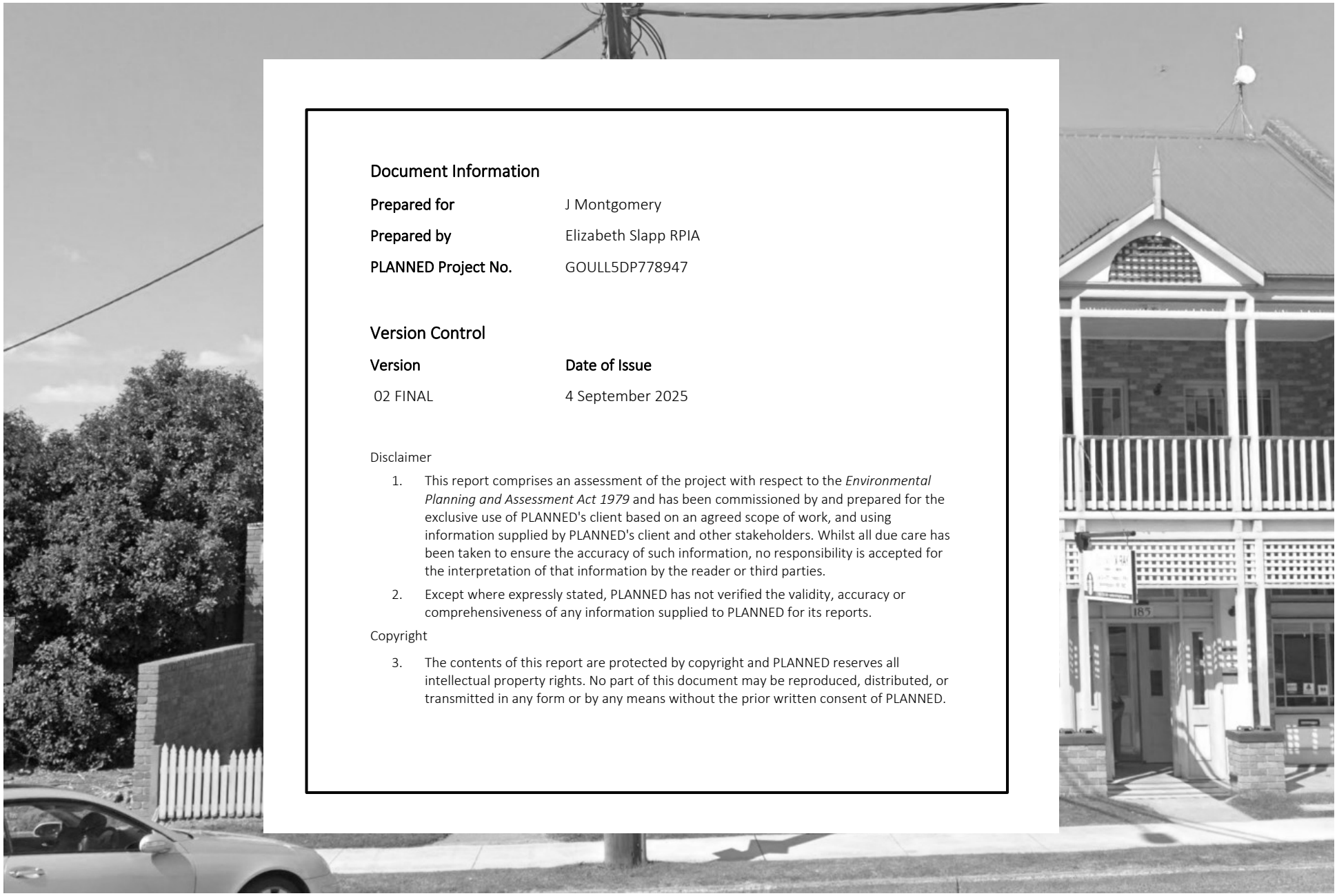
PLANNED

Statement of Environmental Effects Report

Prepared For: J Montgomery

Property: Lot 5 DP778947, No. 187 Bourke Street, Goulburn NSW



Document Information

Prepared for	J Montgomery
Prepared by	Elizabeth Slapp RPIA
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1 Introduction

1.1 Commission

PLANNED has been commissioned by J Montgomery (also described in this Report as the **Proponent**) to prepare a Statement of Environmental Effects (**SEE**) Report to accompany a Development Application (**DA**) proposing demolition and the construction of a new mixed-use building at Lot 5 DP778947, No. 187 Bourke Street, Goulburn NSW.

In preparing this SEE Report, the following documentation has been referred to and is submitted to Goulburn Mulwaree Council on the basis that it details and supports the development as proposed:

- Architectural Plan Set, prepared by Kensit Architects, dated 19 August 2025.
- BASIX Certificate [No. 1807599M] prepared by Energy Rating Group, dated 7 August 2025.
- NatHERS Certificate (Nos. W55HFSSCZM, R181E1JFC5 and CT28CTBEDY) prepared by Energy Rating Group, dated 7 August 2025.
- Heritage Impact Statement, prepared by Black Mountain Projects Heritage Consultants, dated 27 August 2025.
- Civil Engineering Drawings, prepared by LMJ Engineering Consultants Pty Ltd, dated 21 July 2025.
- Stormwater Design Certificate, prepared LMJ Engineering Consultants Pty Ltd, dated 24 July 2025.
- Flood Impact Assessment, prepared by LMJ Engineering Consultants Pty Ltd, dated 24 July 2025.
- Acoustic Assessment, prepared by Pulse White Noise Acoustics, dated 4 July 2025.
- Estimated Development Cost Plan, prepared by MCG Quantity Surveyors, dated 18 August 2025.

1.2 Purpose of Report

This SEE has been prepared in accordance with the Environmental Planning and Assessment Regulation 2021 (**EP&A Regulation**) for the purposes of:

- Demonstrating that the environmental impacts of the development have been considered; and
- Outlining the steps to be undertaken to protect the environment or to mitigate against any potential harm, if necessary.

This SEE describes the proposal and its environment, including a detailed description of the site and its surrounds and an assessment of the proposal against the relevant planning controls.

The SEE demonstrates that the development proposed is acceptable under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) and concludes that the proposed development should be granted approval subject to conditions.

1.3 Type of Development Application

Section 1.5 of the EP&A Act 1979 defines what constitutes 'development'. The scope of the proposed development clearly falls within that definition.

Under Section 4.5 of the EP&A Act, the Goulburn Mulwaree Council will be the consent authority in this instance.

The development proposed is not defined as either 'integrated', 'designated' or State significant' development under the EP&A Act or EP&A Regulation.

2 Site Description and Context

2.1 Site Description and Surrounding Context

The land the subject of this DA is situated at the northwestern extent of the Goulburn Central Business District (**CBD**) and is legally described as Lot 5 DP778947, No. 187 Bourke Street, Goulburn NSW.

The subject site is a rectangular-shaped parcel of land comprising an area of approximately 250m^2. With reference to **Figures 1** and **2** below, the subject land is currently developed comprising a single storey dwelling house (brick construction with metal roof), which is used for commercial purposes. Whilst the subject land has direct frontage to Bourke Street, no vehicular access is afforded to the site from that frontage. Rather, vehicular access is via the Fenwick Street public car parking area, which adjoins the subject land to the rear. There is no existing garage situated to the rear of the existing commercial building. On-site car parking is noted to be informal and uncovered within the existing grassed area to the rear of the existing building.

The topography of the subject land is noted to be slightly sloping – falling from the Bourke Street frontage (west) to the rear of the subject site (east) and is devoid of any significant native vegetation and/or landscaped gardens.

The existing building is built to a zero-lot line to both side boundaries – being to the north and south respectively. The adjoining development to the north (at Lot 11 DP1107652, Lot 1 DP59237 and Lot 1 DP91409 – No. 189 Bourke Street) comprises an AMPOL service station. The associated single-storey 'Foodary' building appears to have been constructed (in part) to a zero-lot line with the common side boundary. The adjoining development to the south (at Lot 1 DP783542 – No. 185 Bourke Street) comprises a modern, two-storey mixed use building that appears to contain ground floor commercial with either office or residential accommodation above. The two-storey building has been constructed to a zero-lot line with the common side boundary at all levels.

Under the provisions of the Goulburn Mulwaree Local Environmental Plan 2009 (**GMLEP 2009**), the subject land is within Zone E2 Commercial Centre and is mapped as being within the Goulburn City Heritage Conservation Area. Despite the existing building being of late Victorian character, it is not identified as comprising heritage significance at Schedule 5 of the GMLEP 2009. The neighbouring developments immediately to the north and south are also not listed as having heritage significance. To the west of the subject site, on the opposite side of Bourke Street, the Goulburn Public School campus (at Lot 2 DP810735 – No. 196 Bourke Street) Is listed as local Heritage Item No. I186.

Other developments within proximity to the subject site are characterised by either a single or two-storey built form and are predominantly commercial. In some instances, the buildings are listed as having local heritage significance.

Figures 1 and **2** below show the subject site in its local and site-specific context.

Figure 1: Local Site Context – Subject Site outlined *red* (MapBrowser (nearmap.com), image dated 1 March 2025

Figure 2: Site-specific Context– Subject Site outlined *red* (MapBrowser (nearmap.com), image dated 1 March 2025

3 Proposed Development

As demonstrated in the plans/documentation included with the DA submission, this Application seeks development consent for demolition works and the construction of a new mixed use building as detailed below.

3.1 Demolition

With reference to the Demolition Site Plan [Drawing No. DA004] prepared by Kensit Architects, the existing single-storey dwelling and all associated structures are proposed to be demolished. Other elements that are proposed to be demolished include:

- The existing front fencing to the Bourke Street frontage and the minor landscape treatments within the front setback area.
- The existing crossover to the rear laneway (Fenwick Street).
- Existing connections to reticulated utility services infrastructure (where required).

As detailed in the Heritage Impact Statement prepared by Black Mountain Projects Heritage Consultants, preliminary advice was sought from Council's Heritage Advisor – Mr. David Hobbs.

Council's Heritage Advisor has supported demolition of the existing building and structures and has encouraged replacement provided that any building be of good design quality – to improve the visual character of the heritage conservation area. A copy of the advice from Council's Heritage Advisor is reproduced in full in the Heritage Impact Statement.

3.2 Construction of New Mixed Use Building

The package of Architectural Plans prepared by Kensit Architects submitted with the DA show the siting and design of the proposed new mixed use building, which will comprise a ground floor level commercial tenancy and two residential apartments above.

In summary, the following is proposed:

Ground Floor Level

At the ground floor level, the building includes a commercial tenancy comprising an area of 125m^2. The commercial tenancy will have a direct frontage to Bourke Street incorporating commercial grade glazing and an accessible access doorway with level transition. Whilst no internal layout or fitout of the commercial tenancy space is proposed, kitchenette joinery with sink as well as a unisex accessible toilet are proposed to be provided internal to the rear of the tenancy space.

To the rear of the tenancy, the building comprises a common circulation corridor, services and waste rooms, secured residential foyer and garage parking for the residential apartments. Pedestrian access for the commercial tenant and the residential occupants is proposed via a secure gated access from the Fenwick Street frontage. From this rear access, the commercial tenant will be able to access the waste room as well as the tenancy space. The residential occupants will be able to access the waste room and secured residential foyer. Vehicular access to the garage will be via Fenwick Street. For convenience, a door from the garage to the secured residential foyer is proposed to be provided.

No on-site carparking is proposed to be provided for the commercial tenancy. Rather, it is proposed to rely on the publicly available on-street car parking along Bourke Street as well as the Fenwick Street public car parking area to the rear of the site.

First Floor Level

At the first floor level, the building is proposed to comprise two (2) residential apartments – referenced as Unit 01 and Unit 02, accessed from the secured residential foyer and fire isolated stairs. Lift access to the first floor level is not proposed.

The internal layout of the apartments is similar and generally comprises:

- Unit 01 – Proposed floor area of 87.7m^2 comprising an open plan kitchen, living and dining area, which opens out onto a covered balcony (approximately 5.5m^2) fronting Bourke Street (northwest), a moderately sized master bedroom with walk-in wardrobe and ensuite bathroom, a second bedroom with built-in wardrobe, main bathroom and a laundry.
- Unit 02 – Proposed floor area of 101.5m^2 comprising an open plan kitchen, living and dining area, which opens out onto a covered balcony (8.8m^2) fronting Fenwick Street (southeast), a moderately sized master bedroom with walk-in wardrobe and ensuite bathroom, a second bedroom with built-in wardrobe, main bathroom, European-style laundry and a study nook.

To optimise solar and daylight penetration into apartments, both the northwestern (Unit 01) and southeastern (Unit 02) end elevations are proposed to comprise two (2) operable windows and a glazed sliding door. To the roof, it is proposed to install two (2) openable skylights to the second bedroom and a fixed skylight to the kitchen. The operable windows and skylights will also assist with the natural ventilation of the apartments.

Parking for the residential apartments is proposed to be provided in the secured garage at ground floor level, which is accessed via Fenwick Street. The garage will have capacity for the parking of two (2) vehicles – being one (1) parking space per apartment.

Building Design

As documented, the proposed design is intended to respect the scale and historic forms and finishes of historic buildings within the Goulburn City Heritage Conservation Area.

In summary, the following design attributes are noted:

- The proposed building adopts zero-lot line setbacks to the front, side and rear property boundaries as well as a two-storey scale with central parapet – referencing the more traditional ‘terrace’ typologies within the immediate historic context.
- The gable pitch – being 30 degrees, creates visual continuity with existing heritage roof forms along Bourke Street.
- The Unit 01 projecting balcony/verandah element with lightweight skillion roof (5 degree pitch) creates a clear separation from the main parapet and reflects typical ‘Victorian-era’ articulation.
- Materiality and façade composition is restrained and sympathetic to traditional ‘terrace’ forms, including:
    - Simple yet cohesive façade articulation that creates a strong street address.
    - Face brickwork at ground floor level, referencing traditional masonry.

- Rendered pre-cast wall panels to the upper level and parapet to reflect a traditional finish, whilst also accommodating modern construction methods and acknowledging potential future development of adjoining properties.

- In relation to the ground floor level commercial interface with Bourke Street, the shopfront is well defined by framed glazing with highlight windows, a solid entry door and materiality and proportion that is consistent with traditional commercial frontages along Bourke Street.
- Building mechanical and service elements are suitably screened and/or are situated to the rear of the building (i.e., are not directly or highly visible from the Bourke Street frontage).

3.3 Utility Servicing and Stormwater Management

The subject site is connected to all reticulated utility services infrastructure (i.e., town water, sewer, stormwater, electrical and telecommunications).

Whilst the existing connections are proposed to be demolished as part of the demolition of the existing building, it is proposed that such connections be re-instated so as to service the new mixed use building.

In relation to stormwater, the DA is supplemented by a Stormwater Management Plan prepared by LMJ Engineering Consultants. In summary, the management strategy will involve capturing rainwater from the roof of the building and re-directing it via box gutters and down pipes to a 10kL underground rainwater tank (for re-use), which will overflow into a stormwater pit before draining via gravity to a kerb outlet in Bourke Street. Stormwater captured from the Unit 01 balcony will be directed to the same stormwater pit and kerb outlet via the installation of suitably sized stormwater pipes.

4 Strategic and Statutory Planning Context

This Section of the Report assesses the proposed development against the planning framework and planning controls applicable to the site and the development, including:

- Commonwealth legislation
- Biodiversity conservation (Section 1.7 of the EP&A Act)
- Integrated development matters (Section 4.46 of the EP&A Act)
- Matters for consideration relating to Development Applications (Section 4.15 of the EP&A Act)

4.1 Commonwealth Legislation

4.1.1 Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The EPBC Act (Commonwealth) protects matters of National Environmental Significance (**NES**), such as threatened species and ecological communities, migratory species (protected under international agreements), and National Heritage places (among others).

Any actions that will or are likely to have a significant impact on the matters of NES, require referral and approval from the Australian Government Environment Minister. Significant impacts are defined by the Commonwealth for matters of NES.

Comment

Given the site's location within the Goulburn CBD and the inherent lack of existing landscaping and mature vegetation, it is considered to be unlikely that the proposed development would have a significant impact on any matters of NES given that the subject land does not:

- support any EPBC Act listed ecological communities;
- support any EPBC Act listed flora species; or
- contain habitat of potential importance to EPBC Act listed threatened or migratory fauna species.

Given the above, an EPBC Act referral is not deemed to be warranted.

4.2 State Legislation

4.2.1 Biodiversity Conservation Act 2016

Under the Biodiversity Conservation Act 2016 (**BC Act**), the Biodiversity Offsets Scheme (**BOS**) is triggered, and a Biodiversity Development Assessment Report (**BDAR**) prepared applying the NSW Biodiversity Assessment Method (**BAM**) by an accredited BAM Assessor, must accompany a DA for a proposed development which:

1. will involve clearance of native vegetation (including trees, understorey plants, groundcover plants, and wetland plants) or a prescribed impact (as set out in clause 6.1 of the Biodiversity Conservation Regulation 2017 [**BC Regulation**]) on land identified on the Biodiversity Values Map; and/or
2. will exceed the native vegetation clearance threshold for the smallest minimum lot size associated with the subject land; and/or
3. may significantly impact one or more BC Act listed entities (i.e., threatened species or ecological communities).

Comment

This Application is not supported by a detailed biodiversity assessment on the basis that:

- The development proposed is located within the boundaries of a highly modified, long-standing commercial property, which is largely devoid of existing landscaping and mature vegetation.
- No part of the subject land is identified on the Biodiversity Values Map.
- The proposed development will not exceed the 0.25 hectare native vegetation clearance threshold associated with the subject land – being, the actual size of the allotment noting that there is no minimum lot size associated with the land under the provisions of the Goulburn-Mulwaree Local Environmental Plan 2009.
- The subject land does not comprise any significant area of vegetation that would meet the BC Act definition of native vegetation and/or a BC Act listed entity.

