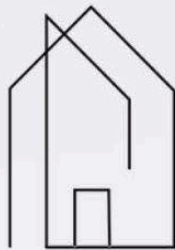


VISION PROPERTY DEVELOPMENT HUB



STATEMENT OF ENVIRONMENTAL EFFECTS



VISION

PROPERTY DEVELOPMENT HUB

53 Redfern Street COWRA NSW 2794
56 Sharp Street COOMA NSW 2630
PO Box 852 COWRA NSW 2794
1300 240 827
office@visiontpc.com.au
ABN: 95 614 159 698
<https://visionpdhub.au>

Statement of Environmental Effects

Proposed Development: Demolition of existing dwelling and construction of a group home

Subject Land: Lot 83 DP 10309 - 7 Rex Street, Goulburn

Client: Double Skull Pty Ltd

Version	Date	Changes
Version 1	04/06/2025	Superseded
Version 2	06/06/2025	Updated car parking

Statement of Environmental Effects

This Statement of Environmental Effects (SEE) was prepared based on the following plan and document versions:

Author	Plan	Page	Date	Job
Tim Lee Architects	Architectural Plans Issue A	1-22	23/05/25	1024-1723
Tim Lee Architects	Response to SEPP 55	1-3	-	-
About Trees Consultancy	Tree Assessment	1-9	15/07/23	-
Adams & Associates	Water Cycle Management Study	1-10	-	-
Adams & Associates	Site Hydraulics Plan	1	18/04/25	02-36232
Flow Fire Design	Fire Protection Plans	1-4	15/04/25	FD-25036
Ideal Geotech	Lot Classification Report	1-15	17/04/25	9945-77177
SIA Ecological & Environmental Planning	Flora & Fauna Impact Assessment	1-39	30/05/25	-

Prepared by:



Patrick Fitzsimmons
Town Planner, Managing Director
VISION Property Development Hub Pty Ltd

Statement of Environmental Effects

Abbreviations

The Act – Environmental Planning and Assessment Act 1979

BCA – Building Code of Australia

DCP – Goulburn Mulwaree Development Control Plan 2009

EPI – Environmental Planning Instrument

GMC – Goulburn Mulwaree Council

LEP – Goulburn Mulwaree Local Environmental Plan 2009

SEE – Statement of Environmental Effects

Table of Contents

1. Executive Summary	4
2. Proposed Development	5
3. Site Description and Surrounding Land Use	6
4. Section 1.7 of the Act - Part 7 of the Biodiversity Conservation Act 2016	13
5. Strategic Planning Framework	13
5.1 Local Strategic Planning Statement (LSPS)	13
6. Consideration of Environmental Planning Instruments & Environment	19
6.1 Objects of the Act	19
6.2 Section 4.15 Evaluation	21
6.3 Goulburn Mulwaree Local Environmental Plan 2009 (LEP)	22
6.4 State Environmental Planning Policies	27
6.4.1 State Environmental Planning Policy (Housing) 2021	28
6.4.2 State Environmental Planning Policy (Resilience and Hazards) 2021	30
6.4.3. State Environmental Planning Policy (Biodiversity and Conservation) 2021	31
6.4.4. State Environmental Planning Policy (Transport and Infrastructure) 2021	32
6.5 Goulburn Mulwaree Development Control Plan 2009	34
6.6 Environmental Planning and Assessment Regulation 2021	57
6.7 Likely impacts of the development	58
6.8 Site suitability	62
6.9 Submissions	62
6.10 Public interest	62
7. Conclusion	63
Appendix A - Requirements of the Approved Form Guide	64
Appendix B - Consideration of the Regulations	66

1. Executive Summary

Vision Property Development Hub (Vision) has been commissioned by the landowners to prepare this Statement of Environmental Effects (SEE) to consider a proposal to construct a group home against the applicable planning controls and character of the area surrounding the subject land at 7 Rex Street, Goulburn (the site).

In preparation of this SEE, inspection of the site and surrounding area has taken place by the author as well as consideration of the development plans prepared by Tim Lee architects (TLA) and consultation with their office regarding the development design.

A number of specialist reports listed in this SEE are also prepared to consider various aspects of the development and its appropriateness on the site and provide detail on how various aspects of the development are managed including stormwater drainage. The recommendations and findings of these reports have been utilised in consideration of the appropriateness of the development.

The development is designed to comply with the Goulburn Mulwaree Local Environmental Plan 2009 without any variations, to comply with State Environmental Planning Policy, (housing) and involves minor variation to the Goulburn Mulwaree Development Control Plan 2009 as is demonstrated in this SEE and development documents. The variation relates to the provision of car parking in front of the development. However, as detailed in this SEE, a number of neighbouring residential dwellings already include informal parking in front of their residences in a similar albeit smaller fashion with similar landscaping to provide screening from Rex Street and existing neighbouring residences. The variation is considered to be appropriate and without unmitigated negative impact that would be avoided by requiring compliance with the control.

It is concluded through the site inspection, review of the development plans and specialist reporting, and preparation of this SEE that the proposed group home is appropriately designed and positioned within the area that is characterised by a variety of residential development. The area contains an existing road network and utilities appropriate for the development. The design, which incorporates a number of single storey residential buildings, on site parking and secure access and egress to and from the site is appropriately designed so as not to result in any unconsidered or unmitigated negative impacts.

2. Proposed Development

The landowners are seeking council approval to demolish the existing residential dwelling on the site, remove a number of trees and construct a group home.

The group home is to be used to provide accommodation to persons in need of accommodation in a group home setting.

The development comprises four detached accommodation buildings and an attached accommodation building that can function as a single accommodation building or two accommodation buildings each with their own individual areas of private open space. Also to be constructed is a communal building that doubles to provide administration, staff facilities and storage.

All buildings of the development are single story construction with steel roofing and a combination of facebrick and exterior clad finishes.

The development includes construction of a new single central access driveway from Rex Street and a car parking area comprising a central roundabout style parking arrangement, incorporating 9 on site car parking spaces and a loading bay.

The development positions the reception/administration area of the complex as the first building at the front of the site. The proposal includes the construction of new black palisade steel fencing, similar to the side boundary fencing forward of the building line constructed at 4 Rex Street positioned diagonally opposite the site.

The development includes a communal garden, secure pet area, retention of some existing trees as displayed in the rear of the property and in the car parking area, a sensory play equipment area and private open space for each of the individual residential units. Bin storage is to take place with each individual unit and those bins can be positioned in front of the facility on Rex Street adjacent to the Rex Street kerb for waste collection as displayed on sheet A-04 of the development plans.

The development will operate with up to three staff at any one time and a maximum of 18 residents at any one time. The site will accommodate two staff at the facility overnight.

The group home is proposed to be operated on a 24 hour, seven day a week every day of the year, with staff on site at all times to manage the facility.

The development represents a form of accommodation that is in short supply and high demand in the Goulburn Mulwaree Local Government Area. Reference is made in this SEE to the master planning documents prepared by Goulburn Mulwaree Council identifying the need for a variety of accommodation types to be provided in the Goulburn township.

3. Site Description and Surrounding Land Use

The subject allotment Lot 83 DP10309 (site) is positioned on the northern side of Rex Street. Rex Street is a two lane sealed local street that extends into a residential area that connects to Taralga Road which is a distributor road. Rex Street is a local street that extends into a residential area. It incorporates roll top stormwater guttering on both sides of the road and overhead power lines on the southern side of the street, opposite the site.

Immediately surrounding the site is a variety of residential dwellings incorporating a variety of construction types in both single and two story construction. Construction materials include corrugated steel and tile roofing, rendered brick, face brick and cladding finishes, as well as housing designs that include verandahs incorporated into a single roof cavity, and those with attached verandahs that form a skillion such as 10 Rex Street, diagonally opposite the site. The character of land use is described as incorporating a mixture of residential dwellings.

The residence located diagonally opposite the development site, addressed 10 Rex Street, is a two storey residential dwelling that incorporates brick and steel post and rail font fencing, extensive garden, painted brick facade and a verandah that extends for the full width of the residential building. A driveway extends down one side of the residential site to a garage. An image taken from Rex Street of the residence is included below.



Source: Vision Property Development Hub (May 2025)

Directly opposite the site are two separate single story residential dwellings, one of brick construction in a bungalow style with peaked roofs and one gable end addressed 8 Rex Street. An image of this residence as viewed from Rex Street is included below.



Source: Vision Property Development Hub (May 2025)

Number 8A Rex Street is a single story dwelling with a roll top verandah, a single car garage and weatherboard style cladding in a brown finish. An image of the residence at 8A Rex Street is included below.



Source: Vision Property Development Hub (May 2025)

The image below is a panoramic view taken from within the subject site, slightly behind the tree that will be retained in the car park design of the development. It can be seen from this image that the character of residential development both directly opposite and diagonally opposite the site is of residential character of mixed age, construction type, finished materials and colour for both external cladding, roofing, overall design, and varied amounts of landscaping from little to no landscaping to significant landscaping including established trees. Parking for the residential development opposite the site can clearly be seen as undertaken in front of the residential dwellings in three of the four residences including 6, 8 and 8A Rex Street.



Source: Vision Property Development Hub (May 2025)

Adjoining the site addressed 9 Rex Street is a single story residential dwelling that sits slightly forward of the building line of the dwelling on the subject site, and incorporates a combination of rendered finish, weatherboard gable and tile roofing. This adjoining property is extensively landscaped forward of the building line including two unsealed driveways creating avenues of established trees resulting in a circular driveway in front of the residence. Images of the dwelling at 9 Rex Street as viewed from Rex Street are included below, as well as an image viewed from the property.



Source: Vision Property Development Hub (May 2025)



Source: Vision Property Development Hub (May 2025)

Adjoining the other side of the site addressed 5 Rex Street is a dwelling that is constructed to include partial two story construction and a combination of brick and weatherboard cladding. This dwelling incorporates the same front building alignment as the existing dwelling on the site. Access to this property is also via two access driveways forming a circular driveway both connecting to Rex Street. Images taken of the neighbouring property from the subject land on Rex Street are included below.



Source: Vision Property Development Hub (May 2025)

Adjoining the rear of the property is a dwelling, addressed 28 Dewhirst Street, which is a single story brick construction with a tiled roof and includes out buildings and established trees in the area behind the dwelling.

At the northern end of Rex Street are the playing fields of the Cook Bundoon Sporting Complex which is immediately adjacent to the Goulburn and District Racing Club. These are very substantial outdoor sporting facilities that are in close proximity to the development site.

A residential dwelling constructed one allotment west of the site at 3 Rex Street on the same side as the subject land contains a circular driveway and informal parking at the front of the property. The circular driveway is screened from view in the street by substantial landscaping, images of which are included below.



