

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED CONSTRUCTION OF A RESTAURANT AND FUNCTION CENTRE

**29 GREY STREET CLARENCE TOWN
NSW 2321
(LOT 1 SECTION 3 / DP: 758250)**

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EXECUTIVE SUMMARY

Perception Planning Pty Ltd has been engaged by Williams River Steel (the client) to prepare a Statement of Environmental Effects (SoEE) for construction of a new building to be used as a Restaurant and Function Centre at 29 Grey St, Clarence Town (LOT 1 SEC 3 / DP 758250) (**'the site'**). The characteristics of the development include:

- Proposed construction of a bar, dining and function centre, catering for weekend trade and functions. The building is to include:
 - a) A restaurant with bar and dining areas, comprising 18 tables indoors and a further nine (9) tables in the courtyard
 - b) A function centre with seating for approximately 80 people
 - c) Waiting space and foyer
 - d) Additional carparking and landscaped areas.
- The former butcher's shop is proposed to be retained and used for hair and beauty as per existing approval under DA 63/2020 dated 06 July 2020.

The key reasons why the proposed development is appropriate are as follows;

- The proposed development is permissible on the site with consent under the DLEP as the subject site is zoned E1;
- No adverse impact on the existing character or amenity of the area will result;
- No adverse impact on the ecological values of the site is attributable to the proposed development;
- The proposed development is consistent with the prevailing land use of the area, without burdening the essential services supply;
- The alterations and additions proposed by this application has been found to be largely consistent with the relevant LEP and DCP controls.

The SEE will expand on those matters that have been summarised above to assist Council in completing a detailed assessment of the proposed development.

TERMS AND ABBREVIATIONS

AHIMS	Aboriginal Heritage Information Management System
BDAR	Biodiversity Development Assessment Report
EPA	Environment Protection Authority
EP&A Act	Environmental Planning & Assessment Act 1979
EPI	Environmental Planning Instrument
DA	Development Application
DCP	Development Control Plan
LGA	Local Government Area
SEPP	State Environmental Planning Policy
SEE	Statement of Environmental Effects

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PLANS AND SUPPORTING DOCUMENTATION

This SEE is supported by the following plans and documentation:

Appendix	Document	Prepared by	Reference
1	EP&A Regulation Compliance Table	Perception Planning	
2	DCP Compliance Table	Perception Planning	Complete
3	Deposited Plan and 88B	NSW Lands Registry	
4	Architectural Plans	CAD Design and Draft	Ref: 23-005
5	Hunter Water Corporation Stamped Plan	Hunter Water Corporation	
6	AHIMS Search Results	Perception Planning	Dated: 11 September 2023
7	DBYD Search Results	Perception Planning	Dated: 11 September 2023
8	Site Waste Minimisation and Management Plan	Perception Planning	Dated: 18 September 2023
9	Certificate of Title	NSW Lands Registry	
10	Ecological Assessment Report	AEP	Ref: 3145 Dated: 29 December 2022
11	Flood Study	Torrent Consulting	Dated: 12 September 2023
12	Landscape Plan	Green Space Planning Co.	Dated: 30 August 2023
13	Traffic Report	Amber	TBA
14	Pre-DA Meeting Minutes	Dungog Shire Council	Dated: 04 May 2023
15	Statement of Heritage Impact	Contemporary Heritage	Dated: January 2023
16	Stormwater Management Plan	DRB Consulting Engineers	Ref: 222386
17	BCA Assessment	Perception Planning	Dated: 27 July 2023

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1 BACKGROUND

1.1 PURPOSE

The purpose of this Statement of Environmental Effects (SEE) is to assist Council in their assessment and determination and to assist the community in understanding the proposed development.

This SEE has been prepared in coordination with Williams River Steel (**'the client'**) and other sub-consultants to demonstrate the relevant matters associated with the proposed development. The SEE examines the existing development and site location, how the proposed development relates to the location and the environment, as well as the planning merits of the development with respect to the relevant legislation, regulation and other requirements. The SEE examines the applicable site attributes and the specifics of the development proposal that are appropriate to the development application stage. The SEE seeks to provide all the relevant data to give a suitable level of certainty to the consent authority that the proposal has a positive impact on the immediate area and the wider surrounds.

This SEE has been prepared in accordance with best practice principles, applicable aspects of the Development Assessment Framework and the Department of Planning and Infrastructure's (now the Department of Planning, Infrastructure and Environment) guide to the *Environmental Planning and Assessment Act* (EP&A Act) 1979 (s4.15).

