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ENCLOSURES

Ordinary Council Meeting

2 June 2020

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Goulburn Mulwaree Council

**Planning Proposal to Rezone Lot 10 DP 1247119
Lansdowne Street Goulburn to R5 Large Lot
Residential under the Goulburn Mulwaree Local
Environmental Plan 2009**

18 December 2019

Version	Comment	Date
1	For Water NSW Consultation	18 October 2019
2	Revision	15 November 2019
3	For Gateway Determination	15 November 2019
4	Post Gateway Agency Referral	18 December 2019

Part 1 – Objective and intended outcome

1.1 Objective

The objective of this Planning Proposal is to rezone the subject land from B6 Enterprise Corridor to R5 Large Lot Residential, apply a Minimum Lot Size (MLS) of 1,000 square metres and remove an existing Floor Space Ratio control of 0.8:1. The subject land was deferred from a previous planning proposal (Amendment 12) made to the *Goulburn Mulwaree Local Environmental Plan 2009* (GM LEP 2009) on 12th January 2019 following additional considerations. The subject site of this Planning Proposal is Lot 10 DP 1247119 (see **Figure 1**), which is located at the corner of Lansdowne Street and Robinson Street Goulburn (a locality map is provided as Appendix A).

On 3rd September 2019 Council resolved to support the subject Planning Proposal as follows:

That

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

CARRIED

This subject Lot was deferred from Amendment 12 (see Part 3) of the GM LEP 2009, due to concerns raised in submissions by landowners and business operators in the vicinity of the subject site (the subject site originally formed part of the land included in Amendment 12).

The Council Resolution from 18th December 2018 follows:

That

1. *The report of the Senior Strategic Planner regarding the Lansdowne Street Planning Proposal be received.*
2. *Council endorse the current Planning Proposal to amend the Goulburn Mulwaree Local Environmental Plan 2009 to:*
 - a) *Rezone land being Lots 11- 27 DP1247119 (Theatre Drive Subdivision), 150 Lansdowne Street Goulburn (Lot 1 DP 1018281)*
 - b) *Rezone lot 28 DP 1247119 from B6 Enterprise Corridor to zone E3 Environmental Management;*
 - c) *Remove existing Floor Space Ratio (FSR) controls for lots no longer proposed to be rezoned B6 Enterprise Corridor; and*

- d)** *Apply a Minimum Lot Size of 1000 m2 (in R5 Large Lot Residential) and a 1 Hectare Lot Size (E3 Environmental Management) under Goulburn Mulwaree Local Environmental Plan 2009.*
- 3.** *The decision on any zoning matter for Lot 10 DP 1247119 be deferred at this time.*
 - 4.** *A Draft Instrument be prepared that is consistent with the above Amendment;*
 - 5.** *The Planning Proposal and relevant documentation be forwarded to the Department of Planning and Environment for making as soon as possible.*
 - 6.** *Council thank those who made a submission and advise the proponent accordingly.*
 - 7.** *Future development applications for development on land in DP1247119 (Theatre Drive Subdivision), Lot 1 DP 1018281 (150 Lansdowne Street) and Lot 28 DP 1247119 include restrictions on the title of each lot as generally outlined in this report and in Attachment 2 pursuant to Section 88B of the Conveyancing Act, 1919.*
 - 8.** *In pursuance of paragraph 2 and 6 of this resolution, site specific development control plan (DCP) provisions are developed to ensure that the mitigation measures are considered as applicable in future development application assessment including:*
 - a)** *Construction standards for all development and boundary fencing in relation to noise and vibration.*
 - b)** *Restrictions on the title of lots on land identified in paragraph 7 above.*
 - 9.** *The DCP provisions in paragraph 4 are publicly exhibited.*

CARRIED

In support of this Planning Proposal, and to respond to concerns raised in submissions during exhibition of Amendment 12, additional information was provided by the applicant including:

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

In addition to Part 3 of the Council resolution deferring the subject lot from Amendment 12, Council also resolved the following supplementary resolution on 18th December 2018 requesting the applicant consider a proposed alternate access to the subdivision of Theatre Drive as a measure to address concerns raised regarding vehicular conflict by businesses opposite the subject site as follows:

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

CARRIED

The additional information provided by the proponent in response to the supplementary resolution included a concept subdivision plan (Appendix C) which details an alternative vehicular access to the subdivision of Theatre Drive directly on to Robinson Street, a pedestrian access to Cathcart Street and the closure of the access from Lansdowne Street to Theatre Drive. The new access to Cathcart Street is for pedestrian use only to protect the environmental integrity of the Cathcart Street as a fauna movement corridor which forms part of the *South Goulburn Endangered/Threatened Species Management Plan 2004*.

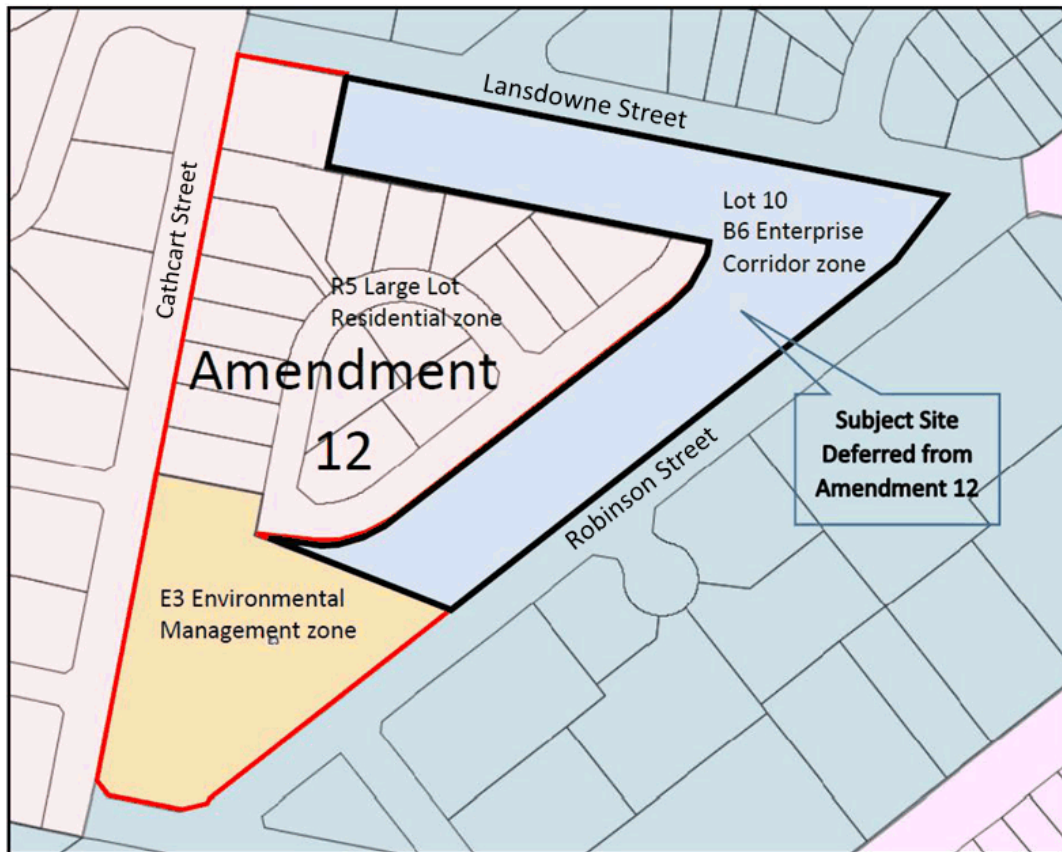


Figure 1: Subject site outlined in black (the remainder outlined in red is land rezoned as Amendment 12)

1.2 Intended Outcome

The intended outcome of the subject Planning Proposal is to facilitate a concept 20 lot residential subdivision (Appendix C) intended by the applicant for Lot 10. The reason for the amendment is because *residential accommodation* is currently prohibited under the existing B6 Enterprise Corridor zone. The rezoning of the site to R5 Large Lot Residential will enable residential accommodation while the application of the 1,000 square metre Minimum Lot Size (MLS), and the creation of building envelopes, will ensure that sufficient land is provided on site to allow for adequate buffer distance for separation from developed land opposite the site that is zoned B6 Enterprise Corridor.

As a result of this proposed amendment, the further intended outcome is to remove an existing Floor Space Ratio (FSR) of 0.8:1 of the GM LEP 2009 where one exists under the current B6 Enterprise Corridor zoning. Floor Space Ratios are normally applied to commercial development to ensure that land uses that are permissible in the B6 Enterprise Corridor zone do not exceed the capacity of the land for these uses. The removal of this development standard will remove an unnecessary control to the residential development of the proposed lots.

The revision of the maps is detailed later in Part 2 of this report and delineated as Appendix B.



Figure 2: The subject site shown on the opposite corner, with new dwellings being constructed on the approved subdivision in the background. The subject site is virtually devoid of any vegetation.

Part 2 – Explanation of Provisions

To achieve the intended outcome, the following amendments are proposed to the maps appended to *GM LEP 2009*:

- **Land Zoning Map Sheet LZN_001D:** Amend the zoning of the subject lot from B6 Enterprise Corridor to R5 Large Lot Residential zone under GM LEP 2009 (R5).
- **Lot Size Map Sheet LSZ_001D:** Amend the minimum lot size of the subject lot to apply a Minimum Lot Size of 1,000 square metres (U1).
- **Floor Space Ratio Map FSR_001D:** Remove an existing Floor Space Ratio of 0.8:1 from the subject lot.

Part 3 – Justification

Section A – Need for Planning Proposal

3.1 Is the Planning Proposal a result of any strategic study or report?

Yes, in the *Employment Lands Strategy 2016* (ELS 2016, p.17) adopted by Council in 2016, it is recommended that the subject land be rezoned to R5 Large Lot Residential. Acting on this recommendation, Council resolved to amend the GM LEP 2009 by Amendment 12. The subject site formed part of the original land included as Amendment 12 to the GM LEP 2009. The rezoning of the subject land was deferred by Council but later supported as a result of the report of 3rd September 2019 which addresses the outstanding areas of concern from Amendment 12.

Although the subject site was deferred from the resolution of 18th December 2019, the subject planning proposal would fulfil the recommendations of the *ELS 2016*.

To minimise further land use conflict and provide a mechanism for enforcing commitments made by the developer, Council also resolved at Part 7 of the 3rd September 2019 to consider a draft amendment to the *Goulburn Mulwaree Development Control Plan 2009* (GM DCP 2009) at a Council Briefing prior to public exhibition. The draft amendment to the GM DCP 2009 is attached (Appendix D - under separate cover).

3.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal to amend the zoning of the subject land from B6 Enterprise Corridor to R5 Large Lot Residential, applying the minimum lot size of 1,000 square metres and remove the Floor Space Ratio is the only way of amending the statutory provisions of the GM LEP 2009 so that the statutory controls over any future subdivision are consistent with other R5 Large Lot Residential zones and the intended outcome of Council's Resolutions and the recommendations of Council's *Employment Land Strategy 2016*.

Council's resolution of 3rd September 2019 recommended proceeding with the amendment to the GM LEP 2009 as proposed (including attachments) for this site.

The retention of the existing B6 Enterprise Corridor zone is not recommended because this zone provides a range of land uses that are *permissible with consent* including but not limited to *Business premises, Commercial premises* and *Light Industries*. However this zone also prohibits *Residential Accommodation* (which includes 'shop top' housing) therefore effectively bringing business, commercial and light Industrial land uses closer to the existing approved residential development. This would also limit the opportunity for an appropriate 'zone of transition (or buffer)' between the established businesses opposite and the approved residential development located around Theatre Drive.

Proceeding with the proposed rezoning as submitted, is the best way of achieving the desired outcome of Council's *Draft Urban and Fringe Housing Strategy* (Housing Strategy) and the adopted *Employment Lands Strategy* by providing an opportunity for residential development on large lots that are close to employment opportunities.

The land use conflicts between existing business, commercial and industrial land uses opposite the subject site were considered during the processing of Amendment 12 and the proponent has responded to the concerns raised in submissions received by the submission of additional information and a revised road configuration. The additional information lodged with the subject application has been considered satisfactory by Council by the resolution of 3rd September 2019 (at page 1). Potential land use conflicts have also been addressed by way of the proposed Site Specific Amendment to the GM DCP 2009 (attached).

Lot 10 is a long shallow lot with wide frontage to both Lansdowne and Robinson Streets but is only 50m deep between the main street frontages. The shallow depth of Lot 10 makes it difficult to achieve good land use interface design outcomes for this site. Setbacks from any future buildings associated with a business/commercial zoning would be close to residences. Furthermore, it is likely that car parking would need to be between buildings rather than along the Lansdowne/Robinson Street frontages.

An indication of the demand for residential development in this location is provided in the number of lots that have been sold with dwelling construction commenced (see **Figure 2**).

It should also be mentioned that immediately to the west of the subject site, along Cathcart Street is a flora and fauna corridor and residential development is consistent with the intended use of this area as a corridor.

The potential impact from land use conflicts are further discussed in Section 3.8 of this report.

Section B – Relationship to Strategic Planning Framework

3.3 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

3.3.1 South East and Tablelands Regional Plan

The Planning Proposal is consistent with the relevant goals of the *South East and Tablelands Regional Plan*.

Goal 1: A connected and prosperous economy.

Increasing the supply of residential land to nearby businesses means more sustainable transport options and reduced travel time to employment opportunities will therefore enjoy the benefits of a connected and prosperous community.

The proposed Site Specific Development Control Plan amendment to the GM DCP 2009 provisions are intended to protect existing businesses while maintaining the amenity of future residential development.

Goal 2: A diverse environment interconnected by biodiversity corridors.

Direction 15: Enhance biodiversity connections: As part of Amendment 12, part of the subject site proposal was rezoned to E3 Environmental Management identified in the *South Goulburn Endangered/Threatened Species Management Plan 2004*. The site as whole therefore has made a contribution to enhancing biodiversity connections. The subject site (Lot 10) is devoid of any vegetation and contains no identified biodiversity connections (see **Figure 2**).

Council's current GM DCP 2009 restricts access to unmade roads (as per Cathcart Street in the revised subdivision Plan) and also applies to land zoned E3 Environmental Management.

By restricting access to Cathcart Street to pedestrians, the revised subdivision Plan also has regard to the *South Goulburn Endangered Threatened Species Management Plan 2004*.

Direction 18: Secure water resources: The subject Planning Proposal has responded to Action 18.1 to 'locate, design, construct and manage new developments impacts on water catchments....' by providing land uses that can be readily connected to the existing water and sewer reticulation network and that would pose minimal risk to water quality by reliance on the existing stormwater network (in addition to water savings measures imposed as part of a BASIX Certificate requirement for individual dwellings).

Goal 3: Healthy and connected communities

Direction 22: Build socially inclusive, safe and healthy communities. The proposed amendment is considered consistent with action 22.1 by incorporating appropriate development control measures for high demand large lot residential development into the proposed site specific amendment to GM DCP 2009. It is also considered consistent with the Planning Principles provided at Appendix A of the SETRP.

Goal 4: Environmentally sustainable housing choices.

Direction 24: Deliver greater housing supply and choice: Providing additional R5 Large Lot residential development is considered consistent with Action 24.4 of the SETRP and Settlement Planning Principles provided under this Direction.

Direction 25: Focus housing growth in locations that maximise infrastructure and services: The proposed rezoning to R5 Large Lot Residential will make use of existing infrastructure (reticulated sewer, water and stormwater). It also provides infill development in a location within the existing urban area

Local Narratives (Goulburn-Mulwaree)**HOUSING**

The main residential land use zones in Goulburn are R1 General Residential and R2 Low Density Residential areas, which are very flexible and provide a wide range of housing options. R5 Large Lot Residential is less flexible but is considered appropriate given it provides a lower density of development and adjoins R5 zoned land to the west and being opposite land zoned B6 Enterprise Corridor zone and industrial land uses. The R5 Large Lot Residential zoning is preferable to keep density low in this instance as it would not be suitable for a greater residential density that would be permissible in other residential zones near industrial type businesses.

3.3.2 The Tablelands Regional Community Strategic Plan 2016-2036

The *Tablelands Regional Community Strategic Plan 2016-2036* was adopted by Council on 21st February 2017 and identifies the community aspirations via the strategic priorities that achieve the future visions for the region. These include:

- Environment
- Economy
- Community
- Infrastructure
- Civic Leadership

Each relevant strategic pillars are identified below:

Environment:

EN1 Protect and enhance the existing natural environment, including flora and fauna native to the region: The development site as a whole (as identified in Amendment 12) will protect and enhance the existing natural environment including flora and fauna native to the region and specifically part of a corridor for fauna movement identified in the *South Goulburn Endangered/Threatened Species Management Plan 2004*.

EN4 Maintain a balance between growth, development and environmental protection through sensible planning. It is considered that the approach taken to achieve this objective, including consideration of environmental constraints, the amendment to the zoning and minimum lot size of the subject land and drafting Site Specific Amendments to the GM DCP 2009 is consistent with this objective.

Economy:

EC3 Support and foster conditions that enable local and small/home-based businesses to grow. The rezoning of land will maintain the momentum for the rezoning aimed at achieving

this objective. This is anticipated by the ample lot size and the location of the site near existing businesses in the locality to encourage *Home occupations* (permitted without consent) and *Home Industries* (permitted with consent) to establish in this location.

Community:

CO5 Maintain our rural lifestyle. The subject Planning Proposal is aimed at achieving this objective by providing residential lots within the urban boundary, and thereby reducing pressure on rural land for housing.

Infrastructure:

Strategy IN3 Maintain and improve road infrastructure and connectivity. There is considered adequate Infrastructure to support the proposed residential development.

The revised concept plan of subdivision submitted for the subject site (Lot 10) relocates the existing vehicular entrance to Theatre Drive from Lansdowne Street to Robinson Street. Council considers this has addressed the concerns raised in submissions for Amendment 12 of the potential for traffic conflicts envisaged with the existing access configuration.

The proposed site specific amendment to the GM DCP 2009 will incorporate provisions to ensure design elements in the concept plan are reflected in the construction of new dwellings.

Leadership

Strategy CL4 requires our civic leadership to '*Actively investigate and communicate funding sources and collaboration opportunities that can strengthen the region*'. The provision of R5 Large Lot residential Land will be funded by Developer Contributions and Water, Sewer and Stormwater charges via Council's adopted Contributions Plans and Developer Servicing Plans.

3.4 Is the Planning Proposal Consistent with a council's local strategy or other local strategic plan?

3.4.1 Goulburn Mulwaree Strategy 2020

The Planning Proposal does not contradict the *Goulburn Mulwaree Strategy 2020*.

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

"Areas west and south west of Goulburn also present the potential to accommodate large lot residential development and provide an alternative residential choice to Mary's Mount." It also states that future employment areas need to be located to provide "adequate separation from sensitive land uses.....to minimise potential for land use conflict and enable extended hours of operations for freight and distribution facilities." This is achieved by the proposed Site Specific provisions to be incorporated into the GM DCP 2009 and the reconfigured access to the site.

On balance the planning proposal will reduce the likelihood that the subject land will generate employment opportunities but will enable the residential use of an approved subdivision. This can be best achieved by applying the R5 Large Lot Residential zone to the land and this is consistent with the Goulburn Mulwaree Strategy 2020.

3.4.2 Goulburn Employment Lands Strategy 2016

The *Goulburn Employment Lands Strategy (ELS) 2016* recommends that the site at 150 Lansdowne Street be rezoned to R5 Large Lot Residential (p17) in the short term. The ELS 2016 identified the subject site as being underutilised and noted the adjoining land to the north, east and west on Mary, Knox and Cathcart Street was an older established residential area. It considered that business requiring larger lots (where the subject land had an existing approved subdivision) would likely locate along Hume, Lockyer and Sowerby Streets with better access to the main arterial roads and the Hume Highway. It is for this reason that the *ELS 2016* recommends that the subject land be rezoned to R5 Large Lot Residential land uses. The subject Planning Proposal is consistent with the recommendations of the *Employment Lands Strategy 2016*.

3.4.2 Community Strategic Plan 2030

The Community Strategic Plan (CSP) was adopted by Council on the 2 July 2013 and revised in September 2014. The Plan seeks to provide opportunities for rural lifestyle, settlement, housing, sustainable farming and natural resource protection.

The Planning Proposal is consistent with the Goulburn Mulwaree Community Strategic Plan 2030 as follows:

Relevant Strategies:

Key Direction 2 – Business and Industry

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

Key Direction 4 – Sustainable Environment

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

Given the relatively small size of Lot 10, the planning proposal will contribute to the achievement of Council's performance indicators, via: P5 Adequate supply of housing is provided within the local planning framework

3.5 Is the Planning Proposal consistent with the applicable State Environmental Planning Policies (SEPP)?

The Planning Proposal is consistent or justifiably inconsistent with the following applicable State Environmental Planning Policies (SEPPs):

SEPP 55 – Remediation of Land

A preliminary site investigation (PSI) was supplied to Council and publicly exhibited with the initial Planning Proposal (now Amendment 12). The preliminary site investigation concluded that no further investigations are required during the planning proposal stage.

SEPP (Sydney Drinking Water Catchment) 2011

The Sydney Drinking Water Catchment (SDWC) SEPP 2011 operates to protect water quality in the SDWC. Under the SDWC SEPP all future development on the site will need to be assessed against the neutral or beneficial effect test (NorBE) and have a NorBE effect on water quality.

The subject land will be connected to the reticulated water and sewer system. Rainwater collected will be used in rain gardens and it will be necessary to store rainfall as part of any

BASIX Certification. Any excess run off can be directed to Council's existing stormwater drainage network.

State Environmental Planning Policy 44 (Koala Habitat Protection)

The SEPP 44 applies to the site as it applies to the State however the site is devoid of vegetation (see figure 2) therefore it is considered there will be minimal impact on the presence of *Phascolarctos cinereus*. The areas of the land that contain appropriate trees for the *Phascolarctos cinereus* are protected by either E3 Environmental Management zone or are along Cathcart Street (part of the fauna corridor) under Amendment 12.

SEPP (Exempt and Complying Development Codes) 2008

These Codes, specifically Part 3 the Housing Code, applies to the subject land. The SEPP (Exempt and Complying Development Codes) 2008 is a State policy and would permit dwelling construction on the subject land irrespective of any controls placed on the subject site (aside from those under s88B of the Conveyancing Act). Any residential development controls imposed under a Development Control Plan would be secondary and may be disregarded for the purpose of the Exempt and Complying Development Codes under the SEPP.

In the subject proposal's circumstances for example, for the purpose of determining setbacks from the **primary road** of the 2 nearest dwellings, the following are not to be included –

- (a) Dwelling houses on battelaxe blocks (Lots 32-38)
- (b) Any attached development or detached development on other lots
- (c) Building elements in the articulation zone

This means that dwellings on Lots 32-39 do need to have regard to the setback from the **primary street frontage** of Lansdowne Street so building envelopes need to be considered to maintain a separation distance from the industrial uses in the vicinity (separation distances were discussed in the processing of Amendment 12). These have been considered by the applicant as demonstrated in Sheet 2 of the revised plan of subdivision but would be given more detailed assessment at the subdivision application stage.

3.6 Is the planning proposal consistent with applicable Ministerial Directions (s 9.1 Directions)?

Applicable Direction	Justification	Compliant
1.1 Business and Industrial Zones	<p><i>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</i></p> <p><i>A planning proposal must:</i></p> <ul style="list-style-type: none"> <i>(a) give effect to the objectives of this direction,</i> <i>(b) retain the areas and locations of existing business and industrial zones,</i> <i>(c) not reduce the total potential floor space area for employment uses and related public services in business zones,</i> <i>(d) not reduce the total potential floor space area for industrial uses in industrial zones, and</i> <i>(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.</i> <p>This planning proposal is inconsistent with this direction. However, the inconsistency is justified because it is a minor matter and further potential land use conflicts have been addressed via a reconfigured vehicle access to Theatre Drive from Robinson Street (see Appendix) and the proposed amendment to the GM DCP 2009 via Site Specific provisions.</p> <p>The planning proposal is consistent with the adopted <i>Employment Lands Strategy</i>.</p>	Justifiably Inconsistent
1.2 Rural Zones	This Direction does not apply because the subject land is not located in a Rural Zone	NA
1.5 Rural Lands	This Direction does not apply because the subject land is not located in a Rural Zone	NA
2.3 Heritage Conservation	This Direction does not apply because the subject land is not located within the vicinity of any heritage item listed in GM LEP 2009.	NA
3.1 Residential Zones.	<p><i>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:</i></p> <ul style="list-style-type: none"> <i>(a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),</i> <i>(b) any other zone in which significant residential development is permitted or proposed to be permitted.</i> <p><i>A planning proposal must include provisions that encourage the provision of housing that will:</i></p>	Yes

	<p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing infrastructure and services, and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>The planning proposal will broaden the housing choice and will be an efficient use of existing infrastructure and services in this locality. It will provide for housing within the Goulburn urban area and be subject to existing design controls in relevant DCP's and Draft Site Specific provisions proposed as an amendment to the GM DCP 2009.</p> <p><i>A planning proposal must, in relation to land to which this direction applies:</i></p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p> <p>Goulburn LEP already contains a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it). This land has been fully serviced for some time. It does not contain provisions which will reduce the permissible residential density of land. The proposed MLS reflects the existing lot size in the approved subdivision.</p> <p>It is consistent with this direction.</p>	
3.4 Integrating Land Use and Transport	<p>This Direction applies as the PP alters zones relating to Residential, Industrial and Environmental zoned land.</p> <p>The subject PP is not inconsistent with the terms of this Direction.</p>	Yes
4.1 Acid Sulphate Soils	<p>This Direction does not apply as the subject land is not mapped as susceptible to acid sulphate soil risk by the NSW Office of Environment and Heritage mapping.</p>	NA
4.2 Mine Subsidence and Unstable land	<p>The subject land is not located in a proclaimed Mine Subsidence District nor is it identified as unstable land.</p>	NA
4.3 Flood Prone Land	<p>The subject land is not identified on Council's Flood prone maps appended to the GM LEP 2009.</p> <p>Note: Council is reviewing its Flood Plain Risk Management Study and Plan to consider overland flow, however Lot 10 is</p>	NA

	a residual lot from a recent subdivision which had been assessed under evaluation criteria of EP&A Act at DA Stage.	
4.4 Planning for Bushfire Protection	This Direction does not apply as the subject land is not identified as bushfire prone on Council's and the NSW Rural Fire Service Bushfire Prone Lands Maps 2019.	NA
5.2 Sydney Drinking Water Catchments	<p>The Planning Proposal is occurring on land which is within the Sydney Drinking Water Catchment (SDWC).</p> <p>This Direction operates to protect water quality in the SDWC.</p> <p>The subject PP has been referred to Water NSW for preliminary comments and has been updated accordingly.</p> <p>The subject site will be connected to the reticulated water and sewer network.</p> <p>Strategic Land and Water Capability Assessment data for sewerated residential development is provided below at Figure 4. The data present for sewerated residential development presents a predominantly Moderate Risk to water quality. The environmental impacts of development are further discussed below in Section 3.8 of this Planning Proposal.</p> <p>The connection of any proposed development to the existing reticulated water, sewer and stormwater drainage system is therefore considered appropriate to mitigate the risk to and to have a Neutral or Beneficial Effect on water quality.</p> <p>Strategic Land and Water Capability Assessment data for stream proximity is provided at Figure 7. This demonstrates that there is minimal risk to water quality entering water courses. Further, Council's reticulated stormwater network will further mitigate any risk to water quality from overland flow entering the SDWC.</p> <p>The subject PP is consistent with this Planning Direction.</p>	Yes
5.10 Implementation of Regional Plans	<p>Addressed above and at Section 3.3.1 of this report.</p> <p>The subject PP is not inconsistent with the Regional Plan.</p>	Yes
6.1 Approval and Referral Requirements	<p>This Direction applies to the PP. The PP does not propose any provisions that will require additional concurrence or referral requirements of the future development of the subject site.</p> <p>The subject PP is not inconsistent with this Direction</p>	Yes.
6.2 Reserving Land for Public Purposes	No land is proposed to be reserved for public purposes as part of this Planning Proposal. The proponents submission does however include the installation of playground equipment adjacent to the pedestrian access to Cathcart Street on existing Lot 28 created from the original subdivision approval and rezoned E3 environmental	NA

	Management under Amendment 12. It is understood that Lot 28 also has a 'dwelling entitlement'. At some future point, this circumstance may require the separation of the area for a future dwelling from the area where the playground equipment is to be installed.	
6.3 Site Specific Provisions	<p>This Direction applies to the PP. The proposed amendment does not propose any statutory site specific provisions to the subject land that will require additional referral to external agencies.</p> <p>The proposed amendment is therefore consistent because only the statutory LEP maps will be amended.</p>	Consistent
7.0 Metropolitan Planning	The subject land is not located in a metropolitan area.	

Section C – Environmental, social and economic impact.

3.7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the proposal?

Despite the notation below delineating that the land contains High Environmental Values (HEV) from the HEV map accompanying SETRP, the subject site is largely devoid of any vegetation (See Figure 3). The revised subdivision plan provides pedestrian access through the subject site to Cathcart Street. This access is restricted to pedestrians to minimise the impact of heavier traffic and maintain the integrity of the identified fauna corridor.

The proposed Site Specific provisions to be incorporated into the Goulburn Mulwaree DCP 2009 (GM DCP 2009) includes recommendations that seek to locate a dwelling on Lot 28 so as to retain the integrity of an area to the south of the site (on the previously rezoned land under Amendment 12 of the GM LEP 2009). This area is to be protected because it contains remnant Eucalypt woodland that is a significant contributor to biodiversity in this locality. It is a Box Gum Woodland (White –Yellow Box – Blakely’s Red Gum) that is listed as an Endangered Ecological Community (EEC) under the *NSW Biodiversity Conservation Act, 2016*.

A condition of the current subdivision plan for the whole site requires a conservation management plan be prepared for Lot 28. This has been submitted to Council.

The subject site is notated as having High Environmental Values (HEV) which accompanies the South East and Tablelands Regional Plan (SETRP) 2036. The southern portion of the site was considered as part of the originally approved subdivision of the subject land to remain whole and was zoned E3 Environmental Management zone as part of Amendment 12. As shown in figure 3 however, the balance of the site and in particular Lot 10, is virtually devoid of any vegetation and substantially discounts the validity of the current HEV mapping notation.

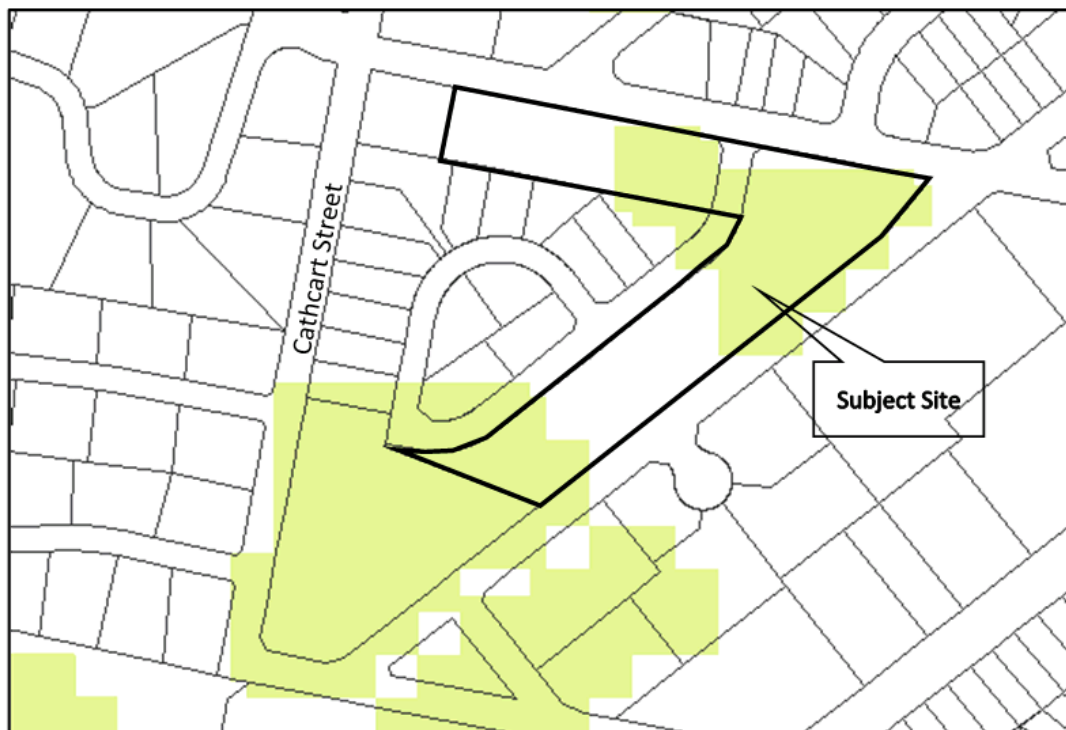


Figure 3: High Environmental Values map notation of the subject site (SETRP 2036)

3.8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Issues raised during processing of Amendment 12 of the GM LEP 2009 included traffic impacts and noise generation from existing land use on Lansdowne Street and Robinson Street opposite the subject site. Although the subject site, Lot 10, was deferred from that amendment, the proponent has submitted with the subject Planning Proposal two reports in support. These include:

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

In addition to this information, Council has developed a Site Specific Amendment to the Goulburn Mulwaree Development Control Plan (GM DCP) 2009 which will provide a mechanism for compliance with the commitments made by the proponent while mitigating impacts from nearby businesses.

Noise

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

The Draft Site Specific Development Control amendment to the GM DCP 2009 attached to the report to Council of 3rd September 2019, states at:

Section 8.10.5 Noise Management for Residential Development:

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

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

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

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

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

Council considered this a satisfactory measure to address noise concerns however the resolution of 18th December 2019 required any Draft DCP provisions for future development be placed on exhibition in conjunction with the exhibition of the proposed LEP Amendment.

The applicant has considered separation from noise sources by the imposition of Building envelopes on Sheet 2 of the revised plan of subdivision (Appendix C). These however, particularly lots 29-31,

would be given more detailed consideration at the development application for the proposed subdivision.

Traffic Count

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

The proponent suggests that traffic movements are not significant enough to warrant particular concern for the proposal. The assertion is not supported by the noise assessment that demonstrates the significant amount of noise levels being generated from heavy vehicles. Notwithstanding this, the noise constraint assessment assessed the noise impact of heavy vehicle movements in its findings and some of the recommended mitigation measures have been included in the provisions of the Site Specific Development Control Plan (above).

To avoid the circumstance where future dwellings are assessed under the Exempt and Complying SEPP, thereby avoiding consideration of Council's Site Specific Development Control Plan provisions, it is also recommended that an 88B Restriction be placed on any future subdivision plan of Lot 10 to include the following:

"All future dwellings on burdened lots are to be designed and constructed such that external noise intrusion will achieve the recommended internal noise levels in accordance with AS 2107"

It is further recommended that similar restrictions be placed on any future subdivision to that imposed under Amendment 12 with regard to fence height and construction materials (2.1 metres and 1.8 metres on Lansdowne Street and Robinson Street respectively and constructed of lapped and capped timber) to further mitigate vehicle noise and achieve acceptable ambient noise levels in dwellings.

Traffic Conflicts

In response to the Supplementary Resolution of 18th December (Page 4), and vehicular traffic conflict concerns raised under Amendment 12, the revised Subdivision Plan (Appendix C) has substantially addressed potential traffic conflicts on Lansdowne Street between residential vehicles having direct access to Lansdowne Street and heavy vehicles associated with existing businesses.

Direct Access to Lansdowne Street from Theatre Drive is proposed to be closed (this is to be included in the DCP chapter controls). The closure of the Theatre Drive access to Lansdowne Street will result in only 3 lots (29-31) having direct access with the remaining lots along Lansdowne Street having access via a Right of Carriageway to Theatre Drive.

Draft Site Specific Development Control Plan Provisions

To minimise land use conflict and to provide a mechanism for enforcing commitments made by the developer, a proposed amendment to the *Goulburn Mulwaree Development Control Plan 2009* (GM DCP 2009). This site specific development control chapter contains provisions that:

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

It should be noted as a condition of the subdivision which created DP 1247119, the titles of lots within the approved subdivision, had restrictions imposed for all future dwellings to comply with AS 2107 for noise levels within existing residences under s88B of the *Conveyancing Act 1919*.

Although the drafting of site specific Development Control Plan provisions to address potential land use conflicts for a site specific rezoning to R5 Large Lot Residential is unusual, the circumstances of this particular site are unique. They are unique in that the subdivision was originally approved well before (2007) gazettal of the current Standard Instrument and Council's adopted *Employment Lands Strategy 2016 (ELS 2016)*. The reason for this anomaly is that the original statutory instrument (GM LEP 2009) approved residential accommodation in the B6 Enterprise Corridor zone and the adopted ELS 2016 at p17 supported rezoning of the site to R5 Large Lot Residential. A later Amendment to the GM LEP 2009, unrelated to the subject site, prohibited *Residential Accommodation* in the *B6 Enterprise Corridor* zone.

Contamination

The proponent provided a preliminary site investigation (PSI) for the previously considered amendment to the *GM LEP 2009* (Amendment 12). This preliminary site investigation detailed previous uses operating on the whole of the site, primarily as a Drive-In Theatre, however concluded that no further investigations (Stage 2 Investigations) is required. Council is satisfied that no remediation works will be required with the subject planning proposal stage. The assessment of the approved subdivision corroborated this advice. It is considered that the subject site will have similar minimal risk of contamination. Any future development application for subdivision of the subject site will consider the risk to be addressed at that stage of the development process.

Water Quality

Strategic Land and Water Capability Assessment (SLWCA) data is provided below (at **Figure 4**) for Sewered Residential Development on the subject site.

This data demonstrates that the subject site presents a predominantly moderate risk to water quality.

To retain and mitigate the effects of residential development, the subject site is serviced by reticulated sewer, to which all future residences will be connected (**Figure 5**).

Overland flow and run off from the subject site will be directed towards Council existing reticulated stormwater network (**Figure 6**).

The response from Water NSW advised that their mapping identifies a water course traversing the subject site Lot 10. While this may have been historically correct, the subsequent development of the area, and particularly the installation of kerb and guttering and a reticulated stormwater system has addressed this issue. To support the dated nature of Water NSW's advice in this regard, the Stream Proximity SLWCA data (Figure 7) does not identify any streams within proximity to the subject site. As a consequence of the historic water course data used by Water NSW, and how it was used to develop the risk data of land use categories (in this case sewered residential development), the inclusion of the historic water course resulted in the yellow (Moderate Risk) classification given across the site.

Council has since had discussions with Water NSW to validate and provide their water course data sets to Council's GIS branch for inclusion in our mapping platform.

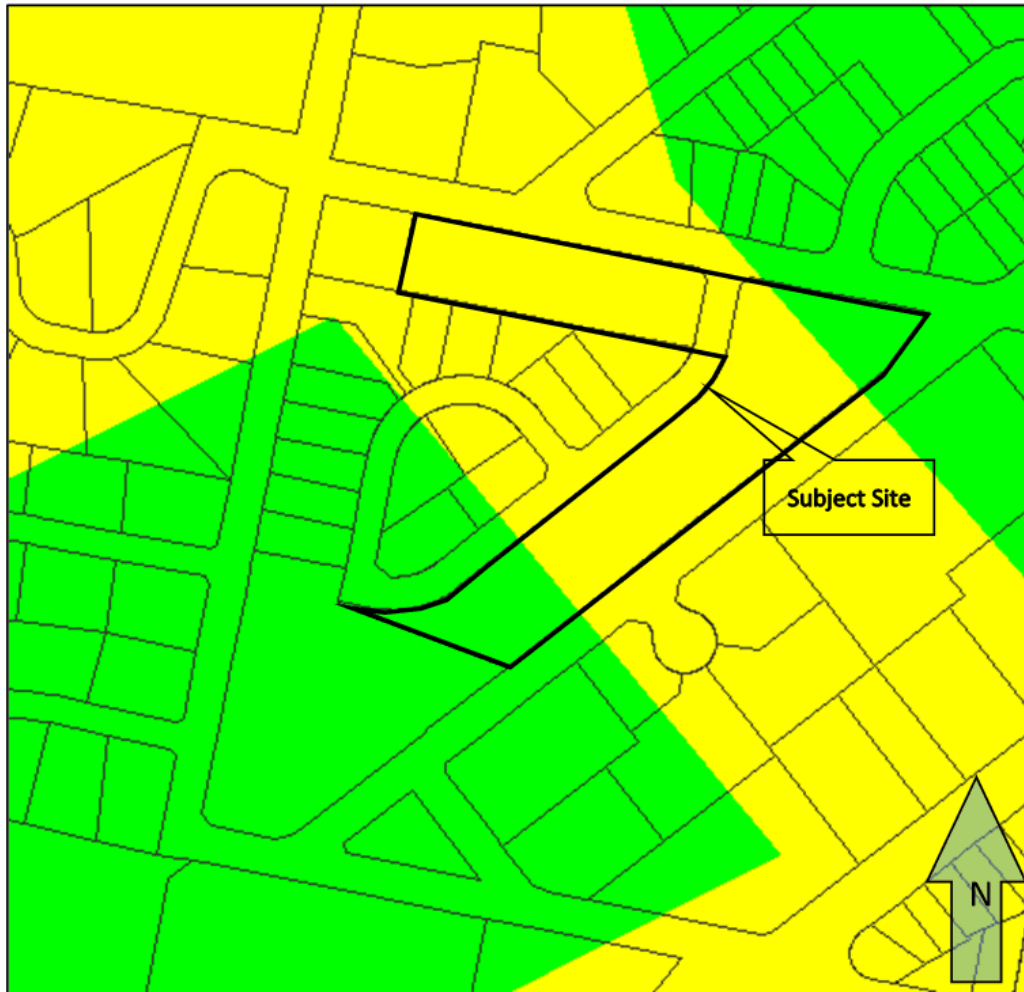


Figure 4: Shows that Sewered Residential development presents a predominantly Moderate risk to water quality from the subject site.

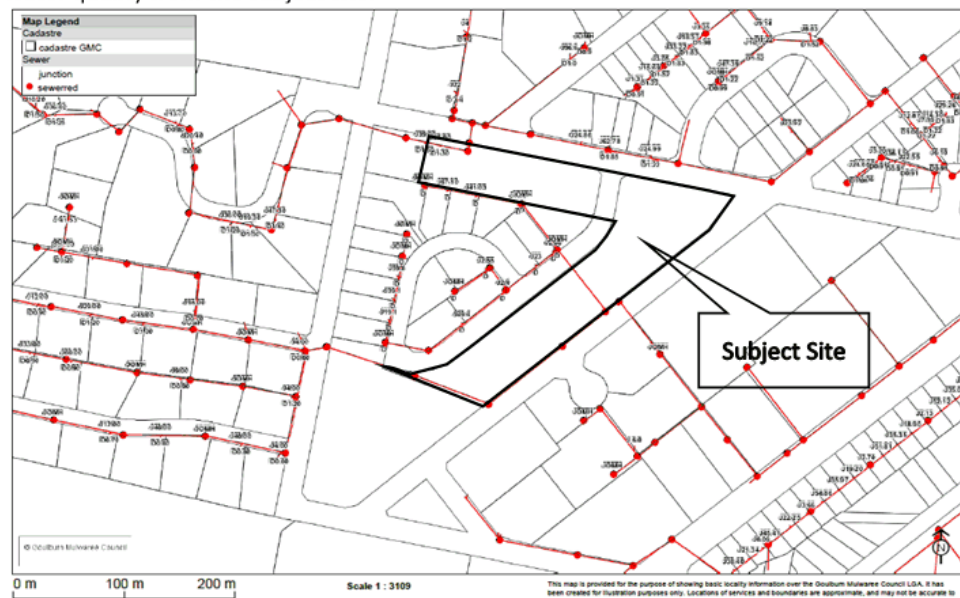


Figure 5: Council's reticulated sewer network mapping (shown red).

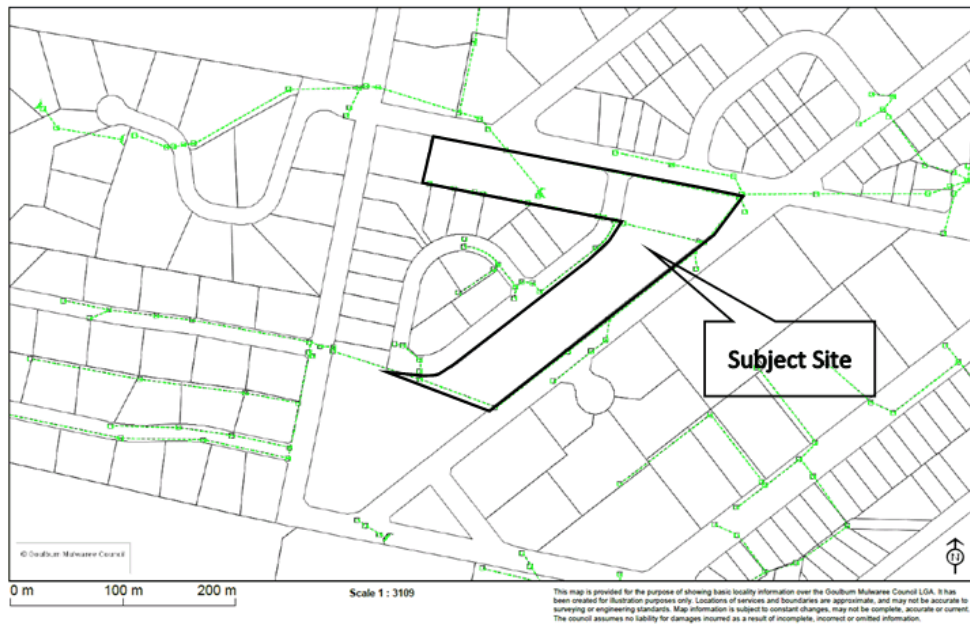


Figure 6: Council's reticulated stormwater network (shown green).



Figure 7: SLWCA Stream Proximity data demonstrating the sites proximity to water courses.

