

STATEMENT OF ENVIRONMENTAL EFFECTS FOR THE PROPOSED ALTERATIONS AND ADDITIONS

TO LOT 22 IN DP 758468

11 MONTAGUE STREET GOULBURN

Prepared by:	Tim Lee Architects
Property:	11 Montague Street, Goulburn
Issue date:	Revision A Issued 20 th March 2025



EXECUTIVE SUMMARY

BACKGROUND

This Statement of Environmental Effects has been prepared by Tim lee Architects.

This statement is in support of the Development Application made in accordance with the Environmental Planning and Assessment Act 1979 to Goulburn Mulwaree Council for Alterations and Additions to the existing historic Fire Station located at 11 Montague Street, Goulburn.

This Statement of Environmental Effects has been prepared to assess the proposed redevelopment of the site known as Lot 22 DP 758468 11 Montague Street, Goulburn.

The existing building is located in the heart of Goulburn's CBD. The property known as "The Old Fire Station" has been subject to several ill considered adaptive alterations all approved through previous development applications. All previous applications have been completed and occupation certification granted. The site and the building are considered items of heritage significance.

The application is supported by the following documentation

- Architectural Plan Set
- Section J Certificate and Basix Certificate prepared by ACT Sustainable systems
- Statement of Heritage Impact
- Reports by Adams & Associates Hydraulics

The proposed development has been assessed against the relevant State Environmental Planning Policies, the standards of the Goulburn Mulwaree Local Environment plan 2009 and controls of the Goulburn Mulwaree Development Control plan 2009 (amended 2022).

Preliminary checks against the Boset and Ahims sites revealed no indigenous sites of significance, and the site is not located within an area of biodiversity significance, the scale of the work does not trigger a separate Biodiversity assessment. There is no significant excavation negating any Archaeological requirement. We note should anything of significance be unearthed during the excavation for the lift pit and lifting of the existing concrete in the proposed courtyard, that all work be stopped until the appropriate investigation is completed.

The proposed development is presented to Goulburn Mulwaree Council for consideration and is recommended for approval.

PROPOSED DEVELOPMENT

The proposed development is for:

Alterations and additions to the existing Building.

Scope

Change of Use for the existing commercial tenancy into:

1. Shop top housing – creation of a 2 bedroom apartment.

2. Gallery space – compiling of the ground floor office space and public toilets and courtyard.
3. Art Studio – Conversion of the unused restaurant into new art studio.
4. Construction of a new covered car accommodation of Bergmark Street.

Works to include:

Internal demolition as per the attached demolition plan

New works as per Architectural drawings.

The alterations and additions will include the following construction methodologies:

- Paved areas to the created courtyard
- Timber Wall framing where new partitions are added
- Timber framed external walls clad in composite board material
- Colorbond finished profiled sheet steel roofing, fascia's gutters, flashings and trims
- Plasterboard internal wall linings – 6mm compressed cement to wet areas
- P4/ R11 rated floor tiles to wet areas
- Carpet and timer floor finishes as per the drawing set
- Aluminum framed windows
- Aluminum framed doors (external)
- Timber internal doors

