

## 12.5 PLANNING PROPOSAL TO AMEND ZONING OF NORTH EAST GOULBURN ENTERPRISE CORRIDOR PRECINCT

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**Attachments:** Nil

<b>Link to Community Strategic Plan:</b>	EN4 Maintain a balance between growth, development and environmental protection through sensible planning EC1 Capitalise on the region's close proximity to Canberra and its position as a convenient location to attract industry and investment EC4 Foster and develop a diverse, adaptive, and innovative agricultural industry
<b>Cost to Council:</b>	The cost of the rezoning will be funded from operational budgets.
<b>Use of Reserve Funds:</b>	Nil

### RECOMMENDATION

1. That the report to amend the zoning of Part of the North East Goulburn Enterprise Corridor Precinct from the Senior Strategic Planner be received
2. That Council resolve to prepare a Planning Proposal on land identified in Figure 2 of this report to amend Goulburn Mulwaree Local Environmental Plan 2009 which will:
  - (a) Rezone land in the Common Street Sub-Precinct of the North East Goulburn Enterprise Corridor Precinct within the area bounded by Sinclair Street, Chiswick Street, the land in zone RU6 Transition and zone SP2 Infrastructure (Cemetery) on the eastern side of Long Street and Council's Waste Management Facility from B6 Enterprise Corridor to IN1 General Industrial under GM LEP 2009, and
  - (b) Retain No Minimum Lot size on the subject lands
3. That when the Planning Proposal is prepared, a request for a Gateway Determination be forwarded to the Department of Planning and Environment.
4. That the Department of Planning and Environment be requested to issue delegations so that Council is the Relevant Planning Authority to process the subject Planning Proposal.

### BACKGROUND

The North Goulburn Enterprise Corridor Industrial precinct was identified in Council's *Employment Lands Strategy* (ELS) (Section 11.2.1) for rezoning from B6 Enterprise Corridor to IN1 General Industrial under *Goulburn Mulwaree Local Environmental Plan 2009* (GM LEP 2009). The purpose of this rezoning is to achieve the objectives of the ELS to create employment generating lands to the east of Goulburn city adjacent to the existing Waste Transfer facility.

### REPORT

The purpose of this report is to present a justification for the rezoning of land in the subject precinct from B6 Enterprise Corridor to IN1 General Industrial, and to recommend the preparation of a Planning Proposal, to facilitate development of the Common Street precinct as soon as grant funding becomes available.

The preparation of the subject planning proposal will continue the momentum gained by the following four (4) factors that will contribute to achieving the objectives of the Employment Lands Strategy (ELS) and the Community Strategic Plan (CSR). The objectives of the ELS and the CSR will be substantially achieved if Council resolves to prepare a Planning Proposal that will support:

- 1) The recommendations of the *Employment Lands Strategy*;
- 2) Development within the precinct of a poultry rendering plant;
- 3) Grant funding that will become available (Oct/Nov) to substantially fund infrastructure; and
- 4) An expression of interest in the development of a further site within the precinct for the manufacture of construction components subject to the rezoning the land.

The above four factors are described further as follows.

### 1. Employment Lands Strategy

The ELS identifies the North East Goulburn Enterprise Corridor Precinct extending to both sides of Sydney Road west to the Hetherington Street Depot and east to the boundary with Council's Waste Transfer Facility. The subject area is a sub-precinct known as the South Common Street Enterprise Corridor Sub Precinct. This sub-precinct is bounded by Common Street, Sinclair Street, Chiswick Street and Council's Waste Management Facility to the west and is zoned B6 Enterprise Corridor (Figure 1).

The area identified includes a buffer area to residences located on Long Street to the west of Common Street. The buffer area is bounded by Long Street and Chiswick Street comprising existing B6 Enterprise Corridor, RU6 Transition, E3 Environmental Management and SP2 Infrastructure (Cemetery) zoning.

The recommendation of this report is to extend the land to be rezoned to IN1 General Industrial to the west of Common Street (see Figure 2) as far as the existing RU6 Transition zone but to exclude the land zone E3 Environmental zone under GM LEP 2009 on 52 Common Street.

The justification provided in the ELS for this change being the quality of existing infrastructure and appropriate range of permissible land uses.

### 2. Proposed Poultry Rendering Plant

This area also contains the site of a proposed **Agricultural produce industry** (a Rural Industry) specifically a Poultry Rendering Plant on Lot 22 DP 750050 (area shown white in Figure 1). The ELS however was prepared prior to the interest being shown in this site for the processing plant.

It is recommended that the Precinct identified in the ELS be extended to include part of this site (see Figure 2) so that the Precinct can be master planned to provide for both suitable development control provisions and for capacity/location planning of any supporting infrastructure.

