



# Lockyer Street Planning Proposal

20-24 Lockyer Street, Goulburn

ON BEHALF OF  
LOCKYER STREET TRUST  
NOVEMBER 2023



## Project

Lockyer Street Planning Proposal

Document Control				
No.	Version	Date	Author(s)	Reviewed by
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2	Final Draft	06/11/2023	Lawrence Fowle, Town Planner	Mason Stankovic, Managing Director
3	For Submission	08/11/2023	Lawrence Fowle, Town Planner	Mason Stankovic, Managing Director

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## Table of Contents

1	Introduction.....	1
1.1	Report Structure .....	2
2	Site Context and Description.....	3
2.1	Regional Context .....	3
2.2	Local Context.....	3
2.3	Site Description .....	4
2.4	Site Context.....	5
2.5	Local Planning Context.....	8
2.5.1	Goulburn Mulwaree Local Environmental Plan 2009.....	8
3	Planning Background.....	12
3.1	Site Planning History.....	12
3.2	Council Consultation.....	12
3.2.1	Required Studies & Documents.....	12
4	Part 1 – Objectives and Intended Outcomes.....	13
5	Part 2 – Explanation of Provisions .....	14
6	Part 3 – Justification of Strategic and Site-Specific Merit.....	15
6.1	Section A – Need for the Planning Proposal.....	15
6.1.1	Q1 – Is the planning proposal a result of an endorsed LSPS, strategic study or report? .....	15
6.1.2	Q2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?.....	16
6.2	Section B – Relationship to the Strategic Planning Framework.....	16
6.2.1	Q3 – Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)? .....	17
6.2.2	Q4 – Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan? .....	18
6.2.3	Q5 – Is the planning proposal consistent with any other applicable State and regional studies or strategies? .....	19
6.2.4	Q6 – Is the planning proposal consistent with applicable SEPPs?.....	20
6.2.5	Q7 – Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)? .....	23
6.3	Section C – Environmental, Social and Economic Impact.....	30



6.3.1	Q8 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?.....	31
6.3.2	Q9 – Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed? .....	32
6.3.3	Q10 – Has the planning proposal adequately addressed any social and economic effects? .....	43
6.4	Section D – Infrastructure (Local, State and Commonwealth).....	43
6.4.1	Q11 – Is there adequate public infrastructure for the planning proposal? .....	43
6.5	Section E – State and Commonwealth Interests .....	44
6.5.1	Q12 – What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination? .....	44
7	Part 4 – Mapping .....	45
8	Part 5 – Community Consultation .....	47
9	Part 6 – Project Timeline .....	48
10	Conclusion.....	49



## Figures

Figure 1: Regional Context.....	3
Figure 2: Local Context Map .....	4
Figure 3: Aerial Map.....	5
Figure 4: Site seen from the air looking east .....	6
Figure 5: Site seen from Lockyer Street looking south .....	7
Figure 6: Site seen from the air looking west .....	7
Figure 7: Land Zoning Map.....	8
Figure 8: Lot Size Map .....	11
Figure 9: Indicative Development Outcome .....	13
Figure 10: Location of site compared to the South Goulburn Industrial Precinct.....	15
Figure 11: Access and connectivity .....	33
Figure 12: Approved TfNSW B-Double Routes.....	34
Figure 13: AHIMS sites within 1km of subject site.....	40
Figure 14: Subject site showing AHIMS sites and 10m buffer .....	40
Figure 15: Bushfire Prone Land Map .....	42
Figure 16: Current Zoning Map .....	45
Figure 17: Proposed Zoning Map.....	45
Figure 18: Current Minimum Lot Size Map.....	46
Figure 19: Proposed Minimum Lot Size Map.....	46

## Tables

Table 1. Surrounding Development.....	5
Table 2. Summary of Zoning Provisions.....	9
Table 3. Required Studies & Documents.....	12
Table 4. Relevant Recommendations for South Goulburn Industrial Precinct.....	16
Table 5. Planning Proposal Response to Regional Plan 2036.....	17
Table 6. Planning Proposal Response to the draft Regional Plan 2041.....	18
Table 7. Consistency with State Environmental Planning Policies.....	20
Table 8. Section 9.1 Compliance Table.....	23
Table 9. Site-Specific Merit Test.....	30
Table 11. Estimated Traffic generation.....	35
Table 12. Water Quality Control Measures.....	37
Table 13. Summary of Due Diligence Process Assessment.....	41
Table 14. Indicative Project Timeline.....	48

## 1 Introduction

This planning proposal report has been prepared on behalf of Lockyer Street Trust to initiate a proponent led amendment to the *Goulburn Mulwaree Local Environmental Plan 2009* (GMLEP 2009) in relation to land known as 20-24 Lockyer Street, Goulburn (the site).

The proposed LEP amendment will facilitate the rational expansion of existing industrial lands located to the north of the site and is specifically designed to:

- Rezone the land E4 - General Industrial and remove the minimum lot size requirement applying under GMLEP 2009;
- Permit additional industrial development in a location which provides for the logical expansion of employment lands located to the north of the site;
- Provide a land use framework which supports the local freight and logistics economy, whilst also leveraging Goulburn's proximity to the major centres of Canberra and Sydney;
- Provide a viable alternative to the current industrial supply of lands on offer between southwest Sydney and Canberra; and
- Facilitate additional employment opportunities within the Goulburn LGA.

The planning proposal has been prepared in accordance with requirements outlined under section 3.33(2) of the *Environmental Planning & Assessment Act 1979* (EP&A Act 1979) and has duly considered the Department of Planning & Environment's document known as the Local Environmental Plan Making Guideline – August 2023.

The planning proposal is supported by the following documentation:

- Appendix 1 – Urban Design Report
- Appendix 2 – Water Cycle Management Strategy
- Appendix 3 – Civil Engineering Report
- Appendix 4 – Traffic and Parking Impacts Assessment
- Appendix 5 – Aboriginal Due Diligence Report
- Appendix 6 – Flora and Fauna Assessment
- Appendix 7 – Preliminary Site Investigation
- Appendix 8 – Additional Excavated Natural Material Assessment
- Appendix 9 – Bushfire Protection Assessment
- Appendix 10 – Services Infrastructure Report
- Appendix 11 – Pre-Lodgement Minutes

As demonstrated throughout this report, the planning proposal is entirely consistent with the strategic planning framework and can mitigate potential environmental impacts appropriately. Accordingly, it demonstrates both strategic and site-specific merit in accordance with the requirements for planning proposals in NSW.

For the reasons outlined in the following sections, the proposal will deliver a myriad of public benefits and will provide minimal environmental impacts, and warrants the support of Council.

## 1.1 Report Structure

This Planning proposal has been prepared in accordance with DPE's *Local Environmental Plan Making Guideline* (August 2023) and is structured as follows:

### **Introduction**

- Chapter 1 – Introduction;
- Chapter 2 – Site Context and Description
- Chapter 3 – Planning Background

### **Planning Proposal:**

- Chapter 4 – Part 1 – Objectives and Intended Outcomes
- Chapter 5 – Part 2 – Explanation of Provisions
- Chapter 6 – Part 3 – Justification of Strategic and Site-Specific Merit
- Chapter 7 – Part 4 – Mapping
- Chapter 8 – Part 5 – Community Consultation
- Chapter 9 – Part 6 – Project Timeline; and

### **Conclusion**

- Chapter 10 – Conclusion



## 2 Site Context and Description

### 2.1 Regional Context

The subject site is located within the Goulburn Mulwaree LGA, within the city of Goulburn. Goulburn is located in the South East and Table Lands region of NSW, midway between Canberra and Greater Sydney.

The South East and Tablelands region is a diverse area containing urban, rural and natural landscapes and characteristics. Productive agricultural land and natural resources are primary foundations of the region and its economy, which continues to diversify through growth in the tertiary education, health, waste, energy, tourism and transport sectors.

The South East and Tablelands has a strong relationship with Canberra, which is identified as its Metropolitan City and a significant driver of its growth. The region is expected to also have a growing relationship with Greater Sydney's 'Western Parkland City' as it continues to grow.

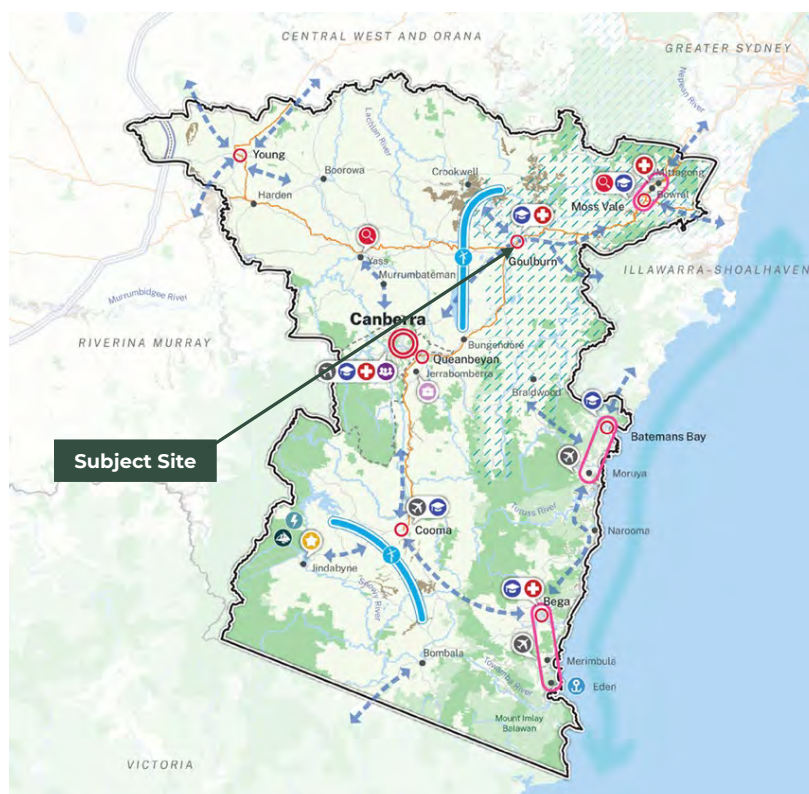


Figure 1: Regional Context  
Source: DPE modified by Patch

### 2.2 Local Context

The site is located within the southern areas of the city of Goulburn, around which the LGA's population is focused. The site is approximately 2km southwest of the Goulburn CBD, which covers around 48 hectares in area and is characterised by heritage buildings and streetscapes as well as being a major retail and government administrative centre.

The area surrounding the site more directly is used or identified for use as employment lands precincts. The site sits near the boundary of two corridors identified within the Goulburn Mulwaree Employment Lands Strategy, namely the South Goulburn Enterprise Corridor and the South Goulburn Industrial Precinct.

The site is strategically located close to the M31 Hume Highway to the south and the Goulburn Rail Hub to the east, providing good connections to key freight routes by both road and rail.

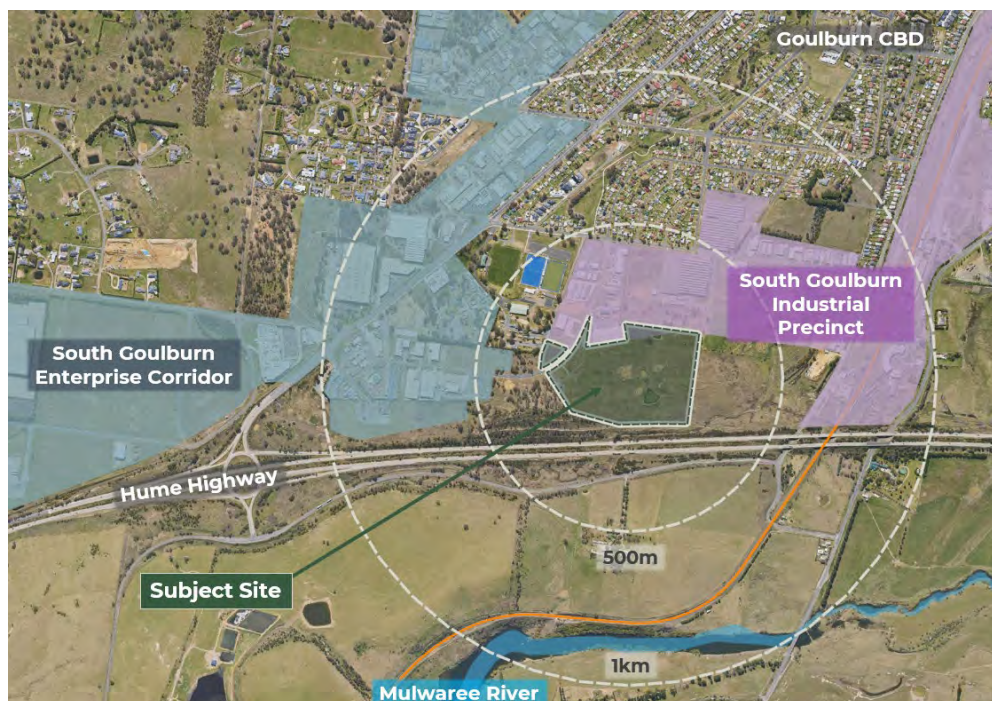


Figure 2: Local Context Map  
Source: Metromap modified by Patch

### 2.3 Site Description

The subject site is located at 20-24 Lockyer Street, Goulburn and consists of one lot which is legally described as Lot 2 of DP1238214.

The site is irregular in shape with a total area of approximately 12.353ha, with a frontage to Lockyer Street of approximately 235m. The site is fragmented into two pieces of land on either side of Lockyer Street and is generally undeveloped.

The subject site adjoins land zoned E4 General Industrial to the north and a small area of land zoned RE1 Public Recreation to the west. The site is also bounded to the south by the Hume Highway and a thin strip of land zoned RU2 Rural Landscape.

The existing development at the site and the lot boundary are shown in Figure 3 below.



Figure 3: Aerial Map

Source: Metromap modified by Patch

## 2.4 Site Context

The following properties and development surround the site.

Table 1. Surrounding Development	
Direction	Surrounding Development
North	<p>The site is bound to the north by industrial developments, and vacant land which is zoned for industrial uses.</p> <p>Some of the existing industrial developments to the north of the site are:</p> <ul style="list-style-type: none"> <li>• Aviagen (Poultry farm);</li> <li>• Slater's Flooring Solutions (Carpet store);</li> <li>• Geissler Hyundai (Car dealership);</li> <li>• Schute Bell Badgery Lumby (Livestock dealer); and</li> <li>• SOLE-X Custom Orthotics Online (Podiatrist).</li> </ul>
South	<p>The south of the site is bound by the Hume Highway (M31), as well as small expanses of vegetation that fall between the site and the existing highway.</p>
East	<p>The east of the site is bound by similarly zoned rural uses, which is predominantly undeveloped, with the exception being a small area developed for the Delta Agribusiness.</p>



Table 1. Surrounding Development	
Direction	Surrounding Development
West	<p>The northwest of the site is bound by industrial uses, including Goulburn Storage Sheds (Self-storage facility).</p> <p>The west of the site is split by Lockyer Street, creating a fragmented lot. Beyond the splinted piece of land, the site is bound by recreation uses including:</p> <ul style="list-style-type: none"> <li>• Highland riders Goulburn mc (Bar);</li> <li>• John Lees Table Tennis Centre; and</li> <li>• Back To The Arcade.</li> </ul>

The following photos illustrate the development surrounding the site.

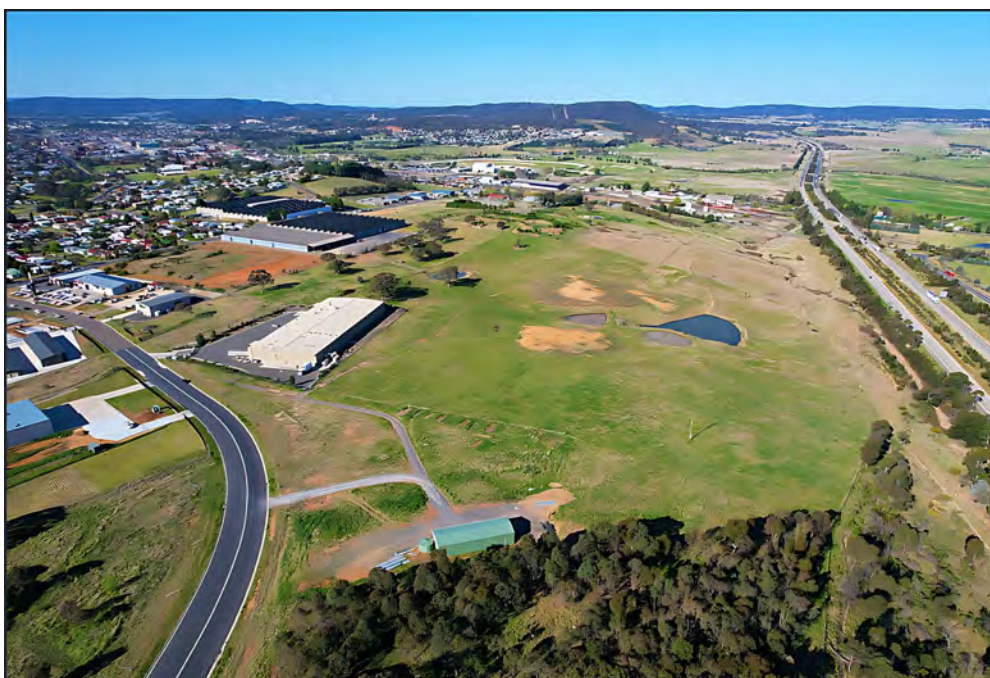


Figure 4: Site seen from the air looking east  
Source: Reid Campbell

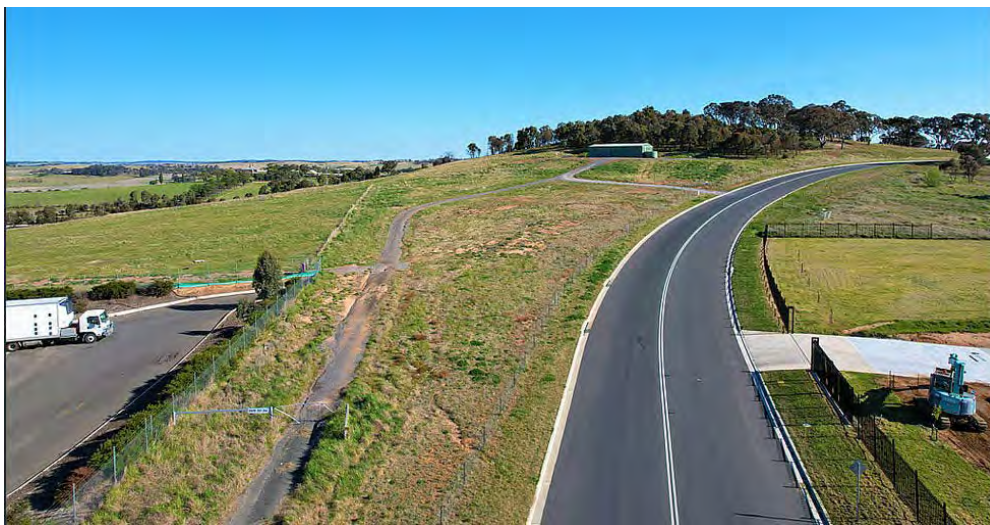


Figure 5: Site seen from Lockyer Street looking south  
Source: Reid Campbell



Figure 6: Site seen from the air looking west  
Source: Reid Campbell

## 2.5 Local Planning Context

### 2.5.1 Goulburn Mulwaree Local Environmental Plan 2009

The principal statutory planning instrument applying to the site is the *Goulburn Mulwaree Local Environmental Plan 2009* (GMLEP 2009).

#### LAND ZONING

The site is predominantly zoned RU2 Rural Landscape under GMLEP 2009 as illustrated in Figure 7, with some small areas to the north zoned E4 General Industrial.



Figure 7: Land Zoning Map  
Source: NSW Planning Portal

The zoning controls applying to the site are summarised in Table 2 on the following pages.