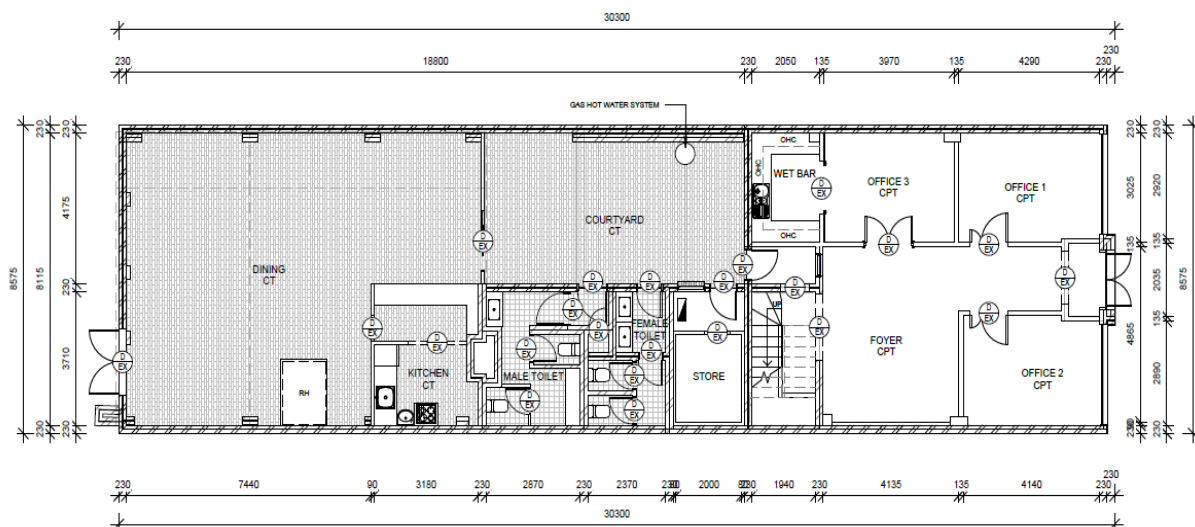


Figure 1 – existing floor plan

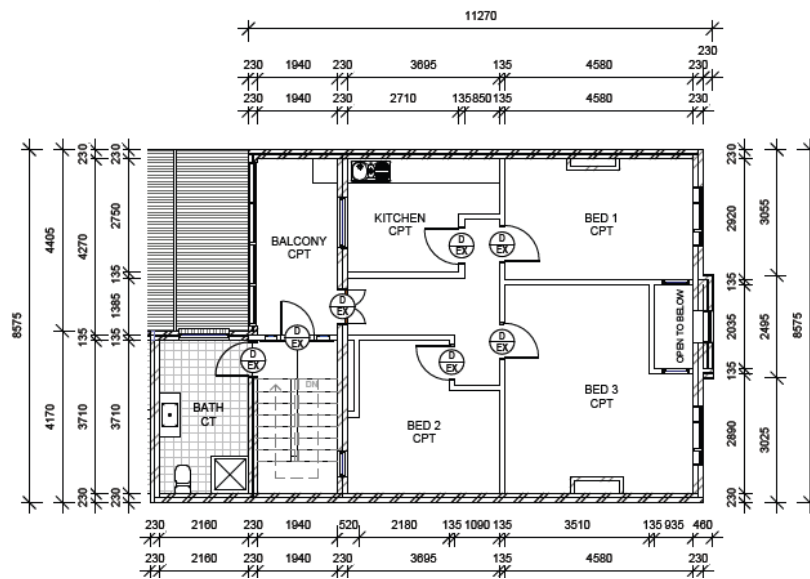


Figure 2 – existing first floor plan

