





15.2 DOSSIE STREET PLANNING PROPOSAL AMENDMENT**Author:** Nick Thistleton, Graduate Strategic Planner**Authoriser:** Warwick Bennett, General Manager

Attachments: 1. **WaterNSW Response - Dossie St Planning Proposal to IN1 Goulburn**  

2. **Draft Dossie Street DCP Section**  

Link to Community Strategic Plan:	Strategy EN4 Maintain a balance between growth, development and environmental protection through sensible planning. Strategy EC1 Capitalise on the region's close proximity to Canberra and its position as a convenient location to attract industry and investment.
Cost to Council:	Quotes are being sought for contamination reports. Contamination reports will be needed completed to finalise this planning proposal.
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

- The report from the Graduate Strategic Planner regarding the rezoning of land at Dossie Street be received.
- Council prepare a planning proposal to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to:
 - Rezone part of Lot 1 DP 1034565 and Lot 3 DP1008818 from RU2 Rural Landscape with a minimum lot size of 100 hectares to part R5 Large Lot Residential with a minimum lot size of 10000m², part E4 Environmental Living with a minimum lot size of 20000m² and part IN1 General Industrial with no minimum lot size.
 - Rezone Lot 3 DP 1238214 from RU2 Rural Landscape with a minimum lot size of 100 hectares to RE1 Public Recreation with no minimum lot size.
 - Rezone part of Lot 2 DP 1238214 from RU2 Rural Landscape with a minimum lot size of 100 hectares to part IN1 General Industrial with no minimum lot size and part R5 Large Lot Residential with a minimum lot size of 2000m², with the exact zone boundary to be confirmed after engaging with affected landowners.
- Council forward the planning proposal to the Department of Planning, Industry and Environment for a gateway determination.
- In the event that the Department of Planning, Industry and Environment issues a gateway determination to proceed with the planning proposal, consultation be undertaken with the community and government agencies in accordance with any directions of the gateway determination.
- The Department of Planning, Industry and Environment be advised that Council is willing to defer any part of this planning proposal referred to under item 2 of this resolution to a later stage, if complying with government agency requirements for that particular zone or zones is likely to significantly delay the processing of the remainder of the planning proposal.
- The Department of Planning, Industry and Environment be advised that Council wishes to be issued with an authorisation to use delegation for this planning proposal.
- Council waive any standard lodgement and processing fees payable under Council's fees and charges in relation to the planning proposal.

8. The proponent for the privately owned land be requested to provide a Preliminary Site Investigation/ Phase 1 Assessment in accordance with *State Environmental Planning Policy No 55—Remediation of Land* to address the potential land contamination on their site.
9. The amendment to the *Goulburn Mulwaree Development Control Plan 2009* attached to this report relating to large lot residential and industrial development at Dossie Street be placed on public exhibition for a minimum period of 28 days commencing the same day as the public exhibition period for the aforementioned planning proposal.
10. Following the exhibition period of the draft amendment to the *Goulburn Mulwaree Development Control Plan 2009* and planning proposal, a report will be presented to Council advising of the outcomes of the consultation and any amendments made to the document as a result of consultation.

BACKGROUND

The rezoning of the subject land at Dossie Street has previously been reported to Council on 20 November 2018 and 19 February 2019.

On 20 November 2018, and as part of a report considering the sale of Council land considered surplus to need, Council resolved (2018/554):

That Council rezone Lot 1 DP1034565, Lot 3 DP1008818 and Lot 1 DP157664 (Dossie Street Goulburn) to IN 1 – General Industrial and the General Manager prepare a master plan for Council's consideration that will maximise the land's sale potential. The property then be sold by way of public auction with the proceeds from the sale being used to offset the capital cost of the consolidation of the Depots at Hetherington Street Goulburn.

Following this resolution, Council was approached by the adjoining landowner of Lot 2 DP 1238214 who sought to rezone their land to IN1 General Industrial as well. It was also identified that Lot 3 DP 1008818 contained several hollow bearing trees with the potential to be ecologically sensitive.

To accommodate the adjoining owners land in the planning proposal, and to consider the ecological value of Lot 3 DP 1008818, Council then resolved on 19 February 2019 (2019/26):

That:

1. ***The report of the Senior Strategic Planner regarding the rezoning of land at Dossie Street Goulburn be received.***
2. ***Council resolve to rezone the following land from RU2 Rural Landscape to IN1 General Industrial and delete the 100 Hectare Minimum Lot Size under Goulburn Mulwaree Local Environmental Plan 2009 (GM LEP 2009):***
 - (a) Lot 1 DP 1034565
 - (b) Lot 3 DP 1008818
 - (c) Part Lot 2 PPN DP 1238214 subject to registration (STR)
3. ***Council resolve to rezone the following land (Site B) from RU2 Rural Landscape to RE1 Public Recreation and delete the 100 ha minimum lot size under Goulburn Mulwaree Local Environmental Plan 2009:***
 - ***Lot 3 PPN DP 1238214 subject to registration (STR).***
4. ***Council prepare a Planning Proposal in accordance with the resolution and forward this to the Department of Planning and Environment (DPE) to issue a Gateway Determination.***
5. ***Council waive Planning Proposal fees that would be paid for lodgement of the documentation in support of the Planning Proposal to rezone Part Lot 2 PPN DP 1238214 (STR).***

6. The proponent for the privately owned land be requested to provide a Preliminary Site Investigation/ Phase 1 Assessment in accordance with State Environmental Planning Policy – Remediation of Land) to address the contamination identified on their site.

Following this resolution, the subject site at Dossie Street has been expanded to include the following lots (**Figure 1**):

- Lot 3 DP 1238214 (Council owned);
- Lot 2 DP 1238214 (Privately owned);
- Lot 3 DP 1008818 (Council owned); and
- Lot 1 DP 1034565 (Council owned).



Figure 1: Subject site for the Dossie Street planning proposal.

Council has since prepared the planning proposal and forwarded it to Water NSW for preliminary advice prior to seeking a gateway determination. This is required for all planning proposals in the Sydney Drinking Water Catchment, in accordance with the Ministerial Directions issued under s9.1 (prev. s117) of the *Environmental Planning and Assessment Act 1979*.

Water NSW responded on 28 May 2019 objecting to the planning proposal on a variety of grounds. This objection has necessitated reconsideration of the proposed zoning of the land, as discussed in the report below.

REPORT

Water NSW Response

In their letter dated 28 May 2019 (Attachment 1), Water NSW objected to the planning proposal on the following grounds:

- “Land area and uses: there is insufficient information on land area and the previous uses of the site and those of surrounding land.
- Minimum lot size: the supporting Mi Place Planning Report for Lot 2 suggests lots would be as small as 1,000m². Given the site constraints of the land, WaterNSW is concerned that the combination of IN1 zoning and removal of the minimum lot size requirements may leave the land prone to development beyond its capability, and present significant water quality risks.
- Site constraints (general): important site constraints have not been identified and given due account. This includes slope, water and drainage features, hydrology and water quality risks (present and future).