3.9 Has the planning proposal adequately addressed any social and economic effects?

During the processing of Amendment 12 adjoining the subject land, 12 submissions were received raising concern regarding land use conflict with businesses opposite, with particular regard to residential development on the subject site. To address these concerns, the proponent has submitted an acoustics report and an analysis of traffic data to substantiate, or refute, the claims raised in previous submissions in the form of:

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

Both reports make recommendations as to appropriate mitigation measures and these have been incorporated into the Draft Site Specific Development Control Plan provisions (Appendix D) attached. The Draft Site Specific Development Control Plan provisions were endorsed by Council at its meeting on the 3rd September 2019 to be discussed at a Councillor briefing session. These provisions were discussed on 21st October 2019 and will be exhibited concurrently with the subject Planning Proposal following receipt of a Gateway Determination.

To address the supplementary resolution of 18th December 2018, the proponent has also lodged a revised plan of subdivision (Appendix C) identifying an alternative vehicular access to Theatre Drive from Robinson Street and pedestrian access from Cathcart Street.

The reconfigured access to Theatre Drive from Robinson Street is intended to address vehicular conflicts with the commercial and business traffic generated by land uses opposite on Lansdowne Street.

Section D – State and Commonwealth interests

3.10 Is there adequate public infrastructure for the planning proposal?

Clause 7.3 of GM LEP 2009 requires Council to be satisfied that any development application for the subdivision of land for residential purposes in the R5 Large Lot Residential zone will have public utility infrastructure (water, sewer) available or that adequate arrangements have been made to make that infrastructure available when required. This includes consideration of water quality associated with the management of effluent and stormwater and the provision of an adequate supply of water for drinking and firefighting purposes.

Council's Contribution Plan and Developer Servicing Plan apply to the subject land. Based on these Plans adequate public infrastructure will be available to the proposed lots.

Reticulated sewer and water is available to the subject site (and future lots). The land adjoins a large lot residential area to the west along Cathcart Street and employment lands to the north (along Lansdowne Street) and east (along Robinson Street).

In response to Council's Supplementary resolution of 18th December 2018, the revised subdivision configuration provides closes the direct access from Theatre Drive to Lansdowne Street and provides a vehicular access to Robinson Street intended to reduce vehicular traffic conflict and maintain access to the road network.

Stormwater is available and any future development consent for subdivision will be conditioned for connection prior to the release of a linen plan.

There is adequate public infrastructure to support the planning proposal.

3.11 What are the views of State and Commonwealth public authorities' consultation in accordance with the gateway determination?

The subject Planning Proposal has been referred to Water NSW for Pre-Gateway consultation. Despite the anomalous data discussed in Section 3.8 Water NSW generally supports the proposed amendment.

The subject Planning Proposal is not State or Commonwealth significant.

Following a Gateway Determination (if supported) any consultation requirements will be met prior to exhibition.

Council is also making application to exercise its delegations to be the Relevant Planning authority for this Planning Proposal.

Part 4 – Mapping

The planning proposal will amend the Goulburn Mulwaree LEP 2009 zone, minimum lot size and floor space ratio maps for Lot 10 of DP 1247119 located at the corner of Lansdowne Street and Robinson Street, Goulburn. The details of the mapping amendments are outlined in Part 2 of this planning proposal.

This will be achieved by amending Goulburn Mulwaree LEP 2009 map sheets:

- Land Zoning Map - Sheet LZN_001D
- Lot Size Map - Sheet LSZ_001D
- Floor Space Ratio Map - Sheet FSR_001D

Refer to **Appendix B** for the proposed LEP Maps.

Part 5 – Community Consultation

Council will commence community consultation post-Gateway Determination. For the purposes of public notification, Council considers that a twenty-eight (28) day (public exhibition period is appropriate).

Notification of the exhibited Planning Proposal will include:

- An advertisement in a local newspaper that circulates in the area affected by the Planning Proposal;
- Uploading to the Goulburn Mulwaree Council and the Department of Planning and Environment websites.

Written notice will be provided to affected land owners including:

- Provide a brief description of the objectives or intended outcomes of the Planning Proposal;
- State where and when the Planning Proposal can be inspected; and
- Provide details of how members of the community can make a submission.

Exhibition Material:

- Planning Proposal, in the form approved for community consultation by the Director General of the Department of Planning and Environment; and
- Gateway Determination, and
- Council Report and Resolution dated 3rd September 2019; and

Supporting Studies if required.

The Gateway Determination will confirm the duration of public consultation required.

Part 6 – Project Timeline

Water NSW Pre-Consultation	November 2019
Gateway Determination	December 2019
Timeframe for completion of technical studies	February 2020 (No technical studies identified as required)
Timeframe for agency consultations	March 2020
Public exhibition	April 2020
Public hearing	NA
Consideration of submission	June 2020
Date of submission of LEP to PC	August 2020
Date plan forwarded to DPE for notification	Sept 2020
Anticipated Date of PC Plan made	October 2020

Conclusion

This Planning Proposal is supported by a current Council resolution to rezone the subject land from B6 Enterprise Corridor to R5 Large Lot Residential zone, removal of an existing floor space ratio (FSR) control of 0.8:1 over the site and introduction of a minimum lot size of 1,000 square metres for any future subdivision.

The subject Planning Proposal is considered consistent with relevant Planning Directions. Where the subject proposal is justifiably inconsistent, the inconsistency is considered minor in nature and supported.

The subject Planning Proposal is also considered consistent with State and Local Planning Strategies and relevant State Environmental Planning Policies.

It is recommended that the proposed Draft Site Specific provisions intended as a proposed amendment to the GM DCP 2009, and presented to Council on 3rd September 2019, be publicly exhibited concurrently with the subject Planning Proposal

Council is requesting to exercise its delegations to be the Relevant Planning Authority for the purpose of this proposed amendment and envisages a favourable gateway determination.

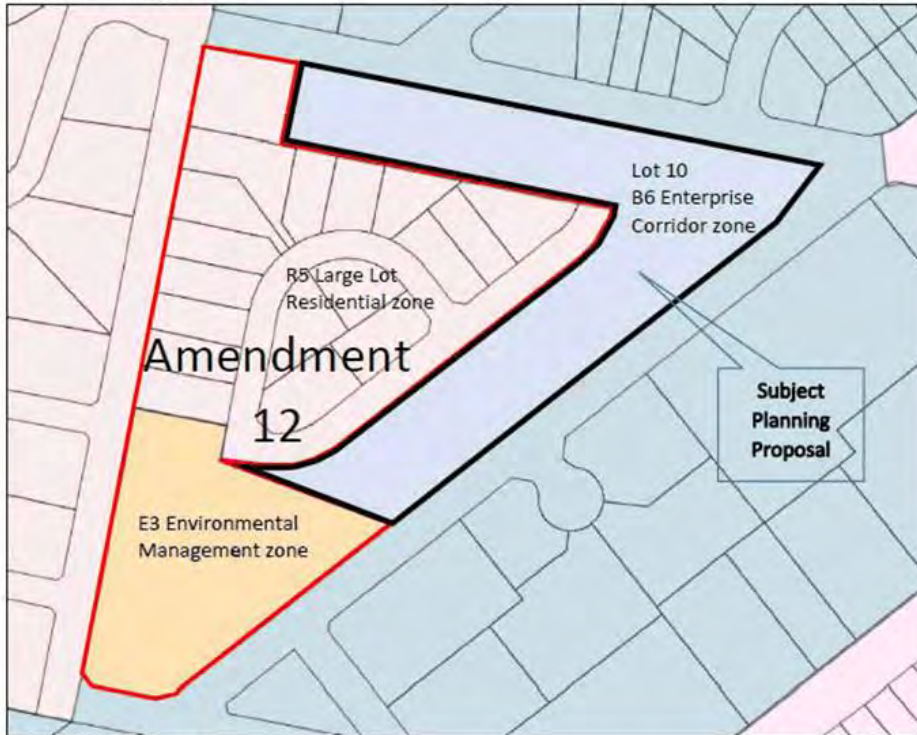
Appendix A – Locality Map



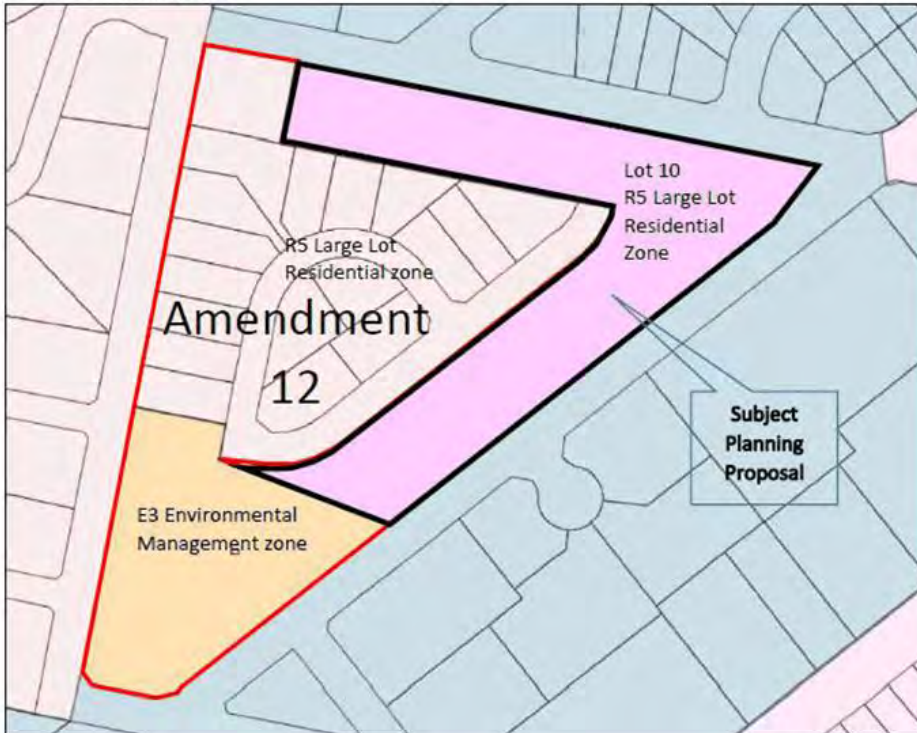
Appendix B – LEP Map revisions

Note: Mapping data sets to be updated to planning portal separately

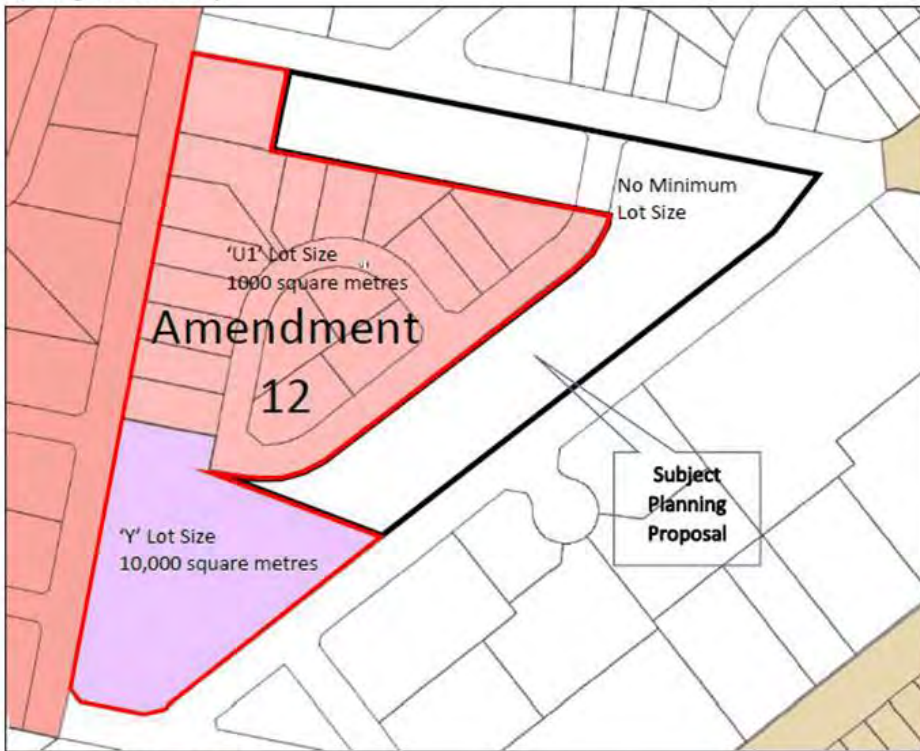
Existing Zoning Map



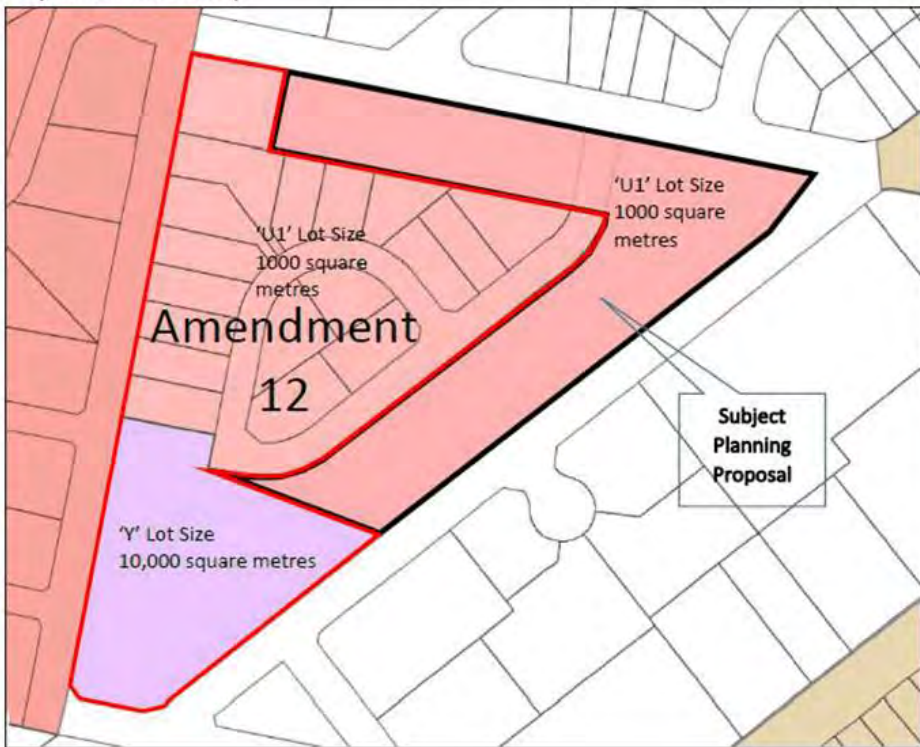
Proposed Zoning Map



Existing Lot Size Map



Proposed Lot Size Map



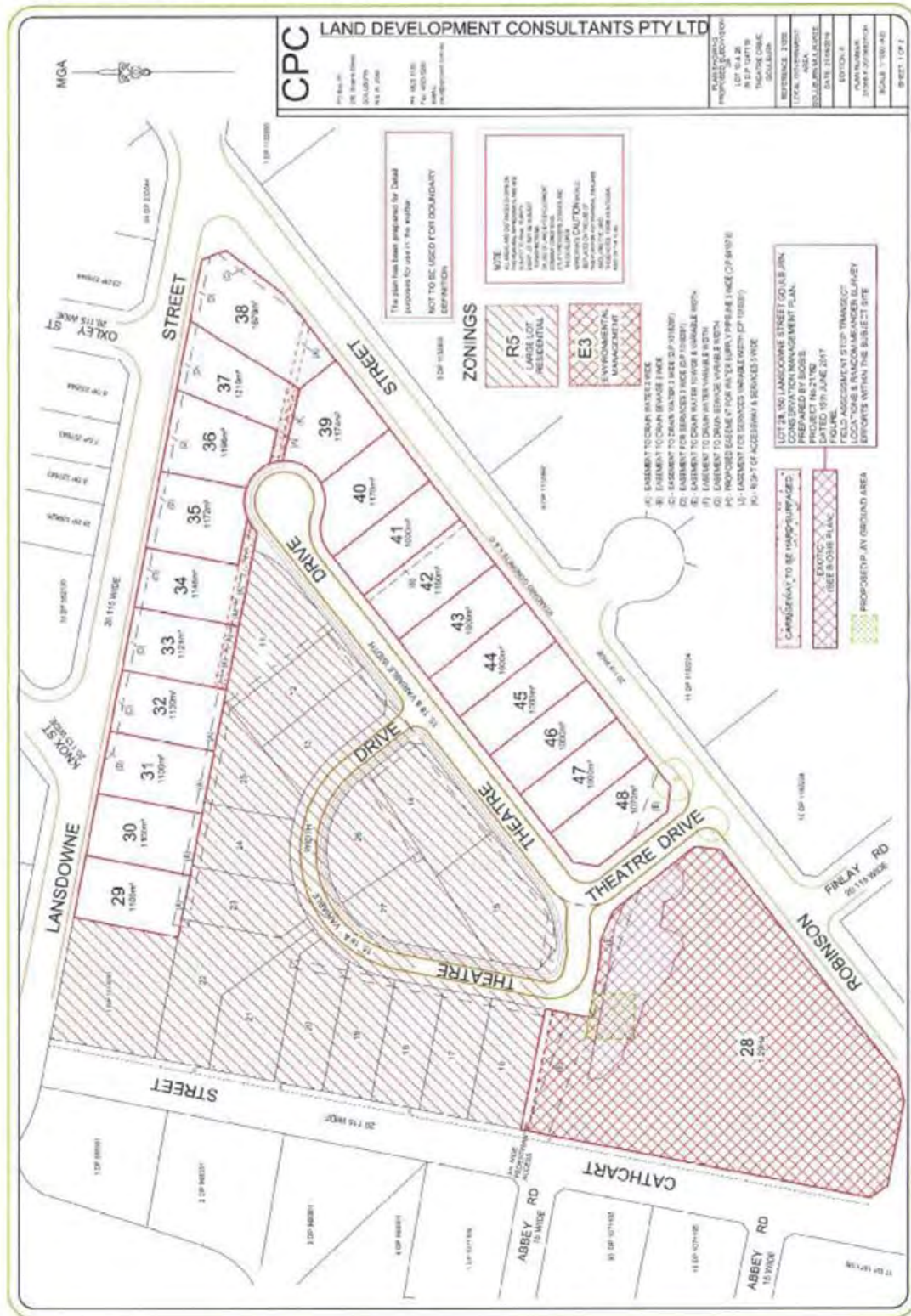
Existing Floor Space Ratio (FSR) Map (0.8:1)

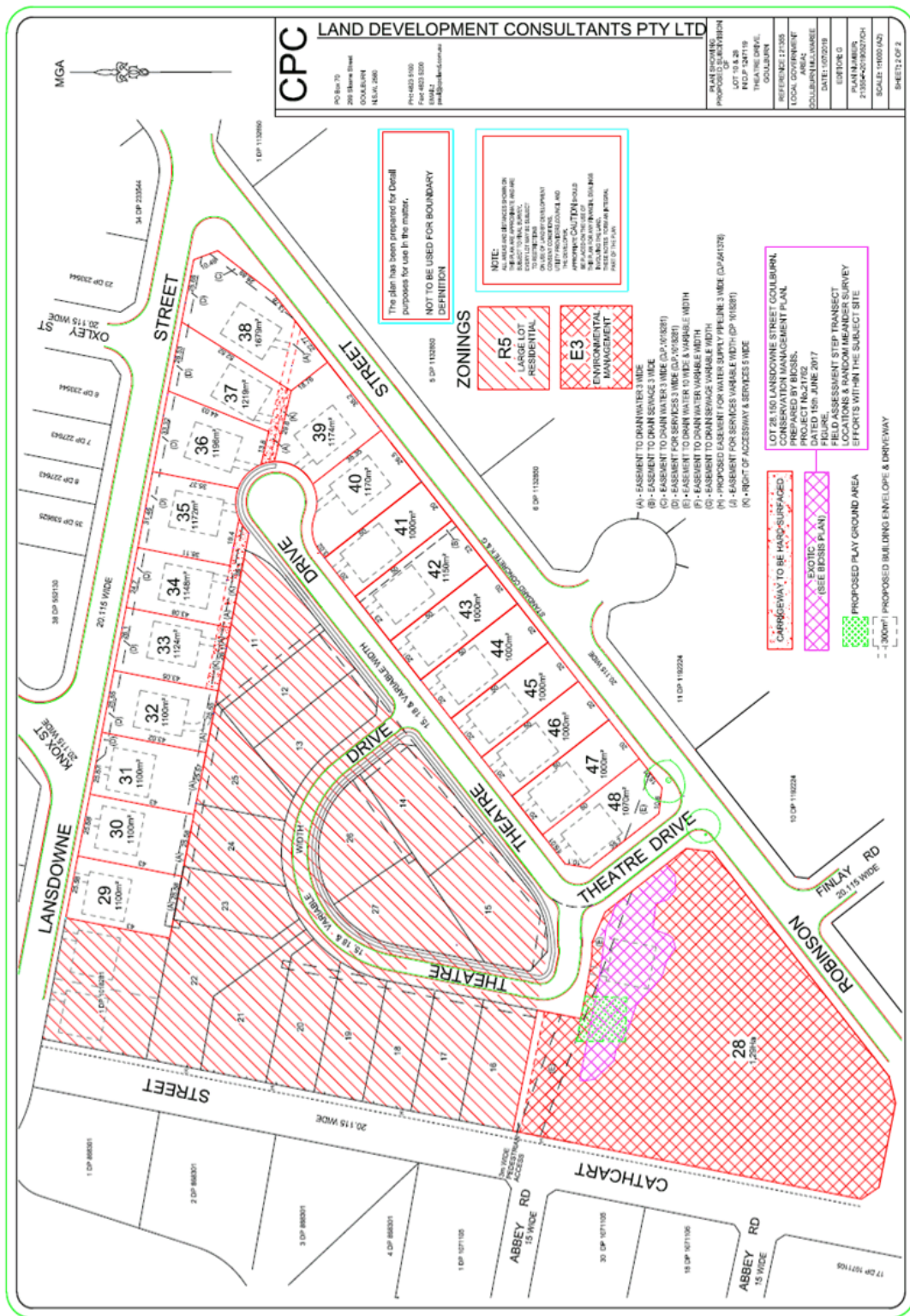


Proposed Floor Space Ratio (FSR) Map (Nil)



Appendix C – Concept Plan of Subdivision





Appendix D – Draft Site Specific Development Controls

(Under Separate Cover)

Doc # 1184561

Doc ID: 920477



SCANNED

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

Name and contact number of person delivering documentation:

Name: Robert Nowle
Contact Number: 48210973

Related Information:

Application number:
Property Address: lot 10 Jacobstone St.
Council Officer requesting documentation: Kate Woolf
Schedule of documents received: Rezoning

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

Are these replacement /superseded plans Yes/No

Comments:

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

KINGSDALE CONSULTING PTY LTD

ABN 12 148 887 647
ACN 148 887 647

P O Box 539
GOULBURN NSW 2580

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

Attention: Scott Martin / Kate Wooll

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

Dear Scott and Kate

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

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

Yours sincerely

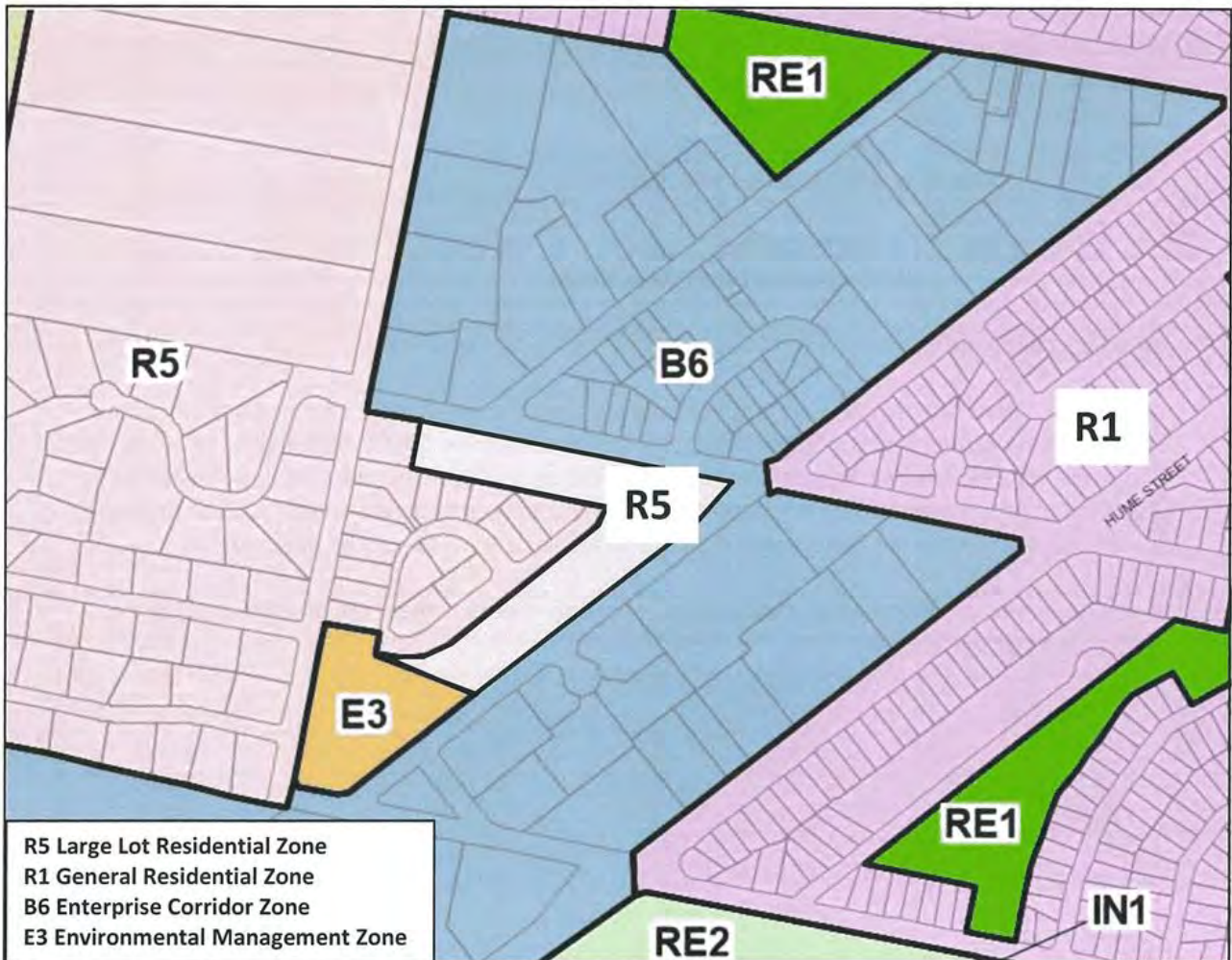


Robert Mowle
DIRECTOR
KINGSDALE CONSULTING PTY LTD
17 June 2019

SUBMISSION

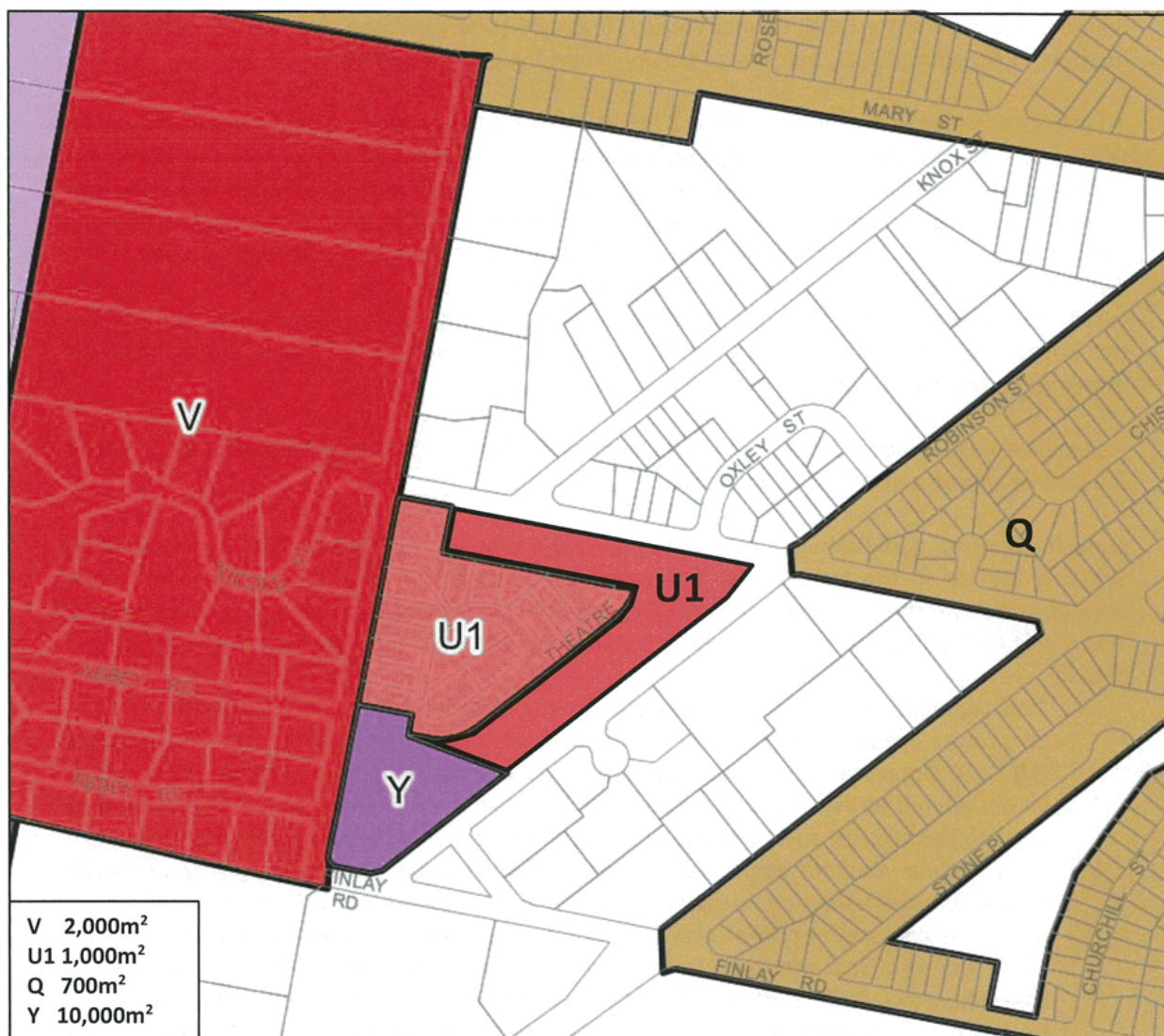
This submission on behalf of Simgrow Pty Ltd is submitted to the Goulburn Mulwaree Council to request an amendment to *Goulburn Mulwaree LEP 2009* (LEP) to rezone Lot 10 DP 1247119 from B6 Enterprise Zone to R5 Large Lot Residential Zone and to enable Lot 10 DP 1247119 to have a minimum lot size of 1,000m²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

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



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

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



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

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

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

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

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

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

Council resolved as follows:

“RESOLUTION 2018/602

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

SUPPLEMENTARY RESOLUTION 2018/603

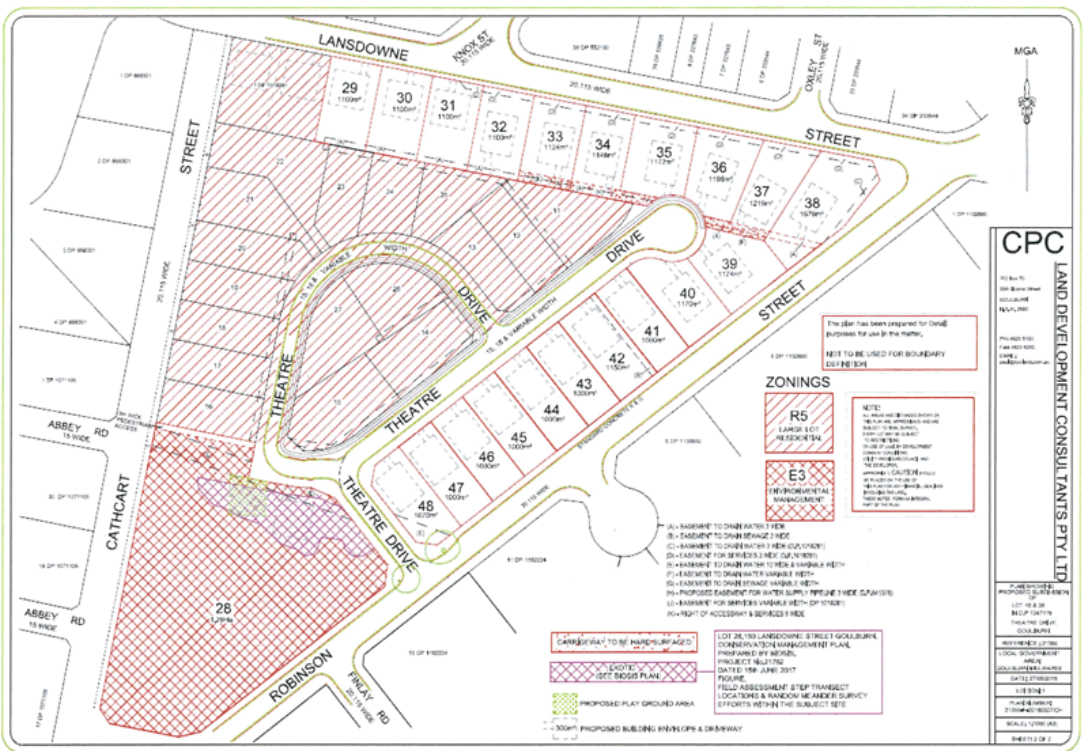
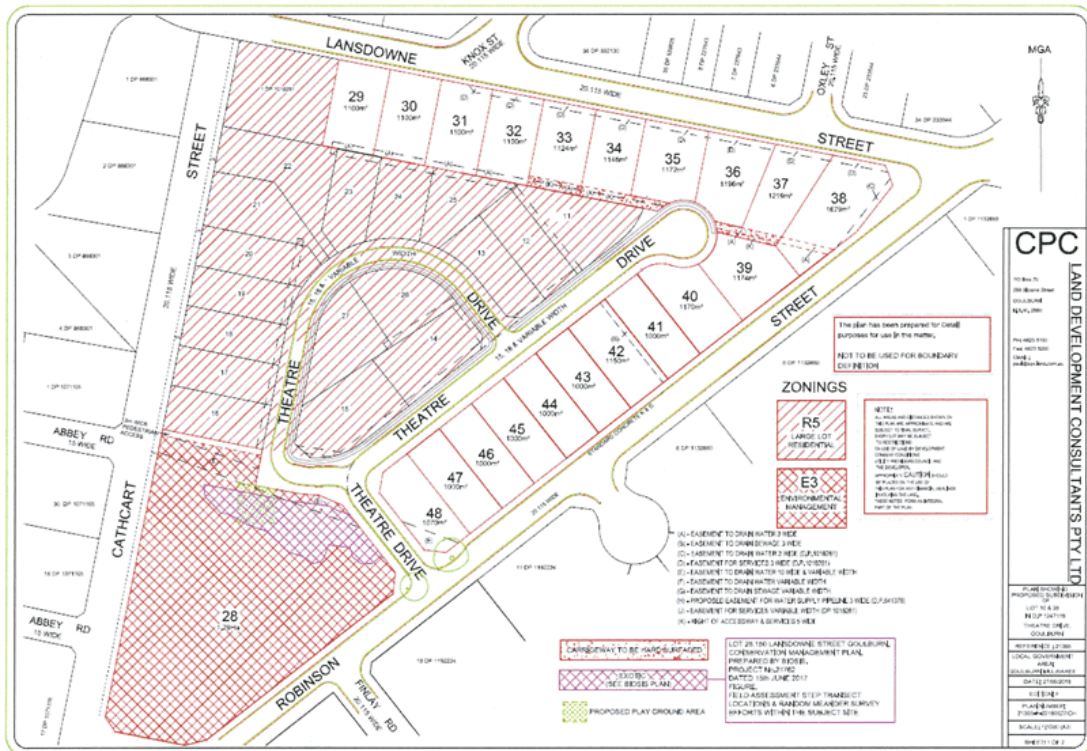
That the applicant be requested to consider a proposed alternate access to this subdivision directly on to both Cathcart and Robinson Streets and to consider proposing the closure of Theatre Drive access onto Lansdowne Street.”

In respect to this Resolution, Simgrow Pty Ltd have:

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

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

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



2. Carried out a Traffic Count Analysis:

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

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

ClassMatrix-382
Site: ST682-39.0.DSN
Description: 150m south of Mary St on Robinson St at number 39
Filter time: 10:21 Monday, 23 May 2016 => 13:56 Tuesday, 7 June 2016
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12) Dir(NESW) Sp(10,160) Headway(>0)

Speed (km/h)	Class												Speed Totals	
	1	2	3	4	5	6	7	8	9	10	11	12		
10 - 20	70	.	3	4	2	.	.	.	.	.	.	.	79	0.5%
20 - 30	232	4	27	32	.	.	3	7	1	1	.	.	267	1.7%
30 - 40	1105	36	195	40	7	4	2	13	4	1	.	.	1407	8.5%
40 - 50	5981	141	693	43	9	18	18	1	5	1	.	.	6910	41.6%
50 - 60	6002	66	620	7	.	5	8	.	.	.	.	.	6709	40.4%
60 - 70	1034	5	80	.	.	.	.	.	.	.	.	.	1119	6.7%
70 - 80	75	.	6	.	.	.	.	.	.	.	.	.	81	0.5%
80 - 90	17	.	.	.	.	.	.	.	.	.	.	.	17	0.1%
90 - 100	3	.	.	.	.	.	.	.	.	.	.	.	3	0.0%
100 - 110	1	.	.	.	.	.	.	.	.	.	.	.	1	0.0%
110 - 120	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
120 - 130	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
130 - 140	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
140 - 150	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
150 - 160	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
	14520	252	1624	106	18	27	31	21	11	3	0	0	16613	
	87.4%	1.5%	9.8%	0.6%	0.1%	0.2%	0.2%	0.1%	0.1%	0.0%	0.0%	0.0%		
	Class Totals												AADT 1107	

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

The report also includes the following comments:

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

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

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

Class Speed Matrix

ClassMatrix-163

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

km/h	Class												Total	
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12		
10- 20	80	.	10	17	.	.	1	.	6	.	.	.	86	0.8%
20- 30	320	15	138	67	8	.	1	2	10	7	.	.	567	5.2%
30- 40	3146	103	457	43	6	9	10	14	6	.	.	.	3804	35.1%
40- 50	4339	57	390	7	.	2	1	1	.	.	.	.	4797	44.3%
50- 60	1237	5	90	1	.	1	.	.	.	.	.	.	1334	12.3%
60- 70	210	.	11	.	.	.	.	.	.	.	.	.	225	2.1%
70- 80	13	.	2	.	.	.	.	.	.	.	.	.	15	0.1%
80- 90	.	.	.	.	.	.	.	.	.	.	.	.	2	0.0%
90-100	.	.	.	.	.	.	.	.	.	.	.	.	2	0.0%
100-110	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
110-120	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
120-130	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
130-140	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
140-150	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
150-160	.	.	.	.	.	.	.	.	.	.	.	.	1	0.0%
Total	9323	182	1101	135	11	12	15	17	24	13	0	0	10833	
	86.1%	1.7%	10.2%	1.2%	0.1%	0.1%	0.1%	0.2%	0.2%	0.1%	0.0%	0.0%		ADD 77%

Class Speed Matrix

ClassMatrix-164

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

km/h	Class												Total	
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12		
10- 20	210	5	22	2	.	.	.	1	.	.	.	.	246	1.8%
20- 30	438	11	119	68	11	.	3	11	10	1	1	.	668	5.0%
30- 40	2979	69	519	80	9	6	13	9	10	5	.	.	3729	27.9%
40- 50	6108	33	742	65	1	9	6	2	5	1	1	.	7019	52.6%
50- 60	1407	6	166	.	.	1	.	.	.	.	.	.	1580	11.8%
60- 70	88	.	15	.	.	.	.	.	.	.	.	.	100	0.7%
70- 80	11	.	1	.	.	.	.	.	.	.	.	.	12	0.1%
80- 90	.	.	.	.	.	.	.	.	.	.	.	.	2	0.0%
90-100	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
100-110	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
110-120	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
120-130	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
130-140	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
140-150	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
150-160	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
Total	11230	194	1584	219	24	16	22	23	35	7	2	0	13356	
	84.1%	1.5%	11.9%	1.6%	0.2%	0.1%	0.2%	0.2%	0.3%	0.1%	0.0%	0.0%		ADD 85%

Class Speed Matrix

ClassMatrix-165

Site: ST593-125.0.1WE
Description: Lansdowne Street 20m west of Lansdowne Place
Filter time: 13:55 Tuesday, 15 January 2019 => 14:03 Tuesday, 29 January 2019
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

km/h	Class												Total	
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12		
10- 20	120	0	0	18	1	1	.	.	.	3	.	.	170	0.7%
20- 30	1578	24	222	28	11	.	5	10	30	46	.	.	1965	8.0%
30- 40	2724	80	601	148	27	22	16	27	190	224	5	.	4064	16.5%
40- 50	8059	257	924	168	76	31	15	11	197	147	.	.	9887	40.2%
50- 60	6576	195	539	88	18	8	11	.	23	19	.	.	7374	30.0%
60- 70	625	17	77	8	1	.	.	.	3	.	.	.	1028	4.2%
70- 80	60	.	7	.	.	.	.	.	.	.	.	.	90	0.4%
80- 90	16	.	.	.	.	.	.	.	.	.	.	.	16	0.1%
90-100	3	.	.	.	.	.	.	.	.	.	.	.	3	0.0%
100-110	6	.	.	.	.	.	.	.	.	.	.	.	6	0.0%
110-120	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
120-130	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
130-140	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
140-150	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
150-160	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
Total	20089	516	2398	400	134	59	47	48	452	449	11	0	24603	
	81.7%	2.1%	9.7%	1.6%	0.5%	0.2%	0.2%	0.2%	1.8%	1.8%	0.0%	0.0%		

ADT 1787

Class Speed Matrix

ClassMatrix-166

Site: ST593-137.0.1EW
Description: Lansdowne Street at the Intersection of Oxley St
Filter time: 13:54 Tuesday, 15 January 2019 => 14:06 Tuesday, 29 January 2019
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

km/h	Class												Total	
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12		
10- 20	187	0	20	37	14	.	.	.	6	.	.	.	216	1.5%
20- 30	487	7	66	112	15	.	.	.	19	.	.	.	733	5.1%
30- 40	1308	55	194	69	14	8	11	2	72	63	.	.	1794	12.4%
40- 50	4616	123	396	99	59	15	16	6	97	87	1	.	5515	38.2%
50- 60	4248	115	367	25	15	2	15	.	21	15	.	.	4820	33.4%
60- 70	1021	24	110	4	.	.	3	.	.	.	.	.	1162	8.1%
70- 80	108	3	17	1	.	.	1	.	.	.	.	.	147	1.0%
80- 90	30	.	2	.	.	.	.	.	.	.	.	.	32	0.2%
90-100	4	.	.	.	.	.	.	.	.	.	.	.	4	0.0%
100-110	1	.	.	.	.	.	.	.	.	.	.	.	1	0.0%
110-120	.	.	1	.	.	.	.	.	.	.	.	.	1	0.0%
120-130	1	.	.	.	.	.	.	.	.	.	.	.	1	0.0%
130-140	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
140-150	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
150-160	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
Total	11972	329	1173	347	117	25	49	10	215	188	1	0	14426	
	83.0%	2.3%	8.1%	2.4%	0.8%	0.2%	0.3%	0.1%	1.5%	1.3%	0.0%	0.0%		

ADT 1030

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

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

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

- Robinson Street 40m South of Lansdowne Street:
 Classes 3 to 12 138 movements per day in both directions.
 AADT 954 movements per day in both directions.