The objectives of this SEE are as follows:

- To provide a description of the site, existing development and the surrounding locality;
- To provide a description of the proposal and the key issues;
- To provide a discussion of the relevant Environmental Planning Instruments (EPI)s; and
- To provide an assessment of the potential environmental impacts, having regard to the matters for consideration pursuant to the EP&A Act (s4.15) and other State, Regional and Local environmental planning policies and guidelines.

1.2 SITE DETAILS

Property Address	29 Grey Street, Clarence Town
Lot and DP	LOT 1 / Sec 3 / DP 758250
Current Use	Hair Dressing and Beauty Services
Zoning	E1: Local Centre
Size	2023m ²
Site Constraints	Heritage – Clarence Town Grey Street Precinct Significance: Local Drinking Water Catchment Flood Prone Area
Owner	Williams River Steel Investments Pty Ltd.
DP and 88B Instrument	Nothing on the certificate of title or DP prohibits the proposed development. The Deposited Plan and Certificate of Title are contained in Appendices 3 and 9 .

1.3 SITE DESCRIPTION

The site is located at 29 Grey Street, Clarence Town, legally identified as LOT 1 SEC 3 of DP 758250 (**'the site'**) and has a total area of 2023m² (**Figure 1**). While not listed by Council as a heritage property, the site is located within the Clarence Town Grey Street Precinct. The subject site is within the Dungog Local Government Area (LGA).

The site is bound by Grey Street to the East and Queen Street to the South. The proposed development will involve the construction of a new building in the north and west of the site and the use of the existing building that is located on the southwestern side of the site with direct vehicular access via Queen Street or Grey Street.

The lot is owned by Williams River Steel Investments Pty Ltd. as described on deposited plan (**Appendix 3**). The proposed development will not interfere with the use of other existing buildings adjacent to the development. The site is predominately cleared of vegetation with some remnant vegetation described as servery degraded present along the northwestern side of the site. No significant vegetation will be removed as part of the proposed development.

Figure 1 - Locality Plan (Source: SIX Maps, 2023)



1.4 CURRENT USE AND EXISTING DEVELOPMENT DETERMINATIONS

A search of Dungog Council Development Application Tracker website completed 9 September 2023 identifies one recent approval described in Table 1. The application for a Change of Use from retail to Hair Beauty Salon and was approved in 2020.

No known compliance matters exist over the site which would pose issues for the proposed development.

Table 1 - Historical Development Approvals – Source: Dungog Council's DA

Application Number	Application Type	Determined Date	Details
63/2020	Development Application	06/07/2020	29 Grey St, Clarence Town 2321 NSW Change of Use from retail to Hair Beauty Salon

1.4 PRE DA MEETING

A Pre-DA meeting was held at Dungog Council on the 04 May 2023. Minutes of this meeting have been included at **Appendix 14** of this report.

In response to the discussions held, the proposed development:

- Planning Instruments indemnified at the Pre-DA have been addressed in this Statement,
- A Traffic and Parking Report identifying onsite, off street and local parking facilities accompanies this Statement,
- A Flood Report has been undertaken and recommendations have been incorporated into this proposal.
- A Stormwater management plan, and accompanying Landscape management plans have been developed and incorporated into the proposal.
- A BCA compliance plan prepared and incorporated into the proposal.
- An Acoustic report has requested and will be provided at a later date.

2 DESCRIPTION OF THE DEVELOPMENT

2.1 PROPOSED DEVELOPMENT

The development comprises the following elements:

- Proposed construction of a bar, dining and function centre, catering for weekend trade and functions. The building is to include:
 - a) A restaurant with bar and dining areas, comprising 18 tables indoors and a further nine (9) tables in the courtyard
 - b) A function centre with seating for approximately 80 people
 - c) Waiting space and foyer
 - d) Additional carparking and landscaped areas.
- The former butcher's shop is proposed to be retained and used for hair and beauty as per existing approval under DA 63/2020 dated 06 July 2020.

The proposed development site of 0.18ha will require the removal of all vegetation which includes 0.05ha of PCT 3975 *Southern Lower Floodplain Freshwater Wetland* that exists in a severely degraded condition. It is determining the proposal to have no direct impact on significant habitat features. General recommendations are made for consideration to mitigate storm potential impacts on local biodiversity as a result of the development of the site, within the Ecological Assessment provided with this application.

The development plans are provided below. **Figure 2** shows the existing development on site and **Figure 3** shows the proposed development extension with the full set of plans provided as **Appendix 4**.

