedures that result in the sustainable development of agriculture
- develop and adopt agricultural activities and planning strategies that minimise impacts on community amenity from noise, dust and odour
- identify lands and farming methods best suited to specific agricultural industries and retain production options for those lands in the future.

The Policy states that the conversion of agricultural land into non-agricultural land should only take place where it is fully justified against criteria set out in relevant environmental planning instruments and only after consideration of alternative sites and options. Any decisions to convert agricultural land to non-agricultural uses should consider the optimal agricultural use of the land and alternative ways to structure the agricultural business.

The role of environmental planning instruments in managing agricultural land and facilitating the protection and removal of agricultural lands is addressed by the Policy, which identifies that environmental planning instruments should be structured to:

- promote the continued use of agricultural land, particularly prime crop and pasture land, for commercial agricultural purposes, where that form of land use is sustainable in the long term
- avoid land use conflicts
- protect natural resources used by agriculture
- protect other values associated with agricultural land that are of importance to local communities, such as heritage and visual amenity
- provide diversity of agriculture opportunities, including specialised agricultural developments, at appropriate locations to provide scope for development in rural areas
- allow for value-adding and integration of agricultural industries into regional economies.

### **Dwelling entitlement minimum lot sizes**

The Policy also discusses how environmental planning instruments can determine the minimum size of holdings required for a dwelling entitlement and how this needs to suit local needs and conditions. The objective is to reduce opportunities for conflict with commercial agricultural enterprises, by minimising residential uses that are not directly associated with commercial farms. Importantly, setting a large minimum is a disincentive to lifestyle purchasers, however, the size also needs to allow for entry by young farmers and the criteria should also allow for more intensive forms of agriculture where appropriate.

While specification of a minimum area for dwelling entitlements has had varying levels of success across NSW, where such definitions are easily understood, they can be efficiently implemented. Councils should consider alternative approaches to achieving the goal of minimising conflict in agricultural production zones, so that farms can operate without unnecessary restrictions.

The Policy states that the minimum area for a dwelling entitlement and other provisions in environmental planning instruments to regulate subdivisions, should take account of:

- the agricultural productivity and suitability of the land in question
- the nature and requirements of agricultural industries in the area being considered
- the risk of creating land use conflict
- the current distribution of property sizes
- cumulative impacts.

### **3.2.9 Sustainable Urban Settlement Guidelines for Regional NSW**

The *Sustainable Urban Settlement Guidelines for Regional New South Wales* outline a method to implement sustainable development objectives in towns and villages in regional NSW. They form part of the *Northern Rivers Regional Strategy*, which was launched in August 1995. The 1995 project was a joint venture between the then Department of Urban Affairs and Planning, the Northern Rivers Regional Organisation of Councils and the then Northern Rivers Economic Development Organisation. The project has become an important policy reference for regional NSW.

The Guidelines seek to ensure that growth and development is managed sustainably across all levels, including regional, local and individual site development. The Guidelines discuss how local planning strategies are responsible for guiding growth and activities across local government areas and can also assist in determining the location of the type of development that may occur.

The Guidelines identify how land use strategies have long-term consequences and why they must be part of an integrated approach to planning and development of an area. The Guidelines presents ten principles of sustainable development. Four of the principles reflect Local Agenda 21, while six additional principles are designed to address regional growth and development issues in rural NSW. These principles include:

- the precautionary principle
- intergenerational equity
- the conservation of biodiversity and ecological integrity
- improved valuation, pricing and incentive mechanisms
- a global perspective
- qualitative development
- limits on natural resource use
- a constant natural capital and sustainable income
- efficiency and resilience
- community participation.

Several important reasons are also outlined as to why future growth areas should be identified as part of broader land use strategies. Identification of future growth areas would assist in:

- providing land owners and investors with greater certainty about the future
- removing the speculative element in downstream land use planning and settlement
- informing land owners with land outside the strategy release areas so they are less likely to have unrealistic expectations about land use potential
- decreasing conflict over land use decisions in the future
- increasing efficiency in the use of public or private resources
- increasing good decisions made at the local environmental planning or development stages
- ensuring there is sufficient land available to prevent significant escalation in land prices.

The Guidelines highlight the importance of locating new urban areas near existing urban centres and services like shops, water and sewerage services. The Upper Lachlan Strategy recognises these principles and aims to concentrate future growth around established centres to minimise the cost of servicing new areas, particularly where capacity exists in established areas.

### 3.2.10 Draft Wind Energy Environmental Impact Assessment Guidelines

The *Draft NSW Wind Energy Environmental Impact Assessment Guidelines* were prepared by the former Planning NSW (2002) to guide wind farm proponents regarding the necessary assessment and approval requirements pursuant to the *Environmental Planning and Assessment Act 1979*.

The Guidelines stipulate that a major function of the environmental impact assessment process is to provide information to the applicant, community and decision-makers on the potential environmental impacts of a proposal. They also outline the matters that an environmental assessment of a wind energy proposal may need to address.

The Guidelines consider the following specific matters:

- factors to be considered in the location of a wind farm
- issues relevant to the environmental assessment of wind farms
- community and stakeholder consultation to provide for an informed and transparent process.

The Guidelines offer guidance to a variety of wind farms that may be assessed under Part 4 or Part 5 of the *Environmental Planning and Assessment Act 1979*, however, they do not address environmental assessment provisions recently introduced under *State Environment Planning Policy (Major Projects) 2005*, or assessment processes pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979*, which have had the effect of superseding projects previously defined as 'state significant'.

Although the Guidelines are still in draft, they continue to define the approach that proponents are required to adhere to when assessing wind farm proposals pursuant to Parts 4 and 5 of the *Environmental Planning and Assessment Act 1979*.

### 3.2.11 Strategic land and water capability assessments for the Wollondilly, Upper Wollondilly and Mulwaree sub-catchments

This Strategic Land and Water Capability Assessment was prepared in 2003 (KBR) prior to local government amalgamations. The study area incorporated the former local government areas of Mulwaree and Goulburn and parts of Wollondilly and Wingecarribee and former Crookwell and Gunning Shires.

Preparation of land and water capability assessments is a mechanism that allows identification of land uses that are currently affecting water quality or could potentially affect water quality in the future. The Sydney Catchment Authority considers these assessments as providing a scientific basis for the effective planning and management of the water quality of the catchments.

The aim of the Strategic Land and Water Capability Assessment is to provide input into relevant local planning frameworks in order to protect the water quality within Sydney's drinking water supply catchments. The drinking water catchments are subject to the *Drinking Water Catchments Regional Environmental Plan No. 1 (which repealed SEPP 58 – Protecting Sydney's Drinking Water Supply)*.

The assessment defines *capability* as the ability of land to support a type of land use without causing damage (KBR 2003). The level of capability for a given land use class at a

particular location was rated according to five distinct classes that define the relative capability of a site to support a given land use.

Key elements that determine the level of capability for a particular land use include hazard and opportunity. These elements are considered in a risk based framework where a parcel of land is considered to have a high capability for a given land use if this land use represents high development opportunity with a low hazard at this location. Conversely, capability is considered to be low if a land use represents a low opportunity and high hazard for a given location.

The report identifies that the physical characteristics of the sub-catchments addressed in the Study constrain the opportunity for development of several of the land uses within the study area. The land use with the most significant constraints included industrial land uses. Although there are few broad limitations associated with most of the other land uses considered included commercial and residential, there are a number of relatively isolated areas where significant constraints exist. For example, opportunities to develop mining in close proximity to existing urban land uses has significant constraints as does pasture in areas prone to flooding or where the existing land use is primarily native vegetation.

The key drivers limiting the opportunity for industrial land uses were groundwater recharge areas and existing native vegetation. The largest area where the opportunity for most land uses is limited coincides with potential acid sulphate soils, native vegetation and soils prone to flooding in the eastern portions of the sub-catchments. Slope is a significant limiting factor for roads throughout the sub-catchments. Opportunities for mining are only limited by its proximity to sensitive land uses.

As the new Upper Lachlan Local Environmental Plan will primarily reinforce existing uses and promote further large lot residential and rural small holdings, it is unlikely that a significant departure from the assessment findings would occur for areas within the Upper Lachlan affected by this assessment.

### **3.2.12 State Infrastructure Strategy 2008 – 2018**

The State Infrastructure Strategy identifies the funding requirements needed to finance future infrastructure, and maps the provision of this infrastructure throughout New South Wales. Importantly for the Upper Lachlan Local Government Area, this Strategy identifies the proposed Taralga sewerage upgrade in 2009.

## 4. Local planning context

### 4.1 Upper Lachlan Local Environmental Plans

Prior to amalgamation, the Upper Lachlan consisted of three local government areas: all of Crookwell and part of the Gunning and Mulwaree local government areas. The boundaries of the three former areas in relation to the current Upper Lachlan boundary are shown in Figure 4-1. Three local environmental plans currently apply to the Upper Lachlan. These are the:

- *Gunning Local Environmental Plan 1997*
- *Crookwell Local Environmental Plan 1994*
- *Mulwaree Local Environmental Plan 1995.*

Below is an outline description of each of these local environmental plans.

#### 4.1.1 Gunning Local Environmental Plan 1997

The *Gunning Local Environmental Plan 1997* applies to the area covered by the former Gunning local government area (refer to Figure 4-1.). It has three land use zones: the *1(a) Rural zone*, the *1(c) Rural (small holdings) zone* and the *2 Village zone*.

The objectives of the 1(a) zone are to encourage the use of rural land for agriculture, maintain the rural character of the area, ensure an appropriate intensity of development, minimise fragmentation of rural land and service provision, and ensure soil and water quality are maintained and protected. Agriculture and aquaculture are permissible without consent in this zone.

When subdividing land zoned 1(a), Council must be satisfied that it has considered for each lot:

- whether there is an adequate water supply
- whether there are the required services
- any natural hazards
- the effect on water quality and riparian vegetation
- that the development will not contribute to ribbon development
- minimisation of impacts on agricultural uses.

Where an allotment is being created for agricultural purposes it can be of any size. However, where a dwelling is being erected, or where an existing dwelling is located, each allotment must be at least 80 hectares. Erecting a dwelling in land zoned 1(a), can only occur with Council approval on land having a minimum 80 hectares or land being a vacant existing holding.

The 1(c) zone seeks to make land available for small holdings or hobby farms and to allow other developments that are compatible with small holdings or hobby farms. This zone also aims to maintain soil and water quality, permit the use of rural land with urban facilities, ensure the type and intensity of development is appropriate, and ensure residential



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**Previous LGA boundaries**

- Former Crookwell Shire
- Former Gunning Shire
- Former Mulwaree Shire

- Town
- Village
- Rail line
- Highway
- Main road
- Drainage
- Upper Lachlan LGA



0 10 20 Km



development is in harmony with rural land uses. As with the 1(a) zone, only agriculture and aquaculture are permissible without consent.

When subdividing land zoned 1(c) (applicable to Breadalbane only), each allotment must have an area of at least two hectares. When assessing subdivision applications, Council must consider:

- the suitability of the land for future urban development
- whether it is possible to construct a dam on each allotment and whether each allotment has a minimum dam catchment area sufficient to ensure a 1-in-10 year drought reliability
- the location of dwellings and how they complement each other and conform to the topography of the land
- whether the subdivision design minimises direct access to arterial roads
- where connection to sewer is not possible, the capability for on-site disposal without adversely affecting ground or surface water quality
- any other impacts on water quality, land degradation, habitat destruction and other environmental effects that may result from development.

Council may consent to development that would result in a dual occupancy in zones 1(a) or 1(c) only where: a dwelling can or has already been lawfully erected; the development will not interfere with the primary purpose of the land; no additional access to a public road is required; and domestic wastewater can be disposed of within the boundaries of the land.

The objectives of the *Village 2 zone* include maintaining the predominantly residential character and service function of villages, and ensuring that development is compatible with village character and amenity. All development in the *Village 2 zone* requires consent.

When subdividing land zoned *Village 2*, any unsewered allotments created in this zone must be suitable for on-site disposal of wastewater based on a soil analysis. Council may also consent to dual occupancy development on land within a *Village 2 zone* that is unsewered. However, consent will only be granted where Council is satisfied that on-site disposal of wastewater is possible.

The LEP also states that Council must not consent to the development of land contained within the Sydney Water Outer Catchment Area if Council is of the opinion that the proposed development will adversely affect Sydney's drinking water catchment. This clause reflects the existence of the *Drinking Water Catchments Regional Environmental Plan No. 1*, which applies to a small part of the former Gunning Local Government Area governed by *Gunning Local Environmental Plan 1997*.

#### **4.1.2 Crookwell Local Environmental Plan 1994**

The *Crookwell Local Environmental Plan 1994* applies to the area covered by the former Crookwell LGA (refer to Figure 4-1). The Plan has the following seven land use zones: 1(a) *General Rural*, 1(c) *Rural Environmental Protection*, 1(d) *Rural Small Holdings*, 2(v) *Urban*, 5(w) *Special Uses Water Catchment*, 7(d) *Environmental Protection State Recreation Area* and 8 *National Parks and Nature Reserve*.

The objectives of the 1(a) zone are to protect, enhance and conserve: agricultural land, forests for commercial timber, valuable mineral deposits, environmentally sensitive areas,

water resources, places of significance for nature conservation, archaeological and heritage places, and buildings. It also aims to discourage further subdivision and encourage the consolidation of existing agricultural landholdings; control inappropriate development; and provide for future urban, rural residential and non-agricultural development. Land used primarily for agricultural purposes is permissible without consent.

Before granting consent for a subdivision within land zoned 1(a) and 1(c) Council must:

- ascertain the main purpose for which each allotment is to be used
- identify any allotment that is intended to be used primarily for agriculture
- identify any allotment on which it is intended to erect a dwelling and ascertain whether building a dwelling is the main reason for creating the allotment
- ascertain the approximate location of any dwelling on the land.

An allotment may be of any size for agricultural purposes if there is no existing dwelling. Where there is an existing dwelling and the land is being created for the purpose of agriculture, the allotment must have a minimum area of 80 hectares.

On land zoned 1(a) where a dwelling is proposed, the land must be: greater than 80 hectares and part of a subdivision consented to by Council, or a vacant existing holding.

Previous provisions relating to concessional lots were removed by the gazettal of SEPP (Rural Lands) 2008 in May 2008.

Additional dwellings may be erected on land zoned 1(a) for the purpose of rural workers' dwelling houses on land which is greater than 80 hectares and where there is already a dwelling erected on the land. Dwellings must intend to house rural workers who are employed on the property and the nature of the agricultural activity requires resident rural workers.

The 1(c) zone aims to provide a 400 metre wide buffer zone around Lake Wyangala foreshores to protect waterways and complement the rural zone objectives. Agriculture is the only development permissible without consent in this zone.

The objective of land zoned 1(d) is to promote development of land identified as suitable for rural residential or hobby farm development and allow for other compatible uses. Agriculture (other than intensive livestock establishments) is the only development permissible without consent in this zone.

Land zoned 1(d) may be subdivided only where each allotment created will have an area of at least 2 hectares. However, dwelling houses may be erected on land within the 1(d) and 2(v) zones where the land has a minimum area of 0.4 hectares (1 acre). For 1(d) zoned land, Council must take the following factors into account:

- land capability
- natural constraints
- hazards affecting the land
- whether a range of allotment sizes would be desirable
- whether services can be provided economically to the land
- whether effluent can be safely disposed of on-site.

