
PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services

Attachments:

1. Under Separate Cover - Planning Proposal 207 Broulee Road PART 1
2. Under Separate Cover - Planning Proposal 207 Broulee Road PART 2
3. Under Separate Cover - Planning Proposal 207 Broulee Road PART 3
4. Under Separate Cover - Planning Proposal 207 Broulee Road PART 4
5. Under Separate Cover - Planning Proposal 207 Broulee Road PART 5
6. Under Separate Cover - Planning Proposal Assessment Report 207 Broulee Road
7. Under Separate Cover - Review of scoping report
8. Under Separate Cover - PP-2023-1556 207 Broulee Road- returned
9. Under Separate Cover - Request for information 207 Broulee Road Planning Proposal
10. Under Separate Cover - Planning Proposal additional information PART 1
11. Under Separate Cover - Planning Proposal additional information PART 2
12. Under Separate Cover - Planning Proposal additional information PART 3
13. Under Separate Cover - BMPCA letter 207 Broulee Road

Community Goal: 3 Our region of vibrant places and spaces

Community Strategy: 3.1 Balance development between the needs of people, place and productivity

Delivery Program Link: 3.1.1 Review, prepare and deliver planning instruments that support sustainable social, environmental and economic outcomes as guided by our Local Strategic Planning Statements

Operational Plan Link: 3.1.1.3 Conduct ongoing reviews and update planning controls

EXECUTIVE SUMMARY

Council received a planning proposal on 10 August 2023 to rezone land at 207 Broulee Road, Broulee from RU1 Primary production to C4 Environmental Living to facilitate an estimated 800 dwellings (Attachment 1). The proponent refers to the proposal as an 'Agrihood' called 'The Farm'.

The location of the proposal is shown in **Figure 1** and the concept plan is shown in **Figure 2**.

The planning proposal assessment process has been undertaken in line with the *Environmental Planning and Assessment Act 1979* and NSW Government guidelines. An independent planning consultant assessed the planning proposal (Attachment 6). Key issues identified are:

- The proposal has been assessed to not have strategic or site-specific merit for the following reasons:
 - Inconsistency with regional and local strategies, State Environmental Planning Policies and Ministerial Directions including:
 - planning strategies in the Draft Southeast and Tablelands Regional Plan 2041, including 17.1 and 17.2

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

- planning priorities in the Eurobodalla 2040 (Council's Local Strategic Planning Statement), including Planning Priorities 2, 3, 5, 8, 9 and 11
 - the Eurobodalla Rural Lands and Settlement Strategy
 - Ministerial Directions - 1.1 Implementation of Regional Plans, 1.4 Site Specific Provisions, 3.1 Conservation Zones, 3.2 Heritage Conservation, 4.2 Coastal Management, 4.3 Planning for Bushfire Protection, 4.4 Remediation of Contaminated Land, 4.5 Acid Sulfate Soils, 5.1 Integrating Land Use and Transport, 6.1 Residential Zones, 9.1 Rural Zones and 9.2 Rural Lands
 - SEPPs – Primary Production (2021), Transport and Infrastructure (2021), Biodiversity and Conservation (2021), Resilience and Hazards (2021).
- The proposal is inconsistent with the intended character of development in the C4 Environmental Living zone, and many of the proposed uses are prohibited in the C4 Environmental Living zone.
 - The proposed form of housing is urban in character and development will require significant infrastructure investment, the feasibility of which is uncertain.
 - The site will substantially change the character of, and impact, Broulee village and the surrounding Illawong Nature Reserve.
 - The development may have an adverse effect on the biodiversity and conservation of threatened species, ecological communities and their habitats.
 - The development may cause land-use conflict between urban and rural uses.
 - The proposal is premature to the finalisation of the Eurobodalla Housing Strategy.
 - The proposal will divert the planning and delivery of necessary critical infrastructure, funding, staging, sequencing, and housing away from existing nominated growth areas, and is therefore not in the public interest.

The values and concepts presented in the planning proposal are commendable, however there is not enough information provided for any certainty that a sustainable residential community would be achieved. All development should promote sustainable living and all subdivisions must provide for a livable, sustainable and climate adapted public realm.

The planning proposal does not demonstrate strategic or site-specific merit and therefore it is recommended that Council does not support it.

RECOMMENDATION

THAT Council

1. Resolves not to support the Planning Proposal proceeding to Gateway Determination, for the following reasons:
 - Inconsistency with regional and local strategies, State Environmental Planning Policies and Ministerial Directions.
 - The feasibility of significant infrastructure required to achieve the proposed future development is not demonstrated from a financial and environmental perspective.
 - Mitigation of potential adverse effects on the biodiversity and conservation of threatened species, ecological communities and their habitats and the surrounding Illawong Nature Reserve is not demonstrated.
 - Preliminary work on the Eurobodalla Housing Strategy has identified housing supply and land zoned for future residential development exceeds the projected population needs past 2041.

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

- The proposal will divert the necessary critical infrastructure, funding, staging, sequencing, and delivery of housing away from the existing nominated growth areas and is therefore not in the public interest.
2. Notifies the proponent of Council's determination in accordance with section 9 of the *Environmental Planning and Assessment Regulation 2021*.

