

COUNCIL ASSESSMENT REPORT

SOUTHERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSTH-521 DA/0323/2425
PROPOSAL	Demolition of structures, and construction and operation of a group home (transitional)
ADDRESS	[REDACTED]
APPLICANT	Tim Lee Architects
OWNER	Double Skull Pty Ltd
DA LODGEMENT DATE	4 June 2025
APPLICATION TYPE	Development Application (Local development)
REGIONALLY SIGNIFICANT CRITERIA	Section 2.19(1) and Clause 5(b) of Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> declares the proposal regionally significant development as it is a group home over \$5 million.
CIV	\$ 5,039,098 (excluding GST)
CLAUSE 4.6 REQUESTS	Not applicable.
KEY SEPP/LEP	• 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; • Goulburn Mulwaree Development Control Plan 2009.
TOTAL & UNIQUE SUBMISSIONS	54 unique submissions of objection 1 petition with 246 signatures 13 representations outside exhibition period - 8 in support, 5 objecting
DOCUMENTS SUBMITTED FOR CONSIDERATION	Architectural Plans, Traffic Report, Water Cycle Management Study, Stormwater Drainage Plans, Statement of Environmental Effects, Tree Assessment Report, Flora and Fauna Assessment, and BASIX Certificate.
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (S7.24)	Not applicable

RECOMMENDATION	Approval
DRAFT CONDITIONS TO APPLICANT	YES
SCHEDULED MEETING DATE	9 December 2025
PLAN VERSION	14 October 2025 Version No. C
PREPARED BY	Ellie Varga, Senior Development Assessment Officer
DATE OF REPORT	20 November 2025

EXECUTIVE SUMMARY

On 4 June 2025, Development Application DA/0323/2425 was lodged by Tim Lee Architects on behalf of the landowner Double Skull Pty Ltd, seeking development consent to demolish existing structures, and construct and operate a group home at [REDACTED]. The proposal would operate as a group home (transitional), and the site is zoned R2 Low Density Residential zone under the *Goulburn Mulwaree Local Environmental Plan 2009* (the GMLEP 2009). A group home (transitional) is permissible with development consent in the R2 zone.

The site is known as [REDACTED] (the site) being 4047sqm in size and rectangular in shape. The site is relatively flat at 644 Australian Height Datum (AHD) across the site. The site has an existing single storey residential dwelling centrally located within the site, setback 39m from the [REDACTED] site frontage. The site has scattered mature native vegetation in the front and rear yards.

The locality is a predominantly low density residential housing area with a variety of residential types ranging from large lot residential, single and two storey dwellings on smaller lot sizes, and some multi dwelling residential developments. A two storey 10 unit terrace housing Complying Development Certificate (CDC) has been issued for [REDACTED] which sits two lots to the east of the site, and is yet to be built. A group home (permanent) currently operates at [REDACTED] four lots to the west of the site. The unused Goulburn-Crookwell Railway Corridor is approximately [REDACTED] m west of the site and the Bradfordville residential locality is further west. To the east is Taralga Road, the former Kenmore Hospital precinct and other low density residential developments.

The fundamental components of the proposal include:

- Demolition of the existing single storey dwelling.
- Construction of a single storey communal building including a caretakers residence, communal lounge/kitchen area, conference/multipurpose room, storage, office, bathrooms, and children's play space.
- Construction of four detached three bedroom units and two attached three bedroom units, totalling six independent units, all single storey.
- Construction of 9 on site car parking spaces within the front setback area including one accessible space plus a minor service area and drop off area, and landscaping.
- Removal of 12 trees, minor earthworks for building pads, construction of stormwater bioretention basins, and connection to utility infrastructure and landscaping to the site.
- Provision of a secure pet run and community garden area, two play equipment spaces, a covered BBQ shelter area, picnic tables throughout the site, two equipment and storage sheds, a back up generator.
- Operation of the site as a group home (transitional) with on site services and three staff (maximum) Monday to Friday 9.00am to 5.00pm and one on site caretaker

available 24 hours. Information provided on 20 November 2025 indicates that a maximum of seven staff at any one time during these hours would be on site. This quantity of staff is outside the scope of the proposal as submitted, is inconsistent with the resolved car parking outcome, at seven staff would not be considered ancillary to a group home, and therefore is not accepted as part of this application at this time.

A comprehensive assessment of the development application was undertaken in July 2025. The principal planning controls relevant to the proposal are *State Environmental Planning Policy (Housing) 2021* Chapter 3: Diverse housing, Part 2 Group homes, the *GMLEP 2009* and the *Goulburn Mulwaree Development Control Plan 2009* (the GMDCP 2009). That assessment found the proposal inconsistent with the following provisions of the GMDCP 2009:

- 3.5.6 Set backs – The proposal seeks to have car parking within the front setback area contrary to this control.
- 4.1.7 Solar access – Solar access is not achieved for the private open space of Unit 1.
- 4.1.9 Private open space (POS) – Each unit proposes 24sqm of POS instead of the required 75sqm.

On 1 August 2025, a request for additional information was sent to the applicant requesting a more sympathetic redesign of the front setback area to address streetscape impacts, the car park design, setbacks, and landscaping. Other information requests included details on proposed ancillary structures, ensuring stormwater plans were consistent with architectural and landscaping plans, more details on proposed earthworks, private open space clarification, and group home definition clarification. On 5 September 2025, revised architectural plans, a Traffic Report, and a revised stormwater concept design were submitted, followed by a revised Water Cycle Management Study on 30 September 2025, in response to Council's 1 August 2025 request.

On 6 October 2025, after a second comprehensive review of the proposal, a further request to the Applicant to redesign the front setback area was made as the proposed car parking quantity (5 spaces) and the Applicant's provided justification was not supported. Essential Energy also requested distances from their infrastructure to proposed structures to be nominated on plans. On 7 November 2025, a revised set of architectural plans and a conceptual stormwater management design were provided in response to the 6 October 2025 request. This Assessment Report is based on this final design and package of materials.

The proposal obtained concurrence from Water NSW pursuant to Section 6.64 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021*. The proposal also received referral comments with no objections from Essential Energy pursuant to Section 2.48 of *State Environmental Planning Policy (Transport and Infrastructure) 2021*. The proposal is not integrated development pursuant to Section 4.46 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

Jurisdictional prerequisites to the granting of consent imposed by the following controls have been satisfied including:

- Section 4.10 of Chapter 4 Koala habitat protection 2021 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* – Council is satisfied the land is not core koala habitat and therefore is not prevented from granting consent to the proposal.
- Section 6.64 of Chapter 6 Water catchments of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* – Concurrence from Water NSW (as the Regulatory Authority) has been obtained and therefore development consent can be granted.
- Section 4.6 of Chapter 4 Remediation of land of *State Environmental Planning Policy (Resilience and Hazards) 2021* – Council can grant consent to the proposal as the site is suitable for residential purposes.

- Section 2.48(2) of *State Environmental Planning Policy (Transport and Infrastructure 2021)* – Council has given written notice to the electricity supply authority and taken into consideration their comments.
- Clause 2.3 of the GMLEP 2009 – Council has had regard to the objectives of the R2 zone

The application was placed on public exhibition from 16 June 2025 until 30 June 2025. There were 58 submissions of objection received during the exhibition period, of which 54 were unique submissions. A petition objecting the proposal with 246 signatures was also received during the exhibition period. Additionally, a total of 13 representations were received outside the exhibition period (both before and after the exhibition period). Eight (8) representations were received after the exhibition period and provided support for the proposal, seven (7) of those were not unique (i.e. repeat content). Five (5) additional representations were received prior to the exhibition period and objected to the proposal. Both the submissions and representations raised concerns with the proposal citing social impacts, concerns for safety of the neighbourhood, biodiversity impacts, density, impacts to neighbourhood feel, construction impacts, impact on quality of life, overshadowing, location in proximity to CBD and services, property values, lighting, fencing, flooding, privacy, visual impact of proposal on streetscape, business operations in a residential area, front setback out of character, questioning the consultation process, traffic and pedestrian safety, noise, car parking impacts on street, and stormwater and overflow impacts. These issues are responded to within this Report.

The application was accepted by the Southern Region Planning Panel (the Panel) on 1 August 2025. The development is 'regionally significant development', pursuant to Section 2.19(1) and Clause (5)(b) of Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021* as the proposal is development for a group home with an estimated development cost over \$5 million (exc. GST).

A site inspection was held with the Panel on 15 October 2025 where issues such as streetscape character, vegetation, siting of proposed buildings, and an understanding of overshadowing and privacy concerns could be observed. At this inspection, the Panel suggested shifting Unit 3 and 4 together so that a greater separation distance from the western boundary could be provided to further alleviate privacy concerns and provide a better built form rhythm. The Applicant has chosen not to proceed with this suggestion, which is discussed further within this Report.

On 14 November 2025, the Applicant was provided with a copy of the draft Notice of Determination. Their comments were received on 20 November 2025. Their requests provided clarification around the proposed hours of operation and included a proposed increase in maximum staff on site from three (3) to seven (7). As discussed throughout this Report, this change to the proposal is not accepted at this time. The letter also provided a request to relocate hours of operation and staff numbers conditions into the Plan of Management. These matters shall be discussed at Section 2.4 of this Report.

The key issue during the assessment of the proposal was finding the right balance of car parking spaces with a car parking design that would not adversely impact streetscape character. This was resolved by working through two design concepts with the Applicant which resulted in a front setback car park design that is set within an appropriately landscaped setting and presented informally around the central large native tree.

The proposal is recommended for approval pursuant to Section 4.16(1)(a) of the EP&A Act, subject to the recommended conditions at **Attachment A**. Following a detailed assessment of the proposal, pursuant to Section 4.15(1) of the EP&A Act, the provisions of the relevant planning instruments and the issues raised in the submissions, the proposal warrants approval, subject to conditions.

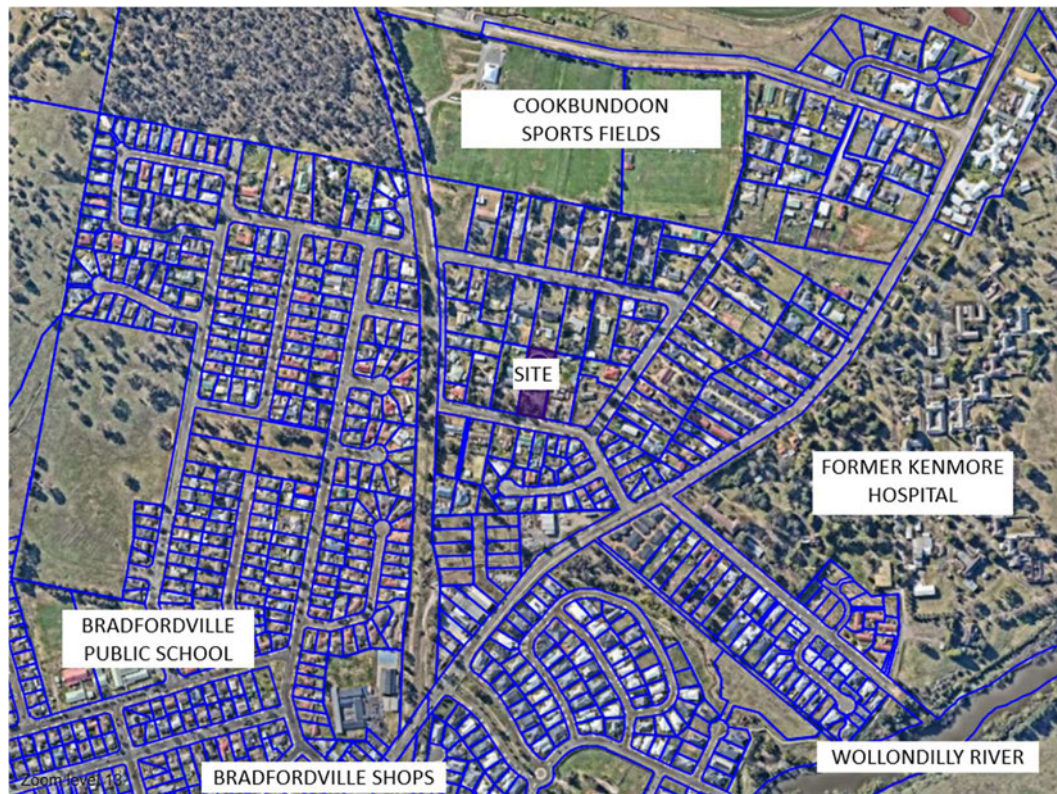
1. THE SITE AND LOCALITY

1.1 The Site

The site is known as [REDACTED] being 4047sqm in size and rectangular in shape. The site is relatively flat at 644 Australian Height Datum (AHD) with a slight slope to the north. The site has an existing single storey residential dwelling centrally located within the site, 39m from the [REDACTED] site frontage. The site has scattered mature native vegetation in the front and rear yards.



Site Plan



Locality Plan

1.2 The Locality

The locality is a low density residential housing area with a variety of residential types ranging from large lot residential, single and two storey dwellings on smaller lot sizes, and some multi dwelling residential developments. Blocks north of [REDACTED] are generally greater than 4000sqm, containing one and two storey dwellings. Lots to the south of the site are generally smaller in size, between 500sqm and 1200sqm, also containing one and two storey dwellings. The unused Goulburn-Crookwell Railway Corridor is approximately 150m west of the site with the Bradfordville residential locality further west. Further east is Taralga Road, the former Kenmore Hospital precinct and other low density residential developments.

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The proposal seeks development consent to construct and operate a **group home (transitional)** at [REDACTED]

Specifically, the proposal involves:

- Demolition of the existing single storey dwelling;
- Construction of a single storey communal building including a caretakers residence, communal lounge/kitchen area, conference/multipurpose room, storage, office, bathrooms, and children's play space;
- Construction of four detached three bedroom units and two attached three bedroom units, totalling six independent units, all single storey;

- Construction of 9 on site car parking spaces within the front setback area including one accessible space plus a minor service area and drop off area, and landscaping;
- Removal of 12 trees, minor earthworks for building pads, construction of stormwater bioretention basins, and connection to utility infrastructure and landscaping to the site;
- Provision of a secure pet run and community garden area, two play equipment spaces, a covered BBQ shelter area, picnic tables throughout the site, two equipment and storage sheds, a back up generator; and
- Operation of the site as a group home (transitional) with on site services and three staff (maximum) Monday to Friday 9.00am to 5.00pm and one on site caretaker available 24 hours. Information provided on 20 November 2025 (dated 19 November) indicates that a maximum of seven staff at any one time during these hours would be on site. This quantity of staff is outside the scope of the proposal as submitted, is inconsistent with the resolved car parking outcome, at seven staff would not be considered ancillary to a group home, and therefore is not accepted as part of this application at this time.

