



24 April 2024

Contact: *Stuart Little*

Telephone: *0436 948 347*

Our ref: *D2024/28793*

Ms Kate Wooll
Business Manager Strategic Planning
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580

Dear Ms Wooll,

Post-Gateway Consultation – Planning Proposal (PP-2023-1663) – 233-234 Wheeo Road, Goulburn

I refer to the Planning Proposal for 233-234 Wheeo Road, Goulburn (Lot 1 DP 1030749) that seeks to rezone land to SP2 Infrastructure (Public Utility Undertaking) under the Goulburn Mulwaree Local Environmental Plan 2009 (LEP). We understand that the Proposal is intended to facilitate the expansion of the existing Goulburn Drinking Water Treatment Plant (WTP) to accommodate future treatment facilities, specifically treatment lagoons. The subject lot is owned by Council and immediately adjoins Council's existing WTP.

We understand that the land is currently zoned RE1 Public Recreation under the LEP where 'water supply systems' (including 'water treatment facilities') are currently a prohibited use. Rezoning the land to SP2 (Public Utility Undertaking) will allow development for the purposes of a potable water treatment facility either with consent (under the LEP) or without consent under State Environmental Planning Policy (Transport and Infrastructure) 2021 (the T&I SEPP). The former would be subject to a development application (DA) while the later would require a Review of Environmental Factors (REF). Land reclassification is not required under the *Local Government Act 1993* as the land is already classified as 'operational'.

WaterNSW previously commented on the Proposal on 7 December 2023 (Our Ref: D2023/160035) where we indicated that we had no objections to the Proposal proceeding, although we suggested minor updating of the Proposal to reflect current legislative provisions (discussed below). This is also reflected in the Proposal's response to s 9.1 Ministerial Direction 3.3 Sydney Drinking Water Catchment (Pp. 18-19).

No identified drainage features occur on the land. A first order watercourse occurs approximately 38 m west of the property (Map 4, P. 12) The Proposal notes that Council's overland flow model does not identify any flood risks between the 1% AEP flood event and

the probable maximum flood (PMF) limit. This is supported by relevant mapping (Map 5, P. 13)

The Proposal (P. 23) notes that future treatment lagoons will present a potential risk to water quality as they contain by-products from the water treatment process. We provided detail of the likely contaminants and transport pathways in our previous correspondence. As noted in the Proposal, the main risks are associated with seepage (managed by construction and lining of the ponds) and overflows (managed by procedures and depth of freeboard in pond design). These matters are more relevant to the design and assessment phase, and the later DA or REF process (depending on which planning pathway is followed).

We note that the Planning Proposal now references the Sydney Drinking Water Catchment provisions of Part 6.5 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 and s171A of the Environmental Planning and Assessment Regulation 2021 as applicable. Our only concern with the Proposal is that it still refers to State Environmental Planning Policy (Infrastructure) 2007 (see Pp. 5, 8) which has been replaced by the T&I SEPP. The Proposal would benefit by further updating in this regard. This is a minor matter and does not affect the merits of the Proposal.

Please note that the requirement to consider a neutral or beneficial effect on water quality will apply to the proposed WTP works either by means of s 6.61 of the B&C SEPP (for a DA) or s171A(3) of the Regulation (for an REF). In relation to the proposed works, we welcome Council's consultation with us early in the design phase to optimise water quality protection and to help ensure that the NorBE requirement for water quality protection can be met.

If you have any questions regarding this letter, please contact Stuart Little at stuart.little@waternsw.com.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read "AK", with a long horizontal flourish extending to the right.

ALISON KNIHA
Environmental Planning Assessments & Approvals Manager