Figure 2 – Existing Site Plan (CAD DESIGN & DRAFT PTY LTD 2023)

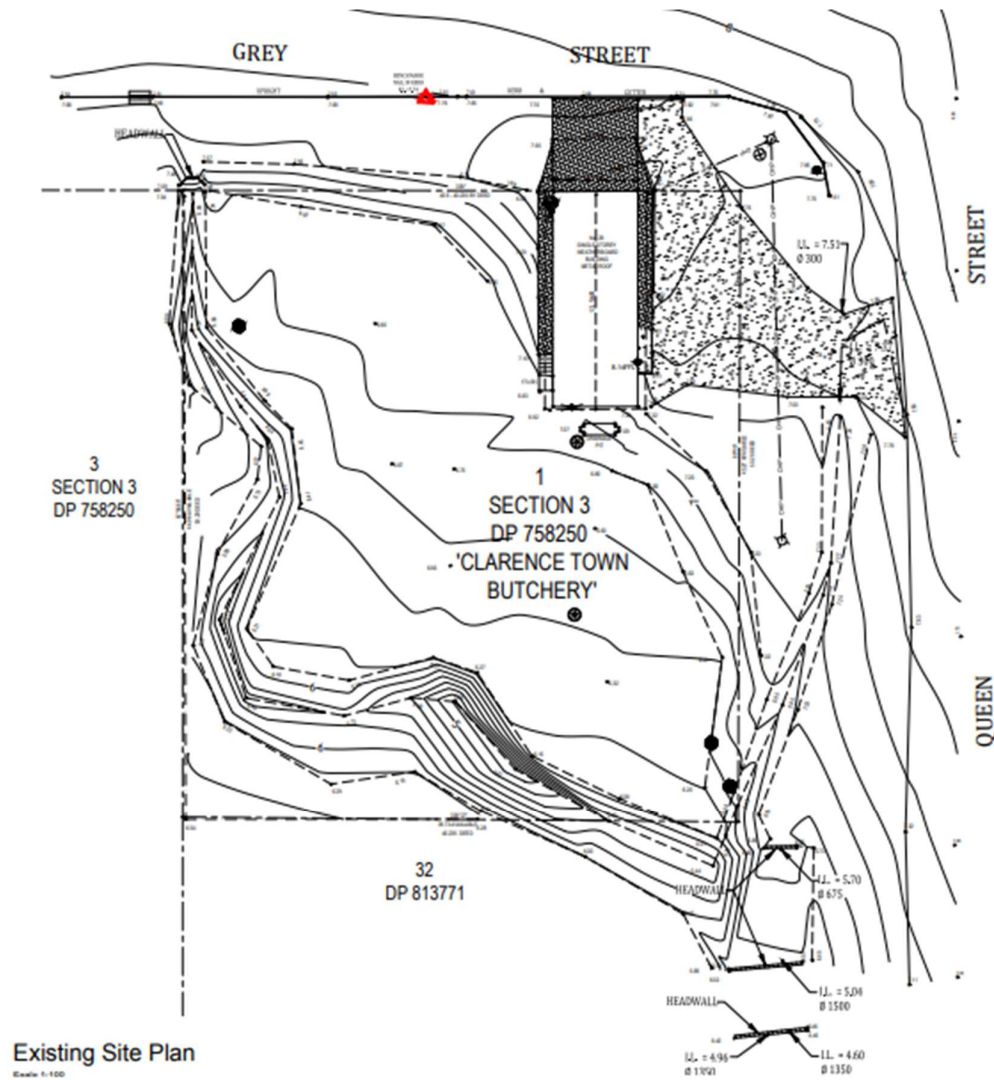
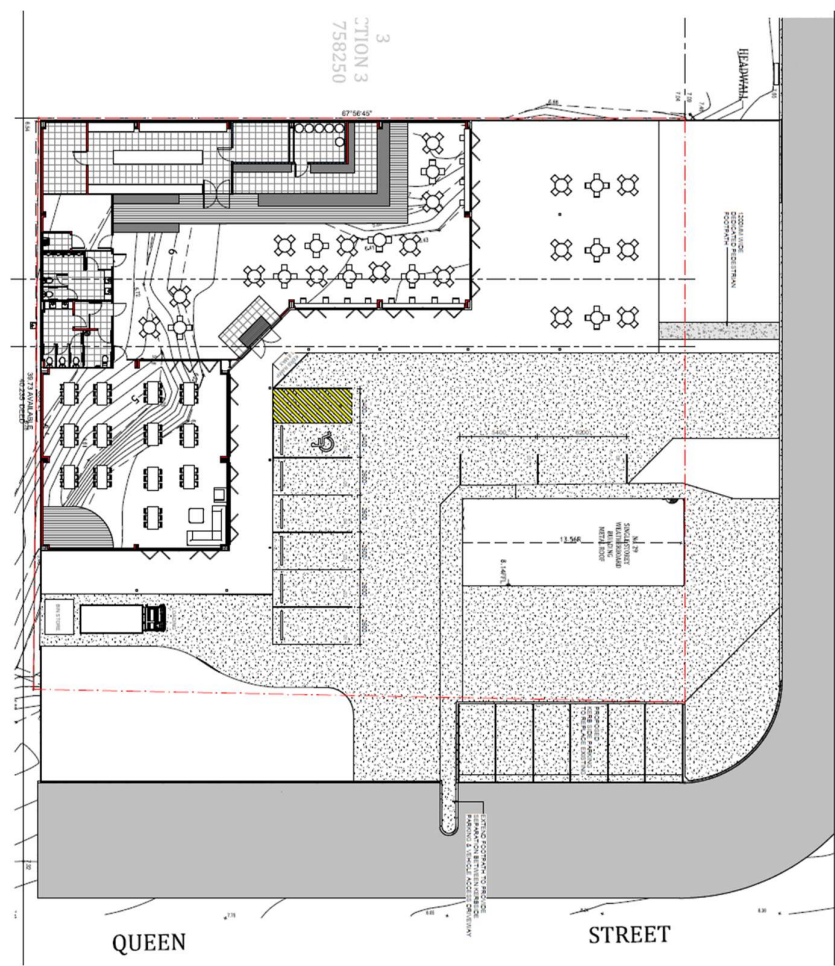


