

REVIEW OF ENVIRONMENTAL FACTORS

Proposed Residential Flat Buildings

at

35 Francis Street & 16-20 Sanita Street, Goulburn

November 2024





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Homes NSW acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Published by Homes NSW

REVIEW OF ENVIRONMENTAL FACTORS

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Homes NSW

Postal address: Locked Bag 5022, Parramatta, NSW 2124

nsw.gov.au/homes-nsw

ABN 24 960 729 253



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|--|--|
| REF prepared by: | |
| Having prepared the Review of Environmental Factors: <ul style="list-style-type: none">I have declared any possible conflict of interests (real, potential or perceived) to the A/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW.I do not consider I have any personal interests that would affect my professional judgement.I will inform the A/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW as soon as I become aware of a possible conflict of interest. Name: Karl Harb Designation: Senior Planner, Planning & Assessment, Homes NSW Signature:  Date: 14/11/2024 | |
| REF reviewed by: | |
| Having reviewed the Review of Environmental Factors: <ul style="list-style-type: none">I have declared any possible conflict of interests (real, potential or perceived) to the A/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW.I do not consider I have any personal interests that would affect my professional judgement.I will inform the A/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW as soon as I become aware of a possible conflict of interest. Name: Deborah Gilbert Designation: Team Leader, Planning & Assessment, Homes NSW Signature:  Date: 05/12/2024 | |
| REF reviewed and endorsed by: | |

I certify that I have reviewed and endorsed the contents of this REF document and, to the best of my knowledge, it is in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under clause 170 of the EP&A Regulation, and the information it contains is neither false nor misleading.

Name: Carolyn Howell

Designation: Manager, Planning & Assessment, Homes NSW

Signature: 

Date: 6/12/2024

REF authorised for issue by:

Having authorised the issuing of this Review of Environmental Factors:

- I have declared any possible conflict of interest (real, potential or perceived) to the A/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW.
- I do not consider I have any personal interests that would affect my professional judgement.
- I will inform the A/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW as soon as I become aware of a possible conflict of interest.

Name: Ambrose Marquart

Designation: Acting Director, Portfolio Services, Homes NSW

Signature: 

Date: 16.12.2024

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1 Executive Summary

The subject site is located at 35 Francis Street & 16-20 Sanita Street, Goulburn, and is legally described as Lots 15-18 in Deposited Plan 782. The proposed residential flat building development is described as follows:

Demolition of existing structures, removal of 4 existing trees, and construction of 2-storey residential flat buildings containing a total of 29 units comprising 18 x 1 bedroom and 11 x 2 bedroom dwellings, 20 at grade car parking spaces, landscaping and associated site works, and consolidation into a single lot.

The proposed activity can be carried out by the NSW Land and Housing Corporation (LAHC) without consent under the provisions of Chapter 2, Part 2, Division 6 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) as:

- the development is permitted with development consent on the land under *Goulburn Mulwaree Local Environmental Plan 2009*, and
- all buildings will have a height not exceeding the greater of 11m, or the maximum permissible building height for the land, and
- all buildings will have a floor space ratio not exceeding the greater of 0.65:1, or the maximum permissible floor space ratio for the land, and
- the development will not result in more than 75 dwellings on a single site, and
- the development is located on land that is not in an accessible area and results in the following number of parking spaces —
 - for each dwelling containing 1 bedroom — at least 0.5 parking spaces,
 - for each dwelling containing 2 bedrooms — at least 1 parking space.

The removal of trees on the site is covered by the definition of consent under Section 6 of the Housing SEPP. It has therefore been incorporated in this review of environmental factors under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Part 8 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).

The REF demonstrates the following:

- From an analysis of the potential environmental impacts associated with the proposed activity, it has been concluded that the preparation of an Environmental Impact Statement is not required.
- Based on a review of the potential environmental impacts resulting from the proposed activity it has been determined that, subject to implementation of mitigation measures to be incorporated as identified requirements, the activity will not have any significant adverse impact on the environment.
- The proposed activity will not have any effect on matters of national significance and its approval under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* is not required.
- The site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of Goulburn Mulwaree Council.
- A BASIX certificate and NatHERS certificate and stamped plans have been submitted for the proposed activity demonstrating compliance with the State Government's environmental sustainability targets.
- There are no separate approvals, authorisations or notifications required in relation to the proposed activity prior to determination under Part 5 of the EP&A Act or under any other Acts.

- Goulburn Mulwaree Council and occupiers of adjoining land were notified of the proposed activity under the provisions of Housing SEPP. A response was received from Council dated 15 October 2024. Comments on the response are provided in Section 7.1 of this REF. Five submissions were received from occupiers of adjoining land. Comments on the submissions are provided in Section 7.2 of this REF.
- The development adequately considers the *Good Design for Social Housing*, published by the Land and Housing Corporation, in partnership with the Government Architect NSW, in September 2020, and the *NSW Land and Housing Corporation Design Requirements*, published by the Land and Housing Corporation in February 2023.

The proposed activity, when carried out in accordance with the environmental mitigation measures outlined in the REF, will not result in any significant and long-term negative impacts on the environment and can proceed subject to the implementation of the identified requirements of determination contained in the **Activity Determination**.

2 Introduction

This Review of Environmental Factors (REF) under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) is for an activity involving the demolition of existing structures, removal of 4 existing trees, and construction of 2-storey residential flat buildings containing a total of 29 units comprising 18 x 1 bedroom and 11 x 2 bedroom dwellings, 20 at grade car parking spaces, landscaping and associated site works, and consolidation into a single lot at 35 Francis Street & 16-20 Sanita Street, Goulburn.

The activity¹ will be carried out by, or on behalf of, NSW Land and Housing Corporation (LAHC) and is 'development without consent' under the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). The proposed development is a residential flat building for the purpose of providing affordable housing within the suburb of Goulburn.

This REF has been prepared by Homes NSW (LAHC) to satisfy the provisions of Part 5 of the EP&A Act and Part 8 of the *Environmental Planning & Assessment Regulation 2021* (EP&A Regulation).

A Statement of Compliance accompanying this REF certifies that in accordance with the requirements of the EP&A Act, all matters affecting or likely to affect the environment by reason of the proposed activity have been taken into account to the fullest extent possible and the activity will not have a significant impact on the environment.

2.1 Purpose of this Review of Environmental Factors (REF)

The purpose of this REF is to assist LAHC to fulfil its obligations as a determining authority for the proposed activity in accordance with Part 5 of the EP&A Act and Section 171 of the EP&A Regulation by:

- describing the existing environment;
- describing the proposed activity;
- analysing the potential impacts of the activity on the environment;
- identifying measures to mitigate those impacts;
- analysing whether the activity, with the mitigating measures in place, will have a significant impact on the environment; and
- recommending identified requirements to ensure the mitigating measures are implemented if the activity were to proceed.

2.2 Assessment Methodology

The following methodology was applied in undertaking this REF for the proposed development activity under Part 5 of the EP&A Act:

- Section 10.7 Planning Certificates were obtained for each lot comprising the site. The zoning was confirmed against the current applicable environmental planning instrument, which is the *Goulburn Mulwaree Local Environmental Plan 2009* (GMLEP 2009).

¹ Note: The proposed development is permitted without consent and is therefore subject to environmental impact assessment as an 'activity' under Part 5 of the Environmental Planning and Assessment Act 1979.

- It was determined that residential flat building is 'permitted with consent' in the R1 – General Residential zoning pursuant to the GMLEP2009 and can be carried out 'without consent' under the provisions of the Housing SEPP.
- A site inspection and a desktop analysis and investigation of the site and surrounds was undertaken to determine the suitability of the site for the proposed development activity, particularly taking into account the existing site conditions, constraints and local context.
- Relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity.
- An environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required.
- Potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in the Review of Environmental Factors.
- Identified Requirements incorporating the mitigation measures for undertaking the proposed development activity were identified for inclusion in the recommendation for approval of the activity.

3 Existing Site & Locality

3.1 Existing site and immediately adjoining development

The site is in the Goulburn Mulwaree local government area (LGA) and comprises 4 residential allotments. A location plan is provided at **Figure 1** and **Figure 2**.



Figure 1 Location Plan (Source: SIX Maps accessed 7 November 2024)



Figure 2 Location Plan (Source: Nearmap accessed 7 November 2024)

3.2 Site description

The site is currently occupied by four single storey weatherboard dwellings with metal sheet roofs (refer to photographs at **Figure 3** to **Figure 5**). A copy of the Section 10.7(2) & (5) Planning Certificates (No 68634) dated September 2024 is provided in **Appendix F**.

The site has a total area of 3,519.3m², a frontage to Sanita Street of 83.48m, a frontage to Francis Street of 56.82m (incl. splay), side (east) boundaries of 49.06m, and a rear (southern) boundary of 56.66m. The site falls approximately 4.6m from the northeast corner of the site (Sanita Street) to southwest (Francis Street) corner (refer to the submitted Survey Plan in **Appendix D**).

The site is not affected by flood, bushfire risk, landslip, or coastal hazards. Additionally, the site is not a biodiversity stewardship site nor subject to a Property Vegetation Plan. The site is not within the Coastal Management Area or Coastal Use Area as mapped in *State Environmental Planning Policy (Resilience and Hazards) 2021*. The site is located within the Sydney Drinking Water Catchment as identified in the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.

There are 11 trees considered in relation to the proposed development. Four trees (Trees 1 to 4) are located within the site and 7 trees are located within the road reserve (trees 5 to 11), as identified in the Arboricultural Impact Assessment and Tree Management Plan in **Appendix J**. The four trees within the site are proposed to be removed and replaced, and all street trees are proposed for retention and protection.

Traffic and Access

Vehicular access is currently provided to the site via multiple crossovers from both Francis and Sanita Street frontages. Unrestricted kerbside parking is available along both sides of Francis and Sanita Streets.

Services

Water, sewer, electricity, gas, and telephone facilities are available to the site (refer to the submitted Survey Plan for the location of available services at **Appendix D**). Water, electricity, and telecommunication services are located along the road alignment of Sanita Street. A sewer main traverses the rear boundary of neighbouring properties to the south of the site, with a sewer connection point located in the rear setback of the subject site.

Encumbrances

There are no encumbrances identified on the Certificate of Title (**Appendix Q**), Section 10.7 certificates (**Appendix F**) or indicated on the Survey Plan (**Appendix D**) that restrict the proposed development.



Figure 3 Development site – Corner Francis & Sanita Street (Source: Homes NSW Site Inspection, June 2024)



Figure 4 Development site – 35 Francis Street (Source: Homes NSW Site Inspection, June 2024)



Figure 5 Development site – 16-18 Sanita Street (Source: Homes NSW Site Inspection, June 2024)

3.3 Neighbouring development and locality

The site is located within an established residential area which is characterised by older style single storey detached dwelling houses of fibro, weatherboard and brick construction interspersed with more recent 2-storey dwelling houses, and multi-dwelling houses and small-scale residential flat building (RFB) developments more broadly in Goulburn.

The property immediately to the west of the subject site at 14 Sanita Street contains a single storey dwelling house of weatherboard finish with tiled roofing (refer to photograph at **Figure 6**).

The property immediately to the south of the subject site at 33 Francis Street also consists of a single storey dwelling house of brick construction with tile roofing (refer to photograph at **Figure 7**).

The nearby heritage item comprising the Church and Rectory is located to the east of the site and is shown at **Figure 8**.

Across the street from the subject site is 17-21 Sanita Street, which contains detached single storey dwelling houses (refer photograph at **Figure 9**).



Figure 6 Adjoining development to the west – 14 Sanita Street (Source: Google street view, February 2024)



Figure 7 Adjoining development to the south– 33 Francis Street (Source: Google street view, accessed November 2024)



Figure 8 Church heritage item viewed from Sanita Street (Source: LAHC Site Visit, June 2024)



Figure 9 Neighbouring development opposite the site – 17-21 Sanita Street (Source: Google street view, accessed November 2024)

Public Transport and Facilities

A bus stop (Francis St at Sanita St - Stop ID 258717) is located in front of the site on Francis Street) (**Figure 10**). This bus stop is serviced by route 823 (loop service) which provides access between Goulburn and West Goulburn. This is a private bus service, which provides limited services Monday-Friday and Saturday, and no services on Sunday. The bus service does not meet the Housing SEPP frequency requirements to be considered an 'accessible area'.



Figure 10 Bus stop 258717 location (orange circle) relative to subject site (red). Source: NearMap, accessed November 2024

Surrounding Land Use

Surrounding land use is predominantly residential with other uses, including open space, a church and a school.

Goulburn CBD is located approximately 1km east of the site and includes numerous shops and services, including medical services, pharmacies, cafes, supermarkets, department stores, restaurants, hairdressers and public aquatic centre. Goulburn Train Station is located 2km east of the site and provides infrequent services to Sydney CBD via Campbelltown, and can also service regional trips to Griffith, Canberra and Melbourne.

4 Project Description

4.1 Demolition

The proposed activity includes demolition of 4 single storey detached dwelling houses and associated structures, as identified in the Demolition Plan (refer to **Appendix A**).

4.2 Removal of trees

The Arboricultural Impact Assessment undertaken for the site (**Appendix J**) considers 11 existing trees in relation to the proposed development. Four trees (Trees 1, 2, 3, 4) are located within the site; and seven trees are located within the nature strip fronting Sanita and Francis Streets (Trees 5, 6, 7, 8, 9, 10, 11).

Four trees located on the site are proposed to be removed, with reasons for removal detailed below:

- Tree No. 1 - identified as being in good condition, however located within the proposed building footprint and cannot be viably retained.

- Tree No. 2 - identified as being in fair condition, however located within the footprint of proposed building and cannot be viably retained.
- Tree No. 3 - identified as being in good condition, however located within the proposed footpath footprint, which would result in an excessive encroachment to the structural root zone of the tree. Therefore, the tree cannot be viably retained.
- Tree No. 4 - identified as being in good condition, however located within the footprint of proposed building and cannot be viably retained.

Tree removal is recommended primarily to accommodate the proposed development especially where encroachment will have an adverse impact on roots and crown for viability and stability of the individual species recommended for removal (refer to submitted Arboricultural Impact Assessment and Tree Management Plan in **Appendix J**).

Appropriate replacement planting, including trees capable of reaching a mature height of 20m, will be provided as part of the proposed landscaping plan to compensate for the loss of these trees as demonstrated in the Landscape Plan in **Appendix B**.

4.3 Proposed dwellings

The proposed residential flat buildings contain a total of 29 units consisting of 18 x 1 bedroom and 11 x 2-bedroom dwellings. All units have been designed to Liveable Housing Australia Gold Level and 3 adaptable units have been provided.

The proposed development represents a contemporary, high-quality design. The use of a mixture of face brick and fibre cement cladding for external walls and metal roofing is consistent with the existing and developing character in Goulburn. The majority of the proposed units (20 of the 29 units) will address the street with living areas and living area windows facing the street for passive surveillance.

A balance of cut and fill is proposed to provide a level building platform and facilitate the installation of the onsite stormwater drainage system and parking area.

A variety of new landscape plantings, including trees capable of reaching a mature height of up to 20m are proposed to offset the proposed tree removal and enhance the appearance, privacy, and microclimate of the site. New plantings have been selected in consideration of the local climate and will consist of a mixture of canopy trees, shrubs, and groundcovers, which will enhance landscaped setbacks and contribute positively to the landscape context of the locality.

Each unit will be provided with its own enclosed private open space area which is directly accessible from internal living areas.

A total of 20 car parking spaces, including 3 accessible spaces, will be provided onsite to service the development.

Stormwater will be collected via a series of stormwater pits and gutters on the site, connected to a 95m³ underground on-site detention tank (OSD) which drains to a proposed kerb outlet located on Francis Street. The development also incorporates two 6000L aboveground rainwater tanks for water recycling, with overflows connected to the OSD. All stormwater that discharges from the OSD will pass through a bio-basin to ensure that impacts of the stormwater run-off to the Drinking Water Catchment can be managed appropriately.

A new 1.5m high metal palisade-style fence is proposed along the private open spaces of the dwellings facing the street frontages. This is combined with landscaping planting along the front setback to soften the built form while providing a natural landscape barrier to improve privacy and security. Fences to private open spaces

located behind the front building line are to consist of horizontal aluminium battens, spaced to provide privacy. Fencing to side boundaries will consist of Colorbond metal panels to a height of 1.8m.

Figure 11 to Figure 16 include extracts from the architectural plans illustrating the proposed development.