Given the above, the development proposed would have little (if no) impact on biodiversity values.

Refer also to the Biodiversity Values Map and Threshold Report generated by the NSW DPIE Biodiversity Values Map and Threshold Tool (**Attachment 1**) as well as the Biodiversity Values Map extract at **Figure 3** below.

Figure 3: Biodiversity Values Map Extract (NSW Planning Portal Spatial Viewer, accessed 1 September 2025)

4.3 Integrated Development

Section 4.46 of the EP&A Act requires a review of whether the proposed development on the land would trigger an approval under other environmental or related legislation. Such development is categorised as 'integrated development'.

The following provides a brief overview on whether any aspect of the development triggers a need for the consent authority to obtain general terms of approval from other relevant approval authorities.

Table 1: Assessment of Integrated Development Matters

Integrated Development Matters	
Coal Mine Subsidence Compensation Act 2017	☐ Yes ☐ No ☒ N/A
Fisheries Management Act 1994	☐ Yes ☐ No ☒ N/A
Heritage Act 1977	☐ Yes ☒ No ☐ N/A
Mining Act 1992	☐ Yes ☐ No ☒ N/A
National Parks and Wildlife Act 1974	☐ Yes ☒ No ☐ N/A
Petroleum (Onshore) Act 1991	☐ Yes ☐ No ☒ N/A
Protection of the Environment Operations Act 1997	☐ Yes ☒ No ☐ N/A
Roads Act 1993	☐ Yes ☒ No ☐ N/A
Rural Fires Act 1997	☐ Yes ☒ No ☐ N/A
Water Management Act 2000	☐ Yes ☒ No ☐ N/A
Comments. **Heritage Act 1977** The *Heritage Act 1977* provides for the protection, conservation, registration and promotion of items having a State heritage significance. Section 57 of the Act states that a person must not "demolish, despoil, excavate, alter, move, damage or destroy" any item on the State Heritage Register without a permit being granted under Section 63 of the *Heritage Act 1977*. The development proposed does not involve an item or place listed on the NSW State Heritage Register. Approval is therefore, not required under Section 57 of the *Heritage Act 1977*.	

National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (**NPW Act**) is administered by the Director-General of the National Parks and Wildlife Services, who is responsible for the control and management of all national parks, historic sites, nature reserves, and Aboriginal areas (among others). The main aim of the Act is to conserve the natural and cultural heritage of NSW. Where works will disturb Aboriginal objects, an Aboriginal Heritage Impact Permit (**AHIP**) is required.

A Basic AHIMS Web Service Search was carried out on 20 August 2025 (refer to **Attachment 2**) and confirmed that zero (0) Aboriginal sites are recorded in or near the subject location, and that zero (0) Aboriginal places have been declared in or near the subject location (being within a buffer of 200m from the subject land). Further, as the scope of the proposed development involves a highly modified and long-standing commercial property within the Goulburn CBD, it is considered unlikely that the proposed development would impact any unknown items of Aboriginal cultural heritage.

Protection of the Environment Operations Act 1997

The *Protection of the Environment Operations Act 1997* (**PoEO Act**) establishes the NSW environmental regulatory framework and includes a licencing requirement for certain activities.

The development proposed is not a defined scheduled activity under the provisions of Schedule 1 of the PoEO Act. On this basis, no additional approval is required to address this legislation.

Roads Act 1993

Section 138 of the Roads Act 1993 requires an approval from the Roads Authority (either Council or TfNSW) for certain works in, on or over a public road, or to connect to a classified road.

TfNSW is not a referring agency for the subject Application under Clause 4.46 of the EP&A Act. Rather, it is understood that the Goulburn Mulwaree Council would be the Roads Authority for any proposed works within the adjoining road reservation (i.e., Bourke Street and/or Fenwick Street). Notwithstanding, works within the adjoining road reservations are not proposed as part of this current Application.

Rural Fires Act 1997

Section 100B of the *Rural Fires Act 1997* requires that a bush fire safety authority be obtained for the subdivision of bush fire prone land that could lawfully be used for residential purposes or the development of bushfire prone land for a special fire protection purpose.

The subject land is not mapped as bushfire prone. On this basis, a bushfire safety authority is not required to be obtained.

Water Management Act 2000

There are three (3) types of integrated development referrals under the *Water Management Act 2000* (**WM Act**). These include:

- Water use approvals (section 89),
- Water management works approvals (section 90), and
- Activity approvals for works on waterfront land (section 91),

With regard to sections 89 and 90 of the WM Act, an integrated development referral to WaterNSW is not deemed to be required as the proposed development is not seeking to undertake water supply, drainage and/or flood works as defined.

In accordance with section 91(2) of the WM Act, a controlled activity approval is required to be obtained for any activity situated within 'waterfront land' (considered to be within 40m of the top of a bank of a watercourse). The NSW Department of Planning and Environment – Water (**DPE-Water**) administers section 91 of the WM Act and is required to assess the impact of any proposed controlled activity to ensure that no more than minimal harm will be done to 'waterfront land' as a consequence of carrying out the controlled activity.

Noting that there are no physical works proposed within 40m of a mapped watercourse, a controlled activity approval is not required to be obtained in this instance.

4.4 Environmental Planning Instruments

The following addresses the State Environmental Planning Policies (**SEPPs**) that are considered to be relevant to this DA.

Table 2: Assessment of Relevant SEPPs

Environmental Planning Instruments	
SEPP (Biodiversity and Conservation) 2021	☒ Yes ☐ No ☐ N/A
SEPP (Exempt and Complying Development Codes) 2008	☐ Yes ☒ No ☐ N/A
SEPP (Housing) 2021	☐ Yes ☒ No ☐ N/A
SEPP (Industry and Employment) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Planning Systems) 2021	☐ Yes ☒ No ☐ N/A
SEPP (Precincts – Central River City) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Precincts – Eastern Harbour City) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Precincts – Regional) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Precincts – Western Parkland City) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Primary Production) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Resilience and Hazards) 2021	☒ Yes ☐ No ☐ N/A
SEPP (Resources and Energy) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Sustainable Buildings) 2022	☒ Yes ☐ No ☐ N/A
SEPP (Transport and Infrastructure) 2021	☒ Yes ☐ No ☐ N/A
Comments **SEPP (Biodiversity and Conservation) 2021** This Policy provides the legislative planning framework for protecting and managing the natural environment and includes planning rules for several water catchment areas (i.e., Georges River, Hawkesbury-Nepean, Sydney Harbour and Sydney Drinking Water), foreshores and waterways, vegetation clearing in non-rural areas and Koala habitat. Chapter 2 – Vegetation in Non-Rural Areas is applicable to this Application on the basis that it applies to the clearing of vegetation on land within Zone E2 Commercial Centre. Noting that no significant vegetation is proposed to be removed as part of this current Application, the provisions of Chapter 2 of this Policy are not relevant. As such, no further consideration of Chapter 2 is required nor provided.	

Chapter 4 – Koala Habitat Protection 2021 applies to all land within the Goulburn Mulwaree Council – except for land within Zones RU1 Primary Production, RU2 Rural Landscape and RU3 Forestry, or land on which biodiversity certification has been conferred and is in force under Part 8 of the BC Act. Given the site's location within the Goulburn CBD and the inherent lack of existing landscaping and mature vegetation, it is concluded that the subject land is unlikely to currently support 'core koala habitat' and that Council should be satisfied that the proposed development is unlikely to directly impact 'core koala habitat'.

Chapter 6 – Water Catchments is applicable to this Application on the basis that a consent authority must not consent to the carrying out of development on land forming part of the Sydney Drinking Water Catchment unless it is satisfied that the carrying out of the development would have a neutral or beneficial effect (**NorBE**) on water quality.

This Application is accompanied by an Erosion and Sediment Control Plan and Stormwater Management Plan designed and certified by LMJ Engineering Consultants. The proposed water quality treatment train should be sufficient in achieving the NorBE targets with a beneficial effect on water quality leaving the development site. On this basis, Council should be satisfied that the development will have no potential impact on water quality – and thus not need to obtain the concurrence of WaterNSW.

SEPP (Exempt and Complying Development Codes) 2008

This Policy provides for a State-wide approach to enabling certain types of specified development to be undertaken without the need for Council approval as either Exempt Development or Complying Development provided land use specific development standards are met.

In this instance, the exempt and complying development provisions of the SEPP cannot be applied due to the nature and scale of the proposed development. On this basis, the development proposed is subject to the development assessment and approval process as prescribed by the provisions of the EP&A Act as detailed in this current Application.

SEPP (Housing) 2021

This Policy aims to facilitate the development of affordable and diverse housing, including boarding houses, build-to-rent housing, seniors housing, group homes, secondary dwellings, and residential apartment development. It also contains relevant provisions for the Transport Oriented Development Program and the Low and Mid-Rise Housing Policy.

Chapter 4 – Design of Residential Apartment Development is not applicable to this Application on the basis that the development proposed is less than three (3) storeys in height and contains less than four (4) dwellings.

SEPP (Planning Systems) 2021

This Policy provides the legislative planning framework for State and regionally significant development.

Chapter 2 and Schedule 6 as they relate to regionally significant development are not relevant to the proposed development. As such, the Goulburn Mulwaree Council will be the relevant determining authority for the current Application.

SEPP (Resilience and Hazards) 2021

This Policy contains planning provisions for land use planning within the coastal zone (consistent with the *Coastal Management Act 2016*) and for the management of hazardous and offensive development. It also provides a State-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

Chapter 4 – Remediation of Land is applicable to this Application on the basis that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

In this instance, there is no evidence to suggest that the land has been exposed to past land use activities and/or development practices, which have resulted in site specific material contamination.

It is, however, acknowledged that the activities associated with the adjacent service station, such as the storage of fuel in underground petroleum storage systems, have the potential to impact groundwater beneath the service station with contaminants of potential concern (**COPCs**) – which may then migrate beneath the site the subject of this current Application. Notwithstanding this possibility, it is considered to be low risk that any potential site contamination would be of a severity or extent that would limit the proposed development as provided for in this Application.

SEPP (Sustainable Buildings) 2022

This Policy aims to ensure consistency in the implementation of the BASIX scheme throughout NSW by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.

The development proposed has been assessed against the requirements of this Policy and the DA submission is accompanied by the required BASIX Certificate, which demonstrates compliance with the relevant requirements. Refer to the NatHERS Certificates also included with the DA submission.

SEPP (Transport and Infrastructure) 2021

This Policy contains planning provisions for the delivery of infrastructure (such as hospitals, roads, railways, emergency services, water supply and electricity delivery), child-care centres, schools, TAFEs and universities, and for the protection of three corridors (being the North South Rail Line, South West Rail Link extension and Western Sydney Freight Line). It also provides the land use planning and assessment framework for development at Port Kembla, Port Botany and Port of Newcastle.

Chapter 2 – Infrastructure is applicable to this Application as follows:

- Division 5 Electricity Transmission or Distribution is applicable on the basis that the development proposed includes the carrying out of development adjacent to existing electrical infrastructure. As such, it is likely that the current Application will be referred to the relevant electrical supply authority (being Essential Energy) inviting comments regarding the proposal.

Further to the above, the provisions of Division 17 Roads and Traffic are not relevant to the development as the subject land is not located on, or with direct frontage to, a classified road, and does not meet the definition of traffic generating development at Schedule 3 of the Policy.

4.5 Other Environmental Planning Instruments

4.5.1 Goulburn Mulwaree Local Environmental Plan 2009

The following addresses the relevant provisions of the Goulburn Mulwaree Local Environmental Plan 2009 (**GMLEP 2009**).

Goulburn Mulwaree Local Environmental Plan 2009	
The subject land is Zoned	E2 Commercial Centre
The proposed development is defined as:	Commercial Premises and Shop Top Housing
Is the proposed development permissible with consent?	☒ Yes ☐ No

Comments

Under the provisions of the GMLEP 2009, commercial premises and shop top housing are a permissible form of land use within Zone E2 Commercial Centre.

Commercial premises and shop top housing are defined in the GMLEP 2009 as:

commercial premises means any of the following—

(a) business premises,

(b) office premises,

(c) retail premises.

Shop top housing means one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.

By design, the proposed development proposed clearly distinguishes itself as a ground floor commercial premises with shop top housing above. Accordingly, there would appear to be no legislative impediment to determining the current Application on that basis.

There are a number of specific provisions in the GMLEP 2009 that are relevant to the assessment of the Application. These are listed and commented on in **Table 3** below. Overall, it is considered that there are no provisions in the GMLEP 2009 that would preclude the granting of development consent for the development proposal.

Table 3: Assessment of the Relevant Provisions of the GMLEP 2009

Relevant Clause	Comment
Part 1 Preliminary	
☒ 1.2 Aims of the Plan	**Comment.** The proposed development is consistent with the Aims of the Plan.
Part 2 Permitted or Prohibited	
☒ 2.3 Zone Objectives	**Comment.** The proposed development is consistent with the Objectives of the E2 Commercial Centre Zone. In particular: ▪ To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity. ▪ To encourage investment in commercial development that generates employment opportunities and economic growth. ▪ To encourage development that has a high level of accessibility and amenity, particularly for pedestrians. ▪ To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area. ▪ To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces. ▪ To ensure the scale and density of development complements the desired future character of the commercial centre. ▪ To protect the historic importance of Goulburn central business district and the integrity of Goulburn's historic built form.
☐ 2.4 Unzoned Land	☐ Yes ☐ No ☒ N/A
☐ 2.5 Additional permitted uses for particular land	☐ Yes ☐ No ☒ N/A
☐ 2.6 Subdivision – consent requirements	☐ Yes ☐ No ☒ N/A

Relevant Clause	Comment
☒ 2.7 Demolition requires development consent	☒ Yes ☐ No ☐ N/A **Comment.** Development consent is being sought for the minor demolition works as detailed in this DA submission.
☐ 2.8 Temporary use of land	☐ Yes ☐ No ☒ N/A
☐ 2.9 Canal estate development prohibited	☐ Yes ☐ No ☒ N/A
Part 3 Exempt and Complying Development	
☐ 3.1 Exempt development	☐ Yes ☐ No ☒ N/A
☐ 3.2 Complying development	☐ Yes ☐ No ☒ N/A
☐ 3.3 Environmentally sensitive areas excluded	☐ Yes ☐ No ☒ N/A
Part 4 Principal Development Standards	
☐ 4.1 Minimum subdivision lot size	☐ Yes ☐ No ☒ N/A
☐ 4.1AA Minimum lot size for community title schemes	☐ Yes ☐ No ☒ N/A
☐ 4.1A Exceptions to minimum subdivision lot sizes for certain residential development	☐ Yes ☐ No ☒ N/A
☐ 4.1B Minimum lot sizes for multi-dwelling housing, multi-dwelling housing and residential flat buildings	☐ Yes ☐ No ☒ N/A
☐ 4.1C Lot averaging subdivision in certain rural, residential and conservation zones	☐ Yes ☐ No ☒ N/A
☐ 4.1D Boundary adjustments in certain rural and conservation zones	☐ Yes ☐ No ☒ N/A
☐ 4.1E Minimum subdivision lot size for certain split zones	☐ Yes ☐ No ☒ N/A
☐ 4.2 Rural subdivision	☐ Yes ☐ No ☒ N/A
☐ 4.2A Erection of dwelling on land in certain rural and conservation zones	☐ Yes ☐ No ☒ N/A
☐ 4.2B Minimum subdivision lot size for strata subdivision of residential or tourist and visitor accommodation in certain zones	☐ Yes ☐ No ☒ N/A

Relevant Clause	Comment
☒ 4.3 Height of building	☒ Yes ☐ No ☐ N/A **Comment.** The prescriptions of this clause set a maximum building height of 15m for the subject land. With reference to the Elevations and Section Plans [Drawing Nos. DA200 and DA300] prepared by Kensit Architects, the maximum height of the proposed building is a compliant 10.16m – as measured from NGL to the apex of the pitched parapet.
☒ 4.4 and 4.5 Floor space ratio	☒ Yes ☐ No ☐ N/A **Comment.** The prescriptions of this clause set a maximum FSR of 2:1 for the subject land. The subject land has an area of 247m^2, which equates to an allowable FSR of 494m^2. As detailed in the Architectural Plans prepared by Kensit Architects, the proposed GFA is 314m^2 – excluding the garage parking, communal circulation, services and waste areas., which equates to a compliant FSR of 1.3:1.
☐ 4.6 Exceptions to development standards	☐ Yes ☐ No ☒ N/A **Comment.** No exceptions to the prescribed development standards are proposed.
Part 5 Miscellaneous Provisions	
☐ 5.1 Relevant acquisition authority	☐ Yes ☐ No ☒ N/A
☐ 5.2 Classification and reclassification of public land	☐ Yes ☐ No ☒ N/A
☐ 5.3 Development near zone boundaries	☐ Yes ☐ No ☒ N/A
☐ 5.4 Controls relating to miscellaneous permissible uses	☐ Yes ☐ No ☒ N/A
☐ 5.5 Controls relating to secondary dwellings on land in a rural zone	☐ Yes ☐ No ☒ N/A
☐ 5.6 Architectural roof features	☐ Yes ☐ No ☒ N/A
☐ 5.7 Development below mean high watermark	☐ Yes ☐ No ☒ N/A
☐ 5.8 Conversion of fire alarms	☐ Yes ☐ No ☒ N/A
☐ 5.9 Dwelling house or secondary dwelling affected by natural disaster	☐ Yes ☐ No ☒ N/A