Figure 3 - Proposed Development Plan (Williams River Steel, 2023)



3 PLANNING CONTROLS

3.1 ACTS

All NSW Acts have been considered in the preparation of this SEE. The following Acts are considered relevant to the proposed development and discussed in further detail below.

- *Environmental Planning and Assessment Act 1979*
- *Biodiversity Conservation Act 2016*
- *Hunter Water Act 2000*
- *Water Management Act 2000*
- *Rural Fires Act 1997*

3.1.1 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) is the principal planning and development legislation in NSW and is applicable to the proposed development. Section 4.15 of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15 are addressed in further detail in separate sections of this SEE below.

- **Section 4.46 – What is integrated development?**

Integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more of the approvals listed within **Table 2** below.

- **Section 7.11 – Development Contributions**

Development contributions may be calculated and charged in accordance with the Clarence Town Local Infrastructure Contributions Plan 2021, they are understood not to apply to this development type.

3.1.2 Biodiversity Conservation Act 2016

The purpose of the Biodiversity Conservation Act 2016 (BC Act) is to maintain a healthy, productive, and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

Applicants are to supply evidence relating to the triggers for the Biodiversity Offsets Scheme (BOS) Threshold and the test of significance when submitting a development application to the consent authority.

The development site does not contain significant areas of vegetation and does not contain area identified on the Biodiversity Values Map (**Figure 4**) as land with high biodiversity value and sensitive to impacts from development and clearing.