Table 1: Development Data

Control	Proposal
Site area	4047sqm
GFA	No gross floor area control is applicable
FSR (retail/residential)	No floor space ratio control is applicable
Clause 4.6 Requests	The proposal does not seek a clause 4.6 variation
No of units	6 (plus 1 in-house caretaker unit)
Max Height, 2 storeys	One storey
Landscaped area	No minimum landscaped area control is applicable
Car Parking spaces	Merit assessment
Setbacks, minimum 4.5m	27m setback

2.2 Background

A pre-lodgement meeting (FWA/0037/2425) was held on 31 October 2024, prior to the lodgement of the development application, where various issues were discussed. A summary of the key issues discussed at the meeting are outlined below, along with Council comment as to how the proposal as lodged addresses these issues:

- *Development must be sensitively designed to be consistent with the neighbourhood character and spatial rhythm of development in the street and locality* – The proposal

would be sited appropriately, commensurate to the established setbacks and spatial rhythm in the locality without adverse streetscape impact. The proposed car spaces within the front setback would be within a landscape setting, to reduce any visual impact whilst also having regard to passive and natural surveillance standards.

- *Development must retain as much established mature native vegetation as possible* – The subject development application proposes the removal of 12 trees on the property and the retention of 12 trees, including a hollow bearing Blakelys Red Gum in the front setback. The proposal includes sufficient and suitable native species in its landscaping design which would offset trees to be removed, resulting in an overall beneficial environmental outcome to the locality.
- *Development must provide sufficient parking on site, sensitively designed to not detract from the established streetscape* – The car spaces proposed within the front setback area would be sporadic and informal, and designed within a landscape setting to embellish and soften the front setback and in turn, reduce visual impact on the streetscape.
- *Development must increase side and front setbacks* – The proposal has demonstrated that the front and side setbacks are adequate and have been suitably increased since prelodgment stage. The front setback was initially proposed at 22m on the prelodgment plans, and the development proposes 27m. This proposed front setback would be adequate for the established spatial rhythm and streetscape (A35 of **Attachment D**). Side setbacks visible from the street (the communal building) would be 3m from the western boundary and 12m from the eastern boundary. The prelodgement proposal had all units 1m from side boundaries. As submitted, Unit 4 would be 1.5m and Units 1, 2 & 6 would be 3m from side boundaries which is satisfactory to address Council's initial privacy concerns. It is noted the Panel, at its site inspection, requested the Applicant to consider increasing the side setback of Unit 4. This is addressed at the assessment of Section 4.1.10.2 of the *Goulburn Mulwaree Development Control Plan 2009* (GMDCP 2009) in this Report.

The development application was lodged on 11 June 2025. A chronology of the development application since lodgement is outlined below including the Panel's involvement with the application to date:

Table 2: Chronology of the DA

Date	Event
11 June 2025	Payment of DA fees and lodgement of DA
16 June 2025	Exhibition of the DA
14 June 2025	DA referred to external agencies
1 August 2025	Request for Information from Council sent to Applicant Southern Regional Planning Panel confirmed as Consent Authority
5 September 2025 and 30 September 2025	Amended plans lodged, main changes were to the front setback area so that stormwater, landscaping and car spaces did not conflict
15 October 2025	Panel Site Inspection
7 November 2025	Amended plans lodged, changes to the front setback area so that additional car parks could be provided on site within a landscape setting

14 November 2025	Draft Notice of Determination provided to Applicant for comment
20 November 2025	Applicant provided comments on Draft Notice of Determination to Council

2.3 Locality History

Other nearby developments (DA's and CDC's) applications that the Panel should be made aware of.

- A Complying Development Certificate (CDC) has been issued for a two storey 10 unit multi dwelling housing development by a private certifier pursuant to multi dwelling housing controls in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* at [REDACTED] and is yet to commence construction.
- DA/0150/1617 was approved by Council under delegation on 19 December 2017 for a 17 lot community title subdivision and erection of 16 dwellings, at 44-46 Wollondilly Avenue and is currently under construction.
- DA/0164/2425 was approved through the Section 34 Conciliation Conference process at the Land and Environment Court on 13 December 2024 for the construction and operation of a 94 place centre-based childcare facility at 66 Dalley Street, Goulburn and is yet to commence construction.

2.4 Copy of Notice of Determination to Applicant

On 14 November 2025, the Applicant was provided with a copy of the draft Notice of Determination. Their comments were received on 20 November 2025 raising the following:

- *Hours of operation allow for 24 hour operation, weekends and Public Holidays* – This is discussed at Section 4.1.18 of **Attachment C** and is clarified in Condition 71 of the draft Notice of Determination at **Attachment A**.
- *A maximum of seven (7) staff during core hours and three (3) during non- core hours if required* – This is discussed at Section 2.1 of this Report and Section 4.1.18 of **Attachment C**. Council does not accept such a fundamental change to the proposal at this point in the assessment of the proposal. Condition 72 of the draft Notice of Determination at **Attachment A** shall remain as three (3) staff maximum during hours as specified.
- *Relocation of Conditions 71 Hours of Operation and 72 Staff Numbers into Condition 73 Plan of Management* – Council does not accept the relocation of these fundamental, parameter-forming conditions of the consent to be relocated within the Plan of Management (PoM). Whether they are imposed as an independent conditions or in the PoM they are enforceable and publicly available to view. It is Council's preference and request, for clarity of approval parameters, transparency and compliance purposes that these conditions remain as independent conditions. They would be required to be reflected in any PoM as well.

It is noted that the draft Notice of Determination provided to the Applicant did not include a condition regarding Section 7.11 contributions. This is now included as a condition, see Section 3.1(c) of this Report.

3. STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act). These matters, as are of relevance to the development application, include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
that apply to the land to which the development application relates,
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

These matters are further considered below.

It is noted that the proposal does require concurrence/referral (s4.13) (which is considered further in this report) but is not considered to be:

- Integrated Development (s4.46),
- Designated Development (s4.10),
- Crown DA (s4.33) - written agreement from the Crown to the proposed conditions of consent must be provided,

3.1 Environmental Planning Instruments, proposed instrument, development control plan, planning agreement and the regulations

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the Regulation are considered below.

(a) Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

- *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 (Resources and Energy) 2021*

- *State Environmental Planning Policy (Sustainable Buildings) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *Goulburn Mulwaree Local Environmental Plan 2009*
- *Goulburn Mulwaree Development Control Plan 2009*

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 3** and considered in more detail below.

Table 3: Summary of Applicable Environmental Planning Instruments

EPI	Matters for Consideration	Comply (Y/N)
State Environmental Planning Policy (Biodiversity & Conservation) 2021	Chapter 4: Koala Habitat Protection 2021, Section 4.10 Council is satisfied the land is not core koala habitat and therefore is not prevented from granting consent to the proposal.	Y
	Chapter 6: Water Catchments, Section 6.64 Concurrence from Water NSW (as the Regulatory Authority) has been obtained and therefore development consent can be granted	Y
State Environmental Planning Policy (Housing) 2021	Chapter 3: Diverse Housing, Part 2 Group homes	Y
State Environmental Planning Policy (Planning Systems) 2021	Chapter 2: State and Regional Development, Section 2.19(1) declares the proposal regionally significant development pursuant to Clause 5(b) of Schedule 6	Y
SEPP (Resilience & Hazards)	Chapter 4: Remediation of Land, Section 4.6 Council can grant consent to the proposal as the site is suitable for residential purposes	Y
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2: Infrastructure, Section 2.48(2) (Determination of development applications—other development) – electricity transmission - the proposal is satisfactory subject to conditions.	Y
Goulburn Mulwaree Local Environmental Plan 2009	Clause 2.3 Zone objectives and Land Use table – Permissibility and zone objectives	Y
	Clause 7.1A Earthworks – minor works proposed, conditions to manage sediment and erosion and stormwater patterns	Y
Goulburn Mulwaree Development Control Plan 2009	Section 1.8 Variations to controls	Y
	Section 3.5 Landscaping	Y
	Section 3.5.6 Landscaping – Setbacks (car parking not permitted in setback)	VARIATION
	Section 3.6 Vehicular Access and Car Parking	Y

	Section 3.7 CPTED	Y
	Section 3.9 Tree & Vegetation Preservation	Y
	Section 3.16 Stormwater Pollution	Y
	Section 4.1.1 Site planning, bulk, scale and density	Y
	Section 4.1.3 Raingardens	Y
	Section 4.1.16 Number of Storeys	Y
	Section 4.1.7 Solar Access	VARIATION
	Section 4.1.8 Privacy	Y
	Section 4.1.9 Private Open Space	VARIATION
	Section 4.1.10.1 Rear Setback	Y
	Section 4.1.10.2 Side Setback	Y
	Section 4.1.10.3 Front Setback	Y
	Section 4.1.12 Traffic Safety & Management	Y
	Section 4.1.13 Site Facilities	Y
	Section 4.1.18 Working Hours – Residential and business	Y
	Section 7.1 Utility Services	Y
	Section 7.2 Roads	Y
	Section 7.3 Drainage and Soil and Water Management	Y
	Section 7.4 Easements	Y

Consideration of the relevant SEPPs is outlined below.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 4 Koala Habitat Protection 2021

This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

Goulburn Mulwaree is a listed Council in Schedule 2, and therefore Chapter 4 of this SEPP applies to the proposal. The site does not have a Koala Plan of Management as per Section 4.8(1) and the site is not greater than 1.0ha, being 4,047sqm (Section 4.9(1)). Therefore, Section 4.10 is applicable to the assessment of this proposal. Whilst the submitted Flora and Fauna Assessment did not reference or address the requirements of this chapter, Council has undertaken its own assessment of the matter and found it to be unlikely that the site is core koala habitat. Council's Biodiversity and Environmental Assessment Officer has advised there are no records of Koalas in the vicinity. As Council is satisfied the land is not core koala habitat, it is not prevented from granting consent to development on the land.

Chapter 6 Water Catchments, Part 6.5 Sydney Drinking Water Catchment

The objectives of this part are to provide for healthy water catchments that will deliver high quality water to the Sydney area while also permitting compatible development, and to provide for development in the Sydney Drinking Water Catchment to have a neutral or beneficial effect on water quality.

The site is in the Warragamba drinking water catchment (Wollondilly River sub-catchment) and therefore, consideration of this Part is required. The proposal is a Module 5 under Water NSW's Neutral or Beneficial Effect on Water Quality (NorBE) Guidelines, and so concurrence from Water NSW was obtained on 21 July 2025. A revised concurrence was granted on 30 September 2025 in response to the additional information provided on 5 September 2025, and again on 13 November 2025 in response to additional information provided on 7 November 2025.

Whilst concurrence has been obtained, their letter indicates that they have concerns for the design, noting the area for detention is likely to be constantly submerged, resulting in greater compaction of the filter media and ultimately affecting the functioning of the basin. Resultantly, Water NSW recommended a detailed design to be prepared as part of a final stormwater management plan to be prepared in consultation with Water NSW prior to the issue of a Construction Certificate which would consider adequate measures to address these issues and ensure the proper functioning of the bioretention basins, particularly the filter area component. Their concurrence conditions form part of the recommended conditions at **Attachment A**.

State Environmental Planning Policy (Housing) 2021

Chapter 3 Diverse Housing, Part 2 Group homes

Clause 61 provides permissibility for a group home in a prescribed zone. The site is zoned R2 Low Density Residential which is nominated as a prescribed zone and therefore the proposal is permissible under clause 61 of this SEPP.

Pursuant to section 66A of the SEPP, a condition would be imposed prohibiting the subdivision of the group home.

State Environmental Planning Policy (Planning Systems) 2021 ('Planning Systems SEPP')

Chapter 2: State and Regional Development

The proposal is *regionally significant development* pursuant to Section 2.19(1) as it satisfies the criteria in Clause 5(b) of Schedule 6 of this SEPP as the proposal is development for a group home. Accordingly, the Southern Region Planning Panel is the consent authority for the application. The proposal is consistent with this Policy.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4: Remediation of Land

Chapter 4 aims to promote the remediation of land for the purpose of reducing risk to human health or any other aspects of the environment. Clause 4.6 of Chapter 4 states that a consent authority must not consent to any development on land unless it has considered whether it is contaminated. Council has no information on the historical use of the site except for its prior use as a single storey residential dwelling.

The checklist at Section 3.2.1 of the *Managing Land Contamination Guidelines* was used to determine contamination risk of the site. Given the responses to the checklist (**Attachment B**), the site is suitable in its present state for the proposed residential use. Therefore, pursuant to the provisions of this Chapter, the consent authority can grant consent to the carrying out of development on the land.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure, Part 2.3 Development controls

The development application was referred to Essential Energy pursuant to Section 2.48 of this SEPP. Essential Energy responded on 17 June 2025 indicating they had no

comments to make as to potential safety risks arising from the proposed development. The revised proposal of 5 September 2025 was referred to Essential Energy for comment and on 29 October 2025, they requested that distances from their infrastructure be nominated on the plans to consider whether there were any safety concerns. The final design was sent to Essential Energy who, on 17 November 2025, still provided the following response:

As the plans provided do not show the distances from Essential Energy's infrastructure and the development, there may be a safety risk. A distance of 5.21M from the NEAREST part of Essential Energy's infrastructure (measured horizontally) to the development is required to ensure that there is no safety risk. LOW VOLTAGE OVERHEAD NETWORK FROM POLE CE115227 TO CE115225 RUNNING ALONG THE REAR OF THIS PROPERTY.

In reviewing A-36 of the Architectural Plans at **Attachment D**, offset distances from electricity assets are provided. Unit 5 would be offset 6.091m from the power line on the western boundary and 12.063m to the northern boundary. Unit 6 would be offset 10.26m from the northern boundary. As these are greater than the nominated 5.21m from the nearest part of the electrical infrastructure, Council is satisfied there is no safety risk.

Essential Energy was contacted regarding their dated 17 November 2025 however at the time of completing this Report, they had not responded.

Goulburn Mulwaree Local Environmental Plan 2009

The relevant local environmental plan applying to the site is the *Goulburn Mulwaree Local Environmental Plan 2009* (the LEP). The aims of the LEP include:

- (a) *to promote and co-ordinate the orderly and economic use and development of land in the area,*
- (f) *to enhance and provide a range of housing opportunities in, and the residential and service functions of, the main towns and villages in Goulburn Mulwaree,*

The proposal is consistent with these aims as the proposal would contribute to housing diversity in Goulburn in a coordinated and functional manner.

