



IRF 25/211

Gateway determination report – PP-2023-2555

Rezoning 20-24 Lockyer Street, Goulburn

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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1 Planning proposal

1.1 Overview

Table 1 Planning proposal details

| | |
|---------------------------------|--------------------------------------------------------------------------------------------------------------|
| LGA | Goulburn Mulwaree |
| PPA | Goulburn Mulwaree Council |
| NAME | Rezoning 20-24 Lockyer Street, Goulburn |
| NUMBER | PP-2023-2555 |
| LEP TO BE AMENDED | Goulburn Mulwaree LEP 2009 |
| ADDRESS | 20-24 Lockyer Street, Goulburn |
| DESCRIPTION | Lot 2 DP1238214 |
| RECEIVED | 16/12/2024 |
| FILE NO. | IRF25/211 EF24/18840 |
| POLITICAL DONATIONS | There are no donations or gifts to disclose and a political donation disclosure is not required |
| LOBBYIST CODE OF CONDUCT | There have been no meetings or communications with registered lobbyists with respect to this proposal |

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to rezone the subject site to enable future employment development.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Goulburn Mulwaree LEP 2009 per the changes below:

Table 2 Current and proposed controls

| Control | Current | Proposed |
|---------------------|---------------------|-----------------------|
| Zone | RU2 Rural Landscape | E4 General Industrial |
| Minimum lot size | 100ha | No minimum lot size |
| Number of dwellings | 0 | 0 |
| Number of jobs | 0 | 325 |

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

This planning proposal involves a site of 11.5 hectares of RU2 (Rural landscape) zoned land situated on the southern edge of the Goulburn Urban Area at 20-24 Lockyer Street, Goulburn. Comprising part of Lot 2 DP1238214, the broader lot also includes a small area of land on the northern boundary already zoned E4 General Industrial with no minimum lot size (See Figure 1 - Subject Site and Figure 2 – Site Context).

Land to the north and west is characterised by developed industrial lands, to the south is the Hume Highway and cleared grazing land to the east.

The subject site is currently zoned RU2 Rural Landscape with a 100ha MLS and is located within the South Goulburn Enterprise Corridor Precinct as identified in the Goulburn Mulwaree Employment Land Strategy. The site is predominantly cleared pasture with a shed on the western corner and includes 4 existing farm dams and a drainage line. The site has no existing connections to reticulated water and sewer.

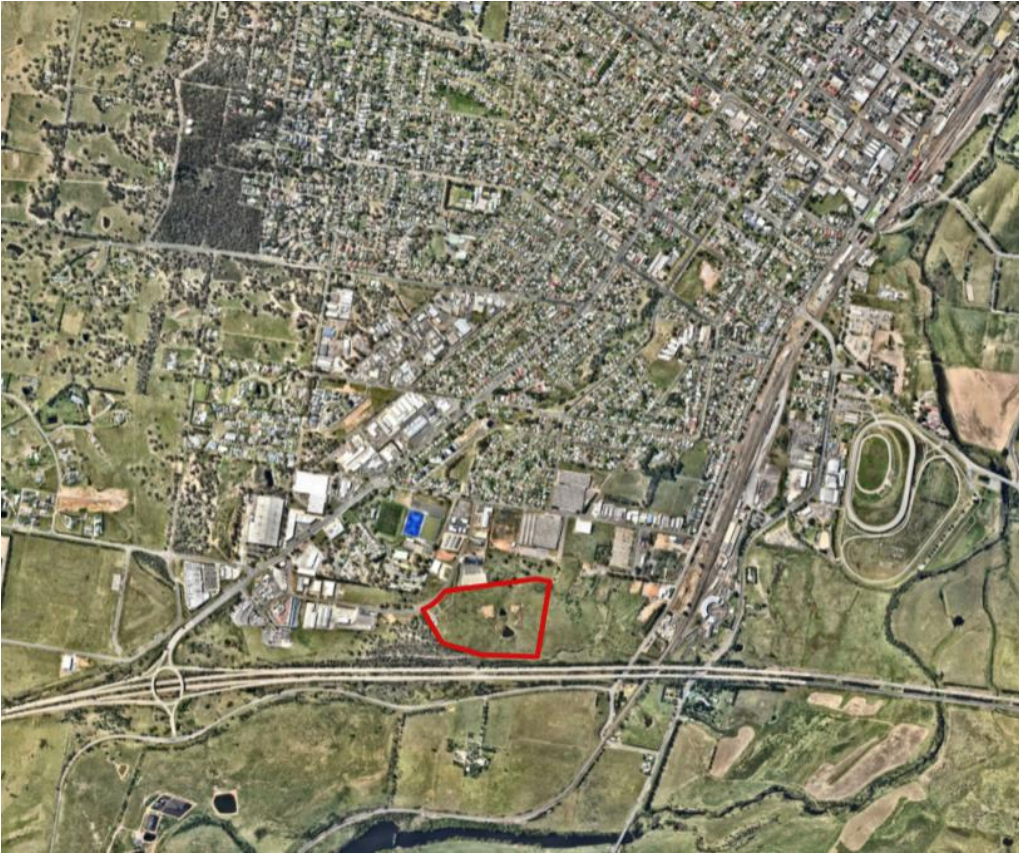


Figure 1 Subject site (source: Planning Proposal)