BACKGROUND

The proponent of the proposed development at 207 Broulee Road submitted a pre-lodgement scoping report in September 2022 to rezone rural land to residential land. The proposal is referred to as an 'Agrihood' called 'The Farm'. The location of the proposal is shown in **Figure 1** and the concept plan of the Agrihood is shown in **Figure 2**.

Council staff and an independent planning consultant reviewed the scoping report. The proponent was advised on 19 January 2023 that the proposal did not demonstrate strategic or site-specific merit (see Attachment 7). Staff also recommended deferring the planning proposal until further strategic work was completed to identify if there was any requirement for land to be rezoned for future housing development, ie, through the housing strategy process.

The proponent proceeded to submit a planning proposal and supporting documentation on 21 July 2023. The planning proposal was returned on 4 August 2023 requiring further information (see Attachment 8).

The proponent resubmitted the planning proposal and supporting documentation on 10 August 2023 (Attachments 1 to 5) and assessment commenced. After an RFQ process, Council engaged an independent planning consultant to assist staff assess the planning proposal. The independent planning consultant requested more information on the 12 October 2023 (Attachment 9). The proponent responded to the request for information with a letter and additional documentation on 10 November 2023 (Attachments 10 to 12).

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

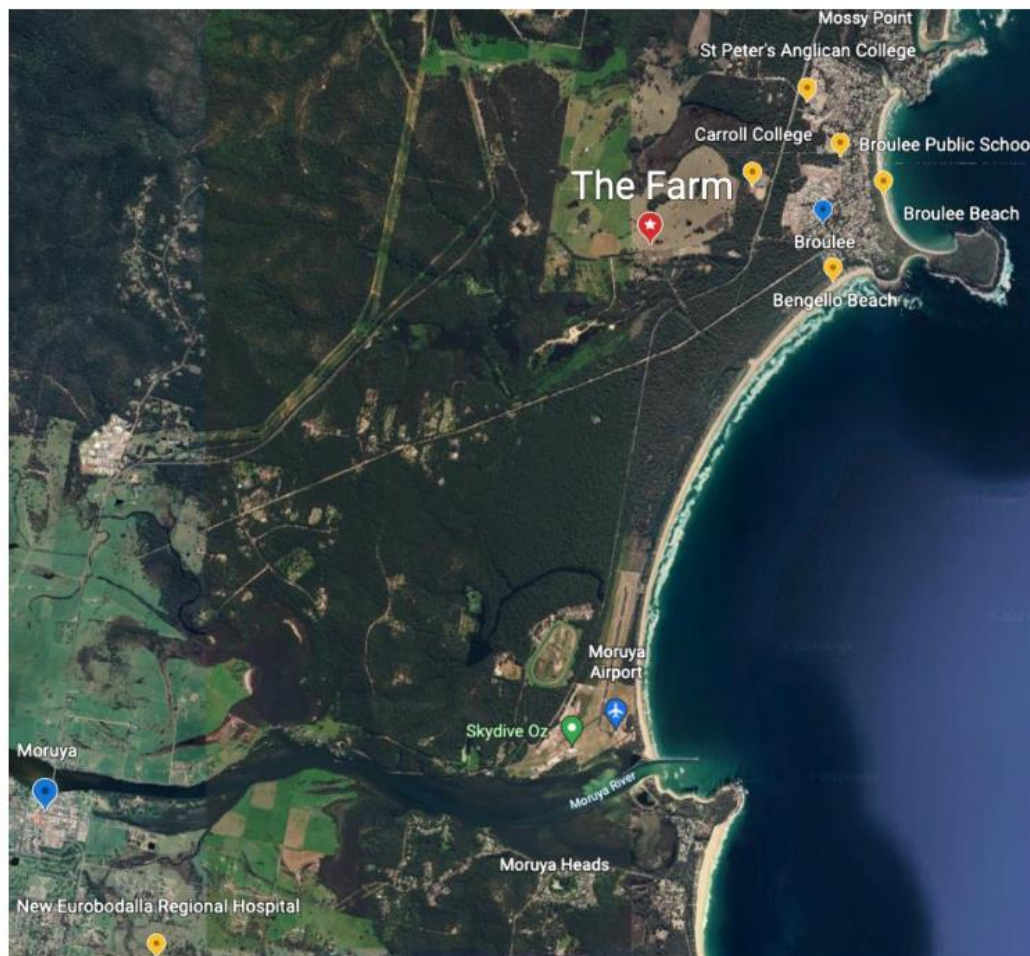


Figure 1: Location of proposal 'The Farm' (source: Figure 2 of Planning proposal dated 18 July Rev C)

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008



Figure 2: Concept plan (source: additional information provided by proponent on 10 November 2023, Attachment 11)

The planning proposal seeks to amend the *Eurobodalla Local Environmental Plan 2012* by:

- Rezoning land from RU1 Primary Production to C4 Environmental Living to facilitate an estimated 800 dwellings (Figure 3).
- Rezoning land from RU1 Primary Production to C2 Environmental Conservation (Figure 3).
- Introducing a height of building limit of 8.5 metres (Figure 4).
- Introducing a site-specific local provisions clause to allow residential development of the proposed C4 zoned land subject to:
 - maximum dwelling density of 8 dwellings per hectare and
 - minimum 50% of the lands being conservation area, green space, market gardens, etc.
- Introducing the following additional permitted uses for the part for the land proposed to be zoned C4:
 - community facility
 - food and drinks premises.