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

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

The Austroads Vehicle Classification System is detailed below:

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

Definitions:
 Group: Axle group, where adjacent axles are less than 2.1m apart
 Groups: Number of axle groups
 Axles: Number of axles (maximum axle spacing of 10.0m)

$d(1)$: Distance between first and second axle
 $d(2)$: Distance between second and third axle

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

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

(a) Robinson Street:

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

(b) Lansdowne Street (East of Oxley Street)

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

(c) Lansdowne Street (East of Knox Street)

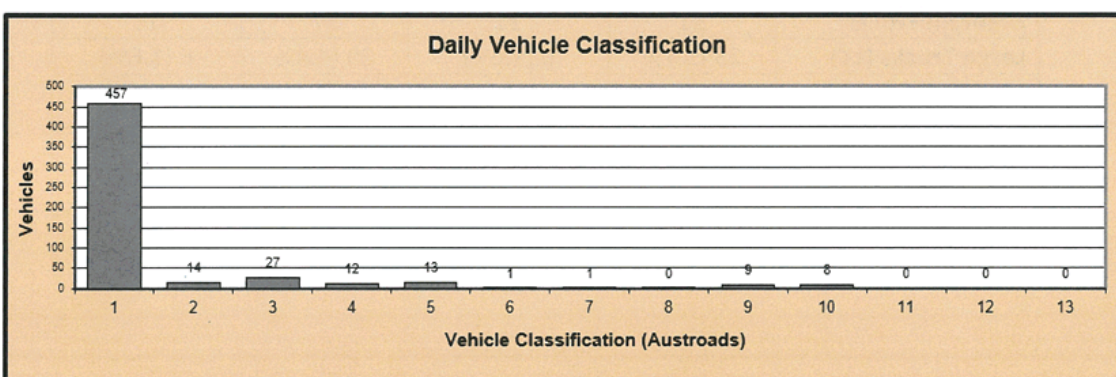
Vehicle Type	Westbound		Eastbound	
	Weekday	Weekend	Weekday	Weekend
Light Vehicles	518	355	542	343
Small Trucks	35	7	52	23
Medium Trucks	31	11	37	13
Large Trucks (LT)	23 (3.7%)	6 (1.6%)	29 (4.4%)	6 (1.6%)
LT – 12.00am to 6.00am	3	0	8	3
LT –6.00pm to 12.00am	1	0	2	0

(Data Source: Austraffic)

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

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

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

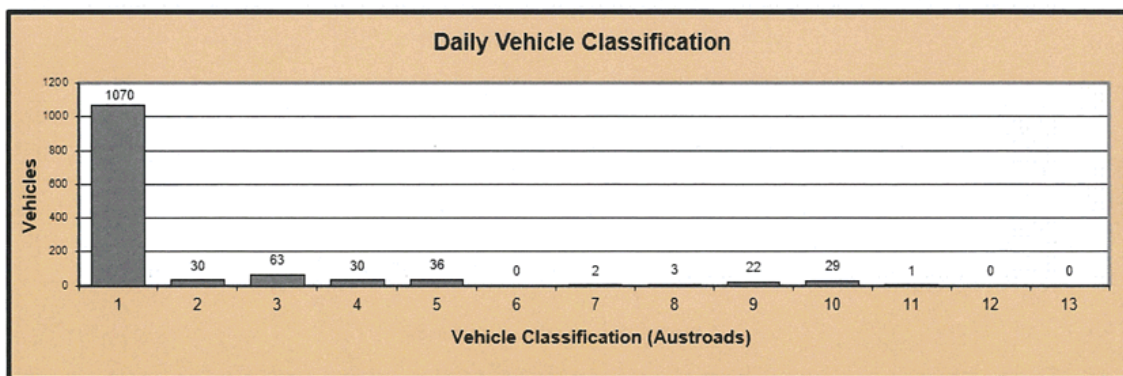


Lansdowne Street – Westbound – Between Knox Street and Oxley Street
Total Average Daily Vehicle Classification
(Data Source: Austraffic)

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

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

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

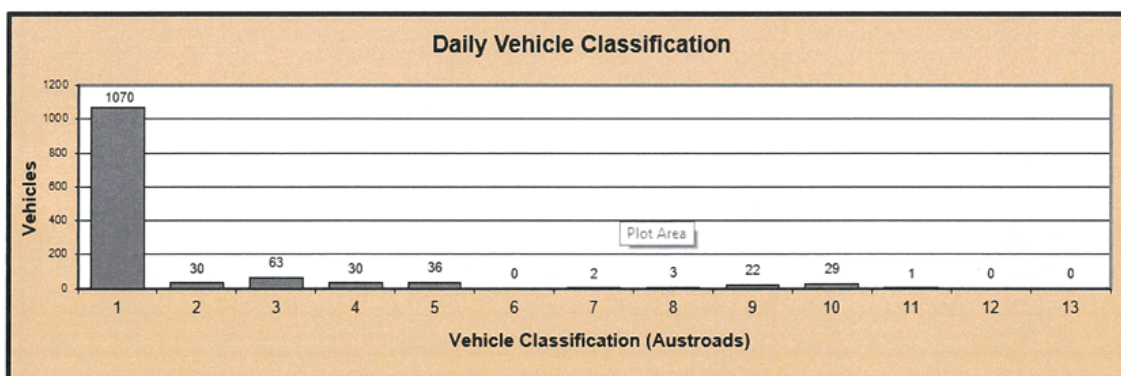


Lansdowne Street – Eastbound – Between Knox Street and Oxley Street
Total Average Daily Vehicle Classification
(Data Source: Austraffic)

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

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

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

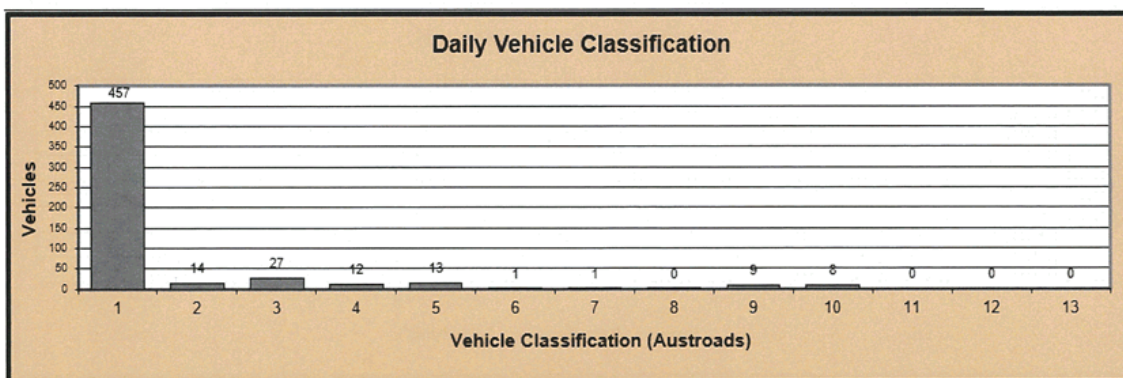


Lansdowne Street – Eastbound – Between Robinson Street and Oxley Street
Total Average Daily Vehicle Classification
(Data Source: Austraffic)

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

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

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

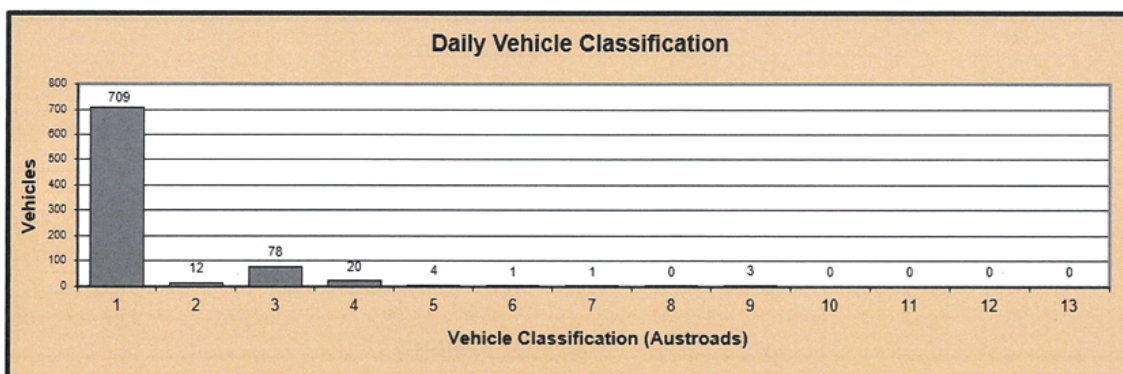


Lansdowne Street – Westbound – Between Robinson Street and Oxley Street
Total Average Daily Vehicle Classification
(Data Source: Austraffic)

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

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

Robinson Street – Northbound – South of Lansdowne Street
Volume Summary

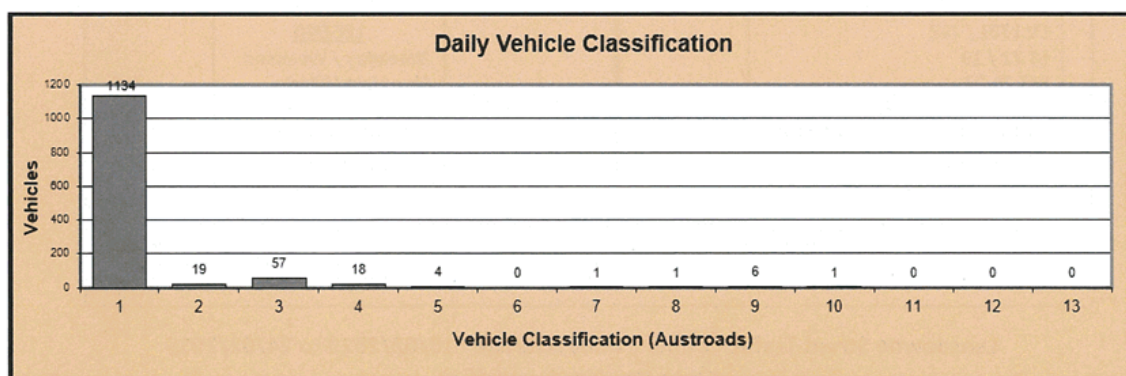


Robinson Street – Northbound – South of Lansdowne Street
Total Average Daily Vehicle Classification
(Data Source: Austraffic)

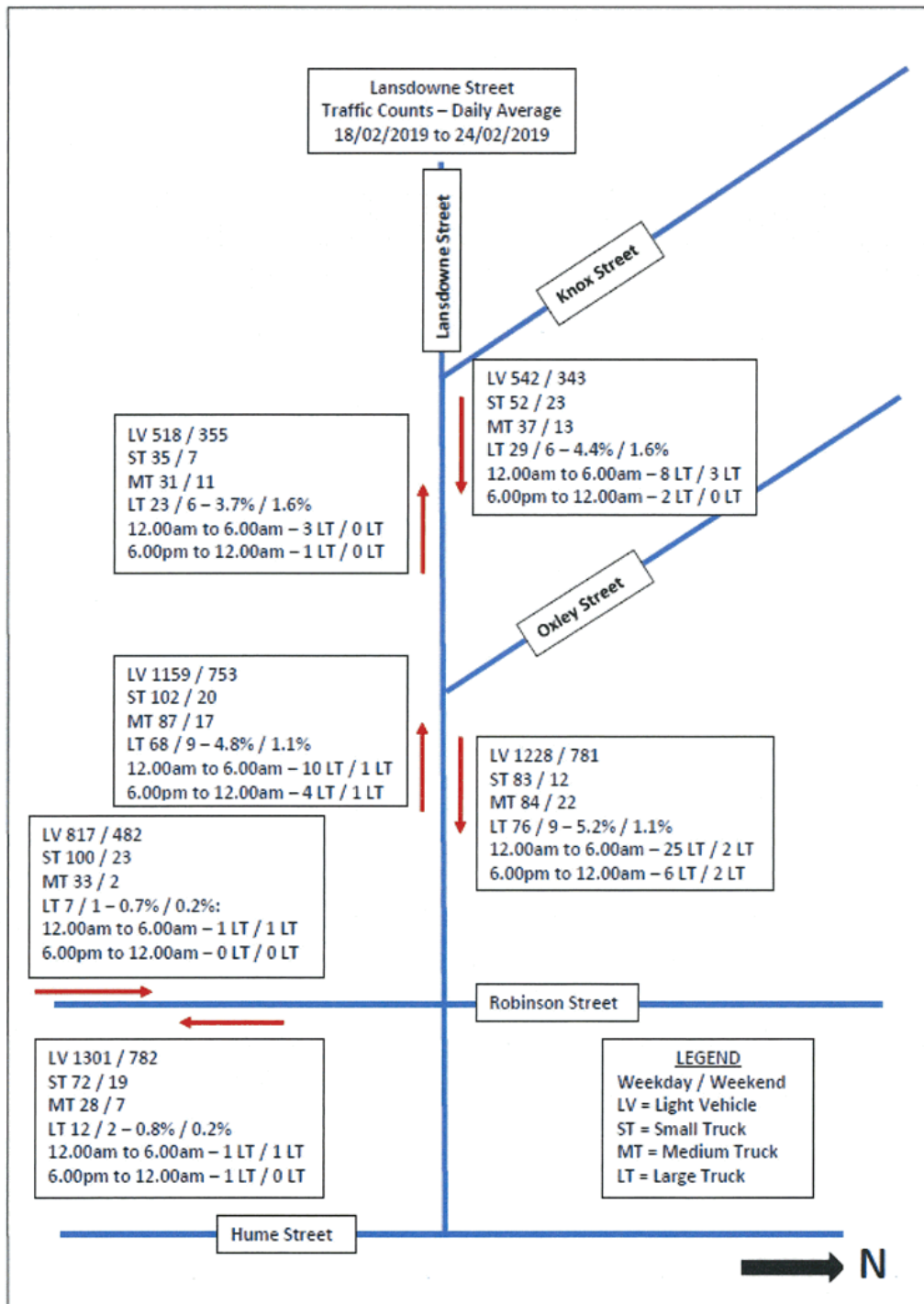
Road	Robinson St	Average Weekday	1414
Location	South of Lansdowne St	All Day Average	1241
Suburb	Goulburn	Weekday Heavy's	8.0%
Site No.	8602_3	All Day Heavy's	7.1%
Start Date	Monday 18/02/2019		
Direction	Southbound		

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

Robinson Street – Southbound – South of Lansdowne Street
Volume Summary



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



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

Some observations from this data:

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

3. Carried out a Noise Assessment

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

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

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

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

“6. CONCLUSION

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

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

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

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

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

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

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

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

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

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

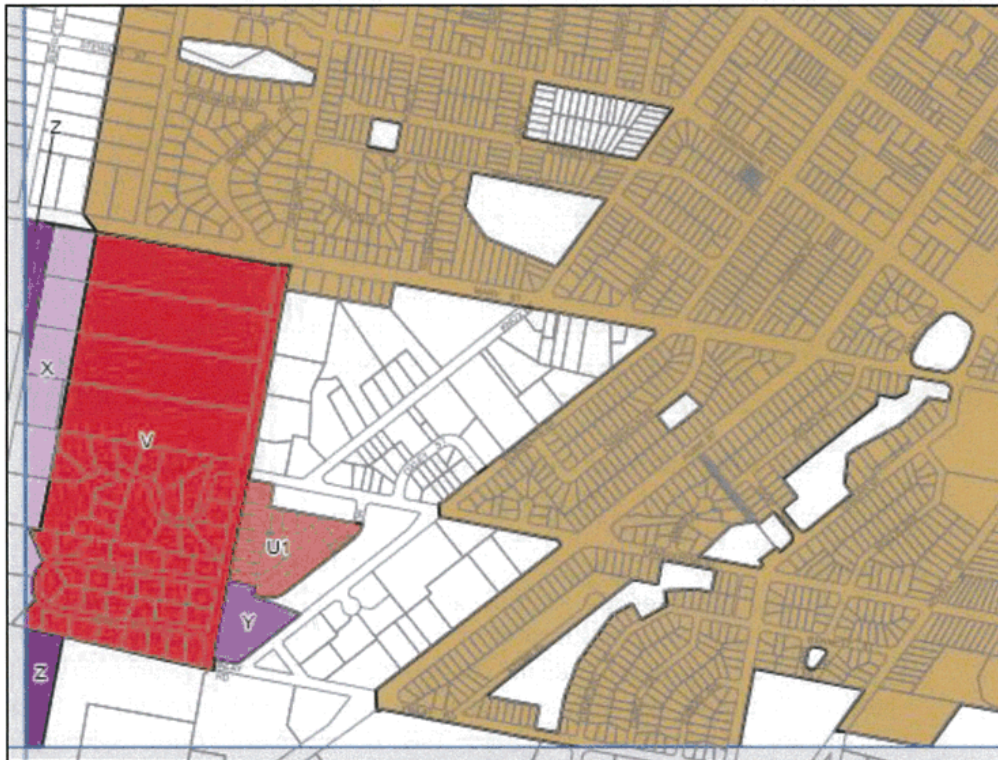


Typical Lapped and Capped Timber Fence

In respect to other matters associated with this rezoning request:

1. Lot Size

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

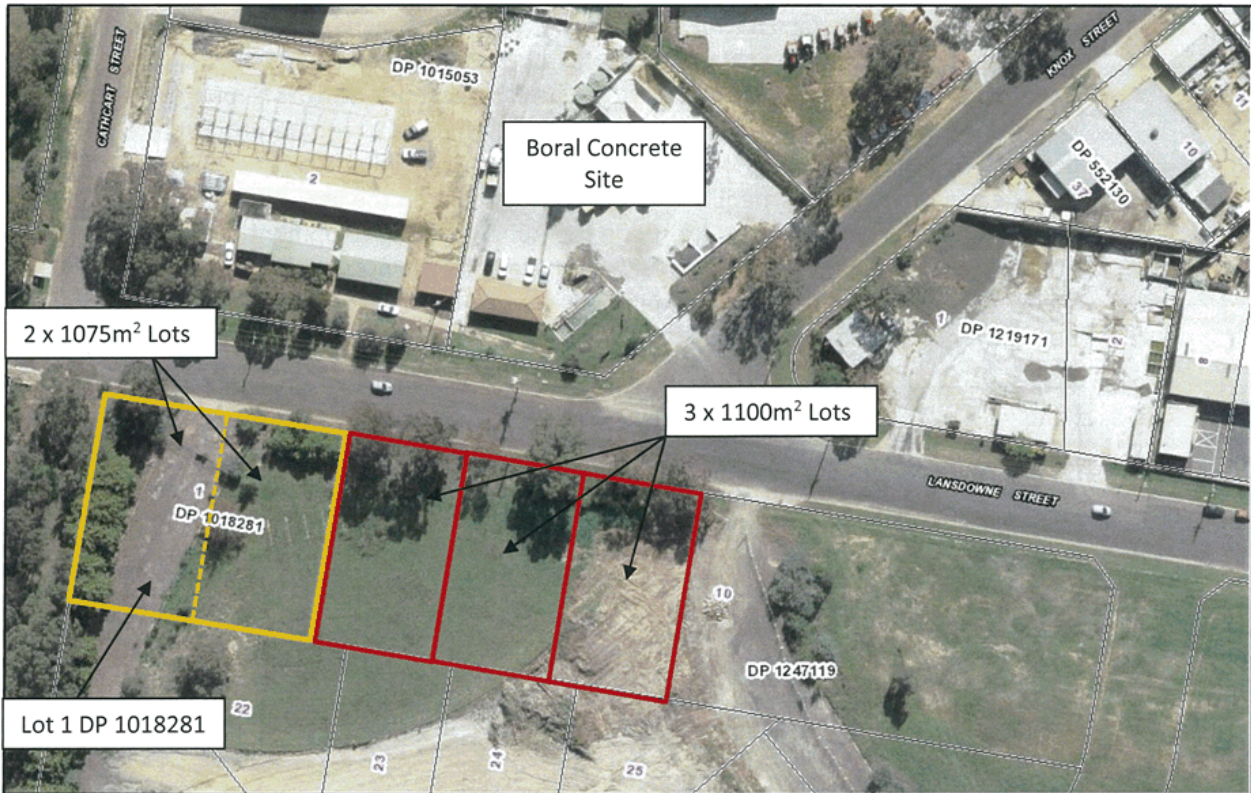


Lot Size Map

(Map Source: NSW Legislation website)

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

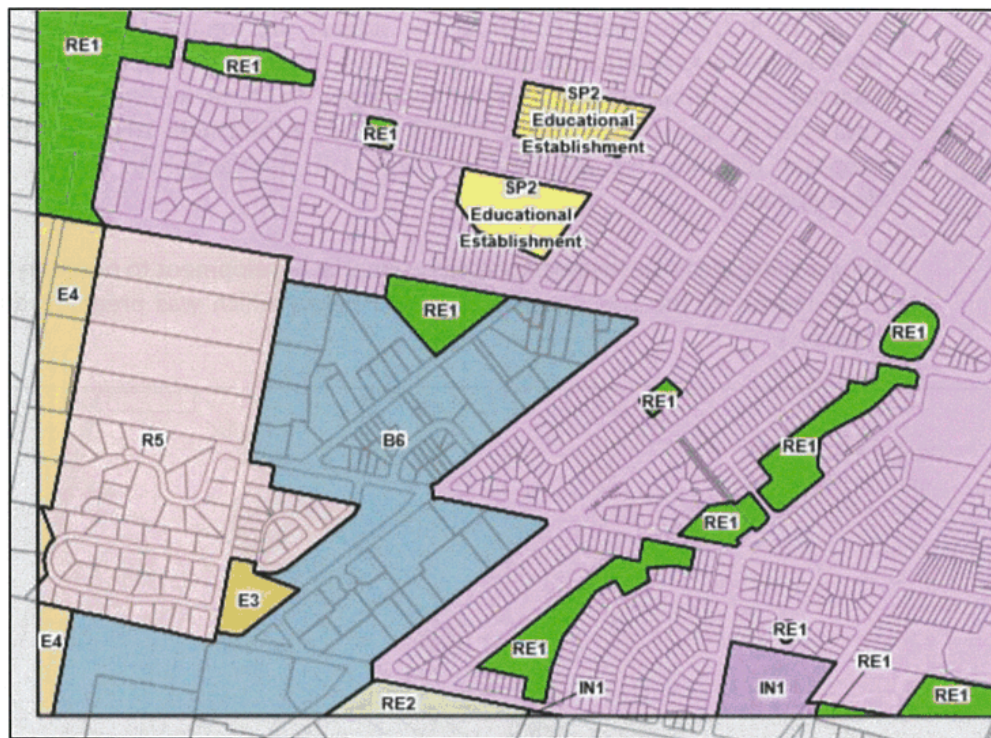
the assumption that this lot will be subdivided in the future, each lot will have an area of 1075m² with access from Lansdowne Street. It is logical to assume that the Simgrow Pty Ltd land generally west of Knox Street should be able to have a similar development potential – see aerial photograph below.



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

2. Zoning

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



Zoning Map

(Map Source: NSW Legislation website)

3. Council Fees

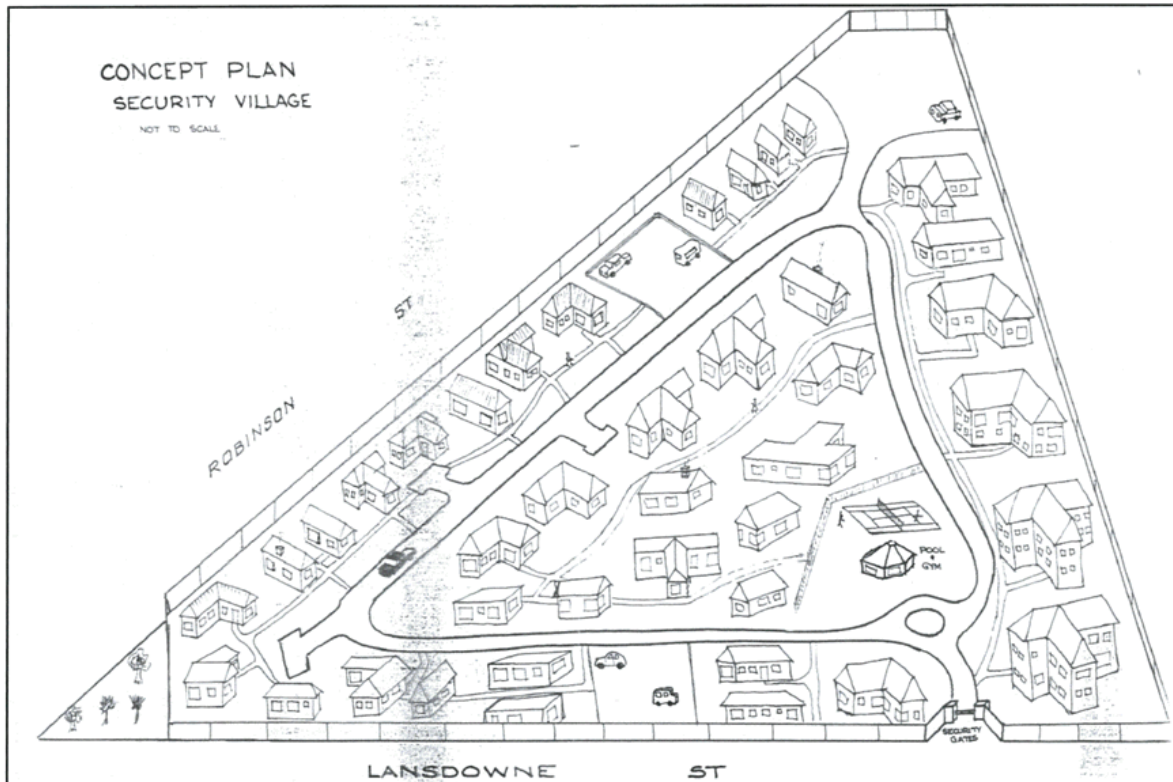
Subject to this request being supported by Council, Council is requested to waive any fees for the processing of this request for the rezoning the subject land. This rezoning of Lot 10 DP 1247119 essentially comprises part of the Planning Proposal initiated by Council at its meeting held on the 18 December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

4. History

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

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

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



Preliminary Residential Concept Plan
(Plan Source: Unknown)

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

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

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

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

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

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

CONCLUSION

The inclusion of the following measures being:

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

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

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



Appendix 1

Council Meeting Report 18 December 2018

Ordinary Council Meeting Agenda

18 December 2018

12.2 LANSDOWNE STREET REZONING POST EXHIBITION REPORT

Author: Bennett Kennedy, Senior Strategic Planner
Authoriser: Warwick Bennett, General Manager
Attachments: 1. Summary of Submissions [↓](#) 
 2. Summary of Proponents response to submissions [↓](#) 

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

RECOMMENDATION

That

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

Item 12.2

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<p><i>Cont'd.</i></p> <p>d) Consideration of the potential for a dedicated road access from Theatre Drive to Cathcart Street.</p> <p>8. The DCP provisions in Recommendation 3 are publicly exhibited.</p>
--

BACKGROUND

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

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

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

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

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

REPORT

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

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

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

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

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

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

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

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

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

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

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

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

Consultation

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

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

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

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

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

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

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

The position of this group of representative businesses was:

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

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

Ordinary Council Meeting Agenda

18 December 2018

ClassMatrix-382
Site: ST682 99.0.05N
Description: 150m south of Mary St on Robinson St at number 30
Filter time: 10:21 Monday, 23 May 2016 -> 13:56 Tuesday, 7 June 2016
Scheme: Vehicle classification (AustRoads94)
Filter: Cln(1 2 3 4 5 6 7 8 9 10 11 12) ; Dr(NESW) Sp(10,160) Headway(-0)

Speed (km/h)	Class												Speed Totals
	1	2	3	4	5	6	7	8	9	10	11	12	
10 - 20	0	0	0	0	0	0	0	0	0	0	0	0	79 0.5%
20 - 30	232	4	27	22	2	0	5	1	1	1	0	0	287 1.7%
30 - 40	1105	16	195	40	7	4	2	13	1	1	0	0	1407 8.5%
40 - 50	5981	141	823	82	9	18	18	1	5	3	0	0	6916 41.6%
50 - 60	1034	5	80	7	0	5	8	0	0	0	0	0	1119 6.7%
60 - 70	75	0	6	0	0	0	0	0	0	0	0	0	81 0.5%
70 - 80	17	0	0	0	0	0	0	0	0	0	0	0	17 0.1%
80 - 90	3	0	0	0	0	0	0	0	0	0	0	0	3 0.0%
90 - 100	1	0	0	0	0	0	0	0	0	0	0	0	1 0.0%
100 - 110	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
110 - 120	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
120 - 130	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
130 - 140	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
140 - 150	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
150 - 160	0	0	0	0	0	0	0	0	0	0	0	0	0 0.0%
Class Totals	14520	268	1624	106	18	27	31	21	11	3	0	0	16613
	87.6%	1.5%	9.8%	0.6%	0.1%	0.2%	0.2%	0.1%	0.1%	0.0%	0.0%	0.0%	AUT 11:07

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

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

Government Agency Response

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

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

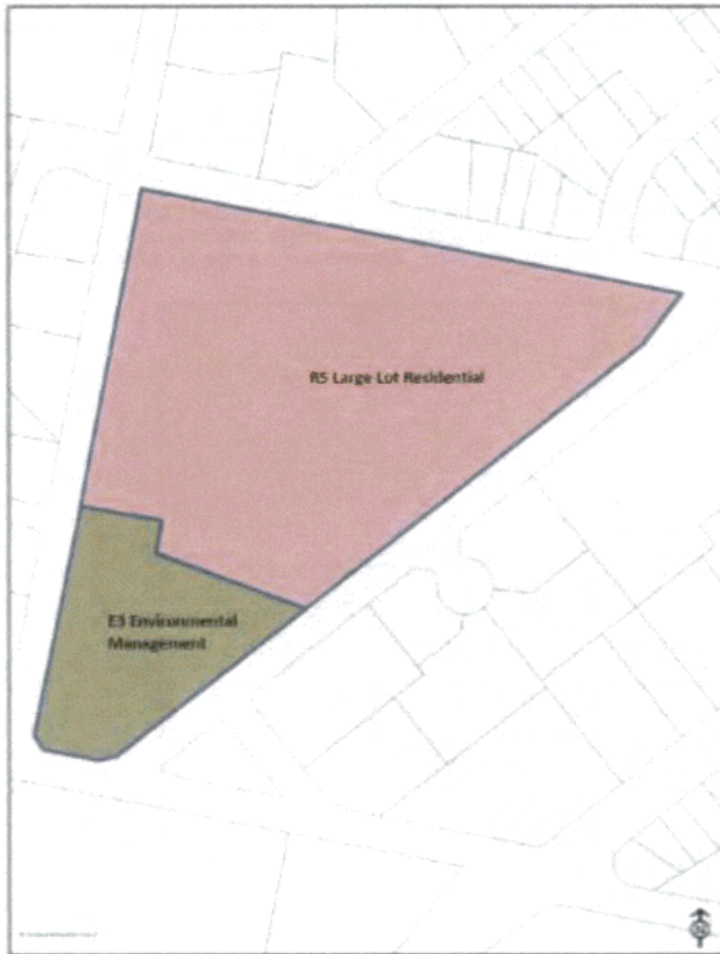
<p>OEH make further reference to the <i>Goulburn Mulwaree Council, South Goulburn Endangered/threatened Species Management Plan November 2004</i> that specifically identifies this site.</p>	<p>development assessment and thereby reference the above species management plan, although Biodiversity legislation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

Options

The options available to Council are as follows:

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

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



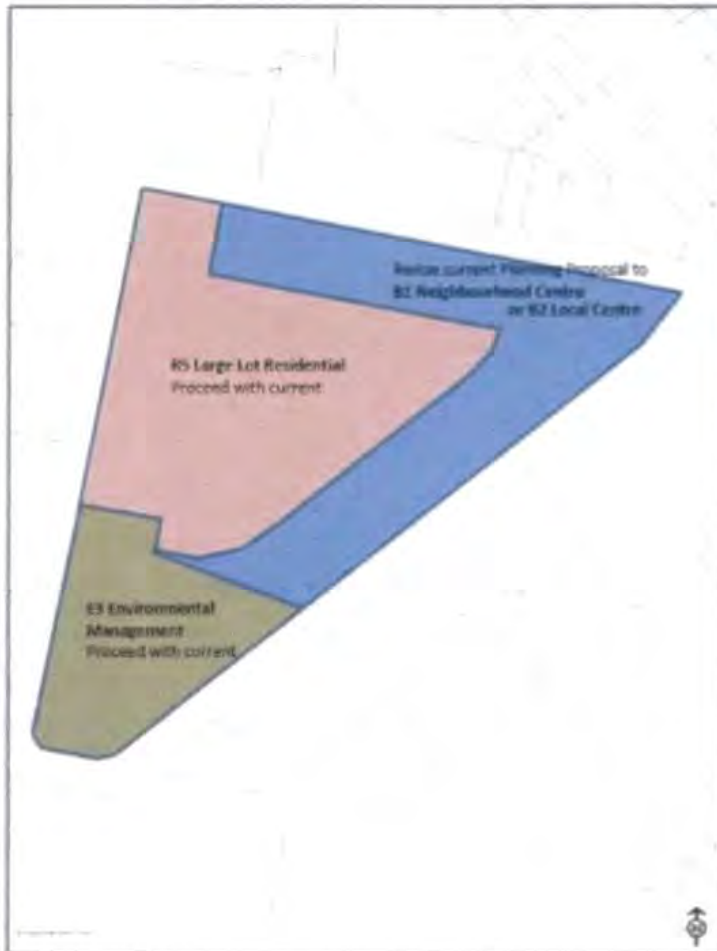
Option 1 Outcomes Map

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

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

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

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



Option 2 Outcomes Map

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

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

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

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

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

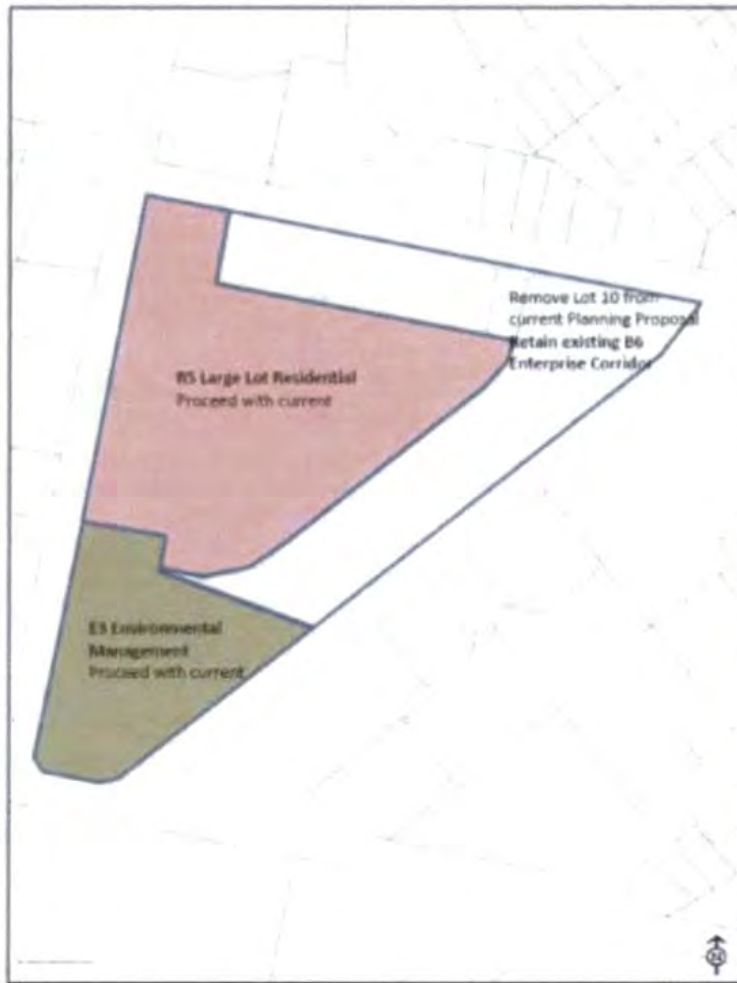
This option would expedite the processing of the Planning Proposal for the subject lands to finalisation (as outlined above) however, due to the requirement for the proponent to resubmit their documentation; it would considerably elongate the processing of rezoning of the outstanding land (Lot 10 DP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

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

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

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

The following is a map detailing Option 3:



Option 3 Outcomes Map

CONCLUSION

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

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

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

Appendix 2

Council Meeting Report 20 December 2016

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

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

Reporting Officer

Business Manager Planning & Strategic Outcomes – Emma-Jayne Leckie

Purpose of Report

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

Report

Background

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

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

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

Site and Proposal Information

• The Planning Proposal

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

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

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

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

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

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

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

- **Current zones and controls**

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

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

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

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

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

- **Site information**

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

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

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

- **Site servicing information**

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

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

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

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

What are the key issues?

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

Compatibility with neighbouring land use

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

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

Contamination

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

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

Protection of remnant bushland

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

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

Employment Lands Strategy recommendations

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

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

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

Are there any risks or legal considerations?

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

What community engagement is proposed?

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

Budget Implications

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

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

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

Recommendation

That:

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

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

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

Item 10.5 Attachment

Attachment Proposed Amendment to GMLEP – Lansdowne Street

Figure 1 - Area Subject to Planning Proposal



Figure 2 – Proposed LEP 2009 zoning



WLB:AC

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Item 10.5 Attachmer

Attachment
Proposed Amendment to GMLEP – Lansdowne Street

Figure 3 - Proposed LEP 2009 minimum lot size



Figure 4- Proposed LEP 2009 floor space ratio



WLB:AC

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Item 10.5 Attachment

Attachment
Proposed Amendment to GMLEP – Lansdowne Street

Figure 5 – Existing LEP 2009 zoning



Figure 6 - Existing LEP 2009 minimum lot size



WLB:AC

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Attachment *Proposed Amendment to GMLEP – Lansdowne Street*

Figure 7 - Existing LEP 2009 floor space ratio



WLB:AC

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Item 10.5 Attachmen

Attachment

Proposed Amendment to GMLEP – Lansdowne Street

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

Local

Goulburn Mulwaree Strategy 2020

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

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

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

Goulburn Mulwaree Community Strategic Plan 2030

Relevant Strategies:

Key Direction 2 – Business and Industry

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

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

Key Direction 4 – Sustainable Environment

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

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

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

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

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Proposed Amendment to GMLEP – Lansdowne Street

Regional

Sydney-Canberra Corridor Regional Strategy 2006-2031

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

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

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

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

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

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

State

Section 117 Ministerial Directions

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

1.1 Business and Industrial zones

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

A planning proposal must:

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

Item 10.5 Attachment

Attachment

Proposed Amendment to GMLEP – Lansdowne Street

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

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

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

1.5 Rural Lands

This direction applies when:

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

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

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

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

It is consistent with this direction.

2.1 Environment Protection Zones

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

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

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Attachment Proposed Amendment to GMLEP – Lansdowne Street

It is consistent with this direction.

3.1 Residential Zones

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

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

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

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

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

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

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

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

It is consistent with this direction.

5.1 Implementation of Regional Strategies

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

Item 10.5 Attachment

Attachment

Proposed Amendment to GMLEP – Lansdowne Street

5.2 Sydney Drinking Water Catchment

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

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

State Environmental Planning Policies

SEPP 55 – Remediation of Land

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

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

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

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

SEPP (Sydney Drinking Water Catchment) 2011

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



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

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

Prepared For:-

Simgrow Pty Ltd
PO Box 539
Goulburn NSW 2580

Attention: Mr Robert Mowle

Reference: 1810009T-R1

Prepared by:-

Matthew Harwood MAAS
5th March 2019



Environmental Occupational Architectural Transportation



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

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1. INTRODUCTION AND SUMMARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. SITE AND PLANNING PROPOSAL DESCRIPTION

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

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

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

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



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

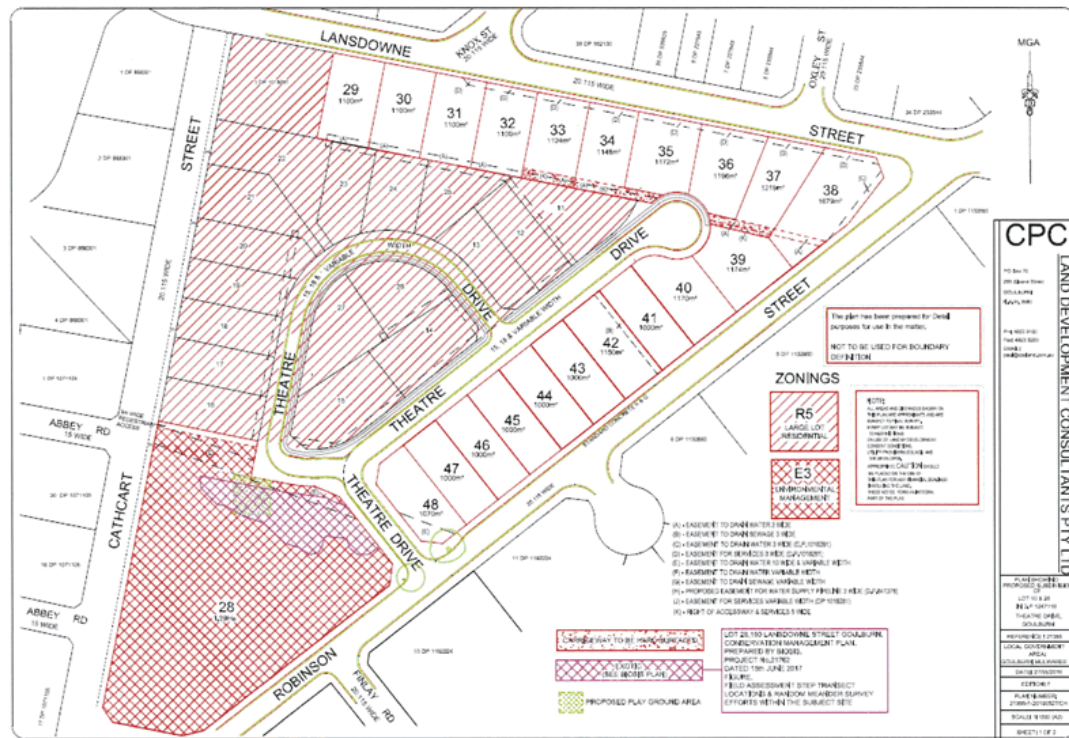


Figure 2. Planning Proposal – Proposed Subdivision

(source: CPC Land Development Consultants Pty Ltd, plan no. 21355-D-20190527/CH, May 2019)

3. NOISE CRITERIA

Noise arising from industrial premises is typically assessed against the NSW EPA's 'Noise Policy for Industry' 2017. This is particularly for new industrial sites potentially affecting existing residential areas. The policy provides a method for establishing project specific noise goals in order to assess the potential impact of noise from industry and includes a framework for considering feasible and reasonable noise mitigation measures. However, the policy is designed for large industrial and agricultural sources and specifies substantial monitoring and assessment procedures that may not always be applicable to the types of sources Councils need to address. It is not intended for use as a mandatory requirement but rather as a guide to regulatory authorities. Given the close proximity of the existing and proposed residential allotments to the existing industrial premises in this instance, it may not be practicable to expect that the level of noise emission arising from the operation of the existing industrial premises would always meet the project trigger levels that would be established under the policy, at least for some premises, on some occasions.

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

3.1 88B Instrument DP 1247119

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

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

3.2 AS 2107:2016

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

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

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

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

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

4. INDUSTRIAL NOISE LEVELS

4.1 Measured Noise from Industrial Premises

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

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

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

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

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

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

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

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

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

4.2 Heavy Vehicle Noise Levels

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

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

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

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

- Truck – 85 dBA;

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

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

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

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

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

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

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

4.3 Required Noise Reduction

The required noise reduction is as follows:

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

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

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

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

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

5. NOISE MODELLING AND RECOMMENDED ACOUSTICAL TREATMENT

5.1 Noise Modelling Methodology

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

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

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

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

Where:

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

5.2 Building Construction Recommendations

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

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

5.2.1 Walls

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

5.2.2 Ceiling and Roof System

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

5.2.3 Windows and Glazed Doors

Glazing

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

Discussion

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

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

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

5.3 External Noise Reduction

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

Practical steps to minimise external noise impacts include:-

Boundary Screening

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

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

Outdoor Areas & Building Design

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

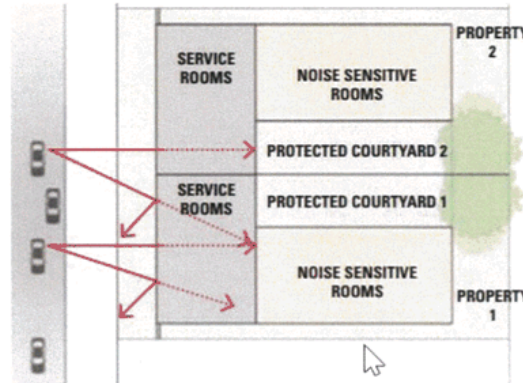


Figure 3.17: Noise shielded courtyards

Figure 3. Building Layout and Design to Reduce Noise Impact

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

Important note:-

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

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

6. CONCLUSION

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

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

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

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

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

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

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

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



Matthew Harwood, MAAS

Principal Acoustical Consultant

Attachments:-

Appendix A – Noise Survey Instrumentation

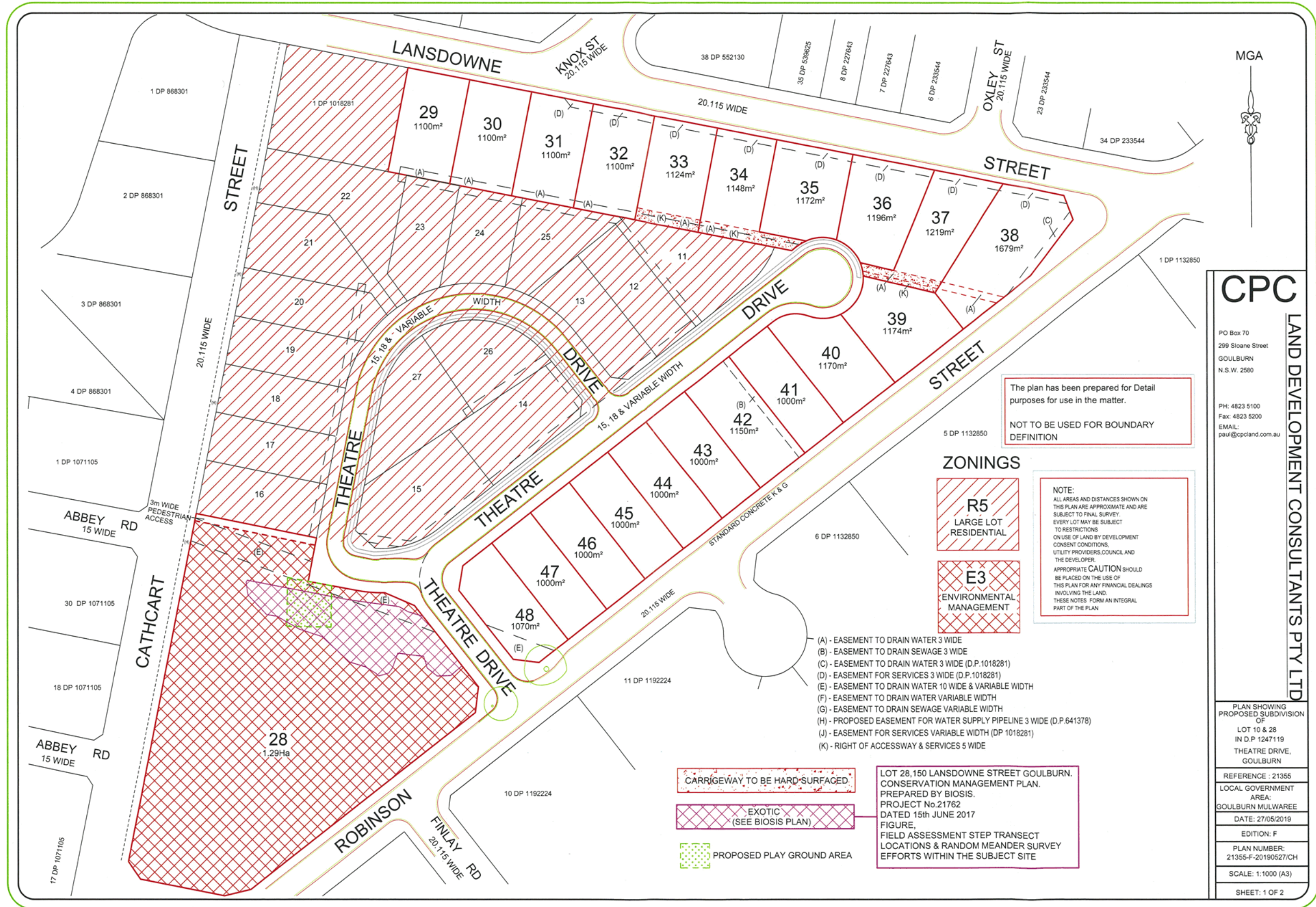
Noise Survey Instrumentation	Appendix A
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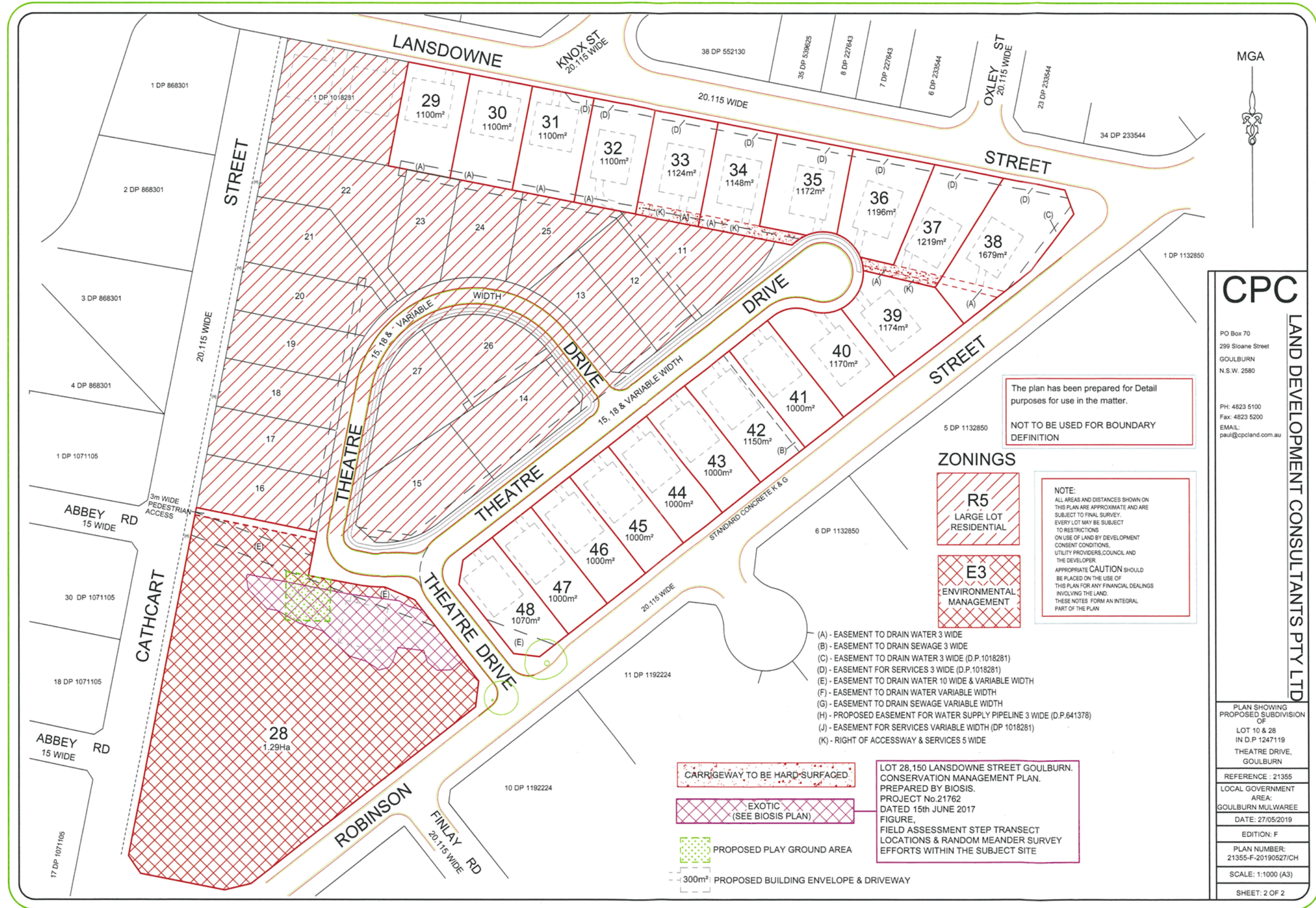
The instrumentation used during the noise survey consisted of the following:-

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

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

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







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30 January 2020

General Manager
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580

Contact: *Stuart Little*
Telephone: *02 9865 2449*
Our ref: *D2020/1719*

Attention: Bennett Kennedy

Dear Mr Sir/Madam

RE: Lansdowne Street Goulburn Planning Proposal - Post-Gateway Referral

I refer to Council's correspondence of 18 December 2019 referring the updated Planning Proposal (dated 15 November 2019) for Lansdowne Street, Goulburn, following the Gateway Determination of 16 December 2019. WaterNSW provided earlier comments on the Proposal on 7 November 2019 (our ref: D2019/121867).

