



STATEMENT OF ENVIRONMENTAL EFFECTS

CHILDCARE CENTRE

LOT 20 DP 271268 GOULBURN

18 MARCH 2025



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1.0 Introduction & Purpose

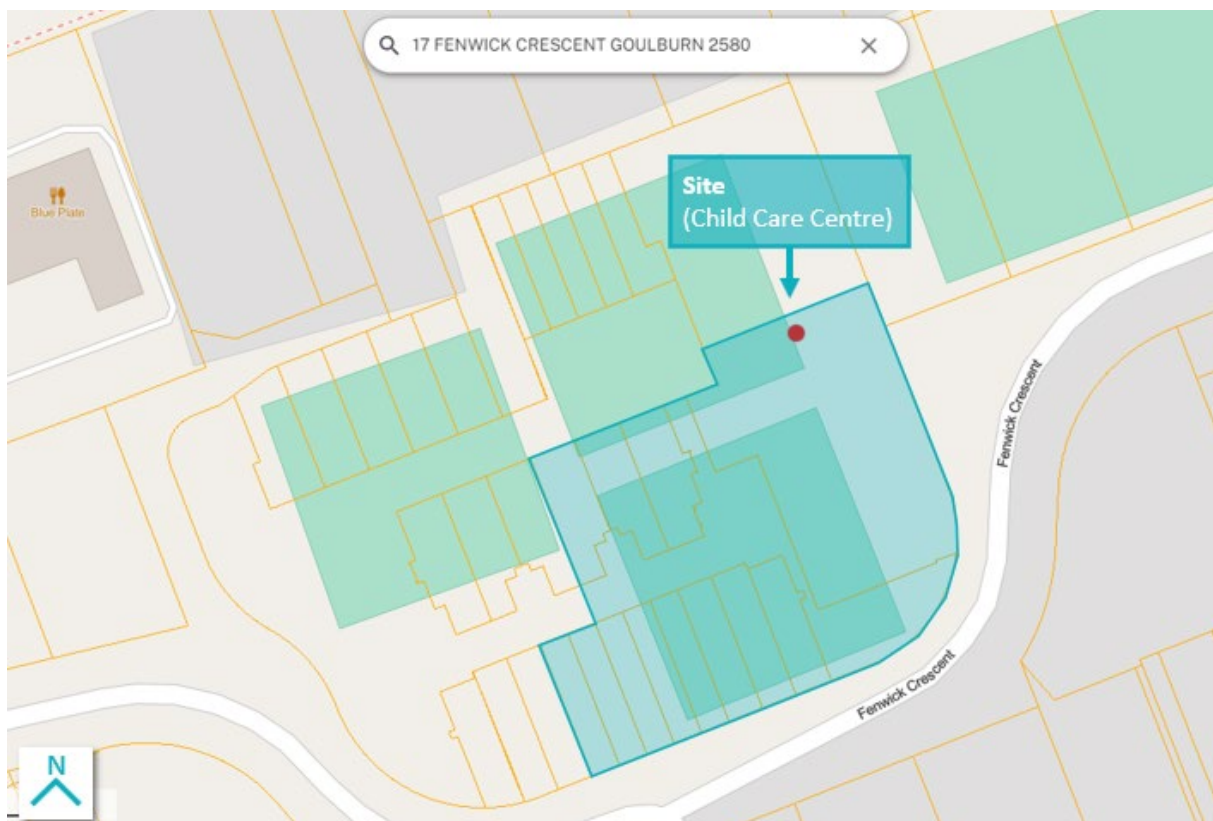
This report has been prepared by Purdon Planning on behalf of **Infinite Projects Fenwick Pty Ltd** in support of a Development Application (DA) for a childcare centre on LOT 20 DP 271268 Goulburn. Furthermore, the development is located across multiple lots within DP 271268, these are listed below and shown on Figure 1.

- Lot 20
- Lot 1 (part of)
- Lot 21
- Lot 22
- Lot 23
- Lot 24
- Lot 25
- Lot 26
- Lot 27
- Lot 28
- Lot 29
- Lot 30
- Lot 31

This report provides a description of the site and surrounding areas and highlights the key characteristics influencing development of the site. The information will provide context for assessment against Section 4.15 of the *Environmental Planning and Assessment Act 1979*, the *Goulburn Mulwaree Local Environment Plan 2009* ('the LEP') and the *Goulburn Mulwaree Council Development Control Plan 2009* ('the DCP').

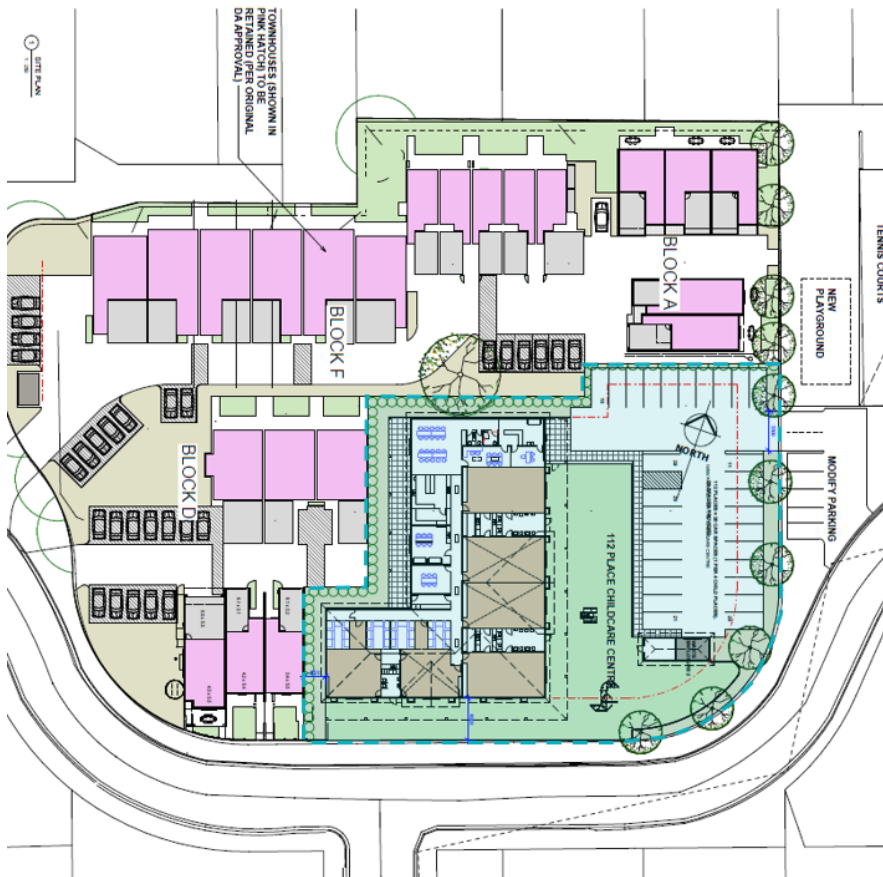
This report should be read in conjunction with architectural plans prepared by the project team and lodged as part of the DA.

Figure 1: Site Location



Source: Purdon (SEED MAP, 2024)

Figure 2: Site Plan



Source: Purdon (Hugh Gordon Architects, 2024)

Figure 3: Site Context



Source: Purdon (Landchecker, 2024)

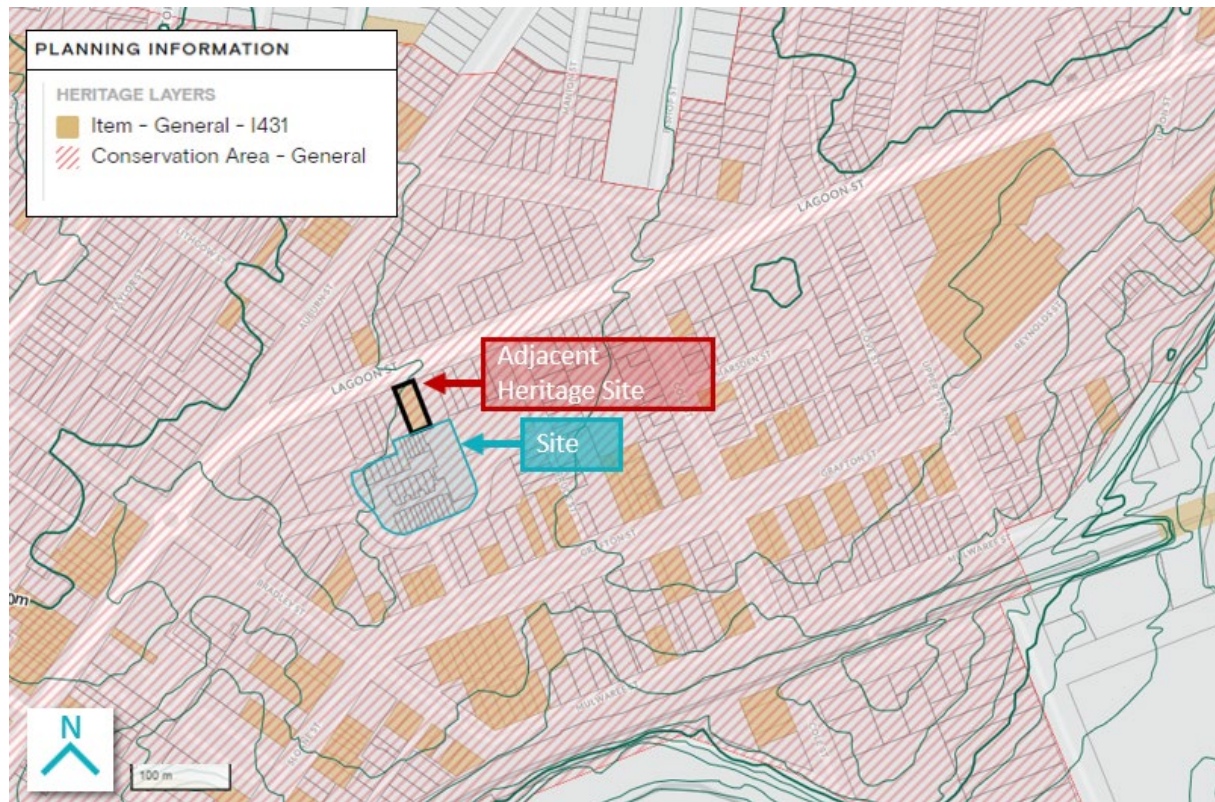
2.0 The Site

The site is part LOT 20 DP 271268 Goulburn. The site characteristics include:

Site Area	LOT 20 DP 271268 has an area of 2,175 m ²
Current Use	Some townhouses were built as per existing DA/0234/1718.
LEP Zoning	The site is zoned MU1 – Mixed Use.
Minimum Lot Size	There are no applicable minimum lot sizes that apply to this site as per the LEP.
LEP Maximum Building Height	There is a 10m maximum building height that applies to this site as per the LEP.
Maximum FSR	The maximum floor space ration for the site is 1.5:1 as per the LEP.
Existing Access	Existing vehicle access to the site is via one verge crossings on Fenwick Crescent
Existing Parking	Forty-one (41) car parking spaces exist on site.
Vegetation / Biodiversity	The site contains seeded grass and minor shrubbery. No significant biodiversity has been identified on site as per DCCEEW search tool and NSW SEED portal.
Adjacent Uses	<p>Adjacent land uses are mixed use, with largely residential located North and South. Key destinations in the nearby vicinity include:</p> <ul style="list-style-type: none"> • Goulburn Railway Tennis Club • ARKO Energy Petrol Station • Timbelin Independent School <ul style="list-style-type: none"> ◦ Primary Education (Kindergarten - Year 6) • TAB Exchange Hotel Goulburn • Posthouse Motor Lodge • Lavery Pathology
Topography & Drainage	The site drains to the surrounding street network.
Heritage	<ul style="list-style-type: none"> • The site is not listed as a Local heritage item on the Goulburn Mulwaree Local Environment Plan 2009. <ul style="list-style-type: none"> ◦ 15 Lagoon Street (Item 1431) is a heritage item listed on the LEP, located adjacent to the development. See Figure 4. • The site is not listed as a state heritage item on the State Heritage Inventory. • The site is listed as a heritage conservation area.
Easements	There are no easements located within the site.
Site Servicing	The site is fully serviced.
Contamination & Hazardous materials	The site is not listed within the List of Contaminates Sites NSW (February 2024).
Bushfire	The site is not located within a bushfire prone area.

Flooding	The site is located within a flood prone area, (Goulburn Mulwaree 'DCP Appendix J – Flood Policy')
Watercourse	There are no watercourses located on or adjacent to the site. There is a creek (hydroline) located approximately 330m Southeast.

Figure 4: Greater Site Context - Heritage Values



Source: Purdon (Landchecker, 2024)

3.0 Proposed Development

3.1 Project Summary and Rationale

The development application (DA) proposes a childcare centre to be situated on Lot 20 DP 271268. This application is for a childcare DA and a separate modification application to modify the original DA/0234/1718 is submitted concurrently to Council.

This development application includes associated exterior parking spaces, landscaping, indoor/outdoor play areas, waste enclosure, and modified verge crossover located East. The proposed surface carpark provides 29 spaces, considered more than adequate in the *Child care planning guideline*, 2021.

