

# **STATEMENT OF ENVIRONMENTAL EFFECTS**

**CHANGE OF USE FROM REAL ESTATE  
OFFICE TO RETAIL PREMISES (SEWING  
BUSINESS)**

**82 CLARKSON STREET, NABIAC, NSW, 2312  
(LOT 1 DP 1136973)**

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## EXECUTIVE SUMMARY

Perception Planning Pty Ltd has been engaged by Patchwork Nabiatic (the client) to prepare a Statement of Environmental Effects (SEE) for a change of use from a real estate office to a retail premises (sewing business) (the proposal) at 82 Clarkson Street, Nabiatic NSW 2312, legally identified as Lot 1 DP1136973 (the site).

The site consists of an existing commercial premises and shed within Nabiatic. The proposed development is for a change of use from a real estate office to a retail premises (sewing business). The proposal is permissible with consent in the RU5 Village zone under the Great Lakes Local Environmental Plan 2014 (GLLEP). No physical building works are proposed as part of this development application.

Business operating hours are Monday-Friday from 9.00 am – 5.00 pm, with Saturday 9.00am – 2.00pm and closed on Sunday. The business employs a total of three staff (one full-time and two casual).

Operations include:

- Sewing machine and accessories sales
- Sewing notions sales (i.e. the small accessories and tools used in sewing, such as buttons, zippers, thread, needles, and pins)
- Fabrics and patchwork supplies
- Sewing machine repairs
- Workshops.

New replacement signage demonstrating consistency with existing signage is proposed, and off-street parking is available, unchanged from the existing use.

The proposal has been assessed against the relevant statutory planning framework to identify and address the key planning requirements and site constraints. Any potential environmental issues or impacts are suitably managed or mitigated to enable the proposal to be approved by Mid Coast Council.

## TERMS & ABBREVIATIONS

AHIMS	Aboriginal Heritage Information Management System
ASS	Acid Sulphate Soils
BAL	Bushfire Attack Level
BPL	Bushfire Prone Land
EP&A Act	Environmental Planning & Assessment Act 1979
EPI	Environmental Planning Instrument
FFL	Finished Floor Level
DA	Development Application
DCP	Development Control Plan
LEP	Local Environmental 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	Previous Consent	MidCoast Council	DA-409/2012/A
2	NSW Title	NSW Land Registry Services	J004926
3	Deposited Plan	NSW Land Registry Services	DP1136973
4	AHIMS Search Results	AHIMS Web Services	J004926 16/05/2025
5	BYDA Responses	BYDA	J004926 19/05/2025
6	Owner's Consent	Owner	J004926

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## 1.0 INTRODUCTION

Perception Planning Pty Ltd has been engaged by Patchwork Nabitac (the client) to prepare a Statement of Environmental Effects (SEE) for a change of use from a real estate office to a retail premises (sewing business) (the proposal) at 82 Clarkson Street, Nabitac NSW 2312 (the site).

This SEE has been prepared in coordination with the client and other sub-consultants to demonstrate the relevant matters associated with the proposed development. The SEE examines the existing site location and conditions, how the proposed use relates to the location and the environment, and the planning merits of the proposal with respect to the relevant legislation, policies, and related requirements.

The site is located in Nabitac within the Mid Coast Local Government Area (LGA). The site is zoned RU5 Village under the Great Lakes Local Environmental Plan 2014 (GLLEP), and the proposal is permissible with the consent of Council.

This 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 information 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.

### 1.1 PURPOSE OF THE STATEMENT

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 accordance with best practice principles, applicable aspects of the Development Assessment Framework and the Department of Planning and Infrastructure and Environment (now DPE) guide to the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) (s4.15).

