

15.3 LOT 10 LANSDOWNE STREET PLANNING PROPOSAL AND DEVELOPMENT CONTROL PLAN AMENDMENT

Author: Nick Thistleton, Graduate Strategic Planner

Authoriser: Warwick Bennett, General Manager

Attachments: 1. Lansdowne Street Rezoning Lot 10 DP 1247119 Kingsdale Consulting Pty Ltd 20190617  
2. Lansdowne Street Site Specific DCP Provisions  

Link to Community Strategic Plan:	EN4 Maintain a balance between growth, development and environment protection through sensible planning
Cost to Council:	\$2600 (amount to be refunded)
Use of Reserve Funds:	Nil

RECOMMENDATION

That

1. The report from the Graduate Strategic Planner regarding the planning proposal at Lot 10 Lansdowne Street be received.
2. Council endorse the planning proposal to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to rezone Lot 10 DP1247119 from B6 Enterprise Corridor with a floor space ratio of 0.8:1 to R5 Large Lot Residential with no floor space ratio and a minimum lot size of 1000m².
3. Council forward the planning proposal to the Department of Planning, Industry and Environment for a gateway determination.
4. In the event that the NSW Department of Planning, Industry and Environment issues a gateway determination to proceed with the planning proposal, consultation be undertaken with the community and government agencies in accordance with any directions of the gateway determination.
5. The Department of Planning, Industry and Environment be advised that Council wishes to be issued with an authorisation to use delegation for this planning proposal.
6. Council refund the \$2,600 lodgement fee paid and waive any future planning proposal fees applicable.
7. The site specific amendment to the *Goulburn Mulwaree Development Control Plan 2009* attached to this report be placed on public exhibition for a minimum period of 28 days commencing the same day as the public exhibition period for the aforementioned planning proposal.

BACKGROUND

A proposed amendment to the *Goulburn Mulwaree Local Environmental Plan 2009* (GM LEP) to rezone land at Lansdowne Street and Theatre Drive from B6 Enterprise Corridor with a floor space ratio of 0.8:1 to part R5 Large Lot Residential with a minimum lot size of 1000m² and no floor space ratio and part E3 Environmental Management with a minimum lot size of 10000m² has been previously considered by Council.

The decision was made at the time to proceed with the rezoning as proposed with the exception of the proposed zoning for Lot 10 DP1247119, which surrounds the northern and western boundary of the Theatre Drive subdivision (**Figure 1**).

This lot was deferred pending consideration of an alternate access from Theatre Drive to Robinson Street instead of Lansdowne Street and the development of site specific development controls that are intended to minimise the potential for land use conflict and traffic hazards between the residential subdivision of Theatre Drive and businesses to the north that generate heavy vehicle movements along Lansdowne Street potentially 24 hours a day.



Figure 1: Subject area, Lot 10 DP1447119 is shown in hatched red.

Council resolved as follows on 18 December 2018:

That:

1. ***The report of the Senior Strategic Planner regarding the Lansdowne Street Planning Proposal be received.***
2. ***Council endorse the current Planning Proposal to amend the Goulburn Mulwaree Local Environmental Plan 2009 to:***
 - a) ***Rezone land being Lots 11 - 27 DP1247119 (Theatre Drive Subdivision), 150 Lansdowne Street Goulburn (Lot 1 DP 1018281)***
 - b) ***Rezone lot 28 DP 1247119 from B6 Enterprise Corridor to zone E3 Environmental Management;***
 - c) ***Remove existing Floor Space Ratio (FSR) controls for lots no longer proposed to be rezoned B6 Enterprise Corridor; and***
 - d) ***Apply a Minimum Lot Size of 1000 m2 (in R5 Large Lot Residential) and a 1 Hectare Lot Size (E3 Environmental Management) under Goulburn Mulwaree Local Environmental Plan 2009.***
3. ***The decision on any zoning matter for Lot 10 DP 1247119 be deferred at this time.***
4. ***A Draft Instrument be prepared that is consistent with the above Amendment;***
5. ***The Planning Proposal and relevant documentation be forwarded to the Department of Planning and Environment for making as soon as possible.***
6. ***Council thank those who made a submission and advise the proponent accordingly.***
7. ***Future development applications for development on land in DP1247119 (Theatre Drive Subdivision), Lot 1 DP 1018281 (150 Lansdowne Street) and Lot 28 DP 1247119 include restrictions on the title of each lot as generally outlined in this report and in Attachment 2***

pursuant to Section 88B of the Conveyancing Act, 1919.

8. *In pursuance of paragraph 2 and 6 of this resolution, site specific development control plan (DCP) provisions are developed to ensure that the mitigation measures are considered as applicable in future development application assessment including:*
 - a) *Construction standards for all development and boundary fencing in relation to noise and vibration.*
 - b) *Restrictions on the title of lots on land identified in paragraph 7 above.*
9. *The DCP provisions in paragraph 4 are publicly exhibited.*

CARRIED

SUPPLEMENTARY RESOLUTION 2018/1

Moved: Cr Peter Walker

Seconded: Cr Andrew Banfield

That the applicant be requested to consider a proposed alternate access to this subdivision directly on to both Cathcart and Robinson Streets and to consider proposing the closure of Theatre Drive access onto Lansdowne Street.

CARRIED

The land at Lansdowne Street, with the exception of the deferred Lot 10 DP 1247119, was rezoned in accordance with the above resolution on 25 January 2019. That rezoning is now known as Amendment 12 to the GM LEP.

REPORT

Introduction

The purpose of this report is for Council to consider the:

1. Planning proposal lodged on 17 June 2019 for the deferred area that responds to **Part 3** of the above resolution and the above Supplementary Resolution,
2. Site specific development controls proposed for the site; and
3. Request to waive the planning proposal lodgement and processing fees (\$2600).

The proponent has submitted their submission in support of the rezoning along with other supporting documents (Attachment 1).

Planning Proposal Details

This new planning proposal intends to rezone Lot 10 DP 1247119 from B6 Enterprise Corridor with a floor space ratio of 0.8:1 to R5 Large Lot Residential with a minimum lot size of 1000m² and no floor space ratio.

In support of the application, the proponent has provided additional information in response to some of the issues raised in submissions against the original amendment regarding traffic safety and noise impacts. The additional information includes the following (Attachment 1):

- *Industrial Noise Intrusion Assessment Proposed Planning Proposal – Land Rezoning For Residential Subdivision* prepared by *Harwood Acoustics* (5 March 2019), and
- *Traffic count data* provided by *Austraffic* for 18 February - 24 February 2019 (1 week)

In response to the supplementary resolution, the proponent has also provided a revised subdivision plan that includes closing the existing connection from Theatre Drive to Lansdowne Street with an alternative access to Robinson Street. A pedestrian access to Cathcart Street has also been included as indicated in Figure 2.

Revised Plan of Subdivision

In accordance with supplementary resolution this current planning proposal includes a revised plan of subdivision (**Figure 2**).

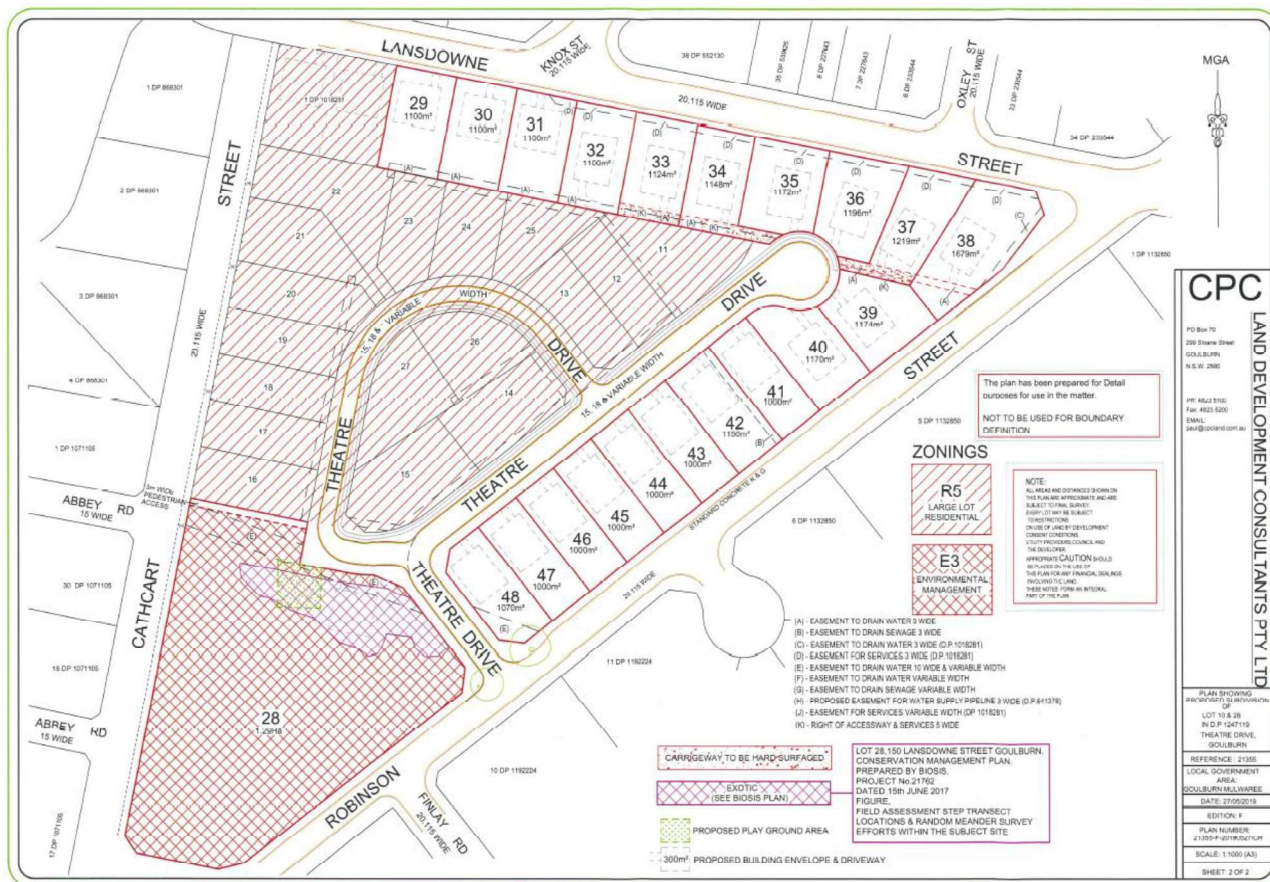


Figure 2 Revised Plan of Subdivision

The revised plan of subdivision includes the following elements:

- Closure of direct access to Lansdowne Street from Theatre Drive (now a cul-de-sac) to avoid conflict between residential and industrial vehicle traffic on Lansdowne Street;
- A new access to Robinson Street from Theatre Drive;
- A three (3) metre wide pedestrian access from Theatre Drive to Cathcart Street;
- Recommended dwelling location for Lot 28 (zoned E3 Environmental Management);
- Proposed playground equipment on Lot 28;
- Access to Proposed Lots 32, 33, 34, 37 - 38 via right of carriageway; and
- Direct access to Lansdowne Street from Proposed Lots 29, 30 and 31.

Noise Constraints

The supporting *Harwood Acoustics: Industrial Noise Intrusion Assessment Proposed Planning Proposal – Land Rezoning for Residential Subdivision* found that the land is significantly constrained by noise with some recorded readings of up to 56 dBA. The assessment does concur with Council's existing approach of including restrictions on the title of the land relating to dwelling construction and fencing requirements. However this assessment also recommends a 2.1 metre lapped and capped timber fence along the Lansdowne Street frontage and that other noise attenuation development controls be explored. In this respect refer to the Draft Site Specific DCP Provisions below.

Traffic Count

The supporting traffic count data provided by the proponent demonstrates that there is indeed a high volume of heavy vehicle traffic on Lansdowne Street during daylight hours and less heavy vehicle traffic on Robinson Street with minimal heavy vehicle movement between 6am and 6pm and on weekends.

The proponent suggests that traffic movements are not significant enough to warrant particular concern for the proposal. This assertion is not supported by the noise assessment that demonstrates the significant amount of noise levels being generated from heavy vehicles. Notwithstanding this, the noise constraint assessment assessed the noise impacts of heavy vehicle movements in its findings and has provided recommended mitigation measures.

Draft Site Specific Development Control Plan Provisions.

In order to further minimise land use conflict and to provide a mechanism for enforcing commitments made by the developer, a proposed amendment to the *Goulburn Mulwaree Development Control Plan 2009* (GM DCP applicable to the Theatre Drive subdivision is attached to this report (Attachment 2). This site specific development control chapter contains provisions that:

- Requires dwellings to provide acoustic reports, which demonstrate that noise levels will be kept to an acceptable level;
- Protects ecological values across the subject area; and
- Requires direct access to Robinson Street to be completed prior to dwellings being erected on Lot 10 with closure of the Lansdowne Street access to Theatre Drive).

The intention of this draft site specific development control chapter is to support the proposed rezoning.

Refund and Waiver of Planning Proposal Fees

Attached to their request for the planning proposal, the proponent has also requested a refund of the lodgement and processing fee to the value of \$2600, paid under Council's 2018/2019 fees and charges (Attachment 1).

In support of this request, the proponent has provided the following argument:

'This rezoning of Lot 10 DP 1247119 essentially comprises part of the Planning Proposal initiated by Council at its meeting held on 18 December 2016 and was only a deferred matter from the Council meeting of the 18th December 2018. Simgrow Pty Ltd will be responsible for all capital costs associated with the variations to the internal road layout and the development of this site has been ongoing for many years being the subject of discussions with various Councils and staff and Simgrow Pty Ltd have always cooperated with Council requirements. The current predicament has not been initiated by the land owners but was precipitated by Council's with a change to the LEP. Waiving of any fee is considered a reasonable request in this instance.'

The last sentence refers to Council's approval of 17 lots in the Theatre Drive subdivision in 2012. This subdivision was approved as a residential subdivision at a time when the B6 Enterprise Corridor zone permitted dwellings under the GM LEP. The ability to erect dwellings on the site was removed a year later in 2013 following a planning proposal that removed dwellings as a permissible use in B6 Enterprise Corridor zone.

Given the above, it is recommended that the fees paid be refunded on the grounds that Council is rectifying the unintended negative effects of a previous planning proposal that did not properly take into account the Theatre Drive residential subdivision.

It is also recommended that any future planning proposal fees applicable are also waived (with the exception of fees for any supporting studies) on these grounds. Furthermore, it should be noted that Council's fees and charges for planning proposals were amended for the 2019/2020 financial year to include the following exemption:

"This fee does not apply to planning proposals initiated by Council or planning proposals that are consistent with a strategy adopted by Council."

In this instance, the proposed rezoning is consistent with a direct recommendation of Council's adopted *Employment Land Strategy* (p.17). It should also be noted that the intention of this exemption is to not charge proponents for carrying out the recommendations of Council's own adopted strategy.

Conclusion

Given that site specific development controls have been introduced to limit land use conflict between the proposed residential area and the nearby businesses to the north and to enforce the developer's commitments, it is recommended that Council endorse the planning proposal and the site specific development controls.

It is also recommended that the request to refund the fees paid and waive future applicable fees also be granted on the grounds that Council is rectifying the unintended site effects of a previous planning proposal and is carrying out a direct recommendation in the *Employment Land Strategy*.

Doc ID: 920477



SCANNED

**Documents, plans, additional information
taken at Customer Service Counter
(including Subdivision Certificate Application)**

Name and contact number of person delivering documentation:

Name: Robert Nowle

Contact Number: 48210973

Related Information:

Application number: _____

Property Address: lot 10 Jacobstone St.

Council Officer requesting documentation: Kate Woolf

Schedule of documents received: Rezoning

- (1) CD
- (2) Plan
- (3) Kingsdale Consulting P/L
- (4) Hawwood Acoustics
-
-
-

Are these replacement /superseded plans Yes/No

Comments:

Date Received: 17/6/19
Received by: [Signature]

KINGSDALE CONSULTING PTY LTD

ABN 12 148 887 647
ACN 148 887 647

P O Box 539
GOULBURN NSW 2580

The General Manager
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580

Attention: Scott Martin / Kate Wooll

**RE: Lot 10 DP 1247119
LANSDOWNE STREET REZONING**

Dear Scott and Kate

I refer to previous discussions regarding the above matter and please find attached a submission in support of the rezoning of Lot 10 DP 1247119 from B6 Enterprise Zone to R5 Large Lot Residential Zone and for the land to have a minimum lot size of 1,000m². An Industrial Noise Intrusion Assessment report prepared by Harwood Acoustics is separately attached as well as plans prepared by CPC Land Development Consultants Pty Ltd and an electronic copy of the documentation.

If you require any additional information or clarification, please contact me on 0428 483 558 or at robansue@bigpond.net.au

Yours sincerely

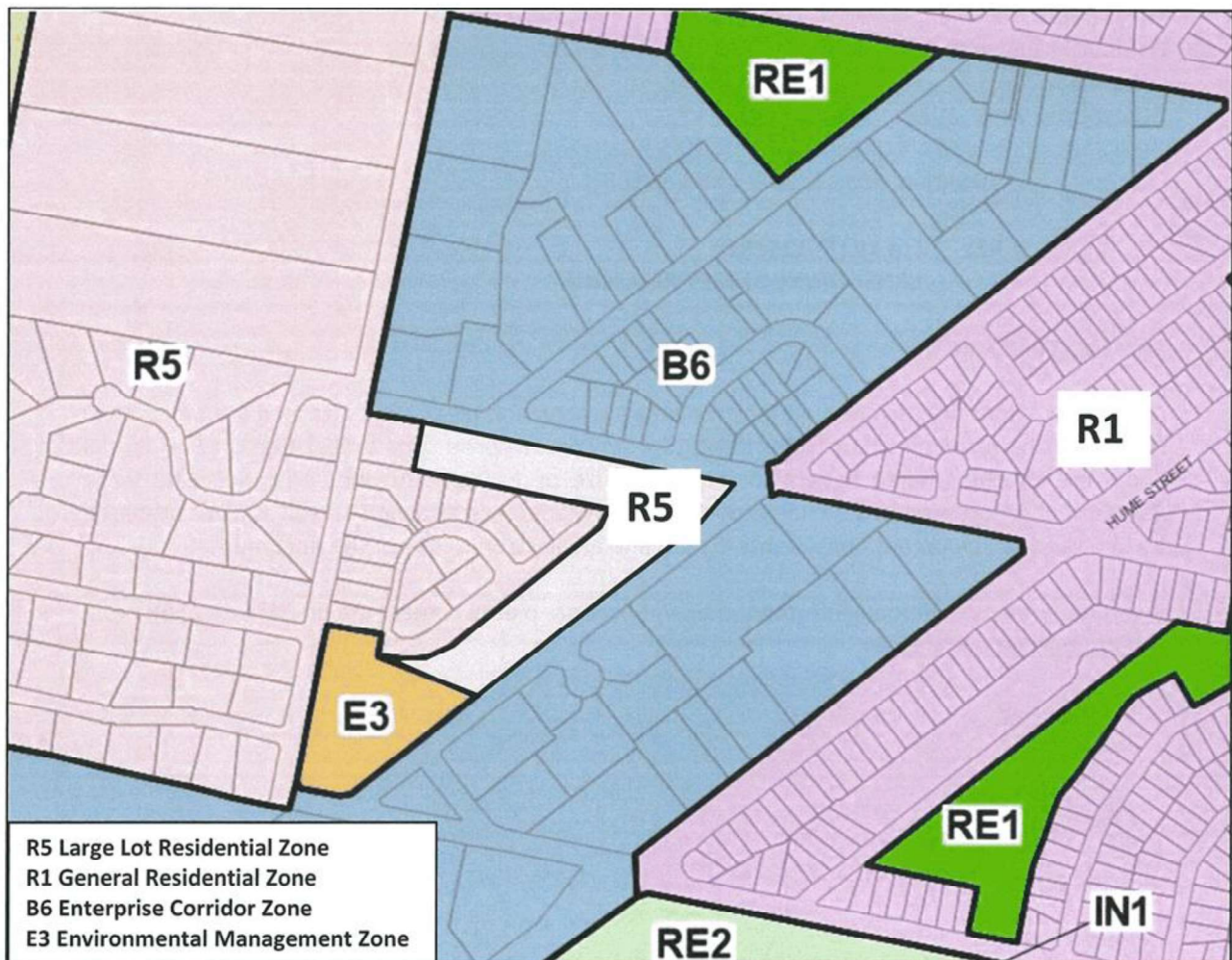


Robert Mowle
DIRECTOR
KINGSDALE CONSULTING PTY LTD
17 June 2019

SUBMISSION

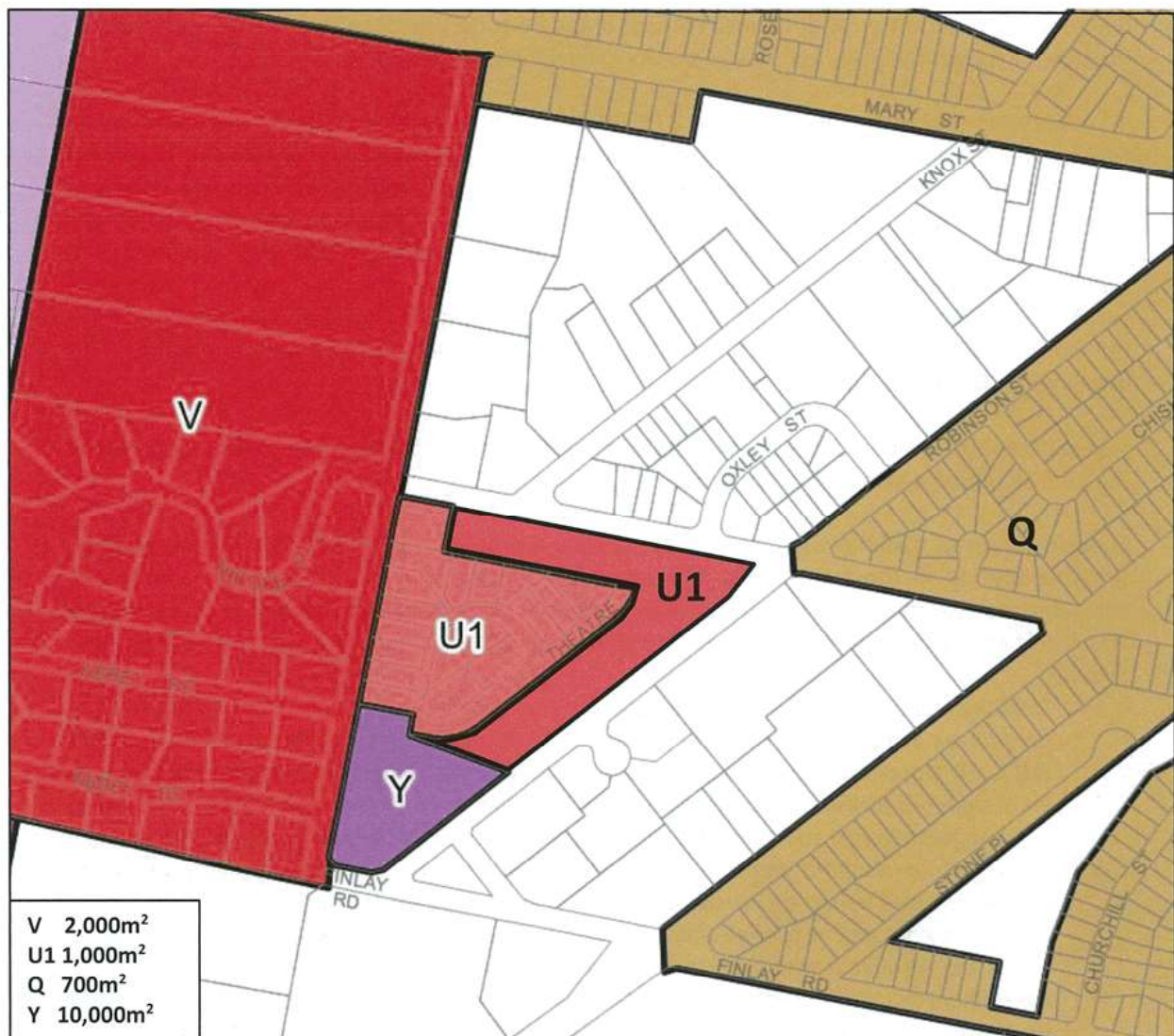
This submission on behalf of Simgrow Pty Ltd is submitted to the Goulburn Mulwaree Council to request an amendment to *Goulburn Mulwaree LEP 2009* (LEP) to rezone Lot 10 DP 1247119 from B6 Enterprise Zone to R5 Large Lot Residential Zone and to enable Lot 10 DP 1247119 to have a minimum lot size of 1,000m² – see maps below:

- (1) *Amending Goulburn Mulwaree Land Zoning Map Sheet LZN_001D by rezoning Lot 10 DP 1247119 from B6 (Enterprise Corridor Zone) to R5 (Large Lot Residential Zone).*



Amendment to Goulburn Mulwaree Land Zoning Map – Sheet LZN_001D
(Map Source: NSW Legislation website)

- (2) Amending Goulburn Mulwaree Land Lot Size Map Sheet LSZ_001D by identifying Lot 10 DP 1247119 having a minimum lot size of 1,000m² (U1) – see map below.