The *Urban 2(v) zone* aims to: promote development in existing towns and villages in such a way that is compatible with their residential and servicing functions.

Dwellings within the *Urban 2(v) Village Zone* in Crookwell require a minimum allotment size of 650 square metres and must be connected to a reticulated water supply and sewer servicing the allotment. The Council may approve the on-site disposal of effluent and the use of tank water if the allotment has an area of 2 hectares or more. Development for the purposes of a dual occupancy is permissible on any land that a dwelling house may be erected, however, Council must not grant consent to dual occupancy on land zoned *Urban 2(v)* unless the land has an area of at least 400 square metres and is connected to a reticulated water supply and sewer servicing the allotment.

The objective of the *Special Uses Water Catchment 5(w) zone* is to protect land which is designated as being part of a water catchment area. Development that is ordinarily incidental to a water catchment and recreation requires development consent and all other forms of development are prohibited.

*Environment Protection Zone 7 (d)* is designed to identify and protect land within the Grabine Lakeside State Park. No development is permitted without consent within this zone.

The *National Parks and Nature Reserves Zone 8* aims to identify land which is reserved or dedicated under the *National Parks and Wildlife Act 1974* and to enable the management and appropriate use of that land as provided for in the *National Parks and Wildlife Act 1974*.

Development allowed without development consent within this zone only includes development authorised by the *National Parks and Wildlife Act 1974*.

### **4.1.3 Mulwaree Local Environmental Plan 1995**

The *Mulwaree Local Environmental Plan 1995* applies to the area covered by the former Mulwaree local government area (refer to Figure 4-1). Of the 11 land use zones of the Plan only the *1(a) General Rural*, *7(a) Environmental Protection – Water Catchment*, *7(b1) Environmental Preservation* and *8 National Parks and State Recreation Areas* zones apply.

The objective of the *1(a)* zone is to conserve and enhance agricultural land, soil stability, the commercial value of forests, mineral deposits, trees and other sensitive vegetation, whilst minimising fragmentation of rural land and preserving land for future urban development.

Allotments for a dwelling house on land zoned *1(a)* must be greater than 40 hectares. Previous provisions relating to concessional lots were removed by the gazettal of SEPP (Rural Lands) 2008.

In addition, the Council shall not consent to the creation of an allotment less than 100 hectares, if it is within an area that cannot be economically serviced by a reticulated electricity supply.

Additional workers' dwellings may be erected on land zoned *1(a)* for the purpose of rural workers' dwellings for each 40 hectares of land that has an area greater than 80 hectares. This is provided that no additional access is required and it does not interfere with the purpose for which the land is being used.

The objective for land zoned *2(v)* which applies to Taralga, is to promote and allow future development that is compatible with the urban function of existing towns and villages by ensuring orderly and efficient use of land and infrastructure, improving the amenity of

residential, commercial, civic and community uses and conserving the buildings, landscape features and streetscape features that contribute to Taralaga's character and identity.

Council may consent to the subdivision of land zoned 2(v) if the land has an area of at least 1,500 square metres.

Council may consent to dual occupancy if the area is at least 3,000 square metres. Strata subdivision is prohibited.

## 4.2 Current issues with the Upper Lachlan Local Environmental Plans

A variety of issues have been identified that relate to the operation of the existing local environmental plans. This Section identifies a range of clauses that have been addressed in the comprehensive local environmental plan for the new Upper Lachlan local government area. Many of the issues have been addressed through implementation of the Department of Planning's Standard Instrument provisions together with provisions specific to Upper Lachlan. Selected issues include:

- Objectives of the current local environmental plans refer to minimising costs of fragmented and isolated development, however, creation of 40 and 80 hectare lots and concessional lots are currently resulting in land fragmentation and adversely affecting agricultural viability, without sufficient assessment of broader land use impacts.
- Rationalisation of zoning controls is required to promote consistency in land uses within towns and villages and security for future growth areas.
- *State Environmental Planning Policy No. 60 – Exempt and Complying Development* applies to the region. This has been largely working effectively and similar provisions should be maintained. To date, there has only been a small amount of complying development.
- Small agricultural-related businesses should be permissible on rural zoned land to enable farmers to sell their produce on their property.
- Small rural holdings have had limited success as these areas are surrounded by conflicting land uses. Minimum lot sizes for small rural holdings and surrounding land uses have been reviewed to enable these land uses to be more successful.
- Currently the 2(v) zone is permitting mixed uses, rather than predominantly residential uses. This zone could potentially change for the larger urban areas to a traditional mixed use zone, enabling better control over commercial and residential development. The boundaries for any such zone need to be clearly defined to differentiate between the mixed and residential land uses.
- A minimum lot size for both serviced and unserviced lots (for rural and residential development) has been provided in the new draft local environmental plan. Minimum lot sizes need to be carefully considered to ensure they are large enough to allow for the on-site disposal of sewage and water storage. Site-specific assessment criteria should be considered in determining minimum lot sizes for unserviced lots.
- The identification of whether a parcel of land has a dwelling entitlement can often be difficult due to the age of records and accessibility to these records. A simplification of this process has been provided.

- Applications for dual occupancy and rural workers' dwellings need to be carefully considered due to the impacts of these additional dwellings. Dual occupancy and rural workers' dwellings often contradict Council's attempts to limit new residential development, particularly in rural areas.
- The provision relating to development near zone boundaries has been used in an adhoc fashion as an alternative to rezoning land. It is not proposed to include this provision in the Upper Lachlan Local Environmental Plan.

## 4.3 Development Control Plans

Development control plans (DCPs) provide supporting detail to local environmental plans and may apply to a specific site or a whole local government area. Council can use a DCP to identify development as advertised development, to provide additional notification or advertising requirements for particular developments, or to identify matters which Council must consider when making orders in addition to the matters listed in other regulations. Recent amendments to the *Environmental Planning and Assessment Act 1979* mean that only one DCP can now apply per site. Many councils are now updating and consolidating their DCPs to comply with this requirement.

As a result of the amalgamation, Upper Lachlan Council has a large number of DCPs. Many of these DCPs used to apply to the whole local government area, rather than specific parts of it.

Listed below are the DCPs that apply in the Upper Lachlan local government area.

### 4.3.1 Crookwell Residential Development of Rural Lands DCP

This DCP specifies the residential development requirements for land zoned 1(a). The land must be at least 80 hectares, un-subdivided and without an existing dwelling, and the proposed dwelling must be ancillary to the primary purpose of the land. For land zoned 1(c) to be eligible for a dwelling entitlement, it must be at least 80 hectares, and must not have an existing dwelling or be approved with dwelling entitlements prior to the release of the *Crookwell Local Environmental Plan 1994*. For land zoned 1(d) to be eligible for a dwelling entitlement, the existing lot must have an area not less than 0.4 hectares (1 acre) and any new lots that are subdivided must be at least two hectares.

Subdivision in land zoned 1(a) and 1(c) can be any size for the purpose of agriculture. If the land has a dwelling entitlement, or where there is an existing dwelling, the minimum size is 80 hectares. Due to concessional lots, lots less than 80 hectares may be subdivided and Council may consent to the purpose other than agriculture if the lot is appropriate.

Concessional lot provisions no longer apply.

### 4.3.2 Crookwell Residential Development DCP

This DCP provides the development standards for dwellings in Crookwell. It specifies a maximum height for residential zones, garage requirements and the colours of proposed dwellings. Requirements for the alteration or development of heritage buildings are specified in addition to a list of items that are prohibited in residential areas.

### **4.3.3 Mulwaree Dwelling Houses and Class 10 Buildings DCP**

This DCP provides development standards for dwellings, including the developable area, sunlight requirements, visual privacy, heights, setbacks and density. Standards for sheds are also provided. The building materials for sheds, maximum window areas, width of doors and items that are prohibited in shed developments are also listed.

### **4.3.4 Mulwaree Rural Subdivision for Dwelling Houses DCP**

This DCP applies to dwelling houses that are in land zoned 1 (a), 1(b), 7(a) or 7(b). The DCP states the minimum area required for subdivision and the minimum area of lots that can be created.

Areas located in the above zones can have lots of at least 100 hectares within a designated area shown on the local environment plan map, or lots of 40 hectares outside of the designated area shown on the map. Dwelling houses in land zoned 1(c) can create lots of at least 2 hectares, and lots of at least 1 hectare, provided that the average of all of the lots is 2 hectares. No more than four lots can be located in a cluster, and each lot must face a public road. All roads must be 20 metres wide and any battle-axe lots must adhere to the minimum area requirements.

### **4.3.5 Mulwaree Poultry Farm DCP**

This DCP specifies that poultry farms are designated development when they are within the catchment areas identified by the *Sydney Water Catchment Management Act 1998*. The DCP lists development standards for poultry sheds, including minimum lot sizes, separation distances, building standards for sheds, and provisions for the disposal of litter.

### **4.3.6 Wind Power Generation DCP**

This DCP was prepared to guide the location of future wind farms within the Upper Lachlan and to provide proponents with the minimum requirements for the design and assessment phases.

The DCP was prepared in light of growing interest in constructing wind farms across the Upper Lachlan, including the Crookwell II wind farm approved in June 2005 and Taralga wind farm approved in January 2006 (subsequent to the preparation of this DCP), and a recent proposal for a further wind farm at Cullerin.

## **4.4 Environmental Planning Policies**

### **4.4.1 Crookwell Right to Farm Policy**

Legitimate rural and agricultural uses on rural land in Crookwell are supported under this Policy. Any action that interferes with the legitimate rural and agricultural use of land is not supported. The Policy lists legitimate rural and agricultural uses of land.

### **4.4.2 Crookwell A Framed Advertising Structures Policy**

This Policy provides the size limits for any advertising signs, and identifies locational characteristics that determines where advertising signs may and may not be located and

when they can be displayed. Approved signs must be inspected by Council, and each application for a sign must include the correct public liability requirements.

#### **4.4.3 Crookwell Local Approvals Policy**

This Policy lists the activities for which Council approval is required, it also lists exemptions from this clause and relevant requirements.

#### **4.4.4 Gunning Development and Construction Policy**

This Policy lists all of the building requirements for the construction or alteration of a dwelling in Gunning. It includes a table of all of the fees relevant to development applications, building and construction certificates, and costs.

#### **4.4.5 Gunning Development – Verandah Reinstatement Program Policy**

The Policy aims to grant fee exemptions for verandah and shopfront restorations in Gunning through Council's Heritage Assistance Program. Under this Policy Council transfers development and construction application fees to those applicants that wish to reinstate their verandahs or restore their shopfronts. Applicants may also qualify for additional assistance under the Gunning Heritage Assistance Program.

#### **4.4.6 Gunning Dual Occupancy Policy**

This Policy is similar to the *Mulwaree Guidelines for Dual Occupancy*. The Policy specifies that lands within which dual occupancies are permissible and identifies land where dual occupancies may not be erected. The Policy lists requirements for the on-site disposal of wastewater, which must be met before a dual occupancy is approved.

#### **4.4.7 Gunning Developments – Encouragement of Suitable Developments within Gunning Shire**

This Policy aims to encourage developments within the Gunning local government area. Council may consider waving general ordinary rates on a subject development allotment for a period of 5 years after a full investigation by Council staff. Council may also provide works at least subject to the employment of five people for a minimum 18 months, in order to encourage developments in Gunning.

#### **4.4.8 Gunning Development and Building Applications – Referral to the National Trust Policy**

With the discretion of the General Manager of Council, Development Applications within heritage conservation areas are referred to the National Trust for comment, and Council must consider these comments. This Policy lists the requirements that Council should aim to achieve and follow when determining applications, including consistency between applications and the landscape, and that Development Applications are treated confidentially if requested by the applicant.

#### **4.4.9 Gunning Television and Production Shoots Policy**

This Policy provides a framework for Council to manage film production shoots in public areas. It outlines the responsibilities of the production companies, as well as the matters which Council must consider where approving the activity.

#### **4.4.10 Establishment of New Industries in Gunning Shire Policy**

This Guideline aims to assist in the processing of Development Applications relating to employment uses in the Gunning Shire. Priority is given to any Development Applications which will result in job creation.

#### **4.4.11 Gunning Land – Subdivisions (Developer) Policy**

This document establishes Guidelines to be fulfilled prior to the release of linen plans. Council requires that the conditions of consent and the subdivision checklist are both completed before the applicant requests the release on linen plans.

#### **4.4.12 Gunning Development – Government Bodies Conditions Policy**

This Policy/Guideline states that the Gunning Shire Council must impose all conditions on government developments that would normally be imposed on private developments.

#### **4.4.13 Gunning Transportable / Relocatable Buildings – New and Previously Constructed Policy**

This Policy/Guideline provides the framework within which the Gunning Shire Council can permit the relocation of a building from one site to another. The Policy lists the requirements required in order to relocate a building.

### **4.5 Environmental planning guidelines**

#### **4.5.1 Crookwell Guidelines for Poultry Farm Development**

These Guidelines specify where poultry farms are permissible in Crookwell and whether they are classified as designated development. Location guidelines are included. Examples include the prohibition of poultry farms within 100 metres of a water body, within a drinking water catchment, within 500 metres of another poultry farm, and below a minimum area of 80 hectares.

The Guidelines specify the development standards for sheds, including distances from neighbouring properties, roads and other dwellings.

#### **4.5.2 Gunning Poultry Farm Development Guidelines**

These Guidelines were prepared to assist the land owners or applicants of poultry farm developments in Gunning. The Guidelines identify potential environmental effects to be addressed, separation distances, transport provisions to be satisfied, Section 94 contributions, government agencies that have to be consulted, and whether an environmental impact assessment is required.

### **4.5.3 Mulwaree Guidelines for the Keeping of Pigs**

Under these Guidelines, development consent is required for pig keeping in Mulwaree if there are more than 200 pigs or 20 breeding sows. In addition, if the property is located within 100 metres of a water body, in an area of a high watertable, on steep land, within a drinking water catchment, on a floodplain, within 5 kilometres of a residential zone, or has more than 2,000 pigs, it is classified as designated development. The Guidelines specify separation distances for piggeries, drainage, manure disposal and building materials for sheds.

### **4.5.4 Mulwaree Guidelines for Rabbit Farming and Processing**

Rabbit farming and processing is classified as designated development in Mulwaree if more than 300 kilograms of live weight per day are processed. Also, if the site is located within 100 metres of a water body, areas with a high watertable, on steep land, within a drinking water catchment, or within 5 kilometres of a residential zone, it will be classified as designated development.

A dwelling house will not be approved on a rabbit farm unless it was previously approved for housing by subdivision. Minimum lot sizes for farming and processing are specified, as well as separation distances from other rabbit farms, neighbouring properties, water catchments and dwellings.

### **4.5.5 Mulwaree Guidelines for On-Site Sewer Management**

These Guidelines identify environmentally sensitive areas within the Mulwaree area which must be carefully considered for any sewage management practices. Aerated wastewater treatment systems are only permissible in zones 2(v) and 1(c). Pump out stations are prohibited on residential, commercial or industrial land. Septic tanks must be inspected for environmentally sensitive areas, every 3 years.

### **4.5.6 Mulwaree Guidelines for the Notification of Development Applications**

These Guidelines specify the Development Application notification periods in Mulwaree for neighbours, newspapers and government authorities, as well as designated development. The Guidelines include a table which identifies what developments must be notified.