The objectives of this SEE area 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 (EPIs);
- 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	82 Clarkson Street, Nabitac NSW 2312
Lot and DP	Lot 1 DP 1136973
Current Use	Current approval as real estate office.
Zoning	RU5 Village
Lot Size	1,075 m <sup>2</sup>
Site Constraints	Height Of Building 8.5 m Floor Space Ratio 0.4:1 Minimum Lot Size 700 m <sup>2</sup> Heritage Nabitac Conservation Area Significance: Local
Owner	Owner's consent has been provided as <b>ATTACHMENT 3.</b>

## 1.3 SITE DESCRIPTION

The site is located at 82 Clarkson Street, Nabitac NSW 2312 (Lot 1 DP1136973) as shown in **FIGURE 1**, within the Mid Coast Local Government Area (LGA). The site particulars are summarised in the table above, with site constraints obtained from the NSW Planning Portal.

The site is currently zoned RU5 – Village under the Great Lakes LEP. The site is bordered to the North and East by similar commercial and residential developments in the same zone, with an SP2 Classified Road and RU2 Rural Landscape zones to the South and West as demonstrated in **FIGURE 2**. The site comprises of an existing commercial building and rear shed. The premises is currently used as a commercial premises - real estate office, and the proposed change of use will allow a retail premises - sewing and patchworks business to operate.





**Figure 1: Aerial imagery - (NearMap, 2025)**



**Figure 2: Locality Map (NSW Planning Portal, 2025)**

## 1.4 CURRENT USE AND SITE HISTORY

A review of the Mid Coast Council online DA Tracker identified no historical applications for the site.

A GIPA request response revealed the most recent approved use for the building is DA-409/2012/A for a change of use from retail to real estate office (approved 15 February 2013). There are no known compliance matters in relation to the site.

## **2.0 THE DEVELOPMENT**

### **2.1 PROPOSED DEVELOPMENT**

Development consent is sought for a change of use from a real estate office to a retail premises (sewing business) (the proposal), under the GLLEP.

The site is located at 82 Clarkson Street, Nabad NSW 2312 (Lot 1 DP1136973) as shown in **FIGURE 1**, within the Mid Coast Local Government Area (LGA).

The site comprises of an existing commercial building and rear shed, with on-site parking provided. The premises is currently used as a commercial premises - real estate office, and the proposed change of use will allow a retail premises - sewing and patchworks business to operate. Before being approved as a real estate office, the site was previously approved as a retail premises.

The proposal is permissible with consent in the RU5 Village zone under the Great Lakes Local Environmental Plan 2014 (GLLEP). No physical building works are proposed as part of this development application.

Business operating hours are Monday-Friday from 9.00 am – 5.00 pm, with Saturday 9.00am – 2.00pm and closed on Sunday. The business employs a total of three staff (one full-time and two casual).

Operations include:

- Sewing machine and accessories sales
- Sewing notions sales (i.e. the small accessories and tools used in sewing, such as buttons, zippers, thread, needles, and pins)
- Fabrics and patchwork supplies
- Sewing machine repairs
- Workshops:

New replacement signage demonstrating consistency with existing signage is proposed, and off-street parking is available, unchanged from the existing use.

## 3.0 PLANNING FRAMEWORK

Section 4.15 (1) of the EP&A Act outlines the matters for consideration when determining a Development Application. The Consent Authority must take into consideration:

1 (a) the provisions of:

- (i) any environmental planning instrument (EPI), and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)*

*(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.*

The following section will address the matters of consideration listed under Clause (1)(a).

## 3.1 ACTS

The following Acts are considered relevant to the proposed development and are discussed in further detail below.

- *Environmental Planning and Assessment Act 1979*

### 3.1.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The *Environmental Planning & 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 development application. The relevant matters for consideration under Section 4.15 are addressed in further detail in separate sections of this Statement below.

#### ***Integrated development***

Section 4.46 of the EP&A Act provides that 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 other approval. An assessment has been

made against s.4.46 and in this instance the application is not deemed to be integrated development (refer to **Table 1** below).