Amendment to Goulburn Mulwaree Lot Size Map – Sheet LSZ_001D
 (Map Source: NSW Legislation website)

Council is also advised that when the *Goulburn Mulwaree Local Environmental Plan (GLEP) 2009* was introduced the subject land was zoned B6 Enterprise Corridor and it had previously been zoned for 4 industrial development under Goulburn LEP 1990. When the GLEP 2009 commenced, dwellings were permitted with Council consent in the B6 zone. The zone also had an objective "To provide for residential uses, but only as part of a mixed use development."

An application for the subdivision of Lot 2 DP 1018281 (150 Lansdowne Street) was approved by Council on 7 December 2011. This approval (which had been commenced) consisted of 17 lots for residential purposes plus a single residue lot (with frontage to both Lansdowne and Robinson Streets) and a single lot in the southern corner being subject to a Conservation Management Plan. On 19 October 2012 Council amended its LEP without any consultation with the land owners to remove the objective relating to residential development and to prohibit residential accommodation in the B6 zone. This has created a situation where the subdivision for 17 lots (for the purpose of residential development) was lawfully permitted, but future applications for dwellings on those lots were not permitted.

This matter was considered by Council at its meeting held on the 18 December 2018 and a copy of the Council report is attached at Appendix 1.

Council will recall that the whole site was originally a drive-in theatre which was purchased by Simgrow Pty Ltd in the late 1980's. The proposed development of this land has seen many permutations over the years varying from light industrial / commercial to residential development. The report to the Council meeting of the 18 December 2018 included the following background details:

*"Development Application 50/1011/DA for the subdivision of Lot 2 DP 1018281 (150 Lansdowne Street - the site of the former drive-in theatre) was approved on 7 December 2011. The approved subdivision consisted of 17 Lots for residential purposes plus a single lot designated for future industrial commercial activities (with frontage to both Lansdowne and Robinson Street) and a single lot in the southern corner of the subject site for the purpose of protecting remnant native vegetation. The Subdivision Certificate for the approved subdivision was issued on 30 August 2018. It is understood that prior to this, the 17 Lot residential component of the subdivision had been put on the market with many lots sold. These lots were sold with Section 10.7 Planning Certificates (Environmental Planning and Assessment Act, 1979) that identified the land as being zoned B6 Enterprise Corridor under Goulburn Mulwaree Local Environmental Plan 2009 (GM LEP 2009) upon which Residential Accommodation (this definition including detached dwellings and dual occupancies) is prohibited. When the GM LEP 2009 was introduced the subject land was zoned B6 enterprise Corridor. It had previously been zoned "4 Industrial" under Goulburn LEP 1990. At the time LEP 2009 commenced, dwellings were permitted with Council consent in the B6 Enterprise Corridor zone. The zone also had an objective "to provide for residential uses, but only as part of a mixed use development". On October 2012 Council amended GM LEP 2009 to remove the objective relating to residential development and prohibit residential accommodation in the B6 Enterprise Corridor zone. This created a situation where the subdivision for 17 lots could still be enacted, but future applications for dwellings on those lots were prohibited. **It is this situation that Council is trying to address with a current Planning Proposal to rezone the land to zone R5 Large Lot Residential under GM LEP 2009.**" (bold text by writer).*

Council resolved as follows:

"RESOLUTION 2018/602

- 1. The report of the Senior Strategic Planner regarding the Lansdowne Street Planning Proposal be received.*
- 2. Council endorse the current Planning Proposal to amend the Goulburn Mulwaree Local Environmental Plan 2009 to:*
 - a) Rezone land being Lots 11- 27 DP1247119 (Theatre Drive Subdivision), 150 Lansdowne Street Goulburn (Lot 1 DP 1018281)*
 - b) Rezone lot 28 DP 1247119 from B6 Enterprise Corridor to zone E3 Environmental Management;*
 - c) Remove existing Floor Space Ratio (FSR) controls for lots no longer proposed to be rezoned B6 Enterprise Corridor; and*
 - d) Apply a Minimum Lot Size of 1000 m2 (in R5 Large Lot Residential) and a 1 Hectare Lot Size (E3 Environmental Management) under Goulburn Mulwaree Local Environmental Plan 2009.*
- 3. The decision on any zoning matter for Lot 10 DP 1247119 be deferred at this time.*
- 4. A Draft Instrument be prepared that is consistent with the above Amendment;*
- 5. The Planning Proposal and relevant documentation be forwarded to the Department of Planning and Environment for making as soon as possible.*
- 6. Council thank those who made a submission and advise the proponent accordingly.*
- 7. Future development applications for development on land in DP1247119 (Theatre Drive Subdivision), Lot 1 DP 1018281 (150 Lansdowne Street) and Lot 28 DP 1247119 include restrictions on the title of each lot as generally outlined in this report and in Attachment 2 pursuant to Section 88B of the Conveyancing Act, 1919.*
- 8. In pursuance of paragraph 2 and 6 of this resolution, site specific development control plan (DCP) provisions are developed to ensure that the mitigation measures are considered as applicable in future development application assessment including: a) Construction standards for all development and boundary fencing in relation to noise and vibration. b) Restrictions on the title of lots on land identified in paragraph 7 above.*
- 9. The DCP provisions in paragraph 4 are publicly exhibited.*

SUPPLEMENTARY RESOLUTION 2018/603

That the applicant be requested to consider a proposed alternate access to this subdivision directly on to both Cathcart and Robinson Streets and to consider proposing the closure of Theatre Drive access onto Lansdowne Street."

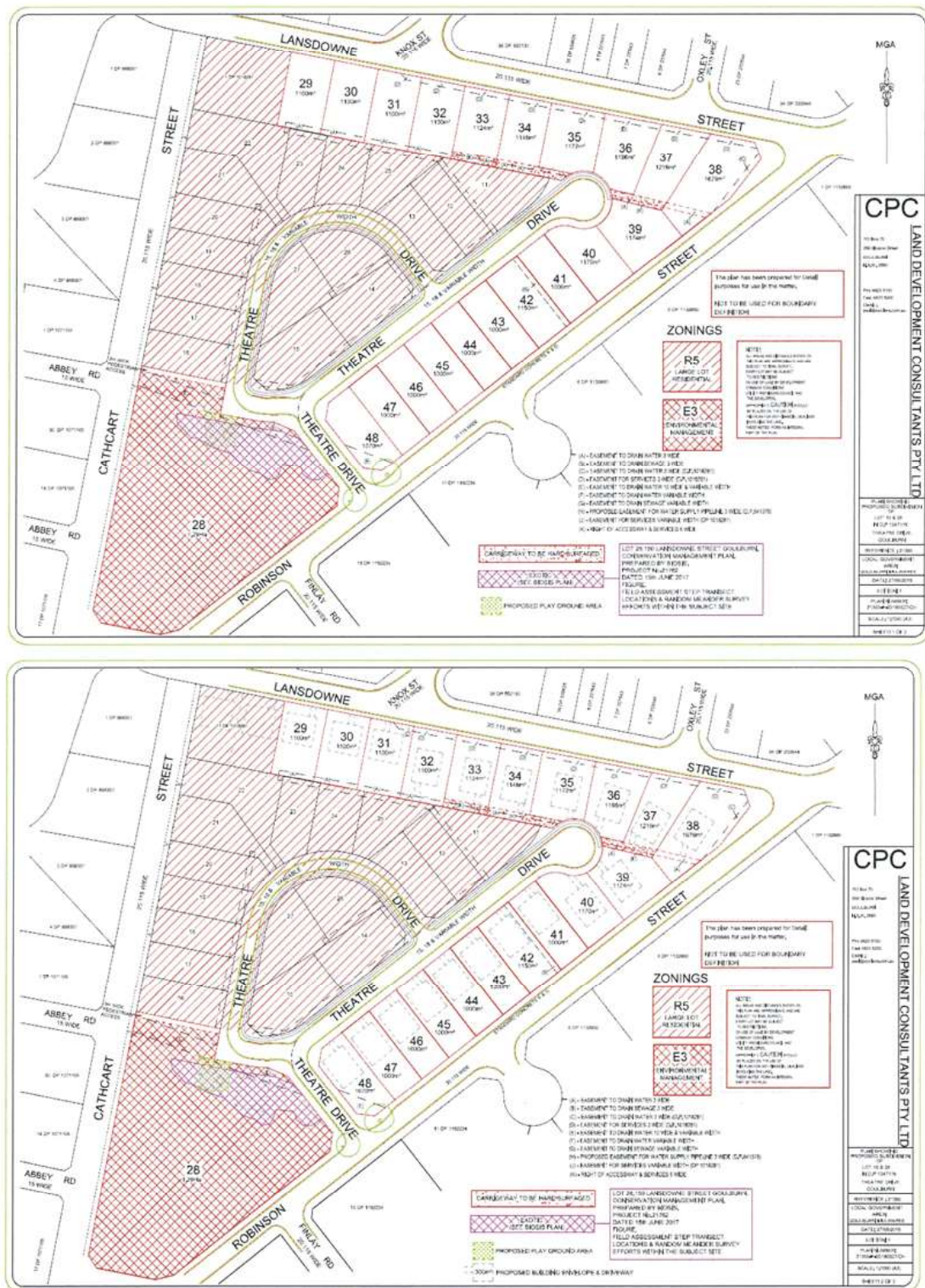
In respect to this Resolution, Simgrow Pty Ltd have:

- 1. Redesigned the proposed subdivision of Lot 10 DP 1247119 and:**
 - Removed direct access from Theatre Drive to Lansdowne Street.
 - Provided direct access from Theatre Drive to Robinson Street.
 - Provided a range of lot sizes from 1100m² to 1679m² along Lansdowne Street with the larger lots being located to the east of Lansdowne Street.
 - Provided an area for the establishment of a playground area particularly for young children in the Theatre Drive and Abbey Road areas.
 - Provided for pedestrian access from Cathcart Street to Theatre Drive.

No direct vehicular access has been provided to Cathcart Street from Theatre Drive at this

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stage although Simgrow Pty Ltd are prepared to have ongoing discussions with Council in respect to this matter. See plans below.



2. Carried out a Traffic Count Analysis:

It is noted that the report to the meeting of Council included the following comments:

The business operators also questioned whether traffic counts in Robinson or Lansdowne Street had been undertaken. Unfortunately, counts are unavailable for this section of Lansdowne St, but traffic counts were available for Robinson Street (undertaken in 2016) as follows:

ClassMatrix-382
 Site: ST682-39.0.0SN
 Description: 150m south of Mary St on Robinson St at number 39
 Filter time: 10:21 Monday, 23 May 2016 => 13:56 Tuesday, 7 June 2016
 Scheme: Vehicle classification (AustRoads94)
 Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12) Dir(NESW) Sp(10,160) Headway(>0)

Speed (km/h)	1	2	3	4	5	6	7	8	9	10	11	12	Speed Totals	
10 - 20	70	-	3	4	2	-	-	-	-	-	-	-	79	0.5%
20 - 30	232	4	27	22	-	-	3	7	1	1	-	-	287	1.7%
30 - 40	1105	36	195	40	7	4	2	13	4	1	-	-	1407	8.5%
40 - 50	5981	141	693	43	9	18	18	1	5	1	-	-	6910	41.6%
50 - 60	6002	66	620	7	-	5	8	-	1	-	-	-	6709	40.4%
60 - 70	1034	5	80	-	-	-	-	-	-	-	-	-	1119	6.7%
70 - 80	75	-	6	-	-	-	-	-	-	-	-	-	81	0.5%
80 - 90	17	-	-	-	-	-	-	-	-	-	-	-	17	0.1%
90 - 100	3	-	-	-	-	-	-	-	-	-	-	-	3	0.0%
100 - 110	1	-	-	-	-	-	-	-	-	-	-	-	1	0.0%
110 - 120	-	-	-	-	-	-	-	-	-	-	-	-	0	0.0%
120 - 130	-	-	-	-	-	-	-	-	-	-	-	-	0	0.0%
130 - 140	-	-	-	-	-	-	-	-	-	-	-	-	0	0.0%
140 - 150	-	-	-	-	-	-	-	-	-	-	-	-	0	0.0%
150 - 160	-	-	-	-	-	-	-	-	-	-	-	-	0	0.0%
	14520	252	1624	106	18	27	31	21	11	3	0	0	16413	
	87.4%	1.5%	9.8%	0.6%	0.1%	0.2%	0.2%	0.1%	0.1%	0.0%	0.0%	0.0%		
	Class Totals												AADT 1107	

The graph suggests a relatively high vehicle usage rate over the count period from 10.21 on Monday 23 May through to 1.56pm Tuesday 7 June being 16,613 vehicles (approximately 1,186 per day). Heavy vehicles are classes 3 – 12 using Austroads vehicle classification system. Therefore heavy vehicles accounted for 1,841 movements (131.5 per day). It is likely that the number of heavy vehicle and car movements has increased since that time. Essentially the traffic count demonstrates the relatively high level of vehicle and heavy vehicle usage of Robinson Street, it would be anticipated that Lansdowne Street would have a similarly high usage level. The issues raised above have been considered further in the options section of this report.

The report also includes the following comments:

It is considered that measures will be put in place via the proponent's response (88B Instrument and lot configuration) to address some of the concerns of objectors. This would also necessitate site specific development control plan provisions being in place as a means of alerting assessment staff and purchasers to likely construction standards or restrictions on lots. However, the usage of Robinson Street and Lansdowne Street by heavy freight and other industrial type businesses is potentially going to be an ongoing cause for dispute between landowners. The measures outlined only go a part of the way to solving these ongoing land use conflicts. The activity and noise levels by 24 hour a day truck usage of Lansdowne and Robinson Street should not be underestimated. Whilst dwellings can be constructed with increased standards for noise and vibration, amenity levels of private open space etc. will still be reduced. The traffic counts for Robinson Street are very high in a residential context aside from the heavy vehicle component. This traffic activity will

be ongoing and whilst the mitigation measures proposed go some way to address the problems they are not a “complete” solution.

It is noted that this traffic count was undertaken in June 2016 and only in Robinson Street at a location 150m south of Mary Street – it is not considered appropriate to use this traffic count information to predict traffic levels adjacent to the subject development and traffic counts adjacent to the site should have been taken prior to the Council meeting. However, Council did undertake traffic counts during January 2019 in Robinson Street and Lansdowne Street as noted in the results shown below:

Class Speed Matrix

ClassMatrix-163

Site: ST682-99.0.1NS
Description: Robinson Street 30m north of Finlay Rd
Filter time: 13:53 Tuesday, 15 January 2019 => 13:53 Tuesday, 29 January 2019
Scheme: Vehicle classification (AustRoads94)
Filter: CIs(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

km/h	Class												Total
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12	
10- 20	50	1	12	17	1	1	1	1	1	1	1	1	86 0.8%
20- 30	320	15	130	67	9	1	1	1	1	1	1	1	567 5.2%
30- 40	3140	103	457	43	6	1	1	1	1	1	1	1	3804 35.1%
40- 50	4339	57	390	7	1	1	1	1	1	1	1	1	4797 44.3%
50- 60	1137	5	90	1	1	1	1	1	1	1	1	1	1334 12.3%
60- 70	211	1	44	1	1	1	1	1	1	1	1	1	225 2.1%
70- 80	13	1	1	1	1	1	1	1	1	1	1	1	15 0.1%
80- 90	1	1	1	1	1	1	1	1	1	1	1	1	2 0.0%
90-100	1	1	1	1	1	1	1	1	1	1	1	1	2 0.0%
100-110	1	1	1	1	1	1	1	1	1	1	1	1	0 0.0%
110-120	1	1	1	1	1	1	1	1	1	1	1	1	0 0.0%
120-130	1	1	1	1	1	1	1	1	1	1	1	1	0 0.0%
130-140	1	1	1	1	1	1	1	1	1	1	1	1	0 0.0%
140-150	1	1	1	1	1	1	1	1	1	1	1	1	0 0.0%
150-160	1	1	1	1	1	1	1	1	1	1	1	1	1 0.0%
Total	9323	182	1101	135	11	12	15	17	24	13	0	0	10833
	86.1%	1.7%	10.2%	1.2%	0.1%	0.1%	0.1%	0.2%	0.2%	0.1%	0.0%	0.0%	ADD 77%

Class Speed Matrix

ClassMatrix-164

Site: ST682-89.0.1SN
Description: Robinson St 40m south of Lansdowne St
Filter time: 13:53 Tuesday, 15 January 2019 => 13:57 Tuesday, 29 January 2019
Scheme: Vehicle classification (AustRoads94)
Filter: CIs(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

km/h	Class												Total
	SV	SVT	TB2	TB3	T4	ART3	ART4	ART5	ART6	BD	DRT	TRT	
1	2	3	4	5	6	7	8	9	10	11	12		
10- 20	210	1	2	1	1	1	1	1	1	1	1	1	246 1.8%
20- 30	433	11	110	65	1	1	1	1	1	1	1	1	668 5.0%
30- 40	2779	102	519	60	1	1	1	1	1	1	1	1	3729 27.9%
40- 50	2103	60	340	65	1	1	1	1	1	1	1	1	7019 52.6%
50- 60	1407	6	166	1	1	1	1	1	1	1	1	1	1580 11.8%
60- 70	88	1	16	1	1	1	1	1	1	1	1	1	100 0.7%
70- 80	11	1	1	1	1	1	1	1	1	1	1	1	12 0.1%
80- 90	1	1	1	1	1	1	1	1	1	1	1	1	2 0.0%
90-100	1	1	1	1	1	1	1	1	1	1	1	1	0 0.0%
100-110	1	1	1	1	1	1	1	1	1	1	1	1	0 0.0%
110-120	1	1	1	1	1	1	1	1	1	1	1	1	0 0.0%
120-130	1	1	1	1	1	1	1	1	1	1	1	1	0 0.0%
130-140	1	1	1	1	1	1	1	1	1	1	1	1	0 0.0%
140-150	1	1	1	1	1	1	1	1	1	1	1	1	0 0.0%
150-160	1	1	1	1	1	1	1	1	1	1	1	1	0 0.0%
Total	11230	194	1584	219	24	16	22	23	35	7	2	0	13356
	84.1%	1.5%	11.9%	1.6%	0.2%	0.1%	0.2%	0.2%	0.3%	0.1%	0.0%	0.0%	ADD 95%

Class Speed Matrix

ClassMatrix-165

Site: ST593-125.0.1WE

Description: Lansdowne Street 20m west of Lansdowne Place

Filter time: 13:55 Tuesday, 15 January 2019 => 14:03 Tuesday, 29 January 2019

Scheme: Vehicle classification (AustRoads94)

Filter: Cls(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

km/h	Class												Total
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12	
10- 20	170	0	0	0	0	0	0	0	0	0	0	0	170 0.7%
20- 30	1965	0	0	0	0	0	0	0	0	0	0	0	1965 9.0%
30- 40	4064	0	0	0	0	0	0	0	0	0	0	0	4064 16.5%
40- 50	9887	0	0	0	0	0	0	0	0	0	0	0	9887 40.2%
50- 60	7374	0	0	0	0	0	0	0	0	0	0	0	7374 30.0%
60- 70	1028	0	0	0	0	0	0	0	0	0	0	0	1028 4.2%
70- 80	90	0	0	0	0	0	0	0	0	0	0	0	90 0.4%
80- 90	16	0	0	0	0	0	0	0	0	0	0	0	16 0.1%
90-100	3	0	0	0	0	0	0	0	0	0	0	0	3 0.0%
100-110	6	0	0	0	0	0	0	0	0	0	0	0	6 0.0%
110-120	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
120-130	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
130-140	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
140-150	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
150-160	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
Total	20089	516	2398	400	134	59	47	48	452	449	11	0	24603
	81.7%	2.1%	9.7%	1.6%	0.5%	0.2%	0.2%	0.2%	1.8%	1.8%	0.0%	0.0%	ADT 1757

Class Speed Matrix

ClassMatrix-166

Site: ST593-137.0.1EW

Description: Lansdowne Street at the Intersection of Oxley St

Filter time: 13:54 Tuesday, 15 January 2019 => 14:06 Tuesday, 29 January 2019

Scheme: Vehicle classification (AustRoads94)

Filter: Cls(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

km/h	Class												Total
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12	
10- 20	216	0	0	0	0	0	0	0	0	0	0	0	216 1.5%
20- 30	733	0	0	0	0	0	0	0	0	0	0	0	733 5.1%
30- 40	1794	0	0	0	0	0	0	0	0	0	0	0	1794 12.4%
40- 50	5515	0	0	0	0	0	0	0	0	0	0	0	5515 38.2%
50- 60	4820	0	0	0	0	0	0	0	0	0	0	0	4820 33.4%
60- 70	1162	0	0	0	0	0	0	0	0	0	0	0	1162 8.1%
70- 80	147	0	0	0	0	0	0	0	0	0	0	0	147 1.0%
80- 90	32	0	0	0	0	0	0	0	0	0	0	0	32 0.2%
90-100	4	0	0	0	0	0	0	0	0	0	0	0	4 0.0%
100-110	1	0	0	0	0	0	0	0	0	0	0	0	1 0.0%
110-120	1	0	0	0	0	0	0	0	0	0	0	0	1 0.0%
120-130	1	0	0	0	0	0	0	0	0	0	0	0	1 0.0%
130-140	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
140-150	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
150-160	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
Total	11972	329	1173	347	117	25	49	10	215	188	1	0	14426
	83.0%	2.3%	8.1%	2.4%	0.8%	0.2%	0.3%	0.1%	1.5%	1.3%	0.0%	0.0%	ADT 1030

The Austroads Vehicle Classification System is detailed on the following page 10.