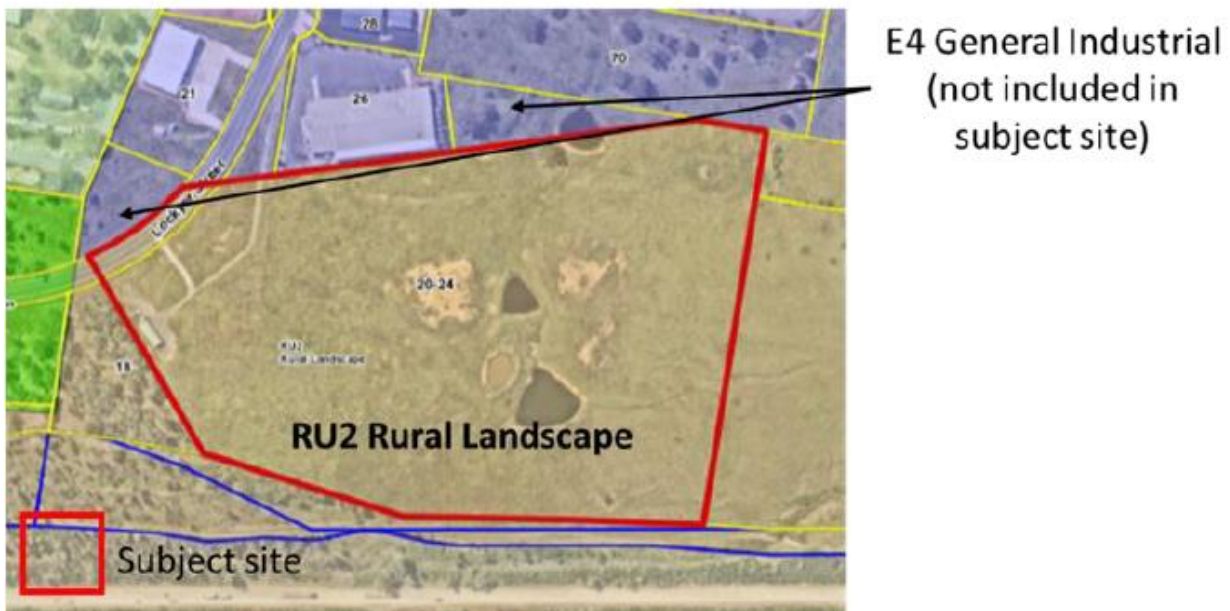


Figure 2 Site context (source: Planning Proposal)

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the Land zoning and Minimum Lot size maps, which are suitable for community consultation.

Council will need to prepare the full LEP standard mapping as part of any subsequent LEP finalisation process.