The Proposal involves rezoning Lot 10 DP 1247119 from B6 Enterprise Corridor to R5 Large Lot Residential, amending the minimum lot size from Nil to 1,000m², and removing the existing (0.8:1) Floor Space Ratio Development Standard.

The revised Proposal adequately responds to both State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (the SEPP) and s9.1 Direction 5.2 Sydney Drinking Water Catchments. The site mostly carries a Moderate Risk to water quality as based on the relevant Strategic Land and Water Capability Assessment, with remaining areas being Low Risk (see Map 1 attached). WaterNSW notes the land will be connected to reticulated water and sewer, while rainwater will be collected in rain gardens with excess runoff directed to the existing stormwater drainage network.

The report notes there are differences in watercourse mapping for the site, which are a minor issue for this Proposal. They have arisen due to different data and digital elevation models being used to determine topographic relief and the location of drainage features (p.22), rather than outdated information. WaterNSW has now run an ARC Hydro model on a 1m DEM with a 100m² catchment for the drainage lines. This identifies the drainage occurs along the northern and southern edge of the site, generally aligning with the road corridor and associated guttering.

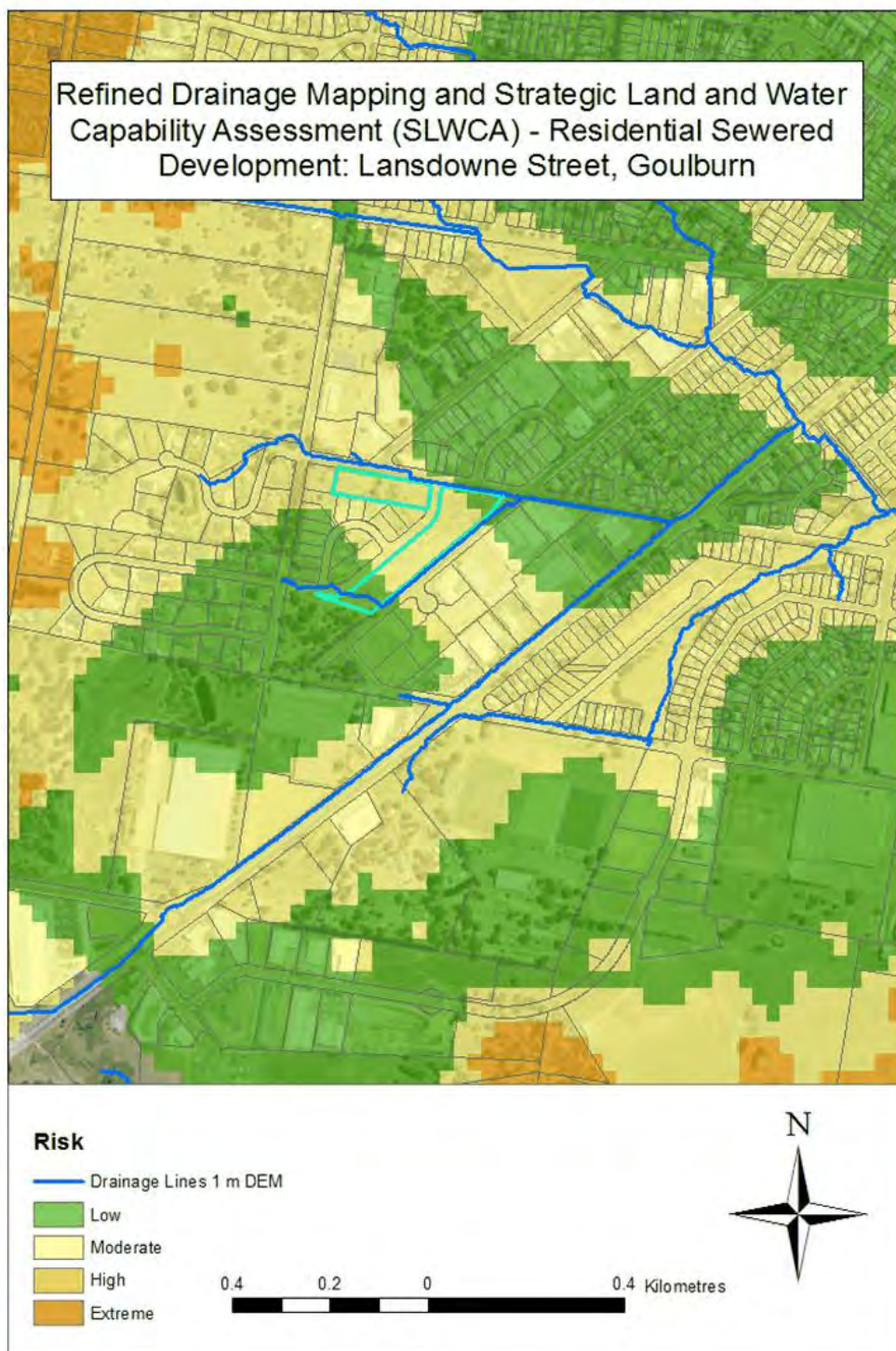
Regardless of these differences, the site has been subject to past urban uses, predominantly operating as a drive-in theatre, with surface drainage being managed by kerb and guttering and a reticulated stormwater system. It is not a greenfield site and WaterNSW has no issues with proposed drainage management. As required by the SEPP, any future development of the site will need to have a neutral or beneficial effect on water quality.

If you have any questions regarding the matters raised in this letter, please contact Stuart Little at stuart.little@watersw.com.au.

Yours sincerely

A handwritten signature in black ink that reads "Clay Preshaw".

CLAY PRESRAW
Manager Catchment Protection



Map 1. Lansdowne Street, Goulburn: Refined Drainage Mapping Overlay with Strategic Land and Water Capability Assessment.



107 Cathcart Street Goulburn
NSW 2580

Goulburn Mulwaree Council
Civic Centre 184-194 Bourke Street
Goulburn NSW 2580

21st February 2020

Re: Planning Proposal to Rezone Land at 150-170 Lansdowne Street Goulburn

Attn: To whom it may concern,

Further to the meeting with Goulburn Mulwaree Council on the 12th Feb 2018, I would like to make a formal submission in reference to 150-170 Lansdowne Street and the proposed rezoning of the area from B6 Enterprise Corridor to R5 Large Lot Residential and E3 Environmental Management.

We own a business, Vacvator, located at 107 Cathcart Street Goulburn (Lot 1 of DP 1015053) owned by Rowlands Infrastructure Pty Ltd ACN 620 065 867. I purchased the property in 2010 (formally via the UEA Group) and were granted a Development Application for alterations to the business on 20th Jan 2011. The land is currently zoned B6 – Enterprise Corridor.

We are concerned that the proposal to grant a rezoning to all of 150-170 Lansdowne Street to R5 could have major detrimental effect on the areas surrounding this Large Lot Residential development in future years. We do not however object to the proposed rezoning of part of this lot to E3.

The viability of our business and others around this area are dependent on being able to operate under the current B6 zoning including 24hr operation of those businesses under their pre-existing consent. As much as we do not agree that this land should have been changed from its previously zoning of Enterprise Corridor, we wish to compromise and work with the council to minimise the impact on businesses that provide a substantial economic benefit to the Goulburn Community.

We have grave concerns that the residential development proposed along Lansdowne Street will not only be impacted by the Enterprise Corridor activities but more concerning is the risk to residents due to the transport and freight movements along Lansdowne Street that are necessary for the viability of those businesses. The long-term effects of having a residential development opposite an Enterprise Corridor will impact on the commercial viability of those businesses due to ongoing conflict that will occur.

We propose that the area adjacent to Lansdowne Street remain B6 (see plan) and that a high fence be erected at the rear of Pt. 10 and DP 1018281 as part of the development to minimise noise and visual impact to the residents. We suggest that the proposed access to the residential development from Lansdowne Street be turned into a cul-de-sac and that the residential traffic exit via the pre-existing road in Cathcart Street adjacent to Abbey Road. These two changes will reduce the noise and visual impact from the B6 activities to the R5 residential areas and reduce the potential risk of personal harm and vehicle accidents that could result as a consequence of the existing re-zoning to R5 in a pre-existing B6 corridor. We also suggest that the 150-170 Lansdowne Street development allow for parallel parking along the street opposite the exiting B6 businesses to take vehicle parking off the road and provide a much-needed safe parking area for the Enterprise Corridor (see plan).

To balance the proposed changes, we agree that the land along Robinson Street be rezoned to R5 as the impact to residents from the Enterprise Corridor activities in Robinson Street will be far less than those in Lansdowne Street. We suggest that a pedestrian walkway be constructed for the residents and businesses along Robinson Street from the corner of Lansdowne to the corner of Robinson and Cathcart Streets as part of this development. This will create a buffer zone and reduce the risk of pedestrians walking on the road. We also suggest that the development make provision for a high fence along Robinson Street to further reduce traffic and visual impact to the residents.

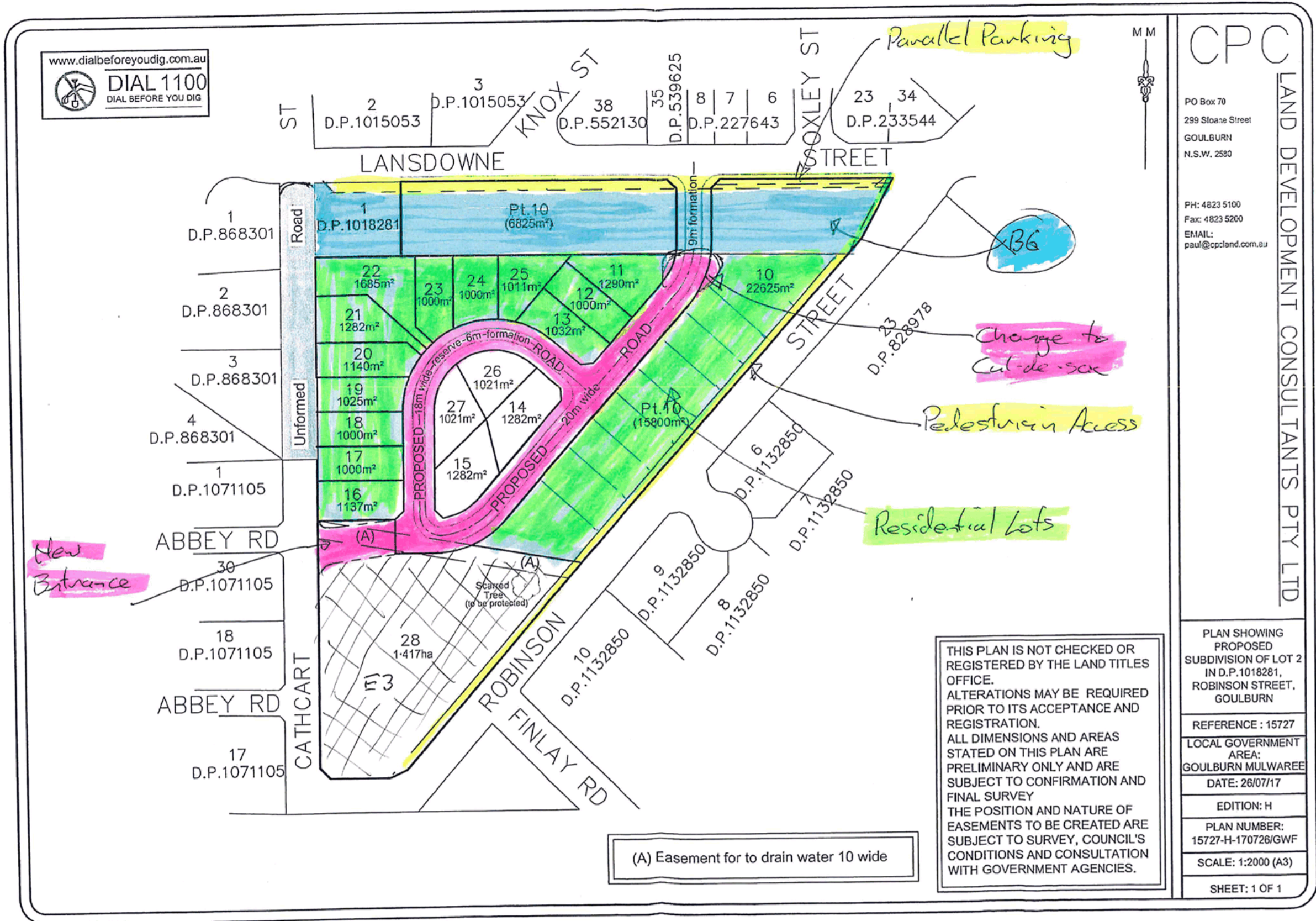
Our main concern is that in future years if the existing businesses adjacent to the proposed R5 re-zoned area apply for future Development Applications to alter, extend and/or enhance their business premises, that the council could then impose restrictions on the operation or trading hours of the business as a consequence of this re-zoning of 150-170 Lansdowne Street. If the council cannot guarantee this will not be the case in future years then we would have to object to any rezoning of this area from B6 to R5. The basis of this residential development should be how to prevent it impacting on the pre-existing B6 zone not how to stop the B6 impacting on a new proposed residential development, therefore the onus should be on the developer and the council to prevent this impact not the owners of the businesses in the B6 zone. These businesses have in the past and will provide an important economic contribution to Goulburn in years to come and therefore should be the main consideration for the council in granting a rezoning of this area.

If you wish to discuss this further please contact me on 0409736000 or email at arowlands@ultegra.com.au

Regards,



Andrew Rowlands
Director Vacvator



Nick Thistleton

From: Craig Evans
Sent: Monday, 16 March 2020 12:21 PM
To: Submissions
Subject: (REZ/0008/1819)

General Manager

I am submitting a my views on the rezoning of land from B6 Business Enterprise to R5 Large Lot Residential.

As a nearby resident who utilises Landsdowne street by vehicle, bicycle and via walking I would like to bring to the councils attention that this street is used frequently by heavy vehicles including B doubles.

The street is know used as a parking zone for cement agitators and semi trailers. Up to nine agitators can be parked on both sides of the street for extended periods including continuously for for about five weeks over December/January. This narrows the access to the road to about 8 metres wide and when heavy vehicles use the street access for other traffic is restricted immensely.

To walk down this street you need to utilise the road as the nature strip is overgrown with vegetation uneven and blocked with workers from the nearby businesses parking their vehicles on it.

Walking between the parked heavy vehicles with oncoming traffic is dangerous.

At times when their is not a lot of heavy vehicles parked there most of the traffic using it are doing so at excessive speed.

I have concerns for the safety of the public including children living in this area if it becomes residential.

Are the new residents going to be happy with B doubles and cement agitators parked at the front of there new homes as well as the noise from these industrial businesses? I think not.

Landsdowne street at this area is a industrial street not residential.

If the council approves this there should be some traffic, parking and pedestrian management put in place.

The same issues are also starting to develop in Robinson street.

Regards

Craig Evans

4 Nicole Place

Sent from my iPhone

Property at 150 Lansdowne St, Goulburn (Lot 10, DP 1247119)

Objection to proposed rezoning of the site from a B6 Enterprise Corridor zone to R5 Large lot Residential zone.

The primary reason for objecting to the proposed rezoning related specifically to traffic and land use matters as we own commercial property in Lansdowne street with transport company and run a farm Machinery Business in the close proximity with Lansdowne and Robinson St being our closest cross street.

We already experience complaints from residential areas not aware that residential and commercial zones have different rules.

In Mary Street with residential across the road from commercial property 2 recent examples:

In 2018, We have had a resident pull a Knife on our staff (our son) he was in a vehicle and able to drive away. The resident was ranting about the noise, however we were within our rights. There are complaints on the council records with each time council telling us we were with in our zoning rights.

In 2019 a truck driver had stopped to retie a load and was threatened however he was out of the vehicle and a violent encounter resulted with police called.

Also, council telling the person in residential area repeatedly that the noise and vehicle movements is within the correct zoning, they continue to complain. We have since moved our business off Mary street. There is even more truck movement and noise related in 24hr zone in Lansdowne street.

There needs to be a buffer between Commercial and residential.

Sincerely

Andrew and Michelle White

50 Robinson St

Goulburn NSW 2580

FIFE'S STOCKFEEDS

PO BOX 908
GOULBURN
NSW 2580

51-53 KNOX STREET GOULBURN 2580

Phone: (02) 4822 3111

Fax: (02) 4822 3102

A.H.

~~XXXXXXXXXX~~7

A.B.N. 74 008 054 106

19th March, 2020

The General Manager,
Goulburn Mulwaree Council,
Civic Centre
184 - 194 Bourke Street,
GOULBURN N.S.W. 2580

Re: Contact: Bennett Kennedy
Reference: REZ/0008/1819 150 Lansdowne Street Planning Proposal

Dear Sir,

We are the operators of Fife's Stockfeeds situated @ 51/53 Knox Street, Goulburn and have been operating from this site since 1st July 1994. We have a fleet of three semi trailers, including one B-Double combination.

Our store trading hours are from 8.00 a.m. until 5.30 p.m. each week day, and from 8.00 a.m. until 1.00 p.m. on Saturdays. The store is closed on Sundays.

However, this is certainly only part of the story, as our trucks are both leaving, and returning with produce (mainly large loads of hay) at all sorts of hours, including through the night time hours. We also have other trucking companies delivering hay, chaff and goods at very unpredictable times, mostly evenings - depending on what times the trucking companies were loaded out of Melbourne, Sydney and regional centres.

We have very deep concerns that the development of this land to allow more residential living will, in due course, result in greatly increased agitation from residents to restrict both noise levels and trading hours. We have been operating from here without any trouble for a very long time.

We respectfully request that yourself, and the Councillors take into account the above when further considering the planning proposal relating to 150 Lansdowne Street, Goulburn.

Yours sincerely,

W. D. & C. M. Fife trading as Fife's Stockfeeds



12-16 Oxley Street,
Goulburn NSW 2580
Tel: 02 4821 3040, Fax: 02 4821 9529

A.B.N. 67 003 089 816

General Manager
Goulburn Mulwaree Council
Goulburn NSW 2580

Re Planning Proposal to 150 Lansdowne St Goulburn **REZ/0008/1819**

I Peter Granger am raising a submission on behalf Grangers Freight Lines.

Our original submissions from local business owners raised issues regarding Safety, traffic and noise along Lansdowne and Robinson Streets and we still have the same concerns.

The Submission I have for the current R5 proposal has some objections, concerns and compromise.

Some miss leading information is in the report such as starting times for businesses, stating starting time is at 7am. This is totally untrue as Boral start at 6am, Southern Transport Services, Grangers Freight Lines and Privett Haulage have 24 hr or extended working hours as allowed.

Also the traffic counters are not correct as the one placed on Lansdowne St between Robinson St and Oxley St was placed on the western side of Southern Transport Services driveway so no traffic movements up or down Lansdowne St that went around Robinson St up Oxley St and in the rear gate and out his front gate were not recorded. This in total by our estimations will be another 100 traffic movements at least per day.

Objection is that the potential for residential to be allowed along Lansdowne St as that will have families in a high-volume traffic street that has cars and trucks using this street at all hours of day and night. Lots 29 to 31 front the street and with lots 32 to lot 38 using an internal access but the potential of rear access by the means of either a pedestrian gate or gate for vehicle access off Lansdowne Street as this will create issues for residents moving in and out of their residence as the street is already congested with vehicle parking and this will only add to the congestion and create blind spots which could result in accidents. As its not stated that they cannot have rear access to their properties. Also, the Speed Matrix shows that speeds up to 100km by cars and light commercials which is a huge concern. The other issue with lots 29 to 31 will front Boral with no sound suppression fencing thus have vehicle noise and head lights at 6am flashing though windows

reversing beepers and revolving lights that are required by law etc which will soon where thin with residents.

I understand a noise study has been done, but an annoying sound is not just by decibels it can also be the pitch of the sound such as reversing beepers and the constant sound of a truck idling and vehicle noise like forklifts moving around.

Shift workers trying to sleep of a day with these annoying sounds. As a shift worker I know what it was like with day noise in residential areas like mowers, whipper snippers and dogs barking. So industrial noise will be a constant annoyance for them and will eventually create issues.

Other businesses that operate in Knox St use Lansdowne and Knox St to access their businesses to go past the minimal amount off residential blocks instead of using Mary St. This is something that we have all been aware of and do as a consideration for those residents.

The entrance to Theatre Drive I believe could be in a better place than opposite a driveway into a business that operates heavy machinery as trucks will use that street to reverse into the driveway thus creating conflict and disruptions with residents in Theatre Drive.

We will have an added 48 vehicles if one car per house but in reality could be 2 to 3 vehicles per house so minimum 96 to 288 vehicle movements per day from Theatre Drive and that will result in Hume St and Lansdowne St intersection even busier and that's not counting the vehicles that go to the Gym, the 2 mechanic shops and Elders and Storage King as well as the rear entrance to the Home Makers Centre that were never counted in the traffic counts. There can already be delays between 2 to 15 min to get out of that intersection at times.

The major concern that I have is when we go to extend our current operation due to growth and raise a DA that we could possibly have our operating hours restricted due to residents' concerns. So, if this happens it will close our business and put a considerable number of employees out off work. As a restriction of hours will not work for the transport industry.

Suggestions.

- Move the entrance to Theatre Drive on Robinson St 50m towards Lansdowne St
- Along Lansdowne St have light industrial buildings with a setback to allow parallel parking and footpath on the Northern side of Lansdowne St to stop people walking on the road.
- Light industrial buildings along Lansdowne Street could be for the likes of plumbers and mechanics, car detailers etc or internet business that needs storage and close to freight distribution just a few options with no direct impact to the residential area due noise as they can have restrictions.
- Along Robinson St have a footpath with a tall fence to assist as a sound barrier due to the potential of residential being built on this section.
- D.P.1018281 as this is not owned by the developer needs to be zoned as B6 so as no residential building can be erected.

- Traffic congestion to Hume and Lansdowne St intersection needs either a round about or Traffic Lights.

We offered a solution to these issues on the 21/2/2018 that along Lansdowne St to be light industrial buildings with a 2.5 to 3m recess for vehicles to be parked of Lansdowne Street and this would act as a buffer between current 24hr operations and businesses and residential along Robinson St. We did this as a collective as we knew the centre section had already been approved as R5 and this was a solution to all our concerns and needs to have what we seen as a compromise. But for some reason our concerns don't seem to be at the fore front for the security and safety of our employees or tenant's future prospective.

Residential fronting the industrial will result in conflict due to noise and traffic movements as it has done in Mary St over the last 30 years and still does. This involves employees being abused and threatened and as tempers grow will end in physical confrontations, none of us want this for our employees or us as that results in safety concerns.

I would like to offer the opportunity for the councillors to arrange a date and sometime to come and see in real time what the residents and will contend with daily during business and the traffic times.

I would like any correspondence from council on this matter so as I have time to respond to any further changes or concerns for the future of business operations for Grangers Freight lines in a timely matter.

Yours Sincerely

Peter Granger

On behalf Grangers Freight Lines

Build something great™

20 March 2020

General Manager
Planning Department
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580



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T: +61 (02) 9033 5300
F: +61 (02) 9033 5305
www.boral.com.au

By email: submissions@goulburn.nsw.gov.au

Dear Sir,

**PLANNING PROPOSAL TO REZONE LOT 10 DP 1247119 LANSDOWNE ST, GOULBURN
REZ/008/1819**

Reference is made to Planning Proposal REZ008/1819 exhibited by Goulburn Mulwaree Council between 20 February and 20 March 2020. The proposal seeks amendment of Goulburn Mulwaree Local Environmental Plan 2009 in relation to land at Lot 10 in Deposited Plan (DP) 1247119 to achieve the following:

- Rezone land from B6 Enterprise Corridor to R5 Large Lot Residential;
- Adopt a minimum lot size requirement of 1,000m²; and
- Remove the maximum floor space ratio controls.

The proposal is supported by a draft site specific development control plan that is intended to guide the future development of the site and ensure the mitigation and management of amenity impacts associated with the proximity of future dwellings to operating industry.

Boral Land and Property Group has prepared this submission on behalf of Boral Resources (Country) Pty Ltd ("Boral"). This correspondence serves to advise Council of our objection to the proposed rezoning.

In summary, the draft planning proposal has failed to adequately demonstrate that the strategic functions of existing necessary "urban services" (which include the production of construction materials and other industry currently located within the B6 Enterprise Zone) would not be significantly comprised by the proposed zoning change and the introduction of sensitive land uses within its immediate proximity. The draft planning proposal fails to adequately consider or provide stringent controls to ensure existing employment land and commercial or industrial activities including Boral's Concrete operations will be protected. Industries such as concrete production are vital to the ongoing economic growth and development of regional centres such as Goulburn and cannot be relocated. The ongoing viability of these existing industrial activities, and any future upgrade, is threatened by the proposed planning proposal.

Boral's Goulburn plant operates from 90 Know Street, Goulburn. This plant has been operating for 34 years and benefits from a flexible consent allowing 24 hour, seven day a week operation. The operational flexibility of the plant allows Boral to operate in response to market conditions and demands from various sectors including residential, civil works and buildings projects including government projects for Council and Transport for NSW. Accordingly the plant is an integral part of Boral's supply chain network within the Goulburn region and it is fundamental that this flexibility not be impacted in any way. In the event there is a market demand, Boral's plant can and will operate 24

hours a day, seven days a week, operations are not constrained to commencing at 7.00am as purported by the proponent.

The existing plant is an important contributor to the local economy as both an employer and supplier of construction materials. The plant supplies between 40 – 45 per cent of concrete to the local construction sectors and provides direct employment for six people, with economic activity and employment opportunities arising from the supply of raw material and in the distribution of finished product to the market.

The draft planning proposal does not sufficiently justify the need for the proposed zoning amendments in respect to the demand for residential land in the area or the potential impacts on operating business that will result. Furthermore, inadequate provision has been made within the planning proposal and development control plan to protect the ongoing operation of “urban services” (which includes the existing concrete plant) through either the retention of suitably zoned land to allow the ongoing and unfettered operation of established employment uses or through the introduction of robust planning mechanisms and controls to ensure that the predominant employment use of these lands is not undermined by incompatible land uses.

This submission objects to the proposed rezoning of the site and requests that further consideration be given to the significant and detrimental effect that the planned changes will have on the ongoing viability for key “urban service”. Details of the submission are set out below.

1.0 Background

As a consequence of Boral's current and foreseeable operations at No. 90 Knox Street, previous submission of objection have been lodged in response to the proposed subdivision of the land in 2011 and again in 2018 when the planning proposal to rezone land was first reported to Council.

In the instance of the latter we note that Boral along with other industrial operators in the area lodged objections leading to the matter being deferred. Previously Boral raised objection on the following grounds:

- Inadequate strategic justification; and
- A lack of orderly planning, as the proposal was not adequately supported by suitable technical information (including an acoustic report) to manage the inevitable interface impacts.

It is noted that since this time the proponent has undertaken traffic counts, an acoustic assessment and prepared a concept subdivision plan to inform the preparation of a draft site specific Development Control Plan (draft DCP) that now forms the basis of proposal justification.

Notwithstanding the above, Boral remains concerned that the rezoning of land in proximity to active industrial operations is likely to contribute to an increase in interface impacts and that the proposed mitigation measures are wholly inadequate to protect either industry or future residents from adverse impact.

The planning proposal and associated draft DCP rely heavily on technical information, specifically an acoustic report that has failed to adequately assess the noise environment based on the operational profile of established industry. Principally the report has failed to acknowledge that industry, including Boral's concrete batching plant, can and does operate 24 hours, seven days a week. These representations are grossly misleading and will result in poor amenity residential land whilst threatening the viability of key employment lands and local businesses.

An effective zone transition would deliver a graduation of land uses from those most likely to cause adverse amenity impacts to those least likely, in this instance industry would interface with commercial that would interface with residential, this is a readily achievable outcome under the existing zoning controls. In contrast the proposed rezoning of the subject site from B6 Enterprise Corridor to R5 Large Lot Residential is likely to exacerbate interface land use conflict and contribute to adverse amenity impacts by creating a direct industrial/residential interface.

It is the fundamental role of land use planning to prevent land use conflict and the best means of ensuring this through appropriate zoning controls. In this instance, the proposal will threaten the viability of key operating industry that provides employment opportunities and supports the growth of the region and result in poor quality residential land. Land that has not been identified as necessary to delivering housing in accordance with a relevant policy, specifically the draft Urban and Fringe Housing Strategy (2019) which is considered to prevail over the Employment Lands Study (2016).

The inevitable pressure brought to bear on existing industrial operations as a result of the proposed changes is that existing and established industrial uses will be subject to land use pressure from incompatible sensitive land uses. The inevitable land use conflict arising from this will erode the viability of their operations due to escalating land use conflict, arising from amenity impacts such as noise, odour, dust and the like.

The proposed amendment will not deliver a desirable planning outcome and should not proceed.

2.2. Development Control Plan

The following section details Boral's concerns regarding,

- The suitability of using a development control plan to manage land use conflict between incompatible zones; and
- The reliability of the draft site specific development control plan exhibited as part of the planning proposal.

2.2.1 Suitability of the planning mechanism

The best means of ensuring residential amenity and protection of industry is through strong land use controls adopted and enforced through a Local Environmental Plan (LEP). Conversely the planning proposal as exhibited places significant emphasis on managing land conflict through a site specific Development Control Plan (DCP).

The transference of land use control and management from the LEP to a DCP introduces significant uncertainty for industrial operators and future residents alike. In most instances, controls implemented through a DCP are diluted through the development assessment process, with variations granted that undermine the initial justification for the rezoning.

Such an instance has already occurred in Goulburn Mulwaree Council, where land rezoned in Marulan immediately adjacent to another Boral plant and industrial area was required to construct a solid concrete acoustic wall under site specific DCP. On the submission of a Stage 1 DA this was reduced to no more than 1.8 metre high wooden fence and a 1 metre landscaping provision on the basis of acoustic measures for the dwelling's internal areas. While residents are yet to move into the newly created residential estate, the variation has resulted in residential land that is afforded no external protection from Boral's operation. The effect is likely to be felt twofold with future residents subject to poor amenity and Boral's viability threatened.

A DCP is not and should not be viewed as the primary planning mechanism for avoiding or managing the potential for land use conflict. The inherently flexibility of these controls provide no certainty for future

residents or existing industry. In this regard, the existing zoning provisions should be retained as the primary means of ensuring land use transition and "buffers" between established incompatible land uses.

2.2.2 Reliability of the draft site specific Development Control Plan

The draft site specific DCP does not adequately ensure future residential amenity or the protection of operating industry. Principally concern is raised regarding:

- The development potential of the future site taking into account the constrained nature of the land;
- The acoustic report used as the basis for ensuring the preservation of amenity is deficient (refer to details set out below);
- The lack of site specific controls proposed to be implemented at subdivision stage to reduce land use conflict including but not limited to a requirement for the registration of construction standards on title (under section 88B), the construction of suitable boundary fencing to all lots in accordance with the recommendations of the acoustic report (once validated); and
- The clarity and general construction of the DCP.

While Boral is of the view the proposed rezoning should not proceed, in the event that Council elect to progress with the planning proposal, the site specific DCP should be substantially amended to reduce the number of potential future lots and residents exposed to industrial noise and to provide greater certainty.

Development Potential

A concept subdivision plan is appended to the 17 December 2019 report to Council that also included the site specific draft development control plan.

Part 1 *Objective and intended outcome* (p.6) of the planning proposal explains that the planning proposal is intended to facilitate the concept subdivision plan. The minimum lot size of (1,000m²) and building envelopes have been proposed to ensure "adequate buffer distance" from "developed" land opposite.

Despite the planning report relying on information contained within the concept subdivision plan as a means of justifying the suitability of the rezoning, the purpose and role of the concept subdivision plan is not clearly articulated in the report to Council or the draft site specific DCP.

In particular it is noted that no reference is made to the plan in section 8.10. 2 *Development Potential* of the draft DCP. In this regard, the concept plan (including the building envelopes) can only be taken as one possible outcome for future redevelopment of the site and there is no certainty that any buffer would be achieved between future dwellings and adjacent industrial operation. Furthermore, the plan itself presents several factors that indicate the site is not capable of the intended density, not the least of which is the over reliance battleaxe lot configurations and rights of way (noted as being inconsistent with Council's subdivision controls set out in section 4.1.15 of the Goulburn DCP for Urban Development).

The concept subdivision plan would appear to result in an overdevelopment of the site or a zoning that is simply inappropriate given the constrained nature of the land. It would appear that a minimum lot size of 2,000m² or more would achieve a better outcome, allowing for improved lot configuration, access, and separation from industrial uses and reduced number of noise impact residents.

Access

Section 8.10.3 of the draft DCP sets out provisions for access that includes "limited" access to Landsdowne Street. These intended access arrangements are clarified in the concept subdivision plan that includes three (3) new driveways from Landsdowne Street to proposed lots 29 – 31. All of which are immediately opposite the intersection of Knox Street, that forms part of the approved B-Double Route connecting to Landsdowne and Robinson Streets.

The concept subdivision plan raises concern of the safety of all road users. The information provided by the applicant was limited to traffic data, with no consideration of road safety. Boral raises concern that the draft DCP, that forms the basis of justification for the rezoning and management of impacts, has failed to adequately demonstrate that the site is suitable for the proposed zone and development intensity.

The controls as drafted provide no certainty as to how many driveways could be achieved or by what measure they will be assessed. The controls are wholly inadequate and inappropriate for managing potential road user safety.

In the absence of an appropriate level of mitigation the rezoning should not proceed.

Noise Management

Section 8.10.5 of the draft DCP contains measures that are aimed at managing noise impacts on future residents. The planning proposal report indicates that these controls have been developed on the basis of an acoustic report prepared by Harwood and indicates that noise will be controlled through a mix of construction standards and building envelopes, noting that Lots 29 – 31 would be given more attention at development application stage (p. 20).

The following concerns are raised in relation to the exhibited acoustic report:

- Figure 1 of the report contains no indication of where acoustic monitoring was undertaken from despite comments been made to the contrary (refer to paragraph 1, section 4.1, p. 9)
- The report indicates that 62 dBA is the highest noise recording from adjacent to Boral's holdings. However there is no indication as to the location of where this data was collected;
- The basis for impact is derived from an assumption that neither Boral nor other operators commence works prior to 7am – albeit the report then recognises that heavy vehicles dominate in Landsdowne prior to 7am. As set out earlier in this submission Boral can and does operate 24 hours a day, seven days week;
- Section 5.3 specifically identifies that residential premises located in close proximity to operating industry would not meet the project specific requirements of the Noise Policy for Industry guideline and recommends additional protections to include fencing. This has already been diluted for the three premises within proximity to Boral's holdings (noted by the acoustic engineer as being the dominant source of noise) with the fencing removed and building envelopes sited within 6 metres (approximately) of the front boundary; and
- The noise report is not supported by data logs for noise data collected. There is no way to validate the noise levels reported.

Insufficient supporting information has been provided to justify the suitability of the management controls. Given that the proposed rezoning relies on the implementation of the draft DCP as means of mitigating the identified land use conflicts the proposed rezoning should not proceed.

2.3 Lack of strategic justification

The proposal has failed to adequately demonstrate that the amendment of the LEP to support residential rezoning is consistent with key strategic planning documents. In particular the proposal has failed to demonstrate consistency with the:

- Employment Lands Strategy (2016) that aims to ensure *protection of good quality employment lands to protect existing and prospective industrial businesses is important*. In this instance the proposal would exacerbate land use conflict by locating dwellings on the interface of industry threatening the viability of future operations.

- The draft Urban and Fringe Housing Strategy (2019) that does not identify the subject site as delivering housing to meet anticipated demand or need within the Local Government Area.
- The South East Tablelands Regional Plan (the Regional Plan) proposing to deliver residential land on the interface of operating industry known to generate noise capable of impacting residential amenity in this regard the proposal represents a risk to the viability of key industry in the region and the health and wellbeing of future residents and cannot be considered consistent with:
 - Goal 1: A connected and prosperous economy; or
 - Goal 3: Healthy and connected communities, Action 22 build socially inclusive, safe and healthy communities.

3.0 Conclusion

The draft planning proposal as submitted fails to adequately demonstrate that the proposed rezoning and impact of allowing incompatible land uses within greater proximity to one another can be adequately managed and therefore has failed to demonstrate that the strategic functions of existing necessary industry currently located within the B6 Enterprise Zone would not be significantly affected by the proposed zoning change and the introduction of sensitive land uses.

The proposed management and mitigation measures set out in the proposal report and the supporting draft DCP are inadequate and would not overcome the inherent land use conflicts that are likely to arise from allowing residential development within close proximity to industrial noise sources. The proposal should not proceed.

Should you have any further questions related to the information provided in this letter, please do not to hesitate to contact the undersigned on 0401 894 110, or Rachael.Snape@boral.com.au.

Yours faithfully,


Rachael Snape

Planning and Development Manager (NSW & ACT)
Boral Land & Property Group



SCANNED

20th March 2020

Attn: Mr Warwick Bennett
General Manager
Goulburn Mulwaree Council
Clifford Street
GOULBURN NSW 2580

Dear Sir,

Re: Planning proposal of 150 Lansdowne Street, Goulburn REZ/0008/1819

I, Gary Privett, on behalf of Gary Privett Pty Ltd trading as Privett Haulage & Roadworks located at 137-141 Lansdowne Street, Goulburn, do hereby submit my concerns and objections of the abovementioned development application.

We refer to the current R.5 Proposal and express our deep concerns for both our own business and those in the immediate surrounds and will address these in the following paragraphs.

Noise Impact

We currently operate our business 24 hours, 7 days a week. Our trucks arrive and leave at varying hours during the day or night. These trucks all are equipped, by law, with reversing beepers and squawkers.

We employ 5 staff, 3 of which are casuals, these individuals rely heavily on the work that we can provide them.

We acknowledge that tolerance to noise is influenced by the degree of acclimatisation and the level and nature of the intruding noise as well as the level of the background and ambient noise. The tolerance of one person is not going to be the same as another, for example, sleeping, television, studying or relaxing. For any given level of noise, there is likely to be a wide range of responses with people likely to become disturbed, frustrated and angry.

This development is surrounded by transport yards, concrete plants, Tutt Bryant Hire, farm machinery depots, storage yards, mechanical businesses and veterinarian, all are employers and important contributors to the economic wellbeing of the Goulburn area.

132 Lansdowne Street, Goulburn NSW 2580
P: 02 4822 2710
E: privetthaulage@bigpond.com

ABN: 49 093 427 886

I am extremely concerned that conflict between the residents and businesses will be inevitable. The suggestion that a lapped and capped wooden fence will stop noise is not feasible. The RMS guide to the reduction of traffic noise recommends that bricks or concrete blocks have the best sound reducing properties with no clearance cap under the fence and the higher the fence, the better. The barrier must also be continuous and solid with few or no openings.

Business starting time 7am and traffic movements (as noted in report)

The assertion that businesses are starting at 7am is incorrect and untrue. The general starting time for our business is 5am to 6am each morning with trucks returning late into the evening.

Traffic movements along Lansdowne and Robinson Street appear to be inconsistent, the traffic counters have been placed in positions that have not taken in the movements of Oxley Street and parts of Robinson Street and have grossly underestimated the actual movement of vehicles in this area. We believe that at least an additional 100 vehicle movements per day would be more accurate.

I strongly believe that the B6 Zoning Lot 10 needs to remain to allow light industrial buildings with a set back to allow parallel parking and to include a footpath to prevent people from walking on the road.

We note that, as it appears to be an easy process to keep changing the land zones to suit the applicant, then surely, we can change the northern side of Lansdowne Street and eastern side of Robinson Street back to industrial land.

We also strongly object to any lot access onto Lansdowne Street. Vision will be seriously impeded by vehicles parked in this area, residents are entering roads were small and large truck movement occur at all hours, this will create dangerous situations for the resident and the other road users.

We recommend that the entrance be moved to Theatre Drive on Robinson Street for safety.

Ultimately, we are raising our express concerns of the potential for conflict and unrest and general unhappiness to both the residents of this development and the businesses that have longstanding tenure in the area and are important to the community and economy of Goulburn.

I implore you to consider these objections and suggestions, they are raised to ensure that our business and the residents can operate in a safe and reasonably harmonious way.

I am happy to meet with councillors at a time and date that is suitable so that they can see that I am not raising these concerns lightly.

Kind regards 

Gary Privett
Privett Haulage & Roadworks

Lansdowne Street – Site Specific DCP Provisions

8.10 Lansdowne Street

Objectives

The objectives of this chapter are to:

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

8.10.1 Land to which Plan applies

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

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



8.10.2 Development Potential

The majority of the subject site is zoned R5 Large Lot Residential to support the development of dwellings on lots no smaller than 1000m², provided that measures are taken to limit the impact of noise on any proposed future dwelling.

The land zoned as B6 Enterprise Corridor is suitable for limited commercial or semi-industrial development, provided that operating hours are limited in accordance with this section and operational noise does not make it more difficult for residential development to comply with noise abatement controls in this section.