In respect to the Council traffic counts above, the following information is obtained:

- Robinson Street 30m North of Finlay Road:
Classes 3 to 12 95 movements per day in both directions.
AADT 774 movements per day in both directions.
- Robinson Street 40m South of Lansdowne Street:
Classes 3 to 12 138 movements per day in both directions.
AADT 954 movements per day in both directions.

- Lansdowne Street 20m West of Lansdowne Place:
Classes 3 to 12 285 movements per day in both directions.
AADT 1757 movements per day in both directions.
- Lansdowne Street 20m West of Lansdowne Place:
Classes 3 to 12 151 movements per day in both directions.
AADT 1030 movements per day in both directions.

The Austroads Vehicle Classification System is detailed below:

AUSTROADS Vehicle Classification System						
Level 1 Length (m) (or above)	Level 2 Axles and Axle Groups		Level 3 Vehicle Type	AUSTROADS Classification		
Type	Axles	Groups	Typical Description	Class	Parameters	Typical Configuration
LIGHT VEHICLES						
Short up to 5.5m		1 or 2	Short Sedan, Wagon, 4WD, Utility, Light Van, Bicycle, Motorcycle, etc.	1	$d(1) \leq 3.2m$ and axles = 2	
Medium 5.5m to 14.5m	3, 4 or 5	3	Short-Towing Trailer, Caravan, Boat, etc.	2	groups = 3 $d(1) \geq 2.1m$, $d(1) \leq 3.2m$, $d(2) \geq 2.1m$ and axles = 3, 4 or 5	
	2	2	Two Axle Truck or Bus	3	$d(1) > 3.2m$ and axles = 2	
	3	2	Three Axle Truck or Bus	4	axles = 3 and groups = 2	
	> 3	2	Four Axle Truck	5	axles = 3 and groups = 2	
Long 11.5m to 19.0m	3	3	Three Axle Articulated Three axle articulated vehicle, or Rigid vehicle and trailer	6	$d(1) > 3.2m$, axles = 3 and groups = 3	
	4	> 2	Four Axle Articulated Four axle articulated vehicle, or Rigid vehicle and trailer	7	$d(2) < 2.1m$ or $d(1) < 2.1m$ or $d(1) > 3.2m$ axles = 4 and groups = 2	
	5	> 2	Five Axle Articulated Five axle articulated vehicle, or Rigid vehicle and trailer	8	$d(2) < 2.1m$ or $d(1) < 2.1m$ or $d(1) > 3.2m$ axles = 5 and groups = 2	
	> 6	> 2	Six Axle Articulated Six axle articulated vehicle, or Rigid vehicle and trailer	9	axles = 6 and groups > 2 or axles = 6 and groups = 3	
Medium Combination 17.5m to 36.5m	> 6	4	B Double B Double, or Heavy truck and trailer	10	groups = 4 and axles = 6	
	> 6	5 or 6	Double Road Train Double road train, or Medium articulated vehicle and one dog trailer (M.A.D.)	11	groups = 5 or 6 and axles = 6	
Large Combination Over 33.0m	> 6	> 6	Triple Road Train Triple road train, or Heavy truck and three trailers	12	groups = 6 and axles = 6	
Definitions: Group Axle group, where adjacent axles are less than 2.1m apart Groups Number of axle groups Axles Number of axles (maximum axle spacing of 10.0m)						
					$d(1)$: Distance between first and second axle $d(2)$: Distance between second and third axle	

Simgrow Pty Ltd have also had traffic counts undertaken in Robinson Street and Lansdowne Street by Austraffic which provide an hourly analysis of traffic during the period 18 February 2019 to the 24 February 2019. A volume summary and total average daily vehicle classification of these counts is shown on the pages 12 to 17 and a vehicle type summary is indicated in the tables on page 11 and schematically at page 18. The vehicle types have been categorized by Austraffic as:

Light Vehicle	Austroads Classes 1 and 2
Small Truck	Austroads Class 3
Medium Truck	Austroads Classes 4 and 5
Large Truck	Austroads Classes 6 to 12

(a) Robinson Street:

Vehicle Type	Southbound		Northbound	
	Weekday	Weekend	Weekday	Weekend
Light Vehicles	1301	782	817	482
Small Trucks	72	19	100	23
Medium Trucks	28	7	33	2
Large Trucks (LT)	12(0.8%)	2 (0.2%)	7 (0.7%)	1 (0.2%)
LT – 12.00am to 6.00am	1	1	1	1
LT –6.00pm to 12.00am	1	0	0	0

(b) Lansdowne Street (East of Oxley Street)

Vehicle Type	Westbound		Eastbound	
	Weekday	Weekend	Weekday	Weekend
Light Vehicles	1159	753	1228	781
Small Trucks	102	20	83	12
Medium Trucks	87	17	84	22
Large Trucks (LT)	68 (4.8%)	9 (1.1%)	76 (5.2%)	9 (1.1%)
LT – 12.00am to 6.00am	10	1	25	2
LT –6.00pm to 12.00am	4	1	6	2

(c) Lansdowne Street (East of Knox Street)

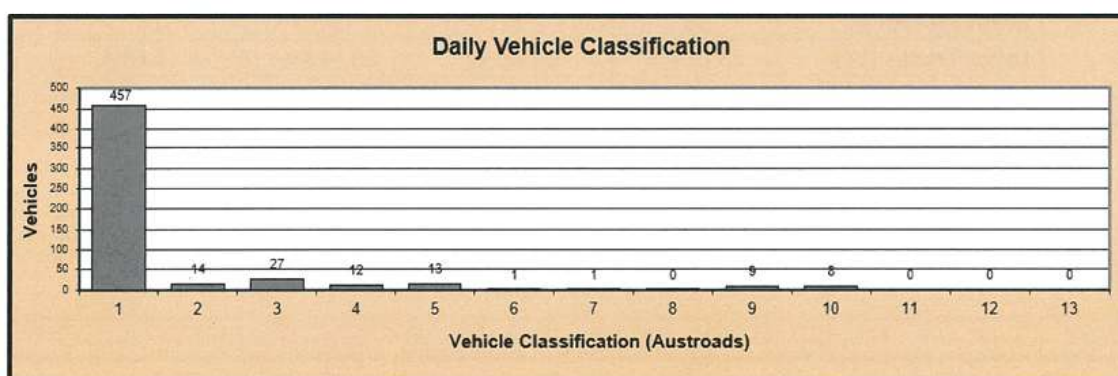
Vehicle Type	Westbound		Eastbound	
	Weekday	Weekend	Weekday	Weekend
Light Vehicles	518	355	542	343
Small Trucks	35	7	52	23
Medium Trucks	31	11	37	13
Large Trucks (LT)	23 (3.7%)	6 (1.6%)	29 (4.4%)	6 (1.6%)
LT – 12.00am to 6.00am	3	0	8	3
LT –6.00pm to 12.00am	1	0	2	0

(Data Source: Austraffic)

Road	Lansdowne St	
Location	Btw Knox St & Oxley St	Average Weekday 607
Suburb	Goulburn	All Day Average 542
Site No.	8602_2	Weekday Heavy's 14.7%
Start Date	Monday 18/02/2019	All Day Heavy's 13.0%
Direction	Westbound	

Starting Time	Day of Week							Ave W'day	All Days Ave
	Mon 18-Feb	Tue 19-Feb	Wed 20-Feb	Thu 21-Feb	Fri 22-Feb	Sat 23-Feb	Sun 24-Feb		
AM Peak	52	53	43	39	48	50	25		
PM Peak	68	56	61	53	68	36	45		
0:00	2	2	1	1	0	1	3	1	1
1:00	0	2	3	5	2	2	2	2	2
2:00	0	2	1	1	2	0	0	1	1
3:00	3	4	3	4	3	0	1	3	3
4:00	2	6	1	2	1	1	0	2	2
5:00	5	7	14	10	6	4	2	8	7
6:00	30	28	27	27	20	8	3	26	20
7:00	13	21	20	31	21	9	4	21	17
8:00	32	53	40	36	48	23	8	42	34
9:00	40	34	30	33	42	37	14	36	33
10:00	38	36	37	39	42	47	25	38	38
11:00	52	32	43	37	39	50	24	41	40
12:00	53	36	46	46	38	36	45	44	43
13:00	36	36	41	36	43	30	29	38	36
14:00	52	49	44	49	54	23	25	50	42
15:00	68	50	61	53	68	30	24	60	51
16:00	59	45	53	52	62	32	27	54	47
17:00	46	56	53	41	55	23	31	50	44
18:00	31	33	33	39	24	17	17	32	28
19:00	14	24	20	25	22	15	12	21	19
20:00	17	20	12	10	15	11	13	15	14
21:00	11	14	8	14	12	11	7	12	11
22:00	5	3	13	3	8	7	9	6	7
23:00	2	1	3	1	3	9	5	2	3
Total	611	594	607	595	630	426	330	607	542
% Heavies	15.1%	14.6%	14.0%	16.3%	13.7%	7.5%	4.2%	14.7%	13.0%

Lansdowne Street – Westbound – Between Knox Street and Oxley Street
Volume Summary

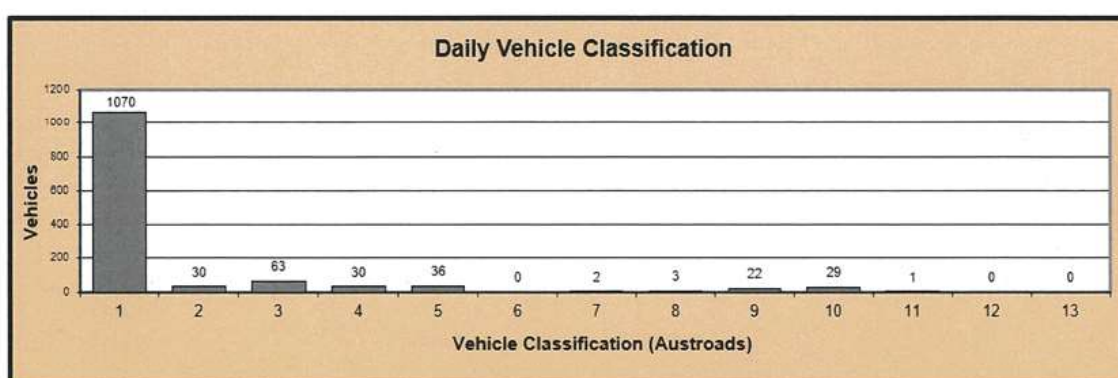


Lansdowne Street – Westbound – Between Knox Street and Oxley Street
Total Average Daily Vehicle Classification
(Data Source: Austraffic)

Road	Lansdowne St	
Location	Btw Knox St & Oxley St	Average Weekday 659
Suburb	Goulburn	All Day Average 580
Site No.	8602_2	Weekday Heavy's 17.7%
Start Date	Monday 18/02/2019	All Day Heavy's 16.4%
Direction	Eastbound	

Starting Time	Day of Week							Ave W'day	All Days Ave
	Mon 18-Feb	Tue 19-Feb	Wed 20-Feb	Thu 21-Feb	Fri 22-Feb	Sat 23-Feb	Sun 24-Feb		
AM Peak	54	64	52	60	69	63	37		
PM Peak	66	56	77	50	77	44	34		
0:00	2	1	2	3	0	2	1	2	2
1:00	1	2	1	2	4	2	2	2	2
2:00	5	1	2	1	4	0	1	3	2
3:00	3	5	5	7	3	0	0	5	3
4:00	5	10	7	6	10	2	0	8	6
5:00	21	17	24	27	20	10	2	22	17
6:00	27	38	35	26	33	11	11	32	26
7:00	41	46	45	51	40	13	14	45	36
8:00	44	64	47	60	69	37	14	57	48
9:00	54	57	52	43	49	37	37	51	47
10:00	49	34	46	38	45	63	31	42	44
11:00	47	36	47	43	60	40	33	47	44
12:00	48	38	45	41	39	44	26	42	40
13:00	48	37	52	40	46	31	34	45	41
14:00	58	56	37	36	43	24	32	46	41
15:00	60	53	77	50	77	24	27	63	53
16:00	66	42	62	48	55	23	13	55	44
17:00	35	34	45	32	32	19	23	36	31
18:00	16	25	21	25	22	12	16	22	20
19:00	13	15	23	17	19	7	15	17	16
20:00	7	14	7	14	12	2	12	11	10
21:00	4	6	2	2	5	6	4	4	4
22:00	5	2	1	2	3	2	5	3	3
23:00	2	1	2	1	7	3	1	3	2
Total	661	634	687	615	697	414	354	659	580
% Heavy's	17.2%	17.4%	18.8%	17.1%	18.1%	11.8%	9.3%	17.7%	16.4%

Lansdowne Street – Eastbound – Between Knox Street and Oxley Street
Volume Summary

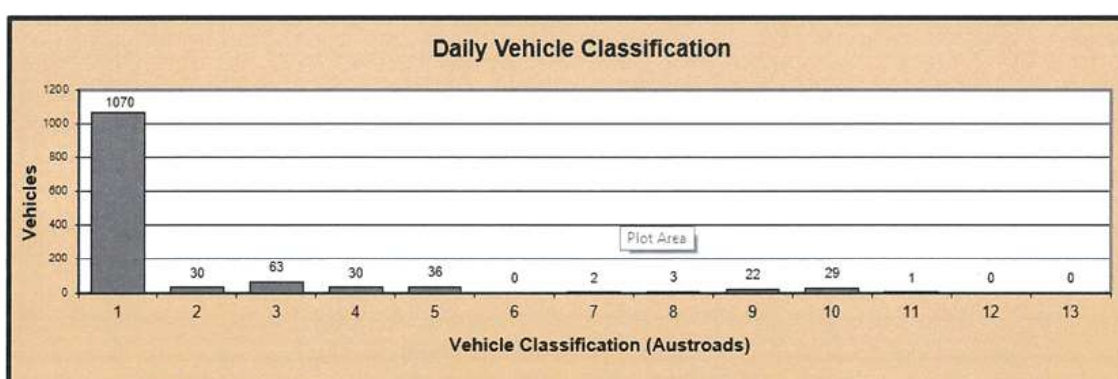


Lansdowne Street – Eastbound – Between Knox Street and Oxley Street
Total Average Daily Vehicle Classification
(Data Source: Austraffic)

Road	Lansdowne St	Average Weekday	1470
Location	Btw Robinson St & Oxley St	All Day Average	1286
Suburb	Goulburn	Weekday Heavy's	16.5%
Site No.	8602_1	All Day Heavy's	14.4%
Start Date	Monday 18/02/2019		
Direction	Eastbound		

Starting Time	Day of Week							Ave W day	All Days Ave
	Mon 18-Feb	Tue 19-Feb	Wed 20-Feb	Thu 21-Feb	Fri 22-Feb	Sat 23-Feb	Sun 24-Feb		
AM Peak	122	134	122	140	140	106	64		
PM Peak	148	114	162	116	174	78	100		
0:00	4	2	6	8	10	6	2	6	5
1:00	2	6	4	4	6	6	4	4	5
2:00	14	4	10	4	12	2	2	9	7
3:00	6	16	12	24	12	6	2	14	11
4:00	12	32	16	16	24	8	0	20	15
5:00	46	38	52	62	36	18	12	47	38
6:00	54	78	90	52	60	30	24	67	55
7:00	86	110	102	124	102	44	18	105	84
8:00	78	134	122	140	140	68	16	123	100
9:00	122	134	112	100	124	106	58	118	108
10:00	102	90	102	94	92	86	50	96	88
11:00	100	84	106	110	70	78	64	94	87
12:00	110	86	90	104	100	78	64	98	90
13:00	98	86	116	92	92	54	78	97	88
14:00	114	114	82	78	106	74	70	99	91
15:00	124	110	162	116	174	54	100	137	120
16:00	148	102	160	110	104	46	54	125	103
17:00	74	84	100	86	76	50	46	84	74
18:00	34	56	40	52	38	34	26	44	40
19:00	34	30	50	36	38	18	24	38	33
20:00	18	30	22	28	24	18	16	24	22
21:00	8	12	8	8	16	2	12	10	9
22:00	12	8	4	4	6	6	10	7	7
23:00	4	4	4	2	10	2	2	5	4
Total	1404	1450	1572	1454	1472	894	754	1470	1286
% Heavies	15.4%	16.6%	15.8%	17.6%	17.3%	6.3%	4.0%	16.5%	14.4%

Lansdowne Street – Eastbound – Between Robinson Street and Oxley Street
Volume Summary

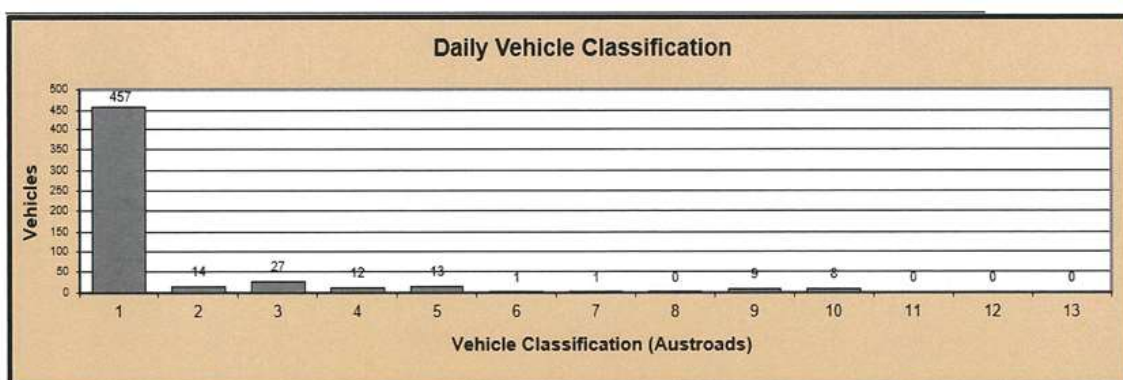


Lansdowne Street – Eastbound – Between Robinson Street and Oxley Street
Total Average Daily Vehicle Classification
(Data Source: Austraffic)

Road	Lansdowne St	Average Weekday	1416
Location	Btw Robinson St & Oxley St	All Day Average	1239
Suburb	Goulburn	Weekday Heavy's	18.1%
Site No.	8602_1	All Day Heavy's	15.9%
Start Date	Monday 18/02/2019		
Direction	Westbound		

Starting Time	Day of Week							Ave W'day	All Days Ave
	Mon 18-Feb	Tue 19-Feb	Wed 20-Feb	Thu 21-Feb	Fri 22-Feb	Sat 23-Feb	Sun 24-Feb		
AM Peak	112	120	106	98	102	86	168		
PM Peak	154	124	154	128	142	74	78		
0:00	4	6	2	12	12	2	4	7	6
1:00	0	12	12	8	4	12	2	7	7
2:00	2	10	2	10	8	8	6	6	7
3:00	6	8	12	12	10	2	0	10	7
4:00	6	22	2	6	8	6	4	9	8
5:00	20	26	42	34	26	6	6	30	23
6:00	68	66	68	72	52	14	6	65	49
7:00	40	58	68	82	70	30	8	64	51
8:00	78	120	106	80	86	38	16	94	75
9:00	98	76	80	84	102	72	26	88	77
10:00	86	78	78	92	80	70	168	83	93
11:00	112	84	90	98	98	86	52	96	89
12:00	122	90	110	100	104	66	44	105	91
13:00	88	82	98	78	104	52	62	90	81
14:00	108	120	96	116	114	68	40	111	95
15:00	154	108	154	128	142	74	52	137	116
16:00	136	108	130	122	130	62	78	125	109
17:00	102	124	122	86	104	58	64	108	94
18:00	68	80	44	82	52	30	50	65	58
19:00	32	48	44	46	32	24	22	40	35
20:00	32	40	24	26	36	22	20	32	29
21:00	22	32	16	32	18	8	22	24	21
22:00	10	8	26	6	18	16	10	14	13
23:00	4	4	4	2	16	4	6	6	6
Total	1398	1410	1430	1414	1426	830	768	1416	1239
% Heavy's	17.2%	17.3%	17.9%	19.4%	18.9%	7.5%	3.9%	18.1%	15.9%

Lansdowne Street – Westbound – Between Robinson Street and Oxley Street
Volume Summary

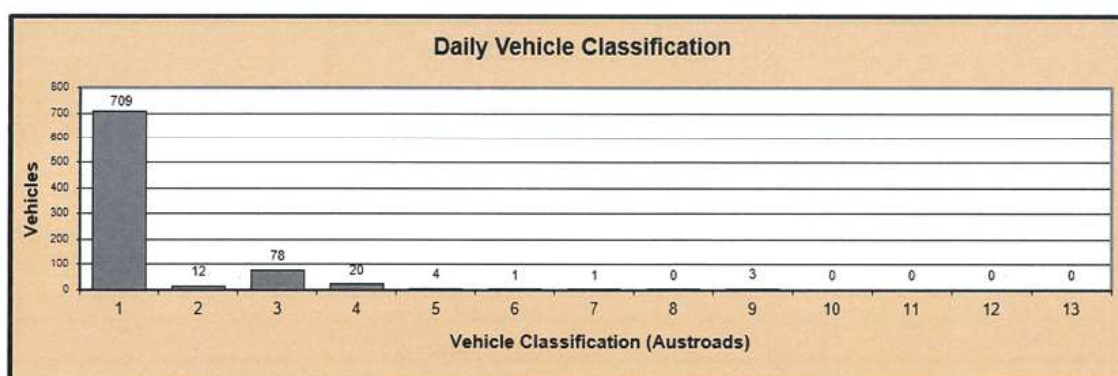


Lansdowne Street – Westbound – Between Robinson Street and Oxley Street
Total Average Daily Vehicle Classification
(Data Source: Austraffic)

