

# Gateway Review – 137 Brisbane Grove Road Planning Proposal (PP-2024- 291)

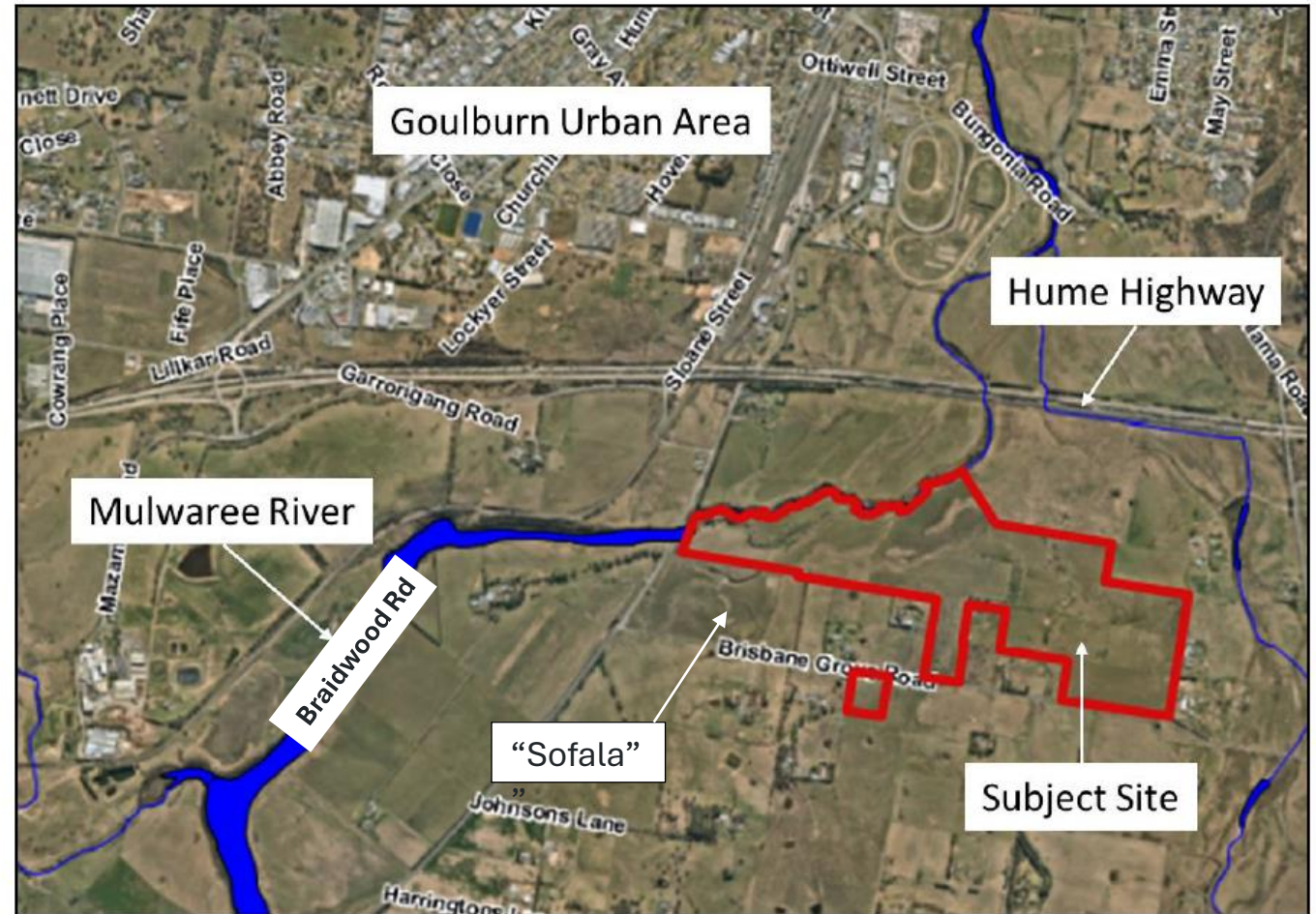
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Chantelle Chow, A/Director Southern, Western and Macarthur Region