Zoning and Permissibility (Part 2)

The site is located within the R2 Low Density Residential zone pursuant to Clause 2.2 of the LEP.



Extract of Zoning Map

According to the definitions in Clause 4 (contained in the Dictionary), the proposal satisfies the definition of **group home (transitional)** which is a permissible use with consent in the Land Use Table in Clause 2.3. A **group home** is also permissible with development consent in the R2 Low Density Residential zone pursuant to Clause 61 of *State Environmental Planning Policy (Housing) 2021*. The **group home** definition includes a **group home (transitional)**.

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

group home (transitional) or transitional group home means a dwelling—

(a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and

(b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons formerly living in institutions or temporary accommodation comprising refuges for men, women or young people,

but does not include development to which *State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 5* applies.

The zone objectives include the following (pursuant to the Land Use Table in Clause 2.3):

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

The proposed development is a low density residential addition to the existing housing stock in the locality. By virtue of medium density being generally 5-10 storeys (as defined by the Department of Planning, Housing and Infrastructure), low density can be considered as

anything less than this, but generally no greater than three storeys. Any established spatial character (spaces between buildings, density etc) and other planning considerations would also determine whether a proposal is low density development and therefore, consistent with the characteristics of the locality. With this in mind, the proposed development is a low density development type.

The proposal would broaden housing variety in the locality. The proposed communal facility and in house services would also contribute to the day to day needs of residents without impacting the economic strength of the Goulburn commercial centre.

General Controls and Development Standards (Part 2, 4, 5 and 6)

The LEP contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 4** below.

Table 4: Consideration of the applicable LEP Controls

Control	Requirement	Proposal	Comply
Earthworks (CI 7.1A)	Before granting development consent for earthworks, the consent authority must consider the following matters at section 7.1A(3).	Council is satisfied to the matters in section 7.1A(3) considering the following: - the proposal would adequately capture and manage existing drainage patterns without adverse disruption. - The minor nature of the earthworks would result in there being no impact on the likely future use or redevelopment of the land. - Cut and fill would be able to be balanced, without disposal or purchase of additional soil. - The minor nature of the earthwork level changes would result in a negligible impact on adjoining properties. - The site is not known to have the potential for Aboriginal objects and so the likelihood of disturbing Aboriginal objects is unlikely. - The site is not in proximity to any watercourse. It is within the Sydney drinking water catchment and Water NSW have	Yes

		provided their concurrence subject to conditions to manage water quality during construction and operation.	
--	--	---	--

The proposal is generally consistent with the LEP.

(b) Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments

There are several proposed instruments which have been the subject of public consultation under the EP&A Act, however none are relevant to the proposal.

(c) Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan

The relevant development control plan applying to the site is the *Goulburn Mulwaree Development Control Plan 2009* (the DCP).

The proposal achieves the majority of controls in the DCP (**Attachment C**), with the below controls being the identified non compliances:

3.5 Landscaping - 3.5.6 Set backs

A control of this section of the DCP is that no parking will be permitted within setback areas. As the application proposes to provide car spaces within the front setback, this control is not achieved.

The application discusses how neighbouring properties have landscaping and informal car parking in their front setback area and therefore justifies the proposal as acceptable. This in its own right is an insufficient justification to consider permitting the variation. As such, Council has undertaken the below review of the proposal to consider the variation to this section of the DCP.

The proposal would present as car spaces in a landscaped setting. The car spaces would be designed to be informal and visually unobtrusive, having regard to the following design elements:

- A natural coloured crushed gravel driveway within and around the existing established native vegetation is proposed, commensurate to adjoining driveways.
- The design of the car spaces would be irregularly placed throughout the front setback area.
- The car spaces would be embellished with low lying native landscaping to reduce any visual impact whilst also having regard to passive and natural surveillance standards
- Provision of nine (9) car spaces would not be an adverse outcome to the streetscape character.

Council accepts the variation in this instance, having regard to Section 1.8 of the GMDCP. The proposed parking spaces in the front setback area would not result in an adverse visual impact on the streetscape.

4.1 Residential development - 4.1.7 Solar access

Section 4.1.7 of the DCP requires the principal living spaces of the residential dwellings, adjoining residential buildings, and at least 50% of their private open space, to have at least three hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice).

Whilst all other units can achieve the above control, solar access is not achieved for the private open space (POS) of Unit 1. The POS of Unit 1 is located on its southern elevation, resulting in minimal sunlight access. Considering the temporary nature of the use of this dwelling by each tenant, and the sufficient communal open space available to the occupants within the site, and that this unit is part of a dual apartment and could therefore benefit from the use of the adjoining residences sunlit POS, Council accepts the variation in this instance, having regard to Section 1.8 of the GMDCP.

4.1 Residential development – 4.1.9 Private open space

The DCP requires 75sqm of POS for each dwelling. The DCP does not differentiate POS requirements based on residential accommodation types and is therefore applicable to all residential proposals.

The application advises it has been designed to provide 24m² POS per unit, having regard to the complying development controls for a group home in Schedule 2 (clause 16) of the *State Environmental Planning Policy (Housing) 2021*, which requires the following:

16 Principal private open space

A site on which a group home is erected must have more than 24m² of principal private open space that—

- (a) has an area at ground level (existing) directly accessible from, and adjacent to, a habitable room, other than a bedroom, and*
- (b) is at least 4m wide, and*
- (c) has a gradient no steeper than 1:50.*

This specification would be applicable to a CDC for a group home that would result in no greater than 10 bedrooms. As the proposal is not for a CDC for a group home, it is not a clause that would be applicable to the proposal. However, it can be used as a guide for what is appropriate for a group home.

Considering the temporary nature of the occupation of each unit, that the 24sqm of space is unimpeded by landscaping or other permanent structures, and the quality and variety of communal open space areas within the site, Council accepts the variation in this instance, having regard to Section 1.8 of the GMDCP.

The following contributions plan is relevant pursuant to Section 7.18 of the EP&A Act and have been considered in the recommended conditions (**Attachment A**) (notwithstanding Contributions plans are not DCPs, they are required to be considered):

Goulburn Mulwaree Local Infrastructure Contributions Plan 2021

The *Local Infrastructure Contributions Plan 2021* (the LICP) applies to the proposal as a group home would be a type (a) development being residential accommodation development that would result in a net increase in residents to the land. Type (a) development requires the imposition of Section 7.11 contributions to be applied on any favourable development consent.

Section 1.3.3 of the LICP provides an exemption for ‘*development for the sole purpose of providing affordable housing when the development is carried out by a registered community housing provider or social housing provider as defined in (the now) State Environmental Planning Policy (Housing) 2021.*’

On 20 November 2025, the Applicant provided documentation for Council's consideration of this exemption. At the time of completing this Report, insufficient information was provided for Council to conclude that the exemption applies to the proposal. As such, a condition requiring the payment of Section 7.11 contributions shall be imposed. At the time of determination, confirmation shall be provided to the Panel as to whether the condition shall remain or can be removed.

(d) Section 4.15(1)(a)(iia) – Planning agreements under Section 7.4 of the EP&A Act

There have been no planning agreements entered into and there are no draft planning agreements proposed for the site.

(e) Section 4.15(1)(a)(iv) - Provisions of Regulations

Section 61 of the EP&A Regulation 2021 contains matters that must be taken into consideration by a consent authority in determining a development application, with the following matters being relevant to the proposal:

- Comply with provisions of *Australian Standard AS 2601 Demolition of structures* – conditions to be imposed accordingly.

Additionally, conditions are to be imposed to require compliance with Section 62 (consideration of fire safety). Section 64 (consent authority may require upgrade of buildings) of the 2021 EP&A Regulation is not relevant to the proposal.

These provisions of the EP&A Regulation 2021 have been considered and are addressed in the recommended draft conditions (where necessary).

3.2 Section 4.15(1)(b) - Likely Impacts of Development

The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

The consideration of impacts on the natural and built environments includes the following:

Context and setting

The proposal is generally consistent with the context of the locality, in that the proposed group home is appropriate due to its siting within the site boundaries, its residential design, low density footprint, retained vegetation and proposed landscaping

Character

The proposal would result in a redevelopment of the site that would contribute varied housing options, and be a suitable addition visually, and operationally, in the locality. The proposal would present similar visually to a multi dwelling housing development which is also a permissible use in the R2 zone; both of which are low density residential typologies.

Whilst the proposal would be a visual change in the locality, its addition to the streetscape would encourage diversity to residential architecture, and likely be a catalyst for positive visual change to the locality. This would not result in an adverse change in the character of the locality as the overall character and design of the built form would remain residential.

Retention of five (5) established tall native trees within the front setback area would assist with softening the new development and proposed car spaces into the locality as well as maintaining a sense of the local character. The car park has been sensitively designed with materials, landscaping and offset car parking resulting in an informal and sporadic car parking area rather than one that would be rigid, protruding and stark.

██████████ has a diverse streetscape character. The southern side of ██████████ comprises a blend of front boundary fencing (brick and ornamental), single and dual driveways (entry and exit) to ██████████, deciduous trees, 5-17m setbacks, cottage garden beds and maintained lawns. The northern side comprises sporadic, tall and established native and deciduous trees within a 35-40m setback area, with dual driveways, crushed gravel and lawns that do not require frequent mowing. Of note, ██████████ has been issued with a Complying Development Certificate (CDC) for a two storey 10 unit multi dwelling development by a private certifier.

Lighting

No sky/pole lights or flood lighting are proposed. A total of eight (8) bollard lighting poles to a height of 1m each are sporadically proposed within the front setback area. Six (6) bollard poles to a height of 600mm are proposed internal to site. Lighting to the front of the communal building is not proposed with this application, but any installation would require compliance with the below conditions, and would be expected to be similar to that of a residential property i.e a front door light. Installing bollards for lighting along a driveway, or footpath in a front setback area is not an uncommon sight in a residential context. Conditions would ensure that two of the poles are removed from the design as the proposed eight would be considered excessive and formalised. The proposed lighting is therefore minimal and would be in keeping with residential lighting.

Conditions would ensure that these lights are turned off during the evening and fitted with movement sensors and diffused soft, non-harsh illumination when triggered by movement. This would assist with demonstrating compliance with *Australian Standard AS4282 Control of the obtrusive effects of outdoor lighting*, considering the residential locality the site is within. Conditions would also be imposed prohibiting the installation of flood lighting to ensure the proposal fits suitably within the locality.

Fencing

The exhibited application was unclear on the proposed fencing treatment and so in the additional information request letter sent to the Applicant on 1 August 2025, the Applicant was requested to confirm proposed fencing details. In their response dated 5 September 2025, the Applicant provided a fencing plan in the architectural plan set (A-30 of **Attachment D**).

The fencing plan proposes:

- 2.1m high palisade fencing to the building line on the western side of the communal building (3m long) and 2.1m high palisade fencing setback approximately 3m from the building line on the eastern side of the communal building.
- 2.1m side and rear fencing comprising 300mm high concrete sleeper at ground level with a 1.8m high timber lapped and capped fence on top. This fence protrudes slightly beyond the palisade fence on the eastern boundary but remains aligned with the building line.
- No fencing forward of the building line.

Fencing is discussed at Sections 3.5 and 3.7 of **Attachment C** to this Report and is satisfactory for the proposed use, safety and security purposes, and appropriate for the residential character of the locality.

Of note, a submission indicated they do not have consent of the adjoining landowners for the proposed fence on the common property boundaries with three landowners. It is noted that the *Dividing Fences Act 1991* provides a civil procedure should the circumstance of adjoining property owners not agree on the approved fence work (sections 12(1) and (2)). For clarity, a

condition of consent shall be imposed ensuring the cost of fence work is to be borne by the developer.

Privacy

The proposal would be provided with 2.1m fencing and landscaping to a height of 3m to all perimeters of the site, behind the front building line as well as hedge landscaping to a managed height of 3m. It is therefore unlikely that a second storey window and balcony 20m on an adjoining property to (or from) the nearest unit (being Unit 4), would result in privacy impacts. Other areas within the site would also be obscured with similar fencing and landscaping which would prevent visual privacy impacts to adjoining neighbours.

During its site inspection on 15 October 2025, as a suggestion, the Panel requested the Applicant to increase the setback to the western boundary of Unit 4, resulting in a common boundary between Units 3 and 4. The request came from consideration of the setback character and building rhythm of the locality, as well as mitigating privacy concerns of adjoining property owners. The Applicant has provided the following response:

There were several governing elements to the design response.

1. *Principal design reference:*
 - *Clients operation guidelines and their established operational requirements.*
2. *Secondary design reference*
 - *The design of the facility was based on the preferred government guideline document.*
 - *The referenced document specifically suggested only a single duplex style unit was required with a dual key access through a party wall.*
 - *This element is provided along the Eastern boundary*
 - *The remaining three dwellings and fully accessible dwelling were all described as standalone buildings.*
3. *Tertiary design reference*
 - *SEPP Housing – Group homes*
 - *GMC LEP (where applicable)*
 - *GMC DCP (where applicable)*

Considerable co-ordination was undertaken with the client around their preferred operational procedures for the facility. The design response is based on these discussions and on the above reference documents. The design was also required to be vetted and signed off by the grant authority.

The proposal in the current form is compliant with the requirements of the relevant planning instruments that influenced and guided the design, no variation to a standard has been requested.

The client and future operator have provided information to the assessing officer regarding operational procedures and the methodologies to be employed for the ongoing operation of the group home.

We felt the address to the property and streetscape elements presented in the current proposal best merged the needs of the client and the legislative guidelines. The proposal meets or exceeds the minimum setback and spatial allocation requirements of the relevant codes.

For these reasons at this stage my client and the future operator have requested the design remain as presented.

Whilst the redesign has not eventuated, it is unlikely that the redesign would result in a better privacy outcome due to the proposed landscaping and fence height.

Transport and traffic

Traffic

██████████ is a two-lane sealed local street within a residential area that connects to Taralga Road which operates as a distributor road and is also a regional classified road. The Traffic Report submitted with the application indicates that 6 vehicle movements would occur during weekday peak hours. Whilst the proposal would result in extra vehicle movements to the road network, the increase would be negligible and not an unreasonable or adverse increase. Council is also satisfied the traffic generation from the use could be accommodated in the existing road network and would be an acceptable and manageable increase in vehicular movements.

One submission commented about cars using ██████████ as a traffic throughfare and car park for winter soccer at Cookbundoon Soccer Fields. Vehicles use a variety of routes to access the soccer fields, ██████████ is one of them. All three routes assist in providing safe and practical access to the soccer fields. Vehicular movements are therefore distributed through these three routes, and are also spread over five hours on a Saturday, and coincide with soccer game times. There is sufficient car parking within the soccer complex and within Racecourse Drive to handle soccer patrons; ██████████ is not used to park cars associated with the use of the soccer fields.