In this regard, the Draft Proposal is heavily reliant on information contained in the Mi Place Planning report and other documents that were prepared solely for Lot 2. There has been no similar assessment for the eastern two lots, which contain steeper slopes, a second order creek with a large catchment, and potentially polluted holding ponds.

- Site constraints (specific): WaterNSW has identified a range of specific site constraints, including artificial water features, drainage features, catchment, slope, landform and stormwater management.

In addition, the supporting Mi Place Planning report identifies that lots may be as small as 1,000m². This would likely require significant cut and fill (and associated erosion and sediment control measures) to create 'flat' areas. It is also likely to result in extensive impervious hardstand areas requiring complex stormwater management measures.

- Sewerage: while diagrams of the sewer network have been provided, the capacity of the sewerage system has not been addressed.
- Later development and response to site constraints: There is insufficient information regarding how later development will respond to site constraints, water features and water quality risks, and how this response will bridge from the proposed LEP amendments to the proposed masterplan and subdivision design."

In most circumstances, these concerns can be addressed during the development assessment stage when individual development applications are lodged, given that the *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011* requires all developments requiring consent to demonstrate a neutral or beneficial impact on water quality, with most industrial types of development being unable comply with this policy and be approved without first receiving concurrence from Water NSW itself. However, in this instance further consideration is required as the concerns raised by Water NSW over the suitability of this site indicate that it would be very difficult and potentially unviable for any industrial development to implement stormwater and erosion control measures that would be of sufficient quality and effectiveness to gain concurrence from Water NSW.

It should also be noted that in addition to the concerns raised by Water NSW, Council is currently committed to rezoning a significant area of land to IN1 General Industrial at Common Street (as a part of the North Eastern Enterprise Corridor rezoning). With the exception of the old nursery site at Dossie Street and parts of land around the Tait/Lockyer Street Connection, this land is much flatter and more capable of managing stormwater runoff for industrial developments that typically contain large hardstand surfaces. In effect, this land would also likely be more feasible to develop, and more able to address stormwater control measures and water quality impacts when compared with the steep topography at Dossie Street.

Site Analysis

In order to consider an alternate zoning arrangement, Council staff have undertaken a site analysis of the subject area and considered how the land can best be utilised in light of Water NSW's objections above.

All of the subject site is currently zoned RU2 Rural Landscape with a minimum lot size of 100 hectares, with the exception of the small portion of Lot 2 DP 1238214 to the north west that is zoned IN1 General Industrial (**Figure 2**). The subject site is bordered to the north by the old livestock sale yards and wool stores, to the east by Sloane Street, to the south by the Hume Highway and to the west by the Workers Club Arena.

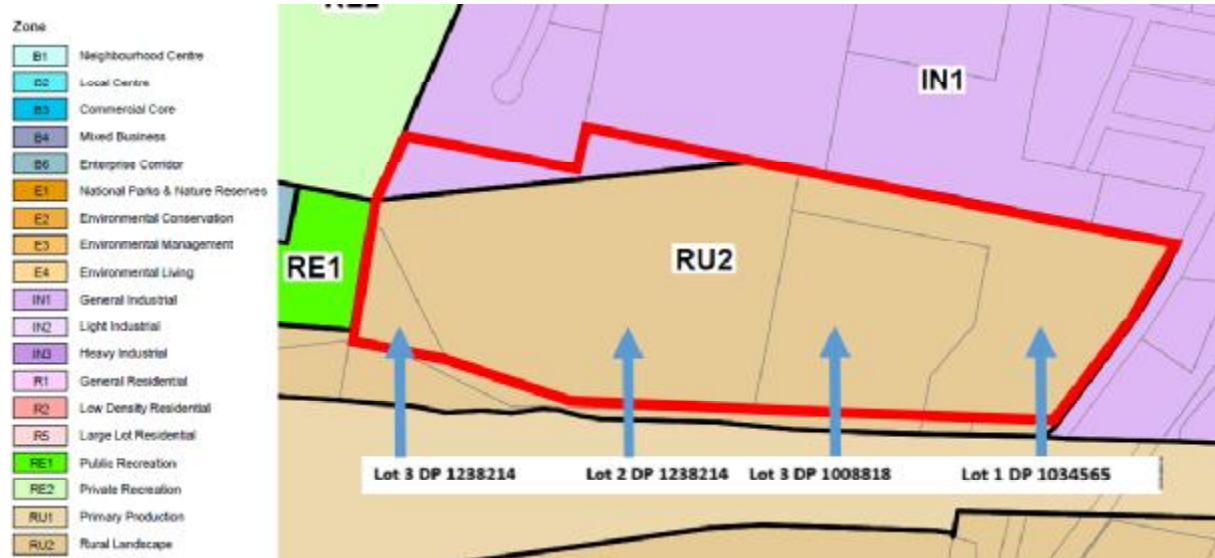


Figure 2: Zone map of subject site (Lot 2 DP 1238214 also includes the IN1 General Industrial portion of the subject area).

It should be noted that the subject site is extremely constrained, and isolated from other rural zoned land by the Hume Highway, severely inhibiting its development potential for a rural use. For the purposes of this site analysis the constraints have been detailed by lot in **Table 1** below. It is also worth noting that there is capacity for any future development to be seweraged on the subject site, although a significant increase in development would necessitate an upgrade to the local sewer pumping station and potentially some sewer lines as well.

Table 1: Site Constraints Analysis:

Site	Constraints Analysis
Lot 3 DP 1238214 (Council owned)	<p>Development of this site would not be possible without significant vegetation clearing and earthworks being undertaken. The presence of hollow bearing trees amongst the vegetation indicates that the lot is of significant ecological value.</p> <p>To protect the ecological value of this land it is recommended that the subject site be rezoned to RE1 Public Recreation, which is consistent with the adjacent council owned reserve to the west (Figure 4). It should also be noted that development of the site would likely be unviable due to the substantial amount of cut and fill required to make the land usable and the likelihood of attracting the requirement to prepare costly ecological studies and purchase biodiversity offsets under the NSW Biodiversity Offsets Scheme.</p>
Lot 2 DP 1238214 (Privately owned)	<p>This site does contain a large but manageable slope that could support industrial development adjoining the Tait/Lockyer Street connection, while supporting residential or commercial development on the remainder of the land which is steeper. However the site is significantly constrained by noise due to existing industrial or semi industrial uses that operate on Lockyer Street, Tait Crescent and Finlay Road, in addition to the substantial noise generated by the Hume Highway.</p> <p>A few areas have been identified as potentially containing high levels of ecological value, with a further area potentially containing an Aboriginal artefact. However it was concluded to the satisfaction of Council staff that these can be considered during the development assessment process, as the zoning and minimum allotment sizes proposed for the affected areas offer some flexibility in approach during the design phase.</p> <p>It has also been identified that the land has the potential to be contaminated due to previous uses operating on or near the site. To identify the level of contamination and the remediation work required (if any) a Preliminary Site Investigation prepared in accordance with the <i>State Environmental Planning Policy No 55—Remediation of Land</i> will be required from the land owner.</p>