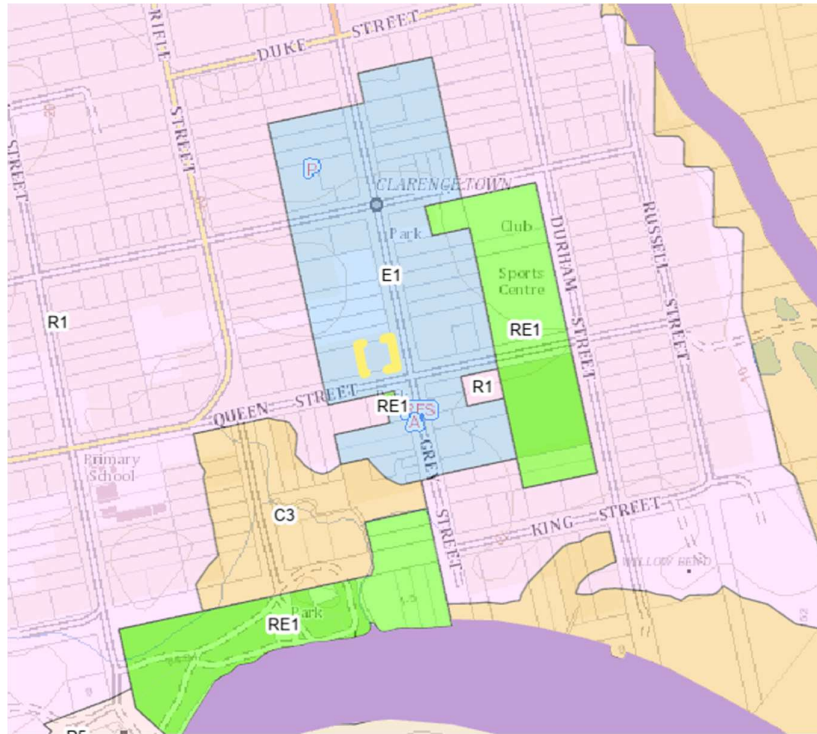


Figure 4 - Biodiversity Values Mapping: NSW Planning Portal, 2023

The proposed development site of 0.18ha will require the removal of all vegetation which includes 0.05ha of PCT 3975 *Southern Lower Floodplain Freshwater Wetland* that exists in a severely degraded condition. It is determining the proposal to have no direct impact on significant habitat features. General recommendations are made for consideration to mitigate storm potential impacts on local biodiversity as a result of the development of the site.

There is no significant habitat vegetation sought to be removed and no mapped 'Biodiversity Values' within the proposed development footprint. As demonstrated above, the proposed development does not exceed the biodiversity offsets scheme clearing threshold in regard to Section 7.2(b) of the BC Act. Therefore, no further assessment with regard to the Biodiversity Conservation Act is required.

3.1.3 Hunter Water Act 1991 (HW Act)

The subject site is located within a mapped Drinking Water Catchment.

Stamped plans for the proposed development in accordance with Section 49 of the HW Act are provided as **Appendix 5** to this application.

3.1.4 Water Management Act 2000

The subject site is located within a Drinking Water Catchment. However, the proposed development does not contain watercourses and waterbodies within 40m of the development

site. As the application is for an alteration to an existing building it is understood that an exemption to the requirement for a Controlled Activity Approval applies under the Water Management (General) Regulation 2018. Therefore, referral to NRAR is not required pursuant to the *Water Management Act 2000*.

3.1.5 Rural Fires Act 1997

The subject site is not identified as bushfire prone land, therefore does not require referral to the NSW RFS. Please refer to assessment provided under Section 4.14 of the EP&A Act above.

Table 2 - Integrated development

Integrated development	Proposed Development	
Fisheries Management Act 1994	<ul style="list-style-type: none"> ▪ s 144 ▪ s 201 ▪ s 205 ▪ s 219 	N/A
Heritage Act 1977	<ul style="list-style-type: none"> ▪ s 58 	N/A
Coal Mine Subsidence Compensation Act 2017	<ul style="list-style-type: none"> ▪ s 22 	N/A – The site is not located within a Mine Subsidence Area.
Mining Act 1992	<ul style="list-style-type: none"> ▪ s 63, 64 	N/A
National Parks & Wildlife Act 1974 (as amended)	<ul style="list-style-type: none"> ▪ s 90 	<p>No - A search of the Aboriginal Heritage Information Services (AHIMS) database (11 September 2023) did not identify the subject site as containing any Aboriginal sites or places as shown in Appendix 6.</p> <p>Should any Aboriginal objects be uncovered during works, all works will cease in that location and contact shall be made with the appropriate person.</p>
Protection of the Environment Operations Act 1997	<ul style="list-style-type: none"> ▪ ss 43(a), 47, 55 ▪ ss 43(b), 48, 55 ▪ ss 43(d), 55, 122 	N/A
Roads Act 1993	<ul style="list-style-type: none"> ▪ s 138 	N/A
Rural Fires Act 1997	<ul style="list-style-type: none"> ▪ s 100B 	N/A – The subject site is not identified as bushfire prone land.

Water Management Act 2000	<ul style="list-style-type: none"> ▪ ss 89, 90, 91 	N/A
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3.2 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

All State Environmental Planning Policies (SEPPs) have been considered. The following SEPPs are considered relevant to the proposed development and discussed in further detail below.

- *State Environmental Planning Policy – Biodiversity and Conservation 2021*
- *State Environmental Planning Policy - Resilience and Hazards 2021*
- *State Environmental Planning Policy – Transport and Infrastructure 2021*

3.2.1 SEPP (BIODIVERSITY AND CONSERVATION 2021)

CHAPTER 4 – KOALA HABITAT PROTECTION 2021

This chapter aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. Section 4.4 and Schedule 2 of the SEPP identify the Dungog Local Government Area as land to which the policy applies and subject to the North Coast Koala Management Area.

The key threats within the North Coast Koala Management Area have been identified as:

- Habitat clearing and fragmentation;
- Vehicle strike and dog attack;
- Bushfire;
- Invasive plant species;
- Disease;
- Reduction in feed trees; and
- Sea level rise.