Source: Vision Property Development Hub (May 2025)

For convenience and ease of reference, a map taken from freely available aerial imagery is included below, labeling the address numbers of the surrounding properties. As can be seen, the setbacks of the adjoining properties at 9, 5, and 3 Rex Street are all similar with 3 and 9 Rex Street positioned slightly forward of the current setback of the dwelling to be demolished at Rex Street. The position of the proposed communal building, relative to the other neighbouring dwellings on Rex Street, is depicted on the landscape plan prepared by TLA.



Source: NSW Planning Portal Spatial Explorer (accessed 29/05/25)

4. Section 1.7 of the Act - Part 7 of the Biodiversity Conservation Act 2016

The Act gives effect to the consideration of part 7 of the NSW Biodiversity Conservation Act 2016. Accordingly, consideration of part 7 of the NSW Biodiversity Conservation Act 2016 and associated regulation is required and is provided below:

A Flora and Fauna Assessment Report has been prepared by SIA Ecological & Environmental Planning considering the environment against the provisions of the Biodiversity Conservation Act and associated regulation. The report makes a detailed analysis of the ground cover and trees contained on the site and concludes and makes recommendation that the development can proceed without breaching any of the thresholds that would require the preparation of a Biodiversity Development Assessment Report (BDAR) and entry into the NSW Biodiversity Offset Scheme (BOS). The report confirms compliance with the provisions of the Biodiversity Conservation Act without impact that would require any additional reporting or alteration to the proposed design.

5. Strategic Planning Framework

5.1 Local Strategic Planning Statement (LSPS)

Goulburn Mulwaree Council has adopted a Local Strategic Planning Statement (LSPS) with the last addendum being made on the 1st of February, 2022, the document in full is available on Council's website.

Section 1 includes the introduction and purpose of the LSPS and confirms it sets out a 20 year vision for the future of the Goulburn Mulwaree Local Government Area (LGA) as it grows and changes. The LSPS is, therefore, a strategic document that provides direction and focus for the growth of the LGA.

The LSPS includes 10 planning priorities and includes *Planning Priority 4: Housing*, a complete extract of which is included below:

Planning Priority 4: Housing

Existing Situation

Housing in Goulburn Mulwaree is primarily located within Goulburn, although in recent years Marulan has been rapidly growing. Overall the population has been growing steadily over the last decade at around 1.3% per annum. The focus on housing provision is largely on Goulburn and Marulan being the only two urban areas which are serviced with reticulated town water and sewer services. Furthermore, these areas provide better access to employment, services and public transport.

There is very little diversity of housing in Goulburn and Marulan which is an issue which needs attention. Goulburn Mulwaree's population is aging and the household size projected to fall between now and 2036. These factors will drive a greater demand for a diversity in dwelling types. In the Goulburn Mulwaree, the

'lowest' income quartile was the largest group in 2016, comprising 31 per cent of households with income, therefore there is an identified need for affordable and social housing. Waiting times for public housing for dwellings under three bedrooms in size is between 5 and 10 years and three-bedroom properties have wait times of 2 to 5 years. This indicates there is a significant lack of public housing in general, and particularly studio and one bedroom dwellings available within Goulburn. Combined with the increasing number of lone person households, there is expected to be a higher demand for one bedroom dwellings. Accordingly, Council will continue to advocate for increased affordable and social housing provision and to consider changes to planning provisions where necessary to facilitate this form of housing.

Council's Draft Urban and Fringe Housing Strategy vision is of the delivery of housing that:

- Encourages higher density residential development closer to the Goulburn CBD.
- Relies on the already zoned urban land to continue to deliver infill and medium density housing in suitable locations.
- Considers sites on a merits-basis where serviced lots within the existing urban footprint become surplus to needs, or the land uses change.
- Maximises the use of existing infrastructure and minimises the cost of development to Council and the community.
- Encourages and meets the demand for a range of lot sizes and dwelling types.
- Provides adequate open space, green linkages, and opportunities for walking and cycling.
- Considers opportunities for larger lots, especially around Marulan, with a suitable supply of land for this purpose provided for to 2036, identified within the Strategy.
- Recognises that rural residential subdivision is land intensive, therefore proposals to rezone to urban residential or to reduce minimum lot sizes outside the areas nominated in this Strategy will generally not be considered by Council.
- Avoids environmentally sensitive areas and areas of high value conservation and natural hazards.
- Meets the strategic direction articulated in the Regional Plan.
- Council will continue to review planning controls provisions to better utilise existing urban areas for housing whilst also providing for employment lands, open and green spaces.

Challenges for Land Use

- Sustained population growth and aging essential infrastructure such as community and public housing.
- Aging population and reduction in household size over time.
- Lack of diversity in housing stock in relation to affordability, size, style and adaptability.
- Significant areas of relative disadvantage in the Socio- Economic indexes for Areas (SEIFA) (ABS).
- Social housing is aging and waiting times are significant, studio and one-bedroom properties have the longest wait time of more than 10 years.
- Access to services for residents in rural areas.
- Rural residential development is land intensive and potentially causes land use conflict with rural land uses.
- Meeting housing supply and type for a growing population.
- Identifying constraints and opportunities for residential development in the villages.

Vision 2040

A range and diversity in housing type, which is contextual and affordable and is primarily centred around Goulburn and Marulan.

Planning Principles

- Goulburn continues to be the focus of housing growth for the region.
- Collaborate on housing affordability and social housing provision with NSW Government and Not for Profit housing providers.
- Identify fully serviced precincts within or in proximity to the CBD where medium to higher density residential development is suitable.
- Ensure that residential development is supported by relevant infrastructure.
- Facilitate a broader range of housing types to meet the needs of a changing population – ageing, smaller households etc.
- Housing is contextual, well designed and liveable.

Actions - Planning

	Action	Timeframe
4.1	Implement and monitor an Urban and Fringe Housing Strategy	Short
4.2	Review planning provisions to improve aged, social and affordable housing supply.	Short - Medium
4.3	Prepare a Villages Strategy, to identify what if any capacity the relevant villages have for further growth.	Medium
4.4	Monitor the take up of shop top housing, and housing supply/demand in the CBD.	Ongoing

Actions - Council General

- Continue to work with NSW Land and Housing Corporation and the Department of Family and Community Services on Place Plans.
- Continue to work with Government and Non-Government Organisations on the provision of affordable and social housing.
- Promotion of Goulburn Mulwaree as a lifestyle alternative.

It can be seen from the description of the existing situation included in paragraph 2 on page 23 of the LSPS that there is an identified lack of diversity in housing in Goulburn and Marulan, described as an issue that requires attention. The description of the existing situation goes on to state that an aging population in the Goulburn Mulwaree LGA's population is resulting in a fall in household size projected to occur from now until 2036. The description goes on to confirm that these factors will drive a greater demand for diversity in dwelling types.

Another goal, Priority 4 of the LSPS, is to maximise the use of existing infrastructure and minimise the cost of development to Council and community and to encourage and meet the demand for a range of lot sizes and dwelling types as well as to provide open space, green linkages and opportunities for walking and cycling.

Priority 4 goes on to list some of the challenges for land use including, amongst other

points, a lack of diversity in housing stock in relation to affordability, size, style, and adaptability. Also identified is that current social housing is aging and waiting times are significant. Studio and 1 bedroom properties have the longest waiting time of up to 10 years.

Priority 4 identifies the planning principles including continuing to work on housing growth for the region, collaborating on housing affordability and social housing with government agencies, identifying fully serviced precincts in proximity of the CBD where medium or high density residential development is suitable, and ensuring development is supported by relevant infrastructure as well as facilitating a broader range of housing types to meet the needs of a changing population and ensuring that housing is contextual and well designed and livable.

Planning Principle 4 contains the actions to achieve goals which include implementation of the UFHS in the short term which has already taken place.

The construction of a group home represents a type of housing that can improve the supply of housing types alternative to larger homes. A group home can provide temporary accommodation to ease the pressure in demand for smaller housing types.

6. Consideration of Environmental Planning Instruments & Environment

6.1 Objects of the Act

Section 4.15 addressed below in this SEE includes provisions that must be considered by Council before determining a Development Application. Section 4.15 below forms part of the Environmental Planning and Assessment Act 1979 (NSW) which includes objects of the Act, an extract of which is included below.

The proposed development is considered against the objects of the Act and those considerations are included in the comments below.

1.3 Objects of Act(cf previous s 5)

The objects of this Act are as follows—

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

Comments:

As detailed in this SEE, the construction of a group home is a permissible form of development in the applicable R2 Low Density Residential land use zone in accordance with the Goulburn Mulwaree Local Environmental Plan 2009. The preparation and adoption of the Goulburn Mulwaree Local Environmental Plan 2009 was completed in accordance with the provisions of the Environmental Act 1979 and prepared to be consistent with the objects of the Act.

Accordingly, the construction of a group home, which represents a permissible form of land use in the R2 Low Density Residential zone, promotes social welfare of the community by providing a form of housing that is needed by persons within the community. The development on the proposed site does not require construction that would detract from any sensitive environments and retains existing vegetation where possible, resulting in an ecologically sustainable development where the appropriate considerations of the environment have been made in the selection of the site and social considerations made with regard to the provision of housing needed by the community.

The development design, which incorporates a number of single storey buildings to maintain consistency with the scale of construction of surrounding buildings, is an example of good design that maintains the amenity of the built form of the environment. The group home will be managed and maintained in a manner that includes the protection of health and safety of occupants and can be conditioned accordingly. The application will be notified in accordance with the Goulburn Mulwaree Community Participation Plan. The development does not include any commercial land and does not include affordable housing as it is defined in the NSW planning system. The proposed development on the selected site, as designed, is consistent with the objects of the Act.

6.2 Section 4.15 Evaluation

(1) Matters for consideration—general

(a) the provisions of:

(i) any environmental planning instrument

Section 4.15 of the Environmental Planning and Assessment Act 1979 (NSW) includes matters that a consent authority must take into consideration when determining a Development Application. Accordingly, Vision has considered the proposed development against the controls and provisions referred to in Section 4.15 below.

Section 4.15 (1)(a)(i) requires consideration of the provisions of any Environmental Planning Instrument (EPI) which includes State Environmental Planning Policies and the Goulburn Mulwaree Local Environmental Plan 2009.

6.3 Goulburn Mulwaree Local Environmental Plan 2009 (LEP)

Below is the aims of the LEP and comments as they relate to the proposed development.

1.2 Aims of Plan

(1) *This Plan aims to make local environmental planning provisions for land in Goulburn Mulwaree in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.*

(2) *The particular aims of this Plan are as follows—*

(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.