24 March 2025

# The Site

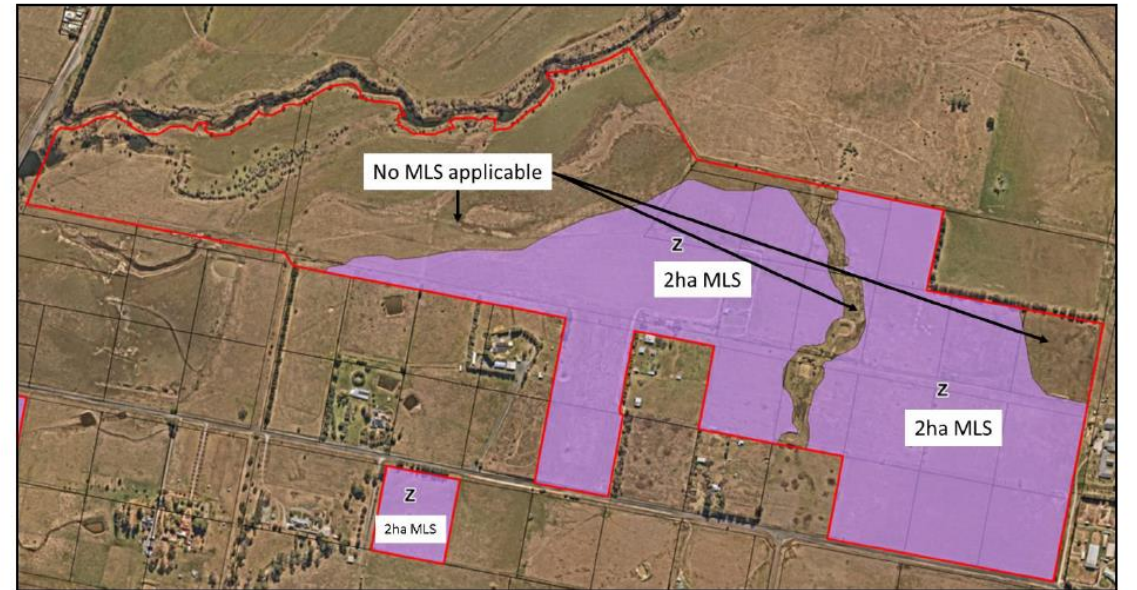
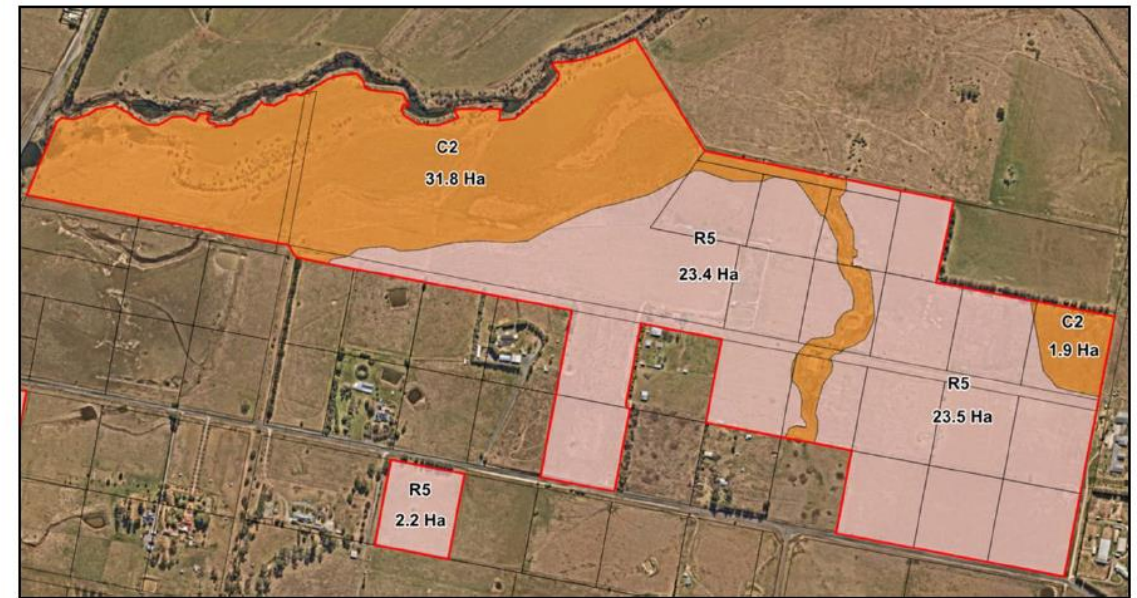
- 83.8 hectare rural site comprising 22 existing lots.
- Located south of the Hume Highway, 2km south of the Goulburn Urban Area and adjacent the Mulwaree River.
- Bounded on two sides by Braidwood Road and Brisbane Grove Road.
- Locally listed heritage item (“Sofala”) adjoins the site but is not included (Lot 1 DP1279715)