	<p>Given these constraints, and the recommendations applicable to Lot 3 DP 1008818 and Lot 1 DP 1034565, it is recommended that this lot be rezoned to part IN1 General Industrial fronting the Tait/Lockyer Street connection whilst the remainder is rezoned R5 Large Lot Residential with a minimum lot size of 2000m² (Figure 4), with the precise land zone boundary to be confirmed upon further consultation with affected landowners so as to reduce the risk of land use conflict.</p>
Lot 3 DP 1008818 & Lot 1 DP 1034565	<p>The former nursery site on Lot 1 DP 1034565 contains very few of the constraints that the other parts of the subject area have. This particular part of the subject area is somewhat flat and built up with large driveways, paved areas and sheds that could potentially be a highly developable and valuable industrial site. The recommendation for this part of the land is to rezone it to IN1 General Industrial.</p> <p>The remainder of Lot 1 DP 1034565 and all of Lot 3 DP 1008818 is, however, extremely constrained due to the significant slope of the site, the presence of potentially contaminated waste dams used by the livestock sale yards to the north, the presence of potentially valuable remnant native grassland near the creek on the southern half of Lot 3 DP 1008818 (Figure 3) and the noise generated from the Hume Highway and any current or future industrial development to the immediate North or West.</p> <p>In determining an alternative zoning arrangement for the remainder of Lot 1 DP 1034565 and all of Lot 3 DP 1008818 and in light of Water NSW's objections, the only suitable zoning arrangement that could be found was to:</p> <ol style="list-style-type: none"> rezone the remaining northern portions of the lots to R5 Large Lot Residential with a minimum lot size of 10000m² (1 hectare); and rezone the remaining southern portions of the lots, which contains the creek and remnant native grassland, to E4 Environmental Living with a minimum lot size of 20000m² (2 hectares) to facilitate the development of no more than six (6) sewerer lots with a small access road off of Sloane Street (Figure 4). <p>This recommendation is given for the following reasons:</p> <ul style="list-style-type: none"> Any more intensive residential development would be unsuitable due to the significant noise constraints of the area and the difficulty of ensuring stormwater quality for extensive hardstand surfaces and incompatibility with current and possible future surrounding industrial developments. Any less intensive residential development would not provide the yield required to cover the cost of connecting infrastructure to the site or constitute the most efficient use of the land. The presence of potentially contaminated waste dams, the relatively small size of the area and isolation from other rural lands severely limits the potential for the land to be sold as a rural landholding. It would require significant and potentially cost prohibitive earthworks to subdivide and prepare the land in such a way that it would address Water NSW concerns and allow the land to be an attractive industrial precinct. Council has already committed to provide more industrially zoned land in Goulburn, including at Common Street. The Common Street planning proposal would rezone a significant area of flatter land to IN1 General Industrial, which would be more feasible to develop in comparison to the subject land at Dossie Street. <p>It should be noted that Council will also need to demonstrate that the subject land is sufficiently uncontaminated so as to support residential development. This may require the draining and removal of septage material in the wastewater dams previously used by the livestock sale yards.</p>

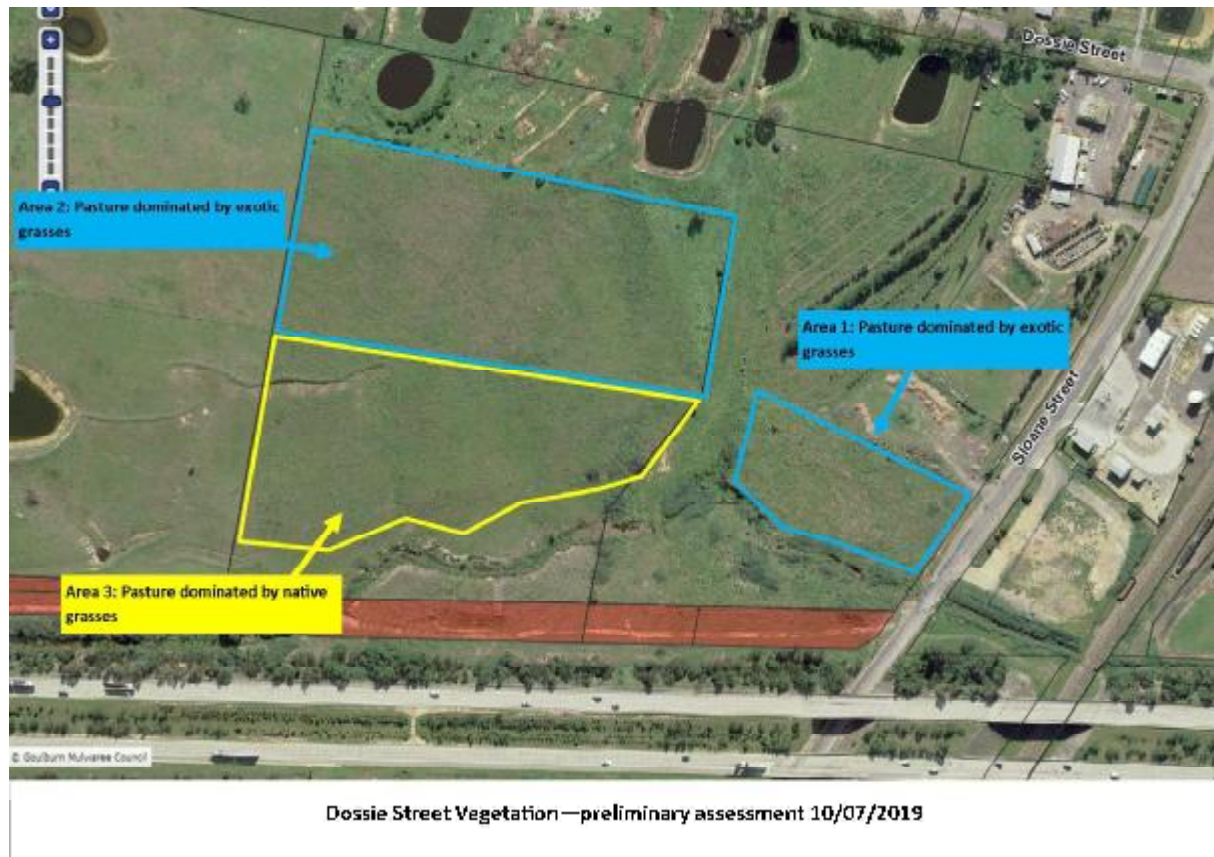


Figure 3: Location of possible native grassland on Lot 3 DP 1008818.

Zoning Recommendations

In accordance with the recommendations contained within the site analysis above, the recommendation for the subject area is to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to (**Figure 4**):

- Rezone Lot 1 DP 1034565 and Lot 3 DP1008818 from RU2 Rural Landscape with a minimum lot size of 100 hectares to part R5 Large Lot Residential (R5) with a minimum lot size of 10000m², part E4 Environmental Living (E4) with a minimum lot size of 20000m² and part IN1 General Industrial (IN1) with no minimum lot size.
- Rezone part of Lot 2 DP 1238214 from RU2 Rural Landscape with a minimum lot size of 100 hectares to part IN1 General Industrial with no minimum lot size and part R5 Large Lot Residential with a minimum lot size of 2000m², with the zone boundary to be determined after consultation with affected land owners.
- Rezone Lot 3 DP 1238214 from RU2 Rural Landscape with a minimum lot size of 100 hectares to RE1 Public Recreation (RE1) with no minimum lot size.