### **4.5.7 Mulwaree Guidelines for Identifying Integrated Developments**

These Guidelines list development in Mulwaree that is likely to comprise integrated development. They also list conditions that may also result for integrated development.

### **4.5.8 Mulwaree Guidelines for the Installation, Operation, Maintenance and Surveillance of On Site Sewage Management Facilities for Single Households**

These Guidelines identify environmentally sensitive areas within the Mulwaree area which must be carefully considered regarding any sewage management practices. Aerated wastewater treatment systems are only permissible in zones 2(v) and 1(c). The Guidelines specify how often septic tanks must be inspected and maintenance reports conducted. The

Guidelines are provided to help assist in preparing applications for approval to construct, operate and maintain on-site sewage management facilities. They also seek to ensure that the Sydney Catchment Authority can adequately assess any likely effects on water quality.

#### **4.5.9 Mulwaree Guidelines for Farm Forestry**

These Guidelines provide the development standards for farm forestry in Mulwaree. Development consent is required for farm forestry greater than 10 hectares. Bushfire protection zones must be located around the forest area, and drainage must be directed to a dam. Trucks must access the farm forestry area via an existing road, and there must be plantation management, including timeline and harvesting operations. All forestry operations must consult with the Australian Forest Growers, Department of Natural Resources and NSW State Forests.

#### **4.5.10 Mulwaree Guidelines for Rural Subdivision for Other Purposes**

These Guidelines apply to rural subdivisions in Mulwaree for purposes other than agriculture. They state that a lot of any size can be created provided that: the land is not prime crop land, agricultural production will not be adversely affected, and no other land is better suited for the proposed purpose. The demand for goods and services must be justified, all roads must be 20 metres wide, and each lot must be accessed from a public road. Minimum area requirements for battle-axe shaped lots are also specified.

#### **4.5.11 Mulwaree Guidelines for Rural Subdivision for Agriculture**

These Guidelines relate to rural subdivision for agricultural purposes in Mulwaree. Subdivision for rural purposes is allowed in any zone to create a lot of any size, provided the following conditions are achieved:

- The agricultural purpose must be identified and capable of being used for the specified purpose.
- The land must have adequate water supply and must not increase the environmental impacts or reduce ground or surface water resources.
- All road reserves must be 20 metres in width and specified area requirements for battle-axe lots must be adhered with.
- Agricultural lots can only have one dwelling entitlement where the lot satisfies the minimum requirement for dwellings under the relevant zone.

#### **4.5.12 Mulwaree Guidelines for Bed and Breakfasts and Farm Stay Establishments**

These Guidelines establish the development standards for bed and breakfast and farm stay establishments in Mulwaree. Development standards include the maximum number of residents, bathroom/toilet requirements per person, floor space requirements per person and car parking requirements. Also listed are safety and access requirements, such as fire blankets and disabled access.

### 4.5.13 Mulwaree Guidelines for Dual Occupancy

These Guidelines specify the conditions for developing dual occupancies in Mulwaree. The zones in which dual occupancies are permissible are specified, along with the minimum lot size for which a dual occupancy can be developed, and the conditions in which another dwelling can be erected on the same lot as another dwelling. Detailed development standards are listed, including separation distances, setbacks, water storage and subdivision restrictions.

## 4.6 Key planning strategies

### 4.6.1 Rural Small Holding Structure Planning Report

*The Rural Small Holding Structure Planning Report* (Richardson 2005) provides a detailed investigation of areas identified in the *Gunning Rural Small Holding Strategy* to determine the potential for growth within selected areas across the Upper Lachlan Shire, based on existing servicing and environmental constraints.

The study provides a series of recommendations relating to sites assessed as part of the Structure Planning Report. The recommendations provided have been considered as part of the overall Upper Lachlan Strategy and selected based on a number of criteria, including proximity to an existing town/village centre, environmental and land use sensitivity and rates of growth.

The study concluded that although most locations would have the potential for growth, the potential for new subdivision and dwellings within the selected areas would be very low. Any future development potential would depend on the availability of water supply and sewer infrastructure. Further investigations would be needed before any further consideration is given to rezoning land to accommodate rural residential development.

### 4.6.2 Mulwaree Settlement Strategy

Taralga and its surrounds previously formed part of the Mulwaree Shire local government area. During this time, Taralga was considered as part of the broader *Mulwaree Settlement Strategy* (Mulwaree Shire Council 2003). The basis of the Strategy was to increase the potential for rural residential development in Marulan, as it was identified that Marulan had the greatest potential for growth, given its direct access to the Hume Highway and relative distance to the Sydney Metropolitan Area.

The Strategy also addressed rural residential settlement through the introduction of 'averaging' provisions, through the rural and Environmental 7 zones, pursuant to the *Mulwaree Local Environmental Plan 1995*.

Implementation of the 'averaging' clause into the *Mulwaree Local Environmental Plan 1995* would have allowed landholders with an appropriate holding size to create small allotments, where the average area of the entire subdivision is consistent with the prevailing standard of 40 hectares.

The underlying aims of the Strategy were to:

- improve the planning process for clustered small allotments
- allow land owners to continue to create allotments

- ensure that a majority of the landholdings are maintained as large and potentially productive residual properties
- improve maintenance of rural landscapes
- better protect sensitive fauna, flora and environmentally significant areas
- protect agricultural productive lands
- secure cost-effectiveness for subdivision proponents.

The Strategy recommends that an amended *Rural 1(b) (Rural-Urban Investigation)* zone be expanded around Taralga, and other towns within the former local government area, to a 2 kilometre radius, to enable further investigation of long-term land uses. The introduction of an investigation zone would prevent potentially incompatible uses that may be proposed in the interim.

As Taralga is likely to be serviced by a reticulated sewerage system by 2009, the Strategy identified that further population growth would ensure that all infrastructure is effectively utilised. The further concentration of people in Taralga would necessitate additional social services. However, future growth at Taralga is likely to occur over a number of years, as the town is not located on the main corridor and activity of the Hume Highway. The Strategy concludes that as most of the future economic activity is likely to be focused on the Sydney–Canberra Corridor and adjoining areas, Taralga is likely to grow at a slower rate than Marulan. The report concludes that growth in Taralga is more likely to be focused on servicing the surrounding agricultural region and housing for people who want a tranquil rural lifestyle in a historic village.

#### **4.6.3 Upper Lachlan Shire Biodiversity Planning Framework**

The Biodiversity Planning Framework (BPF) provides guidance for protecting and enhancing the biodiversity values of the Shire, while accommodating sustainable development. The BPF also contributes to the preparation of the new comprehensive Local Environmental Plan (LEP) and will contribute to the management of biodiversity values across the Upper Lachlan Shire.

The BPF has identified that the Upper Lachlan Shire continues to support important conservation values including extensive areas of high and medium conservation value vegetation, key threatened species habitats, important wetlands and rivers, and important regional wildlife corridors. These conservation values are widespread throughout the Shire and occur on the full range of land tenures including private property, in national parks and nature reserves, state forest, TSRs Council owned land and on Crown Land. The BPF has also identified that these important biodiversity values are also present within road reserves, cemeteries, and on lands immediately surrounding the existing towns and villages.

In this context, the future management of biodiversity in the Shire should aim to (recognising that large areas of the Shire support agriculture and some of the recommendations of the BPF can only be achieved with support both financially and advisory, from government and with the co-operation of landholders):

- protect biodiversity
- achieve a net gain in the extent (and/or quality) of native vegetation

- increase the security of regionally significant vegetation communities and fauna habitats through a suitable reserve system, through the planning system and/or community supported programs
- recognise, support, and enhance a comprehensive network of regional biodiversity corridors that have been identified and protected
- protect riparian vegetation and waterways.

In order to facilitate these aims, the following recommendations are made with respect to principles which should be included in the LEP and DCP, and principles that should be adopted in the development assessment process, in the planning and execution of Council works, and in public education programs. Recommendations are also made with respect to priorities for future biodiversity data collection.

Recommendations from the BPF include:

- LEP Zones:
  - Outside of Villages:
    - Retention of current environmental provisions. All high conservation value (HCV) lands within lands currently zoned for Environment Protection should be zoned E2 – Environmental Conservation. This is consistent with the Department of Planning's Section 117 Direction: 2.1 Environmental Protection Zones, which applies to land within an existing environmental protection zone or land otherwise identified for environmental protection purposes, to ensure no reduction in the level of environmental protection for that land.
    - All HCV lands within lands covered by a registered on-title agreement for conservation should be zoned to reflect the objectives of the agreement to promote biodiversity conservation.
    - All HCV and medium conservation value (MCV) in water catchment areas should be zoned as E3 – Environmental Management.
    - Identified important wetlands should be zoned as E zones, with more permanent wetlands zoned E2 – Environmental Conservation.
    - Any activities that involve vegetation clearing, including Routine Agricultural Management Activities (RAMAs), should be prohibited without consent in E zones.
    - Confirmed regional corridors should be zoned as E zones.
  - Within Villages
    - Areas identified as low conservation value (LCV) should be zoned, where necessary, so as to enable higher intensity types of development *i.e.* Residential, Business and Industrial Zones.
    - Areas identified as MCV and HCV should generally be zoned as E3 – Environmental Management or higher *i.e.* E2. However, higher intensity types of development may be considered where biodiversity values are not compromised or are appropriately offset.
- LEP Provisions:
  - The following recommendations are made with respect to planning provisions that should be incorporated into the new LEP:

- Any activities that involve vegetation clearing, including RAMAs, should only be permissible with Council consent in E zones.
  - Any activities that involve vegetation clearing, including RAMAs, should only be permissible with Council consent in areas affected by environmental overlays *i.e.* HCV, MCV, regional corridors, riparian corridors and buffers, and areas surrounding known threatened flora species records.
  - Extensive agriculture should generally be excluded from E2 zones. E3 can support occasional grazing, beekeeping *etc.*
  - The Tree Preservation Order (TPO) should be revised to ensure that in zones that are excluded from the TPO, all clearing of native vegetation (other than in specified situations *i.e.* farm forestry, wind breaks) be covered by the TPO and require consent where this is not already prescribed by the *Native Vegetation Act 2003*.
- DCP Provisions:
    - The following recommendations are made with respect to the principles that should be included in any DCP that covers areas identified as E zones or affected by environmental overlays:
      - All native vegetation in medium or high condition should be retained and protected.
      - Hollow-bearing trees and other important habitat resources, *i.e.* known or potential feed trees for Glossy Black Cockatoos, should be retained and protected.
      - Conservation reserves, native vegetation and important habitat resources should be appropriately buffered from development and associated activities.
      - Guidelines should be developed for the management of land uses/activities in areas identified as supporting HCV or MCV.
      - Environmental weeds, as part of landscape and rehabilitation plans, should not be permitted in any lands that are known to support HCV or MCV.
      - A list of environmental weeds within the Upper Lachlan Shire should be developed.
      - Wherever possible development and activities should be designed to achieve net improvements in biodiversity values *i.e.* through the protection and enhancement of MCV, HCV and the enhancement of local and regional corridors.

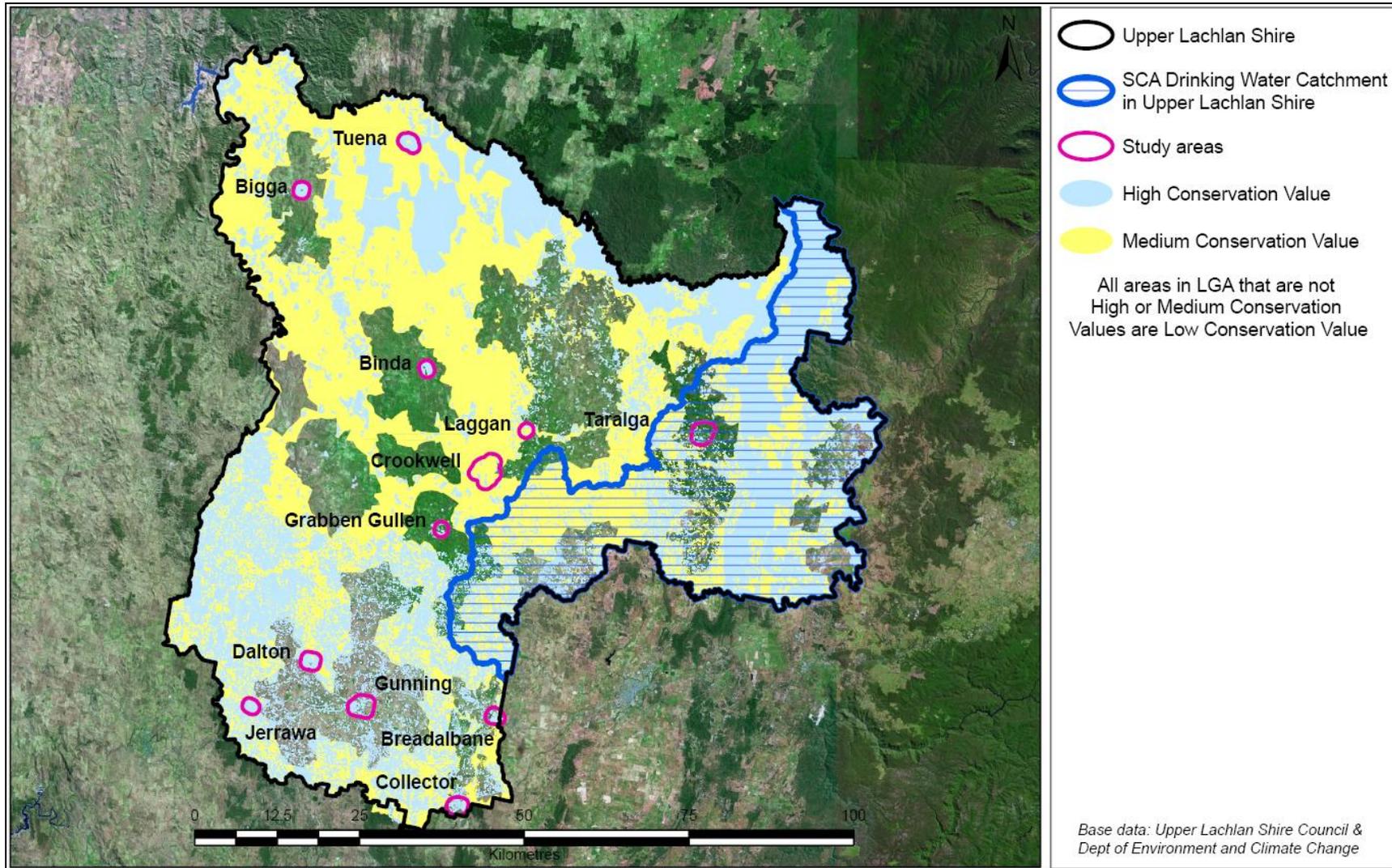
Figure 4-2 maps the conservation significance assessment undertaken as a part of the BPF. The BPF has also been included at Appendix D.

## 4.7 Summary

Local plans and strategies provide a well-documented framework that identify key issues facing the Upper Lachlan, including responses to urban growth and development issues.