Table 2. Summary of Zoning Provisions	
Provisions	RU2 Rural Landscape
Objectives of zone	<ul style="list-style-type: none"> <li>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>To maintain the rural landscape character of the land.</li> <li>To provide for a range of compatible land uses, including extensive agriculture.</li> <li>To protect, manage and restore areas with high conservation, scientific, cultural or aesthetic values.</li> <li>To protect and enhance the water quality of receiving watercourses and groundwater systems and reduce their degradation.</li> <li>To preserve environmentally sensitive land, including catchment areas, and prevent development likely to result in environmental harm.</li> <li>To minimise the potential for conflict between adjoining land uses.</li> </ul>
Permitted without consent	Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Home occupations; Roads
Permitted with consent	Agricultural produce industries; Aquaculture; Cellar door premises; Dwelling houses; Hardware and building supplies; Home industries; Kiosks; Landscaping material supplies; Markets; Plant nurseries; Roadside stalls; Rural supplies; Stock and sale yards; Timber yards; Any other development not specified in item 2 or 4
Prohibited	Airports; Amusement centres; Attached dwellings; Boat building and repair facilities; Business premises; Camping grounds; Caravan parks; Dual occupancies; Exhibition homes; Exhibition villages; Feedlots; Freight transport facilities; Group homes; Heavy industrial storage establishments; Home occupations (sex services); Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Industries; Local distribution premises; Marinas; Mooring pens; Mortuaries; Multi dwelling housing; Passenger transport facilities; Registered clubs; Residential flat buildings; Restricted premises; Retail premises; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Service stations; Sex services premises; Storage premises; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies



Table 2. Summary of Zoning Provisions	
Provisions	E4 General Industrial
Objectives of zone	<ul style="list-style-type: none"> <li>To provide a range of industrial, warehouse, logistics and related land uses.</li> <li>To ensure the efficient and viable use of land for industrial uses.</li> <li>To minimise any adverse effect of industry on other land uses.</li> <li>To encourage employment opportunities.</li> <li>To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.</li> </ul>
Permitted without consent	Roads
Permitted with consent	Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Medical centres; Neighbourhood shops; Oyster aquaculture; Plant nurseries; Rural supplies; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4
Prohibited	Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Business premises; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Eco-tourist facilities; Educational establishments; Exhibition homes; Exhibition villages; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Moorings; Mooring pens; Recreation facilities (major); Residential accommodation; Retail premises; Water recreation structures; Wharf or boating facilities



### MINIMUM SUBDIVISION LOT SIZE

The parts of the site that are currently zoned for rural purposes have a minimum subdivision lot size of 100ha, under the GMLEP 2009.



Figure 8: Lot Size Map  
Source: NSW Planning Portal

The existing minimum subdivision lot size controls applying to the site are summarised in Table 2 below.

### OTHER DEVELOPMENT STANDARDS

The subject site is not affected by any Height of Building or Floor Space Ratio controls.

### 3 Planning Background

#### 3.1 Site Planning History

A previous planning proposal (REZ/0007/1819) known as the 'Dossie Street Planning Proposal' was submitted to Council in October 2019 by Mi Place Planning on behalf of Southern Regional Land Engineering.

The planning proposal sought to amend the Zoning and Minimum Lot Size of land adjacent to Dossie Street Goulburn under the Goulburn Mulwaree Local Environmental Plan 2009.

The planning proposal was completed and gateway was provided, however the rezoning was never finalised.

#### 3.2 Council Consultation

Patch Planning and representatives of the Client met with Strategic Planning Officers from Goulburn Mulwaree Council on 1 February 2023 regarding this planning proposal and again following on 19 July 2023. The following subsections provide a summary of the matters raised during consultation and how they have been considered prior to lodgement.

A full response to the pre-lodgement meeting is provided in **Appendix 11** and summarised below.

##### 3.2.1 Required Studies & Documents

Council identified the following documents were required to be submitted with the planning proposal.

Table 3. Required Studies & Documents	
Document	Provided
A Water Quality Management Plan	Appendix 2
Indicative subdivision layout plan which includes lot boundaries, access, building envelopes and water detention and water quality facilities.	Appendix 1 – Urban Design Report
A Flora and Fauna Assessment including a site inspection by a qualified ecologist	Appendix 6
Bushfire Study	Appendix 9
Preliminary Contamination Assessment	Appendix 7 and Appendix 8
A detailed Aboriginal Archaeological Assessment of all Potential Archaeological Deposits which includes consultation with the local Aboriginal community through the applicable Local Aboriginal Land Council should be submitted with the planning proposal scoping report.	Appendix 5
A Traffic Study which addresses previous raised issues by TfNSW	Appendix 4

The objective of the planning proposal is to rezone the parts of the lots which are zoned RU2 - Rural Landscape to E4 - General Industrial under the GMLEP 2009. In addition, the planning proposal will remove the minimum lot size of 100ha from the parts of the lot where this minimum lot size applies under the GMLEP 2009.

An indicative concept masterplan has been prepared by Reid Campbell and is contained within the Urban Design Report at Appendix 1, and provides an overview of the intended development outcome under the revised GMLEP 2009 controls.

The concept masterplan has been informed by the relevant specialist studies and strategies which accompany the planning proposal and are described in greater detail within Part 3.

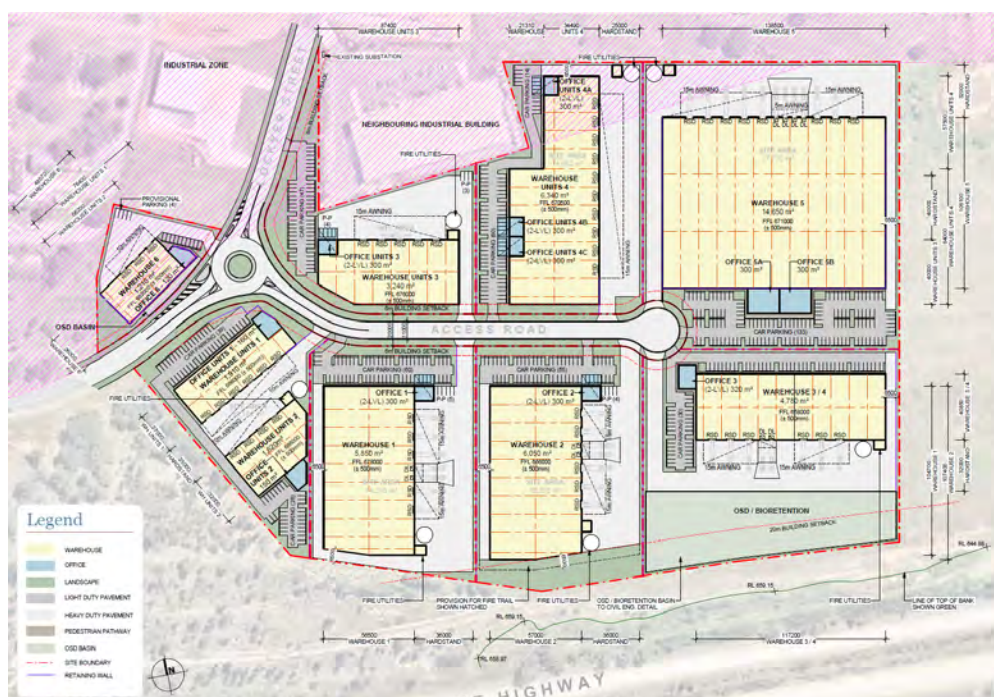


Figure 9: Indicative Development Outcome  
Source: Reid Campbell

## 5 Part 2 – Explanation of Provisions

To achieve the objectives of this planning proposal, it is proposed to make amendments to the GMLEP 2009 as follows:

- Rezone the subject land from RU2 Rural Landscape to E4 General Industrial; and
- Remove the 100ha minimum lot size control.

## 6 Part 3 – Justification of Strategic and Site-Specific Merit

### 6.1 Section A – Need for the Planning Proposal

#### 6.1.1 Q1 – Is the planning proposal a result of an endorsed LSPS, strategic study or report?

**Yes.** While the planning proposal is landowner initiated, it responds to strategic directions identified within the *Goulburn Mulwaree Employment Lands Strategy 2016* prepared by HillPDA on behalf of Council ('the Employment Lands Strategy').

The purpose of the Employment Lands Strategy was to address the then current and expected employment land requirements and position Goulburn Mulwaree as an attractive place to invest. The Employment Lands Strategy also provides a strategic planning approach for the LGA to guide decision-making by Council, breaking recommendations into short term (2017-2021), medium term (2022-2027), and long term (2028-2038) phases. This planning proposal has been prepared within the 'medium term' time horizon.

The Employment Lands Strategy considers each employment lands precinct within the LGA separately. The subject site is identified immediately to the south of the South Goulburn Industrial Precinct, as shown in the below Figure 10, also being in close proximity to the South Goulburn Enterprise Corridor Precinct which is nearby to the west.

The South Goulburn Industrial Precinct contains several sub-precincts including the Tait Crescent Industrial Sub-Precinct, the Sale Yards Industrial Sub-Precinct, and the Rail Yards Industrial Sub-Precinct. Specifically, the site is situated within the Tait Crescent Industrial Sub-Precinct



Figure 10: Location of site compared to the South Goulburn Industrial Precinct

Source: HillPDA modified by Patch



At the time the Employment Lands Strategy was published, it was identified that only a limited number of lots were available in this precinct, and that the generally small size of lots within the precinct reflected the limited area of available land.

The Employment Lands Strategy identified several opportunities for the South Goulburn Industrial Precinct which includes recommendations to rezone the site, as shown in Table 4.

It is noted that the Employment Lands Strategy also recommended investigations into an extension of Lockyer Street to connect with Tait Crescent to provide improved access and connectivity within the sub precincts. This road upgrade has subsequently been undertaken.

Table 4. Relevant Recommendations for South Goulburn Industrial Precinct		
Location	Timeframe	Recommendation
South Goulburn Industrial Precinct	Medium Term	Investigation to rezone the land to the south of Tait Crescent from a rural zoning to either an industrial or enterprise corridor zone to facilitate subdivision and use of the lots for more general employment land.
	Medium Term	Review the size of the lots at the southern end of railyard sub precinct as there is potential to develop land to accommodate uses and/or to utilise spare capacity within larger lots.

#### 6.1.2 Q2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

**Yes.** The main objective of the planning proposal is to facilitate development for industrial land uses to meet the growing demand for industrial warehousing in regional NSW.

A planning proposal is required to change the zoning to allow industrial development to be permissible with consent. This development outcome could otherwise not be achieved.

### 6.2 Section B – Relationship to the Strategic Planning Framework

DPE's Planning Circular (PS 16-004) notes that a key factor in determining whether a proposal should proceed to Gateway determination should be its strategic merit and site-specific merit.

The planning proposal is considered to meet these tests as outlined in the following sections.

#### Does the proposal have strategic merit?

The strengthened strategic merit test criteria require that a planning proposal demonstrate strategic merit against at least one of the following three criteria:

1. Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, and/or corridor/precinct plans applying to the site. This includes any draft regional, district or corridor/precinct plans released for public comment or a place strategy for a strategic precinct including any draft place strategy; or
2. Demonstrate consistency with the relevant LSPS or strategy that has been endorsed by the Department or required as part of a regional or district plan; or
3. Respond to a change in circumstances that has not been recognised by the existing planning framework.

As described in the subsequent sections, the planning proposal demonstrates strategic merit against the first two criteria, in that:

16



1. The proposal gives effect to both the existing *South East and Tablelands Regional Plan 2036* and the *draft South East and Tablelands Regional Plan 2041* in that it provides opportunities to leverage growth opportunities from Western Sydney by providing affordable employment land with excellent access to the Hume Highway (M31) which connects into Greater Sydney.
2. The proposal is consistent with the intent of the *Goulburn Mulwaree Local Strategic Planning Statement 2020*, as it will promote the LGA's competitive advantages to businesses which are considering relocating or struggling with high operating costs and overheads in Greater Sydney.

These items are discussed in further detail in the responses to the following questions.

#### 6.2.1 Q3 – Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

**Yes**, this planning proposal is consistent with the *South East and Tablelands Regional Plan 2036* (the Regional Plan 2036) and the *draft South East and Tablelands Regional Plan 2041* (the draft Regional Plan 2041) as outlined below.

#### **SOUTH EAST AND TABLELANDS REGIONAL PLAN 2036**

The 2036 Regional Plan outlines the South East and Tablelands as part of a borderless region with Canberra as the Metropolitan City at its heart. The 2036 Regional Plan sets several regional goals to achieving and leveraging the opportunities of the vision. Of particular relevance is **Goal 1 – A connected and prosperous economy**.

The ways in which the planning proposal gives effect to the Directions and Actions of Goal 1 of the 2036 Regional Plan are outlined in Table 5.

Table 5. Planning Proposal Response to Regional Plan 2036			
Goal	Relevant Direction	Relevant Action	Response
1 - A Connected and Prosperous Economy	4 Leverage growth opportunities from Western Sydney	4.2 Maintain a supply of appropriately serviced employment land to create opportunities for new industrial development.	<p>The 2036 Regional Plan identifies opportunities for the South East and Tablelands to leverage upon the new Western Sydney Airport and to be promoted as an affordable place for Western Sydney-based industries to relocate and expand. Alongside Wingecarribee, Goulburn-Mulwaree LGA is identified as being well positioned to use Western Sydney's Growth as a way to create new jobs.</p> <p>The planning proposal gives effect to Direction 4 and associated Action 4.2 by providing for additional zoned employment lands which would encourage further jobs growth.</p>

### Local Government Narratives

The 2036 Regional Plan identifies that the NSW Government will work with each Council to deliver the directions and actions that the plan sets out, and lists priorities for each Council to guide further investigations and implementation.

For Goulburn-Mulwaree, under a heading of Economy and Employment, a priority is listed to *"Strengthen relationships and opportunities with Western Sydney and Canberra to grow the local economy"*.

The planning proposal is consistent with this priority, given the site is strategically located on the Hume Highway (M31) approximately 1 hour from Greater Sydney and 1 hour from Canberra.

### DRAFT SOUTH EAST AND TABLELANDS REGIONAL PLAN 2041

The draft Regional Plan 2041 was exhibited between late 2022 and early 2023 and contains high level objectives supported by Strategies (i.e. policy positions) and Actions for implementation.

Of relevance to the planning proposal is **Theme 3 Leveraging diverse economic identities** and related objectives, strategies and actions. The planning proposal's consistency with these is discussed in Table 6.

Table 6. Planning Proposal Response to the draft Regional Plan 2041		
Theme	Relevant Objective	Response
3 Leveraging diverse economic identities	11 Realise economic benefits from a connected regional economy	The draft Regional Plan 2041 identifies the region's economy as being underpinned by connections to Canberra and Sydney. Opportunities are identified to leverage economic growth and strategic development opportunities from Canberra Airport and the new Western Sydney International Airport.  The planning proposal facilitates this objective by providing for additional zoned employment land in a precinct with good road access to the Hume Highway, enabling opportunities to leverage growth upon its location between Canberra and Greater Sydney.
	15 Promote business and employment opportunities in strategic locations	The subject site is within the South Goulburn Enterprise Corridor which is identified as a "Regionally significant employment area" in the draft Regional Plan 2041. The area is noted for its potential to leverage upon existing servicing and access to the Hume Highway.

### 6.2.2 Q4 – Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

**Yes**, the planning proposal is consistent with the *Goulburn Mulwaree Local Strategic Planning Statement* (LSPS) which was finalised in August 2020.



The LSPS provides a 20-year vision for the growth of the LGA. It aims to ensure growth occurs in a sustainable manner. The LSPS provides a vision for Goulburn Mulwaree in 2040 to be a modern city in a vibrant, growing rural region, with a diverse economy driven by services provided for the region.

**Planning Priority 5 - Industry and Economy** sets a vision that “*Local industry provides for the employment needs of the region within a thriving and diversified economy...*”. The LSPS identifies challenges for land use in the LGA which include providing local employment for a growing population and opportunities to attract employment generating businesses.

The planning proposal contributes towards resolving this challenge by providing opportunities for additional employment land in a well located area.

**Planning Priority 8 - Natural Hazards** and discusses the potential for more heatwaves, droughts, storms, bushfires and floods in the LGA as the climate continues to change.

The planning proposal has appropriately considered natural hazard impact through undertaking appropriate bushfire studies which are appended to this report.

**Planning Priority 9 – Heritage**, notes that the extensive nature of heritage in the LGA requires support and management to ensure development does not pose a risk, with a need for further cultural heritage studies in particular.

The planning proposal aligns with the intended outcomes of the Planning Priority and has considered Aboriginal cultural heritage appropriately as a part associated studies (see section 6.3 - Section C – Environmental, Social and Economic Impact).

### 6.2.3 Q5 – Is the planning proposal consistent with any other applicable State and regional studies or strategies?

#### SOUTHERN TABLELANDS REGIONAL ECONOMIC DEVELOPMENT STRATEGY – 2023 UPDATE

The *Southern Tablelands Regional Economic Development Strategy 2018–2022* set a long term economic vision and associated strategy for the three (3) local government areas of Goulburn Mulwaree, Upper Lachlan Shire and Yass Valley. In 2023, the strategy was updated to provide an updated evidence base to guide governments in making policy and investment decisions to drive sustainable, long-term economic growth in regional NSW, following a number of shocks to regional NSW in the years prior including bushfires, floods, COVID-19, and the mouse plague.

Connectivity is a key theme of the 2023 strategy update, which states that stakeholders engaged throughout its development emphasised the importance and need for further investment to support the region in attracting skilled workers.

The need to continue to invest in upgrades of transport infrastructure was also emphasised, in particular for freight pathways to markets in Canberra and Sydney.

The planning proposal aligns with the general intent and findings of the strategy in that it will provide additional land to be developed for economic purposes. In turn, this will increase the productivity of the Goulburn Mulwaree LGA and provide new employment and business opportunities across regional NSW more broadly.

### GOULBURN MULWAREE FREIGHT INVESTIGATION RESEARCH PAPER

The Goulburn Mulwaree Freight Investigation Research Paper was prepared GHD and adopted by Council on 2 October 2018. The purpose of the paper was to identify the potential for Goulburn Mulwaree to support the growth of the Transport, Freight and Logistics Industry, in accordance with a recommendation from the Employment Land Strategy.

The assessment found that many of the likely drivers of demand for freight distribution hubs exist in Goulburn including the availability of land, labour, services, and supporting infrastructure. The major potential impediment was identified as its geographic location in relation to freight flows, noting its mid-distance from Sydney and the cost of transferring goods compared to the benefit of reduced travel to the city and the ability to avoid congestion and delays near the port.

The report suggests interventions could be looked at by council to try to incentivise investment and encourage demand in regional freight hub activities in Goulburn. It also notes that Goulburn Mulwaree could be an attractive site to establish a regional freight distribution hub for surrounding areas (50-kilometre radius), assuming critical mass is achieved.

Some of the interventions recommended include promotion of Goulburn's land availability and locational advantages, **ensuring adequate land zoned for development**, facilitating processes for new projects, subsidising rates or infrastructure contributions, making land available for long term lease or sale, and directly subsidising or funding major proposals.

#### 6.2.4 Q6 – Is the planning proposal consistent with applicable SEPPs?

**Yes.** The planning proposal's consistency with relevant State Environmental Planning Policies (SEPPs) is summarised in Table 7.