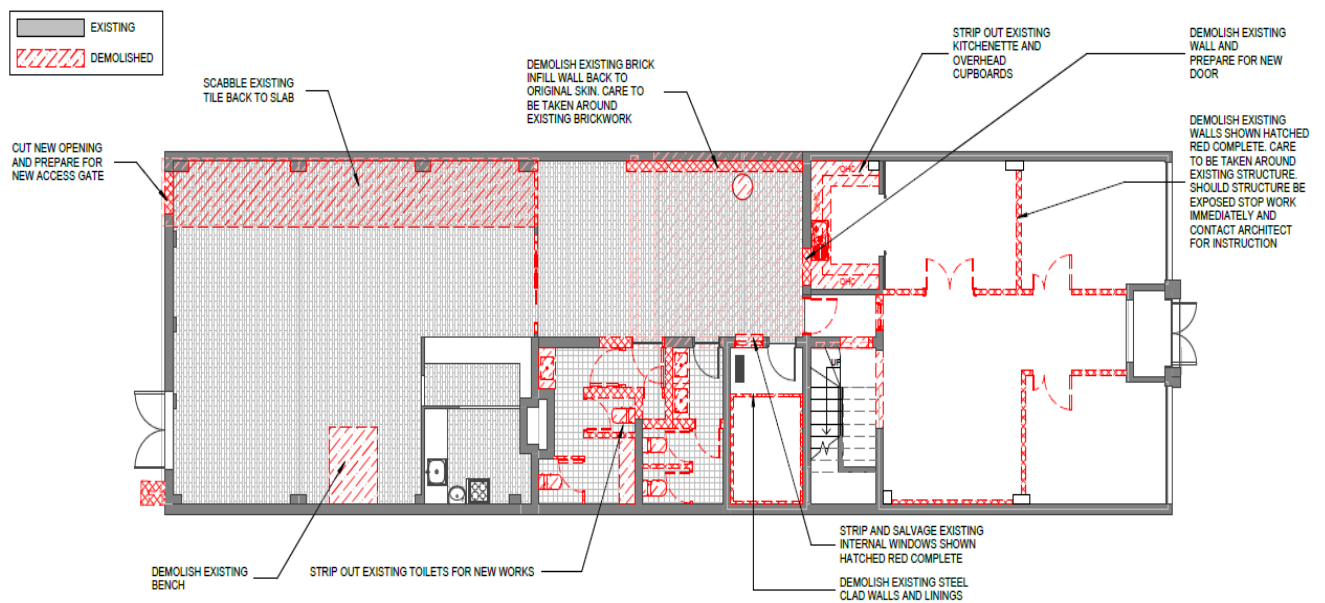
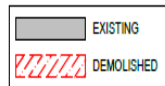


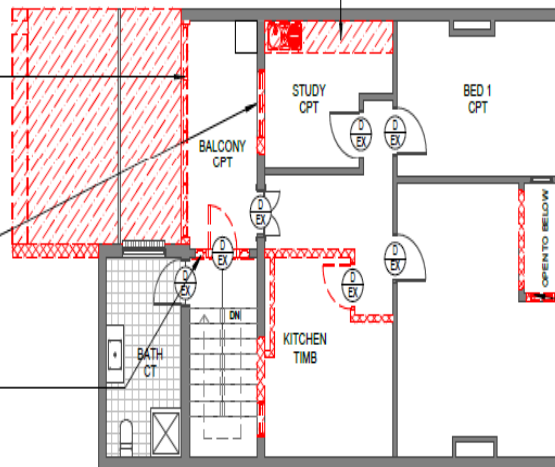
Figure 3 – Proposed demolition plan – ground floor



