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5 May 2021

Ms Sarah Lees
Director- Southern Region
Planning Services
NSW Department of Planning, Industry & Environment
wollongong@planning.nsw.gov.au

Dear Sarah

Request agreement of the Secretary – Planning Proposal (Council Reference PP.2020.04)

I refer to the Planning Proposal to adjust the zone and minimum lot size boundaries applying to 'Kyeema' at 4078 Gundaroo Road, Gundaroo (your reference PP_2020_YASSV_006_00).

During public consultation, Council received comments from DPIE- Biodiversity and Conservation unit, confirming that they agreed that any inconsistencies with Ministerial Directions 2.1- Environment Protection Zones is of minor significance, and the Planning Proposal is consistent with Direction 5.10 – Implementation of Regional Plans. Heritage NSW have advised that amending the zone lot size boundaries to align with the approved subdivision will not cause any additional impacts to Aboriginal Cultural Heritage, and therefore it can be assumed that they agree the Planning Proposal is consistent with Direction 2.3.

As DPIE- Biodiversity and Conservation unit have advised that they believe flood issues identified in previous advice provided in 2017 and 2018 are still present, Council requests the agreement of the Secretary for inconsistencies with Direction 4.3 Flood Prone Land.

As stated in the Planning Proposal, it is inconsistent with thus Direction "*as there is a small area of the proposed western extension of the R2 zone which is affected by the 1% AEP flood event, however it impacts the road access to Gundaroo –Sutton Road only, not lots that have been created by the development consent.*

The planning proposal also seeks to shift the current R2 boundary 33 metres to the north (increasing the E3 zone accordingly). From a flood risk perspective, this is a better outcome as it removes a large area from the current R2 zone which is flood affected in a 1% AEP event associated with McLeods Creek. While it is acknowledged that the road will still be affected by such a flood, the extent and depth of flooding will be less.

With regard to the PMF event, the whole of Gundaroo Village will be affected in terms of access and egress. There are no critical or sensitive uses proposed on this site, and the adopted Gundaroo Flood Risk Management Plan specifies that these types of uses are potentially unsuitable in these areas."

In addition to this, a condition was included on the development consent for the subdivision, which required: *An overland flow path to accommodate the discharge from a 1 in 100 year storm event shall be provided.* This design information was required prior to the issue of a Construction Certificate, and the stormwater design for the subdivision has been based on diverting the majority of the stormwater from the site back into McLeod's Creek. As such, this is expected to further reduce the extent of flood impact on the road access to Gundaroo-Sutton Road.

Based on the above, the agreement of the Secretary is requested for the inconsistency with Direction 4.3 Flood Prone Land.

If you require any further information in this regard, please contact me on Liz.Makin@yass.nsw.gov.au.

Yours sincerely



Liz Makin
Strategic Planning Manager