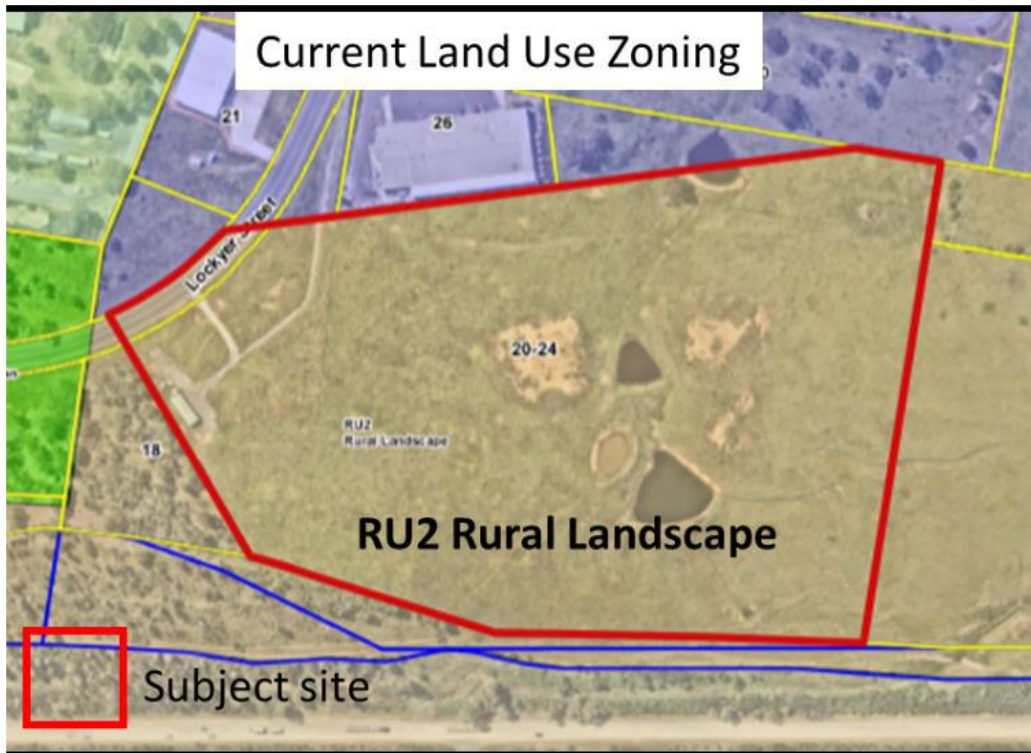


Figure 3 Current Zoning Map

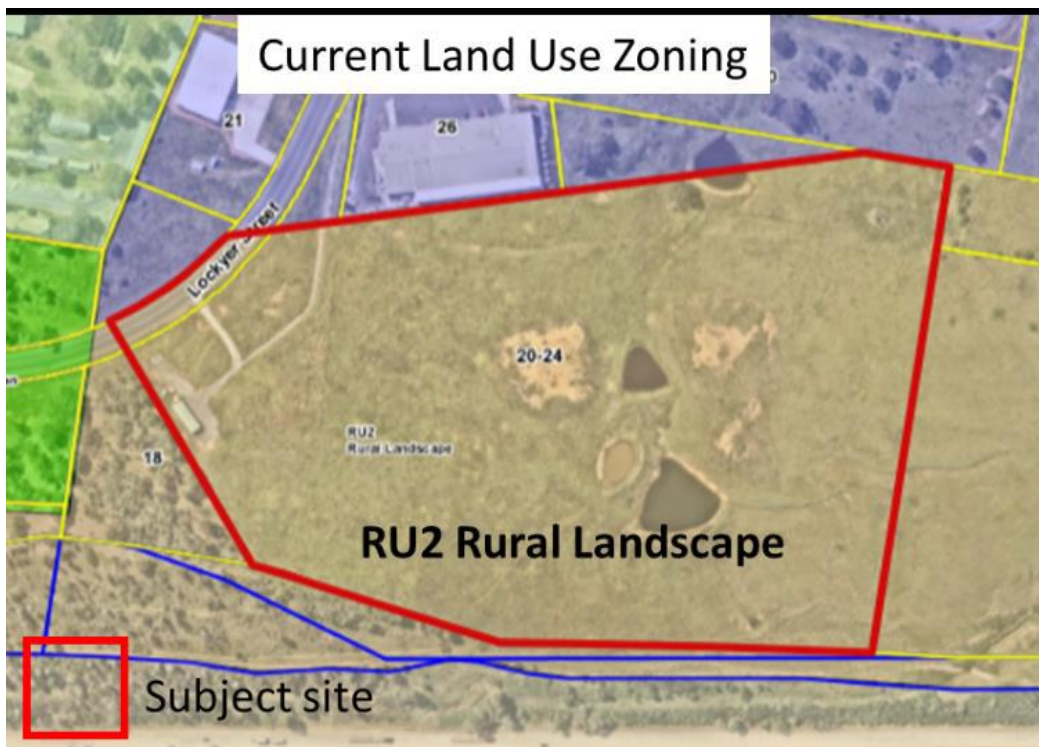


Figure 4 Proposed Zoning Map



Figure 5 Current Lot Size Map



Figure 6 Proposed Lot Size Map

1.6 Background

The Planning proposal identifies that the site has been subject to 2 planning proposals prior to the submission of the current proposal.

2019 Proposal- Dossie St

A planning proposal was initially submitted in 2019 which sought to rezone this site alongside its neighbour, 2E Sloane Street (previously in Council ownership). This proposal was known as the Dossie Street proposal and the subject site known as 12 Tait Street. This proposal sought to rezone the site and its neighbour from RU2 Rural Landscape to IN1 General Industrial and R5 Large Lot Residential. The proposal went through the Gateway process but was never completed. Several issues were identified but not resolved including Contamination, Biodiversity, Traffic and Aboriginal Cultural Heritage. The more significant of these constraints were largely (not exclusively) focused on the neighbouring site 2E Sloane St.

Expedited Amendment- Part of 20-24 Lockyer St (PP-2022-2030)

An expedited amendment planning proposal (PP-2022-2030) was completed in July 2022 which resolved a split zoning anomaly on the small trapezoid piece of land separated by Lockyer Street to the west. The amendment removed the RU2 Rural Landscape zone and minimum lot size on the western land parcel and replaced it with a IN1 General Industrial Zone.

2 Need for the planning proposal

The Planning Proposal outlines that Goulburn Mulwaree Employment Land Strategy identifies the subject site within the South Goulburn Enterprise Corridor and within the Lockyer St/Sowerby St Enterprise corridor sub precinct and includes a recommendation to rezone the site from rural to residential.