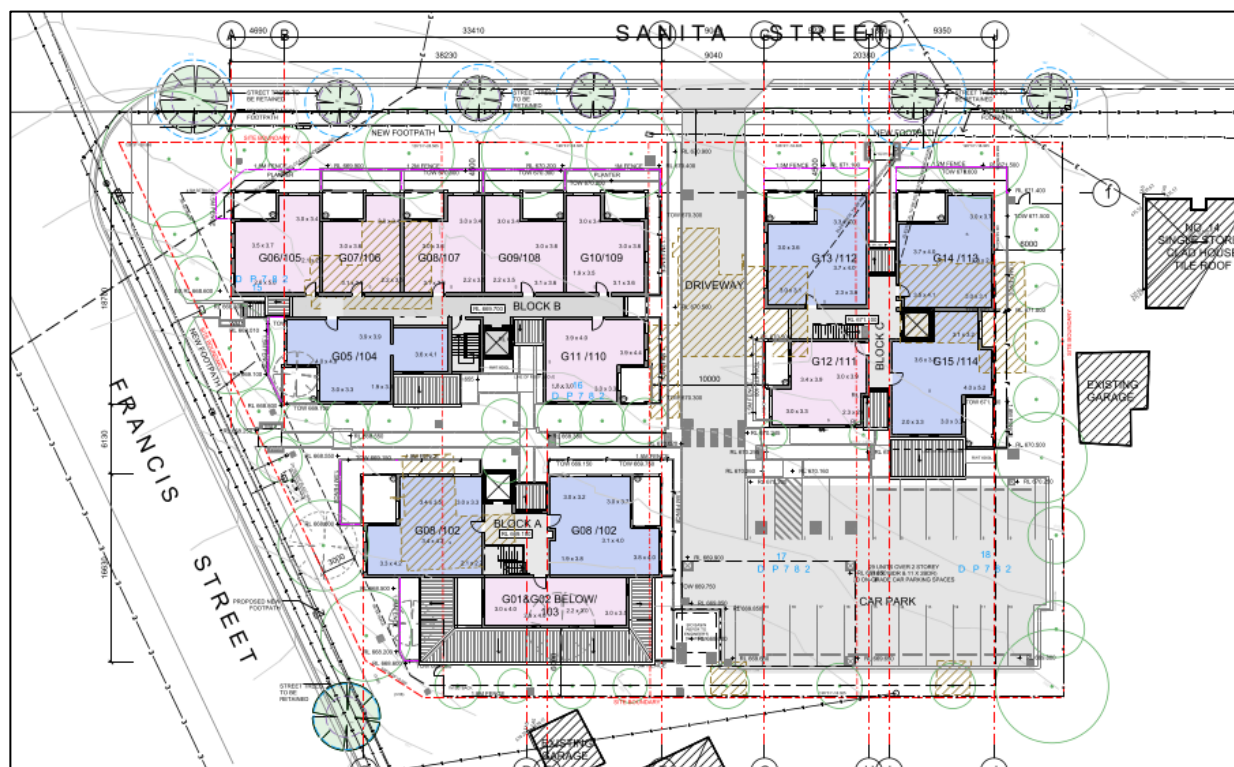


Figure 11 Extract from Architectural Plans – Site Plan (Source: DEM (Aust), dated 31/10/2024)

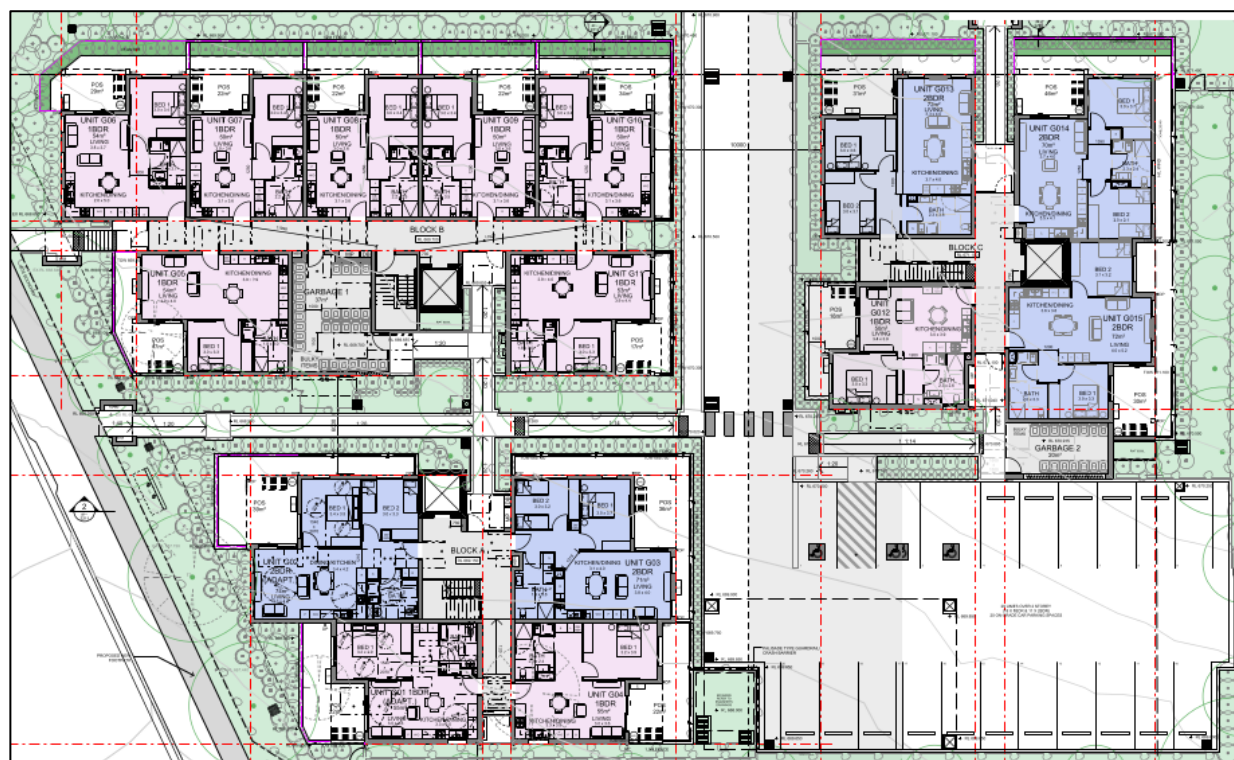


Figure 12 Extract from Architectural Plans – Ground Floor Plan (Source: DEM (Aust), dated 16/09/2024)



Figure 13 Extract from Architectural Plans – Level One Plan (Source: DEM (Aust), dated 31/10/2024)

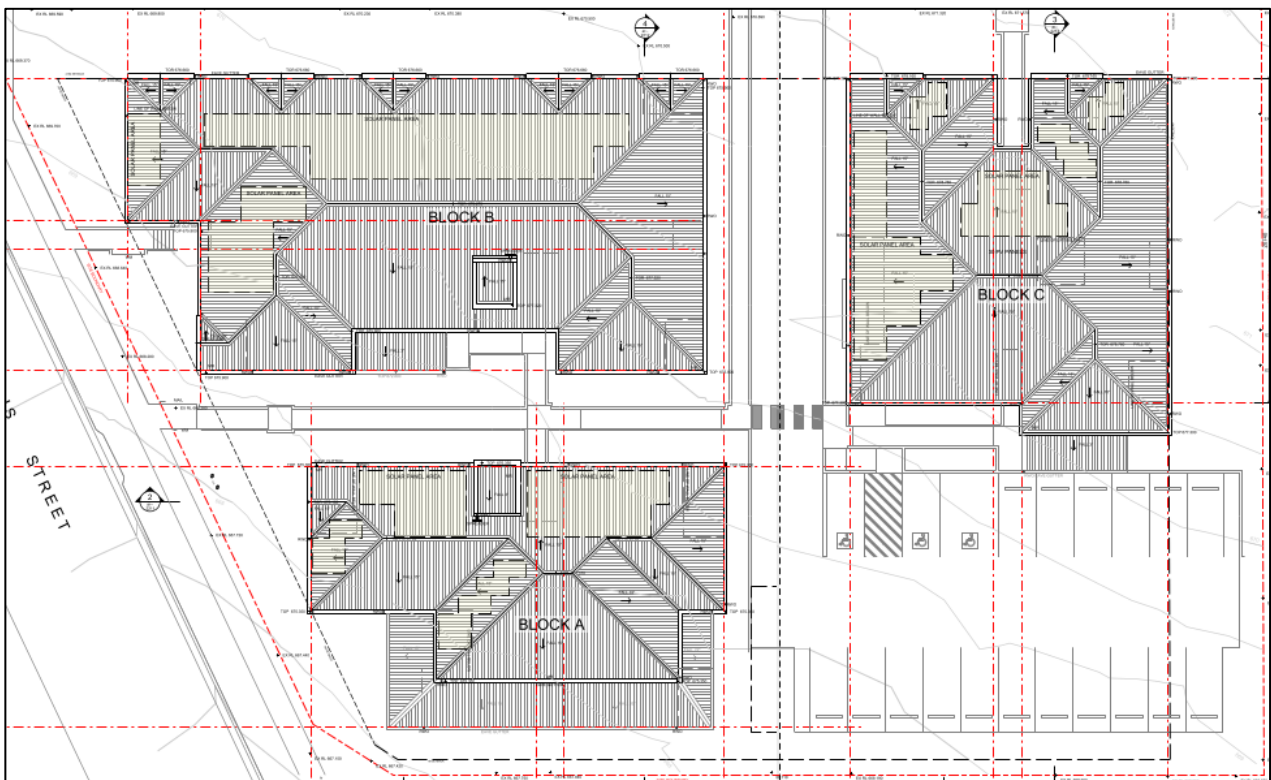


Figure 14 Extract from Architectural Plans – Roof Plan (Source: DEM (Aust), dated 23/08/2024)

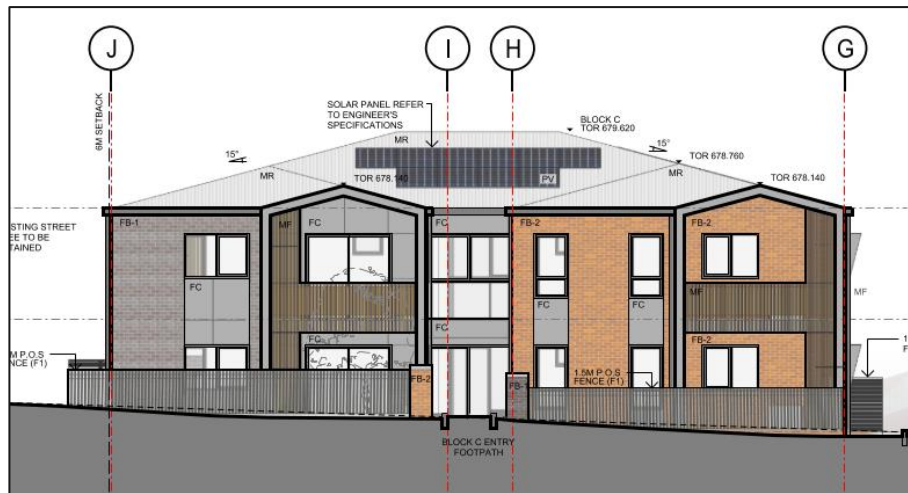


Figure 15 Extract from Architectural Plans – Sanita Street Block C Streetscape Perspective (Source: DEM (Aust), dated 23/08/2024)



Figure 16 Extract from Architectural Plans – Sanita Street Block B Streetscape Perspective (Source: DEM (Aust), dated 23/08/2024)

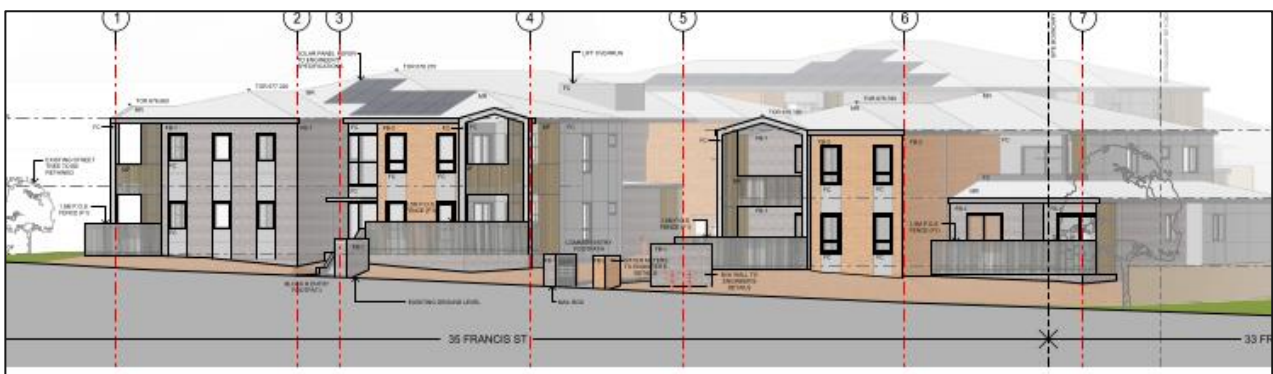


Figure 17 Extract from Architectural Plans – Francis Street Block A Streetscape Perspective (Source: DEM (Aust), dated 23/08/2024)

4.4 Supporting information

The proposal is detailed in the following plans, drawings, specialist reports and supporting information.

Table 1 Supporting information

| Title / Name: | Drawing No. / Document Ref | Revision / Issue: | Date [dd.mm.yyyy]: | Prepared by: |
|--|----------------------------|-------------------|--------------------|--------------------|
| Architectural – Appendix A | | | | |
| Cover Page | AR-cv00 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Site Analysis Plan | AR-0001 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Development Data | AR-0010 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Site Plan | AR-0200 | A02 | 31/10/2024 | DEM (Aust) Pty Ltd |
| Demolition Plan | AR-0300 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Ground Floor Plan 01 | AR-1200 | A03 | 31/10/2024 | DEM (Aust) Pty Ltd |
| Ground Floor Plan 02 | AR-1201 | A02 | 16/09/2024 | DEM (Aust) Pty Ltd |
| Level 1 Floor Plan 01 | AR-1202 | A03 | 31/10/2024 | DEM (Aust) Pty Ltd |
| Level 1 Floor Plan 02 | AR-1203 | A03 | 31/10/2024 | DEM (Aust) Pty Ltd |
| Roof Plan 01 | AR-1204 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Roof Plan 02 | AR-1205 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Elevations 01 | AR-2610 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Elevations 02 | AR-2611 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Elevations 03 | AR-2612 | A02 | 31/10/2024 | DEM (Aust) Pty Ltd |
| Streetscape Elevations | AR-2613 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Sections 01 | AR-2210 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Sections 02 | AR-2211 | A02 | 16/09/2024 | DEM (Aust) Pty Ltd |
| Sections 03 | AR-2212 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| External Finishes | AR-8100 | A02 | 25/10/2024 | DEM (Aust) Pty Ltd |
| Shadow Diagram 01 | AR-5300 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Shadow Diagram 02 | AR-5301 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Shadow Diagram 03 | AR-5302 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Sun Path Diagram 01 | AR-5400 | A01 | 23/06/2024 | DEM (Aust) Pty Ltd |
| Sun Path Diagram 02 | AR-5401 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Sun Path Diagram 03 | AR-5402 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Sun Path Diagram 04 | AR-5403 | A01 | 16/09/2024 | DEM (Aust) Pty Ltd |
| GFA Calculation Plan | AR-5500 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Landscape & Deep Soil Calculation Plan | AR-5510 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Landscape Plan – Appendix B | | | | |
| Cover Sheet | LA-000 | B | 30/10/2024 | Studio IZ Pty Ltd |
| Legend & Planting Schedule | LA-001 | B | 30/10/2024 | Studio IZ Pty Ltd |
| Existing Tree Plan | LA-002 | B | 30/10/2024 | Studio IZ Pty Ltd |
| General Arrangement Plan 01 | LA-201 | B | 30/10/2024 | Studio IZ Pty Ltd |