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

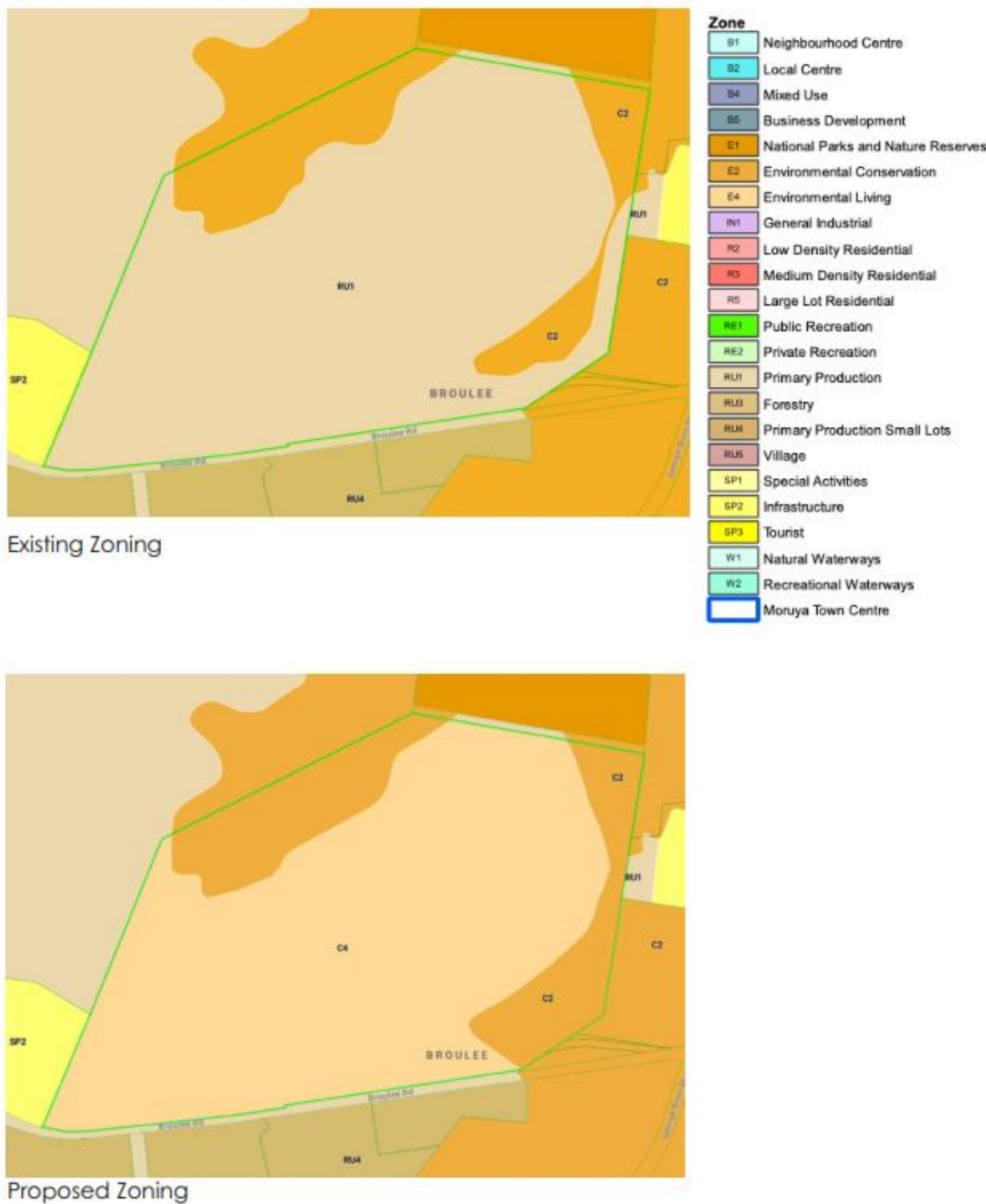


Figure 3: Existing and proposed zoning of the site (source: Figure 7 of Planning proposal dated 18 July Rev C, Attachment 10)