DEMOLITION EXISTING CURTAIN WALL SHOWN HATCHED RED COMPLETE

DEMOLISH EXISTING WINDOW SHOWN HATCHED RED COMPLETE

DEMOLISH EXISTING DOOR SHOWN HATCHED RED COMPLETE



STRIP OUT EXISTING KITCHEN AND CUPBOARDS

DEMOLISH EXISTING WINDOW SHOWN HATCHED RED COMPLETE

Figure 4 – Proposed demolition plan – first floor

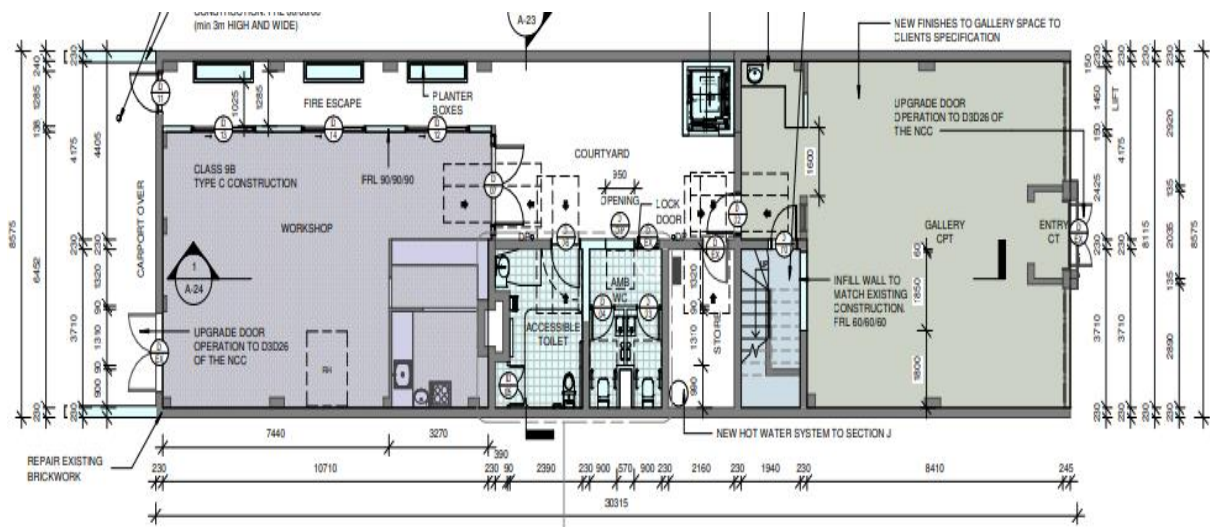


Figure 5 – Proposed ground

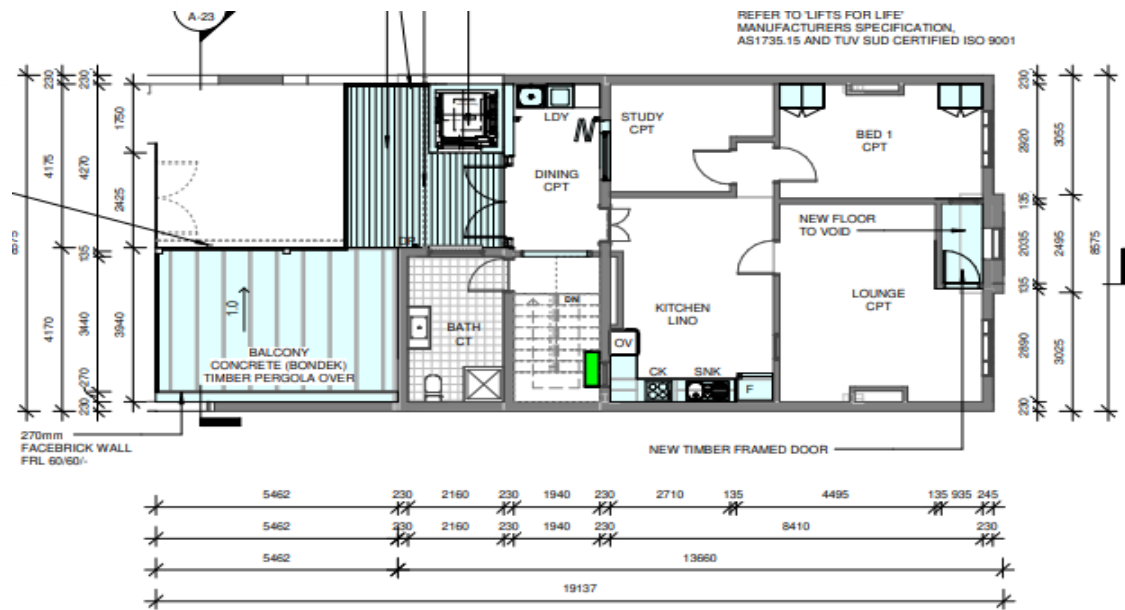


Figure 6 – Proposed first floor



Figure 7 – Site Plan (SRD Land Consulting/ TLA))

The floor plan location on the lot is clearly evident. Built to the East, West and Southern Boundaries the “Old Fire Station” has developed the main useable area of the site. A 6m deep section to the Bergmark Street frontage remains clear for parking. There is no vegetation on the lot.

SITE DESCRIPTION

LOCATION

11 Montague Street, Goulburn NSW.

Lot 11 DP 758468

Site Area: 300sqm.