The Employment Land Strategy identifies the sub precinct as comprising a range of uses including tourism and significant manufacturing businesses. It highlights that most of the precinct has been developed with only some vacant lots within Lockyer Street and three lots fronting Hume Street remaining. The Employment Lands Strategy includes the following relevant opportunities for the sub precinct:

- Extension of Lockyer Street to Tait Crescent to provide improve access and connectivity.
- The rezoning of the previously owned Council east of the Cul-de-sac at the end of Lockyer Street will provide additional enterprise corridor land.

Further, the proposal notes that the Council have already acted upon the road extension opportunity identified above, with the road extension of Lockyer Street to Tait Crescent, completed in 2019/2020. This road extension provides the subject site with a road frontage onto a two-way road and meets the opportunity presented in the Employment Land Strategy.

This proposal is seeking the rezoning of land at the end of what was previously Lockyer Street cul-de-sac to provide employment land in accordance with the opportunities and recommendations of the Employment Land Strategy.

The planning proposal notes that the current permissible uses in the RU2 Rural Landscape zone prohibit the use of the land for industries which would include the range of warehousing and associated office space sought by the proponent. The current RU2 rural landscape zoning would also prohibit the uses recommended for the site by the Employment Land Strategy.

Further, the proposal considers that rezoning the subject site from RU2 Rural Landscape to E4 General Industrial and the removal of the current 100ha minimum lot size is the only means of achieving the intended outcome of enabling future employment land supply and development on the subject site.

DPHI agrees that the rezoning of land and removal of minimum lot size standard mapped in the LEP is the most appropriate mechanism to allow for the change from rural to industrial land uses as proposed by Councils Employment Lands Strategy and outlined in the planning proposal.

3 Strategic assessment

3.1 Regional Plan

The Planning proposal and following table provides an assessment of the planning proposal against relevant aspects of the South East and Tablelands Regional Plan 2036 (SETRP 2036), and also draft South East and Tablelands Regional Plan 2041 (DSETRP 2041).

DPHI has reviewed the planning proposal in the context of both the current and draft Regional Plans and is comfortable that it seeks to provide additional industrial lands in a suitable location and is not inconsistent with the provisions of either Regional Plan.

Table 3 Regional Plan assessment

| Regional Plan Objectives | Justification |
|-------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Direction 4: Leverage growth opportunities from Western Sydney | <p>Action 4.2 (SETRP 2036) requires the maintenance of a supply of appropriately serviced employment land to create opportunities for new industrial development, this action aligns with Objective 15 of the Draft SETRP.</p> <p>This site is identified for industrial development in the adopted Goulburn Mulwaree Employment Land Strategy. This planning proposal seeks to rezone land to E4 General Industrial to facilitate the supply of suitably zoned land for industry.</p> |
| Direction 8: Protect important agricultural land | <p>Action 8.2 (SETRP 2036) is to protect identified important agricultural land from land use conflict, fragmentation etc.</p> <p>The site is not identified as important agricultural land. Whilst the site is currently zoned RU2 Rural Landscape it adjoins land zoned E4 General Industrial and is largely a fragment of rural land created by the Hume Highway when it was constructed. Given the proximity to industrial land and the fragmentation from the rural hinterland of Goulburn to the south, it is considered that the proposal is compliant with this direction.</p> <p>The proposed zone aligns with a specific recommendation of the Goulburn Mulwaree Employment Land Strategy adopted by the Council and endorsed by Secretary of Planning.</p> |
| Direction 11: Enhance strategic transport links to support economic growth | <p>Action 11.3 is to limit inappropriate development and direct access points along strategic transport links such as the Hume Highway.</p> <p>The planning proposal is compliant with this action as industrial use of the site is considered to be suitable given the site's proximity to the Hume Highway. The planning proposal identifies suitable access to the site via Council's local road network leading into the classified road network. The site will assist in maximising the strategic transport link that the Hume Highway provides.</p> <p>The planning proposal also aligns with Objective 21 of DSETRP 2041 by taking advantage of a site with efficient access to infrastructure and services.</p> |