Comments:

The group home proposes to provide a range of housing that is responsive to the community need. It is positioned in an area that is already characterised by residential land use and group homes are a type of residential accommodation as defined in the dictionary of the LEP. The land contains an existing residential dwelling and the area is already serviced by utilities including access that is appropriate to allow the proposed development to function as proposed as a group home in the main town of Goulburn consistent with aim (2)(f). The proposal provides an opportunity for housing in a group home style whilst providing individual areas of open space and individual housing in a residential setting consistent with aim (2)(h). The development site is in a location that is not burdened by environmental hazards and contains an area and gradient that is appropriate for the development so can be constructed in a manner that does not create risk due to environmental hazard or pose any risk to the natural environment consistent with (2)(i). The proposed group home is appropriately positioned in an area already characterised by residential development on an allotment that has an appropriate size, gradient, and connection to utilities that allow for the development to be constructed and operated as proposed and is therefore not inconsistent with the remaining aims of the LEP.

Section 2.3(2) <i>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</i>

The land is zoned R2 Low Density Residential. Construction of Group Home is permitted with consent under the provisions of the land-use table.

group home means a permanent group home or a transitional group home.

Note—

Group homes are a type of **residential accommodation**—see the definition of that term in this Dictionary.

Objectives of the plan

Zone R2 Low Density Residential

1 Objectives of zone

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

Comments:

The proposed group home is designed to meet the housing needs of members in the Goulburn community in a residential setting. The development is designed to include facilities and areas for recreation that will meet the day to day needs of residents of the proposed group home. The development does not detract from the economic strength of the commercial centre of Goulburn by limiting any retailing of any products and will provide housing for persons who can contribute positively to the commercial area. A group home is a type of residential accommodation that is designed to be utilised in a way that is consistent with the objectives of the R2 Low Density Residential zone. Group homes are a permissible form of development in the R2 Low Density residential zone. The site is a large site and areas of both private open space and communal areas are incorporated into the design. All buildings are single storey design and the largest building included in the design is the communal/administration building which does not include group home accommodation. Overall the density of the development is low. The majority of the development is made up of facilities including parking, areas of open space both private

and communal. The development includes a secure pet area that can be managed by the operator of the group home. The development is consistent with the R2 zone objectives.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

*Boarding houses; Centre-based child care facilities; Dwelling houses; **Group homes**; Home industries; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; Respite day care centres; Tank-based aquaculture; Any other development not specified in item 2 or 4*

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Hostels; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential care facilities; Residential flat buildings; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

Comments:

The development meets the definition of a group home and a group home is a permissible form of development under Section 3 of the land use table provisions relating to the R2 Low Density Residential zone.

Clause 4.3 Height of buildings

The land is not subject to a maximum building height.

Clause 4.4 Floor Space Ratio

The land is not subject to a maximum floor space ratio.

Clause 7.1A Earthworks

The land is relatively flat and the development will require minimal amounts of earthworks. In relation to subclause (3), civil engineering plans can be prepared appropriately and submitted with any subsequent construction certificate application.

The development is consistent with the requirements of the LEP without variation.

6.4 State Environmental Planning Policies

The following State Environmental Planning Policies are considered relevant to the development:

SEPP	COMMENTS
SEPP (Biodiversity and Conservation) 2021	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
SEPP (Housing) 2021	See below.
SEPP (Industry and Employment) 2021	Not applicable
SEPP (Planning Systems) 2021	Not applicable
SEPP (Precincts – Central River City) 2021	Not applicable
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable
SEPP (Precincts - Regional) 2021	Not applicable
SEPP (Precincts – Western Parkland City) 2021	Not applicable
SEPP (Primary Production) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	See below.
SEPP (Resources and Energy) 2021	Not applicable
SEPP (Sustainable Buildings) 2022	Not applicable
SEPP (Transport and Infrastructure) 2021	Not applicable

6.4.1 State Environmental Planning Policy (Housing) 2021

Part 2 Group Homes

Clause 60 Definitions

In this Part—

prescribed zone means the following—

(a) *the following land use zones or an equivalent land use zone—*

- (i) *Zone R1 General Residential,*
- (ii) *Zone R2 Low Density Residential,*
- (iii) *Zone R3 Medium Density Residential,*
- (iv) *Zone R4 High Density Residential,*
- (iva) *Zone MU1 Mixed Use,*
- (v) *Zone B4 Mixed Use,*
- (vi) *Zone SP1 Special Activities,*
- (vii) *Zone SP2 Infrastructure,*

(b) *another zone in which development for the purposes of dwelling houses or multi dwelling housing may be carried out with or without consent under an environmental planning instrument.*

Comments:

The development is located on land zoned R2 Low Density Residential, which is identified as a prescribed zone in clause 60.

Clause 61 Development in prescribed zones

(1) *Development for the purposes of a permanent group home or a transitional group home on land in a prescribed zone may be carried out—*

(a) *without consent if the development—*

- (i) *does not result in more than 10 bedrooms being within 1 or more group homes on a site, and*
- (ii) *is carried out by or on behalf of a public authority, or*

(b) *otherwise—with consent.*

(2) *State Environmental Planning Policy (Transport and Infrastructure) 2021, Part 2.2, Division 1 applies to development carried out by or on behalf of a public authority under subsection (1)(a) and, in the application of the Division, a reference in the Division to “this Chapter” is taken to be a reference to this section.*

Comments:

Development for the purposes of a group home on land in a prescribed zone may be carried out pursuant to section 61(1)(b) of this SEPP. The development is not being carried out by or on behalf of a public authority and will contain more than 10 bedrooms. Accordingly the development cannot be undertaken without prior council consent under the provisions of section 1(a). Therefore a development application must be submitted.

Clause 62 Determination of development applications

(1) *A consent authority must not—*

(a) *refuse consent to development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home, or*

(b) *impose a condition on a consent granted for a group home only because the development is for the purposes of a group home.*

(2) *This section applies to development for the purposes of a group home that is permissible with consent under this or another environmental planning instrument.*

Comments:

The development documentation and reference to the strategic planning documents applicable in Goulburn Mulwaree Local Government area demonstrate the need for a group home and provide information appropriate to allow council to make an assessment of that need consistent with 1(a).

The development of a group home is permitted in the land use zone under the GMLEP and (housing) SEPP.

Clause 63 Exempt development—existing group homes

The development does not meet the requirements for exempt or complying development

under the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) as it does not relate to an existing group home.

Clause 64 Complying development

The development does not meet the requirements for exempt or complying development under the (Housing SEPP) as it contains more than 10 bedrooms. Therefore a Development Application is required to be submitted.

Clause 65 Development standards for flood control lots

The land is not identified on Goulburn Mulwaree Council's flood planning map, meaning clause 65 is not applicable.

Clause 66 Development standards for land near Siding Spring Observatory

The land is not located near Siding Spring Observatory meaning clause 66 is not applicable.

Comments:

The development is consistent with the provisions of the Housing SEPP without variation. It is established that a development application is required to be submitted.

6.4.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Section 4.6 Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless—

(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Comments:

A review against the provisions of the guideline *SEPP 55 – Remediation of Land, Planning Guidelines* was prepared to consider the surrounding land uses and previous uses of the site. The document concludes that, based on an assessment of the site, there has been no discovery of information that would indicate a prior use that would have likely resulted in any contaminating activity and does not recommend any further site investigation.

The site is presently used for residential accommodation which remains unchanged as a result of the development. Residential land use is not a land use type identified in Table 1 of *SEPP 55 - Remediation of Land* as a type of land use that may have resulted in prior land contamination.

Therefore no remediation is required. No further investigation is required in accordance with the NSW Managing Land Contamination Planning Guidelines.

6.4.3. State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 6

Part 6.5 Sydney Drinking Water Catchment

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.

Comments:

The land is located within the Sydney Drinking Water Catchment. A Water Cycle Management Study, comprising music modelling, demonstrating on site detention and water quality measures. The Water Cycle Management Plan also recommends inclusion of a bio retention area and the drainage of car parking area. The measures are proposed to ensure water quality is achieved. The development is consistent with the requirements of Chapter 6 Part 6.5 of the Biodiversity and Conservation SEPP.

6.4.4. State Environmental Planning Policy (Transport and Infrastructure) 2021

Division 5 Electricity transmission or distribution networks

Section 2.48 Determination of development applications—other development

(1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,*
- (b) development carried out—*
 - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or*
 - (ii) immediately adjacent to an electricity substation, or*
 - (iii) within 5m of an exposed overhead electricity power line,*
- (c) installation of a swimming pool any part of which is—*
 - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or*
 - (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,*
- (d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.*

Comments:

There is an existing power pole positioned in the road reserve fronting Rex Street. As shown on the development plans submitted with the application, the development does not include any works within 2 metres of the existing power pole, or within 5 metres of any exposed overhead power line. The development does not involve the installation of a swimming pool. The development does not require referral to the service provider.

The development is consistent with the remaining provisions of the SEPP.

Schedule 3 Traffic-generating development to be referred to TfNSW–Chapter 2

Section 2.122 *Traffic-generating development* of the SEPP (Transport and Infrastructure) includes provisions that apply to development specified in Column 1 of the table to Schedule 3 of that SEPP. Group homes are not listed in Column 1 of Schedule 3. Likewise, the residential accommodation category of development listed in Column 1 needs only be assessed under Section 2.122 if the size or capacity of a development is 300 or more dwellings or, if a site has direct access to or is within 90 metres of a classified road, includes 75 or more dwellings.

Lastly, the traffic movements for any development need be 200 metres or more for motor vehicles per day or, for development that directly fronts or is within 90 metres of a classified road, include 50 or more motor vehicle movements per hour.

Accordingly, the development does not require consideration under Section 2.122 of the SEPP (Transport and Infrastructure).

(ii) any proposed instrument that is or has been the subject of public consultation under this Act.

There are no Draft Environmental Planning Instruments on public exhibition at the date the Development application is lodged.

(iii) any Development Control Plan (DCP)

6.5 Goulburn Mulwaree Development Control Plan 2009

Part 1.8 Variations to controls

Council acknowledges that it is not possible for this plan to account for all possible situations and development scenarios. Consequently, the development controls under this plan have been designed to be flexible.

When circumstances warrant, Council may consent to an application which departs, to a minor extent, from the provisions of this plan. In such cases, a written submission must be lodged with the development application, outlining the variation, providing reasons why the variation is necessary or desirable, and setting out how the objectives of the particular provision are satisfied by the proposal.

Some of the relevant factors in determining whether a departure from this plan is warranted include:

- (a) whether there will be any detrimental impact on the amenity of the existing and future residents*
- (b) whether there will be any detrimental impact on the amenity of the area*
- (c) the nature and size of the departure*
- (d) the degree of compliance with other relevant requirements*
- (e) the circumstances of the case, including whether the particular provision is unreasonable and/or necessary*
- (f) priorities identified in a site analysis of being of more importance than what is being departed from*
- (g) whether non-compliance will prejudice the objectives of the zone and the aims of this plan*

Comments:

Section 3.5.6 of the DCP relates to front setbacks and states:

'No parking will be permitted within the setback areas.'