| Title / Name: | Drawing No. / Document Ref | Revision / Issue: | Date [dd.mm.yyyy]: | Prepared by: |
|---|----------------------------|-------------------|--------------------|--------------------|
| General Arrangement Plan 02 | LA-202 | B | 30/10/2024 | Studio IZ Pty Ltd |
| Planting Plan 01 | LA-301 | B | 30/10/2024 | Studio IZ Pty Ltd |
| Planting Plan 02 | LA-302 | B | 30/10/2024 | Studio IZ Pty Ltd |
| Landscape Section 01 | LA-501 | B | 30/10/2024 | Studio IZ Pty Ltd |
| Landscape Section 02 | LA-502 | B | 30/10/2024 | Studio IZ Pty Ltd |
| Typical Details | LA-601 | B | 30/10/2024 | Studio IZ Pty Ltd |
| Specification Notes | LA-700 | B | 30/10/2024 | Studio IZ Pty Ltd |
| Civil Plans – Appendix C | | | | |
| Stormwater Management Report | - | C | 16/09/2024 | Entec Consultants |
| Cover Sheet | C100 | B | 23/08/2024 | Entec Consultants |
| Notes Sheet | C101 | B | 23/08/2024 | Entec Consultants |
| Existing Survey Plan | C200 | B | 23/08/2024 | Entec Consultants |
| Erosion and Sediment Control Plan | C300 | B | 23/08/2024 | Entec Consultants |
| Erosion and Sediment Control Details | C310 | B | 23/08/2024 | Entec Consultants |
| Stormwater Management Plan | C400 | C | 16/09/2024 | Entec Consultants |
| Catchment Plan | C410 | B | 23/08/2024 | Entec Consultants |
| WSUD NorBE Analysis | C420 | B | 23/08/2024 | Entec Consultants |
| WSUD Standard Details | C421 | B | 23/08/2024 | Entec Consultants |
| OSD Drains Analysis | C430 | B | 23/08/2024 | Entec Consultants |
| Stormwater Details Sheet | C440 | B | 23/08/2024 | Entec Consultants |
| Cut and Fill Plan | C500 | B | 23/08/2024 | Entec Consultants |
| Contour and Detail Survey – Appendix D | | | | |
| Contour and Detail Survey | Sheet 1 of 4 | A | 05/11/2022 | Premise |
| Contour and Detail Survey | Sheet 2 of 4 | A | 05/11/2022 | Premise |
| Contour and Detail Survey | Sheet 3 of 4 | A | 05/11/2022 | Premise |
| Contour and Detail Survey | Sheet 4 of 4 | A | 05/11/2022 | Premise |
| Notification Plans – Appendix E | | | | |
| Cover Page | 1 of 8 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Site & Landscape Plan | 2 of 8 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Planting Schedule | 3 of 8 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Development Data | 4 of 8 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Elevations | 5 of 8 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Elevations | 6 of 8 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |

| Title / Name: | Drawing No. / Document Ref | Revision / Issue: | Date [dd.mm.yyyy]: | Prepared by: |
|---|----------------------------|---------------------------|---------------------------|----------------------------------|
| Schedule of Finishes | 7 of 8 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Shadow Diagrams | 8 of 8 | A01 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Access Report – Appendix H | | | | |
| Access Report | 00197 | A | 18/09/2024 | Morris Goding Access Consulting |
| AHIMS Web Search – Appendix I | | | | |
| AHIMS search | - | - | 24/09/2024 | NSW Government |
| Arborist's Report – Appendix J | | | | |
| Arboricultural Impact Assessment and Tree Management Plan | 9522 | - | 16/09/2024 | Redgum Horticultural |
| BASIX – Appendix K | | | | |
| BASIX Certificate | Cert No. 1765298M_02 | - | 20/09/2024 | LC Consulting Engineers |
| BCA report – Appendix L | | | | |
| BCA Compliance Assessment | P240004 | 2 | 24/09/2024 | BCA Vision |
| NatHERS Certificate – Appendix N | | | | |
| Nationwide house energy rating scheme – class 2 summary | No. 0009764670 | - | 20/09/2024 | LC Consulting Engineers |
| Heritage Impact Statement - Appendix O | | | | |
| Heritage Impact Statement | Heritage Impact Statement | Heritage Impact Statement | Heritage Impact Statement | Heritage Impact Statement |
| Geotechnical Investigation - Appendix P | | | | |
| Geotechnical Investigation Assessment | No. 23/1345A | - | September 2024 | STS Geotechnics Pty Ltd |
| Waste Management Plan – Appendix R | | | | |
| Waste Management Plan | - | A02 | 23/08/2024 | DEM (Aust) Pty Ltd |
| Traffic Impact Assessment - Appendix S | | | | |
| Traffic Impact Assessment | - | - | 19/08/2024 | Sydney Traffic Engineers Pty Ltd |

Section 10.7 Planning Certificates – Appendix F

Lot 15-16 DP 782, Cert no. 388504, dated 26/09/2024 – Goulburn Mulwaree Council

Lot 17 DP 782, Cert no. 388291, dated 19/09/2024 – Goulburn Mulwaree Council

Lot 18 DP 782, Cert no. 388290, dated 19/09/2024 – Goulburn Mulwaree Council

Notification letter – Appendix G**Design compliance and checklists – Appendix M**

Architect's Certificate of Building Design Compliance – DEM (Aust) Pty Ltd, dated 20/09/2024.

Certificate of Landscape Documentation Compliance – Studio IZ Pty Ltd, dated 26/08/2024.

Certificate of Stormwater Documentation Compliance - Entec Consultants, dated 16/09/2024.

Titles and Deposited Plans – Appendix Q

Title Search, Folio: 7009/238, Search date 21/02/2023, First Schedule: New South Wales Land and Housing Corporation

Deposited Plan 782, Search Date 21/02/2023

5 Zoning and Permissibility

The site is zoned R1 General Residential under *Goulburn Mulwaree Local Environmental Plan 2009* (GMLEP 2009) (see **Figure 18**). The proposed development is defined as ‘residential flat building’ under the provisions of GMLEP 2009 and is permissible with consent in the R1 zone and therefore, is permitted on the subject land without consent pursuant to section 42 of the HSEPP.

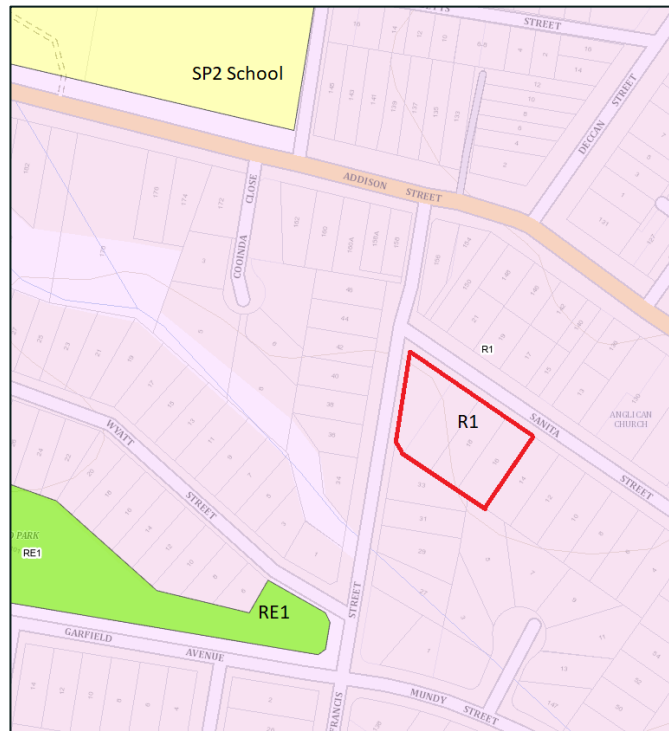


Figure 18 Land zoning map, site outlined red (Source: NSW Planning Portal, accessed November 2024)

The relevant objectives of the R1 zone, as set out in GMLEP 2009 are:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain the economic strength of commercial centres by limiting the retailing of food and clothing.

The proposed development is consistent with the above objectives because it:

- will provide new affordable housing that meets the identified needs of the community;
- will provide a density and type of housing that is compatible with the scale of existing development and will add to the variety of housing in the locality;
- will provide a high quality and attractive development that will contribute to existing streetscape and overall desired character of the area; and
- will increase housing density on a site within close proximity to Goulburn CBD and associated commercial, retail and education facilities.

Chapter 2, Part 2, Division 6 of the Housing SEPP permits residential development that may be carried out ‘with consent’ to be carried out by LAHC as ‘development without consent’ subject to the provisions set out under that Division. **Table 6** in subsection **6.5.1** of this REF demonstrates compliance with the relevant provisions of Section 42 of the Housing SEPP.

6 Planning and Design Framework

6.1 Environmental Planning and Assessment Act 1979

6.1.1 Duty to consider environmental impact [Section 5.5]

Section 5.5(1) states that, for the purpose of attaining the objects of the EP&A Act relating to the protection and enhancement of the environment, a determining authority in its consideration of an activity shall, notwithstanding any other provisions of the Act or the provisions of any other Act or of any instrument made under the EP&A Act or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.

Table 2 below demonstrates the effect of the proposed development activity on the matters listed for consideration in subsection 3 of Section 5.5.

Table 2 Compliance with subsection 3 of Section 5.5 of the EP&A Act 1979

| Matters for consideration under sub-section 3 of Section 5.5 of the EP&A Act | |
|---|--|
| Matter for consideration | Effect of Activity |
| Sub-section 3 Without limiting subsection (1), a determining authority shall consider the effect of an activity on any wilderness area (within the meaning of the <i>Wilderness Act 1987</i>) in the locality in which the activity is intended to be carried on. | No effect, as the site and surrounding areas are not within a wilderness area (within the meaning of the <i>Wilderness Act 1987</i>). |

6.2 Biodiversity Conservation Act 2016 (BC Act)

Part 7 of the BC Act sets out the test for determining whether a proposed development or activity is likely to significantly affect threatened species, ecological communities, or their habitats. For the purposes of Part 5 of the EP&A Act, an activity is to be regarded as an activity likely to significantly affect the environment if it is likely to significantly affect threatened species.

Based on the criteria set out in Section 7.3 of the BC Act, the proposed activity is unlikely to affect threatened species, ecological communities, or their habitats and therefore no further assessment is necessary. This is because the land does not contain threatened species, endangered ecological communities or constitute habitat of threatened species or ecological communities. The proposed activity will neither be a key threatening process and the land is not part of or in the vicinity of any declared area of outstanding biodiversity value.

6.3 Other Acts

No other State and Commonwealth Acts are applicable to the proposed activity. The provisions of the *Contaminated Land Management Act 1997* are addressed in Section 6.6 with *State Environmental Planning Policy (Resilience and Hazards) 2021*.

6.4 Environmental Planning and Assessment Regulation 2021

6.4.1 Factors that must be taken into account concerning the impact of an activity on the environment [Section 171]

For the purposes of Part 5 of the EP&A Act, the factors in **Table 3** and **Table 4** below have been taken into account in considering the likely impact of the proposed activity on the environment. The table and comments made in this section of the REF are not mutually exclusive and are to be read in conjunction with the other sections of the REF dealing with the environmental impacts of the proposed development activity.

Table 3 Environmental Planning and Assessment Regulation 2021 [Section 171]

| Factors to be taken into account concerning the impact of an activity on the environment. | Comment |
|--|---|
| Is the activity of a kind for which specific guidelines are in force? If so the factors to be taken into account when considering the likely impact of the activity on the environment are those referred to in the guidelines. | No specific guidelines |
| Is the activity of any other kind for which general guidelines are in force? If so the factors to be taken into account when considering the likely impact of the activity on the environment are those referred to in those guidelines. | Yes - Department of Planning and Environment issued "Guidelines for Division 5.1 assessments" made under Section 170 of the EPA regulation 2021 |

Table 4 Factors to be taken into account concerning the impact of an activity on the environment

| Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account: | Relevant? | Impact Assessment | | |
|---|-----------|-------------------|-------|----------------------|
| | YES/N/A | Temporary | Minor | Significant [Note 1] |
| (a) environmental impact on the community | Yes | x | x | |
| (b) transformation of a locality; | Yes | | x | |
| (c) environmental impact on the ecosystems of the locality; | N/A | | | |
| (d) reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality; | Yes | x | x | |
| (e) effect on a locality, place or building having aesthetic, anthropological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations; | Yes | | x | |
| (f) impact on the habitat of protected animals (within the meaning of Biodiversity Conservation Act 2016); | NA | | | |
| (g) endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air; | N/A | | | |
| (h) long-term effects on the environment; | Yes | | x | |
| (i) degradation of the quality of the environment; | Yes | x | x | |
| (j) risk to the safety of the environment; | Yes | x | x | |
| (k) reduction in the range of beneficial uses of the environment; | N/A | | | |
| (l) pollution of the environment; | Yes | x | x | |
| (m) environmental problems associated with the disposal of waste; | Yes | | x | |
| (n) increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply; | Yes | | x | |

| Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account: | Relevant? | Impact Assessment | | |
|--|--|-------------------|-------|-------------------------|
| | YES/N/A | Temporary | Minor | Significant [Note 1] |
| (o) cumulative environmental effect with other existing or likely future activities. | Yes | | x | |
| (p) impact on coastal processes and coastal hazards, including those under projected climate change conditions. [Note 2] | N/A | | | |
| (q) applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1, | Yes – discussed below in Section 6.4.2 | | x | |
| (r) other relevant environmental factors. | Yes – discussed in Section 8. | x | x | |

Note 1: A ‘significant’ impact will trigger the need for an Environmental Impact Statement.

Note 2: The *NSW Coastal Planning Guideline: Adapting to Sea Level Rise* provides guidance on considering projected climate change conditions such as sea level rise.

The proposed housing development is not expected to generate any significant or long-term impacts on the environment. The short-term impacts, during construction, will be offset by the long-term social benefits of providing affordable housing that meets the needs of the community. The applicable Local Strategic Planning Statement (LSPS) and Housing Strategy are considered below at Section 6.4.2 of this report.

6.4.2 Strategic Planning Framework

South East and Tablelands Regional Plan

The South East and Tablelands Regional Plan 2036 provides the overarching strategic direction to manage population growth, housing, infrastructure, environmental management and economic development in the southern New South Wales and Tablelands region, which includes Goulburn. The Plan identifies a series of directions to achieve the goal for environmentally sustainable housing choices:

- Direction 24: Deliver greater housing supply and choice,
- Direction 27: Deliver more opportunities for affordable housing.

The Plan also includes a series of Local Government Narratives, which identifies the following specific priorities relating to housing supply in Goulburn-Mulwaree:

- Diversify the housing market to respond to demographic change and pre-empt housing affordability pressures.

The development is consistent with the strategic intent of the Plan in that it will increase housing supply and offer a broader range of housing types to meet the needs of the community. The development incorporates affordable housing to address current and future affordability changes in the region. This approach ensures that the development can contribute to environmentally sustainable housing choices.

Goulburn Mulwaree Local Strategic Planning Statement

The Goulburn Mulwaree Local Strategic Planning Statement was endorsed by Goulburn Mulwaree Council in August 2020. It is a 20-year plan that identifies 10 Planning Priorities for the LGA, focused on liveability, productivity, sustainability, industry, infrastructure, heritage, and the environment.

Notably, Priority No. 4 notes that there is a ‘significant lack of public housing in general’ in Goulburn and asserts that Council will continue to advocate for increased affordable and social housing provision. The Priority also

encourages 'higher density residential development closer to the Goulburn CBD'. The proposed development will contribute 29 affordable housing units to the Goulburn Mulwaree LGA. The development will diversify the residential uses in the LGA by introducing affordable housing that is capable of accommodating smaller households in a location that is well serviced by existing public transport options and essential services. As such, the proposed development meets the objectives of the Goulburn Local Strategic Planning Statement.

Urban and Fringe Housing Strategy

The Urban and Fringe Housing Strategy was adopted by Council on 21 July 2020 and conditionally endorsed by the NSW Department of Planning, Industry and Environment (DPIE) on 20 November, 2020. The scope of the Strategy included looking at the urban areas of Goulburn and Marulan, opportunities for an additional recommended 3,500 dwellings identified over the next 18 years to 2036.

The housing strategy highlights that there is a need for affordable housing choices across the study area to minimise social housing wait times and provide housing choices for the community. The strategy also notes that further work is required to facilitate the provision of affordable housing, including through provision of an affordable housing policy.

The proposed development is consistent with these overall goals of the strategy and addresses some of the key issues raised, as it will deliver additional affordable housing units to the local area that have been designed to achieve sustainability targets and will deliver a high quality development that will contribute to the character of the local area. As such, the proposal is not in conflict with the Urban and Fringe Housing Strategy.

6.4.3 Activities in catchments [Section 171A]

The site is located within the Sydney Drinking Water Catchment. Therefore, the provisions of Section 171A of the *Environmental Planning and Assessment Regulation 2021* apply to the development. The development was referred to Water NSW as part of the statutory notification process. Water NSW reviewed the proposed development and raised no objection to the proposed development subject the imposition of Standard Requirements.