Road	Robinson St	Average Weekday	957
Location	South of Lansdowne St	All Day Average	829
Suburb	Goulburn	Weekday Heavy's	14.6%
Site No.	8602_3	All Day Heavy's	12.9%
Start Date	Monday 18/02/2019		
Direction	Northbound		

Starting Time	Day of Week							Ave W'day	All Days Ave
	Mon 18-Feb	Tue 19-Feb	Wed 20-Feb	Thu 21-Feb	Fri 22-Feb	Sat 23-Feb	Sun 24-Feb		
AM Peak	98	92	70	78	78	70	46		
PM Peak	116	96	108	114	108	66	48		
0:00	2	2	2	0	0	0	0	1	1
1:00	0	0	2	2	2	2	6	1	2
2:00	2	4	0	2	4	4	0	2	2
3:00	2	2	8	4	0	2	0	3	3
4:00	2	4	2	0	8	2	2	3	3
5:00	2	4	2	2	0	2	4	2	2
6:00	24	18	22	16	18	4	2	20	15
7:00	38	28	40	46	44	22	12	39	33
8:00	86	92	58	78	66	20	2	76	57
9:00	98	72	66	56	78	50	16	74	62
10:00	60	58	68	66	64	70	46	63	62
11:00	62	64	70	58	70	64	46	65	62
12:00	82	80	78	114	74	44	48	86	74
13:00	74	58	70	72	62	46	48	67	61
14:00	54	56	76	62	76	34	44	65	57
15:00	84	78	72	86	86	42	40	81	70
16:00	116	80	98	114	108	66	34	103	88
17:00	86	96	108	86	88	40	26	93	76
18:00	46	34	34	58	40	24	34	42	39
19:00	20	28	32	26	28	8	18	27	23
20:00	20	24	10	14	12	16	12	16	15
21:00	12	4	10	12	8	8	0	9	8
22:00	8	22	8	8	14	2	4	12	9
23:00	4	0	6	4	14	0	0	6	4
Total	984	908	942	986	964	572	444	957	829
% Heavies	14.2%	16.1%	14.6%	13.2%	14.9%	6.6%	3.2%	14.6%	12.9%

Robinson Street – Northbound – South of Lansdowne Street
Volume Summary

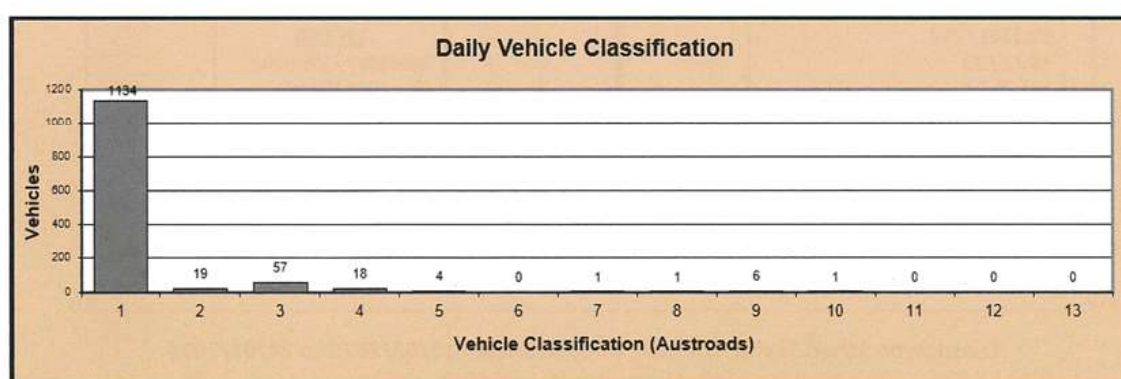


Robinson Street – Northbound – South of Lansdowne Street
Total Average Daily Vehicle Classification
(Data Source: Austraffic)

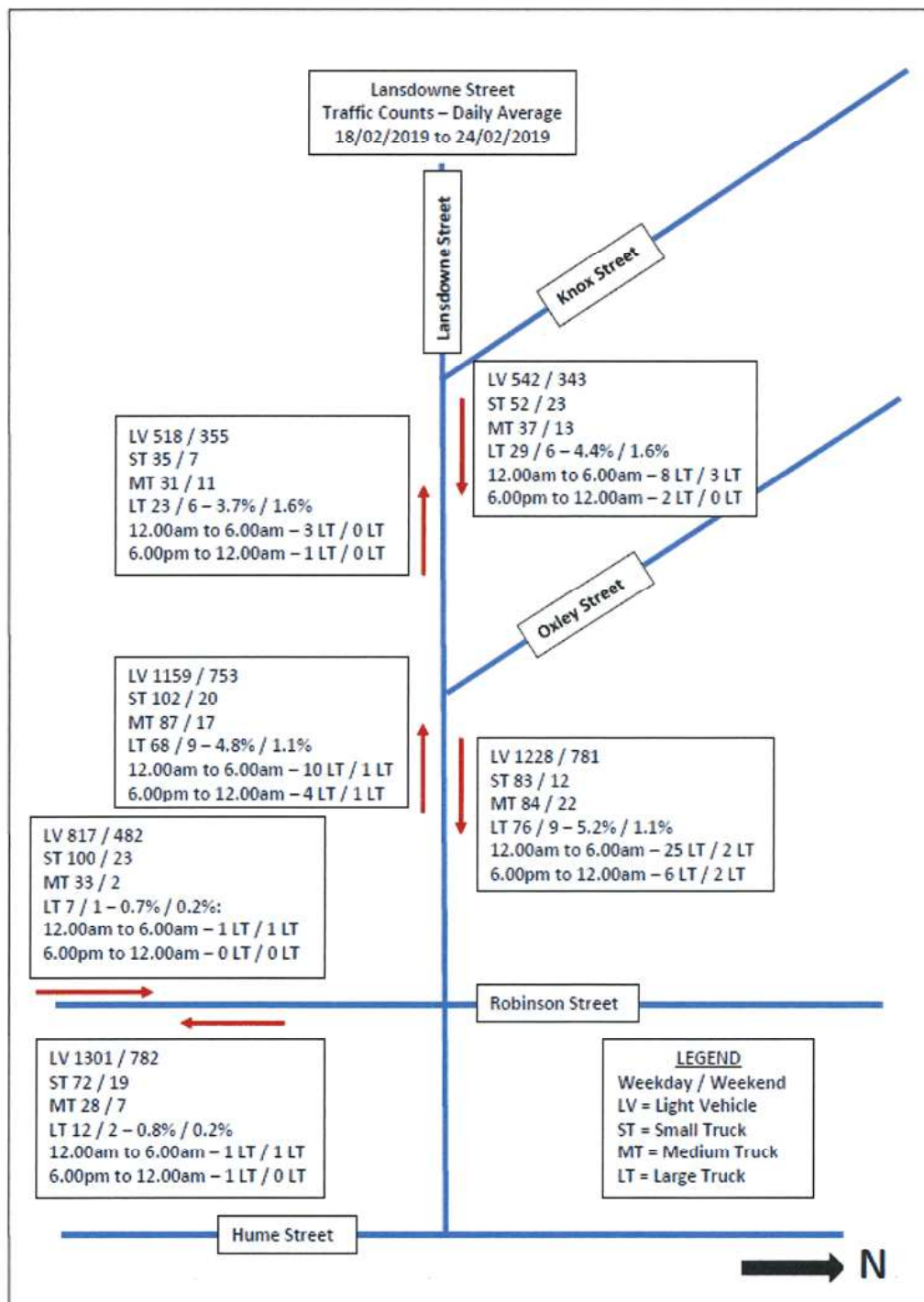
Road	Robinson St							Average Weekday		1414
Location	South of Lansdowne St							All Day Average		1241
Suburb	Goulburn							Weekday Heavy's		8.0%
Site No.	8602_3							All Day Heavy's		7.1%
Start Date	Monday 18/02/2019									
Direction	Southbound									

Starting Time	Day of Week							Ave W'day	All Days Ave
	Mon 18-Feb	Tue 19-Feb	Wed 20-Feb	Thu 21-Feb	Fri 22-Feb	Sat 23-Feb	Sun 24-Feb		
AM Peak	130	164	118	160	138	108	84		
PM Peak	148	130	160	138	168	102	76		
0:00	2	2	0	4	0	4	0	2	2
1:00	0	0	2	6	0	4	2	2	2
2:00	0	4	0	4	6	2	0	3	2
3:00	2	0	4	0	0	4	2	1	2
4:00	10	12	10	14	16	6	0	12	10
5:00	20	20	28	26	14	2	4	22	16
6:00	44	44	40	40	54	14	8	44	35
7:00	124	108	84	126	106	36	16	110	86
8:00	130	164	118	160	138	68	20	142	114
9:00	122	122	112	102	108	86	38	113	99
10:00	92	112	92	118	80	108	76	99	97
11:00	96	84	88	78	90	90	84	87	87
12:00	64	94	94	94	104	102	62	90	88
13:00	104	74	126	64	92	38	64	92	80
14:00	114	98	100	94	108	56	76	103	92
15:00	140	130	160	124	168	68	66	144	122
16:00	148	102	124	138	132	48	58	129	107
17:00	92	78	92	96	74	66	40	86	77
18:00	38	60	40	58	52	44	32	50	46
19:00	30	28	32	50	46	18	32	37	34
20:00	22	28	22	18	24	16	24	23	22
21:00	12	16	14	20	20	4	14	16	14
22:00	4	8	2	2	12	12	2	6	6
23:00	0	0	0	2	6	2	2	2	2
Total	1410	1388	1384	1438	1450	898	722	1414	1241
% Heavies	6.2%	6.6%	9.0%	9.6%	8.4%	3.8%	3.0%	8.0%	7.1%

Robinson Street – Southbound – South of Lansdowne Street
Volume Summary



Robinson Street – Southbound – South of Lansdowne Street
Total Average Daily Vehicle Classification
(Data Source: Austraffic)



Lansdowne Street Traffic Counts – Daily Average - 18/02/2019 to 24/02/2019
(Data Source: Austraffic)

Some observations from this data:

- The majority of the traffic on Lansdowne Street is between Robinson Street and Oxley Street.
- There is a significant reduction in traffic during weekends on Lansdowne Street and Robinson Street.
- There is minimal large truck traffic between 6.00pm and 6.00am.
- There is minimal large truck traffic in Robinson Street.
- Traffic volumes are not considered to be high particularly in respect to large trucks.
- The vast majority of traffic in Lansdowne Street and Robinson Street is class 1 sedan motor vehicles

3. Carried out a Noise Assessment

Simgrow Pty Ltd engaged Harwood Acoustics to undertake a Noise Assessment (copy attached) which includes the following comments and recommendations:

"The author visited the Site on several occasions throughout November and December 2018 and January 2019 to carry out attended noise surveys of noise emission from industrial activity at various locations across the development Site, as shown in Figure 1.

The acoustical environment during all noise surveys was dominated by activity at Boral Concrete which included the loading of cement trucks from the hoppers, washing cement trucks (or adding water to the mix).

Other industrial activity included noise emanating from Goulburn Farm Machinery, Allmac Welding and heavy vehicle movements along Lansdowne Street. The level of noise emission from premises along Robinson Street was significantly lower than those along Lansdowne Street, particularly near to Boral Concrete. The level of noise emission from the eastern end of Lansdowne Street was considerably less than the Boral site." (Page 9)

"6. CONCLUSION

An industrial noise intrusion assessment has been undertaken in relation to a planning proposal seeking to rezone land at Lot 10 in DP 1018281 Lansdowne and Robinson Streets, Goulburn, NSW to facilitate residential subdivision.

Industrial noise levels and heavy vehicle movement noise levels have been established across the Site based on attended noise surveys undertaken in November and December 2018 and January 2019. Industrial noise levels range from 51 to 62 dBA during the day and noise emitted from heavy vehicles are from 54 to 56 dBA at night at the least exposed and most exposed potential future dwellings respectively. These measured and established noise levels have been used to determine the potential for compliance with the internal noise design goals derived from Australian Standard AS2107:2016 'Acoustics – Recommended design sound levels and reverberation times for building interiors' (AS2107).

These design goals can be achieved for any future residences based on typical example constructions outlined in Section 5 of this report. Individual assessments of future dwellings may be undertaken prior to issue of construction certificates.

This may be facilitated by the inclusion of 88b instruments on burdened lots.

Any acoustical treatment, where required will not be onerous and result typically in

an upgrade to standard glazing thicknesses and or standard plasterboard thickness in some ceilings.

The approach of including 88b instruments that require internal noise design goals to be met in accordance with AS2107:2016 is in keeping with the approved residential subdivision on the adjoining parcel of land at Theatre Drive.

This assessment does not address potential for compliance with external noise goals derived from the EPA's Noise Policy for Industry (2017) for noise emission arising from industrial premises impacting on future residents. However, advice is provided in Section 5.3 to reduce external noise impacts in the design stage of future dwellings so far as is reasonably practicable." (Page 14)

As a response to the traffic and noise assessments, Simgrow Pty Ltd have initiated the following actions:

- Removed direct access from Theatre Drive to Lansdowne Street.
- Proposed the erection of a lapped and capped timber fence (density 15kg/m²) 2.10m high along the Lansdowne Street boundary of lots 32 to 38 inclusive as a sound barrier as well as to provide privacy and amenity to the area – see example below. The attached Industrial Noise Intrusion Assessment report includes the following statement regarding this barrier - *"This will provide attenuation of between 5 and 6 dB from noise emission arising from industrial sites and trucks passing on Lansdowne Street. The proposed boundary fence will provide a reduction in external noise levels which will improve external noise amenity in gardens and courtyards and also potentially reduce the level of construction required to meet the recommended internal noise design goals."*
- Proposed the erection of a lapped and capped timber fence 1.8m high along the Robinson Street boundary of lots 38 to 48 inclusive to provide privacy and amenity to the area – see example below.

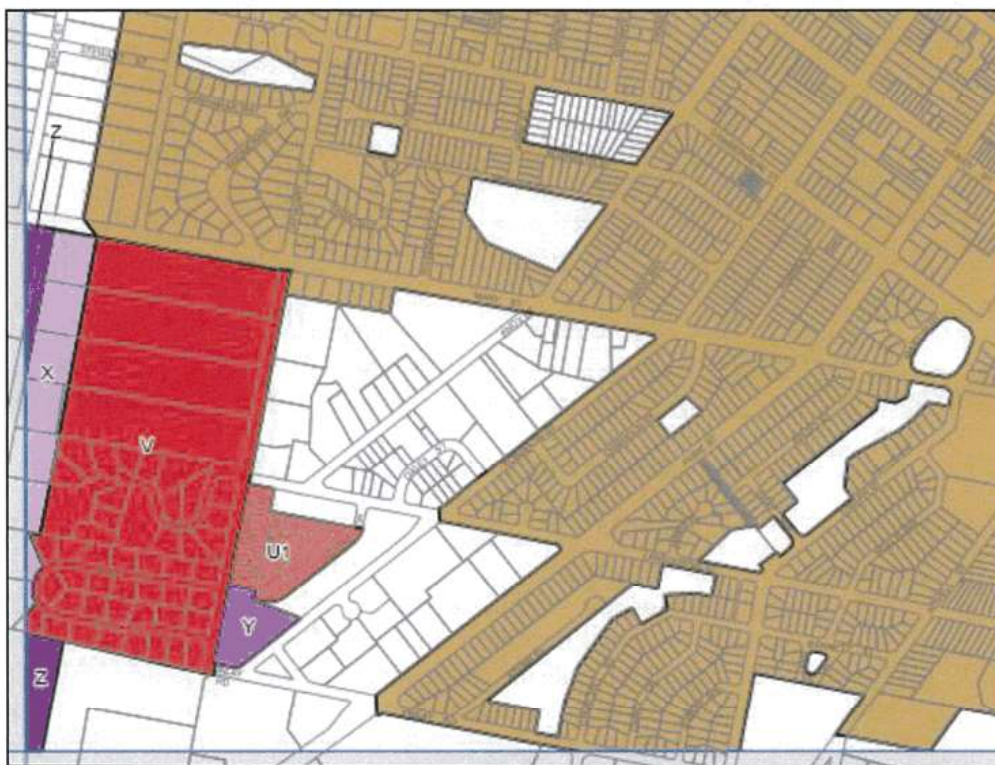


Typical Lapped and Capped Timber Fence

In respect to other matters associated with this rezoning request:

1. Lot Size

The minimum lot size proposed by Simgrow Pty Ltd is 1000m² and is consistent with that applying to the existing Theatre Drive development. The proposed conceptual subdivision proposes lots having a boundary with Lansdowne Street having areas varying between 1100m² (similar area to the subdivision of Lot 1 DP 1018281) located towards the west to 1679m² being the eastern most lot with lots progressively increasing in area towards the east. Lots fronting Robinson Street are proposed to be generally 1000m² with larger lots towards the north. These lot sizes are consistent with the Theatre Drive development and will have no impact on the amenity of the area. It is also noted that the minimum lot size in the Abbey Road development to the west is 2000m² (V) and 700m² (Q) in the residential areas to the north and east – see map below. The proposed 1000m² (U1) minimum lot size is a sensible size for lots located between these areas.

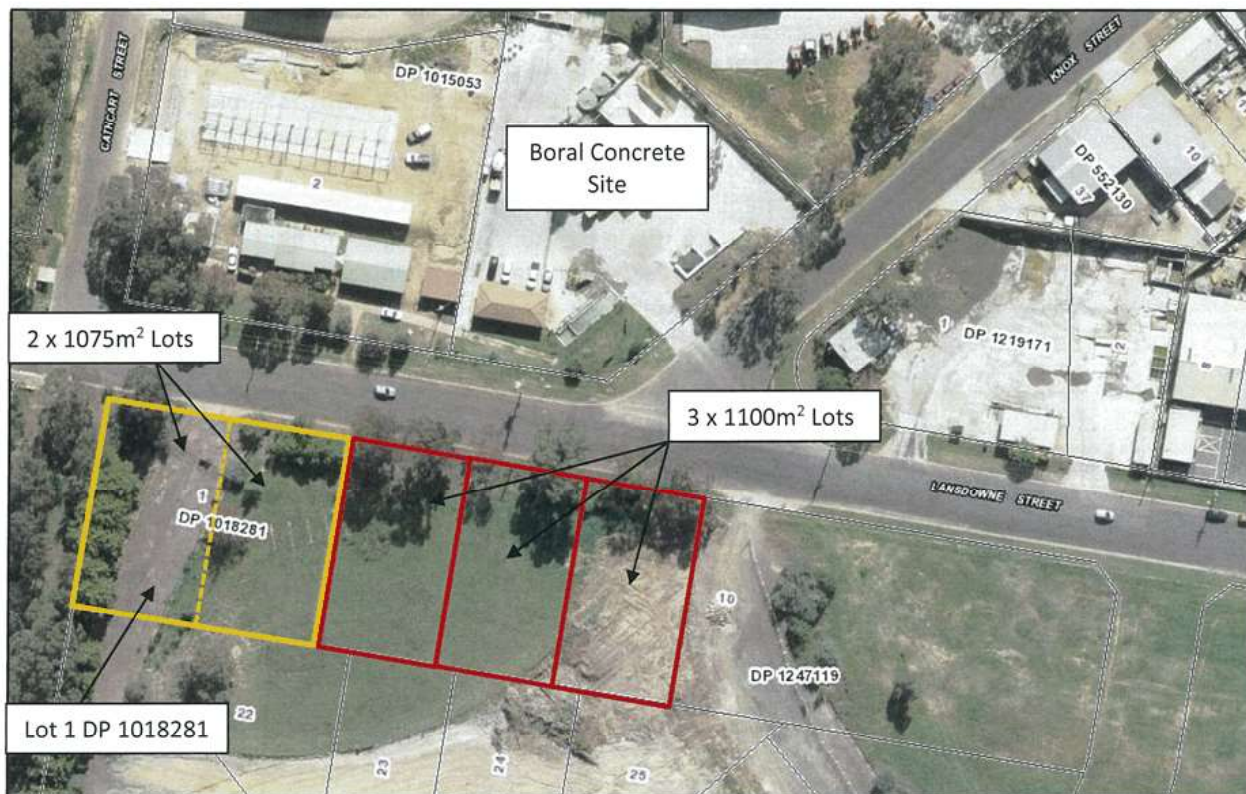


Lot Size Map

(Map Source: NSW Legislation website)

It is also noted that Council resolved to include 150 Lansdowne Street Goulburn (Lot 1 DP 1018281) as part of the R5 rezoning and 1000m² minimum lot size. The rezoning of this parcel of land certainly sets a precedent for the Simgrow Pty Ltd land being within the impact area to the Boral site insofar that it is reasonable to assume that proposed allotments fronting Lansdowne Street generally west of Knox Street can have direct access to Lansdowne Street as well. Lot 1 DP 1018281 has an area of 2150m² and on

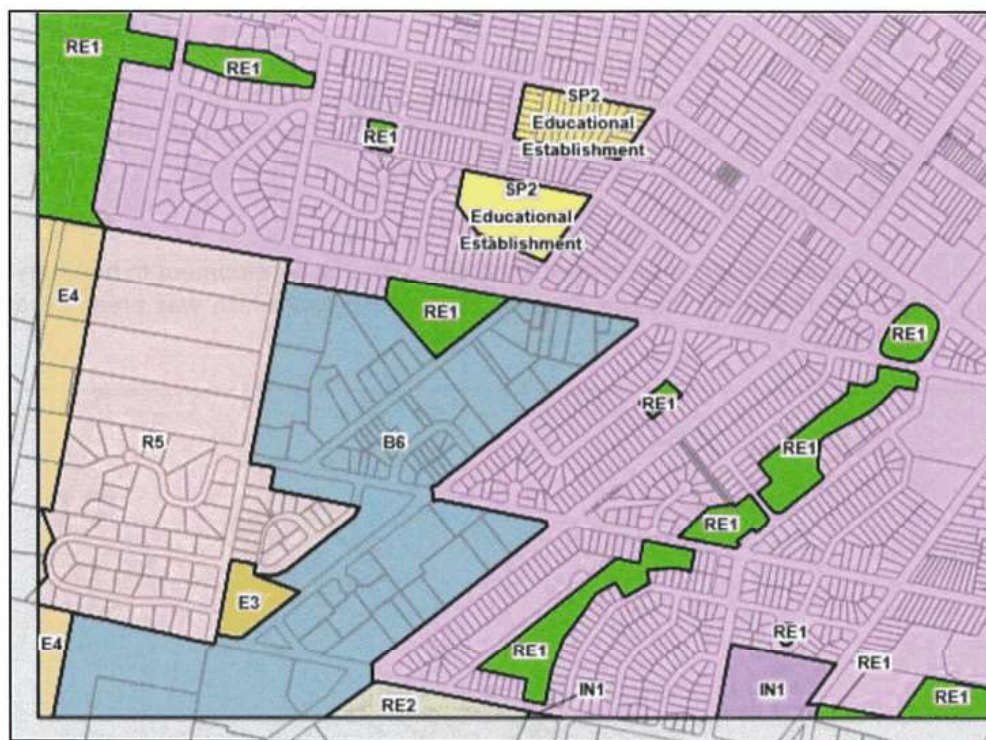
the assumption that this lot will be subdivided in the future, each lot will have an area of 1075m² with access from Lansdowne Street. It is logical to assume that the Simgrow Pty Ltd land generally west of Knox Street should be able to have a similar development potential – see aerial photograph below.