# The Planning Proposal

- Rezone site from RU6 Transition and RU1 Primary Production to R5 Large Lot Residential and C2 Environmental Conservation Zone.
- Amend minimum lot size from 10 hectares and 100 hectares to 2 hectares and no (zero) (C2 zoned land)
- Apply Clause 5.22 “Special Flood Consideration” Clause for land between the Flood Planning Area and the Probable Maximum Flood.
- 21 dwellings



# Background

## History / Timeline

- December 2021 – Previous planning proposal PP-2021-7390 (27 dwellings) submitted to Council.
  - March 2022 – Council resolved to support the preparation of a PP and to seek a gateway determination.
  - November 2022 – DPHI issued a Gateway determination which required the PP be completed by November 2023.
  - Council undertook pre-agency consultation with RFS, WaterNSW and DPE Biodiversity and Conservation Division (BCD).
  - February 2023 – BCD objected to the proposal due to concerns about the adequacy of flood investigations and inconsistencies with the S.9.1 Direction 4.1 Flooding. BCD requested Council prepare a Flood Impact and Risk Assessment (FIRA) for the Brisbane Grove area.
  - October 2023 - As the FIRA had yet to be completed, DPHI issued an Alteration of Gateway determination in October 2023 that the planning proposal not proceed.
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- April 2024 - Council lodged a new Planning Proposal PP-2024-291 (21 dwellings), and the completed FIRA, on the Planning Portal seeking a gateway determination.
  - April 2024 - DPHI sought comment from DCCEEW (Biodiversity, Conservation and Science) and the SES on the PP.
  - Submissions provided by SES in April 2024 and DCCEEW (BCS) in June 2024.
  - 10 July 2024 - DPHI met with Council, SES and DCCEEW.
  - 25 July 2024 – DPHI meeting with Council.
  - 12 November 2024 - Gateway determination (not to proceed) issued by DPHI.

# Gateway determination issues

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## Strategic merit:

- Inconsistent with current and draft South-East and Tablelands Regional Plans
- Inconsistent with Section 9.1 Directions 1.1 Implementation of Regional Plans (resilience/ suitable location for housing) and 4.1 Flooding (safe occupation and efficient evacuation and increase in government expenditure) and the inconsistencies have not been adequately justified.
- Is identified as an “Opportunity Site” in Council’s Local Housing Strategy which identified flooding as an issue to address. The Housing Strategy endorsed by DPHI in 2020 subject to detailed assessment of Opportunity Sites via the PP process.
- DPHI advised it was unlikely to support other similar proposals with long isolation periods, associated risks to future residents and emergency services workers and need for significant government investment on emergency management services and flood mitigation measures.
- DPHI recommended that Council consider reviewing the suitability of the Brisbane Grove Precinct for large lot residential development in Council’s Urban Fringe and Housing Strategy.

## Site Specific Merit:

- The site is not a suitable location for housing due to concerns about flooding, safe occupation and efficient evacuation of the site.
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# Flooding

- The site is affected by the Flood Planning Area (1%AEP +0.8m freeboard) and the Probable Maximum Flood (PMF).
- The FPA is proposed to be rezoned C2 Environmental Conservation.
- No dwellings are proposed between the FPA and the PMF.