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

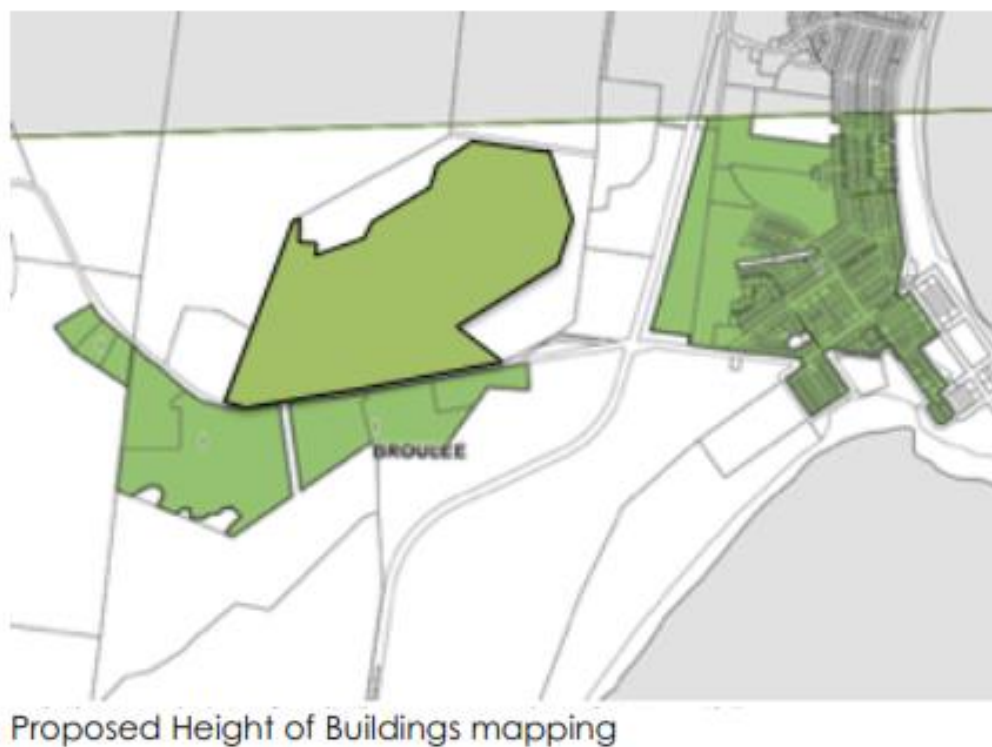
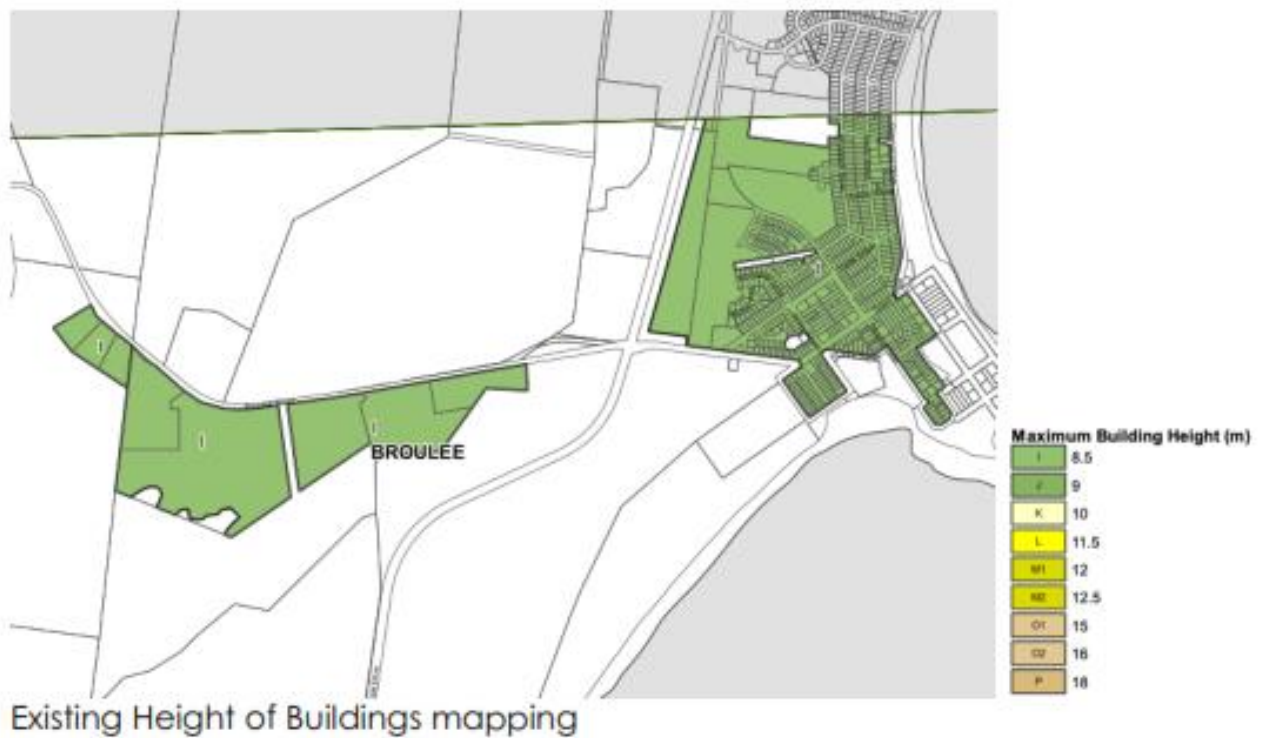


Figure 4: Existing and proposed height of building limit for the site (source: Figure 8 of Planning proposal dated 18 July Rev C, Attachment 10)

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

The term 'Agrihood' has no accepted or formal definition and it is not recognised as a statutory land-use in the definitions in the NSW Local Environmental Plan Standard Instrument. An 'Agrihood' is described by the proponent in the planning proposal and supporting documentation as:

"a unique community that integrates agriculture into a residential neighbourhood" (PPD Planning Consultants Planning Proposal 18 July 2023, Attachment 10)

"Australia's leading wellness community with the implementation of 'agri-hoods', a clustered housing model and the world's leading technology to drive sustainability.

While there is no project in Australia that exactly replicates the intent of The Farm, there are a couple of case studies at Witchcliffe, Western Australian and The Cape, Victoria. This development will not appeal to everyone rather it seeks to target those that are passionate about the environment, their health and want to be part of the solution to climate change. ... While this is exemplified in the construction of homes and landscape infrastructure, the desire to embody a lifestyle of sustainability and connection cannot be separated from food production and consumption and interactions with nature and others. Food and farming are often the reasons that we come to community gardening, however, the connections that are developed between the individual, their community, and their environment are some of the most powerful benefits" (The Farm, 'Community Farm Management Plan' undated, Attachment 10).

