

DATE OF DETERMINATION	19 December 2025
DATE OF PANEL DECISION	19 December 2025
DATE OF PANEL MEETING	10 December 2025
PANEL MEMBERS	Chris Wilson (Chair), Juliet Grant, Grant Christmas, Jason Shepherd
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held by videoconference on 10 December 2025, opened at 3:00pm and closed 3:55pm
Papers circulated electronically on 21 November 2025.

MATTER DETERMINED

PPSSTH-521 – GOULBURN MULWAREE – DA/0323/2425 at [REDACTED]
[REDACTED] – Demolition of structures, and construction and operation of a group home (transitional) (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7, the material presented at meetings and briefings and the matters observed at the site inspection listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report and noted the information provided in the Council Addendum Report regarding permissibility.

The Panel carefully considered the issue of permissibility. The Panel was satisfied that the proposed development is consistent with the definition of a Group Home (Transitional) located in an R2 (Low Density Residential) Zone under the Goulburn Mulwaree Local Environmental Plan 2009. The application is therefore permissible with consent.

During the public meeting, concerns were raised about asbestos being present in the backyard of the property to which the development application applies. The Council advised the Panel that asbestos was located on the site in early 2024, was appropriately removed, and that a clearance certificate was issued. The Panel noted that the conditions of consent also adequately address the management of any unexpected finds of asbestos or other potential contaminants.

Overall, the Panel was satisfied that:

- The development was consistent with the objectives of the *Environmental Planning and Assessment Act 1979*.
- Council's assessment report demonstrated that the relevant prerequisites to the grant of consent had been met.

- A thorough assessment in terms of section 4.15 of the *Environmental Planning and Assessment Act 1979* had been undertaken.
- Subject to the imposition of the conditions of consent, the development would not result in any unacceptable environmental, amenity or land-use safety impacts either on site or on the surrounding urban landscape.
- The site is suitable for the development as proposed.
- The development of a group home would provide a safe and supportive environment, promoting independence, community integration, and personalised care for those in need.

Given the above, the Panel was satisfied that the benefits of the proposal outweighed the disbenefits, and the proposal was in the public interest.

CONDITIONS

The Development Application was approved subject to the conditions recommended in the Council Assessment Report subject to amendments directed by the Panel. The Council is required to make the following changes to the conditions before issuing the Notice of Determination:

- Condition 29 is to be amended to include subsection (e), which requires details of construction-related traffic and parking to be provided in the Construction Environmental Management Plan (CEMP)
- Condition 41 (f) is to be amended to read as:
(f) Public roads in the vicinity of the site, which are to be used by these trucks, are to be kept clean
- Condition 84, which references the concurrence letter received from Water NSW, is to be amended to note that the concurrence letter is an attachment to the Notice of Determination.
- Condition 9 is to be amended to ensure that boundary fencing matches the existing Colorbond or equivalent quality and durability as follows:
Perimeter fencing must be 1.8m Colourbond on top of two stacked 150mm concrete sleepers. No timber lapped and capped fencing is permitted. The full cost and construction of the common perimeter fences shall be borne by the developer.

Reason: To ensure durability and longevity of fence quality, and for the purposes of the Dividing Fences Act 1991

- Include a condition that requires, where necessary, additional landscape and lighting measures to remove/mitigate the risks associated with hidden pathways and blind spots.

The Panel was satisfied that the conditions satisfactorily address contamination (as referenced above), and surface and groundwater management.

The Panel was also satisfied that the combination of the proposed Sydney Golden Wattle hedging (mature height of 3m) and the 2.1m fencing would be sufficient to address privacy between the site and neighbouring properties.

Finally, whilst the Panel does not have the power to require security or privacy works to be undertaken within adjoining properties, the Panel strongly recommends that the applicant discuss these matters with immediate neighbours.

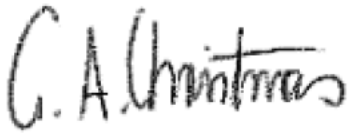
CONSIDERATION OF COMMUNITY VIEWS

In reaching its decision, the Panel considered written submissions made during the public exhibition and heard from all those wishing to address the Panel. The Panel noted that issues of concern included:

- Social Impacts
- Permissibility
- Public consultation process
- Lack of clarity of nature of group home development
- Impact on property values
- Safety and security
- Impact on quality of life of nearby residents
- Impact on neighbourhood character

- Traffic and pedestrian safety
- Sewerage impacts and location of sewer main
- Flooding, stormwater and overland flow impacts
- Tree removal
- Biodiversity impacts
- Density
- Construction impacts
- Fire safety
- Overshadowing
- Distance from the main street
- Lighting
- Fencing
- Privacy
- Visual impact of the car park in the setback area
- Business operations in a residential area
- Front setback compliance
- Inappropriate location
- Noise
- Car Parking
- Asbestos removal management
- Privacy screening

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report and that no new issues requiring further assessment were raised during the public meeting.

PANEL MEMBERS	
 Christopher Wilson (Chair)	 Juliet Grant
 Grant Christmas	 Jason Shepherd

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-521 – GOULBURN MULWAREE – DA/0323/2425
2	PROPOSED DEVELOPMENT	Demolition of structures, and construction and operation of a group home (transitional)
3	STREET ADDRESS	
4	APPLICANT/OWNER	Applicant: Tim Lee Architects Owner: Double Skull Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Housing) 2021 ○ State Environmental Planning Policy (Planning Systems) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Sustainable Buildings) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ Goulburn Mulwaree Local Environmental Plan 2009 • Draft environmental planning instruments: Nil • Development control plans: ○ Goulburn Mulwaree Local Environmental Plan 2009 ○ Goulburn Mulwaree Local Infrastructure Contributions Plan 2021 • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	• Council Assessment Report: 20 November 2025 • Council Addendum information: 10 December 2025 • Late submissions received from a member of the public dated 10.12.25 and 12.12.2025 • Written submissions during public exhibition: 55 • Verbal submissions at the public meeting: ○ Members of the public: Speaker 1 (10 mins), Speaker 2, Samuel Ross, Tony Hedges, Miranda Robertson obo Goulburn Housing and Homelessness Interagency Group (10 mins) ○ Council assessment officer – Ellie Varga ○ On behalf of the applicant – Timothy Lee (Tim Lee Architects) • Total number of unique submissions received by way of objection: 55
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Site inspection: 15 October 2025 ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, Jason Shepherd ○ <u>Council assessment staff</u>: Ellie Varga, Peter Malloy • Final briefing to discuss council's recommendation: 10 December 2025

		○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, Jason Shepherd ○ <u>Council assessment staff</u>: Ellie Varga, Peter Malloy, Stephanie Mowle ○ <u>DPHI</u>: Amanda Moylan
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report