Table 7. Consistency with State Environmental Planning Policies		
SEPP	Comment	Consistent?
SEPP (Biodiversity and Conservation) 2021	<u>Chapter 6 Water catchments</u> The planning proposal is consistent with Chapter 6 as demonstrated by the accompanying Water Cycle and Stormwater Management Strategy ( <b>Appendix 2</b> ). The strategy demonstrates that the proposal would have a neutral or beneficial effect on water quality (including groundwater).	<b>Yes.</b>
SEPP (BASIX) 2004	Not Applicable – applies to residential development only.	<b>N/A</b>
SEPP (Exempt and Complying Development Codes) 2008	The planning proposal does not contain any provisions which undermine or conflict with the provisions of this SEPP.	<b>Yes.</b>
SEPP (Industry and Employment) 2021	The planning proposal does not contain any provisions which undermine or conflict with the provisions of this SEPP.	<b>Yes.</b>
SEPP (Housing) 2021	Not Applicable – applies to residential development only.	<b>N/A</b>

Table 7. Consistency with State Environmental Planning Policies		
SEPP	Comment	Consistent?
SEPP No. 65 – Design Quality of Residential Apartment Development	Not Applicable – applies to residential development only	<b>N/A</b>
SEPP (Planning Systems) 2021	SEPP (Planning Systems) 2021 provides the framework for defining State significant development and regional development, development on Aboriginal land, and concurrence processes in development applications.  The planning proposal does not contain any provisions which undermine or conflict with the provisions of this chapter of the SEPP.	<b>Yes.</b>
SEPP (Precincts – Central River City) 2021	Not Applicable – the site is not within the Central River City.	<b>N/A</b>
SEPP (Precincts – Eastern Harbour City) 2021	Not Applicable – the site is not within the Eastern Harbour City.	<b>N/A</b>
SEPP (Precincts – Regional) 2021	Not Applicable – the site is not within any Precinct identified in this SEPP.	<b>N/A</b>
SEPP (Precincts – Western Parkland City) 2021	Not Applicable – the site is not within the Western Parkland City.	<b>N/A</b>
SEPP (Primary Production) 2021	The planning proposal does not contain any provisions which undermine or conflict with the provisions of this chapter of the SEPP.	<b>Yes.</b>
SEPP (Resilience and Hazards) 2021	<u>Chapter 4 Remediation of land</u>  Chapter 4 of the Resilience and Hazards SEPP provides a state-wide planning framework for the remediation of contaminated land. Clause 4.6 states that a consent authority must not consent to development unless it has considered whether the land is contaminated and, if required, it is satisfied that the land will be remediated before it is used for its intended purpose.  A Preliminary Site Investigation report is submitted alongside this planning proposal and is discussed in detail in Section 6.3.2 of this planning proposal report.	<b>Yes.</b>

Table 7. Consistency with State Environmental Planning Policies		
SEPP	Comment	Consistent?
	The report concludes that the site can be made suitable for the proposed use subject to the future implementation of a number of recommendations which would be implemented at the development application stage.	
SEPP (Resources and Energy) 2021	<p>The Resources and Energy SEPP applies to mining, petroleum production, and extractive industries across the State.</p> <p>The planning proposal does not contain any provisions which undermine or conflict with the provisions of this chapter of the SEPP.</p>	<b>Yes.</b>
SEPP (Sustainable Buildings) 2022	<p>The Sustainable Buildings SEPP commenced on 1 October 2022 and provides a framework for development sustainable buildings across the State.</p> <p>The planning proposal does not contain any provisions which undermine or conflict with the provisions of this SEPP.</p>	<b>Yes.</b>
SEPP (Transport and Infrastructure) 2021	<p><u>Chapter 2 Infrastructure</u></p> <p>Chapter 2 of the Transport and Infrastructure SEPP identifies matters to be considered in the assessment of development adjacent to particular types of infrastructure. For the subject site, future development would need to be considered against clause 2.122 Traffic generating development, as the site is larger than 20,000sqm in site area.</p> <p>The preliminary assessment undertaken in the accompanying Traffic and Transport Assessment <b>(Appendix 4)</b> demonstrates that only minimal increases in average delays are expected as a result of the proposal, with spare capacity maintained. Intersections like Lockyer Street/Sowerby Street, Hume Street/Sowerby Street, Finlay Road/Hume Street, and Finlay Road/Tait Crescent showed no adverse impact.</p> <p>Accordingly the proposal is considered to be able to achieve the requirements of the Transport and Infrastructure SEPP at any future DA stage.</p>	<b>Yes.</b>

### 6.2.5 Q7 – Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

The planning proposal's consistency with applicable Section 9.1 Ministerial Directions is outlined in Table 8.

Table 8. Section 9.1 Compliance Table		
Ministerial Direction	Comment	Consistent
<b>Focus Area 1: Planning Systems</b>		
1.1 Implementation of Regional Plans	The planning proposal is consistent with Direction 1.1 as it will give effect to objectives and priorities of the <i>South East and Tablelands Regional Plan 2036</i> per the response to Q3 above.	<b>Yes.</b>
1.2 Development of Aboriginal Land Council land	Does not apply to the proposal.	<b>N/A</b>
1.3 Approval and Referral Requirements	The planning proposal makes no changes to provisions for concurrence, consultation or referrals.	<b>Yes.</b>
1.4 Site Specific Provisions	The planning proposal does not contain any unnecessarily restrictive site specific planning controls.	<b>Yes.</b>
<b>Focus area 1: Planning Systems – Place-based</b>		
1.5 Parramatta Road Corridor Urban Transformation Strategy	Does not apply to the proposal.	<b>N/A</b>
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Does not apply to the proposal.	<b>N/A</b>
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Does not apply to the proposal.	<b>N/A</b>
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Does not apply to the proposal.	<b>N/A</b>

Table 8. Section 9.1 Compliance Table		
Ministerial Direction	Comment	Consistent
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Does not apply to the proposal.	<b>N/A</b>
1.10 Implementation of the Western Sydney Aerotropolis Plan	Does not apply to the proposal.	<b>N/A</b>
1.11 Implementation of Bayside West Precincts 2036 Plan	Does not apply to the proposal.	<b>N/A</b>
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Does not apply to the proposal.	<b>N/A</b>
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Does not apply to the proposal.	<b>N/A</b>
1.14 Implementation of Greater Macarthur 2040	Does not apply to the proposal.	<b>N/A</b>
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Does not apply to the proposal.	<b>N/A</b>
1.16 North West Rail Link Corridor Strategy	Does not apply to the proposal.	<b>N/A</b>
1.17 Implementation of the Bays West Place Strategy	Does not apply to the proposal.	<b>N/A</b>
1.18 Implementation of the Macquarie Park Innovation Precinct	Does not apply to the proposal.	<b>N/A</b>
1.19 Implementation of the Westmead Place Strategy	Does not apply to the proposal.	<b>N/A</b>
1.20 Implementation of the Camellia-Rosehill Place Strategy	Does not apply to the proposal.	<b>N/A</b>
1.21 Implementation of South West Growth Area Structure Plan	Does not apply to the proposal.	<b>N/A</b>
1.22 Implementation of the Cherrybrook Station Place Strategy	Does not apply to the proposal.	<b>N/A</b>

Table 8. Section 9.1 Compliance Table		
Ministerial Direction	Comment	Consistent
<b>Focus area 2: Design and Place</b>		
<i>[This Focus Area was blank when the Directions were made]</i>		
<b>Focus area 3: Biodiversity and Conservation</b>		
3.1 Conservation Zones	<p>Direction 3.1 requires a planning proposal to include provisions relating to the protection and conservation of environmentally sensitive areas.</p> <p>As described in Section 6.3.1 of this report, consideration has been given to the environmental significance of the subject site which found the proposal is unlikely to have a significant impact on species, populations, and communities listed under the BC Act 2016 or EPBC Act 1999. Accordingly, no additional specific provisions are considered necessary.</p>	<b>Yes.</b>
3.2 Heritage Conservation	<p>Direction 3.2 requires a planning proposal to contain provisions that facilitate the conservation of environmental heritage, including Aboriginal areas, objects, or places.</p> <p>An Aboriginal Heritage Archaeological Assessment prepared by Hyperion Design and provided at Appendix 5 of this report.</p> <p>As discussed in Section 6.3.2 of this report, the intended development is unlikely to have a significant impact on heritage values (including Aboriginal cultural heritage), with potential impacts able to be managed at the development stage.</p> <p>It is noted that the proposal will be subject to the provisions of Clause 5.10 of the GMLEP 2009 which provide suitable safeguards to ensure consideration to heritage at future development stages.</p>	<b>Yes.</b>
3.3 Sydney Drinking Water Catchments	<p>The site is located within the Sydney Drinking Water Catchment and as such Direction 3.3 applies. The direction requires that any new development have a neutral or beneficial effect on water quality and that WaterNSW is engaged as a part of the planning proposal process.</p> <p>As outlined within the Water Cycle and Stormwater Management Strategy at <b>Appendix 2</b>, modelling undertaken for the project indicates that the proposed water</p>	<b>Yes.</b>

Table 8. Section 9.1 Compliance Table		
Ministerial Direction	Comment	Consistent
	<p>cycle management works can help provide a safe and ecologically sustainable environment and ensure a Neutral or Beneficial Effect with respect to water outcomes (NorBE).</p> <p>Refer to Section 6.3.2 of this planning proposal report for a detailed overview of the findings of the Water Cycle and Stormwater Management Report.</p>	
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Does not apply to the proposal.	N/A
3.5 Recreation Vehicle Areas	Does not apply to the proposal.	N/A
3.6 Strategic Conservation Planning	Does not apply to the proposal.	N/A
3.7 Public Bushland	Does not apply to the proposal.	N/A
3.8 Willandra Lakes Region	Does not apply to the proposal.	N/A
3.9 Sydney Harbour Foreshore and Waterways Area	Does not apply to the proposal.	N/A
3.10 Water Catchment Protection	Does not apply to the proposal.	N/A
<b>Focus Area 4: Resilience and Hazards</b>		
4.1 Flooding	Does not apply to the proposal.	N/A
4.2 Coastal Management	Does not apply to the proposal.	N/A
4.3 Planning for Bushfire Protection	Direction 4.3 requires a planning authority to have regard to <i>Planning for Bushfire Protection 2019</i> and contain controls relating to development on bushfire prone land.	Yes.



Table 8. Section 9.1 Compliance Table		
Ministerial Direction	Comment	Consistent
	<p>As the site is bushfire prone, the planning proposal is supported by a Bushfire Protection Assessment (BPA) prepared by Australian Bushfire Protection Planners (<b>Appendix 9</b>). The BPA assesses the desired development as "Other Development" and provides recommendations on the bushfire protection measures required to mitigate the risk. These relate to:</p> <ul style="list-style-type: none"> <li>• The imposition of Asset Protection Zones (APZs);</li> <li>• Relevant construction standards;</li> <li>• Water supply;</li> <li>• Electricity and gas installations;</li> <li>• Access for fire fighting operations;</li> <li>• Landscape management; and</li> <li>• Emergency management.</li> </ul> <p>As these matters will be required to be addressed through any future development, no additional controls relating to bushfire safety are necessary and the planning proposal is considered to be consistent with Direction 4.3.</p>	
4.4 Remediation of Contaminated Land	<p>Under Direction 4.4, a planning proposal authority must consider whether land that is subject to a planning proposal is contaminated, and if so, whether it can be made suitable through remediation for its proposed use.</p> <p>The planning proposal adequately addresses direction 4.4 having included a Preliminary Site Investigation (PSI) to support the rezoning which confirms the site can be made suitable for the proposed use (see <b>Appendix 7</b>). Section 6.3.2 of this report provides a more detailed discussion of the PSI and its findings.</p>	<b>Yes.</b>
4.5 Acid Sulfate Soils	The land is not identified in the GMLEP 2009 as containing potential Acid Sulfate Soils.	<b>N/A</b>
4.6 Mine Subsidence and Unstable Land	Does not apply to the proposal.	<b>N/A</b>
<b>Focus Area 5: Transport and Infrastructure</b>		

Table 8. Section 9.1 Compliance Table		
Ministerial Direction	Comment	Consistent
5.1 Integrating Land Use and Transport	<p>Direction 5.1 requires a planning proposal to locate zones for urban purposes that give effect to and are consistent with the aims and objectives of <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001) and <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</p> <p>The planning proposal seeks to generate employment land within a minimal distance from the residential areas of Goulburn. Reducing the demand for long distance travel in the region. The site benefits from recent road upgrades to Lockyer Street and the access road to the Hume Highway.</p> <p>A part of the planning proposal seeks to provide a traffic circle to provide adequate access to the site. In addition, during the planning of this traffic circle that have considered the sightline down Lockyer Street and the traffic calming measure will provide increased road safety on Lockyer Street.</p>	<b>Yes.</b>
5.2 Reserving Land for Public Purposes	Direction 5.2 relates to the reservation of land for public purposes, which is not required or proposed by the planning proposal.	<b>N/A</b>
5.3 Development Near Regulated Airports and Defence Airfields	Does not apply to the proposal.	<b>N/A</b>
5.4 Shooting Ranges	Does not apply to the proposal.	<b>N/A</b>
<b>Focus Area 6: Housing</b>		
6.1 Residential Zones	Does not apply to the proposal.	<b>N/A</b>
6.2 Caravan Parks and Manufactured Home Estates	Does not apply to the proposal.	<b>N/A</b>
<b>Focus Area 7: Industry and Employment</b>		
7.1 Employment Zones	The planning proposal is consistent with direction 7.1 as it will create additional employment land within Goulburn Mulwaree Council in a manner that is consistent with the <i>South East Tableland Regional Plan 2036</i> and the <i>Goulburn Mulwaree Employment Land Strategy 2016</i> .	<b>Yes.</b>

Table 8. Section 9.1 Compliance Table		
Ministerial Direction	Comment	Consistent
7.2 Reduction in non-hosted short term rental accommodation period	Does not apply to the proposal.	N/A
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Does not apply to the proposal.	N/A
<b>Focus area 8: Resources and Energy</b>		
8.1 Mining, Petroleum Production and Extractive Industries	Does not apply to the proposal.	N/A
<b>Focus area 9: Primary Production</b>		
9.1 Rural Zones	<p>Direction 9.1 restricts the rezoning of rural land unless the rezoning is justified by a standalone study and is in accordance with the relevant Regional Strategy.</p> <p>The planning proposal is consistent with Direction as it is consistent with the <i>Goulburn Mulwaree Employment Land Strategy 2016</i> as well as the <i>South East and Tablelands Regional Plan 2036</i> as described in Sections 6.1.1 and 6.2.1 of this document.</p>	Yes.
9.2 Rural Lands	<p>Direction 9.2 provides requirements for when a relevant planning authority prepares a planning proposal that will affect land within a rural zone.</p> <p>The planning proposal is consistent with the Direction as:</p> <ul style="list-style-type: none"> <li>It is consistent with the District Plan and LSPS as demonstrated in Section 6.2;</li> <li>The potential for the site to be used significantly for primary production is limited given its isolated nature, with industrial uses a more suitable outcome; and</li> <li>Environmental values and natural and physical constraints have been considered through the preparation of this planning proposal and can be mitigated through any future development outcome;</li> </ul>	Yes.

Table 8. Section 9.1 Compliance Table		
Ministerial Direction	Comment	Consistent
	<ul style="list-style-type: none"> <li>The land is not State significant agricultural land;</li> <li>The proposal to rezone land for industrial purposes is in the public interest as it will provide for positive economic outcomes;</li> <li>Land use conflict minimisation is an outcome of the planning proposal, as the land will be able to be used for employment generating purposes in line with the majority of surrounding lands; and</li> <li>The proposal does not impact on the viability of future rural land uses within the LGA more broadly.</li> </ul>	

### 6.3 Section C – Environmental, Social and Economic Impact

#### Does the proposal have site-specific merit?

In addition to meeting at least one of the strategic merit criteria, a planning proposal is required to demonstrate site-specific merit against criteria in Table 9.

The planning proposal demonstrates site-specific merit in relation to all criteria as set out below, with these matters described in further detail thereafter within this Section of the planning proposal.

Table 9. Site-Specific Merit Test	
Criteria	Assessment
<i>Does the proposal give regard and assess impacts to:</i>	
<i>the natural environment on the site to which the proposal relates and other affected land (including known significant environmental areas, resources or hazards)</i>	<p>Yes, the planning proposal is supported by detailed assessment of different aspects of the natural environment on the site to which the proposal relates. The studies prepared for this planning proposal include the following:</p> <ul style="list-style-type: none"> <li>Flora and Fauna;</li> <li>Contamination;</li> <li>Bushfire; and</li> <li>Water cycle and stormwater management.</li> </ul> <p>The proposal is shown to have an acceptable impact with regards to these matters as discussed further within this Section of the planning proposal.</p>

Table 9. Site-Specific Merit Test	
Criteria	Assessment
<i>existing uses, approved uses, and likely future uses of land in the vicinity of the land to which the proposal relates</i>	<p>The planning proposal has considered the uses, approved uses, and likely future uses of land in the vicinity of the land to which the proposal relates.</p> <p>The proposal for the use of the site for industrial purposes aligns with the existing uses of the land to the north and the west of the site. Including the South Goulburn Enterprise Corridor. The planning proposal is a logical extension of this corridor. In addition, part of the site, across Lockyer Street, at the west is already zoned for industrial uses.</p> <p>Further, the future use of the land was identified as industrial (employment land) within the recommendations of the <i>Goulburn Mulwaree Employment Land Strategy 2016</i>.</p>
<i>services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision</i>	<p>The required and existing service infrastructure for the planning proposal has been investigated in a Services Infrastructure Report which confirms servicing is available for the proposed use.</p> <p>In addition, the provision of a traffic circle to provide efficient access to the site is to be provided at the site which is identified within the urban design study which is supported by a concept plan.</p> <p>Consultation with Transport for New South Wales (TfNSW), has also been undertaken with the planning proposal documentation giving consideration as how to adequately mitigate any impacts that might occur to the Hume Highway (M31), in terms of increased traffic generation.</p>

### 6.3.1 Q8 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

**No.** The planning proposal is not likely to impact on critical habitat or threatened species, populations or ecological communities, or their habitats as demonstrated within the Flora and Fauna Assessment prepared by Fraser Ecological Consulting (Appendix 6).

The Flora and Fauna Assessment notes that the site is cleared pastureland dominated by introduced grass species, a series of dams which contain no significant riparian vegetation, and four (4) remnant trees (*Eucalyptus blakelyi*) mainly within the northern extent of the subject site.

The remnant trees are evidence of the remnant vegetation community that existed prior to clearing for previous uses and belong to a threatened ecological community listed under the *Biodiversity Conservation Act 2016* (BC Act 2016) and *Environment Protection and Biodiversity Conservation Act 1999 [Cth]* (EPBC Act 1999).

The assessment also confirms that:

- No threatened flora or fauna species were observed during surveys;
- The impact on threatened species including koala are minimal;
- No migratory species listed within the EPBC Act 1999 were observed during surveys;

- Assessments of significance (the 'five part test') were undertaken in accordance with Section 7.3 of the BC Act 2016 which concluded the proposal is unlikely to have a significant impact on species, populations, and communities listed under the BC Act 2016 or EPBC Act 1999;
- A referral to the Australian Government Department of the Environment is not likely required as it was determined that the proposal would not have a significant impact on nationally listed threatened or migratory species under the EPBC Act 1999; and
- **A Biodiversity Assessment Report is not required for the rezoning.**

### 6.3.2 Q9 – Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

**No** significant effects are expected as a result of the planning proposal.

In support of the planning proposal, consideration has been given to the potential implications of the changes in planning controls on:

- Urban Design;
- Flooding;
- Traffic and Transport;
- Aboriginal Heritage
- Bushfire; and
- Contamination.

The following strategies/ studies have been prepared to manage these likely environmental effects:

#### **URBAN DESIGN**

An Urban Design Report has been prepared by Reid Campbell and provided as **Appendix 1**. The Urban Design Report provides a description of the site context, the project proposal and vision and master plan design. These are summarised below.

#### Indicative Concept Masterplan Summary

An indicative concept masterplan has been prepared to provide an indication of the development outcome which could be achievable under the proposed amended LEP controls.

A concept plan is prepared as an indicative proposal to demonstrate the nature of how a industrial layout would be achieved on the site. The plan is conceptual in nature and will be further detailed in future applications to Council.

#### Access and Connectivity

The urban design report provides an assessment of the existing access and connectivity of the site as well as an assessment of the indicative internal road design.

Within the site, the proposed bisecting road creates a central access strategy and connects pedestrians, cyclists and vehicles to each of the lots.

The assessment undertaken by Reid Campbell is provided below:

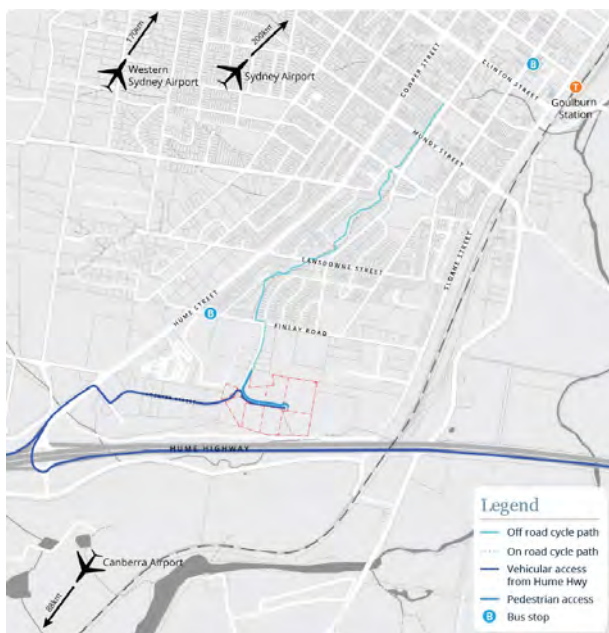


Figure 11: Access and connectivity

Source: Reid Campbell

### TRAFFIC AND PARKING

A traffic and parking impact assessment has been undertaken by McLaren Traffic Engineering and Road Safety Consultants which is provided at **Appendix 4**.