CONSIDERATIONS

The independent planning consultant report states that while the philosophy and the principles that support the characteristics of 'Agrihoods' are commendable, the location of the proposed site for this new type of development is inappropriate and the characteristics of the proposal in this instance are uncertain.

The independent planning consultant concludes that the proposal should not be supported because (see Attachment 6):

1. *The proposal is inconsistent with the strategic planning framework including:*
 - i) *A large number of the applicable Planning strategies in the Draft South East and Tablelands Regional Plan 2041, including 17.1 and 17.2.*
 - ii) *The majority of the planning priorities in the Eurobodalla Local Strategic Planning Statement 2040, including Planning Priorities 2, 3, 5, 8, 9 and 11.*
 - iii) *Eurobodalla Rural Lands and Settlement Strategies.*
 - iv) *Ministerial Directions - 1.1 Implementation of Regional Plans, 1.4 Site Specific Provisions, 3.1 Conservation Zones, 3.2 Heritage Conservation, 4.2 Coastal Management, 4.3 Planning for Bushfire Protection, 4.4 Remediation of Contaminated Land, 4.5 Acid Sulfate Soils, 5.1 Integrating Land Use and Transport, 6.1 Residential Zones, 9.1 Rural Zones and 9.2 Rural Lands.*
 - v) *SEPPs – Primary Production (2021), Transport and Infrastructure (2021), Biodiversity and Conservation (2021), Resilience and Hazards (2021).*

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

2. *The proposal is inconsistent with the intended character of development in, and many of the proposed uses are, prohibited in the C4 Environmental Living zone.*
3. *The proposed form of housing is urban in character and development will require significant infrastructure investment, the feasibility of which is uncertain.*
4. *The site will substantially change the character of, and impact, Broulee village and the surrounding Illawong Nature Reserve.*
5. *The development will have adverse effect on the biodiversity and conservation of threatened species, ecological communities and their habitats.*
6. *The development will cause land use conflict between urban and rural uses.*
7. *The proposal is premature as the Local Housing Strategy has not been completed and*
8. *The proposal will divert the necessary critical infrastructure, funding, staging, sequencing and delivery of housing away from the existing nominated growth areas and is therefore not in the public interest.*

The independent consultant also considered the site-specific capability and identified the following matters requiring further consideration (Attachment 6):

1. *Potential land-use conflict from existing rural activities affecting the new urban development.*
2. *Land use conflict within the development. This includes from the proposed location of the agricultural areas in proximity to residential areas.*
3. *Bushfire asset protection zones should be within public road reserves and not within riparian areas or on trails. The proposed fire trails may not be accessible by the RFS.*
4. *Transport accessibility for future residents, and connectivity of cycleways, pathways and open space areas from the new development to the existing areas of Broulee.*
5. *Potential contamination impacts, which are unknown.*
6. *Potential Acid Sulfate Soil impacts, which are unknown.*
7. *Potential impacts on the provision of education, community, open space and recreation facilities, which are unknown.*
8. *The ad hoc introduction of new development standards into the Eurobodalla Local Environmental Plan 2012 which either do not currently exist or are being proposed in a manner that is inconsistent with other areas. This includes the use of C4 Environmental Living Zone to support detached, villa and terrace housing areas with a density of 12.6 dwellings per hectare and an average lot size of 600 sqm.*
9. *The scale of the development, proposing 800 dwellings, is not local growth. Adopting a common occupancy rate of 2.3 people (but noting that the actual occupancy rate in*

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

Broulee is much less), this equates to an estimated population of 1,800 additional people. This is approximately double the size of the existing 1,947 population of Broulee village (as measured at the last 2021 Census). The proposal does not provide evidence that this is the correct location for such housing.

10. *The proposal represents a large urban expansion that seeks to present itself as a low density environmental living development in a currently un-serviced and isolated rural area requiring significant infrastructure investment.*
11. *Evidence that suggests that the Shire has housing diversity and affordability issues is acknowledged. However these are generic issues that would be relevant to any proposal. The issue can be addressed by the provision of additional housing in appropriate locations.*
12. *More detail is required on how the proposal can contribute to increasing diversity and affordability. Overall, the proposed density of 12.6 dwellings per hectare and an average lot size of 600 sqm appears to be antipathetic to these objectives (notwithstanding the stated intentions of the proposal.*
13. *There are uncertainties in the ability to deliver infrastructure to service the proposal, in particular that of water, sewer, roads, community facilities and public transport. More detail is required regarding certainty of their provision, ownership and maintenance in the development. Without significant investment from Government, the proposal will likely result in the diversion of finite resources from the existing growth areas in the Eurobodalla Shire and*
14. *With the preparation of the new Local Housing Strategy underway, that will identify actions to increase diversity and affordability, it is premature to pre-empt and potentially undermine the findings and recommendations of the work by any support to a draft Planning Proposal of this scale at this time.*

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

Legal

The planning proposal has been considered in line with the *Environmental Planning and Assessment Act 1979* and NSW Government guidelines, however the documentation submitted by the proponent has not demonstrated strategic or site-specific merit.