Local plans and policies prepared prior to amalgamation of the in 2004 remain relevant to the future planning of the Upper Lachlan. A key issue for the Strategy is the need to consolidate available data relating to Upper Lachlan, including relevant State and Regional plans and policies and establish a sensible planning and land use outcome that will appropriately direct future growth. Many of the issues and objectives raised in the earlier plans for the Upper Lachlan's future development remain relevant. These include:

- Protecting the viability of the local agricultural economy by eliminating highly productive agricultural lands from urban development.
- Conserving the landscape character and scenic quality of the Upper Lachlan by sensitively accommodating (or avoiding) development on ridgelines.
- Facilitating urban development in the areas that allow urban infrastructure services to be provided in a cost-efficient manner.
- Reserving land to facilitate the provision of key infrastructure that will be required by urban communities in the future.
- Creating new urban areas with a sense of 'community' and locally available key services.
- Locating urban development away from areas affected by hazards, including risks of flood, fire, erosion, slip or subsidence.
- Accommodating living opportunities on less productive rural lands, and in locations which would not detract from the cost-effective provision of urban residential living opportunities by diluting minimum population thresholds.
- Maintaining the primary and economic viability of Crookwell as the main commercial and industrial centre.
- Promoting new employment in new industrial areas within Crookwell.
- Safeguarding important heritage and ecological assets in any land use and development decisions.
- Overall, ensuring that the development of land is carried out in as orderly and efficient manner as possible, with reference to the principles of ecologically sustainable development.



**Figure 4-2 Conservation Significance Assessment**

Source: Upper Lachlan Shire Biodiversity Framework

## 5. Community and stakeholder involvement

This Section provides a summary of the community and stakeholder involvement in the preparation of the Upper Lachlan Strategy. A full description of consultation activities and results is included at *Appendix B – Upper Lachlan Strategy – 2020 Community and Stakeholder Consultation* (PB 2005).

### 5.1 Consultation approach and program

The Community and Stakeholder Involvement Program was a major component of the overall planning approach for the Upper Lachlan Strategy, with consultation activities integrated into each stage of the project. The Program focused on community, regulatory and Council stakeholders and communication with Upper Lachlan Council.

A Community and Stakeholder Involvement Plan was developed in the initial stages of the project. The Plan identified the communication objectives and protocols for community and stakeholder involvement, and established a framework for undertaking community visioning activities to inform the strategic planning process for the Upper Lachlan Strategy.

The Plan provided an outline of how Upper Lachlan Council and PB would work in partnership to undertake the stakeholder involvement activities throughout the project. The Plan was able to be modified once the consultation activities commenced, in order to meet stakeholder expectations and allow input into the strategic planning process.

PB was responsible for coordinating the Community and Stakeholder Involvement Plan, which included managing and assisting Council in delivering the Plan. The Plan identified the preferred approach for Upper Lachlan Council and PB to liaise with the community and stakeholders, ensuring a collaborative approach. Individual community and stakeholder liaison responsibilities and tasks were identified for Council and PB staff members of the project team. The Plan outlined the framework for communication systems, processes and procedures, including all aspects of how the process would interface with the community and stakeholders.

The Community and Stakeholder Involvement Plan identified the need to engage all stakeholders, including community, regulatory and Council stakeholders throughout the project, to ensure that locally relevant issues were identified and reflected in the Upper Lachlan Strategy. Implementing a coordinated and consistent approach to project communication helped to ensure a robust and transparent community and stakeholder involvement process. As a result, the Strategy preparation process has been strengthened through a process of community involvement, which allowed community values to be aligned with strategic priorities.

### 5.2 Consultation objectives

The aim of the Community and Stakeholder Involvement Program was to ascertain the values, visions, ideas and requirements of project stakeholders during the preparation of the Upper Lachlan Strategy. Primarily, the Program identified key issues that stakeholders recognised as important and warranted consideration during the Strategy preparation process. Consultation with stakeholders (including the community) occurred throughout the project to ensure locally relevant issues were addressed in the Strategy. The Community

and Stakeholder Involvement Plan established a framework for participation and communication with project stakeholders. It included the requirements for information dissemination, government discussion, community participation and issues management.

The objectives of the Plan were to:

- create stakeholder and community awareness of the Upper Lachlan Strategy
- create working relationships with project stakeholders, including the community, by encouraging widespread involvement and understanding of project outcomes
- identify and understand stakeholder and community issues, values and needs
- build the Council's capacity to undertake community consultation activities for this and future projects
- consider and utilise stakeholder and community values, visions, priorities and ideas as the basis for developing the Strategy.

### 5.3 Consultation activities

A summary of key activities undertaken as part of the community and stakeholder consultation program included:

- preparation of a stakeholder and issues database
- planning policy analysis bus trip
- issues identification workshop
- community visioning skills training
- community visioning workshops (Crookwell, Gunning and Taralga)
- targeted focus sessions
- project email address
- project publicity (newsprint, radio, internet)
- project steering committee meetings
- newsletters

More detail on each of the consultation activities including outcomes is provided in the *Upper Lachlan Strategy – 2020 Community and Stakeholder Consultation* (PB 2005).

### 5.4 Key consultation outcomes

The project achieved the consultation outcomes through many key stages and activities (as identified in *Section 5.3*). A wide range of visions, ideas, values and key issues which needed to be addressed in the Strategy to ensure it is locally relevant were identified.

Key consultation outcomes from the community and stakeholder involvement process included the identification of a broad range of issues relating to the whole local government area. Table 5-1 identifies issues specific to Upper Lachlan Council area and the approach taken by the Upper Lachlan Strategy to address individual issues.

**Table 5-1 Community and stakeholder issues**

<b>Rural land issues</b>	
▪ concessional lots/alternatives	▪ natural resource management
▪ development standards for rural dwellings	▪ protection of prime agricultural land
▪ need to reduce fragmentation of rural land	▪ minimum lot sizes for rural land uses
▪ amalgamation of rural land	▪ bushfire preparedness
▪ rights to farm should prevail over land use conflicts	▪ rural 'lifestyle' verses traditional farming
▪ rural decline/decreased primary production	
<b>Rural residential development issues</b>	
▪ reduce ad hoc subdivision by creating designated areas for rural residential development	▪ clustering of rural residential lots is more cost-effective when services are provided
▪ transitional lots	▪ buffer zones between conflicting land uses
▪ self-sufficiency for rural residential lots	▪ on-site effluent disposal requirements
▪ control ribbon development and sprawl	▪ threat to rural attractiveness
▪ limit the number of bores in rural residential areas	▪ subdivision may lead to homogenisation of landscape
▪ retain the rural character of towns and villages	▪ high demand for rural subdivision
▪ Urban development issues	▪
▪ need to establish town boundaries to control development	▪ designated employment and industrial areas
▪ need for designated industrial land outside of village area	▪ buffer zones for industrial areas
▪ controlled land re-zoning — not sporadic	▪ heavy vehicle bypass for Crookwell in next 15–20 years
▪ strengthening main street (e.g. through landscaping)	▪ decline in services
▪ increase kerb and guttering	▪ provide more parks and recreation areas
<b>Urban development issues</b>	
▪ rate incentives to attract new businesses to town	▪ controlled infill development
▪ consolidated rural residential areas	▪ height and density controls
▪ minimum lot size for residential development	▪ protection of heritage
▪ new development sympathetic with heritage	▪ no mock heritage
▪ encourage 'green' developments	▪ sealed local roads
▪ improved road network	▪ increase public transport to town centres
▪ water shortages	▪ plan for recycling water
▪ weed management	▪ wind farms and turbines

<ul style="list-style-type: none"> <li>▪ absentee land owners</li> </ul>	
<b>Social services/infrastructure issues</b>	
<ul style="list-style-type: none"> <li>▪ population increase</li> </ul>	<ul style="list-style-type: none"> <li>▪ establishment of aged care facilities</li> </ul>
<ul style="list-style-type: none"> <li>▪ improvements to critical infrastructure and services:             <ul style="list-style-type: none"> <li>▸ frequent electricity blackouts</li> <li>▸ lack of natural gas</li> <li>▸ more water storage required</li> <li>▸ increase sewerage and water facilities for new developments</li> <li>▸ lack of sealed roads</li> <li>▸ improve mobile phone coverage</li> <li>▸ increase broadband internet coverage</li> <li>▸ increase TV reception coverage</li> <li>▸ capacity of infrastructure to accommodate for population growth</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ skills shortage — more medical staff required</li> <li>▪ distance to travel to specialist medical services</li> <li>▪ poor telecommunications and access limit emergency services</li> <li>▪ inability to retain young people in the area</li> <li>▪ encouraging economic activity to the area</li> <li>▪ employ an Economic Development Officer</li> <li>▪ encourage more jobs — industrial, commercial and tourism</li> <li>▪ encourage population growth</li> </ul>
<ul style="list-style-type: none"> <li>▪ establish tourist drives</li> </ul>	<ul style="list-style-type: none"> <li>▪ limited tertiary education facilities</li> </ul>
<ul style="list-style-type: none"> <li>▪ crime (e.g. vandalism)</li> </ul>	<ul style="list-style-type: none"> <li>▪ encourage tourism by making the area more attractive (e.g. seal roads, more accommodation options, promote heritage)</li> </ul>

## 5.5 Community visioning statements

Community ‘visioning’ was used to manage community involvement in the project. Visioning is a tool used to encourage a holistic and integrated approach to planning and policy-making.

A series of visioning workshops were held in June 2005 to bring the community together to explore its sense of place, identity and purpose. The process initiated an open dialogue with local people to: identify their community values and aspirations for the future, reflect on emerging trends and issues, envision future directions, and develop actions to realise the desired vision.

The visioning process was used to actively involve the local community in the planning process to identify values, visions and actions to provide direction to the Upper Lachlan Strategy. The visioning process focused on big picture goals and visions, rather than immediate problems and needs. It was structured as an energetic, hands-on process, oriented towards future action. It was designed as an empowering process for widespread community involvement.

A series of outputs were obtained from the first series of workshops through the use of visioning techniques to define community perspectives on the area for the future. The outputs were used to develop future direction statements for Upper Lachlan. These statements were constructively used in the development of the Strategy.

Future direction statements identified during the visioning workshops by the workshop attendees are detailed in the following Sections.

### 5.5.1 Crookwell

Future direction statements identified for the Crookwell area were:

- Crookwell/Narrawa/Wheeo: A happy relaxed family oriented community with a balanced age profile, good local facilities (health, sporting and comfortable cemetery), nice streets, gardens, fresh air, maintenance of a rural atmosphere, prosperous businesses and tourism enhancing the village atmosphere, and good roads and communications.
- A happy, growing and prosperous area that is inviting for all with a sustained rural outlook. A busy and thriving town area with craft, antique and tourist places.
- An area that recognises, respects and preserves the identity of all localities that make up the Upper Lachlan local government area.

### 5.5.2 Gunning

Future direction statements identified for the Gunning area were:

- Gunning has preserved the treasures of the past, but progressed without sacrificing or eroding the environment and its community values. We promote viable commercial activities, social infrastructure and cultural sensitivity. We have planned for growth and our strategies are forward reaching.
- A community that uses environmentally sustainable transport and resources, and allows for well planned, controlled development on appropriately zoned land, whilst protecting and enhancing prime agricultural land and promoting tourism as a new industry for the area.
- Gunning should be a community with strong rural values and amenity, with a good road network (bitumen) linking our towns to Crookwell, Taralga, Boorowa, Collector, South Coast and Bathurst. Emphasis on aged care, employment opportunities and serrated tussock eradication should be paramount.
- Our vision for Gunning is a town that is successfully balancing its rural heritage with population and commercial growth, and which fosters a strong sense of community and respect for the old and new.

### 5.5.3 Taralga

Future direction statements identified for the Taralga area were:

- A town full of positive people, surrounded by green hills, with excellent tourism development, employing local people, whose children go to school in Taralga. The heritage value of the town has been preserved and recreation is available for all. Agriculture is the dominant land use.
- A united Upper Lachlan local government area with infrastructure to suit the existing rural lifestyle and pursuit, integrated with new residents on smaller holdings, who will share in the sustainable development of the region.
- Being a region easily accessible to both Canberra and Sydney it is inevitable that a reduction of large acreage landholdings will occur. A carefully constructed local environmental plan needs to be considered before the influx of new residents creates dissection within the region.

- Green hills with fat lambs grazing, not too many houses. People still riding horses with their children, less cars and trucks on the roads, and churches filled on Sundays.
- Growth of industry and services in a controlled manner that will enhance a safe harmonious community.
- An accessible village with sealed roads attracting visitors to a country lifestyle.
- Successful, well maintained agricultural areas with green grass and clean air, surrounding a tidy, historic village with sealed roads and well maintained old buildings, with new buildings in harmony with the old. Our active family friendly village with good employment opportunities, group activities for all ages and good health facilities. An effective local council working for, and with the people, in a town with excellent utilities.
- A thriving village and rural community consulted by their Council to further promote tourism and expansion of associated small businesses in the area and promote the village's history and local attractions.
- Controlled growth — maintaining the village as it is with improvements to medical services, schools, shopping, community activities and tourism.
- People in a village and surrounds communicating well, and being able to work together despite past disagreements.

#### **5.5.4 Gurrundah and Pomeroy**

The future direction statement identified for the Gurrundah and Pomeroy area was:

- A caring neighbourly community in a serene rural landscape, with protection and enhancement of the rural setting, with tree planting and more dams where towns and villages are clearly defined, with locally sensitive tourist attractions in a well adjusted community environment.

#### **5.5.5 Tarlo**

The future direction statement identified for the Tarlo area was:

- Maintain and enhance the natural beauty of the Tarlo area in collaboration with an effective Council.

#### **5.5.6 Binda and Redground**

The future direction statement identified for the Binda and Redground areas was:

- Viable productive farms with appropriately zoned land uses elsewhere — an industrial zone, rural/residential zones in confined spaces, and rural farms zoned to prevent excessive subdivision.

#### **5.5.7 Kialla**

The future direction statement identified for the Kialla area was:

- A beautiful rural landscape supported by sustainable systems like solar power and water recycling, with enthusiastic young people maintaining and enhancing this landscape.

### **5.5.8 Roslyn**

The future direction statement identified for the Roslyn area was:

- A landscape that maintains and enhances its rural character with extensive tree-lined and reserved forest areas, which protects its rich agricultural country for future generations through well planned development and environmentally sustainable practices.

### **5.5.9 Laggan**

The future direction statements identified for the Laggan area were:

- A safe and vibrant community with a mix of ages, which maintain strong links to productive rural farms.
- A safe, strong and cohesive community that encourages the development of the rural environment with a diversity of rural produce to encourage tourism to these wonderful landscaped areas.

### **5.5.10 Reids Flat / Crooked Corner / Cotta Wolla**

The future direction statement identified for the Reids Flat/Crooked Corner/Cotta Wolla area was:

- A green community powered by wind energy and using recycled water, with a genuine farming community, where most people are full time farmers on viable farms, which leads to a healthier lifestyle with young and old people living together in the community.

### **5.5.11 Breadalbane**

The future direction statement identified for the Breadalbane area was:

- Our Breadalbane will be home to a friendly, engaged community, living in housing sympathetic to the environment. It will have public spaces and facilities which highlight local transport heritage (train watching).

### **5.5.12 Collector**

The future direction statement identified for the Collector area was:

- A community of opportunity, living a long life; environmentally beautiful, culturally rich, tourism, open spaces, rurally idyllic.

### **5.5.13 Dalton**

The future direction statement identified for the Dalton area was:

- We need integration of people, population, rezoning and advertising to create a vibrant community heritage town with future sustainable industries.

### **5.5.14 Rural areas**

The future direction statements identified for the rural areas were:

- An area that recognises respects and preserves the identity of all localities that make up Upper Lachlan local government area.
- Equality in the provisions of services to all in the community area.
- Rural areas kept as they are — food producing, large farms, community spirit and Council consultation with locals.