#### Existing Traffic and Parking Conditions

The Traffic and Parking Impact assessment outlines the following existing details of the road network surrounding the site:

- Lockyer Street, categorized as an unclassified local road, permits parking on both sides and has a 50km/h speed limit.
- Hume Highway, classified as a state highway, does not allow kerbside parking and has a 110km/h speed limit.
- Hume Street, classified as state road, has a 60km/h speed limit and accommodating two traffic lanes in each direction.
- Finlay Road, an unclassified local road, features one traffic lane in each direction and unrestricted kerbside parking on both sides, operating under a 50km/h speed limit.

Traffic surveys conducted at nearby intersections during peak and off-peak using SIDRA modelling provides an indication of current performance. McClaren's analysis reveals that some intersections operate efficiently (Level of Service (LoS) "A" conditions) denoting low approach delays and spare capacity. However, intersections such as like Hume Street/Sowerby Street and Finlay Road/Hume Street experience delays, operating at LoS "B" and "C," respectively, indicating moderate operational conditions.

### Parking Assessment

#### *Council Parking Requirements*

According to the *Goulburn Mulwaree Development Control Plan 2009*, the development is obligated to provide 153 car parking spaces, which is surpassed by the proposed 536 spaces.

Furthermore, provisions for accessible parking spaces can be accommodated in accordance with Council which require at least one accessible parking space for every 50 regular parking spaces.

Section 3.6.2 of Council's DCP outlines that bicycle parking should be considered for shopping and recreational developments. Providing bicycle facilities is recommended for the subject proposal to promote sustainable modes of transport other than private motor vehicles.

Council's DCP does not outline any provision for motorcycle car parking, and hence no motorcycle spaces are provisioned for in the concept proposal.

### Road Design Requirements

The Goulburn Mulwaree Council Standards for Engineering Works D1 which requires Industrial Street to have the following geometric requirements:

- 11m – 13m wide carriageway;
- 20m road reserve;
- Barrier Kerbs;
- Footpaths on both sides of the road;
- Minimum Verge width of 3.5m on each side of the road;
- 12m radius at kerb line.

It is noted that the proposed design contains a cul-de-sac road, however, the engineering standards do not outline requirements for cul-de-sac roads for Industrial developments. The traffic analysis recommends the design of the cul-de-sac be able to facilitate the turning movements of the largest vehicle without the use of a 3 point turn. Swept path testing has been undertaken for a 20m length Articulated Vehicle to ensure that the proposed design of the access road is sufficient.

It should be noted that part of Lockyer Street is an approved 25/26m B-double approved route based upon the TfNSW Combined Higher Mass Limits and Restricted Access Vehicle Map, which is extracted below.



Figure 12: Approved TfNSW B-Double Routes

Source: McLaren Traffic Engineering and Road Safety Consultants



Based upon the above, it is anticipated that 20m length AV's will be capable of travelling to the site.

#### Access Arrangements/ Sight Line Assessment

The proposed access arrangements into and out of the subdivision consists of the provision of a roundabout intersection with Lockyer Street. The proposed internal road will connect to the roundabout as part of a third leg and the roundabout will operate as both a traffic management device and a traffic calming device to enforce a lower operating speed of Lockyer Street, which will improve the general safety of Lockyer Street.

Sight line assessments, adhering to Austroads standards, demonstrate that the roundabout satisfies the required sight line criteria for trucks and cars. An additional driveway connecting to the roundabout is proposed, with sight line assessments confirming compliance.

#### Car Park Design & Compliance

Each lot to the south of the proposed roundabout will have a frontage to the internal access road. As recommended, all Lots that have access to the internal access road will have their vehicle access from the internal access road and not from Lockyer Street.

The one exception is the car parking area to Warehouse Unit 3, which would have adequate sight lines to provide a driveway directly onto Lockyer Street as far from the roundabout as physically possible. Warehouse 6, to the west of the roundabout, will be required to have vehicle access through the roundabout which has been assessed to be compliant.

Relevant swept paths for the operation of the roundabout are shown in Annexure D of the Traffic and Parking Impact Assessment.

#### Traffic Assessment

The impact of the expected traffic generation levels associated with the subject proposal is discussed below. The traffic assessment illustrates that the proposed development is well-planned, considering traffic generation, assignment, impact, road safety, and weaving analysis. The results indicate minimal disruptions to existing traffic flow, and any challenges identified have been addressed, ensuring the safety and efficiency of the road network.

#### *Traffic Generation*

The traffic generation rates, based on the RTA Guide to Traffic Generating Developments (2002), estimate 229 vehicle trips during both AM and PM peak periods, with 10% of these being heavy vehicles. During weekends, a conservative estimate predicts 120 vehicle trips, with 12 involving heavy vehicles.

The following rates were used to calculate traffic generation:

Table 10. Estimated Traffic generation				
Use	Scale	Peak	Generation Rate	Trips
Warehouses	45,650m <sup>2</sup> GFA	AM	0.5 per 100m <sup>2</sup> GFA	229 (184 in, 45 out)
		PM		229 (45 in, 184 out)

#### *Traffic Assessment*

The majority of commercial vehicles (60%) are expected to travel to/from Sydney, while staff vehicles (90%) will primarily access the site through Goulburn via Finlay Road & Hume Street. Heavy vehicles are anticipated to travel to/from Sydney, Canberra, and Victoria.

### *Traffic Impact*

The traffic impact assessment was conducted using SIDRA INTERSECTION 9.0. Modelling indicated minimal increases in average delays, with spare capacity maintained.

Intersections like Lockyer Street/Sowerby Street, Hume Street/Sowerby Street, Finlay Road/Hume Street, and Finlay Road/Tait Crescent showed no adverse impact. The results of this assessment are shown in Annexure C of the report.

During holiday periods, an increase of 10% in traffic volumes was considered, with results indicating minimal changes. While the right turn from Finlay Road onto Hume Street during weekends operates at Level of Service "F", it is not solely the responsibility of the development to address this issue. Alternative routes, infrastructure upgrades, or banning specific turns were proposed as potential solutions.

The banning of any right turn movements is unlikely to be supported by Council or TfNSW, as there is no convenient alternative access onto Hume Street (i.e. no access to a controlled intersection).

### *Road Safety*

A pre-lodgement meeting was held with TfNSW as part of the preparation of the Traffic & Parking Impact Assessment Report with TfNSW requesting the following to be reviewed:

- A road safety assessment including details on crash history and a sight distance assessment at the local road connections with Hume Street will be required;
- A weave analysis on the approach to the Sowerby Street / Hume Street intersection needs to be undertaken to confirm that potential traffic can merge across the lanes and into the right turn bay.

The road safety assessment revealed minor crash incidents at Hume Street/Sowerby Street and moderate to serious incidents at Finlay Road/Hume Street.

Considering the trip distribution of the site, the proposal is not intensifying the right turn movement into Finlay Road east or west and therefore any existing deficiency is for other road authorities to consider.

Sight line assessments met the safe intersection stopping distance requirement, ensuring adequate visibility. Additionally, a weaving analysis, although unusual for sub-arterial roads, resulted in Level of Service "A" conditions, indicating smooth traffic flow.

### **WATER QUALITY**

The Water Cycle and Stormwater Management Strategy (WCSMS) provided as **Appendix 2** provides a comprehensive assessment of the likely stormwater management requirements for a future development at the site and proposes a best practice stormwater management strategy.

The increase in impervious areas and alteration of the natural topography due to development has the potential to increase and concentrate peak storm flows, which in turn has the potential to impact on flow regimes and cause erosion of downstream drainage networks and waterways.

To avoid adverse downstream impacts, site stormwater management system are to be designed to achieve a Neutral or Beneficial Effect (NorBE) on water quality. The proposed water quality control measures enabled the reduction targets to be achieved for all key stormwater pollutants. Therefore, by implementing the proposed treatment train measures within the proposed development, NorBE will be achieved.

### Stormwater Quantity Control

The main criteria for stormwater quantity control are to ensure that the post-developed peak flows do not cause detriment to the downstream waterways and Council's existing drainage network.

### *Proposed Drainage System*

The proposed stormwater management system for the indicative concept scheme includes:

- A pit and pipe network to collect minor storm runoff from areas;
- Overland flow paths to carry major storms through the site and;
- Rainwater reuse tanks to collect roof drainage;
- An on-site stormwater detention system.

### *Stormwater Detention Requirements*

The OSD requirement for the development was calculated using the Goulburn Mulwaree Council Stormwater Drainage Handbook – Section 7.

In line with the requirements of the Goulburn Mulwaree Council Stormwater Drainage Handbook – Section 7 it is recommended that OSD be provided in the form of an above ground basin with a discharge control pit, orifice and weir control. The basin will have a minimum storage volume of 2001m<sup>3</sup>.

A concept design for the OSD basin is shown on the concept civil engineering drawings submitted with this planning proposal, located to the south of the site near the border with the Hume Highway corridor.

### *Rainwater Harvesting & Reuse*

As required by Goulburn Mulwaree Council, a rainwater harvest and reuse strategy has been provided for the indicative concept scheme. For new industrial developments the entire roof area is to be connected to rain water tanks. The size of the tanks is based on the rate 1kL per 10m<sup>2</sup> of roof area. Therefore, the total rainwater tank volume required for the site is 5022kL.

To achieve this, there will be several rainwater tanks dispersed throughout the site.

### Water Quality Control

This section addresses the long-term impacts of the development on water quality. For short term effects (i.e., during the construction phase) water quality control is achieved by implementing the measures in the Sedimentation & Erosion Control Plans.

### *Water Quality Control Measures*

The measures proposed are summarised in table below.

Table 11. Water Quality Control Measures	
Measures	Description
Rainwater Tanks	<ul style="list-style-type: none"> <li>• Rainwater tanks are effective in the removal of pollutant loads at source. The pollutant removal process occurs by harvesting runoff for reuse, thereby limiting the nutrients that are discharged into the waterways; and</li> <li>• It is proposed to provide a total of at least 5022kL of rainwater tank storage apportioned over each of the proposed lots based on site area. The harvested water will be plumbed for toilet flushing, external landscape irrigation, general wash down and laundry washing.</li> </ul>
Jellyfish	<ul style="list-style-type: none"> <li>• The Jellyfish uses gravity, flow rotation and up flow membrane filtration to provide stormwater treatment;</li> </ul>

Table 11. Water Quality Control Measures	
Measures	Description
	<ul style="list-style-type: none"> <li>The Jellyfish utilises filtration cartridges that have a large membrane surface area, resulting in high pollutant removal capacities and high flow rates; and</li> <li>The models selected for this study are the JF3250-28-5 and 2 x JF2250-6-1.</li> </ul>
Bio-retention Basins	<ul style="list-style-type: none"> <li>A bio-retention system is a vertical filtration system that filters stormwater through a prescribed media (e.g. sandy loam) before being collected by an underlying perforated pipe for subsequent discharge to the receiving water;</li> <li>The filtration media should have a permeability of at least one order of magnitude higher than the surrounding soils to ensure that the pathways of stormwater through the system is well-defined and directed at the perforated pipe underlain;</li> <li>The basins selected for this study will have a detention depth of 0.5m and the filter media depth of 0.6m.</li> </ul>
Source: Water Cycle and Stormwater Management Strategy, CMCE	

#### Water Quality Modelling

MUSIC modelling has been undertaken for the Planning Proposal. Catchment characteristics were defined using a combination of roof areas and non-roof catchments with varying imperviousness ratios to replicate the catchment for the development condition. The MUSIC model layout is shown in Appendix B of the Water Cycle Management Strategy.

#### CONTAMINATION AND REMEDIATION

Two assessments related to contamination and remediation have been prepared for the site in support of this planning proposal:

- A Preliminary Site Investigation (PSI) prepared by Douglas Partners dated October 2019 (**Appendix 7**); and
- An Additional Excavated Natural Material Assessment prepared by Douglas Partners dated October 2020 (**Appendix 8**).

#### Preliminary Site Investigation

Douglas Partner's PSI assesses the potential for contamination at the site based on past and present uses and provides comments on the likely suitability of the site for its intended land use outcome.

The PSI notes that the Section 10.7 (2) and (5) Certificates for the site indicate that *'the land has been identified as potentially contaminated due to previous uses operating at the land'* and that, in correspondence with Council, it was indicated that this is due to the previous use of the site for storage and disposal of demolition material in 1976.

Based on the site history review and observations made by Douglas Partners during a site inspection, two areas of environmental concern have been identified on the site which include imported filling (potentially within the drainage line and stockpiles), and hazardous building contamination observed on the pond embankment (potentially from stored demolition materials from 1976).

Douglas Partners conclude that the site can be made suitable for the proposed use subject to the future implementation of a number of recommendations which would be implemented at the development application stage.

#### Additional Excavated Natural Material Assessment

Additional investigation has been undertaken by Douglas Partners following segregation undertaken on stockpile generated from works associated with the Tait Crescent extension. The assessment was undertaken in order to investigate whether stockpiled material met the definition of Excavated Natural Material (ENM) as Council had proposed to reuse the materials as engineered fill on the site.

In their assessment, Douglas Partners considered that, following removal of unsuitable material around the vicinity of one test pit (SP2-4), the remaining material comprising the stockpile would meet the requirements of ENM and could be considered for re-use on site or on another site as engineered fill or used in earthworks.

#### **ABORIGINAL HERITAGE**

An Aboriginal Due Diligence assessment has been prepared by Hyperion Design and supports this planning proposal at **Appendix 5**. The assessment has been guided by the objectives and requirements of both the *National Parks and Wildlife Act 1974* (the NPW Act) and the *National Parks and Wildlife Regulation 2019* (NPW Regulation) and has followed the requirements of Ministerial Direction 3.2.

Hyperion Design's assessment builds upon previous studies undertaken in the immediate area between 1986 – 2019 as sourced through the Aboriginal Heritage Information Management System (AHIMS). These identify that the landforms with the most potential for subsurface deposits would be located overlooking ephemeral creek lines to the south, and would most likely consist of isolated finds or small artefact scatters.

#### Aboriginal Heritage Maps

The due diligence assessment provides a series of mapping across the site. The findings of note are as follows:

- Aboriginal Potential mapping, provided by Heritage NSW / AHIMS, identifies the site as having a lower-than-average potential for Aboriginal heritage;
- Schedule 5 of the Goulburn-Mulwaree DCP identifies the site as being located within an area of Aboriginal significance; and
- A search of the AHIMS database, carried out on 18 July 2023, located 3 registered sites within the property and a further 20 sites within a 1km buffer (see Figure 13 and Figure 14);

The subject site contains three known AHIMS sites as shown in Figure 14, which includes an artefact site (G15) and two artefacts with PADs (Tait 1 and Tait 2) recorded during a previous due diligence survey of property in 2019.



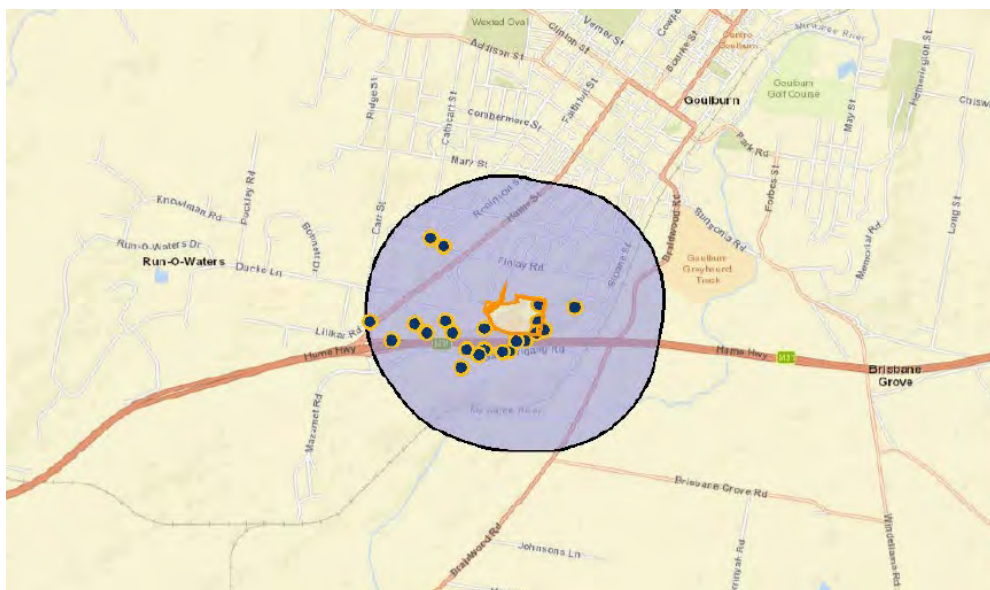


Figure 13: AHIMS sites within 1km of subject site  
Source: AHIMS as reproduced by Hyperion Design



Figure 14: Subject site showing AHIMS sites and 10m buffer  
Source: AHIMS as reproduced by Hyperion Design

#### Site Survey

Hyperion Design undertook a site inspection on 12 July 2023, with a photographic record of the inspection contained within the report at Appendix 5. Each of the AHIMS sites previously described were inspected, with no additional sites identified.

### Due Diligence Assessment

A summary of the outcomes of the due diligence assessment performed by Hyperion Design is provided in Table 12. The assessment makes the following recommendations:

- The proposed change in land zone use can proceed with no additional archaeological investigation required; however, additional consultation with traditional owners may be necessary.
- Should unexpected finds occur, a qualified heritage consultant should be engaged to assess and record the find in accordance with the legislative requirements and Heritage NSW guidelines.
- Owing to the nature to the project, during future stages, there is the potential for works to be undertaken that may cause ground disturbance to the site, the following recommendations are made for the management of Aboriginal heritage at the property:
  - Physical impacts should be avoided to sites Tait 1 AHIMS 51-6-084, Tait 2 AHIMS-51-6-0845, and G15 AHIMS 51-6-0019 as a priority. These impacts should be avoided through the delineation of a 10-metre boundary around the AHIMS sites, which should be identified in environmental mapping controls for the site.
  - Should it not be possible to undertake future works without impacting the AHIMS sites, an Aboriginal Heritage Impact Permit (AHIP) will need to be submitted to Heritage NSW. An Aboriginal Cultural Heritage Assessment will need to be prepared in support of an application for an AHIP, prior to works commencing.

Table 12. Summary of Due Diligence Process Assessment	
Due Diligence Process	Outcome
Step 1. Will the activity disturb the ground surface?	The proposed change in land zoning will not result in disturbance to the ground surface. Subsequent works, resulting from a change in land use, will almost certainly cause ground disturbance.
Step 2a. Search the AHIMS database and use any other sources of information of which you are already aware	The AHIMS site and other sources identified surface level artefact scatters, suggesting the potential presence of archaeological deposits within lower soil horizons.
Step 2b. Activities in areas where landscape features indicate the presence of Aboriginal objects	There are landscape features that indicate the presence of Aboriginal objects.
Step 3. Can you avoid harm to the object or disturbance of the landscape feature?	The proposed land rezoning will not result in impact to sites with the potential to contain Aboriginal objects. However, these sites are likely to be impacted by future works resulting from a change in land zoning, as shown in concept sketch 1210001_ASK-02.

Table 12. Summary of Due Diligence Process Assessment	
Due Diligence Process	Outcome
Step 4: Desktop assessment and visual inspection	A desktop assessment and visual inspection indicate the potential for Aboriginal objects to be present within the location of the AHIMS sites. There is a low potential for additional objects to be present outside of the AHIMS sites.
Source: Adapted from <i>Hyperion Design, Aboriginal Due Diligence 20-24 Lockyer Street, Goulburn, Table 3</i>	

### BUSHFIRE

A Bushfire Protection Assessment (BPA) prepared by Australian Bushfire Protection Planners is provided as Appendix 9 of this planning proposal report.

The site is identified as containing Category 3 vegetation mapping as shown in Figure 14.

The BPA includes a number of recommendations which would be implemented at the development stage to effectively manage bushfire risk, which relate to:

- The imposition of Asset Protection Zones (APZs);
- Relevant construction standards;
- Water supply;
- Electricity and gas installations;
- Access for fire fighting operations;
- Landscape management; and
- Emergency management.



Figure 15: Bushfire Prone Land Map  
Source: NSW Planning Portal



## BIOSECURITY

In pre-lodgement discussions, Council identified the need to consider the adjacent Aviagen Chicken Hatchery which is located adjacent to the subject site, at 26 Lockyer Street. It is understood that the landowner of this site has previously raised concerns with similar proposals for the subject land noting issues with potential biosecurity risks and increased traffic movements through their site.