The permissibility of the proposed land uses of the village hub and dwelling typologies in the C4 Environmental Living zone is unclear. Some proposed uses, such as a café, childcare centre, business premises, 'discovery centre' and villa/terrace housing are not permissible in the proposed C4 Environmental Living zone. Clarification of this matter was sought from the proponent in the request for additional information on 12 October 2023 (Attachment 9). The proponent responded that the permissibility of the proposed housing mix and commercial uses in the proposed C4 Environmental Living zone will be confirmed in a Site – Specific Development Control Plan. However, a Development Control Plan cannot allow a land-use that is prohibited in a Local Environmental Plan. As such, this planning proposal is the time to demonstrate the proposed uses are permitted.

The proponent has stated that *'If deemed necessary, a draft site-specific Development Control Plan (DCP) will be prepared more appropriately following Gateway determination and prior to public exhibition of any future Planning Proposal. The DCP will be prepared in consultation with Council and provide additional clarity on the intended outcomes of the Planning Proposal as it relates to more detailed site-specific provisions.'* (Planning proposal dated 18 July Rev C, Attachment 10)

The proposed development controls are essential to understand whether the proposal can be delivered as proposed, especially because it is being relied upon as the response to many of the items in the request for more information. A structure for a development control plan was included in the planning proposal supporting documentation but it does not provide any draft controls.

Policy

The planning proposal is inconsistent with the [draft South East and Tablelands Regional Plan 2041](#) because it has not demonstrated that:

- Areas of high environmental value bordering the development area to the north, north east and south east can be protected, and impacts of the development on aquatic habitats in freshwater systems and aquacultural estuaries can be avoided (Strategy 13.1).
- Existing services in Broulee and convenient proximity to the site can cater for an increase in population (i.e. social infrastructure, education and health), and can encourage walking and cycling (Strategy 17.1).
- There is proximity to public transport commensurate with the need generated by the target 'seniors living' character of the population (Strategy 17.1).
- It focuses on new housing development in existing centres, where supported by strategic land use plans such as local housing strategies (Strategy 17.2).

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

The proposal is consistent with the [Eurobodalla Local Strategic Planning Statement 2020-2040](#) because it:

- encourages greater housing diversity and affordability (Planning Priority 1), and
- promotes a diverse and sustainable agriculture sector (Planning Priority 13).

The proposal is inconsistent with the [Eurobodalla Local Strategic Planning Statement 2020-2040](#) because it does not:

- enhance the distinctive character and heritage of towns, villages and hamlets (Planning Priority 2)
- consolidate development within towns and village centres (Planning Priority 3)
- conserve and celebrate bushland and waterways (Planning Priority 5)
- align local infrastructure delivery with planned growth (Planning Priority 8)
- develop highly accessible town and activity centres (Planning Priority 9) and
- activate town and village centres (Planning Priority 11).

The proposal is consistent with the following actions in the [Eurobodalla Rural Lands Strategy 2016](#):

- Promote Eurobodalla as a place where small scale agriculture is a viable lifestyle and business opportunity (Action 5.5.2.1).
- Promote possible measures to encourage land owners to maintain or enhance landscape qualities as part of development offsets (Action 5.3.2.3).

The proposal is inconsistent with the [Eurobodalla Rural Lands Strategy 2016](#):

- Conserve properties over 100 ha in larger ownerships and limit further fragmentation of ownerships where access is poor (Action 5.2.3).
- There is a comfortable supply of vacant lots and potential lots in the existing rural residential zones to address at least 5 to 10 years demand for all types of rural residential living experience (Direction 5.8.3).
- The R5 Large Lot Residential zone should continue to be used for small lot (generally 5 ha or less) rural living and smaller scale hobby farm activity in estate style developments covering predominantly cleared lands (Action 5.9.2.1).
- The E4 Environmental Living zone [now C4 zone] should continue to be used to define areas where there is an emphasis on rural living in bushland surroundings (Action 5.9.2.1).
- Council continues to use the following zones for rural residential development:
 - Zone R5 Large Lot Residential: as a zone to define small lot areas for predominantly rural living with very small if any agricultural use.

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

- Zone E4 [C4] Environmental Living: as a zone to distinguish environmental living in bushland areas with low emphasis on agricultural use. (Action 5.9.2.1).

The proposal is inconsistent with the following actions in the [Eurobodalla Settlement Strategy 2006 – 2031](#):

- Direction 5.2.2: Settlements are contained within existing settlement boundaries and separation between settlements is maintained to ensure settlement character is protected and urban sprawl is avoided.
- Direction 5.3.2: urban residential land is developed in an orderly sequence that responds to the market and is able to be serviced economically.
- Action NH3: defer to the NSW Government Seniors Living Policy for the placement of aged housing – aged housing is to be prohibited in rural areas or areas subject to natural hazard.
- Action NE7: restrict development on rural lands through an appropriate land use zone in significant major water catchments that contribute to essential domestic water supply, irrigation waters and environmental flows in streams.
- Action NE8: apply a conservation zone and vegetation buffers to protect rivers, streams, wetlands, lakes and estuaries and other sensitive landscapes in order to achieve designated water quality objectives.
- Action SP7: include minimum lot sizes, maximum building heights and site coverage controls, such as maximum floor space ratios, as separate overlays in the new LEP.
- Action SP10: the existing boundaries of urban settlements as defined in structure plans and including land zoned for urban expansion are to be retained in the new LEP.
- Action SP13: vacant urban residential land within and adjacent to Batemans Bay, Moruya and Narooma structure plan areas is given high priority for release. Vacant urban land in or adjacent to isolated villages and hamlets is of low priority for release.
- Action SP16: deficits in dwelling needs in the northern and central district are to be addressed through increased housing densities in appropriate locations as identified in structure plans for Batemans Bay and Moruya.