Pedestrians

There is no footpath currently in ██████████, but there is a footpath is provided in Taralga Road that links to Council's shared path network. Council's *Pedestrian Access and Mobility Plan* recommends that a shared path be provided along the north side of ██████████. While it is not on the current work program, it is appropriate that the development provide a 2.5m wide shared path along its frontage as a condition. At its completion, the path would be used by visitors and ultimately be incorporated into the future shared path network.

Car Parking

This matter is discussed in detail at Section 4 Key issues within this Report. Essentially, the application was submitted with a linear, rigid and formalised nine (9) space car park fronting the site that was inconsistent with the established streetscape character. The additional information letter to the Applicant dated 1 August 2025 raised concern with the design, layout and quantity of proposed car parks and requested a redesign of the front setback area that was more reflective of the streetscape and supported with a car parking study to justify the quantity of car parks proposed. The Applicant provided a revised design on 5 September 2025 which proposed six (6) parking spaces sporadically and informally designed within a landscaped setting. Council was concerned that six spaces and the justification provided was inadequate and so the Applicant was requested to redesign the front setback for a third time.

The final design comprises (9) car spaces and a minor service area sporadically designed within the front setback area, in a landscaped setting. Council's Development Engineer has reviewed the proposed design and submitted swept paths and is satisfied the proposal can achieve Australian Standard AS2890 Parking Facilities. Conditions would therefore ensure the car spaces and the set down/delivery bay areas would comply with AS2890.

Flora and Fauna

The subject development application proposes the removal of 12 trees on the property and the retention of 12 trees, including a hollow bearing Blakelys Red Gum in the front setback.

In 2023, the then owner of the property submitted a request for approval to remove three large trees on the site to Council on the basis that they were dangerous and represented a safety risk. A Tree Report submitted with that removal request advised that the two Yellow Box trees located near the house should be removed due to numerous defects, causing them to pose a risk to safety and infrastructure. The Report also advised that the Blakely's Red Gum (in the front setback) could be retained, but defects in the tree should be addressed by remedial pruning by a qualified Arborist. Council supported the Arborist's recommendations and approved removal of the two Yellow Box trees but required retention of the Blakely's Red Gum. Council's Biodiversity and Environmental Assessment Officer reviewed the Flora and Fauna Assessment (FFA) submitted with the subject development application and had regard to the tree removal matter discussed above. The Officer calculated the native tree cover canopy to be approximately 1,816sqm. The Biodiversity Offset Scheme (BOS) area (as per the *Biodiversity Conservation Act 2016*) clearing threshold for the site is 2,500sqm. Additionally, the site is not marked on the Biodiversity Values Map (BVM). Council is therefore satisfied that the BOS is not triggered.

The FFA correctly identifies that the groundcover is heavily degraded and dominated by exotic species. Based on site inspections by Council's Biodiversity and Environmental Assessment Officer, it is not likely that the area supports any threatened flora species that would require survey in spring.

Whilst the FFA did not attempt to demonstrate the biodiversity hierarchy (avoid, minimise, mitigate), the design of the project does retain important trees in the front and rear of the property, including the Blakely's Red Gum which has significant fauna habitat value.

The FFA also recommends planting of six Eucalypts representative of White Box – Yellow Box – Blakely's Red Gum to compensate for removal of six Eucalypts if the DA is approved. Unfortunately based on the plans provided this is not a practicable recommendation as there is not sufficient space for six large Eucalypts in areas that will not be used for construction of the buildings and associated infrastructure. Notwithstanding, native species are proposed in the concept landscape plan that is anticipated to result in a neutral environmental outcome in terms of biodiversity loss.

Recommended conditions from the Biodiversity and Environmental Assessment Officer would manage tree removal, require fauna management during tree works, and requiring native vegetation from PCT 3376 Southern Tableland Grassy Woodland.

Safety, Security and Crime Prevention

The proposal is for a transitional group home. The proposed security measures in place to protect and secure the temporary residents would be:

- CCTV cameras
- Eight x 1m lighting bollards in the front setback area
- 2.1m high palisade fencing to the building line on the western side of the communal building (3m long) and 2.1m high palisade fencing setback approximately 3m from the building line on the eastern side of the communal building.
- 2.1m side and rear fencing comprising 300mm high concrete sleeper at ground level with a 1.8m high timber lapped and capped fence on top.

None of these security measures are unreasonable to be observed in an ordinary residential context. Any person can install security cameras to their dwelling for security purposes. Installing bollards for lighting along a driveway, or footpath in a front setback area is not an uncommon sight in a residential context. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* Subdivision 17 permits fencing to be 1.8m high if it is not in the front setback area; of which the proposal is consistent with.

The 300mm increase to the fence height across the site is not an unreasonable increase visually on the streetscape, and the landscape plan notes Sydney Golden Wattle to a height

of up to 3m would be planted to the fences' internal perimeter. This would be visible from the public domain and embellish the palisade fence fronting the street.

Conditions would ensure the installation of CCTV/security cameras to the site are consistent with the *Surveillance Devices Act 2007* and are installed to ensure blurring of adjoining properties, should they be angled in those directions.

Should the security and safety of the neighbourhood be compromised because of the potential risk of unwanted visitors attending the site, situational measures such as a mix of monitored entry points, staff training and rapid response protocols would form part of the Plan of Management required by the recommended conditions at **Attachment A**. In the instance that procedures would be required to be enacted, the operators have measures and procedures in place to manage such a situation. This would also be clearly articulated in a Plan of Management (PoM) to be prepared and in place prior to the issue of a Construction Certificate.

The site would be provided with a caretaker who would live onsite and be available for responding to any security breach that may arise at any time. This would provide an element of natural and passive surveillance to the immediate locality.

Of note, the operation of such a facility would mean that persons attending the site are not specifically residing already in Goulburn. Tenants may come from other regional areas, for anonymity and safety purposes. This would reduce the likelihood of an unwanted visitor to the site.

Noise

Noise generated from the use during operation would be residential in nature and not dissimilar to the operation of a multi dwelling housing development. The communal building would operate with staff between 9-5pm weekdays and is not envisaged to result in unreasonable noise impacts to the locality. Notwithstanding, conditions would impose general amenity conditions on the communal building operations to assist in mitigating any impacts that may arise from its use.

Social Impact

The proposal would be a benefit to the locality as it would encourage social integration, diversify community structure and fabric, facilitate social equity and foster social cohesion, encouraging moving past fear and towards greater empathy.

Construction

A construction period is a temporary period where it is expected that amenity is to be altered from that ordinarily experienced for a period of time. How it is managed does affect the level of impact experienced by residents in a locality. As such, conditions regarding construction amenity i.e. hours of construction, waste management, dust suppression, noise etc would be the mechanism to ensure impacts are mitigated. Conditions would also ensure a Construction Environmental Management Plan is prepared prior to the issue of a Construction Certificate which addresses matters such as location of a construction compound, construction traffic management, delivery management etc.

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

3.3 Section 4.15(1)(c) - Suitability of the site

As discussed throughout this Report, the site is considered suitable as:

- There are no prohibitive constraints posed by adjacent developments;
- The proposal would not lead to unmanageable transport demands;
- There are adequate services and transport infrastructure in the area;

- There are adequate recreational opportunities and public open spaces in the area;
- There are no hazardous land uses or activities nearby;
- There are adequate utilities and services available to the site that are adequate for the development;
- The site attributes are conducive to the development;
- The site is not subject to natural hazards such as flooding or bushfires; and
- The development would be compatible with protecting ecological communities and habitats on the site.

3.4 Section 4.15(1)(d) - Public Submissions

The submission received during the public exhibition period are considered in Section 4.3 of this report.

3.5 Section 4.15(1)(e) - Public interest

On balance, the proposal is consistent to the public interest having regard to the following:

Planning Controls

The proposal adequately complies with the relevant planning requirements and objectives.

Representations

A representation is a letter received towards a proposal outside of the public exhibition period. A total of 13 representations were received outside of the public exhibition period (both before and after the exhibition period). Seven (7) of those representations were not unique but they all supported the proposal and they were received after the exhibition period ceased. An additional one (1) representation supported the proposal resulting in eight (8) overall in support. Five (5) were received prior to the exhibition period and objected to the proposal. All issues listed below were raised in the submissions and have been addressed at Section 4.3 of this Report:

Support:

- *I understand that some members of the community may have concerns about safety and disruption. I ask that we move past fear and toward fact and empathy.*
- *Group homes such as these are confidential for the safety of the residents*
- *Incidents are rare, and clients are motivated to protect the sanctity of their safe space*
- *Support services put safeguards in place to ensure stability, discretion, and community respect*
- *The presence of such homes does not increase crime, but instead reduces vulnerability and transforms lives.*
- *Approving this development is a chance for Goulburn to show courage, leadership, and humanity... A chance to build a community that lifts each other up—not one that turns its back.*
- *We understand that the facility will be located within a residential area and wish to emphasize that its design and operation will be low-key and self-sufficient, with minimal impact on the surrounding homes. It is not intended to be large or intrusive, but rather a discreet and respectful presence that blends into the neighbourhood while serving a critical social function.*
- *Establishing this facility will strengthen the support services available in Goulburn and the broader region*

- *Would encourage collaboration among local service providers, help build community resilience, and contribute to a safer, more inclusive society*
- *Wholehearted support for this application*
- *It will be a source of healing and empowerment for many, and a reflection of the compassion and strength within our community*
- *The facility will offer a secure and compassionate environment where individuals and families can begin to rebuild their lives with dignity and hope.*

Objection:

- *Council withholding full disclosure of the development to fast track the approval without public consultation*
- *Negative impact on property values*
- *Safety and security issues*
- *Negative changes to residential neighbourhood and established character*
- *Traffic*
- *Sewerage impacts*

Council Policies

Clearance and Easement Requirements for Structures adjacent to Sewer and Stormwater Infrastructure

Council's Utilities Infrastructure Engineer has reviewed the proposal and is satisfied the conceptual proposal can comply with the easement distances and asset protection requirements of this Policy, subject to conditions requiring with requiring a section 306 Certificate under the *Water Management Act 2000* prior to the issue of a Construction Certificate.

Development Assessment and Decision Making Policy

This policy is not applicable as the development application is to be determined by the Southern Region Planning Panel pursuant to Clause 5(b) of Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021*.

Stormwater and Rainwater Collection Systems Policy

Conditions shall be imposed to ensure rainwater tanks are the appropriate size as required by this policy, and constructed as per any approved section 68 application.

Federal or State Government Policy Statements

The proposal was submitted consistent with the Department of Planning's Development Assessment Guidelines.

The proposal is consistent with the *South East and Tablelands Regional Plan 2036* as it would support the following goals:

- Healthy and connected communities
- Environmentally sustainable housing choices.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment, concurrence and referral as required by the EP&A Act and outlined below in Table 5.

There are no outstanding issues arising from these concurrence and referral requirements subject to the imposition of the recommended conditions of consent being imposed.

Table 5: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act)			
Water NSW	Ch 6.64 Biodiversity and Conservation SEPP, development within the Sydney drinking water catchment	Concurrence has been granted	Yes (conditions)
Referral/Consultation Agencies			
Essential Energy	S2.48 Transport and Infrastructure SEPP, Development near electrical infrastructure	No objections, recommended conditions provided	Yes (conditions)
Integrated Development (S 4.46 of the EP&A Act)			
N/A			

4.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 6**.

Table 6: Consideration of Council Referrals

Officer	Comments	Resolved
Engineering	Council's Development Engineer reviewed the Traffic Report, Architectural plans with swept path designs and the conceptual stormwater plans and considered the proposal to be satisfactory, recommending conditions	Yes (conditions)
Building	No objections subject to recommended conditions	Yes (conditions)
Biodiversity	Council's Biodiversity and Environmental Assessment Officer assessed the proposal against the Biodiversity Conservation	Yes (conditions)

	Act 2016 and raised no objections subject to recommended conditions	
Utilities	Council's Utilities Engineer reviewed the Architectural plans and is satisfied the proposal complies with Council's <i>Clearance and Easements Requirements for Structures Adjacent to Sewer & Stormwater Mains Policy</i> , subject to conditions.	Yes (conditions)

There are no outstanding issues raised by Council Officers subject to the imposition of the recommended conditions of consent being imposed.

4.3 Community Consultation

The proposal was notified in accordance with the *Goulburn Mulwaree Community Participation Plan* from 16 June 2025 until 30 June 2025. The notification included the following:

- A physical A3 sign visible from [REDACTED] placed on the site;
- Notification on the NSW Planning Portal Exhibitions website;
- Notification link to the NSW Planning Portal Exhibition website on the Council's website.
- Notification letters sent to adjoining and adjacent properties (approx. 16);

The Council received a total of 58 submissions of objection during the exhibition period, of which 54 were unique submissions, all of which raised objection to the proposal. A petition objecting the proposal with 246 signatures was also received during the exhibition period. Additionally, a total of 13 representations were received outside the exhibition period (both before and after the exhibition period). Seven (7) of those representations were not unique but they all supported the proposal and they were received after the exhibition period ceased. One (1) additional representation supported the proposal whilst five (5) were received prior to the exhibition period and objected to the proposal.