The planning proposal and its intended outcome pose no biosecurity risk to the adjoining Aviagen Chicken Hatchery. Any future development would be wholly contained to the subject site and be subject to stringent assessment and conditions imposed by Council regarding erosion and sediment, dilapidation, odour impact (from the hatchery), and stormwater quality. These are detailed design matters which are appropriate to consider at the development application stage, and would be no different to the considerations for a future development on other land already zoned (but undeveloped) adjoining the hatchery.

The impacts on the road network have been shown to be minimal as outlined elsewhere in this planning proposal report. SIDRA modelling indicated minimal increases in average delays at key intersections, with intersections like Lockyer Street/Sowerby Street, Hume Street/Sowerby Street, Finlay Road/Hume Street, and Finlay Road/Tait Crescent showing no adverse impact. The impacts of additional traffic resulting from the proposal on the adjoining hatchery would be no more or less significant than on other properties in the locality.

### 6.3.3 Q10 – Has the planning proposal adequately addressed any social and economic effects?

**Yes.** The planning proposal is expected to provide economic benefit for the local area through the facilitation of additional employment lands and increased opportunity for investment. This is in line with the strategic planning objectives for the area including the Regional Plan and LSPS as outlined in Section B.

The planning proposal is anticipated to facilitate development for industrial warehousing and manufacturing to respond to the growing demand in regional NSW and support regional economic productive and employment growth.

Providing substantial economic opportunities for the local areas and opportunities to leverage of the existing industrial nature of the locality and contribute to the existing South Goulburn Industrial Area.

Social impacts associated with the proposal are expected to be minor. Impacts would be associated with factors such as traffic generation arising from the new land use which as shown in this planning proposal have been shown to be minor and acceptable.

## 6.4 Section D – Infrastructure (Local, State and Commonwealth)

### 6.4.1 Q11 – Is there adequate public infrastructure for the planning proposal?

**Yes,** the Planning Proposal provides adequate infrastructure.

Reticulated water and sewer infrastructure are currently available at the boundary of the subject site. All subsequent development will be required to connect to Council's water, stormwater and sewerage network where appropriate. A concept for these works has been provided in **Appendix 2**.

The subject area can also be accessed from Lockyer Street, providing road access into Goulburn and close access to the Hume Highway and regional road system. The Traffic and Transport Report at **Appendix 4** demonstrates positive outcomes in terms of traffic and parking impacts.

In addition, the Services Infrastructure Report (**Appendix 10**) has been prepared which addresses the current servicing capacity and future needs of the proposal and strategy, timing and broad feasibility for delivery of the following (as relevant):

- Electrical;
- Natural Gas;
- Telecommunications;
- Mains water and sewer;
- Sewer; and
- Stormwater.

The Services Infrastructure Report concludes that the implementation of the development would not yield any profound or drastic effects on the surrounding authority services based on a comprehensive examination of its potential implications.

## 6.5 Section E – State and Commonwealth Interests

### 6.5.1 Q12 – What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The relevant State government agencies will be consulted during the consultation phase of the planning proposal, which is anticipated to be referred to:

- NSW Rural Fire Services (NSW RFS);
- Transport for NSW (TfNSW);
- WaterNSW;
- NSW Environment Protection Authority (EPA);
- Department of Planning and Environment (DPE); and
- Pejar Local Aboriginal Land Council (LALC).

It is noted that the preparation of the Traffic and Parking Impact Assessment at **Appendix 4** has incorporated feedback provided by Transport for NSW in pre-lodgement phases of the planning proposal.

## 7 Part 4 – Mapping

The planning proposal seeks to amend the following maps under the GMLEP 2009:

- Amend the Land Zoning Map Sheet LZN\_001E to reflect the site's rezoning from RU2 to E4; and
- Amend the Minimum Lot Size Map Sheet LSZ\_001E to remove the minimum lot size control, in line with surrounding sites in the estate.

Indicative mapping is shown in the below figures.

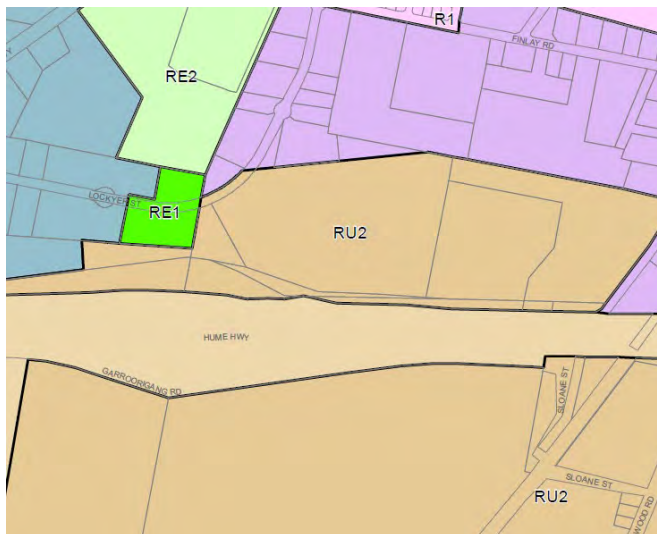


Figure 16: Current Zoning Map  
Source: NSW Legislation

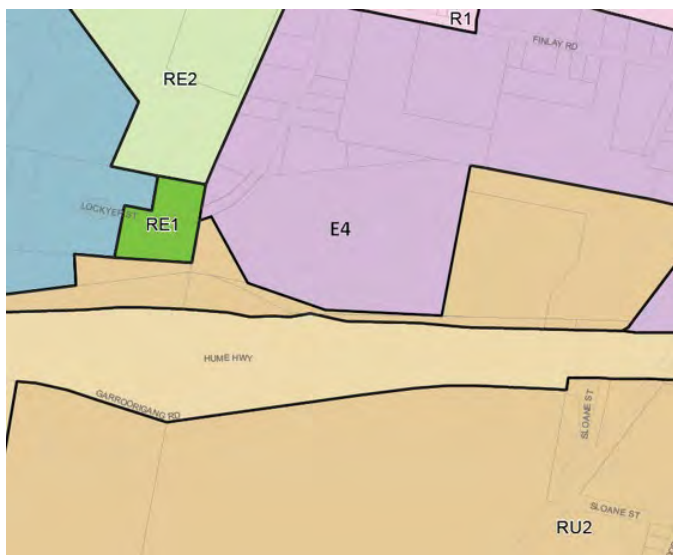


Figure 17: Proposed Zoning Map  
Source: NSW Legislation modified by Patch

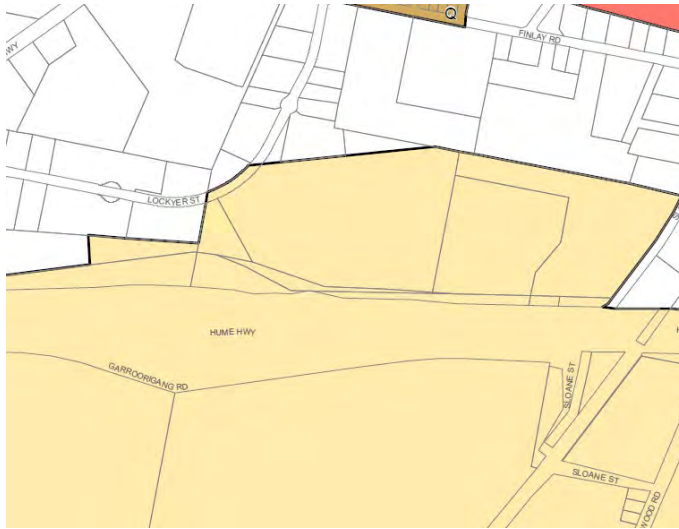


Figure 18: Current Minimum Lot Size Map  
Source: NSW Legislation

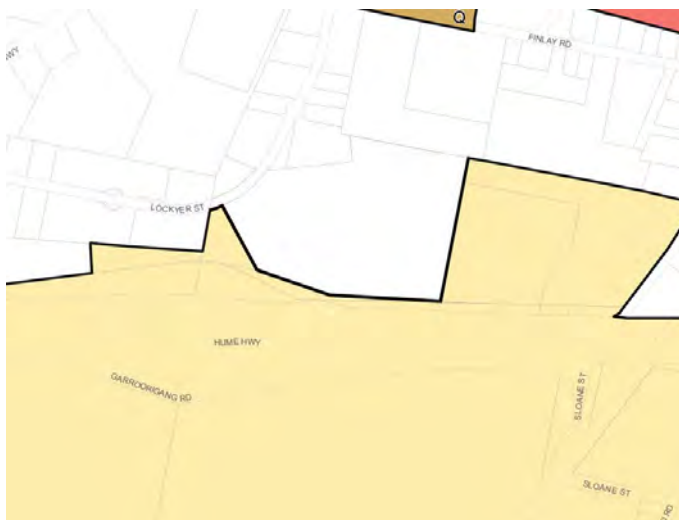


Figure 19: Proposed Minimum Lot Size Map  
Source: NSW Legislation modified by Patch

## 8 Part 5 – Community Consultation

Schedule 1, Clause 4 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway determination.

As such it is expected that the planning proposal will be publicly exhibited for at least 20 days in accordance with the EP&A Act and DPE's *A Guide to Preparing Local Environmental Plans*.

At a minimum, the notification of the public exhibition of the planning proposal is expected to involve:

- Publishing the relevant documentation on Goulburn Mulwaree Council website;
- Exhibiting the planning proposal on the Planning Portal; and
- Written correspondence to owners and occupiers of adjoining and nearby properties and relevant community groups.

## 9 Part 6 – Project Timeline

It is anticipated that the LEP amendment will be completed within 11 months.

An indicative project timeframe is provided below based on the Department of Planning and Environment's benchmark timelines for a 'Standard' LEP amendment planning proposal.

Table 13. Indicative Project Timeline	
Stage	Anticipated date
Consideration by Council	November 2023 – March 2024
Council decision	April 2024
Gateway determination	May 2024
Pre-exhibition	May 2024 – July 2024
Commencement and completion of public exhibition period	July 2024 – August 2024
Consideration of submissions	September 2024
Post-exhibition review and additional studies	October 2024 – November 2024
Submission to the Department for finalisation	December 2024
Gazettal of LEP amendment	January 2025

## 10 Conclusion

This report has been prepared to support a planning proposal at 20-24 Lockyer Street, Goulburn, seeking a rezoning of parts of the lots which are zoned RU2 - Rural Landscape to E4 - General Industrial under the *Goulburn Mulwaree Local Environmental Plan 2009*. In addition, the planning proposal will remove the minimum lot size of 100ha from the parts of the lot where this minimum lot size applies under the *Goulburn Mulwaree Local Environmental Plan 2009*.

These changes are propose to enable future develop for industrial warehousing, the concept plan will be further developed through the development application process with council.

This document has been prepared in accordance with the DPE's *Local Environmental Plan Making Guideline* and has demonstrated the planning proposal has site specific and strategy merit because it:

- Is in accordance with the overarching strategic framework including Council's Employment Lands Strategy which recommended the rezoning of the site for employment lands purposes;
- Will provide opportunity for affordable employment lands where Sydney-based industries can relocate and expand;
- Is located strategically adjacent to the Hume Highway (M31) which connects directly to the M5 and M7 closer to Sydney;
- Has demonstrated through supporting technical investigations that the land can be developed for industrial purposes without adverse impact;
- Will complement the existing operations of land surrounding the site; and
- Delivers opportunities for employment growth in the Goulburn Mulwaree area.

It is recommended that the planning proposal is supported by Goulburn Mulwaree Council for advancement to Gateway Determination.





**P A T C H**

PLANNING & DEVELOPMENT

Patch Planners Pty Ltd

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Department of Planning and Environment



Our ref: DOC23/1022372

David Kiernan  
Senior Strategic Planner  
Goulburn Mulwaree Council  
Locked Bag 22  
Goulburn NSW 2580

Attention: David Kiernan, Senior Strategic Planner

**Pp\_2023\_2555 20-24 Lockyer Street, Goulburn**

Dear Mr Kiernan

Thank you for the opportunity to comment on the planning proposal for 20-24 Lockyer Street, Goulburn under *Goulburn Mulwaree LEP 2009*.

We have reviewed the planning proposal and make the following comments:

**State and local heritage considerations under the *Heritage Act 1977*  
As delegate of the Heritage Council**

We advise Council that an assessment under the 2010 *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* is not considered an archaeological assessment or substitute for a comprehensive Aboriginal cultural heritage assessment report. The due diligence process does not adequately assess the impacts of this planning proposal on Aboriginal cultural heritage as required by Ministerial Direction 2.3. This is because without Aboriginal community consultation the extent of the impacts on Aboriginal objects and heritage values through the planning proposal and future development is not known.

An Aboriginal cultural heritage assessment and consultation with the Aboriginal community, needs to occur early in the planning process to identify Aboriginal cultural heritage values that may occur within the proposal area and establish how this may constrain future development.

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Heritage NSW recommends that a comprehensive Aboriginal cultural heritage assessment is needed and should inform this planning proposal. Early assessment provides the best opportunity to identify and protect Aboriginal cultural heritage values. It also provides certainty to all parties about any future Aboriginal cultural heritage management requirements.

The requirement for a full assessment to be prepared at the planning proposal stage is consistent with insert any Directions or Actions set out in Clause 5.10.8 of the *Goulburn Mulwaree LEP 2009*. It is important that any management, mitigation and conservation mechanisms are developed at the planning proposal stage to help mitigate the cumulative impact of development in this region on Aboriginal cultural heritage.

#### **General Comments**

Prior to finalisation of the proposal, Council should be satisfied that all necessary heritage assessments have been undertaken and that any impacts have been sufficiently addressed. Council's assessment should include, but not be limited to, a search of the State Heritage Inventory (<https://www.heritage.nsw.gov.au/search-for-heritage/search-for-nsw-heritage/>) and the Aboriginal Heritage Information Management System (<https://www.heritage.nsw.gov.au/protecting-our-heritage/record-aboriginal-sites/>).

If you have any questions please contact Colleen Klingberg, Assistant Program Coordinator at Heritage NSW, Department of Planning and Environment by phone on 02 9873 8566 or via email [Colleen.Klingberg@environment.nsw.gov.au](mailto:Colleen.Klingberg@environment.nsw.gov.au)

Yours sincerely

*Nicole Davis*

**Nicole Davis**

Manager Assessments

Heritage NSW

Department of Planning and Environment

**As Delegate under National Parks and Wildlife Act 1974**

27 November 2023

Department of Climate Change,  
Energy, the Environment and Water



Our ref: DOC23/1022372-8

Mr David Kiernan

Senior Strategic Planner

Goulburn Mulwaree Council

David.keirnan@goulburn.nsw.gov.au

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Subject: Updated Advice on Planning Proposal – 20-24 Lockyer Street Planning Proposal under Goulburn Mulwaree LEP 2009

Dear David,

Thank you for the opportunity for further comment on the planning proposal for 20-24 Lockyer Street Goulburn.

Heritage NSW continues to recommend that a comprehensive Aboriginal cultural heritage assessment is needed and should inform this planning proposal as per our previous advice dated 27 November 2023, 17 January 2024, and 14 February 2024. The planning proposal area is known to contain three Aboriginal archaeological sites, including one site containing a glass artefact, which is relatively rare and significant as evidence of the early contact period. The assessment also identifies that 'it is highly likely that these sites contain additional artefacts at lower stratigraphic levels.' No assessment of the significance of these sites or the proposal area has been provided. If approved, the rezoning acknowledges that future use of the rezoned land may result in harm to Aboriginal objects. An Aboriginal cultural heritage assessment report should be prepared in accordance with the *Code of practice for archaeological investigation in NSW* (DECCW 2010), the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010) and guided by the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011).

The following reports were considered in our review:

- Aboriginal Due Diligence: 20-24 Lockyer Street, Goulburn – prepared by Hyperion Design, dated 8 September 2023.
- Aboriginal Due Diligence: 20-24 Lockyer Street, Goulburn (updated) – prepared by Hyperion Design, dated May 2024.

We provide the following comments on the Aboriginal Due Diligence: 20-24 Lockyer Street Goulburn NSW (updated) (Hyperion Design dated May 2024):

- A due diligence approach has been conducted for the Assessment of Aboriginal Cultural heritage. We advise Council that an assessment under the 2010 *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* is not considered an archaeological assessment or substitute for a comprehensive Aboriginal cultural heritage assessment report. The due diligence process does not adequately assess the impacts of this planning proposal on Aboriginal cultural heritage as required by Local Planning Direction 3.2. This is because without adequate Aboriginal

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community consultation the extent of the impacts on Aboriginal objects and heritage values through the planning proposal and future development is not known.

- From the information presented consultation has not been conducted in accordance with *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010). While Heritage NSW notes Pejar Local Aboriginal Land Council has been consulted, an Aboriginal cultural heritage assessment requires consultation with the wider Aboriginal community to afford an opportunity for Aboriginal people who hold cultural knowledge provide information regarding cultural significance. As Aboriginal people are the primary determinants of the cultural significance of their heritage cultural significance cannot be assessed without their input.
- The survey information provided does not meet the assessment process and reporting requirements described in the *Code of practice for archaeological investigation in NSW* (DECCW 2010) and *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011).
- The report provided includes no assessment of the significance of the Aboriginal sites and objects identified as per the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011).

With regards to your specific question (provided via email 6 May 2024) about potential zoning of prohibitive environmental zones for the identified Aboriginal sites. Protection through zoning is not typically required, as the sites are protected under the National Parks and Wildlife Act 1974 and will require an Aboriginal Heritage Impact Permit (AHIP) prior to impacts. Two of the identified sites in this case are potential archaeological deposits (PADs) which will require test excavation under the *Code of practice for the archaeological investigation of Aboriginal objects in NSW* (DECCW 2010) to confirm the presence of subsurface deposits and characterise their nature and extent. As they are untested the current boundaries of the sites are indicative only and the results of test excavation would clarify the boundaries and identify areas of highest significance and archaeological potential that should be prioritised for conservation. The results of test excavation should be used to inform the design of future development. If significant Aboriginal cultural heritage values have been identified within the planning proposal areas, then options to avoid impact to these values need to be explored. For example, where the significance of Aboriginal cultural heritage values has been assessed as high, then conservation and avoidance of these values through footprint design should always be the first option. If impact cannot be avoided or if the values have been assessed as moderate, appropriate mitigation measures for impact should be negotiated with the registered Aboriginal parties.

If you have any questions regarding these comments, please contact Alison Lamond, Senior Assessments Officer, at Heritage NSW on 0419 762 918 or [alison.lamond@environment.nsw.gov.au](mailto:alison.lamond@environment.nsw.gov.au).