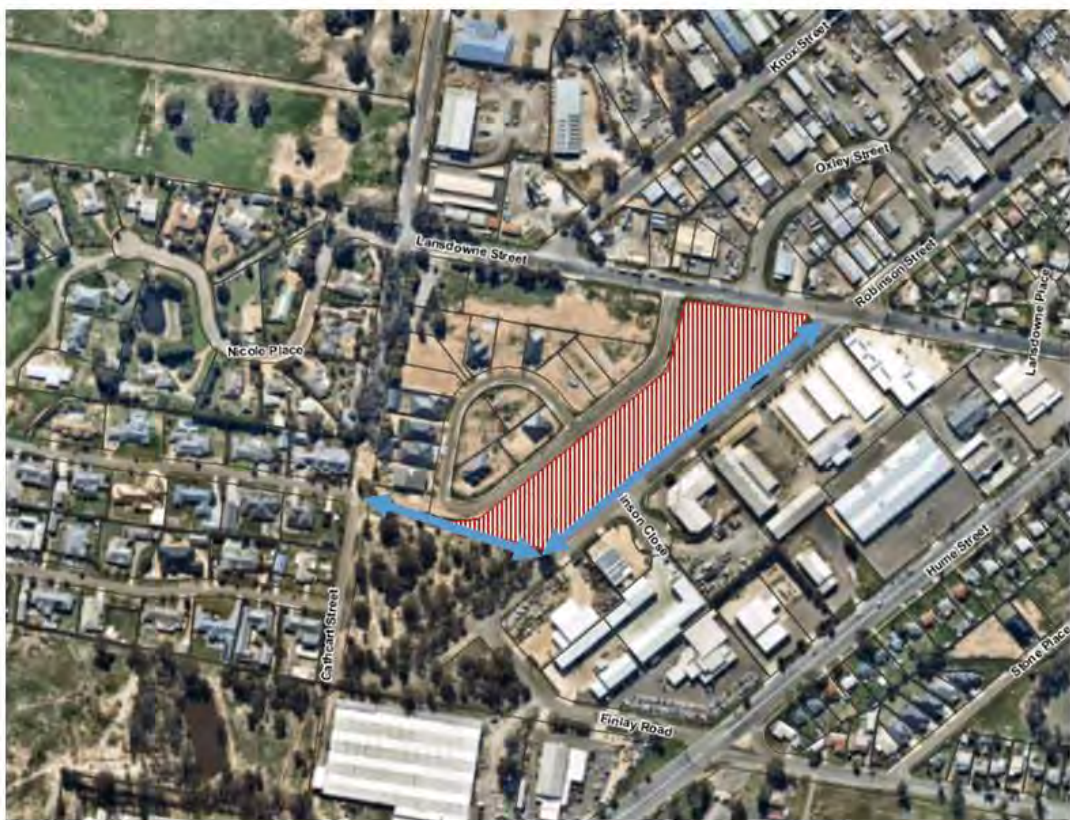
The remainder of the site is zoned E3 Environmental Management to protect the ecological value of the site and support no more than one (1) dwelling.

8.10.3 Access

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

A pedestrian footpath must be provided between Cathcart Street and Robinson Street and along Robinson Street as indicated in **Figure 8-10-2** prior to dwellings being occupied on land between Theatre Drive and Robinson Street.

Figure 8-10-2: Land between Theatre Drive and Robinson Street (in red) and indicative pedestrian footpath area (in blue).



8.10.4 Cathcart Street

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

8.10.5 Noise Management

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

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

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

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

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

Any development proposed in the B6 Enterprise Corridor zone is to have operational hours restricted to between 7am and 6pm. Any such development must also not emit noise that would prejudice the ability of future residential development in the area to comply with this clause.

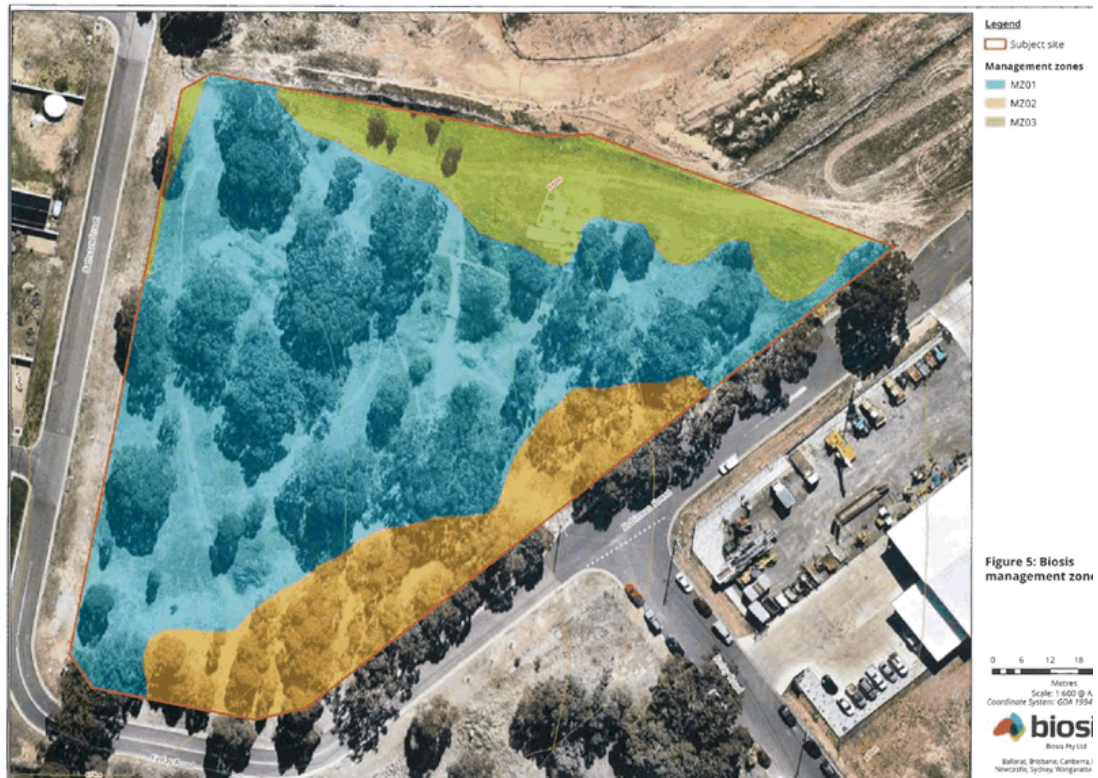
8.10.5 Development in the E3 Environmental Management zone

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

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

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

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



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

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



12 May 2020

Our Ref: SRPT- N0200131.01A

Dear Calum,

Re: Structural Design Report

Project: Proposed Bed & Breakfast

Client: Calum Cooper

Location: 176 Sloane Street
GOULBURN NSW 2580

Drawing No:	<ul style="list-style-type: none"> • S01 (A) • S02 (A) • S03 (A) • S04 (A) 	<ul style="list-style-type: none"> • S05(A) • S06 (A) • S07 (A) • S08(B) 	<ul style="list-style-type: none"> • S09(A) • S10 (B) • S11 (B) • S12 (A)
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Elements:

<ul style="list-style-type: none"> • Ground Floor Concrete Slab • First Floor Timber Structure 	<ul style="list-style-type: none"> • Timber Roof Structure • Steel Balcony Balustrade
--	---

We confirm that the design of the above structural elements has been carried out in accordance with the provisions of the following latest Australian Standards according to BCA 2019:

- AS/NZS 1170 Structural Design Actions
 - Part 0 – General principles 2002
 - Part 1 – Permanent, Imposed and other actions 2002
 - Part 2 – Wind actions 2011
- AS 4100 Steel Structures 1998
- AS 1720.1 Timber Structures – Design Methods 2010
- AS 3700 Masonry Structures 2018
- AS 2870 Residential Slabs and Footings 2011

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SINGLETON
SOUTHERN HIGHLANDS

SYDNEY-CBD
SUTHERLAND
WOLLONGONG
GOULBURN



We confirm that the computations for the design have been carried out by a practicing qualified Structural Engineer and that the above works have been reviewed to ensure that the existing structure is sufficient to support the new works. The new works will not decrease the performance of the existing structure.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'L Millner', written in a cursive style.

Lachlan Millner

Graduate Structural Engineer

A handwritten signature in blue ink, appearing to read 'Neasha Jeffery', written in a cursive style.

Neasha Jeffery

Structural Project Engineer

PROPOSED BED AND BREAKFAST

ALTERATIONS AND ADDITIONS

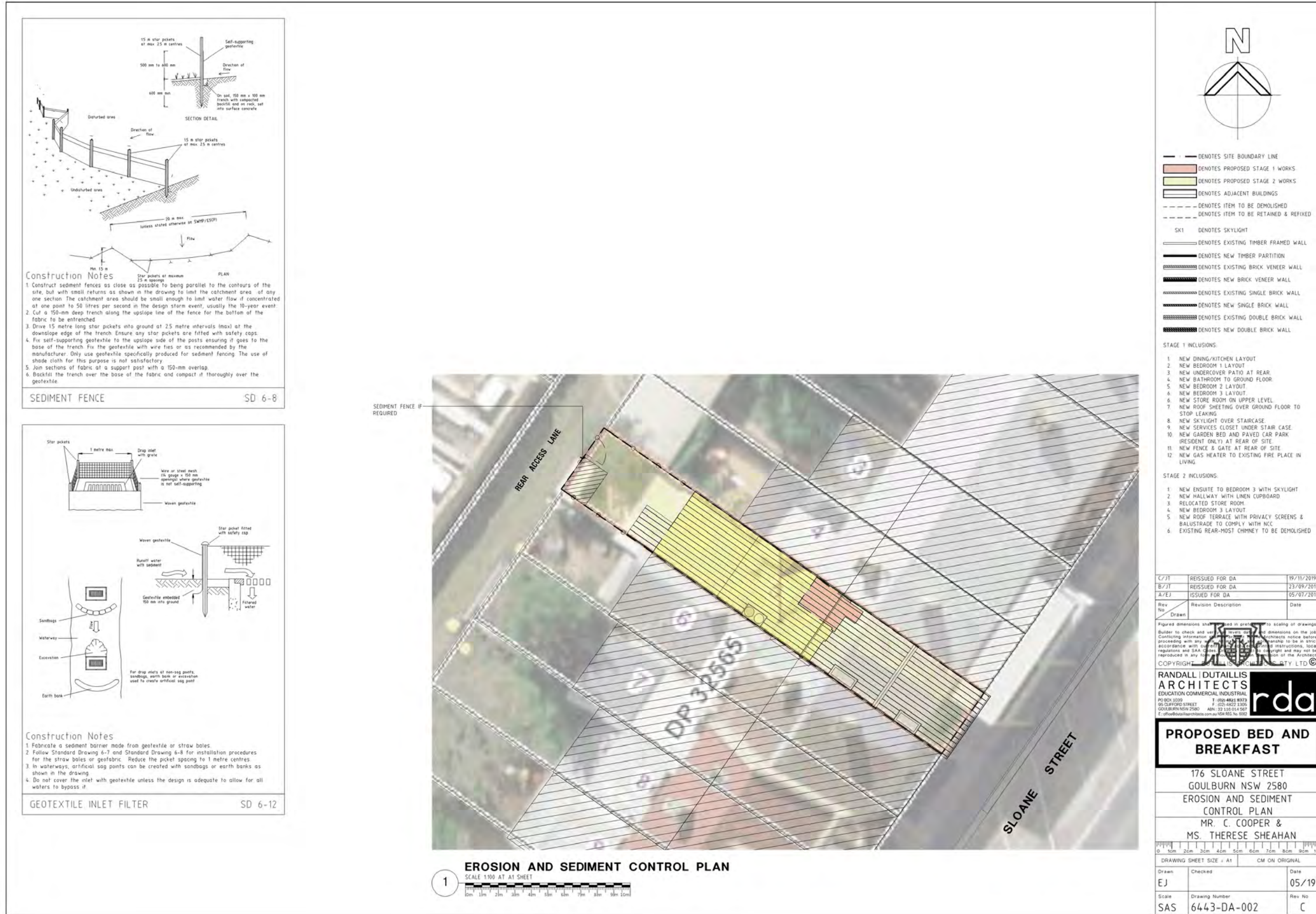
FOR CALUM COOPER & THERESE SHEAHAN
 LOT 5 DP32565
 176 SLOANE STREET GOULBURN NSW 2580

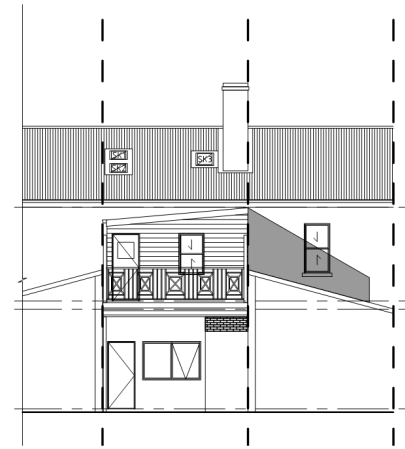
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6443-DA-001	SITE & STAGING PLAN	1:200	C
6443-DA-002	EROSION AND SEDIMENT CONTROL PLAN	1:100	C
6443-DA-003	SHADOW STUDIES	1:200	C
6443-DA-004	SHADOW STUDIES	1:100	A
6443-DA-101	STAGE 1 - EXISTING & DEMOLITION PLANS	1:100	C
6443-DA-102	STAGE 1 - PROPOSED PLANS	1:100	C
6443-DA-103	STAGE 2 - EXISTING & DEMOLITION PLANS	1:100	C
6443-DA-104	STAGE 2 - PROPOSED PLANS	1:100	C
6443-DA-201	STAGE 1 & 2 - ELEVATIONS	1:100	C
6443-DA-202	STAGE 1 & 2 - SIDE ELEVATIONS	1:100	A
6443-DA-301	STAGE 1 & 2 - SECTIONS	1:100	C
6443-DA-401	COLOURS AND MATERIALS BOARD	NTS	A

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ARCHITECTS
 EDUCATION COMMERCIAL INDUSTRIAL
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 E: office@dutailisarchitects.com.au NSW REG. No. 0062

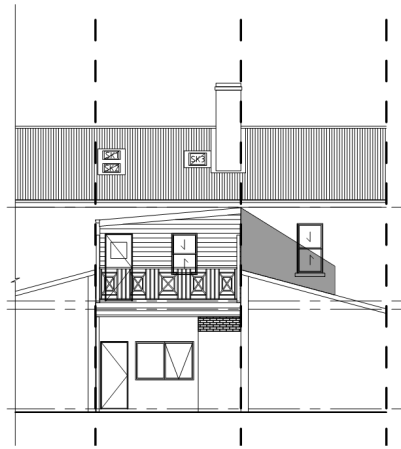




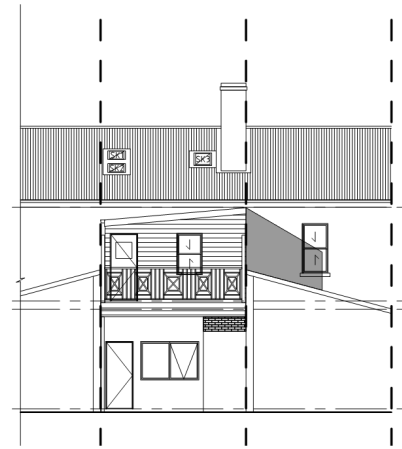




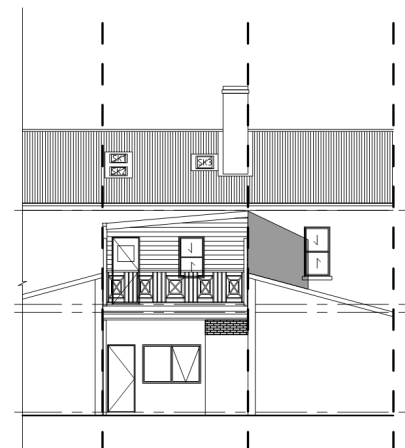
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2 **12pm SHADOW STUDY**
SCALE 1:200 AT A1 SHEET



3 **1pm SHADOW STUDY**
SCALE 1:200 AT A1 SHEET



4 **2pm SHADOW STUDY**
SCALE 1:200 AT A1 SHEET



5 **3pm SHADOW STUDY**
SCALE 1:200 AT A1 SHEET

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DATE: 21 JUNE (WINTER SOLSTICE)

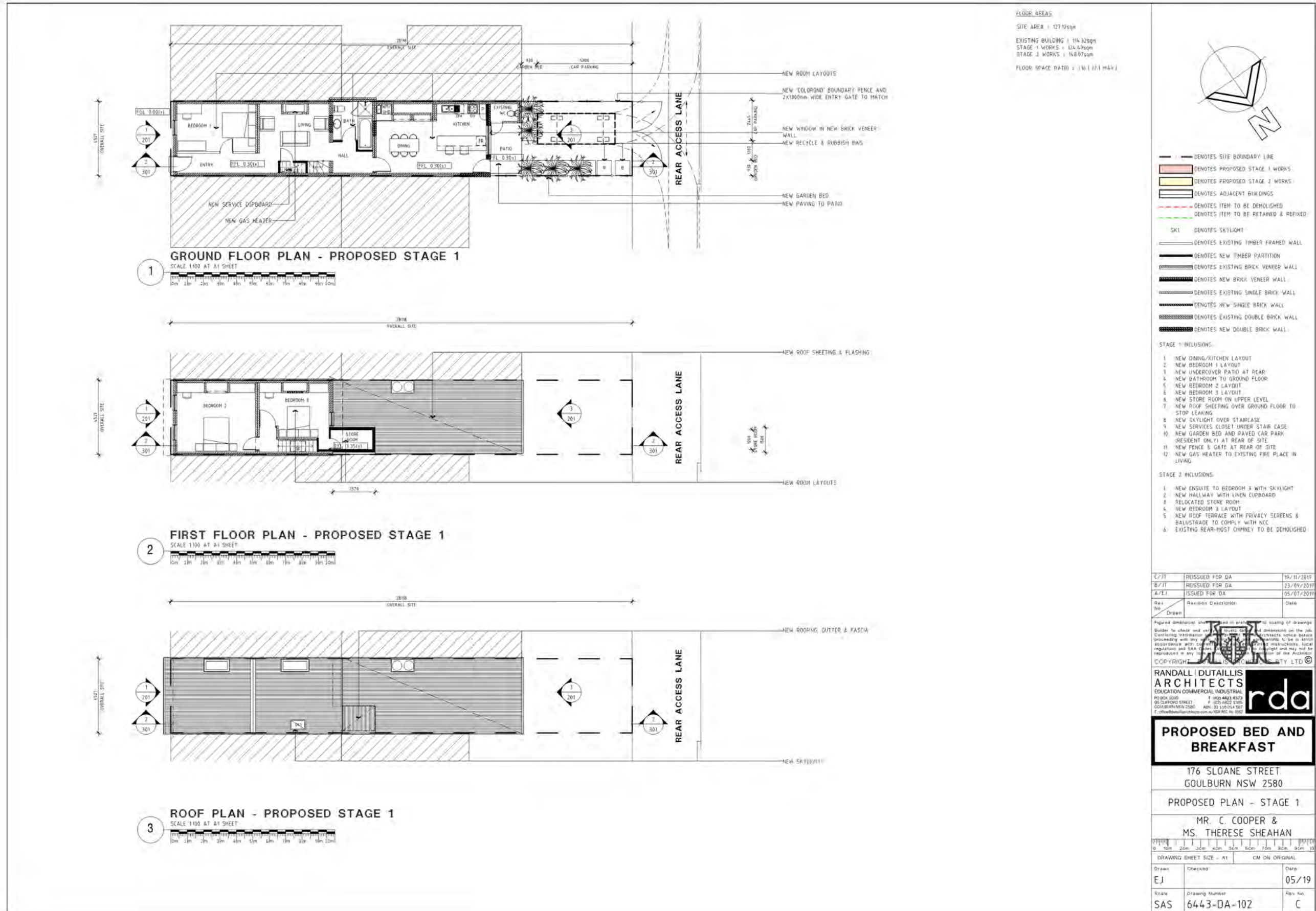
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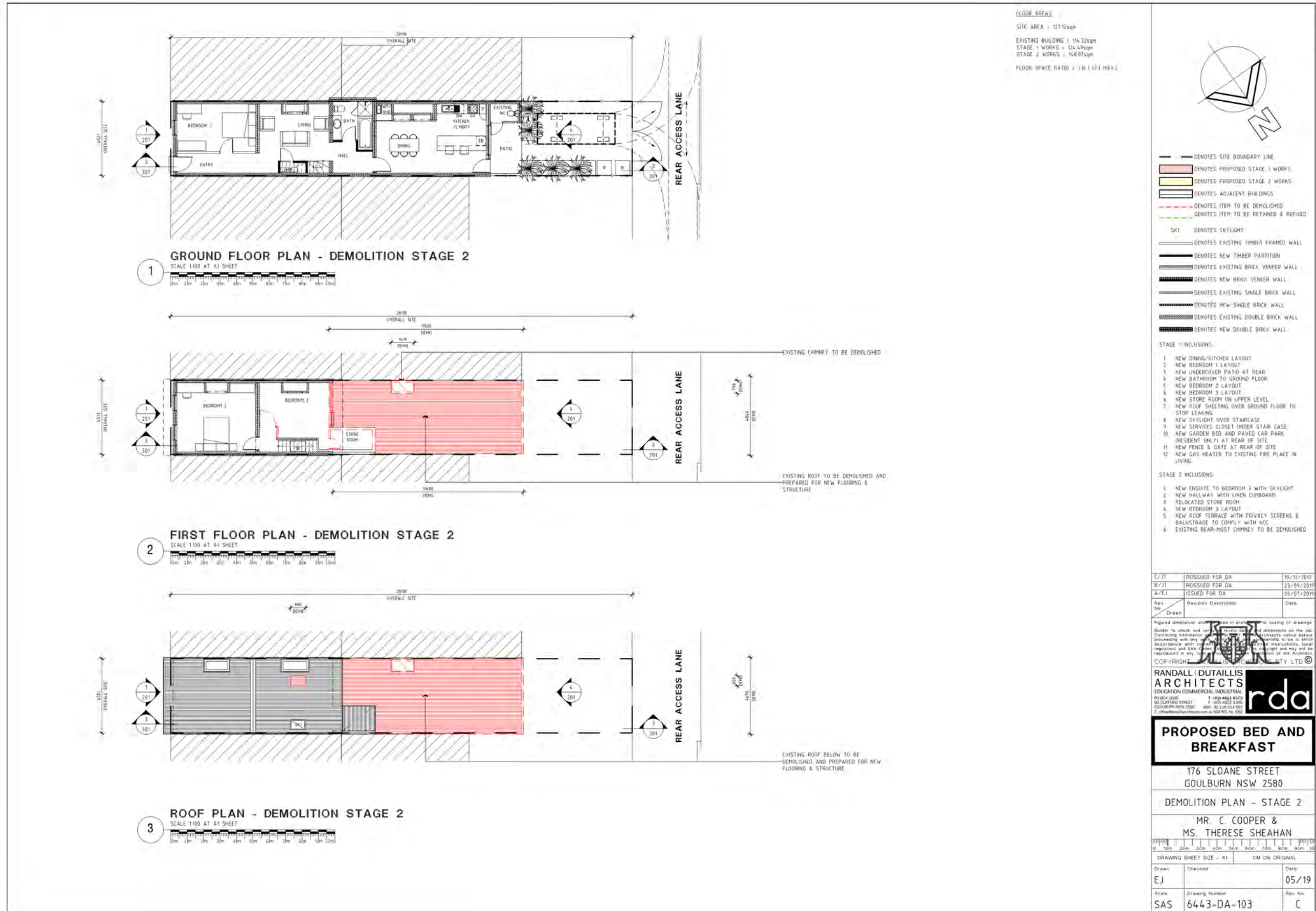
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Builder to check and verify all levels and dimensions on the job.
Contracting information shall be checked by architects notice before proceeding with any work.
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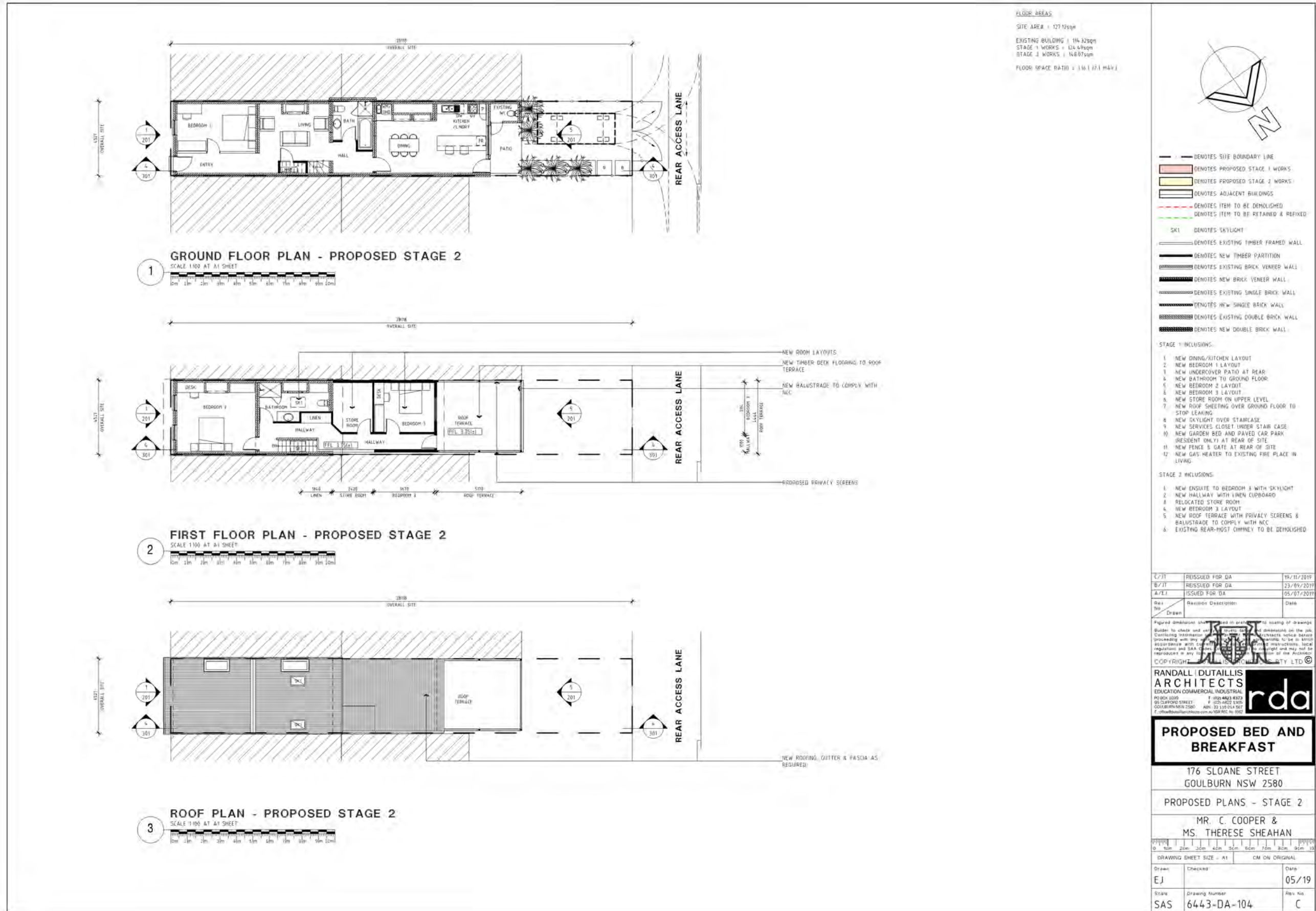
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GOULBURN NSW 2580 A/N: 32 116 014 567
E rd@rdarchitects.com.au NSW REG No. 8102

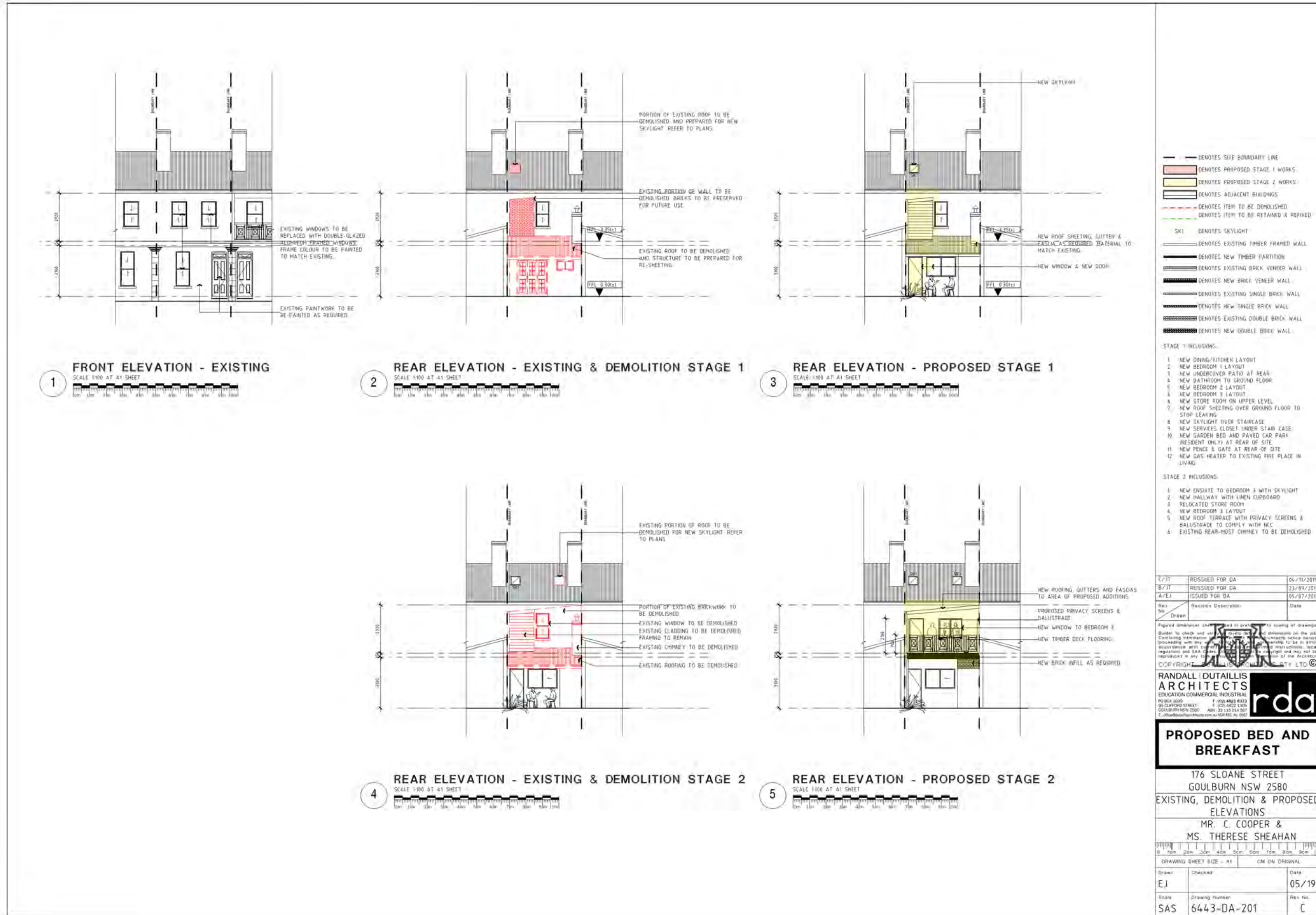
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176 SLOANE STREET GOULBURN NSW 2580		
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MR. C. COOPER & MS. THERESE SHEAHAN		
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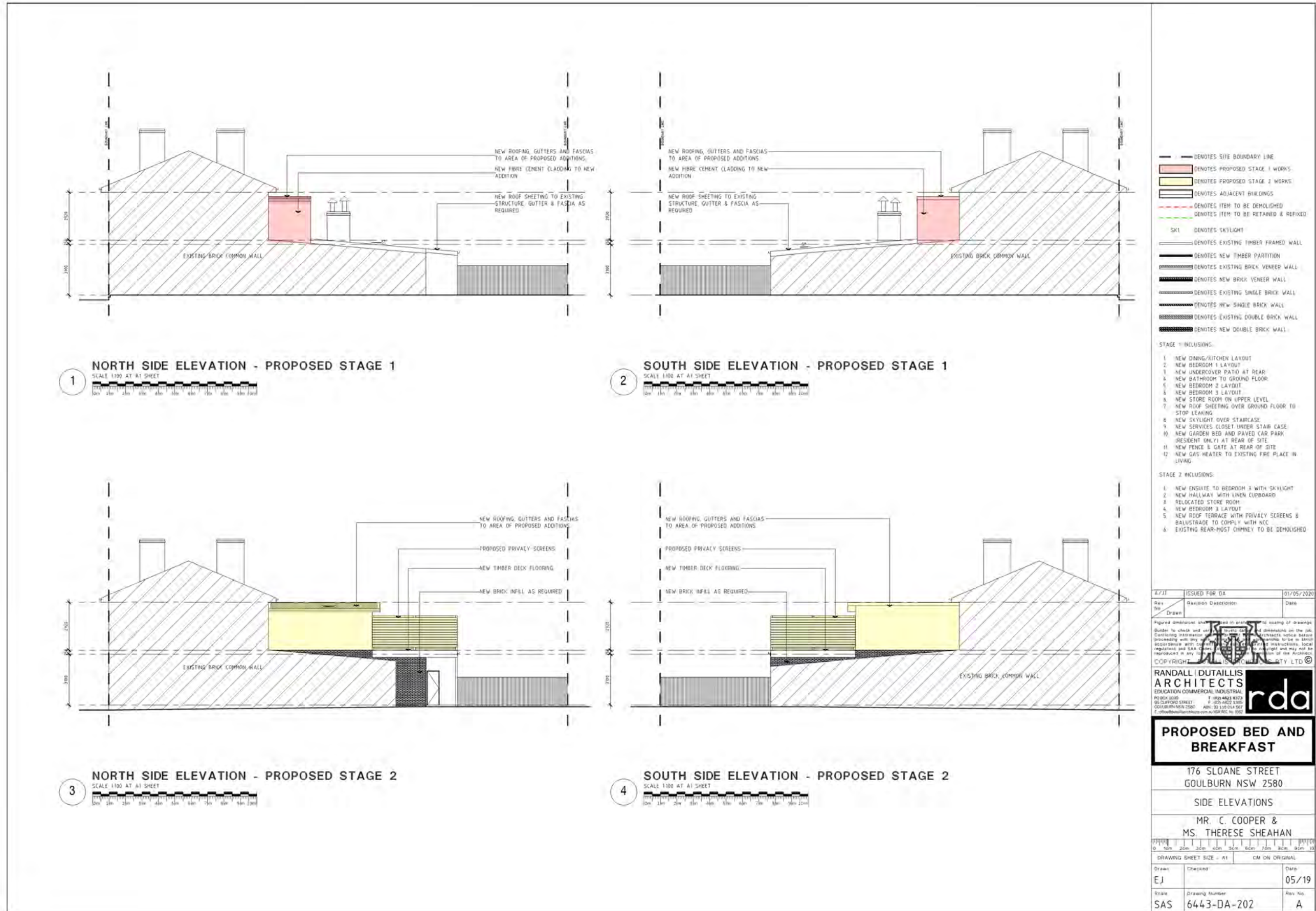
















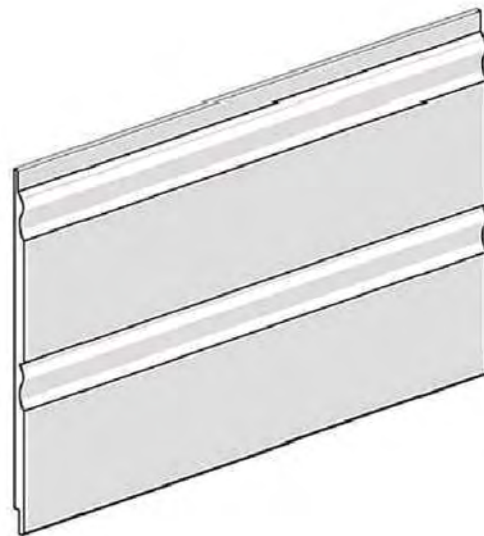
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NEW WINDOW FRAMES TO BE PAINTED TO MATCH THOSE ON EXISTING TERRACE.



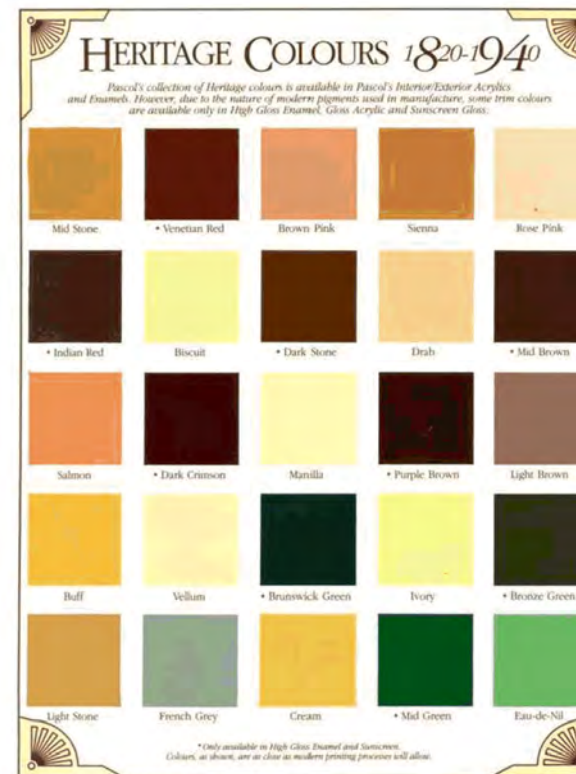
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NEW ROOF COLOURS AND PROFILES TO MATCH EXISTING TERRACE.



NEW WALLS TO UPPER LEVEL ADDITION TO BE CLADDIED IN HARDIES PRIMELINE 'HERITAGE' WEATHERBOARD PAINTED TO MATCH EXISTING TERRACE.



ALL ALTERNATIVE COLOURS TO MATCH THE PALETTE IN THE GOULBURN MULWAREE COUNCIL HERITAGE DESIGN MANUAL.

A/31	ISSUED FOR DA	19/05/2020
Rev No	Revision Description	Date
Drawn		
Figured dimensions shall be used in preference to scaling of drawings. Builder to check and verify all dimensions on the job. Contacting information for the Architects should be in strict accordance with current NSW Building Regulations, local regulations and SAA. Clients should be advised that copyright and may not be reproduced in any form without the prior written consent of the Architect. COPYRIGHT © RANDALL DUTAILLIS ARCHITECTS PTY LTD ©		
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EJ		05/19
Scale	Drawing Number	Rev No
SAS	6443-DA-401	A

STATEMENT OF **ENVIRONMENTAL** **EFFECTS**

PROPOSED NEW BED AND BREAKFAST

AT

**LOT 5 DP 32565
176 SLOANE STREET
GOULBURN NSW 2580**

FOR

CALUM COOPER & THERESE SHEAHAN

OCTOBER 2019

**RANDALL | DUTAILLIS
ARCHITECTS**

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1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Goulburn Mulwaree Council (Council) in support of a Development Application (DA) for a proposed dwelling house and bed and breakfast in an existing heritage-listed building.

A Construction Certificate will be sought after approval of this DA.

A Section 68 application accompanies this DA.

1.1 History of the Site

The existing building is located in the southern corner of the Goulburn town centre, and is believed to date back to the mid-1800s. Previous uses of the site are understood to be single dwelling housing, however in 2001 a DA was approved for a change of use to a commercial premises (bookshop). However, according to Council records a Construction Certificate has not been submitted to Council subsequent to this particular DA.

1.2 Consultation with Council

Prior to engaging Randall Dutailis Architects (RDA), the owner contacted Council to access the Council file for this address and receive pre-planning advice. During this process it was discovered that while there was a DA for the change of use to a commercial premises, a Construction Certificate (which was required as per the conditions of the DA) was not on file, most likely not submitted at the time. It is our understanding, based on this, the change of use of the building is in flux, and we would therefore assume that the current use of this site is for a residential dwelling (which is a prerequisite for the eligibility of a bed and breakfast).

RDA have subsequently contacted Council to confirm the above and discuss other avenues for obtaining Council consent for this development. Jane Wray from Council's planning department wrote to RDA on 21 June 2019 explaining that residential accommodation is prohibited in the B3 zone, however, during phone conversations she appeared to support the proposal in principle. She informed RDA there are some clauses within the Goulburn Mulwaree Council LEP that may offer an alternative pathway to a Council consent (namely 5.3 and 5.10 (10)). This point is elaborated on in clause 3.4 of this document. Council also requested a Statement of Heritage Impact be prepared as part of this application.

2.0 Proposal

2.1 Site Location and Context

The site is located in the commercial centre of Goulburn, in a block bordered by Sloane, Clinton, Auburn, and Verner Streets (what could be termed a "super block"). This super block is subdivided by Clinton Lane and the on-grade carpark on this lane that services the block. The site of the proposed development is on Sloane Street, about halfway between historic Mandelson's boutique hotel and the Southern Railway Hotel. The Goulburn Marketplace mini-mall is on the eastern corner of the super block. The Goulburn train station is on the opposite side of Sloane Street from the Marketplace. There are a number of pubs, restaurants and shops on Auburn Street, an approximate 5 minute walk from the subject site.



Figure 1 Aerial view of Goulburn showing the site address.



Figure 2 Aerial view of the "super block" the subject site is located in.

2.2 Site Description

The existing building is a heritage-listed townhouse building, which dates back to the mid-1800s. This building is one of a row of approximately 10 similarly designed townhouses, each sharing a double brick fire wall. There is an existing private lane to the rear of these properties for vehicular access.

The existing building itself requires some repair and revitalisation, however, generally appears to be structurally sound. The existing double brick separating walls are generally in good condition, however they do not extend to the underside of the roof structure – this is proposed to be rectified as part of construction works in order to bring the building in line with modern building codes. The existing flooring on the ground level has a number of unusual level changes that are a potential trip hazard – this is proposed to be rectified as part of these works. The owner has informed RDA of water leaks in the ground level roof, on which a number of services are located. The existing chimneys are currently unsafe and are proposed to be repaired and cleaned. The rear yard is currently paved with brick pavers. The existing timber fence is in average condition and is proposed to be replaced.

2.3 Description of the Proposed Development

2.3.1 Elements of the Proposed Development

The proposed development is for internal alterations and external additions to an existing heritage-listed building for use as a dwelling house and bed and breakfast accommodation. The works are proposed to be built in 2 stages. (Refer Appendix-B)

Stage 1:

- Demolition of existing rear wall and store room. New wall to be constructed to create patio area;
- New open plan dining/kitchen layout;
- New bathroom on ground floor;
- New flooring structure in both the new bathroom area and dining/kitchen area to rectify some unusual level changes that are a potential trip hazard;
- New roof sheeting to the ground level roof structure.
- New store room on upper level;
- Existing windows on Sloane Street to be replaced to suit existing openings;
- Existing timber fence to be replaced.
- Garden beds added as shown.

Stage 2:

- No changes proposed to the ground floor layout for Stage 2 works;
- Conversion of Bedroom 3 to an ensuite;
- Store room relocated;
- New Bedroom 3 added, accessed via new hallway;
- New roof terrace accessed via hallway.

2.3.2 Building Materials

Proposed building materials are nominated in the architectural drawings. Materials proposed are to be similar to and complement existing neighbouring development.

2.3.3 Vehicles and Parking

One on-site parking space is proposed to the rear of the site, via the rear lane servicing neighbouring development. This is a net increase on the number of on-site parking spaces provided, as the design of the existing building does not allow for vehicular parking. This parking space will be for resident use only.

2.3.4 Landscaping

There is little room for landscaping on this site, especially when factoring in the on-site parking space. However, the proposed design does show some minor landscaping in the rear yard. The proposed roof terrace, when built, will also allow for pot plants and planter boxes. The proposed design results in a net increase in soft landscaping over the existing design.

2.3.5 Heritage

The site of the proposed development is a heritage listed item located within the Goulburn Mulwaree Council Heritage Conservation Area. Materials proposed are to be similar to and complement existing neighbouring development. The proposed upper level additions will not be visible from the street, and therefore, in our opinion, will not adversely impact the heritage value of the area. Refer Appendix-D Statement of Heritage Impact for further information. Also refer to Appendix-E Heritage Management Plan for proposed conservation measures.

2.3.6 Demolition

Some demolition of internal and external walls will be required. No demolition on the front façade is proposed. Demolition of some existing flooring is proposed in order to rectify some unusual level changes that present a trip hazard.

2.3.7 Stormwater Management

The proposed development will connect to existing Council stormwater services. The design includes additional soft landscaping, for a net increase over that of the existing design (which was predominantly brick pavers). This should result in a neutral impact on existing Council stormwater services.

2.3.8 Construction Management

A Site Management Plan will be prepared and submitted to the certifier for approval prior to the issue of a Construction Certificate.

3.0 Planning Assessment

The following Environmental Planning Instruments (EPIs) and Development Control Plans (DCPs) are relevant to the proposed development:

- Environmental Planning and Assessment Act 1979;
- Local Government Act 1993;
- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011;
- Goulburn Mulwaree Local Environmental Plan 2009; and
- Goulburn Mulwaree Development Control Plan 2009.

3.1 Environmental Planning and Assessment Act 1979

This proposal, as with all development applications, is subject to the provisions of the Environmental Planning and Assessment Act 1979 (EPA Act 1979).

3.2 Local Government Act 1993

Under Section 68 of the Local Government Act 1993, consent is required from Council for the following:

Part A Structures or places of public entertainment

Install a manufactured home, moveable dwelling or associated structure on land

Part B Water supply, sewerage and stormwater drainage work

- 1 *Carry out water supply work*
- 2 *Draw water from a council water supply or a standpipe or sell water so drawn*
- 3 *Install, alter, disconnect or remove a meter connected to a service pipe*
- 4 *Carry out sewerage work*
- 5 *Carry out stormwater drainage work*
- 6 *Connect a private drain or sewer with a public drain or sewer under the control of a council or with a drain or sewer which connects with such a public drain or sewer*

Part C Management of waste

- 1 *For fee or reward, transport waste over or under a public place*
- 2 *Place waste in a public place*
- 3 *Place a waste storage container in a public place*
- 4 *Dispose of waste into a sewer of the council*
- 5 *Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility*
- 6 *Operate a system of sewage management (within the meaning of section 68A)*

Part D Community land

- 1 *Engage in a trade or business*
- 2 *Direct or procure a theatrical, musical or other entertainment for the public*
- 3 *Construct a temporary enclosure for the purpose of entertainment*
- 4 *For fee or reward, play a musical instrument or sing*
- 5 *Set up, operate or use a loudspeaker or sound amplifying device*
- 6 *Deliver a public address or hold a religious service or public meeting*

Part E Public roads

- 1 *Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway*
- 2 *Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road*

Part F Other activities

- 1 Operate a public car park
- 2 Operate a caravan park or camping ground
- 3 Operate a manufactured home estate
- 4 Install a domestic oil or solid fuel heating appliance, other than a portable appliance
- 5 Install or operate amusement devices
- 7 Use a standing vehicle or any article for the purpose of selling any article in a public place
- 10 Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations

3.3 State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

The subject site is located within the Sydney Drinking Water Catchment Area. Therefore, concurrence will be required from Water NSW.

3.4 Goulburn Mulwaree Local Environmental Plan 2009

3.4.1 Zoning

The proposed use as defined in the LEP is bed and breakfast accommodation.