The proposed development does not include the removal of vegetation or specifically any identified koala feed trees. Therefore, there is no impact identified on the koala habitat and the free-living population. Further assessment of this Chapter is not warranted.

3.2.2 SEPP (RESILIENCE AND HAZARDS 2021)

CHAPTER 4 – REMEDIATION OF LAND

This Chapter applies to the whole state of N.S.W. Under Section 4.6, a consent authority must not grant consent to the carrying out of any development unless they have considered whether the land is contaminated.

The site does not contain any signs of previous contaminating uses. As such a contamination assessment has not been completed for the proposed development.

Given that the site and the existing building has historically used as a butcher's shop, it is unlikely the site is contaminated. To this extent, the subject site is land considered suitable for the proposed development.

3.2.3 SEPP (TRANSPORT AND INFRASTRUCTURE 2021)

The purpose of this Chapter is to facilitate the effective delivery of infrastructure across the state and identifying matters to be considered in the assessment of developments adjacent to particular types of development.

Division 5, Subdivision 2 Development likely to affect an electricity transmission or distribution network

Section 2.48 – Determination of development applications – Other development

The site is connected to overhead power. Should development be proposed within 5m of the powerline fronting the site, referral to the electricity supply authority pursuant to Section 2.48(1)(b)(iii) will be triggered as works are proposed within the vicinity of above and underground infrastructure.

Division 12A, Subdivision 2 Development adjacent to pipeline corridors

Section 2.77 – Determination of development applications

The proposed development is not in the vicinity of a 'licensed' pipeline corridor as defined under Section 2.76 (2). Accordingly, the proposed development does not trigger referral to any pipeline operator pursuant to Section 2.76.

Division 17, Subdivision 2 Development in or adjacent to road corridors and road reservations

Grey Street is identified as a local road dedicated to Clarence Town Council. As such, referral or Transport for NSW (TfNSW) for development on or adjacent to a classified road is not triggered under Sections 2.117, 2.118 and 2.119.

Section 2.122 – Traffic Generating Development

In accordance with Section 2.122, development listed in Schedule 3 is identified as traffic-generating development. The proposed development is not identified under Schedule 3 and therefore does not warrant referral to TfNSW.

A traffic impact assessment accompanies this report, at **Appendix 13**.

3.3 LOCAL ENVIRONMENTAL PLAN (LEP)

The following parts of the Dungog LEP 2014 apply to the proposed development:

Clause 2.3 – Zone Objectives and Land Use Table

The subject site is zoned E1: Local Centre and permits commercial premises and function centres defined as follows;

commercial premises means any of the following—

- (a) *business premises,*
- (b) *office premises,*
- (c) *retail premises.*

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

The Land Use Table of the LEP identifies the following objectives for the E1 zone:

- *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 development seeks to construct a restaurant and function centre is consistent with the land use objectives. The proposed development is consistent with LEP controls for land zoned E1 such that the existing public recreational use, compatibility of land use and protection of natural environment on the site is maintained where possible.

The proposed building will be serviced by the existing public services and resources already connected to the site.

To this extent the proposed development is considered compatible with the objectives of the E1 land use zone.

Clause 5.10 – Heritage conservation

The site has not been identified as a heritage site in Schedule 5 under the DLEP 2014. The site is listed within the Grey Street Precinct Significance: Local (**Figure 5**). A Statement of Heritage Impact has been prepared and appears at **Appendix 15**. The report concluded the proposed design meets the objectives of the DCP and Heritage Guidelines and will sit as a modern infill commercial development within the Clarence Town Grey Street Precinct Conservation Area whilst not detracting from the existing significant building stock.

A search of the Aboriginal Heritage Information Services (AHIMS) database (11 September 2023) did not identify the subject site as containing any Aboriginal sites or places as shown in **Appendix 6**. Should any Aboriginal objects be uncovered during works, all works will cease

in that location and contact shall be made with the appropriate person. In this regard, no further assessment against the requirements of clause 5.10 is required.



Figure 5 – Heritage Map – Sheet HER_010AC (Dungog Local Environmental Plan 2014)

Clause 5.21 – Flood Planning

The site is identified as flood prone land, as can be seen in the mapping image below. A Flood Impact Assessment has been prepared and accompanies this report (**Appendix 11**). Flood Impact Assessment modelling of the proposed development has been undertaken and confirmed that although the suspended slab construction and associated potential debris accumulation results in significant impacts to the existing local peak flood level and velocity conditions, this does not adversely impact the existing neighbouring development.