It is appropriate in this instance that parking be provided in the front setback area so that persons wanting to access the site can park inside the area that is proposed to be landscaped and enter the site by contacting the administration in the communal building which is the first building at the front of the site. This ensures secured access and the landscaping on the eastern, western and front boundaries, enables the car parking to be positioned in front set back without a negative impact.

The landscaping proposed in the location surrounding the car parking will ensure that there is no detrimental impact to the amenity and character of the area.

The proposed car parking and landscaping will be consistent with the landscaping in place at 9 Rex Street adjoining the eastern boundary, which incorporates extensive landscaping in the front setback including trees that form an avenue leading to a circular driveway access to the residence on that property. The neighbouring property also incorporates informal car parking in front of the building, consistent with the proposed design of the group home.

Allowing non compliance will not be prejudice the objectives of the zone, which are aimed at residential land use and

The car parking with associated landscaping will be consistent in character with the adjoining and adjacent dwellings in Rex Street that also include informal car parking in front of the dwellings screened by extensive landscaping, including nearby 3 Rex Street and 1c Rex Street. The residence located at adjoining 5 Rex Street incorporates a U shaped driveway with landscaping in the central area and informal parking in front of the residence.

As depicted in the 3D renders and landscape plan prepared by TLA, the landscaping proposed in conjunction with the style of the proposed buildings will result in a positive outcome that will not have a negative impact on any surrounding land uses and will not be inconsistent with the character of neighbouring residences that also incorporate landscaping in the front yard. It is recognised that the amount of cars to be parked in the car parking area will be greater than the neighbouring residences, however, this has been recognised by the applicant and TLA who have included extensive landscaping planted into an earthen mound, all of which will filter low positioned bollard lighting included in the car parking area and the retention of existing tree vegetation will help the car parking area blend into the existing streetscape. It is therefore considered appropriate that the car parking be approved as proposed and the variation to the control supported.

Plan objectives

Part 2.1 General development objectives

The development provides a type of residential accommodation that is in short supply in the Goulburn Mulwaree Council area according to the information contained in the description of the 'existing situation' included in Priority 4 of the LSPS detailed earlier in this SEE. This development type then contributes to the range of types of residential accommodation available in a residential neighbourhood.

The selected site does not contain any water courses and the land is not identified as being flood prone.

The development is designed to include fencing on the rear and side boundaries and substantial landscaping in front of the building line as a mitigation measure for any potential conflict between the proposed use and existing residential uses, either side of the development, at the rear of the development site or within the vicinity also fronting Rex Street. The proposed buildings are designed to be single storey buildings of a size and construction that will appear as residential buildings in the residential setting and is not a multi storey building or of a scale that would appear out of place with the existing residential character of Rex Street and the adjacent surrounding neighbourhood.

The *Explanation of Intended Effect for a new Housing Diversity SEPP*, which was published by the NSW Department of Planning, Industry and Environment in July 2020, explains the intent of the changes to a number of State Environmental Planning Policies that have since been revoked and replaced with the implementation of the provisions of State Environmental Planning Policy (Housing). Group homes are addressed under the proposed amendment to the previous SEPPs that have been revoked. The information contained in this section includes a statement that one of the aims of the review is to facilitate a development of this type of housing in reference to group homes. It also refers to including a Complying Development pathway for new group homes and a pathway for converting an existing dwelling to a group home. It is clear from this document, the *Explanation of Intended Effect for a new Housing Diversity SEPP*, that group homes are not considered to be commercial in their operation but are rather a type of housing, albeit with an ancillary commercial component to them that functions to enable the management and operation of a group home premises. Consistent with this information, group homes fall under the umbrella term of residential accommodation as included in the definitions contained in the *Standard Instrument–Principal Local Environmental Plan (NSW)*.

A water quality management study has been prepared specific to the development. The study makes recommendations for the installation of stormwater detention tanks connecting to the buildings, connections of those tanks to facilities within the development, and the drainage of overflow to a bioretention basin, providing filtration of stormwater overflow. The residential nature of the development is one that will not generate waste materials that would effect water quality. The mitigation measures proposed in the water

cycle management study are appropriate and the development design prepared by TLA is designed to facilitate the installation of the bioretention basin.

The land contains existing connections for power, water and sewer, and the land. These utility connections can be altered/remade to the proposed development, providing appropriate services for the development. These connections can be made in a manner that ensures no negative impacts are incurred on surrounding land uses.

The plan objectives are broad as they are the overall objectives for controls contained in the DCP. Therefore, some of these general development objectives are not relevant. The objectives that are relevant to the proposed development have been addressed above and it is confirmed that the proposed group home aligns with those general objectives of the DCP.

Part 2.2 Locality Objectives – Goulburn City

Figure 2-1: Goulburn locality precincts does not incorporate a precinct that includes the subject land. The land is therefore not described in *Section 2.2.3 Existing character*, which describes the precincts identified in that figure.

Sections 2.2.5 and 2.2.5.1 go on to describe the topographical layout of the wider Goulburn township as a whole and the location of infrastructure as well as the grid of the town and makes mention of features specific to those localities identified in *Figure 2-1: Goulburn locality precincts*. These items are not of specific relevance to the development site which is located within an established residential street with a character of residential land use in, topographically, a relatively flat location.

Section 2.2.7 Urban form describes the characteristics of development in the commercial centre of Goulburn, the character of the buildings in the immediate vicinity of the commercial centre, and an overall description that residential areas are then found extending further away from these central locations, describing a regular streetscape rhythm of houses of similar size and form incorporated into narrower streets. This section goes on to state that the plan aims to maintain consistent front and side setbacks, encouraging simple housing and roof forms, comparable with the established building stock, and controlling the design of houses to minimize the visual impact of garages whilst allowing innovation, and to keep the interface between the private and public domain are all important. The description goes on to state that height controls and the definition of height will be important in areas on slopes.

The proposed development is consistent with the character of residential development described in *Section 2.2.7* as it incorporates single storey residential development with built form that is consistent with the residential character and scale of residential development in the vicinity. The proposal includes landscaping similar to that of other development in the street including the immediately adjoining allotment addressed 9 Rex Street to the east, which also includes substantial landscaping extending to the front property boundary

adjoining Rex Street. The development does not have a steep slope and incorporates new boundary fencing on both side and rear boundaries to screen views from the single storey residences and areas of private open space and communal areas from neighbouring residential land uses. All buildings are to be constructed from a combination of face brick, exterior grade cladding, and colorbond roofing, and include roof forms that are typical of a residential development. The development is designed consistent with the aims detailed in Section 2.2.7 *Urban form* relating to residential development in the area extending beyond the central localities of Goulburn.

Part 3 General Development Controls	Applies	Consistent	Variation Proposed
<i>3.1 Indigenous Heritage and Archaeology</i>	Y	Y	N
<i>3.2 European (Non-Indigenous) Heritage Conservation</i>	Y	Y	N
<i>3.5 Landscaping</i>			
<i>3.5.1 Landscape plan requirements</i>	Y	Y	N
<i>3.5.2 Residential development</i>	Y	Y	N
<i>3.5.4 Streetscape (urban)</i>	Y	Y	N
<i>3.5.5 Fences and gates (urban)</i>	Y	Y	N
<i>3.5.6 Setbacks</i>	Y	N	Y
<i>3.6 Vehicular access and parking</i>	Y	Y	N
<i>3.7 Crime prevention through environmental design</i>	Y	Y	N
<i>3.9 Tree and vegetation preservation</i>	Y	Y	N
<i>3.16 Stormwater pollution</i>	Y	Y	N
<i>3.18 Urban Servicing (Water and Sewer)</i>	Y	Y	N

3.1 Indigenous Heritage and Archaeology

An AHIMS search did not reveal any recorded items or sites of Aboriginal Heritage Significance on the land or adjacent road reserve. The land does not contain any

waterways, prominent escarpments or ridge lines and the entire allotment is used ongoingly for residential purposes making it unlikely to contain any items of Aboriginal cultural heritage significance. An approval was previously issued by Goulburn Mulwaree Council permitting the removal of the trees.



Steps to comply with the requirements of the due diligence code of practice for the protection of Aboriginal objects in NSW can be adhered to during construction.

3.2 European (Non-Indigenous) Heritage Conservation


Section 3.2.2 Where does this Section Apply? confirms that *Section 3.2 European (Non-Indigenous) Heritage Conservation* applies to land within the Goulburn Mulwaree Local Government Area that contains a heritage item or draft heritage item listed in Schedule 5 of the LEP, land that is located within one of the heritage conservation areas or draft heritage conservation area contained in Schedule 5 of the LEP and on the heritage map of the LEP, land that is located adjacent to or within the vicinity of the heritage item or heritage conservation area or within the visual catchment of a heritage site, or land where archaeological remains or relics have been identified.

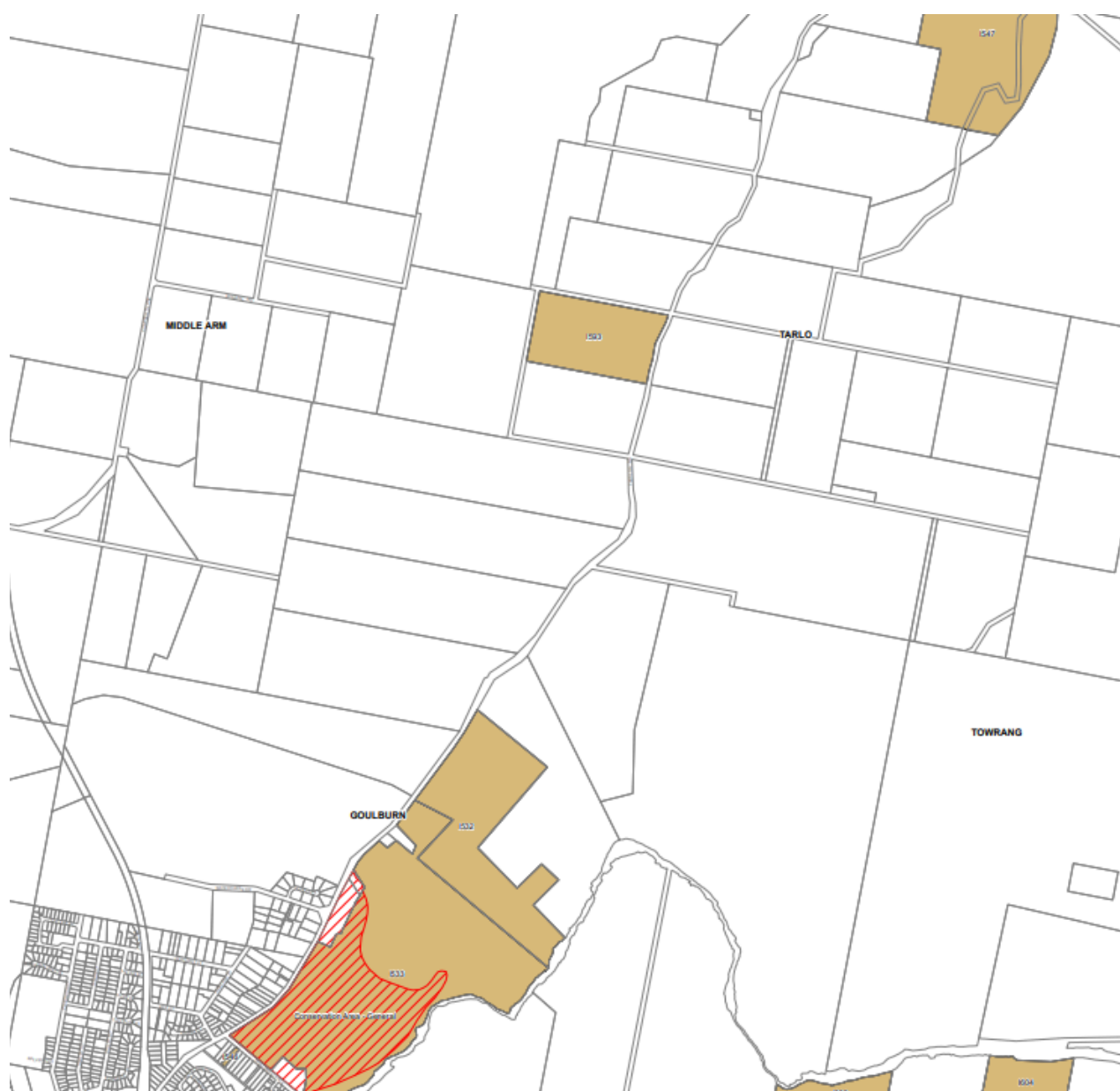
Below is an extract of *Heritage Map - Sheet HER_001F* and a zoomed in extract showing the subject site highlighted in yellow.