## 5.6 Growth scenarios

In the first series of workshops, attendees were also asked to identify how their community would change in the future and how they would see their community in the next 10 to 15 years. The community identified a series of growth scenarios for the Upper Lachlan based on a variety of key local issues. Below are growth scenarios identified by workshop attendees for Upper Lachlan. They demonstrate how the community visions itself in the future and how the community feels it should be addressed and planned for.

The identified growth scenarios were:

- An increased ageing population in the area will create a greater demand for aged services and facilities. There needs to be more aged care services to meet the demand, which will create employment opportunities.
- Climate change and global warming will affect farming in the area, as well as water supplies and storage. This may also lead to increased fuel costs, which will significantly affect people living in rural areas.
- The centralisation of health and education services to regional centres will lead to the need for residents to travel further for services. Communities need to support, maintain and protect existing local services so they remain in the area.
- An influx of new residents to the area who are seeking a lifestyle change will create population pressures on infrastructure and services. Population increases in the area need to be planned for to determine what infrastructure and service upgrades and improvements are required.
- Suitable residential areas are required to ensure new residents are suitably located and not significantly affecting the environment.
- Appropriate zoning is required for residential and rural residential development so prime agricultural land can be protected for rural land uses.
- Land values in the area will increase due to the demand for more subdivision, due to a population increase, which will lead to increased pressure for farmers to sell.
- The loss of the rural community will occur due to the fragmentation of rural land.
- Due to reduced farming in the area which may be attributed to an extended drought period and declining terms of trade, a lack of employment opportunities will arise for young people and no incentives will exist for them to remain in the rural industry. The creation of employment opportunities is required.
- Upgrades to infrastructure services are required to encourage businesses and residents to the area.
- Road improvements and increased public transport services to the area are required.

- Appropriate planning controls are required to protect landscape qualities from inappropriate development and the homogenisation of the landscape.
- The *Sydney–Canberra Corridor Strategy* will influence the area due to increased access to the area. More people will buy land in the area.
- Increased tourism could have a significant impact on the area.
- Higher demands on infrastructure will create increased demand for recycling.
- Increased desecration of the landscape will occur from construction of wind turbines and other unsympathetic developments. Appropriate development controls are required to ensure the landscape is suitably protected from unsuitable development.

## 5.7 Community issues

This Section outlines the key issues recognised by the community during the planning process for the Upper Lachlan Strategy. The key issues were identified by members of the community that attended community workshops and focus group sessions, and/or who provided responses via feedback forms, the project email address or through other consultation activities. Issues identified throughout the consultation activities have been summarised below. Detailed analysis of all community issues raised is provided at *Appendix C*.

No general consensus was reached regarding all of the issues described below, instead, various opinions were raised in relation to many of the issues listed. Only issues raised during the consultation activities have been described.

### 5.7.1 Growth issues and community constraints

In terms of growth issues and land constraints, those consulted recognised the key issues described below.

#### Crookwell

In Crookwell, some respondents noted that a defined town boundary would help to consolidate specific land uses in the town. Within the town boundary, there should be designated areas for special uses such as industry, retail, residential and business. For example, residents do not want to see industrial development in non-industrial zones.

The location of industrial land emerged as a major issue in Crookwell. Some felt that industrial areas need to be appropriately located in order to encourage more industries to locate to the area. New industrial areas should be located away from housing developments so they do not impinge on the amenity of residents. There is a need to plan ahead and ensure that new industrial areas are not located near any potential residential areas. As a minimum, some felt that all new industrial developments should have adequate water, three phase power, heavy duty access, heavy duty waste disposal and wastewater systems that do not drain into the Kialla Valley. Possible locations suggested for new industrial areas included behind the Grange, on Kialla Road near the airport, east of the golf course, in Grabben Gullen, and on Harley Road and McIntosh Street.

In order to attract new businesses to Crookwell, it was suggested that the Council should provide rate incentives like providing rent free land until a business establishes, to further encourage new businesses to the area. New businesses need to be encouraged to Crookwell to encourage young people to stay in the area and create more employment

opportunities. Currently, services such as banks are limited in Crookwell, so encouraging new businesses to the town will benefit the community.

Potential locations suggested for new business areas included close to the existing railway station, in the main business area/street, and within a block of the main street extending to Spring Street and Robinson Street. There is also the possibility of encouraging aviation-related business to Crookwell, which could be ideally situated near the airport on Kialla Road.

In addition to encouraging more business to Crookwell, some felt that improvements to the existing main street are required. A bypass for heavy vehicles from the main street would help to maintain the town atmosphere. In addition, a lower speed limit, particularly for B-double and service trailers in the main street, would help to make the street safer. Improvements to the main street should include general upgrades, such as street beautification, improving the degraded entrance into the town, fixing the clock, kerb and guttering and painting lines for designated car parks.

Improvements are required to Crookwell's infrastructure, including electricity infrastructure, water storage and pressure, natural gas access, sealed roads, recycling facilities and telecommunication coverage. This is required to serve the current population and support any new growth to the area. Limitations in basic infrastructure services, particularly telecommunications, have limited growth in the area and have led to many lost business opportunities. Improvements are also required to improve emergency services.

Unsealed roads in the area are a major issue that should be addressed through the sealing of some of the more main roads. Many roads remain unsealed, including the roads to Gunning, Taralga, Boorowa and Bathurst which prevents some people from going to these areas. There is also a lack of public transport in Crookwell, particularly for students attending the Goulburn TAFE.

The provision of more community facilities and services is required in Crookwell. The establishment of a youth centre, a sporting complex, a music society, a rural TAFE/agricultural college and entertainment facilities are required to support any increase in population at Crookwell. More aged care and medical facilities are required in Crookwell due to the ageing population and the downgrading of medical facilities at the hospital.

Tourism needs to be better promoted in Crookwell and in order to achieve this, improvements need to be made. These could include upgrading roads, upgrading access to the National Parks, increased accommodation options, more recreation areas and, possibly, a new museum. The establishment of annual events, particularly in the summer months, and introducing day trips from places of interest, such as Canberra and Goulburn, could increase the tourism numbers in Crookwell.

Strong concern was noted regarding wind turbines in the Upper Lachlan, and not just those in the immediate area. Residents value the rural heritage of the town, including the natural environment and the surrounding heritage landscape. In order to maintain the rural heritage, the town needs to be protected from views of wind turbines and the impacts of intensive agriculture, such as poultry farms and piggeries.

## **Gunning**

Some respondents in the Gunning community asserted that existing industries should continue to be promoted and reinforced. Also, new industries which complement existing businesses, should also be encouraged to the area. The community needs to support new

industries to ensure there are employment opportunities for young people. Some noted that they do not want to see new industrial or high impact commercial ventures approved in the Gunning town centre. Any proposed industrial sites or high impact commercial ventures should be located appropriately outside of the town with a buffer zone between residential areas to protect residential amenity, aesthetics and noise levels. Suggested locations for light industrial development included the junction of the Hume Highway and Gundaroo Road, adjacent to the golf course, to the rear of the showground, on the northern side of the railway line, south of the existing town boundary and west of the northern side of the highway.

There was concern that the main street is becoming residential and looks run down and drab. The main street needs a face lift, which may encourage services back to the town centre. The parking of large trucks should be restricted in the main street and more trees and landscaping are required in the town centre. Tourism is the key to strengthening the main street as the local population is currently unable to support enough businesses. If tourism is to be encouraged, improvements must be made. Recently, there has been a decline in services and facilities such as bakeries, butchers, banks and clubs, and many shops are boarded up. Future development in the main street of Gunning should be required to be used for commercial and mixed use purposes, rather than residential, to maintain the commercial status of the town centre. In addition to upgrading the town centre, a roundabout should be developed at the post office to better regulate the flow of local traffic.

Infill development was identified as appropriate for the Gunning town centre, but it should only include low density developments. Any infill development should be sympathetic to the open, heritage character of Gunning. Some noted that they do not want Gunning to look 'over planned' like Canberra. The vacant lots between the bridge and Council chambers (along the main street) should be reserved for commercial use and are ideal for infill development.

Some in the Gunning community felt that upgrades and improvements to essential infrastructure services are required, including the introduction of natural gas, increased sewerage facilities, upgrades to electricity infrastructure, and telecommunication improvements for phone and broadband coverage. The condition of local roads, particularly unsealed roads, is a major concern for the community. Many of the roads are unsealed and there are insufficient funds to maintain them. Some noted that Collector Road is in very poor condition. In addition to the upgrading of roads, public transport infrastructure to Gunning needs to be increased. The lack of trains stopping at Gunning and other small villages reduces transport options.

In addition to establishing essential infrastructure services and facilities, amenities in Gunning are required to encourage tourists to stop in the area. These should include upgrading of toilets, shaded areas, and tables and chairs. Some respondents noted that they are seeking facilities for travellers, but this does not necessarily mean a service centre, which the community was divided on. There also needs to be an increase of community facilities in Gunning. This should include promoting sporting teams and organisations, youth services (drop in centre) and community groups in Gunning. The absence of a high school in Gunning has led to decline in business. Some would like to see more Council funded facilities, such as playgrounds, a skate park, gym and more sporting facilities. Additional aged care, child care and medical facilities are also required for Gunning. Many of these services have been downgraded. Some felt that the town is going backwards and needs to start moving forward.

Some groups in Gunning supported the expansion of the town and others firmly supported no change to the town. A suggested minimum lot size for the town area was 800–1,000 square metres and 2–10 hectares for the rural residential areas surrounding the village. The development of rural residential lots should depend on the ability of the land to be self-sufficient in terms of water harvesting and effluent disposal. Rural residential development should be clustered to avoid main road ribbon development. Suggested locations for rural residential development included the eastern part of the village zone, to the west across the railway lines, to the south of the existing village boundary, along Dalton Road and to the north of the existing boundary. Highway access to Gunning and the relative affordability of the area will provide an opportunity for future development. The community suggested a good population target for Gunning would be an extra 400 inhabitants to bring the total population to 1,000.

Wind turbines were noted as a major issue in Gunning and surrounding areas. Some felt that these developments are detracting from population growth in Gunning due to their visual and amenity impacts.

### **Taralga**

The majority of the people in the Taralga community agreed that the town boundary should remain, as there is spare capacity within the town for future development. They felt that the village will lose its character if the boundary is extended. However, if it is necessary to extend the boundary due to population growth, it should only be extended to the extent that new development remains within the capacity of the sewerage system to the south-east of the town. New development should be sympathetic to historic settlement patterns, with higher density housing concentrated on the existing housing blocks, rather than on new rural residential blocks.

Some in the Taralga community felt that two to ten hectare blocks on the periphery of the village to accommodate rural residential lots could be appropriate, however, the contrast between the village and open farm land should still be maintained. To maintain this contrast, it was suggested that a new park should be established on the wetland corridor on the eastern boundary and reserved as a non-developable area.

Some in the Taralga community noted that essential infrastructure upgrades are required for the current population and to accommodate future population growth. Essential infrastructure upgrades include electricity, water, recycling facilities, natural gas, Council services and telecommunications.

There is a lack of medical and health services in Taralga as there is no full time doctor or chemist, and residents must travel for services. These services need to be increased to accommodate population growth. More recreation areas, such as a swimming pool, entertainment and cultural facilities for young people, are also required.

Existing employment land use areas are adequate in Taralga and the town should support opportunities for new businesses to locate in the area. The town needs a mix of retail, tourism and industrial land to create more employment opportunities for young people. A new industrial zone could potentially be located outside of the town boundary to the east of the waterway. Any industry developed in Taralga must be developed within the scale of the town and the shortage of water must be considered for new developments. Some noted that they do not want to see any intrusive developments in the area.

The main street is currently not very healthy and a theme for the main street needs to be promoted and established. It needs to be improved by encouraging the occupation of empty shops, paving of the area, landscaping, signage and introduction of a community notice board. Vehicles currently travel too fast down the main street, so the introduction of roundabouts would slow traffic down. A traffic calming device near the post office would be ideal and this would be used by residents of the Sunset Lodge. Council should also implement angle parking on both sides of the street, and access roads from surrounding villages should be sealed to improve access.

Infill development should be encouraged on the spare land within the existing town boundary, however, not all land within the town is suitable for development. Land with water and sewerage facilities should be used first, and sewerage facilities should be a requirement for any infill development. It was suggested that 700 square metres should be the minimum lot size for infill development.

### **Breadalbane**

At Breadalbane, the use of spare land within the village should be encouraged through development control requirements and infill development. The boundary of the town should also be flexible and able to increase with growth, however, growth of the town boundary should be dependent on the land type and its potential for agricultural production. Strict development guidelines should be imposed for water, weed management and bushfire control for any new rural residential blocks. Suggested areas for rural residential development include areas to the south and north-east of Breadalbane.

Some in the community would also like to establish a park in the town as a recreation area for the community and tourists.

### **Collector**

Some in the community at Collector considered that traffic calming and traffic management measures should be introduced to emphasise Collector's character and to improve safety. Collector does not have a natural town centre and this could be addressed by establishing a master plan focused on creating a sense of place and meeting places in the town centre.

The development and expansion of the town is limited by flood prone areas surrounding the town. Suggested locations for the future expansion of the town included along Breadalbane Road and to the south-east (Murray Street to Gunning Road).

There was strong community support to retain the travelling stock reserve on Breadalbane Road, however, this area on the western side of the highway is a possible location for expansion that must be appropriately managed.

Some residents in Collector were concerned about the potential impact that urban pressure from the Sydney–Canberra Corridor will have on their village.

### **Dalton**

Members of the Dalton community noted that there is currently a shortage of village zoned lots available. They believe that the village zone should be expanded to allow lots to be subdivided to accommodate growth.

### **Jerrawa**

Respondents in the Jerrawa community did not see any need for change in their area.

## 5.7.2 Retention of subdivision potential

In terms of subdivision, those consulted recognised the key issues described below.

### Crookwell

There was a strong opinion in Crookwell that farming land should be preserved and not fragmented for rural residential development. The 'right to farm' should prevail over any land use conflicts that arise in order to maintain the productivity of the land. It was suggested that the right to farm should be written in guidelines such as the DCP, so it can be enforced. To reduce potential land use conflicts in the areas between productive agricultural land and other land uses, new owners should be given a list of things to expect when moving into a rural lifestyle, like noise, odour and weed/animal control requirements.

The minimum size of agricultural land should depend on many factors, such as soils, water availability, land type and the primary use of the land. Many people agreed that there should not only be one minimum size applicable to all areas. However, the suggestion of a minimum lot size of 40 hectares was seen to be appropriate by many people if a minimum land requirement had to be determined. Farm sizes in the area are decreasing due to retirement and economic factors, and there are no incentives for young people to maintain larger agricultural lots. As a result, many farms have been sold off and broken up into smaller lots, making them less productive.

A major concern raised in the Crookwell community was the removal of concessional lots. Some of those consulted did not want to see this property right removed, as it allows parents to hand over the farm to children, while retaining their ability to remain on the property with independence. Many retirement plans are often based on concessional lots as this is a form of superannuation. Some noted they would like to see a viable alternative or compensation if the concessional lot right is removed.