The issues raised in these submissions are considered in **Table 7**

Table 7: Community Submissions

Issue	Council Comments
Social Impacts Submissions were frequent in mentioning how residents did not feel safe or secure with a different demographic being part of their safe, semi-rural, quiet, low density locality. A consistent theme amongst the submissions was how family friendly, semi rural, and quiet the locality is where many people have worked hard to provide a safe and stable	A group home (transitional) is permissible with development consent in the R2 Low density residential zone in the GMLEP 2009. The landowner has the right to lodge a development application for consideration. The reasons mentioned in submissions regarding placing the use elsewhere, choosing a site more thoughtfully, or that the use is needed - just not here, are not suitable planning reasons to justify refusal of the proposal. The concerns raised stem from submitters fear of changes to the demographic character and fabric of the immediate locality. See Section 3.2 Likely Impacts of this Report for social impact considerations

neighbourhood and environment for their families. Numerous submissions also acknowledged that such a use is necessary however, the suggestion of elsewhere was frequently posed.	Outcome: This issue has been satisfactorily responded to above.
Concerns for safety of neighbourhood Submissions raised concern regarding the impact the proposal would have on the safety of the neighbourhood. The submissions frequently noted the demographic of the area being for the elderly and young families and did not like the addition of a group home in their neighbourhood.	See Section 3.2 Likely Impacts of this Report regarding safety and security matters. Outcome: The imposition of conditions to ensure the proposed standard security measures are in place prior to operating i.e. fencing, bollard lighting, security cameras, the preparation and implementation of a Plan of Management, and provision of a live-in caretaker is adequate to manage security concerns of the submitters.
Lack of group home definition clarity The application was submitted and exhibited as a group home. The application did not clarify whether it was seeking consent for a transitional or permanent group home. Submitters responded with concern to this and wanted to be provided with certainty as to who could occupy the proposed group home to reasonably assess the impact on their community and respond with informed feedback. • <i>This lack of clarity is problematic, particularly as the scope of 'group home' definitions may include transitional housing for individuals exiting the justice system, domestic violence shelters for non-local residents, or facilities for troubled youth.</i> • <i>This group home needs to be more transparent and specific to who it is going to house.</i>	The Applicant was requested to confirm the type of group home (permanent or transitional) in the additional information letter sent on 1 August 2025. In their response, received 5 September 2025, it was confirmed that the use would be for a transitional group home which is defined as follows: <i>group home (transitional) or transitional group home means a building or place—</i> <i>(a) used as—</i> <i>(i) temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or</i> <i>(ii) half-way accommodation for persons formerly living in institutions, or</i> <i>(iii) temporary accommodation comprising refuges for classes of persons, and</i> <i>(b) that may include the following—</i> <i>(i) multiple private rooms or suites of rooms, whether within a single building or multiple buildings,</i> <i>(ii) shared or individual facilities for occupants,</i> <i>(iii) shared or individual facilities for staff,</i> <i>(iv) communal spaces,</i> <i>but does not include development to which State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 5 applies.</i> Outcome: This issue is addressed through the provision of additional information by the Applicant.

Tree removal Submitters were concerned with the removal of established, mature, native vegetation: • <i>Many old and beautiful trees ensure privacy and should not be cut down</i> • <i>the Applicant proposes removal of three mature eucalyptus trees. These trees provide known habitat for the vulnerable superb parrot, recorded within 2 km via Bionet.</i>	See Section 3.2 Likely Impacts in this Report regarding flora and fauna. Outcome: The proposal includes sufficient and suitable native species in its landscaping design which would offset trees to be removed and result in an overall beneficial environmental outcome to the locality.
Biodiversity impacts A submission questioned the integrity and conclusions of the submitted Flora and Fauna Assessment.	See Section 3.2 Likely Impacts in this Report regarding Flora and Fauna. Outcome: With the imposition of conditions regarding management of tree removal and landscape plan details, Council is satisfied that the proposed development is not likely to have a significant impact on biodiversity values.
Density Submitters were concerned with the proposed density and how it would be inconsistent with the established low density dwelling pattern on the northern side of [REDACTED]: • <i>This proposal effectively increases dwelling density sixfold on a single lot, undermining the intent of the zoning and eroding residential amenity. It is inconsistent with LEP 2009 Clause 2.3 and the built form controls in DCP 2012 Sections 4.2 and 4.3.</i> • <i>The drawings depict a complex-like layout, visually and spatially out of character with the area.</i> Submissions also noted concern for cumulative density impacts as follows: • <i>Concern for density with more units two houses away and 8-10 units proposed for [REDACTED]</i> • <i>Council is ruining our area with these constant applications for Dual dwellings, Demolition of country homes for Units, town houses etc, and now for something that is not only an</i>	The proposed development is a low density residential addition to the existing housing stock in the R2 Low density residential zone. The site is zoned R2 Low density residential under the LEP. The permissible land uses within the R2 zone include a variety of land use types such as centre-based child care facilities, neighbourhood shops, respite day care centres, group homes, boarding houses, as well as all residential accommodation except for residential flat buildings). Landowners and prospective purchasers should be mindful and aware of these uses, their respective built form and density when purchasing in residential zones. The proposed built form would present as single storey multi dwelling housing which is low density, comparative to a 5-10 storey residential flat building which is medium density development. The proposal would be single storey, detached buildings clustered together in a landscape setting. Its spatial rhythm from the streetscape and front and side setbacks would be similar and adequate to the existing built form pattern on the northern side of [REDACTED] Of note, the current [REDACTED] block currently appears to be more similar to R5 Large Lot residential; however the site is zoned R2 Low density residential. This indicates the site is currently underutilised in terms of its housing and density capacity.

<i>issue for residents due to the usage outlined, but the entire area is not for bulk residency</i> <i>Submitters raised concern with cumulative impact on the character of the locality having regard to the proposed development, an existing group home at [REDACTED], multi dwelling housing under construction at [REDACTED] and a future multi dwelling development yet to be lodged with Council at [REDACTED].</i>	The concerns regarding cumulative density are in response to the uptake in permissible uses under the R2 zone in the GMLEP 2009. Before this, the site was zoned Zone No 2 Living Area under the then <i>Goulburn Local Environmental Plan 1990</i> which is the equivalent to the now R1 General Residential. And before this, the site was zoned residential under the <i>Mulwaree Planning Scheme Ordinance</i>. The subdivision of the site was undertaken in 1920. In response to cumulative concerns, the following is advised. A Complying Development Certificate (CDC) has been issued for a two storey 10 unit multi dwelling housing development by a private certifier pursuant to multi dwelling housing controls in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> at [REDACTED]. A 17 unit multi dwelling development at [REDACTED] was approved by Council (DA/0150/1617 in December 2017 and is currently under construction. Outcome: The proposed development is a suitable density for the R2 zone and the locality.
Impact to neighbourhood feel Submitters were concerned that the proposal would change the reason they purchased their property in the first place; being for its large lot, quiet, semi-rural feel: <i>It is unfair to those who have bought their forever homes on large blocks</i> <i>Many people were sold homes here that show this neighbourhood as a quiet place, old listings around this block say that this is a quiet peaceful street, calling them lifestyle blocks, which is what we paid for to live here. Not fair that a greedy developer gets to take that away from us.</i> <i>It just isn't fair to those who thought they were buying their land and homes in the quiet outskirts of Goulburn.</i>	The site is zoned R2 Low density residential under the LEP. The permissible land uses within the R2 zone include a variety of land use types such as centre-based child care facilities, neighbourhood shops, respite day care centres, group homes, boarding houses, as well as all residential accommodation except for residential flat buildings). Landowners and prospective purchasers should be mindful and aware of these uses, their respective built form and density when purchasing in residential zones. Notwithstanding, any development application for the abovementioned uses is required to have regard to the applicable planning controls, demonstrate site suitability, mitigate envisaged impacts etc, to obtain development consent. In terms of its built form and visual impact, the proposal would present as a multi dwelling housing development, which is permissible in the R2 zone. It would be single storey, detached buildings clustered together in a landscape setting. Multi dwelling development of this nature is considered to be a low density comparative to a residential flat building which is medium density development. Having regard to its operation, the use would also operate as a multi dwelling development with a support facility that would be similar in nature to a home business. A home business is permissible in the R2 zone and can have up to two staff not living at the property work on site.

	Outcome: The proposed development is adequately designed and has mitigated perceived impacts such as streetscape character, noise, setbacks and built form, privacy etc. The proposal has had regard for the established spatial character (spaces between buildings, density etc) and other planning considerations to reflect that of a low density development and is therefore consistent with the characteristics of the locality.
Construction impacts A submitter was worried about construction noise and construction traffic.	See Section 3.2 Likely Impacts in this Report regarding construction. Outcome: This issue is addressed through the imposition of conditions.
Quality of life impacted Submitters consistently raised that the proposal to date had adversely impacted their mental health and that their quality of life would be compromised, and fear and anxiety amongst neighbours would increase should the proposal be approved.	Outcome: Development within an urban area is continuous and frequently occurs. Construction and operation of urban areas is not an unusual event.
Fire safety A submitter questioned how fire trucks would get in to the site if there was a fire.	Outcome: A 3m wide secure access gate is provided east of the communal building to provide vehicular access to the rear of the site for emergency purposes (A-32 of the architectural plans).
Shadow impacts A submitter stated, "Shadow diagrams reveal the cluster of buildings will cast winter afternoon shade over adjoining properties, reducing solar access to private open space below the three-hour minimum required by GMDCP 2009, Section 4.3.5."	See Section 3.1(C) and Section 4.1.7 of Attachment C of this Report. There is no Section 4.3.5 of the DCP. Outcome: The submitted solar access diagrams (A-33 of the architectural plans) demonstrate that the proposal would adequately comply with Section 4.1.7 of the DCP.
Distance from main street Submitters were concerned with the suitability of the site considering its distance from the CBD and shops in Goulburn, stating; • <i>Doesn't seem practical</i> • <i>Doesn't make sense to be away from centre of town</i> • <i>property is 6km from town, with no facilities and very limited bus services.</i>	A group home is a form of residential accommodation which is a permissible use in the R2 Low density residential zone in the LEP. All other residents in this locality would be the same distance from shops and services as the proposed development. Distance from the CBD is also a choice. The site is a 1km walking distance from the Bradfordville shops which has a service station, supermarket, doctors clinic and pharmacy, Australia Post Street Posting Box, a bus stop, and other small convenience shops. The site is also on the 821A and 821B PBC Bus service route which connects the locality into the CBD of Goulburn.

	Additionally, staff would be available during weekdays to assist residents in accessing necessary services. Outcome: Distance to the CBD is not a limiting factor for the proposal.
Property values Submitters raised concern with the proposal having an impact on their property values: • <i>It would take value off houses</i> • <i>There is well documented concern that developments of this nature can negatively impact property values, which is unfair to existing homeowners who have invested in this community.</i> • <i>Our property values go down considerably, while a developer makes money.</i> • <i>I am also concerned about property value loss, not just for me, but for all my neighbours.</i> • <i>The introduction of transitional housing or group homes can lead to a perceived reduction in desirability of surrounding properties, resulting in decreased house values.</i>	Outcome: The impact of a proposed development on adjoining property values is not a matter for a planning assessment as per the heads of consideration in section 4.1.5(1) of the EP&A Act.
Lighting Submitters were concerned that security lighting to the site would bring attention to the site and cause light shed impacts.	See Section 3.2 Likely Impacts in this Report regarding context and setting. Outcome: Recommended conditions would ensure lighting is managed appropriately.
Fencing Submitters were not satisfied with the proposed fencing details, noting inconsistency between plans, stating fencing would be out of character with the locality and would draw attention to the site and that no landowners consent has been provided for fencing on property boundaries.	See Section 3.2 Likely Impacts in this Report regarding context and setting. Outcome: The proposed fencing is acceptable. The Dividing Fences Act adequately manages the situation and provides a suitable civil process should a neighbour wish to pursue the matter.
Flooding A submitter was concerned that the car parking area in the front setback would	Outcome: The site is not mapped as having riverine flooding. The application was referred to Council's Development Engineer who is satisfied that the proposed stormwater design would adequately capture and discharge stormwater to the kerb and

create flooding issues for adjoining front yards.	existing inlet pit within the road reserve without causing flood impacts locally.
Privacy Submitters are concerned their privacy would be adversely impacted as a consequence of the proposal: • <i>Privacy concerns looking into our home</i> • <i>I have full visibility of the rear of [REDACTED] ... we have no privacy from people in that yard looking into my second storey, including a bathroom window that is not frosted because it didn't need to be previously.</i>	See Section 3.2 Likely Impacts of this Report regarding context and setting. Outcome: The proposed design, fence height and supplementary landscaping would not result in a detrimental impact on privacy to or from the site.
Visual impact of car park in front setback area Submitters are dissatisfied with the car parking area within the front setback and raise concerns of looking out their dwelling onto a car park, rather than their current view without a car park: • <i>There are no parking lots in this neighbourhood, this would be an inappropriate addition to the street</i> • <i>Nine car parks out the front is a concern as well with more traffic to the area.</i>	The proposal involves 9 car spaces, including one accessible space and a minor/temporary loading dock area designed within a landscaped setting, around retained established, mature native vegetation in the front setback area. The sporadic, informal design and proposed landscaping assists in reducing the visual impact of the proposal and presents as being in keeping with the streetscape character of the locality. Outcome: Council is satisfied that whilst the proposal may result in a visual change to the streetscape views from adjoining properties, the proposal would not result in an adverse visual impact.
Business operations in residential area Submitters feel that a 24/7 business in a residential neighbourhood is inappropriate. • <i>Service deliveries = disruption</i> • <i>A "facility" requiring "24-hour management" and considerable "security" measures is not appropriate for established, low density, residential area such as this.</i>	Group homes are a type of residential accommodation as defined in the Standard Template LEP. A group home (transitional) is permissible with development consent in the R2 Low density residential zone. As per the definition of a group home (transitional), shared or individual facilities for staff and communal spaces may be included in the group home. The use proposes to have a maximum of three staff on site between 9am-5pm Monday to Friday for support purposes, and intermittently up to three staff to facilitate acceptance of tenants overnight. Of note, a home business is permissible with development consent in the R2 zone and would permit the home occupant plus up to two additional members who do not normally reside at the premises. Additionally, Section 4.1.18 of the GMDCP 2009 considers working hours in residential areas and permits

	hours of operation so long as they fall within 7.30am-6.00pm Monday to Friday and 7.30am -1pm Saturday. Outcome: Considering the proposed use would have hours within these times and the operations would not cause a nuisance due to the separation of adjoining residents from the site, office operations not being unreasonable noise generators, and by way of the proposed working hours, Council is satisfied the proposed operations, and intermittent overnight acceptance of tenants, would be of a scale suitable for a residential zone context.
Sewer main in backyard Two submissions raised the following localised concern regarding the sewer main in the rear of the site: • <i>There is a large pipe that runs underground in the backyard. This pipe might not make these plans possible and would need to be moved because there are currently no houses that go over the top of it - it currently runs only through backyards.</i> • <i>██████████ has suffered many times as the low point in the council sewer line.</i> • <i>Recently there was a sewerage fountain in my backyard, and my garage was flooded with that sewerage.</i>	The proposed design has had regard to the sewer main in the rear of the site and has provided appropriate clearances to be compliant with Council's <i>Clearance & Easement requirements for Structures adjacent to Sewer & Stormwater Mains Policy</i>. Outcome: Sewer blockages and overflows occur frequently throughout the town. Ensuring new development is compliant with the abovementioned policy allows Council access to the sewer main in the event of an emergency such as the one raised by the submitter.
Front Setback compliance Submitters were not satisfied with the proposed front setback distance: • <i>all other houses built around it have to be built certain length from gutter this place goes well passed them</i> • <i>the placement of one of the buildings is some 10 metres forward of the existing neighbourhood home setbacks will make this complex juxtaposed against the existing streetscape. To use a colloquialism, this complex will stand out like a "sore thumb" and destroy the beautiful neighbourhood aesthetic that</i>	The front setback is discussed at Section 4.1.10 of Attachment C to this Report. Outcome: The proposed front setback is a satisfactory outcome and would not detrimentally impact the established spatial rhythm or be adverse on the streetscape.