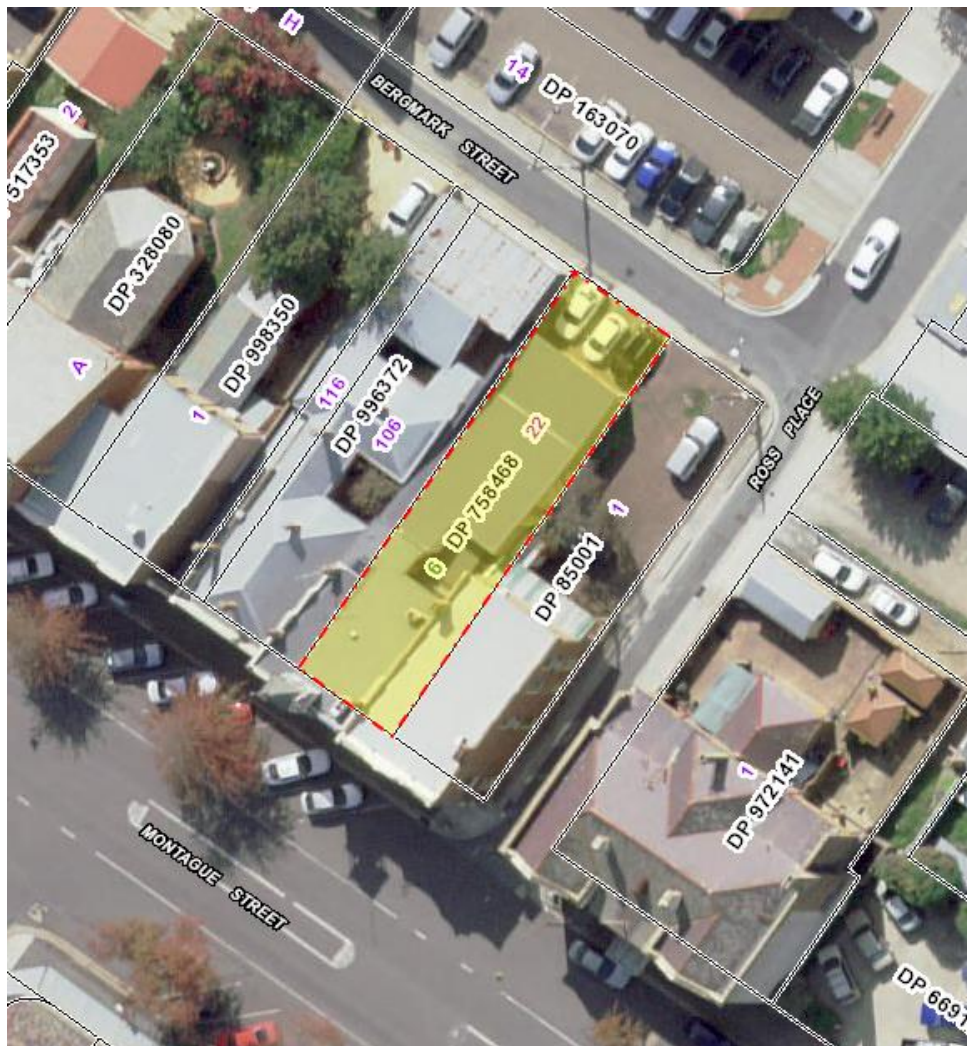


Figure 8 – detail site plan (six maps)

DESCRIPTION

The site is well established and has been in continuous use for over 100 years. The original use as Goulburn's Fire Station remained into the 1970's, the site has since been a restaurant, commercial space and lawyers offices

The site's main address is Montague Street with secondary access to the rear of the lot from the one-way Bergmark Street. Access is clear and unimpeded.

The building is constructed boundary to boundary to the East and West and to the front (Montague Street) boundary. The Bergmark Street frontage is 6.5m off the street allowing for three car parking spaces.

LOCAL CONTEXT



Figure 9 – Overall location plan (six maps)

The site is located approximately 100m from Belmore Park. Belmore Park is the Centre of the CBD. Montague Street houses the majority of Goulburn's Legal professionals. The street is part of the original surveyor General's layout for the new City of Goulburn.


