

Development Application For Alterations and Additions to Existing Pub Premises


59 Russell Street, Tumut, NSW, 2650

Lot 13, DP 628147

Statement of Environmental Effects

Prepared for Ellen Webb



|  | | Project Development Application for Alterations and Additions to Existing Pub Premises 59 Russell Street, Tumut, NSW, 2650 Lot 13, DP 628147 | | | | | |
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1 INTRODUCTION

1.1 OVERVIEW

This Statement of Environmental Effects (SEE) has been prepared on behalf of Ellen Webb on behalf of the Star Pub (the client) to form part of a Development Application (DA) seeking Council's consideration for proposed alterations and additions to an existing Pub premises, located on the land known as 59 Russell Street, Tumut, NSW (the site).

Surrounding properties consist of, predominantly commercial land uses, as illustrated in the aerial image of the site and its surrounds provided in [Figure 1](#) below.



Figure 1 Aerial Image of the Development Site and Surrounds (Source: Six Maps)

The development site is rectangular in shape, has a frontage of approximately 40 metres to Russell Street and is zoned E1 Local Centre under the provisions of the Tumut Local Environmental Plan 2012 (TLEP). Surrounding and adjoining lots are also zoned E1 Local Centre.

It is considered that the proposed development is compatible with existing and surrounding development and will have no adverse impacts on adjoining allotments or the locality. The proposal will not adversely alter or detract from existing commercial land uses being conducted on the subject site, adjoining land, or the amenity or character of the locality.

The proposed development is considered to be in accordance with relevant statutory and non-statutory planning provisions contained within the Tumut Local Environmental Plan 2012 and the Snowy Valleys Development Control Plan 2019.

The development application is accompanied by:

- Site Plan;
- Architectural Plans;
- Statement of Heritage Impact;
- Concept Sewer, Stormwater Plans;
- Cost Estimate Report; and
- Land Owners Consent and ASIC Company Extract.

It is considered that the development is permissible with consent, subject to a merits assessment.

1.2 SCOPE OF STATEMENT OF ENVIRONMENTAL EFFECTS

This Statement of Environmental Effects accompanies a development application for the proposed development. It has been prepared on behalf of the client and includes the matters referred to in Section 4.15 of the *Environmental Planning and Assessment Act 1979* and the matters required to be considered by Council.

The purpose of this SEE is to:

- Describe the land to which the development application relates to and the character of the surrounding area;
- Describe the proposed development;
- Define the statutory planning framework within which the DA is to be assessed and determined; and
- Assess the proposal against the relevant heads of consideration as defined by Section 4.15 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

2 DESCRIPTION

2.1 DEVELOPMENT SITE AND LOCALITY

The development site is known as 59 Russell Street, Tumut, and is legally described as Lot 13, DP 628147.

As previously identified, the lot is rectangular in shape, incorporates an approximate area of 2,650 sqm and currently houses an existing Pub premises and associated outbuildings.

The existing Pub building incorporates a total floor area 792.9 m².

The site is provided with access from Russell Street, which is a Council sealed and maintained, local road. Internal site access is provided via a 12-metre-wide Council approved concrete layback and onto a bitumen sealed car parking and movement area.

The site incorporates an almost indistinguishable slope from north east to south west.

The allotment is highly modified, devoid of vegetated ground cover and contains one (1) tree located within the north west corner of the site.

The site is used for commercial purposes in the form of a Pub premises and will continue to be used for this purpose if this development application is approved.

The site is zoned E1 Local Centre under the provisions of the Tumut Local Environmental Plan 2012 (TLEP 2012). Adjoining land is also zoned E1 Local Centre.

Refer to [Figure 2](#) base map which illustrates lot identification, and location to surrounding land in relation to the development site.

Refer to [Figure 3](#) which provide a close-up aerial image of the site.

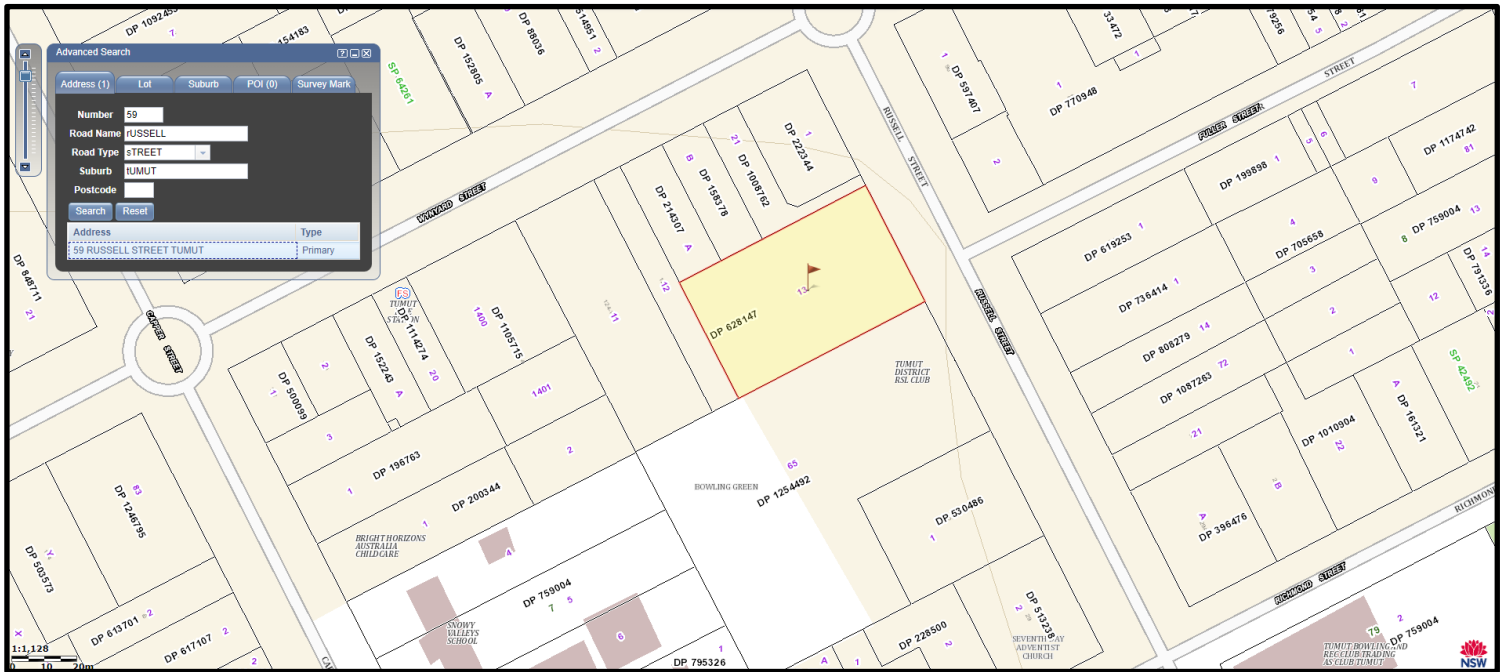


Figure 2 Base Map (Source: Six Maps)



Figure 3 Close Up Aerial Image (Source: Mecone Mosaic)

The site is serviced by all required services, including recirculated power, reticulated sewer and reticulated water infrastructure.