| | |
|----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Direction 16: Protect the coast and increase resilience to natural hazards | <p>The subject site is not identified as bushfire prone land on the latest version of the mapping certified by the NSW Fire Commissioner in November 2024. The site is separated from the closest bushfire source by the Hume Highway to the south. Access to the site is proposed via Lockyer Street which is in the opposite direction to the closest fire hazard south of the Hume Highway. The site is intended to be serviced by Council's reticulated water supply.</p> <p>The site is elevated and not affected by riverine flooding as identified in the Goulburn Floodplain Risk Management Study and Plan which implements the requirements of the NSW Flood Risk Management Manual and Toolkit. Furthermore, Council's overland flood model does not identify any flood risks associated with overland flooding of the site.</p> <p>Given the proposed industrial usage of the site, it is of a lower sensitivity to risk than residential development. It is considered that the planning proposal also aligns with Objective 7 of DSETRP 2041.</p> |
| Direction 23: Protect the region's heritage | <p>Both the current and emerging <i>South East and Tablelands Regional Plans</i> seek to protect the region's heritage with particular regard to consulting with Aboriginal people to identify heritage values and to conserve heritage assets during the strategic planning stage.</p> <p>The subject site is located within a Potential Aboriginal Artefacts layer and within an area identified as places of Aboriginal significance, identified in consultation with the Aboriginal community. In response, the proponent has submitted an Aboriginal Cultural Heritage Assessment Report prepared by Past Traces dated 30 September 2024. The Assessment has sought to identify potential heritage values on the site and has been prepared with engagement from the local Aboriginal Community. The ACHAR includes a consultation log in relation to the registered Aboriginal parties (RAP). In addition to this Council will consult with the local Aboriginal community during the public consultation phase and specifically with the Pejar Local Aboriginal Land Council post Gateway (and pre public exhibition). The ACHAR identifies a range of management recommendations for the site moving forwards following consultation with the RAPs and based on the results of the test pitting sub surface program undertaken. In summary the recommendations are that there are three heritage sites within the area to be rezoned. No impacts on the sites can occur without an approved AHIP. On one site, subject to an AHIP being approved, surface collection of artefacts is recommended with an approved methodology of recording and returning to country is identified.</p> <p>In relation to European cultural heritage, the site is not identified as having any cultural values. The closest listed heritage items to the site are the locally listed Goulburn Workers' Club Arena to the west of Lockyer Street and the South Hill complex located on the Southern side of the Hume Highway. Given the site's sloping topography on the lower side of Lockyer Street, it is unlikely that any development of the site will impact any views to or curtilage of the Goulburn Workers' Club area site. The South Hill complex is located on a hill which is higher than some of the subject area and the subject site for the rezoning will be visible from this site. However, the orientation of the main dwelling and the substantial garden plantings around the homestead along with the distance between the sites is likely to result in a minimal impact on distant (non-primary) view lines.</p> |

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 4 Local strategic planning assessment

| Local Strategies | Justification |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local Strategic Planning Statement 2020 | <p>The planning proposal outlines consistency with the following Planning Priorities:</p> <p><u>Planning Priority 6: Industry and Economy</u> which identifies the challenge of meeting the employment needs of a growing population with a required focus on attracting employment generating business into the local area. It includes the following Vision ` <i>Local industry provides for the employment needs of the region within a thriving and diversified economy which is resilient to change</i> `.</p> <p>This proposal is seeking the rezoning of 11.5ha of land on the edge of the Goulburn area (ultimately creating a E4 zoned site of 12.5ha) to E4 general industry to provide for an multi warehouse development. The site is accessible to both the local population via local roads, public transport and active transport infrastructure and a wider catchment through its proximity to the Hume Highway junction. The ultimate development of the site will generate employment opportunities to assist in meeting the needs of a growing population. Due to the proximity and ease of access to the Hume Highway, an E4 zoned industrial site would also provide a good opportunity for business relocating from Sydney due to its higher operating costs and more limited land supply for expansion.</p> <p><u>Planning Priority 9: Heritage</u> – The planning proposal recognises and seeks to protect areas of cultural heritage through the Aboriginal Cultural Heritage Assessment (ACHA) which includes the identification and management of cultural heritage. The future development of the site is not identified in the proposal as having a significant impact on locally listed items of built heritage within the precinct.</p> <p><u>Planning Priority 10: Natural Environments</u> sets a vision for the protection and enhancement of natural environments and systems. It also includes Action 10.8 to locate, design, construct and manage new developments to minimise impacts on water catchments.</p> <p>A flora and fauna assessment submitted in support of the proposal is broadly supported by Councils Environment and Biodiversity Assessment Officer with the inclusion of safeguards around hollow bearing tree protection and the fauna associated with the removal of farm dams.</p> <p>DPHI agrees that the proposal is supported by an endorsed Council strategy is consistent with Council's Local Strategic Planning Statement as outline above and in the planning proposal.</p> |
| Goulburn Mulwaree Employment Land Strategy 2016 | <p>DPHI Regional Office acknowledges that, as detailed throughout this report, the subject site was identified for future employment land use in Council's Goulburn Mulwaree Employment Land Strategy. This strategy was endorsed by the Secretary of Planning in 2016. This proposal is consistent with this strategy.</p> |

3.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 5 - 9.1 Ministerial Direction assessment

| Directions | Consistent/ Not Applicable | Reasons for Consistency or Inconsistency |
|----------------------------------------|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.3 Sydney Drinking Water Catchments - | Yes | <p>The objective of this direction is to provide for healthy catchments and protect water quality in the Sydney drinking water catchment which includes Goulburn Mulwaree.</p> <p>The planning proposal is supported by a range of studies/strategies in relation to flooding, site contamination, Water Cycle and Stormwater Management.</p> <p>Pre-Gateway consultation with Water NSW has been undertaken and Council reporting has sought to update information and amend the proposal to address matters raised by Water NSW.</p> <p>Water NSW concluded that the site has capacity to accommodate the proposed industrial uses.</p> <p>The planning proposal notes that further assessments will be required for any subsequent development application once a final development footprint is defined, and that WaterNSW will be further consulted following a Gateway Determination.</p> <p>DPHI considers the proposal to have addressed the requirements of and is consistent with the Direction, and notes further consultation is proposed and subsequent DA's will also need to address matters around these issues.</p> |
| 4.1 Flooding | Yes | <p>The objectives of this Direction are to:</p> <p>a) Ensure that development of flood prone land is consistent with the NSW governments' Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>, and</p> <p>b) Ensure the provisions of an LEP that apply to flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p> <p>The planning proposal notes the <i>Goulburn Floodplain Risk Management Study and Plan</i> (The Flood Study), prepared in collaboration the Department of Planning and Environment-Environment, Energy and Science was adopted by</p> |