**Table 1: Integrated development**

Integrated development	Section	Assessment
Fisheries Management Act 1994	s 144 s 201 s 205 s 219	N/A
Heritage Act 1977	s 58	N/A – The site mapped as being in a heritage area, however no physical works proposed. The proposed change of use is not anticipated to have any impact on the heritage area.
Coal Mine Subsidence Compensation Act 2017	s 22	N/A – the site is not within a mine subsidence district.
Mining Act 1992	s 63, 64	N/A
National Parks & Wildlife Act 1974	s 90	N/A
Petroleum (Onshore) Act 1991	s 16	N/A
Protection of the Environment Operations Act 1997	ss 43(a), 47, 55 ss 43(b), 48, 55 ss 43(d), 55, 122	N/A
Roads Act 1993	s 138	N/A
Rural Fires Act 1997	s100B	N/A – the site is not identified as bushfire prone land.
Water Management Act 2000	ss 89, 90, 91	N/A

## **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 are discussed in further detail below.

- State Environmental Planning Policy (Resilience and Hazards) 2021
  - Chapter 4- Remediation of land
- State Environmental Planning Policy (Transport and Infrastructure) 2021
  - Chapter 2 – Infrastructure
- State Environmental Planning Policy (Industry and Employment) 2021
  - Chapter 3 – Advertising and signage

### **3.2.1 SEPP (RESILIENCE AND HAZARDS) 2021**

#### **Chapter 4 – Remediation of Land**

This Chapter applies to the whole of NSW to ensure land is fit for the intended purpose. The legalisation states a consent authority must not consent to the carrying out of development on land unless it has given consideration as to whether the land subject to the development is contaminated. Where the land is contaminated a consent authority must determine if the land is suitable in its contaminated state for the development, or alternatively determine that the land would be suitable once remediated.

A review of the Environment Protection Authority (EPA) contamination register confirms that no contamination, the subject of regulation by the EPA, is identified on the site. To this extent, further assessment of this chapter is not required.

### **3.2.2 SEPP (TRANSPORT AND INFRASTRUCTURE) 2021**

#### **Chapter 2 – Infrastructure**

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

While the site is adjacent to a classified road, it fronts Clarkson Street, which is not identified as a classified road. As such, referral to 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.

In accordance with Section 2.121, 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.

Further assessment against this chapter of the SEPP is not required.



### 3.2.3 SEPP (INDUSTRY AND EMPLOYMENT) 2021

#### Chapter 3 – Advertising and signage

This chapter aims to ensure signage including advertising is compatible with the desired amenity and is of high-quality design and finish. This chapter applies to all signage that can be displayed with or without development consent and is visible from any public place or public reserves.

The proposed change of use will utilise the existing signage locations and are of high-quality design and finish. The signage will assist the community and customers identify the business and will be compatible with the design amenity and in line with other business premises within the locality. The signage is exempt development in accordance with the SEPP.

### 3.3 LOCAL ENVIRONMENTAL PLAN

Pursuant to the Great Lakes Local Environmental Plan 2014 (GLLEP) the subject site is land to which the local environmental plan applies. Accordingly, the GLLEP is the appropriate EPI to assess the development proposal.

#### Permissibility

The site is zoned RU5 Village under the provisions of the GLLEP. Under the Great Lakes LEP 2014, the use proposed is defined as 'retail premises' and 'shop' is defined as:

**retail premises** means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following—

(l) shops,

**shop** means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop and neighbourhood supermarket, but does not include food and drink premises or restricted premises.

Retail premises and shops are permitted with consent in the RU5 Village zone.

#### Zone objectives

The Land Use Table of the LEP identifies the following objectives for the RU5 Village zone:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To provide for a range of land uses, services and facilities that are associated with a coastal village.
- To enable non-residential development that does not prejudice the established land use pattern within the village.

#### **Permitted without consent**

*Extensive agriculture; Home occupations*

***Permitted with consent***

*Agritourism; Centre-based child care facilities; Community facilities; Dwelling houses; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Schools; Tank-based aquaculture; **Any other development not specified in item 2 or 4***

The proposed use of the site is for the retail sale of sewing supplies which is a permissible use within this zone. This proposal will continue the employment opportunities of the locality and is appropriately located within a compatible zone and surrounded by similar developments. Accordingly, the proposal is consistent with the objectives for the zone.