The site does not appear to be affected by any easements or restrictions.

In terms of natural hazards, the site is not identified as being either bushfire or flood prone, according to available public records.

The site is considered suitable for the development in that:

- The alterations and additions to an existing Pub premises are routine in nature and will create no adverse environmental or amenity impacts;
- The development is permissible with consent under the Tumut Local Environmental Plan 2012 and will not adversely affect existing commercial land uses on the site or adjoining land;
- The development is consistent with the applicable development controls identified under the Snowy Valleys Development Control Plan 2024;
- There are no significant site constraints that would render the site unsuitable for the development; and
- The development is consistent with and compatible to adjoining and surrounding land uses.

2.2 PROPOSED DEVELOPMENT

The development proposes alterations and additions to an existing Pub premises.

The alterations and additions comprise the following works:

Front Access upgrade

The existing frontage of the building has a stepped landing to the entry doors, the development proposes works to upgrade this entry for wheel chair accessibility to the primary access.

It is noted that the ramp design does not propose the installation of handrails, and this has been a deliberate omission in the design as:

- The premises is a heritage item it is considered that the installation of the rails will detract from the heritage value associated with the front façade; and
- The design prefers to retain direct able-bodied access to the front doors via the provision of a landing directly in front of the door.

The design provides for a set of ramps across the front incorporating landings at the entry doors.

Refer to attached plan set for further detail.

Upgrade of the internal Toilet Facilities

The development proposes an upgrade to the male toilets and the inclusion of a Unisex Accessible WC.

These works have been designed and will be carried out to NCC and AS1428.1 requirements.

Refer to attached plan set for further detail.

Addition of the Beer Garden

The application proposes the addition of a beer garden to the south east side of the existing Pub with frontage to Russell Street.

The addition incorporates dimensions of 8.55 metres long x 11.78 metres wide x 4.51 metre high and comprises a total floor area of 100.7 m².

The beer garden will be provided with a skylight to provide additional natural lighting to the area and for patrons.

The beer garden will provide for a 2.7 metre FCL.

The addition will incorporate a wood fire place and incorporates a large glazing component that will

provide for natural lighting into this area.

The proposed addition will be erected on a concrete slab with footings to engineers' details, utilising a brick veneer construction type (to be rendered) and incorporates a steel roof with a 12.5-degree roof pitch.

The addition will be painted in grey to match the existing colour scheme of the premises.

Stormwater from the addition will be addressed via guttering and downpipes and disposed of into Council stormwater infrastructure in Russell Street.

Covered Outdoor Area

The application proposes the creation of an outdoor area to be located at the western end of the building and adjacent to the children's play area.

The outdoor area will comprise of a concrete hardstand, with dimensions of 7.43 metres long x 8.1 metres wide, with a total area of 59.5 m².

The area will accommodate a 5.0-metre-wide x 7-metre-long x 3.3 metre high, covered steel framed structure with a total floor area of 35m².

This area will be a designated smoking area and as previously mentioned will be open on all sides, with the new roof overlapping the existing and adjoining roof.

Stormwater from the covered structure will be addressed via guttering and downpipes, connected to existing internal stormwater lines and disposed of into Council stormwater infrastructure in Russell Street.

Demolition Works

The development will undoubtedly require demolition works to facilitate the realisation of the project. The demolition works will involve the following:

- Cut out existing kerb, gutter & concrete at carpark located at western end of building
- Remove existing doors & door frame, make opening good for new doors on external wall on western end of existing building
- Remove existing windows & brickwork between windows, make opening good for new single window on western end of existing building
- Demolish existing brick wall & piers on southern wall of existing building
- Existing Armco barrier to be removed at carpark located at southern end of building
- Cut out existing kerb and gutter at carpark located at southern end of building
- Existing roof to be demolished, shown hatched and at location of proposed beer garden addition – southern end of building
- Existing toilets to be demolished
- Stone retaining wall to be removed located at south eastern corner of site.

Refer to Demolition Plan – Sheet A02 in Architectural Plan set for further details.

Servicing

The site is serviced by all required services and any augmentation will be carried out to the satisfaction of the relevant authority.

Operational Details

The development will be carried and operated out in accordance with existing approvals that apply to the site.

No extension to trading hours is being proposed under this application.