Relevant Clause	Comment
☒ 5.10 Heritage conservation	Is the property listed under the LEP? ☐ Yes ☒ No Heritage Conservation Area? ☒ Yes ☐ No Aboriginal Place of Significance? ☐ Yes ☒ No If yes, does it satisfy Objectives/requirements of the Clause? ☒ Yes ☐ No ☐ N/A Is the land in the vicinity of a heritage item/conservation area? ☒ Yes ☐ No If yes, is the proposal satisfactory having considered the heritage significance of the adjoining development ☒ Yes ☐ No ☐ N/A **Comment.** The subject land is not listed on the State Heritage Register. Under the provisions of the GMLEP 2009, the subject land is not identified as comprising a locally listed heritage item. The subject land is, however, identified as being within the Goulburn City Conservation Area and is deemed to be within the vicinity of a number of locally listed heritage items. Accordingly, this Application is supported by a Heritage Impact Statement prepared by Black Mountain Projects Heritage Consultants [dated August 2025]. In summary, the Heritage Impact Statement concludes that subject to the implementation of the recommended heritage conditions, the development proposal will minimise any adverse heritage impacts and be consistent with the provisions of the GMLEP 2009 and the NSW Heritage Council guidelines. On that basis, Council should be satisfied that the development proposal would not have a significant adverse impact to the heritage significance of the Goulburn City Heritage Conservation Area and/or nearby heritage listed items.
☐ 5.11 Bush fire hazard reduction	☐ Yes ☐ No ☒ N/A
☐ 5.12 Infrastructure development and use of existing buildings of the Crown	☐ Yes ☐ No ☒ N/A
☐ 5.13 Eco–tourist facilities	☐ Yes ☐ No ☒ N/A
☐ 5.14 Siding Spring Observatory – maintaining dark sky	☐ Yes ☐ No ☒ N/A
☐ 5.15 Defence communications facility	☐ Yes ☐ No ☒ N/A
☐ 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones	☐ Yes ☐ No ☒ N/A

Relevant Clause	Comment
☐ 5.17 Artificial waterbodies in environmentally sensitive areas in areas operation of irrigation corporations	☐ Yes ☐ No ☒ N/A
☐ 5.18 Intensive livestock agriculture	☐ Yes ☐ No ☒ N/A
☐ 5.19 Pond based, tank-based and oyster aquaculture	☐ Yes ☐ No ☒ N/A
☐ 5.20 Standards that cannot be used to refuse consent – playing and performing music	☐ Yes ☐ No ☒ N/A
☒ 5.21 Flood planning	☒ Yes ☐ No ☐ N/A **Comment.** The subject land is above Council's flood planning level as per the *Goulburn Floodplain Risk Management Study and Plan 2022*. Notwithstanding, the land is identified as being subject to: ▪ The 1% Annual Exceedance Probability (**AEP**), which is the probability of an event being equalled or exceeded within a given year. The 1% AEP flood is approximately equal to the 1 in 100 year Average Recurrence Interval (**ARI**) flood event. ▪ Flood Planning Constraint Category (**FPCC**) No. 4 (or **FPCC4**) – meaning that it is within an area inundated by the Probable Maximum Flood (**PMF**) and outside of FPCC3. ▪ Overland flow. As per the *Goulburn Floodplain Risk Management Study and Plan 2022,* there are no flood planning controls that are applicable to residential and commercial development within FPCC4. Refer to the Flood/Local Overland Flow Impact Statement prepared by LMJ Engineering Consultants, which confirms that the development proposed complies with Council's relevant adopted flood requirements.
☒ 5.22 Special flood considerations	☒ Yes ☐ No ☐ N/A **Comment.** Whilst the subject land is situated between the flood planning level and the PMF, it is not for a sensitive or hazardous development. Further, the proposed development has been designed comply with Council's relevant adopted flood requirements, which provide reasonable allowance to ensure that the objectives of this clause are achieved and that the development will not cause risk to life or require the evacuation of people during a flood event.
☐ 5.23 Public bushland	☐ Yes ☐ No ☒ N/A
☐ 5.24 Farm stay accommodation	☐ Yes ☐ No ☒ N/A

Relevant Clause	Comment
☐ 5.25 Farm gate premises	☐ Yes ☐ No ☒ N/A
Part 6 Urban Release Areas	
☐ 6.1 Arrangements for designated State public infrastructure	☐ Yes ☐ No ☒ N/A
☐ 6.2 Public utility infrastructure	☐ Yes ☐ No ☒ N/A
☐ 6.2A Development control plan	☐ Yes ☐ No ☒ N/A
☐ 6.4 Relationship between Part and reminder of Plan	☐ Yes ☐ No ☒ N/A
Part 7 Additional Local Provisions	
☒ 7.1A Earthworks	Will the proposed development have detrimental effects resulting from extensive site excavations? ☐ Yes ☒ No ☐ N/A **Comment.** As documented on the Sections Plan [Drawing No. DA300] prepared by Kensit Architects, only minor earthworks are required to facilitate the development as proposed. Importantly, the extent of the proposed earthworks would be contained with the boundaries of the site and of a nature, which only facilitates the construction of the development within its horizontal and vertical proportions. It is expected that all earthworks would be undertaken in accordance with the conditions imposed on any subsequent development consent, but subject to detailed design lodged as part of any future application for the issue of a Construction Certificate. As such, the issue of the Construction Certificate will endorse the full nature and extent of the earthworks and required soil and water management controls.
☐ 7.2 Terrestrial biodiversity	Is the proposal likely to have an adverse impact on: Flora and fauna ☐ Yes ☒ No ☐ N/A Habitat and survival of native fauna ☐ Yes ☒ No ☐ N/A Potential to fragment, disturb or diminish biodiversity structure, function and composition ☐ Yes ☒ No ☐ N/A Connectivity ☐ Yes ☒ No ☐ N/A Appropriate measures have been proposed to avoid, minimise or mitigate the impacts of development ☐ Yes ☐ No ☒ N/A

Relevant Clause	Comment
	The development has been designed, sited and will be managed to avoid, minimise, or manage any significant adverse environmental impacts ☐ Yes ☐ No ☒ N/A **Comment.** The subject land is not identified as 'Biodiversity' on the Terrestrial Biodiversity Map.
☐ 7.3 Subdivision for residential purposes in Zones RU5 and R5	☐ Yes ☐ No ☒ N/A
☐ 7.4 Restrictions on development adjoining mineral resource areas	☐ Yes ☐ No ☒ N/A
☐ 7.5 Active street frontages	☐ Yes ☐ No ☒ N/A **Comment.** The subject land is not identified as 'Active Street Frontage' on the Active Street Frontages Map.
☐ 7.6 Gross floor area of shops in Zone E3 and MU1	☐ Yes ☐ No ☒ N/A **Comment.** The subject land is within Zone E2 Commercial Centre.

4.6 Draft Environmental Planning Instruments

Are there any Draft Environmental Planning Instruments relevant to the proposed development? ☐ Yes ☒ No

4.7 Provisions of Adopted Development Control Plans and Council Policies

The Goulburn Mulwaree Development Control Plan 2009 (**GMDCP 2009**) supplements the GMLEP 2009 by providing detailed reasoning, guidelines, controls and general information relating to the decision-making process. Together, these documents form the land use planning and development controls for the Goulburn Mulwaree LGA.

The proposed development has been sited and designed in accordance with the relevant development standards of the GMDCP 2009 as detailed below:

Table 4: Relevant Parts of the GMDCP 2009

Provisions of Development Control Plan	
Chapter 2 – Plan Objectives	☒ Yes ☐ No
Chapter 3 – General Development Controls	☒ Yes ☐ No

Chapter 4 – Principal Development Controls - Urban	☒ Yes ☐ No
Chapter 5 – Principal Development Controls – Rural	☐ Yes ☒ No
Chapter 6 – Special Development Types	☐ Yes ☒ No
Chapter 7 – Engineering Requirements	☒ Yes ☐ No
Chapter 8 – Site Specific Provisions	☒ Yes ☐ No
NOTES: Chapter 5 – Not applicable as the subject land is not within a rural context. Chapter 6 – Not applicable as the development proposed is not a 'special' development type.	

Table 5: Assessment of the Relevant Provisions of the GMDCP 2009

Relevant Section	Response
CHAPTER 2 – PLAN OBJECTIVES	
2.1 General Development Objectives	
▪ Residential land is to be developed with the creation of neighbourhoods comprising a range of densities. ▪ Residential areas should promote opportunities for walking and cycling as alternative modes for local transport. ▪ Employment uses should be sensitively designed and located to minimise conflict. ▪ Buffers are to be used to safeguard the integrity and quality of waterways and creeks. ▪ Development along waterways requires flood investigations to determine the minimum flood level and to ensure flood levels and velocity would not cause harm to life or property. ▪ Development buffers are to be used to safeguard prime agricultural land. New sensitive land uses should be located an acceptable distance from hazardous or offensive agricultural operations unless an appropriate buffer has been established. ▪ Integrated open space and drainage networks should provide the framework for an off-road pedestrian and cyclist network. ▪ Non-residential land uses shall not impact upon the amenity of the area or surrounding sensitive land uses. This would include, for example, local shops and commercial premises, schools, child care centres, places of worship, open space and recreation.	**Deemed to be satisfactory.** The development proposed is deemed to be consistent with general development objectives of the GMDCP 2009. Specifically, it is expected that the development proposed would have the following benefits: ▪ Investment in design that would ensure that urban change creates amenity, diversity and a more sustainable built form. ▪ Activation of the ground floor, which would contribute to the diversity and character of the streetscape within the Bourke Street precinct of the Goulburn CBD. The current built form provides limited interaction with the adjoining public realm. ▪ Provision of variable and affordable residential accommodation within the CBD – providing convenient and reliable access to public transport, services, activities and amenities offered by the CBD. In addition to the above, the scope of the development proposed would have no serious environmental consequence, and any perceived risk would be minor and manageable.

Relevant Section	Response
▪ Commercial land uses shall be clustered to minimise car trips and promote focus on pedestrian and cycle ways. ▪ Land uses that maintain a rural landscape should be encouraged on the edges of residential areas to provide a defined transition to rural areas and minimise potential for land use conflicts. This is particularly important where large lot residential development is near areas identified for agricultural purposes. ▪ Prime agricultural areas and areas identifying potential to yield groundwater should be safeguarded from incompatible land uses and protected given their environmental sensitivities. ▪ Investigations will be required to determine the optimum water supply and sewage servicing approach for existing and future residential and large lot residential areas. ▪ Best practice water quality controls (including water quality monitoring) should be implemented. Pre-development water quality should be maintained or enhanced in post-development run-off. The management of water should address cumulative environmental impacts and be carried out in accordance with the objectives of integrated water cycle management and water sensitive urban design.	
2.2 Locality Objectives – Goulburn City	
2.2.1 History of Development	**Noted.** No comment required.
2.2.2 Locality Characteristics	
Goulburn is the primary living and employment centre for the Goulburn Mulwaree local government area. The urban structure of Goulburn reflects its historical development. The town is dominated by a commercial grid, which is surrounded by a variety of land uses, including commercial, retail, administration, tourist and accommodation. Low density residential subdivisions surround the commercial centre to the north and west. Goulburn has natural and built boundaries, including the Main Southern Railway and the Mulwaree River to the south and east, topographical constraints to the west, and the Wollondilly River to the north. These boundaries have directed the growth of Goulburn toward the north near the Wollondilly River. Several significant land uses occupy areas adjacent to the Wollondilly River, including the Goulburn Gaol, the NSW Police Academy and sewage treatment facilities. There are 6 distinctive locality character areas beyond the conservation area in central Goulburn (refer to Figure 2-1):	**Deemed to be satisfactory.** The subject land is situated within the defined extent of the Goulburn City Heritage Conservation Area. Accordingly, this Application is supported by a Heritage Impact Statement prepared by Black Mountain Projects Heritage Consultants [dated August 2025]. The Heritage Impact Statement concludes that subject to the implementation of the recommended heritage conditions, the development proposal would not have a significant adverse impact to the heritage significance of the Goulburn City Heritage Conservation Area and/or nearby heritage listed items. In addition to the above, the subject land is noted to be outside of the defined precinct character areas of Bradfordville, Eastgrove, Garfield, Western, Ifield and Marys Mount (as defined at Figure 2-1 of the GMDCP 2009). On this basis, Part 2.2.3 of the GMDCP is not relevant to the development proposal.

Relevant Section	Response
1. Bradfordville: the area between Kenmore and the NSW Police College, on the Taralga Road approach 2. Eastgrove: the area on the slopes below Memorial Road, east of the Railway line 3. Garfield: below Combermere Street 4. Western: broadly west of Victoria Park and Fitzroy Street 5. Ifield: older streets abutting the existing conservation area whose block pattern springs off the line of Citizen Street, bounded by the Wollondilly River 6. Marys Mount: the area north of the Wollondilly River below Mary's Mount Road. The south-west and central north precincts are closely related to the town centre and share much of the established character of the heritage conservation precincts they abut, including block pattern, setbacks, building type and style, and materials.	
2.2.3 Existing Character	**Not relevant.** As stated previously, the subject land is noted to be outside of the defined precinct character areas of Bradfordville, Eastgrove, Garfield, Western, Ifield and Marys Mount (as defined at Figure 2-1 of the GMDCP 2009).
2.2.4 Desired Future Character	
The Marys Mount precinct, located at the north of Goulburn, will provide the primary source of residential land to accommodate the future growth of Goulburn to 2020, along with extensive opportunities for infill development within the existing city as required by the NSW Department of Planning and Environment. Areas west and south west of Goulburn also present the potential to accommodate large lot residential development and provide an alternative residential choice to Marys Mount and inner city areas. Residential subdivision and infill development will be well planned and coordinated. Heritage conservation areas shall be appropriately protected against insensitive development that adversely affects the integrity and importance of each heritage item and/or area. This plan will provide more detailed development controls to maintain the heritage character of defined areas. Key issues for consideration for the desired future character of Goulburn are as follows: ▪ Topography ▪ Views ▪ Urban structure ▪ Urban form and streetscape	**Deemed to be satisfactory** The subject site is not within the Marys Mount precinct. As detailed previously, the subject site is situated at the northwestern extent of the Goulburn CBD within the defined extent of the Goulburn City Heritage Conservation Area. Specifically, the subject site is within a mixed / commercial zone and despite containing a traditional late Victorian dwelling (used for commercial purposes), it is surrounded by buildings of varied and largely low value character. For instance, there is a modern service station and a modern two-storey terrace style building (of mixed use) immediately adjoining to the north and south respectively. With reference to **Section 3** of this SEE Report, the development proposal involves the demolition of the existing building and the construction of a new mixed use building (two-storeys), which will comprise a ground floor level commercial tenancy and two residential apartments above. As detailed in the Heritage Impact Statement prepared by Black Mountain Projects Heritage Consultants, the development proposal would not have a significant adverse impact to the heritage significance of the Goulburn City Heritage Conservation Area and/or nearby heritage listed items.

Relevant Section	Response
2.3 Locality Objectives - Marulan	**Not relevant.** The subject land is not situated within Marulan.
2.4 Rural Development Objectives	**Not relevant.** The subject land is not within a rural context.
2.5 Rural Locality Objectives	**Not relevant.** The subject land is not within a rural locality.
CHAPTER 3 – GENERAL DEVELOPMENT CONTROLS	
3.1 Indigenous Heritage and Archaeology	
3.1.6 Identifying Potential for Impacts upon Aboriginal Cultural Heritage Values	
A development or project has the potential to impact upon Aboriginal cultural heritage values if it involves one or more of the following: ▪ disturbance to the ground surface or to sediments below the ground surface, except where disturbance will be strictly limited to: - existing man-made manufactured surfaces (such as bitumen and concrete). - existing deposits of imported land-fill or waste material. - extremely disturbed contexts such as quarries or quarried areas (where there is no trace of the original soil and subsoil deposits or of buried former soils and subsoil deposits). ▪ disturbance to the roots, trunk or branches of old growth trees up to and more than 130 years old, which are native to the Goulburn Mulwaree local government area; ▪ impact or disturbance to the content, or immediate surrounds (up to 100 metres away) of a known or previously recorded Aboriginal site; and ▪ occurs within, or in close proximity to, a place of special or high Aboriginal cultural significance (such as an identified cultural landscape, an existing or former ceremonial ground, a burial ground or cemetery, a story place or mythological site, a former Aboriginal reserve or historic encampment, or an archaeological site of high significance). If one or more of these factors apply, or are likely to apply, to a proposed development or project, then the next step is to determine if an Aboriginal due diligence and/or heritage impact assessment is required. Note: Where reports include sensitive cultural information, they will be withheld from public exhibition.	**Noted.** The scope of the proposed development involves a highly modified and long-standing commercial property within the defined extent of the Goulburn CBD. As such, it is considered to be highly unlikely that the proposed development would impact any unknown items of Aboriginal cultural heritage. A Basic AHIMS Web Service Search was carried out on 20 August 2025 (refer to **Attachment 2**) and confirmed that zero (0) Aboriginal sites are recorded in or near the subject location, and that zero (0) Aboriginal places have been declared in or near the subject location (being within a buffer of 200m from the subject land).