The site is zoned B3 Commercial Core. Refer Appendix-C for the Land Zoning Map.

The following is an extract from the LEP regarding zoning:

1 Objectives of zone

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses which serve the needs of the local and wider community.*
The proposed development provides another option for short-term accommodation for a wide range of clientele within the Goulburn town centre. In our opinion this satisfies this objective.
- *To encourage appropriate employment opportunities in accessible locations.*
While this development does not propose to employ any staff other than the owners, it will help contribute to the Goulburn economy by providing another option for short-term accommodation for a wide range of clientele within the Goulburn town centre. Local contractors will also be engaged for cleaning and servicing the building as required. In our opinion this satisfies this objective.
- *To maximise public transport patronage and encourage walking and cycling.*
The proposed development is in close proximity to significant public transport (trains), restaurants, hotels, and numerous shops, all of which are a 5 minute walk away from the front door of the premises. In our opinion this satisfies this objective.
- *To reinforce the status of Goulburn as a regional centre.*
The proposed development provides another option for short-term accommodation within the Goulburn town centre. In our opinion this satisfies this objective.
- *To ensure the scale and density of development complements the desired future character of the commercial core.*
The proposed development does not propose any additions beyond the double-storey built-form of existing neighbouring development. In our opinion this satisfies this objective.
- *To protect the historic importance of Goulburn and protect heritage integrity of its historic built form.*
No changes to the front façade are proposed for this development, and materials for the proposed additions will be similar to and complement existing neighbouring development. In our opinion this satisfies this objective.

2 Permitted without consent

Roads

3 Permitted with consent

*Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home industries; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Shop top housing; **Any other development not specified in item 2 or 4***

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Residential accommodation; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities

In accordance with Clause 5.3 of the LEP, this development is also required to be assessed against the objectives of the B4 Mixed Use zone, referring to the land on the opposite side of Sloane Street. Refer Appendix-C for the Land Zoning Map.

The following is an extract from the LEP regarding zoning:

1 Objectives of zone

- To provide a mixture of compatible land uses.
The proposed development provides another option for short-term accommodation for a wide range of clientele within the Goulburn town centre. In our opinion this satisfies this objective.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- **The proposed development is in close proximity to significant public transport (trains), restaurants, hotels, and numerous shops, all of which are a 5 minute walk away from the front door of the premises. In our opinion this satisfies this objective.**
- To maintain and reinforce the role and function of the Goulburn central business district as a major regional centre.
The proposed development provides another option for short-term accommodation within the Goulburn town centre. In our opinion this satisfies this objective.
- To protect the amenity of the areas surrounding the commercial core from encroachment by commercial and retail development, which should be located within the commercial core because of the demand generated by such development for parking and public infrastructure.
The proposed development is located in the commercial core, and the scale of this development will not encroach on the amenity of the areas surrounding the commercial core. In our opinion the proposed development satisfies this objective.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Seniors housing; Shop top housing; **Any other development not specified in item 2 or 4**

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major);

Rural industries; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities

The proposed use as defined in the LEP is dwelling house and bed and breakfast accommodation.

Bed and breakfast accommodation means an **existing dwelling** in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and
- (c) dormitory-style accommodation is not provided.

Note. See clause 5.4 for controls relating to the number of bedrooms for bed and breakfast accommodation.

Bed and breakfast accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

Dwelling house means a building containing only one dwelling.

Note: Dwelling houses are a type of **residential accommodation**—see the definition of that term in this Dictionary.

Residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following:

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,**
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,
- (l) seniors housing,
- (m) shop top housing,

but does not include **tourist and visitor accommodation** or caravan parks.

Bed and breakfast accommodation (tourist and visitor accommodation) is permitted in both B3 and B4 zones. However, **dwelling houses (residential accommodation)** a prerequisite for bed and breakfast accommodation) are prohibited in the B3 zone, while being permitted with Council consent in the B4 zone. As Clause 5.3 of the LEP is applicable to this site, we propose this development be assessed under the objectives contained within this clause.

3.4.2 Height of Buildings

This site is nominated on the Height of Buildings Map as having a maximum height of 15 metres. The height of the proposed additions is below the height of the existing roof line, being approximately 9 metres.

3.4.3 Floor Space Ratio (FSR)

This site is nominated on the Floor Space Ratio Map as having a maximum FSR of 2:1. The FSR of the proposed development is 1.16:1.

3.4.4 Clause 5.3 - Development near zone boundaries

(1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone. **The site of the proposed development is within the required distance of the zone boundary to comply with this clause. The neighbouring zone is B4 Mixed Use, which permits residential accommodation with consent from Council.**

(2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 50 metres.

The site of the proposed development is within 50 metres of the zone boundary. Therefore, this clause is applicable and complies with this objective.

(3) This clause does not apply to:

- (a) land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or
- (aa) land in Zone E4 Environmental Living, or
- (b) land within the coastal zone, or
- (c) land proposed to be developed for the purpose of sex services or restricted premises.

Note. When this Plan was made it did not include Zone W1 Natural Waterways.

Not applicable.

(4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:

- (a) the development is not inconsistent with the objectives for development in both zones, and
- (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.

In our opinion the proposed development is consistent with the objectives for development in both B3 and B4 zones (see clause 3.4.1 of this document). The proposed use of the land is a compatible use, and in our opinion will not negatively impact on existing infrastructure.

(5) This clause does not prescribe a development standard that may be varied under this Plan.

No variations to any development standards are proposed as part of this development.

3.4.5 Clause 5.4 – Controls relating to miscellaneous permissible uses

(1) Bed and breakfast accommodation

If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 7 bedrooms.

Note: Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the Building Code of Australia.

A total of 3 bedrooms are proposed as part of the overall scope of this development. Therefore, this development complies with this clause.

3.4.6 Clause 5.10 - Heritage conservation (Refer Appendix-D)

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Goulburn Mulwaree,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

No changes to the front façade are proposed for this development, and materials for the proposed additions will be similar to and complement existing neighbouring development. Additionally, the proposed addition will not impact the existing 2-storey built form of existing neighbouring development. In our opinion this satisfies the objectives of this clause.

(2) Requirement for consent

Development consent is required for any of the following:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):

- (i) a heritage item,
- (ii) an Aboriginal object,
- (iii) a building, work, relic or tree within a heritage conservation area,

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

(f) subdividing land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

As the proposed development proposes alterations to the rear walls and internal layout, development consent is required from Council.

(3) When consent not required

However, development consent under this clause is not required if:

(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:

(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and

(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or

(b) the development is in a cemetery or burial ground and the proposed development:

(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and

(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or

(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or

(d) the development is exempt development.

As the proposed alterations are not minor in nature, development consent is required from Council.

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

In our opinion the proposed additions and alterations and proposed use of the development will revitalise a disused building and have a positive impact on the heritage significance of the heritage item and the surrounding heritage area.

(5) Heritage assessment

The consent authority may, before granting consent to any development:

(a) on land on which a heritage item is located, or

(b) on land that is within a heritage conservation area, or

(c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

See attached Statement of Heritage Impact (Appendix-D).

(6) Heritage conservation management plans

The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

See attached Statement of Heritage Impact (Appendix-D).

(7) NOT APPLICABLE – NOT AN ARCHAEOLOGICAL SITE.

(8) NOT APPLICABLE – NOT AN ABORIGINAL PLACE OF HERITAGE SIGNIFICANCE.

(9) NOT APPLICABLE – NOT A STATE HERITAGE ITEM.

(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

In our opinion the proposed additions and alterations and proposed use of the development will revitalise a disused building and have a positive impact on the heritage significance of the heritage item and the surrounding heritage area. Refer Appendix-D Statement of Heritage Impact for further information. Refer Appendix-E Heritage Management Plan for proposed conservation measures.

3.6 Goulburn Mulwaree Development Control Plan 2009

The Goulburn Mulwaree Development Control Plan 2009 (DCP) controls relevant to the proposed development are:

- 2 Plan Objectives
 - 2.1 General Development Objectives
 - 2.2 Local Objectives – Goulburn City
- 3 General Development Controls
 - 3.2 European (non-indigenous) heritage conservation
 - 3.3 General Heritage Item and Conservation Area Controls
 - 3.5 Vehicular access and parking
 - 3.6 Crime prevention through environmental design
- 4 Principle Development Controls – Urban
 - 4.1 Residential development
- 7 Engineering Requirements
 - 7.1 Utility Services
 - 7.3 Drainage and Soil and Water Management
- 8 Site Specific Provisions
 - 8.1 Goulburn City Business District

A full assessment against the relevant components of the DCP is included at Appendix A.

4.0 Assessment of Planning Issues

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this report. The assessment considers only those matters under Section 79C (1) of the EP&A Act 1979 that are relevant to the proposal.

4.1 Compliance with Planning Instruments and Controls

- Under the definition of a bed and breakfast, the proposed development is a permitted use within the B3 Commercial Core zone under the Goulburn Mulwaree LEP 2009;
- However, the eligibility of a bed and breakfast is conditional on the proposal being an existing dwelling house, which is prohibited in the B3 zone;
- As the proposed development is within 50 metres of the zone boundary, Clause 5.3 permits dwelling houses as the neighbouring zone is B4 Mixed Use, which permits residential accommodation with consent from Council;
- Additionally, Clause 5.10 (10) provides for conservation incentives as the site of the proposed development is a heritage-listed item. In our opinion, the proposed development facilitates the conservation of said heritage-listed item through its use as a residential dwelling and bed and breakfast accommodation;
- The proposal is consistent with the relevant sections of Goulburn Mulwaree DCP 2009 and relevant Council Plans and Strategies.

4.2 Built Impact

4.2.1 Built Form and Heritage

The proposed additions are not higher than the existing roof line, and will complement the built form of neighbouring development. Proposed materials and finishes will be similar to and complement existing neighbouring development. The proposed development will revitalise an existing heritage-listed building, having a positive impact on the surrounding heritage character.

4.2.2 Traffic, Access and Parking

The nature of this development and its proximity to Goulburn train station will reduce the requirement for guests to use their own cars to access the site. The single on-site car space will be used by guests, and presents a net increase in on-site parking spaces over the existing design.

4.2.3 Landscaping and Tree Removal

No trees are located on this site, and the proposed development is not located within the root zone of any existing trees.

4.2.4 Utilities and services

The proposed development is expected to have a neutral effect on existing services.

4.2.5 Amenity

The proposed upper level additions are not expected to overshadow the neighbour's private open space, nor any neighbouring windows. However the proposed roof terrace may overlook neighbour's private open space. Privacy screens are proposed on the northeastern and southwestern boundaries of the roof terrace to mitigate this.

4.3 The Public Interest

4.3.1 Social Impact

The proposed development provides an additional option for short-term accommodation within the Goulburn town centre, located near significant public transport and within walking distance to shops and restaurants. The revitalisation of this building will also have a positive impact on the surrounding heritage character.

4.3.2 Economic Impact

The proposed development provides an additional option for short-term accommodation within the Goulburn town centre, located near significant public transport and within walking distance to shops and restaurants. The boutique nature of this accommodation will encourage more tourists and businesspeople to Goulburn, and encourage them to stay for a period, helping the local economy.

4.3.3 Environmental Impact

The proposed development repurposes an existing building into short-term accommodation. Its proximity to significant public transport, shops and restaurants will encourage guests to walk to their various destinations rather than use their car. Insulation and higher-performing windows are proposed to be installed as part of this development. Energy- and water-efficient fittings and fixtures are also proposed to be used.

5.0 Conclusion

The proposed development is consistent with the specific zone objectives, and will have a positive impact on the surrounding heritage character. It is not expected to have a negative impact on existing car parking infrastructure, nor on existing services.

There is no reason not to proceed with approval of this development.

Regards, James Tedman

APPENDIX A – GOULBURN MULWAREE DCP COMPLIANCE TABLE

APPENDIX B – ARCHITECTURAL DRAWINGS

SHEET NO	SHEET NAME
6443-DA-000	COVER PAGE
6443-DA-001	SITE & STAGING PLAN
6443-DA-002	EROSION AND SEDIMENT CONTROL PLAN
6443-DA-101	STAGE 1 – EXISTING & DEMOLITION PLANS
6443-DA-102	STAGE 1 – PROPOSED PLANS
6443-DA-103	STAGE 2 – EXISTING & DEMOLITION PLANS
6443-DA-104	STAGE 2 – PROPOSED PLANS
6443-DA-201	STAGE 1 & 2 – ELEVATIONS
6443-DA-301	STAGE 1 & 2 - SECTIONS

APPENDIX C – GOULBURN MULWAREE LEP 2009 MAP EXTRACTS

MAP NO	MAP NAME
LZN_001D	LAND ZONING MAP
HOB_001D	HEIGHT OF BUILDINGS MAP
FSR_001D	FLOOR SPACE RATIO MAP
HER_001D	HERITAGE MAP
HER_001DF	HERITAGE MAP

APPENDIX D – STATEMENT OF HERITAGE IMPACT

APPENDIX E – HERITAGE MANAGEMENT PLAN

STATEMENT OF HERITAGE
IMPACT

**PROPOSED BED AND BREAKFAST IN
EXISTING HERITAGE BUILDING**

AT

**176 SLOANE STREET
GOULBURN NSW 2580**

FOR

**CALUM COOPER &
THERESE SHEAHAN**

OCTOBER 2019

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STATEMENT OF HERITAGE IMPACT

for

CALUM COOPER & THERESE SHEAHAN

located at

**176 SLOANE STREET
GOULBURN NSW 2580**

This statement forms part of the Statement of Environmental Effects

for

PROPOSED BED AND BREAKFAST IN EXISTING HERITAGE BUILDING

OCTOBER 2019

SITE LOCATED IN THE GOULBURN CONSERVATION PRECINCT

STATEMENT PRODUCED AND PREPARED BY:

**DUTAILLIS ARCHITECTS PTY LTD
REGISTERED ARCHITECT AND HERITAGE CONSULTANTS
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1.0 STATEMENT OF HERITAGE IMPACT**1.1 INTRODUCTION**

Randall Dutailis Architects (RDA) have been commissioned by Mr Calum Cooper and Ms Therese Sheahan to design and submit a Development Application (DA) for a proposed dwelling house and bed and breakfast at 176 Sloane Street Goulburn NSW. This Statement of Heritage Impact (SHI) will examine the physical impact of the proposed development on the existing heritage-listed building.

The format of the assessment will follow the guidelines outlined in the NSW Heritage Manuals Guidelines for the preparation of Statements of Heritage Impact 1996.

This document should be read in conjunction with the DA submitted to Goulburn Mulwaree Council and the Statement of Environmental Effects (SEE).

1.2 EXISTING SITUATION

The existing building is a heritage-listed townhouse building, which dates back to the mid-1800s. This building is one of a row of approximately 10 similarly designed townhouses, each sharing a double brick fire wall. There is an existing private lane to the rear of these properties for vehicular access.

The existing building itself requires some repair and revitalisation, however, generally appears to be structurally sound. The existing double brick separating walls are generally in good condition, however they do not extend to the underside of the roof structure – this is proposed to be rectified as part of construction works in order to bring the building in line with modern building codes. The existing flooring on the ground level has a number of unusual level changes that are a potential trip hazard – this is proposed to be rectified as part of these works. The owner has informed RDA of water leaks in the ground level roof, on which a number of services are located. The existing chimneys are currently unsafe and are proposed to be repaired and cleaned. The rear yard is currently paved with brick pavers. The existing timber fence is in average condition and is proposed to be replaced.

1.3 EXISTING COUNCIL DOCUMENTS

The following existing Council documents have been supplied by the client:

- (i) Notice of Determination of a Development Application (for Use of building as a bookshop) (No. 2001/0187/DA) – dated 28 November 2001
(Refer to Appendix 2.1.1)
- (ii) Deed of purchase (attached to current owner's contract of sale) – dated 24 August 1925
(Refer to Appendix 2.1.2)
- (iii) Deed of purchase (attached to current owner's contract of sale) – dated 13 December 1922
(Refer to Appendix 2.1.3)

1.4 PROPOSAL

The proposed development is for internal alterations and external additions to an existing heritage-listed building for use as bed and breakfast accommodation. The works are proposed to be built in 2 stages. (Refer Appendix 2.2 for Architectural Drawings)

Stage 1:

- Demolition of existing rear wall and store room. New wall to be constructed to create patio area;

- New open plan dining/kitchen layout;
- New bathroom on ground floor;
- New flooring structure in both the new bathroom area and dining/kitchen area to rectify some unusual level changes that are a potential trip hazard;
- New roof sheeting to the ground level roof structure.
- New store room on upper level;
- Existing windows on Sloane Street to be replaced to suit existing openings;
- Existing timber fence to be replaced.
- Garden beds added as shown.

Stage 2:

- No changes proposed to the ground floor layout for Stage 2 works;
- Conversion of Bedroom 3 to an ensuite;
- Store room relocated;
- New Bedroom 3 added, accessed via new hallway;
- New roof terrace accessed via hallway.

1.5 PURPOSE OF PROPOSED WORKS

The development is proposed to be used as bed and breakfast accommodation.

**1.6 NSW HERITAGE MANUAL GUIDELINES, 1996.
'STATEMENTS OF HERITAGE IMPACT' QUESTIONS**

- 1.6.1** *"The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons":*

PROPOSAL

The proposal does not include any changes to the front façade, other than general maintenance and revitalisation. The height of the proposed upper level additions is well below the existing roof line. In our opinion the proposal helps to revitalise a disused heritage building, and the conservation of this building will be facilitated by Council's consent to this development.

HISTORICAL/AESTHETIC

There is limited historical information pertaining to this site. Refer Appendix 2.1.2 & 2.1.3 for earliest known records.

TECHNICAL / RESEARCH POTENTIAL

There is limited technical or research information pertaining to this site. Refer Appendix 2.1.2 & 2.1.3 for earliest known records.

CONSERVATION MANAGEMENT PLAN

There are no known Conservation Management Plans for this site.

- 1.6.2** *"The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained, as well as the measures to be taken to minimise the impacts":*

MINIMISATION OF NEGATIVE IMPACTS

In our opinion there are no negative impacts associated with the proposed development. The intentions of this proposal are to maintain and enhance the existing heritage character of the streetscape. The proposed internal alterations will enhance the usability of the existing spaces, and propose to use materials and furnishings that are complementary to the known historical aspects of this building. The proposed additions will not be visible from the street, and they will use materials and finishes that are similar to and complement surrounding development. The conservation of this building will be facilitated by Council's consent to this proposal.

1.6.3 *"The following sympathetic solutions have been considered and discounted for the following reasons":*

Other options were considered in the early design phase, but were discounted due to the requirements of the client's brief and budget, as well as the tight dimensions of the site.

1.7 HERITAGE CONSERVATION (Section 5.10.1)

(Extract from the Goulburn Mulwaree Local Environmental Plan 2009)

Note. Heritage items, heritage conservation areas and archaeological sites (if any) are shown on the Heritage Map. The location and nature of any such item, area or site is also described in Schedule 5.

(1) Objectives

The objectives of this clause are as follows:

(a) to conserve the environmental heritage of Goulburn Mulwaree,

Response:

The proposal does not include any changes to the front façade, other than general maintenance and revitalisation. The height of the proposed upper level additions is below the existing roof line. In our opinion the proposal helps to revitalise a disused heritage building, and the conservation of this building will be facilitated by Council's consent to this development.

(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

Response:

The proposal does not include any changes to the front façade, other than general maintenance and revitalisation. The height of the proposed upper level additions is below the existing roof line. Materials and finishes used for the proposed additions will be similar to and complement the heritage character of surrounding development.

(c) to conserve archaeological sites,

Response:

The site of the proposed development is not an archaeological site. Therefore, this objective is irrelevant to this proposed development.

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

Response:

The site of the proposed development does not contain any Aboriginal objects and is not a place of Aboriginal significance. Therefore, this objective is irrelevant.

1.7.1 CONSERVATION INCENTIVES (Section 5.10.10)*(Extract from the Goulburn Mulwaree Local Environmental Plan 2009)*

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and

Response:

The proposed works and use will revitalise the existing building and improve the usability of the spaces within it. The existing building envelope will be maintained except for some demolition of the upper level of the rear brick wall to allow for the upper level addition. Materials and finishes of the refurbishment of the existing building will reflect the heritage character of the existing building. Materials and finishes proposed to be used for the proposed upper level additions externally and internally will be similar to and complement the heritage character of the existing building and the neighbouring buildings. The upper level additions have also been designed to be sympathetic to surrounding existing development and to prevent overshadowing of neighbouring windows and private open space. The upper level additions will also not be visible from any public vistas (noting that redevelopment of the Goulburn Marketplace is imminent).

In our opinion the proposed development of a bed and breakfast is a compatible use in the immediate area, especially given the proximity of Mandelson's boutique hotel and the Southern Railway Hotel. There are also a number of existing heritage-listed residential dwellings on neighbouring properties, which in our opinion supports the proposed use as a residential dwelling. Based on the above statements, we believe the proposed development will facilitate the conservation of this heritage item and should be granted consent from Council.

(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and

Response:

All elements of the proposed development will be carried out in accordance with the proposals and recommendations set out in this report. Also see attached Heritage Management Plan in Appendix-E or the Statement of Environmental Effects.

(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and

Response:

Minor repainting of existing surfaces and trim on the front façade is proposed as part of this development. Chosen colours will match existing colours to maintain the existing heritage character of the neighbourhood. In our opinion this satisfies this objective. All new

construction will be completed as described earlier in this document, and will be completed to the most current standards and codes.

(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and

Response:

Materials and finishes proposed to be used both externally and internally for the proposed upper level additions will be similar to and complement the character of the existing building and the neighbouring buildings. The proposed additions will not be visible from any streets or other public vistas (noting that redevelopment of the Goulburn Marketplace is imminent), nor will they affect the existing building envelope of neighbouring properties. In our opinion this satisfies this objective.

(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

Response:

The proposed upper level additions have been designed to be sympathetic to surrounding existing development and to prevent overshadowing of neighbouring windows and private open space. The roof over the the proposed upper level addition has been designed to prevent stormwater from this property affecting neighbouring properties. In our opinion this satisfies this objective.

1.8 HERITAGE LISTING

176 Sloane Street is located within the Goulburn Heritage Conservation Area and is identified on the following Heritage Listings and Registers.

Goulburn Mulwaree Council Local Environment Plan:
Schedule 5 Items of Heritage Significance: Yes No

Goulburn Heritage Conservation Area: Yes No

(Refer to Appendix 2.4.3)

1.9 ALLOWABLE DEVELOPMENT

(Extract from the Goulburn Mulwaree Local Environmental Plan 2009)

The site is zoned B3 Commercial Core.

1 Objectives of zone

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses which serve the needs of the local and wider community.*

The proposed development provides another option for short-term accommodation for a wide range of clientele within the Goulburn town centre. In our opinion this satisfies this objective.

- *To encourage appropriate employment opportunities in accessible locations.*

While this development does not propose to employ any staff other than the owners, it will help contribute to the Goulburn economy by providing another option for short-

term accommodation for a wide range of clientele within the Goulburn town centre. In our opinion this satisfies this objective.

- *To maximise public transport patronage and encourage walking and cycling.*
The proposed development is in close proximity to significant public transport (trains), restaurants, hotels, and numerous shops, all of which are a 5 minute walk away from the front door of the premises. In our opinion this satisfies this objective.
- *To reinforce the status of Goulburn as a regional centre.*
The proposed development provides another option for short-term accommodation within the Goulburn town centre. In our opinion this satisfies this objective.
- *To ensure the scale and density of development complements the desired future character of the commercial core.*
The proposed development does not propose any additions beyond the double-storey built-form of existing neighbouring development. In our opinion this satisfies this objective.
- *To protect the historic importance of Goulburn and protect heritage integrity of its historic built form.*
No changes to the front façade are proposed for this development, and materials for the proposed additions will be similar to and complement existing neighbouring development. In our opinion this satisfies this objective.

2 Permitted without consent

Roads

3 Permitted with consent

Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home industries; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Residential accommodation; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities

*The proposed use as defined in the LEP is **bed and breakfast accommodation**.*

Bed and breakfast accommodation means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and
- (c) dormitory-style accommodation is not provided.

Note. See clause 5.4 for controls relating to the number of bedrooms for bed and breakfast accommodation.

Bed and breakfast accommodation is a type of tourist and visitor accommodation—see the definition of that term in the LEP.

Tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

- (a) backpackers' accommodation,*
 - (b) bed and breakfast accommodation,*
 - (c) farm stay accommodation,*
 - (d) hotel or motel accommodation,*
 - (e) serviced apartments,*
- but does not include:*
- (f) camping grounds, or*
 - (g) caravan parks, or*
 - (h) eco-tourist facilities*

Refer to the SEE for a more detailed description of the definitions for this proposal.

1.10 SITE INFORMATION

Site area: 127.12 m²
 Zoning: B3 Commercial Core
 Lot N^o: 5
 DP : 32565

This proposal is for alterations and additions to an existing heritage building to accommodate a proposed bed and breakfast.

1.11 DETRIMENTAL IMPACTS

There are no detrimental impacts caused by these proposed works. The intentions of this proposal are to maintain and enhance the existing heritage character of the streetscape. The proposed internal alterations will enhance the usability of the existing spaces and propose to use materials and finishes that are complementary to the known historical aspects of this building. The proposed additions will not be visible from the street, and they will use materials and finishes that are similar to and complement surrounding development. The conservation of this building will be facilitated by Council's consent to this proposal.

1.12 POSITIVE BENEFITS

The proposal does not include any changes to the front façade, other than general maintenance and revitalisation, maintaining the existing heritage character of the neighbourhood. The height of the proposed upper level additions is well below the existing roof line. In our opinion the proposal helps to revitalise a disused heritage building, and the conservation of this building will be facilitated by Council's consent to this development.

1.13 CONCLUSION

It is the intent of this development to maintain and enhance the existing heritage character of neighbouring development on Sloane Street. The proposed additions will not be visible from Sloane Street, and proposed materials and finishes will be similar to and complement those of neighbouring development. The proposal helps to revitalise a disused heritage building, and the conservation of this building will be facilitated by Council's consent to this development.

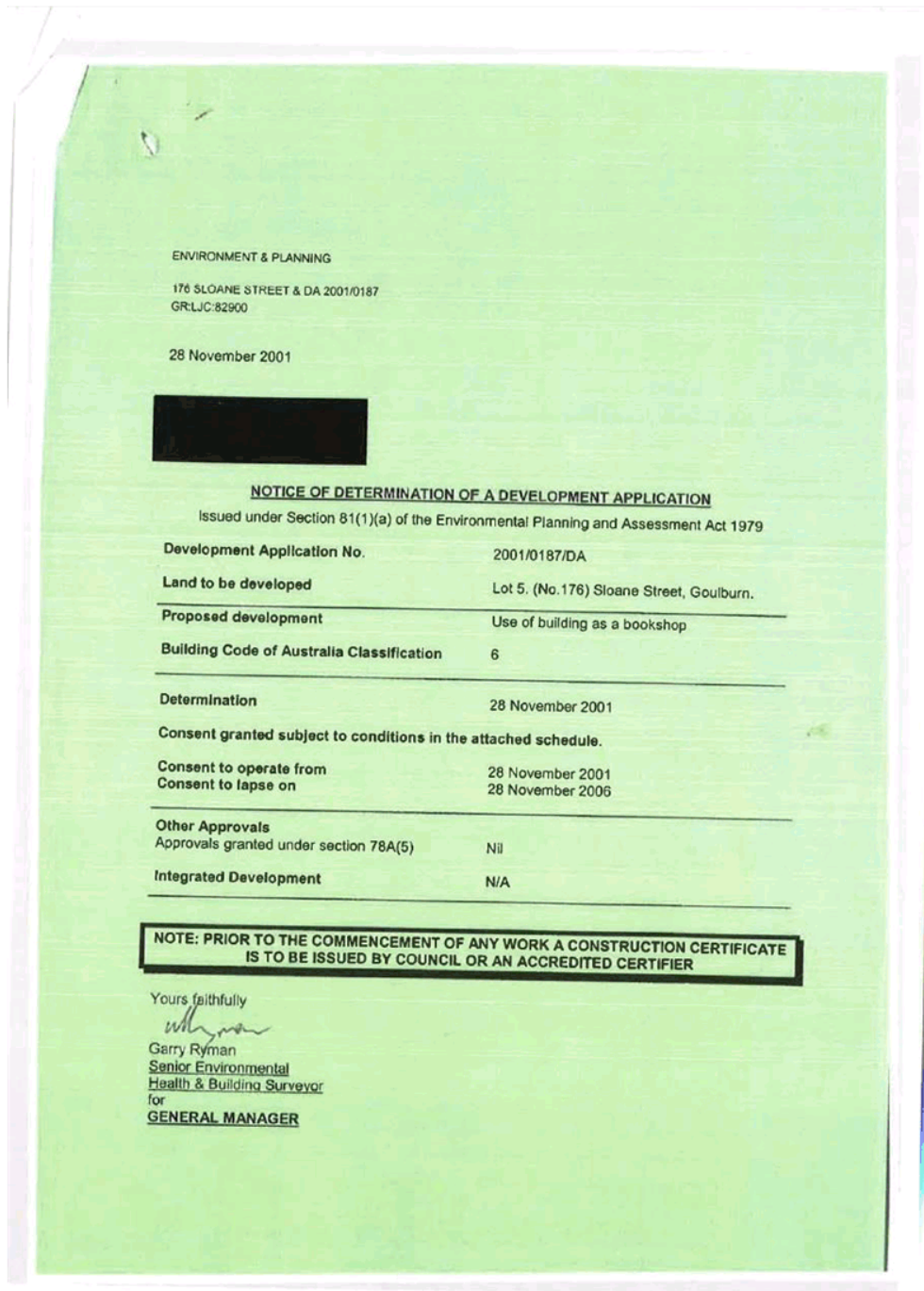
2.0 APPENDICES

- 2.1 COUNCIL FILE INFORMATION
- 2.2 ARCHITECTURAL DRAWINGS – AS PREPARED BY RANDALL DUTAILLIS ARCHITECTS
- 2.3 PHOTOGRAPHIC RECORD
- 2.4 GOULBURN MULWAREE COUNCIL 2009 – LEP EXTRATCS

**APPENDIX 2.1
COUNCIL FILE INFORMATION (PROVIDED BY CLIENT)**

- 2.1.1 Notice of Determination of a Development Application (for Use of building as a bookshop) (No. 2001/0187/DA) – dated 28 November 2001
- 2.1.2 Deed of purchase (attached to current owner’s contract of sale) – dated 24 August 1925
- 2.1.3 Deed of purchase (attached to current owner’s contract of sale) – dated 13 December 1922

Appendix 2.1.1 – Notice of Determination of a Development Application (for Use of building as a bookshop) (No. 2001/0187/DA) – dated 28 November 2001



DEVELOPMENT APPLICATION DETERMINATION NOTICE

SCHEDULE OF CONDITIONS

1. The development is to be carried out generally in accordance with the plans and details submitted with the application except where varied by the following conditions of consent.
2. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
3. The building shall not be occupied or used until an Occupation Certificate is issued.
4. Building materials must NOT be placed or stored on the road or footpath.
5. Before the erection of any hoardings or the occupation of any footpath, application in writing is to be made to the Council and the appropriate fees paid.
6. That all work shall be carried out only between the hours of 7.00am and 6.00pm Mondays to Fridays inclusive and on Saturdays between 7.00am and 1.00pm if inaudible on residential premises, otherwise 8.00am to 1.00pm.

No work shall take place on Sundays or Public Holidays. A written application shall be made to the Council if a variation of these hours is required. The application shall indicate the reasons for the variation. The Council shall, if it so desires, grant any variation in writing.
7. Demolition work is to be carried out in accordance with AS 2601-1991.
8. Before any site works, building or demolition begins the applicant or builder must:
 - (a) Erect a sign (minimum size 600 mm x 450 mm) in the front of the property with the builder's name, licence number, site address and complying certificate number.
 - (b) Protect and support any neighbouring buildings.
 - (c) Protect any public place from obstruction or inconvenience resulting from the carrying out of the development.
 - (d) Prevent any substance from falling onto a public place.
9.
 - (a) Any damage caused to kerb, guttering and/or footpath during building operations shall be rectified to the satisfaction of Council.
 - (b) The footpath and/or road reserve are not to be used for construction purposes or placing of building materials without the prior consent of Council. Where necessary, arrangements may be made by contacting Council's Environment and Planning Department.

DEVELOPMENT APPLICATION DETERMINATION NOTICE

10. A certificate of compliance in respect of any development involving sanitary plumbing, drainage, water supply and trade waste sewer connectio work must be obtained from Goulburn City Council, as the local Water and Sewer Authority, prior to the development or building being used or occupied.
11. Pursuant to Clause 94 of the Environmental Planning and Assessment Regulation 2000 the building must be fire upgraded by;
 - i) Fire separating the roof space of the building from any adjoining terraces by methods complying with Section C of the Building Code of Australia.
 - ii) Repairing, renewing or modifying the most northern wall of the single storey section of the building and protecting adjacent openings by methods complying with Section C of the Building Code of Australia.
12. Under the terms of this Consent the building must not at any time be used as a dwelling or on any single occasion be used to provide sleeping accommodation for any person.
13. Under the terms of this consent the first floor rooms of the building must not be used or adapted as retail space accessible by the general public. The use of the first floor as a staff work room (eg. book repair, sorting and the like) and managed storeroom area to maintain unrestricted egress from the rooms is acknowledged.

REASONS FOR CONDITIONS

Conditions have been imposed in accordance with the requirements of section 80A of the Environmental Planning & Assessment Act, 1979, in particular having regard to the relevant provisions of Section 79C.

- To comply with the provisions of relevant Environmental Planning Instruments (including drafts) regulations and development control plans. (S79C(1)(a)(i)-(iii))
- To ensure that there is no adverse effect caused by the development. (S79C(1)(b))
- To ensure that the site is suitable for the development. (S79C(1)(c))
- To protect the public interest. (S79C(1)(e))

NOTES:Construction Certificate

Where construction work is proposed development consent is the first step. Before construction commences, a Construction Certificate must be obtained from Council or an accredited certifier.

Lapsing of Development Consent

Development consent does not lapse if the approved use has actually commenced or the proposed work is physically commenced before the consent lapse date, except where a condition specifies a limit to the duration of the consent.

Right of Appeal

If you are dissatisfied with this decision, section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Charges

Charges are reviewed each financial year. A copy of Council's fees and charges is available free of charge at the Council offices.

DEVELOPMENT APPLICATION DETERMINATION NOTICE

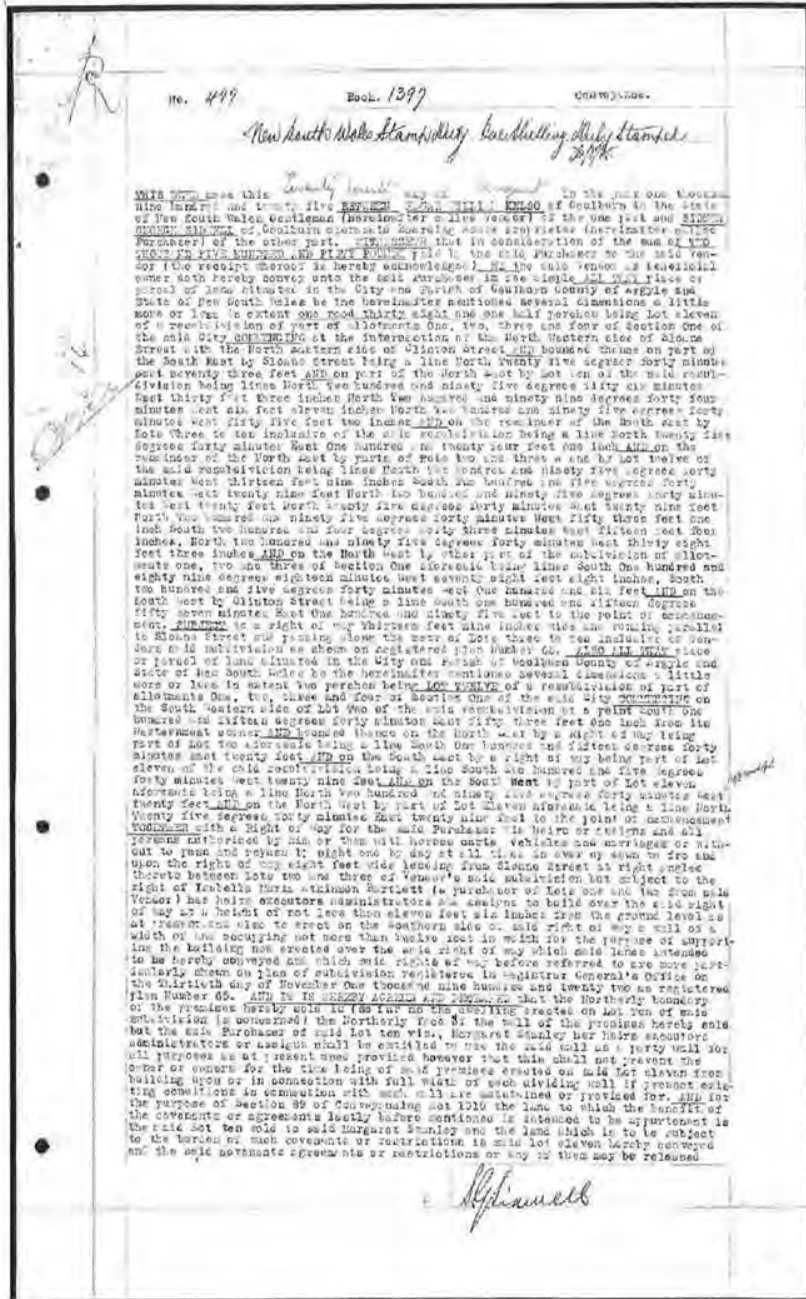
ANNEXURE "A"

THIS ANNEXURE IS PROVIDED AS ADVICE TO THE APPLICANT

1. A Construction Certificate Application is required for building works, including fire safety upgrading work required by this Consent. A Fire Safety Schedule will be issued with any future Construction Certificate.
2. This consent does not relieve the applicant of any obligation to comply with the conditions imposed on the Clause 36 exemption for the need to obtain development consent issued by Council on 1 November 2001 under the Goulburn Local Environmental Plan.
3. If Council is nominated as the Principal Certifying Authority arrangements must be made for Council staff to carry out inspections during construction and on completion. Fees will be payable in accordance with Council's Pricing Policy.

Appendix 2.1.2 – Deed of purchase (attached to current owner’s contract of sale) – dated 24 August 1925

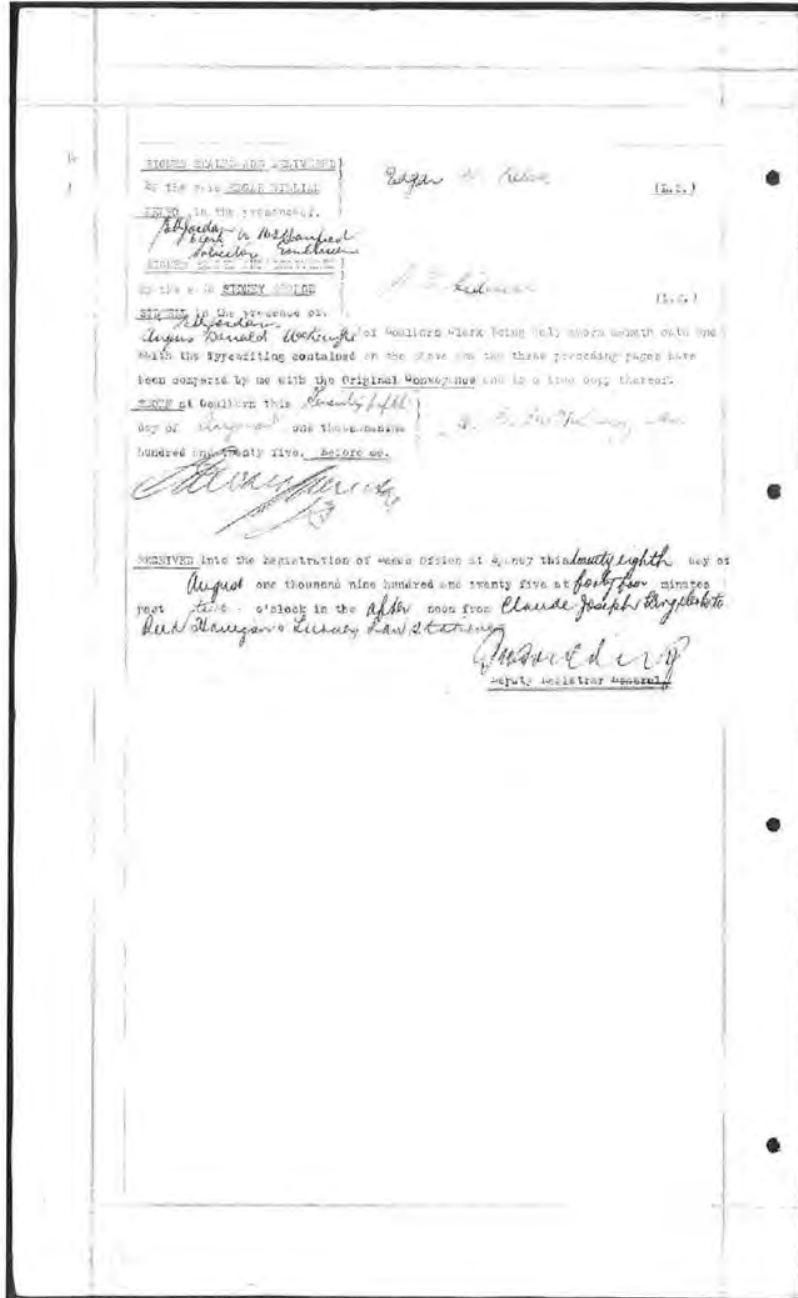
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<u>THE STATUTES BOOKS</u>	
20 November 1876.	Indenture of Conveyance of this site David Clark & Henry Lambell Cohen one part and Michael Perry of the other part reg. No. 117 Book 251.
16 June 1881.	Indenture of Conveyance of this site Michael Perry 1st part David Clark and Henry Lambell Cohen trustees of will of late Nathan Handlerson decd. one part & the said David Clark one part reg. No. 240 Book 251.
16 June 1881.	Indenture of Assignment of this site Michael Perry of the one part and David Clark one part approved by Mortgages abstracted Indenture of 20th Novr. 1879.
26 Apr. 1884.	Indenture of Conveyance of this site reg. No. 411 of one part and Augustus Matthew Little and Robert Craig of the other part reg. No. 416 Book 251.
27 December 1889.	Indenture of Mortgage of this site Augustus Matthew Little and Robert Craig of the one part and George Wood of the other part reg. No. 416 Book 251.
4 February 1884.	Statutory Discharge of this site of David Clark & Henry Lambell Cohen reg. No. 240 Book 251.
18 February 1885.	Indenture of Mortgage of this site Robert Craig of the one part and John Vignora of the other part reg. No. 476 Book 256 with discharge endorsed thereon dated 1st Decr. 1887/No. 95 Book 256.
11 December 1888.	Indenture of Conveyance of this site Augustus Matthew Little and Robert Craig 1st part Elizabeth Ann Little one part John Henry Grier one part reg. No. 179 Book 260.
18 April 1887.	Indenture of Mortgage of this site Augustus Matthew Little 1st part Elizabeth Ann Little one part Edward McBride one part reg. No. 228 Book 260.
2 July 1888.	Indenture of Conveyance of this site (endorsed on lastly abstracted Indro. Bernard Dobson 1st part A.L. Little & Elizabeth Ann Little one part and Henry Samuel Marsden Little one part reg. No. 650 Book 260.
16 August 1885.	Indenture of Mortgage of this site A.L. Little 1st part Elizabeth Ann Little one part The Perpetual Trustee Co. Ltd. one part reg. No. 368 Book 261.
8 Febr. 1879.	Declaration of this site of David Clark.
8 Febr. 1879.	Indenture of Confirmation of this site David Clark and the Honourable Henry Samuel Cohen trustees of will of late Nathan Handlerson decd. of the one part and Michael Perry of the other part. Reg. No. 166 Book 186.
31 Decr. 1878.	Indenture of Mortgage of this site Robert Craig the younger of the one part and Robert Craig the elder of the other part reg. No. 750 Book 179.
21 Decr. 1889.	Discharge of above Mortgage by said Robert Craig the Sole Acting Executor of Robert Craig the elder reg. No. 98 Book 260.
17 Octr. 1901.	Indenture of Conveyance of this site The Perpetual Trustee Co. Ltd. of the one part and Edgar W. Kelso of the other part reg. No. 884 Book 299.
17 Octr. 1901.	Indenture of Mortgage of this site Edgar W. Kelso of the one part and Annie Little of the other part reg. No. 884 Book 299 with Statutory Discharge endorsed dated 12th Oct. 1903 Reg. No. 681 Book 745.
4 Febr. 1878.	Statutory Declaration of this site by David Clark.
19 Febr. 1901.	Statutory Declaration of this site of Joseph Handlerson.
17 Febr. 1901.	Letter from Bank of N.S. Wales Agency to Manager Perpetual Trustee Co. Ltd.
5 Febr. 1889.	Office Copy Will of Nathan Handlerson decd.
6 Febr. 1901.	Statutory Declaration of A.L. Little.
18 Febr. 1901.	Statutory Declaration of E.W. Kelso.
<u>THE STATUTE BOOKS</u>	
The Statute Book of the said Nancy Kate Berouste possessed his name and affixed his seal.	