Figure 4: Proposed zoning (zone boundaries are indicative only).

Due to the involvement of a private landowner, the proposed use of four (4) different zones and the need to finalise the western zone boundary between the IN1 General Industrial and R5 Large Lot Residential zones, it is recommended that Council be willing to defer any single component of this planning proposal so that any issue identified with any one of the zones proposed will not be allowed to defer the timely delivery of any of the other proposed rezoning's.

It is acknowledged that the *Employment Land Strategy*, adopted by Council on 20 December 2016 (resolved 16/566), does identify this subject area as a possible future industrial precinct. However in this instance, site analysis coupled with Council's existing commitment to provide dozens of hectares worth of easily serviceable and developable flat industrial land at Common Street has meant that this recommendation no longer represents the best and most reasonable use of this land.

Site Specific Development Control Plan

In conducting the site analysis above and considering Water NSW submission it was also identified that site specific development controls would need to be developed in order to:

- Limit the amount of land use conflict that is likely to occur between the IN1 General Industrial and R5 Large Lot Residential zones as a result of noise.
- Prevent heavy vehicle movements in the residentially zoned area.
- Require adequate consideration of land contamination.
- Limit the proportion of any particular lot that is capable of being developed into a hardstand surface, in order to preserve land for stormwater treatment facilities and satisfy Water NSW concerns.
- Protect the native grasslands identified in the E4 Environmental Living zones.

This draft site specific development control plan has been attached to this report (Attachment 2). It is recommended that it is placed on exhibition with the planning proposal.



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28 May 2019

Contact: *Stuart Little*
Telephone: *02 8885 2449*
Our ref: *D2019/51119*

General Manager
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580

Attention: Mr Bennett Kennedy

Dear Mr Sir/Madam

I refer to the email dated 3 May 2019 from Council seeking Pre-Gateway comments on a Draft Planning Proposal to rezone land adjacent to Dossie Street Goulburn, and to remove the 100ha minimum lot size (MLS) restriction.

The Draft Proposal involves the rezoning of four RU2 Rural Landscape lots, with most of the area proposed for IN1 General Industrial zoning, and the remainder RE1 Public Recreation.

WaterNSW does not object to the proposed RE1 zoning in the south-west of the site.

However, WaterNSW has concerns about the water quality risks in the areas where the rezoning to IN1 and removal of the MLS restriction are proposed. The key issues are:

- **Land area and uses:** there is insufficient information on land area and the previous uses of the site and those of surrounding land.
- **Minimum lot size:** the supporting Mi Place Planning Report for Lot 2 suggests lots would be as small as 1,000m². Given the site constraints of the land, WaterNSW is concerned that the combination of IN1 zoning and removal of the MLS requirements may leave the land prone to development beyond its capability, and present significant water quality risks.
- **Site constraints (general):** important site constraints have not been identified and given due account. This includes slope, water and drainage features, hydrology and water quality risks (present and future).

In this regard, the Draft Proposal is heavily reliant on information contained in the Mi Place Planning report and other documents that were prepared solely for Lot 2. There has been no similar assessment for the eastern two lots, which contain steeper slopes, a second order creek with a large catchment, and potentially polluted holding ponds.

- **Site constraints (specific):** WaterNSW has identified a range of specific site constraints, including artificial water features, drainage features, catchment, slope, landform and stormwater management.

In addition, the supporting Mi Place Planning report identifies that lots may be as small as 1,000m². This would likely require significant cut and fill (and associated erosion and sediment control measures) to create 'flat' areas. It is also likely to result in extensive impervious hardstand areas requiring complex stormwater management measures.

- **Sewerage:** while diagrams of the sewer network have been provided, the capacity of the sewerage system has not been addressed.

- **Later development and response to site constraints:** There is insufficient information regarding how later development will respond to site constraints, water features and water quality risks, and how this response will bridge from the proposed LEP amendments to the proposed masterplan and subdivision design.

Based on these issues, WaterNSW considers the objective and general principle of *Direction 5.2 Sydney Drinking Water Catchment* – that 'water quality within the Sydney drinking water catchment must be protected' – is not sufficiently demonstrated.

The Draft Proposal does not assure that future land use will be matched to land and water capability or that later development will readily be able to meet a Neutral or Beneficial Effect (NorBE) on water quality as required by *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*.

Consequently, at this stage, WaterNSW is not in a position to support the Draft Proposal.

To resolve these issues and ensure consistency with *Direction 5.2*, WaterNSW recommends that:

1. Further site-specific information is included in the Planning Proposal about the past and current uses of the site and the surrounding areas. It should also include an assessment of the environmental values and constraints of the site, including the two eastern lots. This should include information regarding landform, slope, drainage, water features (natural and artificial), and water quality risks.

The analysis should also identify how current water and drainage features and current and future water quality risks are to be managed with respect to development controls and design across the whole site.
2. The Planning Proposal incorporates a re-examination of the proposed zoning and lot size specification based on the above analysis taking into account proposed risks to water quality. This should include consideration of retaining the current RU2 zoning for the site or imposing a MLS restriction, particularly for higher risk areas
3. Further explanation is provided about how the proposed masterplan and subdivision design will respond to site constraints, water features and water quality risks. This should include information regarding how high risk uses will be restricted from watercourses and any High and Extreme risk areas as identified by WaterNSW's Strategic Land and Water Capability Assessments (SLWCAs). To this end, Council may wish to consider developing a site-specific (DCP) for the site.

Attachment 1 provides more detail on our concerns. Relevant tables and maps, including SLWCAs, are provided in Attachment 2.

If you have any questions regarding the issues raised in this letter, please contact Stuart Little at stuart.little@waterNSW.com.au.

Yours sincerely



CLAY PRESRAW
Manager Catchment Protection

Attachment 1 – Detail**Land Area and Uses**

The Draft Proposal currently does not include key information such as the land area (size) of the subject site and its component lots.

Table 1 below summarises the land ownership, land classification, zoning and minimum lot size (MLS) information for subject site based on information contained in the Draft Proposal and supplementary information provided in email correspondence by Council (15 May 2019). The Planning Proposal would benefit by presenting a table similar to this, including clearly indicating the total area (ha) of the site and the existing lots.

The Draft Proposal also describes past and current uses of the land and adjacent lands in terms of their zoning classification rather than the actual development and uses of the land that occur on and around the site. Such descriptions are needed in order to verify whether there are any immediate water quality risks affecting the site (discussed further below).

Minimum Lot Size

WaterNSW also holds a concern about the intended end uses of the land and the likely intensity of subdivision that may arise by removing any MLS restriction. It is clear from Council's Draft Proposal that there is an intention to subdivide the land following the proposed LEP amendment.