Aerial Photograph – Lot 1 DP 1018281 and Part Lot 10 DP 1247119
(Map Source: Six Maps)

2. Zoning

The zoning proposed by Simgrow Pty Ltd is R5 Large Lot Residential Zone to be consistent with the zoning located and adjoining the land to the west – see map below on page 23. It is noted that the B6 boundary in this area (Hume Street, Lansdowne Street, Robinson Street, Mary Street, Cathcart Street) generally all follow a street boundary to, at least, separate this development from adjacent residential development by a 20m wide road reserve. There is no logical reason why this should not happen in this area with the controls detailed above in this submission.



Zoning Map

(Map Source: NSW Legislation website)

3. Council Fees

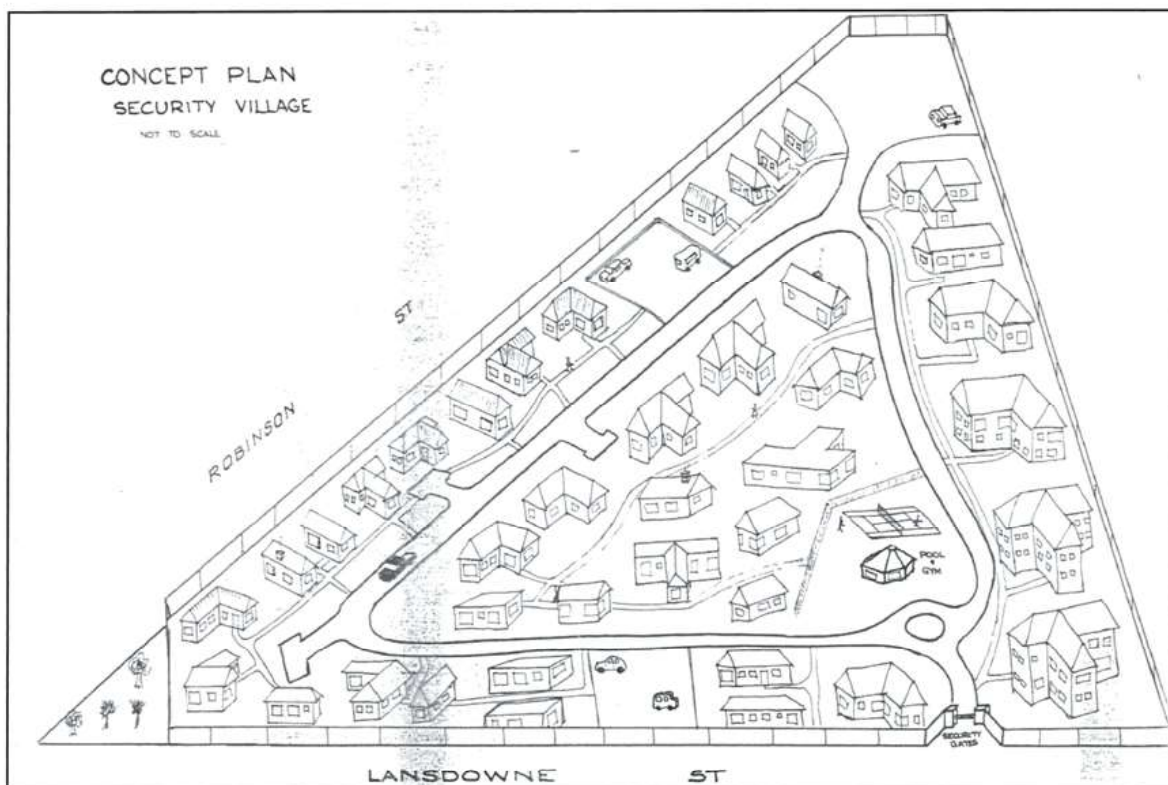
Subject to this request being supported by Council, Council is requested to waive any fees for the processing of this request for the rezoning the subject land. This rezoning of Lot 10 DP 1247119 essentially comprises part of the Planning Proposal initiated by Council at its meeting held on the 18 December 2016 – see Item 4 (History) below. Simgrow Pty Ltd will be responsible for all the capital costs associated with the variations to the internal road layout and the development of this site has been ongoing for many years being the subject of discussions with various Councils and staff and Simgrow Pty Ltd have always cooperated with Council requirements. This current predicament has not been initiated by the land owners but was precipitated by Council with a change to the LEP. Waiving of any fee is considered a reasonable request.

4. History

As indicated in this submission above, the whole site was originally a drive-in theatre which was purchased by Simgrow Pty Ltd in the late 1980's. The proposed development of this land has seen many permutations over the years varying from light industrial / commercial to residential development. Development Application 50/1011/DA for the subdivision of Lot 2 DP 1018281 (150 Lansdowne Street - the site of the former drive-in theatre) was approved on 7 December 2011. The approved subdivision consisted of 17 Lots for residential purposes plus a single lot designated for future industrial commercial activities (with frontage to both Lansdowne and Robinson Street) and a

single lot in the southern corner of the subject site for the purpose of protecting remnant native vegetation. The situation where the subdivision for 17 lots could still be enacted, but future applications for dwellings on those lots were prohibited was addressed by Council at its meeting held on the 18 December 2018 with the Planning Proposal rezoning the 17 lots R5 Large Lot Residential to permit residential development.

Simgrow Pty Ltd have always expected residential development to occur on this land as is evidenced by the concept plan indicated below which was prepared during 2004 (approx.).



Preliminary Residential Concept Plan
(Plan Source: Unknown)

It is therefore erroneous to suggest that, historically, the land adjacent to Lansdowne Street and Robinson has been intended for industrial / commercial use. The current approved plan of subdivision was the result of discussions between Council staff and Simgrow Pty Ltd being a compromise between residential and industrial / commercial development on the B6 zoned land – it really is not a desirable long term development concept. The rezoning of this parcel of land was initially considered by Council at its meeting held on the 20 December 2016 and a copy of this report is attached at Appendix 2. Some relevant statements within this report are:

1. *The purpose of the report is to recommend that Council initiate a planning proposal to amend the Gou/burn Mulwaree Local Environmental Plan 2009 to*

alter the zone, minimum lot size and floor space ratio controls for land at 150 and 170 Lansdowne Street, Goulburn (Lots 1 and 2 DP 1018281). The proposal is that the subject land be rezoned from B6 Enterprise corridor to part RS Large Lot Residential and part E3 Environmental Management.

Comment: The Planning Proposal prepared by Council included the whole of Lot 2 DP 1018281 to be rezoned for residential development.

- II. *The objective of the B6 zone including residential development (when it was first brought in) was to provide some flexibility to development where residents can work and live in the same locality. This can reduce the potential for a clash of incompatible uses as workers and residents have a shared interest. It can act as a small business incubator for "start-up" businesses to keep their costs down in the establishment phase. In this case the rezoning to R5 will probably lead to the entire site being subdivided for large lot residential development. This is fine on the western side where it abuts existing rural residential development. However the existing development across Lansdowne Street and Robinson Street includes uses such as a concrete batching plant and truck depots. These may not be compatible with the lifestyle expectations of new residents. Council may need to consider generous setbacks, landscaping and noise attenuation measures in any future development application for lots that have frontage to Lansdowne Street and Robinson Street. Avoiding the potential conflict between residential traffic and industrial / business related traffic will also be a challenge.*

Comment: Simgrow Pty Ltd have initiated measures for noise attenuation in Lansdowne Street and Robinson Street by the erection of a timber lapped and capped fence having a minimum density of 15kg/m² as well as removing the opportunity for traffic conflict in Lansdowne Street particularly.

CONCLUSION

The inclusion of the following measures being:

- Removed direct access from Theatre Drive to Lansdowne Street.
- Provided direct access from Theatre Drive to Robinson Street.
- Provided a range of lot sizes from 1100m² to 1679m² with the larger lots being located to the east of Lansdowne Street and north of Robinson Street.
- Provided an area for the establishment of a playground area particularly for young children in the Theatre Drive and Abbey Road areas.
- The erection of a lapped and capped timber fence (density 15kg/m²) 2.10m high along the Lansdowne Street boundary of lots 32 to 38 inclusive as a sound barrier as well as to provide privacy and amenity to the area.
- The erection of a lapped and capped timber fence 1.8m high along the Robinson Street boundary of lots 38 to 48 inclusive to provide privacy and amenity to the area.

will ameliorate any concerns of the existing businesses in the area and in particular will:

- Create a permanent interface barrier between existing businesses in Lansdowne Street and Robinson Street and this residential development.
- Remove any interaction between traffic in Lansdowne Street with residential and pedestrian traffic from Theatre Drive.
- Not create an environment for on-going conflict between the existing businesses and this residential development.
- Result in a buffer between the residential development and existing businesses being provided by the proposed timber lapped and capped timber (15kg/m²) boundary fence in Lansdowne Street and Robinson Street.

Appendix 1

Council Meeting Report 18 December 2018



Ordinary Council Meeting Agenda

18 December 2018

12.2 LANSDOWNE STREET REZONING POST EXHIBITION REPORT

Author: Bennett Kennedy, Senior Strategic Planner

Authoriser: Warwick Bennett, General Manager

Attachments: 1. Summary of Submissions [1](#) 
2. Summary of Proponents response to submissions [2](#) 

Link to Community Strategic Plan:	EN4 Maintain a balance between growth, development and environmental protection through sensible planning.
Cost to Council:	The cost of rezoning will be from operational budgets
Use of Reserve Funds:	Nil

RECOMMENDATION

That

1. The report of the Senior Strategic Planner regarding the Lansdowne Street Planning Proposal be received.
2. Council endorse the current Planning Proposal to amend the Goulburn Mulwaree Local Environmental Plan 2009 to:
 - a) Rezone land being Lots 11- 27 DP1247119 (Theatre Drive Subdivision), 150 Lansdowne Street Goulburn (Lot 1 DP 1018281) from zone B6 Enterprise Corridor to zone R5 Large Lot Residential;
 - b) Retain the existing B6 Enterprise Corridor zoning applying Lot 10 DP 1247119;
 - c) Rezone lot 28 DP 1247119 from B6 Enterprise Corridor to zone E3 Environmental Management;
 - d) Remove existing Floor Space Ratio (FSR) controls for lots no longer proposed to be rezoned B6 Enterprise Corridor; and
 - e) Apply a Minimum Lot Size of 1000 m2 (in R5 Large Lot Residential) and a 1 Hectare Lot Size (E3 Environmental Management) under Goulburn Mulwaree Local Environmental Plan 2009.
3. A Draft Instrument be prepared that is consistent with the above Amendment;
4. The Planning Proposal and relevant documentation be forwarded to the Department of Planning and Environment for making as soon as possible.
5. Council thank those who made a submission and advise the proponent accordingly.
6. Future development applications for development on land in DP1247119 (Theatre Drive Subdivision), Lot 1 DP 1018281 (150 Lansdowne Street) and Lot 10 DP 1247119 and Lot 28 DP 1247119 include restrictions on the title of each lot as generally outlined in this report.
7. In pursuance of Paragraph 2 above, site specific development control plan (DCP) provisions are developed to ensure that the mitigation measures are considered in future development application assessment including:
 - a) Construction standards for dwellings and boundary fencing in relation to noise and vibration.
 - b) A limitation on the further subdivision of Lot 10 with an indicative lot layout identified to limit the number of accesses to Lansdowne and Robinson Streets.
 - c) Provisions requiring development on Lot 10 include mitigation measures to reduce interface impacts on adjoining residential through building and car parking location, landscaping etc.

Item 12.2

Page 36

Cont'd.

- d) Consideration of the potential for a dedicated road access from Theatre Drive to Cathcart Street.

8. The DCP provisions in Recommendation 3 are publicly exhibited.

BACKGROUND

Development Application 50/1011/DA for the subdivision of Lot 2 DP 1018281 (150 Lansdowne Street - the site of the former drive-in theatre) was approved on 7 December 2011.

The approved subdivision consisted of 17 Lots for residential purposes plus a single lot designated for future industrial commercial activities (with frontage to both Lansdowne and Robinson Street) and a single lot in the southern corner of the subject site for the purpose of protecting remnant native vegetation.

The Subdivision Certificate for the approved subdivision was issued on 30 August 2018. It is understood that prior to this, the 17 Lot residential component of the subdivision had been put on the market with many lots sold. These lots were sold with Section 10.7 Planning Certificates (Environmental Planning and Assessment Act, 1979) that identified the land as being zoned B6 Enterprise Corridor under *Goulburn Mulwaree Local Environmental Plan 2009* (GM LEP 2009) upon which *Residential Accommodation* (this definition including detached dwellings and dual occupancies) is prohibited.

When the GM LEP 2009 was introduced the subject land was zoned B6 enterprise Corridor. It had previously been zoned "4 Industrial" under Goulburn LEP 1990. At the time LEP 2009 commenced, dwellings were permitted with Council consent in the B6 Enterprise Corridor zone. The zone also had an objective "to provide for residential uses, but only as part of a mixed use development".

On October 2012 Council amended GM LEP 2009 to remove the objective relating to residential development and prohibit *residential accommodation* in the B6 Enterprise Corridor zone. This created a situation where the subdivision for 17 lots could still be enacted, but future applications for dwellings on those lots were prohibited. It is this situation that Council is trying to address with a current Planning Proposal to rezone the land to zone R5 Large Lot Residential under GM LEP 2009.

REPORT

Council is currently processing a Gateway Determination issued by the Department of Planning and Environment (DPE) to rezone the subject land from the current zone B6 Enterprise Corridor to part zone R5 Large Lot Residential and part (1 lot) zoned E3 Environmental Management, remove existing Floor Space Ratio (FSR) controls and apply minimum lot sizes of 1,000 m² (area of R5) and 1 Hectare (area of E3) under GM LEP 2009. This amendment is supported by *Council's Employment Lands Strategy 2016* however, concerns have been raised with the current Planning Proposal regarding the potential for land use conflict with nearby industrial land uses.

This report outlines the Public Exhibition process undertaken thus far, what measures have been put in place to mitigate identified land use conflicts and what options are available to progress the Planning Proposal.

In the context of the current circumstances it is worth considering that the current Planning Proposal is nearing completion.

The current Planning Proposal underwent Community Consultation from 25 January 2018 to 23 February 2018. Eight (8) submissions were received objecting to the proposal from owners/occupiers located in proximity to the subject site and a meeting held (attended by the Mayor, the then Manager of Planning and Strategic Outcomes and staff) on 12 February 2018.

The written objections (made anonymous) were summarised and forward to the proponent for a response in May 2018 (Attachment 1). The response from the proponent was received in September 2018. The proponent's response was forwarded to those who made a submission on 5 October 2018.

Council held a meeting with several objectors on Friday 7 December 2018 to discuss their continuing concerns with the current Planning Proposal and the proponent's response.

To address the concerns of objectors from the first exhibition period in Jan-Feb 2018, Council requested that the proponent consider measures that would mitigate the concerns of objectors on properties where the greatest impacts from their operations would be felt, thereby reduce the perception of land use conflicts by future residents. These mitigation measures are:

1. Consolidated access to certain lots (for a proposed future subdivision – refer Attachment 2).
2. Restrictions to be registered, via an 88B Instrument (refer Attachment 2), on the titles of future lots for the use of the land for residential purposes. In summary these include:
 - (a) No habitable rooms (as defined by the Building Code of Australia (BCA) to be constructed to provide separation from industrial operations opposite,
 - (b) Raised construction standards,
 - (c) Increased minimum rear setbacks to Robinson Street (26m) and Lansdowne Street (17m),
 - (d) No direct access to Lansdowne or Robinson Streets from these lots and
 - (e) Construction of lapped and capped timber paling fences along the Lansdowne and Robinson Street boundaries.

In addition to these measures, on 7 August 2018 Council resolved to include an attachment with all 10.7 Planning Certificates advising that 'Council would not support any action that would unreasonably interfere with the existing use or ongoing operation of land uses, particularly where such activities or uses are carried out in accordance with existing approvals, industry standards and relevant legislation'.

The 10.7 Certificates issued when the lots were sold (from the original lot) would not contain these attachments, however now that the lots have been registered any new Planning Certificate would include them.

It should be noted that these restrictions (apart from higher construction design for acoustics/vibration) will not be placed on 170 Lansdowne Street Goulburn (Lot 1 DP 1018281).

To provide a transparent planning framework for development applications on affected sites, it is recommended that site specific development control plan (DCP) provisions be prepared for inclusion in *Development Control Plan 2009*. These provisions based on the mitigation measures above and those identified in Attachment 2 to be placed on exhibition in January 2019.

Consultation

The Gateway Determination for the Planning Proposal was issued on 21 July 2017.

The Gateway Determination included a pre-condition for a Preliminary Site Investigation (PSI) to determine the presence or otherwise of any contamination on the site. This means that if contamination is detected, further investigation (Stage 2) is required.

A Preliminary Site Investigation was undertaken by Zoic Pty Ltd on behalf of the proponent. The PSI concluded that a Stage 2 investigation is not required.

The subject Planning Proposal was placed on Public Exhibition in accordance with the Gateway determination for 28 days by placing an advertisement in the Goulburn Post on 1 February 2018. Submissions were invited until 23 February 2018.

In response to this advertisement, 8 submissions were received (Attachment 1).

As previously stated, a meeting was held with objectors representing various truck and freight companies and landowners operating businesses around the subject site on 7 December, 2018. Key concerns raised by this group were:

- Residential/ industrial land use interface issues due to existing businesses operating on approvals which allow 24 hour a day and 7 day a week operations. Thereby creating an environment from the outset that will lead to conflicts relating, to noise, dust, vibration, traffic etc.
- Safety with the interaction between B doubles and semi-trailers with residential vehicle and pedestrian traffic.
- Potential ongoing complaints and regulatory issues for Council and the businesses due to fundamental interface issues.
- Historically proposed Lot 10 (the peripheral lot) was approved as a commercial/industrial lot and not for residential.

The position of this group of representative businesses was:

1. That Lot 10, the peripheral lot retain a B6 Enterprise Corridor rezoning to provide a buffer between existing businesses (with more intensive operational activities) and dwelling houses. New business development on Lot 10 would be required to mitigate impacts on residential land within Theatre Drive from the outset.
2. Limit the amount of further subdivision on Lot 10 so that the number of access points onto Lansdowne and Robinson Street are also limited (given heavy existing traffic volumes).
3. Restrictions relating to noise and vibration etc. for construction and fencing should apply to land to be rezoned R5 fronting Theatre Drive via a DCP and potential 88B restrictions.
4. Council consider providing an alternate entry to Theatre Drive via Cathcart Street and the portion of the site proposed to be zoned E3.

The business operators also questioned whether traffic counts in Robinson or Lansdowne Street had been undertaken. Unfortunately, counts are unavailable for this section of Lansdowne St, but traffic counts were available for Robinson Street (undertaken in 2016) as follows:

Ordinary Council Meeting Agenda

18 December 2018

ClassMatrix-382
 Site: ST682 39.0.05N
 Description: 150m south of Mary St on Robinson St at number 39
 Filter time: 10:21 Monday, 23 May 2016 -- 13:56 Tuesday, 7 June 2016
 Scheme: Vehicle classification (AustRoads94)
 Filter: Cbs(1 2 3 4 5 6 7 8 9 10 11 12 | Dr(NESW) Sp(10,160) Headway(-0)

Speed (km/h)	1	2	3	4	5	6	7	8	9	10	11	12	Speed Totals
10 - 20	70	3	3	4	2	-	-	-	-	-	-	-	79 0.5%
20 - 30	232	4	27	12	-	-	5	1	4	2	-	-	287 1.7%
30 - 40	1105	14	195	40	7	4	2	12	6	7	-	-	1407 8.5%
40 - 50	5981	142	893	62	9	19	14	1	5	3	-	-	6910 41.6%
50 - 60	4092	64	420	7	-	5	4	-	-	-	-	-	4709 28.4%
60 - 70	1034	5	80	-	-	-	-	-	-	-	-	-	1119 6.7%
70 - 80	75	-	6	-	-	-	-	-	-	-	-	-	81 0.5%
80 - 90	37	-	-	-	-	-	-	-	-	-	-	-	37 0.2%
90 - 100	3	-	-	-	-	-	-	-	-	-	-	-	3 0.0%
100 - 110	1	-	-	-	-	-	-	-	-	-	-	-	1 0.0%
110 - 120	-	-	-	-	-	-	-	-	-	-	-	-	0 0.0%
120 - 130	-	-	-	-	-	-	-	-	-	-	-	-	0 0.0%
130 - 140	-	-	-	-	-	-	-	-	-	-	-	-	0 0.0%
140 - 150	-	-	-	-	-	-	-	-	-	-	-	-	0 0.0%
150 - 160	-	-	-	-	-	-	-	-	-	-	-	-	0 0.0%
	14520	250	1624	104	18	27	31	21	11	3	0	0	14613
	87.4%	1.5%	9.8%	0.6%	0.1%	0.2%	0.2%	0.1%	0.1%	0.0%	0.0%	0.0%	AUST 1177
	Class Totals												

The graph suggests a relatively high vehicle usage rate over the count period from 10.21 on Monday 23 May through to 1.56pm Tuesday 7 June being 16,613 vehicles (approximately 1,186 per day). Heavy vehicles are classes 3 – 12 using Austroads vehicle classification system. Therefore heavy vehicles accounted for 1,841 movements (131.5 per day). It is likely that the number of heavy vehicle and car movements has increased since that time. Essentially the traffic count demonstrates the relatively high level of vehicle and heavy vehicle usage of Robinson Street, it would be anticipated that Lansdowne Street would have a similarly high usage level.

The issues raised above have been considered further in the options section of this report.