Yours sincerely

*Nicole Davis*

Nicole Davis  
Manager Assessments  
Heritage NSW  
Department of Climate Change, Energy, the Environment and Water  
As Delegate under *National Parks and Wildlife Act 1974*  
8 May 2024

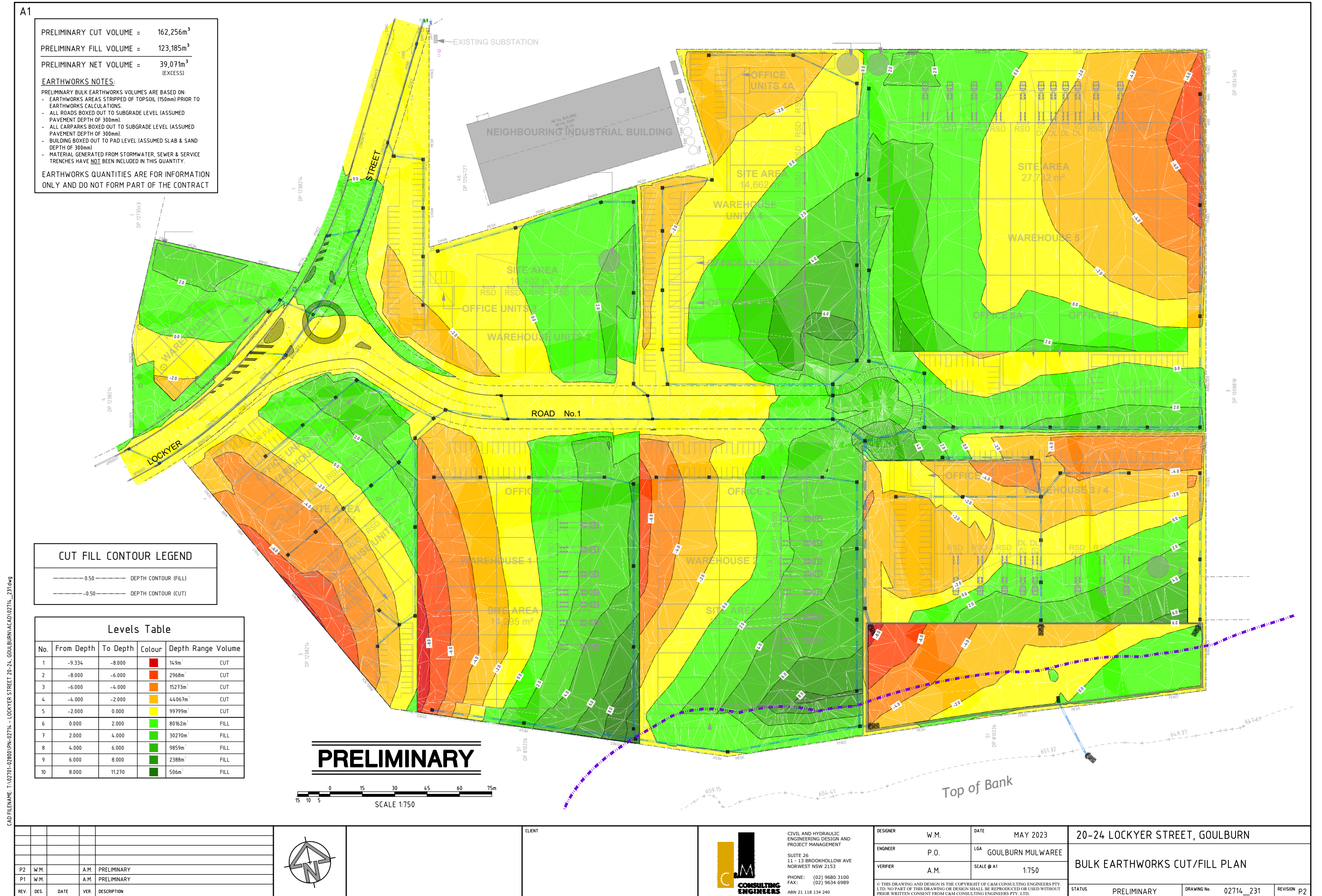
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21 December 2023

Contact: *Stuart Little*  
Telephone: *0436 948 347*  
Our ref: *D2023/168091*

David Kieran  
Senior Strategic Planner  
Goulburn Mulwaree Council  
Locked Bag 22  
GOUBURN NSW 2580

Dear Mr Kiernan,

Planning Proposal – 20-24 Lockyer Street Goulburn (PP\_2023\_2555; REZ/0004/2324)

I refer to your email of 21 November 2023 regarding a Planning Proposal and supporting information to rezone land at 20-24 Lockyer Street Goulburn (Lot 2 DP1238214). The Proposal concerns 12 ha of land zoned RU2 (Rural Landscape) on the edge of an existing urban area zoned E4 General Industrial. The Proposal seeks to rezone the site to E4, consistent with land in the north and to remove the Minimum Lot Size (MLS) requirements associated with the RU2 zoning. We note that the subject site was **previously included within the former 'Dossie Street Planning Proposal'**, which proceeded to Gateway but was not further progressed.

The key issues with the site are the inherent steepness of the land and potential issues with stormwater management. Industrial development generally requires flat land, and the change in land use will generate large impervious areas for warehouses, buildings, parking, roads, access and other hardstand. In particular, the site will require large areas of cut and fill that will need to be carefully managed during the construction stage. The site constraints and proposed impervious areas will present challenges for water quality during construction, operation and on-going maintenance stages of the development.

The approach taken by the Planning Proposal is to generate a development design that maximises industrial uses across the entire site, providing engineering solutions to address site constraints. A conceptual layout plan accompanies the Planning Proposal showing a 'stepped' platform approach for proposed buildings in response to the slope constraints. The approach generally bypasses the initial question regarding whether the site is suitable for the proposed land use and instead shows how the site could be developed to maximise its development potential for industrial uses.

WaterNSW believes that the flatter and more gently sloping areas in the north of the site are more suited for general industrial use than the steeper sections in the west and south. Our preference would be to see the steeper areas of land retained as RU2 and allowing a footprint of E4 zoning in the north. We caution against the proposed industrial zoning on the south-west and south of the site.

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PO Box 398, Parramatta NSW 2124  
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If the proposed industrial (E4) zoning is to occur over the entire site as proposed, any industrial development proposed may well need to be of a lesser intensity or provide more comprehensive stormwater control measures than those proposed in the conceptual layout plan. This may have a bearing on scale of the proposed development. We would also like to discuss with Council whether additional Development Control Plan provisions might be developed for the site to help secure stormwater management design outcomes.

Detailed comments have been provided in Attachment 1. Any further correspondence on this matter should be directed to [environmental.assessments@waterNSW.com.au](mailto:environmental.assessments@waterNSW.com.au).

If you have any questions regarding this letter, please contact Stuart Little at [stuart.little@waterNSW.com.au](mailto:stuart.little@waterNSW.com.au).

Yours sincerely

A handwritten signature in black ink, appearing to read "Alison Kniha", with a long horizontal flourish extending to the right.

ALISON KNIHA  
Environmental Planning, Assessments and Approvals Manager

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#### ATTACHMENT 1 - DETAIL

##### Relationship to Former Dossie Street Proposal

The Planning Proposal concerns land **previously included within the former 'Dossie Street Planning Proposal'**, which proceeded to Gateway but was not further progressed (page 12). Originally the Dossie Street Proposal suggested IN1 General Industrial zoning over the entire Lot 2 site. The 23 September 2020 version of that Proposal sought to rezone the north-western part of the land IN1 General Industrial (equivalent to E4 General Industrial) with the remainder of the site being proposed as R5 Large Lot Residential. This was in response to site constraints, notably slope and water quality risks. We note that the current Proposal has reverted to proposing General Industrial (now E4 zoning) over the entire lot (see below).

##### Zoning

The site contains an area of approximately 12.35 ha with frontage onto Lockyer Street. The land is currently zoned RU2 Rural Landscape under the Goulburn Mulwaree Local Environmental Plan 2009 (LEP) with some small patches in the north being zoned E4 General Industrial. It is proposed to rezone the land E4 General Industrial, consistent with the zoning immediately north of the site. It is also proposed to amend the Minimum Lot Size (MLS) from 100 ha (which corresponds with the RU2 land) so that no MLS applies to the lot. Again this is consistent with the MLS arrangement that applies to the E4 land in the north. Current and proposed zoning and MLS maps are included in the Proposal (Figures 16-18).

As no MLS will apply to the site, allotment sizes may vary significantly at subdivision stage. It will be necessary to ensure that subdivision ensures that offspring allotments and the overall subdivision design provides sufficient land area to accommodate stormwater treatment measures.

##### Waterways and Water Features

The Planning Proposal does not currently provide a sufficient description of the waterways and water features on site. We note that a first order watercourse (drainage feature) occurs at the centre of the site, flowing southward before entering a larger perennial watercourse beyond the southern boundary of the site in proximity to the Hume Highway. Based on aerial imagery, there are also four farm dams on site. The concept subdivision sketch does not include the water feature nor the farm dams, suggesting that these will be removed and the site recontoured through cut and fill.

The Proposal would benefit by more clearly describing the water features occurring on the site and whether these are proposed for removal. This is particularly important given that Direction 3.3 Sydney Drinking Water Catchment now requires consideration of existing water quality risks to waterways occurring on or adjacent to the site.

##### Flooding Risk

Supplementary information provided to us by Council on 11 December 2023 indicates that, **based on Council's overland flow modelling, the site is unaffected by flooding risk except the most south-eastern corner which is Category 4** (which essentially applies to land under

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the Probably Maximum Flood (PMF) limit. Based on this information, flooding risk is not a major site constraint. The relevant flood risk information should be included in the Planning Proposal to ensure this issue is adequately addressed.

#### Slope

The main constraint in relation to the site is slope. The site drops about 46 m from approximately 694 metres asl in the south-west corner to approximately 648 m in the south-east corner. The steepest grades (15-20% slope) are encountered in the south-west of the site. Grades are also generally steeper in the south of the site.

Industrial development generally requires flat land. Significant earthworks (cut and fill) will be required to create reasonably-sized flat areas for any proposed industrial uses. The supporting Civil Engineering Works report identifies that 123,185 m<sup>3</sup> will be cut (to fill) and 39,071 m<sup>3</sup> will be cut (to export). Stormwater runoff velocities are also likely to be exacerbated by the steepness of the land. The issue of stormwater management is discussed further below.

#### Servicing

The Proposal is supported by an Engineering Services Infrastructure Report (Appendix 10; dated 20 October 2023) Supplementary information provided by Council on 11 December 2023 confirms that the site is intended to be serviced by Council's reticulated water and sewer services.

#### Layout Plan

We have treated the conceptual layout plan as indicative of how the site might be developed. There is sufficient space on the site to accommodate some development and associated stormwater treatment measures. However, the type and extent of measures will depend on the scale and intensity of the final development. Achieving a neutral or beneficial effect (NorBE) on water quality may require some redesign of the development footprint and related stormwater control measures at DA stage. The degree of impervious area and overall intensification may need to be reduced and/or alternative stormwater treatment measures employed. Supplementary pervious areas may also be needed and spread more evenly throughout the site.

#### Water Cycle and Stormwater Management Strategy (WCMS)

In terms of water quality risk, we hold concerns that the development design underpinning the request for rezoning is intensive relevant to the site area. The total site area is 123,566 m<sup>2</sup> with a proposed net developable area of 110,778m<sup>2</sup> (see supporting Urban Design Report).

The Proposal includes a supporting Water Cycle and Stormwater Management Strategy Report (WCMS). We have considered the WCMS in conjunction with the indicative subdivision layout plan. The report concludes that the 'proposed works with the WSUD Neutral or Beneficial (NoBE) strategy and management can help provide a safe and ecologically sustainable environment'. The proposed stormwater management measures includes a pit and pipe network system, overland flow paths (roads and swales), on-site

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stormwater detention (OSD) systems, rainwater tanks, Oceanguards/ OceanProtect 'Jellyfish' systems and bioretention basin(s).

The stormwater management design is heavily dependent upon the OSD/ Bioretention basin area proposed in the south-east corner. The Bioretention basin(s) is intended to receive and assist in the treatment of all stormwater runoff from the site. This includes from the main proposed access road and the stormwater arising from the development footprint of the warehouses and offices including carparks driveways and other hardstand areas. The other treatment measures include rainwater tanks and jellyfish, but there is little pervious area proposed other than in the south-east corner. We raise the following:

- There appears to be too much emphasis placed on the bioretention system as the prime means for achieving NorBE across the site.
- Measures appear to be needed to slow the velocity of the water before it reaches the bioretention basin(s).
- The bioretention basin system (6,200 m<sup>2</sup>) appears too large to be reliably maintained and managed. An artificial wetland may be another option.
- The bioretention basin(s) appears to be servicing both the proposed new road as well as the individual allotments. Which body will be responsible for management and maintaining the bioretention basin(s) area over the longer term? Meeting NorBE at DA stage and on an on-going basis will depend on how well this proposed area is managed and maintained.
- There will also need to be sufficient area allocated for on-site detention, separate to any bioretention required for water quality purposes.
- The allocated area in the south-east corner is also presumably being relied upon for irrigation. This again raises the question whether there is sufficient area for the effective management of stormwater.

The above matters will need to be clearly reconciled at DA stage.

#### Contamination Risk

The Planning Proposal is accompanied by a supporting Preliminary Site Investigation (PSI) Report for Contamination. The report was prepared in 2019 and is based on a site inspection conducted on 30 September 2019. There is no comment as to whether the condition of the site may have changed since 2019. We recommend a supplementary site inspection be undertaken to confirm that no further changes have occurred and that the findings of the PSI are current.

The report is based on the zoning that was proposed as part of former Dossie Street Proposal where the land was proposed for commercial/ industrial uses and large lot residential development. The commercial/industrial use considerations are relevant to the current Planning Proposal.

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The report notes that there was a minor oil spill, several stockpiles, a septic system, earth bunds and a fragment of pipe made of potential asbestos containing material (PACM) on site. Appendix B of the PSI Report includes the relevant locations of concern. The stockpiles contained inert materials such as clay, gravel, cobbles and anthropogenic substances including asphalt, concrete fragments, scrap metal and plastics. The report suggests that the stockpiles are be used to fill-in the on-site dams.

The Investigation concluded that the likelihood for gross chemical contamination to be present on the site was low although localised areas of moderate risk were present. It noted that further intrusive testing may be needed. However, overall the PSI report concludes that the site could be made suitable for industrial/ commercial and large lot residential uses, subject to the recommendations contained in the report. Further testing would be required if the on-site fill material were to be used to back-fill the on-site dams (see below). Further intrusive soil testing may also be required to identify any unforeseen contamination.

We note that there has been an additional Excavated Natural Material Assessment for the stockpile material on site and that following removal of unsuitable material, remaining material can be considered for on-site re-use. The report is not clear whether the material is intended to fill-in the dams.

Any further testing of the stockpiles can be undertaken at DA stage. We also believe that any development application should be accompanied by a dam dewatering report to ensure that any environmental impacts from the dam water and sediments, including from potentially contaminated materials, can be effectively managed.

#### Direction 3.3. Sydney Drinking Water Catchment

The Planning Proposal responds to section 9.1 Ministerial Direction 3.3 Sydney Drinking Water Catchment. The proposal states that the Direction requires that any new development have a neutral or beneficial effect on water quality and that WaterNSW is engaged as part of the Planning Proposal process.

The Direction requires consultation with WaterNSW as stated. The general principle is that water quality within the SDWC must be protected. The Proposal must give effect to this and specific principles including that new development must have a NorBE on water quality. The proposal also requires consistency with Part 6.5 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 (the Biodiversity & Conservation SEPP). As Planning Proposals are not developments to which NorBE can be applied but, rather, concern changes in land use, we generally adopt the principle that there needs to be a reasonable likelihood that NorBE will be achieved DA stage for the intended land use. The issue of NorBE is discussed separately in this response with respect to stormwater.

The Direction requires the Proposal to identify any water quality (including groundwater) risks to any waterway occurring on, or adjacent to the site. The Proposal needs to respond to this requirement. Please see our comments above on this matter.

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The proposal also needs to give consideration to the outcomes of any Strategic Land and Water Capability Assessment (SLWCA). We have attached the relevant SLWCA in Attachment 2. The outcomes of the SLWCA are discussed below.

The land is not in a designated Special Area so the provisions of Direction 3.3 relating to Special Areas do not apply in this instance.

#### Strategic Land and Water Capability Assessment (SLWCA)

The site is intended to be zoned E4 General Industrial. WaterNSW has applied the SLWCA for Light Industry to determine the capability of the site for this land use (Attachment 2). The SLWCA indicates that the site has a LOW to MODERATE risk to water quality. Areas of LOW Risk have a HIGH capability for the intended use. Areas of MODERATE risk have a MODERATE capability for the intended use. We believe that outcome of the SWLCA underestimates the risk and influence of slope on the site and that the important Stream Proximity factor has been overshadowed by other inputs. In this instance, the outcomes of the SLWCA should be treated cautiously.

#### State Environmental Planning Policy (Biodiversity and Conservation) 2011

The Proposal briefly responds to State Environmental Planning Policy (Biodiversity and Conservation) 2021, noting that the Proposal is consistent with Chapter 6 of the SEPP and, by reference to the WCMS, the Proposal would have a NorBE on water quality (including groundwater). We note that the SEPP also establishes requirements for concurrence, for DAs to apply the NorBE Tool, and for development consents to be consistent with the [Neutral or Beneficial Effect on Water Quality Assessment Guideline](#) (WaterNSW 2022).

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ATTACHMENT 2 – STRATEGIC LAND AND WATER CAPABILITY ASSESSMENT (SLWCA)



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**FLORA AND FAUNA ASSESSMENT: 20 - 24 LOCKYER STREET, GOULBURN**

Fraser Ecological Consulting

4<sup>th</sup> April, 2023**REVIEW NOTES FOLLOWING SITE INSPECTION FRIDAY 17/11/2023****Reviewed by Brian Faulkner, Environment & Biodiversity Assessment Officer**

The FFA Report describes the site as containing cleared pastureland that is dominated by introduced grass species. Although it is broadly agreed, following site inspection, that most parts of the site are dominated by exotic pasture species and weeds, the biodiversity values of the subject land and study area have not been adequately surveyed and assessed.

It is of particular concern that the dominant canopy trees have not been identified accurately, and neither have their habitat values been assessed appropriately.

The report states that only four remnant trees are present on the site and that these are all Blakely's Red Gum *Eucalyptus blakelyi*.

Site inspection found that there are in fact six Eucalyptus trees present on the main part of the site (eastern side of Lockyer Street) and a further four Eucalyptus trees are present on the smaller portion (western side of Lockyer Street).

Of the four trees identified as being Blakely's Red Gums on the main site, only two were found to be Blakely's Red Gum trees. The other two trees are a Yellow Box *Eucalyptus melliodora* and an Apple Box *Eucalyptus bridgesiana*. (Refer to diagram and photographs).

Of the four trees located on the western portion, one is a Blakely's Red Gum and the remaining three are Red Box *Eucalyptus polyanthemos*. There is also a self-sown feral Ash *Fraxinus* sp. on this part of the land, and several feral *Cotoneaster* bushes.

Locations of the Eucalyptus trees identified during the site inspection are provided in Figure 1 of these notes.

The FFA Report states that no hollow bearing trees are present on the land.

The text of the FFA Report states under *Chapter 5 Fauna habitat and species* (Page 30):

*"Microchiropteran bats are likely to forage throughout the site, however significant roosting habitat in the form of hollow trees is absent."*

All four of the larger trees do in fact have at least small hollows that could be utilized by microbats. The Apple Box clearly has numerous hollows present.

The largest Blakely's Red Gum was found to have two large stick nests present high in the canopy. This tree is clearly a significant habitat tree due to its size and location high on the site.

The FFA Report states that survey work was conducted on the 16<sup>th</sup> of March, 2023. This is not an appropriate time of year for conducting flora surveys of grassland areas in the Goulburn Mulwaree LGA. At this time of year many grassland species, especially forbs are dormant and not detectable.

Page 1 of 20

The BAM requires that native vegetation should be surveyed at a time of year when it is most abundant and easily identifiable. In the Goulburn Mulwaree LGA this is in spring (September/October/November).

Excluding trees, the FFA Report records only four native plant species being present on the land (*Juncus usitatus*, *Vittadinia gracilis*, *Rubus parvifolius* and *Cynodon dactylon*).

Site inspection (17/11/2023) found that in fact there are many more species of native plants present. During the site inspection, which only comprised a walk around the property and not a formal flora survey, over 30 species of native plants were identified within the study area (as reported having been previously assessed by the FFA Report) in the space of approximately one hour. Refer to Table 1 of these review notes and supporting photographs.

There are some patches of vegetation that appear to be native dominant, and that have a very high component of Common Everlasting *Chrysocephalum apiculatum*. This species is easily recognizable and yet it has not been identified by the FFA Report. The extent and condition of native vegetation on the site has not been adequately assessed and mapped.

Dams on the site were found to contain extensive areas of the native aquatic plant *Vallisneria australis*. Dams were also observed to contain numerous Eastern Long-Necked Turtles *Chelodina longicollis*. A recently deceased turtle was also found during the site inspection. Neither *Vallisneria* nor *Chelodina* are recorded in the FFA Report. It is likely that the dams provide habitat not only for these species but also for additional flora and fauna that have not been identified in the FFA Report.

## OTHER CONCERNS

### Significant weeds not identified in the FFA Report

Site inspection found that St John's Wort *Hypericum perforatum*, Chilean Needle Grass *Nassella neesiana* and Serrated Tussock *Nassella trichotoma* are common on this site. However, none of these locally significant weeds are mentioned in the FFA. These weeds are easily identifiable at any time of year and are sufficiently abundant on the site that they would be expected to be recorded.

### Outdated legislation

Under 2.2.2 of the FFA Report, there is discussion relating to the NSW 10/50 vegetation clearing code and states (page 12):

*"The code of practice has not yet been prepared."*

In fact, the 10/50 code came into effect on the 4<sup>th</sup> of September, 2015. Since the FFA Report is dated the 4<sup>th</sup> April, 2023, it is of some concern that the author appears to be unaware of legislative updates that happened approximately 8 years prior and has failed to provide current information.