The Draft Proposal is silent on the expected lot sizes and number of allotments likely to be generated by subdivision of the site. However, the Mi Place Planning Proposal indicates for Lot 2 alone, up to 50 industrial lots will be created ranging from 1,000 to 5,160m². The two eastern most lots have a similar combined size to Lot 2 suggesting that some 100 lots might be anticipated.

Given the slope and constraints of the land (see discussion below), WaterNSW is concerned that the combination of IN1 zoning and removal of the MLS requirements may leave the land prone to development beyond its capability, and present significant water quality risks that may be difficult to address at the subdivision and development application (DA) stage.

Site Constraints - General

The Draft Proposal does not currently give due consideration to existing site constraints across the site or demonstrate how it is responsive to the landform, slope and physical attributes of the site, including relevant water features and risks to water quality.

The Draft Proposal would benefit by including further detail on the site constraints relevant to water quality, and how the objects and principles of Direction 5.2 will be met.

The Draft Proposal also relies heavily on the site assessment information contained in the supporting reports, which have only been prepared for the private land (Lot 2 DP 1238214). The Council-owned lots in the east have not been afforded the same level of survey, scrutiny and assessment as the privately-owned allotment. Based on our analysis, these lots contain steeper slopes, a second order creek with a large catchment, and potentially polluted holding ponds associated with the former saleyards (see below).

Site Constraints - Specific**Farm Dams and Other Artificial Water Features**

The Draft Proposal currently identifies that the site is largely cleared and contains five farm dams. Based on aerial photography, the five dams appear to be on Lot 2 DP1238214, three of which are linked by a mapped first order watercourse. It is unclear whether the northernmost dam on this lot is included in the rezoning change and captured by this Planning Proposal.

Additionally, it appears that a further two holding ponds occur in the north on Lot 1 DP 103456. These features have not been identified or discussed in the Draft Proposal. It appears that these dams are associated with wastewater collection from trucks and other uses associated with the former saleyards which adjoin the site in the north. It is therefore likely that these ponds contain polluted wastewater and materials.

These two northern ponds fall within the catchment of the unnamed creek that occurs at the south of the site and exits Lot 1 DP 1034565 in its south-eastern corner (Figure 1). The ponds therefore present a potential pollution risk for the Lot, downslope areas, and the creek itself. The ponds are likely to require remediation to remove contaminated water and other material before any development occurs. WaterNSW considers this to be a site constraint and a potential water quality risk, which should be discussed and addressed in the Planning Proposal.

Drainage Features and Catchment

The Draft Proposal provides little information on natural drainage features of the site including on the eastern two allotments. The first order watercourse described above drains into a second order watercourse that runs along the southern boundary of Lot 2 and then and crosses into the southern portions of Lot 3 DP1008818 and Lot 1 DP1034565 (Figure 1).

There is no description of this creek, its hydrological or ecological characteristics or whether it is intended to be modified as part of the overall stormwater management measures. Based on satellite imagery, it appears that this creek forms a localised chain-of-ponds system, which may be hydrologically and ecologically important.

Most of the subject site forms part of the catchment of this unnamed creek. Importantly, at its south-eastern exit point from the eastern-most lot, the catchment area of the creek is about 250 ha (Figure 1). The site is therefore likely to experience high flows during storm events and may be flood-prone, which may limit the development capacity of the two eastern allotments.

WaterNSW considers that the Planning Proposal should identify and discuss all the water features and water quality risks. This should include a map showing the natural and artificial water features occurring on the site, and any floodplain or flood-prone areas.

Slope, Landform and Stormwater Management

There appears to be a drop of some 40m over the site from the north to the north-eastern corner. Slopes are particularly steep for Lot 3 DP1008818 (15-20%) (see Figure 2). In general, the site of the Planning Proposal is steeper than the existing IN1 General Industrial land that lies to its north.

The implication of the slopes are such that significant earthworks are likely to be required to make reasonably-sized flat areas for industrial land uses proposed. This in turn is likely to result in significant areas of hardstand creating impervious surfaces affecting stormwater runoff.

Stormwater runoff is also likely to be exacerbated by the steepness of the land. Removal of the minimum lot size provision also potentially increases the risk of intensive subdivision and subsequent industrial development, as well as 'ad hoc' approaches to stormwater management.

If subdivided lots are as small as 1,000m², as proposed in the Mi Place Planning Report, then significant and complex Stormwater Quality Improvement Devices (e.g. detention ponds, constructed wetlands) are likely to be required. This in turn raises issues such as where such devices might be located given the site constraints.

Strategic Land and Water Capability Assessments (SLWCAs)

For the areas proposed to be zoned IN1 General Industrial, WaterNSW has applied the SLWCA for Light Industrial Development. While it indicates that the site has a Low to Moderate risk to water quality (Figure 3), WaterNSW considers this to be an underestimate of the water quality risks as the important Stream Proximity factor appears to be overshadowed by other inputs.

Under the IN1 zone, agricultural uses such as 'stock and sale yards' and 'intensive livestock agriculture' (e.g. poultry farms) would be permissible with development consent. For this reason, we have included a SLWCA for intensive livestock industries (Figure 4).

This reveals that the risk varies from Moderate in the north of the site to Extreme in the south where the southern boundary generally follows the creek line. High and Extreme ratings also occur in the mid to lower section of Lot 2 DP 1238214, along the drainage line that feeds into the creek. We would encourage Council to explore way of limiting intensive livestock agriculture from areas where the High and Extreme rating occurs.

The Draft Proposal (Page 12) suggests that the land is expected to accommodate future residential development. Under the IN1 zone, residential development such as dwellings or shop-top housing is also 'permissible with consent'. WaterNSW has undertaken a SLWCA for Residential Sewered Development (see Figure 5).

This indicates that even when the site is connected to the sewer, the water quality risk varies from Low in the north of the site to High in the south where the creek line exists. Development should avoid areas where there is an identified High Risk to water quality. WaterNSW considers that the Draft Proposal should identify whether or not significant residential development is contemplated for the proposed IN1 zoning, and if so the extent of such development.

Later development and response to site constraints

Further explanation should be provided about how the proposed masterplan and subdivision design will respond to site constraints, water features and water quality risks.

Given the range of possible uses that may occur on the site, Council may consider developing a DCP for the area with controls designed to protect the drainage features and creek at the south of the site, and avoid development in areas that are identified by the SLWCAs as being of High or Extreme risk.

Sewerage

The Draft Proposal indicates that the land is serviced by mains sewer, water and stormwater. WaterNSW considers that any development of the area will need to be connected to the reticulated sewerage infrastructure, particularly given the proximity to the creek in the south of the site. To this end, the Planning Proposal would benefit by providing further details on the capacity of the current sewerage infrastructure in the vicinity of the development site.

Attachment 2 – Supporting Tables and Maps

Table 1. Summary of land ownership, zoning, minimum lot sizes and intended changes.