Environmental

The information provided in the planning proposal and supporting documentation does not demonstrate how environmental benefits would be achieved, especially compared with the option of no change to land use or rezoning of land.

The proponent was asked to provide further information to:

- clarify how Category 1 streams would be avoided, managed, impacted and/or offset
- demonstrate that future proposed development will not significantly impact on the adjacent wetlands and environmental buffer areas
- determine potential impacts on Yellow-bellied gliders, including a targeted survey

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

- prepare a Biodiversity Development Assessment Report, or minimum Biodiversity Assessment Methodology stage 1-2 assessment
- investigate the location of heritage buildings likely to occur on site and where required prepare an archaeological plan
- the investigation and description of review, and update the flooding or water cycle and stormwater management is inadequate. This should be addressed due to the proximity of the receiving environment being a wetland, Illawong Nature Reserve and first order waterways across the site.

Additional documentation did not adequately address these issues.

Asset

The nature of the capacity and infrastructure upgrades required (including potential associated environmental impacts to deliver infrastructure) and funding arrangement are unclear. The planning proposal and supporting documentation has not considered any environmental investigations, geotechnical limitations, community engagement or cost estimates associated with servicing the development with water and wastewater.

The proponent was asked to provide:

- indicative concept plans and maps showing lead in connections and routes to existing services
- expectations for how to fund community infrastructure eg, contributions plan or voluntary planning agreement
- the feasibility of the proposed secondary access closer to the highway due to its proximity to a crest.

Additional documentation did not adequately address these issues.

Social Impact

The planning proposal does not identify expected dwelling occupation or population estimates and how this may affect expected demand for schools and open space (eg, Captain Oldrey District Sports Park). It is unclear whether this is an acceptable increase in demand for community facilities. Additional documentation did not adequately address these issues.

Eurobodalla has adequate land zoned for future residential development to at least 2041, and development approvals are meeting projected population growth requirements. The issue of housing affordability is a significant concern for Eurobodalla, but this is not clearly addressed by the proposal. The proposal does not demonstrate the strategic merit of this site for more housing, which is identified for Eurobodalla's main towns in strategic plans and policy. There is insufficient detail of how key worker housing and affordable housing would be delivered eg, no evidence of collaborating with community housing providers. This means it is unlikely to help new teachers, and other key workers find housing that is affordable to them.

The housing component of the proposal presents a development that is urban in form and character with nearby agricultural activities. The dwelling yield is estimated to be 800 dwellings in a mix of dwelling types ranging from detached homes through to villas and terraces in a subdivision with an average lot size of 600m².

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

There are inconsistencies in the justification for the proposal from a community perspective, for example:

- A 50% dwelling target for downsizers (one to two people) but the planning proposal documentation suggests smaller dwellings with two to three bedrooms.
- Over 55s are proposed to be over 50% of the future population however, it is not including seniors living, which is prohibited in the C4 Environmental living zone.
- The proposed zoning of C4 Environmental Living would be inappropriate given the urban characteristics of this proposal. The character of the housing component does not meet the desired future character sought by the objectives of the zone, particularly Objective 4 to “ensure that development in the area does not unreasonably increase the demand for public services or public facilities.”
- The proposal suggests the model is a ‘compact, mixed-use, walkable community’ however this is not evident in the concept plan. The proposal does not address active transport and how pedestrians/cyclists will be catered for particularly around crossing of George Bass Drive to the services like schools, medical facilities and shops in Broulee, or the potential for public transport to elsewhere in Eurobodalla. The potential impacts of walking and bike trails through threatened ecological community to Carroll College have not been adequately assessed in the planning proposal.

Preliminary consultation with SAGE, Carroll College and St Peters College shows their support of a learning centre, but this is a potential outcome of the planning proposal and has not been described in detail.

The proposal states it will be a carbon negative community, however how this will be achieved is unclear.

Economic Development Employment Potential

The proposal does not address the loss of agricultural land. Whilst the site may not currently be farmed to its potential, this is not justification for a change in use for future needs. It is also inconsistent with the Eurobodalla Rural Lands Strategy.

The proposal does not address potential land-use conflicts urban housing interspersed with agriculture (eg, impact of noise, odour, spraying, truck movements, etc, on residential amenity) or how they would be managed.

While further information was requested, additional documentation did not adequately address these issues.

The proposal suggests partnerships with an Aboriginal-owned construction company which may provide employment opportunities for Aboriginal people, however, all construction companies would likely result in this outcome for our local people.

Financial

Council charges fees to undertake the planning proposal process (eg, public exhibition) for proponent-led planning proposals.

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

Contributions for required upgrades to community infrastructure because of the estimated 800 dwellings are recommended to form part of the planning proposal if it was supported by Council.

Council resources would be diverted from other priority projects to work on the planning proposal and associated funding agreements or contributions plans if the planning proposal was supported by Council.