If the existing zoning of the subject land was rezoned to IN1 General Industrial, **Livestock processing industries** (EP&A Regulations 2000) would be permissible with consent as a Rural Industry in the IN1 General Industrial zone under GM LEP 2009.

### 3. Grant Funding Application

There is a current Section 94 Contributions Plan that includes the subject precinct which extends across Sydney Road to the north. However this plan focus' solely on the rehabilitation of Common Street and provides no costing's for any other works or facilities. The lack of development from which to garner contributions has meant that no funds have been available to upgrade road infrastructure to support the B6 Enterprise Corridor land uses. Rezoning the subject area to IN1 General Industrial would make the most cost effective use of any infrastructure provided.

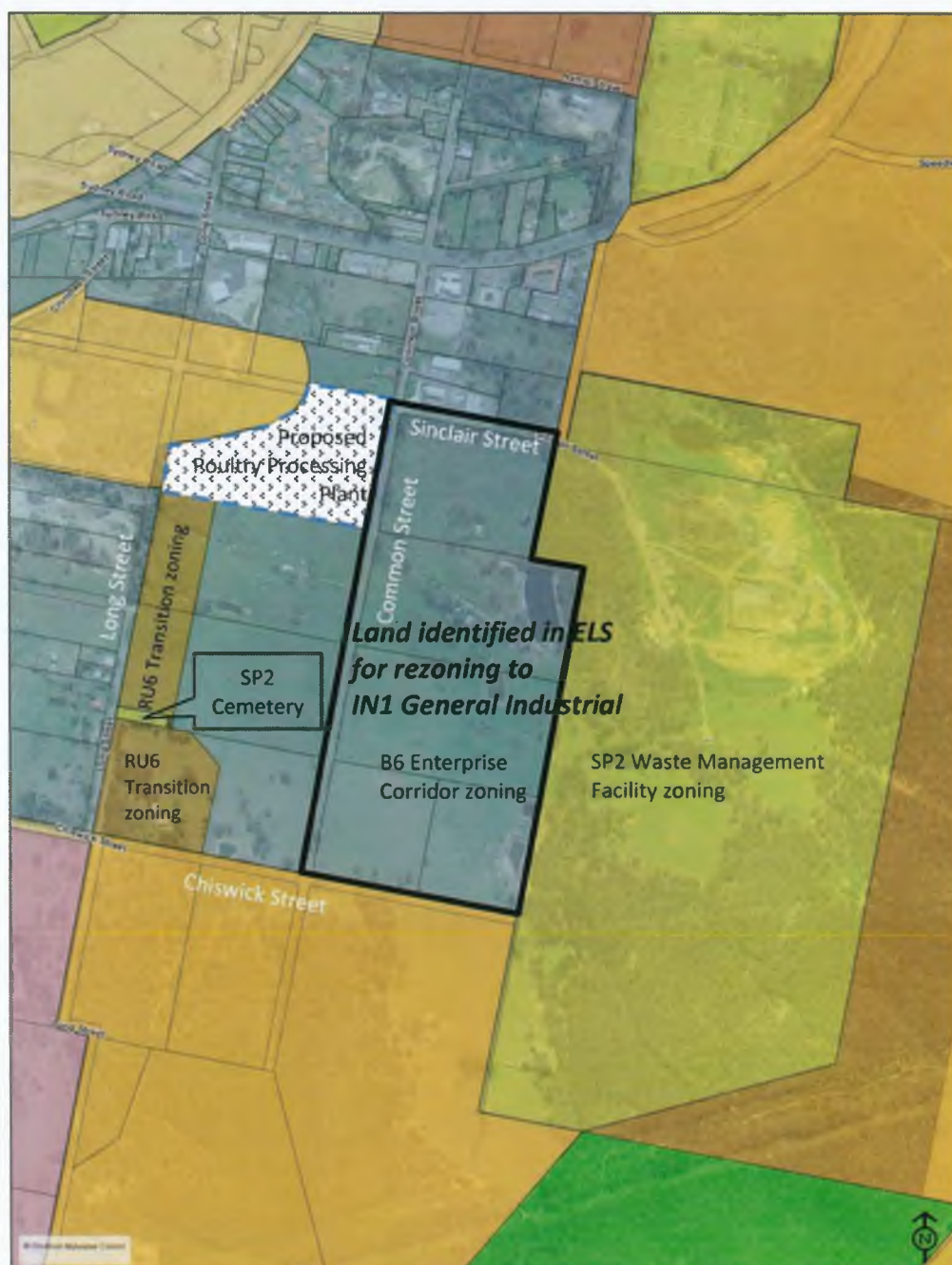
Council has lodged a grant application seeking funding to provide essential infrastructure and to master plan the whole of the recommended area (Fig. 2).

