

SNOWY VALLEYS COUNCIL

STATEMENT OF ENVIRONMENTAL EFFECTS

DEVELOPMENT APPLICATION FOR EXTERNAL ALTERATIONS AND SIGNAGE

**KFC TUMUT
74 CAPPER STREET TUMUT NSW 2720**

Prepared by Platinum Planning Solutions

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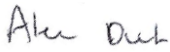
SITE DETAILS

Address	74 Capper Street Tumut NSW 2720
Lot on Plan	Lot 2 DP593672
Local Authority	Snowy Valleys Council
Local Environmental Plan	Tumut Local Environmental Plan 2012
Development Control Plan	Snowy Valleys Development Control Plan 2024
Zone	E1 Local Centre
Overlays	Local Aboriginal Land Council (Brungle / Tumut), Natural Resource - Groundwater Vulnerability Map (Groundwater Vulnerability), and Special Provisions (SEPP (Sustainable Buildings) 2022 Climate Zones for BASIX Buildings Map, SEPP (Sustainable Buildings) 2022 Climate Zones for BASIX Alterations Map, and SEPP (Sustainable Buildings) 2022 Water Use Map)

DEVELOPMENT PROPOSAL DETAILS

Level of Assessment	Permitted with consent
Proposal Summary	External alterations and signage
Assessment Controls	Tumut Local Environmental Plan 2012, Snowy Valleys Development Control Plan 2024
Applicant	KFC C/- Platinum Planning Solutions

REVISION DETAILS

Version	1.1
Prepared by	Alec Duck (BUrbanEnvPlan)
Signed	
Date	8/05/2025

1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Platinum Planning Solutions on behalf of KFC (the applicant) to accompany a development application to Snowy Valleys Council over land located at 74 Capper Street Tumut (the subject site). The development application seeks development consent for external alterations and signage to the existing KFC restaurant as part of refurbishment and upgrade works for new branding.

This SEE provides the following:

- A description of the subject site and surrounding development;
- Detailed description of the proposed development;
- Assessment of the proposed development in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979;
- Assessment of the planning considerations relevant to the proposed development.

The proposed works are seen to be consistent with the continued use of the site as a commercial premises and is seen to be a positive addition to the building and area as a whole. This Statement of Environmental Effects is to be read in conjunction with the attached plans, elevations, and supporting documents.

2.0 SITE DESCRIPTION AND CONTEXT

2.1 Subject Site

The subject site is located at 74 Capper Street Tumut and is formally described as Lot 2 on DP593672. The site has a primary frontage to Capper Street and is improved by a single storey building and on-site car park, with the building currently operating as a KFC food and drinks premises. The surrounding land uses consists of predominately a mix of residential premises and commercial premises in the surrounding residential and local centre zoning. The location of the site is indicated below in Figure 1 to 3 respectively.



Figure 1: Subject Site



Figure 2: Subject Site



Figure 3: Subject Site Current Context

3.0 PROPOSED DEVELOPMENT

The aspects of the proposed development are as follows, as per the attached proposed plans and elevations:

Aspect	Details
External alterations	<ul style="list-style-type: none"> • New Boxed Out Portal and Associated Paint Works; • Removal of Existing Signage Elements;
Signage	<ul style="list-style-type: none"> • 1 x New Wall Sign displaying the <i>Colonel</i> measuring 2000mm (W) x 2000mm (H); • 1 x New Stamp Sign reading <i>Made the Hard Way Made by Hand</i> measuring 2305mm in Diameter; • 1 x New Hanging Sign reading <i>Kentucky Fried Chicken</i> measuring 1265mm (W) x 194mm (H).

It is to be noted that the proposed external painting and replacement of existing signage is exempt development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP). The proposed works will be capable of complying with the BCA which will be part of a detailed assessment prior to the issue of a Construction Certificate. For further details on the proposed development please refer to the attached plans and supporting documents.