Heritage

-  Item - General
-  Conservation Area - General

Cadastre

-  Cadastre 16/08/2021 © Spatial Services



Source: Goulburn Mulwaree Local Environmental Plan 2009 (accessed 30/05/25)



Source: Goulburn Mulwaree Local Environmental Plan 2009 (accessed 30/05/25)

It is clear from the maps included above that the site does not contain an item or draft item listed in Schedule 5 of the LEP, is not within a heritage conservation area or draft heritage conservation area mapped in the LEP, and is not immediately adjacent to a heritage item or heritage conservation area. The site contains a residential dwelling and inspection confirms it appears to have a long history of residential land use. The author is not aware of any archaeological remains or relics present on the site. Accordingly, the remaining parts of Section 3.2 are not applicable to the proposal.

The land is not identified as containing any non-Indigenous heritage items, and no part of the site is listed under Schedule 5 of the LEP as containing any heritage items or areas.

The site is not mapped as being within a heritage precinct.

3.3 General Heritage Item and Conservation Area Controls

The objectives of this chapter all relate to either heritage items or heritage conservation areas and development associated with those areas. As established above, the land is not within a heritage conservation area, does not contain any heritage item, and it not adjacent to either a conservation area or an item, meaning the controls in Section 3.3 do not apply.

3.4 Bungonia Heritage Conservation Area

This chapter of the DCP relates to the landscape of rural villages of Bungonia, Tallong, Tarago, Lake Bathurst, and Marulan and is not applicable to the development site.

3.5 Landscaping

3.5.1 Landscape Plan and Design Requirements

A landscaping plan will be prepared and submitted with the application in accordance with the DCP.

The development has included areas of landscaping the location of which is displayed on the site plan and landscape plan. This includes an area at the front of the development where the development has been designed to retain the existing mature native tree and incorporates new in front of and at the sides of the car parking area.

The design includes a communal garden area at the rear of the development. As shown on the development plans, the residential accommodation has been designed and sited to retain the existing mature trees at the rear of the site.

A tree report has been prepared and submitted with the application that has identified several mature trees that have been deemed to be unsafe and are required to be removed for occupant safety.

Species of plants and the size of those plants indicated by referring to the pot size on the development plans is included to demonstrate where the plants of the landscaping will be planted.

The fencing proposed is displayed on the development plans. The fencing includes black palisade style security fencing in line with the front building line and as displayed on the development plans at a height of 2.1 metres.

No other fencing is proposed in front of the building line with the exception of a small extension of the side boundary fencing which is to consist of a solid panel colorbond fencing positioned on top of two concrete sleepers installed at the base of the fencing.

The plant species selected to provide landscaping throughout the development is consistent with the mixture of landscaping present throughout the residential area. The landscaping at 3 Rex Street incorporates a number of dense bushes that will be consistent with the landscaping proposed. Shade trees have been provided amongst the car parking area at a rate greater than 1 tree per 6 car parking spaces including the retention of a number of existing trees.

3.5.3 Non-residential development

Whilst the development is residential, the development landscaping can comply with *Figure 3-4: Non-residential landscape planning*, providing landscaping on the side boundaries and in front of the parking area with the exception of the vehicle entry. The development constitutes infill development that abuts a public street and incorporates landscaping in the front area setback consistent with the established and substantial landscaping installed on the adjoining residence at 9 Rex Street.

3.5.5 Fences and gates (urban)

The fences proposed include solid panel fencing on side and rear boundaries and black palisade style fencing at the front building line. These two fencing selections provide privacy for the neighboring residences adjoining the site as the fencing is proposed to be constructed with concrete plinths at the base and solid colorbond fencing on top. Given the site topography, this will provide good visual screening between the adjoining properties and provide security to the site. The 2.1 metre high palisade style fencing at the front of the site defines the area that is semi-public where the car parking is located and the private area of the group home located behind the main communal building at the front of the site. It is appropriate that the side boundary fencing be replaced, particularly the side boundary fencing at the rear and the boundary fencing on the eastern side adjoining 9 Rex Street as it is currently wire and netting fencing which would not provide privacy between the allotments.

The two fencing styles, in conjunction with the landscaping proposed, are appropriate in the residential setting. The palisade style fencing is appropriate in line with and behind the front building line as it will provide secure entry to the site and allow administration to occur in the main communal building. The side fencing is proposed to project forward of the front building line of the communal building only a very short distance to provide a focus for an access point on the western side of the communal building. The proposed fence heights are appropriate to provide for appropriate visual screening and also function as an acoustic barrier, although residential land uses amongst residential settings are not considered to be adversely noisy. The fencing is appropriately positioned not to interfere with any sight lines for vehicles and to allow for passive surveillance to occur between the residential area behind the palisade fencing and the car parking area at the front of the site.

3.5.6 setbacks

Subsection 3.5.6 states that “No parking will be permitted within the setback area”. The development does propose parking within the front setback. This variation is justified under Part 1.8 of the DCP, an extract of which is included above, permits a variation to controls of the DCP when circumstances are warranted. In this case, it is considered that the

circumstance is warranted as the positioning of the car parking area in front of the development is the most appropriate location for the parking and reduces the amount of driveway that would be required. Additionally, Council acknowledges that there is some development that will occur within a residential zone that is considered non-residential. This is depicted in the diagram included in Section 3.5.3 which depicts a car parking area positioned at the front of the site that has been landscaped in the same way that the proposed development has been landscaped. A number of other residences in the vicinity of the site already incorporate informal parking associated with the residence in front of the buildings and already incorporate substantial landscaping to screen that parking as displayed in the pictures included early in this SEE describing the streetscape. Part 1.8 allows flexibility to vary controls in appropriate circumstances and, in this instance, it is considered appropriate that the car parking be permitted to be positioned at the front of the site as displayed.

The development is set back a great distance from the Rex Street road frontage, approximately 27.4 metres. This is consistent with the surrounding residential dwellings which are also setback a great distance from Rex Street. The proposed parking within the front setback is softened by the retention of the existing mature tree, as well as additional areas of landscaping in the front setback, and on either side between the proposed car parking area and the front and side boundaries. The large area featured within the front setback is a practical location for car parking, giving lawful and practical access to Rex Street. The site does not front a classified road.

3.6 Vehicular access and parking

The provision of parking at the front of the site has been designed with consideration to the existing opportunities and constraints of the site. Designing and locating the parking in front of the building line allows the retention of some of the existing mature native trees in the site, and also ensures the practical and efficient use of the site, which as a group home does not require parking behind the building line for each individual residential building.

The proposed vehicle car parking and manoeuvring area has been designed in accordance with the relevant Australian Standards and Council's engineering requirements.

The DCP does not contain a specific parking rate for a development involving a group home. As an alternative, the development has considered the requirements for dwellings, which requires 1 space per dwelling. The development contains 6 group home tenancies, as well as a communal building. The provision of 9 parking spaces, including 1 accessible car parking space, and a designated loading area is considered appropriate as it will provide 1 parking space per group home tenancy, and 3 parking spaces for staff. The group home will have a maximum of 3 staff on site at any one time, however 3 staff will not always be present, leaving availability for visitor parking. Onsite parking availability will be managed by the operator of the group home.

3.7 Crime prevention through environmental design (CPTED)

Section 3.7 contains controls that apply to the development in the Goulburn Mulwaree Local Government Area, the objectives of which are to enhance and improve safety of development through design

3.7.1 Lighting

Lighting plays an effective role in crime prevention and personal safety for all development and a lighting is displayed on the development plans displaying how lighting will be utilised throughout the development including the car parking area at the front of the site. The type of lighting can be nominated. The lighting can be installed to provide visibility in all areas of the site at all times. The lighting selected can minimise and avoid lighting spill onto neighbouring properties. Lighting can be included in all areas of the site to reduce the likelihood of areas being utilised as entrapment areas. Lighting can prevent areas that could be used by persons to hide from being utilised for that purpose. Lighting is provided in the car parking area at the front of the communal building which acts as a secure entryway to and from the site, illuminating any persons wanting to access the site. Movement sensors can be incorporated into the design where appropriate.

3.7.2 Fencing

The location of the fencing on property boundaries and not substantially in front of the building line provides privacy for neighbouring residential dwellings from the car parking area and from the area containing the group homes and communal building as well as providing secure entry to the site using the palisade style fencing in front of and behind the front building line. Using the palisade style fencing in line with the communal building and at the northern end of the car parking area, means the car parking area can be viewed from the residential units behind that fencing, enabling passive surveillance to occur. The development does not include fencing at the side of the car parking area or in front of the car parking area to not impede view of or from the car parking area to Rex Street.

3.7.3 Car parking

Car parking is located at the front of the site and is open in full view of the communal building that is operated on a 24 hour basis. The design of the car park is suitably located near the entrances to the communal building and convenient, safe entry and exit can occur. The car parking is not covered and does not contain any alleyways or possible entrapment areas. Lighting is included in the car parking area to ensure it is always appropriately lit. The

accessible car parking space is positioned appropriately close to the front entry of the communal group building as is the loading and unloading area. The development does not include a car park that is large enough to warrant the inclusion of intercoms, telephones or emergency alarms. The entry and exit points from the car parking for pedestrians are through the footpath on the western side, the centrally located driveway crossover, or through the communal building or gateway to the group home area.