| | | |
|--------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | <p>Council on 16 August 2022 and includes the entirety of the subject site.</p> <p>The proposal outlines that the does not include any land within the flood planning area. This planning proposal is considered consistent with Direction 4.1 in that no provisions of the proposal will or can relate to the flood planning area as it does not encroach into the site.</p> <p>DPHI acknowledges the assessment, supported by the Council's adopted Flood study (2022), indicates that the site appears to be largely flood free and in this regard is suitable for industrial development. It is however recommended that the Gateway determination require consultation with DCCEEW to re-affirm this against the latest flood planning requirements.</p> |
| 4.3 Planning for Bushfire Protection | To be confirmed via consultation with RFS ahead of Community consultation. | <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> a) Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and b) Encourage sound management of bushfire prone areas. <p>The Planning proposal states that it is consistent with the Direction.</p> <p>The proposal and accompanying Bushfire Protection Measures Report state that the site is not identified as being bushfire prone (as per the recently updated bushfire prone land maps) but is approximately 100m separated from the bushfire prone buffer on the southern side of the Hume Highway.</p> <p>The proposal details that the subject site at 11.5ha in area (12.5ha for the entire lot) is sufficiently sized to appropriately accommodate large warehouse development with necessary building setback standards and achieve compliant bushfire safety standards and will have access to water with firefighting appliances positioned at the site entrance on Lockyer Street. Further, the site will be provided with a two-way internal access road which terminates in a cul-de-sac with a large turning circle. This internal access road leads onto Lockyer Street which is a two-way road with connections north onto Finlay Road and south onto Sowerby Street providing multiple evacuation routes which are in the opposite direction to the bushfire risk.</p> <p>DPHI notes the bushfire assessment findings and that a range of measures will be</p> |

| | | |
|------------------------------------------------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | <p>implemented/addressed at development assessment stage to ensure continued compliance with planning for bushfire.</p> <p>Council has proposed that NSW Rural Fire Service will be consulted as part of the planning proposal process prior to community consultation and any comments made will be incorporated into subsequent versions of this planning proposal to ensure consistency with this Direction.</p> <p>This approach is supported and is recommended to form a condition of the Gateway Determination.</p> |
| Direction 4.4 Remediation of Contaminated Land | Yes | <p>The objective of this Direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>The planning proposal notes that subject site is not identified as significantly contaminated, however is identified on the Council's local contaminated land register which indicates a potentially contaminating previous use. The site has most recently been used for agricultural purposes but has previously been used for storage and disposal of demolition material for 12 months in 1976.</p> <p>The planning proposal has been supported by a Preliminary Site Investigation for Contamination (PSI), prepared by Douglas Partners dated October 2019.</p> <p>The proposal flags that the proposed E4 General Industrial zone prohibits residential, educational, recreational uses and uses related to childcare, and Council have determined that the site is suitable for its intended industrial land use upon implementation of the outstanding recommendations of the PSI and is therefore consistent with the Direction.</p> <p>DPHI concurs that the identified low risk of contamination and land uses proposed by the rezoning ensure that the site is suitable for the purposes of the proposed zone and is therefore consistent with the Direction.</p> |
| 5.1 Integrating Land Use and Transport | Yes | <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and</p> |

| | | |
|-----------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | <p>street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and e) providing for the efficient movement of freight. <p>The planning proposal provides an assessment against this direction and concludes that the proposal is considered to improve access to jobs by locating new employment provision within the existing urban area, within proximity to a range of uses including residential which are accessible via the private car and active travel modes. The proposal does not adversely affect the viable operation of transport services and ensures the efficient movement of freight.</p> <p>DPHI agrees that the location and proposed land uses are consistent with surrounding employment land uses in a strategically identified employment precinct on the edge of the Goulburn urban area, with good transport connections, and is therefore consistent with this direction.</p> |
| 9.1 Rural Zones | Yes | <p>The objective of this direction is to protect the agricultural production value of rural land.</p> <p>The planning proposal states that it is consistent with the Direction as the site is specifically identified for future industrial use in the Goulburn Mulwaree Employment Land Strategy, which was endorsed by NSW DPHI. The site is fragmented from the rural hinterland by the Hume Highway and adjoins an existing industrial area.</p> <p>DPHI agrees that the site is included in Council's Employment Land Strategy, that has been endorsed by the Department and therefore any inconsistency with this Direction is justified in accordance with the Direction and no further action is required.</p> |

9.2 Rural Lands

Yes – Minor and justified by a Strategy

The objectives of this direction are to:

- a) Protect agricultural production value of rural land,
- b) Facilitate the orderly and economic use and development of rural lands for rural and related purposes,
- c) Assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the state,
- d) Minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,
- e) Encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land,
- f) Support the delivery of the actions outlined in the NSW Right to Farm Policy.