The configuration of the childcare centre in terms of groupings of children and staff in the DA includes

- Two Nursery Rooms: 0-2 year, 32 spaces
- Two Toddlers Rooms: 2-3 year, 40 spaces
- Two Preschool Rooms: 3-5 year, 40 spaces

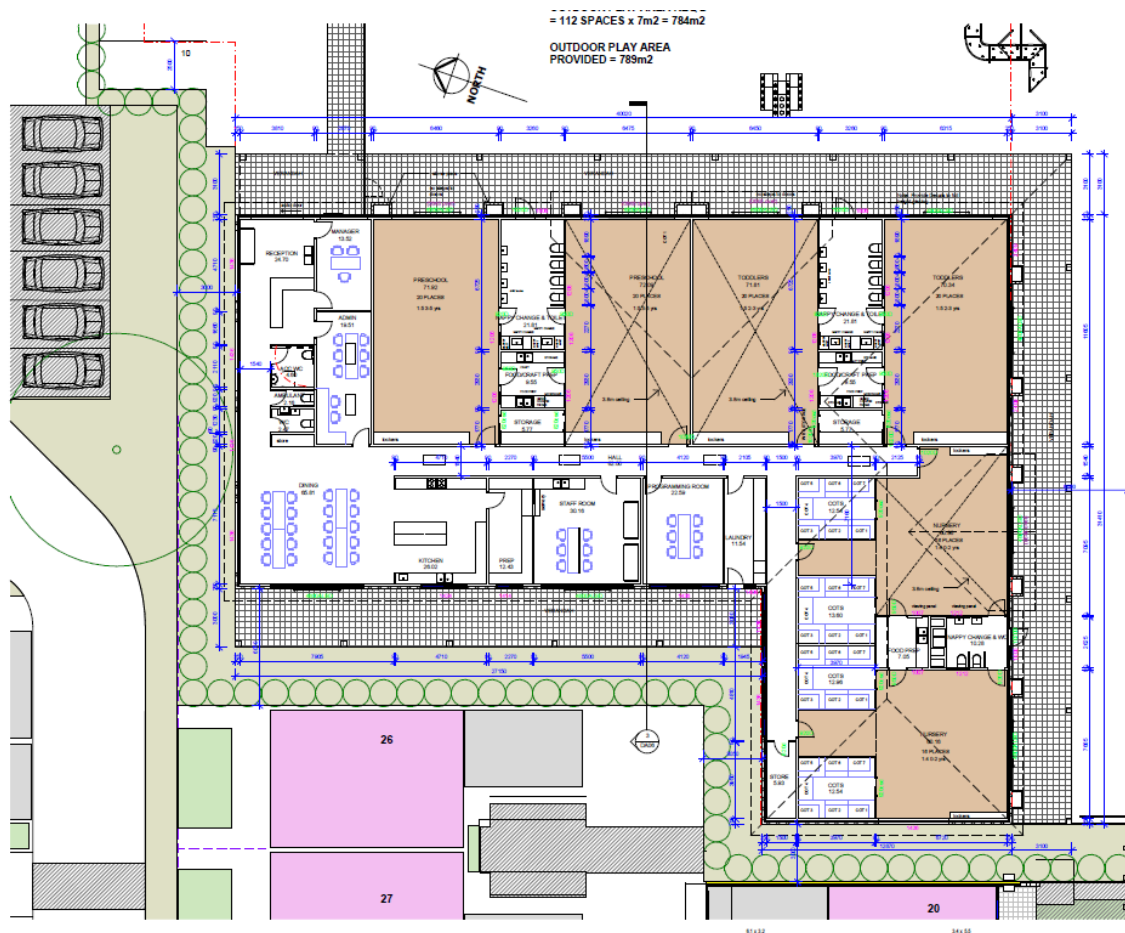
The works included in the DA are summarised as follows:

- The construction of a Centre Based Child Care Centre
 - Proposed landscaping
 - Various shrubbery, seeded grass, and tree planting on site.
 - Tree planting to address Fenwick Cres/Car park entrance
 - Outdoor play area/equipment
 - Proposed new parking and access
 - A modified vehicular crossover North-east addressing Fenwick Crescent
 - A new surface car park providing 29 car spaces
 - Proposed new waste enclosure

As shown in see Figure 5, the development proposes a new contemporary childcare centre. The proposal will provide the residents of Goulburn child care facilities, enhancing the amenity to the existing residential uses that surround the site context, as shown in Figure 2 and Figure 3.

Furthermore, the child-care centre is co-located to other uses that support residential amenity, this includes the adjacent Goulburn Railway Tennis Club, Tambelin Independent School (Primary Education), and a public park 400m North (or 5-minute walk) for open space.

Figure 5: Proposed Childcare Centre



Source: Purdon (Hugh Gordon Architects, 2024)

3.2 Likely Impacts of the Development

The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

The consideration of impacts on the natural and built environments are listed below, and responses provided.

3.2.1 CONTEXT AND SETTING

The proposed childcare centre is considered to be consistent with the context of the site, and it provides a child-care facility to service the inner Goulburn area.

The site and immediate site surrounds are zoned MU1 – Mixed Use, which permits the Childcare use. The surrounds are largely residential and there is residential amenity in the immediate area, such as bus-stops and other schools servicing older kids from kindergarten to year 6. Subsequently, the

location is considered adequate for a childcare centre to service families in the area, particularly those in the workforce locally.

3.2.2 CAR PARKING AND TRAFFIC

The development proposes 29 car spaces within the site, including an accessible space, which is considered adequate as per the Child Care Planning Guideline 2017 and the DCP.

The guideline outlines that in areas outside greater Sydney, facilities require 1 space per 4 children, or in this case 28 spaces.

For further demonstration of compliance, please see the *Traffic report* and *Site Plan* submitted alongside this DA.

3.2.3 UTILITIES

The site has existing access and connections to water, sewer, electricity and telecommunications. The proposal will not create an unreasonable additional demand upon existing networks, and any upgrades to existing services to provide necessary connections will be at the cost of the developers.

3.2.4 HERITAGE

As per the Goulburn Mulwaree LEP 2009 Schedule 5, the development is located within the Goulburn City Conservation area. Seen in Figure 4, the site wholly within the heritage conservation area and a heritage item is located in a block to the rear of the site, fronting Lagoon street.

Subsequently, a *Statement of Heritage Impact* was undergone and concluded that the proposed childcare centre is a positive addition to the area and compliments the character of the conservation area. Moreover, adjacent heritage listed places are not adversely affected.

3.2.5 FLORA AND FAUNA IMPACTS AND NATURAL ENVIRONMENT

There will not be significant changes to the contours of the site, and the development is unlikely to have a negative impact on the natural environment.

The site has likely been previously cleared for the previously approved townhouses for this site. Evident in Figure 7 and Figure 8, the site does not contain any significant biodiversity, vegetation or mature trees and largely is made up of seeded grass.

Figure 6: Satellite Imagery - Seeded Grass



Figure 7: Site Visit - Photos



3.2.6 AIR AND MICROCLIMATE

The proposed development will not have a measurable impact on air quality or microclimate.

3.2.7 NOISE AND VIBRATION

Adverse noise and vibration impact during construction will be managed in accordance with a construction management plan.

3.2.8 FLOOD HAZARD

As per amended DCP Chapter 3.8 Flood Affect Land, the subject site is not located within a flood planning area. The site is located within the probable maximum flood (PMF) area, Flood Prone Constraint Category 4 (FPCC4), along with the majority of the Goulburn CBD. The proposal is for a

sensitive use (similar to Tambelin Independent School across the road) and considered FPCC4 constraints, as outlined in the *Flood Risk Management Plan*.

Some FPCC4 constraints, such as the freeboard, would result in an unfeasible building that would not be consistent with the heritage conservation area. As a result, the development heavily considers the safety of occupants to ensure evacuation and child-specific measure to prioritise well-being during emergencies. This includes an enhanced emergency communication plan and shelter in place above the freeboard in the ceiling space, evident in DA05 – SIPP area floor plan.

For further details, please refer to the *Flood Risk Management Plan* submitted alongside this application.

3.2.9 SAFETY, SECURITY AND CRIME PREVENTION

The proposal will provide a suitable level of passive surveillance to the area during business hours due to the front facing windows, resulting in a net benefit to the level of risk of crime or safety issues.

3.2.10 SOCIAL IMPACT

The development proposes a childcare facility, which is defined as community infrastructure. Childcare is important to develop and shape young children, particularly in supporting the transition to school. The proposal is co-located to a kindergarten to year 6 school to provide convenient access to child care facilities and enable local families to transition to further education with less friction.

Through providing a child-care facility, the development intends to see an increase in workforce participation and provide local children a better start in education.

3.2.11 ECONOMIC IMPACT

The proposed development will provide employment opportunities, and potentially attract more people to live the area by providing residential amenity in the form of a childcare facility. This will benefit the local economy, particularly parents who are returning to the workforce locally.

3.2.12 CUMULATIVE IMPACTS

There are no adverse cumulative impacts identified that result from the proposed development.

3.2.13 LIKELY IMPACTS

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

3.3 Suitability of the site

In regard to the locality of the site in Goulburn area, the proposed development is considered appropriate that:

- As per the Local Strategic planning statement, the proposed child-care centre is located close to the Goulburn CBD where more than 5.9% of the population are aged 0 to 4 years old.
- The proposed child-care centre is co-located to an Tambelin Independent School across Fenwick Crescent.
- The site is not identified within a bush fire prone area.
- The site is located adjacent to a bus stop, and is approximate the 825, 821A and 821B Bus routes, as per the Goulburn Bus Services website ([PBC Goulburn](#)).

- The site is zoned within and adjacent to MU1 – Mixed Use, with R1 - General residential and RE1 – Public recreation within the vicinity, ideal for the proposed child-care use to service.
- MU1 permits *Centre-based childcare facilities* with consent; therefore, is a permitted use.
- The proposal is co-located to a previously approved development, including 22 townhouses. 17 of which have been built and 5 to be built. This is shown in Figure 2.

Generally, the proposal takes advantage of the local context, utilising public transport, co-located to existing primary education, responds to local heritage, and is located in an area where more than 5.9% of the population are aged 0 to 4 years old. Therefore, the proposal is considered generally suitable for the context.

3.4 Public Submissions

According to Council's community engagement plan, the DA will be publicly notified. Any submissions received will be considered.

3.5 Public interest

There are no major features of this proposal that could be considered as detrimental to the public interest.

4.0 Strategic planning assessment

4.1 The Draft Southeast and Tablelands Regional Plan 2041

The Southeast and Tablelands Regional Plan ('the Regional Plan') is a strategic document that provides the land use planning framework for the Southeast and Tablelands region. To demonstrate consistency with the Regional Plan, the relevant key theme been extracted with comments provided below.

Theme 4 – Planning fit for Purpose housing and Services

- Outlines increase in availability and access to essential goods and services in strategic centres and clusters
 - Although, childcare is not listed as an essential service under the *Essential Services Act 1988*, the Transport and Infrastructure SEPP outlines that childcare centres are crucial to support parents who work in essential services, particularly stating: '*The policy updates reflect the NSW Government's commitment to ensuring that child care services are available where needed, especially near residential areas and schools.*'
 - The development proposes a childcare centre within the Goulburn strategic centre, therefore, is considered consistent with Theme 4

The development proposes infill development within the Goulburn strategic centre, including a Childcare Centre. These have been outlined as potential indicators to achieving Theme 4, and the greater 2041 vision for the Southeast and Tablelands region; therefore, the development is consistent with the Regional Plan.

4.2 Goulburn Mulwaree Council Local Strategic Planning Statement 2020

The Local Strategic Planning Statement ('the LSP') dated 18 August 2020 sets out the communities long term 20 year vision for land-use and planning activities in the local government area of Goulburn.

Within the LSP is a policy map which includes actionable planning priorities for the Goulburn Mulwaree Council region. The proposal is consistent with many of these planning priorities, and therefore consistent with the Goulburn Mulwaree Council Local Strategic Planning Statement. To demonstrate consistency, relevant statements have been extracted and comments provided below.

Local Strategic Planning Statement Policy Map		
LSP No.	Relevant LSP Statement - Vision 2040	Comment
1.	Infrastructure Infrastructure meets the needs of a growing community <ul style="list-style-type: none"> • Strategy IN9 - improve accessibility to, and support the development of, education and training facilities in the region • Direction 25: Focus housing growth in locations that maximises infrastructure and services 	As per strategy IN9 and Direction 25, the development proposes a child care centre in which provides early education and supports parents and guardians who work in essential services.
3.	Community Facilities, Open Space and Recreation Physical, social and cultural activity is supported by a range of facilities and shared spaces. <ul style="list-style-type: none"> • Strategy IN4 - maintain and update existing community facilities and support the development of new community infrastructure as needed. • Direction 21: increase access to health and education services 	The development proposes a childcare centre to service the community of Goulburn, as per strategy IN4 and Direction 21.
6.	Industry and Economy Local industry provides for the employment needs of the region within a thriving and diversified economy which is resilient to change.	The development proposes a Child Care Centre, which to operate will require staffing. Therefore, the proposal provides Goulburn with employment opportunities.
10.	Natural Environment Protection and enhancement of the quality of natural environments and systems.	The development provides various landscaping via shrubbery, tree planting, seeded grass and outdoor equipment within the Child Care Centre. Through implementing various forms of landscaping and outdoor equipment, the proposal encourages a positive relationship with, and enhances, the natural environment.

5.0 Statutory planning assessment

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations
 - (i) any environmental planning instrument, and
 - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
 - (iii) any development control plan, and
 - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
 - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),
that apply to the land to which the development application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

5.1 Other EPA Act Provisions

There are no other RPA Act provisions to consider, see below.

- The development is not State Significant Development
- The development is not Regionally significant development
- The development is not Integrated Development (s4.46)
- The development is not Designated Development (s4.10)
- The development is not a Crown DA (s4.33) - written agreement from the Crown to the proposed conditions of consent must be provided

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the Regulation are considered below.