An assessment of the relevant provisions of the Regulations is provided in the table below:

Table 5: Compliance with s171A of the EP&A Regulation 2021.

| Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account: | Comment |
|---|---|
| 171A Activities in catchments – the Act, s 5.10(a) (1) When considering the likely impact on the environment of an activity proposed to be carried out in a regulated catchment, a determining authority must take into account – | |
| (a) the matters a consent authority must consider under <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> , sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1), and | The proposal has been designed in consideration of Sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1) of the Biodiversity SEPP. Refer to Section 6.6 of this report for further discussion. |
| (b) the matters of which a consent authority must be satisfied under <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> , sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2). | The proposal has been designed in consideration of Sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2) of the Biodiversity SEPP. Refer to Section 6.6 of this report for further discussion. |
| (3) When considering the likely impact on the environment of an activity proposed to be carried out in the Sydney Drinking Water Catchment, the determining authority – (a) must, in addition to the matters referred to in subsection (1), take into account whether the activity – | The site is located within the Sydney Drinking Water Catchment. |

| Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account: | Comment |
|--|--|
| (i) will have a neutral or beneficial effect on water quality, and | <p>The development has satisfactorily demonstrated that the development will have a neutral or beneficial effect on water quality. This is achieved by utilisation of stormwater treatment measures, such as the bioretention basin, which will filter pollutants prior to stormwater disposal through to the public stormwater system.</p> <p>The development was referred to Water NSW who provided comment on 17 November 2024 confirming that the development can achieve a neutral or beneficial effect on water quality.</p> |
| (ii) is consistent with the NorBE Guideline within the meaning of State Environmental Planning Policy (Biodiversity and Conservation) 2021, Part 6.5, and | <p>The development has been designed in accordance with the NorBE guideline.</p> <p>The development was referred to Water NSW who provided comment on 17 November 2024 confirming that the development can achieve a neutral or beneficial effect on water quality.</p> |
| (b) is not required to take into account the matters specified in State Environmental Planning Policy (Biodiversity and Conservation) 2021, section 6.6(1)(a) or (2)(a). | Noted. |

6.5 State Environmental Planning Policy (Housing) 2021

6.5.1 Development without Consent

Demolition

The proposed activity includes demolition of existing structures on the site. Section 42(2)(a) of the Housing SEPP permits LAHC to undertake demolition as "development without consent" provided demolition is permissible and the land the structures are located on is "non-heritage land" and is not "identified in an environmental planning instrument as being within a heritage conservation area". Demolition is permissible with consent under the clause 2.7 of the GMLEP 2009 and the subject site contains neither of these heritage notations and therefore demolition can be undertaken by LAHC as "development without consent". A waste management plan has been prepared, and there are several Identified Requirements recommended in the Activity Determination which deal with site safety and environmental protection during demolition and construction.

Residential development

Chapter 2, Part 2, Division 6 of the Housing SEPP permits Homes NSW (LAHC) to carry out certain development as 'development without consent' subject to the provisions set out under that section. **Table 6** below demonstrates compliance with the relevant provisions of sections 42 and 43 of the HSEPP.

Table 6 Compliance with relevant provisions under sections Chapter 2, Part 2, Division 6 of the Housing SEPP for 'residential development without consent' carried out by LAHC

| Provision | Compliance |
|---|------------|
| 42 Development to which division applies | |
| (1) – This Division applies to residential development if - | |

| Provision | Compliance |
|---|---|
| (a) the development is permitted with consent on the land under Chapter 5 or another environmental planning instrument, and | The development is permissible with consent in the R1 General Residential zone under the GMLEP 2009. |
| (b) all buildings will have a height not exceeding the greater of – (i) 11m, or (ii) the maximum permissible building height for the land, and | The maximum proposed building height is 9m |
| (c) all buildings will have a floor space ratio not exceeding the greater of – (i) 0.65:1, or (ii) the maximum permissible floor space ratio for the land and | The proposed floor space ratio is 0.57:1. |
| (d) the development will not result in more than 75 dwellings on a single site, and | The development is for 29 dwellings. |
| (e) for development on land in an accessible area – the development will result in the following parking spaces – (i) for each dwelling containing 1 bedroom – at least 0.4 parking spaces, (ii) for each dwelling containing 2 bedrooms – at least 0.5 parking spaces, (iii) for each dwelling containing at least 3 bedrooms – at least 1 parking space, and | Not applicable |
| (f) for development on land that is not in an accessible area – the development will result in the following parking spaces – (i) for each dwelling containing 1 bedroom – at least 0.5 parking spaces, (ii) for each dwelling containing 2 bedrooms – at least 1 parking space, (iii) for each dwelling containing at least 3 bedrooms – at least 1.5 parking spaces. | The site is not located in accessible area as demonstrated in section 3.3 above. The proposal provides 20 parking spaces in accordance with the identified rates: 18 x 1 bedroom = 9 parking spaces required 11 x 2 bedroom = 11 parking spaces required Total parking spaces required = 20 |
| (2) This division also applies to the following development if the development is permitted on the land under another environmental planning instrument – | |
| (a) the demolition of buildings and associated structures if the building or structure is on land – (i) that is non-heritage land, and (ii) that is not identified in an environmental planning instrument as being within a heritage conservation area, | The proposed development includes demolition. The subject sites are not identified as containing any heritage items or being located within a heritage conservation area. |
| (b) the subdivision of land and subdivision works. | Not applicable |
| (3) This Division does not apply to – (a) development to which Chapter 2, Part 2, Division 5 applies, or | Noted |

| Provision | Compliance |
|---|---|
| (b) development that is part of a project, or part of a stage of a project, that the Minister determined under the Act, former section 75P to be subject to the Act, Part 4. | |
| (4) <i>State environmental planning policy (Transport and Infrastructure) 2021</i> , sections 2.15 and 2.17 apply to the development and, in the application of the sections – (a) a reference in section 2.15 to “this Chapter” is taken to be a reference to this section, and (b) a reference in the sections to a public authority is taken to be a reference to the relevant authority. | Consultation with authorities other than Goulburn Mulwaree Council was not required for this activity under the provisions of the Transport and Infrastructure SEPP. Notwithstanding, consultation with Water NSW was undertaken pursuant to s43A of the Housing SEPP (see below). Noted |
| (5) In this section- Former section 75P means the Act, section 75P, as in force immediately before its repeal by the Environmental Planning and Assessment Amendment (Part 3A Repeal) Act 2011. non-heritage land means land that – (a) does not contain a heritage item, and (b) is not the subject of an interim heritage order under the Heritage Act 1977, and (c) is not listed on the State Heritage Register under the Heritage Act 1977. | Noted |
| 43 Development permitted without consent | |
| (1) Development specified in section 42(1) may be carried out without consent if the development is carried out by or on behalf of – (a) Landcom, if all dwellings resulting from the residential development are used for affordable housing, or (b) another relevant authority. (2) Development specified in section 42(2) may be carried out without consent if the development is carried out by or on behalf of a relevant authority other than Landcom. | Development will be carried out by or on behalf of NSW LAHC. N/A |
| 43A Notification before carrying out development | |
| (1) Before carrying out development to which this division applies, the relevant authority must do the following- | |
| (a) request that the council nominate persons who must, in the council’s opinion, be notified of the development, and | Advice was sought from Goulburn Mulwaree Council regarding additional persons or properties that should be notified of the development. Council provided a response on 16 September 2024 confirming scope of notification but refused to provide the owner’s details of adjoining properties. |
| (b) give written notice of the intention to carry out the development to – (i) the council, and | A letter notifying Goulburn Mulwaree Council of the proposed development activity was sent by Homes NSW on 27 September 2024. Letters notifying occupiers of adjoining land of the proposed development activity |

| Provision | Compliance |
|--|---|
| (ii) any persons nominated by the council under paragraph (a), and (iii) the occupiers of adjoining land, | were sent by Homes NSW on the same date. Notification of the development was sent to Water NSW on 22 October 2024. |
| (c) take into account the responses to the notice that are received within 21 days after the notice is given. | Council responded to Homes NSW's notification by letter dated 15 October 2024. Water NSW provided comments on the proposal on 17 November 2024. Comments on the response are provided in Section 7.1 of this REF. Five submissions were received from adjoining occupiers. Comments on the submissions are provided in Section 7.2 of this REF. |
| 43B Landcom must notify Secretary of Department of Communities and Justice | |
| Before carrying out development to which this division applies, Landcom must – (a) give written notice of the intention to carry out the development to the Secretary of the Department of Communities and Justice, including the measures proposed to ensure the dwellings resulting from the residential development will be – (i) used for affordable housing, and (ii) managed by a registered community housing provider, and (b) take into account the responses to the notice that are received within 21 days after the notice is given. | Not applicable to Homes NSW. |
| 43C Consideration of design of residential apartment development | |
| Before carrying out residential apartment development to which this division applies, the relevant authority must consider the following – (a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9, (b) the Apartment Design Guide. | The proposed development is not 3 or more storeys, therefore the development is not 'residential apartment development' for the purposes of this clause and Schedule 9 and the Apartment Design do not apply. |
| 44 Considerations before carrying out development | |
| (1) Before carrying out development to which this division applies, the Aboriginal Housing Office must consider the <i>AHO Design Guidelines NSW</i> , published by the Aboriginal Housing Office in January 2020. | Not Applicable to Homes NSW. |
| (2) Before carrying out development to which this division applies, the Land and Housing Corporation must consider – (a) <i>Good Design for Social Housing</i> , published by the Land and Housing Corporation, in partnership with the Government Architect NSW, in September 2020, and (b) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023. | (a) Refer to subsection 6.5.2 which demonstrates that the <i>Good Design for Social Housing</i> has been considered. (b) Refer to subsection 6.5.3 which demonstrates that the <i>NSW LAHC Design Requirements</i> have been considered. |
| (3) Before carrying out development to which this division applies, Landcom must consider the <i>Landcom Affordable Housing Design Guideline</i> , published by | Not Applicable to Homes NSW. |

| Provision | Compliance |
|---|------------|
| Landcom, in partnership with the Government Architect NSW, in November 2023. | |
| 44A Exempt development | |
| (1) Development for the purposes of landscaping and gardening carried out by or on behalf of the Aboriginal Housing Office or the Land and Housing Corporation in relation to residential development to which this division applies is exempt development. | Noted |
| (2) Development for the purposes of repairs and maintenance work and non-structural renovations and building alterations carried out by or on behalf of the Aboriginal Housing Office or the Land and Housing Corporation in relation to housing is exempt development. | Noted |
| (3) Subsection (2) does not apply to development involving the use of external combustible cladding within the meaning of the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> . | Noted |

6.5.2 Good Design for Social Housing

Good Design for Social Housing establishes the four key goals and their underpinning principles to delivering better social housing outcomes for NSW.

Section 44(2)(a) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the *Good Design for Social Housing* policy (September 2020) when assessing a proposed residential development under Chapter 2, Part 2, Division 6 of the Housing SEPP.

The following assessment against the *Good Design for Social Housing* demonstrates that the proposed development has adequately considered the goals and principles outlined.

Wellbeing

The proposed development supports the wellbeing of future tenants by providing safe and accessible housing where residents have privacy and feel safe.

All units have been designed to achieve Liveable Housing Australia Gold Level and provides three Adaptable housing units. The development therefore has the ability to cater to all age groups and degrees of mobility. The development incorporates passive and active sustainable design by achieving cross-ventilation in 75% of units and solar access during mid-winter to 72% of units. There is also the use of durable and low maintenance materials and appropriately sized units to reduce running costs. The proposal achieves a high NatHERS rating with an average of 7.3 stars which exceeds the minimum targets set by LAHC. A 53.5kW photovoltaic system has been incorporated to offset energy use in the development with PV solar panels positioned to maximise solar gains.

Each unit is provided with an area of private open space that accommodates a paved area for outdoor dining and adjoining attractive gardens planted with low maintenance species at ground floor level. Each first floor unit is provided with a balcony that accommodates outdoor dining as well as service functions, such as clothes drying and air conditioning units. High quality landscaping across the site will enhance the amenity for residents.

Car parking is provided to residents, and pedestrian access through the site is highly accessible and has good passive surveillance.

Belonging

The proposed development is situated in Goulburn which is characterised by a range of low-medium scale development, with a mix of single storey detached dwellings, and multi-unit housing and residential flat buildings more broadly. The form and materiality of the proposed development have been selected to respond to the style and character of the local area and will make a high quality contribution to the streetscape. The external brick façade and aesthetic of the development is consistent with the neighbouring context, making it indistinguishable from private housing.

The proposed housing is secured with landscape barrier planting and fencing for private open spaces, creating a sense of safety for tenants. The secured entry lobbies to the buildings as well as the delineated pathways creates the opportunity for social interaction among residents in a safe environment as well as a defined transition from public to private spaces.

The mixed unit sizing caters to the needs of a diverse range of tenants.

Value

The development exceeds sustainability targets, with the average NatHERS rating being 7.3 stars. The scheme incorporates sustainable features including insulation, high-quality glazing, clothes lines, native plantings, ceiling fans, and good solar access and cross-ventilation. Photovoltaic panels and rainwater re-use will assist in minimising the use and cost of access to natural resources.

The building materials, construction method and services have been selected to ensure that the development is durable, minimises maintenance and contributes to the low on-going running costs of the dwellings.

The yield is compatible with the planning provisions and the capability of the site, whilst providing a comfortable space for tenants and a positive streetscape contribution for the wider community.

Collaboration

The project involved a rigorous design process in collaboration with design professionals and engineers to ensure that the development incorporates the current best practice in affordable housing design. The development is in keeping with current government initiatives to deliver quality housing stock.

The design and assessment process involved close collaboration with a number of stakeholders, including input from adjoining landowners, Council and Water NSW.

6.5.3 Land and Housing Corporation Design Requirements

The *Land and Housing Corporation Design Requirements* (LAHC Design Requirements) (February 2023) are used to inform the design and development of the LAHC social housing portfolio. These requirements apply to all new LAHC developments and are driven by tenant wellbeing, design quality, environmental performance and operational effectiveness within cost parameters.

Section 44(2)(b) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the *Land and Housing Corporation Design Requirements* when assessing a proposed residential development under Chapter 2, Part 2, Division 6 of the Housing SEPP.

An assessment of the proposed development against the LAHC Design Requirements has been undertaken and deemed to achieve compliance, refer to Certificate of Compliance from the Architect in **Appendix M**. Further detail will be incorporated in the construction documentation.

6.5.4 Apartment Design Guide

Section 43C(b) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the Apartment Design Guide when assessing a proposed 'residential apartment development' under Chapter 2, Part 2, Division 6 of the Housing SEPP.

The proposed development does not constitute ‘residential apartment development’ as the development does not comprise 3 or more storeys.

6.6 Other State Environmental Planning Policies

Table 7 below outlines applicability of, and compliance with, other State Environmental Planning Policies (SEPPs).

Table 7 Compliance with other applicable State and Environmental Planning Policies

SEPP (Sustainable Buildings) 2022

A BASIX Certificate, and associated NatHERS Certificates, have been obtained for the development proposal (refer to **Appendix K and Appendix N**). The certificates confirm that the development complies with the minimum requires for water, energy and thermal performance.

SEPP (Transport and Infrastructure) 2021

The Transport and Infrastructure SEPP provides planning controls relating to development for the purposes of essential services infrastructure (hospitals, roads, water supply, telecommunications and electrical networks), educational establishments and child care facilities and major infrastructure corridors.

The site is not located in close proximity to a State Classified Road, adjacent/near a rail corridor or electricity infrastructure and as such, the provisions of the SEPP do not apply.

SEPP (Biodiversity and Conservation) 2021

This Biodiversity and Conservation SEPP provides planning controls related to conservation and management, to ensure protection of the natural environment.

Tree removal

The development proposes tree removal and thus the provisions of the SEPP related to vegetation clearing do apply. Clause 2.6(1) of this SEPP requires a permit from Council for clearing of vegetation required under the policy. The proposed development seeks the removal of 4 trees located within the development footprint – Trees 1 to 4 as identified in the Arboricultural Impact Assessment (**Appendix J**). Tree removal is recommended primarily to accommodate the proposed development especially where encroachment will have an adverse impact on roots and crown for viability and stability of the individual species recommended for removal.

Section 6 of the Housing SEPP specifies that development permitted without consent may be carried out without any other consent or a licence, permission, approval or authorisation otherwise required under another environmental planning instrument. This means the proposed removal of trees within the site can be included within the REF scope and does not require a permit from Council.

Regulated catchment

The site is located within the Sydney Drinking Water Catchment. Accordingly, the controls for development set out in Division 2 of Part 6.2 of the Biodiversity and Conservation SEPP apply to the activity.

