

SOUTHERN REGIONAL PLANNING PANEL

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSTH-483
DA Number	DA2025/0026
LGA	Snowy Valleys Council
Proposed Development	Demolition of existing structures including bowling green, relocation of existing playground and construction of a 'multi-purpose & evacuation centre' comprising of 2 x indoor multi court recreational facility/emergency evacuation centre and includes a storeroom, plant room, amenities, kitchen/kiosk, administration, meeting room, first aid room, waste room, off street parking and the provision of building identification signage.
Street Address	Lots 701 DP 1059193, and Lot 1, Section 81 DP 759004, Russell Street and Richmond Street, Tumut, known as Richmond Park
Applicant/Owner	Snowy Valleys Council
Date of DA lodgment	7 March 2025
Number of Submissions	168 Submissions comprising 100 submissions in support and 68 against
Recommendation	Approval, subject to conditions.
Regional Development Criteria (Schedule 6 of the SEPP (Planning Systems) 2021)	The proposed development is council related development with an estimated development cost of over \$5 million.
List of all relevant 4.15 matters	<ul style="list-style-type: none"> • <i>Environmental Planning and Assessment Act 1979</i> • <i>Environmental Planning and Assessment Regulation 2021</i> • <i>State Environmental Planning Policy (Planning Systems) 2021</i> • <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> • <i>State Environmental Planning Policy (Resilience and Hazard) 2021</i> • <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> • <i>State Environmental Planning Policy (Biodiversity and Conversation) 2021</i> • <i>State Environmental Planning Policy (Industry and Employment) 2021</i> • <i>Tumut Local Environmental Plan 2012</i> • <i>Snowy Valley Development Control Plan 2024</i>
List all documents submitted with this report for the Panel's consideration	<ol style="list-style-type: none"> 1. DCP Compliance Table 2. Recommended Conditions of Consent 3. Architectural Plans 4. Landscape Plans 5. Applicant's response to Submissions
Report prepared by	Jeremy Swan – Independent Town Planning Consultant on behalf of Council
Report date	2 June 2025

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **Yes**

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **N/A**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.11EF)? **N/A**
Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**
Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

Table of Contents

1. PURPOSE OF REPORT 4

2. SUMMARY OF RECOMMENDATION 4

3. EXECUTIVE SUMMARY 4

4. BACKGROUND..... 5

5. THE PROPOSAL..... 7

6. ASSESSMENT 10

7. OTHER MATTERS..... 22

8. CONCLUSION..... 22

9. RECOMMENDATION..... 23

1. PURPOSE OF REPORT

The purpose of this report is to seek the Southern Regional Planning Panel (the Panel) determination of a Development Application (DA) proposing the demolition of existing structures including bowling green, relocation of existing playground and construction of a 'multi-purpose & evacuation centre' comprising of 2 x indoor multi court recreational facility/emergency evacuation centre and includes a storeroom, plant room, amenities, kitchen/kiosk, administration, meeting room, first aid room, waste room, off street parking and the provision of building identification signage at Lots 701 DP 1059193, and Lot 1, Section 81 DP 759004, Russell Street and Richmond Street, Tumut, known as Richmond Park.

The Panel is the determining authority for this DA as, pursuant to Part 2.4 of State *Environmental Planning Policy (Planning System) 2021* and Part 2.15 of the *Environmental Planning and Assessment Act 1979*, as the capital investment value (CIV) of the proposed development exceeds the CIV threshold of \$5 million for council related development.

2. SUMMARY OF RECOMMENDATION

That the Panel determine DA2025/0026 consisting of demolition of existing structures including bowling green, relocation of existing playground and construction of a 'multi-purpose & evacuation centre' comprising of 2 x indoor multi court recreational facility/emergency evacuation centre and includes a storeroom, plant room, amenities, kitchen/kiosk, administration, meeting room, first aid room, waste room, off street parking and the provision of building identification signage by way of approval pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* subject to the conditions contained in Attachment 2 to this report.