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Ref:3061801 /Src:CM



REQ:R825346 /Doc:SK 12e7-183 no /Rev:06-Sep-2016 /STG:OK,OK /Prt:17-Jan-2019 15:00 /Seq:2 of 2
 Sct:3061901 /Sec:W

The purchaser herein as Number 189 Sloane Street Goulburn aforesaid and covenants on the land herein that mentioned in the secondly before written description of parcel and which building is partly erected from the right of way or lane coloured red of the plan endorsed hereto and is now supported by pillars rested on the adjoining side upon the wall of the building known as Number 180 Sloane Street Goulburn aforesaid and erected on the land shown as lot three on the said registered plan for shall the said purchaser her executors administrators or assigns be entitled to or require any title or interest in the walls of such last mentioned premises shown as 180 Sloane Street Goulburn aforesaid but so long as the buildings remain erected on or at the present time the owner or owners for the time being of such last mentioned premises shall not interfere with or prevent the said first mentioned building being so supported as aforesaid and as at the present time **PROVIDED HOWEVER** that in the event of the said purchaser her executors administrators or assigns at any time hereafter making any structural alterations in the nature of rebuilding to the said building erected on said lot two and as they shall thereupon remove or alter the said building from its present support upon the said wall shown as Number 180 Sloane Street aforesaid and to provide support the same as may be necessary and in any or all of such events the said owner or owners for the time being of such last mentioned premises may in such case call upon the purchaser her executors administrators or assigns to so remove the said building from such support as aforesaid and to enforce all remedies in respect thereof **PROVIDED HOWEVER AND IT IS HEREBY AGREED AND DECLARED** that for the purpose of supporting the said building known as Number 180 Sloane Street Goulburn aforesaid erected on said lot two aforesaid the said purchaser her executors administrators or assigns may, when and as they shall think fit, erect a wall on the southern side of the land coloured red on the plan endorsed hereto and shown as a right of way which wall shall be of a height of not more than twelve inches in width and such land immediately adjoining the northern wall of the said premises shown as Number 180 Sloane Street Goulburn aforesaid as shown in the plan **EXPRESSLY AGREED AND DECLARED** that the vendor reserves unto himself together with the purchaser and the owner or owners for the time being of all lands between Clinton Street Goulburn and the right of way leading from Sloane Street parallel to said Clinton Street (and shown on the endorsed plan hereto and coloured red) and to his and their respective heirs executors administrators and assigns at all times and full free and uninterrupted right of way in over top down to fit and upon the said right of way or lane provided however and it is hereby declared that the said purchaser her heirs executors administrators or assigns may build over the said lane or right of way at a height of not less than eleven feet six inches from the ground level as at present and in the future **AGREED AND DECLARED** that for the purpose of section 89 of the Conveyancing Act 1919 the land to which the benefit of the covenants or agreements restrictive of the use of the land contained in these programs is intended to be apportioned is the land and premises hereinafter secondly described and the same shall be subject to the burden of such covenants or agreements in the land aforesaid mentioned as Number 180 Sloane Street Goulburn and before referred to and shown as lot three on said plan and the persons if any or with whose consent the said covenants or agreements may be released varied or modified as the grant or grantor for the time being of the land first hereinbefore mentioned and known as Number 182 Sloane Street Goulburn aforesaid being lot two on said plan **IN WITNESS** whereof the said parties hereto have hereunto set their hands and seals the day and year firstly before written.

THE GENERAL	MATTER BEFORE	REFERRED TO.
16th JANUARY 1834	GRANT	GRANT to John Cole of allotment 1 of section 3 Goulburn entered in register of Town Purposes No. 27 Page 293 7th February 1834. Enrolled in the Supreme Court in Book 4. No. 130 Page 130 27th March 1835.
26th JUNE 1836	INDEMNITY OF COVENANTS	of this date David Marks and Henry Emanuel Cohen trustees of Will of Nathan Mandelson 1st part Levy Mandelson Emanuel Mandelson Joseph Mandelson Louis Levy and Elizabeth his wife David Davis and Rachel his wife David Marks and Miriam his wife and Abraham Cohen husband of Miriam Cohen formerly Leah Mandelson 2nd part David Marks representative of Nathaniel Mandelson deceased 3rd part and Augustine Nathan Feltz and Robert Craig the younger of the 4th part Registered No. 994 Book 126.
26th JUNE 1836	INDEMNITY OF COVENANTS	of this date David Marks and Henry Emanuel Cohen of the one part and Augustine Nathan Feltz and Robert Craig the younger of the other part.
20th DECEMBER 1838	INDEMNITY OF COVENANTS	of this date A. M. Settle and Robert Craig the younger trustees of the one part and Solomon Emanuel Thomas and Robert Saunders Jepkin Trustees of the Southern Permanent Mutual Building Land & Investment Society of the other part Registered No. 995 Book 126 with statutory discharge endorsed dated 20th December 1863 Reg. No. 204 Book 201.
4th APRIL 1840	GRANT	GRANT to John Towell of allotment 4 section 3 Goulburn entered in Register of Town Purposes No. 27 Page 402 5th May 1835. Enrolled in the Supreme Court Book 1. No. 197 Page 197 9th June 1835. Entered as Public No. 75 in register of allotments in town of Goulburn Surveyor General's Office at Sydney 8th September 1835.
25th and 26th FEBRUARY 1835	LEASE AND RELEASE	of these dates John Towell of the one part and Alexander Fullerton collision of the other part registered No. 100 Book 4. said deed toll as John Towell dated

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	21st February 1836 endorsed thereon
<u>1st and 3rd JANUARY 1836</u>	INDEMNITY OF LEASE AND RELEASE of these dates Alexander Bullerton Lallison of one part and Joseph Holt Butterworth of the other part Registered No. 773 Book L.
<u>21st and 22nd MARCH 1836</u>	INDEMNITY OF LEASE AND RELEASE of these dates Joseph Holt Butterworth of the one part and Joseph Newton of the other part Registered No. 772 Book L.
<u>25th APRIL 1839</u>	INDEMNITY OF MORTGAGE AND SALE of this date Joseph Newton of the one part and James Kenworthy and Edward Lord of the other part Registered No. 5 Book I.
<u>27th MARCH 1839</u>	INDEMNITY OF RELEASE of this date James Kenworthy of one part and Edward Lord of the other part Registered No. 599 Book O.
<u>4th MARCH 1842</u>	INDEMNITY OF RELEASE of this date George Miller 1st, part Robert Glasgow Dunlop 2nd, part Robert Cruden, Gordon John Ross and Joseph Whitbread 3rd, part Edward Lord 4th part and Norman Henderson 5th part Reg. No. 815 Book E.
<u>31st JANUARY 1874</u>	INDEMNITY OF COVENANCE of this date Levy Handelson and Abraham Cohen Trustees Will of Nathan Handelson deceased 1st, part Levy Handelson Joseph Handelson Raphael Handelson Joseph Handelson Louis Levy and Elizabeth Levy his wife David Marks and Miriam Marks his wife David Levin and Rachel Levin his wife 2nd, part Michael Perry 3rd, part Reg. No. 168 Book 186.
<u>26th NOVEMBER 1878</u>	INDEMNITY OF COVENANCE of this date David Marks and Henry Samuel Cohen one part and Michael Perry of the other part Registered No. 119 Book 242.
<u>13th JUNE 1881</u>	INDEMNITY OF COVENANCE of this date Michael Perry 1st, part David Marks and Henry Samuel Cohen Trustees of Will of Nathan Handelson decd, 2nd, part and William Devine 3rd, part registered No. 240 Book 221.
<u>26th JUNE 1881</u>	INDEMNITY OF ASSIGNMENT of this date Michael Perry of one part and William Devine of other part endorsed on heretofore abstracted Indenture of 26th November 1878.
<u>26th DECEMBER 1882</u>	INDEMNITY OF COVENANCE of this date William Devine of one part and Augustus Walter Betts and Robert Craig of the other part registered No. 296 Book 261.
<u>27th DECEMBER 1882</u>	INDEMNITY OF MORTGAGE of this date A. H. Betts and Robert Craig of the one part and Thessa Brock of the other part registered No. 314 Book 260.
<u>4th FEBRUARY 1884</u>	STATUTORY DISCHARGE of this date of lastly hereinbefore abstracted Indenture registered No. 314 Book 260.
<u>24th FEBRUARY 1885</u>	INDEMNITY OF MORTGAGE of this date Robert Craig of the one part and John Vickers of the other part registered No. 474 Book 308 with discharge endorsed thereon dated 21st, December 1885 registered No. 99 Book 360.
<u>22nd DECEMBER 1885</u>	INDEMNITY OF COVENANCE of this date A. H. Betts and Robert Craig 1st, part Elizabeth Ann Betts 2nd, part John Robert Carter 3rd, part registered No. 174 Book 360.
<u>16th APRIL 1887</u>	INDEMNITY OF MORTGAGE of this date A. H. Betts 1st, part Elizabeth Ann Betts 2nd, part Bernard McBride 3rd, part registered No. 223 Book 365.
<u>2nd JULY 1888</u>	INDEMNITY OF MORTGAGE of this date (endorsed on lastly abstracted Indenture) Bernard McBride 1st, part A. H. Betts and Elizabeth Ann Betts 2nd, part and Henry Samuel Haraden Betts 3rd, part registered No. 693 Book 395.
<u>16th AUGUST 1888</u>	INDEMNITY OF MORTGAGE of this date A. H. Betts 1st, part Elizabeth Ann Betts 2nd, part The Perpetual Trustee Co. Ltd, 3rd, part registered No. 395 Book 395.
<u>8th NOVEMBER 1878</u>	DECLARATION of this date of David Marks.
<u>8th NOVEMBER 1878</u>	INDEMNITY OF COVENANCE of this date David Marks and The Honorable Henry Samuel Cohen Trustees of Will of late Nathan Handelson decd, of the one part and Michael Perry of the other part registered No. 164 Book 186.

Reg: 9825346 / Doc: BK 1287-183 no / Rev: 06-Sep-2016 / Stat: OK OK / Prt: 17-Jan-2019 15:00 / Seq: 4 of 8
 Ref: 3061901 / Sc: 11

21st DECEMBER 1876 INTEREST IN MORTGAGE of this date Robert Gray the purchaser of the one part and Robert Gray the seller of the other part registered in 27th Book 179.

21st DECEMBER 1885 DISCHARGE OF ABOVE MORTGAGE by said Robert Gray the sole acting executor of Robert Gray the seller Reg. 40.98 Book 366.

14th OCTOBER 1901 INTEREST IN MORTGAGE of this date the Perpetual Trustees of the one part and Adair Pollock of the other part registered in 554 Book 675.

14th OCTOBER 1901 DISCHARGE OF ABOVE MORTGAGE of this date Adair Pollock of the one part and the Perpetual Trustees of the other part registered in 565 Book 675.

19th SEPTEMBER 1901 STATUTORY DECLARATION of this date of James Macdonald.

17th SEPTEMBER 1901 DEEDS from land of 100 South Wales Sydney to transfer to the said James Macdonald of the one part and the said Robert Gray of the other part registered in 565 Book 675.

17th SEPTEMBER 1901 DEEDS from land of 100 South Wales Sydney to transfer to the said James Macdonald of the one part and the said Robert Gray of the other part registered in 565 Book 675.

WITNESSES AND DELIVERED by the said EDGAR WILKINSON in the presence of:-
 m. E. Mansfield | Edgar W. Kelso 182/1
 Robert Gray | J. A. Bartlett 650

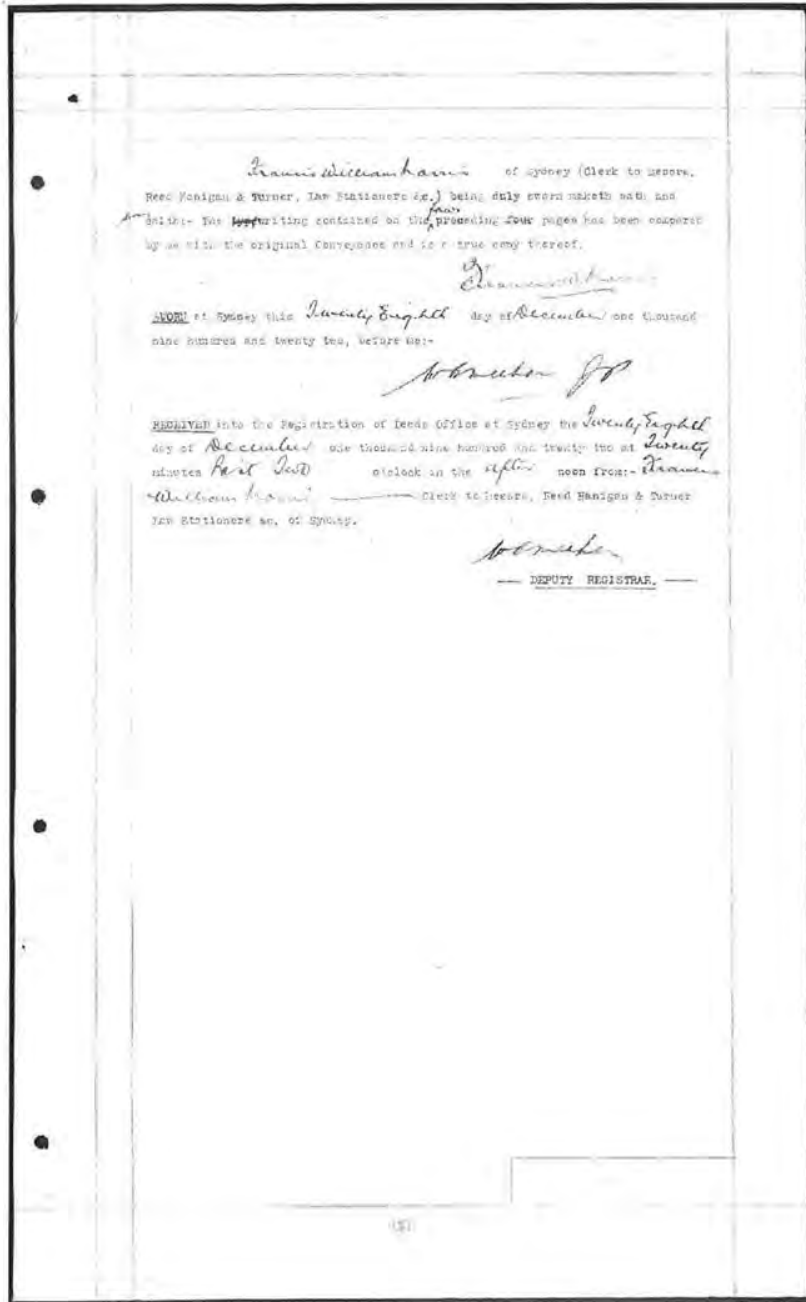
AND by the said ISABELLA MARIA ATHERTON in the presence of:-
 m. E. Mansfield | J. A. Bartlett

RECEIVED of and from the within named ISABELLA MARIA ATHERTON the sum of EIGHT HUNDRED AND SIXTY POUNDS being the consideration money therein expressed to be paid by her to me.

Witnessed
 m. E. Mansfield

Edgar W. Kelso
 J. A. Bartlett

Reg:R825346 /Doc:EK 1287-183 no /Rev:06-Sep-2016 /Ets:OK,OK /Prt:17-Jan-2019 15:00 /Seq:5 of 6
Ref:1061901 /Src:M



**APPENDIX 2.2
ARCHITECTURAL DRAWINGS – AS PREPARED BY RANDALL
DUTAILLIS ARCHITECTS (REFER APPENDIX B OF THE STATEMENT
OF ENVIRONMENTAL EFFECTS)**

6443-DA-000	COVER PAGE
6443-DA-001	SITE & STAGING PLAN
6443-DA-002	EROSION AND SEDIMENT CONTROL PLAN
6443-DA-101	STAGE 1 – EXISTING & DEMOLITION PLANS
6443-DA-102	STAGE 1 – PROPOSED PLANS
6443-DA-103	STAGE 2 – EXISTING & DEMOLITION PLANS
6443-DA-104	STAGE 2 – PROPOSED PLANS
6443-DA-201	STAGE 1 & 2 – ELEVATIONS
6443-DA-301	STAGE 1 & 2 – SECTIONS

**APPENDIX 2.3
PHOTOGRAPHIC RECORD**

**APPENDIX 2.3.1
Photographs**



Photo 1 – External view of window and signage at front of building.



Photo 2 – Closer view of signage and external wall detail.



Photo 3 – External view of entry door at front of building.



Photo 4 – External view of, eave and gutter, and windows to upper floor of building.



Photo 5 – Existing storage & timber boundary fence.



Photo 6 – Verandah along with structure, roofing, gutters & fascia, triple-leaf door and brick paving.



Photo 7 – Existing brick walls, with door and window at rear of building.



Photo 8 – View of window to bathroom/laundry and door to existing wash closet.



Photo 9 – View of washbasin & bathtub in bathroom/laundry at rear of building.



Photo 10 – View of laundry tub and view into wash closet from bathroom/laundry at rear of building.



Photo 11 – View of casework, sink, window and floor condition in kitchen at rear of building.



Photo 12 – View of timber floor structure in kitchen.



Photo 13 – View of existing fireplace in living room.



Photo 14 –View of existing electrical living area. switch box at front entry door.



Photo 15 – View of existing roof services, chimney to kitchen fireplace and roof to ground floor.



Photo 16 – View of existing fireplace to existing Bedroom 2.



Photo 17 – Internal side of entry door.

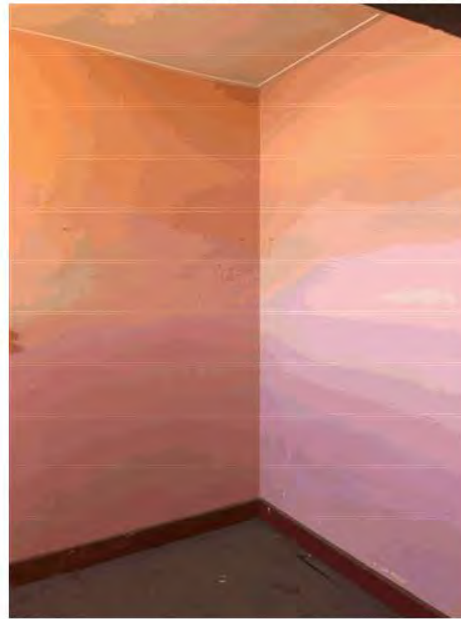


Photo 18 – Condition of Bedroom 1 walls and skirtings.



Photo 19 – Condition of ceiling in entry.



Photo 20 – Condition of existing timber clad wall in entry.



Photo 21 – Overall condition of walls, skirting and flooring in living room.

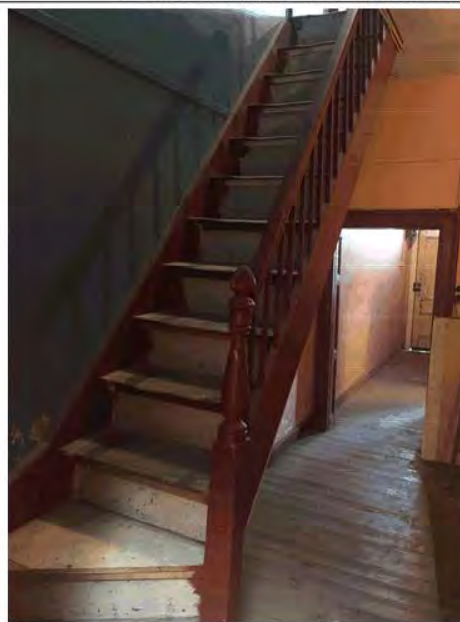


Photo 22 – Existing condition of stairway.



Photo 23 – 1 of 2 existing openings in bathroom.



Photo 24 – Existing internal window between bathroom and kitchen.

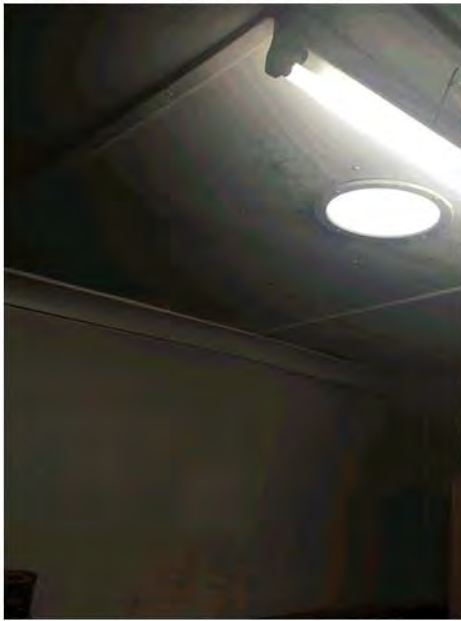


Photo 25 – Condition of ceiling in kitchen.



Photo 26 – Condition of existing bathroom.

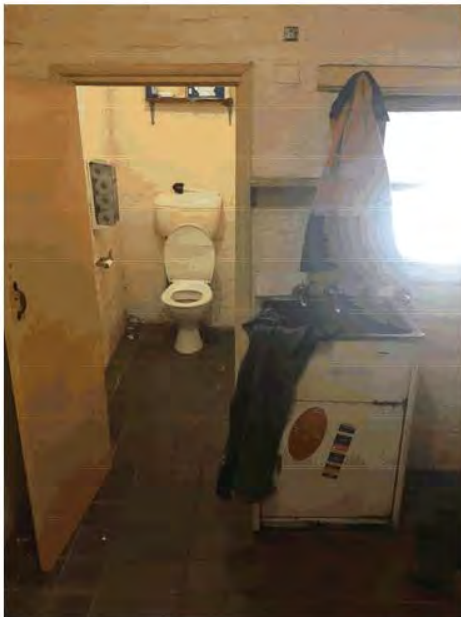


Photo 27 – Condition of existing WC and laundry.



Photo 28 – Level change between living room and bathroom slab.



Photo 29 – Condition of walls and window in Bedroom 2.



Photo 30 – Condition of existing fireplace in Bedroom 3.



Photo 31 – Overall condition of walls, skirting, fireplace and window in existing Bedroom 3.



Photo 32 – Overall condition of existing ground level roof and services.

**APPENDIX 2.4
EXTRACT FROM GOULBURN MULWAREE LOCAL
ENVIRONMENTAL PLAN 2009**

APPENDIX 2.4.1
Land Zoning Map – Sheet LZN_001D

APPENDIX 2.4.2
Height of Building Map – Sheet HOB_001D

APPENDIX 2.4.3
Heritage Map – Sheet HER_001D

APPENDIX 2.4.4
Heritage Map – Sheet HER_001DF

APPENDIX 2.4.5
Floor Space Ratio Map – Sheet FSR_001D

3.0 BIBLIOGRAPHY (ADD OR DELETE ANY AS REQUIRED)

- | | |
|--|---|
| 3.1 Goulburn Heritage Study | Lester Firth & Associates Pty. Ltd
Architects, Urban Planners,
Heritage & Environmental Consultants
October 1983
Published by Goulburn City Council |
| 3.2 NSW Heritage Manual Guidelines Statement of Heritage Impact | NSW Heritage Office
NSW Heritage Manual & PDF:
http://www.heritage.nsw.gov.au/docs/hm_statementsofhi.pdf |
| 3.3 Zoning | Goulburn Mulwaree Council Local Environmental Plan 2009 (Extract) |
| 3.4 Heritage Conservation (Clause 5.10) | Goulburn Mulwaree Council Local Environmental Plan 2009 (Extract) |
| 3.5 Schedule 5 Environmental Heritage – Part 1 Heritage Item NO 279 | Goulburn Mulwaree Council Local Environmental Plan 2009 (Extract) |
| 3.6 Heritage Map – Sheet HER_001D | Goulburn Mulwaree Council Local Environmental Plan 2009 (Extract) |
| 3.7 Heritage Map – Sheet HER_001DF | Goulburn Mulwaree Council Local Environmental Plan 2009 (Extract) |

1. INTRODUCTION

This Heritage Management Plan sets out the planned conservation measures for the proposed works on the heritage-listed building at 176 Sloane Street Goulburn NSW. This Plan has been requested by Goulburn Mulwaree Council in order to satisfy clause 5.10(10)(b) of the Goulburn Mulwaree Local Environmental Plan. Generally, the intention is to maintain the antique shop aesthetic of the building, selecting period equivalent colour schemes and fixtures. This document will initially summarise the condition of the existing building and proposed works and will then itemise proposed conservation measures on a room-by-room basis. This document is also to be read in conjunction with the Statement of Environmental Effects (SEE) and the Statement of Heritage Impact (SOHI).

2. CONDITION OF EXISTING BUILDING

The existing building is a heritage-listed townhouse building, which dates back to the mid-1800s. This building is one of a row of approximately 10 similarly designed townhouses, each sharing a double brick fire wall. There is an existing private lane to the rear of these properties for vehicular access.

The existing building itself requires some repair and revitalisation, however, generally appears to be structurally sound. The existing double brick separating walls are generally in good condition, however they do not extend to the underside of the roof structure – this is proposed to be rectified as part of construction works in order to bring the building in line with modern building codes. The existing flooring on the ground level has a number of unusual level changes that are a potential trip hazard – this is proposed to be rectified as part of these works. The owner has informed RDA of water leaks in the ground level roof, on which a number of services are located. The existing chimneys are currently unsafe and are proposed to be repaired and cleaned. The rear yard is currently paved with brick pavers. The existing timber fence is in average condition and is proposed to be replaced.

3. PROPOSED WORKS

The proposed development is for internal alterations and external additions to an existing heritage-listed building for use as a dwelling house and bed and breakfast accommodation. The works are proposed to be built in 2 stages.

Stage 1:

- Demolition of existing rear wall and store room. New wall to be constructed to create patio area;
- New open plan dining/kitchen layout;
- New bathroom on ground floor;
- New flooring structure in both the new bathroom area and dining/kitchen area to rectify some unusual level changes that are a potential trip hazard;
- New roof sheeting to the ground level roof structure.

- New store room on upper level;
- Existing windows on Sloane Street to be replaced to suit existing openings;
- Existing timber fence to be replaced.
- Garden beds added as shown.

Stage 2:

- No changes proposed to the ground floor layout for Stage 2 works;
- Conversion of Bedroom 3 to an ensuite;
- Store room relocated;
- New Bedroom 3 added, accessed via new hallway;
- New roof terrace accessed via hallway.

4. PROPOSED CONSERVATION MEASURES

1.0 FRONT ELEVATION (SLOANE STREET)						
No.	ITEM	CONSTRUCTION	CURRENT CONDITION	REPAIRS REQUIRED & ANY PROPOSED WORKS	LONG TERM MAINTENANCE	PHOTO REF (see SOHI)
1.1	Walls	Solid brick with lime render and painted finish	Small sections of unkeyed render below ground floor window to left of entrance. Paint finish is flaking and missing throughout. A number of hairline cracks observed to render surface. Existing ventilation grills are damaged.	All surfaces to be repainted are to be appropriately prepared ready for new paint, including new lime-based render if required. Paint colour to match existing. The existing signage detail to the wall is to be carefully restored to existing condition. Ventilation grills to be replaced to match existing. Paint on foundation course to be removed and left as bare stone	Yearly visual inspection to identify areas of disrepair. External re-painting to occur as per manufacturer's recommendations. Areas of unkeyed render to be repaired where found to be missing or unkeyed every two years.	1, 2, 4
1.2	Windows	Timber frames with single glazing	Existing paint is flaking. One window cannot be opened.	All windows on this elevation are proposed to be replaced with timber framed double-glazed windows to provide added	Yearly visual inspection to identify areas of disrepair. Repainting of frames to occur as per manufacturer's	1, 2, 4

				security, acoustics and thermal performance. Frames will be painted to match existing. Existing brick sills will remain.	recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
1.3	Doors	Timber frame, solid timber door with single glazed highlight.	Generally, in sound condition, however, paint is aged and requires repainting. The older hardware installed is not original and not working – a modern deadlock has been installed.	Thorough visual inspection will be carried out during Stage 1 works. If required to be replaced the new door will match existing. New paintwork to external side to match existing scheme.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer’s recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	3
1.4	Fixtures and fittings	Existing antique shop sign; metal bracket and hanging sign	Generally, in sound condition. Sign requires cleaning.	To be repainted with an amended design to advertise the bed and breakfast business. Approval for the graphic design of the sign will be sought from Council, and font and colours used will be similar to the existing sign.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	1, 2

2.0 REAR ELEVATION (REAR LANE)						
No.	ITEM	CONSTRUCTION	CURRENT CONDITION	REPAIRS REQUIRED & ANY PROPOSED WORKS	LONG TERM MAINTENANCE	PHOTO REF (see SOHI)
2.1	Walls	Solid brick with lime render and painted finish	Paint finish is aging but is generally in sound condition.	If repainting is required, paint colour to match existing. The existing signage detail to the wall is to be carefully restored to existing condition. New brick veneer walls are proposed to be erected on the ground level, and fibre cement clad walls to the upper level addition. These will be painted to match existing scheme.	Yearly visual inspection to identify areas of disrepair. External re-painting to occur as per manufacturer's recommendations. Areas of unkeyed render to be repaired where found to be missing or unkeyed every two years.	5, 6, 7, 8
2.2	Windows	Timber frames with single glazing	Existing paint finish to frames is flaking. Upper level window cannot be opened.	All windows on this elevation are proposed to be removed to allow for the works as described in section 3. New windows will be aluminium-framed double-glazed units, with frames painted to match existing.	Yearly visual inspection to identify areas of disrepair. Repainting of frames to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	5
2.3	Doors	Timber frame, glazed timber door leaves.	Existing patio door is a modern 3-leaf French door, which is proposed to be removed to allow for the proposed works.	All proposed new external doors will be period equivalent and painted to suit the existing colour scheme.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	6
2.4	Rear yard	Brick pavers with minimal planting; existing timber fence	Pavers are uneven. Timber fence is dilapidated. Planting is overgrown.	Pavers, planting and fence are proposed to be removed to make way for proposed off-street parking space and associated	Watering and pruning of planting to occur as required.	

				landscaping as per architectural drawings. Brick pavers will be retained and relaid in the existing pattern. Parking space is not for guest use – resident use only. New fence will be metal – colour to be period equivalent.		
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3.0 LIVING ROOM AND HALLWAYS						
No.	ITEM	CONSTRUCTION	CURRENT CONDITION	REPAIRS REQUIRED & ANY PROPOSED WORKS	LONG TERM MAINTENANCE	PHOTO REF (see SOHI)
3.1	Walls	Solid brick with lime render and painted finish. Timber framed wall to Entry and Bedroom 1 with timber siding.	All surfaces to be repainted are to be appropriately prepared ready for new paint, including new lime-based render if required. New paint colours will be period equivalent. Timber frame is in sound condition and does not need replacing. Siding is uneven (possible warping) in places and requires repainting.	All surfaces to be repainted are to be appropriately prepared ready for new paint, including new lime-based render if required. New paint colours will be period equivalent. The existing siding is proposed to be removed and reinstalled. Any warped panels will be replaced to match existing. New paint colours will be period equivalent. New timber wainscoting will be installed to NW side of entry hall and stairway wall.	Yearly visual inspection to identify areas of disrepair. Internal re-painting to occur as per manufacturer's recommendations. Areas of unkeyed render to be repaired where found to be missing or unkeyed every two years. Revarnishing of timber wainscoting to occur as per manufacturer's recommendations.	18, 21
3.2	Doors – entry door	Timber frame, solid timber door with single glazed highlight.	Entry door has a number of open panels in it. Paint is damaged and requires repainting. The older hardware installed is not original and not working – a modern deadlock has been installed.	Thorough visual inspection will be carried out during Stage 1 works. If required to be replaced it will be replaced to match existing. New paintwork to internal side will be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	17
3.3	Ceilings	Gypsum plasterboard ceiling; exposed upper floor structure to Entry.	Existing plasterboard is in sound condition, with no signs of sagging or mould. Paint is aged and requires repainting.	A new plasterboard ceiling will be installed in the Entry and living room. New insulation to be installed to all ceilings. All new paint colours will be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	19, 21

3.4	Floors	Timber floorboards on bearers and joists	Existing floorboards are original and are slightly lipped due to poor ventilation in the sub-floor.	Existing floorboards are to be retained. New mechanical ventilation to be installed to reduce moisture build up.	Stains and spills will be cleaned as soon as possible after they occur.	20, 21, 22
3.5	Mouldings and trims	Timber skirtings and fireplace mouldings; set plaster cornice. Timber architrave to existing openings at entry and bathroom hall.	Timber skirtings are generally sound, but paint has significant wear. Fireplace mouldings are sound, but paint has aged. Paint to architraves is aged.	Timber skirting to be repainted throughout. New period equivalent cornice to be installed throughout. All mouldings and trims to be repainted – colours to be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer’s recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	21,22
3.6	Light fittings	Hanging bulb to living room; batten fixed bulb to entry.	Exposed bulbs only – no diffusers or shades fitted.	All wiring throughout building to be replaced to modern standards. New period equivalent light fittings to be installed in all rooms.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	19

4.0 STAIRWAY						
No.	ITEM	CONSTRUCTION	CURRENT CONDITION	REPAIRS REQUIRED & ANY PROPOSED WORKS	LONG TERM MAINTENANCE	PHOTO REF (see SOHI)
4.1	Stairway	Timber stringer with timber risers and treads.	Treads and risers are worn. Riser and going relationship not to Code. Paint to stringer is aged.	Stairway configuration to remain as is – to bring this to Code would require major reconfiguration of the upper level, which is not feasible. Stringer to be repainted – colours to be period equivalent. Treads and risers to be retained, however reinforcement work will be undertaken to ensure longevity.	Yearly visual inspection to identify areas of disrepair. Internal re-painting to occur as per manufacturer’s recommendations. Stains and spills will be cleaned as soon as possible after they occur.	22
4.2	Railings	Timber railing	Top post of railing is loose and requires refixing or replacement; however, the rest of the railing is structurally sound. Paint to railing is aged and damaged in places.	New top post to be installed to match existing and fixed securely. New period equivalent timber handrail to be installed to NW side of stairway. New paint colours to be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer’s recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	22
4.3	Skylight	Aluminium framed, double-glazed unit; gypsum plasterboard light well.	New construction	Any required architraves surrounding skylight will be period equivalent. Colours for required flashings will match the existing roof colour. Period equivalent paint colours to be used in skylight well.	Yearly visual inspection to identify areas of disrepair. Internal re-painting to occur as per manufacturer’s recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	

5.0 BEDROOM 1						
No.	ITEM	CONSTRUCTION	CURRENT CONDITION	REPAIRS REQUIRED & ANY PROPOSED WORKS	LONG TERM MAINTENANCE	PHOTO REF (see SOHI)
5.1	Walls	Solid brick with lime render and painted finish. Timber framed wall to Entry and Bedroom 1 with timber siding.	Paint finish is aging and flaking in places. Timber frame is in sound condition and does not need replacing. Siding is uneven (possible warping) in places and requires repainting.	All surfaces to be repainted are to be appropriately prepared ready for new paint, including new lime-based render if required. New paint colours will be period equivalent. The existing siding is proposed to be removed and reinstalled. Any warped panels will be replaced to match existing. New paint colours will be period equivalent.	Yearly visual inspection to identify areas of disrepair. Internal re-painting to occur as per manufacturer's recommendations. Areas of unkeyed render to be repaired where found to be missing or unkeyed every two years.	18
5.2	Doors	Timber frame with no door leaf.	Generally, in sound condition. Paint is aged.	New door leaf will be installed in existing frame. New paint colours to be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	20
5.3	Window trims and reveals	Timber trims and reveals with timber framed, single-glazed window	Paint is aged and flaking on existing trims and reveals.	Existing timber-framed window is proposed to be replaced as per item 1.2 above. Existing trims and reveals to be retained and repainted to match existing. Minor modification of the reveal may be required to suit the new window.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	Similar condition to that in photo 29
5.4	Ceilings	Masonite ceiling; exposed upper floor structure to Entry.	Existing plasterboard is in sound condition, with no signs of sagging	Masonite ceiling to be replaced with gypsum plasterboard and painted. New insulation to be	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per	

			or mould. Paint is aged and requires repainting.	installed to ceiling space prior to installation of new ceiling. All new paint colours will be period equivalent.	manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
5.5	Floors	Timber floorboards on bearers and joists.	Existing floorboards are original and are slightly lipped due to poor ventilation in the sub-floor.	Existing floorboards are to be retained. New mechanical ventilation to be installed to reduce moisture build up.	Stains and spills will be cleaned as soon as possible after they occur.	18
5.6	Mouldings and trims	Timber skirtings; set plaster cornice.	Timber skirtings are generally sound, but paint has significant wear.	Timber skirting to be repainted throughout. New period equivalent cornice to be installed throughout. All mouldings and trims to be repainted – colours to be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	18
5.7	Light fittings	Hanging bulb to living room; batten fixed bulb to entry.	Exposed bulbs only – no diffusers or shades fitted.	All wiring throughout building to be replaced to modern standards. New period equivalent light fittings to be installed in all rooms.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	

6.0 NEW BATHROOM						
No.	ITEM	CONSTRUCTION	CURRENT CONDITION	REPAIRS REQUIRED & ANY PROPOSED WORKS	LONG TERM MAINTENANCE	PHOTO REF (see SOHI)
6.1	Walls	Solid brick with lime render and painted finish.	Paint finish is aging and flaking in places. Existing opening and Timber framed window are present. The opening has timber shelving.	All surfaces to be repainted are to be appropriately prepared ready for new paint, including new lime-based render if required. New paint colours will be period equivalent. Existing openings to be bricked up and rendered and painted in period equivalent colours. Window and shelving to be removed. New timber framed plasterboard wall to be erected per architectural plans. Period equivalent ceramic tiles will be used for splashbacks to shower, bathtub and vanity.	Yearly visual inspection to identify areas of disrepair. Internal re-painting to occur as per manufacturer's recommendations. Areas of unkeyed render to be repaired where found to be missing or unkeyed every two years.	23
6.2	Doors	Timber frame, timber door frame between bathroom hall and kitchen	Generally, in sound condition. Paint is aged and damaged in places.	New timber framed hollow core door is proposed to be installed to the new bathroom per architectural plans. Period equivalent door leaf and architraves will be selected. New period equivalent door leaf to dining/kitchen will be installed. Frames and leaf will be painted – colours to be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
6.3	Ceilings	Gypsum plasterboard ceiling.	Existing plasterboard is in sound condition, with no signs of sagging or mould. Paint is aged and requires repainting.	A new plasterboard ceiling will be installed when the upper level addition is built. New insulation and mechanical ventilation to be installed to ceiling space prior to	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any	

				installation of new ceiling. All new paint colours will be period equivalent.	damage occurs, it will be repaired as soon as possible after it happens.	
6.4	Floors	Concrete slab	The level change between the kitchen flooring and existing bathroom slab presents a trip hazard	Existing slab to be demolished and new slab poured to match level of the living room floorboards. New period equivalent ceramic tiles to be installed.	Tiles to be cleaned after guests leave. Cleaning methods as per manufacturer's instructions.	28
6.5	Mouldings and trims	None currently installed	None currently installed	Period equivalent ceramic tiles will be used for skirtings in the new bathroom. Period equivalent plaster cornices to be installed to ceilings and painted in period equivalent colours.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
6.6	Light fittings	Hanging bulb to living room.	Exposed bulbs only – no diffusers or shades fitted.	All wiring throughout building to be replaced to modern standards. New period equivalent light fittings to be installed in all rooms. New mechanical ventilation to be installed (ducted to outside) to prevent mould build up.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	
6.7	Plumbing fixtures	None currently installed	None currently installed	All new plumbing fixtures will be period equivalent and installed to comply with modern plumbing standards.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	

7.0 DINING/KITCHEN						
No.	ITEM	CONSTRUCTION	CURRENT CONDITION	REPAIRS REQUIRED & ANY PROPOSED WORKS	LONG TERM MAINTENANCE	PHOTO REF (see SOHI)
7.1	Walls	Solid brick with lime render and painted finish.	Paint finish is aging and flaking in places.	All surfaces to be repainted are to be appropriately prepared ready for new paint, including new lime-based render if required. New paint colours will be period equivalent. New lime render and painted finish to be applied to fireplace where existing solid brick wall is demolished (see architectural plans). Period equivalent tiles will be used for splashbacks to kitchen and laundry.	Yearly visual inspection to identify areas of disrepair. Internal re-painting to occur as per manufacturer's recommendations. Areas of unkeyed render to be repaired where found to be missing or unkeyed every two years.	24, 25, 26, 27
7.2	Doors	Timber frame, timber door frame between bathroom hall and kitchen	Generally, in sound condition. Paint is aged and damaged in places.	New period equivalent door leaf to hallway will be installed. Frames and leaf will be painted – colours to be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
7.3	Window trims and reveals	Timber trims and reveals with timber framed, single-glazed window	Paint is aged and flaking on existing trims and reveals.	Existing windows to be removed and replaced as per architectural plans and item 1.2 above. New trims and reveals to be installed to all new windows. Period equivalent profiles and paint colours to be used.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	

7.4	Ceilings	Masonite ceiling.	Existing ceiling is in sound condition, with some signs of sagging and mould. Paint is aged and requires repainting.	A new plasterboard ceiling will be installed when the upper level addition is built. New fibreglass insulation batts and mechanical ventilation to be installed to ceiling space prior to installation of new ceiling. All new paint colours will be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	25
7.5	Floors	Timber floorboards on bearers and joists to existing kitchen; concrete slab in existing bathroom area.	Existing floorboards are original and are slightly uneven. The level change between the kitchen flooring and existing bathroom slab presents a trip hazard.	Existing slab to existing bathroom and timber flooring to kitchen to be demolished and new slab poured to match level of the living room floorboards to remove trip hazards. Existing floorboards to be retained for use in the new upper level addition. New period equivalent ceramic tiles to be installed in new dining/kitchen area.	Tiles to be cleaned after guests leave. Cleaning methods as per manufacturer's instructions.	12
7.6	Mouldings and trims	Timber skirtings; MDF cornice.	Timber skirtings are generally sound, but paint has significant wear.	New period equivalent timber skirting throughout dining/kitchen. New period equivalent cornice to be installed throughout. All mouldings and trims to be painted – colours to be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	24, 25
7.7	Light fittings	Existing tube light fitting	Existing tube light fitting with no diffuser	All wiring throughout building to be replaced to modern standards. New period equivalent light fittings to be installed in all rooms.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	25

7.8	Kitchen joinery	Laminated chipboard benchtop with painted timber cabinetry	Benchtop is worn. Hinges to cupboards are serviceable but aging. Drawer does not close properly.	New kitchen joinery to be installed per architectural plans. Period equivalent cabinetry, handles and benchtops to be selected.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	11
7.9	Kitchen fixtures & appliances	Existing stainless steel kitchen sink with stainless steel tapware. No cooktop or rangehood present.	Sink is still serviceable. Cold tap leaks.	New kitchen sink and tapware to be installed in new location as per architectural plans – period equivalent products to be selected. Period equivalent cooktop and rangehood to be selected. Rangehood to be ducted to outside air.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	11

8.0 EXISTING W.C (RESIDENT USE ONLY)						
No.	ITEM	CONSTRUCTION	CURRENT CONDITION	REPAIRS REQUIRED & ANY PROPOSED WORKS	LONG TERM MAINTENANCE	PHOTO REF (see SOHI)
8.1	Walls	Solid brick with lime render and painted finish.	Paint finish is aging and flaking in places.	All surfaces to be repainted are to be appropriately prepared ready for new paint, including new lime-based render if required. New paint colours will be period equivalent.	Yearly visual inspection to identify areas of disrepair. Internal re-painting to occur as per manufacturer's recommendations. Areas of unkeyed render to be repaired where found to be missing or unkeyed every two years.	27
8.2	Doors	Timber frame, solid timber door leaf x2.	Generally, in sound condition. Paint is aged and damaged in places.	Existing door to existing bathroom will be demolished when the existing wall is demolished. Remaining door to be repainted to match the existing external colour scheme.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	27
8.3	Ceilings	Gypsum plasterboard ceiling.	Existing plasterboard is in sound condition, with no signs of sagging or mould. Paint is aged and requires repainting.	A new plasterboard ceiling will be installed when the upper level addition is built. All new paint colours will be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
8.4	Floors	Concrete slab	Existing slab is in sound condition – no evidence of cracking	New period equivalent ceramic tiles to be installed.	Cleaning methods as per manufacturer's instructions.	27
8.5	Mouldings and trims	None currently installed	None currently installed	Period equivalent plasterboard cornices to be installed and	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per	27

				<p>painted. Period equivalent colours to be used.</p> <p>Period equivalent ceramic tiles will be used for skirtings in the new bathroom.</p>	<p>manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.</p>	
8.6	Light fittings	Batten fix fitting	Batten fix fitting still operational	<p>All wiring throughout building to be replaced to modern standards.</p> <p>New period equivalent light fittings to be installed in all rooms.</p> <p>New mechanical ventilation to be installed (ducted to outside) to prevent mould build up.</p>	<p>Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.</p>	
8.7	Plumbing fixtures	Existing toilet suite	Toilet suite still serviceable.	<p>New period equivalent water saving dual-flush cistern to be installed to suit the existing pan.</p>	<p>If the cistern breaks down and requires replacement, it will be replaced with a period equivalent model to suit the existing pan.</p>	27

9.0 BEDROOM 2						
No.	ITEM	CONSTRUCTION	CURRENT CONDITION	REPAIRS REQUIRED & ANY PROPOSED WORKS	LONG TERM MAINTENANCE	PHOTO REF (see SOHI)
9.1	Walls	Solid brick with lime render and painted finish.	Paint finish is aging and flaking in places.	All surfaces to be repainted are to be appropriately prepared ready for new paint, including new lime-based render if required. New paint colours will be period equivalent.	Yearly visual inspection to identify areas of disrepair. Internal re-painting to occur as per manufacturer's recommendations. Areas of unkeyed render to be repaired where found to be missing or unkeyed every two years.	29
9.2	Doors	Timber frame, solid timber door leaf	Generally, in sound condition. Paint is aged.	Period equivalent colours to be selected.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
9.3	Window trims and reveals	Timber trims and reveals with timber framed, single-glazed window	Paint is aged and flaking on existing trims and reveals.	Existing timber-framed window is proposed to be replaced as per item 1.2 above. Existing trims and reveals to be retained and repainted to match existing. Minor modification of the reveal may be required to suit the new window.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	29
9.4	Ceilings	Gypsum plasterboard ceiling	Existing plasterboard is in sound condition, with no signs of sagging or mould. Paint is aged and requires repainting.	All new paint colours will be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any	29

					damage occurs, it will be repaired as soon as possible after it happens.	
9.5	Floors	Timber floorboards on bearers and joists.	Existing floorboards are original and are slightly lipped due to poor ventilation in the sub-floor.	Existing floorboards are to be retained.	Stains and spills will be cleaned as soon as possible after they occur, per manufacturer's instructions.	29
9.6	Mouldings and trims	Timber skirtings and fireplace mouldings; MDF cornice.	All skirtings, cornices and mouldings are typically in good condition, but paint has worn and requires repainting.	Timber skirting to be reinstalled throughout. Existing cornice to be replaced with a period equivalent profile. All mouldings and trims to be repainted – colours to be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	29
9.7	Light fittings	Hanging bulb to living room; batten fixed bulb to entry.	Exposed bulbs only – no diffusers or shades fitted.	All wiring throughout building to be replaced to modern standards. New period equivalent light fittings to be installed in all rooms.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	

10.0 NEW ENSUITE						
No.	ITEM	CONSTRUCTION	CURRENT CONDITION	REPAIRS REQUIRED & ANY PROPOSED WORKS	LONG TERM MAINTENANCE	PHOTO REF (see SOHI)
10.1	Walls	Solid brick with lime render and painted finish.	Paint finish is aging and flaking in places.	All surfaces to be repainted are to be appropriately prepared ready for new paint, including new lime-based render if required. New paint colours will be period equivalent. New timber framed plasterboard wall to be erected per architectural plans. Period equivalent ceramic tiles will be used for splashbacks to shower and vanity.	Yearly visual inspection to identify areas of disrepair. Internal re-painting to occur as per manufacturer's recommendations. Areas of unkeyed render to be repaired where found to be missing or unkeyed every two years.	P1, P2, P3 & P4
10.2	Doors	Timber frame, solid timber door leaf	Generally, in sound condition. Paint is aged and damaged in places.	New timber framed solid core door is proposed to be installed to the new ensuite per architectural plans. Period equivalent door leaf and architraves will be selected. Period equivalent paint colours to be used.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
10.3	Ceilings	Gypsum plasterboard ceiling.	Existing plasterboard is in sound condition, with no signs of sagging or mould. Paint is aged and requires repainting.	All new paint colours will be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
10.4	Floors	Timber floorboards on bearers and joists.	Existing floorboards are original and are slightly uneven.	Existing timber flooring to be prepared for new ceramic tiles,	Tiles to be cleaned after guests leave. Cleaning	

				including fibre cement sheeting. Period equivalent tiles to be selected.	methods as per manufacturer's instructions.	
10.5	Mouldings and trims	Timber skirtings and fireplace mouldings; plaster cornices	All skirtings, cornices and mouldings are typically in good condition, but paint has worn and requires repainting.	Period equivalent ceramic tiles will be used for skirtings in the new bathroom. Period equivalent plaster cornices to be installed to ceilings and painted in period equivalent colours.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
10.6	Light fittings	Hanging bulb to living room.	Exposed bulbs only – no diffusers or shades fitted.	All wiring throughout building to be replaced to modern standards. New period equivalent light fittings to be installed in all rooms. New mechanical ventilation to be installed (ducted to outside) to prevent mould build up.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	
10.7	Plumbing fixtures	None currently installed	None currently installed	All new plumbing fixtures will be period equivalent and installed to comply with modern plumbing standards.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	
10.8	Skylight	Aluminium framed, double-glazed unit; gypsum plasterboard light well.	New construction	Any required architraves surrounding skylight will be period equivalent. Colours for required flashings will match the existing roof colour. Period equivalent paint colours to be used in skylight well.	Yearly visual inspection to identify areas of disrepair. Internal re-painting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	

11.0 NEW BEDROOM 3						
No.	ITEM	CONSTRUCTION	CURRENT CONDITION	REPAIRS REQUIRED & ANY PROPOSED WORKS	LONG TERM MAINTENANCE	PHOTO REF (see SOHI)
11.1	Walls	Timber framed with painted gypsum plasterboard lining.	New construction.	All colours of painted surfaces will be period equivalent.	Yearly visual inspection to identify areas of disrepair. Internal re-painting to occur as per manufacturer's recommendations.	P1, P2, P3 & P4
11.2	Doors	Timber frame, hollow-core timber door	New construction	New period equivalent door leaf will be painted in period equivalent colours. New hardware will be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
11.3	Window trims and reveals	New aluminium framed double glazed windows	New construction	New window to be installed as per item 1.2 above. New trims and reveals to be installed and painted in period equivalent colours.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
11.4	Ceilings	Gypsum plasterboard ceiling	New construction	New insulation to be installed in ceiling space. All new paint colours will be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	

11.5	Floors	Timber floorboards on structural plywood and LVL joists	New construction	Floorboards retained from the dining/kitchen to be installed.	Stains and spills will be cleaned as soon as possible after they occur, per manufacturer's instructions.	
11.6	Mouldings and trims	Timber skirtings and plaster cornices	New construction	Period equivalent profiles to be selected for all skirtings, architraves and cornices. All to be painted – colours to be period equivalent.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
11.7	Light fittings	New construction	New construction	All new wiring throughout building to be installed to modern standards. New period equivalent light fittings to be installed in all rooms.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	

12.0 NEW ROOF TERRACE						
No.	ITEM	CONSTRUCTION	CURRENT CONDITION	REPAIRS REQUIRED & ANY PROPOSED WORKS	LONG TERM MAINTENANCE	PHOTO REF (see SOHI)
12.1	Floors	Timber decking on structural plywood and LVL joists	New construction	New timber decking to be installed to existing finished floor level of upper level. Period equivalent decking to be selected. Construction of floor substructure to be waterproofed and allow runoff to an external gutter to prevent water ingress to the ground level spaces below.	Yearly visual inspection to identify areas of disrepair. Cleaning and oiling of decking to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
12.2	Privacy screens	Metal or timber louvres in steel frame	New construction	Privacy screens are required to the roof terrace as per the DCP to prevent overlooking neighbour's private open space. Period equivalent profiles to be selected for louvres. Period equivalent colours to be selected for framing.	Yearly visual inspection to identify areas of disrepair. Repainting to occur as per manufacturer's recommendations. If any damage occurs, it will be repaired as soon as possible after it happens.	
12.3	Handrails/balustrades	Period equivalent wrought iron balustrades	New construction	New period equivalent wrought iron balustrades to be installed to comply with modern codes and standards.	Yearly visual inspection to identify areas of disrepair. If any damage occurs, it will be repaired as soon as possible after it happens.	