Most of the funding being sought is to:

- Provide essential infrastructure, including roundabouts for heavy vehicles entering Sydney Road; and
- Attract new development, thereby making a more attractive environment for businesses to establish adjacent to the eastern access of Sydney Road.

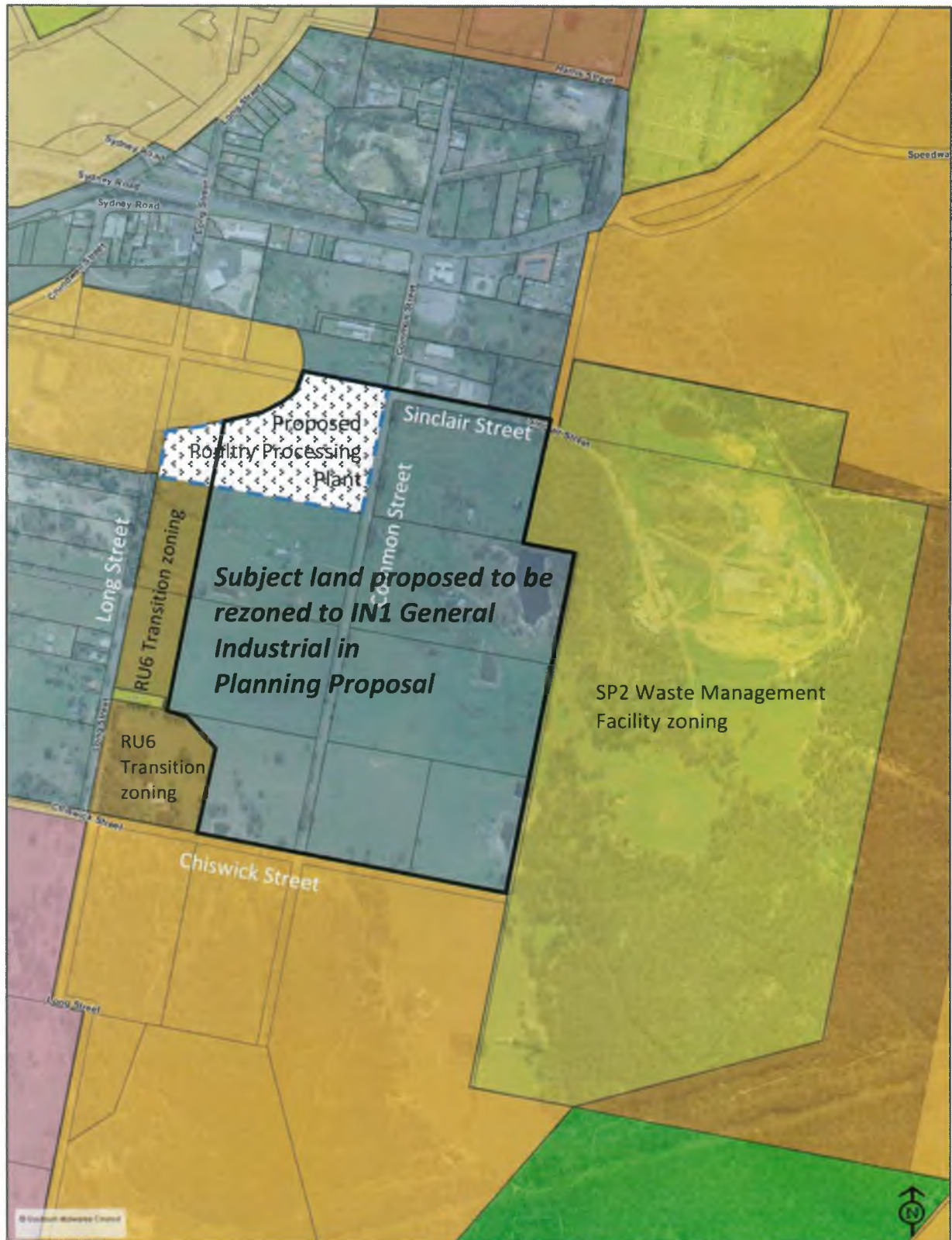
#### 4. Expression of Interest in Development

Council has received interest for a manufacturing use for the development of the site opposite the proposed Poultry Rendering Plant which would provide a further catalyst to development of the precinct.





**Figure 1 Existing land identified in the ELS for rezoning to IN1 General Industrial**



**Figure 2 Proposed precinct to be rezoned in subject Planning Proposal**

The reasons for revising the rezoning over what is recommended by the ELS are that:

- The area proposed by the *Employment Lands Strategy* suited development for industrial uses (being relatively flat in close proximity to suitable access) this is also applicable to the proposed extension area;
- The subject area minimises (not eliminates) land use conflict because it has a relatively low density of existing residential development (and is located approximately 7kms from the core urban area);
- The agglomeration (clustering) of development permissible in the IN1 General Industrial zone provides the most cost effective use of any infrastructure provided;
- The existing zoning of B6 Enterprise Corridor has not developed as anticipated (possibly due to the lack of infrastructure); and
- Extending the proposed IN1 General Industrial zone to the western side of Common Street better enables master planning of the precinct and will facilitate the preparation of a consistent set of development controls that can be applied.