<i>many of us have toiled away to achieve over many years.</i>	
Character Submitters were frequently concerned that the proposal would have an adverse impact on the character of the locality: • <i>Units would permanently change the character of [REDACTED] which is currently a quiet and peaceful residential area</i> • <i>Concerns about the impact on the character of our neighbourhood</i> • <i>Car park in front yard significantly alters the residential nature of the area.</i> • <i>The group homes and similar developments in the area are low scale and certainly do not have a large carpark to the entirety of the front yard</i> • <i>More characteristic of a commercial facility than a residential home</i> • <i>The scale and design of the proposed new structure, especially if it is significantly larger or institutional in appearance, may not be in keeping with the surrounding residential character.</i> • <i>The 7 building cluster is incongruent with the nature of the existing homes in the area.</i>	See Section 3.2 Likely Impacts of this Report regarding context and setting. Outcome: Council is satisfied the proposal would be a positive addition to the streetscape and local character. The proposal would present a suitable spatial rhythm, single storey, building height, and landscape character to that of the locality and not be adverse on the established character of the locality.
Consultation Submissions were frustrated that the first time they received notice of the application was either from an anonymous letter dropped in their letterbox or from the exhibition notice sent from Council. Numerous submissions indicated how they came to know about the proposal by way of an anonymous letter in their letterbox which indicated the type of group home proposed, stated that Council was withholding disclosure of the proposal 'likely in an effort to fast-	The application was commenced lodgement on the NSW Planning Portal on 4 June 2025. The application was formally accepted, and fees were paid on 11 June 2025, which became the formal lodgement date. The application was allocated to the assessing officer that same day, and commenced public exhibition on 16 June 2025. Evidently, Council did not withhold or delay the processing of this development application. Managing the expectations of community having regard to the notification of development applications is captured within Council's <i>Community Participation Plan</i>. In this Plan, it identifies a group home to be publicly exhibited for 14 days with letters to potentially affected neighbours and made available on Council's website to

track the approval process without proper public consultation', and listed an assumed proposed operator. Submitters were not aware that Council would not liaise with them before an application was submitted: • <i>Local residents have a right to feel safe and informed about developments that may directly affect their wellbeing.</i> • <i>It is also of great concern, as residents of Goulburn, that this proposal was not made public until recently. Transparency and respect is what the residents rightly deserve in our town</i> • <i>there is a lack of information and a sense of going above the rules in the GMC DCP without clear explanation as to why this is necessary.</i> • <i>Council not engaging with residents is both unjust and a poor reflection of the Council to ignore the thoughts and concerns of their rate paying residents.</i> • <i>No consultation or information was given to residents about this, it's very disappointing that council have kept this from residents.</i> • <i>Facilitating community consultation could be done so privately and discreetly, NDAs could have been signed, and the community could have been put at ease.</i> • <i>What we are now left with is inflated public outrage, concerned neighbours and a council rejecting any claims and being dictated to behind closed doors. This creates a sense of locals not being valued and the misdirection of information should not be supported by the elected councillors.</i>	view. The application was subsequently exhibited for 14 days between 16 and 30 June 2025. The content of submissions received during the public exhibition period is undertaken as part of this Planning Assessment Report as required by Section 4.15(1)(d) of the <i>Environmental Planning and Assessment Act 1979</i>. Evidently, due regard and consideration of the thoughts and concerns raised in each submission has been undertaken in this Section of this Report. Council held a prelodgement meeting with the Applicant on 31 October 2024. Prelodgement meetings are not applications and are not required to be notified to the community as they are informative to developers and applicants alike. This is not withholding information. The Applicant could have independently consulted with the locality prior to lodgement of the development application, however this is not lawfully required and so, the developer chose not to. Council is not responsible for the content or release of a private anonymous letter. This is outside the development application process and is not in Council's control. Outcome: Council is satisfied it has lawfully and appropriately publicly exhibited the proposal in accordance with its <i>Community Participation Plan</i>, as required by Division 2.6 of the EP&A Act.
Inappropriate location	See Section 3.3 of this Report regarding site suitability.

Submitters were keen to suggest other locations that may be suitable for the proposed development, such as other huge vacant land in town, Police Academy, Police Station (to be vacant soon), Kenmore Hospital, St John of God Hospital, Waminda Nursing Home, Vacant buildings in Goulburn would be better than in the middle of a quiet residential street. Other comments provided indicated that submitters would prefer it to be anywhere else but the subject location for the following reasons: • <i>Proposals such as these would obviously better fit in, or more effortlessly camouflage itself into the surrounding buildings in neighbourhoods where medium density housing or multipurpose dwellings currently feature.</i> • <i>A facility of this scale and intensity would be better placed in an area with proper infrastructure, access to services, and zoning that accommodates higher-density and potentially higher-impact land uses.</i>	Outcome: A group home (transitional) is permissible with development consent in the R2 Low density residential zone under the GMLEP 2009. As the use is permissible, the Applicant has the right to lodge a development application for consideration on this site.
Traffic and pedestrian safety Submissions were concerned that the increase in density and increased occupation of the site would result in an increase in traffic to the locality. Submissions were then concerned that this increase in traffic would decrease road safety to the immediate road network both in terms of vehicles and pedestrians.	See Section 3.2 Likely Impacts in this Report regarding access, transport and traffic. Outcome: Council is therefore satisfied the proposal would result in a negligible traffic increase to the locality that can be accommodated lawfully and safely within the existing road network.
Noise Submissions were concerned with the potential increase in noise from an increase in density and the impact this would have on their amenity.	See Section 3.2 Likely Impacts of this Report regarding noise. Outcome: Council is satisfied the noise expected from the use would not result in an adverse amenity impact to the locality, subject to conditions.
Car parking impacts Submitters were dissatisfied with the quantity and design of the proposed 9 space car park within the front setback:	This is discussed in detail at Sections 3.2 Likely Impacts regarding access, transport and traffic, and Section 4 Key Issues of this Report.

• <i>Overflow parking will inevitably impact [REDACTED] a narrow local road lacking formal parking bays.</i> • <i>that a parking lot for visitors will make it more dangerous for our grandkids</i> • <i>it states 9 car park parks are to be allocated. If the proposal is for 7 units and also 3 full time employees operating in a 24-hour fashion, it is my submission that the allocated parking is manifestly insufficient.</i> • <i>Parking lot is not safe to be near a home where there on young children who play in the front yard.</i>	Outcome: Council is satisfied that the proposed quantity and design of parking spaces is an acceptable outcome., subject to conditions.
Stormwater and overland flow impacts A submission noted that the hydraulic plans propose two bioretention basins to manage runoff of impervious surfaces and that infiltration fails, excess stormwater would discharge to adjoining properties and the street, increasing flood and erosion risks.	Stormwater management is discussed at Sections 3.16 and 7.3 within Attachment C to this Report. Whilst Water NSW have provided their concurrence, a detailed design prior to the issue of a Construction Certificate shall be required to ensure the circumstance raised by the submitter is avoided. Outcome: this matter is addressed by the imposition of Conditions.

5. KEY ISSUES

The key issue during the assessment of the proposal was finding the right balance of car parking spaces with a car parking design that would not adversely impact streetscape character. This was resolved by working through two design concepts with the Applicant which resulted in a front setback car park design that is set within an appropriately landscaped setting and presented informally around the central large native tree.

5.1 Design of the Front Setback Area

The proposal requests the use of the front setback area to provide car parking for occupants of the group home and the affiliated communal building services. The originally submitted proposal did not fit within the existing streetscape character. The open feel of the streetscape would be compromised with the formalised car parking that was initially proposed. The proposed car park layout was linear, formalised and rigid, and ground treatment to the car park was not mentioned on the plans. The proposed landscaping did not mirror the local context or site as it included an earth berm at the property boundary with [REDACTED] and did not propose appropriate native species. Together, these issues would have adversely impacted the amenity of adjoining areas and the streetscape.

Similarly, the proposed quantity of car parking spaces was not adequately justified in the

development application and so Council could not adequately assess the proposal and understand the degree of impact that may arise.

Consequently, on 1 August 2025, the Applicant was requested to reconsider the design of this front setback area having regard to the established streetscape character and a justified car parking quantity and design.

On 5 September 2025 a revised front setback design and Traffic Report was provided for consideration which proposed six spaces (however five were marked on the architectural plans), naturally and sporadically placed throughout the site, with complementary, low lying native landscaping. The concept of this proposed redesign was supported however the inconsistency between the Traffic Report and architectural plans was conflicting and the justification provided with the Traffic Report remained unsubstantiated.

The submitted Traffic Report justified the provision of six (6) parking spaces by using the CDC controls for a 10 bedroom group home found in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* which requires two spaces only, and then concluded that 0.5 car parking spaces would be sufficient because of the particular demographics the proposal would be serving. This approach, and the quantity of spaces this would calculate to, was not accepted by Council. And so, on 10 October 2025, the Applicant was again requested to redesign the front setback area and provide adequate car parking quantity justification. The following was provided to the Applicant on 10 October 2025 regarding car parking quantity:

"In the absence of any DCP controls for group homes, the TfNSW Guide to Transport Impact Assessment would require two spaces per unit and 1 per 5 for visitors for such a use (based on multi dwelling housing), plus any for the communal/service operations. This would be an unsuitable quantity of spaces for the proposed car park location on the site and the streetscape in general. Alternatively, Council would be open to considering a car park design that provides one space per unit plus one for the caretaker plus two for the anticipated staff. This totals 9 spaces. Providing one of these as an accessible space and providing a separate minor service are per section 4.1 of AS2890 would of course still be required.

"...the original formalised 9 space car park design was unsuitable for its visual impact, berm, conflicts with stormwater etc. Council would be seeking a redesign not too dissimilar to that provided in the materials submitted on 5 September 2025 wherein a more sporadic and informal car parking arrangement within a landscape setting was provided, but within 9 spaces instead of 5/6. It appears as though there would be a further five metres of land at the front of the site which may provide redesign opportunity for you. To reach the requested 9 spaces, consider changing the drop off space on the plans to a car space, if swept paths and throughfare areas permit so."

A revised set of architectural plans including a revised front setback area was submitted to Council on 7 November 2025. This revision proposes nine (9) spaces informally and sporadically within a landscape setting. It is noted the Applicant has not provided a supporting Traffic Report to reflect this request as the above justification provided by Council was relied upon to come to the quantity provided. Justification for the proposed car parking quantity is discussed at Section 3.6 of **Attachment C**.

Resolution: The issue has been resolved through discussions and negotiations with the Applicant, resulting in an appropriate planning outcome for the locality and use as proposed.

6. CONCLUSION

This development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported.

The proposed group home is a permissible use in the R2 Low Density Residential zone in the LEP and suitability of the site and the use in the local context has been adequately demonstrated. The proposed car spaces within the front setback area, whilst a change to the streetscape, has been sensitively designed, and would not result in a detrimental or negative outcome for the character of the locality. The proposed front building setback is also appropriate having regard to the adjoining buildings and established spatial character. Submitter concerns regarding safety, security and wellbeing are valid however, are unlikely to result in frequent or unreasonable risk to neighbourhood safety. Situational measures such as a mix of monitored entry points, staff training and rapid response protocols would form part of the Plan of Management required by the recommended conditions at **Attachment A**.

It is considered that the key issues as outlined in Section 5 have been resolved satisfactorily through amendments to the proposal.

7. RECOMMENDATION

That the Development Application DA/0323/2425 for the demolition of structures, and construction and operation of a group home (transitional) at [REDACTED] be APPROVED pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent attached to this report at **Attachment A**.

The following attachments are provided:

- **Attachment A:** Draft Conditions of consent
- **Attachment B:** Section 3.2.1 Checklist within the Managing Land Contamination Guidelines
- **Attachment C:** DCP Table of Compliance
- **Attachment D:** Architectural and Stormwater Plans

ATTACHMENT A – Draft Conditions of Consent

ATTACHMENT B – Section 3.2.1 Checklist within the Managing Land Contamination Guidelines

Question	Y	N	Response
<i>Is the planning authority aware of any previous investigations about contamination on the land? What were the results, including any previous initial evaluations?</i>	☐	☒	
<i>Do existing records held by the planning authority show that an activity listed in Table 1 has ever been approved on the subject land? (The use of records held by other authorities or libraries is not required for an initial evaluation.)</i>	☐	☒	Council holds no historical records of former uses for this site.
<i>Was the subject land at any time zoned for industrial, agricultural or defence purposes</i>	☒	☐	The site was zoned Zone No 2 Living Area under the then <i>Goulburn Local Environmental Plan 1990</i> and prior to this the site was zoned rural under the <i>Goulburn Planning Scheme Ordinance</i> . The site is not known to have any historical contaminating agricultural uses. The rural residential nature of the locality indicates it unlikely that herbicides and pesticides have been applied to the land and there is no evidence of sheep and cattle dips on the property.
<i>Is the subject land currently used for an activity listed in Table 1?</i>	☐	☒	
<i>To the planning authority's knowledge was, or is, the subject land regulated through licensing or other mechanisms in relation to any activity listed in Table 1?</i>	☐	☒	
<i>Are there any land use restrictions on the subject land relating to possible contamination, such as notices issued by the EPA or other regulatory authority?</i>	☐	☒	
<i>Does a site inspection conducted by the planning authority [optional] suggest that the site may have been associated with any activities listed in Table 1.</i>	☐	☒	
<i>Is the planning authority aware of information concerning contamination impacts on land immediately adjacent to the subject land which could affect the subject land?</i>	☐	☒	