Under Section 171A(1) of the EP&A Regulation, LAHC, as determining authority for the activity, when considering the likely impact on the environment of an activity proposed to be carried out in a regulated catchment, must:

- consider State Environmental Planning Policy (Biodiversity and Conservation) 2021, sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1), and
- must be satisfied under State Environmental Planning Policy (Biodiversity and Conservation) 2021, sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2).

| Part 6.2 Development in regulated catchments | Comment |
|---|---|
| <p>6.6 Water quality and quantity This clause requires the consent authority to consider whether the development will:</p> <ul style="list-style-type: none"> • have a neutral or beneficial effect on the quality of water entering a waterway; • have an adverse impact on water flow in a natural waterbody; • increase the amount of stormwater run-off from a site, and • Incorporate on-site stormwater retention, infiltration or reuse. <p>The consent authority is also required to assess the impact of the development</p> <ul style="list-style-type: none"> • on the level and quality of the water table; • the cumulative environmental impact of the development on the regulated catchment; • and whether the development makes adequate provision to protect the quality and quantity of ground water. <p>Further this clause also requires that consent is not issued unless the consent authority is satisfied the development ensures:</p> <ul style="list-style-type: none"> • the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and • the impact on water flow in a natural waterbody will be minimised. | <p>Stormwater will be collected within the site and conveyed via underground stormwater pipes to the onsite detention tank and the bioretention basin, prior to discharge to Council's stormwater system. Identified Requirement (No. 13) recommends that sediment control measures be implemented during construction in accordance with Council requirements and/or the guidelines contained in the Blue Book Managing Urban Stormwater: Soils and Construction (4th edition, Landcom, 2004). Identified Requirements (Nos 5 and 29) are applied to the activity determination recommending that stormwater management of the activity is designed in accordance with Goulburn Mulwaree Council's technical guidelines and policies, and the stormwater plan endorsed by Water NSW.</p> |
| <p>6.7 Aquatic ecology This clause requires the consent authority to consider whether the development:</p> <ul style="list-style-type: none"> • will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation, • involves the clearing of riparian vegetation and, if so, whether the development will require either a controlled activity approval under the Water Management Act 2000, or a permit under the Fisheries Management Act 1994, • will minimise or avoid the erosion of land abutting a natural waterbody, or the sedimentation of a natural waterbody, or will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area, • includes adequate safeguards and rehabilitation measures to protect aquatic ecology, • if the site adjoins a natural waterbody — whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody. <p>Further this clause also requires that consent is not issued unless the consent authority is satisfied the development ensures:</p> <ul style="list-style-type: none"> • that the direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation will be kept to the | <p>The subject site is not located on riparian land and will not require a controlled activity permit. The site does not adjoin a natural waterbody. Suitable erosion and sedimentation controls will be required to minimise erosion and maintain water quality. The site does not comprise any significant vegetation and as such there is negligible impact from the vegetation removal. The proposed development includes planting of suitable native indigenous vegetation. In addition, the scale and nature of the activity, together with its location, is unlikely to have significant impacts upon aquatic ecology.</p> |

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| <p>minimum necessary for the carrying out of the development,</p> <ul style="list-style-type: none"> the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves, if a controlled activity approval under the Water Management Act 2000 or a permit under the Fisheries Management Act 1994 is required in relation to the clearing of riparian vegetation — the approval or permit has been obtained, the erosion of land abutting a natural waterbody or the sedimentation of a natural waterbody will be minimised, the adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area will be minimised. | |
| <p>6.8 Flooding</p> <p>This clause relates to flood liable land.</p> | <p>The site is not located on flood liable land.</p> |
| <p>6.9 Recreation and public access</p> <p>This clause relates to development on recreational land and public access to natural water bodies and foreshores.</p> | <p>The proposed activity will not impact recreational land uses or alter public access to recreational land or foreshores.</p> |

SEPP (Resilience and Hazards) 2021

The Resilience and Hazard SEPP provides provisions for development in the coastal zone, management of hazardous and offensive development and remediation of contaminated land.

Section 4.6 of this SEPP requires the consent authority to consider whether land is contaminated prior to granting development consent.

The site is located within a developed residential area of Goulburn. The s10.7 Planning Certificates do not identify the site as potentially contaminated (refer to **Appendix F**). Notwithstanding, the draft *Contaminated Land Planning Guidelines* (draft Guidelines) prepared by the Department of Planning and Environment and the Environment Protection Authority provides a checklist of matters to be considered in an initial evaluation of land in relation to potential for contamination. These matters are considered in the table below:

| Previous evidence of contamination | Yes/ No | Response |
|---|---------|---|
| a) Was the subject land at any time zoned for industrial, agricultural or defence purposes? | No | LAHC records indicate that the land has been used for residential purposes since the early 1950's. |
| (b) Do existing records held by the planning authority show that a potentially contaminating activity listed in Table 1 in Appendix 1 has previously been approved or carried out on the subject land? (The use of records held by other authorities or libraries is not required for an initial evaluation.) | No | LAHC records indicate that the land has not been used for a potentially contaminating activity listed in Table 1, Appendix 1 of the draft Guidelines. |
| (c) Is the subject land currently used for a potentially contaminating activity listed in Table 1 in Appendix 1? | No | All of the lots contain a single storey detached dwelling and associated structures. |

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| (d) Has the subject land ever been regulated through licensing or other mechanisms in relation to any potentially contaminating activity listed in Table 1 in Appendix 1? | No | LAHC records indicate that the land has not been regulated through licensing or other mechanisms. |
| (e) Are there any land use restrictions on the subject land relating to possible contamination, such as orders or notices issued under the CLM Act? | No | As noted in the section 10.7 certificates, there are no land use restrictions relating to contamination under the CLM Act. |
| (f) Has a site inspection indicated that the site may have been associated with any potentially contaminating activities listed in Table 1? | No | A site inspection has been undertaken and did not indicate that the site may have been associated with potentially contaminating activities listed in Table 1. |
| (g) Are there any contamination impacts on immediately adjacent land which could affect the subject land? | No | Adjoining development is residential. |
| (h) Are there any human or environmental receptors that could be affected by contamination? | No | A standard identified requirement has been recommended to cover the possibility of discovering site contamination during site preparation / construction works. |
| (i) Is the site adjacent to a site on the EPA's list of notified sites under s60 of the CLM Act, or adjacent to a site regulated by the EPA under the CLM Act? | No | A review of the EPA's register of notified sites indicates that the land is not adjacent to a notified site under s60 of the CLM Act or a site regulated by the EPA under the CLM Act. |

Given the above, it is unlikely that the site is contaminated however a recommended Identified Requirement (No. 17) requires implementation of management measures in the unlikely event of contamination prior or during construction works.

6.7 Goulburn Mulwaree Local Environmental Plan 2009 (GMLEP 2009)

Compliance with the relevant provisions / development standards set out in the GMLEP 2009 is demonstrated in **Table 8** below.

Table 8 Goulburn Mulwaree Local Environmental Plan 2009

| Relevant Provisions / Development Standards for Residential Flat Housing | | | |
|--|---|---|---|
| Clause | Provision / Development Standard | Required | Provided |
| 4.1B | Minimum lot sizes for multi dwelling housing and residential flat buildings | Zone R1 General Residential = 1,050m ² | Complies The proposed consolidation of lots results in an overall site area of 3,519.3m ² . |
| 4.3 | Height of Buildings N/A | N/A | Not applicable The LEP does not nominate a maximum building height for the land. |

Relevant Provisions / Development Standards for Residential Flat Housing

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| | The LEP does not nominate a maximum building height for the land. | | <p>In any case, the Housing SEPP permits a height of buildings of 11m. The proposed building height is approximately 9 metres.</p> <p>The development is 2 storeys and is compatible with the scale of existing development in Goulburn as well as future development anticipated for the area.</p> |
| 4.4 | <p>Floor Space Ratio</p> <p>N/A</p> <p>The LEP does not nominate a maximum floor space ratio for the land.</p> | N/A | <p>Not applicable.</p> <p>The LEP does not nominate a maximum floor space ratio for the land. In any case, the Housing SEPP permits a floor space ratio of 0.65:1. The proposed floor space ratio is 0.57:1.</p> |
| 5.10 | Heritage Conservation | <p>(1) Objectives The objectives of this clause are as follows—</p> <p>(a) to conserve the environmental heritage of Goulburn Mulwaree,</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</p> <p>(c) to conserve archaeological sites,</p> <p>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</p> | <p>The subject site is not identified as an item of environmental heritage nor is it located within a heritage conservation area. However, the site is located in the vicinity of <i>Church (1884) and Rectory</i>, a heritage item listed in Schedule 5 of the GMLEP 2009. A Heritage Impact Statement has been prepared and is available at Appendix O, which assesses the potential impact of the proposed development against the heritage significance of the nearby item. The HIS concludes that significance of the church and rectory will not be adversely affected by the proposed works due to the respectful design which has resulted in an unobtrusive architectural outcome by utilising elements such as a traditional hip roofline, recessive and muted earthy tones, and the leafy setting.</p> |
| 5.21 | Flood Planning | Not applicable | <p>Not applicable as the Section 10.7(2)&(5) Certificates obtained for the land indicate that the subject site is not subject to flooding.</p> |
| 7.1A | Earthworks | <p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> | <p>A Geotechnical Investigation (Appendix P) was undertaken for the site and has informed the design of the development.</p> <p>The proposal includes a maximum excavation of approximately 1.06m,</p> |

Relevant Provisions / Development Standards for Residential Flat Housing

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| | | <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or of the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material or the destination of any excavated material,</p> <p>(f) the likelihood of disturbing Aboriginal objects or other relics,</p> <p>(g) proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p> | <p>located close to the front boundary in front of Unit G10.</p> <p>The proposal includes a maximum fill of 1.23m at the front of Unit G01., This fill is largely located within the building envelope, retained via a drop edge beam, to minimise level changed along allotment boundaries.</p> <p>The carpark will protrude at the southwest corner approximately 1.5m from the existing ground level, and tapers to 800mm high at the eastern corner of the site.</p> <p>Cut and fill is discussed further in Table 9 below.</p> <p>The proposed development has been designed to ensure minimal disruption / detrimental effect on the existing drainage patterns or soil stability in the locality. Extent of cut and fill is largely located within the building footprint and away from allotment boundaries.</p> <p>The hydraulics consultant has certified that site drainage has been designed generally in accordance with Council's requirements (refer Stormwater Document Compliance Certificate in Appendix M).</p> <p>The amount of proposed cut and fill will create a level building platform that will facilitate the residential use of the land.</p> <p>All fill will be virgin excavated natural material. Any excess excavated material will be transported to an appropriate facility in accordance with a final waste management plan.</p> <p>Identified Requirement (No.46) is recommended to cover the potential disturbance of any relics found on the site during demolition / construction.</p> <p>The development has been designed in accordance with the relevant stormwater management and drainage requirements (Appendix C) and includes on-site detention, a</p> |
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Relevant Provisions / Development Standards for Residential Flat Housing

bioretention filtration basin, rainwater tanks and trash screens to outlet pipes to ensure water quality is maintained. The submitted Stormwater Drainage Design Report (**Appendix C**) confirms that the drainage design achieves the Neutral or Beneficial Effect standard on water quality.

In addition, soil erosion and sedimentation measures will be implemented during works to ensure that there are no adverse impacts on any waterway, drinking water catchment or environmentally sensitive area.

6.8 Goulburn Mulwaree Development Control Plan 2009 (GMDCP 2009)

Goulburn Mulwaree Development Control Plan 2009 (GMDCP 2009) contains development controls for residential development. The relevant controls in the GMDCP 2009 are addressed in **Table 9** below.

The general controls for all development set out in GMDCP 2009 have generally been addressed in the various sections of this REF that address compliance with the provisions of the Housing SEPP. The following controls are only those which are not already covered by the requirements under the Housing SEPP.

Table 9 Goulburn Mulwaree Development Control Plan 2009

| Goulburn Mulwaree Development Control Plan 2009 Part 4 – Principal Development Controls Urban | | | |
|--|---|---|----------|
| 4.1 Residential Development | | | |
| Clause | Requirement | Proposed | Complies |
| 4.1.1 Site planning, bulk, scale and density | Ensure the site layout integrates with the surrounding environment through: <ul style="list-style-type: none"> adequate pedestrian, cycle and vehicle links to street and open space networks; | Each building will have a clear entry path and lobby to achieve a positive transition between the public and private domains. A driveway and car park are provided off Sanita Street, with internal pedestrian pathways separated by landscaped zones. | Yes |
| | <ul style="list-style-type: none"> buildings facing streets and public open spaces; | Dwellings are primarily orientated towards the street frontages of Francis and Sanita Streets. | Yes |
| | <ul style="list-style-type: none"> building, streetscape and landscape design relating to the site topography and the surrounding neighbourhood character. | The proposed development is divided into three separate buildings to assist in reducing the overall bulk of the development and provide a scale and massing that are compatible within the streetscape. The overall architectural character of the development is sympathetic to the | Yes |

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| | | existing character of the area, utilising face brick and FC cladding on facades and hipped/pitched roof design. | |
| 4.1.4 Cut and Fill | <p>Earthworks shall be undertaken to a maximum of 600mm excavation or fill from the natural surface level of the property.</p> <p>Council will assess proposals for excavation or fill greater than 600mm having regard to the visual impact of the proposed earthworks.</p> <p>All cut and fill shall have a setback to the boundary to permit any retaining walls to be located wholly within the property boundary and to allow fencing to be installed at the boundary.</p> | <p>The proposal includes a maximum excavation of approximately 1.06m, located close to the front boundary in front of Unit G10.</p> <p>The proposal includes a maximum fill of 1.23m within Unit G01.</p> <p>Notwithstanding the above, the proposed cut and fill within the building footprints is considered acceptable for the following reasons:</p> <ul style="list-style-type: none"> - The maximum excavation is located internally within the site and does not impact upon any adjoining properties, - The excavation is terraced such that the extent of retaining is not excessive when viewed internally from affected apartments. As a result, the amenity of the units G09 and G10, where the highest extent of excavation is proposed, is maintained and solar access into the apartments is still achieved, - The extent of fill at the southern portion of the site is largely located within the building envelope, which minimises the site disturbances and avoids retaining structures at allotment boundaries, - The setback of elevated apartments on the southern side boundary is 3m to ground and 6m to the first floor. The staggered setback offsets the potential bulk and scale impact resulting from the internal fill and the raised building platform, - Windows along the southern elevation have been appropriately sited to ensure that there is no unreasonable overlooking resulting from south facing apartments, and - The solar access of the neighbouring southern property is maintained and not unreasonably reduced as a result of the raised ground floor level. <p>To maintain accessible pathways and entries across the site, the rear carpark will protrude at its southwest corner a maximum of approximately 1.5m from the existing ground level, tapering to approximately 800mm at the south-eastern part of the carpark.</p> <p>Accordingly, a crash barrier will be installed at the southern perimeter of the carpark to safeguard vehicular movements in accordance with the requirements of AS2890 (Identified Requirement No. 75).</p> | Yes, complies with intent |

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| | | <p>Although it is noted that the height of the elevated carpark does not strictly comply with the DCP numerical requirements, the variation is considered acceptable for the following reasons:</p> <ul style="list-style-type: none"> - The setback of the elevated carpark to the southern allotment boundary has been maximised to 3m to provide generous physical separation, - The proposal incorporates dense planting along the southern boundary which will provide natural screening of the elevated carpark, with the following proposed planting within the extent of the carpark: <ul style="list-style-type: none"> o Three (3) Kurrajong (<i>Brachychiton populneus</i>) capable of mature heights of 15m, o One (1) Apple Top Box tree (<i>eucalyptus angophoroides</i>) capable of mature height of 20m, and o Eight (8) Snowy River Wattle (<i>acacia boormanii</i>), capable of mature heights of 4.5m. - Identified Requirement No. 76 has been imposed requiring a privacy screen to be installed along the southern edge of the carpark to a minimum height of 1.5m. This screening, coupled with the dense planting, will minimise the visual impact of the carpark and direct views from the carpark away from the neighbouring southern property, and - The extent of the elevated carpark is localised at the rear corner of the neighbouring dwelling, and tapers down to the east along the private open space area of the adjoining property. Accordingly, living and bedroom areas of the neighbouring property are unlikely to be affected by vehicular movements associated with the carpark. <p>In summation, the location of the carpark, coupled with the generous setback, proposed plantings and privacy screening, the visual impacts of the carpark have been appropriately managed, and the proposal is not envisioned to result in a nuisance to the adjoining dwelling caused by vehicular movements.</p> <p>Overall, the proposed cut and fill is necessary to ensure a level platform for development while maintaining accessibility entries and pathways across the site. The development utilises a series of internal and external ramping to</p> | |
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| | | minimise the extent of earthwork and to respond to the site's topographical constraints. Accordingly, the proposed earthworks are considered acceptable, subject to the recommended Identified Requirements. | |
| 4.1.6 Number of storeys | Dwellings and multi dwellings are to have a maximum of 2 storeys outside the statutory height mapped areas. | Two storeys proposed. | Yes |
| 4.1.7 Solar Access | Residential buildings shall be designed to ensure that the principal living spaces of the proposed dwelling, adjoining residential buildings, and at least 50% of their private open space, have at least three hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice). | <p>The submitted Shadow Diagrams (Appendix A) indicate that there is no unreasonable reduction of solar access to living spaces and POS areas of adjoining properties.</p> <p>It is noted that at least 24/29 of the POS areas of the proposed dwellings (83%) have at least 3 hours of solar access during mid-winter.</p> <p>21/29 of apartments (72%) achieve a minimum of 3 hours solar access to living rooms, which complies with the LAHC Design Requirements.</p> | Yes |
| 4.1.8 Privacy | Windows and balconies are not to be positioned in a location where it allows for direct views into nearby/adjoining approved habitable rooms. Balconies and second storey windows are also not to have direct views into the private open space of nearby approved residential areas unless permanent privacy elements are applied (e.g. privacy screens or high still windows). | <p>Dwellings are largely orientated toward the site's street frontages or views are directed internally within the site.</p> <p>Upper-level windows to living rooms facing on to side boundaries have largely been avoided, apart from Unit 114. It is noted that this second storey apartment is setback to the side boundary by 6m, and the living room windows look out onto the neighbouring property's garage. Notwithstanding, these windows have been frosted to prevent any privacy impacts from these rooms.</p> <p>Similarly, first floor windows to unit 103 are overlooking the neighbouring carport structure and not directly to any window or private open space. Windows to this unit are limited to low-frequency use rooms, including a bedroom, bathroom, and low-sill kitchen window.</p> <p>Therefore, no unreasonable privacy impacts are anticipated from first floor units across the development.</p> <p>Upper-level balconies are fitted with privacy screens where necessary to reduce overlooking within the development and maintain privacy to neighbouring properties.</p> | Yes |
| 4.1.9 Private open space | Whenever possible, private open space is to be orientated to have a north easterly aspect and the principal living areas are to have direct access to the private open space. | Private open space is provided to each dwelling in the form of a ground floor courtyard or balcony, directly accessible from internal living areas. POS has been oriented to the north east where possible, and to optimise solar access. The POS sizes have been designed to comply with the LAHC Design Requirements. | Yes |
| | Areas used for driveways, car parking, drying yards, service yards, rain gardens, rainwater tanks, services or | POS areas are separated from driveways, car parking areas, stormwater infrastructure and services. | Yes |