Relevant Section	Response
3.1.8 Identifying what Level of Assessment is Required	
Initially any development identified as requiring and assessment of Aboriginal heritage significance will require an Aboriginal Due Diligence Assessment prepared under the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010c) and should include the minimum consultation under the Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010a). Should the due diligence assessment reveal that the site has a high potential of having Aboriginal significance or sites then a more detailed Aboriginal heritage assessment will be required. This assessment will require more extensive consultation under the Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010a). Should any excavation or impact on heritage sites or objects be needed an Aboriginal Heritage Impact Permit (AHIP) may be required from the Department of Environment and Heritage. Reference should be made in these cases to the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010b)	**Further assessment not required.** Noting the comments responding to Part 3.1.6 of the GMDCP 2009 above, it is our opinion that an Aboriginal due diligence and/or heritage impact assessment should not be required. Should any Aboriginal objects be encountered during development works, then such works would cease, and a heritage professional contacted to assess the find. Works would not be permitted to re-commence until cleared by NSW Heritage.
3.2 European (Non-Indigenous) Heritage Conservation	
3.2.1 Introduction	**Noted.** No comment required
3.2.2 Where does this Section Apply?	**Section applies.** This Section of the GMDCP 2009 applies as the subject land is situated within the defined extent of the Goulburn City Heritage Conservation Area and within proximity to a number of locally listed heritage items.
3.2.3 Objectives	**Deemed to comply.** The development proposed is consistent with the objectives of Part 3.2 of the GMDCP 2009. In particular: ▪ To conserve and enhance the heritage significance and qualities of heritage items conservation areas and archaeological remains and relics. ▪ To ensure that new infill developments are sympathetic, well designed and appropriate to the values of the heritage item or streetscape context in which it is located. ▪ To ensure a thorough assessment process is applied for any proposed demolition or removal of a heritage item or building located within a heritage conservation area including the archival recording of these buildings where required.

Relevant Section	Response
3.2.4 Definitions	**Noted.** No comment required.
3.2.5 Development Applications	**Noted.** A Development Application is required given the extent of the proposed works. This Application is supported by a Heritage Impact Statement prepared by Black Mountain Projects Heritage Consultants [dated August 2025].
3.2.6 Assistance	**Noted.** It is understood that this current Application will be referred to Council's Heritage Advisor for comment. As detailed in the Heritage Impact Statement, preliminary advice was sought from Council's Heritage Advisor – Mr. David Hobbs. Council's Heritage Advisor supported demolition of the existing building and encouraged its replacement provided that it was a building of good design quality – so as to improve the visual character of the area. A copy of the advice from Coucnil's Heritage Advisor is reproduced in full in the Heritage Impact Statement prepared by Black Mountain Projects Heritage Consultants.
3.3 General Heritage Item and Conservation Area Controls	**Deemed to be satisfactory.** Noting that this Application is supported by a Heritage Impact Statement, detailed assessment of Part 3.3 of the GMDCP 2009 is not deemed to be required nor provided. In summary, the Heritage Impact Statement concludes that subject to the implementation of the recommended heritage conditions, the development proposal will minimise any adverse heritage impacts and be consistent with the provisions of the GMLEP 2009 and the NSW Heritage Council guidelines. On that basis, Council should be satisfied that the development proposal would not have a significant adverse impact to the heritage significance of the Goulburn City Heritage Conservation Area and/or nearby heritage listed items.
3.4 Bungonia Heritage Conservation Area	**Not relevant.** The subject land is not located within the Bungonia Heritage Conservation Area.

Relevant Section	Response
3.5 Landscaping	**Not relevant.** As detailed at **Section 2** of this SEE Report, the subject land is currently devoid of any significant mature native vegetation and landscaped gardens – which is typical for the Goulburn CBD context. Noting that it is intended to adopt a zero-lot line to all property boundaries – similar to that of the neighbouring development to the south, site specific landscaping is not proposed. The lack of landscaping will not have a detrimental impact to the streetscape – which is an outcome reflected in the Heritage Impact Statement prepared by Black Mountain Projects Heritage Consultants.
3.6 Vehicular Access and Parking	
3.6.1 Parking Layout, Servicing and Manoeuvring	
▪ The layout and design of access, parking and service areas should address the needs of the site occupants and visitors as well as respecting the amenity of the area. Account should be taken of potential noise disturbance, pollution and light spillage. Car parking areas can have a significant impact on the streetscape and should therefore be carefully designed having regard to landscaping, layout and location to ensure that parking and service areas are integrated sympathetically with the development and locality. ▪ Provision should be made for various modes of transport for employees and visitors to the site. Where parking is provided it must be in a safe and efficient manner, allowing for easy access for occupants, visitors and service vehicles, whilst ensuring the safety of pedestrians and other road users. ▪ Where non-residential development is within or adjoining a residential zone, locate and design parking areas, servicing areas and the means of access/egress to: - minimise conflict between non-residential, residential and pedestrian traffic; - provide off-street parking and servicing of premises; - respect the character of the existing residential areas and streetscape character by means of siting, design and landscaping. ▪ Surface parking should be visually articulated by the use of soft and hard landscaping and the use of different surface treatments. ▪ Parking areas and accessways should be designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site. ▪ Ventilate enclosed parking areas using natural ventilation techniques. ▪ Mechanically assisted parking facilities should not be provided.	**Deemed to be satisfactory.** No on-site carparking is proposed to be provided for the commercial tenancy. Rather, it is proposed to rely on the publicly available on-street car parking along Bourke Street as well as the Fenwick Street public car parking area to the rear of the site. This proposed car parking arrangement is noted to be the same as other commercial developments within proximity to the site. Further, given that the proposed commercial tenancy has a floor area of only 125m^2 any future use (e.g., shop or offices) would not generate an excessive demand for the publicly available car parking along the Bourke Street frontage and/or that within the Fenwick Street car parking area. With reference to **Figure 2** above, there is an existing accessible car parking space provided along the Bourke Street frontage within 10-15m of the subject site. In relation to the residential apartments, it is proposed to provide one (1) car parking space per apartment within a secured garage accessed via the Fenwick Street frontage. Noting the Goulburn CBD location and availability of public transport, the provision of one (1) car parking space per apartment is deemed to be appropriate.

Relevant Section	Response
▪ Ensure public car parking and service areas are well signposted or otherwise identified from the entry point.	
3.6.2 Specific Land Use Requirements	
▪ Off-street parking shall be calculated in accordance with Table 3-2 or you may take the option of undertaking a traffic impact and parking study. ▪ Disabled standard will apply to most land uses at a rate of 1 space per 50 spaces or part thereof. The Building Code of Australia Part D prescribes the minimum requirements for the provision of parking spaces for people with disabilities. This plan does not relieve an applicant of any obligation to comply with the Building Code of Australia. ▪ Bicycle parking/racks should be considered for shopping and recreational developments.	**Deemed to be satisfactory.** Refer to the comments above responding to Part 3.6.1 of the GMDCP 2009. Bicycle parking/racks are not deemed to be essential for the development proposed. Future occupants of the residential apartments can store bicycles within the secured garage or within the apartments (if desired). Noting that the commercial tenancy is unlikely to be used for shopping or recreational purposes, bicyle parking/racks are not deemed to be required.
3.7 Crime Prevention Through Environmental Design	
3.7.1 Lighting	
Lighting plays a vital role in crime prevention and personal safety as you can see and respond to what is around you and ahead of you. Moreover, others can see you, which further reduce the likelihood of a crime being committed. The following CPTED requirements for lighting apply: ▪ all areas intended to be used at night should allow appropriate levels of visibility ▪ pedestrian pathways, lane ways and access routes in outdoor public spaces should be lit to the minimum Australian Standard (AS 1158). Lighting should be consistent in order to reduce the contrast between shadows and illuminated areas. Lighting should be designed in accordance with AS4282 – Control of the obtrusive effects of outdoor lighting ▪ lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed. Moreover, lighting should clearly illuminate the faces of users of pathways ▪ streetlights should shine on pedestrian pathways and possible entrapment spaces as well as on the road ▪ lights should be directed towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points ▪ lighting should take into account all vegetation and landscaping that may act as a entrapment spot ▪ lighting should be designed so that it is difficult for vandals to break ▪ where appropriate use movement sensitive and diffused lights	**Deemed to be satisfactory.** The development proposal does not comprise pedestrian pathways, laneways and/or access routes within outdoor public spaces. Notwithstanding, all communal building areas intended to be used at night (i.e., residential foyer, garage, secure airlock and waste storage room) would be suitably lit so as allow appropriate levels of visibility. Details of the lighting strategy for these areas would be provided as part of the detailed design phase for the issuance of a Construction Certificate. Further, it is anticipated that the existing streetlight within the adjoining Bourke Street verge would provide adequate illumination of the commercial tenancy shop-front. The existing streetlights within the Fenwick Street public car parking area would also provide adequate illumination of the secured building and garage access arrangements from that frontage. Should additional lighting be required, it would be detailed as part of the detailed design phase for the issuance of a Construction Certificate.

Relevant Section	Response
▪ avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance ▪ illuminate possible places for intruders to hide ▪ as a guide areas should be lit to enable users to identify a face 15 metres away ▪ all lighting should be maintained and kept in a clean condition with all broken or burnt out globes replaced quickly ▪ use energy efficient lamps/fittings/switches to save energy	
3.7.2 Fencing	**Not relevant.** Site fencing is not proposed.
3.7.3 Car Parking	
Poorly designed car parks whether underground or not can be a dangerous environment for their users. Through the provision of some basic design elements, such as lighting and signage, these spaces can be made safer. The following CPTED requirements for car parking apply: ▪ car parks, aisles and manoeuvring areas shall be: - designed with safety and function in mind - have dimensions in conformity with AS2890 - Parking Facilities (relevant parts of this standard are AS2890. 1 - Off-street parking, AS2890.2 - Commercial vehicle facilities, and AS2890.3 - Bicycle parking facilities) ▪ where parking spaces are to be provided for people with disabilities, these spaces are to be: - suitably located near entrances to the building and lifts/ access ramps, if required - provided in accordance with Australian Standards 1428.1 - Design for access and mobility - appropriate signage and tactile pavement treatments should also be installed, where required ▪ the design of car parking areas should incorporate the following elements: - provision of a safe and convenient vehicle entry and exit that avoids traffic/pedestrian conflict and impact on the surrounding road - the internal (vehicular) circulation network is free of disruption to circulating traffic and ensures pedestrian safety ▪ the movement of pedestrians throughout the car park should be clearly delineated by all users of the car park and minimises conflict with vehicles	**Deemed to be satisfactory.** The proposed garage is deemed to be safe, effective and efficient for day and night-time use by occupants of the residential apartments. As required, all surfaces within the garage can be painted with light-coloured paint and/or finished in light-grey concrete to reflect as much light as possible. With reference to the comments responding to Part 3.7.1 of the GMDCP 2009 above, details of the lighting within and external to the garage would be provided (as required) as part of the detailed design phase for the issuance of a Construction Certificate.

Relevant Section	Response
▪ the design of the car park should ensure that passive surveillance is possible and where appropriate, incorporate active measures such as cameras and security patrols. Car parks should be designed to minimize dark areas through the provision of appropriate lighting ▪ large car parks should incorporate communication devices such as: - intercoms - public address systems - telephones - emergency alarms ▪ to ensure users of large car parks are easily able to determine their location, exit and access points security intercoms, and the like appropriate signage is to be included ▪ all surfaces in the car park should be painted in light coloured paint or finished in light grey concrete to reflect as much light as possible ▪ all potential entrapment points should be avoided (e.g. under stairs, blind corners and wide columns). Adequate lighting and mirrors should be used when certain design features are unavoidable	
3.7.4 Entrapment Spots and Blind Corners	
Entrapment spots and blind corners provide opportunities for perpetrators of crime to hide and or commit crime. The following CPTED requirements for the avoidance of entrapment spots and blind corners apply: ▪ pathways should be direct – all barriers along pathways should be permeable (including landscaping, fencing etc) ▪ consider the installation of mirrors to allow users to see ahead and around corners – the installation of glass or stainless steel panels in stairwells can also assist in this regard ▪ entrapment spots adjacent to main pedestrian routes such as a storage area or small alley should be eliminated from all designs ▪ if entrapment spots are unavoidable they should be well lit with aids to visibility such as convex mirrors and locked after hours ▪ to eliminate excuse making for individuals to loiter, avoid placement of seating near or adjacent to ATM's, public phone boxes, toilets, corridors and isolated locations	**Deemed to be satisfactory.** Ensuring personal safety within the site has been a paramount consideration and as such, entrapment spaces within the proposed development have been minimised by sensible design and detailing of the building façades, both internally and externally around the building (front and rear).
3.7.5 Landscaping	**Not relevant.** Landscaping is not proposed.

Relevant Section	Response
3.7.6 Communal/Public Areas	
Communal or public open space areas that do not have adequate natural surveillance are a risk to personal safety. The following CPTED requirements for communal/public areas apply: ▪ position active uses or habitable rooms with windows adjacent to main communal/public areas (playgrounds, swimming pools, gardens, car parks etc) ▪ communal areas and utilities (e.g. laundries and garbage bays should be easily seen and well lit) ▪ where elevators or stairwells are provided, open style or transparent materials are encouraged on doors and/or walls of elevators/stairwells ▪ waiting areas and entries to elevators/stairwells should be close to areas of active uses, and should be visible from the building entry ▪ seating should be located in areas of active uses	**Deemed to be satisfactory.** The internal communal areas of the proposed development are secured so as to prevent public and/or unauthorised access. Whilst the natural surveillance of these areas is not possible from the upper floor level, they would be suitably lit so as to allow appropriate levels of visibility. If deemed to be required, security cameras can also be installed. Further to this, wall and ceiling materials/colours would be well-considered at the detailed design phase so as to maximise the reflection of light – with the intent being to avoid dark corridors and spaces.
3.7.7 Movement Predictors	
Movement predictors are routes which people move through on a regular and predictable basis such as a pedestrian underpass. Careful design is needed to ensure that they are not included in a development or are appropriately treated where included to reduce the risk. Through site links are another type of movement predictor, however, unlike under passes these can provide a benefit to the community if designed appropriately to ensure safety. The following CPTED requirements for movement predictors apply: ▪ pedestrian underpasses should not be included in new developments ▪ where movement predictors are used the users of it should have clear site lines so they can see what is ahead and behind at all times ▪ lighting of movement predictors is essential. Natural lighting should be used where possible with consideration given to wall and ceiling materials to help reflect light ▪ emergency intercoms, telephones and security videos should be included in the design of movement predictors. Adequate consideration should be given to who will be monitoring such equipment ▪ no entrapment spots should be included in any movement predictor	**Deemed to be satisfactory.** The main movement routes are noted to be the access to the commercial tenancy from Bourke Street and the secured airlock accessed via a gate to Fenwick Street. Noting the comments above relating to lighting, entrapment spots and communal areas, these main movement routes are able to be suitably treated so as to ensure personal safety and to deter un-authorised access and activity.

Relevant Section	Response
3.7.8 Entrances	
Entrances to all types of development that are not visible from the public domain provide an opportunity for perpetrators of crime to hide and or commit crime. Entrances to all types of development need to be clearly visible and legible so that the users can obtain entry quickly and expediently. The following CPTED requirements for entrances apply: ▪ entrances should be at prominent positions and clearly visible and legible to the users ▪ design entrances to allow users to see into the building before entering ▪ entrances should be easily recognisable through design features and directional signage ▪ minimise the number of entry points – no more than 10 dwellings should share a common building entry ▪ if staff entrances must be separated from the main entrance, they should maximise opportunities for natural surveillance from the street ▪ avoid blank walls fronting the street ▪ in industrial developments, administration/offices should be located at the front of the building	**Deemed to be satisfactory.** The public entrance to the commercial tenancy is clearly visible and legible from the Bourke Street frontage. At night, the frontage would be appropriately illuminated by the existing streetlight in the adjoining road verge and/or by lighting installed to the façade. The secure airlock at the rear of the building is clearly visible and legible from the adjoining Fenwick Street public car parking area. Passive surveillance of this gated entrance would be somewhat afforded from the balcony and bedroom window in the residential apartment above (Unit 02). The secure airlock would only be accessible by staff of the commercial tenancy and the occupants of the residential apartments.
3.8 Flood Affected Lands	
3.8.2 Application of this Chapter	
3.8.2.1 Development Outside of Adopted Flood Study Areas	**Not relevant.** The subject land is identified as flood prone in the *Goulburn Floodplain Risk Management Study and Plan,* which was adopted by Council on 16 August 2022.
3.8.2.2 Controls for Development Outside of Adopted Flood Study Areas	
3.8.2.3 Development on Land Identified as Flood Prone in the Goulburn Floodplain Risk Management Study and Plan	**Deemed to be satisfactory.** The *Goulburn Floodplain Risk Management Study and Plan* (**the Flood Study**) has previously assessed riverine flooding and associated risk in Goulburn. The subject land is noted to be above Council's flood planning level as per the Flood Study. Notwithstanding, the land is identified as being subject to: ▪ The 1% Annual Exceedance Probability (**AEP**), which is the probability of an event being equalled or exceeded within a given year. The 1% AEP flood is approximately equal to the 1 in 100 year Average Recurrence Interval (**ARI**) flood event. ▪ Flood Planning Constraint Category (**FPCC**) No. 4 (or **FPCC4**) – meaning that it is within an area inundated by the Probable Maximum Flood (**PMF**) and outside of FPCC3. ▪ Overland flow.