5.2 Provisions of State Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

- State Environmental Planning Policies ('the SEPP's')
 - SEPP (Biodiversity and Conservation) 2021
 - SEPP (Sustainable Buildings) 2022
 - SEPP (Transport and Infrastructure) 2021
 - SEPP (Industry and Employment) 2021
 - SEPP (Resilience and Hazards) 2021

5.2.1.1 State Environmental Planning Policy (Biodiversity & Conservation) 2021

State Environmental Planning Policy (Biodiversity & Conservation) 2021

Chapter 2: Vegetation in non-rural areas

Part 2.1 Preliminary

2.1 Aims of Chapter

The aims of this Chapter are—

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

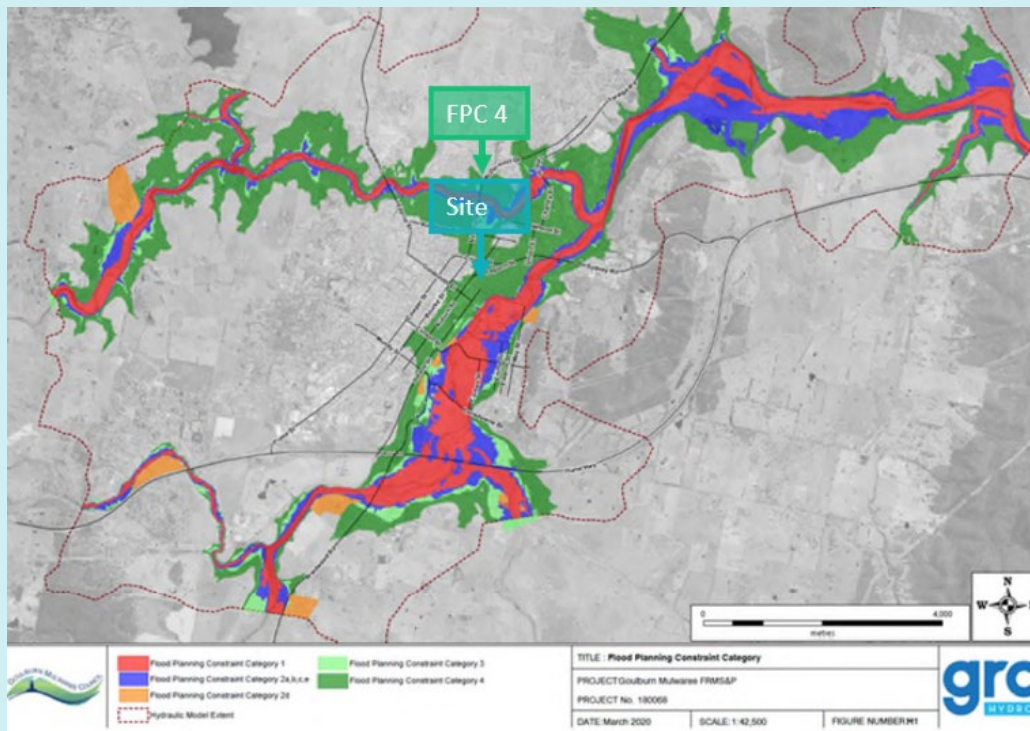
Not Applicable.

Although the site is zoned Zone MU1 Mixed Use, Goulburn is not listed as land in which this chapter applies, evident in part 2.3, *Land to which Chapter applies*.

6.8 Flooding

- (1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the likely impact of the development on periodic flooding that benefits wetlands and other riverine ecosystems.
- (2) Development consent must not be granted to development on flood liable land in a regulated catchment unless the consent authority is satisfied the development will not—
 - (a) **if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody, or**
 - (b) **have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.**

Figure 8: DCP Flood Planning Area - Flood Planning Constraints Category



As seen in Figure 9, the development is located within flood planning category 4 (FPC 4). Furthermore, the development will not release pollutants that may have an adverse impact on water quality and will not have an adverse impact on natural recession of floodwater into riverine ecosystems.

For further information please refer to the *Water Cycle Management Study* and *Flood Impact Assessment Report* submitted alongside this DA.

Part 6.5 Sydney Drinking Water Catchment

6.58 Objectives of Part

The objectives of this Part are—

- (a) to provide for healthy water catchments that will deliver high quality water to the Sydney area while also permitting compatible development, and
- (b) to provide for development in the Sydney Drinking Water Catchment to have a neutral or beneficial effect on water quality.

The proposed development achieves the objectives of this part, evident in the *Water Cycle Management Study* submitted alongside this report.

6.61 Requirement of neutral or beneficial effect on water quality

- (1) Development consent must not be granted to development relating to any part of the Sydney Drinking Water Catchment unless the consent authority is satisfied the carrying out of the development would have a neutral or beneficial effect on water quality.

Note—

See the Act, section 3.26(2).

(2) For the purposes of determining whether the carrying out of the development would have a neutral or beneficial effect on water quality, the consent authority must, if the development is development to which the NorBE Tool applies, undertake an assessment using the NorBE Tool.

(3) The NorBE Tool applies to development requiring development consent under the Act, Part 4, other than State significant development.

The proposed development has a neutral or beneficial effect on water quality, evident in the *Water Cycle Management Study*.

6.63 Requirement of consistency with NorBE Guideline

Development consent must not be granted to development on land in the Sydney Drinking Water Catchment unless the consent authority is satisfied the development is consistent with the NorBE Guideline.

The development is consistent with the NorBE guideline, evident in the *Water Cycle Management Study*.

5.2.1.2 State Environmental Planning Policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 3 Standards for non-residential development

3.2 Development consent for non-residential development

- (1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—
 - (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,
 - (b) a reduction in peak demand for electricity, including through the use of energy efficient technology,
 - (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,
 - (d) the generation and storage of renewable energy,
 - (e) the metering and monitoring of energy consumption,
 - (f) the minimisation of the consumption of potable water.
- (2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.

Not applicable.

As per 3.1(a), chapter 3 does not apply to the erection of new buildings if the development has an estimated development cost under \$5 million. Therefore, this does not apply.

Please refer to the EDC submitted in addition to this report.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 3 Educational establishments and child care facilities

Part 3.3 Early education and care facilities – specific development controls

3.22 Centre-based child care facility – concurrence of Regulatory Authority required for certain development

- (1) This section applies to development for the purpose of a centre-based child care facility if—
 - (a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations, or
 - (b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.
- (2) The consent authority must not grant development consent to development to which this section applies except with the concurrence of the Regulatory Authority.
- (3) The consent authority must, within 7 days of receiving a development application for development to which this section applies—
 - (a) forward a copy of the development application to the Regulatory Authority, and
 - (b) notify the Regulatory Authority in writing of the basis on which the Authority's concurrence is required and of the date it received the development application.
- (4) In determining whether to grant or refuse concurrence, the Regulatory Authority is to consider any requirements applicable to the proposed development under the Children (Education and Care Services) National Law (NSW).
- (5) The Regulatory Authority is to give written notice to the consent authority of the Authority's determination within 28 days after receiving a copy of the development application under subsection (3).

Note—

The effect of section 4.13(11) of the Act is that if the Regulatory Authority fails to inform the consent authority of the decision concerning concurrence within the 28 day period, the consent authority may determine the development application without the concurrence of the Regulatory Authority and a development consent so granted is not voidable on that ground.

- (6) The consent authority must forward a copy of its determination of the development application to the Regulatory Authority within 7 days after making the determination.
- (7) In this section— Regulatory Authority means the Regulatory Authority for New South Wales under the Children (Education and Care Services) National Law (NSW) (as declared by section 9 of the Children (Education and Care Services National Law Application) Act 2010). Note—

The proposed centre-based childcare facility is consistent with the following:

- (a) The indoor space complies with regulation 107, providing 3.25m² unencumbered indoor space for each child, evident in 'Site Plan & Development Summary DA02'.
- (b) The outdoor space complies with regulation 108, providing 7m² unencumbered outdoor space for each child (784m²) required for the 112 anticipated children placement, evident in 'Site Plan & Development Summary DA02'.

Therefore, no need to refer the DA to the Regulatory Authority.

State Environmental Planning Policy (Transport and Infrastructure) 2021

3.23 Centre-based childcare facility – matters for consideration by consent authorities

Before determining a development application for development for the purpose of a centre-based childcare facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guideline, in relation to the proposed development.

The NSW childcare planning guideline demonstrates best practice guidelines and has been reflected in the design process and final design.

The SEPP also determines that the Guideline will take precedence over a Development Control Plan, with some exceptions, where the two overlap in relation to a childcare facility. The Guideline provides a consistent State-wide planning and design framework for preparing and considering DAs for childcare facilities. Compliance with the Child Care Planning Guideline 2017 is attached.

3.24 Centre-based childcare facility in certain zones – additional matters for consideration by consent authorities

Not Applicable.

The development is not located in a prescribed zone (Zone E4 General Industrial, E5 Heavy Industrial, IN1 General Industrial, and IN2 Heavy Industrial).

3.25 Centre-based childcare facility – floor space ratio

(1) Development consent must not be granted for the purposes of a centre-based child care facility in Zone R2 Low Density Residential if the floor space ratio for the building on the site of the facility exceeds 0.5:1.

(2) This section does not apply if another environmental planning instrument or a development control plan sets a maximum floor space ratio for the centre-based child care facility.

Not Applicable.

The development is not located within zone R2 – Low Density Residential.

3.26 Centre-based childcare facility – non-discretionary development standards

(1) The object of this section is to identify development standards for particular matters relating to a centre-based childcare facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters.

(2) The following are non-discretionary development standards for the purposes of section 4.15(2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based childcare facility—

(a) **location**—the development may be located at any distance from an existing or proposed early education and care facility,

(b) **indoor or outdoor space**

- (i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or
- (ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the Children (Education and Care Services) Supplementary Provisions Regulation 2012 applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,

State Environmental Planning Policy (Transport and Infrastructure) 2021

- (c) **site area and site dimensions**—the development may be located on a site of any size and have any length of street frontage or any allotment depth,
 - (d) **colour of building materials or shade structures**—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.
- (3) To remove doubt, this section does not prevent a consent authority from—
- (a) refusing a development application in relation to a matter not specified in subsection (2), or
 - (b) granting development consent even though any standard specified in subsection (2) is not complied with.

(2)(a) Control Met. The proposed centre-based facility is well located. Milestones Early Learning Goulburn and Goodstart Early Learning Goulburn are located within 1,000m from the site.

(b)(i)(ii) As per section 107 and 108, the unencumbered space requirements have been met, evident in the floor plan (West Side). This includes 7m² unencumbered outdoor space for each child and 3.25m² unencumbered indoor space for each child, see below for further demonstration.

The indoor space complies with regulation 107, providing 3.25m² unencumbered indoor space for each child, evident in the areas and child placement provided in the floor plan. The outdoor space complies with regulation 108, providing 7m² unencumbered outdoor space for each child (784m²) required for the 112 anticipated children placement.

(c) Control Met.

(d) The development is located within a heritage conservation area, as per Figure 4. The proposed childcare centre responds to the existing shade structures are appropriate. The proposal cannot be refused on the grounds of the building's external architecture.

3.27 Centre-based child care facility – development control plans

(1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based childcare facility—

- (a) operational or management plans or arrangements (including hours of operation),
- (b) demonstrated need or demand for childcare services,
- (c) proximity of facility to other early education and care facilities,
- (d) any matter relating to development for the purpose of a centre-based childcare facility contained in—
 - (i) the design principles set out in Part 2 of the Child Care Planning Guideline, or
 - (ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).

(2) This section applies regardless of when the development control plan was made.

The clause indicates that the proposed centre-based childcare facility is not required to demonstrate compliance with a Development Control Plan having regard to the listed matters.

Part 3.7 General Development controls

3.58 Traffic-generating development

(1) This section applies to development for the purpose of an educational establishment—

State Environmental Planning Policy (Transport and Infrastructure) 2021

- (a) that will result in the educational establishment being able to accommodate 50 or more additional students, and
- (b) that involves—
 - (i) an enlargement or extension of existing premises, or
 - (ii) new premises, on a site that has direct vehicular or pedestrian access to any road.
- (2) Before determining a development application for development to which this section applies, the consent authority must—
 - (a) give written notice of the application to Transport for NSW (TfNSW) within 7 days after the application is made, and
 - (b) take into consideration the matters referred to in subsection (3).
- (3) The consent authority must take into consideration—
 - (a) any submission that TfNSW provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and
 - (b) the accessibility of the site concerned, including—
 - (i) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and
 - (ii) the potential to minimise the need for travel by car, and
- (4) any potential traffic safety, road congestion or parking implications of the development.

Not applicable.

This section applies to development for the purpose of educational establishment. As per 3.3 of the SEPP (Transport and Infrastructure):

“educational establishment means a building or place used for education (including teaching), being—

(a) a school, or

(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.”

Although centre-based child care facility is a building or place used for the education and care of children, the use is not defined as an *educational establishment*. Therefore, this section does not apply.

5.2.1.4 State Environmental Planning Policy (Industry and Employment) 2021

State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 Advertising and Signage

Part 3.1 Preliminary

3.1 Aims, Objectives etc

- (1) This Chapter aims—
 - (a) to ensure that signage (including advertising)—
 - (i) is compatible with the desired amenity and visual character of an area, and
 - (ii) provides effective communication in suitable locations, and

State Environmental Planning Policy (Industry and Employment) 2021

- (iii) is of high quality design and finish, and
 - (a) to regulate signage (but not content) under Part 4 of the Act, and
 - (b) to provide time-limited consents for the display of certain advertisements, and (d) to regulate the display of advertisements in transport corridors, and
 - (c) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.
- (2) This Chapter does not regulate the content of signage and does not require consent for a change in the content of signage.

The development proposes business identification signage on the childcare centre facing Fenwick Cres, as seen below Figure 9. The proposed signage is considered consistent with the abovementioned objectives, demonstrated below.

- (i) The signage is compatible with the desired amenity and visual character of the area, particularly through utilising hardwood timber feature cladding against the metal fascia signage, framed by the gable roof. The gable roof is a strong heritage motif for the area, seen in the Tambelin primary school and utilised in the Lux townhouses adjacent (see Figure 9, Figure 10, Figure 11).
- (ii) The signage effectively communicates the Child Care Centre, framed by the gable roof and central to the entrance.
- (iii) As per the finishes indicated on the elevation and complementary colour palette, the development proposes signage of high quality design and finish.

Figure 9: Child Care Centre - Signage Proposed (East Elevation)

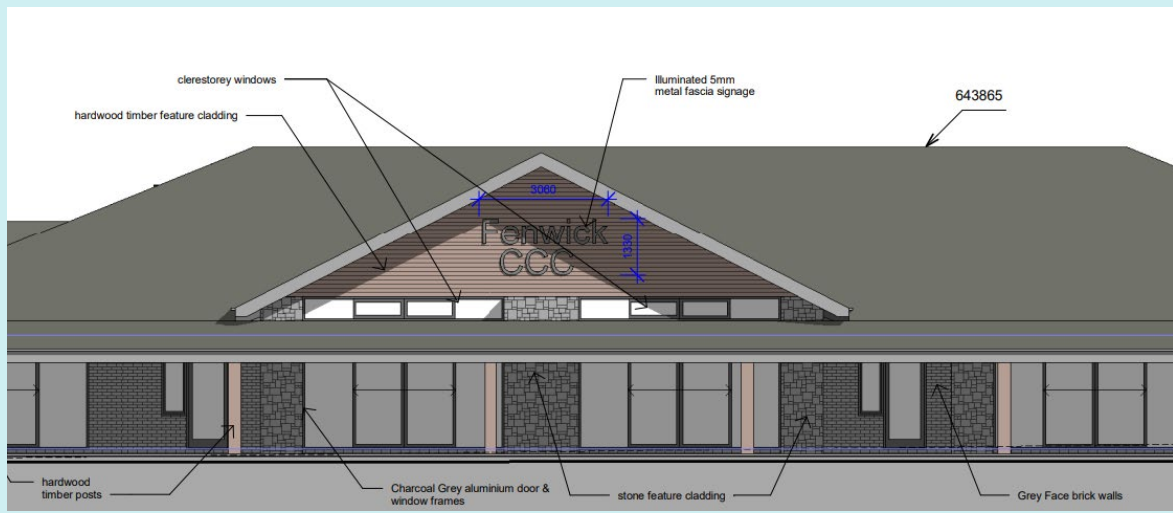


Figure 10: Tambelin Primary School (Google, February 2024)



Figure 11: Lux Residences (Townhouses)



Part 3.2 Signage generally

3.6 Granting of consent to signage

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—

- (a) That the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and
- (b) That the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.