Pedestrian movement areas through the car park can be delineated. The development will have camera surveillance attached to the communal building, providing surveillance to the entire car parking area.

3.7.4 Entrapment spots & blind corners

The development is designed such that all residents staying at the group homes can provide passive surveillance to all areas of the site which are all closely positioned to either a domestic building or the communal building and pathways and circulation spaces are between residential buildings or immediately adjacent to the communal building or car park and not isolated or out of view. The area positioned between the communal building and the property boundary will be partly landscaped and can incorporate secure access gateways at either end of that area. The area between units one, two, and six are partly landscaped and located beside residential units that include windows to those units in those areas. If needed, those areas can incorporate secure gateways to prevent unapproved access to those locations. The development can comply with the controls for protection included in SEPTED and replicated in Section 3.7.4.

3.7.5 Landscaping

A landscape plan can be prepared to demonstrate the location of the landscaping and display that it does not reduce surveillance opportunities through its position or type. Landscaping includes vegetation types selected to not obscure views from a surveillance point of view. The intended outcome of this is depicted in the 3D renders included with the plans prepared by TLA.

3.7.6 Communal/public areas

Whilst the development does not contain any public areas, the design does contain areas that are communal spaces including children's play equipment, a secure pet run and a community garden and common outdoor recreation area. These areas are immediately adjacent to residential buildings that contain habitable rooms with windows to provide passive surveillance. These communal spaces are also visible from other communal and

common areas such as areas to walk between the buildings. The communal garden is visible from the secure pet run and vice versa. The sensory play equipment area is visible from the outdoor recreation and seating area under the tree and from units five and six. The covered outdoor play area is visible from the communal group building and the residences of units one, two, three, and four, as well as the communal seating area immediately adjacent to that covered play area.

3.7.7 Movement predictors

These provisions are more appropriately addressed for public spaces than a group home.

3.7.8 Entrances

Entrances are readily visible throughout the development with each building effectively having its own entry and exit and the communal building having a number of points of entry and exit. This is appropriate given the communal building is operated on a 24 hour everyday basis.

In addition to the above, the development will have security cameras operating on a 24 hour everyday basis and the facility will be staffed on a 24 hour every day basis to ensure its safe operation.

Entrances are positioned so they are visible from other adjacent residential units. For example, unit four is visible from unit one, unit three is visible from units one and two and vice versa. Unit five is visible from unit one and six and unit six is visible from unit five.

Section 3.7.9 includes controls relating to allotments subject to flooding which does not affect the subject land, making those sections not applicable.

3.9 Tree and vegetation preservation

A Tree Report has been prepared and submitted with the application in accordance with the DCP that assesses the health of the 3 largest mature native trees. The report concludes that there are plausible reasons to remove these trees for public safety. A permit was previously issued for removal of these trees.

The development has been designed and sited to retain a large mature tree at the front of the property, as well as several mature trees at the rear of the development.

The development seeks approval for the removal of several trees identified on the

demolition plan.

Council may consent to the removal of three of the trees identified on the development plan to facilitate the construction of the group home as a Biodiversity Assessment Report (BAR) has been prepared, confirming that the removal of these trees will not exceed any of the thresholds included in Part 7 of the Biodiversity Conservation Act 2016 (NSW) and corresponding Part 7 of the Biodiversity Conservation Regulation 2017.

3.12 Groundwater

The area is already characterised by established residential development fronting sealed roads with kerb and gutter for stormwater management as well as existing reticulated sewerage connection. The characteristics of residential development and implementation of the recommendations included in the water cycle management plan prepared for this development, as well as connection of the development to stormwater drainage infrastructure and reticulated sewer, means the development will not have any negative impact on any groundwater resources.

3.16 Stormwater pollution

As shown on the development plans, each group home features a 5,000 litre rainwater detention tank. Overflow from these tanks will be directed to the stormwater management system via rain garden. A water cycle management plan is submitted with the application confirming how stormwater should be collected, treated, and drained from the site. The development plans include a bioretention basin consistent with the recommendations of the water cycle management plan.

The development includes impervious paving types for paths as displayed throughout the site. The development does not include a natural system of hydrology as it is relatively flat and already forms part of an established residential area. Erosion and sediment controls will be implemented during construction to prevent pollutants entering any stormwater being drained from the site. On site detention is not required for a development of this scale other than that which is included in the recommendations of the water cycle management study. The communal areas will allow for water infiltration into the site as they are proposed to incorporate areas of grass and garden.

3.18 Urban Servicing (Water and Sewer)

The development can be connected to Council's reticulated water and sewer management systems, with water connection via Rex Street, and sewer connection via the Council sewer main that bisects the allotment. The development does not require the extension or

expansion of any sewer mains or reticulated water services. A water quality management study is prepared for the development.

With the exception of car parking located in the front setback, the development is consistent with the remaining controls contained in Part 3.

Part 4 Principal development controls - urban	Applies	Consistent	Variation Proposed
4.1 Residential development			
4.1.1 Site planning, bulk, scale and density	Y	Y	N
4.1.3 Rain gardens	Y	Y	N
4.1.4 Cut and fill	Y	Y	N
4.1.5 Dwelling design	Y	Y	N
4.1.6 Number of storeys	Y	Y	N
4.1.7 Solar access	Y	Y	N
4.1.8 Privacy	Y	Y	N
4.1.9 Private open space	Y	Y	N
4.1.10 Setbacks	Y	Y	N
4.1.11 Views	Y	Y	N
4.1.12 Traffic safety and management	Y	Y	N
4.1.13 Site Facilities	Y	Y	N
4.1.14 Energy efficient siting and layout	Y	Y	N
4.1.15 External window shading and internal and external lighting	Y	Y	N
4.1.16 Insulation	Y	Y	N
4.1.17 Space heating and cooling	Y	Y	N
4.1.18 Working hours – residential and business	Y	Y	N

4.1 Residential development

4.1.1 Site planning, bulk, scale and density

The development maintains a large front setback, consistent with the surrounding front setbacks. The setbacks of the dwellings on the adjoining allotments at 5 and 9 Rex Street are similar to that of the existing residential dwelling at 7 Rex Street to be demolished. The setback moving further west at 3 Rex Street is a little forward of the current building again and the setback at 1D Rex Street, located at the bend in the road on Rex Street west of the site, is substantially forward of the building line of the existing dwelling and will be positioned forward of the building line of the communal building of the proposed group home.

The front building lines of the residential dwellings immediately diagonally opposite the site at 4, 6, 8A and 10 Rex Street are all significantly further forward than the existing dwelling on the site and will be closer to the street than the proposed communal building. Although they are on smaller allotments than the allotments at 5, 7 and 9 Rex Street, they still contribute to the streetscape by being positioned further forward. The streetscape is then also affected by dwellings on 12 and 14 Rex Street, visible from the site and further diagonally opposite the site, which are further forward again towards the front property boundaries, bringing the appearance of streetscapes within the vicinity further forward again.

As a result, the development will maintain the appearance of the existing streetscape, with the communal building appearing as a single storey residence as shown in the communal building elevations, with the remaining group homes and their associated private open space located behind the building line behind a secure fence and not visible from Rex Street.

The development, which includes a number of single storey buildings with brick and clad construction included on the communal building that is most visible from the street with a pitched roof and gable end, is consistent with the variety of claddings and incorporating appropriate bulk and scale in the streetscape. The group home, which has the character of a multi dwelling development but incorporates the benefits of a communal building is appropriate in its density, providing individual areas of private open space and communal open space and facilities to be consistent with a residential land use.

The development includes pedestrian access from the road reserve via a footpath as well as vehicle access to the street that can also be utilised for cycling. The building facing Rex Street integrates into the surrounding environment in its scale and appearance which includes cladding and brick veneer, colorbond roofing, many windows and a gable end. The appearance of this building and the other residential building containing unit one that is set back further than the communal building from Rex Street will all be softened in appearance

by landscaping incorporated into the car parking area and retention of a large native tree already on the site.

4.1.2 Sheds and other ancillary structures

The proposal includes construction of a small equipment shed positioned close to the communal building near unit four. The shed can comply with *Table 4-1: Height limits* in terms of height limits and setbacks to property boundaries in that space.

4.1.3 Rain gardens

A Water Cycle Management plan has been prepared and submitted with this application that provides recommendations for the location of rain gardens in the development and area for bioretention facility as displayed on the development plans.

4.1.4 Cut and fill

The land is relatively flat with a slight slope down away from Rex Street towards the rear of the block. As such, the development will not require extensive amounts of cut and fill, and the development does not propose any retaining walls as part of the development (TLA to confirm).

4.1.5 Dwelling design

The proposed communal building and unit 1, which will be the only buildings visible from the Rex Street frontage, present as a single storey residential dwellings, with finishes including brick, exterior grade cladding and Colorbond roof sheeting. These finishes are consistent with the surrounding residential context.

4.1.6 Number of storeys

The development contains single storey group homes and associated single storey communal building.

4.1.7 Solar access

The solar access drawings submitted with the application demonstrate that the principal living spaces of each group home and at least 50% of their private open space achieve 3

hours of sunlight at the winter solstice. With the exception of one side of the dual occupancy group home, all private open space and living areas are located on the northern side of each group home. The solar access drawings also demonstrate that the development will not impact the principal living spaces or more than 50% of the private open space of the adjoining residential buildings.

4.1.8 Privacy

The development has been designed to ensure that windows are not positioned in a location where they directly overlook other group homes within the development, or overlook neighbouring residential dwellings. Privacy between the development and neighbouring dwellings will be ensured through the construction of new boundary fencing that will be of a height to provide privacy between the neighbouring properties and the group home. The relatively flat slope incorporating a very gentle fall means there are not elevated locations within the site that would overlook any neighbouring properties. The design of the residential dwellings is such that views in between the dwellings will not result in overlooking private open spaces or living areas between those dwellings. The development does not include any balconies or second storey components that would overlook any private open spaces or habitable rooms of any neighbouring residence or residence within the group home facility. Windows are not located to look directly into the other habitable rooms of other dwellings within the group home without appropriate screening. Screening devices and landscaping are ways of achieving the required privacy where habitable rooms face other habitable rooms in other dwellings in the group home.

4.1.9 Private open space

Each group home contains an area of private open space for recreation within the site. With the exception of one side of the dual occupancy group home, all private open space areas are located on the northern side of each group home.

The DCP does not contain specific requirements for the amount of private open space required for a group home. The controls for group homes contained in the Housing SEPP Schedule 2 subclause (16) requires more than 24 square metres of principal private open space that has an area at ground level (existing) directly accessible from, and adjacent to, a habitable room, other than a bedroom, and is at least 4m wide, and has a gradient no steeper than 1:50. Each of the group homes provides private open space in accordance with this requirement being used as an appropriate bench mark.

