

Contact: William Oxley
Reference: REZ/0002/1516

5 October 2016

Mr Graham Towers
NSW Department of Planning & Environment
Southern Region
PO Box 5475
WOLLONGONG NSW 2580

Dear Graham

Subject: Planning Proposal – Deletion of the West Goulburn Urban Release Area

I write in relation to the Goulburn Mulwaree Council planning proposal to delete the West Goulburn Urban Release Area and further to my discussion with yourself and George Curtis on 14th September.

I would like to take this opportunity to specifically address the concern of the Department about removing environmental protection from the land by removing the release area from the Urban Release Area Map. I will focus my response on the Shannon Drive area as this is the largest area in the precinct that is not currently developed nor subject to an existing consent for subdivision.

As I mentioned during our telephone discussion Council staff and NSW Office of Environment & Heritage (OEH) have had extensive discussions with the four landowners in the Shannon Drive portion of the release area about the significant ecological constraints present on the land which is intended for further subdivision. NSW OEH staff have ground truthed these sites and mapped what they believe to be the extent of the endangered ecological community on the land parcels and this information has been provided to the landowners and their planning consultant. NSW OEH staff have been very clear with the landowners and Council that unless the identified ecologically significant areas are avoided then significant offset areas and a species impact statement would be required with any development application for subdivision. Council staff have explained to the landowners that the latter path is a much more difficult option given the extensive area that would be required to offset any losses and the level of justification required for removal to be considered an appropriate alternative option to conserving in-situ.

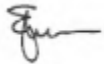
Council has actively sought the involvement of OEH in order to understand the ecological constraints of the land in order to work with the landowners to achieve a positive outcome in a timely manner. In this instance it is not considered that a site specific DCP would afford any additional protection to the flora communities identified on site than existing legislation that would be triggered at the development application stage. Council staff are committed to working with OEH and the landowners to achieve a subdivision layout that is appropriate for the constraints and opportunities of the land. It is considered that delaying the lodgement of an application for subdivision (by requiring a DCP for matters that can be considered as part of a comprehensive development application) is not assisting the orderly development of the

land in accordance with the zoning and minimum lot size under Goulburn Mulwaree LEP 2009.

It is understood that the Department is considering the option of requiring the land to be included on the Terrestrial Biodiversity Map as part of the planning proposal. It is acknowledged that perhaps had the land been on this map (or possibly part zoned environmental) when further subdivision potential was initially permitted through the LEP there may have been a more realistic expectation of the potential lot yield on the site. That said should the Department feel that effecting a site specific amendment to the Terrestrial Biodiversity Map would assist in this circumstance then it will be considered as an option going forward.

Thank you for the opportunity to discuss Council's proposal prior to a Gateway decision. Should you require any clarification or have any further questions please don't hesitate to contact the undersigned by email emma-jayne.leckie@goulburn.nsw.gov.au or phone (02) 4823 4535.

Yours sincerely



Emma-Jayne Leckie

Business Manager Planning and Strategic Outcomes