Government Agency Response

The Gateway Determination required referral to Water NSW, Office of Environment and Heritage, Water NSW and the Rural Fire Service. The Gateway process requires responses from these agencies to be exhibited with the Public Exhibition documents. Responses from these agencies were also publicly exhibited.

Water NSW: Advised that the conditions provided in response to the subdivision of the subject site remain relevant and applicable. Further, Strategic Land and Water Capability assessment mapping shows no risk to water quality from sewer residential development therefore public infrastructure (sewer) must be retained. They further advised that the proposed amendment would not result in the creation of any development permissible with or without development consent that would be in conflict with the SLWCA mapping and that any future development must have a neutral or beneficial effect (NorBE) on water quality.	Response: It is considered that the Planning Proposal is satisfactory with regard to the response from WaterNSW.
Office of Environment and Heritage (Biodiversity): OEH supported the rezoning of the southern lot to an environmental zone however had concerns regarding the level of protection the proposed E3 Environmental Management zone would provide the remnant Box-gum Woodland (EEC).	Response: Both the E3 Environmental Management and E4 Environmental Living zones offer a greater level of protection than the E2 Environmental Conservation by providing an additional objective within the respective zones. Any future development application on Lot 28 DP 1247119 (the southern lot) would require

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Ordinary Council Meeting Agenda

18 December 2018

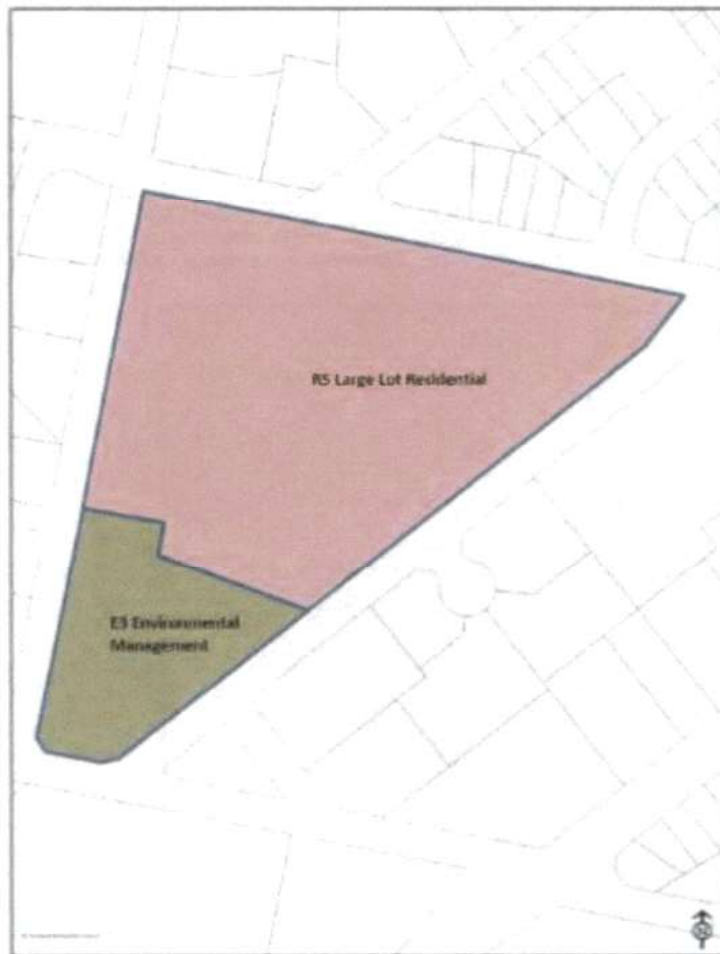
<p>OEH make further reference to the <i>Goulburn Mulwaree Council, South Goulburn Endangered/threatened Species Management Plan November 2004</i> that specifically identifies this site.</p>	<p>development assessment and thereby reference the above species management plan, although Biodiversity legislation has been considerably tightened since that Management Plan was prepared. Any future development application assessment would therefore be even more rigorous. Further to this, Council considered a modification of the original development consent on 2 April 2013 and resolved that amongst other things that, <i>Retention of proposed lot 28 in private ownership subject to provision of a Conservation Management Plan and other measures to protect the remnant vegetation.</i> The E2 zone prohibits dwelling houses and therefore, is inconsistent with Council's resolution.</p> <p>It is considered that the proposed E3 Environmental Management zoning and the <i>Conservation Management Plan</i> are satisfactory measures to protect the remnant Box-gum Woodland vegetation on the site</p>
<p>Office of Environment and Heritage (Heritage): OEH advised in this regard that due to the separation of the site from any dated built form, there would unlikely be any impact on European heritage. With regard to Aboriginal Cultural Heritage their advice recommended applying their due diligence guidelines (<i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW DECCW 2010</i>) to consider the need for any further investigation.</p>	<p>Response: Council applied the due diligence guidelines by undertaking a search of the AHIMS database. No areas or objects of significance were identified in the search results.</p>
<p>Rural Fire Service (NSW RFS): No response received.</p>	<p>Response: Nil</p>

Options

The options available to Council are as follows:

Option 1: This would involve no change to the current Planning Proposal.

It is considered that measures will be put in place via the proponent's response (88B Instrument and lot configuration) to address some of the concerns of objectors. This would also necessitate site specific development control plan provisions being in place as a means of alerting assessment staff and purchasers to likely construction standards or restrictions on lots. However, the usage of Robinson Street and Lansdowne Street by heavy freight and other industrial type businesses is potentially going to be an ongoing cause for dispute between landowners. The measures outlined only go a part of the way to solving these ongoing land use conflicts. The activity and noise levels by 24 hour a day truck usage of Lansdowne and Robinson Street should not be underestimated. Whilst dwellings can be constructed with increased standards for noise and vibration, amenity levels of private open space etc. will still be reduced. The traffic counts for Robinson Street are very high in a residential context aside from the heavy vehicle component. This traffic activity will be ongoing and whilst the mitigation measures proposed go some way to address the problems they are not a "complete" solution. The following is a map of Option 1:



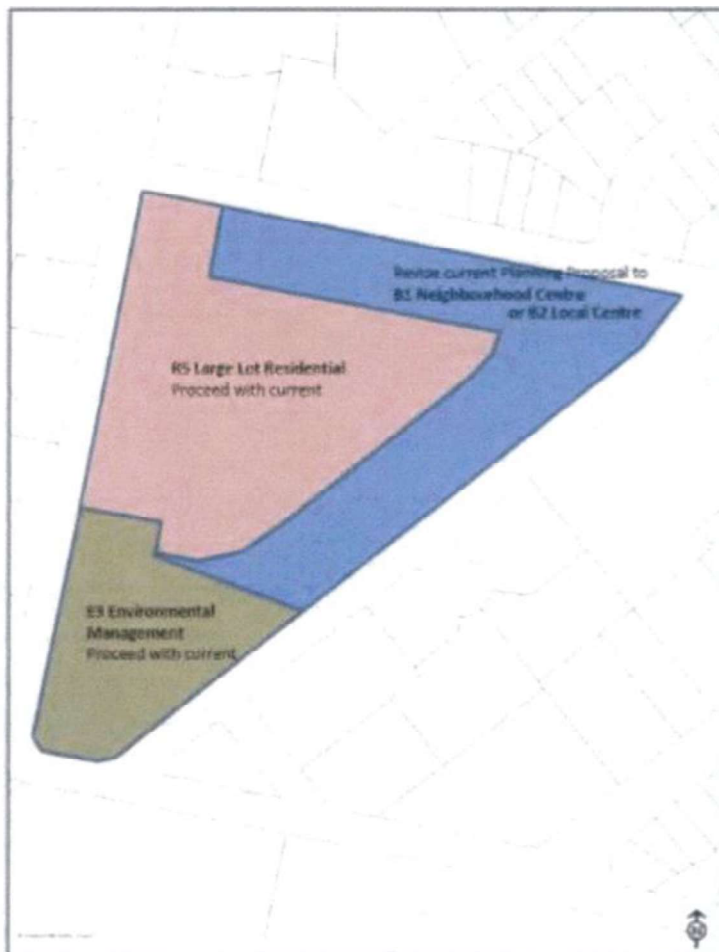
Option 1 Outcomes Map

The finalisation process could commence if this option is chosen but it may result in a situation where land use conflict will still occur. This process requires Council to instruct Parliamentary Counsel Office's to draft a suitable amendment that is consistent with Council's resolution and mapping data to amend Council's GM LEP 2009. When these have been prepared and submitted, the package of material can then be forwarded to the DPE for making. This process would take around two (2) months to complete (March - April 2019). Whilst this is in progress Council could have prepared and exhibited site specific draft DCP provisions.

If the concerns of objectors raised at the meeting of 7 December 2018 cannot be overcome in a timely fashion the following options are also available.

Option 2: This would involve splitting the Planning Proposal to separate the residential land use envisaged by the approved subdivision, including Lot 28 DP 1247119 (proposed E3 Environmental Management) and 150 Lansdowne Street (Lot 1 DP 1018281) from the remainder of the B6 Enterprise Corridor land (Lot 10 DP 1247119).

This would require a revised (1st) Planning Proposal (including only the identified land) to be forwarded to DPE for the Department to justify issuing a revised Gateway Determination. The revised Gateway Determination may require a further exhibition period (14 or 28 days) and following that, a post exhibition report to Council to address the public interest component. However it would be anticipated that any objections would be similar to those already lodged and would be addressed by similar measures identified above. These may also be included in the review of Council's *Development Control Plan 2009*. The following is a map of Option 2:



Option 2 Outcomes Map

If further exhibition is not required in the revised Gateway Determination, following receipt of the revised Gateway Determination, a revised post exhibition report for the internal residential land would be presented to Council early next year. This would likely expedite the processing of the rezoning for the existing subdivision (to R5 Large Lot Residential, Lot 28 DP 1247119 (to E3 Environmental Management zone) and 150 Lansdowne Street (Lot 1 DP 1018281) to finalisation (April – May 2019).

Council would also need to prepare a new and separate (2nd) Planning Proposal with consideration given to an appropriate zone that excludes rezoning to R5 Large Lot Residential, for the balance of the land (Lot 10 DP 1247119). This Planning Proposal would include what Council recommends this land be rezoned to. The main criteria of any zoning Council would need to address the issues raised above and potential for land use conflict between the industrial land uses opposite and the future residential land use within the Theatre Drive subdivision. Any zoning would however provide a degree of separation from the industrial land uses opposite. A Gateway Determination would also need to be issued for this Planning Proposal and again any Community Consultation would be required (14-28 days) to address the public interest.

Option 3: The third option is to proceed only with the rezoning of the existing land identified in the Lots 11 – 27 DP 1247119 (Theatre Drive Subdivision), Lot 28 DP 1247119 (proposed to E3 Environmental Management zone) and 150 Lansdowne Street (Lot 1 DP 1018281).

A revised Planning Proposal would also be required justifying the DPE issuing a revised Gateway Determination and may also require further consultation however, as above, this would expedite the processing of the Planning Proposal for the identified lands to finalisation.

This would leave the remainder of the site (Lot 10 DP 1247119) zoned B6 Enterprise Corridor. To rezone this land, the proponent would need to re-lodge the Planning Proposal with what they consider is an appropriate zone. Again their proposed zoning should address the potential for land use conflict with industrial land uses opposite and the transition to the residential land uses to its south. The concerns raised in submissions to the current planning proposal indicate that this would require further exhibition, consultation and a post exhibition report.

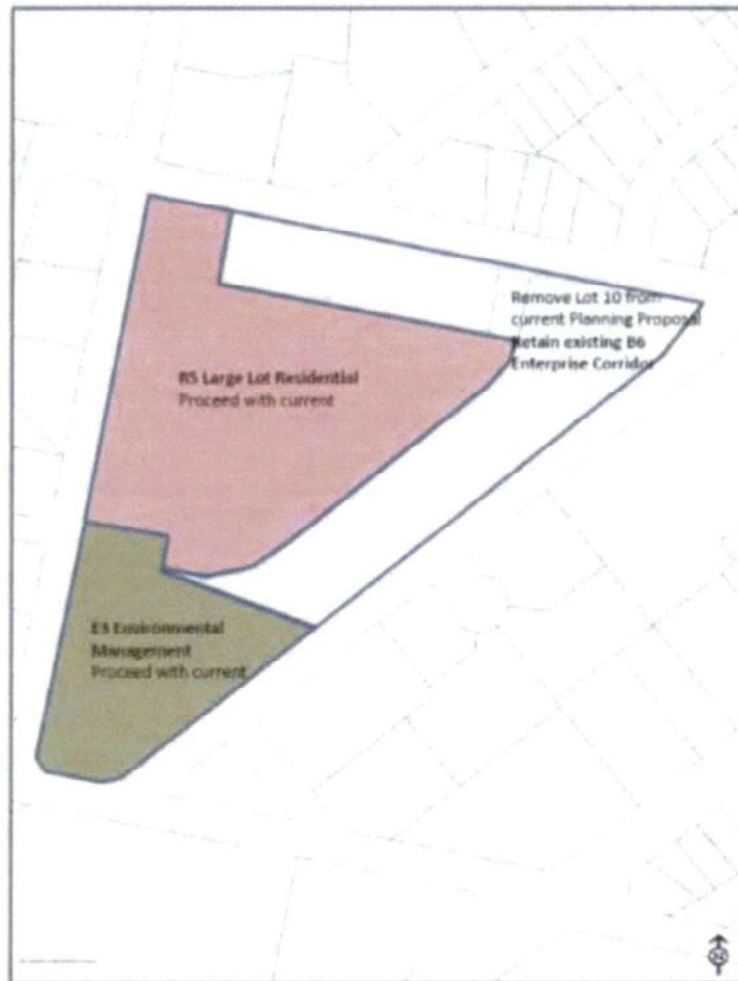
This option would expedite the processing of the Planning Proposal for the subject lands to finalisation (as outlined above) however, due to the requirement for the proponent to resubmit their documentation; it would considerably elongate the processing of rezoning of the outstanding land (Lot 10 DP 1247119) should this be proposed.

This option is consistent with the original Council development consent for this site which provided for a peripheral lot being a commercial /industrial lot.

The benefit of this option is that potentially a development control plan could be put in place providing:

- a. Development controls requiring noise and vibration controls on residential lots within Theatre Drive.
- b. Site specific provisions requiring that the further subdivision of Lot 10 be limited in order to restrict the amount of access conflicts with existing freight and industrial businesses/activities.
- c. Future development on Lot 10 can provide a buffer with the residential properties on Theatre Drive. Mitigation measures will be required with new development applications.
- d. Consideration of opening access to Cathcart Street as an alternate access to the residential area in Theatre Drive instead of via Lansdowne Street.

The following is a map detailing Option 3:



Option 3 Outcomes Map

CONCLUSION

In conclusion, the fundamental issue is that there is an approved residential subdivision on this site which has now been on sold. The separate ownerships of the affected lots will make it extremely difficult to rectify the situation (i.e. the site is unlikely to be redeveloped now in a layout that suits the range of permissible uses in the B6 zone).

The original subdivision approved 17 residential lots, 1 environmental lot and 1 business/commercial lot (lot 10). Council's role as a land manager and decision maker in this instance should include consideration of the historical situation decision making process. In this instance the peripheral lot (Lot 10) fronting Lansdowne and Robinson was approved as a commercial/business lot and not as a residential lot. This lot was intended from the outset to provide a buffer between residential and existing businesses. New development applications for businesses within Lot 10 would be subject to higher mitigation measures.

The land use interface concerns of surrounding businesses in the B6 zone are understood and mitigation measures are recommended to address these issues. It is recommended that Council proceed with the rezoning as proposed in Option 3, and that the mitigation measures be put in place via inclusion in a site specific DCP.

Appendix 2

Council Meeting Report 20 December 2016

Officers' Reports to Ordinary Meeting of Council to be held on 20 December 2016

Item 10.5 Proposed amendment to Goulburn Mulwaree LEP 2009 - 150 and 170 Lansdowne Street, Goulburn (Attachment)

Reporting Officer

Business Manager Planning & Strategic Outcomes – Emma-Jayne Leckie

Purpose of Report

The purpose of the report is to recommend that Council initiate a planning proposal to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to alter the zone, minimum lot size and floor space ratio controls for land at 150 and 170 Lansdowne Street, Goulburn (Lots 1 and 2 DP 1018281). The proposal is that the subject land be rezoned from B6 Enterprise corridor to part R5 Large Lot Residential and part E3 Environmental Management.

Report

Background

When *Goulburn Mulwaree Local Environmental Plan 2009* was introduced the subject land was zoned B6 Enterprise Corridor. It had previously been zoned 4 Industrial under Goulburn LEP 1990. At the time LEP 2009 commenced dwellings were permitted with Council consent in the B6 zone. The zone also had an objective "To provide for residential uses, but only as part of a mixed use development."

An application for the subdivision of Lot 2 DP 1018281 (150 Lansdowne Street) was approved on 7 December 2011. The approval (which has been commenced and therefore remains current) consists of 17 lots for residential purposes plus a single lot designated for future industrial or commercial activities (with frontage to both Lansdowne and Robinson Streets) and a single lot in the southern corner for the purpose of protection of native vegetation.

On 19 October 2012 Council amended its LEP to remove the objective relating to residential development and prohibit *residential accommodation* in the B6 zone. This has created a situation where the subdivision for 17 lots (for the purpose of residential development) was lawfully permitted, but future applications for dwellings on those lots may not be permitted. It is this situation that Council is trying to address with this planning proposal.

Site and Proposal Information

• The Planning Proposal

The planning proposal (if Council agrees to initiate it) will amend *Goulburn Mulwaree Local Environmental Plan 2009* (GMLEP) as it applies to 150 Lansdowne Street, Goulburn (Lot 2 DP 1018281) as follows:

Officers' Reports to Ordinary Meeting of Council to be held on 20 December 2016

- a. Alter the land use zone from B6 Enterprise Corridor to part R5 Large Lot Residential and part E3 Environmental Management
- b. Alter the minimum lot size from none to part 1000 m² (the R5 part) and part 10000 m² (the E3 part)
- c. Alter the floor space ratio from 0.8:1 to none for all of the lot.

It will amend *Goulburn Mulwaree Local Environmental Plan 2009* (GMLEP) as it applies to 170 Lansdowne Street, Goulburn (Lot 1 DP 1018281) as follows:

- a. Alter the land use zone from B6 Enterprise corridor to R5 Large Lot Residential
- b. Alter the minimum lot size from none to part 1000 m²
- c. Alter the floor space ratio from 0.8:1 to none for all of the lot.

The proposed amendments (other than the E3 zoning) are consistent with existing residential land to the west (Nicole Place and Abbey Road).

A map showing the location of the land affected and a set of maps showing the proposed zone, minimum lot size and floor space ratio of the land can be found in the Attachment (Figures 1-4).

• **Current zones and controls**

Goulburn Mulwaree Local Environmental Plan 2009 (GMLEP) applies to 150 and 170 Lansdowne Street, Goulburn (Lot 1 and 2 DP 1018281) as follows:

- a. The site is zoned entirely B6 Enterprise Corridor
- b. The site has no minimum lot size
- c. The site has a floor space ratio of 0.8:1

There are no height controls applying to the subject site and it is not identified as 'flood planning area' on the Flood Planning Map.

A set of maps showing the current zone, minimum lot size and floor space ratio of the land can be found in the Attachment (Figures 5-7).

The land adjoins a R5 Large Lot Residential area to the west along Cathcart Street and B6 Enterprise Corridor to the north (along Lansdowne Street) and east (along Robinson Street).

• **Site information**

The subject land consists of two lots with a combined area of approximately 6.76 hectares. Lot 1 is approximately 0.2165 hectares and Lot 2 is approximately 6.547 hectares. Lot 2 has consent for a 19 lot subdivision being 17 lots of between 0.1 and 0.17 hectares plus a proposed conservation lot of approximately 1.42 hectares and a future development lot of approximately 2.26 hectares.

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The subject land was the site of a drive in theatre which has not been in use for many years. The southern corner was identified in the South Goulburn Endangered / Threatened Species Management Plan (2004) as a significant area of remnant bushland.

The significance of this portion of the site was reinforced by it being identified for conservation in the existing subdivision approval. A draft conservation management plan prepared for the site also confirms its value.

- **Site servicing information**

The subject land has access to both reticulated water and sewerage. It has vehicle access from three public roads. Power and communications are also available.

How does the planning proposal relate to the Strategic Planning Framework?

The strategic and statutory planning framework has been examined and an assessment is provided in the Attachment.

In summary, the planning proposal is consistent with the *Goulburn Mulwaree Strategy 2020* and the *Goulburn Mulwaree Community Strategic Plan 2030*. It is also consistent with the *Sydney-Canberra Corridor Regional Strategy 2006-2031*. It is consistent with the relevant S.117 Directions except for Direction 1.1 Business and Industrial zones. In this case the inconsistency is justified on the basis it is a minor matter. It is consistent with the relevant SEPP's other than SEPP 55 – Remediation of Land. A preliminary contaminated land assessment should be able to resolve this inconsistency.

What are the key issues?

The key issues with these sites are compatibility of the proposed large lot residential use with neighbouring land uses; possible contamination from past land use, dumping or neighbouring land uses; protection of the remnant bushland in the southern corner; and the Goulburn Employment Lands Strategy.

Compatibility with neighbouring land use

The objective of the B6 zone including residential development (when it was first brought in) was to provide some flexibility to development where residents can work and live in the same locality. This can reduce the potential for a clash of incompatible uses as workers and residents have a shared interest. It can act as a small business incubator for "start-up" businesses to keep their costs down in the establishment phase. In this case the rezoning to R5 will probably lead to the entire site being subdivided for large lot residential development. This is fine on the western side where it abuts existing rural residential development. However the existing development across Lansdowne Street and Robinson Street includes uses such as a concrete batching plant and truck depots. These may not be compatible with the lifestyle expectations of new residents.

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Council may need to consider generous setbacks, landscaping and noise attenuation measures in any future development application for lots that have frontage to Lansdowne Street and Robinson Street. Avoiding the potential conflict between residential traffic and industrial / business related traffic will also be a challenge.

Contamination

The site was zoned for industrial purposes before the current B6 zone was applied in 2009. Possible contamination from past land use was addressed very briefly in supporting information for a development application in 2003. It does not appear to have been addressed in subsequent applications. There is no detailed timeline of past land uses. There is no assessment of adjacent land uses that could affect the site now or in the past. There are no soil tests provided. The draft conservation management plan identified that part of the site (as observed in February 2016) had been used for dumping of rubbish including organic waste, building waste and general rubbish. The extent and type of waste dumping and options for its "clean up" needs to be verified.

Given that the site has been zoned for industrial or business purposes for many years and this planning proposal is to change the prevailing land use to residential development then Council will require a more detailed assessment of this issue. This can be undertaken post a positive Gateway Determination.