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| | the like shall not be included as private open space. | | |
| 4.1.10 Setbacks | <u>Rear setback</u> A minimum rear setback of 6m is required for all residential development. | Not applicable – corner lot. | NA |
| | <u>Side setback</u> A minimum side setback of 1m is required for all residential development, which excludes all ancillary service infrastructure such as hot water services, air-conditioning units, electrical meter boxes and the like. | Minimum 3m ground floor side setback and 6m first floor side setback provided to southern side boundary and 6m to eastern side boundary. | Yes |
| | <u>Front setback</u> A minimum front setback of 4.5m, measured from the forward building line to the property boundary, is required for residential development. A smaller front setback distance may only be considered if it is consistent with the front setback of adjacent dwellings constructing on subdivisions that predate this Development Control Plan. | Minimum 4.5m front setback provided along the Sanita Street frontage. | Yes |
| | Secondary frontages on corner allotments must be setback 3m and exclude all raised pathways, steps, parking spaces and the like. | Minimum 3m setback provided along the Francis Street secondary frontage. | Yes |
| 4.1.11 Views | Step buildings to follow the slope of the land. | Buildings have been stepped where possible to follow the topography of the land. | Yes |
| | Minimise the height of buildings and planting on the highest part of the site. | Buildings are a maximum of two storeys in height and are well below the maximum permissible height. | Yes |
| | Retain and protect existing vegetation where possible. | Minor tree removal is proposed (4 trees). Tree replacement planting is proposed as detailed in the Landscape Plan (Appendix B) to offset the loss of these trees from within the site. All street trees on Sanita and Francis Street are to be retained and protected during the works. | Yes |
| 4.1.12 Traffic safety and management | Parking areas and driveways shall be designed in accordance with the current version of Council's Standards for Engineering Works. All driveways, paths, car parking areas are to be paved in brick pavers, bitumen, concrete or another approved manner. Use of decorative paving is encouraged. | The Traffic and Parking Impact Assessment (refer Appendix S) confirms that the proposed driveway complies with AS2890.1 design requirements. The proposed driveway and parking area will be of concrete construction for durability, with visual impacts reduced by landscaping across the site. | Yes |
| | Long, straight driveways are to be avoided, eliminated or appropriately landscaped to Council's satisfaction. | The length and width of the driveway has been minimised to the minimum standards, which, together with landscaping along the length and at the end of the driveway, will mitigate its visual impact. | Yes |

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|---|--|--|-----|
| | Paved area is to be minimised. | Paved areas have been minimised to the extent necessary to provide for pedestrian and vehicular access, and useable private open space. The only paved areas proposed are those within the POS areas to each dwelling, the driveway, carparking area and pedestrian pathways. Substantial soft landscaping and tree planting is provided throughout the site and along all boundaries. | Yes |
| 4.1.13 Site Facilities | Garbage bins, waste recycling areas, mailboxes and external storage facilities should be adequate in size, durable, waterproof, blend in with the development, avoid visual clutter and be accessible to the users of the building and service vehicles. | Garbage storage areas and switchboards are located internally to the site. These are all located behind the buildings and will have no visual impact from the public domain. There are no external storage areas proposed. Mailboxes are provided along the main pedestrian pathways off Francis Street and Sanita Street. | Yes |
| | Ensure garbage storage and waste recycling areas are not located adjacent to any residential habitable rooms. | Twin bin storage rooms are proposed and are located in enclosed spaces behind the building line. Although located adjacent to residential apartments, these spaces can be ventilated through fixed ventilation louvres to minimise odours. | Yes |
| | Provide adequate internal storage and design internal layouts to allow the building to be re-used for other purposes in the future. | The proposed development is for 1 and 2 bedroom social housing dwellings. It is unlikely that the building will be used for anything other than residential accommodation in the future. Adequate storage has been provided to comply with LAHC's Design Requirements. | N/A |
| 4.1.14 Energy efficient siting and layout | Buildings must be designed to ensure that all floor areas are to be within a 6m distance of an external window. An elongated plan shape produces this characteristic, as will the use of an atrium or courtyard. Maximise north and south facades, whilst minimising east and west facades | The proposed development has been designed to address the Francis and Sanita Street frontages, whilst maximising solar access. Where possible, units are designed to have multiple aspects, which will provide optimal daylight penetration and cross ventilation. All floor areas of habitable rooms are within 6m from external windows. It is noted that the internal layouts of these units comply with the design criteria of the Apartment Design Guide (for reference), being a maximum of 8m from a window. | Yes |
| 4.1.17 Space Heating & Cooling | Select heating devices that have appropriate controls to cater for the particular use of the building whilst maximising the conservation of non-renewable energy. | Air conditioning will be provided for all units. A 53.5kW solar PV system is to be installed on the roofs of the development to offset the energy use of tenants. | Yes |

7 Notification, Consultation and Consideration of Responses

7.1 Council Notification

In accordance with section 43A of the Housing SEPP, Goulburn Mulwaree Council was notified of the development by letter dated 27 September 2024 (refer to **Appendix G**). The notification response period formally closed on 17 October 2024 and Council responded to the notification by letter dated 15 October 2024, which has been extracted in **Table 10** below. A response is provided in relation to the matters raised in Council's letter and where appropriate, these matters have been addressed in the identified requirements in the **Activity Determination**.

Table 10 Issues raised in Council submission

| Council Comment | Homes NSW Response |
|--|---|
| Notification of Development | |
| Pursuant to clause 43A of the State Environmental Planning Policy (Housing) 2021, Council suggests the application be referred to adjoining and adjacent landowners and Water NSW for comment. | Advice was sought from Goulburn Mulwaree Council regarding additional persons or properties that should be notified of the development. Council provided a response on 16 September 2024 confirming the scope of notification but refused to provide the owner's details of adjoining properties. Without Council supplying owner's details, Homes NSW is unable to notify them as we do not have access to this information. The proposal was referred to Water NSW on 22 October 2024 as per Council's request. |
| Planning Comments | |
| The upper-level living room windows have privacy impacts upon neighbouring properties. It is requested that frosted glass be used to a minimum height of 1.6 metres above floor level where this occurs; and | Generally, windows and balconies across the site have been sited and screened such that opportunities for unreasonable overlooking have been minimised. Unit 114 is the only unit where a living room directly faces a neighbouring property. The proposal has been amended to ensure that the living room windows along the western elevation of unit 114 are frosted. It is noted that Unit 103 does not provide living rooms windows that face the southern property. |
| The proposed public footpath at the Francis Street / Sanita Street intersection is partially located on private land, therefore dedication of this portion of affected land to Council is required. | Noted. The portion of land where the proposed footpath intersects the subject site will be dedicated to Council as part of the development. An Identified Requirement (No. 5) has been recommended to this effect. |
| The new access entrance and footway crossing on Sanita Street shall be constructed to Council's standards. | Noted. A standard Identified Requirement (No. 10) has been included to ensure that all public domain works will be constructed in accordance with Council's standards. |

| Council Comment | Homes NSW Response |
|--|---|
| Several frost sensitive plant species are specified that will not survive in Goulburn; alternate frost hardy species should be used. These are; <i>Ceratopetalum gummiferum</i> , <i>Elaeocarpus reticulatus</i> , <i>Doryanthes excelsa</i> , <i>Murraya paniculata</i> , <i>Strlitzia reginae</i> , <i>Syzygium australe</i> & <i>Clivia miniate</i> . Additionally, <i>Azalea</i> & <i>Rhododendron</i> species generally do not do well in Goulburn. | Amended landscape drawings have been provided to ensure that the species selected are compatible with the local climatic conditions and to ensure that the development will contribute positively to the landscape context of the locality. Refer to Appendix B . |
| The recommendations of the Arborists report are to be implemented to minimise the impact on existing trees that are to be retained; | Noted. Standard Identified Requirement (No. 36) is recommended requiring retention and measures during construction to be implemented in accordance with the Arborist report to ensure that the street trees can be suitably retained. |
| A regular landscape maintenance program will be needed to ensure the long term survival of the planted areas; | Homes NSW has an ongoing maintenance program which includes urgent repairs, regular lawns and grounds maintenance, and upgrading programs. Homes NSW contractors regularly attend to the maintenance of Homes NSW properties including at its new development sites. |
| If services allow <i>Malus floribunda</i> – Crab Apples should be planted along Francis Street as street trees at similar intervals to the existing street trees; Council requests additional street tree planting on the eastern side of Francis Street, adjoining the subject site to enhance the streetscape. | The landscape plan has been amended to include the planting of 5x Crab Apple trees along the Francis Street frontage, in accordance with Council's comments. Refer to Appendix B . |
| It is noted that the proposed development is exempt from the Goulburn Mulwaree Local Infrastructure Contributions Plan 2021 as the development is being carried out for the sole purpose of providing affordable housing by a registered community housing provider or social housing provider. | Noted. |
| Water and Sewer Comments | |
| The Applicant is to complete and submit a section 305 application (Water Management Act). The Goulburn Mulwaree Council Utilities Directorate will respond with a section 306 certificate outlining water, sewer & stormwater conditions and section 64 contribution fees. The 305 Application fee is \$1,262 for the 2024/2025 financial year. | This advice has been included as an advisory note in the Activity Determination. Identified Requirement (No. 38) is also recommended to be imposed to this effect. |
| A Section 68 Application for water, sewer and stormwater (including hydraulic engineers details of the water, sewer and stormwater systems) must be lodged with Council for the proposal. In the design of the hydraulic services, it will be necessary to provide a Water Cycle Management Plan which should be referred to Water NSW for their comment. | This advice has been included as an advisory note in the Activity Determination. Identified Requirement (No. 38) is also recommended to be imposed to this effect. |

| Council Comment | Homes NSW Response | | | | | | | | | | | | | | | | |
|--|--|----------|-----------|----|---------------------|-----|---------|----------|---------------------|-------|----------|-----------|-------------------------------------|--|--|-----------|--|
| A 150mm sewer junction exists for each existing lot, after consolidation, the single larger lot is to only have one sewer connection. The developer has the choice of using one of the existing sewer connections ensuring it is renewed in 150mm PVC and disconnecting the other existing connections, or the developer has the option of disconnecting all existing sewer connection points and installing a single 150mm sewer connection at a preferred location. If the sewer needs to be extended for any reason, hydraulic designs for the proposed sewer main needs to be submitted to the Council for approval before any sewer works can be carried out. | Appropriate provisioning for services including for sewer connections will be made prior to construction commencing. Identified Requirement (No.38) is recommended to be imposed. | | | | | | | | | | | | | | | | |
| A single 20mm water service exists for each existing lot, after consolidation of the four lots, three services are to be disconnected by Council upon commencement of work, this is to be done by Council upon submission of a water application. A single 20mm service can be left for water supply for the duration of the construction works. | Appropriate provisioning for services including water supply will be made prior to construction commencing. Identified Requirement (No. 38) is recommended to be imposed | | | | | | | | | | | | | | | | |
| Closer to the end of the works, the developer can apply to have a sufficiently sized water service installed for the development. Due to the number of dwellings within the development, it is recommended to have a Council master-meter installed rather than individual meters due to cost implications on the developer and the space required with a individual meter setup. Council is the only authority permitted to work on Councils water mains. | Appropriate provisioning for services including for water connections will be made prior to construction commencing. Identified Requirement (No. 38) is recommended to be imposed. | | | | | | | | | | | | | | | | |
| Water and sewer contributions have been calculated in accordance with Council’s S64 Development Servicing Plan as follows: <table><tr><td>Contributions</td><td>ET</td><td>\$/ET</td><td>\$</td></tr><tr><td>Water Contributions</td><td>9.8</td><td>\$6,920</td><td>\$67,816</td></tr><tr><td>Sewer Contributions</td><td>13.25</td><td>\$12,515</td><td>\$165,823</td></tr><tr><td colspan="3">Total water and sewer Contributions</td><td>\$233,639</td></tr></table> | Contributions | ET | \$/ET | \$ | Water Contributions | 9.8 | \$6,920 | \$67,816 | Sewer Contributions | 13.25 | \$12,515 | \$165,823 | Total water and sewer Contributions | | | \$233,639 | Identified Requirement (No. 38) is recommended to be imposed to this effect. |
| Contributions | ET | \$/ET | \$ | | | | | | | | | | | | | | |
| Water Contributions | 9.8 | \$6,920 | \$67,816 | | | | | | | | | | | | | | |
| Sewer Contributions | 13.25 | \$12,515 | \$165,823 | | | | | | | | | | | | | | |
| Total water and sewer Contributions | | | \$233,639 | | | | | | | | | | | | | | |
| Engineering Comments | | | | | | | | | | | | | | | | | |
| The existing vehicle kerb crossings should be removed and replaced with standard upright kerb in accordance with GMC Standard Drawing SD-R 10. | Noted. Identified Requirement No. 10 to be imposed requiring public domain infrastructure to be constructed in accordance with Council standards. | | | | | | | | | | | | | | | | |
| A new vehicle kerb crossing and layback will require construction in accordance with GMC Standard Drawing SD-R 06 at the nominated driveway location in Sanita Street shown on the Site Plan prepared by DEM (Project No. 4616-00, Dwg No. ar-0200, Rev a01). | Noted. Identified Requirement No. 10 to be imposed requiring public domain infrastructure to be constructed in accordance with Council standards. | | | | | | | | | | | | | | | | |

| Council Comment | Homes NSW Response |
|---|---|
| The proposed footpath in both street frontages shown on the Site Plan prepared by DEM (Project No. 4616-00, Dwg No. ar-0200, Rev a01) should be constructed as a 1.5 m wide path in accordance with GMC Standard Drawings SD-R 04 & SD-R 12, with a kerb ramp provided at the Sanita Street / Francis Street intersection in accordance with GMC Standard Drawings SD-R 11A & SD-R 11B. | Noted. Identified Requirement No. 10 to be imposed requiring public domain infrastructure to be constructed in accordance with Council standards. |
| Stormwater disposal should be directed to the street gutter in Francis Street at the location indicated on the Stormwater Management Plan prepared by DEM (Project No. 230097, Dwg No. C400, Issue B). | Noted. Identified Requirement No. 1 and 42 to be imposed requiring public domain stormwater infrastructure to be constructed in accordance with Council standards. |
| The contractor engaged to undertake the above works in the public road reserves will be required to submit to and have approved by Council a S138 application under the Roads Act 1993 prior to commencement of the above works; | A Section 138 application is not required to be submitted as Homes NSW can undertake works within the road reserve as exempt development pursuant to the provisions of Schedule 1 of the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> . |
| <p>Stormwater contributions have been calculated in accordance with Council's S64 Development Servicing Plan as follows:</p> <p>Total Site Area = 3520m² A - Existing impervious area = 1025m² B - Proposed impervious area = 2470m² C - Contribution rate = \$4,180 per 350m²</p> <p>Calc 1 = B-A = 1445m² (additional impervious area) Calc 2 = 1445m²/350m² = 4.13</p> <p>Stormwater Contribution Amount = 4.13 x C = \$17,263.40</p> | Identified Requirement (No. 38) is recommended to be imposed to this effect. |

7.2 Notification of Occupiers of Adjoining Land and Other Persons

Under section 43A(1)(a) of the Housing SEPP, Goulburn Mulwaree Council was requested to nominate any other persons who should, in the Council's opinion, be notified of the development.