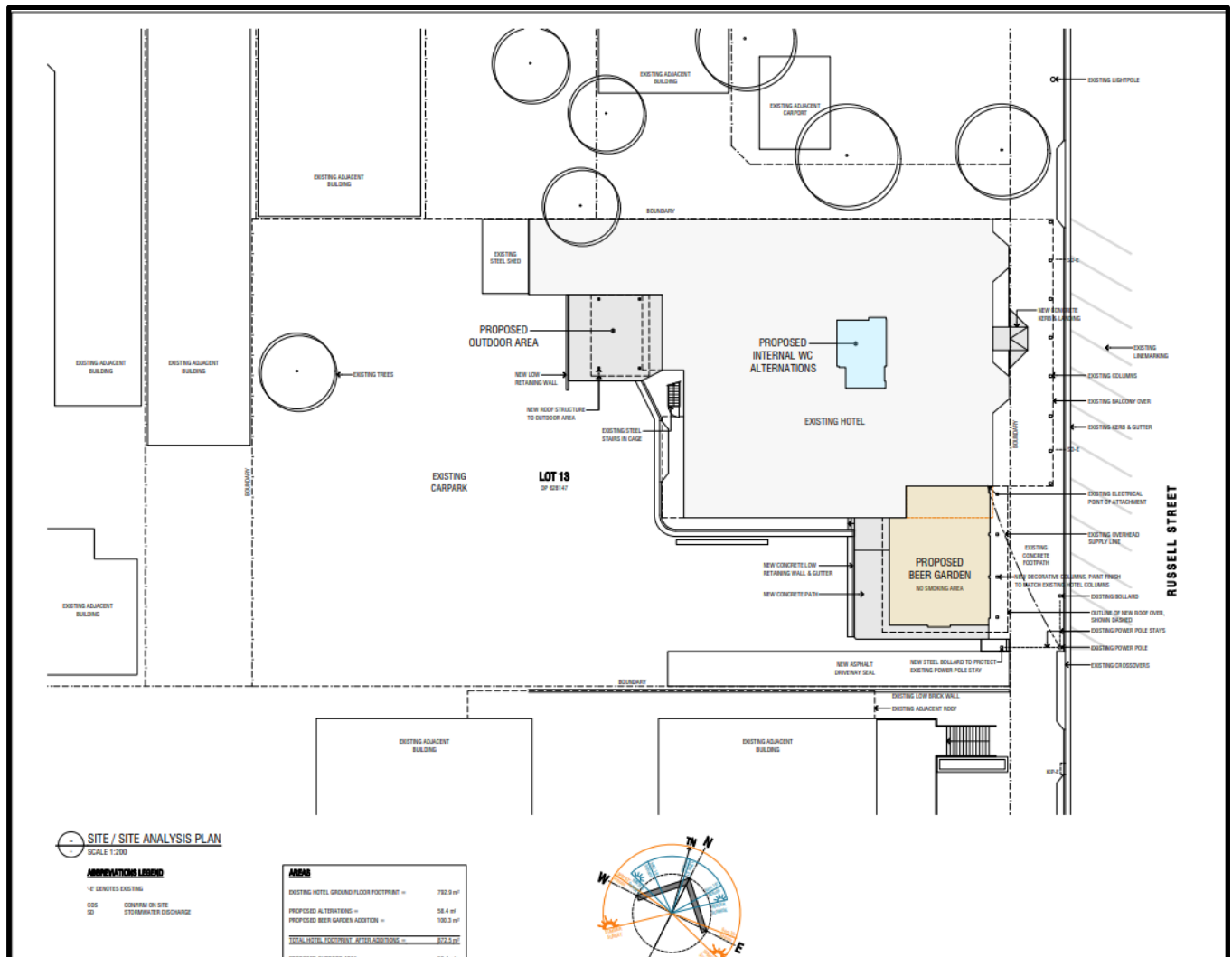


Figure 4 Site Plan (Source: ICONO Building Design)

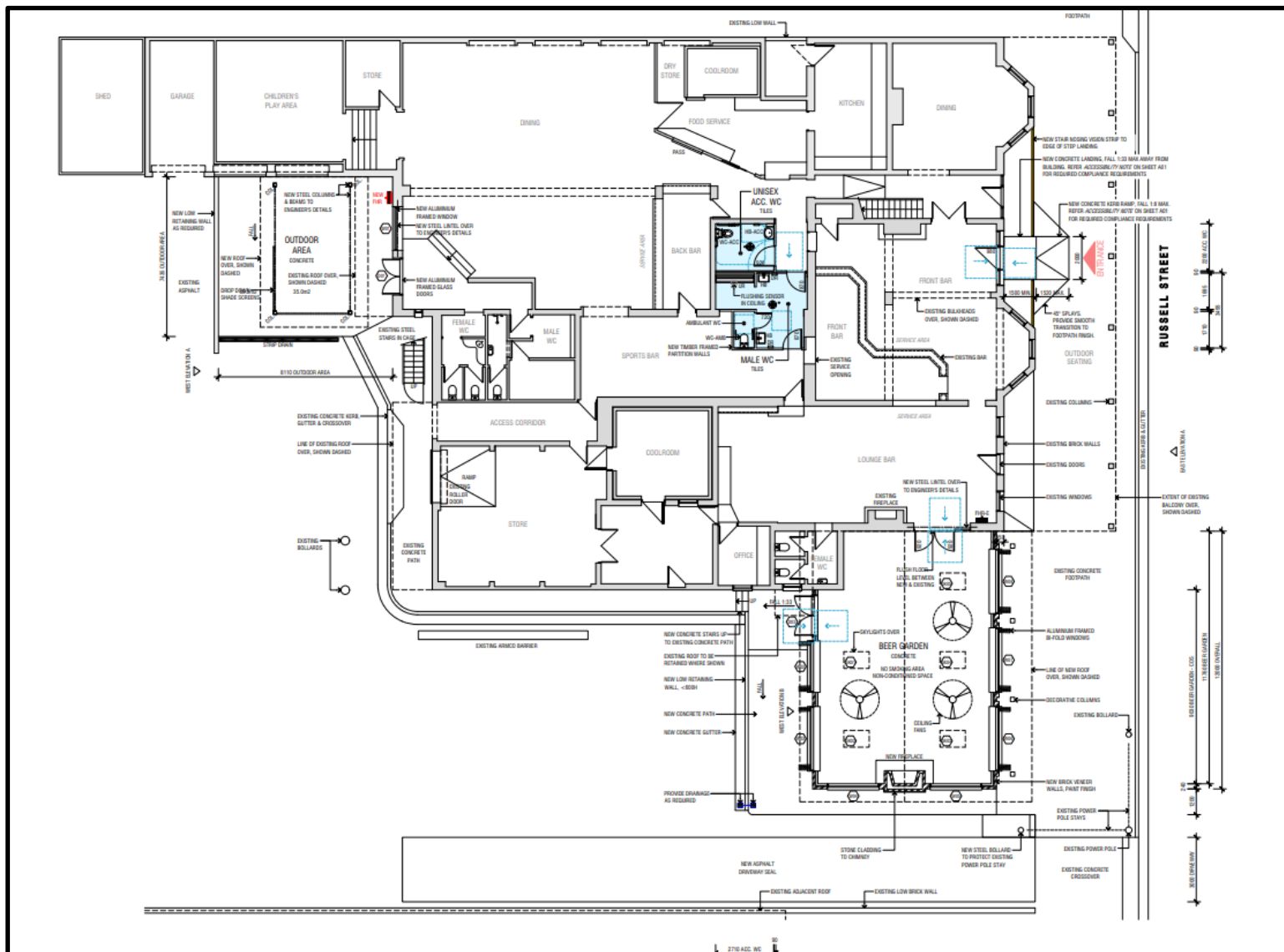


Figure 5 Proposed Floor Plan (Source: ICONO Building Design)

2.3 PRESENT AND PREVIOUS USES OF THE SITE

The site is currently utilised as a pub and will continue to be used for pub land use purposes if this development application is approved.

2.4 LAND HAZARDS

2.4.1 BUSHFIRE

The site is not subject to bushfire.

2.4.2 FLOODING

The land is not mapped as being flood prone land according to available public records.