A search of the 10/50 boundary clearing tool (22/11/2023) found that although the land is located in a bushfire prone area, the 10/50 code is over-ruled.

[The parcel of land you have selected is located in a designated 10/50 vegetation entitlement clearing area. However, the online tool has identified that your land parcel may exclude or otherwise restrict your clearing under the 10/50 Code.](#)

This may be due to heritage constraints associated with the site.

#### Inconsistencies/errors in fauna habitat assessment

As noted previously, the text of the FFA Report states under *Chapter 5 Fauna habitat and species*:

*"Microchiropteran bats are likely to forage throughout the site, however significant roosting habitat in the form of hollow trees is absent."*

The text of the FFA Report also states under *Chapter 7 Assessment of Ecological Impacts*:

*"No hollow bearing trees or significant rocky habitat features are proposed for removal"*.

However, FFA Report *Table 2: Fauna habitat assessment* (page 32) identifies that **Medium hollows** are present in the form of **Sprouts/branch, Trunk, Basal Cavities** and **Stags**. The same table also identifies that **Mistletoes** are present, but these are not mentioned anywhere in the text.

Inconsistencies and conflicting information such as this do not inspire confidence in the validity of the report as a whole.

TABLE 1: NATIVE FLORA RECORDED ON SITE (17/11/2023)	
Scientific Name	Common Name
<i>Acacia decurrens</i>	Early Black Wattle
<i>Aristida</i> sp.	Kerosene Grass
<i>Atriplex semibaccata</i>	Creeping Saltbush
<i>Austrostipa scabra</i>	Corkscrew Grass
<i>Bothriochloa macra</i>	Red Stem Grass
<i>Cassinia aculeata</i>	Dolly Bush
<i>Cassinia sifton</i>	Sifton Bush
<i>Chrysocephalum apiculatum</i>	Common Everlasting
<i>Convolvulus angustissimus</i>	Australian Bindweed
<i>Einadia hastata</i>	Saloop
<i>Epilobium billardierianum cinereum</i>	Native Willowherb
<i>Eucalyptus blakelyi</i>	Blakely's Red Gum
<i>Eucalyptus bridgesiana</i>	Apple Box
<i>Eucalyptus melliodora</i>	Yellow Box
<i>Eucalyptus polyanthemos</i>	Red Box
<i>Goodenia pinnatifida</i>	Scrambled Eggs
<i>Haloragis heterophylla</i>	Rough Raspwort
<i>Hypoxis hygrometrica</i>	Golden Weather Grass
<i>Juncus gregiflorus</i>	River Rush
<i>Juncus usitatus</i>	Common Rush
<i>Leptorhynchos squamatus</i>	Scaley Buttons
<i>Lomandra filiformis</i>	Wattle Mat Rush
<i>Lomandra multiflora</i>	Many Flowered Mat Rush
<i>Microlaena stipoides</i>	Weeping Grass
<i>Panicum effusum</i>	Hairy Panic
<i>Paspalum distichum</i>	Water Couch
<i>Pimelia curviflora</i>	Curved Rice Flower

<i>Pseudognaphalium luteoalbum</i>	Jersey Cudweed
<i>Rytidosperma</i> spp.	Wallaby Grasses
<i>Rytidosperma carphoides</i>	Short Wallaby Grass
<i>Vallisneria australis</i>	Eelweed
<i>Vittadinia</i> sp.	Fuzzweed
<i>Wahlenbergia communis</i>	Tufted Bluebell

#### SUPPORTING DIAGRAM AND PHOTOGRAPHS





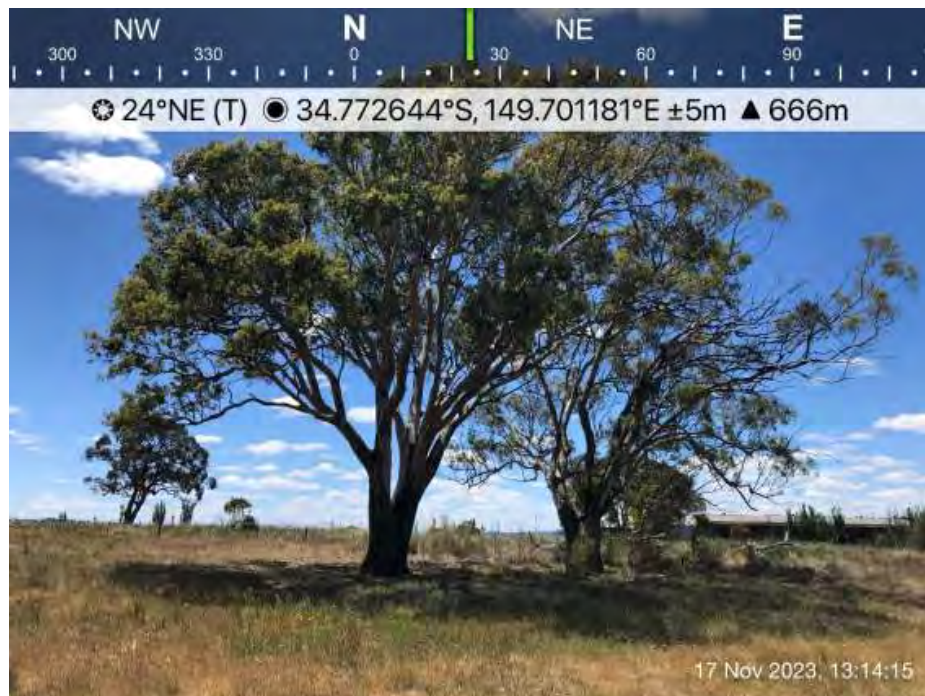


Photo above: Blakely's Red Gum on left, Yellow Box on right. (Photo below viewed from other side, Yellow Box on left, Blakely's Red Gum on right).







Large stick nest high in canopy







Blakely's Red Gum (same tree viewed from different sides).





Apple Box with numerous hollows (same tree viewed from different sides).





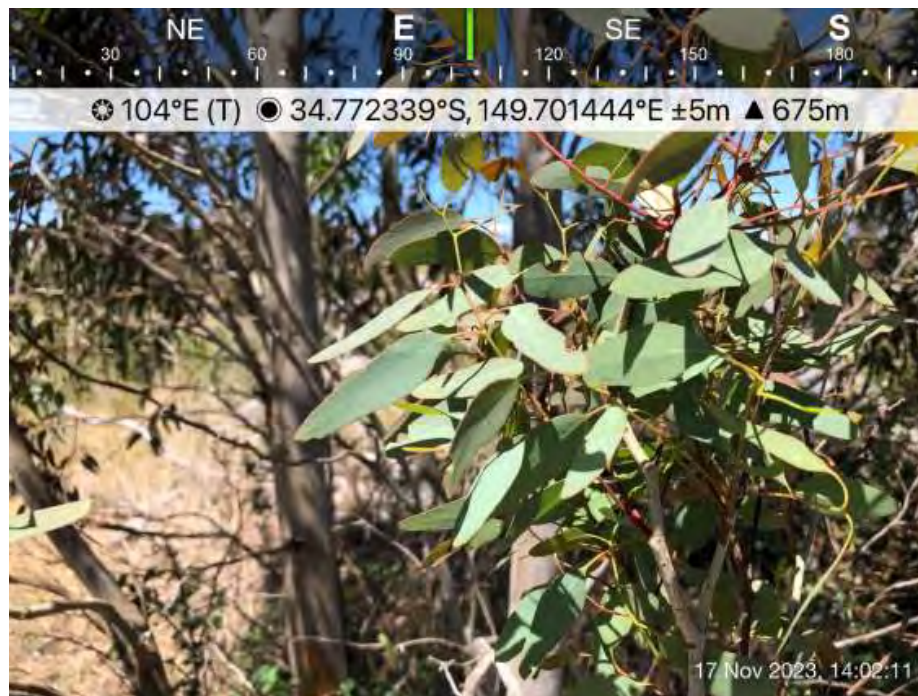
Below: foliage and capsules on Apple Box



Tree on left above is a regenerating Yellow Box. Foliage shown in next photograph.

Page 9 of 20





Below: *Microlaena stipoides*





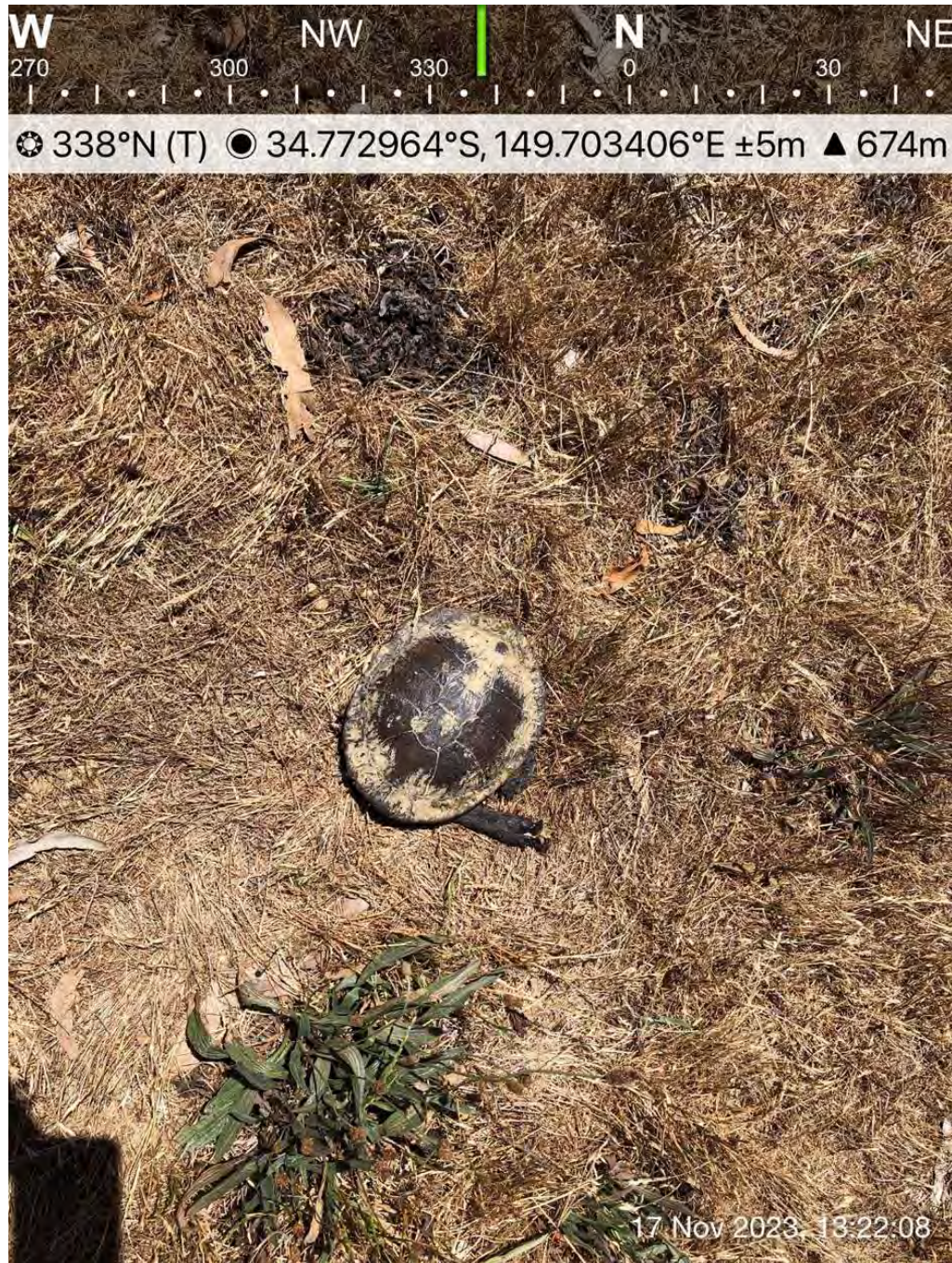
Below *Hypoxis hygrometrica* (yellow flower).



Page 11 of 20









Below: Blakely's Red Gum near lower dam



Next three photos: Yellow flowers are Common Everlasting *Chrysocephalum apiculatum*



Page 14 of 20







Below: *Bothriochloa macra* and *Haloragis heterophylla*.



Below: *Pimelia curviflora*.





Below *Convolvulus angustissimus*.



Above *Wahlenbergia communis*.

Page 17 of 20



Below: *Atriplex semibaccata*.



Above: *Epilobium billardioreanum* growing on dam banks.



Below: *Lomandra filiformis*.



Above: *Goodenia pinnatifida*.





**FLORA AND FAUNA ASSESSMENT: 20 - 24 LOCKYER STREET, GOULBURN****Fraser Ecological Consulting****1<sup>st</sup> May 2024****REVIEW NOTES****Report version**

Reviewed by Brian Faulkner, Environment & Biodiversity Assessment Officer

The original FFA report submitted by Fraser Ecological Consulting was dated 4<sup>th</sup> April, 2023, and this review assesses a revised version dated 1/05/2024, submitted following review comments and feedback provided by Council.

**Description of the proposed activity**

REZ\_0004\_2324

The proposed activity is to rezone land currently zoned RU2 Rural Landscape to E4 General Industrial. The intention of the rezoning proposal is to allow future industrial development of the site. The intended development will result in clearing of the land.

**Preliminary Desktop Survey (current status)**

Street address: 22-24 Lockyer Street, Goulburn, NSW 2580

Lot 2 DP 1238214

Land zone: Most of the site is currently zoned RU2 Rural Landscape. Small portion on western side of Lockyer Street is zoned E4.

Minimum lot size: 100 hectares

Actual lot size: 12 hectares

10/50 code: Does not apply.

Rural Boundary Clearing Code: Does apply. (If rezoning approved, will no longer apply).

GMC LEP Terrestrial Biodiversity: Not flagged.

Biodiversity Values Map: Not flagged, no parts marked on BVM.

BOS Area clearing threshold: 0.5 hectares.

SEED STVM Extant PCT mapping: Mostly mapped as cleared, but a small portion near the northern boundary is mapped as PCT 3373 Goulburn Tableland Box-Gum Grassy Forest (associated with CEEC Box Gum Grassy Woodland & Derived Native Grassland).

SEED Werriwa & Monaro Advisory layer: Not mapped.

Page 1 of 4

EPBC Act protected matters search tool: 2 TECs, 41 Threatened Species, 11 Migratory Species.

BioNet Atlas threatened species records: No records for the property. Within 5 km vicinity, 15 Threatened Fauna, 7 Threatened Flora.

Key Fish Habitat: Not applicable, no parts marked as KFH.

Drinking Water Catchment: Sydney (Warragamba).

IBRA: South Eastern Highlands

Sub-IBRA: Monaro.

Mitchell Landscape: Gundry Plains

### Review comments

The Subject Land comprises the area of Lot 2 DP 1238214 located on the eastern side of Lockyer Street, which is currently zoned RU2 Rural Landscape.

The findings of the FFA report are broadly supported.

No threatened species listed under either the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* or the NSW *Biodiversity Conservation Act 2016* were found to be present on the Subject Land during site surveys/inspections by either Fraser Ecological Consulting staff or by Goulburn Mulwaree Council staff.

The report describes the site as containing cleared pastureland that is dominated by introduced grass species. It is broadly agreed, following site inspections, that most parts of the site are dominated by introduced pasture species such as *Phalaris aquatica*, Cocksfoot *Dactylis glomerata*, Subclover *Trifolium subterraneum* and a wide variety of pasture weeds.

Locally significant weed species present include African Box Thorn *Lycium ferocissimum*, Blackberry *Rubus fruticosus* aggregate, St John's Wort *Hypericum perforatum*, Chilean Needle Grass *Nassella neesiana* and Serrated Tussock *Nassella trichotoma*.

There are six Eucalyptus trees present on the Subject Land for this proposal, and a further four Eucalyptus trees are present on the smaller portion located on the western side of Lockyer Street (not included in this assessment as this portion is already zoned E4 General Industrial).

Four of the remnant trees present on the main part of the site are mature trees with nesting hollows. These trees comprise one Yellow Box *Eucalyptus melliodora*, two Blakely's Red Gum *Eucalyptus blakelyi* and one Apple Box *Eucalyptus bridgesiana*.

The largest Blakely's Red Gum was found to have two large stick nests present high in the canopy. This tree has habitat values due to its size and location high on the site.

These four mature remnant trees with nesting hollows represent the highest biodiversity values of the site and it is recommended that these should be protected, as findings of the Threatened Species Test of Significance conducted as part of the FFA are based on the assumption that no hollow bearing trees will be removed as part of the proposed activity (refer to page 53 of FFA).

Protection of the hollow bearing trees should include a minimum TPZ (Tree Protection Zone) as a buffer around each tree. The TPZ is to be calculated as specified in *AS 4970 -2009 Protection of Trees on Development Sites*.

If the identified significant habitat trees on the site are retained and protected from future removal the proponent can demonstrate application of the biodiversity hierarchy (avoid – minimize – mitigate) and that impacts on biodiversity values of the site have been avoided, as required by the *NSW Biodiversity Conservation Act 2016*.

Two smaller trees present on the Subject Site are a regenerating Yellow Box and a small Blakely's Red Gum. The two smaller remnant Eucalyptus trees present do not contain nesting hollows or nests, and their removal is not likely to result in any significant impacts on biodiversity values.

Locations of the Eucalyptus trees are provided in Figure 1 of these notes.

There are four dams on the site and two of these were found to contain the native aquatic plant *Vallisneria australis* growing around their fringes. One is located near the northern boundary of the land and the second comprises a larger dam located in the southern part of the lot. These two dams were also observed to contain numerous Eastern Long-Necked Turtles *Chelodina longicollis*.

These dams provide habitat for aquatic fauna and waterfowl.

It is anticipated that removal of the dams will be required for future development of the site.

A site-specific dam dewatering protocol must be developed and included as part of the CEMP (Construction Environment Management Plan) to mitigate and avoid harm or injury to aquatic wildlife resulting from draining and filling in of any of the dams on the site.

Dewatering and decommissioning of dams must be supervised by an accredited ecologist with experience in this type of project.

The dam dewatering protocol must include specific instructions and procedures for handling and relocation of native fauna, including frogs, turtles and other reptiles including snakes. Dam dewatering and decommissioning must not occur during the spring breeding season.

#### **HOLLOW BEARING TREE REMOVAL**

It is strongly recommended that no hollow bearing trees are to be removed. However, if for any reason this is unavoidable, pre-clearance protocols are to be developed and implemented to mitigate and avoid harm or injury to native fauna when removing hollow bearing trees and trees with obvious nests.

These must include pre-clearance surveys, clearing supervision by an experienced fauna spotter/accredited wildlife handler and soft felling techniques.

A suitably licensed ecologist (who is vaccinated for Australian Bat Lyssavirus) is to be engaged to supervise the removal of the HBTs in order to minimise the chance of harm to fauna, and to rescue or relocate any fauna displaced during the clearing process.



Figure 1: Eucalyptus trees on site

20-24 Lockyer Street



Figure 2: Dams

20-24 Lockyer Street



**Transport for NSW**

16 February 2024

TfNSW reference: STH24/00019/001

Your reference: PP\_2023\_2555 – REZ/0004/2324

By Email: [David.kiernan@goulburn.nsw.gov.au](mailto:David.kiernan@goulburn.nsw.gov.au)

CC: [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au)

Attention: David Kiernan

**PP\_2023\_2555 – REZ/0004/2324 – Planning Proposal for re-zoning – LOT: 2 DP: 1238214  
20-24 Lockyer Street GOULBURN**

Dear David

Transport for NSW (TfNSW) is responding to the planning proposal referred on 16 January 2024.

TfNSW has reviewed the information and is unable to properly assess possible impacts of the proposed development on the State road network and its users. Details of additional required information are set out in Attachment 1.

Transport can facilitate a meeting with the Traffic Consultants or the Applicant via MS Teams if further clarification regarding this position is required.

If you have any questions, please contact Liliana Hutchinson, Development Services Case Officer, on 9595 5038 or email [development.south@transport.nsw.gov.au](mailto:development.south@transport.nsw.gov.au).

Yours faithfully

A handwritten signature in blue ink, appearing to be "LH", with a long horizontal stroke extending to the right.