Clause 5.10 – Heritage conservation

The objectives of this clause include to conserve the environmental heritage of Great Lakes and to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.

The site is identified as a heritage item with local significance under the GLLEP. However, no building works are proposed as a result of this change of use. Therefore, it is not anticipated to cause any adverse impacts on the heritage significance of any heritage items. To this extent, further assessment of this clause is not required.

Clause 5.21 – Flood Planning

The objectives of this clause are to minimise flood risk to life and property and to ensure compatibility of land uses with flood hazards. It is noted that the site is located within a mapped Flood Development Control Area as per Mid Coast Council intramaps. No building works are proposed in this change of use application, and it is assumed to have been considered in the original approval for construction of the building.

Clause 7.16 – Neighbourhood shops

The objective of this clause is to permit development consent for the purpose of neighbourhood shops if certain conditions are met. Development consent may be granted to development for the purpose of one neighbourhood shop on any lot. The proposed change of use can be further classified as a neighbourhood shop. To this extent, the proposed change of use is permissible.

## 3.4 GREAT LAKES DEVELOPMENT CONTROL PLAN (DCP)

The Great Lakes Development Control Plan (NDCP) outlines the relevant design controls applicable to the site. As the subject building is existing and the proposal relates to a change of use only, the following sections of the DCP have been identified as being applicable:

### **3.2.2 Inland Villages Additional Character Statements**

The desired future character is derived from the existing development.

**Planning Comment:** Proposed development does not propose any physical works that would impact the relevant considerations of section 3.2.2 of the Great Lakes DCP. No further consideration of this section is required.

### **8.1 Heritage Impact Statement**

A Heritage Impact Statement is to be submitted with a development application for any proposed works including alternations and demolition:

- within a Heritage Conservation Area
- affecting a heritage item; and
- for a property in the vicinity of a heritage item (by reference to two lots in any direction)

**Planning comment:** Although the site is located within a mapped Heritage area of local significance, no physical works are proposed. A Heritage Impact Statement is therefore not required to support this development application.

### **10.3.3 All Development Excluding Residential**

(1) The minimum parking requirements outlined in the table below should be used when minimum parking rates:

(a) are not provided by relevant legislation; or

(b) are not determined by a detailed parking demand survey in accordance with the Ausroad publication Guide to Traffic Management Part 11 – Parking (2208)

Retail/Shops	1 space per 24sqm GLFA*
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**Planning comment:** The existing premises has an approximate footprint of just over roughly 200sqm, requiring between 8.3-8.45 parking spaces. The existing gravel courtyard connected to vehicular access crossing on site can accommodate up to 8 cars, whilst the rear garage on site can accommodate 3. The existing on-site parking arrangements therefore exceed the requirement, and in addition, there is also sufficient street parking available in close proximity to the site. It is therefore considered that no further upgrades to parking facilities are required for this change of use.

### **15.3.6 Heritage Conservation Areas and Items of Heritage Significance Objectives**



- (1) Maximum area of a commercial sign in any zone should not be in excess of 5.0sqm unless otherwise specified in the Performance Measures of the zone in which the sign is proposed to be located.
- (2) Only business identification and building identification signs are permissible on heritage items or on sites within conservation areas.
- (3) New signs must be capable of being moved or replaced without damaging the fabric of the building.
- (4) Signs should be placed in locations on buildings that were traditionally uses as advertising areas.
- (5) Neon signs and other internally illuminated signs, flashing signs and fluorescent and iridescent paints should not be used.
- (6) Appropriately placed and baffled external floodlights that illuminate the whole or part of the building façade (including signs) are encouraged.
- (7) Corporate image requirements should be adapted to suit specific requirements of the particular item or conservation area.
- (8) 'Free Standing' signs shall only be permitted where it can be demonstrated that the sign will not be visually intrusive or contribute to sign clutter.