DAVID HOBBS HERITAGE CONSULTANT

42/87 CROZIER CIRCUIT, KAMBAH ACT 2902
tel 0421 915 499 email: daverhobbes@gmail.com
abn: 58630721835

Item

DA for 176 Sloane St, Goulburn

Heritage Status

Listed on Goulburn Mulwaree LEP 2009, Heritage Schedule as an item of local significance. The property forms one of a row of four terrace houses. The terrace in turn forms part of a longer row of similar buildings.

Matter

DA for alterations and additions in two stages including in particular a first floor extension to the rear.

Advice

I have reviewed the amended drawings prepared in response to my earlier advice dated 11.9.19.

The revised design is largely in accordance with my previous advice, although I note that the proposed first floor rear floor level will remain the same as the front part of the house and the rear skillion will run in a single shallow slope across the full width of the house.

I am happy to support this application.

David Hobbes
30.4.20

From: Claire and Steve Ayling

Mandelson's of Goulburn

20th April 2020

Goulburn Mulwarre Council
Attention: Ryan Gill

**OBJECTION TO DEVELOPMENT APPLICATION
DA/0287/1920
LOT 5 DP 32565
176 SLOANE STRRET, GOULBURN**

Dear Mr Ryan,

Objection

I am writing to formally object to DA/0287/1920 concerning the proposed new bed and breakfast at 176 Sloane Street Goulburn. I have reviewed the documents provided on the Council Website:

- DA/0287/1920: Reference A
- Statement of Environmental Effects: Reference B
- Plans for Stage 1 and Stage 2 Development: Reference C

I object to the proposed development and strongly recommend that the DA be NOT APPROVED in its current form. I submit five objections to the proposed two storey addition to the rear of the existing property in the context of the Sloane Street Historic Precinct:

- **Objection 1. The Statement of Environmental Effects (Reference B) fails to adequately describe the heritage and community context of the proposed development.**
- **Objection 2. Failure to conserve Goulburn's environmental heritage**
- **Objection 3. Failure to conserve the heritage significance of the Sloane Street Historic Precinct, through changes to fabric, setting and views**
- **Objection 4: Unreasonable building height**
- **Objection 5: Unreasonable impact on the neighbours**

I consider that the proposed development should proceed with modifications to the existing **single storey structure** at the rear of the Property, consistent with the building height of the similar structures at the rear of the other terrace houses.

Relevance

We are the owners of Mandelson's of Goulburn located at 160 Sloane Street, and at the Clinton Street end of the Sloane Street Historic Precinct. The Precinct extends from Mandelson's of Goulburn to the Southern Railway Hotel, and incorporates 10 terrace houses of which one is the subject of the DA.

We also own the laneway at the rear of the eight terrace houses closest to Mandelson's and adjacent to the long heritage stone wall on the Beaurepaires' property. Importantly the laneway is designated as a Public Right of Way and cannot be impeded. We have installed No Parking Signs in our laneway to prevent the parking of private vehicles.

1

This laneway is accessed from Sloane Street through a carriageway and a separate short laneway which is part of the property of the ninth terrace house, and which is also a Public Right of Way.

We consider that the proposed development is of significant relevance to both Mandelson’s of Goulburn and the residents of the terrace houses in the Sloane Street Historic Precinct. We appreciate the willingness of the new owners of the terrace house to restore and upgrade their property but wish that they do so in a manner that is sympathetic to the heritage importance of the Sloane Street Historic Precinct.

Misleading Documentation

- **Objection 1. The Statement of Environmental Effects (Reference B) fails to adequately describe the heritage and community context of the proposed development.**

I consider that the Statement of Environmental Effects (Reference B) provides an inadequate description of the heritage and residential context of the Property at 176 Sloane Street.

I suspect that this is probably deliberate to create the impression that the Property should be viewed from a standalone perspective and that the changes are within the existing boundary. This is misleading and fails to address the impact on the overall heritage value of the Sloane Street Historic Precinct. Further it uses the modern description ‘townhouse’ as opposed to the architecturally correct description terraced (or terrace) house and carefully ignores the fact that there are adjoining terrace houses which will be impacted by the proposed changes.

The standalone narrative is evidenced by the absence of any photographs or elevation plans of the streetscape which to show the context of the subject Property in the Sloane Street Historic Precinct from both front (Images 1, 2) and rear perspectives (Images 3, 4).



Images 1,2. Sloane Street Historic Precinct – Front Perspective



Images 3,4. Sloane Street Historic Precinct – Rear Perspective

The Statement of Environmental Effects is also misleading by suggesting that any heritage conservation impact is limited to the Sloane Street frontage and does not need to consider the rear of the terrace houses. Paragraph 2.3.5 gives evidence:

The proposed upper level additions will not be visible from the street, and therefore, in our opinion, will not adversely impact the heritage value of the area.

The accepted architectural heritage value of any building, particularly a row of terrace houses, includes both front and rear elevations. Of key conservation importance is the horizontal alignment of both sides of the terraces and the extent that it can be viewed. In this case the quality of the front elevation on Sloane Street is conserved, the rear side is not.

The existing heritage quality of the rear of the terraces can be viewed from Mandelson's of Goulburn (Image 3), the Market Place Car Park (Image 4) and from the Southern Railway Hotel.

Heritage Conservation and Impact

The proposed development is not compliant with the intent of the Goulburn Mulwarre LEP with regard to Conservation (Clause 5.10) and has a direct impact on the neighbouring properties.

I consider that the selective focus on the front of the premises, and not both sides, could present a precedent for other developments. It could lead to the demise of other heritage properties and is inconsistent with the Council's positive actions to promote Goulburn's heritage for both business and tourism benefits.

Statement of Environmental Effects (Reference B). The Statement presents excerpts from the LEP and includes Statements in Response. These are reproduced below.

Paragraph 3.4.6

(1) Objectives The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Goulburn Mulwaree*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.*

Proposal Statement:

No changes to the front façade are proposed for this development, and materials for the proposed additions will be similar to and complement existing neighbouring development. Additionally, the proposed addition will not impact the existing 2-storey built form of existing neighbouring development. In our opinion this satisfies the objectives of this clause.

Paragraph 3.4.2

Proposal Statement:

This site is nominated on the Height of Buildings Map as having a maximum height of 15 metres. The height of the proposed additions is below the height of the existing roof line, being approximately 9 metres.

Objections

- **Objection 2. Failure to conserve Goulburn’s environmental heritage.**
 - Changes are proposed to **both the front and rear facades.**
 - The changes to the rear facade will disrupt the horizontal alignment of the row of terrace houses and negate the overall existing environmental heritage of the row of historic terrace houses.
- **Objection 3. Failure to conserve the heritage significance of the Sloane Street Historic Precinct, through changes to fabric, setting and views**
 - The proposed 2 storey addition is situated **at right angles** to the existing alignment of the terrace houses and extends near to the rear boundary of the Property. It disrupts the existing **fabric** of the rear of the row of terrace houses.
 - It alters the **setting** of the ‘existing 2-storey built form of existing neighbouring development’ and the integrity of the overall Sloane Street Historic Precinct.
 - The changes impact on the views of the terrace houses from our premises (see Image 3 above) and from the Market Place Car Park. **Images 5,6** below refer.



Image 5. Long View of Terrace Houses from Market Place Car Park



Image 6. Short View of Terrace Houses from Market Place Car Park

- **Objection 4. Unreasonable Building Height.**
 - I consider that the key issue is not the height of the existing terrace house but the height of the proposed 2 storey addition. The terrace houses are grouped with same heights which is below the permitted height on the area.
 - The proposed two storey addition is twice the height of the existing roof line of the single storey structure and remains below the line of the guttering and eaves.
 - The proposed roofline changes the continuous linear perspective of existing roof line along the rear of all terrace houses which is a key aspect of their heritage charm.
 - A single storey addition would be consistent with other structures at the rear of the adjacent terraces and not impact on the line of the upper storeys.



Image 7. Terrace Houses Continuous Linear Perspective

- **Objection 5: Unreasonable impact on the neighbours**
 - The height of the two storey addition will directly impact on quality of life for the neighbours using the adjacent back yard areas.
 - It will reduce the amount of direct sun light in the afternoons and will introduce a shadow effect, particularly in the winter months. **Image 7** shows the lateral spread of the afternoon sun.

- The proposed rear deck will overlook the area with an impact on the privacy of the neighbours despite the inclusion of privacy screens. It will also be an elevated source of noise that will reflect and reverberate along the line of terrace houses.



Image 8. Lateral Spread of the Afternoon Sun

Summary

The DA in its current form is not supported. We present five objections to the Proposal which relate to heritage conservation and impact on the residents of the adjacent terrace houses.

We welcome the intent of the new owners of 176 Sloane Street to upgrade the structure and establish a residence and B&B accommodation. The Sloane Street Historic Precinct deserves care and attention and is a centre piece of the Goulburn city heritage fabric. Both the front and rear of the line of terrace houses are part of this fabric.

It is recommended that the proposal be altered to limit the rear structure to a single storey in height to conserve the continuous linear perspective of the upper storey of the terrace houses. A single storey would negate the impact on the neighbours and remain consistent with the other existing structures.

We would welcome the opportunity to discuss the Objections that have been presented and to participate in a Council site inspection.

Yours faithfully,

(Original Signed By)

Claire and Steve Ayling

Goulburn Heritage Group
PO Box 25,
Goulburn NSW 2580

29th April, 2020

Goulburn Mulwaree Council,
Locked Bag 22,
Goulburn NSW 2580

Attn: Ryan Gill

DA/0287/1920 – 176 Sloane Street Goulburn

Goulburn Heritage Group members have no objections to the proposal to convert these premises to B and B usage over two stages.

The building at 176 Sloane Street is heritage listed and the installation of double glazing to the existing windows or to having new timber double glazed windows, would be within in the guidelines for a heritage listed building as noted in the Statement of Environmental Effects. The installation of aluminium windows however is not acceptable.

Members therefore raise objections to 'the proposed removal of the timber framed windows facing Sloane Street, to be replaced by double-glazed aluminium framed windows, colour to match'.

This window replacement should be in timber.

Goulburn Heritage Group



The Goulburn Group
PO Box 362
Goulburn NSW 2580

30th April 2020

To Ryan Gill
Goulburn Mulwaree Council
Locked bag 22
Goulburn NSW 2580

Re DA/0287/1920 176 Sloane street Goulburn

Dear Ryan

The Goulburn Group were alerted to this DA, and after looking into it, do have some concerns. There is a precedent in converting this terrace into a B&B, although it could function as such. The overall look and feel may upset the residents in similar terraces having transient occupation near by and may be a negative influence on the other owners of these much sort after terraces.

The removal of timber windows and replacing with aluminium is very much out of character for these buildings. The heritage look must be preserved. Also the removal of part of the rear wall which has stood for over 150 years would be totally unacceptable, and a breach of our standards of our built heritage.

The Goulburn Group receives many requests to intervene in various DA's in Goulburn and we feel this one in particular should not go ahead.

Thank you
Kind regards
Doug Rawlinson
President. The Goulburn Group.

THE GOULBURN GROUP (TGG): ABN: 37 788 112 749. Website: www.goulburngroup.com.au
PO Box 362 GOULBURN NSW 2580 – Email: info@goulburngroup.com.au
Doug Rawlinson: president@goulburngroup.com.au

Goulburn Mulwarre Council
Attention: Ryan Gill

Jim Spiers
172 Sloane st
Goulburn

1st May 2020

**OBJECTION TO DEVELOPMENT APPLICATION DA/0287/1920
LOT 5 DP 32565
176 SLOANE STRRET, GOULBURN**

Dear Mr Ryan,

Objection

I am writing to formally object to DA/0287/1920 concerning the proposed new bed and breakfast at 176 Sloane Street Goulburn. I have reviewed the documents provided on the Council Website:

- *DA/0287/1920: Reference A*
- *Statement of Environmental Effects: Reference B*
- *Plans for Stage 1 and Stage 2 Development: Reference C*

Without going over all ready covered ground I support all submissions made by Residents of the Sloane Street Historic Precinct and in addition I note the following:

3.4.6 Clause 5.10 - Heritage conservation (Refer Appendix-D)

(1) Objectives The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Goulburn Mulwaree,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites.

I refer to plans stage one demolition and proposed stage 1

The demolition requires the partial removal of a brick wall constructed in the English Bond Style common and used in the early 1800 to support walls.

English **bond** is considered as the **strongest** and most widely used brick **bond** in construction work. It consists of alternate course of headers and stretchers. In this arrangement, vertical joints in the header and stretcher courses come over each other.

The Wall proposed for demolition is a 2 Brick wall supported in the above style and has held up against the ravages of time for more than 150 or so years.

The demolition of this wall would cause structural integrity of the Terraces be undermined and may have depremential repercussions on the adjoining Terraces in the form of sagging, cracking and structural wall failure.

The proposed stage 1 and 2 developments are against the councils defined parameters as set out in 3.4.6 Clause 5.10 - Heritage conservation.'

Further more as a resident of 172 Sloane Street the addition would cause visual obstructions .Unreasonable in Building height and will cause on my and neighbouring properties Severe shadowing in the 6 months of short sunlight.

I draw your attention to the drawing Front Elevation Existing. I note that Existing windows to be replaced with Aluminum windows! Please explain how this sits in with " Heritage Conservation "

I can only conclude that The proposed development is not compliant with the intent of the Goulburn Mulwarre LEP with regard to Conservation (Clause 5.10) and has a direct impact on my and neighbouring properties.

Summary

The proposed rear deck will overlook the area with an impact on the privacy of the neighbours despite the inclusion of privacy screens. It will also be an elevated source of noise that will reflect and reverberate along the line of terrace houses.

The DA in its current form is not supported.

Both the front and rear of the line of terrace houses are part of this fabric.

Indeed the Sloane Street Sloane stables wall forms part of the Historic Precinct. Residents have been active over the years in the restoration of the stables wall when fallen into disrepair and have received Heritage awards from council for said restoration.

May it be recommended that the proposal be altered to limit the rear structure to a single storey in height which will conserve the continuous linear perspective of the upper storey of the terrace houses. Say something similar to 172 Sloane where height and roof windows were utilised to maximise light and height without the need to alter Heritage Values.

It is encouraging to see the owners of 176 Sloane Street wanting to improve their property and establish a residence and B&B. The Sloane Street Historic Precinct

is a great location for this type of enterprise, however as the front of the cities city heritage fabric extra care should be taken to preserve the historic Precinct.

Goulburn in the past has not a good track record in preserving major heritage buildings. Indeed in the past in references to the Odeon theatre Goulburn has "sold its heritage soul", let us not repeat this valuable lesson history has taught us.

Happy to discuss any issues raised here and if you require any further information please don't hesitate to contact me on my home address

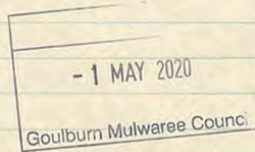
Regards

Jim Spiers

Resident and owner 172 Sloane St Goulburn
Goulburn Historic Precinct.

11/5/20, Friday

Mayor Bob Kirk
Goulburn Mulwaree Council
184 Bourke Street
Goulburn NSW 2580



SCANNED

Dear Mayor,

I am writing to object to Development Application No. DA/0287/1920, 176 Sloane Street, Goulburn.

I have not made any reportable political donations or gifts to Council or a Councillor in the last two years.

I have been a resident of Goulburn for a fair few years and enjoy very much the beauty of its Heritage Architecture. I can say that coming to Goulburn has been a highlight in my life. Part of that life is about visiting friends in the historic Sloane Street Terraces, performing a function that contributes into my other walks of life. The Sloane Street Terraces are like stepping back in time.

I was amazed to hear that Goulburn Council is allowing a two level extension to 176 Sloane Street. An extension completely out of character with the existing architecture. The current ground floor rear extensions are mostly full of old world character and charm.

The objection against a proposed two level extension is strong. That it would be visible from Market Place Car Park, Aldi, Handlsons and the hotel. The second level is totally inappropriate for the mid Victorian architecture.

A previous owner, a seller of antiques, used the top of the rear wall for an advertisement because No. 176 is highly visible across Market Place Car Park.

My friends who are residents of the terraces have been most distressed by this proposal of a two level extension overlooking their properties.

G. M. MANUS

5 O'BRIEN STREET
GOULBURN NSW 2580



PARTNERS
 CRAIG OSBORNE
 STEPHEN WARWICK
 CHRIS SHEPPARD
 MARTIN CULLETON
 JOSH BIGNELL
 ADAM BARLOW
 MICHAEL LEWIS
 CLAIRE OSBORNE
 HUW EDWARDS

SPECIAL COUNSEL
 MICHAEL GALLAND
 LES HEINRICH
 FRAN SMITH
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SENIOR ASSOCIATES
 ANNE BARLOW
 MELISSA PACHECO
 STEVE BAKER

ASSOCIATES
 ANYA STOCK-PERRY
 TANYA EMMETT
 HAYLEY KELLOWAY
 ROBERT FOSTER
 HARLEY PURNELL
 BRADLEY PETERSON
 MICHAEL MANDICOS
 JAMES WATT
 OLIVIA YEATMAN

Our Ref: OMY:VAR/0037/0001

29 April 2020

The General Manager
 Goulburn Mulwaree Council
 184 Bourke Street
 Goulburn NSW 2580

BY EMAIL ONLY: council@goulburn.nsw.gov.au

Dear General Manager,

**Re: Objection to Development Application No. DA/0287/1920
 176 Sloane Street, Goulburn**

1. We act for Yolande Odette Varga, registered proprietor of Lot 4 DP32565 known as 178 Sloane Street, Goulburn.
2. We are instructed to object to development application No. DA/0287/1920 for development described as "*Proposed bed and breakfast and alterations and additions to existing heritage listed building*" ("DA") on Lot 5 DP 32565 known as 176 Sloane Street, Goulburn ("Property").
3. Our client has not made any reportable political donations or gifts to Council or a Councillor in the last two (2) years.

Solar Access

4. The DA proposes a first-floor addition to the rear of the existing dwelling on the Property.
5. Our client's property is located to the north of the Property on which the works are proposed.
6. The Architectural Plans prepared by Randall Duatillis Architects Rev C dated 05/19 Drawing No.s 6443-DA-001, 6443-DA-201 and 6443-DA-301 on exhibition do not include shadow diagrams.
7. Control 4.1.3 of *Goulburn Mulwaree Development Control Plan 2009* ("GMDCP 2009") requires that 4 hours of sunlight are provided to a neighbouring residential dwelling and

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the majority of their landscaped open space on 21 June.

8. Our client, nor Council, can be certain as to the potential solar access impacts posed by the DA.

Privacy

9. Control 4.1.4 of GMDCP 2009 requires that proposed development should avoid overlooking living spaces in neighbouring buildings and private open spaces.
10. To the rear of our client's dwelling is her bedroom upstairs. There are windows located at the rear of our client's dwelling facing her rear yard.
11. Our client's private open space is solely located in her rear yard and will be adjacent to the proposed development.
12. The Applicant has proposed the erection of privacy screens to the north and south of the rear first floor balcony of the proposed first floor addition.
13. Our client is not satisfied that this will address her concerns in relation to visual privacy in her rear yard, particularly where the Applicant may still be able to look down on our client's rear yard through the privacy screen as are depicted in the exhibition plans.
14. In addition, the first floor balcony and the erection of the proposed privacy screens do not afford acoustic privacy to our client.
15. The elevation of the first floor balcony will exacerbate sound traveling from the first floor balcony to the adjoining properties.
16. The balustrade at the rear of the proposed first floor addition deprives the back of our client's rear yard from privacy as it is located in a north-westerly direction.
17. Our client has made enquiries with Council as to whether the Applicant intends to install windows along the side walls of the first-floor addition. Council was unable to confirm if this was the case and there do not appear to be windows shown on the exhibition plans.
18. Any windows that the Applicant does intend to install along the side walls of the first floor addition should be opaque to prevent overlooking.

Bulk and Scale

19. The proposed first floor addition adds considerable bulk and scale to the existing dwelling on the Property.
20. The Architectural Plans on exhibition do not provide a schedule of finishes to indicate how the first floor addition will be constructed. Again, this provides our client as well as other objectors with no certainty as to what the "finished product" will look like.
21. As Council is aware, the dwelling on the Property is heritage listed.
22. The DA proposes works that appear to be in stark contrast to the existing heritage character of the Property and the locality.
23. The first floor addition will create what our client considers to be a "towering" and "overwhelming" presence from her rear yard. The first floor addition will detrimentally impact our client's enjoyment of their property.

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Heritage

24. We also note that on Council's previous assessment of Development Application No. DA/0019/1920 ("Original DA"), the determination of which is currently the subject of Class 4 judicial review proceedings, Council obtained the opinion of two (2) heritage experts.
25. The Original DA proposed works that are identical to those proposed in the DA, with the exception of a corrected description.
26. In assessing the Original DA, Council's heritage advisor, Jack Miller stated:

"176 Sloane Street is part of a group listed as Environmental Heritage in Goulburn Mulwaree LEP 2009 – Item 1279. This is one of the most significant and original groups of buildings in Goulburn.

...The proposal is acceptable with the exception of the first floor addition at the rear."
27. We note that Council then obtained the advice of an external heritage consultant, David Hobbs. Mr Hobbs recommended a reduction to the roof height of the first floor addition so that the original gutter line of the existing dwelling is exposed.
28. The rear of the Property and the neighbouring terraces can be viewed from the historic Mandelson's of Goulburn, the Marketplace Carpark and the Southern Railway Hotel. Both hotels have a unique, historic view of the Georgian architecture for which the terraces are heritage listed.
29. Our client is also concerned about the replacement of the windows on the front facade of the existing dwelling of the Property from the original wooden frames to aluminium framed windows. By replacing the windows which are a key heritage feature, the terraces on Sloane Street will no longer be a cohesive group of original buildings.
30. As a resident of this historic precinct, our client believes that the first floor addition will have a detrimental impact on the historic Sloane Street precinct.
31. In approving the DA, Council is setting a precedent for what our client considers to be the destruction of the heritage fabric of the locality she lives in in Goulburn and could lead to a flood gate scenario.

Structural impacts of works

32. Given the age of the terraces and the proximity of the proposed development to our client's property, our client is concerned about any structural impacts the works may have on her dwelling.
33. Where Council is minded to approve the DA, an assessment of the condition of the neighbouring dwellings should be carried out pre-development so that any structural issues that may develop during the course of construction can be monitored.

Conclusion

34. It is for the reasons outlined above that our client objects to the DA.
35. Our client has demonstrated by commencing Class 4 proceedings seeking judicial review of the Original DA that they are willing and able to ensure that the DA has been assessed correctly and with due regard to the relevant controls.

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36. Please provide us with shadow diagrams for the proposed development for our client's review at your earliest convenience.

37. If you wish to discuss this matter further, please contact the writer.

Yours faithfully,

Olivia Yeatman
Email: oliviay@rmblawyers.com.au

Legal Assistant: Dayna Deller
Direct Line: (02) 4232 0811
Email: daynad@rmblawyers.com.au

2652307

1st May 2020

Development Assessment Officer

Ryan Gill

Goulburn Mulwaree Council

184 Bourke Street

Goulburn NSW 2580

Re: Objection to Development Application No. DA/0287/1920 176 Sloane Street, Goulburn

OBJECTION 1.

The DA proposes works that are in stark contrast to the existing heritage character of the architecture and the locality.

On Council's previous assessment of Development Application No. DA/0019/1920 ("Original DA"), the determination of which is currently the subject of Class 4 judicial review proceedings, Council obtained the opinion of two (2) heritage experts. The Original DA proposed works that are identical to those proposed in the new DA, with the exception of a corrected description.

In assessing the Original DA, Council's heritage advisor, Jack Miller stated:

"176 Sloane Street is part of a group listed as Environmental Heritage in Goulburn Mulwaree LEP 2009 - Item 1279. **This is one of the most significant and original groups of buildings in Goulburn.**

The proposal is acceptable with the exception of the first floor addition at the rear." (Aluminium framed windows have slipped through!)

Goulburn Mulwaree Council then obtained the advice of an external heritage consultant, David Hobbs. Mr Hobbs recommended a reduction to the roof height of the first floor addition so that the original gutter line of the existing dwelling is exposed. Objective achieved! An approval for what is obviously unacceptable.

In approving the DA, Council is setting a precedent for the destruction of the heritage fabric of Goulburn. This double level extension must NOT be allowed to proceed.

OBJECTION 2.

First Floor Addition All these eight terraced houses have single storey extensions to the rear but all have retained the rear wall of the original structure within the current dwelling. Many include the ground level window within the house. (174 window looks out onto a small court yard within the extension.)

The developers of 176 are setting precedents by:

A/ proposing to build a two level extension and

B/ by destroying the original rear wall which has survived, so far, for over one and one half centuries and is an integral part of the structure of the four terraces. The entire front and back walls are integral to the building and

C/ replacing original windows with unsympathetic and unsuitable (for any heritage building) aluminium framed windows

The two level extension allows other developers in the future to purchase these historically important buildings (especially to Goulburn-already ravaged by heritage insensitive development) and create canyons for residents who are unfortunate enough to live between these two level sore thumb structures. If council allows one they will allow more.

And, of course, if council allows the destruction of the rear wall of 176 how long before developers are allowed to destroy other rear walls? Then, of course they will want to destroy the buildings themselves in their lust for modern. Fireplaces gone. Staircases gone. Gone forever!

OBJECTION 3.

The front and rear walls of this building (174-180) are main support walls for the entire structure, The front and rear walls support each other via giant rods that pass through either end of the building. The front and rear walls support the interior walls. Taking out one section of the rear wall has the potential to seriously impair the structural strength of our homes. Especially 174 and 178 which are either side of 176.

OBJECTION 4.

DA/0010/1920 Proposed Bed And Breakfast Within Existing Heritage Listed Building, approved by council and currently under Judicial review, includes the replacement of original handmade timber framed windows (including original handmade glass) with aluminium framed windows to 176 Sloane. Obviously Goulburn Mulwaree Council has no respect for these beautiful old terraced homes. It includes the demolition of the original rear wall of the terrace and the building of a two level extension straight out the rear. Now the identical proposal is before council but has been re branded DA/0287/1920 and described: Proposed Bed And Breakfast And Alterations And Additions To Existing Heritage Listed Building. Is the expectation of the developers that this will simply be rubber stamped by council?

Changing a few words on a DA and resubmitting is an old trick that will not hold up in law and Goulburn Mulwaree Council should not support tricks such as this in any way whatsoever.

OBJECTION 5.

Control 4.1.4 of GMDCP 2009 requires that proposed development should avoid overlooking living spaces in neighbouring buildings and private open spaces.

The Developers have proposed the erection of privacy screens to the north and south sides of the rear first floor balcony of the proposed first floor addition. These screens do more to protect the privacy of guests on the balcony. The louvres point down allowing "spying" on residents of 174 and 178. There is no

privacy protection from the rear of the balcony. In addition, the first floor balcony and the erection of the proposed privacy screens do not afford acoustic privacy. The elevation of the first floor balcony will exacerbate sound travelling from the first floor balcony to the adjoining properties. And reverse.

OBJECTION 6.

The proposed first floor addition adds considerable bulk and scale to the existing dwelling uglifying the old world atmosphere and character that is one of the most important aspects of the rear views of these significant survivors from Goulburn's past. The proposed extension will be visible from Aldi, Market Place car park and from the other nine terraces. Former owners selling antiques used this wall to advertise their business because it is highly visible to the residents of Goulburn.

OBJECTION 7.

The budget set for this renovation/extension suggests the use of very inferior materials, it is not believable that a demolition and construction of this size could be achieved for \$130,000! Or is this just a figure plucked out of thin air that we are not supposed to take seriously! A misleading figure!

OBJECTION 8.

There is an obligation at law that if development is notified and advertised, such notification and advertisement should not be misleading, incomplete and/or inaccurate in any material respect.

The following is my critique of the plans on council's website:

Plans on Goulburn Mulwaree's web site include a Site Plan; Front and Rear Elevations of existing and proposed; cut throughs of interior of both levels. Normally cut throughs (aka Sections) are clearly nominated as such and include a plan showing the line of the cut through. Council's do not.

The **Site Plan** has the legal Right Of Way simply as "Rear Access Lane" and "Side Access Lane." As I understand it a Right Of Way cannot be obstructed or impeded which would mean constructors could not use this area in any way. Very different, legally, to a lane. A Right Of Way is in private ownership, I do not believe the current owners would allow constructors to use this Right Of Way as part of the building site in any way whatsoever.

Front and Rear elevations, quite obviously, only show the front and rear-not the sides which are of primary interest to us. There are normally Side Elevations included in any working drawings. Side Elevations would show any windows in these side walls. Why is the public not shown these side elevations on council's web site? Logically they would exist. Is this done to be deliberately misleading? To hide information from the public?

"Existing windows to be replaced with double glazed aluminium framed windows. Frame colour to be painted to match existing." Aluminium windows are not heritage and should not be approved. (see 1. Front Elevation-Existing.) Existing with original timber framed windows-not existing with new, modern

aluminium framed windows. Most people who read these plans miss this important piece of information. Is this deliberate?

Normally drawings of this type include floor plans showing position of doors and windows. This would show any windows on side walls. We have been fobbed off when we question this. Logically floor plans must exist for any working drawings. Why are they not shown by council? Is this deliberate?

"Portion of existing roof along with gutter & fascia to be demolished and prepared for new skylight and new roofing. Refer to plans." (see Section 1-Existing & Demolition Stage 1). This work is close to 178 and could detrimentally effect this residence in the future. (see 3. Rear Elevation-Proposed Stage 1.) There are two proposed skylights.

The plans on Goulburn Mulwaree's web site do not include floor plans for either of the two levels. Are they a secret?

There does not appear to be reference to external cladding for side walls of this extension. These plans have a lot of information regarding the interior but not the information we need regarding the exterior. Why are we not being told? Why isn't this information available to the public on council's web site? It is the exterior that will be visible to the public from Market Place car park, from side windows of Mandelson's, from side windows of Southern Railway Hotel and from all the yards of all the residences that make up this very important row of Georgian Style terraced houses built during the reign of Queen Victoria. Too much of Australia's past has been destroyed. Too much of Goulburn's past has been destroyed. When will the residents of this important Australian city finally make a stand?

This section of Sloane Street is one of the most important HISTORIC HERITAGE PRECINCTS in Goulburn. Goulburn Mulwaree Council must learn that Heritage is not just a marketing word. The most successful rural centres in New South Wales are working to genuinely preserve their heritage, their past, they realise their past is their future. Visitors do not go to rural towns and villages to see modern-they can see modern anywhere. They can stay home.

I have not made any reportable political donations or gifts to Council or a Councillor in the last two years.

Ernest G Twist

Owner/resident

174 Sloane Street

Goulburn NSW 2580

Printouts of this objection have been hand delivered to Goulburn Mulwaree Council Reception for:

Ryan Gill Development Assessment Officer; Warwick Bennett General Manager; Mayor Bob Kirk; Deputy Mayor Peter Walker; Councillor Alfie Walker; Councillor Andrew Banfield; Councillor Carol James; Councillor Denzil Sturgiss; Councillor Leah Ferrara; Councillor Margaret O'Neill; Councillor Sam Rowland

SCANNED

Attention: RYAN GILL

Objections Re: Development Application DA/0287/1920

Goulburn Mulwaree Council
Date Received: 27/04/2020
Signature: [Handwritten Signature] CH

I wish to object to the above development application on four (4) grounds:

1. Deficiencies in the Plan & Description of the Plan

The plans on exhibition on the Council's Website in respect of this DA are glaringly deficient in specifications as to:

- a) External walls etc., vaguely specified as "Materials proposed are to be similar to and complement existing neighbouring development". Surely the public is entitled to know whether the cladding will be brick, wood or other material.
- b) The proposed replacement of the terrace's front windows to double glazed glass in aluminium frames is not in keeping with the heritage character of the building. Currently all the front windows of the row of terraces have wooden frames. Beautiful old style wooden window frames are still being made as evidenced in the current ground level renovations of the Empire Hotel in Auburn Street, Goulburn.
- c) Whether there are to be windows or not in the side walls of the additions is again not specified in this "new" rebranded DA.

d) Yet again, as in the original DA, the description on the Website is deficient *in not specifying that the development is to include a new level 1 addition i.e., a ground floor and first floor.*

e) Section 6 of the DA states the estimate costs as \$130,000 inclusive of materials, labour etc., is also of concern. This seems inordinately low for such a large project and leads one to speculate as to the nature and quality of the materials and that of the work involved.

2. Impact on Neighbours

This proposed large two level development will virtually occupy the whole of the terrace's backyard and obstruct the adjacent terrace's views both from the ground level and first floor levels which would be oppressive to the adjacent residents trying to enjoy the privacy of their small backyards.

3. Impact on Goulburn's Heritage and History

This large two level development is not in keeping with the total heritage character of this row of terraces. Its approval would signal that Goulburn Council does not really care about, and only pays lip service to, the preservation of Goulburn's history.

It should also be noted here that as regards to the original application the Council's own heritage advisor, Jack Miller stated:

"176 Sloane Street is part of a group listed as Environmental Heritage in Goulburn Mulwaree LEP 2009 – item 1279. This is one of the most significant and original groups of buildings in Goulburn.

.....The proposal is acceptable with the exception of the first floor addition at the rear."

The Council then sought advice of an external heritage consultant, David Hobbs. Mr Hobbs recommended a reduction to the roof height of the first floor addition so that the original gutter line of the existing dwelling is exposed.

The Planning Department then granted approval for the original application with the minor alteration suggested by Mr Hobbs disregarding Mr Miller's assessment.

4. Setting a Precedent

It is not unreasonable to assume that in the future, if this development is approved, one or more of the owners in this row of 10 terraces may wish to do similar level 1 extensions. In this eventuality the Council would be hard pressed to justify rejection of any such applications.

The situation may arise that two such developments on either side of the middle property would covert the backyard of that terrace essentially into an oppressive depressing canyon.

In Conclusion

I urge the Council to reject this level 1 development.

Far fewer, if any, objections would have occurred had the DP been for a single i.e., ground level extension.....Perhaps this is why the Council's description again has made no mention that the proposed development is to have two levels.

Finally: I have not made any reportable political donations or gifts to Council or a Councillor in the last two (2) years.

Dr L J Varga
23 Buffalo Crescent
Goulburn NSW

**RANDALL | DUTAILLIS
ARCHITECTS**

EDUCATION COMMERCIAL INDUSTRIAL
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95 CLIFFORD STREET F: (02) 4822 1305
GOULBURN NSW 2580 ABN: 32 116 014 567
E: office@dutailisarchitects.com.au NSW REG. No. 6062



18 May 2020

Ref:AR:LM:6443

Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580

ATTENTION: RYAN GILL

RE: PROPOSED BED & BREAKFAST AND ALTERATIONS AND ADDITIONS TO
HERITAGE-LISTED BUILDING
176 SLOANE STREET, GOULBURN NSW 2580
DEVELOPMENT APPLICATION & ACTIVITIES APPROVALS APPLICATION
YOUR REFERENCE: DA/0287/1920

Dear Ryan

We thank you for your email on 6 May 2020 regarding the neighbour submissions for the above Development Application. The objections from the neighbours fall into the following main points:

- Front façade windows
- Overshadowing
- Privacy
- Impact on views
- Materials and colours
- Rear wall demolition
- Heritage character and views from public vistas
- Definition of rear lane access/right of way
- Estimated cost of works
- Bulk and scale

Please see below our responses to each point of objection: -

- Front façade windows
It is our intention for the existing ground and upper level windows on the Sloane Street façade to be replaced with double-glazed timber-framed windows, with frame profiles and colours to match existing. Double-glazing will provide both thermal and acoustic benefits to the occupants of the premises. The reference to aluminium-framed windows on the architectural drawings is an error and will be amended to reflect timber-framed windows. It should be noted that the Heritage Management Plan submitted with this DA notes these windows to be replaced with timber-framed windows, with frame profiles and colours to match existing. A colour samples board can be provided to Council to support this application if required.
- Overshadowing
The planning controls for Clause 4.1.3 (Solar access) of the Goulburn Mulwaree DCP 2009 require dwellings and associated private open space receive a minimum of 4 hours of sunlight between the hours of 9am to 3pm on the Winter Solstice (21 June). The attached study of sun and shadow angles show the neighbouring dwellings receive more than 4 hours of sunlight to both the upper level window and the dwelling's private open space when factoring in the extent of the proposed additions. There is minimal

GOULBURN OFFICE	PO BOX 1039	95 CLIFFORD STREET	GOULBURN NSW 2580	T: (02) 4821 8373	F: (02) 4822 1305
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overshadowing impact on neighbours to the north of 176 Sloane Street. While 174 Sloane Street is impacted, said impact is limited to this property's roof and a portion of the upper level window.

- **Privacy**

The proposed design of the rear balcony shows privacy screens (at an approximate height of 2 metres) to both property boundaries to prevent overlooking of neighbouring private open space and windows. No privacy screens are proposed to the northwestern edge of the balcony (except for a 1 metre high balustrade to prevent falls) as there is no visibility to neighbouring private open space or windows from this position. It is our intention to install fixed timber louvres as privacy screens, angled down toward the proposed rear balcony to prevent overlooking neighbours' private open space and promote solar access. We agree for this to be included as a condition of the DA.
- **Impact on views**

The primary views through the northwestern windows of the terraces neighbouring the proposed development are focussed on Ss Peter and Paul's Cathedral. Other buildings that can be viewed from this position are the Beaurepairs tyre shop, ALDI supermarket, and the back wall of the Astor Hotel, all of which would be considered unattractive views. In our opinion, the proposed additions (which will use materials and colours sympathetic to the neighbouring heritage character) will help to block these unattractive views and focus the view towards the Cathedral.
- **Materials and colours**

It is proposed to use a painted fibre cement cladding to the upper level addition, painted to suit the surrounding heritage context. A colour samples board can be provided to Council to support this application if required. This cladding will have a heritage weatherboard-style profile. This lightweight cladding has been chosen to reduce the amount of structural engineering required on this development. Additionally, the external walls (including the cladding) for the upper level addition are fire-rated to the requirements of the National Construction Code.
- **Rear wall demolition**

The only demolition required to the rear wall is approximately a 2m x 2m section of the upper floor wall to allow for the new addition. A structural engineer has been engaged and has provided engineering and documentation to allow for any impacts to the built fabric of the building including the neighbouring properties. A structural design certificate has been provided to certify the structural adequacy of the proposed works.
- **Heritage Value**

It is our understanding that the Heritage requirements of this block of buildings only relate to maintaining the Heritage character of the streetscape & front façade, not the right of way directly behind the terraces (refer clause 3.3.1.1 of the Goulburn Mulwaree Development Control Plan (DCP)). This clause of the DCP largely refers to the preservation of the streetscape, in this case the Sloane Street streetscape. The proposed upper level additions cannot be seen from either Clinton or Sloane Streets, and there is very limited visibility from the Marketplace carpark from one position. It should be noted that the redevelopment of Goulburn Marketplace has been approved by Council and includes new building work in the vicinity of the car parking near the Southern Railway Hotel, blocking all public views to the rear of this row of townhouses.

It should also be noted that advice from David Hobbes, external heritage advisor to Goulburn Mulwaree Council, gave in-principle support to the upper level addition in advice provided on 13 September 2019,

provided minor changes were made to the design to maintain the original roof and gutter line. These changes were made, and updated design and drawings were submitted to Council on 24 September 2019. We were not made aware of Mr Jack Miller's advice at any stage during the previous development application. We are of the understanding that Jack Miller is a strategic planner employed by Council and is not employed by Council as a heritage advisor. David Hobbes, however, is Council's appointed heritage advisor, and his advice in heritage matters should be given priority.

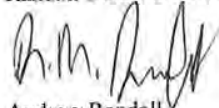
- **Definition of rear access lane/right of way**
We are aware this is a privately-owned right of way to provide access to the rear of the adjacent properties. The wording on the documentation can be amended to suit if required. Notes will also be provided on the Construction Certificate documentation requiring contractors keep the right of way clear for neighbours. This right of way is listed in the owner's title.
- **Estimated value of works**
The proposed value of works provided as part of a Development Application is only an opinion of probable cost. A construction costing provided by a contractor will be issued with the Construction Certificate application.
- **Bulk and scale**
The proposed design does not increase the footprint of the existing dwelling. Indeed, with the demolition of the existing storeroom to the rear of the dwelling, the footprint has reduced. For the reasons mentioned earlier in this letter (namely overshadowing and privacy) the upper level addition does not significantly impact neighbours' amenity.

We trust the information supplied sufficiently answers the concerns of the residents and assists Council in proceeding with the approval of this development.

If further information is required, please contact our Office.

Yours faithfully,

Randall Dutailis Architects



Andrew Randall

Architect

NSW Registration No: 6062

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