ATTACHMENT C – DCP Table of Compliance

CONSIDERATIONS	N/A	Y	N	COMMENTS
PART 1 PRELIMINARY				
1.4 Land to which this plan applies	☐	☒	☐	This plan applies to all land within the Goulburn Mulwaree local government area.
1.7 Public Participation	☐	☒	☐	The application was notified in accordance with Council's <i>Community Participation Plan</i> .
1.8 Variations to controls	☐	☒	☐	The application varies from the following controls: - Section 3.5.6 Set backs, as car spaces are proposed to be located within the front setback area - Section 4.1.7 Solar access, as Unit 1's private open space (POS) would not achieve solar access requirements - Section 4.1.9 Private open space, as each unit would be providing less than the required 75sqm of private open space Section 1.8 of the DCP acknowledges that it is not possible to account for all possible situations and development scenarios. When considering the overall development and the sought departures, some of the factors in determining whether a departure is warranted include: - whether there will be any detrimental impact on the amenity of the existing and future residents - whether there will be any detrimental impact on the amenity of the area - the nature and size of the departure - the degree of compliance with other relevant requirements - the circumstances of the case, including whether the particular provision is unreasonable and/or necessary - priorities identified in a site analysis of being of more importance than what is being departed from - whether non-compliance will prejudice the objectives of the zone and the aims of this plan In considering the overall development and the sought departures of this subject DA, the departures are warranted for the reasons discussed at those sections of the DCP. The variations would not result in any adverse amenity or detrimental impacts, or exacerbate existing issues. Approving the variation sought would not prejudice and undermine the intention and strength of the applicable objectives and controls. The proposed development would not result in a detrimental amenity impact on the existing and future developments in the precinct. It is considered on balance that the degree of

				compliance with the controls is sufficient to enable a favourable determination. The proposed variations are therefore considered acceptable and are supported, in this instance.
1.9 List of amendments	☐	☒	☐	Version 23 Effective 18 July 2025
1.10 Definitions	☒	☐	☐	
PART 2 PLAN OBJECTIVES				
2.1 General	☐	☒	☐	The proposal is generally consistent with the following objectives without being inconsistent with the remaining objectives: <i>Residential land is to be developed with the creation of neighbourhoods comprising a range of densities.</i>
2.2 Locality – Goulburn City	☐	☒	☐	The proposal is generally consistent with the Goulburn locality characteristics
2.3 Locality – Marulan	☒	☐	☐	
2.4 Rural development objectives	☒	☐	☐	
2.5 Rural locality objective				
2.5.1 Bungonia	☒	☐	☐	
2.5.2 Lake Bathurst	☒	☐	☐	
2.5.3 Tallong	☒	☐	☐	
2.5.4 Tarago	☒	☐	☐	
PART 3 GENERAL DEVELOPMENT CONTROLS				
3.1 Indigenous Heritage & Archaeology	☒	☐	☐	
3.2 European (non-Indigenous) Heritage Conservation	☒	☐	☐	
3.3 General Heritage Item and Conservation Areas Controls	☒	☐	☐	
3.4 Bungonia Heritage Conservation Area	☒	☐	☐	
3.5 Landscaping	☐	☒	☐	<u>3.5.1 Landscape plan design requirements</u> The conceptual landscape plan proposes white bottlebrush, alpine grevillea and fringed wattle within the front setback area, with five existing and mature native eucalyptus trees (Blakely's Red Gum and Yellow Box species) to be retained, two combined onsite raingarden and stormwater bioretention basins, and nine (9) car parking spaces with a minor service area. Compacted stabilised gravel is proposed for the driveway and car park area. A total of eight (8) bollard lighting poles to a height of 1m each are proposed within the front setback area. Conditions would ensure all bollard lighting to the site and other security – type lighting installed to the site complies with <i>Australian Standard AS4282 Control of the obtrusive effects of</i>

			<i>outdoor lighting.</i> Conditions would ensure that two of the poles are removed from the design as the proposed 8 would be considered excessive and formalised. Internal to the site, the plan proposes crimson bottlebrush and Sydney golden wattle with sandstone pavers for footpaths with kikuyu and ballast gravel. Canturf to the remaining areas would provide grassed areas for communal open space, with paving to the individual 24sqm POS areas for each unit. Six (6) bollard lighting poles each to a height of 600mm within the site are proposed. The landscape plan also proposes two playground areas building to be covered, two storage sheds (each 7.56sqm and 2.735m tall), four outdoor table and bench sets throughout the site. Conditions would ensure the playgrounds are installed to ensure compliance with the <i>Australian Standard AS 4685 Playground equipment and surfacing set.</i> The proposed landscape plan provides an attractive and complementary landscape design to the streetscape as well as providing privacy, recreation areas internal to the site whilst maintaining passive surveillance and public safety. Retention of the established tall native trees within the front setback area would assist with softening the new development into the locality as well as maintaining a sense of the local character of this precinct of Goulburn. Retention of these trees also assists in providing shade to the car park area. The landscape plan is supported for its use of both native trees, exotic grasses and natural materials (gravel, sandstone etc). The landscape plan submitted is conceptual and therefore conditions would ensure a detailed landscape plan factoring in mulching, weeding, watering schedule, dead plant details etc is prepared and endorsed by the certifier prior to the issue of an Occupation Certificate. <u>3.5.2 Residential development</u> The submitted landscape plan proposes communal open space with facilities and suitable landscaping as discussed above. Five car parking spaces are proposed and there would be sufficient established trees to provide shade to the spaces. <u>3.5.3 Non-residential development</u> N/A <u>3.5.4 Streetscape (urban)</u> ██████ has a diverse landscape character. The southern side of ██████ comprises a blend of front boundary fencing, single and dual driveways (entry and exit) to ██████, deciduous trees, 5-17m setbacks, cottage garden beds and lawns. The northern side comprises sporadic, tall and established native and deciduous trees within a 35-40m setback area, with dual driveways, crushed gravel and lawns that do not require mowing. The proposed landscaping would reflect the streetscape and local character. The use of native species that would grow no taller than 6m and be intermittently planted within the front
--	--	--	---

			setback area would complement the established landscape context within [REDACTED] and soften the car spaces proposed within the front setback. The proposed landscape would also complement the open feel and landscape values of the northern side of [REDACTED]. <u>3.5.5 Fences and Gates</u> Black palisade fencing to the front boundary at the building line 2.1m high is proposed. No fencing or gates forward of the building line are proposed, which would assist with the proposal complementing the established character of the northern side of [REDACTED]. Landscaping behind the palisade fencing (Sydney Golden Wattle) would embellish and blend the palisade fencing into the landscape setting. <u>3.5.6 Set backs</u> A control of this section of the DCP is that no parking will be permitted within setback areas. As the application proposes to provide car spaces within the front setback, this control is not achieved. The application discusses how neighbouring properties have landscaping and informal car parking in their front setback area and therefore justifies the proposal as acceptable. This in its own right is an insufficient justification to consider permitting the variation. As such, Council has undertaken the below review of the proposal to consider the variation to this section of the DCP. The proposal would present as car spaces in a landscaped setting. The car spaces would be designed to be informal and visually unobtrusive, having regard to the following design elements: • A natural coloured crushed gravel driveway within and around the existing established native vegetation is proposed, commensurate to adjoining driveways. • The design of the car spaces would be irregularly placed throughout the front setback area. • The car spaces would be embellished with low lying native landscaping to reduce any visual impact whilst also having regard to passive and natural surveillance standards • Provision of nine (9) car spaces would not be an adverse outcome to the streetscape character. Council accepts the variation in this instance, having regard to Section 1.8 of the DCP. The proposed parking spaces in the front setback area would not result in an adverse visual impact on the streetscape.
3.6 Vehicular Access and Parking	☐	☒	<u>3.6.1 Parking, layout, servicing and manoeuvring</u> The proposed car park design would not have an adverse visual impact on the streetscape (as discussed above at Section 3.5.6 of the DCP). The amenity of the locality would also not be adversely impacted as the car parking area would be designed to be informal, with crushed granite instead of bitumen or concrete, and the spaces would be embellished with native landscaping that would assist with headlight impacts, traffic movement noises and visual traffic movement impacts. It is noted that traffic generation from the use is discussed later in this report, however for the purposes of this section of the

				GMDCP 2009, traffic generation from the proposed use would not be significant enough to adversely impact on the amenity of the locality. The design of the parking spaces would be conditioned to ensure compliance with the relevant sections of AS2890. An assessment of the car park found the proposal would be efficient and safe having regard to <i>AS2890.1 Off-street car parking</i> and <i>AS2890.6 Off street parking for people with a disability</i>. Conditions would ensure the car park is provided with car park marking dots to delineate car spaces and a crushed gravel finish. This would assist with reducing visual impact of the proposal and maintain its design to be within a landscape setting and be visually discrete. The car park proposes nine (9) car spaces, including one accessible space, plus a drop off area and an informal loading area for an 8.8m service vehicle. The drop off area and informal loading dock are not considered to be allocated car parking spaces. They would be provided pursuant to Section 4.1 of AS2890.2 which discusses the provision of a minor service area located at the site provided the occasional obstruction to other traffic by manoeuvring vehicles/trucks can be tolerated. The layout and design of the car park addresses the needs of the site occupants and visitors to the site whilst having regard for the amenity of the locality. The design of the car park being within a landscaped setting demonstrates the proposal would integrate sympathetically within the locality. The architectural plans provide swept path diagrams which demonstrate a B99 vehicle (greater than the minimum B85 vehicle) would be able to safely and efficiently enter and exit the car spaces and car park in a forward direction without obstructions. The plans also demonstrate the same for an 8.8m service vehicle to and from the service area. As no provision for bicycle parking has been provided, and to ensure a variety of transport options are available for the site, conditions would ensure that two (2) bicycle parking spaces are provided that are consistent with AS2890.5. The proposed driveway width would be 6m which Council engineers have indicated is adequate to allow for a combined vehicular entry/exit and it also complies with Table 3.2 of AS2890.1 which requires a minimum driveway width of 5.5m. <u>3.6.3 Specific land use requirements</u> The GMDCP 2009 does not contain a specific parking rate for a development involving a group home. The development was supported with a Traffic and Car Parking Report to consider the proposed car parking quantity. The Report assumes the car parking demand for the proposal as follows: <i>The proposed development includes six (6) guest units. Due to the particular demographics likely to be served by the proposed development, guests are expected to generate typical car parking demands of approximately 0.5 car spaces per unit.</i> <i>Staff of the proposed development will comprise, a single caretaker who lives on-site, and a number of day staff who visit for short periods of time throughout the day to provide services to guests. This analysis assumes up to two (2) day</i>
--	--	--	--	---

			staff would be on-site at any one time and that each member of staff (caretaker and day staff) would generate demands for a single car parking space. As such, staff of the proposed development are estimated to generate demands for between one (1) and three (3) car parking spaces. Council did not accept this justification as it is not demographics that should dictate car parking requirements. In the absence of any DCP controls for group homes, the TfNSW <i>Guide to Transport Impact Assessment</i> was reviewed by Council. The Guide would require two spaces per unit and 1 per 5 for visitors for multi dwelling housing, which is similar in operation to a group home, plus spaces required for the communal/service operations. This would calculate to an unsuitable quantity of spaces for the proposed car park location, and the streetscape in general, and would be surplus to the needs of the development. Of note, the CDC requirements for a 10 bedroom group home only requires two car parking spaces in total for the development (Schedule 2 of <i>SEPP (Housing) 2021</i>). The subject proposal is an 18 bedroom group home (plus a one bedroom care takers residence). It is considered that a more reasonable and realistic solution would be the provision of one space per unit, plus one for the caretaker unit, plus two for the two additional staff per (week) day. This equates to nine (9) spaces. One of which would be an accessible space. A separate minor service area per section 4.1 of AS2890 would also be required. The revised car park design received on 7 November 2025 provides for 9 parking spaces and retains a sporadic and informal car parking arrangement within a landscape which is satisfactory in this instance. Council is satisfied that this car parking quantity would achieve the objectives of this section of the GMDCP 2009 as the layout an design would not adversely detract from the amenity of the adjoining areas, would be efficient, safe, convenient, discrete and suitably landscaped, and would not cause a nuisance by way of traffic movement, generation or servicing. Council can therefore support the car park design and quantity of car spaces.
3.7 Crime Prevention through environmental design	☐	☒	<u>3.7.1 Lighting</u> A total of eight (8) bollard lighting poles to a height of 1m each are proposed within the front setback area. Six (6) bollard poles to a height of 600mm are proposed within the site. Opposite the site, fronting [REDACTED] is a street light which provides an appropriate level of visibility to the site driveway access and road. Conditions would ensure that two of the poles are removed from the front setback area as the proposed 8 would be considered excessive. Providing lighting within in the front setback area would act as a secure entryway to and from the site, illuminating any persons wanting to access the site. Conditions would ensure that these lights are turned off during the evening and fitted with movement sensors and diffused soft, non-harsh illumination to turn on when triggered. This would assist with demonstrating compliance with conditions imposed requiring compliance with <i>Australian Standard AS4282 Control of the obtrusive effects of outdoor lighting</i>, considering the residential locality the site is within. Conditions would also be imposed prohibiting the

			installation of flood lighting to ensure the proposal fits suitably within the locality. Finally, conditions would ensure that all lighting is maintained and kept in a clean condition with all broken or burnt out globes replaced quickly. Considering the proposed lighting bollards and the recommended conditions, it is unlikely that light spillage from the bollards onto neighbouring properties would cause a nuisance. <u>3.7.2 Fencing</u> The proposal comprises 2.1m high palisade fencing to the building line on the western side and setback approximately 3m from the building line on its eastern boundary. Internal to the site a 1.8m lapped and capped timber fence upon 2x150mm concrete sleepers (overall 2.1m high fence) is proposed to the property boundary. The placement of fencing at and behind the building line provides security to the site. Using the palisade style fencing in line with the communal building and at the northern end of the car parking area, means the car parking area can be viewed from the residential units within the site, enabling passive surveillance to occur. The development does not include fencing at the side of the car parking area or in front of the car parking area, to not impede view of or from the car parking area to [REDACTED]. <u>3.7.3 Car parking</u> The car park and its manoeuvring areas would be designed with safety and function in mind. A preliminary review of the car park indicates it would comply with <i>AS2890.1 Off-street parking</i> and <i>AS2890.2 commercial vehicle facilities</i> (for intermittent deliveries). The proposed location for the accessible space is suitably located near the entrance to the building and conditions would ensure it is provided with signage and tactile treatments. The car park would comprise a safe and convenient combined vehicle entry and exit. The movement of pedestrians throughout the car park. The design of the car park would provide for adequate passive surveillance. The proposal would have camera surveillance attached to the communal building, providing surveillance to the entire car parking area. Conditions would ensure the captures only the site and not that of adjoining residences. <u>3.7.4 Entrapment spots and blind corners</u> Considering the visually open design of the front setback area which comprises low shrubs and established tall trees, there are not entrapment spots within the front setback area. <u>3.7.5 Landscaping</u> The proposal comprises plants such as low shrubs and high-canopied vegetation which is good for natural surveillance. Proposed vegetation placement is acceptable and not dense enough to cause or create entrapment spots. Landscaping does not conceal the building entrance nor would it impede the effectiveness of street lighting or proposed on site lighting. <u>3.7.6 Communal/public areas</u>
--	--	--	---

				The internal communal areas would be adequately provided with natural passive surveillance as they would be visible from each individual unit that is part of the proposal. Communal areas would be adequately lit and appropriately landscaped to avoid entrapment spots. <u>3.7.7 Movement predictors</u> The proposal comprises no through site links or pedestrian underpasses. Entry and exit into the site from the driveway entrance to the building entrance is a movement predictor. This path would be adequately lit, clear and visible from the street and the communal building. <u>3.7.8 Entrances</u> Entrance to the communal building would be adequately visible from the road/public domain. The driveway location is legible and visible to all users and easily recognisable.
3.8 Flood Affected Lands	☒	☐	☐	
3.9 Tree & Vegetation Preservation	☐	☒	☐	A Tree Report has been prepared and submitted with the DA which assesses the health of the 3 largest mature native trees. The report concludes that there are plausible reasons to remove these trees for public safety. A tree removal approval was previously issued by Council for removal of these trees. The development has been designed and sited to retain a large mature tree at the front of the property, as well as several mature trees at the rear of the development. The development seeks approval for the removal of several trees identified on the demolition plan.
3.10 Dryland Salinity	☒	☐	☐	
3.11 Waterbody & Wetland Protection	☒	☐	☐	
3.12 Groundwater	☒	☐	☐	
3.13 Basic landholder riparian rights for subdivision	☒	☐	☐	
3.14 Biodiversity Management	☒	☐	☐	
3.15 High environmental conservation value areas	☒	☐	☐	
3.16 Stormwater Pollution	☐	☒	☐	<u>3.16.1 Long term pollution control</u> The development proposes each group home to have its own 5,000L rainwater tank. Overflow from these tanks would be directed to the stormwater management system via a combined rain garden and stormwater detention basin at the front of the property. The proposal includes impervious paving types for paths throughout the site. The development does not include a natural system of hydrology as it is relatively flat and already forms part of an established residential area. The communal areas would allow for water infiltration into the site as they are proposed to incorporate areas of grass and garden.