(a) The signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), as demonstrated in the response provided above.

(b) The signage satisfies the criteria specified in schedule 5, which includes provisions relating to character, special heritage conservation area, views, streetscape and landscape, site and building, advertising structures, illumination, and safety.

Part 3.3 Advertisement

State Environmental Planning Policy (Industry and Employment) 2021

3.7 Advertisements to which this Part applies

- (1) This Part applies to all signage to which this Chapter applies, other than the following—
 - (a) **business identification signs,**
 - (b) building identification signs,
 - (c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,
 - (d) signage on vehicles.
- (2) Despite subsection (1)(d), section 3.26 applies to signage on a trailer (within the meaning of the Road Transport Act 2013).

The development proposes business identification signs; therefore, this part does not apply.

5.2.1.5 State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (Planning Systems) 2021

Chapter 2 State and regional development

Part 2.1 Preliminary

2.1 Preliminary

The aims of this Chapter are as follows—

- (a) to identify development that is State significant development,
- (b) to identify development that is State significant infrastructure and critical State significant infrastructure,
- (c) to identify development that is regionally significant development.

Not Applicable.

(a) The development is not listed within schedule 1 or 2; therefore, is not state significant development. Although the proposal includes a childcare centre, this is not defined as an educational establishment within the NSW standard instrument: definitions.

(b) The development is not listed within schedule 3; therefore, is not state significant infrastructure. Additionally, the development is not listed within schedule 5; therefore, is not critically state significant infrastructure.

(c) The development proposes a childcare centre, outlined under schedule 6 as regionally significant development over \$5 million. The proposed childcare centre does not exceed \$5 million; therefore, the development is not regionally significant development

5.3 Goulburn Mulwaree Council Local Environmental Plan 2009

The relevant local environmental plan applying to the site is the Goulburn Mulwaree Council Local Environmental Plan 2009 ('the LEP'). The aims of the LEP include:

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
- (a) to promote and co-ordinate the orderly and economic use and development of land in the area,
- (b) to provide a framework for the Council to carry out its responsibility for environmental planning provisions and facilitate the achievement of the objectives of this Plan,
- (c) to encourage the sustainable management, development and conservation of natural resources,
- (d) to promote the use of rural resources for agriculture and primary production and related processing service and value adding industries,
- (e) to protect and conserve the environmental and cultural heritage of Goulburn Mulwaree,
- (f) to enhance and provide a range of housing opportunities in, and the residential and service functions of, the main towns and villages in Goulburn Mulwaree,
- (g) to establish a framework for the timing and staging of development on certain land in Goulburn and Marulan,
- (h) to provide a range of housing opportunities, including large lot residential development in the vicinity of the villages,
- (i) to allow development only if it occurs in a manner that minimises risks due to environmental hazards, and minimises risks to important elements of the physical environment, including water quality,
- (j) to provide direction and guidance as to the manner in which growth and change are to be managed in Goulburn Mulwaree,
- (k) to protect and enhance watercourses, riparian habitats, wetlands and water quality within the Goulburn Mulwaree and Sydney drinking water catchments so as to enable the achievement of the water quality objectives.

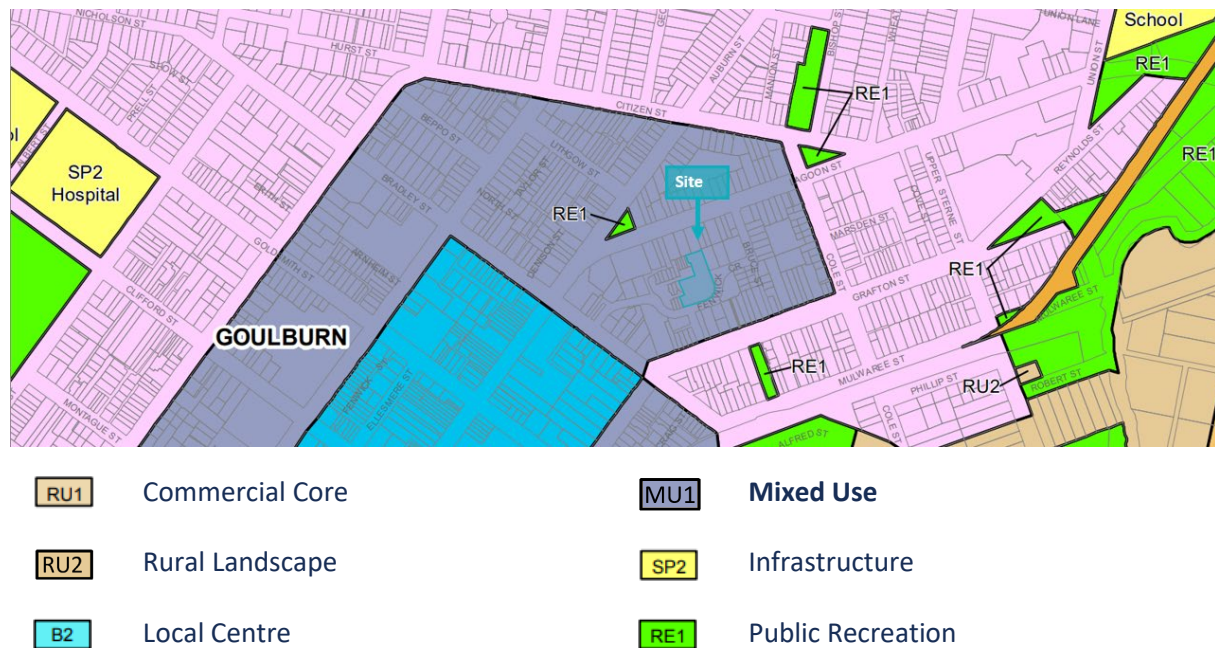
The proposal is consistent with the aims of the LEP. The development provides the community with a childcare centre, which utilises local motifs to achieve consistency with the heritage context. Consistent with the aims (a) and (j), the proposed childcare centre will provide the regional of Goulburn access to additional early education in response to the ongoing shortage of childcare centres in both regional and rural NSW. The development is considered to protect water quality of the Sydney drinking water catchment, evident in the Waste Cycle Management Study.

5.3.1 PRINCIPAL DEVELOPMENT STANDARDS

5.3.1.1 Land Use Zone

The site is located within the **MU1 – Mixed Use Zone** (previously B4) pursuant to Clause 2.2 of the LEP.

Figure 12: Land Use Map (LEP Land Use Map 001D, 2024)



Source: Purdon (ePlanning, 2025)

According to the definitions in Clause 4 (contained in the Dictionary), the proposal satisfies the definition of *Centre-based Child Care Facility*, which is a permissible use with consent in the Land Use Table in Clause 2.3 of the LEP.

The zone objectives include the following (pursuant to the Land Use Table in Clause 2.3):

- To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To reinforce the status of Goulburn as a regional centre.
- To maintain and enhance the heritage significance of Goulburn and the integrity of Goulburn's historic built form.
- To integrate business, office, residential and retail land uses to maximise public transport patronage and encourage walking and cycling.

The proposal is considered to be consistent with these zone objectives for the following reasons:

- The proposal encourages diverse business, supplying residents of Goulburn with a 112 place centre-based childcare facility, which will provide job opportunities to the local area.
- Evident in East and South elevations, and perspectives, the proposal encourages passive surveillance fronting Fenwick Crescent within the site via outdoor terraces, windows, and play areas. Fencing and passive surveillance is utilised for safety purposes, encouraging an active safe environment.
- The childcare facility is proposed adjacent to the previously approved townhouses, integrating housing opportunity while supplying childcare services to the regional city of Goulburn. By doing so, the proposal aims to decrease shortages in NSW.

5.3.1.2 Height of Buildings

The maximum height of building is 10m. Evident in the elevations, the proposed childcare facility do not exceed 10m in height; therefore, is consistent with this control.

5.3.1.3 Floor space ratio

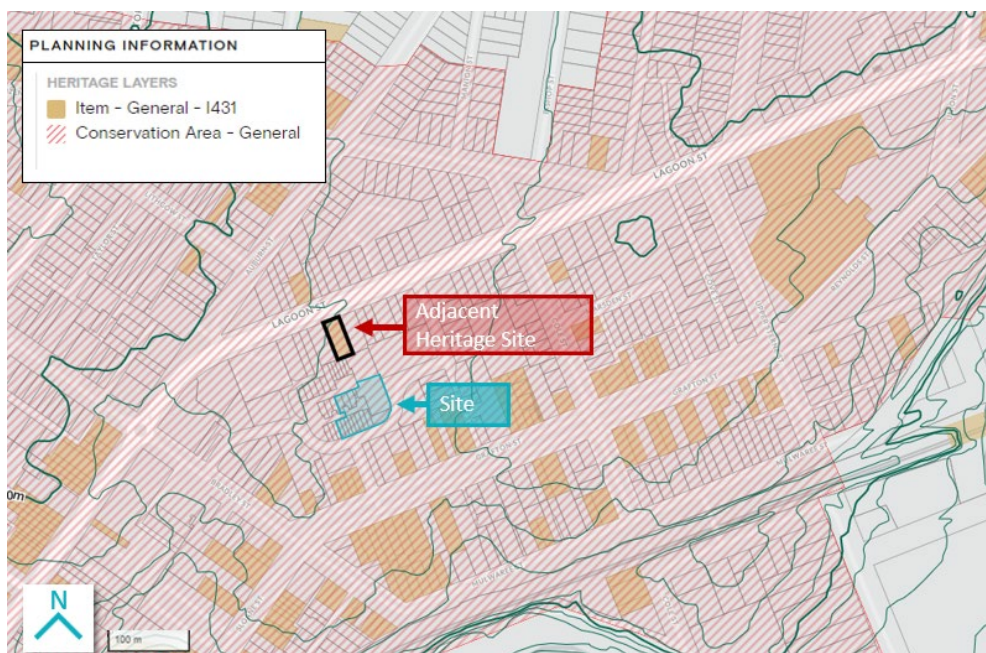
The maximum floor space ratio is 1.5:1. The area of the site is 3,100m²; therefore, the maximum floor space ratio is a maximum of 4,650m². As per the *Area Plan*, the development proposes 928.45m² childcare centre plus existing gross floor area of the townhouses. The development does not exceed the maximum floor space ratio of 1.5:1.

5.3.1.4 Heritage

The development is located within a heritage conservation area, seen in Figure 13. A *Statement of Heritage Impact* has been submitted alongside this DA which concludes that the development will be a positive addition to this area and compliment the character of the conservation area.

The whole development is modern but works with a range of materials and has a scale and form that is sympathetic to the area. The adjacent heritage listed places are not adversely affected as the development is on the street at the rear of the listed properties.

Figure 13: Goulburn Heritage Conservation Area _ LEP Heritage Map

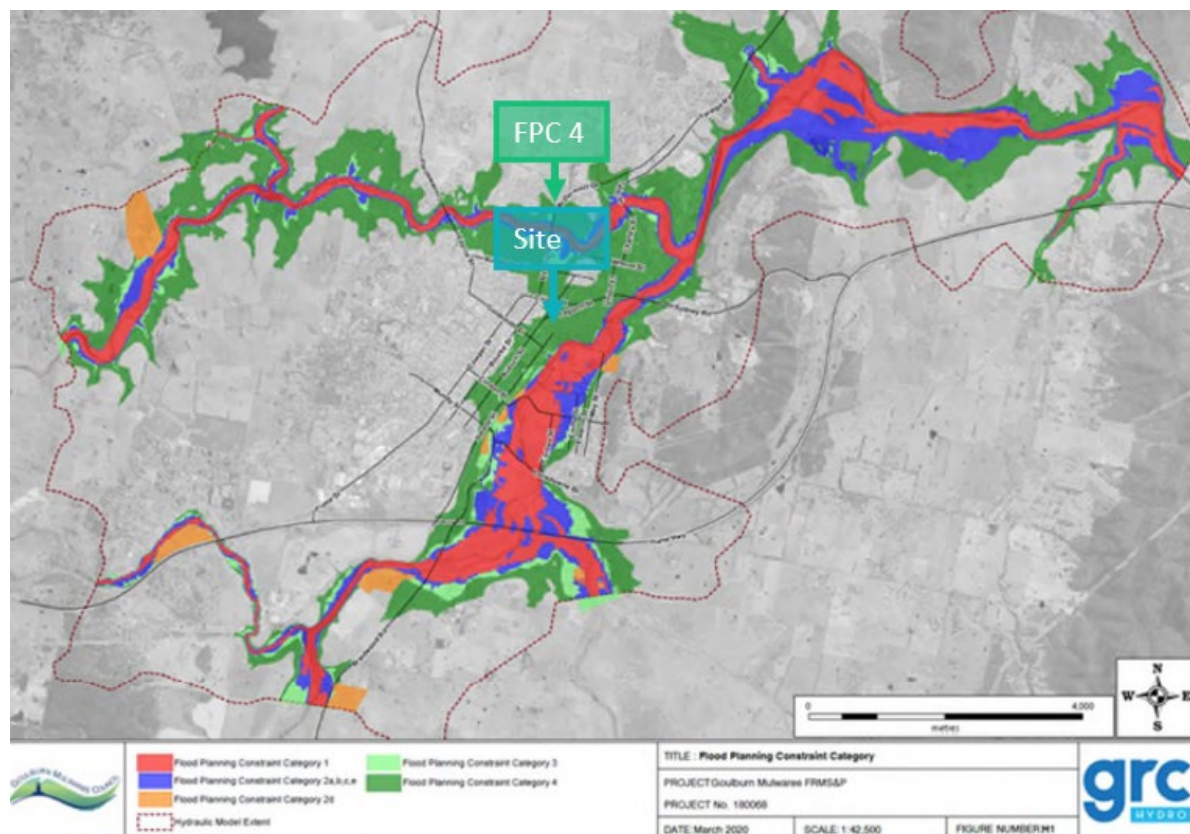


5.3.1.4.1 Flood planning

Clause 5.21 (2) of the Goulburn Mulwaree LEP 2009 states “Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development —

- (a) is compatible with the flood function and behaviour on the land, and
- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
- (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and
- (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.”