Relevant Section	Response
3.8.2.4 Controls for development at or below the Flood Planning Area (FPA) and the Probable Maximum Flood (PMF) in the Goulburn Floodplain Risk Management Study and Plan	**Not relevant.** As per the comments at Section 3.8.2.3 above, the subject land is above the flood planning area and is below the PMF.
3.8.2.5 Controls for development between the Flood Planning Area (FPA) and the probable Maximum Flood (PMF) in the Goulburn Floodplain Risk Management Study and Plan	**Deemed to be satisfactory.** As per the Flood Study, there are no flood planning controls that are applicable to residential and commercial development within FPCC4. Refer to the Flood/Local Overland Flow Impact Statement prepared by LMJ Engineering Consultants, which confirms that the development proposed complies with Council's relevant adopted flood requirements.
3.9 Tree and Vegetation Preservation	**Not relevant.** No trees and/or vegetation are proposed to be removed as part of this current Application.
3.10 Dryland Salinity	**Not relevant.** The subject land is not known to be affected by dryland salinity.
3.11 Waterbody and Wetland Protection	**Not relevant.** The subject land does not contain a waterbody or natural wetland.
3.12 Groundwater	**Not relevant.** The subject land is not known to be located within a potential groundwater area.
3.13 Basic Landholder Riparian Rights for Subdivision	**Not relevant.** The subject land is serviced by reticulated town water supply.
3.14 Biodiversity Management	**Deemed to be satisfactory.** Refer to the comments at **Sections 4.1.1** and **4.2.1** of this SEE Report. The subject land is not identified as 'Biodiversity' on the Terrestrial Biodiversity Map referenced at clause 7.2 of the GMLEP 2009 or the Biodiversity Values Map (Non-EPI). As per Figure 3-8 of the GMDCP, the subject land is not identified as having high environmental conservation value.
3.15 High Environmental Conservation Value Areas	
3.16 Stormwater Pollution	**Deemed to be satisfactory.** Refer to the Erosion and Sediment Control Plan and Stormwater Management Plan designed and certified by LMJ Engineering Consultants. The proposed water quality treatment train should be sufficient in achieving the NorBE targets with a beneficial effect on water quality leaving the development site.

Relevant Section	Response
3.17 Bushfire Risk Management	**Not relevant.** The subject land is not mapped as bushfire prone.
3.18 Urban Servicing (Water and Sewer)	
Controls ▪ Minimum lot sizes quoted by the LEP for zones R1 General Residential, R2 Low Density Residential and R5 Large Lot Residential (equal to or less than 2,000m²) are for serviced land where each lot created will be connected to reticulated water and sewerage services. ▪ The minimum lot size quoted for zones R5 Large Lot Residential (with lot areas greater than 2,000m2) and RU5 Village are for unserviced land. Note. Clause 7.3 of Goulburn Mulwaree Local Environmental Plan 2009 also includes considerations for residential development servicing in the R5 Large Lot Residential and RU5 Village zones. The 2000m2 lot size is expressed as a minimum and is subject to the site conditions or the type of on-site effluent management system proposed in relation to on-site wastewater management. ▪ Land zoned, E1 Local Centre, E2 Commercial Centre, E3 Productivity Support, E4 General Industrial, is intended to be serviced land where each lot created will be connected to reticulated water and sewerage services. ▪ The following provisions apply to unserviced urban land for new development in Marulan (Zones R1 General Residential, R2 Low Density Residential, R5 Large Lot Residential, E1 Local Centre, E3 Productivity Support, and E4 General Industrial).	**Deemed to be satisfactory.** The subject land is connected to reticulated water and sewerage services.
CHAPTER 4 – PINCIPAL DEVELOPMENT CONTROLS (URBAN)	
4.1 Residential Development	
4.1.1 Site Planning, Bulk, Scale and Density	
Controls Ensure the site layout integrates with the surrounding environment through: ▪ adequate pedestrian, cycle and vehicle links to street and open space networks; ▪ buildings facing streets and public open spaces; ▪ building, streetscape and landscape design relating to the site topography and the surrounding neighbourhood character. Percentage of residential development allowed in Business zones:	**Deemed to be satisfactory.** The total combined GFA of the proposed mixed use building is 314m^2 – excluding the garage parking, communal circulation, services and waste areas. The proposed ground floor commercial tenancy has a GFA of 125.1m^2, which equates to 39.8% of the GFA of the building. The shop top housing component has a proposed GFA of 188.5m^2, which equates to 60% of the GFA of the building.

▪ B2 Local Centre– 40% of gross floor area; ▪ B4 Mixed Business – 100% of gross floor area; The minimum gross floor area for dwelling units all Business zones is 150m². Developments with higher floor space ratios are to be located: ▪ within walking distance of good public transport; or ▪ within reasonable walking distance of shopping and community facilities; or ▪ where favourable physical conditions exist such as an outlook onto public open space, a wide road, corner position, a north-facing slope, rear lanes or multiple access opportunities; or on sites larger than normal infill sites (eg. greater than 1000m2). Places of public worship in R2 Low Density Residential zones. ▪ Gross floor area of places of public worship shall not exceed 150m². Multi dwelling housing density. The minimum average amount of site area required for each dwelling in dual occupancy and multi dwelling housing development is: ▪ R1 General Residential and R2 Low Density Residential – 350m² per dwelling unit. ▪ R5 Large Lot Residential (sewered land) – 1000m² per dwelling unit. ▪ R5 Large Lot Residential (unsewered land) – 1 hectare per dwelling unit. ▪ RU5 Village – 700m² per dwelling unit. Note: To ascertain minimum allowable lot sizes for individual sites reference should be made to the lot size maps (LEP 2009).	As the subject land is located within Zone E2 Commercial Centre, 40% of the GFA of the development is permitted to be for residential purposes. Noting that the proposed shop top housing component equates to 60% of the GFA of the building, a variation to this development control is requested. Further, the minimum required GFA for a dwelling unit in Zone E2 Commercial Centre is 150m^2. As detailed at **Section 3** of this SEE Report, the two (2) residential apartments proposed will have an area of 87.7m^2 and 101.5m^2 respectively. Noting that the GFA of the residential apartments is less than the required minimum, a variation to this development control is also proposed. In this instance, the proposed variations are deemed to be appropriate and supportable for the following reasons. ▪ Given the site's location within the Goulburn City Heritage Conservation Area, the height of the proposed development is required to complement the scale of the existing built form within proximity. As a result, the development proposed adopts a two-story scale and a built form that is similar to the neighbouring mixed use development to the south (which is positioned on an allotment of land that has a similar size and geometry to that the subject of this current Application). ▪ To preserve the historic character of Bourke Street, mechanical and service elements as well as the communal circulation areas and on-site resident car parking, are proposed to be positioned to the rear of the ground floor commercial tenancy, which will have a shopfront presenting to Bourke Street. Noting that the first floor level extends over the ground floor 'service' areas to the rear, it has a slightly larger GFA component than the ground floor level. This contributes to the shop top housing component being more than 40% of the GFA of the building. ▪ To achieve strict compliance with the 40% target, the shop top housing component would need to be reduced to a total GFA of 125.6m^2 and a first floor level commercial component introduced with a GFA of 63.6m^2. In our opinion, this option presents a sub-optimal 'tokenistic' outcome for the development. ▪ The proposal to provide shop top housing to the full extent of the first floor level is a far superior outcome as it presents an opportunity to provide well-designed affordable housing within a CBD context – providing convenient and reliable access to public transport, services, activities and amenities. ▪ In relation to the size of the two-bedroom residential apartments, being 87.7m^2 and 101.5m^2 respectively, it is deemed to be appropriate noting that the layout of rooms within the apartments is functional, well organised and provides a high level of amenity. Further to this, the main living areas are located to the external face of the building offering opportunity for the passive surveillance of the adjoining public domain. Consideration has also been afforded

Relevant Section	Response
	to the positioning of the bedrooms, which are oriented away from the main noise source – being the adjacent AMPOL service station. ▪ Further to the above point, it is generally accepted that a GFA of 75m^2 is appropriate for a two-bedroom, two-bathroom residential apartment. This is notable given that both of the residential apartments are proposed to be larger than 75m^2.
4.1.2 Sheds and Ancillary Structures	**Not relevant.** A shed and/or ancillary structure is not proposed.
4.1.3 Rain Gardens	**Not relevant.** A rain garden is not proposed. Refer to the Erosion and Sediment Control Plan and Stormwater Management Plan designed and certified by LMJ Engineering Consultants. The proposed water quality treatment train should be sufficient in achieving the NorBE targets with a beneficial effect on water quality leaving the development site.
4.1.4 Cut and Fill	
Controls Earthworks shall be undertaken to a maximum of 600mm excavation or fill from the natural surface level of the property. Council will assess proposals for excavation or fill greater than 600mm having regard to the visual impact of the proposed earthworks. All cut and fill shall have a setback to the boundary to permit any retaining walls to be located wholly within the property boundary and to allow fencing to be installed at the boundary.	**Deemed to be satisfactory.** With reference to the Sections Plan [Drawing No. DA300] prepared by Kensit Architects, only minor earthworks are required to facilitate the development as proposed. Specifically, it is expected that any cut and fill earthworks would be less than 600mm from the natural surface level. No retaining walls are proposed.
4.1.5 Dwelling Design	
Controls Dwelling houses and each unit of a detached dual occupancy development are not to comprise of substantially the same streetscape design of any other dwelling house or unit of a detached dual occupancy development that exists or is proposed as part of the same application within four lots either side of the development site and on either side of the road it is fronting (inclusive of the development site). This provision does not apply to attached dwellings (e.g. attached dual occupancies, semi-detached dwellings etc.) or developments within heritage conservation areas or adjoining heritage items where the development is designed to be sympathetic to existing development and period details etc.	**Not relevant.** It is noted that Part 4.1.5 of the GMDCP 2009 does not apply to development located within a heritage conservation areas. As stated previously, the subject land is located within the Goulburn City Heritage Conservation Area.

Relevant Section	Response
4.1.6 Number of Storeys	
Controls Dwellings and multi dwellings are to have a maximum of 2 storeys outside the statutory height mapped areas (Refer also to height of buildings maps in the LEP 2009).	**Deemed to be satisfactory.** As detailed at Section 4.5.1 of this SEE Report, the prescriptions of clause 4.3 of the GMLEP 2009 set a maximum building height of 15m for the subject land. With reference to the Elevations and Section Plans [Drawing Nos. DA200 and DA300] prepared by Kensit Architects, the maximum height of the proposed building is a compliant 10.16m – as measured from NGL to the apex of the pitched parapet. Notwithstanding the above, the proposed development adopts a two-storey scale with a central gabled parapet – referencing the traditional terrace typologies within the Goulburn City Heritage Conservation Area.
4.1.7 Solar Access	
Controls Residential buildings shall be designed to ensure that the principal living spaces of the proposed dwelling, adjoining residential buildings, and at least 50% of their private open space, have at least three hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice). Figure 4-3 identifies the variation of the sun's path in winter and summer. Note: Direct sunlight is achieved when 1m² of direct sunlight on the glass is received for at least 15 minutes. To satisfy 3 hours direct sunlight, 12 periods of 15 minutes will need to be achieved, however the periods do not need to be consecutive. No structure is permitted where it would prejudice the ability of adjacent lots to meet the above control or overshadow existing neighbouring solar powered devices (e.g. photovoltaic panels, solar water heaters). In circumstances where an adjacent southern lot has an east-west orientation, the following southern setbacks should be applied in order achieve the above controls: ▪ 1.5m for all single storey development within 12m of the forward building line. ▪ 3m for all single storey development behind the first 12m of the forward building line. ▪ 3m for all second storey development within 12m of the forward building line. ▪ 6m for all second storey development behind the first 12m of the forward building line. Shadow diagrams or solar access diagrams may be required by Council to demonstrate compliance with this section.	**Deemed to be satisfactory.** The subject land has a long axis oriented northwest / southeast. Adjoining the subject land to the south/southwest is a two-storey mixed use building that has been built to a zero-lot line to the common side boundary. Adjoining the subject land to the north/northeast is an AMPOL service station. The associated 'Foodary' building (single-storey) has been built to a zero-lot line to the common side boundary. With reference to the Shadow Diagrams and Solar Access Plans [Drawing Nos. DA500 and 501] prepared by Kensit Architects, proposed Unit 01 (fronting Bourke Street to the northwest) will receive >3 hours of direct sunlight to the main living area and balcony between 9am and 3pm on the winter solstice. Unit 02 (fronting Fenwick Street to the southeast) will receive partial solar access, which will be supplemented by skylights to achieve >2 hours between 9am and 3pm on the winter solstice. Given the subject land's orientation, built-to-boundary neighbours and fire rating building constraints, windows and openings to the north are not a viable proposition. As such, the level of solar access achieved is deemed to be appropriate and supportable in this instance. Further, due to the design and siting of the neighbouring mixed use building to the south/southwest, the development proposed would not cause an unreasonable overshadowing impact to the balcony at the first floor level – which is oriented to the northwest and comprises solid brick walls to either end.

Relevant Section	Response
4.1.8 Privacy Windows and balconies are not to be positioned in a location where it allows for direct views into nearby/adjoining approved habitable rooms. Balconies and second storey windows are also not to have direct views into the private open space of nearby approved residential areas unless permanent privacy elements are applied (e.g. privacy screens or high still windows). Figures 4-6 and 4-7 demonstrate appropriate ways to maintain privacy. Note: habitable rooms has the same definition as in the National Construction Code for the purposes of this Plan. Bathrooms and water closets are excepted from the above control provided that their windows are permanently frosted. Windows must not be located parallel to other windows of adjacent dwellings. However this may be permitted on the ground level if it can be demonstrated that the erection of a fence will completely restrict overlooking into the opposite room. Swimming pool pumps and other miscellaneous noise producing ancillary structures must be located at least 6m from the nearest habitable room. Sound insulation must be also be used if a swimming pool pump is within 3m of a property boundary.	**Deemed to be satisfactory.** Given the neighbouring development context and the design and siting of the development proposed, there is unlikely to be any unreasonable impact to privacy and amenity.
4.1.9 Private Open Space	
Controls Whenever possible, private open space is to be orientated to have a north easterly aspect and the principal living areas are to have direct access to the private open space (refer to Figure 4-9). Areas used for driveways, car parking, drying yards, service yards, rain gardens, rainwater tanks, services or the like shall not be included as private open space. The minimum amount of private open space required per detached, attached or semi detached dwelling is 75 m². This 75m2 of private open space must be a single contiguous area with a minimum length of 6m and width of 4m. Secondary dwellings must also provide a minimum of 75m2 of private open space in accordance with the above control.	**Deemed to be satisfactory.** With reference to the Architectural Plans included with the DA submission, the proposed residential apartments are provided with a small, covered balcony. Specifically, the following is proposed: ▪ Unit 01 – 5.5m^2 balcony facing Bourke Street, being oriented north/northwest so as to maximise solar access. ▪ Unit 02 – 8.8m^2 balcony facing Fenwick Street, being oriented east/southeast so as to maximise solar access. In this instance, the size of the proposed balconies is deemed to be appropriate and supportable on that basis that the development proposal is within easy walking distance of Belmore Park and Victoria Park, which are situated approximately 550m and 650m to the southeast and northwest respectively. Further, to this, given the CBD context, the development proposed will benefit from having convenient and reliable access to the services, activities and amenities that the CBD offers.

Relevant Section	Response
4.1.10 Setbacks	
4.1.10.1 Rear Setback **Controls** A minimum rear setback of 6m is required for all residential development. **4.1.10.2 Side Setback** **Controls** A minimum side setback of 1m is required for all residential development, which excludes all ancillary service infrastructure such as hot water services, air-conditioning units, electrical meter boxes and the like. **4.1.10.3 Front Setback** **Controls** A minimum front setback of 4.5m, measured from the forward building line to the property boundary, is required for residential development. A smaller front setback distance may only be considered if it is consistent with the front setback of adjacent dwellings constructing on subdivisions that predate this Development Control Plan. Note: garages must be setback a further 1m from the front façade of the building in accordance with the controls contained within the next section. Secondary frontages on corner allotments must be setback 3m and exclude all raised pathways, steps, parking spaces and the like.	**Deemed to be satisfactory.** The standard residential setbacks are not deemed to be relevant to the development proposed, which is for the construction of a mixed use building (commercial and residential) within a CBD context. The development proposed adopts zero-lot line setbacks to the front, side and rear property boundaries – referencing the more traditional 'terrace' typologies within the immediate historic context as well as other built-to-boundary developments within proximity.
4.1.11 Views	
Controls Step buildings to follow the slope of the land. Minimise the height of buildings and planting on the highest part of the site. Council may require an applicant to provide a survey showing the position of the proposal on its site, the location of adjoining buildings and the degree of view lost. Retain and protect existing vegetation where possible.	**Deemed to be satisfactory.** The development proposed will not have any adverse impact to existing views from adjoining buildings or public spaces. Within the Bourke Street context, the development proposed will improve views via the provision of a new building that is more sympathetic to the historic context than that which currently exists on the site.

Relevant Section	Response
4.1.12 Traffic Safety and Management	
Controls The visual impact of garages is to be minimised, as illustrated on Figure 4-10. All garage and carport entries are to be set back from the front facade of the dwelling by a minimum of 1 metre and comprise of not more that 40% or 6m of the front façade of the building, whichever is the greater. Additional or wider garages may be permitted if they are not visible from the street. For residential development, the minimum standard of provision is detailed at clause 3.4 of this plan. A minimum of two (2) parking spaces is required per dwelling unit for a dwelling house, attached dwelling, dual occupancy or semi-detached dwelling development. Single vehicle garages do not count towards this parking space requirement unless there is a minimum of 10m2 additional storage space provided within the garage, with a minimum dimension of not less than 1.5m, not including space designated for car parking, circulation space or space used as a laundry. The minimum internal width of a car parking space shall be at least 3.5m by 6.5m. This control may be varied if it can be demonstrated that the dwelling provides the equivalent area in dedicated storage space elsewhere in the building, not including pantries, wardrobes or any unenclosed space of any other room. Parking areas and driveways shall be designed in accordance with the current version of Council's Standards for Engineering Works. All driveways, paths, car parking areas are to be paved in brick pavers, bitumen, concrete or another approved manner. Use of decorative paving is encouraged. Long, straight driveways are to be avoided, eliminated or appropriately landscaped to Council's satisfaction. Paved area is to be minimised. Access for one dwelling via right of carriageways is to be a minimum of 3.5 metres in width (excludes traffic control devices), except when it is more than 40 metres long where the total minimum width increases to 5.5 metres. Landscaping with a minimum width of 0.5 metres is to be provided along the boundary of the driveway in addition to the minimum width.	**Deemed to be satisfactory.** The secured garage parking for the residential apartments is proposed to be provided at the rear of the building – fronting onto Fenwick Street. This design and siting arrangement ensures that the historic context of Bourke Street is not compromised. In relation to the residential apartments, it is proposed to provide one (1) car parking space per apartment within the secured garage accessed via Fenwick Street. Noting the Goulburn CBD location and availability of public transport, the provision of one (1) car parking space per apartment is deemed to be appropriate and supportable. No on-site carparking is proposed to be provided for the commercial tenancy. Rather, it is proposed to rely on the publicly available on-street car parking along Bourke Street as well as the Fenwick Street public car parking area to the rear of the site. This proposed car parking arrangement is noted to be the same as other commercial developments within proximity to the site. Further, given that the proposed commercial tenancy has a floor area of only 125m^2 any future use (e.g., shop or offices) would not generate an excessive demand for the publicly available car parking along the Bourke Street frontage and/or that within the Fenwick Street car parking area. The Proponent accepts that a car parking contribution may be required for any assessed short-fall of on-site commercial car parking.
4.1.13 Site facilities	
Controls Garbage bins, waste recycling areas, mailboxes and external storage facilities should be adequate in size, durable, waterproof, blend in with the development, avoid visual clutter and be accessible to the users of the building and service vehicles. Ensure garbage storage and waste recycling areas are not located adjacent to any residential habitable rooms.	**Deemed to be satisfactory.** With reference to the Floor Plans [Drawing No. DA100] prepared by Kensit Architects, a waste room is proposed to be provided internal and to the rear of the building at the ground floor level. Servicing of the waste and recycling bins would be managed by the building manager who would re-locate the bins from the waste room to the Fenwick Street frontage for servicing.