4.1.10 Setbacks

The development is setback at least 6 metres from the rear boundary, and at least 1.5 metres from the side boundary, with the exception of the bin store, which is located 1 metre from the side boundary.

The development is set back at least 27.387 metres from the front boundary, which is well in excess of the 4.5 metres required in the DCP. The setback is not inconsistent with the variety of setbacks of the surrounding residential dwellings.

The development is consistent with the setback requirements of the DCP.

4.1.11 Views

The development, which is single storey, does not negatively impact views to and from the site, as the subject land and surrounding area is relatively flat with no significant views.

4.1.12 Traffic safety and management

The development features 9 car parking spaces including 1 accessible car parking space in front of the development fronting Rex Street. This parking area can be extensively landscaped, softening the appearance of the carpark from Rex Street, whilst also providing safe, efficient and convenient parking for residents and staff. The development plans include a footpath for pedestrian access to the site separate to the car parking and pedestrian areas within the car parking have been delineated as per the location and method displayed on the development plans to improve ensure pedestrian safety. The development does not include individual carports or garages to ensure there is no impact from such buildings on a streetscape. The access design has been incorporated with the landscaping, including an existing large, established tree and proposed landscaping surrounding the car park. The remaining controls relate to garages and carports which are not proposed.

4.1.13 Site Facilities

The development has been designed to integrate secure waste bin storage with each building, behind the front building line as demonstrated on the development plans. The development plans also display the location of the bins in the road reserve for collection by GMC.

4.1.14 Energy efficient siting and layout

The development will be required to adhere to the requirements outlined in Section J of the

NCC.

4.1.15 External window shading and internal and external lighting

The development can accommodate the shading of north and west facing windows as appropriate as displayed on the development plans. The solar access plans display the solar access that is available to the residential buildings and the private open space and display how far the solar access is provided from the residence itself to achieve a depth of 4-6 metres from a window.

4.1.16 Insulation and 4.1.17 Space heating and cooling

The development complies with the thermal comfort requirements of the NCC. The development plans confirm that windows and openings are positioned on all sides of the building to enable appropriate cross ventilation and air circulation. Appropriate fans can be incorporated where needed. Openings are positioned on opposite sides of rooms where practical and openings from windows and doorways on opposite sides of the buildings will allow cross ventilation between rooms. The development can comply with the requirements of Section J of the NCC.

4.1.18 Working hours – residential and business

The development will accommodate up to 18 residents at any one time and up to a maximum of 3 staff at any one time.

The development is consistent with the provisions of Part 4 of the DCP without variation.

Part 7 Engineering Requirements

7.1 Utility services

The development proposes connection to Council's reticulated sewer and water networks. The development can connect to the electricity supply via existing infrastructure at the rear of the site or via Rex Street. The development can connect to the NBN via a fixed line connection from Rex Street.

7.2 Roads

The development does not involve the construction of any new roads. The new vehicle crossover and internal driveway and car parking areas will be designed and constructed in accordance with Council's engineering standards and the relevant Australian Standards. Access to the site is perpendicular to Rex Street in an area that does not have restricted visibility in either direction and is not close to the intersection of any main road but continues on with local streets for a substantial distance before connection to Taralga Road as the nearest distributor road. The development includes bio retention and rain guard landscaping and grass verge to facilitate water sensitive urban design practices. The topography of the land allows for effective and safe ingress and egress from the site. The development does not involve construction of any roadways and the site does not include any stormwater drainage lines or overland flow drainage channels. The landscaping to be included in the development is appropriate to ensure soil stability and the development does not incorporate the use of any laneways.

7.3 Drainage and soil and water management

A stormwater management plan can be prepared and submitted with the application that demonstrates that the development can collect and carry stormwater to Council's stormwater management network without any negative impact on the environment and in accordance with the recommendations of a water cycle management plan prepared for the development.

An erosion and sediment control plan has been prepared for the development. The development does not require interallotment drainage, accounts for any runoff from the site but during construction through an erosion and sediment control plan and ongoingly through the implementation of recommendations of a water cycle management plan and does not contain any floodways or require any retention beyond that of the recommendations of the water cycle management plan. All runoff from the site including paved and roofed areas is accounted for in the water cycle management plan to ensure it has a net benefit value in water quality being drained from the site.

7.3.2 Water sensitive urban design (urban)

This section deals in controls that relate to subdivision and are not relevant to the proposal. Measures for water sensitive urban design on a local scale that are not involved in subdivision are addressed earlier in this SEE.

7.3.3 Soil and water management

As the development disturbs an area of less than 2,500 square metres, an erosion and sediment control plan has been prepared for the development.

7.4 Easements

The development contains an existing sewer easement that runs through the property. The development does not propose any new easements as part of the development. The development is designed so construction occurs outside of the easement. Development design can be prepared so footings do not transfer loads outside of the zone of influence in accordance with the *Goulburn Mulwaree Clearance and Easements Requirements for Structures Adjacent to Sewer & Stormwater Mains Policy*. Paving can be constructed within the easement to comply with requirements regarding paved areas of the *Goulburn Mulwaree Clearance and Easements Requirements for Structures Adjacent to Sewer & Stormwater Mains Policy*.

The development is consistent with the provisions of Part 7 of the DCP without variation.

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F.

The applicant has not entered into any planning agreement or draft planning agreement.

6.6 Environmental Planning and Assessment Regulation 2021

Section 4.15 (1)(a)(iv) requires consideration to be given to the regulations. Consideration has been included in the regulations detailed in Appendix B of this SEE.

Consideration of the development against the regulations confirms it can fully comply with the regulations without alterations to the proposal.

6.7 Likely impacts of the development

(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,

Context and Setting

The development design incorporates a number of finished and a number of smaller, single storey buildings to be consistent with the residential character of the area. The development does include car parking forward of the front building line which is defined by the communal building but is provided to minimise the amount of space required behind that building amongst the proposed residential dwellings for parking, maximising the amount of private open space and communal open space available to residents and the existing trees that can be retained. A detailed landscape plan can be prepared to demonstrate how the appearance of the car parking area and overall built form will be consistent with the residential character of the surrounding neighbourhood. The development maintains a large front setback from Rex street similar to the adjoining residences at 9 and 5 Rex street.

As detailed in this SEE, the area is characterised by residential development and the proposed group home as a form of residential development incorporating a number of single storey residential buildings and a single communal building and areas of private open space represent a development that is consistent with the residential character of the vicinity.

Access, Transport and Traffic

Vehicle access to the development will be gained by a new vehicle crossing from Rex Street.

Public Domain

The proposal will not have a negative impact on public recreational opportunities or public spaces in the locality.

Utilities

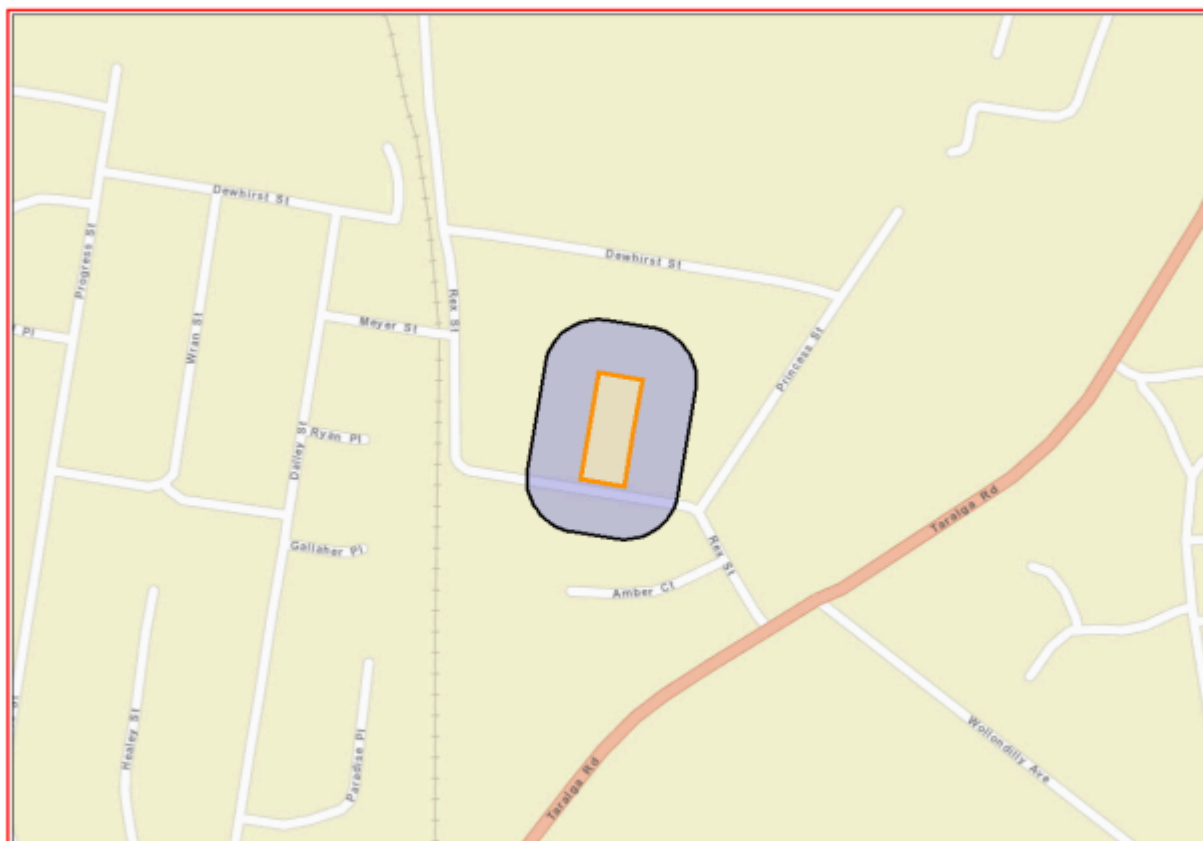
The site is serviced by adequate utilities to cater for the development.

Heritage

There are no items listed in Schedule 5 of the LEP as present on the land. An AHIMS search did not reveal any recorded items of Aboriginal Heritage Significance on the land or adjacent road reserve.

AHIMS Web Service search for the following area at Lot : 83, DP:DP10309, Section : - with a Buffer of 50 meters, conducted by Joanne Chambers on 21 January 2025.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Water

The site is connected to reticulated water. Stormwater can be drained to the Council Stormwater management System.

Soils

The development will not have a negative impact on soils.

Air and Microclimate

Minimal amounts of dust may be generated during the construction period. Once construction works are complete the development will not impact on air quality. The ongoing use of the development will not negatively impact air quality.

Flora and Fauna

The proposal does require the removal of any trees. An arborist report has been prepared and submitted with the development application. The development is designed to retain some of the existing trees.