3 ENVIRONMENTAL IMPACTS

3.1.1 AIR QUALITY AND ODOUR

Given the nature of the development, and the use of the site for the purpose of a pub, it is not anticipated that the development will create any adverse long term air quality or odour impacts on the area. The development will require minor earthworks/civil works, in the form of:

- Foundations – pier holes
- Internal Site Access Upgrade Works (if required)
- Water supply works
- Drainage Works
- Sewerage Works

and as such, minor dust generation is anticipated during construction works. This will be managed via the use of water trucks and water spraying. Such dust / air disturbance will be short term in nature and will be mitigated against to reduce any disturbance to the amenity of any adjoining landowner.

The proposed future use of the land is not likely to be affected by or generate any adverse air quality or odour impacts. There are no known existing air quality or odour impacts currently experienced by surrounding development and it is expected that the potential for future issues is unlikely as a result of approving this development.

3.1.2 WATER QUALITY

The site is mapped as being affected by the Groundwater Vulnerability layer contained in the Tumut LEP 2012.

The proposal will involve excavation for the purposes of footings and slabs, and it is highly unlikely that groundwater would be encountered within the near surface as a result of such works.

The proposed development is not expected to have any detrimental impacts on water quality. All stormwater will be addressed via gutters and downpipes and connected to existing internal stormwater infrastructure and then into Councils stormwater infrastructure located in Russell Street (Kerb and Gutter) and such infrastructure will ensure that post-development flows are equal to or less than pre-development flows from the site.

Any sewerage and wastewater from the future development will be disposed of into Councils reticulated sewerage system in accordance with AS3500 and Council requirements.

3.1.3 WASTE MANAGEMENT

The development will generate construction and demolition waste, and this will be managed and disposed of on accordance with the Councils and the NSW Environmental Protection Authorities requirements.

Any construction and demolition waste generated by the construction component of the development will be stored in suitably sized onsite skip bins and then disposed of to a licenced landfill facility.

Waste management for the operational component of this development would be undertaken in accordance with Snowy Valley Councils requirements and be collected via Councils waste collection contractor.

The development will not generate any noxious waste materials.

3.1.4 FLORA AND FAUNA IMPACTS

The site is highly modified and has been predominately utilised for commercial purposes, for a number of years.

The application does not propose or require the removal/disturbance of any vegetation.

The site is not identified on the NSW Governments Biodiversity Value Map Threshold Tool, nor is any clearing proposed or required – the location of the subject development is on modified / developed land.

The development will not result in any adverse impacts on any of the following:

- a native vegetation community,
- the habitat of any threatened species, population or ecological community,
- a regionally significant species of plant, animal or habitat,
- a habitat corridor,
- a wetland,
- the biodiversity values within a reserve, including a road reserve or a stock route.

It is considered that the subject development will not promote any unacceptable flora or fauna (Biodiversity) impacts on the site or within the immediate locality.

3.1.5 ABORIGINAL CULTURAL HERITAGE

The site not identified as containing any Aboriginal Cultural Heritage significance and an AHIMS search was undertaken on the 14th of August 2024 and identified that there are no known sites within a 200-metre radius of the site.

A copy of the AHIMS Search results is provided below.

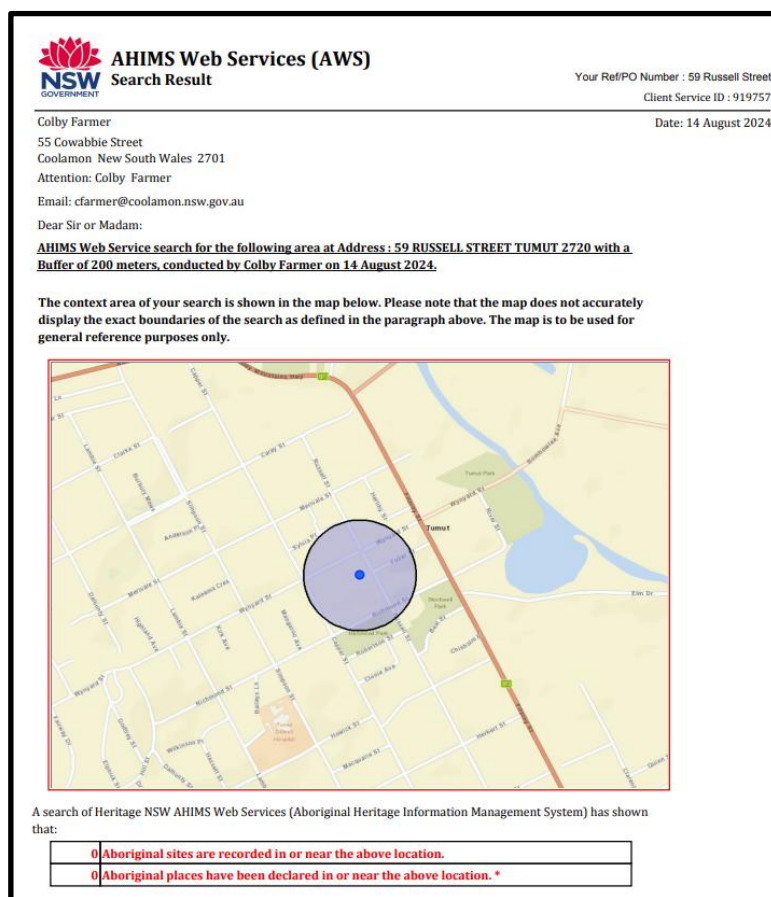


Figure 6 AHIMS Search Results

3.1.6 EUROPEAN CULTURAL HERITAGE

The site is located in a heritage conservation area and listed as an item of environmental heritage in schedule 5 of the TLEP 2012 – item number I81.

A statement of heritage impact accompanies this development application.

4 PLANNING PROVISIONS

4.1 STATE ENVIRONMENTAL PLANNING POLICIES

Table 1 Relevant State Environmental Planning Policy Requirements

| SEPP | COMMENTS |
|--|--|
| <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> | <p>When assessing an application for development Council must consider whether the land is contaminated, and if so, that it is suitable in its contaminated state (or will be after remediation) for the purposes of the development.</p> <p>The site is currently and has for some time, been used for commercial (pub) purposes, and will continue to be used for such purposes if this development is approved.</p> |

| | |
|--|---|
| | <p>The proposal does not seek a change in land use.</p> <p>The site, nor any adjoining sites are included in the EPA's Contaminated Land Register as 'significantly contaminated' or 'remediated land'.</p> <p>The site, nor any adjoining sites are included in the EPA's Contaminated Land Register as 'potentially contaminated land'.</p> <p>The current owners have no knowledge of the site having been subject to either a preliminary or detailed site contamination investigation in the past. The past and existing land use of the property does not relate to an activity which would suggest the land would be contaminated.</p> <p>The current zoning, permissible land uses, and existing use of the site do not suggest that contamination may be an issue for this or adjoining sites.</p> |
|--|---|

4.2 TUMUT LOCAL ENVIRONMENTAL PLAN 2012

The subject site is zoned E1 Local Centre under the provisions of the Tumut Local Environmental Plan 2012 (TLEP2012), as illustrated in Figure 7 below.