Advice was sought from Council regarding additional persons or properties that should be notified of the development. Council provided an email response on 16 September 2024 confirming the scope of notification which included additional properties; however owner details of properties were not forthcoming. **Figure 19** illustrates the properties indicated by red stars, in which the occupiers were notified of the development.

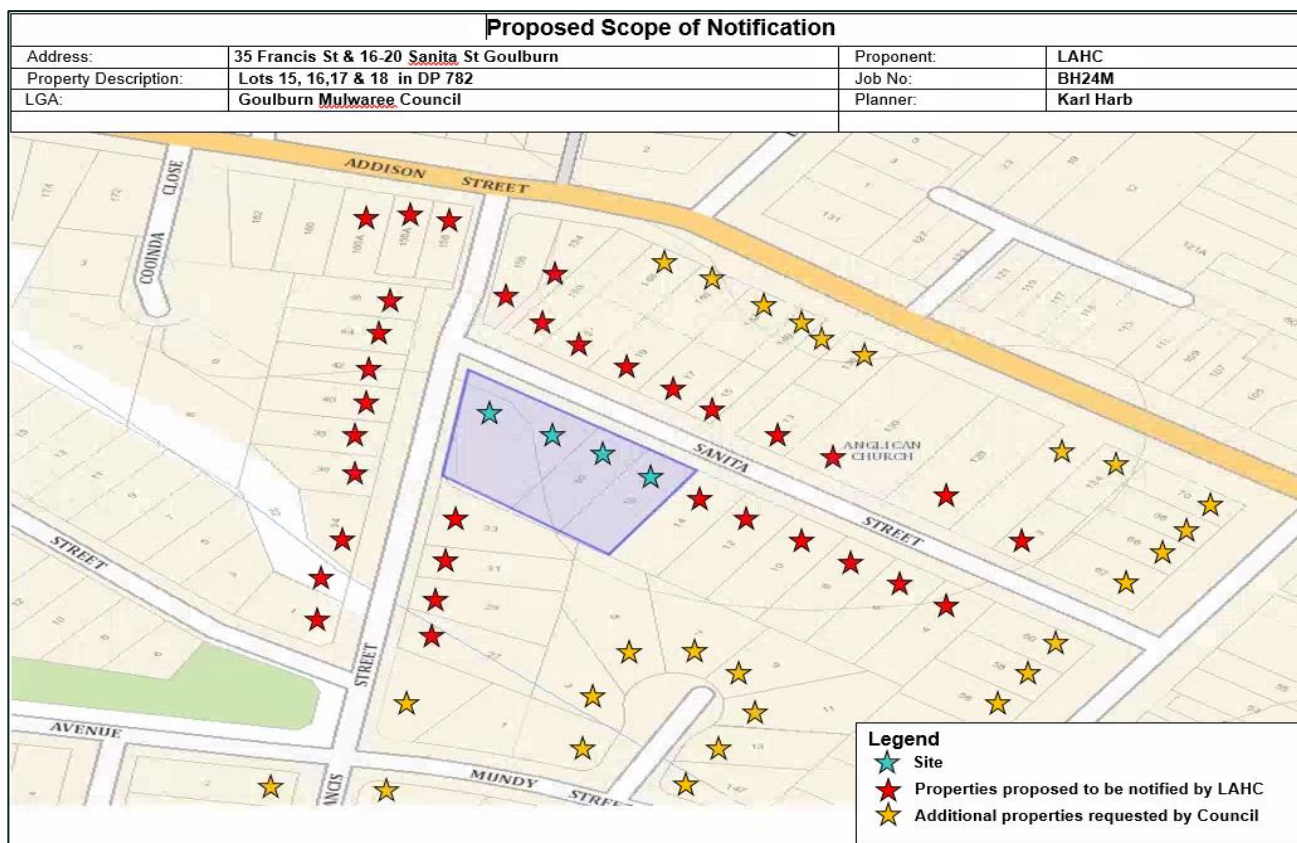


Figure 19 Map of Properties Notified of the Proposed Development (Source: LAHC)

Under section 43A(1)(b) of the Housing SEPP, occupiers of adjoining land, as identified in the above map, were notified of the proposed development activity by letter dated 27 September 2024. A sample of the notification letter is provided at **Appendix G**. The notification response period formally closed on 17 October 2024 and 5 submissions were received.

A response to the key issues raised in the submissions are discussed in **Table 11**.

Table 11 Key issues raised by adjoining owners / residents

| Issues raised | Homes NSW Response |
|-----------------------|--|
| Anti-social behaviour | Like the rest of the community, most tenants are good neighbours and law-abiding people. Nevertheless, the Department of Communities and Justice (DCJ) has a policy in place for dealing with disruptive tenants. More information about the policy can be found at Antisocial behaviour in public housing Family & Community Services (nsw.gov.au) . In addition, DCJ has a dedicated 24-hour hotline, 1800 422 322, where local residents can report any tenancy related matters. You can also contact the Goulburn office directly on 4823 0555 or via email T407@dcj.nsw.gov.au to report any property care issues and tenancy related matters. |
| Safety & Security | The development has been designed to maximise opportunities for passive surveillance to the streetscape and common areas around the development. The majority of dwellings (20/29) directly face the street frontages of Sanita and Francis streets. The other 9 dwellings provide passive surveillance opportunities of the internal carpark and other areas around the site. |

| Issues raised | Homes NSW Response |
|-----------------------------|---|
| | <p>The development will incorporate fencing to private open spaces and landscaping planting along the allotment boundaries to provide a natural barrier between the public and private domains.</p> <p>Furthermore, access to building lobbies and pathways through the site are clearly defined and adequate wayfinding can be achieved.</p> <p>Accordingly, the development is not considered to result in any detrimental impact to the safety and security of the neighbourhood.</p> |
| Traffic and Parking | <p>The proposal provides 20 on-site car parking spaces which is consistent with the requirements of the <i>State Environmental Planning Policy (Housing) 2021</i> (Housing SEPP) for development on land within a non-accessible area.</p> <p>The Traffic Impact Assessment (Appendix S) was provided to assess the impacts of the development upon the local road network. The report findings indicate that the proposed development would generate up to 14 additional weekday vehicle trips during the respective peak periods, which is not expected to have any significant impacts on the existing local street network.</p> <p>Notwithstanding this, social housing tenants typically have lower car ownership rates than the general community. ABS data for the Goulburn LGA in 2021 shows that 31.5% of social housing households have no cars, which is substantially higher than the general population households at 5%. Further, only 15% of social housing households have 2 or more cars compared to 28.7% of general population households.</p> <p>It is therefore considered that the parking and traffic impacts are minor and duly mitigated by the proximity to, and availability of the nearby public transport, and typically lower car ownership rates of social housing tenants.</p> |
| Scale of development | <p>The development is of a scale envisioned by the applicable planning controls, including the <i>Goulburn Mulwaree Local Environmental Plan 2009</i>, which permits residential flat buildings on the land. Furthermore, the building height and floor space ratio of the proposal is well within the maximum permitted by the Housing SEPP for the site, with a height of 8.97m (maximum permitted is 11m) and a floor space ratio of 0.57:1 (maximum permitted is 0.65:1). The development is also generally compliant with Council's DCP controls in terms of setbacks and built form controls.</p> <p>The subject site, being 3,519.3m², comprises the consolidation of multiple lots and is of a size that is suitable to accommodate a development of this scale, and promotes the orderly and economic use of the land.</p> |
| Decrease in property values | <p>The proposed development is for the purposes of addressing the increasing demand for social and affordable housing within Goulburn, in a location where residents have access to shops, services and facilities. Across regional NSW our new homes blend into the community, help reduce the stigma of living in social housing and make a positive contribution to the area and streetscapes. There is no evidence to suggest the development would adversely affect property values.</p> |
| Garbage collection | <p>The operational waste management strategy has been developed in consultation with Goulburn Mulwaree Council to ensure that sufficient bin</p> |

| Issues raised | Homes NSW Response |
|------------------------------|---|
| | <p>capacity is provided to tenants and that Council waste services are able to service the development.</p> <p>Following a review of the proposal, Council endorsed the waste management strategy for this site in March 2024.</p> |
| Driveway placement | <p>The submitted Traffic Impact Assessment (Appendix S) considers the proposed driveway placement and vehicular access to and from the site.</p> <p>The driveway location, width and car parking layout including parking bay dimensions have been assessed against Australian Standards AS 2890.1 (Off-street car parking), and AS2890.6 (Off-street parking for people with disabilities). The proposed layout meets the requirements of the relevant Australian Standards.</p> <p>A swept path assessment has been carried out for vehicles entering and exiting the driveway onto Sanita Street and for circulation within the car parking area. These indicate that the design of the entry/exit and car park is suitable for the vehicles likely to be accessing the site.</p> |
| Privacy | <p>The proposed development has been designed to maximise privacy and minimise overlooking onto neighbouring properties, through careful window placement, balcony screening, and landscaping, including screen plantings at the side and rear boundaries. On Francis Street the second storey of Block C has been stepped in, in addition to the 3 metres from the boundary provided on the ground floor level. On Sanita Street the proposed design of Block B has allowed a 3m setback from the boundary.</p> |
| Ongoing maintenance | <p>Homes NSW has an ongoing maintenance program which includes urgent repairs, regular lawns and grounds maintenance, and upgrading programs.</p> <p>Homes NSW contractors regularly attend to the maintenance of Homes NSW properties including at its new development sites.</p> |
| Upgrade of Public Facilities | <p>The upgrade and maintenance of public facilities in the locality is the responsibility of Goulburn Mulwaree Council.</p> <p>Homes NSW is a statutory body representing the Crown that holds self-approval powers for specified residential development under Part 5 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Homes NSW is not required to pay development contributions under a Part 5 Activity. Furthermore, affordable/social housing is exempt from Goulburn Mulwaree Local Infrastructure Contributions Plan 2021.</p> <p>Notwithstanding, the development will incorporate the construction of new footpaths within the immediate frontage of the site and will contribute new street trees along the Francis Street road frontage.</p> |

7.3 Notification of Specified Public Authorities

The development is “residential development” under section 42 of the Housing SEPP. As required by section 42(4) of the Housing SEPP, consideration has been given to the need to notify the “specified public authorities” identified in *State Environmental Planning Policy (Transport and Infrastructure) 2021*, sections 2.15 and 2.17. The development is not located in an area that triggers the requirement to notify public authorities other than Council. Notwithstanding, Water NSW was notified of the development, and comment was provided on 17

November 2024 confirming that no objection is raised to the proposed development subject to the imposition of Identified Requirements. Refer to Water NSW response in **Appendix U** and recommended Identified Requirements (Nos. 77 - 84).

8 Review of Environmental Factors

A review of environmental factors associated with the proposed activity, and the measures required to mitigate any adverse impacts to the environment, are provided below.

8.1 Neighbourhood Character

The site is located within Goulburn, an established residential area generally consisting of a mix of housing typologies from single dwelling houses within the immediate visual catchment of the site, to multi-unit flat buildings more broadly. Most residential developments within the local area are of brick or weatherboard construction. Currently, there is a gradual transition from low density housing to medium density development within the locality, with the proposed development promoting more contemporary medium density development in the Goulburn local area.

The bulk and scale of the proposed development will be compatible with the existing character of the neighbourhood and will deliver a built form outcome consistent with the planning controls for the locality and Goulburn. The two-storey design, siting, layout, brick external façades, pitch roofing and landscape setting of the proposed development aligns with that of developments in the locality.

Mitigation Measures

No mitigation measures are required, as the design of the proposed development is sympathetic to the neighbourhood character, providing setbacks to neighbouring development that are consistent with surrounding developments and an overall scale that is compatible with existing built form in the street. Suitable design treatments, including fencing, landscaping and a considered planting mix ensure the proposal will generate benefits to neighbourhood character.

8.2 Bulk and Density

The proposed development is of a bulk and scale that is sympathetic to the surrounding development in the locality of Goulburn. The 2-storey building incorporates appropriate setbacks distinguished by a variety of articulation features, external finishes and materials to reduce the visual bulk of the development. The development is designed with suitable façade articulation and roof form to minimise bulk and scale.

The proposal incorporates a floor space ratio of 0.57:1 and a maximum height of 9m which is generally consistent with a general residential area. The FSR and 2-storey built form is compatible with existing development in the street and is sympathetic to the surrounding context. The design provides an appropriate response to the desired future character envisaged for the R1 General Residential zone, which encourages a variety of housing types and densities. Each unit within the development achieves a high level of amenity for residents, complies with Gold Level Livable housing standards and provides adaptable housing opportunities.

The compliant floor space ratio in conjunction with landscaped deep soil areas along allotment boundaries confirms the proposal does not constitute an overdevelopment of the site. The proposal will suitably increase housing density which is consistent with State and regional strategies and the development controls applying to the site.

Mitigation Measures

No mitigation measures are required.

8.3 Streetscape

The architectural style of the proposed development activity is compatible with the form of medium density development in the surrounding locality. The street façade is divided into a number of distinct elements, separated with landscaped areas resulting in a finer grained streetscape appearance, consistent with existing development in the area. In addition, the hard stand car parking area has been positioned towards the rear of the site and will be obscured from street view which will ensure the development provides a positive streetscape presence.

Given the strong articulation and modulation along the front façade and proposed landscaping within the street setback area, the proposed development will make a positive contribution to the streetscapes of Francis and Sanita Streets. The proposed development will replace ageing housing stock that has reached the end of its economic life with a new contemporary residential development.

The built form has been designed to address both street frontages through incorporation of street facing windows and doors, as well as courtyards and balconies within the front setbacks, improving casual surveillance of the public domain.

Mitigation Measures

No mitigation measures are required.

8.4 Visual Impact

The proposed development will generate some short-term visual impact on the surrounding area during construction, with a long-term positive visual impact associated with the establishment of new dwellings in an existing residential context.

The proposed development will make a positive contribution to the residential streetscape through construction of contemporary small-scale residential flat buildings that respond to the site context and neighbourhood character. Articulation, diverse mix of materials and a neutral colour palette will assist with the overall aesthetic of the site.

New landscaping proposed within the front setback will incorporate the planting of 1 x Apple Top Box (*Eucalyptus angophoroides*) tree at the front corner of the site at Francis and Sanita Street, with a mature height of 20m. In addition, 5 x Crab Apple (*malus floribunda*) trees are proposed within the road frontage on Francis Street, and together with considered tree and shrub planting along the side and rear boundaries of the site, the development will add to the long-term visual amenity of the surrounding properties and improve the appearance of the site from the street.

Mitigation Measures

No mitigation measures are required.

8.5 Privacy

A high level of internal and external privacy is maintained by the proposed development activity through a range of measures including careful and considered placement of windows and screening, site landscaping, and setbacks so as to avoid direct overlooking of neighbouring properties. In particular:

- A minimum 6m setback is provided from side boundaries to all first-floor apartments, to provide sufficient visual separation to adjoining properties. Further, first floor apartments generally do not have any windows or balconies that face directly toward adjoining private open spaces.
- Unit 114 is situated adjacent to the neighbouring garage, and will incorporate frosted living room windows facing the side boundary to mitigate any potential privacy impacts. Together with the 6m side setback at this location, the opportunities for unreasonable overlooking have been appropriately managed.
- Dwellings generally are orientated toward the street frontages of Francis and Sanita Streets, to ensure that living areas and high-frequency used rooms facing adjoining properties are minimised.
- Adequate boundary setbacks are proposed, 3m to the southern side boundary and 6m to the eastern side boundary, to assist with mitigating overlooking to adjacent developments.
- Window openings on side elevations have been limited where possible, and are generally to bedrooms and bathrooms. Living area windows are either screened or oriented to the front and rear elevations where setbacks are increased.
- Solid balcony balustrades are proposed which will assist in providing privacy to residents for dwellings facing the street.
- Proposed 1.8m side and rear boundary fencing, and 1.5m palisade front boundary fencing with landscaping, will mitigate unacceptable overlooking into the ground level units from the public domain.

Mitigation Measures

- No mitigation measures are required.

8.6 Solar Access

The design and siting of the proposed development will provide adequate daylight access to the proposed dwellings' living areas and private open spaces. The submitted Architectural Plans (**Appendix A**) indicate that 21 out of 29 dwellings (72%) receive at least 3 hours direct solar access to the living and POS areas on June 21, which meets the requirements of the LAHC Design Requirements.

Proposed living and open space areas have been carefully sited to maximise solar access and the proposal is consistent with the Housing SEPP requirements.

Mitigation Measures

No mitigation measures are required.

8.7 Overshadowing

Shadow Diagrams (**Appendix A**) illustrate that all adjoining properties receive at least 3 hours of solar access between 9am and 3pm on 21 June (mid-winter) to living areas and private open spaces. Some overshadowing will occur to the neighbouring property to the south at 33 Francis Street in the morning, and to 14 Sanita Street to the east in the afternoon. Notwithstanding, the extent of the proposed overshadowing is minimal and does not impact upon the neighbouring properties overall solar access throughout the day, which will receive more than 3 hours of direct solar access to the private open spaces and internal rooms. The proposed development incorporates generous side and rear setbacks, particularly to second storey elements, which ensures that no unreasonable overshadowing will occur to any adjoining properties.