Some members of the community would like to see Council apply a flexible approach to extending town boundaries for population growth, particularly for rural residential areas. This flexibility could include the possible expansion of unserviced rural residential areas in locations like east of Reservoir Road, south of McDonald Road, on the eastern side of Laggan Road, and south of Goulburn Road and the golf course to accommodate growth when required. The community agreed that rural subdivision was essential for the survival of the town, as it is these people who bring money into the town.

Rural residential lots should range from 1 to 2 hectares, but the size should depend on the effluent disposal and availability of water. (Although this was not agreed by everyone, with some people suggesting 8 hectares as the minimum requirement.) Rural residential developments should be encouraged to be self-sufficient and should have water tanks and sewage disposal. Council should cluster new rural residential development as this minimises the cost of providing services and makes it more economic for Council to supply future services to these areas.

### Gunning

Some in the community of Gunning felt that many large agricultural lots in the area are not being managed properly. Many 80 hectare lots are being purchased by people (e.g. lifestyle seekers) who cannot manage such large properties, leading to poor management techniques and impacts on surrounding properties. Although these large properties are not being managed properly, those consulted did not want to see the fragmentation of rural land as a reaction to poor management techniques. A 40 and an 80 hectare minimum lot size for

agricultural areas was suggested. Another suggested method of reducing the fragmentation of rural land was to only allow subdivision on poor lands with poor soils, so the more productive agricultural land is retained.

Another concern raised regarding productive agricultural land was the impact of industrial development on rural areas. Examples noted included wind farms and highway service centres.

A suggested size for rural residential lots was 2 hectares, as this would allow lots to be self-sufficient for effluent disposal requirements and water storage. Rural residential lots greater than 2 hectares were considered too large to ensure proper management. The creation of smaller rural residential lots in Gunning would allow the migration of professionals to the area, whilst ensuring the land is of a manageable size. The number of bores should be limited in more densely populated areas.

Some felt that existing land use rights should be maintained for those people living on the land.

### **Taralga**

Farms are getting smaller, and some in the Taralga community noted that they need to identify ways of encouraging new primary production activities, while also reducing the fragmentation of rural land. Ten hectares was a suggested minimum lot size for intensive agricultural land uses, but this should depend on water availability at the site. The minimum lot size should also depend on what is being grown or produced.

A suggested minimum lot size for rural residential development was 4 hectares to allow the lot to be self sufficient. Innovative ways to service rural residential lots, such as composting, need to be considered for these lots.

All rural lots should be occupied by a standard dwelling and not old containers, shacks or converted sheds. Minimum standards for dwellings should be created to ensure a standard of housing that is equivalent to the villages.

There were a variety of opinions on the removal of concessional lots. Some residents thought they should be phased out. Others saw them as an important form of superannuation and financial security, as they provide an option to release funds for rural land holders. If they are phased out, a viable alternative is required for residents. Regardless of whether concessional lots are removed, some of the residents consulted thought that larger properties should be entitled to subdivide 10 hectare lots for retirement and family financial security.

### **5.7.3 Development and conservation objectives**

In terms of development and key conservation objectives, those consulted recognised the key issues described below.

#### **Crookwell**

Members of the Crookwell community noted that heritage is important in Crookwell and a heritage register of existing buildings and artefacts should be established to protect heritage items. Grants from the Heritage Council and the Australian Heritage Commission should be applied for to help establish these registers.

The guidelines for heritage should be made available and publicly advertised so the community is aware of heritage guidelines. Awareness of the guidelines should lead to the design of new houses that are more sympathetic to the existing character and heritage.

### **Gunning**

Members of the Gunning community noted that heritage is a feature that attracts tourism and generates local employment in Gunning and the heritage character of the town must be retained. There should be more event-based tourism, as tourism is the key to the survival and growth of the town. Attracting motorists to stop in Gunning is a major focus for the community and to achieve this, the promotion of Gunning's heritage and tourist activities is necessary.

Residents consulted in Gunning strongly recommended that Council re-establishes a local heritage fund for the Upper Lachlan to financially support the restoration and maintenance of locally significant buildings. The heritage character of Gunning is valuable and, therefore, no heritage listed buildings should be destroyed or remodelled, as the heritage character of Gunning will be lost. All residential buildings should be to a high standard and sympathetic with heritage values. Properties with heritage significance should be separately identified with more stringent controls.

### **Taralga**

Taralga is classified by the Natural Trust as a 'village of harmony within its landscape'... 'with very little unsympathetic development'. Some in the Taralga community noted that the curtilage of the village should not be affected by unsympathetic development on streetscapes or ridgelines.

It was noted that Taralga is not seeking a large population as this will destroy its heritage. The character of Taralga should be protected by controls to ensure that buildings are in keeping with the village's historical significance, and conservation principles are in force to ensure new development is sympathetic with the village character. Taralga's heritage should be highlighted by more annual events promoting its heritage. Heritage values are good for tourism. They should be able to be used for tourism purposes and employment opportunities. Education, signage and the promotion of Taralga's heritage will help to maintain the heritage significance of Taralga as a main focal point. Taralga should build on successful events such as the rodeo and heritage rally. Measures such as cleaning up of the main street, establishing museums (such as a machinery or steam museum) and providing more accommodation options will help bring people to the town. It was also suggested that tourist drives should be developed for the area, including in towns such as Crookwell, Oberon/Bathurst, Wombeyan Caves and Taralga.

### **Breadalbane**

It was suggested that tourist drives in Breadalbane (like Cullerin Road) should be established and maintained to promote heritage values and tourism. Heritage should be protected through a strict DCP formulated by the community.

### **Collector**

It was noted that the historic values of Collector need to be recognised and protected. For example, project homes do not recognise the heritage values of the area and should not be encouraged. Collector should be protected for the future generations with sympathetic development through planning controls.

## 5.8 Government agency issues

In order to develop a thorough and balanced insight into social, environmental and economic issues relevant to Upper Lachlan, key government agencies and stakeholders were invited to a consultative workshop in June 2005. Government agencies and stakeholders were also asked to provide further comments on issues and information to be addressed in the development of the Upper Lachlan Strategy and the subsequent Upper Lachlan Draft Local Environmental Plan.

A detailed list of responses received from Government agencies are provided in *Upper Lachlan Strategy - 2020 Vision Stakeholder Involvement Report* (PB 2005) (Table 5.2). Government agencies have informed the overall preparation of the Strategy and will continue to help guide and implement the Strategy and Upper Lachlan Local Environmental Plan.

Some of the key Government Agency issues included:

- Involve strong community engagement early in the planning process and account for community values and expectation
- Understanding of existing social, economic and physical characteristics of Local Government Areas and analysis of trends and patterns and identifying drivers of change.
- Identify broad solutions that will be implemented in the new Local Environmental Plan and other Council processes, for example, social plan.
- Identify intensive agriculture and heavy industry areas.
- Avoid land use conflicts.
- Areas of high natural and cultural values need to be protected through Local Environmental Plan provisions.
- Implement mechanisms which ensure the integrity of the agricultural zone by reviewing the minimum lot size and minimums that apply to dwellings which encourages the agricultural use of the land.

Below is a list of government agencies present at the consultation workshop:

- Agility
- Ambulance Service of NSW
- Boorowa Council
- Buru Ngunawal Aboriginal Corporation
- Catchment Management Authority – Lachlan
- Catchment Management Authority - Murrumbidgee
- Catchment Management Authority – Southern Rivers
- Country Energy
- Department of Community Services
- Department of Education and Training
- Department of Environment and Conservation

- (the former) Department of Infrastructure Planning and Natural Resources
- Department of Lands
- Department of Primary Industries – Agriculture
- Department of State and Regional Development
- Goulburn Community Health
- Goulburn Mulwaree Council
- Greater Southern Area Health Service
- NSW Farmers
- NSW Fire Brigade
- NSW Rural Fire Service
- Roads and Traffic Authority of NSW
- Rural Lands Protection Board – Goulburn
- Rural Lands Protection Board – Yass
- State Emergency Service – Bigga
- State Emergency Service – Crookwell
- State Emergency Management Committee
- Sydney Catchment Authority – Goulburn Office
- Sydney Catchment Authority – Penrith Office
- Telstra Country Wide
- Upper Lachlan Council
- Yass Valley Council.

## 6. Population profile and demand issues

### 6.1.1 Introduction

The Strategy seeks to ensure that there will be sufficient urban and rural land to accommodate growth in population and employment to 2020. Growth projections have also been prepared (refer Section 9.5.1) to identify the amount of land required as well as future servicing and infrastructure demands.

Urban land uses include residential, business, commercial, industrial and special use components (such as hospitals and schools). The Strategy is concerned with the broad spectrum of urban land use needs together with rural and agricultural activity across the Local Government Area.

The Strategy seeks to achieve a balance between demand for expected growth while preserving prime agricultural areas and rural amenity. Rural zones are the most significant land use category within Upper Lachlan. An understanding of projected population and employment growth, and broad quantification of future housing needs, enables an indicative increase in population and associated needs to be forecast. This also helps determine the proportion of population growth to be shared between urban and rural areas.

Forecasting land requirements includes consideration of:

- the underlying factors driving demand for residential land
- projected population growth
- residential development trends and data
- employment trends and data
- existing spare capacity within urban zoned land
- the amount of residential land 'supply' available.

### 6.1.2 Demographic profile

The demographic profile is largely based on information collected in the ABS Census.

#### Population

Population within Upper Lachlan declined during 1961-2006, with Crookwell experiencing a 29% decrease during this period (refer Table 6-1). The population of other towns and villages across Upper Lachlan remained relatively constant during this period. Over the last 20 years Taralga has experienced fluctuations in population. This period reflected significant changes in farming practices which in turn impacted on the support role played by surrounding towns and villages.

**Table 6-1 Population of Crookwell and Gunning LGAs and Taralga Locality (now Upper Lachlan Shire) 1961 to 2001**

	1961	1966	1971	1976	1981	1986	1991	1996	2001	2006
<b>Crookwell LGA</b>	5,868	5,502	5,001	4,820	4,588	4,264	4,294	4,250	4,127	-
<b>Taralga<sup>1</sup> Locality</b>	-	-	-	-	-	301	399	341	318	-
<b>Gunning LGA</b>	2,305	2,094	1,978	1,922	1,900	1,994	2,124	2,211	2,163	-
<b>Upper Lachlan</b>	-	-	-	-	-	-	-	-	-	7,053

Source: ABS Census of Population and Housing & MacroPlan Australia

<sup>1</sup>Figures for Taralga taken from Mulwaree Settlement Strategy 2003, Former Mulwaree Shire Council

The population of Upper Lachlan in 2006 was approximately 7,053 persons, which represents a modest growth of 304 persons over five years. Crookwell, Gunning and Taralga have similar population growth figures, decline from 1996 to 2001 and growth for the period 2001 to 2006, based on the figures summarised in Table 6-2.

**Table 6-2 Upper Lachlan Population 2002 – 2006**

	1996	2001	2006
<b>Crookwell</b>	2,016	1,926	2,498
<b>Taralga</b>	341	318	310
<b>Gunning</b>	486	415	489
<b>Upper Lachlan</b>	6,653	6,749	7,053

Source: ABS Census 1996, 2001, 2006

### Age profile

The two largest age groups within Upper Lachlan are the 40-44 and 50-59 age groups, making up almost 16% of the total population. Age groups less than 30 years accounted for approximately 32 % of the population, while those over 65 years accounted for almost 18 % of the population. The most significant proportion of the Upper Lachlan population is between 40 and 64, which represents almost 40% of the population. (ABS Census 2006)

These demographic characteristics are similar to those generally in the Sydney to Canberra Corridor. The key difference is that there is a substantially lower proportion of residents within Upper Lachlan are aged between 20-24 and 25-29 than NSW averages. Only 6.3 % of residents within Upper Lachlan are aged 20-29 compared the NSW average of 13.5 %. Interviews and feedback during the community consultation indicated that many people in this age group felt they needed to leave the area to find education and employment opportunities.

In 1996, the median age in Crookwell Shire was 38.7 years, this increased to 41.3 years of age by 2001 and to 43.5 years of age in 2006 (for Upper Lachlan Shire – ABS Census 2006). This trend would result in the median age increasing to 48.1 years of age by 2011 and to 55.1 years of age in 2021 (National Institute of Economic and Industry Research

(NIEIR) 2003). Gunning however has a younger age profile. In 1996, the average age in Gunning was 36.2 years of age, in 2001 it was 37.6 years of age and in 2006 it was 41.7 years of age (ABS Census 2006). Average age is estimated to increase to 41.2 years by 2011 and to 44.8 years of age in 2021 (NIEIR, 2003). This in part reflects employment access to Canberra and hence a more urban age profile.

In 2006, Crookwell had a population of 2,498. Residents aged 55 years of age and over comprised 28 % of the population in 1996, 32 % in 2001 and 36 % in 2006. It is projected to be 59 % by 2021. By comparison, residents less than 25 years of age are projected to decrease from 34 % in 1996 to 16 % in 2021 (29 % in 2006) and those aged 25–54 from 39 % in 1996 to 25 % in 2021 (NIEIR, 2003 and ABS Census 2006).

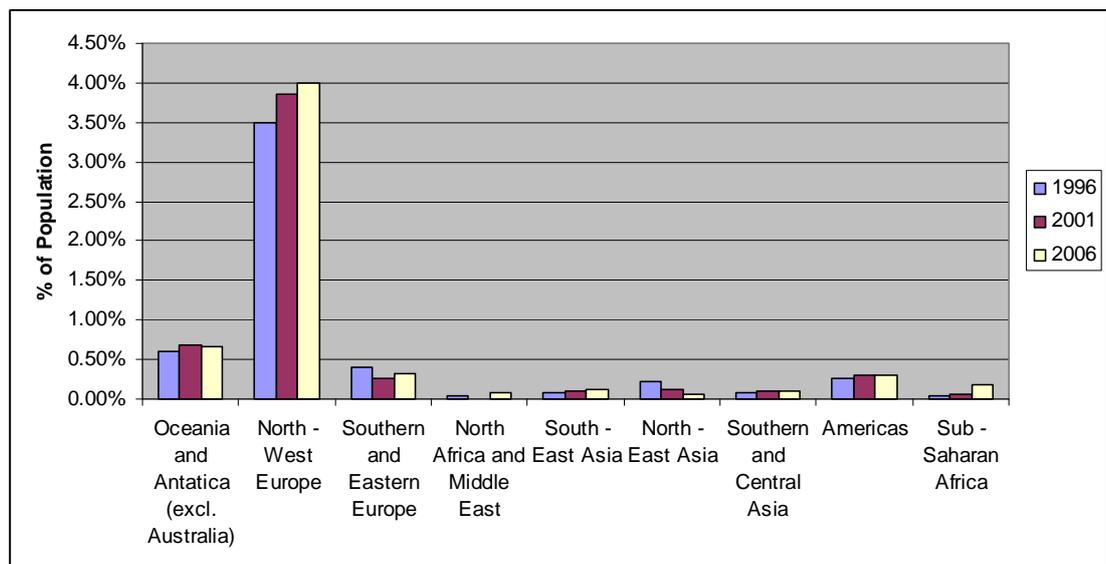
Upper Lachlan also demonstrated a proportionally higher concentration of ageing persons (defined as persons 65 years of age and over) when compared to the Sydney to Canberra Corridor and NSW averages. The ageing population in Upper Lachlan amounted to 23 % (in 2006) of the population compared to the Sydney to Canberra Corridor, 12 % (in 2006) and NSW 14 % (in 2006).