Figure 14: Goulburn Mulwaree Flood Planning Area (Amended DCP Chapter 3.8)



As seen in Figure 14, the development is located within flood planning category 4 (FPC 4), outlined as the area inundated by the probable maximum flood (PMF). As per clause 5.21 (2), the proposed development satisfies the following:

- The proposal is compatible with the flood function and behaviour of the land.
- The proposal will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other developments / properties.

- The proposal will not adversely affect the state occupation and efficient evacuation of people or exceed capacity of existing evacuation routes.
- The development utilises flood compatible materials and meets the relevant flood planning controls
- The proposal incorporates measures to manage risk to life in the event of a flood
- The development will not release pollutants that may have an adverse impact on water quality and will not have an adverse impact on natural recession of floodwater into riverine ecosystems.

For further demonstration of compliance please refer to the combined *Flood Impact Assessment Report* submitted alongside this DA.

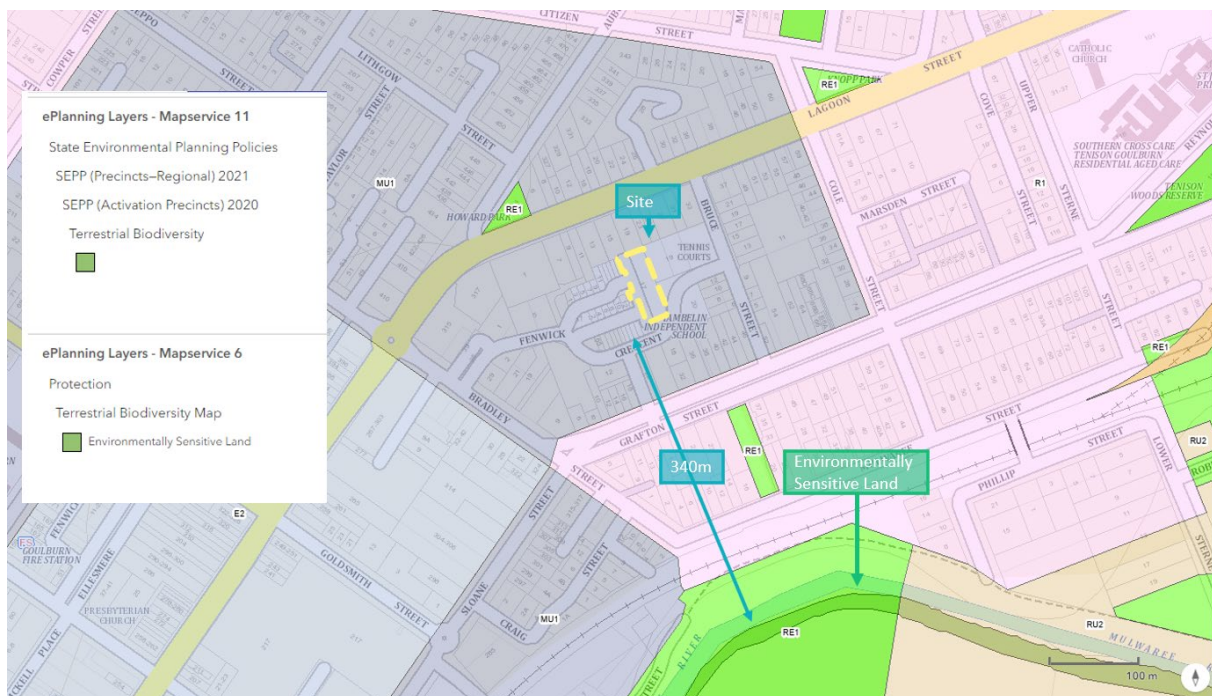
5.3.1.5 Earthworks

Minimal earthworks are required in the DA. Measures will be in place during excavation works to minimise impact on nearby development and to maintain existing drainage. For further information, please refer to the *Sediment Erosion Control Plan* submitted alongside this application.

5.3.1.6 Terrestrial biodiversity

The site is not located within an area as having terrestrial biodiversity values, see Figure 15 below. The Mulwaree River is located 340m away from the site. Consequently, it is expected that there will be no impact on terrestrial biodiversity.

Figure 15: Terrestrial Biodiversity Map (NSW Spatial Viewer, 2024)



5.4 Provisions of Goulburn Mulwaree Development Control Plan 2009

The Goulburn Mulwaree Development Control Plan 2009 ('the DCP') is the relevant DCP to this application. The relevant provisions have been extracted from the DCP, and a response has been provided to demonstrate compliance.

Goulburn Mulwaree Development Control Plan 2009

3.0 General Development Controls

3.1 Indigenous Heritage and Archaeology

The site of the development is unlikely to be of Aboriginal heritage significance, evident in the pre application meeting with council stating: "The land is not identified as having potential Aboriginal Artefacts under the Goulburn Mulwaree Development Control Plan 2009".

For further information and demonstration of compliance, please see the *Cultural Heritage Report* submitted alongside this application.

3.2 European (Non-Indigenous) Heritage Conservation

The site of development does not contain European heritage Conservation items. For further information and demonstration of compliance please see the *Cultural Heritage Report* submitted alongside this application.

3.3 General Heritage Item

3.3.1 Context

Controls

- A. The side and front setbacks are to be typical of the spacing of buildings both from each other and from the street, such that the rhythm of buildings in the streetscape is retained (Figure 3). Current front and side setbacks should be maintained where there is no established set back with nearby buildings.
- B. Except as allowed by "car parking" and "fences" in Sections 3.3.1.2 and 3.3.1.3 below, no new structures should be built forward of the established street building line.
- C. An adequate curtilage including landscaping, fencing and any significant trees, are to be retained.
- D. The established landscape character of the locality including height of canopy and density of boundary landscape plantings should be retained in any new development.
- E. Development in the vicinity of a Heritage Item should respect the visual curtilage of that Item and protection of views to and from the item.
- F. New developments must respect the existing significance of the streetscape and the vicinity.
- G. Use design elements that exist in the streetscape to guide the design of new structures.
- H. Ensure scale and size of development is compatible with neighbouring development and the streetscape generally.

- A. The development proposed side and front setbacks typical of the spacing within the local area, proposing a front setback of 6m (excluding the fence) and generous side setbacks, evident in the *Site Plan*. As seen in Figure 16 below, local front and side setbacks vary

greatly, although, generally are between 3m, 5m, 8m, 10m, and 25m. Therefore, the development maintains current setbacks.

- B. There is no consistent established building line, and the block is of irregular shape and curves heavily. However, the development identifies the 6m setback and provides a fence roughly 3m setback from the front boundary consistent with the streetscape.
- C. The development proposes various landscaping, fencing and significant trees, as shown in the *North elevation*, *Site Plan*, and *Perspectives*. Therefore, the development retains adequate curtilage.
- D. As shown in the *Site Plan*, the development proposes a similar level of planting to the immediate surrounds. Therefore, the proposal is consistent with the established landscape character.
- E. The heritage item 1431 adjacent is located North on 15 Lagoon Street, while the development addresses Fenwick Cres South. The curtilage includes late Victorian dark coloured metal fencing and neutral painted brick piers and plinths. Despite the development and heritage item's addressing different streets, similar motifs are utilised, including dark metal fencing, and similar planting.
- F. The proposal respects existing significance of the streetscape, through proposing similar setbacks, fencing, and planting (curtilage).
- G. Design elements that exist on the streetscape are utilised in the proposal, evident in *Elevations* and *Perspectives*.
- H. The size and scale of the development are compatible with the neighbouring development and streetscape generally.

For further demonstration of compliance with 3.3.1 controls, please see attached *Statement of Heritage Impact*.

Figure 16: Local Setbacks (1)



Figure 17: Local Setbacks (2)



3.4 Bungonia Heritage Conservation Area

The development is not located within Bungonia Heritage Conservation Area; therefore, this part does not apply.

3.5 Landscaping

- Provide well-designed, constructed, and maintained landscapes that are an asset to the community. Well-designed landscapes contribute to the attractiveness of outdoor spaces, to the protection of the natural environment and to the health and well-being of the community.
- Promote good landscape design. Good design is critical in producing environmentally sustainable landscapes.
- Provide attractive landscapes that are consistent with the visual character of the landscapes within the Goulburn Mulwaree local government area.
- Provide for public safety by allowing for passive surveillance and other management techniques.
- Provide open space for recreation within residential developments.
- Provide for privacy, summer shade and winter solar access.
- Promote the use of local native plant species to provide habitat for native fauna, to minimise water usage, to decrease the need for insecticide and pesticide for exotic plant species and to achieve biodiversity objectives.
- Ensure that landscaping is an integral part of the site planning process and that it suits the proposed development.
- Ensure that the positive landscape values of the site are not compromised.

Goulburn Mulwaree Development Control Plan 2009

The proposed landscaping as part of this development is overall consistent with the relevant abovementioned objectives.

For demonstration, please refer to the *Concept Landscape Plan* submitted alongside this application.

3.5.1 Landscape design requirements

Landscape plans have been provided and are designed in accordance with the relevant landscape plan design requirements.

For demonstration, please refer to the *Concept Landscape Plan* submitted alongside this application.

3.5.2 Residential development

Not Applicable.

Residential Development is not proposed as part of this application.

3.5.3 Non-residential development

- All major non-residential developments require a landscape plan.

A landscape plan has been provided as part of this DA, as per 3.5.3.

For demonstration, please refer to the *Concept Landscape Plan* submitted alongside this application.

3.5.4 Streetscape (urban)

- For infill development that abuts an existing public street, the application should demonstrate how the development fits in with the existing streetscape and makes efficient use of the site.
- For new release urban areas, the provision for appropriate street tree planting taking into account the image and role of the street, solar access requirements, soils, selection of appropriate species and services (refer to Figure 3-7).
- The site layout and building design enables the use of features of the site such as views, existing vegetation and landmarks.

As infill development that abuts a public street, the development demonstrates coherence with the streetscape, evident in the *Perspectives* and *Elevations*.

Site features are retained where possible, including sight lines / views.

3.5.5 Fences and gates (urban)

- Design fences to respect the architectural character of the house and heritage context. Design fences to take account of streetscape, privacy and security issues, and to enhance entrances to the site and building. Use fences to define the edge between the street and semi-public front garden space.
- Original fencing should be retained where possible and, if damaged, should be repaired rather than replaced.

Goulburn Mulwaree Development Control Plan 2009

- Fencing shall complement any original fencing relating to the architectural style of the dwelling or found on adjoining properties and in the wider streetscape in terms of style, height and materials.
- Where side fences project in front of the building line ensure that they complement the scale of the adjoining front fence and function of the front yard. The height limit for front fences should coincide with that of neighbouring dwellings, measured from the finished footpath level at any point adjacent to the fence to the top of the main part of the fence. This does not include supporting posts or mailboxes.
- Where there is a change in ground level along the street boundary, the higher of the two levels will be taken when measuring fence heights:
 - fencing over 1.2 metres in height shall be 50% transparent: or
 - where there is dual street frontage, consideration may be given for the allowance of a higher side fence to ensure privacy.
- All controls are subject to the provision of adequate sight lines for emerging vehicles to enable surveillance of pedestrians.
- Integrate the design of fences, with the location of mailboxes, nameplates, and street numbering.
- The use of intervening fences/walls setback from the front property boundary is discouraged and should not be used to determine the measuring point for the building envelope.
- Generally, the fencing styles identified in Table 3-1 should be reflected in the design of fences and gates, according to the character of the surrounding area and property.

The development proposes 1.2m metal aluminium fencing around the centre-based child care facility, utilising similar materials and height in the locality.

The fencing proposed is generally consistent with the above mentioned criteria, evident in the *Elevations* and *Site Plan*. A *Heritage Impact Assessment* is submitted alongside DA to demonstrate consistency with adjoining heritage.

3.5.6 Setbacks

- All setbacks are to be landscaped.
- No parking will be permitted within setback areas.
- Minimum setbacks:
 - Urban – Refer to chapter 4 for residential building setbacks.
 - Industrial – Refer to chapter 4 for industrial building setbacks.
 - Rural – Refer to chapter 5 for rural dwelling setbacks.
 - In front setbacks for developments facing a classified road or a public place plant trees with a mature height of at least 8 metres.
 - Trees must be at least 3 metres in height at the time of planting.

All setbacks are landscaped (seen in landscape plans), and no parking is proposed within these areas.

Chapter 4 outlines the minimum setback for urban residential development, applicable to the residential component of the development. Chapter 4.2 outlines the minimum setbacks for non-residential developments, applicable to the non-residential component. The relevant setbacks have been extracted below, with comments provided.

Goulburn Mulwaree Development Control Plan 2009

Non-residential - Centre-based Childcare Facility

Setback	Minimum Setbacks	Proposed Residential Setback
Rear	N/A	3.02m
Side	N/A	3.02m
Front	6m	6m

The development is consistent with the minimum setbacks within the DCP.