Figure 7 TLEP 2012 Zoning Map (Source: e Planning spatial Viewer)

The development is most appropriately characterised as alterations and additions to an existing pub.

The TLEP 2012 defines a pub as:

pub means licensed premises under the Liquor Act 2007 the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

Note—

Pubs are a type of food and drink premises—see the definition of that term in this Dictionary.

The development is permissible in the E1 Local Centre zone with consent as an innominate land use.

An extract from the Land Use Table for the E1 Primary Production Zone is provided below:

| | |
|------------------------------------|--|
| Zone E1 Local Centre | |
| 1 Objectives of zone | <ul style="list-style-type: none"> 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. |
| 2 Permitted without consent | Building identification signs; Home occupations |
| 3 Permitted with consent | Amusement centres; Artisan food and drink industries; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Home industries; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation facilities (indoor); Respite day care centres; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Any other development not specified in item 2 or 4 |
| 4 Prohibited | Advertising structures; Agriculture; Camping grounds; Caravan parks; Eco-tourist facilities; Freight transport facilities; Heavy industrial storage establishments; Industries; Open cut mining; Residential accommodation; Rural industries; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Warehouse or distribution centres |

Figure 8 TLEP 2012 Zoning Table

The objectives of the E1 Zone are outlined in the below table.

Table 2 Objectives of the E1 Primary Production Zone

| ZONE OBJECTIVES | COMMENTS |
|---|--|
| <i>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.</i> | The development is consistent with this objective. The development is for alterations and additions to an existing pub and the pub is a land use that services the needs of people who live in, work in or visit the area. |
| <i>To encourage investment in local commercial development that generates employment opportunities and economic growth.</i> | The development is consistent with this objective and will ensure the continued sustainable operation of a commercial development that provides for employment opportunities for residents in the community. |
| <i>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.</i> | The development is consistent with this objective and the alterations and additions to the existing pub will ensure that the facility continues to add to the vibrancy of the town centre. |
| <i>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</i> | The development is consistent with this objective – the development will ensure the continued provision of commercial activities on the ground floor of the premises. |

Table 3 below considers the clauses of the TLEP 2012 applicable to the subject development.

Table 3 TLEP 2012 clauses applicable to the subject development

| PART 2: PERMITTED OR PROHIBITED DEVELOPMENT | | | |
|---|--|-----------------|------------|
| CLAUSE | | COMMENTS | APPLICABLE |
| 2.4 | <i>Unzoned Land</i> | Not applicable. | N/A |
| 2.5 | <i>Additional permitted uses for particular land</i> | Not applicable. | N/A |
| 2.6 | <i>Subdivision – consent requirements</i> | Not applicable. | N/A |

| 2.7 | <i>Demolition requires development consent</i> | Not applicable. | N/A |
|---|--|-----------------|------------|
| 2.8 | <i>Temporary use of land</i> | Not applicable. | N/A |
| PART 3: EXEMPT AND COMPLYING DEVELOPMENT | | | |
| CLAUSE | | COMMENTS | APPLICABLE |
| 3.1 | <i>Exempt development</i> | Not applicable. | N/A |
| 3.2 | <i>Complying development</i> | Not applicable. | N/A |
| 3.3 | <i>Environmentally sensitive land</i> | Not applicable. | N/A |
| PART 4: PRINCIPAL DEVELOPMENT STANDARDS | | | |
| CLAUSE | | COMMENTS | APPLICABLE |
| 4.1 | <i>Minimum subdivision lot size</i> | Not applicable. | N/A |
| 4.1AA | <i>Minimum lot size for community title schemes</i> | Not applicable. | N/A |
| 4.2 | <i>Rural subdivision</i> | Not applicable. | N/A |
| 4.2A | <i>Exceptions to minimum lot sizes for certain rural subdivisions</i> | Not applicable. | N/A |
| 4.2B | <i>Erection of dwelling houses or secondary dwellings on land in certain rural and residential zones</i> | Not applicable. | N/A |
| 4.3 | <i>Height of buildings</i> | Not applicable. | N/A |
| 4.4 | <i>Floor space ratio</i> | Not applicable. | N/A |
| 4.5 | <i>Calculation of floor space ratio and site area</i> | Not applicable. | N/A |
| 4.6 | <i>Exceptions to development standards</i> | Not applicable. | N/A |
| 4.6A | <i>Boundary changes between lots in certain rural zones</i> | Not applicable. | N/A |
| PART 5: MISCELLANEOUS PROVISIONS | | | |
| CLAUSE | | COMMENTS | APPLICABLE |
| 5.1 | <i>Relevant acquisition authority</i> | Not applicable. | N/A |
| 5.2 | <i>Classification and reclassification of public land</i> | Not applicable. | N/A |
| 5.3 | <i>Development near zone boundaries</i> | Not applicable. | N/A |
| 5.4 | <i>Controls relating to miscellaneous permissible uses</i> | Not applicable. | N/A |
| 5.6 | <i>Architectural roof features</i> | Not applicable. | N/A |
| 5.7 | <i>Development below mean high water mark</i> | Not applicable. | N/A |
| 5.8 | <i>Conversion of fire alarms</i> | Not applicable. | N/A |

| | | | |
|------|---|-----------------|-----|
| 5.10 | <i>Heritage conservation</i> | Not applicable. | N/A |
| 5.11 | <i>Bush fire hazard reduction</i> | Not applicable. | N/A |
| 5.12 | <i>Infrastructure development and use of existing buildings of the crown</i> | Not applicable. | N/A |
| 5.13 | <i>Eco-tourist facilities</i> | Not applicable. | N/A |
| 5.14 | <i>Siding Spring Observatory – maintaining dark sky</i> | Not applicable. | N/A |
| 5.15 | <i>Defence communications facility</i> | Not applicable. | N/A |
| 5.16 | <i>Subdivision of, or dwellings on, land in certain rural, residential or conservation zones</i> | Not applicable. | N/A |
| 5.17 | <i>Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations</i> | Not applicable. | N/A |
| 5.18 | <i>Intensive livestock agriculture</i> | Not applicable. | N/A |
| 5.19 | <i>Pond-based, tank-based and oyster aquaculture</i> | Not applicable. | N/A |
| 5.20 | <i>Standards that cannot be used to refuse consent—playing and performing music</i> | Not applicable. | N/A |
| 5.21 | <i>Flood planning</i> | Not applicable. | N/A |
| 5.22 | <i>Special flood considerations</i> | Not applicable. | N/A |
| 5.23 | <i>Public bushland</i> | Not applicable. | N/A |
| 5.24 | <i>Farm stay accommodation</i> | Not applicable. | N/A |
| 5.25 | <i>Farm gate premises</i> | Not applicable. | N/A |