3. EXECUTIVE SUMMARY

Council is in receipt of a DA submitted on 7/03/2025, seeking approval for the demolition of existing structures including bowling green, relocation of existing playground and construction of a 'multi-purpose & evacuation centre' comprising of 2 x indoor multi court recreational facility/emergency evacuation centre and includes a storeroom, plant room, amenities, kitchen/kiosk, administration, meeting room, first aid room, waste room, off street parking and the provision of building identification signage at Lots 701 DP 1059193, and Lot 1, Section 81 DP 759004, Russell Street and Richmond Street, Tumut, known as Richmond Park.

The DA was publicly notified for a period of 28 days from 11 March 2025 to 8 April 2025 in accordance with Snowy Valleys Council Community Participation Plan. In total there was 168 submissions received comprising 100 submissions in support of the DA and 68 against the DA.

A detailed assessment of the development has been undertaken against the relevant environmental planning instruments and development control plans and the key issues with the application are:

- Traffic and parking impacts were raised in a number of submissions. It is considered that the proposed development complies with Council's DCP in respect of off-street car parking and the proposed development will not result in unacceptable traffic impacts, noting that the surrounding intersections have been considered and will continue to operate at an acceptable level.
- Noise Impacts were raised in a number of submissions. The applicant's acoustic expert was required to respond to the issues raised. This updated report has been considered acceptable. In addition, conditions of consent have been included in the recommendation that require a noise assessment to confirm that the development complies with the applicable standards once operational.
- Bulk and scale was raised in a number of submissions. There is no specific height limit for the subject site and the proposed development has an overall height of approximately 9.5m. The built form is setback from the street with landscaping provided. It is considered that the proposed

development is acceptable from a bulk and scale perspective and will not adversely impact the streetscape.

The proposed development has been assessed against the relevant matters for consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979, including likely impacts, the suitability of the site for the development, and the public interest, and the proposed development is considered appropriate.

Considering the above, it is recommended that the Southern Regional Planning Panel determine the Development Application pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979 and grant consent subject to the conditions as provided at **Attachment 2**.

4. BACKGROUND

Application Background

- On **7 March 2023**, the subject application (DA 2025/0026) was lodged with Snowy Valleys Council for the demolition of existing structures including bowling green, relocation of existing playground and construction of a 'multi-purpose & evacuation centre' comprising of 2 x indoor multi court recreational facility/emergency evacuation centre and includes a storeroom, plant room, amenities, kitchen/kiosk, administration, meeting room, first aid room, waste room, off street parking and the provision of building identification signage.
- Following the public notification of the DA a request for additional information was issued to the applicant on **14 April 2025** requesting the applicant respond to a number of issues raised in submissions including:
 - Unacceptable noise impact assessment;
 - Unacceptable traffic impacts;
 - Unacceptable bulk and scale;
 - Unacceptable lighting impacts;
 - Non-compliance with the Snowy Valley DCP 2024;
 - Stormwater Management;
 - Sustainability;
 - Geotechnical suitability; and
 - Lack of Operational Management Plan
- On **17 April 2025**, the applicant responded to the issues raised.
- On **28 April 2025** a further request for additional information was issued to the applicant requesting a response to issues raised in respect of waste.
- On **29 April 2025** the applicant responded to the issued raised.

The Site and Locality

The subject site is located within Tumut in the Local Government Area (LGA) of Snowy Valley Council. The site has street frontage to Richmond, Russell, Capper and Robertson Streets. It is generally surrounded by low-density residential development with Richmond Park (west) and Stockwell Gardens (east) surrounding the site.

The surrounding area is zoned R3 Medium Density and RE1 Public Recreation under the provisions of the Tumut Local Environmental Plan (LEP) 2012. Refer to Figure 1 below for the site's location and context.