3.6 Vehicular Access and Parking

3.6.1 Parking layout, servicing and manoeuvring

- The layout and design of access, parking and service areas should address the needs of the site occupants and visitors as well as respecting the amenity of the area. Account should be taken of potential noise disturbance, pollution and light spillage. Car parking areas can have a significant impact on the streetscape and should therefore be carefully designed having regard to landscaping, layout and location to ensure that parking and service areas are integrated sympathetically with the development and locality.
- Provision should be made for various modes of transport for employees and visitors to the site. Where parking is provided it must be in a safe and efficient manner, allowing for easy access for occupants, visitors and service vehicles, whilst ensuring the safety of pedestrians and other road users.
- Where non-residential development is within or adjoining a residential zone, locate and design parking areas, servicing areas and the means of access/egress to:
 - minimise conflict between non-residential, residential and pedestrian traffic;
 - provide off-street parking and servicing of premises;
 - respect the character of the existing residential areas and streetscape character by means of siting, design and landscaping.
- Surface parking should be visually articulated by the use of soft and hard landscaping and the use of different surface treatments.
- Parking areas and accessways should be designed, surfaced and graded to reduce runoff and allow stormwater to drain into the site.
- Ventilate enclosed parking areas using natural ventilation techniques.
- Mechanically assisted parking facilities should not be provided.
- Ensure public car parking and service areas are well signposted or otherwise identified from the entry point.

The proposed car park includes 28 spaces (1 per 4 child places) and meets the needs of the site occupants and visitors. Noise pollution, light pollution, and other impacts have been considered, and the car park design to the relevant Australian standard. The car park includes planting, fencing, and clear lines to create a legible, safe space. The use of planting close to verge creates a green articulation, improving the visual quality of the surface car park.

The proposed surface car park is generally consistent with the abovementioned controls. For further demonstration of compliance, please see the *Site Plan* and *Traffic Report*.

3.6.2 specific land use requirements

The relevant requirements have been extracted from *Table 3-2: Off-street parking requirements*, and *Child Care Planning Guidelines (September 2021)* and comments provided in the table below.

Education		
Land Use	Number of Spaces recommended	Number of Space Provided
Child care centre	<p>DCP (Required parking)</p> <p>12 spaces (24 staff required)</p> <ul style="list-style-type: none"> 1 space per 2 employees plus set down/drop off area <p>Guideline (Considered but not required, as per the guideline)</p> <p>28 spaces</p> <ul style="list-style-type: none"> 1 space per 4 children 	<p>Carpark – 29 spaces</p> <p>Carpark (drop off) – 5 spaces</p>
On-site Total (Proposed and existing)		34 Spaces

The development proposes 29 car spaces, and a 5 space drop off the site, considered adequate as per the DCP and the child care guideline.

As per the *Site Plan*, child-care child spaces, age groups, and staff ratios shown. The childcare centre proposes 40 places to ages 3-5 (1:5), 40 places to ages 2-3 (1:5) and 32 places to ages 0-2 (1:4). Each place requires 8 staff resulting in 24 staff total.

Both the Child Care Planning Guideline 2021 (the 'guideline'), and the *DCP* have been considered, evident in the above table. The guideline outlines that in areas outside greater Sydney, facilities require 1 space per 4 children, or in this case 28 spaces. The guideline goes on to state:

"Where a development control plan does not specify car parking rates, off street car parking should be provided at the following rates:

In other areas:

- 1 space per 4 children

So, as per the guideline, the development control plan specifies car parking rates and must be used. As per the DCP parking rates, 24 staff require 12 spaces, and a drop off area must be provided. Therefore, the development provides more than adequate parking to the child care centre via 29 spaces and drop off area.

For further demonstration of compliance, please see the *Traffic report* and *Site Plan* submitted alongside this DA.

3.7 Crime Prevention Through Environmental Design (CPTED)

3.7.1 Lighting

- All areas intended to be used at night should allow appropriate levels of visibility.
- Pedestrian pathways, lane ways and access routes in outdoor public spaces should be lit to the minimum Australian Standard (AS 1158). Lighting should be consistent in order to reduce the contrast between shadows and illuminated areas. Lighting should be designed in accordance with AS4282 – Control of the obtrusive effects of outdoor lighting.
- Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed. Moreover, lighting should clearly illuminate the faces of users of pathways.
- Streetlights should shine on pedestrian pathways and possible entrapment spaces as well as on the road.
- lights should be directed towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points.
- lighting should take into account all vegetation and landscaping that may act as a entrapment spot
- lighting should be designed so that it is difficult for vandals to break.
- where appropriate use movement sensitive and diffused lights.
- avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance.
- illuminate possible places for intruders to hide.
- as a guide area should be lit to enable users to identify a face 15 metres away
- all lighting should be maintained and kept in a clean condition with all broken or burnt-out globes replaced quickly.
- use energy efficient lamps/fittings/switches to save energy.

The development proposes LED exterior lighting surrounding the childcare facility and car park. All proposed external lighting is designed in accordance with the relevant Australian standards, addresses access points, and is mounted to avoid vandals.

3.7.2 Fencing

- Fence design should maximise natural surveillance from the street to the building and from the building to the street and minimise the opportunities for intruders to hide.
- Front fences should preferably be no higher than 1.2 metre. Where a higher fence is proposed, it will only be considered if it is constructed of open materials (e.g. spaced pickets, wrought iron etc).
- If noise insulation is required, install double-glazing at the front of the building rather than a high solid fence (greater than 1 metre).

Fencing is proposed encapsulating the childcare facility, and the front fences are 1.2m in height, as per 3.7.2.

3.7.3 Car parking

- Car parks, aisles and manoeuvring areas shall be:
 - Designed with safety and function in mind.
 - Have dimensions in conformity with AS2890 - Parking Facilities (relevant parts of this standard are AS2890.1 - Off-street parking, AS2890.2 - Commercial vehicle facilities, and AS2890.3 - Bicycle parking facilities)
- where parking spaces are to be provided for people with disabilities, these spaces are to be:
 - suitably located near entrances to the building and lifts/ access ramps, if required.
 - provided in accordance with Australian Standards 1428.1 - Design for access and mobility.
 - appropriate signage and tactile pavement treatments should also be installed, where required.
- The design of car parking areas should incorporate the following elements:
 - provision of a safe and convenient vehicle entry and exit that avoids traffic/pedestrian conflict and impact on the surrounding road.
 - the internal (vehicular) circulation network is free of disruption to circulating traffic and ensures pedestrian safety.
- The movement of pedestrians throughout the car park should be clearly delineated by all users of the car park and minimises conflict with vehicles.
- The design of the car park should ensure that passive surveillance is possible and where appropriate, incorporate active measures such as cameras and security patrols. Car parks should be designed to minimize dark areas through the provision of appropriate lighting.
- Large car parks should incorporate communication devices such as:
 - Intercoms
 - Public address systems
 - Telephones
 - Emergency alarms
- To ensure users of large carparks are easily able to determine their location, exit and access points security intercoms, and the like appropriate signage is to be included.
- All surfaces in the car park should be painted in light coloured paint or finished in light grey concrete to reflect as much light as possible.
- all potential entrapment points should be avoided (e.g. under stairs, blind corners and wide columns). Adequate lighting and mirrors should be used when certain design features are unavoidable

As seen in the *Floor Plan (East Side)*, carparks are designed to the relevant Australian standard, legible, safe, and suitably located near entrances and outdoor veranda. The car park is not considered large and is not considered to require communication devices or security intercoms. Light surfaces are incorporated to reflect light.

For further demonstration of compliance, please refer to the *Traffic Report* submitted alongside DA.

3.7.4 Entrapment Spots and blind corners

- Pathways should be direct – all barriers along pathways should be permeable (including landscaping, fencing etc).
- Consider the installation of mirrors to allow users to see ahead and around corners – the installation of glass or stainless-steel panels in stairwells can also assist in this regard.
- Entrapment spots adjacent to main pedestrian routes such as a storage area or small alley should be eliminated from all designs.
- If entrapment spots are unavoidable, they should be well lit with aids to visibility such as convex mirrors and locked after hours.
- To eliminate excuse making for individuals to loiter, avoid placement of seating near or adjacent to ATM's, public phone boxes, toilets, corridors and isolated locations

As seen in the *Site plan*, all pathways are direct. This includes from the car park to the childcare centre via veranda.

The waste enclosure is located South-east, avoiding entrapment spots. Fencing is proposed surrounding the child care centre, which provides passive surveillance to the carpark, all of which to eliminate excuses to loiter and provide a safe environment.

3.7.5 Landscaping

- Avoid medium height vegetation with concentrated top to bottom foliage. Plants such as low hedges and shrubs, creepers, ground covers and high-canopied vegetation are good for natural surveillance.
- Trees with dense low growth foliage should be spaced or crown raised to avoid a continuous barrier.
- Use low ground cover or high-canopied trees with clean trunks.
- Avoid vegetation, which conceals the building entrance from the street.
- Avoid vegetation screening of all public use toilets.
- Avoid vegetation that impedes the effectiveness of public and private space lighting.
- Use 'green screens' (wall hugging vegetation that cannot be hidden behind) if screening large expanses of fencing to minimise graffiti

The proposed landscaping is generally consistent with the above mentioned controls. For further demonstration of compliance, please see *Concept Landscape Plan* submitted alongside this DA.

3.7.6. Communal/public areas

Communal or public open space areas that do not have adequate natural surveillance are a risk to personal safety. The following CPTED requirements for communal/public areas apply:

- Position active uses or habitable rooms with windows adjacent to main communal/public areas (playgrounds, swimming pools, gardens, car parks etc).
- Communal areas and utilities (e.g. laundries and garbage bays should be easily seen and well lit).
- Where elevators or stairwells are provided, open style or transparent materials are encouraged on doors and/or walls of elevators/stairwells.
- Waiting areas and entries to elevators/stairwells should be close to areas of active uses and should be visible from the building entry.
- Seating should be located in areas of active uses.

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The proposed car park addresses Fenwick Cres and has clear sightlines to the street and child care centre. Subsequently, the open spaces have adequate surveillance, as per 3.7.6.

For further demonstration, please refer to *Site Plan, Elevations, and Perspectives*.

3.7.7 Movement predictors

- Pedestrian underpasses should not be included in new developments.
- Where movement predictors are used the users of it should have clear site lines so they can see what is ahead and behind at all times.
- Lighting of movement predictors is essential. Natural lighting should be used where possible with consideration given to wall and ceiling materials to help reflect light.
- Emergency intercoms, telephones and security videos should be included in the design of movement predictors. Adequate consideration should be given to who will be monitoring such equipment.
- No entrapment spots should be included in any movement predictor.

No pedestrian underpasses or entrapment spots are proposed as part of this development.

Any proposed pedestrian movement is unobstructed and utilises clear sight lines.

The scale of the development is not considered large enough to warrant movement predictors.

3.7.8 Entrances

- Entrances should be at prominent positions and clearly visible and legible to the users.
- Design elements should be easily recognisable through design features and directional signage.
- Entrances should be easily recognisable through design features and directional signage.
- Minimise the number of entry points – no more than 10 dwellings should share a common building entry.
- If staff entrances must be separated from the main entrance, they should maximise opportunities for natural surveillance from the street.
- Avoid blank walls fronting the street.
- In industrial developments, administration/offices should be located at the front of the building.

Entrances are prominent and clearly visible to users, evident in *Perspectives* showing business identification and pathways controlling circulation to the childcare centre. There are no blank walls proposed facing the street.

A minimum amount of entry points is proposed for the childcare facility. As shown on *Site Plans* and *Floor Plans* the childcare facility proposes one main entrance point via automatic doors, one via rear laundry, two via rear staff room and dining, and three via nappy change and WC rooms, all of which access the veranda. Only the rear access points are not directly visible from Fenwick crescent, while the others utilise passive surveillance from the street.

Blank walls are avoiding fronting the street and admin is located at the front of the childcare facility.

Overall, entrances are clearly defined, minimise the number of entry points where possible, utilise pathways and signage to control circulation, utilise passive surveillance, and are legible to users.

3.8 Flood Affected Lands – Amended DCP Chapter

As per the Goulburn Mulwaree council website, the amended DCP Chapter 3.8 Flood Affected Land will be effective from 23 September 2022; therefore, is currently in affect. The amended chapter has been considered, and response provided below.

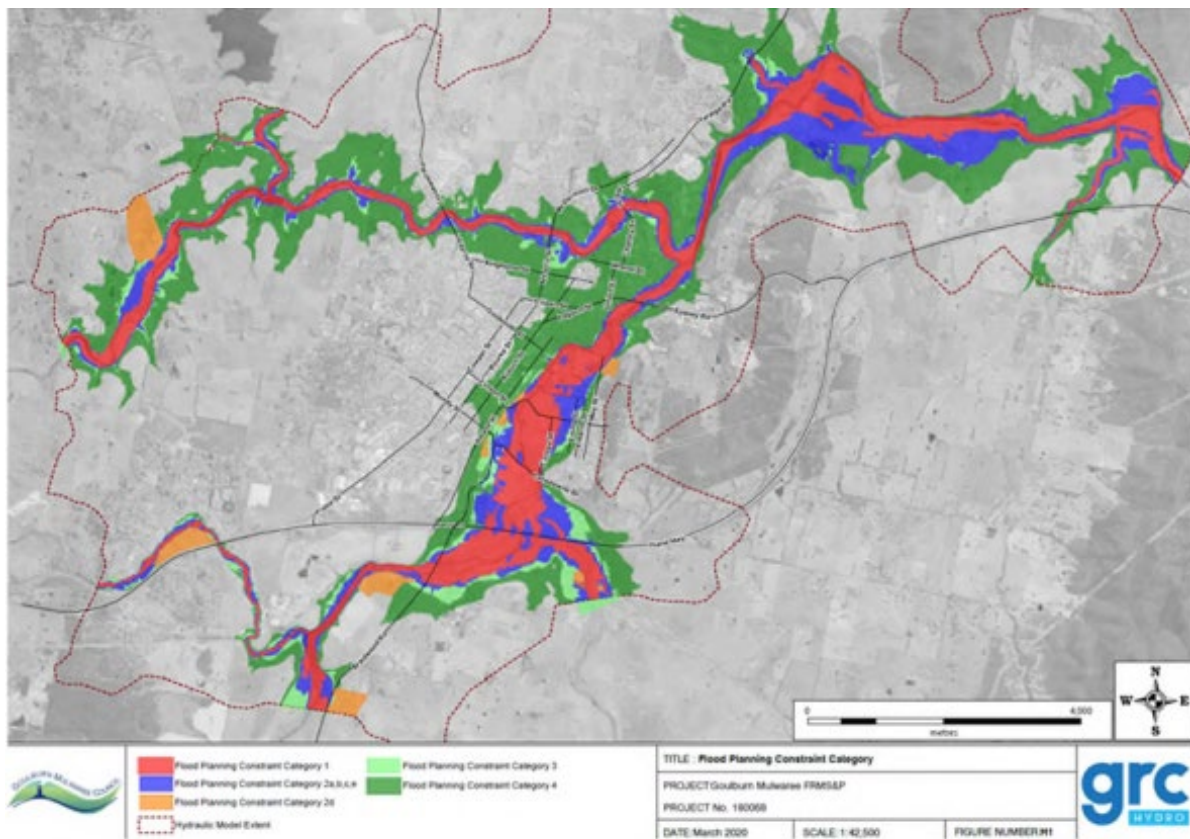


Figure 1. Flood Planning Constraint Categories (FPCC).