PART 6: ADDITIONAL LOCAL PROVISIONS

| CLAUSE | | COMMENTS | APPLICABLE |
|--------|-------------------|---|------------|
| 6.1 | <i>Earthworks</i> | <p>This clause applies and requires, as relevant:</p> <p><i>(3) Before granting development consent for earthworks, the consent authority must consider the following matters—</i></p> <p><i>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</i></p> <p><i>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</i></p> <p><i>(c) the quality of the fill or the soil to be excavated, or both,</i></p> | ✓ |

| | | | |
|-----|---------------------------|--|-----|
| | | <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p> <p>There will be minor earthworks involved in the form of:</p> <ul style="list-style-type: none"> • Foundations • Water supply works • Drainage Works • Sewerage Works <p>All other earthworks required are essentially small-scale civil works and none of the works will have any adverse impact on the matters raised in this clause.</p> | |
| 6.3 | Biodiversity | Not applicable. | N/A |
| 6.4 | Groundwater vulnerability | <p>The site is mapped as being affected by the Groundwater Vulnerability layer contained in the Tumut LEP 2012.</p> <p>The proposal will involve excavation for the purposes of footings and slabs, and it is highly unlikely that groundwater would be encountered within the near surface as a result of such works.</p> <p>The proposed development is not expected to have any detrimental impacts on water quality. All stormwater will be addressed via gutters and downpipes and connected to existing internal stormwater infrastructure and then into Councils stormwater infrastructure located in Russell Street (Kerb and Gutter) and such infrastructure will ensure that post-development flows are equal to or less than pre-development flows from the site.</p> <p>Any sewerage and wastewater from the future development will be disposed of into Councils reticulated sewerage system in accordance with AS3500 and Council requirements</p> | ✓ |

| | | | |
|------|---|---|-----|
| 6.5 | <i>Riparian land and waterways</i> | Not applicable. | N/A |
| 6.6 | <i>Wetlands</i> | Not applicable. | N/A |
| 6.7 | <i>Salinity</i> | Not applicable. | N/A |
| 6.8 | <i>Landslide risk</i> | Not applicable. | N/A |
| 6.9 | <i>Airspace operations</i> | Not applicable. | N/A |
| 6.10 | <i>Development in areas subject to aircraft noise</i> | Not applicable. | N/A |
| 6.11 | <i>Essential services</i> | The development has access to all essential services. | ✓ |
| 6.12 | <i>Exceptions to minimum subdivision lot sizes for certain land</i> | Not applicable. | N/A |

4.3 SNOWY VALLEYS DEVELOPMENT CONTROL PLAN 2024

The following applicable provisions of the Snowy Valleys Development Control Plan 2024 (SVDCP2024) have been identified as relevant to the proposed development and are discussed in the below table.

Table 4 Relevant SVDCP2024 Clauses and Controls

| SECTION 3: REQUIREMENTS APPLYING TO ALL TYPES OF DEVELOPMENT | | | |
|--|--|---|----------|
| CLAUSE/CONTROLS | | COMMENTS | COMPLIES |
| 3.2.1 | <i>Vehicle Access Standards</i> | <p>The site is provided with access from Russell Street, which is a Council sealed and maintained, local road.</p> <p>Internal site access is provided via a 12-metre-wide Council approved concrete layback and onto a bitumen sealed car parking and movement area.</p> <p>No change to existing approved access is proposed and access is considered satisfactory for the purpose of this development.</p> | ✓ |
| 3.2.3 | <i>Car Parking</i> | <p>This section of the DCP requires, as applicable to the development. The car parking rate for pubs is prescribed at:</p> <p><i>1 space per 5 m2 of bar, lounge, beer garden, auditorium, games room, restaurant. Plus 1 space per 3 employees (maximum staff level at peak time).</i></p> <p>The development complies with this section and provides for ample existing off-street parking.</p> | ✓ |
| 3.2.3.2 | <i>Car parking layout</i> | The layout and dimensions of car parking areas have been provided in accordance with AS/NZ 2890.1, AS/NZ 2890.6 and AS 2890.2. | ✓ |
| 3.2.6 | <i>Cut and Fill</i> | There is no cut and fill proposed or required over 600mm. | ✓ |
| 3.2.7 | <i>Demolition</i> | All demolition work will comply with AS2601-2001 - The Demolition of Structures and will be carried out in accordance with a detailed work plan prepared by a suitably qualified person – to be submitted at CC application stage. | ✓ |
| 3.2.8 | <i>Development Near Electrical Easements</i> | The development is not located near any electrical easement and is located over 5 metres away from any overhead electrical line (Clause 2.48 State Environmental Planning Policy (Transport and Infrastructure) 2021) | N/A |
| 3.2.9 | <i>Erosion and Sediment Control</i> | An erosion and sediment control plan will be provided for council review and approval at construction certificate application stage. | ✓ |
| 3.2.11 | <i>Heritage</i> | A statement of heritage impact accompanies this development application and address the controls in this section. | ✓ |
| 3.2.12 | <i>Landscaping</i> | Existing and no additional landscaping is proposed or required. | ✓ |
| 3.2.14 | <i>Provision of Services</i> | The site is fully serviced, and the proposed alterations and additions will be serviced to the satisfaction of the relevant authority. | ✓ |
| 3.2.17 | <i>Stormwater/roof Water Management</i> | As previously indicated within this document and on the attached plans the development will be adequately serviced by stormwater infrastructure in accordance with AS3500 and to Councils satisfaction. | ✓ |