Figure 4: Proposed Concept Render



Figure 5: Proposed Concept Render

4.0 TOWN PLANNING ASSESSMENT

4.1 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (the Act) is the statutory planning instrument in New South Wales in which Council must use to assess development applications. In determining a development application, Council must take into consideration the following matters under Section 4.15 of the Act:

- a. *the provisions of:*
 - i. *any environmental planning instrument, and*
 - ii. *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - iii. *any development control plan, and*
 - iv. *any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
 - v. *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
 - vi. *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*
- b. *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- c. *the suitability of the site for the development,*
- d. *any submissions made in accordance with this Act or the regulations,*
- e. *the public interest.*

This Statement of Environmental Effects addresses the relevant provisions of the following planning instruments:

- Tumut Local Environmental Plan 2012;
- Snowy Valleys Development Control Plan 2024;
- State Environmental Planning Policy (Industry and Employment) 2021.

A detailed Section 4.15 assessment is provided as part of this overall Statement of Environmental Effects and in Section 4.5 of this report.

4.2 Tumut Local Environmental Plan 2012

The Tumut Local Environmental Plan 2012 (LEP) is the principle local planning instrument that applies to the site.

4.2.1 Zoning & Permissibility

The subject site is zoned as E1 Local Centre under the LEP. The objectives of the zone are as follows:

- *To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.*
- *To encourage investment in local commercial development that generates employment opportunities and economic growth.*

- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.

The external alterations and signage are to a food and drinks premises and are permissible with consent in the zone as part of the commercial premises group. The proposed investment in the site meets the objectives of the zone as the development contributes to the retail and commercial mix within the area and is compatible with the surrounding land uses. The proposal encourages on-going investment in the area and is seen as a desirable outcome.

4.2.2 Maximum building height (Clause 4.3)

The proposed works will not increase the height of the building, therefore Clause 4.3 of the LEP is not applicable.

4.2.3 Floor Space Ratio (Clause 4.4)

The proposed works will not alter the floor space of the building, therefore Clause 4.4 of the LEP is not applicable.

4.3 Snowy Valleys Development Control Plan 2024

The Tumut Shire Development Control Plan 2011 (DCP) is the planning instrument that provides comprehensive development controls for the local area. The relevant matters to be considered under the DCP for the proposed development are outlined below.

Control / Objective	Compliance	Comments
5.0 Commercial Development		
5.3.10 General Signage	Yes	The proposed signage is in locations typically expected for advertising signage on a commercial building and tenancy. The proposed signage will not contribute to visual clutter and will have no adverse amenity impacts noting the commercial setting of the site. The proposed signage is for business identification purposes and is critical to the continued success of the food and drinks premises. The proposed signage is of a high quality and will not introduce any safety concerns or introduce any hazards for passers-by.

4.4 State Environmental Planning Policy (Industry and Employment) 2021

The State Environmental Planning Policy (Industry and Employment) 2021 is the planning instrument that provides additional development controls for signage and advertising devices. The relevant matters to be considered under the SEPP (Industry and Employment) 2021 for the proposed development are outlined below.

4.4.1 Schedule 5 Assessment Criteria

Schedule 5 aims to ensure that signage is compatible with the desired amenity and visual character of an area and regulates specific signage outcomes. Clause 3.6 of SEPP (Industry and Employment) 2021, states that a consent authority must not grant development consent for signage unless the consent authority is satisfied that the signage satisfies the assessment criteria specified in Schedule 5.

An assessment against Schedule 5 – Assessment Criteria of SEPP (Industry and Employment) 2021 is included below:

Control	Assessment
1. Character of the area	
<ul style="list-style-type: none"> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	<ul style="list-style-type: none"> Yes, the signage is compatible with the existing area that contains a number of advertising opportunities for commercial and retail premises alike.
2. Special areas	
<ul style="list-style-type: none"> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? 	<ul style="list-style-type: none"> No, the proposed signage does not detract from the visual amenity or quality of the area.
3. Views and vistas	
<ul style="list-style-type: none"> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers? 	<ul style="list-style-type: none"> The proposed signage does not obscure any views, and it respects the viewing rights of other advertisers.
4. Streetscape, setting or landscape	
<ul style="list-style-type: none"> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management? 	<ul style="list-style-type: none"> The proposed signage will be consistent with the scale, proportion and form of the area and surrounding future signage. The proposed signage will contribute to visual interest of the building. The proposed signage will be minimal, in order to prevent visual clutter, and to keep signage simple and conducive to the requirements of SEPP 64. The signage will not require ongoing vegetation management.
5. Site and building	
<ul style="list-style-type: none"> Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? Does the proposal respect important features of the site or building, or both? 	<ul style="list-style-type: none"> The proposed signage is compatible with the existing building and is visually interesting while being minimal in nature. The signage respects important features of the building and will not adversely affect any significant heritage fabric.

Control	Assessment
<ul style="list-style-type: none"> Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	
6. Associated devices and logos with advertisements and advertising structures	
<ul style="list-style-type: none"> Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? 	<ul style="list-style-type: none"> The proposed signage has designed as an integral part the structures with the logo and text being an integral part of the signage.
7. Illumination	
<ul style="list-style-type: none"> Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft? Would illumination detract from the amenity of any residence or other form of accommodation? Is the illumination subject to a curfew? 	<ul style="list-style-type: none"> The proposed illumination of the signage does not introduce negative impacts to the adjoining land or road users and would not result in unacceptable glare or distraction.
8. Safety	
<ul style="list-style-type: none"> Would the proposal reduce the safety for any public road? Would the proposal reduce the safety for pedestrians or cyclists? Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<ul style="list-style-type: none"> The proposed signage will not reduce safety as sightlines will not be affected and there will be no cause of distraction for drivers. The proposed signage will not reduce existing safety for pedestrians and cyclists. The proposed signage does not obscure sightlines from public areas.

4.5 Section 4.15 Assessment

In determining a development application, the assessing consent authority must take into consideration a number of matters under Section 4.15 of the Environmental Planning and Assessment Act 1979. This assessment is shown in the below table:

Evaluation	Assessment
<p>In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:</p> <p>a) the provisions of:</p> <ul style="list-style-type: none"> (i) any environmental planning instrument, and (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed 	<p>a) The proposed works align with the relative matters of the LEP and DCP as per the compliance assessment in this Statement of Environmental Effects. The proposed works are seen to meet all the relative controls and are seen as a good outcome for the subject site.</p>

Evaluation	Assessment
<p>instrument has been deferred indefinitely or has not been approved), and</p> <p>(iii) any development control plan, and</p> <p>(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and</p> <p>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and</p> <p>(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),</p> <p>that apply to the land to which the development application relates,</p> <p>b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</p> <p>c) the suitability of the site for the development,</p> <p>d) any submissions made in accordance with this Act or the regulations,</p> <p>e) the public interest.</p>	<p>b) The proposed works will not have any negative impacts on the surrounding land uses considering the commercial setting of the site and envisioned use of the tenancy as a commercial premises.</p> <p>c) The building is envisioned for a commercial use of this nature. The proposed development to an existing commercial premises is considered appropriate.</p> <p>d) As per the DCP requirements, the development application may be placed on public exhibition to invite submissions, and if applicable Council will assess these accordingly.</p> <p>e) The proposed works are to an established commercial site and are seen to be in the public's interest through the provision of an envisioned use.</p>

5.0 CONCLUSION

This Statement of Environmental Effects has reviewed the proposed external alterations and signage for upgrade works to the existing KFC restaurant. It is considered that the proposed works, which are permissible with consent, are appropriate for the subject site and will not impact on the amenity of the surrounding area. The proposed works will not impact on any surrounding developments and is seen as a desirable outcome for the subject site in line with the relative objectives of the zone. Ultimately the proposal complies with the intent and design objectives of local planning controls and represents ongoing investment in the area. For these reasons it is seen that the proposed development should receive full development consent subject to reasonable and relevant conditions.