- The Flood Planning Area (FPA) forms the extent of FPCC3 above.
- The Probable Maximum Flood (PMF) is bounded by the extent of FPCC3 and up to the extent of FPCC4.
- Land outside FPCC4 is not identified as subject to flooding from the two rivers and therefore not subject to the application of the Flood Policy and flood planning controls in this section (see general controls in 3.8.2.2).
- Development is required to apply and meet the requirements of the Flood Policy as set out in Appendix J.

The development is located within FPCC4, or within the boundary of the identified probable maximum flood. Therefore, the relevant controls within appendix J of the amended DCP chapter 3.8 will apply.

9.9.6 Flood Planning Controls

	FPCC 4						
	Critical Uses & Facilities	Sensitive Uses & Facilities	Lot Subdivisions	Residential Development	Commercial & Industrial	Recreation & Non-urban	Sheds & Outbuildings
Floor Level	A5 A6	A5 A6					
Building Components	D2	D2					
Structural Soundness	E2	E2					
Parking & Driveway Access	F2 F3	F2 F3					
Evacuation and Refuge	G2 G3 G4	G2 G3 G4	G2 G3 G4				
Management and Design			H1 H5				
Flood Impacts							

Floor Level Controls

A5. All floor levels to be equal to or greater than the PMF flood level.

A6. Entrance levels to underground spaces (basements, carparking etc.) are required to be above the level of the FPL (1% AEP flood level plus 0.8 m freeboard) or PMF level, whichever is higher.

Building Components

D2. All structures to have flood compatible building components below the FPL (1% AEP flood level plus 0.8 m freeboard) or the PMF level, whichever is the highest.

Structural Soundness

E2. Engineers report to certify that any structure can withstand the forces of floodwater, debris and buoyancy up to and including the FPL (1% AEP flood level plus 0.8 m freeboard) or a PMF, whichever is greater.

Parking and Driveway Access

F2. The minimum surface level of open car parking spaces, carports or garages shall be as high as practical. The driveway providing access between the road and parking space shall be as high as practical and generally rising in the egress direction.

F3. Garages capable of accommodating more than three motor vehicles on land zoned for urban purposes, or enclosed car parking, must be protected from inundation by floods up to the FPL (1% AEP flood level plus 0.8 m freeboard).

Evacuation and Refuge

G2. Reliable access for pedestrians or vehicles required during a 1% AEP flood to a publicly accessible location above the PMF.

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G3. The development is to be consistent with any relevant flood evacuation strategy or similar plan.

G4. The evacuation requirements of the development are to be considered. An engineer's report will be required if circumstances are possible where the evacuation of persons might not be achieved within the effective

The proposed centre based childcare facility is defined as a sensitive use and is located within FPCC4.

For detailed discussion on consistency, please refer to section 3.2.8 'Natural Hazards' and the *Flood Risk Management Plan* submitted alongside this application.

3.9 Tree and Vegetation Preservation

Evident in Figure 18, the site does not contain significant trees or vegetation that require pruning or removal. The site is vacant, containing informal / unseeded grass; therefore, tree and vegetation preservation is not considered relevant.

Figure 18: Goulburn Site Photos - Vacancy



3.10 Dryland salinity

The development is not located within salinity affected areas.

3.11 Waterbody and wetland protection

The development is not located within or adjacent to a waterbody or wetland. The site is not located within environmentally sustainable land (Seed Map, 2024). The development is located greater than 300m from Mulwaree River, identified as Biodiversity Values (Seed Map, 2024).

Therefore, waterbody and wetland protection are not considered relevant to the proposal.

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3.12 Groundwater

The development is considered unlikely to adversely affect local groundwater resources. The site is not located within areas identified as groundwater vulnerability (Seed Map, 2024).

Therefore, groundwater is not considered relevant to the proposal.

3.13 Basic landholder riparian rights for subdivision

The development is not considered a major development proposal. The development does not propose a subdivision as part of this proposal.

Therefore, basic landholder riparian rights for subdivision are not considered relevant to the proposal.

3.14 Biodiversity Management

Note: Reference Clause 7.2 – LEP 2009

“(2) This clause applies to development on land that is identified as “Biodiversity” on the Terrestrial Biodiversity Map.”

The development is not located within land identified as “Biodiversity” on the Terrestrial Biodiversity Map. The development is located greater than 300m from Mulwaree River, identified as Biodiversity Values (Seed Map, 2024). The site has been identified as vacant, shown in Figure 18. In addition, the development is not located within 30m to a riparian corridor, shown in Figure 19 below and figures 3-6, and figures 3-7 within the Goulburn Mulwaree DCP.

Therefore, biodiversity management is not considered relevant to the proposal.

Figure 19: River Biodiversity Map (Seed Map, 2024).

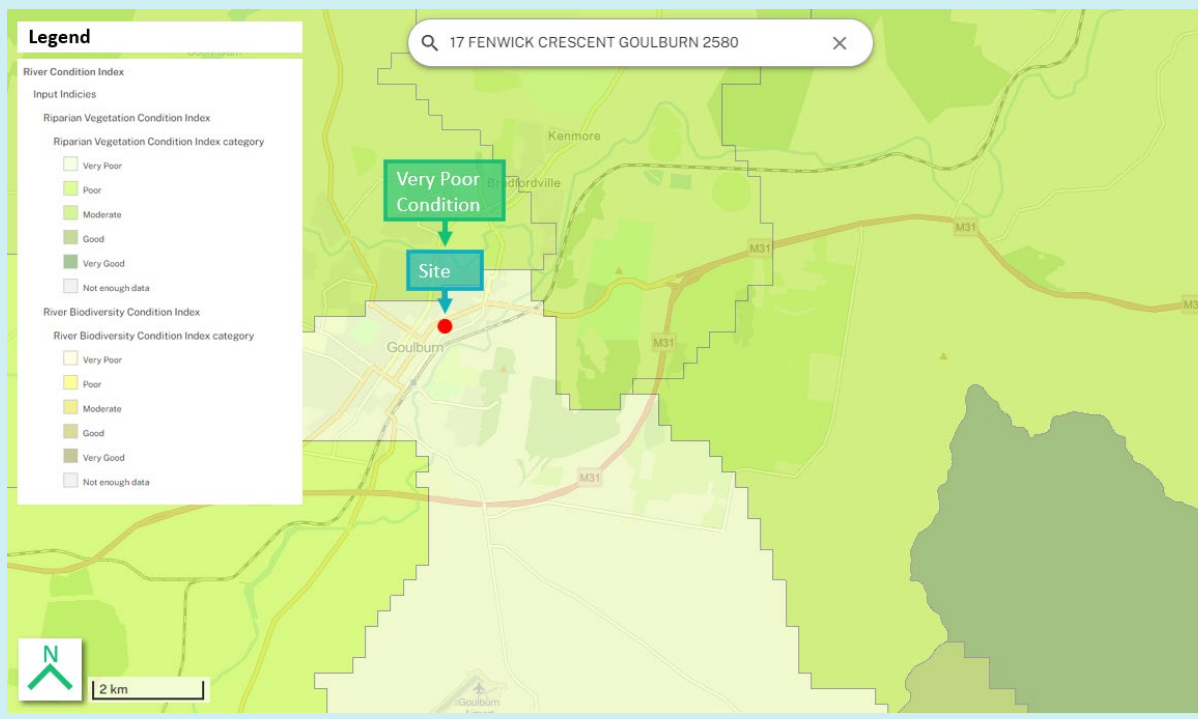
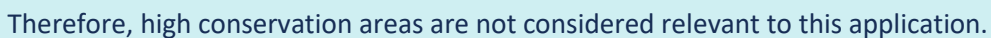


Figure 20: Site location - LCA



3.16 Stormwater Pollution

For adherence to stormwater pollution controls see attached Stormwater documents and Water Cycle Management Study, in which demonstrates a neutral or beneficial effect (NorBe), as per requirements.

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3.17 Bushfire Risk Management

3.17 Bushfire Risk Management

- The future management regimes for any areas of hazard remaining within the subject area. This should focus on the level of hazard posed to future development by the land or adjacent land and how the hazard may change as a result of development.
- Minimising the impact of radiant heat and direct flame contact by separating the development from the bush fire hazard by identifying the extent to which future development can provide for asset protection zones in accordance with Planning for Bush Fire Protection 2006. Setbacks will depend on proximity to vegetation, vegetation type and slope.
- Substantial revegetation of a property, a riparian or wildlife corridor may increase bush fire risk to proposed or existing development. Any proposed revegetation should be undertaken in such a way that limits the spread and occurrence of fire.
- A plan of management will need to include fuel management within the development and maintenance of asset protection zones in accordance with Planning for Bush Fire Protection 2006 and the Service's document 'Standards for asset protection zones.
- Roads within new development areas are designed to comply with section 4.1.3 of Planning for Bush Fire Protection 2006."

The site is not located within a bushfire prone zone, and therefore are not subject to the requirements of Section 79BA of the Environmental Planning and Assessment Act 1979 and Section 100B of the Rural Fires Act 1997.

4.0 Principal Development Controls - Urban

4.1 Residential development

Not Applicable

Residential development is not proposed as part of this application.

4.2 Non Residential Development – retail, commercial and industrial

4.2 Non-residential development – retail, commercial and industrial

- Note: Clause 4.2 of this plan applies to new business, industrial and other non-specified residential development irrespective of the zoning of the land.
- Floor Space Ratio (FSR) controls on bulk and scale are found in the LEP 2009 clauses 4.4 and 4.5 for zones B2, B3, B4 and B6.
 - 4.4 (1)(a) To ensure the bulk and scale of development does not have an unacceptable impact on the streetscape and character of the area in which the development is located.
 - 4.4 (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.
- Heritage controls are found in chapter 3.1 of this plan.
- Separate controls for the business zones of Goulburn's CBD are found in Appendix I, "Good Design Statement" 2005.

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As per the LEP, the floor space ratio is 1.5:1. For demonstration of compliance, please refer to the response provided under section '5.3.1.3 Floor space ratio'.

Heritage controls and conservation has been considered and is generally consistent. For further demonstration of compliance, please refer to the *Statement of Heritage Impact* and the response provided under '3.3 General Heritage Item' of the DCP.

4.2.1 Retail and commercial (general)

Chapter 8 contains site specific provisions for:

- The Marulan Local Business Centre – George Street Marulan, Chapter 8.4 and
- **The Goulburn City Business District – Chapter 8.6.**

These chapters relate to Council's main retail and commercial areas.

Retail and commercial development outside of these areas should refer to the general principles outlined in these sub-chapters.

Heritage principles are also found in Chapter 3.1. Previous design principles which are still worth referencing are contained in "Goulburn Mulwaree Good Design Statement", September 2005 – Appendix I.

The development is located within the Goulburn City Business District. Please refer to the response provided under chapter 8.6 to demonstrate consistency with this chapter.

In addition, the development does not propose retail / commercial development, as the centre based childcare facility proposed is defined as community infrastructure.

4.2.7 Noise and vibration – general requirements

- Council is the appropriate regulatory authority for noise related activities, such as heavy industries, mining, extractive industry, motor racing tracks and the like under the Protection of the Environment Operations Act 1997. If development sensitive to noise were to be approved on adjacent properties to the noise source, Council will be responsible for regulating any resulting noise impacts.
- Council recommends applicants utilise the following documents to assist them in making decisions relating to acceptable noise levels for noise generating and noise sensitive developments:
 - NSW Industrial Noise Policy
 - Environmental Criteria for Road Traffic Noise
 - Noise Guide for Local Government
- The above documents are available from the NSW Environment Protection Authority website: www.environment.nsw.gov.au/noise
- The impact of noise generated by a proposal can be minimised to comply with the statutory requirements in different ways. The following guidelines address means of achieving the standards.
- Incorporate sound proofing for machinery or activities considered likely to create a noise nuisance during design development.
- Locate noisy operational equipment within a noise insulated building away from residential areas.
- Design logistically efficient business practises to minimise the use of equipment, movements per site, and number of vehicle movements per site per day.

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- Where sites adjoin a residential area, limit the number of hours and times at which mechanical plant and equipment is used in conjunction with the measures described above.
- Ameliorate the noise and vibration impact of transport operations by using appropriate paving or track mounting and installing acoustic barriers as required to meet standards on neighbouring uses.
- Incorporate appropriate noise and vibration mitigation measures into the site layout, building materials, design, orientation and location of sleeping recreation/work areas of all developments proposed in areas adversely impacted upon by road or rail related noise and vibration.

No heavy industrial use that requires operation of heavy machinery or operational equipment is proposed.

As per 7.7.4 of Noise guide for Local Government, a childcare centre and play area is proposed. As seen in the *Site plan* and *Concept Landscape plan*, the development proposes various landscaping surrounding the child care centre and between the residential townhouses, minimising potential noise impacts. The internal layouts locate nursery cots away from the boundary of the building, and to the centre, to avoid adverse noise impacts impact from the road.

5 Principal Development Controls - rural

The development is not located within rural land and is therefore not relevant to the development.

6 Special Development Types

6.1 Poultry farms

The development does not propose poultry farms.

6.2 Service Centres

The development does not propose service centres.

6.3 Wind Farms

The development does not propose wind farms.

6.4 Advertising and Signage

Objectives

The aims of advertising and signage requirements are to:

- Control the size and number of advertising structures or signs displayed on premises to improve the streetscape and amenity of the locality.
- Provide information and guidance to building owners and occupiers and council to enable appropriate design and placement of advertising.
- Ensure desired urban or rural character of surrounding land uses is not compromised.
- Encourage innovation in the design and construction of signs, within the parameters of this plan.
- Encourage co-ordinated and cooperative approach to advertising signs.
- Reduction in the number of signs.
- Encourage the use of simple, clear, and uncluttered signs.
- Discourage the use of neon signs for heritage buildings.