| SECTION 5: COMMERCIAL DEVELOPMENT | | | |
|-----------------------------------|--|--|---|
| 5.3.1 | <i>Building Design</i> | <p>The additions have incorporated in the design large windows and doors to encourage the interaction between pedestrians and the development to provide an “active” edge – refer to attached plans.</p> <p>The design of the additions is sympathetic to heritage buildings and designed to meet the heritage controls expressed in the DCP. Refer to attached SHI for further details.</p> | ✓ |
| 5.3.4 | <i>Car Parking and Access</i> | <p>As previously discussed elsewhere in this report the proposal complies with carparking and access requirements / controls.</p> <p>The access and carparking areas are existing and the car parking will merely be formalised via line marking under this proposal.</p> | ✓ |
| 5.3.4.6 | <i>Fencing and Lighting</i> | <p>Fencing is existing and no changes are being introduced or are required to the existing fencing.</p> <p>The car parking area is provided with lighting in accordance with this clause.</p> | ✓ |
| 5.3.4.9 | <i>Accessible Commercial Car Parking</i> | The development provides for accessible carparking in accordance with this section and complies with AS/NZ 2890.6. | ✓ |
| 5.3.4.10 | <i>Landscaping of Commercial Car Parking Areas</i> | The car parking area is existing, and no landscaping is currently proposed or considered to be required – the development has functioned safely and effectively to date and will continue to do so without having to retrofit landscaping to the area. | ✓ |
| 5.3.4.13 | <i>Service Vehicles and Loading Docks</i> | <p>Service vehicle areas are provided with an off-street loading area in safe and convenient location.</p> <p>Refer to plans for location of designated loading zone.</p> | ✓ |
| 5.3.4.14 | <i>Signage</i> | The development is provided with signage in compliance with the applicable controls in this section – refer to attached plans. | ✓ |
| 5.3.4.15 | <i>Access</i> | The development complies with the applicable controls in this section – refer to attached plans. | ✓ |
| 5.3.11 | <i>Heritage</i> | A statement of heritage impact accompanies this development application and address the controls in this section. | ✓ |
| 5.3.13 | <i>Noise</i> | The development is located in the E1 Local Centre zone and surrounded on all sides by commercial development types – the development will have absolutely nil impacts on any residential receptor and will operate in accordance with the hours of operation and noise limitations imposed under previous consents and liquor licence conditions that regulate the use of the licenced premises. | ✓ |
| 5.3.15 | <i>Services</i> | See the response provided under the section above ‘controls that apply to all developments’. | ✓ |
| 5.3.19 | <i>Waste Management</i> | The development will generate construction and demolition waste, and this will be managed and disposed of on | ✓ |

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| | | <p>accordance with the Councils and the NSW Environmental Protection Authorities requirements.</p> <p>Any construction and demolition waste generated by the construction component of the development will be stored in suitably sized onsite skip bins and then disposed of to a licenced landfill facility.</p> <p>Waste management for the operational component of this development would be undertaken in accordance with Snowy Valley Councils requirements and be collected via Councils waste collection contractor.</p> <p>The development will not generate any noxious waste materials.</p> | |
| SECTION 7: HERITAGE | | | |
| 7.6 | <i>Conservation and Design Guidelines – General Requirements</i> | The development has been designed to comply with the applicable controls of this section. | ✓ |
| 7.6.1 | <i>Sympathetic Design</i> | <p>The development has been designed so that the new additions respect the architectural character and style of the building and the character of its surrounds. The design does not mimic the original Victorian design of the subject heritage item, it has been designed to ensure legibility between old and new and the additions a subservient to the main heritage item.</p> <p>The additions are considered to maintain the existing character of the street and the surrounding locality in compliance with this section.</p> | ✓ |
| 7.6.1.1 | <i>Development Controls</i> | <p>The proposed alterations and additions have been designed to blend in with the existing building in terms of scale, proportion and materials.</p> <p>None of the proposed alterations and additions adversely affect any of the important elements on the main heritage building.</p> | ✓ |
| 7.6.2 | <i>New/Infill Development in the Vicinity of Heritage Items/Conservation Area</i> | The proposed development has been designed to maintain the historical context and heritage significance of the main heritage item is maintained. | ✓ |
| 7.6.2.1 | <i>Development Controls</i> | <p>The development complies with the applicable control of this clause and:</p> <ul style="list-style-type: none"> • respects and complements the built form character of the main item in terms of scale, setback, siting, external materials, finishes and colour. • Has a positive regard to the established siting patterns of the heritage item on the site and items within the locality. | ✓ |

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| | | <ul style="list-style-type: none"> Does not obscure or dominate an adjoining or adjacent heritage item and conservation area. | |
| 7.6.4 | <i>Siting, Setback and Orientation</i> | <p>The development has been designed to:</p> <ul style="list-style-type: none"> maintain and enhance the existing character of the street and the surrounding area, ensure that new development and alterations or additions respect established patterns of settlement (i.e. pattern of subdivision and Lot layout, landscaped settings, car parking and fencing), and provide an appropriate visual setting for heritage items and heritage conservation areas. | ✓ |
| 7.6.4.1 | <i>Development Controls</i> | <p>The development complies with the applicable controls of this section and:</p> <ul style="list-style-type: none"> No new structures are proposed to be built forward of an established building line. Front and side setbacks remain typical of the spacing between buildings located in the vicinity of the development. The rear additions are generally best stepped back from side building lines. | ✓ |
| 7.6.5 | <i>Size and Scale and Roof Forms</i> | The proposal complies with the objective of this section. | ✓ |
| 7.6.5.1 | <i>Development Controls</i> | <p>The plans clearly demonstrate that the addition ate of a scale which does not overwhelm or dominate the existing building – the identity of the heritage item remains and is clearly distinguished.</p> <p>The proposed new roofs on the additions have not mimicked the original roof of the heritage item, they have been designed to relate to the existing but also respect the primacy of the original heritage items design.</p> | ✓ |
| 7.6.6 | <i>Materials and Colours</i> | <p>It is considered that the materials and colours used in design of the development, respect the significance and character of the existing building and surrounding area.</p> <p>Consultation was undertaken with Councils Heritage Advisor in respect of material and colour selection.</p> | ✓ |
| 7.6.6.1 | <i>Development Controls</i> | Consultation was undertaken with Councils Heritage Advisor in respect of material and colour selection, and it is considered that the development complies with these controls. | ✓ |
| 7.6.14 | <i>Accessibility</i> | <p>The development complies with the objectives of this section and the proposed alterations to the front access will promote accessibility in compliance with the Access to Premises Standard, NCC and AS1428.1.</p> <p>The design of the front entrance has had regard to "Access to Heritage Places Guidelines: NSW" published in 2018 by Eric Martin & Associates.</p> | ✓ |

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| | | <p>The proposed new accessible entrance and new accessible toilets has achieved the following:</p> <ul style="list-style-type: none"> • Making the main public entrance accessible including; • Providing accessible toilets | |
|--|--|--|--|

5 STATEMENT OF ENVIRONMENTAL EFFECTS

The likely impacts of the development are considered in the below table.