Lot/DP	Ownership	Indicative approx. area (ha)	Classification	Current Zoning	Proposed Zoning	Current Minimum Lot Size	Proposed Minimum Lot Size	Supporting Reports/ Surveys
Lot 1 DP 1034565	Council	5	Operational	RU2	IN1	100 ha	Nil	Nil
Lot 2 DP 1008818	Council	5.2	Operational	RU2	IN1	100 ha	Nil	Nil
Part Lot 2 DP 1238214	Private	11.5*	N.A.	RU2	IN1	100 ha	Nil	Aboriginal Cultural Heritage Ecological Constraints Site-specific PP
Lot 3 DP 1238214	Council	0.8 ha	Community	RU2	RE2	100 ha	Nil	Nil

* Lot 2 currently has split zoning (IN1/ RU2). The area given is based on the RU2 area to be rezoned to IN1 (11.5ha) whereas the entire lot is approx. 12ha.

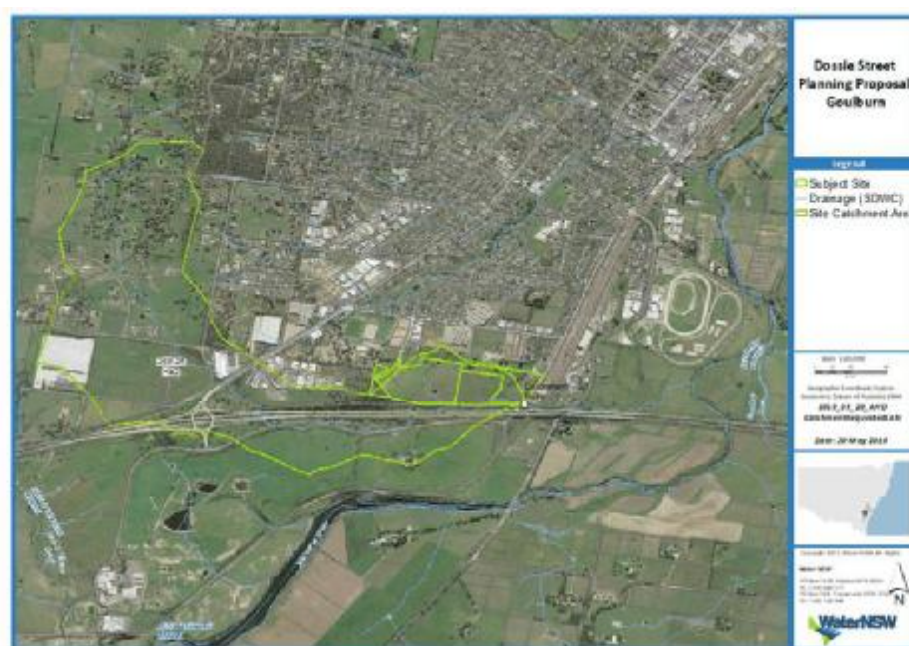


Figure 1. Drainage Features and Catchment Area for Dossie Street Planning Proposal Site.