				The application was referred to Council's development engineers who provided the following comments: <i>The subject site is relatively flat with a slight slope down away from [REDACTED] towards the rear of the block. The submitted architectural plans, drainage calculations and SWMP indicate that all roof water will be captured via rainwater tanks with discharge directed to [REDACTED] via the OSD. Likewise, the majority of the paved areas and landscape areas will be directed to an on-site filtration system with discharge to [REDACTED]. A condition should be placed on any approval requiring the submission of a Stormwater Management Plan and calculations in accordance with the Council's Stormwater Drainage Design Handbook (Revised 2020) with the future Construction Certificate.</i> <u>3.16.2 Short term pollution control</u> Erosion and sediment conditions would be imposed and required during construction to prevent pollutants entering any stormwater being drained from the site.
3.17 Bushfire Risk Management	☒	☐	☐	
3.18 Urban Servicing (Water and Sewer)	☒	☐	☐	
PART 4 PRINCIPAL DEVELOPMENT CONTROLS – URBAN				
4.1 Residential Development				
4.1.1 Site planning, bulk, scale and density	☐	☒	☐	Doesn't apply to this use however for multi dwelling housing, a density of 350sqm per dwelling unit. The proposal seeks six dwelling units for a lot size of 4047sqm. As such the proposed housing density is 1:647sqm and is greater than that for multi dwelling development. Of note, including the communal building i.e. 7 buildings, the proposed density is 1:578sqm.
4.1.2 Sheds and other ancillary structures	☒	☐	☐	A covered outdoor recreation area, two playgrounds and two equipment/storage shed are ancillary structures proposed as part of the application. All structures comply with the applicable setback requirements for ancillary structures.
4.1.3 Rain gardens	☐	☒	☐	Two combined bioretention basin / on site detention basins are proposed fronting the site. Both are in the front setback area with castellated kerb to receive stormwater from the proposed vehicular car park. Raingardens are located away from dwellings and would have access to filtered sunlight.
4.1.4 Cut and fill	☐	☒	☐	Cut and fill details are minor in nature and would not result in adverse impacts to stormwater management on site or in the locality. Adjoining residents would not be adversely impacted by the proposed earthworks.
4.1.5 Dwelling design	☒	☐	☐	
4.1.6 Number of storeys	☐	☒	☐	The development does not exceed two storeys.
4.1.7 Solar access	☐	☒	☐	This section requires the principal living spaces of the residential dwellings, adjoining residential buildings, and at least 50% of their private open space, to have at least three

			hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice). Whilst all other units can achieve the above control, solar access is not achieved for the private open space (POS) of Unit 1. The POS of Unit 1 is located on its southern elevation, resulting in minimal sunlight access. Considering the temporary nature of the use of this dwelling by each tenant, and the sufficient communal open space available to the occupants within the site, and that this unit is part of a dual apartment and could therefore benefit from the use of the adjoining residences sunlit POS, Council accepts the variation in this instance, having regard to Section 1.8 of the DCP. Finally, the solar access drawings submitted with the proposal demonstrate that the development would not impact on private open space or principal living areas of adjoining properties.
4.1.8 Privacy	☐	☒	☐ All dwellings are proposed to be single storey.
4.1.9 Private open space	☐	☒	☐ The DCP requires 75sqm of POS for each dwelling. The DCP does not differentiate POS requirements based on residential accommodation types and is therefore applicable to all residential proposals. The application advises it has been designed to provide 24m2 POS per unit, having regard to the complying development controls for a group home in Schedule 2 (clause 16) of the State Environmental Planning Policy (Housing) 2021, which requires the following: <i>16 Principal private open space</i> <i>A site on which a group home is erected must have more than 24m² of principal private open space that—</i> <i>(a) has an area at ground level (existing) directly accessible from, and adjacent to, a habitable room, other than a bedroom, and</i> <i>(b) is at least 4m wide, and</i> <i>(c) has a gradient no steeper than 1:50.</i> This specification would be applicable to a CDC for a group home that would result in no greater than 10 bedrooms. As the proposal is not for a CDC for a group home, it is not a clause that would be applicable to the proposal. However, it can be used as a guide for what is appropriate for a group home. Considering the temporary nature of the occupation of each unit, that the 24sqm of space is unimpeded by landscaping or other permanent structures, and the quality and variety of communal open space areas within the site, Council accepts the variation in this instance, having regard to Section 1.8 of the DCP.
4.1.10 Setbacks			
4.1.10.1 Rear setback	☐	☒	☐ A minimum rear setback of 6m is required for all residential development. Development proposes Unit 6 to be 10.86m from the rear boundary and is therefore compliant.
4.1.10.2 Side setback	☐	☒	☐ A minimum 1m side setback is required excluding ancillary services. Development proposes 1.5m on the western boundary at its closest point (being Unit 4) with Unit 5 and the

				communal/group building being 5.798 and 3m respectively. Unit 6 would be 3m and Unit 1/2 would be 3.058m from the eastern boundary. Therefore the development complies with the minimum side setback requirements.
4.1.10.3 Front setback	☐	☒	☐	Adjoining dwellings are set back approximately 34m, 39m, 33m and 39m from [REDACTED]. The subject proposal has been submitted with a setback of 27m (26.99), which is greater than initially considered at pre-lodgement stage, which was 22m. As part of the additional information letter sent on 01 August 2025, the Applicant was requested to increase the front setback to be more in line with the established building line in the streetscape. In their response, the Applicant advised that the proposal had already increased from 22m to 27m and noted that Unit 1 was a further 12m behind the communal/group building. The Applicant has advised they have considered: • <u>Redesigning the communal building</u> – however, reworking would significantly reduce the separation of the building from the units behind it, and compromise the play area and access for emergency vehicles into the site. • <u>Reducing the communal open space behind communal building</u> – however, this would result in significant reduction in site amenity for occupants. The play area would not fit in with the reduced space dimensions and the proximity of the communal building to Units 3 and 4 would increase access and privacy issues that would adversely impact overall amenity and quality of the site. • <u>Relocating units to increase front setback further</u> – however, the sewer easement traversing the site significantly impacts adjustment opportunities. They also examined the possibility of pushing the communal building to the east however this would not provide sufficient space for the units to achieve a suitable amenity and level of service. The Applicants' assessment of the request to increase setbacks found that increasing setbacks would not be possible without significantly compromising the overall amenity and service provision of the development. Whilst this alone is not a reason for allowing the proposed front setback, the revised architectural plans provided a comparative streetscape building volume analysis plan (A-35) for consideration. This plan shows the proposed built form in relation to adjoining built form within the streetscape. Having regard to the existing dwellings and the proposed setback of the communal building, and the established spatial rhythm of buildings fronting the street, the proposed setback would not be adversely out of character, and is therefore acceptable in this instance.
4.1.11 Views	☒	☐	☐	
4.1.12 Traffic safety management	☐	☒	☐	Parking areas and driveways shall be designed in accordance with the current version of Council's Standards for Engineering Works. All driveways, paths, car parking areas are to be compacted stabilised gravel. No garages are proposed.

4.1.13 Site Facilities	☐	☒	☐	Garbage bins are to be located at individual units and there is satisfactory space on the street frontage to store bins on collection day. One letterbox for the site would be provided. The driveway entrance fronting the site would have sufficient space to provide a letterbox for the site. Individual units would not be provided with letterboxes.
4.1.14 Energy efficient siting and layout	☐	☒	☐	A BASIX Certificate has been submitted with the application which addresses these controls.
4.1.15 External window shading and internal and external lighting	☐	☒	☐	A BASIX Certificate has been submitted with the application which addresses these controls. Five of the six units maximise natural light by orienting their units north.
4.1.16 Insulation	☐	☒	☐	A BASIX Certificate has been submitted with the application which addresses these controls.
4.1.17 Space heating and cooling	☐	☒	☐	A BASIX Certificate has been submitted with the application which addresses these controls.
4.1.18 Working hours – residential and business	☐	☒	☐	The site would provide services to the occupants of the residential units 9am-5pm Monday to Friday. The Statement of Environmental Effects proposes a maximum of three staff and one of those staff members would be a caretaker who lives on site. However information provided on 20 November 2025 (dated 19 November) indicates that a maximum of seven staff at one time during these hours would be on site. This quantity of staff is outside the scope of the proposal as submitted, is inconsistent with the resolved car parking outcome, and seven staff would not be considered ancillary to a group home. Therefore, Council shall not accept this change to the proposal at this time. It is understood that staff would be responsible for dealing with legal, medical and counselling requirements for occupants. This would be only for daytime operations affiliated with office type services in conjunction with the group home, and excludes the arrival of tenants outside of these hours. With the assistance of the caretaker (and up to two additional staff, as necessary) tenants would arrive at the site any time of day/night. Standard conditions regarding general amenity would cover envisaged impacts such as noise, light shed etc. The proposed hours and days are acceptable having regard to the subject residential locality. Conditions to be imposed regarding hours and staff numbers accordingly.
4.1.19 Subdivision	☒	☐	☐	
4.2 NON-RESIDENTIAL DEVELOPMENT – N/A				
PART 5 PRINCIPAL DEVELOPMENT CONTROLS – RURAL – N/A				
PART 6 SPECIAL DEVELOPMENT TYPES – N/A				
PART 7 ENGINEERING REQUIREMENTS				
7.1 Utility Services	☐	☒	☐	The development proposes connection to Council's reticulated sewer and water networks. The development can connect to the electricity supply via existing infrastructure at the rear of the site or via [REDACTED]. The development can connect to the NBN via a fixed line connection from [REDACTED].
7.2 Roads	☐	☒	☐	The proposal does not involve the construction of any new roads. A vehicle crossover and internal driveway and car parking areas is proposed to be designed and constructed in

				accordance with Council's Engineering Standards and the relevant Australian Standards. Access to the site is perpendicular to [REDACTED] in an area that does not have restricted visibility in either direction and is not close to the intersection of any other road.
7.3 Drainage & Soil & Water Management	☐	☒	☐	7.3.1 Drainage (urban) - The application was referred to Council's Development Engineer who provided the following comments regarding stormwater drainage: <i>The subject site is relatively flat with a slight slope down away from [REDACTED] towards the rear of the block. The submitted architectural plans, drainage calculations and SWMP indicate that all roof water will be captured via rainwater tanks with discharge directed to [REDACTED] via the OSD. Likewise, the majority of the paved areas and landscape areas will be directed to an on-site filtration system with discharge to [REDACTED]. A condition should be placed on any approval requiring the submission of a Stormwater Management Plan and calculations in accordance with the Council's Stormwater Drainage Design Handbook (Revised 2020) with the future Construction Certificate.</i> Council is satisfied that adequate measures are proposed and would be in accordance with Council's requirements. Imposition the above recommended condition would ensure the proposal complies with the controls in this section of the GMDCP 2009. Conditions would also ensure an Erosion and Sediment Control Plan (ESCP) is prepared prior to the issue of a Construction Certificate. 7.3.2 Water sensitive urban design (urban) - The proposal has obtained concurrence from Water NSW who have provided their concurrence based on the proposed water quality design. 7.3.3 Soil and water management - The site is greater than 2500sqm and was submitted with an ESCP. Whilst this is not a Soil and Water Management Plan as required by this section due to the size of the site, the residential nature and flat topography of the site has satisfied Council that one is not required. Additionally, Water NSW have reviewed the conceptual ESCP and have imposed conditions requiring a detailed ESCP prior to the issue of a Construction Certificate that meets the requirements of <i>NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004)</i>.
7.4 Easements	☐	☒	☐	The development contains an existing sewer easement that runs through the property. The development does not propose any new easements as part of the development. The application was referred to Council's Utilities department to review the proposal due to its proximity to the sewer main through the site. Utilities are satisfied the proposal would not impact the sewer main as the development design could be prepared so footings do not transfer loads inside of the zone of influence in accordance with the <i>Goulburn Mulwaree Clearance and Easements Requirements for Structures Adjacent to Sewer & Stormwater Mains Policy</i>. Proposed paving can be constructed within the easement to comply with requirements regarding paved areas of the <i>Goulburn Mulwaree Clearance and Easements Requirements for Structures Adjacent to Sewer & Stormwater Mains Policy</i>. A Section 305 Application under

				the <i>Water Management Act 2000</i> to Council would manage and condition these situations accordingly.
7.5 Staging of Development in Urban Release Areas	☒	☐	☐	
PART 8 SITE SPECIFIC PROVISIONS – N/A				

ATTACHMENT D – Architectural and Stormwater Plans