Waste

The site is connected to reticulated sewerage. Any construction waste and ongoing residential waste will be removed from the site and appropriately recycled or catered for at a licensed waste management facility.

Energy

The development is required to comply with the associated energy efficiency requirements. A Section J report can be prepared and submitted with any future construction certificate application.

Noise and Vibration

Some noise will occur during the construction period, but is not expected to adversely impact on any surrounding land uses which will be limited but a condition of consent limiting hours of construction. The use of the site for a group home with multiple residential buildings will be commensurate with the residential land-uses surrounding the site.

Natural Hazards

Inspection of the site and mapping associated with the LEP did not identify the subject land as being subject to flooding or bushfire or any other potential hazards.

Technological Hazards

No impacts as previously discussed in this report.

Safety, Security and Crime Prevention

As addressed previously in this SEE, the development will not generate any activity likely to promote any safety or security problems to the subject land or surrounding area. All persons staying at the group home will be known to the management of the facility and be required to adhere to the house rules/management policy of the facility.

Social and Economic Impacts on the Locality

The proposed development will not result in any negative social or economic impacts. The development is designed to be consistent with the character of residential land use in the area including single storey residential buildings, individual private open space and extensive landscaping. The single storey buildings include interesting and varied external cladding materials that compliment the mixed character of surrounding residential land-uses.

Site Design and Internal Design

The design of the development is satisfactory for the site and without any identified adverse impacts. The development can still incorporate a large front setback and provides appropriate onsite car parking, private open space, communal open space and communal recreation areas as well as retention of some established trees and new extensive landscaping.

Construction

The proposed development is constructed in accordance with the Building Code of Australia.

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts. A minimal increase in traffic and activity at the site will occur during the construction phase. A Traffic Impact assessment is prepared to confirm the existing road network and design of the onsite car parking is appropriate for the proposed development without negative impact.

6.8 Site suitability

(c) the suitability of the site for the development

The site has appropriate area, dimensions and topography to facilitate construction of the proposed development. The development is designed to be contained entirely within the property including all facilities needed for the enjoyable use of the site and the function as a group home. The development allows for suitable landscaping to provide screening between the property and neighbouring properties as well as landscaping in the front building setback to screen the formal car parking. The design retains some of the trees on the site and is serviced by utilities appropriate to allow for the operation of a group home.

6.9 Submissions

(d) any submissions made in accordance with this Act or the regulations,

Council will exhibit the development in accordance with the Community Consultation Policy.

6.10 Public interest

(e) the public interest

No aspect of the proposed development will overburden any facility operating in the public interest. The proposal will provide for a type of housing that is identified as being in short supply through Council's strategic research for the Goulburn Mulwaree Shire. It can be constructed to be consistent with the character of residential development in the vicinity and operated in such a way that it is consistent with the residential land uses in neighbouring sites. Constructing the access to and from the development can be catered for within the existing road network given the proposal's relatively small size and low density. Approval and construction of the development therefore contributes positively by providing housing for the community and in the public interest.

7. Conclusion

Through preparation of this SEE, which is informed by inspection of the site and review of the specialist reporting listed in this SEE prepared by Tim Lee Architects, it is concluded that the development can be approved without unmitigated or unreasonable impact on the residential character or residential use of the surrounding area.

The development is consistent with State Environmental Planning Policies, the Goulburn Mulwaree Local Environmental Plan 2009, and all of the controls contained in the Goulburn Mulwaree Development Control Plan 2009 with the exception of a minor variation to positioning the car parking within the front building setback, that is consistent with the surrounding streetscape.

The minor variation to positioning car parking in the front setback is justified within this SEE as it is consistent with both adjoining residential properties which have a similar car parking arrangement and another property that is one allotment away from the site which also incorporates car parking with extensive landscaping in the front property setback.

The development incorporates character and materials consistent with the surrounding residential buildings as well as incorporating a large front setback consistent with the neighbouring residential dwellings on the north side of Rex Street.

The development is overall consistent in scale, design, and contributes positively to the immediate vicinity and the larger Goulburn township by providing a style of housing that has low availability. The site is suitable in area, topography, and location to allow Council to approve the proposed development of a group home.

Appendix A - Requirements of the Approved Form Guide

a. The environmental impacts of the development

The development is being completed on a residential site and no negative environmental impact will be incurred.

b. How the environmental impacts of the development have been identified

The site was inspected as part of the preparation of the development application and confirmed that no environmental impacts that could be avoided have been identified.

c. The steps to be taken to protect the environment or to lessen the expected harm to the environment

As per a. and b., no specific measures are required other than to construct the development as proposed.

d. Any matters required to be indicated by any guidelines issued by the Planning Secretary

No specific guidelines relevant to the application have been issued by the planning secretary.

e. Drawings of the proposed development in the context of surrounding development, including the streetscape

The proposed development is consistent with the character of the residential area in the surrounding context. The documents submitted are adequate to allow for comprehensive assessment of the proposal.

f. Development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations

The plans submitted with the application are sufficient to allow for comprehensive assessment of the proposal.

g. Drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context

The plans submitted with the application are sufficient to allow for comprehensive

assessment of the proposal which is of a design and scale appropriate to the residential area.

h. If the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts

The area is characterised by residential land use and the proposed development is consistent with the existing character and the proposed surrounding character which is also residential.

i. Photomontages of the proposed development in the context of surrounding development

Images are submitted with the application to demonstrate the character of the existing streetscape created by the dwellings and landscaping and fencing of those neighbouring residences.

j. A sample board of the proposed materials and colours of the facade

Sample boards are not necessary in this instance.

k. Detailed sections of proposed facades

The plans submitted are adequate for comprehensive assessment of the development without submitting section plans for a development application.

l. If appropriate, a model that includes the context.

A model is not necessary in this instance.

Appendix B - Consideration of the Regulations

Section 4.15 (1)(a)(iv) requires consideration to be given to the provisions of the regulations (referring to the Environmental Planning and Assessment Regulation 2021 (NSW)). Consideration has been included below.

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

Part 4 Determination of development applications

Division 1 Determination of development applications—the Act, s 4.15(1)(a)(iv)

Clause 61 Additional matters that consent authority must consider

(1) In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601–2001: The Demolition of Structures.

(2) In determining a development application for the carrying out of development on land that is subject to a subdivision order under the Act, Schedule 7, the consent authority must consider—

(a) the subdivision order, and

(b) any development plan prepared for the land by a relevant authority under that Schedule.

(3) In determining a development application for development on the following land, the consent authority must consider the Dark Sky Planning Guideline—

(a) land in the local government area of Coonamble, Gilgandra, Warrumbungle Shire or Dubbo Regional,

(b) land less than 200 kilometres from the Siding Spring Observatory, if the development is—

(i) State significant development, or

(ii) designated development, or

(iii) development specified in State Environmental Planning Policy (Planning Systems) 2021, Schedule 6.

(4) In determining a development application for development for the purposes of a manor house or multi dwelling housing (terraces), the consent authority must consider the Low Rise Housing Diversity Design Guide for Development Applications published by the Department in July 2020.

(5) Subsection (4) applies only if the consent authority is satisfied there is not a development control plan that adequately addresses the development.

(6) In determining a development application for development for the erection of a building for residential purposes on land in Penrith City Centre, within the meaning of Penrith Local Environmental Plan 2010, the consent authority must consider the Development Assessment Guideline: An Adaptive Response to Flood Risk Management for Residential Development in the Penrith City Centre published by the Department on 28 June 2019.

(7)–(8) (Repealed)

Comments:

The proposal does involve demolition of a building and therefore the requirements of AS 2601 needs to be considered in accordance with Clause 61(1). Demolition can be completed to comply and conditions of consent applied accordingly.

The subject land is not subject to a subdivision order under the Act, Schedule 7, therefore Clause 61(2) is not applicable.

The Dark Sky Planning Guideline does not apply to Goulburn Mulwaree Shire and therefore Clause 61(3)(a) and (b) are not applicable.

The development does not include a manor house or multi dwelling housing (terraces), therefore Clause 61(4) is not applicable (subject to subclause (5)).

The development is not located within the Penrith City Centre.

The proposed demolition of an existing dwelling and construction of a group home is consistent with Clause 61.

Clause 62 Consideration of fire safety

(1) This section applies to the determination of a development application for a change of building use for an existing building if the applicant does not seek the rebuilding or alteration of the building.

(2) The consent authority must—

(a) consider whether the fire protection and structural capacity of the building will be appropriate to the building's proposed use, and

(b) not grant consent to the change of building use unless the consent authority is satisfied that the building complies, or will, when the development is completed, comply, with the Category 1 fire safety provisions that are applicable to the building's proposed use.

(3) Subsection (2)(b) does not apply to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Comments:

The proposal does not involve the change of a building use for an existing building and therefore the requirement to consider fire safety and structural adequacy of buildings in accordance with Clause 62 is unnecessary.

Clause 63 Considerations for erection of temporary structures

In determining a development application for the erection of a temporary structure, the consent authority must consider whether—

- (a) the fire protection and structural capacity of the structure will be appropriate to the proposed use of the structure, and*
- (b) the ground or other surface on which the structure will be erected will be sufficiently firm and level to sustain the structure while in use.*

Comments:

The proposal does not involve the erection of a temporary structure and therefore the requirements to consider fire safety and structural adequacy is unnecessary.

Clause 64 Consent authority may require upgrade of buildings

(1) This section applies to the determination of a development application that involves the rebuilding or alteration of an existing building if—

- (a) the proposed building work and previous building work together represent more than half of the total volume of the building, or*
- (b) the measures contained in the building are inadequate—*
 - (i) to protect persons using the building, if there is a fire, or*
 - (ii) to facilitate the safe egress of persons using the building from the building, if there is a fire, or*
 - (iii) to restrict the spread of fire from the building to other buildings nearby.*

(2) The consent authority must consider whether it is appropriate to require the existing building to be brought into total or partial conformity with the Building Code of Australia.

(3) *In this section—*

previous building work means building work completed or authorised within the previous 3 years.

total volume of a building means the volume of the building before the previous building work commenced and measured over the building's roof and external walls.

Comments:

The proposal does not involve the rebuilding, alteration, enlargement or extension of an existing building that represents more than half the total volume of the building and therefore the requirement to consider the upgrading of buildings into total or partial conformity with the Building Code of Australia.

The measures within the building at the completion of the project will be adequate to protect the building and facilitate safe egress from the building and restrict spread of fire.

Clause 67 Modification or surrender of development consent or existing use right—the Act, s 4.17(5)

Not applicable.

Clause 75 Fulfilment of BASIX commitments

It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—

(a) *BASIX development,*

(b) *BASIX optional development, if the development application was accompanied by a BASIX certificate.*

Comments:

The development does not constitute BASIX affected development as it is not a Class 1 building under the NCC.

Clause 76 Deferred commencement consent

Not applicable.