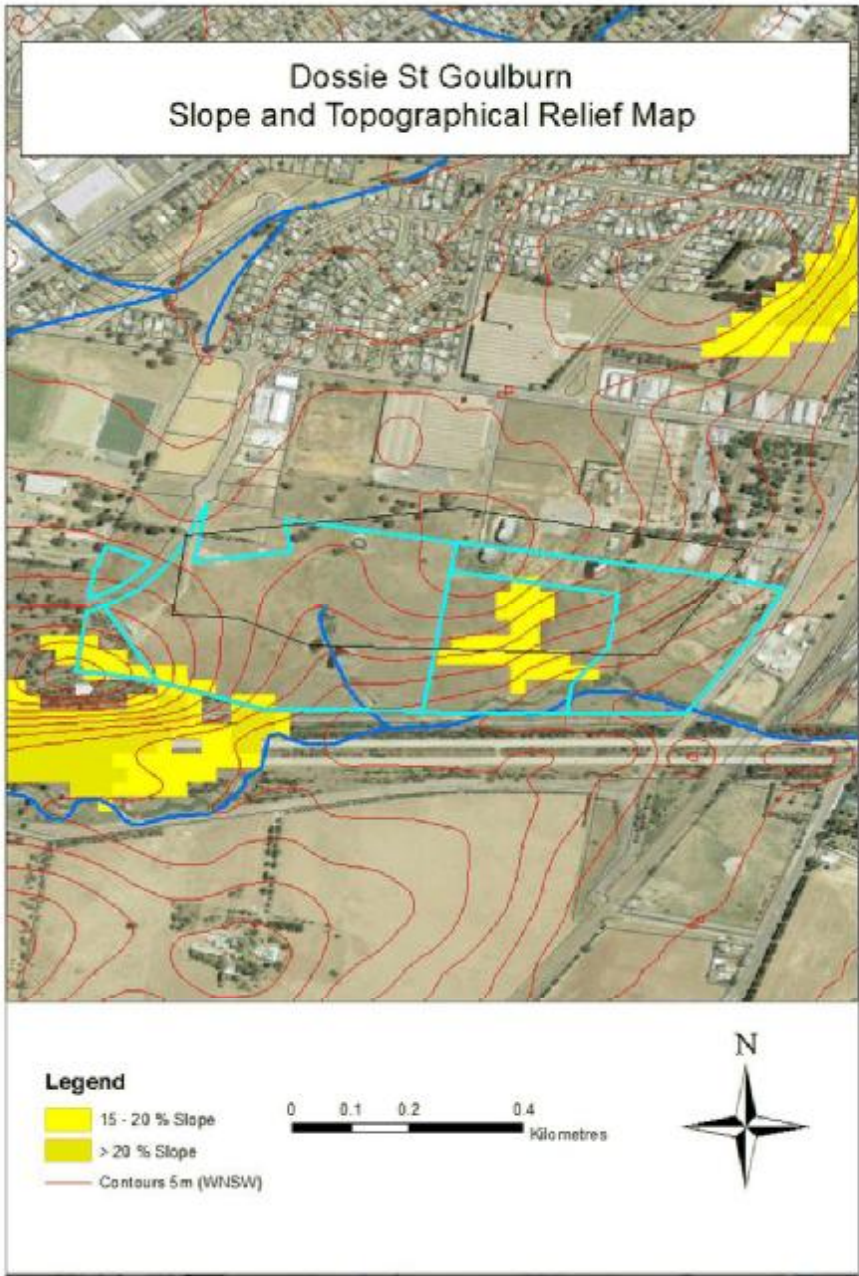


Figure 2. Slope and Topography for Dossie Street Planning Proposal

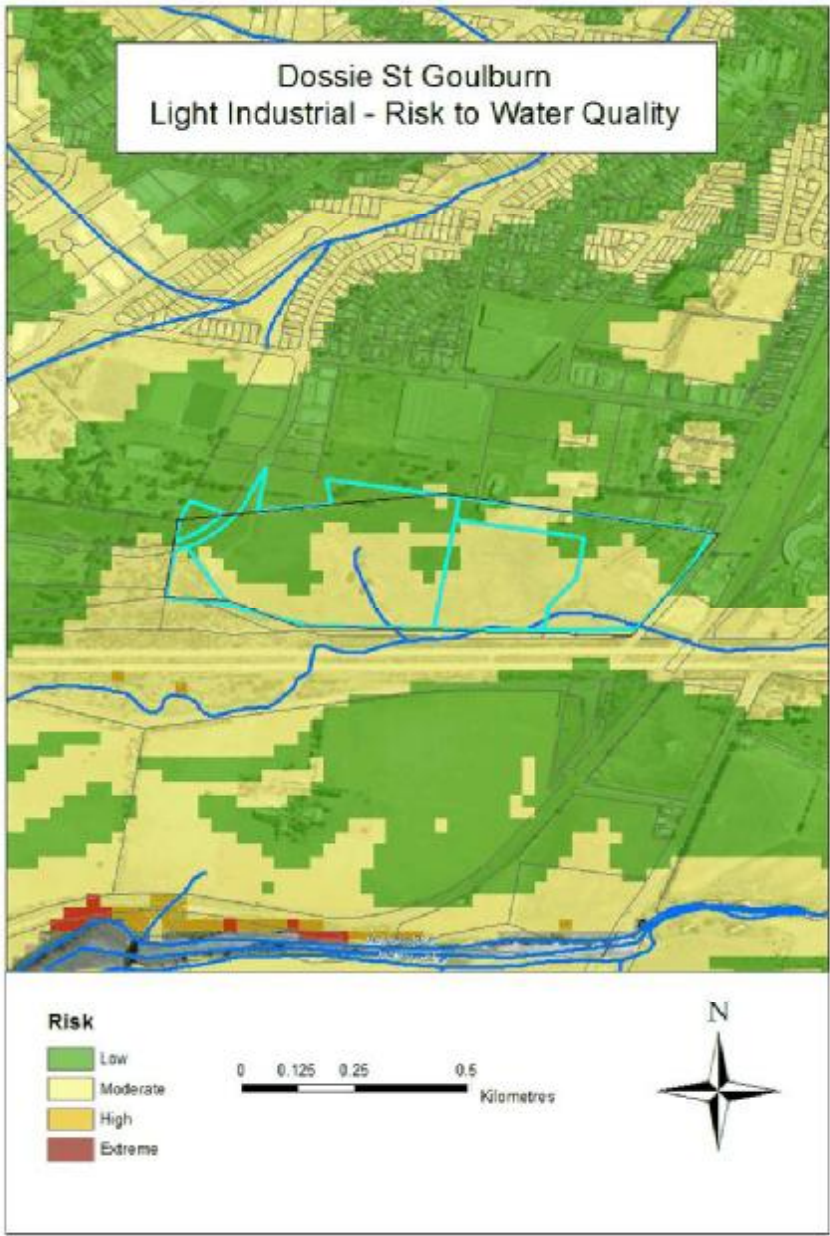


Figure 3. Strategic Land and Water Capability Assessment: Light Industrial Development Risk to Water Quality

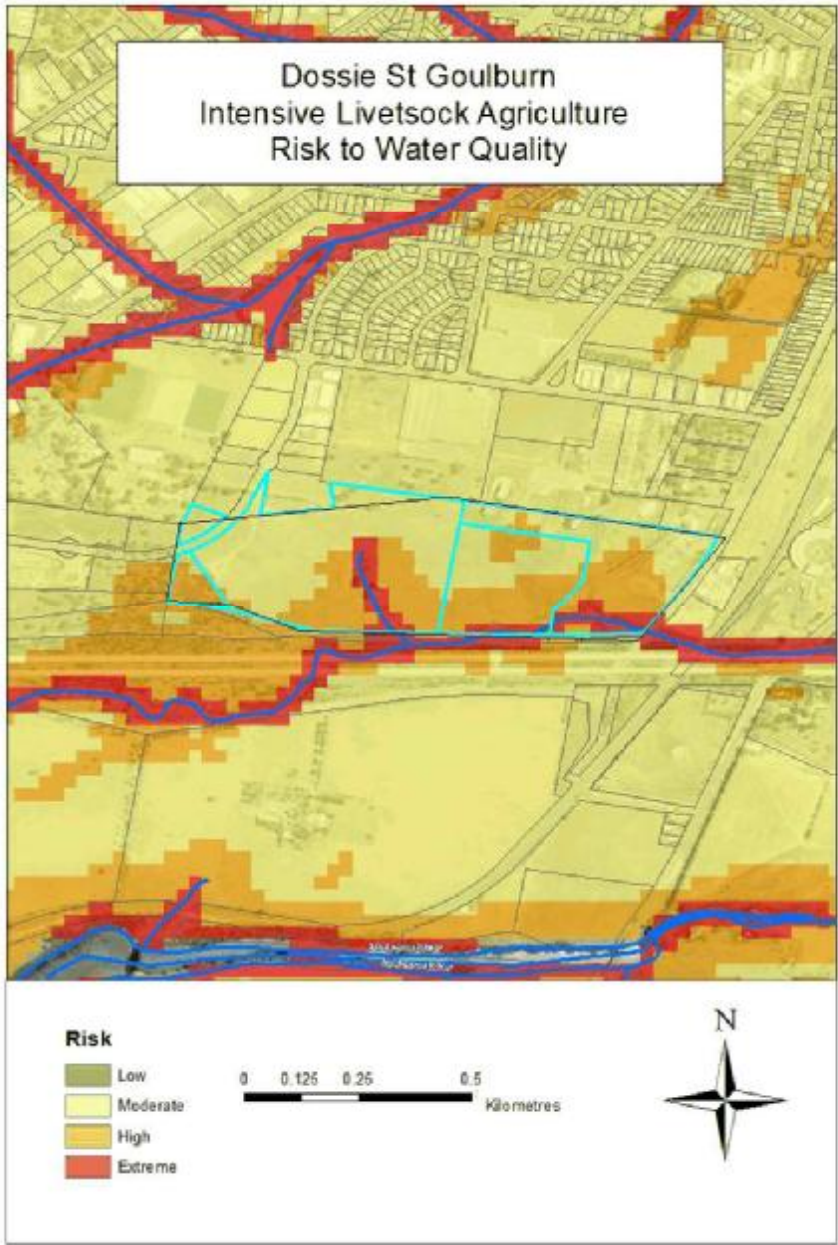


Figure 4. Strategic Land and Water Capability Assessment: Intensive Livestock Industries Risk to Water Quality.