The planning proposal notes that the subject site is not included as state significant agricultural land, is a fragment of rural land located on the urban periphery of Goulburn and separated from the surrounding rural area by the Hume Highway and as such its value as rural land is relatively low and the location and proposed future development is unlikely to generate and rural land use interface issues.

Further, the proposal notes that any inconsistency is justified by the *Goulburn Mulwaree Employment Land Strategy* which identifies the site for industrial development. The *Goulburn Mulwaree Employment Land Strategy* has been approved by the Planning Secretary, the strategy has considered the objective of this direction and identifies the land which is subject of the planning proposal.

DPHI agrees that any inconsistency is justified as detailed above and no further action is required in this regard.

3.4 State environmental planning policies (SEPPs)

The planning proposal contains a through address of applicable State Environmental Planning Policies (SEPP)

the planning proposal is consistent with all relevant SEPPs as discussed in the table below.

Table 6 Assessment of planning proposal against relevant SEPPs

| SEPPs | Requirement | Consistent/ Not Applicable | Reasons for Consistency or Inconsistency |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| State Environmental Planning Policy (Biodiversity and Conservation) 2021- Chapter 6: Water Catchments, Part 6.5 Sydney Drinking Water Catchment | <p>A) To provide for healthy water catchments that will deliver high quality water to the Sydney area while also permitting compatible development, and</p> <p>B) To provide for development in the Sydney drinking water catchment to have a neutral or beneficial effect on water quality.</p> | Yes | A Water Cycle and Stormwater Management Strategy was prepared for the site and been reviewed by WaterNSW. Water NSW consider the site is technically capable of achieving a neutral or beneficial effect on water quality and this is likely to be achieved through a development proposal of lesser intensity and with a revised layout. |

| SEPPs | Requirement | Consistent/ Not Applicable | Reasons for Consistency or Inconsistency |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| State Environmental Planning Policy (Primary Production) 2021 | <p>(a) facilitate the orderly economic use and development of lands for primary production,</p> <p>(b) reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,</p> <p>(c) identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,</p> <p>(d) simplify the regulatory process for smaller-scale low risk artificial water bodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,</p> <p>(e) encourage sustainable agriculture, including sustainable aquaculture,</p> <p>(f) require consideration of the effects of all proposed development in the State on oyster aquaculture,</p> <p>(g) identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.</p> | Yes | <p>The subject site is currently zoned RU2 Rural Landscape and has historically been used for grazing and therefore this SEPP applies. The site is located on the edge of the Goulburn urban area with the Hume Highway to the south of the site forming a buffer to the urban area of Goulburn, from its rural hinterland.</p> <p>The site is in an area surrounded by other urban uses including commercial and industrial development to the north and west. The proximity of the site to the Hume Highway facilitates an ease of access to the strategic transport network.</p> <p>The land is not identified as State significant agriculture and the locational advantages of this site and its proximity to the Hume Highway and other employment generating uses is recognised in the Employment Land Strategy which identifies the site for future industrial development and recommends the site's rezoning.</p> <p>The future redevelopment of the site for industrial lands uses is supported by Councils <i>Goulburn Mulwaree Employment Land Strategy endorsed by the Secretary in 2016.</i></p> |

| SEPPs | Requirement | Consistent/ Not Applicable | Reasons for Consistency or Inconsistency |
|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4: Remediation of Land | <p>The object of this policy is:</p> <p>1) To provide for a State-wide planning approach to the remediation of contaminated land.</p> <p>2) In particular, this policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment -</p> <p>a) By specifying when consent is required, and when it is not required, for remediation work, and</p> <p>b) By specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</p> <p>c) By requiring that a remediation work meet certain standards and notification requirements</p> | Yes | <p>The subject site is not identified as significantly contaminated but is identified on the Council's local contaminated land register which indicates a potentially contaminating previous use.</p> <p>The planning proposal has been supported by a <i>Report on Preliminary Site Investigation for Contamination</i> (PSI), and an <i>Additional Extractive Natural Materials Assessment</i> both reports are prepared by Douglas Partners.</p> <p>The Council have considered whether the land is contaminated and determine the evidence presented demonstrates the site is suitable for its intended industrial land use upon implementation of the outstanding recommendations of the PSI.</p> |

4 Site-specific assessment

4.1 Environmental

The subject land is not considered to be of high biodiversity significance, outstanding biodiversity value or within a declared critical habitat. The planning proposal is supported by a flora and fauna assessment prepared by a consultant on behalf of the proponent,

The flora and fauna assessment was reviewed and broadly supported by Council's environmental and biodiversity assessment officer, with the provision that hollow bearing trees were protected for the biodiversity value, and safeguards be put in place to protect aquatic fauna removed from dams to facilitate subsequent development.