Table 5 Likely Impacts of the Development

| PRIMARY MATTER | COMMENTS | IMPACT |
|-------------------------------------|--|----------------|
| <i>CONTEXT AND SETTING</i> | <p>The proposed development will create no adverse impacts in terms of context and setting, the land is appropriately zoned, and the surrounding area consists of similar land uses and development types.</p> <p>The scale and bulk of the development is considered consistent with adjoining and surrounding development and is appropriate in terms of both context and setting.</p> <p>The proposal is considered to be consistent with the character of the area and entirely compatible with adjacent land uses.</p> | Acceptable |
| <i>STREETSCAPE</i> | <p>The proposed development will not have any adverse impacts on the existing streetscape.</p> <p>The addition of the beer garden is subservient to the existing pub building and will not detract from the streetscape in this instance and its impact would be acceptable.</p> <p>The bulk and scale of the development is considered consistent with other developments in the locality and supports the objectives of the zone.</p> | Acceptable |
| <i>TRAFFIC, ACCESS, AND PARKING</i> | <p>No change to existing approved access is proposed or required and access is considered satisfactory for the purpose of this development.</p> <p>The proposed development will not cause any traffic conflicts that would reduce the efficiency and safety of the road or road network within the locality. The proposed development will not significantly increase the frequency of local traffic movements for the area, and as such it is considered that a Traffic Impact Study would not be required in support of this Development Application.</p> <p>Ample off-street car parking space is provided and complies with all Council requirements.</p> | Acceptable |
| <i>PUBLIC DOMAIN</i> | The development will not result in any adverse impacts to the public domain. | Acceptable |
| <i>UTILITIES</i> | The development will be serviced with all required services that includes power, sewer, water and electricity. | Acceptable |
| <i>HERITAGE</i> | Not applicable. | Not applicable |
| <i>OTHER LAND RESOURCES</i> | The development will have no impact on other land resources. | Acceptable |
| <i>WATER QUALITY AND STORMWATER</i> | <p>The development is not anticipated to have a long-term impact on water quality.</p> <p>Stormwater will be adequately managed as has been previously discussed within this report.</p> | Acceptable |

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| <i>SOILS, SOIL EROSION</i> | Sediment and erosion control measures will be implemented in accordance with Council requirements and a sediment and erosion control plan will be submitted to Council for review at construction certificate application stage. | Acceptable |
| <i>AIR AND MICROCLIMATE</i> | The development is not anticipated to have ambient air quality and microclimate impacts. | Acceptable |
| <i>FLORA AND FAUNA</i> | No adverse flora and fauna impacts are anticipated as the proposal will not require clearing of any vegetation from the site. | Acceptable |
| <i>WASTE</i> | <p>Again, the development will generate construction and demolition waste, and this will be managed and disposed of in accordance with the Councils and the NSW Environmental Protection Authorities requirements.</p> <p>Any construction and demolition waste generated by the construction component of the development will be stored in suitably sized onsite skip bins and then disposed of to a licenced landfill facility.</p> <p>Waste management for the operational component of this development would be undertaken in accordance with Snowy Valley Councils requirements and be collected via Councils waste collection contractor.</p> <p>The development will not generate any noxious waste materials.</p> | Acceptable |
| <i>NOISE AND VIBRATION</i> | No adverse noise or vibration impacts are anticipated as a result of the proposal. The development will not generate any unacceptable noise or vibration impacts during construction or at post development. | Acceptable |
| <i>HOURS OF OPERATION</i> | Hours of operation will remain the same as approved under previous consents. | Acceptable |
| <i>NATURAL HAZARDS (FLOOD AND BUSHFIRE)</i> | This has been discussed previously in this report and is not applicable. | Not applicable |
| <i>TECHNOLOGICAL HAZARDS</i> | The development is unlikely to create any technological hazards. | Acceptable |
| <i>SAFETY, SECURITY AND CRIME PREVENTION</i> | <p>No adverse safety and security impacts are anticipated as a result of the proposal.</p> <p>The proposal is not life changing, will not impinge upon anyone's social, political or cultural views and will not change the way people carry out their daily lives.</p> | Acceptable |
| <i>SOCIO-ECONOMIC IMPACT IN THE LOCALITY</i> | <p>Short term economic benefits are expected as a result of expenditure and employment of local contractors.</p> <p>The development will also increase the quality of food and drink premises within the locality and will provide a commercial development type which is expected and acceptable within the locality.</p> | Acceptable |
| <i>SITE DESIGN AND INTERNAL DESIGN</i> | Internal and site design are considered compatible with the intended use and the expected design outcomes for the area. | Acceptable |
| <i>OVERLOOKING AND OVERSHADOWING</i> | Nil impacts expected. Ample setbacks to adjoining properties. | Acceptable |
| <i>LANDSCAPING</i> | Landscaping is existing and no additional landscaping is proposed. | Acceptable |
| <i>CONSTRUCTION</i> | All work will be carried out to relevant BCA and Australian Standards. Work will be carried out during approved construction hours only. | Acceptable |
| <i>CUMULATIVE IMPACTS</i> | The development, when considered simultaneously with other developments on the site, adjoining, in the locality, or in the | Acceptable |

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| | local area generally, is considered to have marginal and acceptable cumulative impacts. | |
| <i>DISABLED ACCESS</i> | The development will ensure that the premises is brought into line with current legislative access requirements – as mentioned within this report access upgrades to the front entrance and the provision of a compliant accessible toilet provision will be undertaken in accordance with NCC and AS1428.1 requirements. | Acceptable |
| <i>SIGNAGE</i> | Not applicable. No signage is proposed under this application. | Not applicable |
| <i>SETBACKS AND BUILDING ENVELOPES</i> | The setbacks proposed for the development have been discussed elsewhere in this report. All setbacks are compliant with Council and NCC requirements. | Acceptable |

6 CONCLUSION

This SEE report has been prepared to support a Development Application for proposed alterations and additions to an existing Pub premises, located on the land known as 59 Russell Street, Tumut, NSW.

The proposal has been described and discussed in previous sections of this report and has been considered in respect of the relevant planning framework that is applicable to this proposed development. The proposal is considered to be permissible for the following reasons:

- The proposal is permissible under the provisions of the Tumut Local Environmental Plan 2012 and meets the objectives of the applicable E1 Local Centre Zone;
- The proposal complies with the applicable controls of the Snowy Valleys Development Control Plan 2024.; and
- The proposal would not have any significant adverse environmental consequences, nor would it have an adverse effect on the area or surrounding residents.

As demonstrated throughout this report, the development is permissible with consent, subject to a merit's assessment.