Community and Stakeholder Engagement

The proponent and Council staff met with the former NSW Government Department of Planning and Environment (now Department of Planning, Housing, and Infrastructure) on 24 October 2022 regarding the scoping proposal.

No preliminary engagement has been undertaken with the community, government agencies or stakeholders regarding the planning proposal submitted in August 2023. If a Gateway Determination was issued by the NSW Government, this would include additional engagement requirements in line with the determination, the *Environmental Planning and Assessment Act 1979* and Council's Community Engagement Strategy.

Internal referrals have been made to Council staff for specialist review which raised matters for consideration and collectively do not support the proposal.

The proponent has undertaken limited, selective engagement with key stakeholders and other interested parties within the community, some of whom have indicated support of the proposal (Table 1).

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

Table 1: Summary of engagement undertaken by the proponent (source: Section 5.5 of planning proposal dated 18 July Rev C, Attachment 10)

Stakeholder	Summary of response provided by proponent in planning proposal
Blackrock Industries	<p>Blackrock Industries are a large 100% owned Indigenous organisation providing people and equipment to mining and civil projects. They have provided a letter of support for this project stating:</p> <ul style="list-style-type: none"> • We have developed a long-term relationship with Brightlands Living. • Blackrock is tremendously excited to be aligned with such an innovative and sustainable project and would be delighted to undertake the civil contracting work and construction work associated with the project. • As an Indigenous business we have a significant Indigenous workforce, and we would also work with the local Indigenous community in the Eurobodalla region to provide pathways for employment.
Carroll College	<p>Preliminary discussions have been held with Carroll College and a letter of support has been provided by the Principal, Mrs Jacqueline Heffernan, stating:</p> <ul style="list-style-type: none"> • We look forward to the opportunities presented by the development project bordering the college. • This project will provide an onsite market garden and learning centre to teach the students about sustainability, conservation, and agriculture. • We are facing a housing shortage for our teachers and strongly commend the rent to buy key worker housing initiative, which will provide us greater opportunity to attract new staff. • We would also be interested to discuss the opportunities to construct walking and bike trails at the rear of the college, as well as across George Bass Drive which would also be a great solution to remove limitations of pick-up and drop-off.
SAGE	<p>SAGE is a not-for-profit community group involved in improving food security. The SAGE community is made up of growers, food producers, businesses, food consumers, members, supporters, and volunteers.</p> <p>Following a meeting with board members of SAGE where they were given some background to the proposed development of 'The Farm', all members commended the farming initiatives proposed and expressed interest in being involved in the creation of a learning centre for market gardeners. They also commented this would further the work they have undertaken at Stepping Stone Farm, a working market garden approximately 8kms from Moruya.</p>
St Peters College	<p>The principal of St Peters College, Mr Darren McPartland, was briefed on the proposed development at 'The Farm' and made the following comments:</p> <ul style="list-style-type: none"> • Student numbers have almost doubled in the last few years and an additional ten teachers have been employed. • It has been extremely difficult to find housing for the teachers close to the school and house prices are too expensive for the teachers. He was very

PSR24/001 PLANNING PROPOSAL - 207 BROULEE ROAD

S017-T0008

Stakeholder	Summary of response provided by proponent in planning proposal
	<p>supportive of a rent to buy initiative for key workers including teachers.</p> <ul style="list-style-type: none"> • Welcomed the learning centre on the site, which would align with the students undertaking the primary resources subjects.
Southcoast Health and Sustainability Alliance	<p>SHASA's mission is to helping make the Eurobodalla a better place to live, work and play by championing renewable energy, sustainability, and community resilience projects across the Eurobodalla.</p> <p>SHASA expressed support for 'The Farm' becoming a carbon negative community proposed with initiatives such as an onsite micro grid, installation of rapid EV charging stations, car and bike sharing, household PV panels, passive solar and energy efficient design with household water tanks to each dwelling.</p>
Broulee Mossy Point Community Association	<p>Preliminary comments from Mr Andrew Bain regarding 'The Farm' proposal include:</p> <ul style="list-style-type: none"> - Some of the ideas proposed in 'The Farm' have been pushed for by the association in existing developments at Broulee and other close by areas. But they have typically met with little or no enthusiasm from developers or Council. -Where developers have initially signaled support for such sustainable initiatives during the course of development, these initiatives have tended to disappear, and the community is finally left with a 'standard' residential development. <p>This approach by existing developers has given rise to a high level of scepticism in the community of such projects.</p> <p>-It would be positive if 'The Farm' could counter some of this scepticism and lead to development that shines a light on how future housing developments should be developed.</p>

Council also received an unsolicited letter from Broulee Mossy Point Community Association on 31 October 2023 (Attachment 13). It objects to the proposal because:

- It is rezoning rural land for residential land at a location inconsistent with strategic documents.
- They disagree with the model for housing in Eurobodalla because it unlikely to be affordable and adjacent environmental areas that may be impacted.
- It is contrary to the current strategic context of retaining village boundaries.
- It does not support Council's housing objectives to support affordable housing.

CONCLUSION

The values and concepts presented in the planning proposal are commendable, however there is not enough information provided for any certainty that a sustainable residential community would be achieved. All development is required to promote sustainable living and all subdivisions must provide for a liveable, sustainable and climate adapted public realm.

The planning proposal does not demonstrate strategic or site-specific merit and therefore it is recommended that Council does not support it.