DPHI recognises the completed assessment, support from Council and notes the safeguards that can/will be required to be put in place as part of any subsequent development assessment process.

4.2 Social and economic

The planning proposal details the town of Goulburn, and broader Goulburn Mulwaree LGA continue to experience relative high rates of population growth and discusses that the Goulburn Mulwaree *Urban and Fringe Housing Strategy* identifies the serviced centres of Goulburn and Marulan to support most of the new residential development. With the increased population there will be pressure for more employment generating land. Additionally, there has been increased economic development interest in Goulburn with the movement of industries from the Sydney metropolitan area. The site was identified the *Goulburn Mulwaree Employment Land Strategy* as a suitable site to meet the demand for employment land.

The proposal concludes that the industrial development of the site will have positive economic and social benefits, and notes that the site is relatively removed from residential areas but enjoys the services and accessibility of Goulburn.

DPHI acknowledges that it is important for Council's to ensure a sufficient pipeline of industrial zoned land to cater for future industrial growth in well serviced and located areas, providing opportunities for local jobs growth to support increases in population, resulting in positive social and economic outcomes for current and future residents both in Goulburn and more broadly across the LGA.

4.3 Infrastructure

The following table provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the planning proposal and what infrastructure is proposed in support of the proposal. The planning proposal confirms that there is considered to be adequate public service infrastructure to service the development.

Table 7 Infrastructure assessment

| Infrastructure | Assessment |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Water and Sewer | The Planning proposal confirms that, whilst not currently connected reticulated water and sewer connections are achievable to the site. |
| Stormwater and Drainage | The planning proposal identifies that a <i>Water Cycle and Stormwater Management Strategy</i> (prepared on behalf of the proponent dated Oct 2023) in support of the proposal. The Strategy includes an assessment of the likely stormwater management requirements, presents the findings, and proposes a best practice stormwater management strategy to manage both stormwater quantity and quality. |
| Electricity | The proposal identifies that Electricity supply to Lockyer Street and to the site is available. |
| Road Access | <p>The proponent's concept plan identifies the provision of a new internal access road via a roundabout on Lockyer Street to facilitate the efficient movement of freight. In addition, the proponent has submitted a <i>Traffic and Parking Assessment</i> prepared by McLaren Traffic and Engineering Road Safety Consultants in support of this proposal.</p> <p>The initial Assessment has been reviewed by Council's Operations Directorate (with no objection) and Transport for NSW has reviewed both the initial and updated assessment and has no objection to the proposal following the updated information being received.</p> |

5 Consultation

5.1 Community

Council does not propose a specific community consultation period.

The planning proposal is categorised as standard under the LEP Making Guidelines (September 2022). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination.

5.2 Agencies

Council has undertaken pre gateway consultation with a number of agencies including WaterNSW, Transport for NSW and Heritage NSW.

The planning proposal discusses further consultation with a number of agencies following a Gateway determination, including NSW RFS and WaterNSW.

It is recommended the following agencies be consulted on the final planning proposal and given 30 working days to comment:

- DCCEEW – Flooding
- DCCEEW – Biodiversity, Conservation and Science
- Heritage NSW
- NSW RFS
- WaterNSW
- DPI Agriculture
- Local Aboriginal Land Council

6 Timeframe

Council proposes a 12 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard

The Department recommends an LEP completion date of 31 December 2025 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the site/planning proposal is supported by a local strategy endorsed by the Secretary, and supported by a range of additional studies, the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The planning proposal is consistent with the Secretary endorsed Goulburn Mulwaree Employment Lands Strategy 2016
- The planning proposal seeks to rezone land for industrial uses in a location that is well located in terms of workforce, transport and other related land uses.
- The proposal is supported by a range of relevant studies and, and pre gateway consultation with a number of agencies has provided in principal support for the proposed change of use of the land.
- Consultation with the NSW RFS is required prior to community consultation to affirm consistency with Direction 4.3 Planning for Bushfire Protection

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions 9.1 Rural Zones and 9.2 Rural Lands is both minor and justified by an endorsed strategy.
- Note that the consistency with section 9.1 Direction 4.3 Planning for Bushfire Protection is unresolved and will require justification.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. Prior to community consultation, consultation is required with the following public authorities:
 - NSW RFS
2. Consultation is required with the following public authorities:
 - DCCEE – Flooding
 - DCCEE – Biodiversity, Conservation and Science
 - Heritage NSW
 - NSW RFS
 - WaterNSW
 - DPI Agriculture
 - Local Aboriginal Land Council
3. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 19 December 2025 be included on the Gateway.

The timeframe for the LEP to be completed is on or before 19 December 2025

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12/2/25

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