Protection of remnant bushland

The 2004 South Goulburn Endangered /Threatened Species Management Plan identified the vegetation in the southern corner of the subject land as remnant Eucalypt woodland that is a significant contributor to biodiversity in this locality. It is a box gum woodland (White –Yellow Box – Blakelys Red Gum) that is listed as an endangered ecological community under the Threatened Species Conservation Act, 1995. A condition of the current subdivision required a conservation management plan be prepared. A draft was submitted to Council and OEH for review and comment.

It is appropriate that the remnant bushland be included in an E3 Environmental Management zone to reflect its biodiversity values. The relevant objectives of this zone are to: "Protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values; and Provide for a limited range of development that does not have an adverse effect on those values."

Employment Lands Strategy recommendations

Council recently exhibited a draft Employment Lands Strategy that considered the role of the South Goulburn Enterprise Corridor Precinct. A submission from the owner of 150 Lansdowne Road requested that the land be rezoned to R1 General Residential. Council's consultant agreed that the circumstances warrant a change of zone. However, the R1 zone would permit multi dwelling housing, residential flat buildings and serviced apartments.

Officers' Reports to Ordinary Meeting of Council to be held on 20 December 2016

It would also typically be coupled with a minimum lot size of 700 m². It is questionable as to whether this density of residential development is appropriate in this locality. A compromise is to change the zone to R5 large Lot Residential but with a 0.1 hectare minimum lot size (to reflect the existing consent). Although 170 Lansdowne Road was not considered in the submissions to the draft Employment Lands Strategy, it is located such that whatever happens to 150 Lansdowne Road should also apply to 170 Lansdowne Road given its small size and location.

Are there any risks or legal considerations?

If Council does not undertake the planning proposal there is a risk that it may not be able to approve dwellings on lots that have been lawfully approved in the past with the intention of being used for a dwelling.

What community engagement is proposed?

This planning proposal is not anticipated to be complex or controversial. A standard 28 day exhibition is foreshadowed.

Budget Implications

The Strategic Planning Unit has initiated the planning proposal and prepared the report using a consultant paid for by Council. If Council agrees to proceed then a consultant will be used to prepare the planning proposal. This will also be paid for by Council and can be accommodated within the existing strategic planning budget.

It is anticipated that the cost of a preliminary SEPP 55 contaminated land assessment would be passed on to the landowners. It is not recommended that Council pay for this assessment.

All other costs associated with the processing and assessment (including public exhibition costs) of the planning proposal will be Council's responsibility.

Recommendation

That:

1. The report from the Business Manager Planning & Strategic Outcomes be received.
2. In accordance with Section 55 of the Environmental Planning and Assessment Act, 1979 Council resolve to prepare a Planning Proposal to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to alter the zone, minimum lot size and floor space ratio controls for land at 150 and 170 Lansdowne Street, Goulburn (Lots 1 and 2 DP 1018281) consistent with the details in this report.
3. Once prepared, the planning proposal be submitted to the NSW Minister for Planning and Environment for a Gateway Determination.

**Officers' Reports to Ordinary Meeting of Council to be held
on 20 December 2016**

4. The Department of Planning and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the Planning Proposal.
5. In the event NSW Planning & Environment issues a Gateway Determination to proceed with the Planning Proposal, consultation be undertaken with the community and government agencies in accordance with Section 57 of the Environmental Planning and Assessment Act 1979 and any directions of the Gateway Determination.
6. The matter be reported back to Council after the public exhibition with details of submissions and consultation.

Item 10.5 Attachment

Attachment Proposed Amendment to GMLEP – Lansdowne Street

Figure 1 - Area Subject to Planning Proposal



Figure 2 – Proposed LEP 2009 zoning



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Attachment *Proposed Amendment to GMLEP – Lansdowne Street*

Figure 3 - Proposed LEP 2009 minimum lot size



Figure 4- Proposed LEP 2009 floor space ratio



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Attachment
Proposed Amendment to GMLEP – Lansdowne Street

Figure 5 – Existing LEP 2009 zoning



Figure 6 – Existing LEP 2009 minimum lot size



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Attachment *Proposed Amendment to GMLEP – Lansdowne Street*

Figure 7 - Existing LEP 2009 floor space ratio



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Attachment

Proposed Amendment to GMLEP – Lansdowne Street

In the following pages the proposal is assessed against the strategic planning framework.

Local

Goulburn Mulwaree Strategy 2020

The Strategy identifies the subject land (South Goulburn) on the map at page 22 as an area of land zoned partly R5 Large Lot Residential and partly B6 Enterprise Corridor. It specifically states:

“Areas west and south west of Goulburn also present the potential to accommodate large lot residential development and provide an alternative residential choice to Mary’s Mount.” It also states that future employment areas need to be located to provide “adequate separation from sensitive land uses.. to minimise potential for land use conflict and enable extended hours of operations for freight and distribution facilities.”

On balance the planning proposal will reduce the likelihood that the subject land will generate employment opportunities but will enable the residential use of an approved subdivision. This can be best achieved by applying the R5 large Lot Residential zone to the land and this is consistent with the Strategy.

Goulburn Mulwaree Community Strategic Plan 2030

Relevant Strategies:

Key Direction 2 – Business and Industry

2.4.1 to provide opportunity for residential and rural residential development and encourage affordable housing.

2.5.1 To provide opportunity and encouragement for the development of employment lands

Key Direction 4 – Sustainable Environment

4.2.1 to protect, maintain and improve the diversity of our native fauna and flora provided there is a balance between environmental protection, population growth and development

Given the relatively small size of the subject land the planning proposal should allow Council to achieve its performance indicators, viz:

- P4 Adequate supply of employment lands are provided within the local planning framework; and
- P5 Adequate supply of housing is provided within the local planning framework

On balance, the planning proposal is consistent with the Goulburn Mulwaree Community Strategic Plan 2030.

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Attachment

Proposed Amendment to GMLEP – Lansdowne Street

Regional

Sydney-Canberra Corridor Regional Strategy 2006-2031

The planning proposal is consistent with the regional economic challenge to “manage the location and impacts of rural residential development.” (page 9).

The planning proposal will assist Council in achieving the strategy aim to “Cater for a housing demand of up to 25 200 new dwellings by 2031 to accommodate the additional 46 350 people expected in the Region over the period 2031.”(page 13).

The planning proposal will assist Council in achieving the strategy aim to ensure that “No new rural residential zones will be supported unless as part of an agreed structure plan or local settlement strategy.” (page13).

The planning proposal will assist in achieving the housing and settlement outcome to ensure that “Planning for rural residential land must be integrated with the supply of relevant infrastructure and transport services.” (page 40).

The land has a development approval for 17 rural residential lots and this planning proposal will facilitate a zone that allows for dwellings to be constructed on the approved lots that still addresses environment protection (the box gum woodland is to be protected) and efficient use of infrastructure and services.

Overall, this is consistent with the Sydney-Canberra Corridor Regional Strategy 2006-2031.

State

Section 117 Ministerial Directions

When preparing LEPs (including amendments) Councils are to required to comply with Section 117 Ministerial Directions. The following directions are most relevant to the proposal.

1.1 Business and Industrial zones

This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).

A planning proposal must:

- (a) give effect to the objectives of this direction,
- (b) retain the areas and locations of existing business and industrial zones,
- (c) not reduce the total potential floor space area for employment uses and related public services in business zones,
- (d) not reduce the total potential floor space area for industrial uses in industrial zones, and

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Item 10.5 Attachment

Attachment

Proposed Amendment to GMLEP – Lansdowne Street

(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.

This planning proposal is inconsistent with this direction. However, the inconsistency is justified because it is a minor matter.

The entire site is only 6.76 ha and 1.4 ha of that contains an endangered ecological community. Although 5.36 hectares will be lost from the B6 zone it is consistent with the draft Employment Lands Strategy (not yet approved by the Department of Planning and Environment) to do so. It is anticipated that this planning proposal will not undermine the objectives to “encourage employment growth in suitable locations and support the viability of identified strategic centres.”

1.5 Rural Lands

This direction applies when:

- (a) a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or
- (b) a relevant planning authority prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.

A planning proposal to which clauses (a) or (b) apply must be consistent with the Rural Planning Principles listed in State Environmental Planning Policy (Rural Lands) 2008.

The planning proposal will create a 1.4 ha area of E3 Environmental Management and apply a minimum lot size (MLS) of 10,000 m² to the proposed E3 land. The proposed MLS will not permit further subdivision of the E3 zoned land allowing it to be managed as a single entity. It is consistent with the following relevant Rural Planning Principles in State Environmental Planning Policy (Rural Lands) 2008:

“in planning for rural lands, to balance the social, economic and environmental interests of the community, and the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land.”

It is consistent with this direction.

2.1 Environment Protection Zones

A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).

The planning proposal will introduce an E3 zone to the subject land for the first time. This will increase the environmental protection standards that apply to the land.

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Proposed Amendment to GMLEP – Lansdowne Street

It is consistent with this direction.

3.1 Residential Zones

This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:

- (a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),
- (b) any other zone in which significant residential development is permitted or proposed to be permitted.

A planning proposal must include provisions that encourage the provision of housing that will:

- (a) broaden the choice of building types and locations available in the housing market, and
- (b) make more efficient use of existing infrastructure and services, and
- (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and
- (d) be of good design.

The planning proposal will broaden the housing choice and will be an efficient use of existing infrastructure and services in this locality. It will provide for housing close to the Goulburn urban area and be subject to existing design controls in relevant DCP's.

A planning proposal must, in relation to land to which this direction applies:

- (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
- (b) not contain provisions which will reduce the permissible residential density of land.

Goulburn LEP already contains a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it). This land has been fully serviced for some time. It does not contain provisions which will reduce the permissible residential density of land. The proposed MLS reflects the existing lot size in the approved subdivision.

It is consistent with this direction.

5.1 Implementation of Regional Strategies

The planning proposal is consistent with the *Sydney-Canberra Corridor Regional Strategy 2006-2031* (see above).

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Item 10.5 Attachment**Attachment*****Proposed Amendment to GMLEP – Lansdowne Street***5.2 Sydney Drinking Water Catchment

A planning proposal must be prepared in accordance with the general principle that water quality within the Sydney drinking water catchment must be protected, etc. (See also SEPP - Sydney Drinking Water Catchment comments below).

The planning proposal will include 1.4 ha of the subject land in an E3 zone which should allow it to act as a surface water infiltration area and assist with water quality in the locality. Most of the subject land will change from one urban zone (B6) to another urban zone (R5). This is expected to have neutral effect on water quality in the catchment. Should Council support the planning proposal it will be sent to Water NSW for review prior to being submitted for a Gateway Determination. In exhibiting the planning proposal Council will need to consult with Water NSW.

State Environmental Planning PoliciesSEPP 55 – Remediation of Land

When rezoning land Council needs to be satisfied that the land is suitable for the use proposed or can be remediated to a level suitable for that use.

The site was zoned for industrial purposes before the current B6 zone was applied in 2009. Possible contamination from past land use was addressed very briefly in supporting information for a development application in 2003. It does not appear to have been addressed in subsequent applications. There is no detailed timeline of past land uses. There is no assessment of adjacent land uses that could affect the site now or in the past. There are no soil tests provided. The conservation management plan identified that part of the site (as observed in February 2016) had been used for dumping of rubbish including organic waste, building waste and general rubbish. The extent and type of waste dumping and options for its "clean up" need to be verified.

Given that the site has been zoned for industrial or business purposes for many years and this planning proposal is to change the prevailing land use to residential development then a more detailed assessment of this issue is required.

This can be undertaken after Council makes its decision to support the planning proposal and it receives a Gateway determination, but before public exhibition.

SEPP (Sydney Drinking Water Catchment) 2011

The SEPP requires that development consent cannot be granted unless there is a neutral or beneficial effect on water quality. Water NSW was consulted in relation to the existing subdivision approval and subsequent modifications to it. It did not object to the subdivision subject to conditions being imposed. Further consultation with Water NSW will occur should the planning proposal proceed. Future development applications will be subject to the SEPP.



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Industrial Noise Intrusion Assessment Proposed Planning Proposal – Land Rezoning For Residential Subdivision

Lot 10 DP 1018281, Lansdowne Street and Robinson Street
Goulburn, NSW 2580

Prepared For:-

Simgrow Pty Ltd
PO Box 539
Goulburn NSW 2580

Attention: Mr Robert Mowle

Reference: 1810009T-R1

Prepared by:-

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5th March 2019



Environmental

Occupational

Architectural

Transportation



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Harwood Acoustics was requested by Simgrow Pty Ltd, to carry out an Industrial Noise Intrusion Assessment for a proposed residential development to be developed at Lansdowne Street and Robinson Streets Goulburn, NSW 2580

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1. INTRODUCTION AND SUMMARY

Harwood Acoustics was engaged by Simgrow Pty Ltd to carry out an Industrial Noise Intrusion Assessment in relation to a planning proposal that will seek to rezone land located at Lot 10 in DP 1018281, (hereafter the Site) Goulburn, in order to facilitate a residential subdivision.

The Site is located on the southern side of Lansdowne Street and the western side of Robinson Street approximately 2.4 kilometres south west of the CBD of Goulburn.

The Site in question is located on land that adjoins and partially surrounds a recent residential subdivision which is serviced by Theatre Drive. The overall Site is in a predominantly industrial area and there are industrial premises located opposite Lansdowne Street to the north and opposite Robinson Street to the west and south east as shown in Figure 1.

Industrial premises in the estate include, but are not limited to, Boral Concrete, Allmac Welding, Goulburn Farm Machinery, Storage King and Millennium Windows. The closest proposed lots fronting Lansdowne Street are at a distance of approximately 30 metres from the nearest industrial premises to the north. Those lots fronting Robinson Street are at a distance of approximately 25 metres from the nearest industrial premises to the south east.

The rezoning proposal seeks to have the remaining land on the site, being Lot 10, rezoned so as to allow for residential development similar to the adjoining lots serviced by Theatre Drive. This Industrial Noise Intrusion assessment will be submitted with the rezoning request. The assessment is to determine the potential for noise emanating from the existing industrial premises to impact on any future residences.

Noise arising from industrial premises is typically assessed against the NSW EPA's *Noise Policy for Industry* 2017. This is particularly relevant for new industrial sites potentially affecting existing residential areas. The policy provides a method for establishing project specific noise goals in order to assess the potential impact of noise from industry. The policy includes a framework for considering feasible and reasonable noise mitigation measures. However, the policy is designed for large industrial and agricultural sources and specifies substantial monitoring and assessment procedures that may not always be applicable to the types of sources that Councils need to address. Neither is it intended for use as a mandatory requirement, but rather as a guide in determining the potential for noise impact and to identify reasonable and feasible noise mitigation measures.

Given the close proximity of the existing and proposed residential allotments to the existing industrial premises in this instance, it may not be practicable to expect that the level of noise emission arising from the operation of the existing industrial premises would not exceed the project trigger levels that would be established under the Policy, at least for some premises, on some occasions.

That being said, the existing approved residential lots within the existing subdivision each have restrictions placed on them via 88b instruments. The 88b instruments on the subject land require that any future dwellings are to be constructed such that external noise intrusion will achieve the recommended internal noise levels derived from Australian Standard AS2107:2016 '*Acoustics – Recommended design sound levels and reverberation times for building interiors*' (AS2107).

AS2107 provides a list of recommended design sound levels for different areas of occupancy in various buildings. The appropriate indoor noise design goals in this instance are considered

to be 35 dBA ($L_{eq, 1 \text{ hour}}$) inside bedrooms between 10 pm and 7 am and 40 dBA ($L_{eq, 1 \text{ hour}}$) inside all habitable spaces at any time. External noise levels are the energy average sound pressure levels of noise emission arising from the nearby industrial premises when measured or established over a typical worst-case one-hour period ($L_{eq, 1 \text{ hour}}$).

It is assumed that each of the residential lots within the proposed subdivision of Lot 10, if approved by Council, will have similar restrictions placed on each lot via a similar 88b instrument.

This assessment therefore establishes typical existing industrial noise levels across the development site and provides an assessment of the potential for compliance with the internal design goals set by AS2107 for typical future dwellings.

The author visited the site on several occasions throughout November and December 2018 and again in January 2019 to measure the level of noise emission from the various industrial premises in proximal of the future proposed lots.

Industrial noise levels range from 51 to 62 dBA $L_{eq, 1 \text{ hour}}$ during the day at the furthest and closest future dwellings to the noise producing industrial premises. Consideration is also given to noise associated with heavy vehicle movements prior to 7 am based on attended noise measurements and acoustical modelling. The predicted noise level from passing trucks at the closest future residential lots to Lansdowne Street is 56 dBA ($L_{eq, 1 \text{ hour}}$) at night and for those lots closest to Robinson Street the predicted level is 54 dBA ($L_{eq, 1 \text{ hour}}$).

The as-measured and predicted external industrial and heavy vehicle noise levels have been used to determine the potential for compliance with the internal noise limits within typical future dwellings. An assessment of the potential noise intrusion from industrial activity into a selection of potential future dwellings on the Site has been undertaken based on typical living room and bedroom sizes.

Individual assessments for dwellings will be required once the subdivision is created prior to the issue of Construction Certificates for each dwelling. This may be done through the inclusion of 88b instruments on those lots and examples of such instruments are provided in Section 3.1.

Acoustical treatment of these dwellings will be dependent upon, for example, room sizes; ratio of glazing to the overall façade; orientation of windows and rooms to the respective roads; floor coverings and shielding from other dwellings, boundary fences, etc.

It is proposed to erect a minimum 2.1-metre-high timber lapped and capped fence, (noise barrier with a minimum surface density of 15 kg/m²) along the entire Lansdowne Street frontage. The sound barrier fence will therefore achieve an effective height of **2.1 metres** above the finished ground level of the proposed lots adjacent to Lansdowne Street. This will provide varying level of noise attenuation from noise emission from industrial premises and heavy vehicles. A similarly constructed noise barrier is proposed for the Robinson Street frontage and will be erected to a minimum height of 1.8 metres.

In any event, for even the most exposed future dwellings to industrial noise, acoustical treatment where required, will not be significantly onerous and examples are given in Section 5 of this Report.

2. SITE AND PLANNING PROPOSAL DESCRIPTION

The Site is located on the southern side of Lansdowne Street and the western side of Robinson Street approximately 2.4 kilometres south west of the CBD of Goulburn.

The Site in question is located on land that adjoins a recent residential subdivision serviced by Theatre Drive. The overall Site is in a predominantly industrial area and there are industrial premises located opposite Lansdowne Street to the north and opposite Robinson Street to the west and south east as shown in Figure 1.

Industrial premises in the estate include, but are not limited to, Boral Concrete, Allmac Welding, Goulburn Farm Machinery, Storage King and Millennium Windows. The closest proposed lots fronting Lansdowne Street are at a distance of approximately 30 metres from the nearest industrial premises to the north and those fronting Robinson Street are at a distance of approximately 25 metres from the nearest industrial premises to the south east.

The rezoning proposal seeks to have the remaining land on the site, being Lot 10, rezoned so as to allow for residential development of approximately 20 lots as shown in Figure 2.



Figure 1. Location Plan – Lot 10 in DP 1018281, Goulburn, NSW



3. NOISE CRITERIA

As such, the existing approved residential lots within the existing subdivision each have restrictions placed on them via 88b instruments. The 88b instruments on the subject land requires that any future dwellings are to be constructed such that external noise intrusion will achieve the recommended internal noise levels derived from Australian Standard AS2107:2016 '*Acoustics – Recommended design sound levels and reverberation times for building interiors*' (AS2107).

3.1 88B Instrument DP 1247119

An example of the 88b instrument applied to burdened lots on Theatre Drive is as follows:-

“all future dwellings on burdened lots are to be designed and constructed such that external noise intrusion will achieve the recommended internal noise levels in accordance with AS2107.”

3.2 AS 2107:2016

Australian Standard AS 2107:2016 ‘Acoustics – Recommended design sound levels and reverberation times for building interiors’ provides a list of recommended design sound levels for different areas of occupancy in buildings. The recommended internal noise levels and reverberation times for various relevant rooms are shown in Table 1 below.

Table 1 Recommended L_{eq} Design Sound Level (AS2107-2016)

Type of Occupancy/Activity	Recommended Design Sound Level, L_{eq} dB(A)		Recommended Reverberation Time (T).s
	Satisfactory	Maximum	
RESIDENTIAL BUILDINGS			
Houses and apartments in suburban areas or near major roads –			
Living areas	35	45	-
Sleeping (night time)	35	40	-
Houses and apartments in suburban areas or near minor roads –			
Living areas	30	40	-
Sleeping (night time)	30	35	-

Given the location of the development site with respect to the industrial area and Hume Street to the south, it is considered that **35 dBA** is a realistic noise design goal for bedrooms (at night) and **40 dBA** is a realistic noise design goal for all habitable rooms during day time hours. These levels are also in line with those set by Clauses 87 and 102 of SEPP Infrastructure 2007 relating to rail and road noise intrusion respectively.

- a) Day is defined as the period from 7 am to 10 pm; and
- b) Night is defined as the period from 10pm to 7am.

4. INDUSTRIAL NOISE LEVELS

4.1 Measured Noise from Industrial Premises

The author visited the Site on several occasions throughout November and December 2018 and January 2019 to carry out attended noise surveys of noise emission from industrial activity at various locations across the development Site, as shown in Figure 1.

The acoustical environment during all noise surveys was dominated by activity at Boral Concrete which included the loading of cement trucks from the hoppers, washing cement trucks (or adding water to the mix).

Other industrial activity included noise emanating from Goulburn Farm Machinery, Allmac Welding and heavy vehicle movements along Lansdowne Street. The level of noise emission from premises along Robinson Street was significantly lower than those along Lansdowne Street, particularly near to Boral Concrete. The level of noise emission from the eastern end of Lansdowne Street was considerably less than the Boral site.

The highest measured noise level at the closest proposed lots to Lansdowne Street was 62 dBA whilst typical Boral activities occurred simultaneously for a minimum 15 minutes.

As a conservative worst-case scenario this assessment assumes this level is representative of any given one-hour period. In practice this is unlikely to occur regularly as once the cement mixer trucks leave the site the level of noise producing activity is considerably lower.

It is reported that Boral Concrete and other surrounding industries do not commence operating until 7 am. Noisy activities prior to 7 am are dominated by heavy vehicle movements, predominantly in Lansdowne Street. Heavy vehicle noise emission is detailed in Section 4.2 below.

The noise levels measured from nearby industry during the noise surveys have therefore been used to establish the octave band and overall 'A' frequency weighted sound pressure levels, in decibels re: 1 pW, shown in Table 1 below.