The proposed Poultry Rendering Plant (identified by white hatching in Fig 1) is likely to provide a catalyst for further development of this precinct therefore, it is consistent to support more intensive uses on both sides of Common Street. It is also consistent with the Precinct identified in the ELS that the buffer, zoned RU6 Transition zone between the proposed IN1 General Industrial zone and the B6 Enterprise to the west be retained.

#### PROPOSED POULTRY RENDERING PLANT SITE

This site at 52 Common Street (Lot 22 DP 750050) has an existing approval (DA/0298/0506 - lapsed) for a three (3) lot Industrial subdivision (hence the road construction).

Despite the presence of the B6 Transition, E3 Environmental Management and the RU6 Transition zoning on the subject land, the proposed poultry rendering plant will be permissible with consent as State Significant Development (SSD) under Clause 8 of the State and Regional Development (SRD) State Environmental Planning Proposal (SEPP) 2011.

#### **8 Declaration of State significant development: section 4.36**

- (1) *Development is declared to be State significant development for the purposes of the Act if:*
- (a) *the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and*
  - (b) *the development is specified in Schedule 1 or 2.*

Schedule 1 includes the proposed development in the following definition as:

#### **Agricultural produce industries and food and beverage processing**

*Development that has a capital investment value of more than \$30 million for any of the following purposes:*

- (a) *abattoirs or meat packing, boning or products plants, milk or butter factories, fish packing, processing, canning or marketing facilities, animal or pet feed production, gelatine plants, tanneries, wool scouring or topping or **rendering plants***

Similarly, the proposed Poultry Rendering Plant is designated development, as a **Livestock processing industries** under Schedule 3 of the EP&A Regulations 2000. In both of these circumstances, approval of the development rests with the DPE however it is noted that Schedule 3 EP&A Regulations 2000, 22(d)(iii) requires where this type of development is located 'on land that slopes more than 6 degrees to the horizontal' or 'within a drinking water catchment' also requires DPE approval.

The proposed Rendering Plant application was lodged with the Department of Planning and Environment (DPE) and on 19 July 2018, Council responded to the DPE's request for Secretary's Environmental Assessment Requirements (SEARS).

It should also be noted that, although the poultry processing site has three zones (E3 Environmental Management, RU6 Transition and B6 Enterprise Corridor) Council staff have recommended that the areas of identified Endangered Ecological Communities (EEC's) be quarantined from development or a plan of management be implemented by the proponents for these areas.

### **Grant Funding Application**

A Grant Funding application was supported by Council on 3 July 2018. The majority of the funds being sought by the grant funding application is for infrastructure works, however \$85,000 will be allocated to the preparation of the Planning Proposal to rezone the land and master plan the site. Because the ELS intended to take advantage of part of the land as a buffer to the residential land uses to the west, master planning of the site will require a review, revision and strengthening of the development controls within the DCP. This revision will then mitigate the effects of the industrial land uses that will follow with the rezoning of the B6 Enterprise land to IN1 General Industrial.

### **Development for Construction Components**

Council has been approached by a land owner for the development of their site for the purpose of manufacturing building material components. The owner is aware that they are unable to begin this operation on this land because it is prohibited in the current B6 Enterprise Corridor zoning. The proposed use is permissible with consent in the IN1 General Industrial zone under *Goulburn Mulwaree LEP 2009*. As stated previously, the recommendation of the ELS is to rezone land zone B6 Enterprise Corridor to IN1 General Industrial under GM LEP 2009. The owner has indicated that if the land was rezoned they would be enthusiastic about commencing operations, subject to obtaining appropriate approvals, as soon as possible.

### **CONCLUSION**

In conclusion, a Planning Proposal is recommended to be prepared and forwarded to the Department of Planning and Environment (DPE) identifying the land in Figure 2 for rezoning from the existing zone B6 Enterprise Corridor to zone IN1 General Industrial under *Goulburn Mulwaree Local Environmental Plan 2009*. This would enable the development of the North Goulburn Industrial Precinct to progress towards the intended objective of Council's adopted *Employment Lands Strategy*.

It is a further conclusion that the land identified in Figure 2 be rezoned to IN1 General Industrial under *Goulburn Mulwaree LEP 2009* so that the sub-precinct can be master planned and provisions developed that can be consistently applied to all development within the precinct (as applying to a single zoning), consider and treat the same site constraints in the one document and identify an appropriate level of infrastructure (for the single location) to service future development at an appropriate level.