SITE CONSTRAINTS



Figure 10 – Site constraints – detail plan (six maps)

The sites constraints are:

- Constructed boundary to boundary
- Locally significant, individually listed item in schedule 5 of the GMC LEP
- Sited on one of Goulburn's significant historic streets
- Linked to the federation architect E.C.Manfred
- Vehicle access only form Bergmark Street
- No vegetation



RELAVENT LEGISLATION

This Statement is prepared in accordance with the following legislation. Council policies and planning instruments: (a) Environmental Planning Assessment Act 1979 (EPA Act) (b) Applicable State Environmental Planning Policies (SEPP) (c) Goulburn Mulwaree Local Environmental Plan 2009 (LEP) (d) Goulburn Mulwaree Development Control Plan 2009 (DCP).

ENVIRONMENT PLANNING AND ASSESSMENT ACT 1979

The Environmental Planning and Assessment Act 1979 (EPA Act) is the principal source of planning law in New South Wales, from which all applicable instruments, plans, controls and policies derive their authority. It is pursuant to section 4.15(1) of the EPA Act that the determining authority must assess the development application before it.

The mandatory considerations are set out as follows:

(1) Matters for consideration—generally in determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—

(a) the provisions of—

(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),

(v) (Repealed)

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.

Although section 4.15(1) of the EPA Act establishes mandatory considerations, it is not an exhaustive list. It is open to the determining authority to avail itself of additional relevant information in the assessment of a



development application. However, Council must not consider irrelevant considerations or else fall into jurisdictional error.

STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policies (SEPPs) are the highest tier of environmental planning instruments and usually prevail to the extent of any inconsistency with a local environmental plan to either permit or restrict certain development on land to which the particular SEPP applies.

A SEPP may also provide criteria for consideration in addition to the standards and controls contained in the applicable LEP and DCP.

On 1 March 2022, 11 new SEPPs commenced, repealing and replacing 45 former SEPPs. These 11 new SEPPs immediately apply to pending and new development applications as there are no saving or transitional arrangements provided which apply to this application.

The following table provides detail regarding the applicable SEPPs to the Site and their relevance to the Proposed Development. The table also includes an additional reference to the former relevant SEPP(s) that the new SEPP replaces

State Environmental Planning Policy Relevance SEPP – Planning Systems 2021 Replacing former relevant SEPP
• SEPP (State & Regional Development) 2011

Not relevant

SEPP – Biodiversity and Conservation 2021 Replacing former relevant SEPPs • SEPP No 50 – Canal Estate Development • SEPP (Koala Habitat Protection) 2020 • SEPP (Koala Habitat Protection) 2021 SEPP (Sydney Drinking Water Catchment) 2011

Not Relevant

SEPP – Resilience and Hazards 2021 Replacing former relevant SEPPs • SEPP No 33 – Hazard and Offensive Development • SEPP No 55 – Remediation of Land

Not Relevant

SEPP – Transport and Infrastructure 2021 Replacing former relevant SEPPs • SEPP (Infrastructure) 2007 • SEPP (Educational Establishments and Child Care Facilities) 2017

Not Relevant

SEPP – Industry and Employment 2021 Replacing former relevant SEPP • SEPP No 64 – Advertising and Signage
Not relevant

SEPP – Resources and Energy 2021 Replacing former relevant SEPPs • SEPP (Mining, Petroleum Production and Extractive Industries) 2007 Not relevant SEPP – Primary Production 2021 Replacing former relevant SEPPs • SEP (Primary Production and Rural Development) 2019

Not relevant

SEPP – Precincts – Regional 2021 Replacing former relevant SEPPs • SEPP (State Significant Precincts) 2005



Not relevant

SEPP (Exempt and Complying Development Codes) 2008

Not relevant

SEPP No 65 – Design Quality of Residential Apartment Development

Not relevant

SEPP (Building Sustainability Index: BASIX) 2004

See A below

SEPP (Housing) 2021

Not relevant

SEPP (Vegetation in Non-Rural Areas) 2017

Not Relevant

D) SEPP BUILDING SUSTAINABILITY INDEX: BASIX 2004

The State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (SEPP BASIX) was introduced to encourage sustainable residential development with the aim to produce more resilient dwellings together with reducing greenhouse gases and water consumption. SEPP BASIX regulates the energy efficiency of residential buildings, with expected performance criteria for water efficiency, thermal comfort and energy usage.

