2 April 2025

Contact: Stuart Little
Telephone: 0436 948 347
Our ref: D2025/29846

General Manager
Goulburn Mulwaree Council
84 Bourke Street
GOULBURN NSW 2580

RE: Planning Proposal to Rezone and Amend Minimum Lot Size on Part Lot 2 DP 1238214 at 20-24 Lockyer Street Goulburn

Dear Sir/ Madam,

I refer to the Planning Portal referral of the Planning Proposal to Rezone and Amend Minimum Lot Size at Part Lot 2 DP 1238214 at 20-24 Lockyer Street Goulburn (Planning Proposal Version 2 Post-Gateway State Agency dated February 2025).

We understand that this is a Proponent-led Planning Proposal which seeks to rezone the current RU2 (Rural Landscape) zone to E4 General Industrial and remove the Minimum Lot Size (MLS) requirements associated with the RU2 zoning. While the site has no existing connections to sewer and water, we understand that connections are achievable and necessary works can be undertaken at development application (DA) stage.

WaterNSW commented on the Proposal on 21 December 2023 (Our Ref: D2023/168091). We note that the proposed zoning and MLS provisions have not changed since we last reviewed the Proposal.

As raised in our previous submission, our main concern is the inherent steepness of the land and the management of stormwater run-off as industrial land typically requires flat land for warehouses, buildings, access and parking. This also will likely require large areas of cut and fill, which would need to be carefully managed at construction stage.

In our previous submission we raised that the flatter and more gentler undulating areas of the north were generally more suitable for industrial uses, with our preference being for the RU2 zoning being retained for the steeper areas in the west and south. We note that E4 zoning is still proposed to cover the entire site. Given the site constraints, any industrial development may need to be of a lesser intensity, and require more comprehensive stormwater control measures, than currently proposed.

Our detailed comments are provided in Attachment 1. Should you have any questions regarding this letter, please contact Stuart Little (stuart.little@waternsw.com.au).

Yours sincerely,

ALISON KNIHA
Environmental Planning Assessments & Approvals Manager

ATTACHMENT 1 – DETAIL

Zoning and Minimum Lot Size

We note that the entire lot (12.5 ha) comprises both E4 General industrial and RU2 Rural Landscape zoning. This Proposal only applies to the rezoning the RU2 zoning portion of the land (11.5 ha). The RU2 zoned land has a Minimum Lot Size (MLS) of 100 ha. It is proposed to rezone the RU2 land to E4 and amend the MLS so that no MLS applies to the new E4 zoned areas consistent with land immediately north of the site.

As no MLS will apply to the site, the site could later be subject to subdivision with allotment sizes varying significantly at subdivision stage. Alternatively, the site could be subject to a single industrial development DA across the whole site. It will be necessary to ensure that any future subdivision or industrial development DA provides sufficient land area and a lot and road design configuration to accommodate stormwater treatment measures. Future development of the site is required to have a neutral or beneficial effect (NorBE) on water quality.

Concept Sketch

The concept sketch (which relates to the entire lot rather than just the identified RU2 land) indicates an intention to provide nine warehouses with units ranging from 1,210 m^2 to 14,650 m^2 as well as ancillary office space, a new internal access road, and extensive hardstand and parking provision to accommodate 536 cars. We have treated the conceptual layout plan as indicative of how the site might be developed. Development in accordance with the sketch would significantly increase the imperviousness of the site, noting that all farm dam sites and the natural drainage line would be in-filled.

As raised in our last submission, there is sufficient space on the actual site to accommodate development and associated stormwater treatment measures. However, achieving a NorBE on water quality will likely require some redesign of the concept sketch and related stormwater control measures at DA stage. The degree of impervious area and overall intensity of the development 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. Further comments on stormwater management are provided below.

Waterways, Water Features and Flooding Risk

The site includes four (4) existing farm dams and a non-perennial, drainage channel in the south of the site. Based on the current concept sketch, the farm dams and natural drainage channel would be removed and in-filled. The Proposal notes that the dams will be dewatered and will require a dewatering protocol. This would need to be addressed in any future DA for the site.

There is negligible flood risk to the site. It is not affected by riverine flooding, sitting outside the 1% AEP flood event and the Probable Maximum Flood (PMF) limit. Overland flow mapping indicates that the far southeastern corner of the site is inundated under the 0.05% AEP flood event to water depths of 5-10 cm (P.47). Overland flow is also considered in relation to stormwater management (see below).

Slope

The site is relatively steep having an average gradient of 10.5% with an elevation ranging from 650 m in the far south-eastern corner to 692 m AHD in the far south-western corner. The steep slopes act as a site constraint and, under the proposed concept sketch, would require extensive bulk earthworks (cut and fill). A detailed Soil and Water Management Plan (as per the Blue Book) will be required at the DA stage to ensure water quality risks are minimised during construction. The topography in concert with the proposed concept

plan also presents challenges for stormwater management during the operational stages of any future development due to the increased stormwater flow and velocities likely to be encountered (see below).

Water Cycle and Stormwater Management Study (WCMS)

We have considered the WCMS in concert with the indicative layout plan. Our main concern is the heavy dependence of the On-site Detention (OSD)/ Bioretention basin proposed in the south-east corner. While the report is unchanged since we last provided comments on the Proposal, we make the following additional comments.