The growing group of retirees in the Upper Lachlan will generally have lower incomes and spend less than younger singles and families. Several factors that would positively influence the retention of younger people across the Upper Lachlan will be the availability of local tertiary education, apprenticeship and training opportunities, local job availability, skills needs versus availability and retention or attraction of people who will contribute to the area. Investment in these areas by the different tiers of government can influence these trends.

### Ethnicity

Upper Lachlan comprises a relatively high proportion of residents born in Australia, (93 %), particularly Taralga (95.4 %) compared with 74.4 % for NSW (ABS Census, 2006). The ethnicity breakdown for the Upper Lachlan is representative of regional areas across NSW, where a vast majority of residents are Australian born.

Population characteristics for the Upper Lachlan by ethnicity are shown in Figure 6-1.



**Figure 6-1 Upper Lachlan – population by ethnicity (ABS, 1996, 2001 and 2006)**

There is no consistent pattern evident when considering the data in Figure 6-1. The small scale of these figures, usually only several people, has resulted in fluctuations of major proportions but minor scale. These figures, however, demonstrate the dominance of Australian born people in the community.

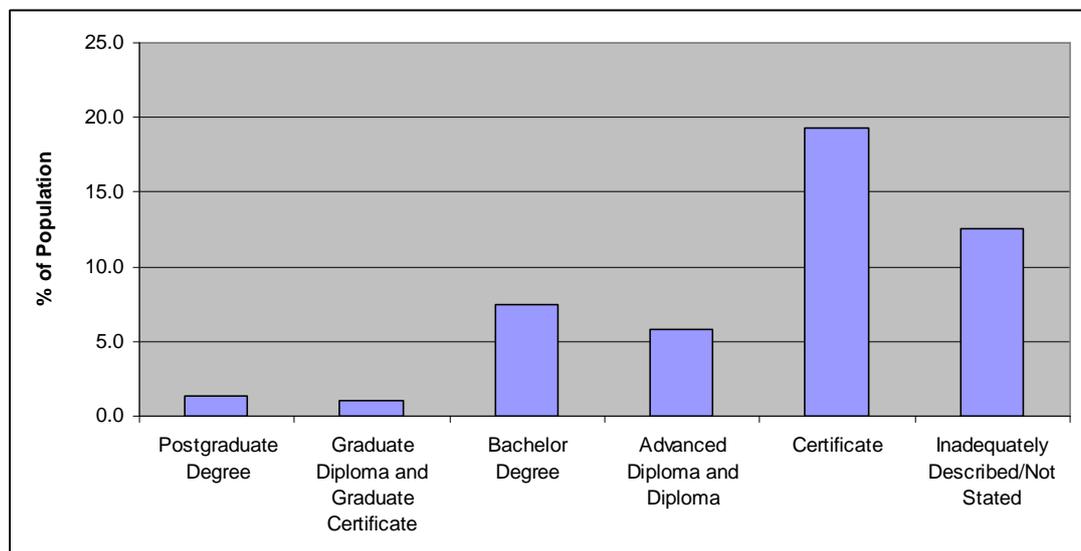
### Housing

Approximately 96 % of dwellings within the Upper Lachlan are separate dwellings compared to 86 % within the Sydney to Canberra Corridor and 69.6 % for NSW. Of these dwellings, approximately 77 % were fully owned or in the process of being purchased with a further 16 % being privately rented. This tenure pattern remained constant between 1996 and 2006. These statistics generally resemble those from the Sydney to Canberra Corridor.

Medium and high density dwellings within Upper Lachlan comprised just 1.8 % of all housing compared to 29 % for NSW. This dwelling composition is likely to continue within Upper Lachlan given the demand for single detached dwellings. This reflects the strong demand for rural amenity. This will continue to be an important factor for land releases which are likely to be lower density development comprising separate dwellings. (ABS Census, 2006)

### Education

A high proportion (52.4 %) of Upper Lachlan had no formal qualifications in 2006, which is consistent with the Sydney to Canberra Corridor (52.3 %) but greater than the Sydney Statistical Division (42.3 %) (refer Figure 6-2). The most common type of post school qualification obtained by residents within the Upper Lachlan was a TAFE Certificate at approximately 20 %.

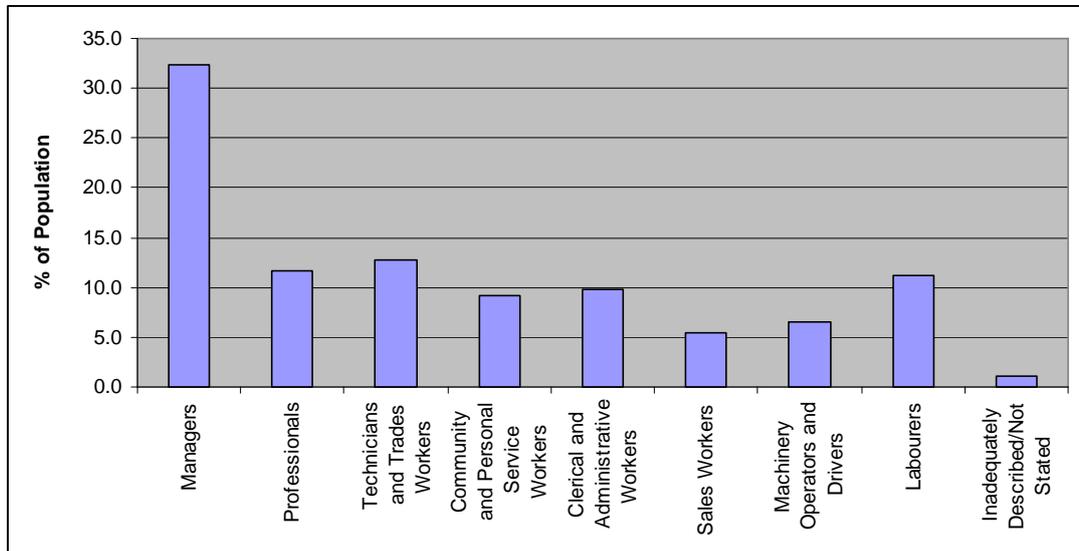


**Figure 6-2 Level of education attained**

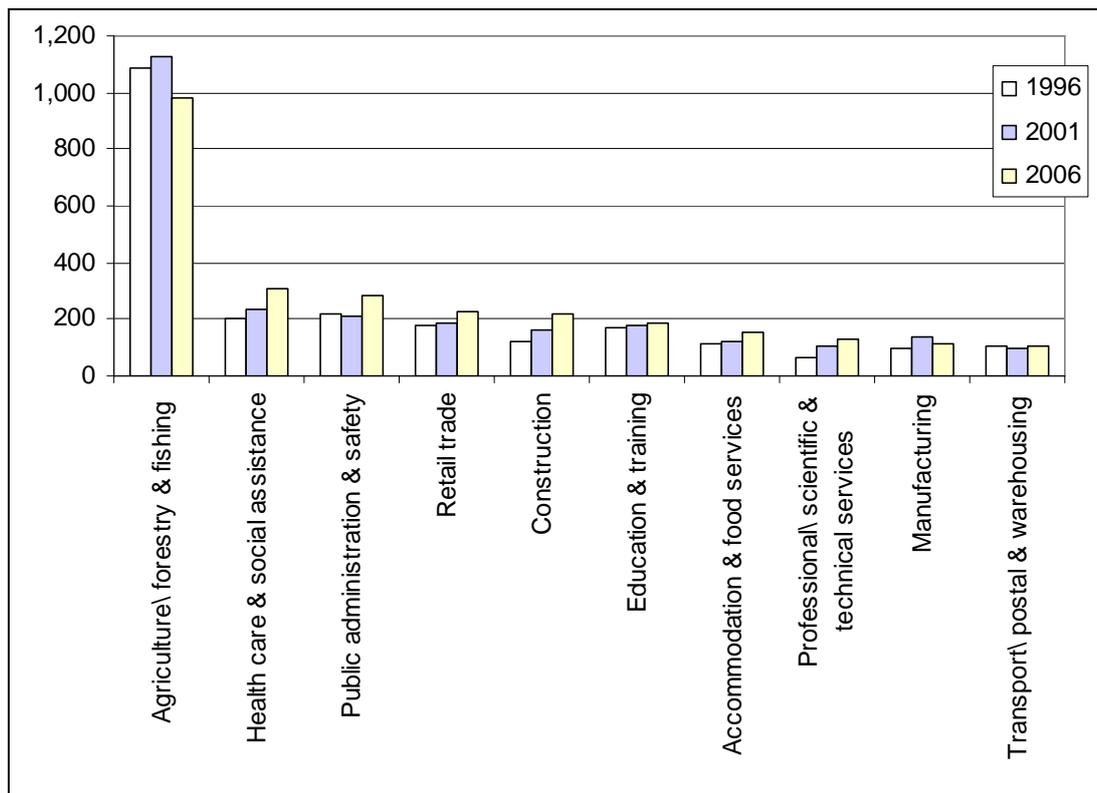
### Employment and income

The most common occupation category within the Upper Lachlan in 2006 was managers and administrators, which accounted for over 32 % of the population (refer Figure 6-3). This was followed by technicians and trade workers (12.8 %), professionals (11.6 %) and labourers (11.2 %).

By industry, agriculture and forestry were the dominant industries employing 32.2 % of the workforce (refer Figure 6-4). Health care and social assistance was the next largest industry employing 10 % of the workforce.



**Figure 6-3 Occupation breakdown**

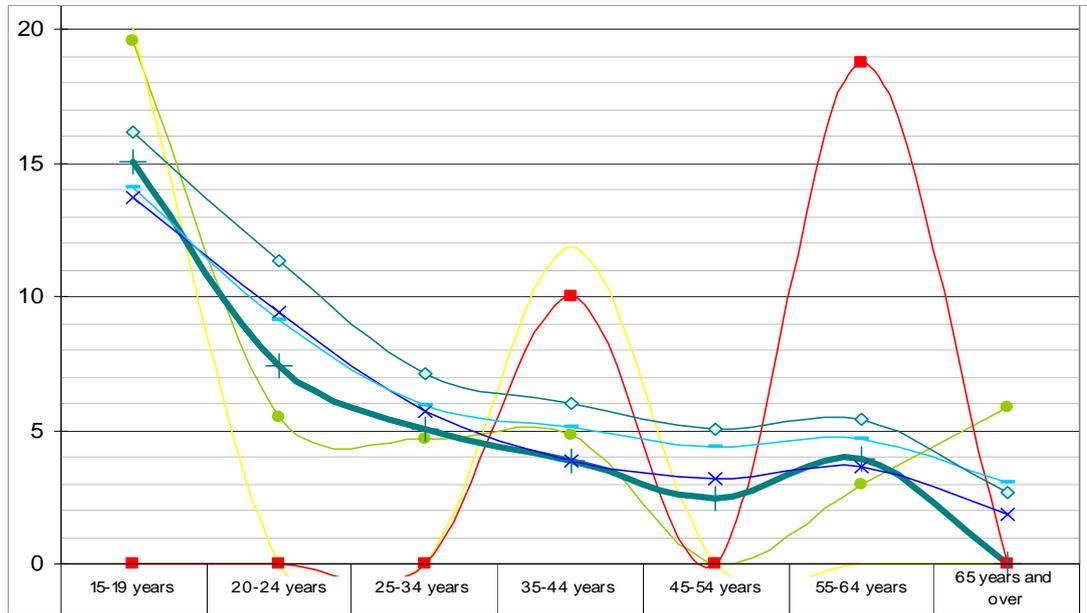


**Figure 6-4 Employment by industry**

**Unemployment**

The unemployment rate for the Upper Lachlan is slightly higher than that of the Sydney to Canberra Corridor and Sydney Statistical Division being approximately 2 % higher across all age groups (refer Figure 6-5). The only exception was Taralga which demonstrated a variable employment rate across the workforce age groups including a 10 % unemployment

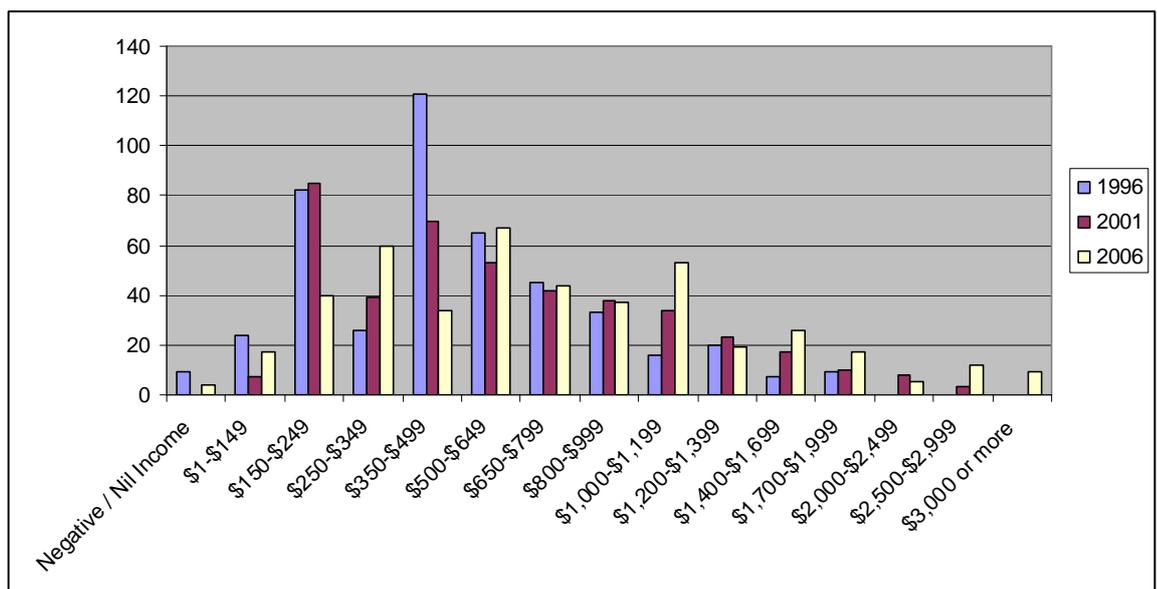
rate for the 35-44 group (3.9 % for Upper Lachlan) and approximately 19 % for age groups 55-64 (3.9 % for Upper Lachlan).



**Figure 6-5 Unemployment rates**

**Income**

Over half the population within the Upper Lachlan earn less than \$400 per week (in 2006 the median income was \$372 / week) compared to 41.4 % in the Sydney to Canberra Corridor (refer Figure 6-6), although between 1996 and 2006, the proportion of weekly individual incomes below \$500 per week fell. Gross household weekly income has grown over the period from 1996 to 2006. In 1996, approximately 57% of households had an income of less than \$500 / week, in 2001 it was approximately 47% and in 2006 it was approximately 35%. (ABS Census, 2006)



**Figure 6-6 Average weekly household income**

Employment, qualifications and income levels are likely to increase as the result of the Upper Lachlan’s growth and economic development. Changes to employment and income are already evident as demonstrated by the proportion of managers and professionals with an average weekly income in excess of \$800 in 2006 (approximately 37% which is substantially higher than the Sydney Statistical Division and NSW).

**Trend based population forecasts**

Trend based forecasts of key demographic characteristics for the Sydney – Canberra Corridor Regional Strategy were prepared by the NSW State Government. Although Sydney to Canberra Corridor forecasts suggest an increase of approximately 46,350 people to 2031, the Department of Planning has predicted that a significant proportion of this growth will occur in the northern and southern sectors due to their proximity to Sydney and Canberra respectively. Growth in the northern and southern sectors would primarily be driven by in-migration from Sydney and Canberra. The trend based forecasts have predicted that the 2,300 additional dwellings will be required in the central sector, approximately 9% of all additional dwellings forecast for the Sydney – Canberra Corridor.