A BASIX Certificate has been prepared for the Site to ensure that the Proposed Development meets or exceeds the performance criteria. NCC Section J will apply to the commercial elements of the building.

GMC LEP 2009

The Local Environmental Plan applicable to the Site is the Goulburn Mulwaree Local Environmental Plan 2009 (LEP). The consent authority for the purposes of the LEP is the Council.

Part 2 of the LEP provides detail regarding permitted or prohibited development within a zone. Clause 2.1 and 2.2 of this Part state the zones applicable to this LEP and provide maps on which zones are listed. As shown above in Figure 25, the Site is zoned E2 Commercial Core.

Zone E2 Commercial Centre

1 Objectives of zone

- To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.
- To encourage investment in commercial development that generates employment opportunities and economic growth.
- To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.
- To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area.

- 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 reinforce the status of Goulburn as a regional centre.
- To ensure the scale and density of development complements the desired future character of the commercial centre.
- To protect the historic importance of Goulburn central business district and the integrity of Goulburn's historic built form.
- To promote the vitality and vibrancy of the Goulburn central business district during the day and evening.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Amusement centres; Artisan food and drink industries; Backpackers' accommodation; Centre-based child care facilities; **Commercial premises**; Community facilities; Entertainment facilities; Function centres; Home industries; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Mortuaries; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; **Shop top housing**; Tank-based aquaculture; Vehicle repair stations; Veterinary hospitals; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Moorings; Mooring pens; Open cut mining; Recreation facilities (major); Residential accommodation; Rural industries; Service stations; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

The Proposed Development meets the objectives of the zone.

The proposed use as a Gallery/ pottery workshop with shop top apartment meets the allowable uses in the E2 Zone.

Of importance is the location of the Site and its proximity to the CBD. The proposed Development also encourages walking or cycling to work or to obtain shopping because the CBD is within an easy walking distance.

Clause	Standard	Proposed development	Compliance
4.1 minimum lot size	No minimum lot size	The site has building permission. The proposal is for alterations and additions only	Complies
4.3 height of buildings	15m	Max height 9.0m	Complies
4.4 Floor space ratio	N/A	2 to 1 – the proposed new area will be	Complies

		255sqm, allowable area is 600sqm	
5.10 Heritage Conservation	Development consent is required for any of the following— (e) erecting a building on land— (i) on which a heritage item is located or that is within a heritage conservation area, or ... (f) subdividing land— (i) on which a heritage item is located or that is within a heritage conservation area, or ...	Applicable	Development consent is being sought
5.11 Bushfire Hazard reduction	Note— The Rural Fires Act 1997 also makes provision relating to the carrying out of development on bush fire prone land.	N/A	
5.21 Flood planning	5.21 Flood planning ... (2) 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 -...	The site is not flood prone	Complies
7.1A Earthworks	(2) Development consent is required for earthworks, unless— (a) the work is exempt development under this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, or (b) the consent authority is satisfied the earthworks are of a minor nature.	Earthworks are of a minor nature. Not more than 500mm of cut is proposed	Complies
7.2 Terrestrial BioDiversity	(2) This clause applies to development on land that is identified as “Biodiversity” on the Terrestrial Biodiversity Map...	Site is not on land identified “Biodiversity” on the Terrestrial Biodiversity Map.	Complies

GMC DCP COMPLIANCE TABLE


Clause no.	Control	Proposed Development	Compliance
3.16, 3.17	A development or project has the potential to impact upon Aboriginal cultural heritage values if it involves ... disturbance to the ground surface or to sediments below the ground surface...	The Site has not been subject to a comprehensive Aboriginal heritage assessment in the last 5 years. However, an Aboriginal Heritage Information Management System (AHIMS) search has been conducted. No Aboriginal sites are recorded in or near of the Site (i.e. within 50 meters) and no Aboriginal places have been declared in or near the Site (i.e. within 50 meters).	Aboriginal Heritage Impact assessment is not considered necessary
3.2.55	The demolition of heritage items and contributory buildings or building elements within heritage conservation areas or heritage streetscapes, will not be supported in most cases, unless adequately justified to the satisfaction of	The demolition is removing non original fabric and is considered appropriate to the proposed adaptive reuse – refer to the SOHI	Complies

