



Mr David Kiernan
Senior Strategic Planner
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By email: david.kiernan@goulburn.nsw.gov.au

Dear Mr Kiernan

PP-2024-101 – 292 Rosemount Rd Boxers Creek Planning Proposal

Biodiversity, Conservation and Science (BCS) has reviewed the planning proposal which seeks to partially rezone land from RU6 Transition, to R5 Large Lot Residential with a 2 Ha Minimum Lot Size (MLS) and C2 Environmental Conservation (no MLS), to facilitate the subdivision of the land into 4 Lots.

Floodplain Risk Management

The planning proposal has been amended to address some of the prior inconsistencies with the Local Planning Direction 4.1 Flooding identified in our previous advice dated 27 June 2024.

The updated planning proposal has established planning mechanisms to ensure new residential dwellings will be constructed above the probable maximum flood. It is not clear if this includes accommodation types permissible in the C2 zone. As with other planning proposals in this area, it has identified limitations of flood access including for emergency services. There are long duration flood isolation risks from the Goulburn CBD, no flood free access to the Hume Highway and local roads including Rosemount Road are inundated at a number of locations in flood events which occur relatively frequently.

The planning proposal has therefore been unable to resolve public safety risks and will likely create a need for increased government spending on emergency management measures including road infrastructure which remains inconsistent with Direction 4.1(3)(e) and (f). As the inconsistencies have not been addressed, DCCEEW-BCS is obliged to object to this planning proposal. Council should feel to consult further with DPHI, DCCEEW and the NSW SES on land use planning matters in this area.

Biodiversity

BCS accept that the majority of the land is unlikely to be suitable habitat for threatened species and is mostly exotic pasture. However, as previously advised for the scoping proposal, the hollow bearing *Eucalyptus melliodora* trees on the land should be protected in perpetuity through a conservation mechanism such as a section 88B covenant on the relevant Lot titles.

The planning proposal would be consistent with local ministerial planning direction 3.1 Conservation Zones, if the recommendations on page 31 of the Flora and Fauna Impact Assessment by Land Eco Consulting dated 23 October 2024 are implemented and the in perpetuity protection measures mentioned above are imposed.

However, whilst we note that the planning proposal has addressed Directions from the previous *South East and Tablelands Regional Plan 2036*, it has not addressed Objective 5, Strategy 5.1 and Objective 6, Strategy 6.1 of the draft *South East and Tablelands Regional Plan 2041*. These should be addressed to demonstrate that the planning proposal is consistent with local ministerial planning direction 1.1 Implementation of Regional Plans.

If you have any further questions about this issue, please contact Ms Lyndal Walters, Senior Conservation Planner, on 02 6229 7157 or at rog.southeast@environment.nsw.gov.au

Yours sincerely



25/11/2024

Michael Saxon
Director Regional Delivery South East
Biodiversity, Conservation and Science

cc: DPHI - Steph Cook, Graham Towers and SES via rra@ses.nsw.gov.au and gillian.webber@ses.nsw.gov.au