

Contact: Department of Climate Change, Energy, the Environment and Water
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Our ref: V15/2812-11#1

22 January 2025

Attention: Dialina Day

Emailed to: dialina.day@goulburn.nsw.gov.au, council@goulburn.nsw.gov.au

Dear Sir/Madam

**Re: V15/2812-11#1– Planning Proposal PP-2023-414 (REF-3400)
REZ_0001_2223 – Rezoning and Changes to Minimum Lot Sizes, 407 &
457 Crookwell Road, Kingsdale**

Thank you for referring the Planning Proposal for Rezoning of land at Lots 70,73 & 77 DP 1006688, 407 and 457 Crookwell Road, Kingsdale from RU6 Transition to R2 Low Density Residential, R5 Large Lot Residential and RE1 Public Recreation and Amend the Minimum Lot size applicable to from site from 10 ha to 700 sqm for part of the site and 3500 sqm and 2ha for the balance of the site. The proposed RE1 zone will not have a Minimum Lot Size.

The Department has reviewed the information and documents supplied with the referral. The following comments are outlined for your attention and consideration.

- The Department's interest and jurisdiction is in relation to all watercourses and waterfront land as defined under the *Water Management Act 2000* (WM Act). The objects and principles of the WM Act are essentially to identify, preserve, maintain, and enhance rivers/watercourses, waterfront land and water resources.
- The plans reviewed are in the Planning Proposal for agency consultation section (REF-3400) dated 09/01/25. The proposed layout and zoning appear to vary, depending on the plan.
 - E.g. The Water Cycle Management Plan has a road adjacent to the western second order and lots over the middle 1st order, but this is not occurring in the Planning proposal document. The zoning is also different from the planning proposal report (C2 and RE1) to Appendix 2C which has C2 zoning for the length of the watercourses, which is also shown in the updated Flood and Overland Flow Study (SOWDES, Rev. B, 10.12.2024)
- Typically, riparian areas are preferred to be zoned as Conservation Zones and ideally in public ownership if acceptable to Council. Where riparian areas are in private ownership then they should be ideally contained in a single/reduced number of lots to avoid fragmentation and for consistency in management. This is shown in Appendix 2C which provides C2 zoning for the length of the watercourses within the site.
- Flooding constraints typically correlate and/or exceed the departments recommended riparian guidelines but nevertheless, the proposal should consider that riparian

corridors/buffers are fully vegetated when considering constraints such as flooding or other constraints such as bushfire asset protection requirements.

- Bushfire Asset Protection Zones, water quality treatments/structures etc should be located outside of the designated riparian corridors. Identification of Riparian Corridors and APZ's footprints are important to avoid overlapping and conflicts between meeting their individual objectives.
- Where watercourses are degraded or works are required in watercourses e.g. dam in-filling or watercourse realignment, then rehabilitation/designs should seek to provide for naturalised outcomes for the watercourses and their vegetated riparian zones.
- The departments guidelines can be found at <https://water.dpie.nsw.gov.au/licensing-and-trade/controlled-activity-approvals>
- Council should be satisfied that there is sufficient capacity in local reticulated water supply systems to service the maximum number of lots under the proposed rezoning.

If you have any questions regarding this correspondence, please use Water Assist to obtain further information or make an enquiry: <https://water.dpie.nsw.gov.au/water-assist>

Yours Sincerely

Miles Ellis

For
Kerry Lee
Manager
Licensing and Approvals – Service Improvement
Department of Climate Change, Energy, the Environment and Water