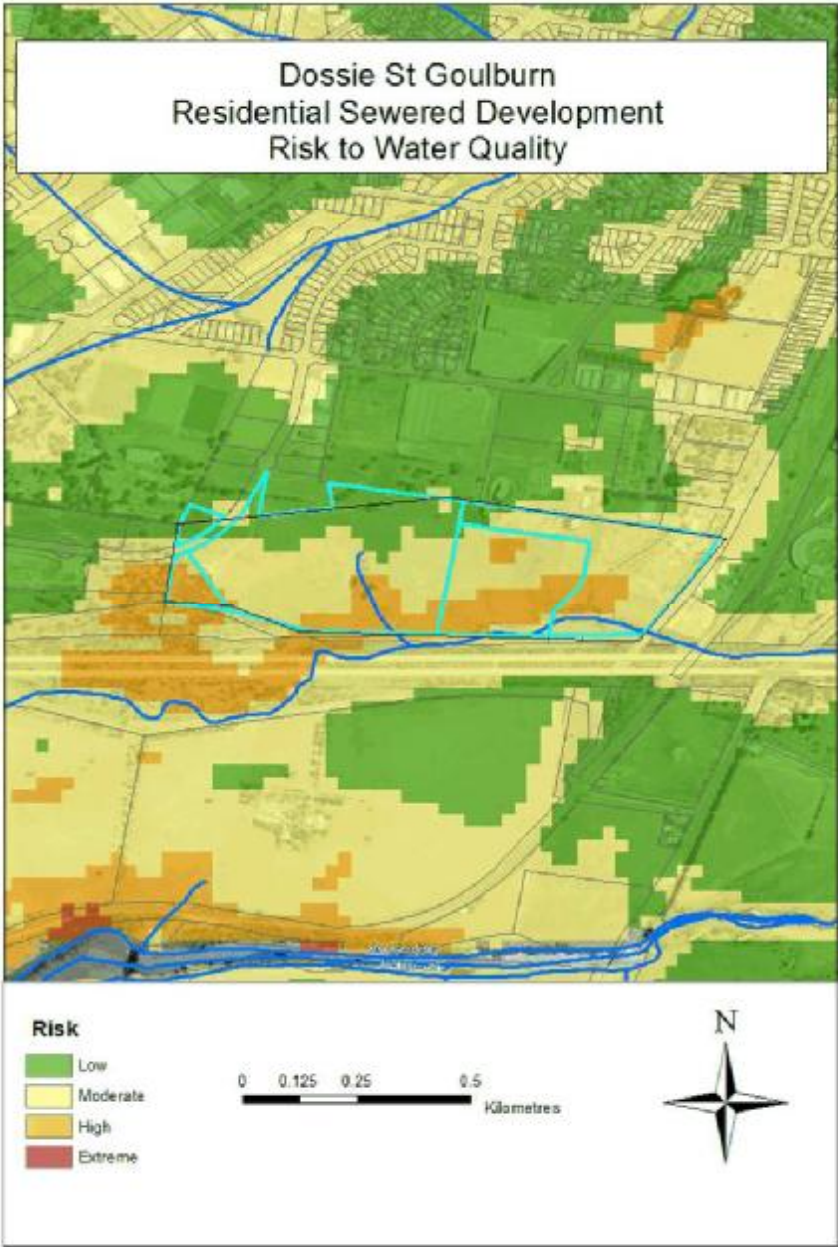


Figure 5. Strategic Land and Water Capability Assessment: Residential Sewered Development: Risk to Water Quality.

Draft Dossie Street Site Specific Chapter

8.9 Dossie Street

Objectives

- To facilitate the development of large lot residential development and industrial development.
- To ensure that land use conflict between industrial and residential development is minimised.
- To protect identified sensitive native grasslands.

8.9.1 Land to which Plan applies

This Plan applies to the land on the map shown as **Figure 8-9-1**.

Figure 8-9-1: Land to which Plan applies – Dossie Street



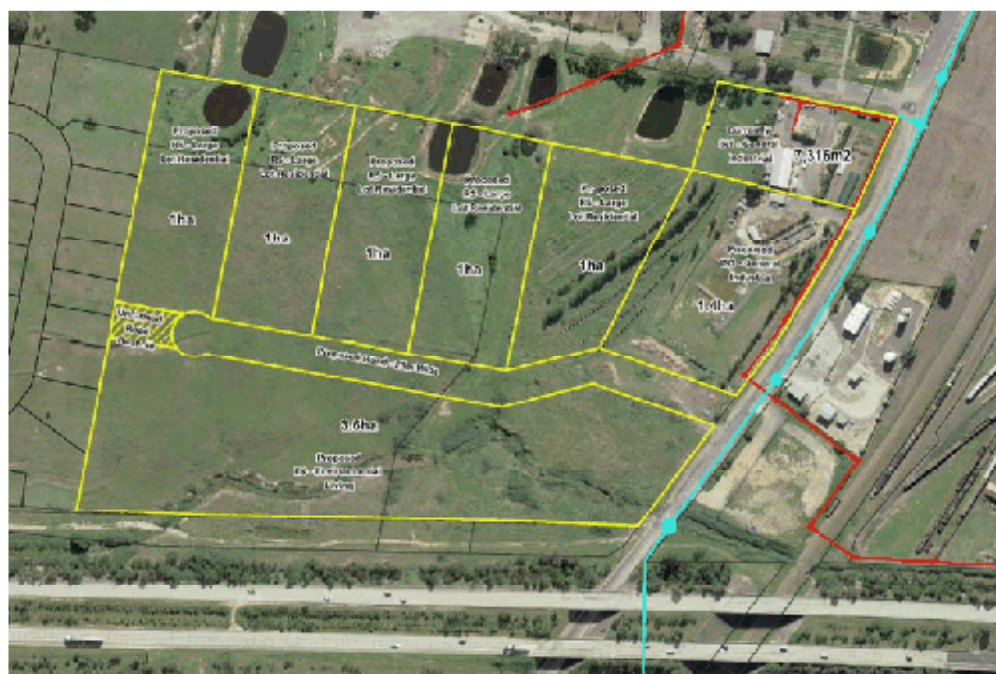
8.9.2 Development potential

The land has been zoned to facilitate the development of a variety industrial developments and low density large lot residential development.

8.9.3 Internal road layout

Internal road layouts must allow for a connection between Sloane Street and Lockyer Street. However a combination of signage and traffic measures such as speed humps and curb extensions are to be used to prevent heavy vehicle traffic from utilising this connection.

Figure 8-9-2: Proposed subdivision plan for the eastern part of the subject area.



No development is to involve more than 70% of the lot being covered in hardstand surfaces

All of the land in the subject area has been identified as potentially contaminated due to previous uses operating on or near the site. All development applications must be accompanied by a contamination assessment prepared in accordance with the *State Environmental Planning Policy No 55—Remediation of Land* if a prior assessment has not already completed on the site.

Development for the purposes of dwellings must adhere to Australian Standard 2107 and provide appropriate measures to ensure that the following sound levels are not exceeded:

- a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,
- b) anywhere else in the residential accommodation other than a garage, kitchen, bathroom or hallway —40 dB(A) at any time.

Bedrooms in dwellings should be located at the furthest point from noise sources located in the IN1 General Industrial zone and at the Hume Highway.

An acoustic report is to be submitted with each development application for a dwelling addressing the controls above.

8.9.7 Noise abatement for non-residential development

Any non-residential development proposed that emits significant noise through either heavy vehicle movements or ongoing industrial or commercial processes must locate these loading areas or noise producing processes as far away from the R5 Large Lot Residential zone as feasible.

Where possible, buildings and structures should be situated in a manner that shields the R5 Large Lot Residential zone from industrial development.

8.9.8 Protection of grasslands

No structure is to be erected in the exclusion area identified below unless the structure actively facilitates or does not affect the conservation of the native grasslands contained within.

Figure 8-9-3: Exclusion area for all structures.