Table 1 $L_{eq, 1 \text{ hour}}$ Industrial Noise Levels – Various locations across the Site

Industrial Noise Levels	dBA	Sound Pressure Levels (dB) at Octave Band Centre Frequencies (Hz)							
		63	125	250	500	1k	2k	4k	8k
Most exposed future dwellings to Industrial Noise									
Day Time $L_{eq, 1 \text{ hr}}$	62	65	63	58	54	57	56	53	43
Least exposed future dwellings to Industrial Noise									
Day Time $L_{eq, 1 \text{ hr}}$	51	54	52	47	43	46	45	42	32

4.2 Heavy Vehicle Noise Levels

During the noise surveys the author measured the level of noise emission from a number of heavy vehicle movements along Lansdowne Street. Trucks included semi-trailers and smaller rigid trucks approximately 13 metres in length. There is potential for a variety of heavy vehicle types and movements to occur in both Lansdowne Street and Robinson Street, prior to 7 am.

A calculation based on the sound exposure level for various vehicles has therefore been carried out. The sound exposure level (L_{Ae}) is a summation of the sound energy produced during a single event (i.e. a motor vehicle pass-by, train pass-by, etc).

In addition to the measurements taken on site, the author has measured the level of noise emission from numerous heavy vehicles including, for example, truck and trailer, semi-trailer, b-double, refrigerated rigid trucks.

The average maximum measured sound exposure levels of a range vehicles, normalised to a distance of 15 metres is as follows:-

- Truck – 85 dBA;

Once established, a sound exposure level (L_{Ae}) can be used to calculate an energy average, sound pressure level ($L_{eq, time}$) using the following formula:-

$$L_{eq, 1 \text{ hour}} = L_{Ae} - 10 \log_{10} (T) + 10 \log_{10} (N)$$

Where T is time in seconds (1 hour in this instance in line with the requirements of AS2107) and N is the number of vehicle trips. For the purpose of establishing a typical worst-case scenario, it is assumed that there may be five (5) heavy vehicle movements along Lansdowne Street and three (3) along Robinson Street in any given one-hour period prior to 7 am (e.g. between 6 am and 7 am – which is within the night time shoulder period).

The predicted octave band and overall 'A' frequency weighted sound pressure levels, in decibels re: 1 pW from heavy vehicle movements are shown in Table 2 below.

Table 2 $L_{eq, 1 \text{ hour}}$ Heavy Vehicle Noise Levels – Various locations across the Site

Heavy Vehicle Noise Levels	dBA	Sound Pressure Levels (dB) at Octave Band Centre Frequencies (Hz)							
		63	125	250	500	1k	2k	4k	8k
Closest future dwellings to Heavy Vehicle movements – Lansdowne Street									
Night Time $L_{eq, 1 \text{ hr}}$	56	66	56	51	50	53	48	45	38
Closest future dwellings to Heavy Vehicle movements – Robinson Street									
Night Time $L_{eq, 1 \text{ hr}}$	54	64	54	49	48	51	46	43	36

Instrumentation used during the noise survey is shown in the attached Appendix A.

4.3 Required Noise Reduction

The required noise reduction is as follows:

For the future dwellings most exposed to noise from industrial activity and heavy vehicles

- (62 – 40 =) 22 dB for all Living areas; and (industry during the day)
- (56 – 35 =) 21 dB for all sleeping areas (heavy vehicles prior to 7 am – i.e. at night)

For the future dwellings least exposed to noise from industrial activity and heavy vehicles

- (51 – 40 =) 11 dB for all Living areas; and (industry during the day)
- (54 – 35 =) 19 dB for all sleeping areas (heavy vehicles prior to 7 am – i.e. at night)

The higher noise levels at night arise from heavy vehicle movements as it is reported that the industrial premises, particularly Boral Concrete do not operate prior to 7 am, other than truck movements to the Site. Traffic count information provided also indicated that there are minimal truck movements between 6 pm and 6 am.

5. NOISE MODELLING AND RECOMMENDED ACOUSTICAL TREATMENT

5.1 Noise Modelling Methodology

Design and layout of any potential future dwellings are unknown at this stage. For the purpose of modelling and assessment, typical living areas and bedroom sizes have been assumed as follows:-

- Open-plan Living / Dining / Kitchen, timber or tile flooring – 8 metres x 7 metres x 2.7 metres with:-
 - sliding glass door (2000 mm x 2700 mm);
 - one main window (2200 mm x 2100 mm); and
 - one highlight window (600 mm x 2400 mm).
- Bedroom, carpeted – 3.5 metres x 4.5 metres x 2.7 metres with:-
 - one window (2400 mm x 1800 mm); and
 - one sliding door (2000 mm x 2700 mm).

The internal noise levels can be calculated using the formula: -

$$L_{p2} = L_{p1} - R_w + 10 \log_{10} (S/A) - K + 6 \text{ dB}$$

Where:

- L_{p1} is the external freeway noise level;
- R_w is the weighted sound reduction index of the partition;
- S is the area of the partition (e.g. wall, roof, window or glazed door);
- A is the acoustic absorption of the room;
- K is an angle of view correction.

5.2 Building Construction Recommendations

The level of noise intrusion has been calculated through the roof, floor, walls, glazed doors and windows.

The recommended internal noise levels from AS2107:2016 can be met using the following construction methods and materials.

5.2.1 Walls

- External walls may be of brick veneer or other masonry construction; or
- Cement composite external cladding, for example Hardies 'Scyon', 'Linea', 'Stria', or CSR Cemintel or equivalent with similar minimum mass; and
- Internal plasterboard wall lining may be of standard 13 mm thick plasterboard construction with standard thermal insulation in the external wall cavity.

5.2.2 Ceiling and Roof System

- Concrete tile or metal deck roof with 13 mm thick standard or 10 mm thick sound rated plasterboard ceiling below and minimum 50 mm thick glasswool insulation (minimum 11 kg/m³) in the ceiling cavity will be acceptable;

5.2.3 Windows and Glazed Doors

Glazing

- Windows and glazed doors may be fixed, sliding, awning, casement or double hung style in aluminium or timber frames;
- Based on the above example room dimensions and window sizes, windows for dwellings at various locations should achieve the following weighted sound reduction index ratings (R_w):-
 - Most exposed – living room R_w 32 (e.g. 6.38 mm thick laminated glass);
 - Most exposed – Bedroom R_w 30 (e.g. 6.38 mm thick laminated glass);
 - Least exposed – living room R_w 25 (e.g. 4 mm thick float glass);
 - Least exposed – Bedroom R_w 26 (e.g. 5 mm thick float glass).

Discussion

The required acoustical performance of future building elements is dependent upon, for example, the rooms sizes; the proportion of glazing to the remaining walls; the orientation of the rooms and windows to the external noise source; the floor coverings within the rooms; any shielding from other buildings, boundary fences, etc.

Individual assessments for future dwellings will be required once the subdivision is created, prior to the issue of Construction Certificates for each dwelling.

This may be done through the establishment of 88b instruments on those lots, along the lines of the example provided in Section 3.1 of this Report.

5.3 External Noise Reduction

As stated previously it is unlikely that external intrusiveness project noise levels that would be established under the EPA's Noise Policy for Industry 2017 would be met at the closest future dwellings to some industrial premises, at least on some occasions for 15 minute periods during the day.

Practical steps to minimise external noise impacts include:-

Boundary Screening

- Erecting boundary fences along shared boundaries with Lansdowne Street and Robinson Street;
 - Fences may be constructed from any impervious materials including lapped and capped timber, corrugated sheet steel, masonry, or proprietary modular wall systems;
- At this stage it is proposed to erect a minimum 2.1-metre-high barrier along the entire Lansdowne Street frontage. This will provide attenuation of between 5 and 6 dB from noise emission arising from industrial sites and trucks passing on Lansdowne Street.

The proposed boundary fence will provide a reduction in external noise levels which will improve external noise amenity in gardens and courtyards and also potentially reduce the level of construction required to meet the recommended internal noise design goals.

Outdoor Areas & Building Design

- Locate outdoor areas such as courtyards, patios, barbeque areas as far from the respective roads as practicable;
- Avoid elevated decking;
- Shield outdoor areas and noise sensitive rooms from the road or industrial premises by service rooms (see Figure 3 below as an example)

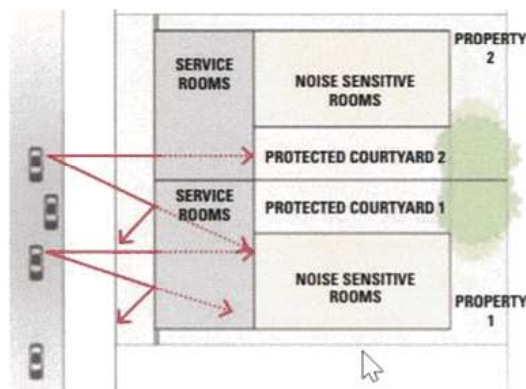


Figure 3.17: Noise shielded courtyards

Figure 3. Building Layout and Design to Reduce Noise Impact

(source: NSW Department of Planning's Development Near Rail Corridors and Busy Roads – Interim Guideline 2008, Figure 3.17)

Important note:-

These recommendations are given to minimise external noise impacts through the construction of boundary fences and building design so far as may be reasonably practicable for the builder or home owner. This assessment does not provide advice and recommendations to ensure compliance with any external noise limits at future dwellings from existing industrial operations.

Previously approved residential allotments on Theatre Drive, adjoining the subject Site, are restricted via 88b instruments requiring internal noise design goals to be met. This assessment adopts the same approach to the proposed subdivision of Lot 10.

6. CONCLUSION

An industrial noise intrusion assessment has been undertaken in relation to a planning proposal seeking to rezone land at Lot 10 in DP 1018281 Lansdowne and Robinson Streets, Goulburn, NSW to facilitate residential subdivision.

Industrial noise levels and heavy vehicle movement noise levels have been established across the Site based on attended noise surveys undertaken in November and December 2018 and January 2019. Industrial noise levels range from 51 to 62 dBA during the day and noise emitted from heavy vehicles are from 54 to 56 dBA at night at the least exposed and most exposed potential future dwellings respectively.

These measured and established noise levels have been used to determine the potential for compliance with the internal noise design goals derived from Australian Standard AS2107:2016 *'Acoustics – Recommended design sound levels and reverberation times for building interiors'* (AS2107).

These design goals can be achieved for any future residences based on typical example constructions outlined in **Section 5** of this report. Individual assessments of future dwellings may be undertaken prior to issue of construction certificates.

This may be facilitated by the inclusion of 88b instruments on burdened lots.

Any acoustical treatment, where required will not be onerous and result typically in an upgrade to standard glazing thicknesses and or standard plasterboard thickness in some ceilings.

The approach of including 88b instruments that require internal noise design goals to be met in accordance with AS2107:2016 is in keeping with the approved residential subdivision on the adjoining parcel of land at Theatre Drive.

This assessment does not address potential for compliance with external noise goals derived from the EPA's *Noise Policy for Industry* (2017) for noise emission arising from industrial premises impacting on future residents. However, advice is provided in **Section 5.3** to reduce external noise impacts in the design stage of future dwellings so far as is reasonably practicable.



Matthew Harwood, MAAS

Principal Acoustical Consultant

Attachments:-

Appendix A – Noise Survey Instrumentation

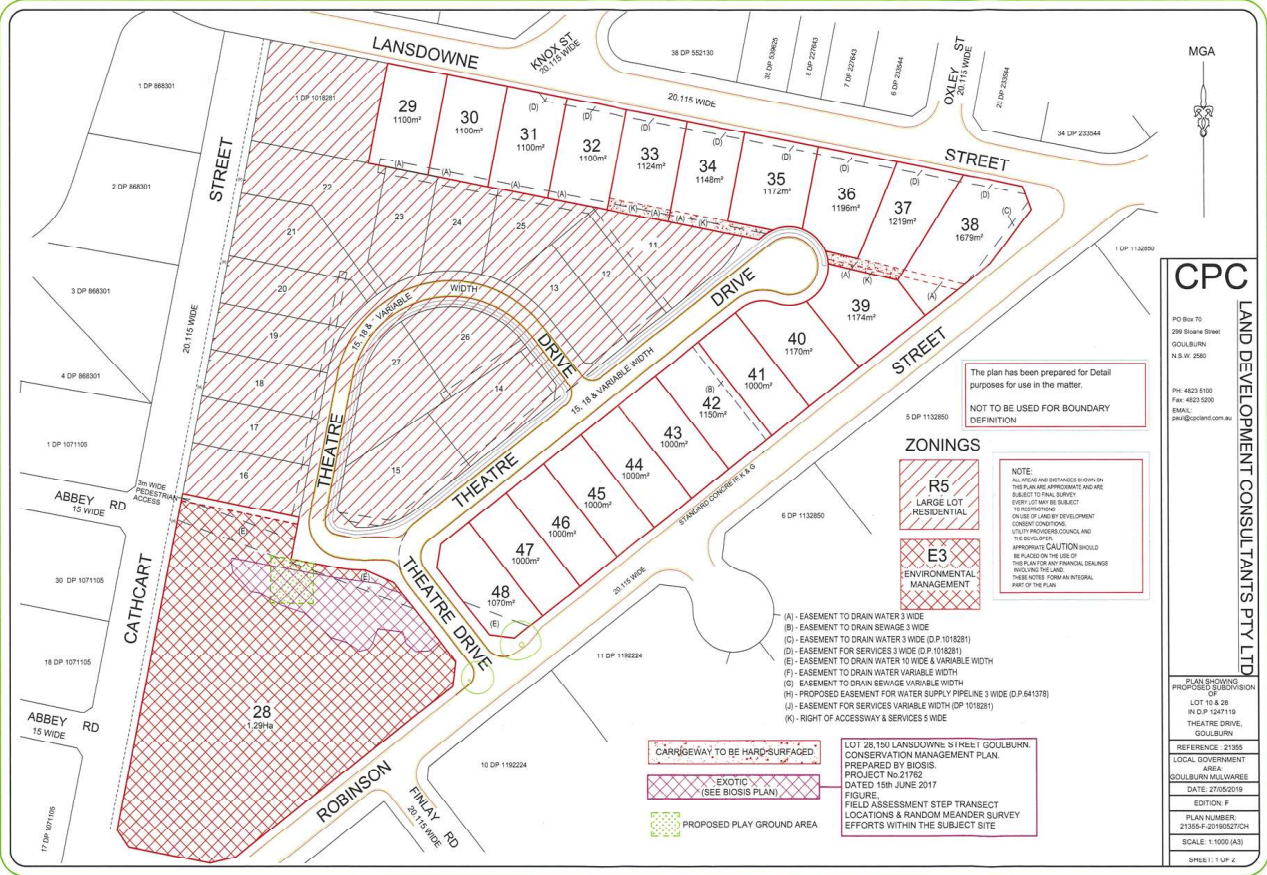
Noise Survey Instrumentation	Appendix A
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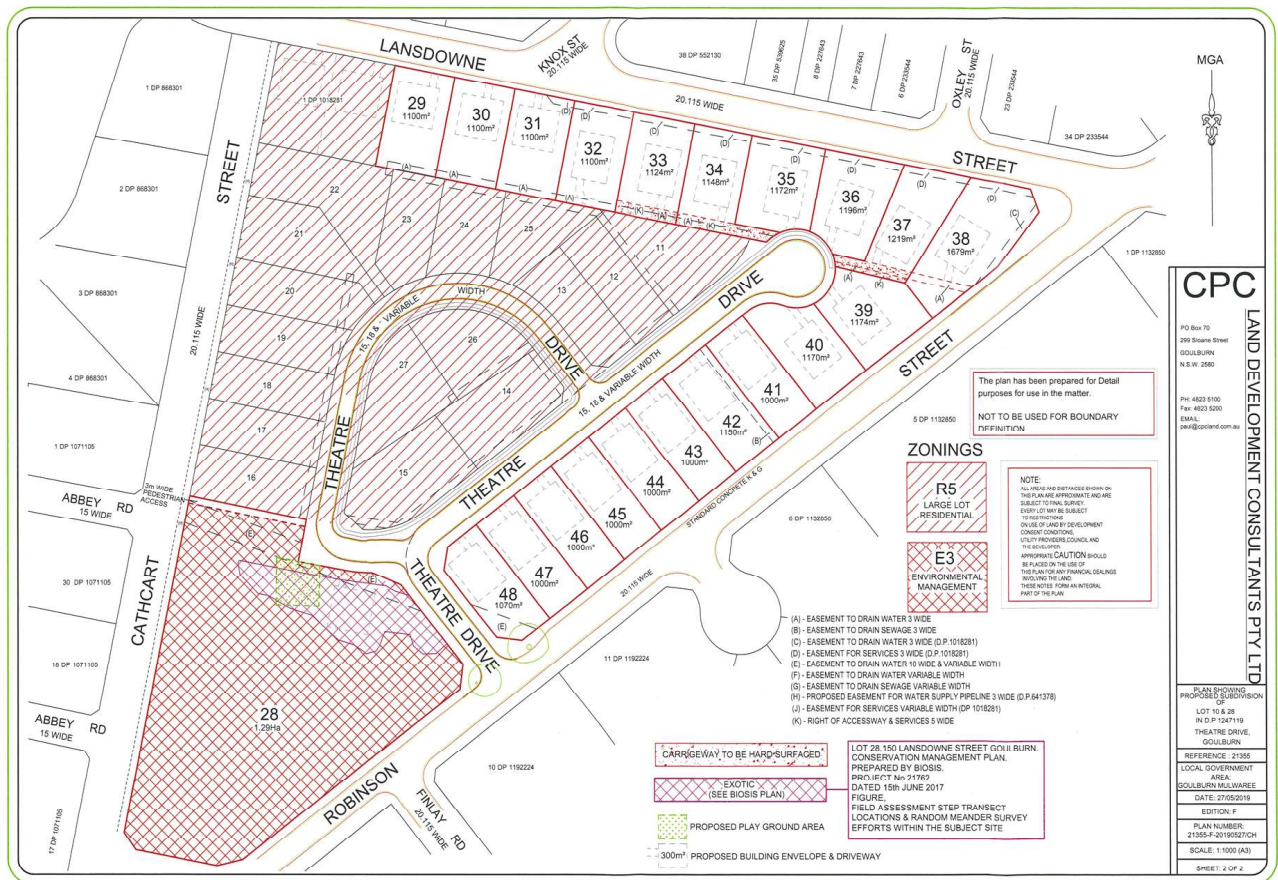
The instrumentation used during the noise survey consisted of the following:-

Description	Model No.	Serial No.
SvanTek Sound Level Meter	SVAN 957	15395
Bruel & Kjaer Sound Level Meter	2260	244 3406

The sound level meters conform to Australian Standard AS IEC 61672.1-2004 : 'Electroacoustics - Sound level meters – Specifications' as a Class 1 precision sound level meter.

The calibration of the meter was checked before and after the measurement period. No significant system drift occurred over the measurement period. The sound level meter and calibrator have been checked, adjusted and aligned to conform to the factory specifications and issued with conformance certificates as required by the regulations.





Lansdowne Street – Draft Site Specific DCP Provisions

8.10 Lansdowne Street

Objectives

The objectives of this chapter are to:

- Reduce land use conflicts between residential development in the subject area and existing light industrial and industrial activities to the north and east.
- Protect the ecological values of the site, namely the Box Gum Woodland Endangered Ecological Community that includes known habitat for the vulnerable Varied Sittela.
- Protect the North – South landscape and ecological connectivity from the Mulwaree River, including the unformed section of road on Cathcart Street adjoining the site.

8.10.1 Land to which Plan applies

This chapter applies to the land indicated in **Figure 8-10-1** below. The subject land is bound by Lansdowne Street to the north, Robinson Street to the east, Cathcart Street to the west and incorporates Theatre Drive

Figure 8-10-1 : Land to which Plan applies- Lansdowne Street



8.10.2 Development Potential

The majority of the subject site is zoned R5 Large Lot Residential to support the development of dwellings on lots no smaller than 1000m² provided that measures are taken to limit the impact of noise on any proposed future dwelling. The remainder of the site is zoned E3 Environmental Management to protect the ecological value of the site and support no more than one (1) dwelling.

8.10.3 Access

Direct access from any lot onto Lansdowne Street or Robinson Street is to be limited.

Dwellings are not to be erected in the area identified in **Figure 8-10-2** until the road connection from Theatre Drive to Lansdowne Street is closed and replaced with a road connection from Theatre Drive to Robinson Street.

Pedestrian access should be allowed for between Cathcart Street and Robinson Street through the subject area as indicated in **Figure 8-10-2** (indicative only).

Figure 8-10-2 : Lansdowne and Robinson Street frontage (in red) and indicative pedestrian access (in blue).



No dwelling in the subject area is to have access driveway access directly onto Cathcart Street.

8.10.4 Cathcart Street

The vegetated unformed section of Cathcart Street is to remain closed so as to provide ecological connectivity with the E3 Environmental Management zone portion of the site.

8.10.5 Noise Management for Residential Development

Residential dwellings are to be designed to meet Australian Standards for noise (AS 2107) and to provide appropriate measures to ensure that the following LAeq levels are not exceeded:

- a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,
- b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

Bedrooms in dwellings should be located at the furthest point from noise sources in the B6 Enterprise Corridor zone.

All boundary fencing in land zoned R5 Large Lot Residential must consist of hard wood timber lapped and capped fencing to a height of no less than 1.8m except for any fencing adjacent to Lansdowne Street, where it must be built to a height of no less than 2.1m.

An acoustic report is to be submitted with each development application for a dwelling to address the controls above.

8.10.5 Development in the E3 Environmental Management zone

Residential dwellings are not to be constructed in the E3 Environmental Management zone until public playground equipment is provided on the land.

Residential dwellings are not to be constructed in the E3 Environmental Management zone until public pedestrian access is provided from Theatre Drive to Cathcart Street and any direct road access from Theatre Drive to Lansdowne Street is sealed.

Residential dwellings are only to be located on land designated as MZ03 in the *Conservation Management Plan* prepared by Biosis and dated 15 June 2017 on behalf of Simgrow Pty Ltd (**Figure 8-10-3**). The MZ03 area being the northern section of the subject site which has been highly disturbed and previously cleared and is dominated by introduced grasses and forbs.

Figure 8-10-3 : Land suitable for residential development (in green)



During the construction phase of any development in the E3 Environmental Management zone the following management activities are to be undertaken to minimise potential impacts within the site. These activities include:

- Use of appropriate dust suppression to minimise deposition of dust on vegetation within the subject site.
- Implementation of weed hygiene control measures for vehicles and machinery to minimise the risk of new weeds establishing within the subject site – this activity will reduce the risk of novel weed introductions and subsequent habitat degradation within the subject site.
- Run-off and erosion controls to be implemented to prevent soil erosion or discharge of loose sediment to the subject site – this activity will minimise the risk of erosion, smothering and/or nutrient enrichment and subsequent habitat degradation within the site.