Relevant Section	Response
Provide adequate internal storage and design internal layouts to allow the building to be re-used for other purposes in the future.	Mailboxes are proposed to be affixed to the building at the ground floor level adjacent to the Bourke Street frontage. The design of the mailboxes would blend in with the building whilst maintaining adequate visibility from the street for mail servicing. Adequate storage is proposed to be provided within the layout of the proposed residential apartments. Specifically, storage cabinets are proposed internal to the apartments adjacent to the respective entranceways. Additional built-in storage is proposed to be provided in the kitchens, bedrooms, bathrooms and laundries. Storage for the commercial tenancy would be defined as part of any future proposal for the internal fit-out.
4.1.14 Energy Efficient Siting and Layout	
Controls Building shape and orientation are major influences that affect energy consumption. The most critical element of a building's form is the size and orientation of its windows. The shape of a building influences the amount of floor area that can benefit from daylight through windows. Daylight is generally useful to a depth of 4-6 metres from a window. Buildings must be designed to ensure that all floor areas are to be within a 6 metre distance of an external window. An elongated plan shape produces this characteristic, as will the use of an atrium or courtyard. Maximise north and south facades, whilst minimising east and west facades (refer to Figure 4-3 & 4-11).	**Deemed to be satisfactory.** The orientation of the proposed building is restricted to northwest and southeast given the geometry of the subject allotment and the characteristics of the built-to-boundary developments adjoining to the north and south. As a result, glazing and openings to the northern and southern elevations is not possible due to fire rating building constraints. In relation to the proposed residential apartments, they comprise appropriately dimensioned floorplates, glazing to the northwest and southwest elevations (as relevant) and roof skylights so as to maximise solar and daylight penetration. The following is noted in point: <u>Unit 01</u> ▪ The kitchen is situated within 6m of the northwest facing window and glazed sliding door to the balcony. As measured to the back cabinetry of the kitchen, the dimension is 7.3m. Together with the skylight above, the kitchen will receive adequate sunlight/daylight. ▪ The main living areas are within 4 – 6m of the northwest facing window and glazed sliding door to the balcony. ▪ The master bedroom and its associated walk-in wardrobe and ensuite bathroom is situated within 6m of the operable window to the northwest elevation. ▪ The secondary bedroom comprises two (2) openable skylights. The main bathroom, laundry and entranceway are situated within 6m of the skylights.

Relevant Section	Response
	Unit 02 ▪ The kitchen is within 7.3m of the southeast facing window and glazed sliding door to the balcony. As measured to the back cabinetry of the kitchen, the dimension is approximately 9m. Together with the skylight above, the kitchen will receive adequate sunlight/daylight. ▪ The main living areas are within 4 – 6m of the southeast facing window and glazed sliding door to the balcony ▪ The master bedroom and its associated walk-in wardrobe and ensuite bathroom is situated within 6m of the operable window to the southeast elevation. ▪ The secondary bedroom comprises two (2) openable skylights. The main bathroom, study, laundry and entranceway are situated within 6m of the skylights. In relation to the commercial tenancy, the depth of the tenancy measures 15.8m (as measured from the glazed shopfront to Bourke Street to the rear wall elevation). This results in 40% of the floorplate having adequate access to sunlight/daylight. The remainder of the tenancy (i.e., that beyond 6m of the shopfront glazing), is still expected to benefit from adequate daylight, however, it would be supplemented by artificial lighting – as is typical for a commercial context.
4.1.15 External Window Shading and Internal and External Lighting	
Controls Shading devices must be external. North facing windows can provide valuable heat gain and light in winter but should be shaded from direct sunlight in summer. East and west facing windows are difficult to shade in summer and should be minimised. South facing windows require no shading but can cause substantial heat loss in winter. Maximise north and south windows and minimise those facing east and west. For north facing walls provide horizontal shading devices such as awnings, upper floor balconies, pergolas, verandas, eaves and overhangs. Where windows face east or west, vertical shading devices such as blinds, shutters, adjustable awnings and landscaping should be used. Consider the location, shape, type and height of fully grown trees when using landscaping as a shading device. Shading materials are to comply with C1.10 of the Building Code of Australia. The choice of glass depends upon whether you want to maximise the sunlight or heat loss, or minimise heat gain into the building.	**Deemed to be satisfactory.** External shading devices for the building are not considered to be required and are therefore not proposed. Noting the northwest and southeast orientation of the proposed residential apartments, internal adjustable shading devices, such as blinds or shutters, would likely be required to provide shade in summer and to reduce heat loss in winter. The installation of such devices would be the responsibility of the future occupants of the apartments – who would furnish and decorate the internal spaces as desired. The windows/glazed doors to the residential apartments are proposed to be double glazed so as to maintain thermal comfort – i.e., by keeping the apartments cool in summer and warm in winter. This will reduce the reliance on mechanical cooling and heating appliances, which will in turn reduce the cost of utility bills. Skylights are proposed for both residential apartments. Specifically, two (2) openable skylights are proposed for the secondary bedrooms with one (1) fixed skylight proposed for the kitchens. The skylights to the secondary bedrooms are intended to maximise natural ventilation and sunlight/daylight. The skylight to the kitchens will also maximise sunlight/daylight penetration and is intended so as to reduce the reliance on artificial lighting for the main living areas.

Relevant Section	Response
The use of skylights, light wells, and atriums can let additional daylight into a building although provision of shading in summer and possible heat loss in winter will need to be considered. The need for artificial lighting can be reduced by the correct orientation and design of the building and the size and placement of windows and service areas which require high lighting levels (e.g. desks or workstations, by individual task lights). Lighting costs can be reduced by selecting low energy lamps, ballasts and fittings which provide the desired level of illumination but consume 75% less energy. Lighting controls can be fitted to ensure that lights are not left on when not required. For instance, switches should be provided for separate zones within a large room and for task lights. Time switches or movement sensors should be employed for areas with sporadic use. Lighting systems should be designed to supplement daylight in order to provide appropriate lighting levels for specific tasks.	Whilst not a DA consideration, the type of artificial lighting fixtures and fittings would be detailed as part of the detailed design phase for the issuance of a Construction Certificate. Notwithstanding, it is expected that all lighting fixtures and fittings would comprise a high energy efficiency rating. Refer also to the BASIX and NatHERS Certificates included with the DA submission, which confirm that the residential apartments achieve the required energy and thermal performance targets. In relation to the ground floor commercial tenancy, it is oriented towards Bourke Street (northwest). Internal adjustable shading devices may be required – however, such devices would only be installed as desired by the future commercial tenant. As detailed at Part 4.1.14 of the GMDCP 2009 above, the commercial tenancy is expected to receive adequate sunlight/daylight from the glazed shopfront. Notwithstanding, it is expected that artificial lighting with a high energy rating would be installed to supplement the natural light. Details of the lighting layout and fixtures and fittings would be detailed as part of the detailed design phase for the issuance of a Construction Certificate.
4.1.16 Insulation	
Controls Windows should be oriented to take advantage of the cooling summer breezes. The position of internal walls and partitions should allow the passage of air through the building although, in some cases, ceiling fans may be required. In cases where mechanical ventilation is necessary (e.g. kitchens, some computer rooms or areas where external noise levels are high), ensure that the system installed has appropriate controls which can cater for the particular use of the building whilst maximising the conservation of non-renewable energy. Significant factors affecting natural air movement are: ▪ building form and the location of windows ▪ site and landscaping features ▪ internal planning and design Ventilation can be achieved in the following ways: ▪ cross ventilation, where air enters a building from one side passing out on the other, replacing warm inside air with cooler outside air ▪ stack effect, where warm air rises through the height of the building, and is replaced by cool air at the base of the building ▪ artificial ventilation, where fans are used to extract warm air allowing it to be replaced by cool air For effective ventilation:	**Deemed to be satisfactory.** The energy efficiency of the building has been a consideration in the design. As shown on the Solar Access Diagram [Drawing No. DA501] prepared by Kensit Architects, the main living areas and master bedrooms are proposed to be naturally cross ventilated via the strategic placement of operable windows and doors. Natural ventilation of the second bedrooms is also proposed and would be afforded via the two openable skylights to the associated roof components. Within both apartments, the internal dimension between openings is not more than 14m – refer also to the comments at Part 4.1.14 of the GMDCP 2009 above. Mechanical ventilation is proposed for the main and ensuite bathrooms, which is typical for residential apartments. Refer also to the BASIX and NatHERS Certificates included with the DA submission, which confirm that the residential apartments achieve the required energy and thermal performance targets. In relation to the commercial tenancy, it is noted to have an internal dimension between openings of 15.8m, which is deemed to be appropriate in maximising natural ventilation. In this instance, windows and openings to the northern and southern elevations is not possible due to the fire rating building constraints resulting from the built-to-boundary neighbouring developments.

Relevant Section	Response
▪ locate openings on opposite sides of rooms ▪ locate windows and openings in line with each other, and where possible, in line with prevailing breezes - a low level inlet and high level outlet is preferable ▪ use water features such as fountains in strategic positions to cool breezes ▪ consider strategic positioning of vegetation to modify wind direction Use ceiling fans to provide a high level comfort on most hot days, at low running costs Use window types that provide security while allowing for good ventilation. Design buildings with a maximum internal dimension between openings of 14m to maximise natural ventilation without compromising other design elements. Ensure ventilation can be achieved by permanent openings, windows, doors or other devices, which have an aggregate opening or openable size of not less than 5% of the floor area of the room. In restaurants or buildings with kitchens where mechanical ventilation is needed, use those which operate directly above cookers, rather than designing high ventilation rates through the whole kitchen.	
4.1.17 Space Heating and Cooling	
Controls If air conditioning is necessary, install a unit with sufficient controls to ensure that it is used only when required. Consider partial air-conditioning directed to areas, rooms where it is needed, whilst the rest of the building remains naturally ventilated. When choosing heating, consider which type is most suited to your particular needs, i.e usage patterns, location of staff etc. As with other equipment select heating devices that have appropriate controls to cater for the particular use of the building whilst maximising the conservation of non-renewable energy. Use passive methods of minimising heat gain. Design buildings with window shading, appropriate insulation, and sealed against hot air infiltration during the day, incorporating ventilation and natural cooling.	**Deemed to be satisfactory** With reference to the BASIX Certificate, the main living and bedroom areas of the residential apartments are proposed to be mechanically cooled/heated via three-phase air conditioning appliances. It is generally well-known that three-phase air conditioning appliances have greater efficiency than their single-phase counterparts as well as better performance, reduced vibration and noise and a longer lifespan. Further, given the proposed internal layout of the apartments, rooms will be able to be closed off to achieve greater efficiencies with regard to cooling and heating. The ground floor commercial tenancy will also be mechanically cooled/heated via a three-phase air conditioning appliance.
4.1.18 Working Hours – Residential and Business	
Controls Council seeks to ensure that the hours of operation of businesses, commercial premises and places of work are compatible with the type of activities carried out on the premises and the relationship with neighbouring residential occupiers (e.g. for home businesses, home industries, neighbourhood shops etc.).	**Noted.** The use of the proposed commercial tenancy is not yet known. Notwithstanding, the Proponent accepts that the hours of operation associated with the proposed commercial tenancy may be conditioned to be 7.30am – 6.00pm Monday to Friday and 7.30am – 1pm on Saturday.

Relevant Section	Response
Where residential buildings are physically attached to non-residential buildings, hours of operation should not normally fall outside the hours of 7.30am and 6.00pm Monday to Friday and 7.30am and 1pm on Saturday. Hours of operation will depend on the type of use proposed, its location in relation to residential properties and the impact of extended hours on the occupiers of those properties. Where development sites are within a residential area, hours of work during site preparation and construction should not normally fall outside the hours of 7.30am and 6.00pm Monday to Friday and either 8.00am to 2.00pm on Saturday or 8.00am to 2.00pm on Sunday.	
4.1.19 Subdivision	**Not relevant.** Subdivision is not proposed.
4.2 Non-Residential Development – Retail, Commercial and Industrial	
4.2.1 Retail and Commercial (General)	
Controls Chapter 8 contains site specific provisions for: ▪ The Marulan Local Business Centre – George Street Marulan, Chapter 8.4 and ▪ The Goulburn City Business District – Chapter 8.6. These chapters relate to Council's main retail and commercial areas. Retail and commercial development outside of these areas should refer to the general principles outlined in these sub-chapters. Heritage principles are also found in Chapter 3.1. Previous design principles which are still worth referencing are contained in "Goulburn Mulwaree Good Design Statement", September 2005 – Appendix I.	**Noted.** As detailed previously, the subject land is situated within the Goulburn CBD Refer to the detailed assessment of Part 8.6 of the GMDCP 2009 below.
4.2.2 Design Principles - Industrial	**Not relevant.** The development proposed is not industrial.
4.2.3 Visual Quality - Industrial	
4.2.4 Building Setbacks – Industrial	
4.2.5 Height – Industrial	
4.2.6 External Materials and Finishes – Industrial	

Relevant Section	Response
4.2.7 Noise and Vibration – General Requirements	
Controls Council is the appropriate regulatory authority for noise related activities, such a heavy industries, mining, extractive industry, motor racing tracks and the like under the Protection of the Environment Operations Act 1997. If development sensitive to noise were to be approved on adjacent properties to the noise source, Council will be responsible for regulating any resulting noise impacts. Council recommends applicants utilise the following documents to assist them in making decisions relating to acceptable noise levels for noise generating and noise sensitive developments: ▪ NSW Industrial Noise Policy ▪ Environmental Criteria for Road Traffic Noise ▪ Noise Guide for Local Government The above documents are available from the NSW Environment Protection Authority website: www.environment.nsw.gov.au/noise The impact of noise generated by a proposal can be minimised to comply with the statutory requirements in different ways. The following guidelines address means of achieving the standards. Incorporate sound proofing for machinery or activities considered likely to create a noise nuisance during design development. Locate noisy operational equipment within a noise insulated building away from residential areas. Design logistically efficient business practises to minimise the use of equipment, movements per site, and number of vehicle movements per site per day. Where sites adjoin a residential area, limit the number of hours and times at which mechanical plant and equipment is used in conjunction with the measures described above. Ameliorate the noise and vibration impact of transport operations by using appropriate paving or track mounting and installing acoustic barriers as required to meet standards on neighbouring uses. Incorporate appropriate noise and vibration mitigation measures into the site layout, building materials, design, orientation and location of sleeping recreation/work areas of all developments proposed in areas adversely impacted upon by road or rail related noise and vibration.	**Deemed to be satisfactory.** Noting the subject site's proximity to busy roads and an AMPOL service station, the Application is accompanied by an Acoustic Assessment prepared by Pulse White Noise Acoustics (**PWNA**), which included an attended noise survey on Friday 4 July between 2pm and 3pm. Provided that the recommended architectural treatments are implemented, the proposed residential apartments would achieve the relevant required interior noise levels. The recommended architectural treatments are considered to be minor and can be adopted without impacting the design quality of the proposed development and its sympathetic contribution to the Goulburn City Heritage Conservation Area.
4.2.8 Air Pollution - Industrial **4.2.9 Mixed Use Development – Industrial and Residential**	**Not relevant.** The development proposed is not industrial. Rather it is a mixed use development proposing ground floor commercial with shop top housing above.