The main bio-retention basin is 6,000 m^2 (with additional 200 m^2 measured also proposed) while the MUSIC model is based on 8,000 m^2. NorBE is only just achieved for TN and TP when the 8,000 m^2 figure is used but not achieved based on 6,000 m^2. While the site has sufficient space to accommodate additional stormwater management measures, revised MUSIC modelling and / or plans updating stormwater measures will be required as part of any future DA for the site. Also, as noted in our previous correspondence, even at 6,200 m^2, the bioretention basin appears too large to be reliably maintained and managed. Responsibility for managing and maintaining the proposed stormwater assets will need to be made clear in any future DA.

As per relevant current recommended practices, the filter area for any bioretention measure should be sized equivalent to approximately 2-4% of the impervious areas draining to the measure (i.e. the directly connected impervious area - DCIA). Currently, the sizing of the filter area for the proposed bioretention basins is equivalent to approximately 6% of the DCIA.

The current stormwater management design relies upon a number of tertiary treatment systems in sequence to achieve NorBE. MUSIC treatment efficiencies are technically not based on reductions compounding in sequence as proposed. Detailed design to be provided at later stages as to how assumed treatment layout and efficiencies will be demonstrated.

In terms of rainwater harvesting and reuse, the current layout plan seems to rely on irrigation occurring in the south-east corner. As raised previously, there does not seem to be sufficient areas available in the current plan for both irrigation and the stormwater bioretention basin. Any later DA will need to resolve how irrigation / water reuse will be managed onsite to ensure the relevant targets are achieved.

In our assessment of the current MUSIC model, we note that some conservatism has been built into the modelling with additional treatment assumed in the pre-development scenario. This aspect can be re-examined at the future DA stage and may result in a reduction in post-development stormwater treatment.

Contamination Risk

The Planning Proposal provides an overarching consideration of the contamination issue taking into account a supporting Preliminary Site Investigation (PSI) Report for Contamination and an *Additional Extractive Natural Materials Assessment*. We note that the PSI was prepared in 2019 for a previous Planning Proposal (which did not progress) for the subject and a neighbouring site, and references both residential and industrial purposes. The current Planning Proposal is for industrial/employment purposes only noting that the E4 zone prohibits residential, educational, recreational uses and uses related to childcare (P. 59).

The PSI report considered that the likelihood for gross chemical contamination to be present on the site to be low with localised areas of moderate risk. The report identified that the site could be made suitable for proposed development subject to certain recommendations being met. We note that the Planning Proposal indicates that Council is satisfied that the site is suitable for its intended use provided the outstanding recommendations of the PSI report are implemented.

We raised in our previous correspondence the potential need for a more current walkover of the site. The Planning Proposal notes that no works have yet commenced and that the site conditions have changed very little over the intervening five years. This is demonstrated by a series of aerial photographs of the subject area from 2019-2024. We have also examined recent NEARMAP imagery (accessed 2 April 2025) and note that this is still the case. The information is sufficient to demonstrate the site remains unchanged.

Our previous concern mainly related to the fill material from the stockpiles being used to in-fill the farm dams that are in the vicinity of the drainage line. The *Excavated Natural Material Assessment* provides an assessment of the stockpile material on site. The unsuitable material was removed from the site leaving the remaining stockpile material available for on-site re-use. Our understanding is that the remaining material is below the maximum concentration specified in the Excavated Natural Material (ENM) Order. If required, any further testing of the stockpiles can be undertaken at DA stage.

We also believe that any DA 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.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Part 6.5 Sydney Drinking Water Catchment

The Planning Proposal (Pp. 16-17) provides a consideration of Part 6.5 of the Biodiversity and Conservation SEPP that applies to the Sydney Drinking Water Catchment (SDWC). This section overviews the site constraints such as steep slopes, the drainage channel, farms dams, flooding risk and then considers the proponent's conceptual sketch of the anticipated development of the site. The Proposal refers to our previous concerns regarding stormwater management and notes that while a NorBE on water quality can be achieved through a subsequent subdivision and DA, this is likely to be achieved through a development of lesser intensity. We agree with the information presented.

Direction 3.3 Sydney Drinking Water Catchment

The Proposal (Pp. 34-44) provides a comprehensive response to s 9.1 Ministerial Direction 3.3 Sydney Drinking Water Catchment incorporating a thorough summary of our previous submission and including a response to the issues we raised. Consideration is particularly given to the issue of stormwater management and the outcomes of the Water Cycle and Stormwater Management Strategy. This section also references site constraints such as the presence of the drainage line, the farm dams and the steep slopes. Consideration is also given to flooding and contamination risks (previously discussed).

The Planning Proposal includes the outcomes of the relevant Strategic Land and Water Capability Assessment (SLWCA) and incorporates the advice previously provided by us, including the limitations associated with the SLWCA results. The Proposal notes that a NorBE assessment will be undertaken as part of any future DA and as well as ensuring that WaterNSW's current recommended practices (CRPs) are met. Developments are also required to be consistent with the Neutral or Beneficial Effect on Water Quality Assessment Guideline which calls up relevant CRPs. Any future DA will require WaterNSW's concurrence as stated.

Please note that the zoning guidance provided under Direction 3.3 for Special Areas is not relevant in this instance.