Trend based forecasts identified above prepared as part of the Sydney to Canberra Strategy do not reflect development activity in the Upper Lachlan since 2001. These changes have been reflected in the number of dwelling approvals and rezoning applications. A detailed assessment of population growth for the Upper Lachlan has been provided at *Section 8.4*. This discussion predicts growth being primarily concentrated in Crookwell with proportionally less development at Gunning and Taralga based on existing services and infrastructure facilitating these areas. A lower rate of growth has been identified for the outlying villages and rural large lot development.

**6.1.3 Growth drivers**

The factors influencing growth and the demand for residential land vary. The factors relate to economic influences, social/demographic characteristics, government investment and other factors.

Table 6-3 outlines key growth drivers and demonstrate that growth, particularly urban development activity is influenced by a range of variables. Growth and activity is the interaction between regional and local factors that influence and ultimately determine economic development and population growth outcomes within a Local Government Area. Both levels need to be considered when assessing future land supply and demand.

**Table 6-3 Urban residential growth drivers**

	<b>National and State Influences (Regional Factors)</b>	<b>Regional and Local Influences (Local factors)</b>
<b>Economic</b>	<ul style="list-style-type: none"> <li>▪ Relative health of the national economy</li> <li>▪ Relative strength of different industry sectors</li> <li>▪ Employment patterns (movement to service oriented sectors)</li> <li>▪ Confidence in economic and housing markets</li> </ul>	<ul style="list-style-type: none"> <li>▪ Competitive strengths of the Upper Lachlan economy</li> <li>▪ Employment opportunities</li> <li>▪ Access to qualified and skilled workforce</li> <li>▪ Relative wealth of the local population</li> <li>▪ Access to raw materials</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Other housing sub-market conditions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Access to transport infrastructure</li> <li>▪ Economic incentives for business</li> <li>▪ Education opportunities</li> <li>▪ Infrastructure capacities and augmentation costs</li> </ul>
<b>Government / Institutional</b>	<ul style="list-style-type: none"> <li>▪ Commonwealth Government taxation and subsidy arrangements</li> <li>▪ State Government legislative constraints on development</li> <li>▪ State Government taxes and stamp duties</li> <li>▪ Decisions on new urban infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>▪ Amount of land zoned and available for residential development</li> <li>▪ Council attitude to growth and development</li> <li>▪ Land rates and development levies</li> <li>▪ Land ownership arrangements</li> <li>▪ Other development opportunities in the 'commuter catchment' (for example, Wollondilly, Wingecarribee, Goulburn Mulwaree, Cowra, Yass Valley and Oberon)</li> </ul>
<b>Social/ Demographic</b>	<ul style="list-style-type: none"> <li>▪ Demographic features</li> <li>▪ Housing and lifestyle preferences</li> </ul>	<ul style="list-style-type: none"> <li>▪ Demographic features</li> <li>▪ Level of education attained</li> <li>▪ Skills level</li> <li>▪ Car ownership</li> <li>▪ Housing and lifestyle preferences</li> </ul>
<b>Other</b>	<ul style="list-style-type: none"> <li>▪ Climatic conditions (for example, periodic drought)</li> </ul>	<ul style="list-style-type: none"> <li>▪ The 'image' and profile of towns and villages within Upper Lachlan</li> </ul>

### Regional factors

Regional economic factors have the most significant influence on development activity. In a specialist economy such as Upper Lachlan's, the general health of the Australian and NSW agricultural sector has an important impact on the demand for new housing construction. Examples of other economic elements which have implications for housing demand include:

- Interest rates and inflation.
- The price of commodities (particularly wool, beef, seed potatoes and agricultural products).
- Competition and technology impacts in primary industry (for example, fewer farm holdings and reduced need for farm labour).
- The performance of export-oriented industries particularly wool and produce.

The downturn in the rural economy has created a desire to subdivide to release funds, but this may not be matched by demand for subdivided land.

Another regional economic factor is the relative cost of housing in other areas. For example, limited availability of land and housing opportunities in Sydney, Canberra, Wollondilly, Wingecarribee and Goulburn (with the consequential increase in housing costs in that town/city) may be having some effect in increasing demand (and prices) away from these areas. In addition, higher coastal prices have increased the attraction of rural areas within a few hours drive of Sydney, such as the NSW Central and Southern Tablelands. This has led

to increasing land prices across rural NSW and is driven by the “tree change” phenomenon where a rural and serene way of life is promoted to urban dwellers.

Related to these economic factors, is the influence of government policy, particularly the taxation, investment and financial arrangements. The introduction of the Goods and Services Tax in 2001 and the first homeowners scheme in 2002 are recent examples of government policy which noticeably affected short term domestic housing demand.

Underlying social change is also likely have an affect on development activity. The most often cited drivers include:

- The ageing of the wider population, expressed by larger numbers of people aged 55 years and over compared to the numbers of children and youth (in Upper Lachlan, the age group showing the greatest increase between 1996 and 2006 was the 80-85 (44 %) and the 85+ (34 %) age groups with the sharpest decline the 25-29 years age group of (39 %). (ABS, 1996, 2001 and 2006)
- Smaller family sizes, more diverse household types and an associated trend toward smaller household sizes. This has the effect of relatively high demand for new housing compared to the actual increase in population.
- Early retirement and the relative wealth of retiring baby boomers leading to strong demand for housing out of capital cities, particularly in coastal and rural locations.

### Local factors

The buoyancy of development activity is also influenced by local or regional factors which position the Upper Lachlan as an attractive lifestyle environment compared to other areas (including ‘competing’ regional centres). These influences are likely to include:

- The *agricultural economy*, Upper Lachlan has some excellent agricultural resources, such as fine wool grazing and seed potatoes, pleasant climate and fertile soils. These elements give it an advantage compared to some potentially competing local government areas. The longevity of this sector is crucial to the economic development of Upper Lachlan, which in turn influences urban and rural housing demand.
- The *skill base* of the local labour force and skills match with the industries which are prospering including managerial and professional services. Development activity, including new housing, could only be supported by the availability of appropriate, locally-available property and business services and individuals taking advantage of the internet to conduct business activities.
- The *availability of land* to support new industrial and commercial enterprises which will result in increased economic activity.
- *Attitude of the local authority* to new development (that is, “pro-development or pro-conservation”), expressed through planning regulations and rating regimes. Also, the decisions of higher levels of government can have significant positive (and negative) effects on implications for development. For example, major infrastructure decisions requiring State or Commonwealth Government funding. Commitments in relation to investment in health and education within rural NSW are examples of major Government infrastructure decisions which would have a direct influence on housing demand and location.
- The degree of *land fragmentation* in identified new development areas (that is, fewer land owners can create an easier path to land development). However, this factor can

also be countered by the circumstance where large parcels of appropriately zoned land are held by a single owner who chooses to not develop.

- The *cost of developing new land* for housing to support local economic activity, particularly utilities such as water, power, gas and sewerage.
- *Local social and demographic features* (for instance, the relative wealth/disposable income of the local population; age profile of the local population; degree of welfare dependence.
- *Lifestyle factors*, including the quality/image of the area, degree of access to good quality education facilities.
- The *availability of land* for new housing development areas.
- The relative *overall 'attractiveness'* of Upper Lachlan as a place to live, work and invest compared to other 'competing' centres such as Goulburn, Cowra, Moss Vale, Bowral. Also, the "spin-off" effects of economic activity in one part of the region on surrounding areas (for example, the demand for rural residential living opportunities in Cowra and Oberon).

#### 6.1.4 Development data

Recent trends in housing production form an important indication of the possible direction of future housing and land production. Housing indicators have been taken from available data sources, including development approvals, dwelling approvals and current rezoning applications with Council. This data has been compared to the number of dwellings as recorded in the five yearly Census of Population and Housing.

##### Development and dwelling approvals

Annual development and dwelling approvals are shown in Table 6-5. Upper Lachlan has experienced variations in the number of development applications since 2001. Due to the amalgamation in 2004, it is difficult to determine the number of subdivision applications submitted to Council and subsequently approved. Data is not currently available for the number of subdivision certificates that have been issued by Council.

On an annual basis, there are likely to be more subdivision approvals than registrations issued. This is because an approval represents approval in principle, whereas a subdivision certificate generally involves a higher level of financial commitment on behalf of the applicant. This means that these certificates are a more reliable source from which to interpret development activity.

##### Dwelling approvals

Dwelling approvals data recorded by the Upper Lachlan are shown in Table 6-5. The data provides an indication of likely dwelling production since the 2001 Census.

**Table 6-4 Upper Lachlan Development / Dwelling Approvals**

Year	2001	2002	2003	2004	2005	2006	2007	2008*
<b>No. of Development Applications</b>								
Former Crookwell	135	154	234	288	Upper Lachlan Shire	Upper Lachlan Shire	Upper Lachlan Shire	Upper Lachlan Shire
Former Gunning	46	41	41	40				
Former Mulwaree	50	25	37	25				
<b>Total</b>	<b>231</b>	<b>220</b>	<b>312</b>	<b>353</b>	<b>331</b>	<b>385</b>	<b>291</b>	<b>207</b>
<b>New Dwelling Applications</b>								
Former Crookwell	24	33	45	43	Upper Lachlan Shire	Upper Lachlan Shire	Upper Lachlan Shire	Upper Lachlan Shire
Former Gunning	17	22	19	9				
Former Mulwaree	15	20	12	8				
<b>Total</b>	<b>56</b>	<b>75</b>	<b>76</b>	<b>60</b>	<b>58</b>	<b>54</b>	<b>55</b>	<b>82</b>

Source: Upper Lachlan Shire Council, 2008  
 2005 – 2008 Figures are for all Upper Lachlan  
 \* Figures to November 2008

**Table 6-5 Subdivision Certificates**

Year	2006	2007	2008 *
<b>Subdivision Certificates released</b>	46	21	33
<b>Number of lots</b>	111	57	74

Source: Upper Lachlan Shire Council, 2008  
 \* Figures to November 2008

The data demonstrates:

- An average of 291 development applications per annum and 64 dwelling applications for new residential dwellings were approved per annum for the period 2001 to 2008. These average rates have declined over this period:
  - In 2001 to 2005 there was an average of 290 development applications per annum and 67 dwelling applications for new residential dwellings were approved for the period per annum.
  - In 2006 to 2007 there was an average of 338 development applications per annum and 55 dwelling applications for new residential dwellings were approved for the period per annum.
  - Whilst for 2008 it is not likely that there will be a comparable number of development applications made, there has been a greater number of new dwelling applications will than preceding years.
- There is a continuing demand for residential dwellings. This is supported by the data that demonstrates development of new dwellings and new residential lots consistently

exceeding fifty new residential dwellings per annum and exceeding 80 dwellings in 2008.

- The 2008 data suggests a decrease in non-residential development applications. This is based on an increased number of new residential dwelling development applications, but an overall decrease since 2006 for total development applications. As of November 2008, there has only been 207 development applications made for the 2008 period, consistent with the decreasing trend.
- Crookwell has consistently experienced the majority of development and dwelling applications, reinforcing the significance of Crookwell as the primary activity centre for the LGA.

### **Rezoning requests**

There have been rezoning requests submitted to Council which are yet to be determined. These indicate market demand for new residential and rural residential lands across the LGA. A significant proportion of development proposals for rezoning are focused on the Crookwell area.

These applications will be considered as part of the overall Strategy and assessed against a range of environmental, social and economic factors. These include the orderly growth of the towns and villages, site constraints including serviceability of each site and sensitivity of surrounding land uses and any potential impact on agricultural productivity.

## **6.1.5 Employment**

### **Expanding employment base and land demands**

In 2006, the unemployment rates for Upper Lachlan (approximately 3.4% of the labour force) which is generally consistent with that of the Sydney to Canberra Corridor and that of NSW (refer Figure 6-5). Slight variations were identified for Gunning and Taralga experiencing higher unemployment rates (6.9% and 5.3% respectively).

Although there are local variances, these unemployment rates generally reflect overall patterns of the Sydney to Canberra Corridor and NSW.

The Sydney to Canberra Corridor Strategy predicts that employment within the Central Sector would increase at an average rate of 3% per annum to 2021 with Upper Lachlan likely to grow at an average of 2% of the population over this period.

This is likely to reflect average economic growth over this period and will be reflected in new demand for retail, commercial and industrial employment uses.

Commercial and retail uses would be located within existing commercial centres to reinforce the service function of these areas while employment uses that have the potential to adversely impact on residential amenity and town aesthetics should be located elsewhere. Sensitive land uses include established and proposed residential areas, education land uses and areas that reflect rural character and heritage values.

The opportunity to work and study from home will depend on reliable internet facilities including connectivity to broadband/ADSL. Selected areas have access to broadband/ADSL however much of the Upper Lachlan continues to experience low levels of service. Effective internet capacity would promote working from home which would facilitate new types of employment. This would help to balance work and lifestyle choices without the need to

physically travel into regional employment centres such as Goulburn, Bathurst or Orange or major metropolitan areas such as Sydney, Canberra or Wollongong.

## 6.2 Summary

This chapter has provided an overview of the existing and expected level of activity across Upper Lachlan. A more detailed discussion of population growth targets has been provided at *Chapter 10*.

Projecting future population and employment growth and related land demands is influenced by numerous regional and local environmental, economic, social and political forces shaping urban and rural NSW. Using reasonably conservative growth assumptions, it is unlikely that some shortages in the existing availability of urban land across the Local Government Area would be experienced to 2020. This will be dependant on the composition of future development across Upper Lachlan and the level of infill development that occurs. The urban residential land bank comprises a range of land areas to the east, west and south of Crookwell in addition to surrounding towns and villages. Assessment of future demand for land associated with growth in population and employment needs to be considered against competing Local Government Areas including Goulburn Mulwaree, Queanbeyan, Yass, Cowra and Oberon.

Factors which suggest that further land development opportunities should be explored include the following:

- The land rezoning and development process is lengthy and is becoming an increasingly complex statutory process. The time taken from identifying land as an urban 'investigation' or 'transition' area to when subdivided allotments are ready to accommodate urban housing can take many years.
- The community demands that decisions about future urban areas be made well in advance of development actually taking place. This is as prospective residents make their housing investment decisions based on information contained in Council's urban plans and policies. This is partly why reservations for major urban release areas and urban infrastructure (such as major roads) are shown in town plans well in advance of their actual development.
- There is a need to identify future town growth opportunities to provide choice in the land market. Within Upper Lachlan's residential and employment land markets there is a collection of sub-markets relating to price, size and location. At any time, a range of allotment types need to be maintained to suit these markets, to maintain choice for the range of homebuyers and investors in the Upper Lachlan, and to plan and fund infrastructure.

In this context, it is relevant to look at opportunities for some limited urban development beyond the existing urban zoned areas. Part of the Strategy involved engaging the Upper Lachlan community and liaising with service providers to determine where and when urban growth should be accommodated in the short, medium and long term. The costs of servicing land for urban land uses is a critical limiting factor for urban development to be feasible. Potential population growth targets that will drive the direction of the Strategy and activity across Upper Lachlan to 2020 have been identified at *Chapter 10*.