**Liliana Hutchinson**

Development Services Case Officer, Development Services

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[transport.nsw.gov.au](http://transport.nsw.gov.au)

1 of 3

## Transport for NSW



## Attachment 1

**PP\_2023\_2555 – REZ/0004/2324 – Planning Proposal for re-zoning – LOT: 2 DP: 1238214  
20-24 Lockyer Street GOULBURN****Context**

TfNSW notes for this planning proposal:

- The key state road is Hume Street.
- Council is seeking advice from TfNSW to assist in its assessment under s.2122 of the *SEPP (Transport and Infrastructure) 2021*.
- The planning proposal is seeking to amend the Goulburn Mulwaree Local Environment Plan to rezone the subject land from RU2 (Rural Landscape) to E4 (General Industrial) and to remove the 100ha minimum lot size control.
- The planning proposal also indicates the potential industrial development of nine warehouses, associated infrastructure, and an upgrade to the local road network as generally shown in **Attachment 2**.
- A Traffic Impact Assessment (TIA), written by McLaren Traffic Engineering and Road Safety Consultants in October 2023, was provided to support this planning proposal.
- A weave analysis was provided within the TIA to demonstrate the impact of vehicles moving northbound on Hume Street from the motorway across a lane of traffic to the channelised right turning lane at Sowerby Street.

**Additional required information**

TfNSW require the following additional information to assess the planning proposal:

1. An updated TIA and supporting evidence to determine:
  - The heavy vehicle trip distribution movements.
  - The trip generation of heavy vehicles that will be frequenting this site.
2. Provision of NSW Road Rules that determine it is legal for a heavy vehicle to move onto a local road that is not designated for heavy vehicles.

**Additional comments**

TfNSW provides the following comments:

- Council can consider the appropriate access route for heavy vehicles in line with this planning proposal that seeks to move heavy vehicles to the site via a section of road that is not deemed for heavy vehicle traffic. This will require updates to the RAV map to indicate all of Lockyer Street as a heavy vehicle route.

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2 of 3



Transport for NSW



Attachment 2

**PP\_2023\_2555 – REZ/0004/2324 – Planning Proposal for re-zoning – LOT: 2 DP: 1238214  
20-24 Lockyer Street GOULBURN**

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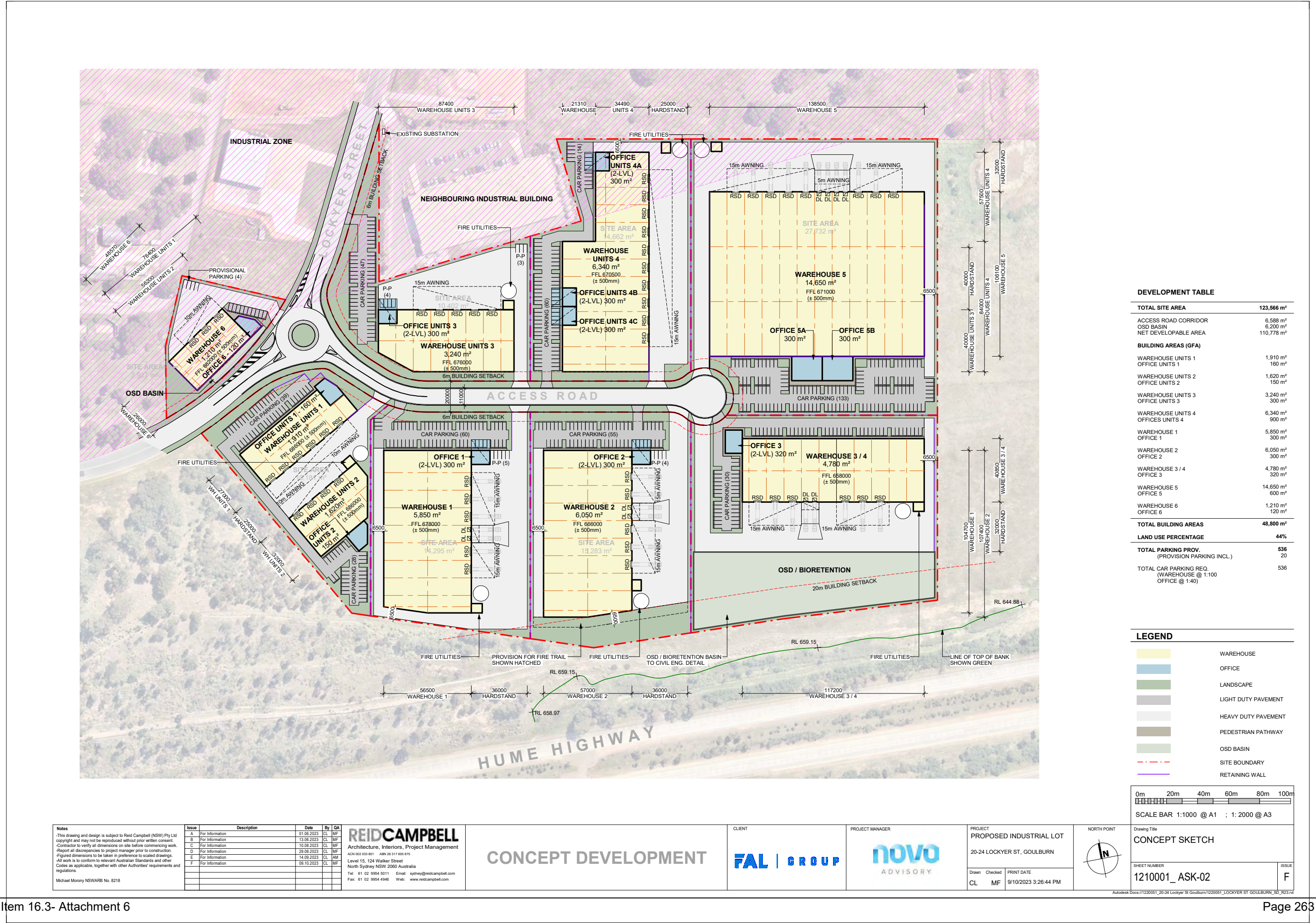
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3 of 3







**Transport for NSW**

24 May 2024

TfNSW reference: STH24/00019/002  
Your reference: PP\_2023\_2555 – REZ/0004/2324

By Email: [David.kiernan@goulburn.nsw.gov.au](mailto:David.kiernan@goulburn.nsw.gov.au)  
CC: [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au)

Attention: David Kiernan

**PP\_2023\_2555 – REZ/0004/2324 – Planning Proposal for re-zoning – LOT: 2 DP: 1238214  
20-24 Lockyer Street GOULBURN**

Dear David

Transport for NSW (TfNSW) is responding to the Planning Proposal (PP) referred on 7 May 2024.

TfNSW has reviewed the information and has no objections to the planning proposal. Comments on the planning proposal are set out in Attachment 1.

If you have any questions, please contact Liliana Hutchinson, Development Services Case Officer, on 9595 5038 or email [development.south@transport.nsw.gov.au](mailto:development.south@transport.nsw.gov.au).

Yours faithfully

A handwritten signature in blue ink, appearing to be "LH", with a horizontal line extending to the right.

**Liliana Hutchinson**  
Development Services Case Officer, Development Services

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## Transport for NSW



### Attachment 1

#### **PP\_2023\_2555 – REZ/0004/2324 – Planning Proposal for re-zoning – LOT: 2 DP: 1238214 20-24 Lockyer Street GOULBURN**

#### **Context**

TfNSW notes for this planning proposal:

- The key state road is Hume Street.
- Council is seeking advice from TfNSW regarding the updated traffic assessment named Traffic Response. It was written by McLaren Traffic Engineering and Road Safety Consultants in April 2024. This document was prepared to address concerns raised by TfNSW concerns on the PP in February 2024.
- The planning proposal is seeking to amend the Goulburn Mulwaree Local Environment Plan to rezone the subject land from RU2 (Rural Landscape) to E4 (General Industrial) and to remove the 100ha minimum lot size control.
- The planning proposal also indicates the potential industrial development of ten warehouses, associated infrastructure, and an upgrade to the local road network as generally shown in **Attachment 2**.

#### **Comments**

1. On Lockyer Street to Finlay Street, there is a gap in the [Restricted Access Vehicle Map](#), therefore prohibiting restricted access vehicles (RAV's) from accessing the planning proposal site. Future Development application may require RAV's and this would require an update the map to permit RAV's on Lockyer / Tait Street.

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Transport for NSW



Attachment 2

**PP\_2023\_2555 – REZ/0004/2324 – Planning Proposal for re-zoning – LOT: 2 DP: 1238214  
20-24 Lockyer Street GOULBURN**

**Attached: Site plan**

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3 of 3



**From:** Justin Wakefield <[Justin.Wakefield@goulburn.nsw.gov.au](mailto:Justin.Wakefield@goulburn.nsw.gov.au)>  
**Sent:** Monday, 15 January 2024 12:51 PM  
**To:** David Kiernan <[David.Kiernan@goulburn.nsw.gov.au](mailto:David.Kiernan@goulburn.nsw.gov.au)>; George Angelis <[George.Angelis@goulburn.nsw.gov.au](mailto:George.Angelis@goulburn.nsw.gov.au)>; David Innes <[David.Innes@goulburn.nsw.gov.au](mailto:David.Innes@goulburn.nsw.gov.au)>  
**Cc:** Kate Wooll <[Kate.Wooll@goulburn.nsw.gov.au](mailto:Kate.Wooll@goulburn.nsw.gov.au)>  
**Subject:** RE: Referral Request- Planning Proposal 20-24 Lockyer St, Goulburn (PP\_2023\_2555)(REZ/0004/2324)

Hi David,

As you have identified, this is a request for a rezoning review, not a review of a DA. With this in mind, please see comments below.

The rezoning proposal is not out of place given the nature and number of surrounding businesses currently operating in the precinct, which include multiple industrial/manufacturing outlets, a chicken rearing facility, car yard, multi-use storage and warehousing facilities (includes a gym) and carpet outlet/warehouse. It is unlikely complaints from neighbours would arise given the proposed rezoning would be consistent with their existing use.

Access is not an issue as identified in the reports submitted by the applicant.

Services/utilities are available to meet any requirements of the proposed rezoning. If they require upgrading that will be addressed at the time of any DA submission.

Should the site be rezoned and the proposed DA is submitted, the site will not be able to be subdivided further and create future problems we have encountered elsewhere. This also means the traffic assessment will be relevant post rezoning.

Things like existing road condition and suitability for proposed usage can be reviewed as part of DA assessment following lodgement.

There are no objections from an engineering perspective to the rezoning request.

Regards

Justin

**Justin Wakefield**  
Acting Business Manager Design & Asset Management

P [4823 4459](tel:48234459) | M [0407 911 465](tel:0407911465)

Hi Kate and David,

I refer to your email and Transport for NSW advice dated 16 February regarding 20-24 Lockyer St.

Investigation of the background to the unusual restriction on heavy vehicle usage of the link road construction between Lockyer St and the former Tait St has revealed:

1. The Local Traffic Committee considered a report from the Director Operations at its meeting on 1 August 2019 on possible restrictions in Lockyer St, principally to not allow heavy vehicles to use the street to travel from Sowerby St to Finlay Rd
2. Council considered the LTC recommendation at its meeting on 20 August 2019 and resolved:
  - a. *Council install a vehicle dimension sign at each approach to this link road restricting vehicle dimensions to less than 5.5m*
  - b. *Council install "No Truck" signs at each approach to this link road*
  - c. *Council grant exemptions to businesses along this link road for deliveries by heavy vehicles for operational purposes*
  - d. *Council investigate threshold treatments to assist with delineation of light vehicle designation*
3. Note that such restrictions can only be imposed by Council resolution as the Roads Authority.

The restriction is permissible under rule 104 of the Roads Act. The rule states: *A driver must not drive past a "no trucks" sign that has information on or with it indicating a length if the length of the vehicle is longer than that length.*
4. I could not find why the proposal was for a length limit rather than a more conventional load limit. It may be related to the fact that the link road was newly constructed and would have been designed to cater for likely heavy loads and would therefore not meet the requirement for a load limit to protect an understrength pavement. The length limit is more usually used for a situation where there are geometric limitations where large vehicles would not be able to negotiate bends in the road.
5. With regard to the likely vehicles accessing 20-24 Lockyer, I haven't seen the traffic assessment by McLaren Traffic Engineering. However, the site plan would suggest that vehicles would be limited to prime mover/semi-trailer or truck and dog trailer. As such, it is most unlikely that B-double style vehicles would be accessing the site.
6. If this is the case, heavy vehicles accessing the site would be classified as "General Access Heavy Vehicles". According to the Transport for NSW web site, *"under the national mass and loading arrangements, general access heavy vehicles have unrestricted access to the road network, except where sign posted otherwise"*.
7. If it is accepted that the vehicles accessing the site are GAHV, then there would not be a need to extend the Restricted Access Vehicle (RAV) map as it applies to B-double vehicles.
8. It will be noted that Council's resolution part (c) allows access for heavy vehicles to properties along the link. This would appear to make the above argument a moot point as the resolution allows access for heavy vehicles but maintains the restriction of not allowing heavy vehicles to pass along the link to another destination.
9. This is further supported by section (4) of rule 104 which states: *"This rule does not apply to a driver if the destination of the driver lies beyond a "no trucks" sign and there is no other route by which the driver's vehicle could reach that destination"*

With regards to the TfNSW letter:

- An updated TIA would provide more information on the types of vehicles accessing the site

- The relevant road rules would appear to allow heavy vehicle access, but it might be interesting to get the TIA author's view
- As set out above, there may be no need to amend the RAV map depending on the type of heavy vehicles.

I trust this is reasonably clear. If you need more info, let me know.

Regards

David



**David Innes**  
**Contractor**  
[P 4823 4867](tel:48234867)

## **WATER SERVICES REFERRAL**

### 306 Conditions

- Applicant to complete and submit a section 305 application (Water Management Act). Following DA consent Utilities will respond with a section 306 certificate outlining water, sewer & stormwater conditions and section 64 contribution fees.
- 305 Application fee for this will be \$1,213 for the 2023/2024 financial year.

### Sewer Conditions

Each lot will require an individual sewer junction connection. Inter allotment drainage is not permitted (sewer connections must wholly service the lot it lies within). The proposed development must comply with Council's Councils Clearance & Easements Policy requirements for Structures adjacent to Sewer & Stormwater Mains Policy. All works are to be inspected by Council prior to backfill.

Sewer main extension will be required to service each Lot, a full set of hydraulic designs will need to be submitted prior to issue of s306, plans should show the following:

- Long sections (chainage, grade, material, pipe class, invert & manhole level/depth, surface level, diameter, junction location and depth)
- Alignment with easement widths complying with policy.
- MH details complying with sewer construction standards.
- Junction details complying with sewer construction standards.
- Sewer main is to be centrally located over dedicated easement and easement width is to comply with Council's Councils Clearance & Easements Policy
- Sewer specifications complying with GMC and WSAA construction standard.

Easement widths need to comply with table provided within Clearances and Easements Policy. For twin mains layout, each main needs to remain outside the zone of influence of the deeper main.

Where retaining walls are located on or near sewer mains, clearances need to comply with current clearances policy for retaining walls parallel to the sewer main, and for retaining walls perpendicular to the sewer main, loadings need to be transferred into the ground outside the zone of influence of that sewer main. Retaining wall loads are permitted over the zone of influence.

Sewer main is to be a minimum 1.2m off the boundary.

### Water Conditions

Water main extension will be required to service each lot, each lot will also require a metered water supply. Water meters are to be supplied and installed by Council at the expense of the Developer. Council can install water meters on newly installed water main upon submission of a water application and payment of quote. All works are to be inspected by Council prior to backfill.

Full set of hydraulic designs will need to be submitted prior to issue of s306, plans should show the following:

- Alignment of water main.
- Water main specifications (class, size, material, etc.).
- Water meter locations and water service alignment (Copper service to be grade A copper).
- Water main specifications complying with GMC and WSAA construction standards.
- Thrust block, hydrant and stop valve details.
- Stop valves need to be located in a way to isolate individual streets.

Water services crossing roads need to be 25mm services with 20mm water meter in the lot. Deflection in water mains is not permitted within Goulburn Mulwaree Council. Connection into existing live infrastructure shall be done by Council upon submission of water application and payment of quote.

Council Policy's

Development must comply with the following Council Policy's:

- Councils Water Metering and Connection Policy
- Councils Clearance & Easement requirements for Structures adjacent to Sewer & Stormwater Mains Policy
- GMC Water Construction Standards
- GMC Sewer Construction Standards

Contributions

Contributions	ET	\$/ET	\$
Water Contributions	12.6	\$6,640	\$83,664
Sewer Contributions	18.9	\$12,010	\$229,989
<b>Total Contributions</b>			<b>\$310,653</b>

## 16.2 DA/0195/2324 - 3 LOT TORRENS TITLE SUBDIVISION, 6 PARK STREET GOULBURN

### RESOLUTION 2024/126

Moved: Cr Steven Ruddell

Seconded: Cr Jason Shepherd

That:

1. The staff assessment report for development application DA/0195/2324 for the proposed Three (3) Lot Torrens Title Subdivision be received.
2. Consent be granted for DA/0195/2324 for a three (3) Torrens Title Subdivision located at 6 Park Street and 65 Citizen Street, Goulburn subject to the conditions in the Attachment.

Section 375A of the Local Government Act 1993 requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

**CARRIED**

In Favour: Crs Andrew Banfield, Carol James OAM, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

## 16.3 PLANNING PROPOSAL - ZONING AND MINIMUM LOT SIZE AMENDMENT TO PART OF 20-24 LOCKYER STREET, GOULBURN

Cr Jason Shepherd declared an interest in this item and took no part in the discussion or voting on the matter. At 6:56 pm, Cr Jason Shepherd left the meeting.

### RESOLUTION 2024/127

Moved: Cr Michael Prevedello

Seconded: Cr Carol James OAM

That:

1. The report from the Senior Strategic Planner regarding the proposed zoning amendment to the Goulburn Mulwaree Local Environmental Plan 2009 be received.
2. Council prepare a planning proposal to amend the Goulburn Mulwaree Local Environmental Plan 2009 to:
  - (a) Amend the land use zoning of part of Lot 2, DP1238214 at 20-24 Lockyer Street, Goulburn from RU2 Rural Landscape to E4 General Industrial.
  - (b) Remove the current 100ha minimum lot size and apply no minimum lot size restriction to the entirety of Lot 2, DP1238214 at 20-24 Lockyer Street, Goulburn.
3. Subject to 3 (a) below, the planning proposal be forwarded to the Department of Planning, Housing and Infrastructure for a Gateway determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979.
  - (a) The submission to Council of a full Aboriginal Cultural Heritage Assessment Report in accordance with *The Code of Practice for Archaeological Investigation in NSW* (DECCW 2010), *Aboriginal cultural heritage requirements of proponents* (DECCW, 2010) and advice prepared by Heritage NSW in Attachment 2.
4. The Department of Planning, Housing and Infrastructure be advised that Council wishes to be the delegated plan making authority for this proposal.
5. If the Department of Planning, Housing and Infrastructure issues a Gateway



**determination to proceed with the planning proposal, consultation be undertaken by Council with the community and government agencies in accordance with any directions of the Gateway determination.**

- 6. The fees charged in this Planning Proposal are as per the 2023-2024 fees and charges due to it being lodged in the previous financial year.**

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

**CARRIED**

In Favour: Crs Andrew Banfield, Carol James OAM, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Peter Walker and Andy Wood

Against: Nil

At 7:00 pm, Cr Jason Shepherd returned to the meeting.

#### **16.4 POST EXHIBITION REPORT - GOULBURN DRINKING WATER TREATMENT PLANT PLANNING PROPOSAL - 233-234 WHEEO RD, GOULBURN**

##### **RESOLUTION 2024/128**

**Moved:** Cr Andrew Banfield

**Seconded:** Cr Andy Wood

**That:**

- 1. The post exhibition report from the Business Manager Strategic Planning concerning the rezoning of part of 233-234 Wheeo Road, Goulburn be received.**
- 2. Council endorses the draft planning proposal to rezone part of No 233- 234 Wheeo Road, Goulburn (Lot 1 DP 1030749) from RE1 Public Recreation to SP2 Infrastructure (Public Utility Undertaking).**
- 3. A Draft Instrument be prepared that is consistent with the above amendment.**
- 4. The Chief Executive Officer be issued with the delegation to sign the draft amending Instrument on behalf of the Council as the local plan making authority.**
- 5. Council request that the NSW Department of Planning, Housing and Infrastructure notify the draft amendment once signed.**

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

**CARRIED**

In Favour: Crs Andrew Banfield, Carol James OAM, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil