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Dear Dialina

Planning Proposal PP-2023-2264 - 158 Gorman Road, Goulburn

Thank you for the opportunity to review the Planning Proposal for 158 Gorman Road, Goulburn. We have completed a full a review of the documents, including the Ecological Impact Assessment (EIA) July 2023, the Preliminary Flood Impact and Risk Assessment (FIRA) and the Gateway Report.

The proposal seeks to rezone the section of the site that is currently zoned RU6 to R5 and reduce the minimum lot size of this section from 10ha to 2ha. Shown in **Attachment A**, there is a discrepancy between the concept plan and the proposed final zone layout in the Gateway Report, in which the location of the boundary between the proposed R5 and C3 zones is different. A patch of critically endangered Box Gum Woodland ecological community (BGW) occurs within this area (**Attachment A**). BCS seeks clarification on which boundary location is intended by the proposal, and whether the proposal intends to include the BGW patch in the C3 zone.

BCS supports the area of Box gum woodland and other vegetation being included in the C3 land as per Figure 1, concept plan as this will protect the vegetation. If the proposal does not intend to zone the BGW patch as C3, BCS suggests that Council protect this community from potential future impacts at the Development Application stage via a covenant under Section 88B of the *Conveyancing Act 1919*.

The planning proposal involves the rezoning of flood prone land and therefore should be considered in accordance with *Section 9.1(2) Local Planning Direction 4.1-Flooding* and the NSW Government's Flood Prone Land Policy as set out in the Flood Risk Management Manual, 2023. The policy aims to reduce the impact of flooding and flood liability on individual owners and occupiers, and to reduce private and public losses resulting from flooding utilising ecologically positive methods wherever possible. Please see **Attachment B** for more detail.

If you have any further questions about this issue, please contact Louis Cameron, Conservation Planning Officer, at rog.southeast@environment.nsw.gov.au.

Yours sincerely

ALLISON TREWEEK 11/10/2024

**Senior Team Leader – Planning
Regional Delivery Biodiversity Conservation and Science**

Attachment A – Zone Discrepancy and Box Gum Woodland patch

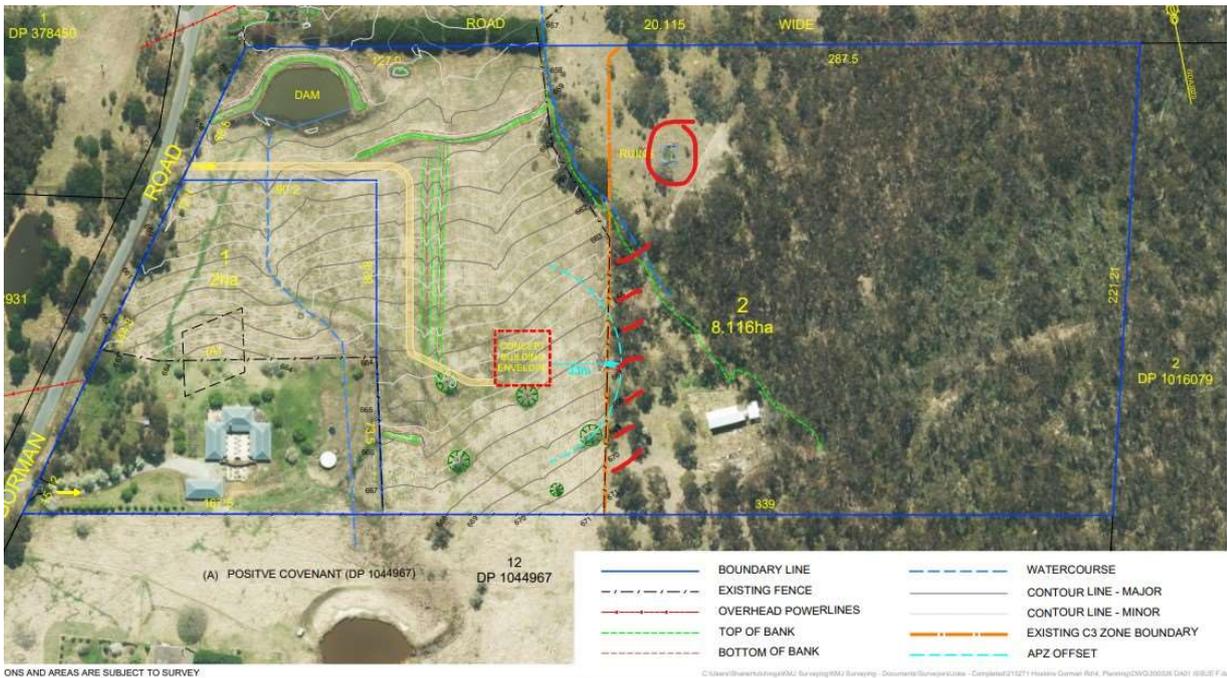


Figure 1 - Concept plan

The concept plan shows the ruined cottage (circled) as being entirely inside the existing C3 zoning in the site. The C3 zoning extends to the boundary of the cleared area and includes the strip of vegetation highlighted by the hatching.



Figure 2 - Proposed final zone layout

This layout shows the boundary of the C3 zone to run through the ruined cottage (circled). The boundary of the C3 zone is several metres from the edge of the cleared area and the strip of vegetation shown by the hatching is zoned as R5.



Figure 3 - Location of Box Gum Woodland patch in area of discrepancy

A patch of Box Gum Woodland (circled) occurs in the strip of vegetation that has been shown as both R5 and C3 in the proposal.

Floodplain Risk Management Comments

The planning proposal involves the rezoning of flood prone land and therefore should be considered in accordance with *Section 9.1(2) Local Planning Direction 4.1-Flooding* and the NSW Government's Flood Prone Land Policy as set out in the Flood Risk Management Manual, 2023. The policy aims to reduce the impact of flooding and flood liability on individual owners and occupiers, and to reduce private and public losses resulting from flooding utilising ecologically positive methods wherever possible.

The proposal seeks to rezone the existing RU6 Transition to R5 Large Lot Residential on the western portion of the site whilst maintaining the existing C3 Environmental Management area to the east in order to create one additional allotment. A Preliminary Flood Impact & Risk Assessment (FIRA) dated 16 July 2024 prepared by Goulburn Malwaree Council was provided.

The FIRA shows that several tributaries of the Wollondilly River traversing the site which includes floodplain areas associated with overland flooding to be rezoned as residential use. The flood maps provided suggests the proposed area to be rezoned to R5 raises a potential inconsistency with the provisions of the direction due to the proposed blanket residential zoning approach over the floodplain areas.

In progressing the planning proposal, the FIRA could be updated to include the following:

- The FIRA should be updated with a more detailed assessment of the risk to demonstrate consistency with the local planning direction (4.1 Flooding).
- Provide a clear flood extent map overlaid with proposed zonings. The current mapping does not appear to have been post-processed leading to a confused understanding of flood risk on the site.
- Clarify impacts of the probable maximum flood (PMF) – current map suggests the proposed residential lot will be inundated however the FIRA states that the proposed future building site could occur outside the floodplain extents.
- The FIRA should assess flood risk over the full range of possible floods up to the PMF, including:
- Clarify any adverse impacts of the proposed development on flood behaviour including landform changes and off-site impacts including to roads.
- The impact of flooding on the safety of people for the full range of floods including issues linked with isolation and accessibility for emergency services.
- Establish flood planning levels including the implications of climate change.
- The FIRA would benefit from the input of a suitably qualified engineer with an understanding of flood modelling and risk management processes.
- The FIRA should include outcomes of consultation with the NSW SES with respect to emergency management issues.

Guidance on a fit for purpose FIRA can be found at: [Flood Impact and Risk Assessment | NSW Environment and Heritage](#).