Figure 6 - Site contains Flood Prone Land (eSpatial Viewer, 2023)

Clause 6.1 – Acid Sulfate Soils

The objective of Clause 6.1 is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. The site has been identified to contain Acid Sulfate Soils (ASS) Class 5. Limited excavations will be required in order to construct the proposed additions. If required an Acid Sulfate Soils Management Plan may be prepared in accordance with Council's guidelines if required.

Clause 6.2 – Earthworks

The proposed development will incorporate minor earthworks for the purposes of the footings for the additional extension to the building.

Any material that is proposed to be imported or exported from the subject site will consist of Virgin Excavated Natural Materials (VENM), Excavated Natural Materials (ENM) or other certified material. Accordingly, the development complies with the requirements of this clause.

Clause 6.4 – Stormwater Management

The site is identified as containing flood prone land, as can be seen in the mapping image below. A Flood Impact Assessment has been prepared and accompanies this report (**Appendix 11**) and a Stormwater Management Plan is attached (**Appendix 16**).

Clause 6.5 – Drinking Water Catchment

This clause applies to land identified as “Drinking water catchment” on the Drinking Water Catchment Map. In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider whether or not the development is likely to have any adverse impact on the quality and quantity of water entering the drinking water storage. Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development is designed, sited and will be managed to avoid any significant adverse impact on water quality and flows.

An Ecological report prepared by AEP provides the following recommendation regarding stormwater as it contributes to the catchment -

- Due to the presence of a stormwater management drain and flood mapping within this area, there is a requirement to ensure that the development design includes an appropriate stormwater management plan.
- An Erosion and Sedimentation Control Plan (ESCP) should be prepared for the proposal following guidelines from the “Blue Book” (Landcom, 2004);
- Best practice erosion and sedimentation controls should be put in place to limit any movement of materials into the adjacent vegetation; and
- Erosion and sedimentation controls should be checked and maintained in working order especially after rain events.

Clause 6.8 – Essential Services

This clause specifies that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required. The proposed development will maintain the use of the existing services on the site including electricity, telecommunication services, reticulated water and sewer main. A Before You Dig search was conducted 11 September 2023 and is attached as **Appendix 7**.

The site will require any new crossover or driveways as access will be maintained from Queen Street with additional access from Grey Street.

3.4 DEVELOPMENT CONTROL PLAN (DCP)

Consideration of compliance and/or consistency with the relevant provisions of the Dungog DCP 2014 is provided in the Table of Compliance provided at **Appendix 2**. The Table of Compliance identifies that the proposed development demonstrates compliance with the relevant provisions of the DCP or overarching objectives where variations are proposed.

4 LIKELY IMPACTS OF THE DEVELOPMENT

The likely impacts of the proposed development and constraints affecting the subject site have been explored throughout this SEE. The following sections detail the major potential impacts and constraints in greater detail, in accordance with Section 4.15(1) of the EP&A Act 1979.

4.1 BUILT ENVIRONMENT

4.1.1 CONTEXT, SETTING AND VISUAL IMPACT

The proposed development is consistent with the broader public use of the site. The proposed development is characteristic of other buildings and developments in the area and will provide an attractive commercial hospitality site. There are no anticipated adverse impacts on the built environment as a result of the proposed development.

4.1.2 ACCESS, TRANSPORT AND TRAFFIC

The subject site gains direct access to Queen Street. Further Access to the site via Grey Street forms part of this application.

The proposed development will not result in adverse impact on the road network. The proposed carparking is suitable to accommodate the proposed development. As the subject site is adjacent to a classified regional road, Clause 101 of the SEPP applies to the proposed development. Accordingly, a Traffic and Parking Assessment has been prepared for the proposed development and contained here at **Appendix 13**.

No works are proposed within the road reserve. Overall, it is considered the proposed development will not impact the safety, efficiency or ongoing operations of the classified road.

4.1.3 PUBLIC DOMAIN

The proposed development will not have an impact on any public domain. The development contributions derived from this development will provide infrastructure and public domain improvements in accordance with the Dungog Development Contributions Framework.

4.1.4 SERVICES

All essential services including electricity, water and sewer, telephone, physical, legal and emergency service are available to the site.

The proposed development will not unreasonably increase demand of these services as the building is currently connected to all essential services.

4.1.5 NOISE AND VIBRATION

Construction noise associated with the construction on the site will be as per normal construction times and processes and will cease once construction is completed.