Relevant Section	Response
CHAPTER 7 – ENGINEERING REQUIREMENTS	
7.1 Utility Services	
Controls Applicants are to provide connections to the following services where available to the site – water, sewerage, gas, telephone and electricity, on site. Applicants are advised to liaise with the AGL (gas), Telstra (telephone), Country Energy (electricity) and Council (water and sewer) or other accredited provider as to the availability of these services, prior to submission of development applications. Sewerage and water supply design to be in accordance with the Standards for Engineering Works, July 1996. Rainwater tanks are to be provided in accordance with Council Policy. Council is not averse to applicants supplying their own power supply, provided that Country Energy approve the alternate power source. Council may require as a condition of its consent, prior to release of Certificates or plans, that satisfactory arrangements be made for the provision of a reticulated electricity supply, telephone services and a reticulated natural gas supply.	Deemed to comply. The subject site is connected to all reticulated utility services infrastructure (i.e., town water, sewer, electricity and telecommunications). Whilst the existing connections are proposed to be demolished as part of the demolition of the existing building, it is proposed that such connections be re-instated so as to service the new mixed use building.
7.2 Roads	Not relevant. No new roads are proposed as part of this current Application. The development proposed is not deemed to be a heavy haulage development. Notwithstanding, the standard of the surrounding road network is deemed to be sufficient in catering for vehicles associated with the construction of the proposed development – which is not expected to involve a large volume of heavy vehicle movements.
7.3 Drainage and Soil and Water Management	
7.3.1 Drainage (Urban)	
Controls Adequate measures designed in accordance with the current version of Council's Standards for Engineering Works, must be made during construction to ensure the land is stabilised and erosion is controlled, until the site is satisfactorily landscaped. A plan identifying the location of stabilisation methods such as stacked hay bales and sedimentation fences or geotech fabric may be required by Council prior to the release of any plans. Applicant shall have regard to the Stormwater Management Plan, April 2000. A copy is available for perusal at Council.	Deemed to be satisfactory. In relation to stormwater, the DA is supplemented by a Stormwater Management Plan prepared by LMJ Engineering Consultants – refer to Drawing Nos. C100 and C101. In summary, the management strategy will involve capturing rainwater from the roof of the building and re-directing it via box gutters and down pipes to a 10kL underground rainwater tank (for re-use), which will overflow into a stormwater pit before draining via gravity to a kerb outlet in Bourke Street. Stormwater captured from the Unit 01 balcony will be directed to the same stormwater pit and kerb outlet via the installation of suitably sized stormwater pipes.

Relevant Section	Response
Relevant matters to be considered are: ▪ urban run-off ▪ interlot drainage ▪ design criteria ▪ erosion sedimentation ▪ floodways and retention basins ▪ stormwater runoff from roofs and paved areas is to be collected on-site and retained where appropriate or disposed of to the street drainage system, drainage easement, natural drainage course or infiltration trenches to the satisfaction of Council.	As detailed on the Drainage Details Plan [Drawing No. C200], the proposed water quality treatment train should be sufficient in achieving the NorBE targets with a beneficial effect on water quality leaving the development site.
7.3.2 Water Sensitive Urban Design (Urban)	
Controls Principles of water sensitive urban design to be incorporated into subdivision design. Development must comply with the neutral or beneficial effect on water quality test State Environmental Planning Policy {SEPP Biodiversity and Conservation 2021 (Chapter 8, Sydney drinking water catchments). Drainage lines are to focus on the "natural" or existing drainage lines and integrated into the open space network. Drainage design is to minimise run off into vegetation conservation areas to assist with ongoing preservation. Detentions basins are required upstream of development (eg. Marys Mount Road) to regulate and control the runoff back to rates equal with "natural" runoff. Detention basins may also be required to regulate and control runoff to rates equal with "natural" runoff. Detention ponds and other stormwater treatment devices are to be "offline" and "at source" to ensure stormwater runoff is treated prior to entering these areas. Use of rainwater tanks will assist with minimising runoff associated with minor rainfall events. Stormwater drainage systems are to be designed in accordance with the current version of Council's Engineering Standards for Engineering Works. The piped drainage system to be designed for a 1 in 5 year storm event. Higher order storms events to be based on overland flow systems along "natural" drainage lines.	**Deemed to be satisfactory.** Refer to the comments responding to Part 7.3.1 of the GMDCP 2009 above.

Relevant Section	Response
7.3.3 Soil and Water Management	
Controls Development proposals where the area of disturbance is less than 2500m² require an Erosion and Sediment Control Plan (ESCP) (written document and site diagrams) that indicates measures to minimise erosion and sedimentation. Development proposals where the area of disturbance is 2500m² or greater should be accompanied by a Soil and Water Management Plan (SWMP) (written document and site diagrams), prepared by a suitably qualified person(s), that clearly identifies the constraints of soil erosion, sediment pollution and stormwater pollution. The SWMP should contain appropriate Best Management Practices that recognise site constraints and support ESD principles. The plan should include: ▪ soil conservation and pollution/nutrient control measures to be installed prior to clearing and earthworks and maintained until landscaping measures are complete ▪ protection measures for site access and exits ▪ catchment drainage characteristics of existing and proposed drainage patterns ▪ protection of existing overland flow paths, watercourses, stormwater kerb inlets and drains. ▪ upslope clean surface runoff diversions around the disturbed areas ▪ staggered site works to minimise disturbance ▪ rehabilitation and stabilisation of the disturbed areas ▪ measures to minimise the impacts of agricultural practices (such as the use of fertilisers, cultivation practices, tree clearing and pasture management) The SWMP should detail means to achieve no net increase in pollution of downstream waters through the use of Best Management Practices. The Plan should balance the management of runoff between farm dam storage and the needs of the downstream environment. Development of slopes greater then 20% should be avoided. Lands with slopes greater than 20% and having soil landscapes with a moderate to high soil erosion hazard are considered as sensitive areas. Development should minimise disturbance to these areas by minimising areas of cut and fill to depths of 1m. Development proposals within these areas should be accompanied by:	**Deemed to be satisfactory.** Noting that the development proposed involves an area of disturbance less than 2,500m^2, an Erosion and Sediment Control Plan has been prepared by LMJ Engineering Consultants to accompany the DA. Refer to the Erosion and Sediment Control Plan and Details [Drawing Nos. C300 and C301].

Relevant Section	Response
▪ an evaluation of the site stability (i.e. a geotechnical report) ▪ a schedule of earthworks ▪ details or appropriate construction techniques Plant species which are non-invasive to bushland should be used in landscaping and soil and water management works. All development proposals on potentially agricultural land should be accompanied by an assessment of the agricultural capability of soils on the property and the effect of the development on the agricultural capability of these soils on the property and the effect of the development on the agricultural capability of these soils.	
7.4 Easements	**Not relevant.** Easements are not deemed to be required.
7.5 Staging of Development in Urban Release Areas	**Not relevant.** The development proposed is not situated within the Common Street, Clyde Street, Long Street (Charles Valley) and Ducks Lane urban release areas.
CHAPTER 8 – SITE SPECIFIC PROVISIONS	
8.1 Goulburn City Business District	
8.1.1 Land to Which Plan Applies	**Section 8.1 Applies.** The subject land is within the Goulburn CBD as identified on the map shown as Figure 8-1-1.
8.1.2 Background Context Material	**Noted.** No comment required.
(A) Historic Context	**Noted.** No comment Required.
(B) Heritage Context	
(C) Street Character Statements	
(D) Levels of Heritage Significance	
Items of Environmental Heritage ▪ These items are of key importance to the areas character eg. building works, relics, places, landscapes, gardens, trees or vegetation of historic, scientific, cultural, social, natural or	**Noted.** The subject land is situated within the defined extent of the Goulburn City Heritage Conservation Area. Accordingly, this Application is supported by a Heritage Impact Statement prepared by Black Mountain Projects Heritage Consultants [dated August 2025].

Relevant Section	Response
aesthetic significance as listed in Schedule 5 of Goulburn Mulwaree Local Environmental Plan 2009 and shown in Figure 8-1-2. Contributory Items ▪ These items are of moderate significance and contribute to the predominant character and visual attractiveness of the Schedule 5 items above. Again shown in Figure 8-1-2. Non-Contributory Items ▪ These items are buildings or places that have either a neutral or detrimental contribution to the areas character. Such items are buildings and places not mapped as a Heritage Item or Contributory Item in Figure 8-1-2. Heritage Conservation Areas ▪ Applicable HCA's are mapped in Goulburn Mulwaree Local Environmental Plan 2009 and shown in maps HER 004, 005, 006, 007, 008, 009 and 010. The objective of the HCA is to conserve the heritage significance of the Area included associated fabric, setting and views. ▪ Clause 5.10 of Goulburn Mulwaree Local Environmental Plan 2009 details statutory requirements that need to be addressed in development applications which fall within the HCA.	The Heritage Impact Statement identifies that the proposed development includes the demolition of an existing non-contributory building and its replacement with a new mixed-use building that respects the scale and historic forms and finishes of the historic buildings within the Conservation Area. Importantly, the Heritage Impact Statement concludes that subject to the implementation of the recommended heritage conditions, the development proposal would not have a significant adverse impact to the heritage significance of the Goulburn City Heritage Conservation Area and/or nearby heritage listed items.
(E) Protective Structures in the Public Domain	
Controls Generally all buildings in a commercial centre should have permanent protective structures over footpaths. The only exceptions are where such structures are not compatible with the heritage or architectural values of the building. This is usually the case with civic buildings, churches, and often with banks. Where a building has heritage value either as a Heritage Item or is contributory to a heritage precinct or Heritage Conservation Area, the approach should be to restore on the basis of known evidence, preferably photographic, as well as by the detailed examination of the structure and surrounds. Where the evidence is lacking, appropriation of conjectural detail from a nearby structure of similar form and style may be reasonable. Where an existing building is not consequential in heritage terms, or a new building is proposed, the protective structure should be complementary to the building in terms of form, material, detail etc, and compatible to the row if it is in a row of like buildings. The options are identified in Figure 8-1-3 below.	**Not relevant.** There is no existing and continuous protective structure over the pedestrian footpath within the Bourke Street verge – being the full eastern alignment extending from Goldsmith Street (north) to Clifford Street (south). The only exception is the protective structure extending over the footpath from the commercial building at 173 Bourke Street (Lots 14 & 15 DP1071141). Noting the above, the development proposal does not comprise a protective structure – which is typical of the existing context.

Relevant Section	Response
Generally protective structures over footpaths are light, open, timber or steel structures. The structural members are normally exposed and the structure unlined so that any upper floor is exposed and any roofing is exposed to the underside. This gives them a light and airy appearance, appropriate to their function and location. All structures need to be carefully crafted as with a piece of joinery or street furniture, as the whole structure is exposed to view. All structures also need to be robust given their exposure to public use and risk. The traditional materials are usually timber for the structure with often metals including cast iron for decorative elements. The timbers are always planed and usually shaped such as with stop chamfering, with hardwood tongue and groove flooring which falls to the kerb, and corrugated profile roofing. These materials are appropriate for reinstatements. It may be appropriate to use other materials such as steel and metals, or glass and acrylics with new structures. Post supported structures are often appropriate in heritage precincts and Heritage Conservation Areas both for new structures and restorations. Posts can enhance the rhythm and composition of a building and streetscape, provide a protective edge to the pedestrian space, and frame the views in and out. They should be placed so as to minimise obstruction of pedestrian access, and the structure designed so that it will continue to stand intact even if a corner post or posts are damaged or removed due to a vehicle or similar collision.	
(F) Principles for Goulburn CBD	
Controls Commercial Development ▪ New, infill and alteration developments are to respect and contribute to the special character of the CBD demonstrated in the street character statements; ▪ Prominent corner buildings are to maintain the traditional corner design element of addressing both street facades with a prominent tower-like corner element and generally splayed entrance or corner; ▪ Façade and restoration works are to be based on sound historical or physical evidence (Reference Main Street Study); ▪ New large scale developments are to respect and retain the existing grid subdivision street pattern; ▪ Intrusive elements such as uncomplimentary oversized buildings, unsympathetic alterations and additions, large sizes, horizontal facades, inappropriate colour schemes, and out of character design elements must be avoided. Residential Development	**Deemed to be satisfactory.** Refer to the comments responding to Part 8.1.2(D) of the GMDCP 2009 above.

Relevant Section	Response
▪ Proposed residential development in the mixed business area is to keep uniform single to two-storey cohesiveness of streetscapes including leafy quality in accordance with their identified street characteristics. ▪ No intrusive changes or elements will be permitted in the residential portions of the study area including high, visually impenetrable front fences, the painting and rendering of face brick facades, the removal of original detailing, or unsympathetic alterations and additions such as first floor additions. Demolition ▪ Buildings that are listed as heritage items and contributory items should not be demolished unless such demolition is justified in a Heritage Impact Statement (HIS). Applicants must retain as much as possible of the existing building fabric particularly those aspects that contribute towards the items visual / heritage significance and the identified streetscape qualities. This process must be informed by an assessment of the heritage / streetscape significance of the items (this does not apply to the removal of unsympathetic elements). ▪ Non – contributory items may be demolished but must be replaced by a building that will contribute to the character and significance of the streetscape	
(G) Views and Vistas	**Deemed to be satisfactory.** The development proposed will not have any adverse impact to existing views from adjoining buildings or public spaces.
(H) Economic Viability and Social Values	
Controls All new developments are to demonstrate a contribution to the economic viability of the Business District. New development may achieve this outcome by: ▪ Following Council's precinct based approach to land use distribution ▪ Contributing to: vibrant north south Auburn Street accommodating a range of retail and commercial business. ▪ an improved east west activity path, including redevelopment of laneways into supporting niche retail precincts below residential development to increase population mass. ▪ the dedicated commercial office precinct at the western fringe of the CBD to allow the CBD to remain as a concentrated retail precinct with high pedestrian activity focused on hospitality services and shop front retailing.	**Deemed to be satisfactory.** It is expected that the development proposed would have the following benefits for the Goulburn CBD: ▪ Investment in design that would ensure that urban change creates amenity, diversity and a more sustainable built form. ▪ Activation of the ground floor of the development would contribute to the diversity and character of the streetscape in this part of the Goulburn CBD. The current built form provides limited interaction with the adjoining public realm. ▪ Provision of variable and affordable residential accommodation within the CBD – providing convenient and reliable access to services, activities and amenities offered by the CBD.

Relevant Section	Response
▪ large format household goods retailing concentration at the northern end of the CBD. This area presents the leading location for larger format retail and commercial space given the size of the sites, their gateway location and high exposure to passing trade. ▪ the development of residential development of different housing types throughout the precincts is fundamental to broadening the range of socioeconomic backgrounds of the CBD's residents. This enrichment of the social fabric of the CBD is necessary to maintain the values of the CBD as a social service centre and its commercial role for residents and visitors.	
(I) Landscape and Access	
New developments are to contribute, in-kind or by monetary means towards the following public domain treatments: ▪ heritage parks, plazas, urban and suburban walkways and lane ways. ▪ green link connection following the line of drainage from south of the CBD through Manfred Park towards the Mulwaree River. ▪ green link along the historic east-west axis connecting the CBD with the Mulwaree River foreshore and Victoria Park. ▪ additional street tree planting in Sloane Street along the rail edge and in residential streets surrounding the CBD. ▪ traffic control measures.	**Noted.** No comment required.
(J) Strategies	**Deemed to comply.** The development proposed is deemed to be consistent with the Goulburn CBD Master Plan and would not compromise the achievement of the key strategies of the Plan – being to consolidate, integrate, humanise and connect the CBD core.
APPENDIX I – GOULBURN MULWAREE GOOD DESIGN STATEMENT 2005	**Deemed to comply.** Through good design, the development proposed is deemed to be compatible with the vision for the Goulburn CBD, which is to 'maintain and enhance Goulburn's CBD and its historic charm and a visually attractive destination for its people and visitors'.

Relevant Section	Response
APPENDIX J – FLOOD POLICY	**Deemed to comply.** As detailed at the comments responding to Part 3.8 of the GMDCP 2009 above, there are no flood planning controls that are applicable to residential and commercial development within FPCC4. Also refer to the Flood/Local Overland Flow Impact Statement prepared by LMJ Engineering Consultants, which confirms that the development proposed complies with Council's relevant adopted flood requirements.

4.8 Planning Agreements

Is the application and development of the land subject to a planning agreement (existing/proposed) ☐ Yes ☒ No

Planning Agreements
Comments No further comment required.

4.9 The Regulations

Regulations	
Does the proposed development involve demolition?	☒ Yes ☐ No
Does the proposed development involve the construction of a manor house or multi dwelling housing (terraces)	☐ Yes ☒ No
For development involving the rebuilding, alteration, enlargement or extension of an existing building, is it considered appropriate to require the upgrading of the existing building to ensure fire safety standards	☐ Yes ☐ No ☒ N/A
For the erection of a temporary structure will the fire protection and structural capacity be appropriate and will the surface on which the structure is to be erected suitable to sustain the structure while in use	☐ Yes ☐ No ☒ N/A

Comments

Demolition

The proposed development involves the demolition of the existing building as shown on the Demolition Site Plan [Drawing No. DA004] prepared by Kensit Architects.

Accordingly, the demolition process will need to be carried out strictly in accordance with the relevant Australian Standard/s and Work Health and Safety Regulations.

4.10 Likely Impacts of the Development

4.10.1 Environmental Impacts - Natural

Is this proposal satisfactory, having consideration to the impact on the environment in terms of:	
Landforms	☐ Yes ☐ No ☒ N/A
Drainage/hydrology/watercourses	☐ Yes ☐ No ☒ N/A
Water quality	☒ Yes ☐ No ☐ N/A
Vegetation	☒ Yes ☐ No ☐ N/A
Erosion and sedimentation	☒ Yes ☐ No ☐ N/A
Marine environment	☐ Yes ☐ No ☒ N/A
Other	☐ Yes ☐ No ☒ N/A
Comments No further comment required.	
Is the proposal satisfactory having regard to:	
Provision of landscaping	☐ Yes ☐ No ☒ N/A
Preservation of existing vegetation	☐ Yes ☐ No ☒ N/A
Setbacks to watercourses/riparian buffers	☐ Yes ☐ No ☒ N/A
Provisions of any property vegetation plan	☐ Yes ☐ No ☒ N/A
Comments No further comment required.	

4.10.2 Biodiversity Considerations

Biodiversity Considerations	
Will the proposed development involve clearing native vegetation	☐ Yes ☒ No ☐ N/A
Will any part of the proposed development take place on land nominated on the Biodiversity Values Map	☐ Yes ☒ No ☐ N/A

Will any proposed clearing exceed the nominated threshold for the land	☐ Yes ☒ No ☐ N/A
Is the application supported by a development biodiversity assessment report	☐ Yes ☐ No ☒ N/A
Comments Refer to the comments at **Sections 4.1.1** and **4.2.1** of this SEE Report.	