	Council and in accordance with the requirements below. This includes the removal of trees and vegetation.		
	Any infill or replacement development would need to respect the heritage value and significance of the area and comply with the other relevant requirements of Goulburn Mulwaree LEP and DCP 2009.	The relevant requirements of the LEP and DCP are dealt with in this SEE.	Complies
3.2.5.6	Goulburn Mulwaree LEP 2009 requires the submission of a satisfactory heritage impact statement for heritage items, land within the vicinity of a heritage item or for works within a heritage conservation area before Council grants development consent	SOHI Completed and is part of the submission	Complies
3.3.1A	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 3.1). Current front and side setbacks should be maintained where there is no established set back with nearby buildings.	N/A – no set back changes are proposed	Complies
3.3.1B	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.	No structures are forward the building line	Complies
3.3.1C	An adequate curtilage including landscaping, fencing and any significant trees, are to be retained	THE existing curtilage is bounded by adjoining structures – there is no proposed change to this condition	Complies
3.3.1D	The established landscape character of the locality including height of canopy and density of boundary landscape plantings should be retained in any new development.	N/A	
3.3.1E	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.	N/A	
3.3.1F	New developments must respect the existing significance of the streetscape and the vicinity.	N/A	

PRINCIPAL DEVELOPMENT CONTROLS - URBAN

4.1 RESIDENTIAL DEVELOPMENT

No Variation to the GMC DCP is sought as part of this application.



The proposed alterations and additions comply with the intent of the document.

OTHER CONSIDERATIONS

Beyond the applicable standards set out in the relevant parts of the LEP and DCP, the following considerations are also of relevance to the proposed development.

LIKELY IMPACTS OF THE DEVELOPMENT

The impacts of the proposed Development on both the natural and built environments are examined against the relevant controls set out in the applicable DCP chapters.

The proposed Development is considered to have planning merit in the context of that assessment.

The social and economic impacts of the development are projected to be positive in both the short and the long term. In the short term, the proposed development will create jobs and contribute positively to the economy of the building and related consultative industry. In the long term, the proposed development will create additional housing or, at the very least, contribute to housing availability and place downward pressure on housing prices in a climate of relative housing unaffordability.

Access and Traffic

The proposed development benefits from suitable access arrangements to and from Bergmark Street.

The proposed development will not have any adverse impact on traffic generation or safety.

Natural Hazards

The Site is not constrained or affected by natural hazards such as acid sulphate soils, or flood controls.

The site is not Bushfire affected.

Utilities


The Site has access to all necessary utilities, including electricity and telecommunications, Gas, water and stormwater and sewer.

SUITABILITY OF THE SITE FOR REDEVELOPMENT

The suitability of the Site for the Proposed Development is also largely assessed against relevant provisions of applicable DCP provisions.

THE PUBLIC INTEREST

The proposed development has both strategic and planning merit. It is accepted that all development poses an impact of some degree. In this case, the proposed development does not pose an unacceptably adverse impact on the natural or built environment. It is consistent with the objects of the EPA Act and sits within the framework of the planning scheme in NSW, regardless of any strict non-compliance with a standard or



standards. It would be in the public interest to approve the proposed development. To do otherwise would be contrary to the intentions and objectives of the EPA Act, to promote development of this kind.

CONCLUSION

The proposed development has been assessed against the applicable legislative documents, SEPP's and the Goulburn Mulwaree LEP and DCP.

The proposed development for alterations and additions to the existing Commercial building known as "The Old Fire Station" meets the applicable planning standards and controls.

Assessment against areas beyond section 4.15 of the EPA Act has been undertaken. In the context of this assessment the proposed development meets the required standards and is recommended for approval.

The documentation package is presented to Goulburn Mulwaree Council for consideration.