Overall, the shadow diagrams demonstrate there will be acceptable overshadowing impacts by the proposed development to the adjoining properties.

Mitigation Measures

No mitigation measures are required.

8.8 Traffic & Parking

A total of 20 car parking spaces will be available on site to serve residents of the proposed development. The provision of on-site car parking meets the parking requirements set out in the Housing SEPP for developments carried out by LAHC on land that is not in an accessible area. Unrestricted street parking is available on Francis and Sanita Streets to accommodate any potential overflow parking demand generated by the proposed development.

The Traffic and Parking Assessment Report prepared by Sydney Traffic Engineers Pty Ltd (**Appendix S**) indicates that the development will have a minor projected nett increase in traffic activity as a consequence of the development. However, this was determined to not have any unacceptable implications in terms of road network capacity.

The Traffic and Parking Assessment Report examined the adequacy of the proposed internal driveway and parking arrangement. The assessment confirmed that the design including the car parking layout and associated aisle width, is compliant with applicable standards.

Mitigation Measures

No mitigation measures are required.

8.9 Flora and Fauna

An Arboricultural Impact Assessment and Tree Management Plan has been prepared for the site by Redgum Horticultural (**Appendix J**). The report considers 11 trees; 4 trees (Trees 1, 2, 3, 4) are located within the site; and 7 trees (Trees 5, 6, 7, 8, 9, 10, 11) are located within the Sanita and Francis Streets road reserves.

The removal of the 4 existing trees within the site is proposed based on the following reasons:

- Tree No. 1 - identified as being in good condition, however located within the proposed building footprint and cannot be viably retained.
- Tree No. 2 - identified as being in fair condition, however located within the footprint of proposed building and cannot be viably retained.
- Tree No. 3 - identified as being in good condition, however located within the footprint of the proposed footpath, which would result in an excessive encroachment to the structural root zone of the tree. Therefore, the tree cannot be viably retained.
- Tree No. 4 - identified as being in good condition, however located within the footprint of proposed building and cannot be viably retained.

Tree removal is recommended primarily to accommodate the proposed development especially where encroachment will have an adverse impact on roots and crown for viability and stability of the individual species recommended for removal (refer to submitted Arboricultural Impact Assessment in **Appendix J**).

The 7 street trees are proposed for retention. The Arboricultural Impact Assessment identifies that the proposed development is sufficiently setback from trees proposed to be retained.

Appropriate replacement planting is proposed, as indicated on the landscape plan (**Appendix B**). The new plantings will provide replacement tree cover on the site and increase the variety of species, including trees capable of reaching a mature height of up to 20m, which will provide additional habitat for fauna in the long-term.

Additional planting includes the provision of trees along the Francis Street frontage, in response to Council's letter dated 15 October 2024. The landscaping scheme was amended accordingly to result in additional 5 street trees spaced at regular intervals.

There will be no significant impact on native fauna as a result of the proposed development, given that compensatory planting is proposed.

Mitigation Measures

Identified Requirements (No's. 1, 18 – 20 are included in the **Activity Determination** and require the implementation of the Landscape Plan; and the tree protection measures as recommended in the Arboricultural Impact Assessment and Tree Management Plan.

8.10 Heritage (European / Indigenous)

Goulburn Mulwaree Council's Section 10.7(2) & (5) Planning Certificate did not identify any heritage items on, or in vicinity of the site (refer **Appendix F**).

Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 24 September 2024 (**Appendix I**) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality and the site is considered to be disturbed land. Consideration of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, determined that no additional investigation was warranted. Discovery of cultural material during development activities cannot be ruled out, however, an identified requirement has been applied should any Aboriginal relics be discovered on the site during excavation/construction.

Other Cultural Heritage

No cultural heritage items have been identified in Goulburn Mulwaree Council's Section 10.7(2) & (5) Planning Certificates and the likelihood of any heritage relics being discovered during excavation / construction is considered to be minimal.

Heritage Items within the Vicinity of the Site

The subject site is not identified as an item of environmental heritage nor is it located within a heritage conservation area. However, the site is located in the vicinity of Church (1884) and Rectory, a heritage item listed in Schedule 5 of the GMLEP 2009. A Heritage Impact Statement (HIS) has been prepared and is available at **Appendix O**, which assesses the potential impact of the proposed development on the heritage significance of the nearby item. The HIS concludes that significance of the church and rectory will not be adversely affected by the proposed works due to the respectful design which has resulted in an unobtrusive architectural outcome by utilising elements such as a traditional hip roofline, recessive and muted earthy tones, and the leafy setting.

Mitigation Measures

Identified Requirements (No. 46 & 47) have been applied should any cultural heritage relics be discovered on the site during excavation / construction.

8.11 Soils / Contamination / Acid Sulfate Soils / Salinity

Geotechnical

A Geotechnical Site Investigation has been prepared by STS Geotechnics (**Appendix P**) and indicates the following:

- The subsurface conditions generally consist of fill, silty clays, sandy clays, sandy silty clays, and gravelly sandy clays overlying weathered rock. The fill is present from the surface to depths of 0.2m to 0.35m. Stiff, becoming very stiff with depth, natural silty clays, sandy clays, and sandy silty clays grading to gravelly sandy clays underlie the fill to the depths of auger refusal on weathered rock, 0.9m to 1.9m.
- No groundwater was observed during the fieldwork.

The report classifies the site as a *problem site (P)* due to the presence of trees on site. However, provided that the recommendations of the report are adopted, the site can be classified as *highly reactive (H1)*.

The report provides recommendations on how excavation and foundation design are to be carried out on the site to limit risk of damage to adjoining properties and ensuring the structural integrity of the proposed development.

Contamination

As detailed above in **Section 6.6** of this REF, the site is unlikely to be contaminated.

Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not affected by a policy restriction relating to Acid Sulfate Soils.

Salinity

According to Council's Section 10.7(2) & (5) Planning Certificate, the land is not affected by a policy restriction relating to salinity. Furthermore, the Geotechnical Investigation report prepared by STS Geotechnics Pty Ltd (**Appendix P**) highlights the electrical conductivity values of 0.2 and 0.5 dS/m for the site as consistent with the presence of non-saline soils.

Mitigation Measures

Standard Identified Requirement (No.1) is recommended to require compliance with the recommendations of the Geotechnical Investigation prepared by STS Geotechnics Pty Ltd. Standard Identified Requirement (No.17) is also recommended to address any potential soil contamination occurrence.

8.12 Drainage / Flood Prone Land / Hydrology/ Water Quality

Stormwater will be collected via a series of stormwater pits and gutters on the site connected to a 95m³ underground on-site detention tank (OSD) draining to the proposed kerb outlet located on Francis Street, to be constructed in accordance with Council standards. Roof water from the development will be collected from downpipes and connected to two 6000L aboveground rainwater tanks for recycling with overflow connected to the OSD located under the driveway and car parking area. All water that discharges from the OSD to the kerb will be filtered through a bioretention basin in accordance with the NorBE requirements.

The Section 10.7(2) & (5) Planning Certificates issued by Goulburn Mulwaree Council for the subject site indicates that the land is not subject to flood related development controls.

The proposed development has been designed to have no adverse impact on the hydrology or water quality within the local area.

Mitigation Measures

Identified requirements (Nos. 6-9) have been recommended to ensure that stormwater drainage is managed in accordance with legislative requirements.

Identified Requirement No.s 77-84 are recommended in relation to Water NSW requirements.

8.13 Bushfire Prone Land

The Section 10.7(2) & (5) Planning Certificates issued by Goulburn Mulwaree Council for the subject site indicate that the land is not bushfire prone.

Mitigation Measures

No mitigation measures are required.

8.14 Noise and Vibration

During Site Preparation / Construction

During site preparation/construction typical noise levels associated with building works will be generated within the hours of 7am to 5pm Monday to Saturday, consistent with the requirements for complying development across NSW.

During Occupation

Noise generated when the proposed buildings are completed and occupied will be entirely in keeping with their residential surroundings. No major plant or equipment, which would generate unacceptable noise during occupation, will be installed in the proposed development.

The Architectural Plans (**Appendix A**) illustrate future provision for air conditioning units for each individual unit. Specific details of the air conditioning system are to be provided in the detailed construction documentation. Any air conditioning units must be designed and operated in accordance with the acoustic requirements set by EPA Guidelines and the *Protection of the Environment Operations (Noise Control) Regulation 2017*. Acoustic certification is required at construction documentation stage and prior to occupation to ensure that the air conditioning units are appropriately designed and installed. Their operation is also subject to an ongoing use Identified Requirement.

The building will be constructed to comply with the deemed-to-comply provisions of the *Building Code of Australia* with respect to noise transmission.

Mitigation Measures

Site preparation/construction noise will be controlled to within acceptable limits by sound attenuation measures and undertaking construction activities within EPA/local council requirements.

Buildings will be constructed to comply with the deemed-to-satisfy provisions of the *Building Code of Australia* and EPA criteria with respect to noise transmission.

Appropriate Identified Requirements (Nos. 2, 58, 60, 73) have been applied to ensure compliance with the above mitigation measures.

8.15 Air Quality

Temporary and localised air quality impacts including dust, smoke, grit, odours, and fumes might be generated during the clearing and excavation of the site and construction of the proposed development.

Mitigation Measures

Appropriate standard Identified Requirements (Nos. 61 & 63) have been applied that will satisfactorily mitigate any potential or adverse impacts on air quality.

8.16 Waste Minimisation

A Waste Management Plan (**Appendix R**) has been prepared by DEM. The following waste minimisation and management measures have been identified and are to be considered in conjunction with the specific details, including the estimated quantities of waste, provided in the final waste management plan to be prepared by the building contractor.

During Demolition

Demolition materials will be stored wholly within the site prior to removal for recycling or disposal. Demolition waste will be removed from the site to an approved waste management facility or will be recycled, as follows:

- Concrete and bricks will be transported to an approved building waste collection facility;
- Any asbestos sheeting will be handled according to SafeWork NSW requirements and disposed of to an approved building waste collection facility;
- Metal will be transported to metal recyclers for sale and reuse; and
- Timber, plasterboard and other salvageable materials will be resold to various salvage yards where appropriate or disposed of at an approved building waste collection facility.

Specific intentions for recycling / re-use / disposal of demolition waste will be determined by the demolition contractor prior to the commencement of demolition works.

During Construction

Construction material waste must be removed from the site to an approved waste management facility or shall be recycled as follows:

- Excavation Material – All excavation material is intended for reuse as fill on site. Any excavation material deemed not acceptable will be disposed of.
- Green waste – Mulched, composted in landscape.
- Concrete - Excess material removed by contractor to nominated waste transfer/recycle centre.
- Timber - Reuse for formwork, remainder removed from site and recycled off site at nominated waste transfer/recycle centre.
- Plasterboard (offcuts) - Removal for recycling or return to supplier.
- Metal (roof sheet) - Recycled by appropriate sub-contractor.
- Floor covering - Any leftovers to be disposed of or recycled at nominated waste transfer/recycle centre.
- Other Waste - Recycled by appropriate sub-contractor.

During Occupation

General and non-recyclable waste will be disposed of in Council's standard waste storage bins in the garbage storage enclosures located towards the rear car parking area and placed on the street kerb by LAHC's maintenance contractor for weekly collection by Council's waste services.

Paper / metal / glass will be disposed of in Council's standard waste recycling bins in the garbage storage enclosures located towards the rear car parking area and placed on the street kerb by LAHC's maintenance contractor for fortnightly collection by Council's waste services.

Green waste will be disposed of in Council's standard waste storage bins in the garbage storage enclosures located towards the rear car parking area and placed on the street kerb for fortnightly collection by Council's waste services.

It is noted that Council endorsed the proposed operational waste management strategy in March 2024.

Mitigation Measures

Standard Identified Requirements (Nos. 34, 48-56) are recommended to ensure construction/demolition waste is appropriately managed and disposed of.

A standard Identified Requirement (No. 37) is recommended to require the preparation of a final waste management plan for the site preparation, construction, and occupation phases of the development.

8.17 Resource Use & Availability

The proposed activity will not result in any discernable depletion or degradation of natural resources. The proposal has been designed to meet water and energy efficiency targets as demonstrated by the BASIX certificate for the proposal. Further, a photovoltaic solar system and rainwater tanks for water re-use will contribute to the projects sustainability.

The recycling and reuse of materials during site preparation, construction and on-going occupation of the proposed development will reduce the consumption of natural resources.

The proposed development is for the replacement of existing housing that has reached the end of its economic lifespan. The proposed development will provide contemporary housing that will satisfy current State Government environmental sustainability requirements, particularly through improved energy and water efficiency. These factors will ensure reduced depletion and degradation of natural resources in the long term.

Mitigation Measures

No additional mitigation measures are required.

8.18 Community / Social Effects

The proposed development will generate a number of positive community and social effects, including:

- assist Homes NSW in meeting its significant, long-standing and continually-growing demand for social housing in the Goulburn Mulwaree local government and surrounding area;
- assist Homes NSW in improving the amenity of accommodation for its tenants, by providing new, more appropriate housing aligning with demand for social housing;
- improve the environmental sustainability of housing on the site, particularly through improved energy and water efficiency; and
- provide more accessible housing on the site.

Mitigation Measures

No mitigation measures are required.

8.19 Economic Impact

The proposed development is likely to contribute to a range of economic benefits in the Goulburn Mulwaree local government area and surrounding areas through:

- more efficient use of land resources, existing infrastructure and existing services;
- local sourcing of construction materials, where possible;
- the local sourcing of tradespeople and other construction-related professionals, where possible;
- on-going consumption from new/ additional households;
- the reduced maintenance costs of the newer housing; and
- savings associated with improved energy and water efficiency.

Mitigation Measures

No mitigation measures are required.

8.20 Cumulative Impact Assessment

The proposed activity is not likely to have singular or cumulative environmental impacts which would result in unacceptable adverse effects for the following reasons:

- The proposed activity will not result in any adverse cumulative impact when considered in conjunction with any other proposals or developments in the area;
- there will be no synergistic effects of individual project impacts from the proposed activity when considered in combination; and
- there are no known environmental stresses in the area of the proposed activity that would be increased.

Mitigation Measures

No mitigation measures are required.

9 Conclusion

9.1 Summary of Key Issues Raised in Assessment

The proposed activity, given its scale, location and design, will be sympathetic with its residential environment. Following a review of the site constraints, it has been determined that the subject land does not contain any significant environmental hazards and that there are no key issues that have been identified that require further assessment.

The proposed activity has been considered in terms of the provisions of Section 5.5 of the EP&A Act and Section 171-171A of the EP&A Regulation. Following an analysis of the potential impacts associated with the proposed activity, it was determined that an environmental impact statement is not required.

As demonstrated in this REF, the proposed activity is consistent with the relevant objectives and standards set out in the Housing SEPP, GMLEP 2009, and the design principles and better practices set out in the relevant guidelines.

In addition, and as demonstrated by the environmental impact analysis and assessment undertaken in this REF, the proposed activity will have environmental impacts that can be mitigated to an acceptable level in accordance with current applicable standards, will have a number of positive environmental effects in terms of the built environment and will deliver a range of social and economic benefits.

The proposed development will enable Homes NSW to meet the increasing demand for 1- and 2-bedroom dwellings in the local area. Therefore, the proposed development is clearly in the public interest.

9.2 Recommendation

Given the above review of environmental factors, it is recommended that Homes NSW proceed with the proposed activity subject to the implementation of the Identified Requirements listed in the **Activity Determination** accompanying this REF.

10 Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLAN

APPENDIX C – CIVIL & STRUCTURAL PLANS

APPENDIX D – SURVEY PLAN

APPENDIX E – NOTIFICATION PLANS

APPENDIX F – SECTION 10.7 CERTIFICATES

APPENDIX G – NOTIFICATION LETTER

APPENDIX H – ACCESS REPORT

APPENDIX I – AHIMS SEARCH

APPENDIX J – ARBORICULTURAL IMPACT ASSESSMENT

APPENDIX K – BASIX CERTIFICATE

APPENDIX L – BCA REPORT

APPENDIX M – DESIGN COMPLIANCE CERTIFICATES

APPENDIX N – NatHERS CERTIFICATE

APPENDIX O – HERITAGE IMPACT STATEMENT

APPENDIX P – GEOTECHNICAL INVESTIGATION

APPENDIX Q – TITLE SEARCH AND DP

APPENDIX R – WASTE MANAGEMENT PLAN

APPENDIX S – TRAFFIC IMPACT ASSESSMENT

APPENDIX T – GOULBURN MULWAREE COUNCIL COMMENTS

APPENDIX U – WATER NSW COMMENTS