4.10.3 Environmental Impacts – Hazards

Is the proposal satisfactory having regard to:	
Soil instability/subsidence/slip/mass movement, uncompacted fill	☐ Yes ☐ No ☒ N/A
Contaminated land provisions or listings	☒ Yes ☐ No ☐ N/A
Other	☐ Yes ☐ No ☒ N/A
Comments **Contaminated Land Provisions or Listings** Refer to the discussion at **Section 4.4** of this SEE Report, which responds to the provisions of SEPP (Resilience and Hazards).	

4.10.4 Environmental Impacts – Built

Is the proposal satisfactory having regard to:	
Impact on adjoining land and the locality?	☒ Yes ☐ No ☐ N/A
The amenity of the area?	☒ Yes ☐ No ☐ N/A
Appearance from public spaces?	☒ Yes ☐ No ☐ N/A
Noise/lighting impacts on adjoining developments or roads etc?	☒ Yes ☐ No ☐ N/A
Existing noise sources?	☒ Yes ☐ No ☐ N/A
The scenic qualities and features of the landscape and streetscape?	☒ Yes ☐ No ☐ N/A
The design, scale and character of the area?	☒ Yes ☐ No ☐ N/A
Sunlight and overshadowing?	☒ Yes ☐ No ☐ N/A

Visual impact?	☒ Yes ☐ No ☐ N/A
View sharing?	☐ Yes ☐ No ☒ N/A
The positioning of buildings?	☒ Yes ☐ No ☐ N/A
Boundary treatments, retaining walls and impact on neighbouring buildings	☒ Yes ☐ No ☐ N/A
Is the road system adequate to cater for any increase in traffic movements generated by the proposal?	☒ Yes ☐ No ☐ N/A
Is vehicular access satisfactory?	☒ Yes ☐ No ☐ N/A
Is carparking provided and adequate?	☒ Yes ☐ No ☐ N/A
Is a carparking contribution appropriate?	☒ Yes ☐ No ☐ N/A
Has the availability, accessibility and adequacy of public transport been considered in the assessment of this proposal?	☒ Yes ☐ No ☐ N/A
Is pedestrian access satisfactory?	☒ Yes ☐ No ☐ N/A
Comments Refer to the detailed description of the development proposal and the assessment of the relevant provisions of the GMDCP 2009 at **Sections 3** and **4.7** of this SEE Report.	

4.10.5 Social and Economic Impact

Will the proposal have a social and economic impact	☒ Yes ☐ No ☐ N/A
Comment Refer to the comments responding to Part 8.1.2(H) of the GMDCP 2009 above at **Section 4.7** of this SEE Report.	

4.10.6 Public Interest

Would approval of the development be in the public interest?	☒ Yes ☐ No ☐ N/A
Have the principles of ecologically sustainable development been considered in the assessment of this development under the *Environmental Planning & Assessment Act 1979*?	☒ Yes ☐ No ☐ N/A
Has the precautionary approach been considered in the assessment of this development?	☐ Yes ☐ No ☒ N/A
Have the potential impacts of sea level rise been considered in the assessment of this development?	☐ Yes ☐ No ☒ N/A

4.10.7 Crime Prevention Through Environmental Design

Will the proposed development satisfy the Principles of Crime Prevention Through Environmental Design?	☒ Yes ☐ No ☐ N/A
Comment Refer to the comments responding to the relevant provisions of the GMDCP 2009 at **Section 4.7** of this SEE Report.	

5 Conclusion

This Application proposes demolition and the construction of a new mixed use building at Lot 5 DP778947, No. 187 Bourke Street, Goulburn NSW

The scope of the proposal has been assessed in accordance with the provisions of all relevant State legislation and adopted guidelines, the Goulburn Mulwaree Local Environmental Plan 2009 and adopted Goulburn Mulwaree Development Control Plan 2009 and has been found to be an acceptable development.

Based on the information contained within this Statement of Environmental Effects Report and the technical documentation included with the DA submission, it is our opinion that there would be no sustainable grounds to refuse the issue of development consent.

Attachment 1 – BMAT Report

Department of Planning and Environment

Biodiversity Values Map and Threshold Report

This report is generated using the Biodiversity Values Map and Threshold (BMAT) tool. The BMAT tool is used by proponents to supply evidence to your local council to determine whether or not a Biodiversity Development Assessment Report (BDAR) is required under the Biodiversity Conservation Regulation 2017 (Cl. 7.2 & 7.3).

The report provides results for the proposed development footprint area identified by the user and displayed within the blue boundary on the map.

There are two pathways for determining whether a BDAR is required for the proposed development:

1. Is there Biodiversity Values Mapping?
2. Is the 'clearing of native vegetation area threshold' exceeded?

Biodiversity Values Map and Threshold Report

Date of Report Generation		20/08/2025 1:49 PM
1. Biodiversity Values (BV) Map - Results Summary (Biodiversity Conservation Regulation Section 7.3)		
1.1	**Does the development Footprint intersect with BV mapping?**	no
1.2	Was ALL BV Mapping within the development footprinted added in the last 90 days? (dark purple mapping only, no light purple mapping present)	no
1.3	**Date of expiry of dark purple 90 day mapping**	N/A
1.4	**Is the Biodiversity Values Map threshold exceeded?**	no
2. Area Clearing Threshold - Results Summary (Biodiversity Conservation Regulation Section 7.2)		
2.1	**Size of the development or clearing footprint**	247.9 sqm
2.2	**Native Vegetation Area Clearing Estimate (NVACE)** (within development/clearing footprint)	6.2 sqm
2.3	**Method for determining Minimum Lot Size**	Lot size
2.4	**Minimum Lot Size** (10,000sqm = 1ha)	250 sqm
2.5	**Area Clearing Threshold** (10,000sqm = 1ha)	2,500 sqm
2.6	**Does the estimate exceed the Area Clearing Threshold?** (NVACE results are an estimate and can be reviewed using the Guidance)	no

REPORT RESULT: Is the Biodiversity Offset Scheme (BOS) Threshold exceeded for the proposed development footprint area? (Your local council will determine if a BDAR is required)	**no**

What do I do with this report?

• If the result above indicates the BOS Threshold has been exceeded, your local council may require a Biodiversity Development Assessment Report with your development application. Seek further advice from Council. An accredited assessor can apply the Biodiversity Assessment Method and prepare a BDAR for you. For a list of accredited assessors go to: https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor.

• If the result above indicates the BOS Threshold has not been exceeded, you may not require a Biodiversity Development Assessment Report. This BMAT report can be provided to Council to support your development application. Council can advise how the area clearing threshold results should be considered. Council will review these results and make a determination if a BDAR is required. Council may ask you to review the area clearing threshold results. You may also be required to assess whether the development is '"likely to significantly affect threatened species" as determined under the test in Section 7.3 of the *Biodiversity Conservation Act 2016*.

• If a BDAR is not required by Council, you may still require a permit to clear vegetation from your local council.

• If all Biodiversity Values mapping within your development footprint was less than 90 days old, i.e. areas are displayed as dark purple on the BV map, a BDAR may not be required if your Development Application is submitted within that 90 day period. Any BV mapping less than 90 days old on this report will expire on the date provided in Line item 1.3 above.

For more detailed advice about actions required, refer to the Interpreting the evaluation report section of the Biodiversity Values Map Threshold Tool User Guide .

Review Options:

• If you believe the Biodiversity Values mapping is incorrect please refer to our BV Map Review webpage for further information.

• If you or Council disagree with the area clearing threshold estimate results from the NVACE in Line Item 2.6 above (i.e. area of Native Vegetation within the Development footprint proposed to be cleared), review the results using the Guide for reviewing area clearing threshold results from the BMAT Tool.

Acknowledgement

I, as the applicant for this development, submit that I have correctly depicted the area that will be impacted or likely to be impacted as a result of the proposed development.

Signature: Elizabeth Slapp

(Typing your name in the signature field will be considered as your signature for the purposes of this form)

Date: 20/08/2025 01:49 PM

Biodiversity Values Map and Threshold Tool

The Biodiversity Values (BV) Map and Threshold Tool identifies land with high biodiversity value, particularly sensitive to impacts from development and clearing.

The BV map forms part of the Biodiversity Offsets Scheme threshold, which is one of the factors for determining whether the Scheme applies to a clearing or development proposal. You have used the Threshold Tool in the map viewer to generate this BV Threshold Report for your nominated area. This report calculates results for your proposed development footprint and indicates whether Council may require you to engage an accredited assessor to prepare a Biodiversity Development Assessment Report (BDAR) for your development.

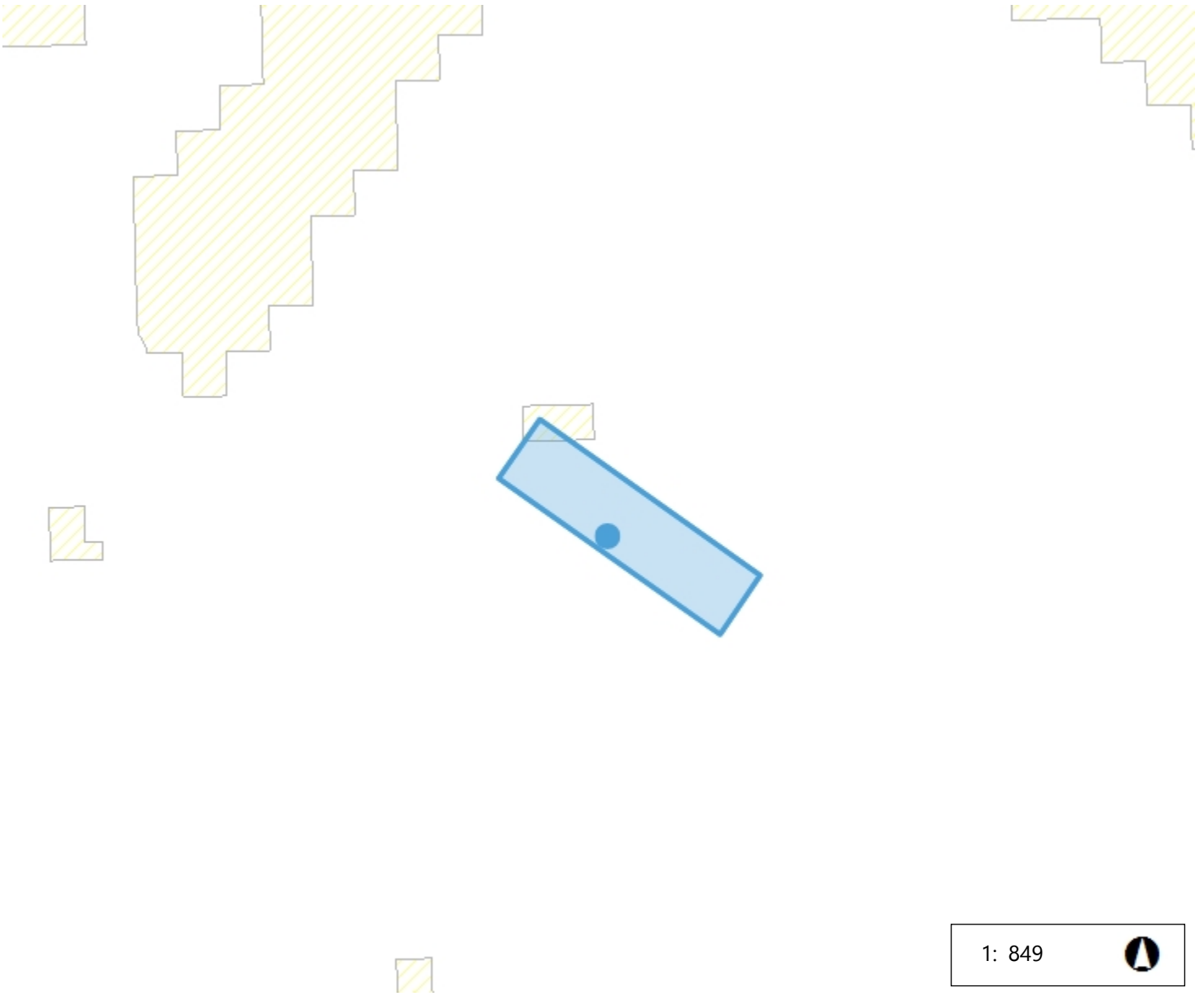
This report may be used as evidence for development applications submitted to councils. You may also use this report when considering native vegetation clearing under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 2 vegetation in non-rural areas.

What's new? For more information about the latest updates to the Biodiversity Values Map and Threshold Tool go to the updates section on the Biodiversity Values Map webpage.

Map Review: Landholders can request a review of the BV Map where they consider there is an error in the mapping on their property. For more information about the map review process and an application form for a review go to the Biodiversity Values Map Review webpage.

If you need help using this map tool see our Biodiversity Values Map and Threshold Tool User Guide or contact the Map Review Team at map.review@environment.nsw.gov.au or on 1800 001 490.

Biodiversity Values Map



1: 849

43.1 0 21.56 43.1 Metres

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Legend

- Biodiversity Values that have been mapped for more than 90 days
- Biodiversity Values added within last 90 days
- Native Vegetation Area Clearing Estimate (NVACE)
- Development area selected by proponent

20/08/2025 01:49 PM

The results provided in this tool are generated using the best available mapping and knowledge of species habitat requirements.

This map is valid as at the date the report was generated. Checking the Biodiversity Values Map viewer for mapping updates is recommended.

Attachment 2 – BASIC AHIMS Search Result

AHIMS Web Services (AWS)
Search Result

Your Ref/PO Number : Bourke

Client Service ID : 1035532

Elizabeth Slapp

13 Hakea Place

Tura Beach New South Wales 2548

Attention: Elizabeth Slapp

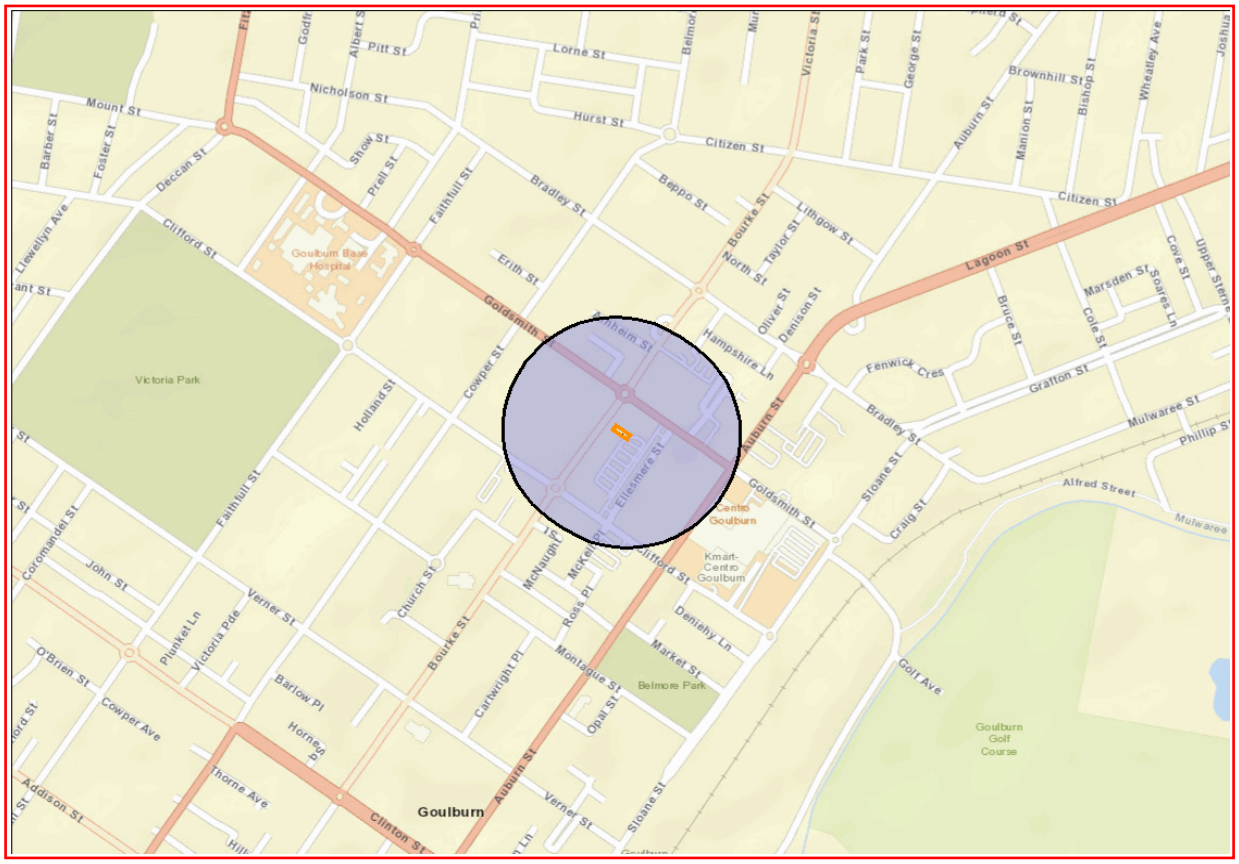
Email: elizabeth@planned.net.au

Date: 20 August 2025

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 5, DP:DP778947, Section : - with a Buffer of 200 meters, conducted by Elizabeth Slapp on 20 August 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. ***

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the NSW Government Gazette (https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

Level 6, 10 Valentine Ave, Parramatta 2150
Locked Bag 5020 Parramatta NSW 2124
Tel: (02) 9585 6345

ABN 34 945 244 274
Email: ahims@environment.nsw.gov.au
Web: www.heritage.nsw.gov.au