4.2 NATURAL ENVIRONMENT

4.2.1 ECOLOGICAL

The site is predominately cleared of vegetation with some remnant vegetation described as severely degraded present along the northwestern side of the site. No removal of significant vegetation is required to facilitate the proposed development. It is not anticipated that the development will have a detrimental impact on the ecology on the site or the surrounding area.

4.2.2 LANDSCAPING

A landscaping plan has been provided as part of this development.

4.2.3 ARCHAEOLOGY

The site is identified as within the Clarence Town Grey Street Precinct; however the particular location of the proposed development site has not been identified as a heritage item. The new work will make a functional improvement over the existing without detracting from the contribution the existing building makes to the Clarence Town Grey Street Precinct Conservation Area.

A search of the Aboriginal Heritage Information Services (AHIMS) database (11 September 2023) did not identify the subject site as containing any Aboriginal sites or places as shown in **Appendix 6**.

Should any Aboriginal objects be uncovered during works, all works will cease in that location and contact shall be made with the appropriate person.

4.2.4 STORMWATER

The development will maintain the existing stormwater management systems with overflow directed to the ground with no adverse impact on receiving areas of environmentally sensitive nature or adjoining properties.

4.3 SOCIAL AND ECONOMIC

The proposed development is considered to have positive social and economic outcomes by supporting and facilitating the general public's activities in the area providing an additional space to gather and socialise. The proposed development is not considered to increase any negative social impacts currently present with site and the vineyard district in general.

The construction of the proposed development will provide employment opportunities in the locality and support the local building and development industries. The on-going operation of the restaurant and function centre will generate hospitality jobs. The proposed development will have direct monetary input to the local economy, and the attraction of patrons to the area will provide ongoing economic input through daily activities.

The social and economic impacts have been considered in relation to the development. It is considered that the development will have a positive impact to the Clarence Town area and local economy. The development has been considered in relation to social impacts and it is anticipated that no adverse social impacts will result in relation to the proposed development that could not be managed under the current practices implemented by the venue.

Overall, it is believed that the proposed development will have a positive social and economic impact in the locality.

4.3.1 SAFETY, SECURITY AND CRIME PREVENTION

Crime Prevention through Environmental Design (CPTED) is an approach to crime prevention that considers the relationship between the physical environment and the users of that environment. The notion of CPTED is that the design of a physical space can reduce both the incidence and fear of crime. This is generally addressed by reducing the susceptibility of the environment to support criminal behavior.

No safety, security or potential sources of crime have been identified in relation to the existing or proposed development. Passive surveillance is present throughout the site and between buildings and structures. This will limit the opportunity for criminal activities to be undertaken.

5 SUITABILITY OF THE SITE

The proposed development is a suitable use of the site. The application includes all elements required under the relevant planning instruments and policies and there are no anticipated negative impacts on the locality as a result of the development. This development is permissible under the LEP and has addressed any relevant concerns through this SoEE.

The proposed restaurant and function centre will not have any adverse impact on surrounding properties or amenity of the locality. The development will meet the requirements of the BCA and relevant Australian Standards. The site is therefore considered appropriate for the development.

6 ANY SUBMISSIONS AND CONSULTATION

As part of the DA consideration process it is envisaged Council may place the proposal on public exhibition and send neighbor notification letters to adjoining or adjacent properties.

7 PUBLIC INTEREST

The public interest is best served by the orderly and economic use and development of land for purposes permissible under the relevant planning regime and predominantly in accordance with the prevailing planning controls. The development proposal as outlined by this SEE, has minimal impact on the surrounding locality and is considered compatible with the development in the area.

The development is considered to be in the public interest as it:

- Is a permissible form of development, and
- Is consistent with the applicable environmental planning instruments.

The proposal represents a positive contribution to vineyards district and is considered to be in the public's best interest.

8 CONCLUSION

This SEE has shown that the development is within the public interest, from a social, economic and environmental perspective. The proposed alteration and addition to the existing building is the most suitable option for the development of the site. Any relevant matters have been addressed through this SEE.

- The proposed development is permissible on the site with consent under the DLEP as the subject site is zoned E1;
- No adverse impact on the existing character or amenity of the area will result;
- No significant adverse impact on the ecological values of the site is attributable to the proposed development;
- The proposed development is consistent with the prevailing land use of the area, without burdening the essential services supply;
- The function centre and restaurant proposed by this application has been found to be consistent with the relevant LEP and DCP controls.

It is considered that the proposal will have no significant impacts on the surrounding properties to that it is likely to adversely affect their enjoyment or amenity. We look forward to Council's determination of this matter.

If we can provide any further information or clarity, please do not hesitate to contact us.



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