**Planning comment:** A new 790mm x 1800mm sign is proposed to replace the existing signage attached to the veranda rail as shown in **Figure 3** below. Footpath signs, similar to those shown existing below are also proposed to be placed during operating hours. No compliance issues with the existing signage have been identified, and the proposed signage will be similar. The proposed signage does not contravene any controls of this section.



**Figure 3:** Existing signage (Client, 2025)

### 3.5 PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

Section 4.15(1)(a)(ii) requires the consent authority to consider:

*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 instrument has been deferred indefinitely or has not been approved).*

At the time of lodgement of this development application there were no draft environmental planning instruments that are relevant to the proposed development or the subject site that require consideration as part of this development application.

### 4.0 SITE CHARACTERISTICS & KEY DEVELOPMENT ISSUES

This Section will address the following matters of consideration as outline by Section 4.15 of the EP&A Act:

- (a) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (b) the suitability of the site for the development,*
- (c) any submissions made in accordance with this Act or the regulations,*
- (d) the public interest.*

### 4.1 LIKELY IMPACTS OF THE DEVELOPMENT

Overall, it is considered that the proposed development is unlikely to have any significant adverse impacts on the site or surrounding locality. The site conditions and constraints have been identified within this SEE and have been managed or mitigated where necessary.

#### 4.1.1 BUILT ENVIRONMENT

The following matters are relevant to an assessment of any impacts on the built environment:

##### **Context & Setting**

The development has demonstrated consistency the surrounding locality through the environmental planning regulations and site features informing the proposed development. The proposed development will provide employment opportunity and continuation of a local business, whilst ensuring compatibility with the character of the site and immediate locality.

##### **Visual Impact**

No physical building works are to occur to the existing building as part of this development application. To this extent, no visual impact is expected to arise.

##### **Access, Transport & Traffic**

There will be no change to onsite parking or access. The existing access and parking are assessed as sufficient for the proposed use of the building. No adverse traffic impacts will be a result of the proposed development.

##### **Public Domain**

The development will not have a negative impact on any public domain.

### **Services**

Services to the site are not proposed to change as a result of this development. No additional demands are expected to be placed on the services to the site.

The site has access to reticulated water supply and reticulated sewer service which are not required to be changed as a result of the proposal.

### **Safety, security, and crime prevention**

No safety, security of crime prevention is required for this development.

### **Noise & Vibration**

No adverse offensive noise is expected from the proposed development that is not compatible with the zone.

## **4.1.2 NATURAL ENVIRONMENT**

### **Ecology**

The development proposes no vegetation removal. The site is existing developed land and as such the proposed development is not expected to have any detrimental impacts on any ecology on the site.

## **4.2 SOCIAL & ECONOMIC IMPACTS ON THE LOCALITY**

The proposed development represents continuation of local business and occupation of an existing building. The development will allow for the use of existing services and facilities in the locality without requiring upgrades that burden the public. The continuation of employment opportunities in the locality provides support to local industries. There are no anticipated adverse social or economic impacts as a result of the proposed development.

## **4.3 CUMULATIVE IMPACTS**

There are no tangible cumulative impacts arising from the proposal, given the small-scale nature of the proposal and its appropriateness within the context of the site and surrounding area.

## **4.4 SUITABILITY OF THE SITE AND PUBLIC INTEREST**

The subject site has existing approval as a commercial premises and previous history of use as a retail premises as proposed. The site has access to all relevant services and the proposed development makes good use of the available land. The application design 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. To this extent, the site is suitable for development.

## 4.5 CONSULTATION

In the event that this application is formally notified, any submissions received by Council will be considered. We welcome the opportunity to respond to any submissions to address any concerns expressed by the public.

## 5.0 CONCLUSION

In conclusion, the proposal is permissible under the GLLEP and is consistent with the objectives for development in the RU5 Village zone. The proposal has been assessed against the GLDCP and is considered acceptable in the context of the Nabitac area. The proposal will result in positive social and economic benefits, with no adverse impacts anticipated on the amenity of surrounding properties, the locality, or the natural environment. It is requested that Council approve this development application.



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