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- Ensure that any sign fits the streetscape and architecture of the building or location in terms of colour, illumination, wording and visual interest.
- Eliminate all signs above awning level except where the architecture of the building provides for such signs.

The development proposes one sign. The sign is clear, simple and used for wayfinding, displaying 'Fenwick CCC'. The sign fits the streetscape and architectural qualities of the building, as per the response provided under SEPP (Industry and Employment) 2021 'Chapter 3 Advertising and Signage'. This is demonstrated in the *Statement of Heritage Impact*, which concludes that adjacent heritage listed places (and conservation area) are not adversely affected by the proposal.

Additionally, the gable roof and clerestory windows frame the proposed sign, using architectural elements to provide visual interest.

Overall, the development is generally consistent with the objectives of 6.4 advertising and signage.

6.4.1 Amenity

- Materials, colours and placement of signs to be compatible with the existing building and streetscape – where available and suitable use existing materials, colours and placements.
- Advertisements above awning level are not permitted except where the design of the building incorporates an advertising panel.
- Designers will need to compromise on matters of corporate design where it is unsuitable in a particularly sensitive area, ie Heritage Conservation Area. The compromise may include lighter/softer shades, reduced signs different manufacturing techniques or the like.
- Retain any significant (including previous) signs that are fixed to and or part of the building and recognisable as part of an historic building.

A sign is proposed at the entrance to the childcare centre.

As per the *Statement of Heritage Impact*, the proposed childcare centre, including signage, is overall consistent with the streetscape and heritage values. This is achieved using complimentary materials and colours, including warmer and softer greys, beige colour palette, and metal materiality.

As per the response provided under SEPP (Industry and Employment) 2021 'Chapter 3 Advertising and Signage', and '6.4 Advertising and Signage' above, the development utilises architectural elements to frame and incorporate the signage. There are no buildings or signage on site to retain.

6.4.2 Design

a) Bulk, scale shape size

Signs in commercial zones should aim to attract pedestrians (across the road or into an arcade) by the use of below awning level signs. In assessing a development application for an advertising sign, it is necessary that the proposal:

- conforms to the desired future character of the area and does not dominate the streetscape or view
- complements the character, architectural design and period of construction of the building and surrounding buildings. For example, signs should either be placed on windows, near entrance doors to the retail facility on panels defined using the grid analysis or on an appropriate architectural element such as a podium, pier or pole
- signs shall not extend beyond the dimensions of the building (or features they are mounted on in terms of width or length, e.g. awning fascia)

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- be simple, clear and efficient and to a professional standard to inspire confidence in the business or product advertised
- not be visually spoiled by the method of providing electrical services to the sign

The site is zoned MU1 – Mixed use, and proposes a child care facility; therefore, should not aim to attract pedestrian across the street. Instead, signage is used for wayfinding and sense of place. The architectural elements of the roof frame the sign, proposed above awning level. This is discussed in the response provided under SEPP (Industry and Employment) 2021 'Chapter 3 Advertising and Signage'.

In addition, the design of the sign, roof, and centre conforms to, and complements the character of the streetscape. Consistency with streetscape, style, materials, colour, and general design is discussed in both the *Statement of Heritage Impact*; under Chapter 3 Advertising and Signage; and 6.4.1 and 6.4.2 above. The sign does not exceed the envelope / dimensions of the building.

Overall, the proposed sign's bulk, scale, and size are consistent with the objectives and controls above.

6.4.2 Design

b) Number of signs

Fewer signs are encouraged in the interests of reducing clutter, improving amenity and improving sign efficiency – as with too many signs the message is lost in the clutter.

Only one sign is proposed, minimising visual clutter.

6.4.2 Design

c) Colour, lettering and illumination for heritage buildings

Colour of signs

- Sign colour shall be compatible with and complementary to the colour of the period of the construction of the building or locality.
- Subdued colours rather than vivid are preferred in the Heritage Conservation Area. Fluorescent and iridescent colours are not acceptable in the Heritage Conservation Area, and a white background is also not acceptable.
- Corporate colours are acceptable only if the colours, number of signs and sizes are compatible and complementary to the architecture and streetscape.
- Council encourages the use of traditional colours as produced by Pascol, Berger, Dulux, Haymes, Porters, Taubmans and Wattyl.
- Colour schemes, particularly for intact buildings shall be continuous above and below the awning so as to enhance the appearance of the whole building.

Lettering

- The advertisement is to be designed to be uncluttered and clear with the wording being bold enough for easy reading and understanding.
- Lettering style and size shall be compatible with and complementary to the architectural style of the building and streetscape, e.g. on historic buildings and streetscapes (pre-1950), signs must be professionally hand painted, not machine cut.
- Buildings are encouraged to display street numbers in locations, size and colours, which complement the architecture and streetscape.

Illumination of signs

- Illumination of signs is not appropriate when businesses are not trading.

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- Illumination shall be continuous only. Flashing or chasing lights are not acceptable.
- Neon signs are not appropriate on buildings identified as heritage significant in a Heritage Study or in a Heritage Conservation Area under the LEP, buildings predating neon signs (c1922) or on buildings within the heritage streetscape of the CBD.
- Internal illumination is only permitted for under awning signs on modern buildings

The development proposes one sign. The sign fits the streetscape and architectural qualities of the building, as per the response provided under SEPP (Industry and Employment) 2021 'Chapter 3 Advertising and Signage', and '6.4 Advertising and Signage' above. This is demonstrated in the *Statement of Heritage Impact*, which concludes that adjacent heritage listed places (and conservation area) are not adversely affected by the proposal.

Additionally, as per the *Statement of Heritage Impact*, the proposed child care centre, including signage, is overall consistent with the streetscape and heritage values. This is achieved using complimentary materials and colours, including warmer and softer greys, beige colour palette, and metal materiality. Therefore, a softer (subdued) and more traditional colour palette is proposed, which avoids vivid or fluorescent colours, as per the locality within the heritage conservation area.

The singular sign proposed is a simple, uncluttered design, with one colour and material proposed, which complement the design and colour palette of the roof and building, and local setting.

6.4.2 Design

d) Contemporary buildings and corporate signs

Modern signs are appropriate for modern buildings, however the objectives outlined are applicable. Signs on modern buildings must consider their impact on adjacent properties and the streetscape.

e) Traffic safety

Advertisements shall be designed so that they will not:

- obscure or interfere with road traffic signs
- obscure or interfere with vehicle vision
- distract drivers at intersections, level crossings or bends
- vary or move the intensity of the illumination
- issue traffic instructions, e.g. use of the words halt, stop or imitate traffic signs
- project over the boundaries of a classified road
- a sign must not be nailed or similarly fixed to a tree or street light pole

The design of the child care facility and sign seamlessly blend modern motifs with the heritage values of the streetscape, using a softer pallet. As per the *Statement of Heritage Impact*, the design considers adjacent properties, and is concluded to be a "positive addition to this area and compliment the character of the conservation area"

The proposed advertising does not adversely affect traffic safety, evident in *Elevations* and the *site plan* showing the sign proposed at the entrance and to the rear of the proposed car park. Subsequently, the sign does not obstruct road traffic signs, vehicle vision, or distract at intersections.

The sign is not fixed to a tree, will not vary intensity of illumination, and is not projected over the boundary of a classified road.

Overall, the proposed sign is generally consistent with the controls of 6.4.2 Design.

6.5 Sex services premises

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The development does not propose sex services

6.6 Outdoor dining

The development does not propose outdoor dining

6.7 Telecommunications

The development does not propose telecommunications

6.8 Large lot residential – zone R5

The development does not propose large lot residential – zone R5.

The development is located within E3 – Productivity support.

6.9 Relocatable homes

The development does not propose relocatable homes.

6.10 Development in the enterprise corridor – zone B6

The development is not located within zone B6.

6.11 Extractive Industries

The proposal does not propose an extractive industry development,

6.12 Stables in residential and recreation zones

The development is not within a recreation zone and does not propose stables.

6.13 Manfred Park block – Goulburn

The development is not located within Manfred Park block, Goulburn.

7.1 Utility services

7.1 Utility Services

- Applicants are to provide connections to the following services where available to the site – water, sewerage, gas, telephone and electricity, on site.
- Applicants are advised to liaise with the AGL (gas), Telstra (telephone), Country Energy (electricity) and Council (water and sewer) or other accredited provider as to the availability of these services, prior to submission of development applications.
- Sewerage and water supply design to be in accordance with the Standards for Engineering Works, July 1996. Rainwater tanks are to be provided in accordance with Council Policy.
- Council is not averse to applicants supplying their own power supply, provided that Country Energy approve the alternate power source.
- Council may require as a condition of its consent, prior to release of Certificates or plans, that satisfactory arrangements be made for the provision of a reticulated electricity supply, telephone services and a reticulated natural gas supply

Goulburn Mulwaree Development Control Plan 2009

Abovementioned services are to be provided and the respective entities will be engaged in terms of the availability of these services.

Sewerage and water supply is to be designed in accordance with the relevant engineering standards.

For further demonstration of compliance, see civil, site survey, and drawings submitted alongside this report.

7.3 Drainage and soil water management

Drainage and soil water management will be designed in accordance with the relevant standards.

For further demonstration of compliance, see attached *Civil drawings*, and *Stormwater Management plan* submitted alongside this application.

7.4 Easements

For demonstration of compliance with 7.4 easements, please refer to the *Site survey*.

7.5 Staging development in urban release areas

The development is not located within urban release areas.

8 Site specific provisions

8.1 Goulburn City Business District

8.1.2 Background context material

(c) Street Character Statement

(xx) Laneways

Good Elements

- Thorne Avenue – Good use of timber post and rail pedestrian balustrade, timber pailing and picket fencing and pavements grassed on one side and paved on the other (Photo 1).
- Hillview Road – Good laneway streetscape with mature garden landscaping (Photo 2).
- Little Addison Street – Established narrow streetscape with single to two-storey housing stock (Photo 3).
- Horne Square – Complete physical evidence of identical Victorian period detached dwellings built by former mayor c1869 – 1871 (Photo 4). Intrusive Elements: ☐ Lanigan Lane – No particular consistency or dominate features (Photo 5).

Intrusive Elements

- Lanigan Lane – No particular consistency or dominate features (Photo 5).

Background context has been considered. The development site does not address the listed streets. Instead, the site addresses Fenwick Cres, listed as a laneway in the DCP.

As per listed good elements, the development proposes a two-storey development consistent with the heritage streetscape, and tree planting. For further demonstration of compliance, please refer to the *Statement of Heritage Impact*.

8.1.2 Background context material

(e) Protective structures in the public domain

Not relevant.

The development does not propose protective structures within the public domain.

8.1.2 Background context material

(g) Views and Vistas

The proposal is infill development, consistent with the height and bulk of the streetscape, and is unlikely to adversely impact views and vistas.

8.1.2 Background context material

(h) Economic Viability and Social Values

All new development is to demonstrate a contribution to the economic viability of the Business district.

New development may achieve this outcome by:

- (i) Following Council's precinct based approach to land use distribution.
- (ii) Contribute to: vibrant north south Auburn Street accommodating a range of retail and commercial business:
- (iii) an improved east west activity path, including redevelopment of laneways into supporting niche retail precincts below residential development to increase population mass.
- (iv) the dedicated commercial office precinct at the western fringe of the CBD to allow the CBD to remain as a concentrated retail precinct with high pedestrian activity focused on hospitality services and shop front retailing
- (v) large format household goods retailing concentration at the northern end of the CBD. This area presents the leading location for larger format retail and commercial space given the size of the sites, their gateway location and high exposure to passing trade.
- (vi) large format household goods retailing concentration at the northern end of the CBD. This area presents the leading location for larger format retail and commercial space given the size of the sites, their gateway location and high exposure to passing trade.
- (vii) the development of residential development of different housing types throughout the precincts is fundamental to broadening the range of socioeconomic backgrounds of the CBD's residents. This enrichment of the social fabric of the CBD is necessary to maintain the values of the CBD as a social service centre and its commercial role for residents and visitors.

The proposed development includes a centre-based child care facility. The child care facility is defined as community infrastructure, as per the LEP standard instruments. The development is located within the area defined as large format residential, as per the concept development map within the DCP. Consequently, child-care facilities are proposed co-located with existing (previously approved) townhouses adjacent to support a healthy and economic community, particularly parents re-entering the workforce.

Although retail use is not proposed, the child-care centre supports adjacent residential uses, increasing population mass, consistent with item (iii).

The development is not located within the dedicated commercial office precinct, or the retailing northern edge of the CBD.

8.1.2 Background context material

(I) Landscape and access

New developments are to contribute, in-kind or by monetary means towards the following public domain treatments:

- (i) heritage parks, plazas, urban and suburban walkways and lane ways.
- (ii) green link connection following the line of drainage from south of the CBD through Manfred Park towards the Mulwaree River.
- (iii) green link along the historic east-west axis connecting the CBD with the Mulwaree River foreshore and Victoria Park.
- (iv) additional street tree planting in Sloane Street along the rail edge and in residential streets surrounding the CBD.
- (v) traffic control measures

We understand the development is required to contribute a 1% levy.

In addition, a new vehicle crossover is proposed to enter the centre based childcare facility, defined as community infrastructure within the LEP Standard instruments.

8.1.2 Background context material

(j) Strategies

Concept Plan – Strategies

The following diagram indicates the key strategies of this plan to guide future change in the Goulburn CBD. The key components of a planning framework to achieve the Vision for the CBD are derived from the Planning and Design Principles in the EDAW / AECOM Master Plan document.

Consolidate

Integrate

Humanise

Connect

As per the responses provided under 8.1.2, particularly '(h) Economic Viability and Social Values', the development is generally consistent with the concept plan.

6.0 Conclusion

This report is submitted as part of a DA for a proposed centre-based childcare facility on Lot 20 DP 271268 Goulburn.

The Planning Report describes the proposal, outlines the planning context, and addresses all issues in the relevant planning instruments. It is considered that the proposal will provide Goulburn a centre-based childcare facility that services residents.

It is recommended that Council **approve** this Development Application.

Purdon
March 2025



spaces become places.

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