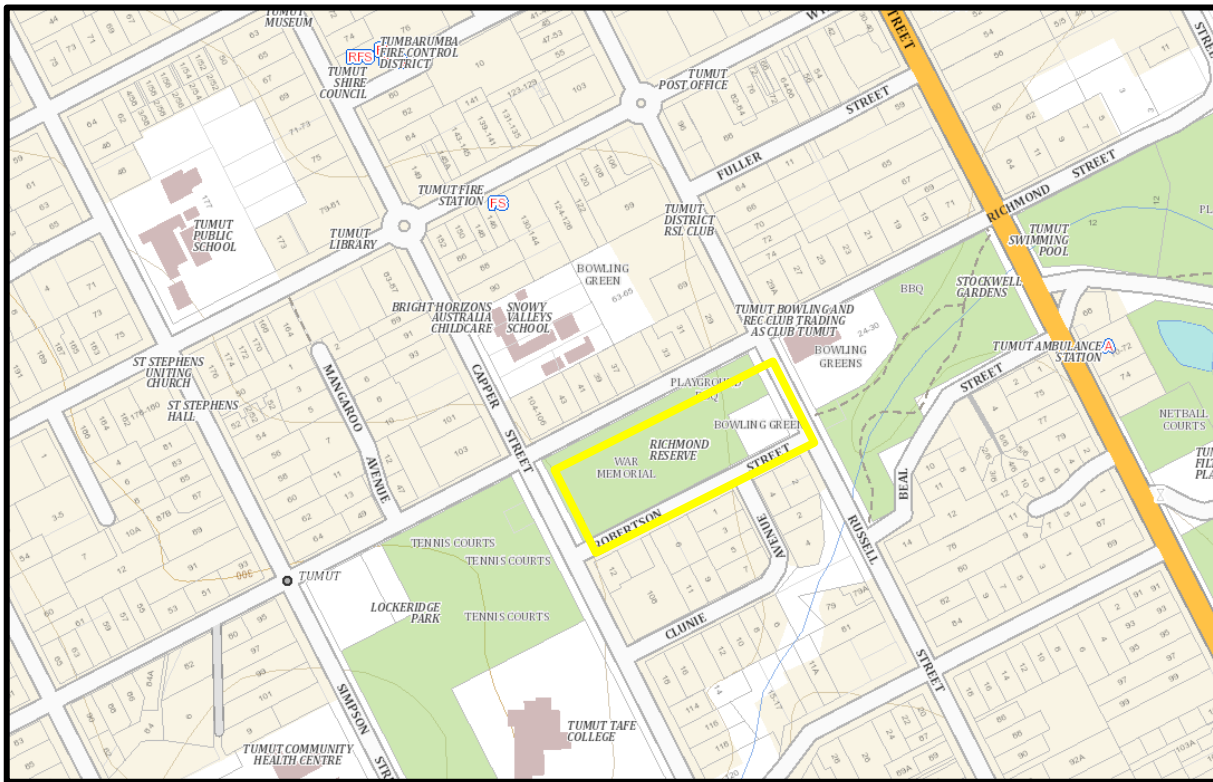


Figure 1 – Location of the site outlined in yellow (Source: NSW Planning Portal)

The subject site is identified as Lot 701 DP1059193 and Lot 1/81/DP 759004 Russell Street, Tumut and is also known as Richmond Park, Tumut. The site is zoned RE1 Public Recreation under the provisions of the Tumut Local Environmental Plan (LEP) 2012.

An aerial view of the site is provided in Figures 2 below.



Figure 2 – Site aerial with the site outlined in blue (Source: Nearmap).

Notification and Referrals

Referrals: The application was referred to Council's engineers and assets section with all matters able to suitably conditioned. In addition, the DA was referred to Transport for NSW who advised that as the DA is not considered traffic generating development under SEPP (Transport and Infrastructure) 2021 that no comments were necessary.

Notification: The application went on public exhibition from 11 March 2025 to 8 April 2025. 168 Submissions were received. A summary of these submissions along with a response is provided in the assessment section of this report.

5. THE PROPOSAL

The applicant seeks development consent for the demolition of existing structures including bowling green, relocation of existing playground and construction of a 'multi-purpose & evacuation centre' comprising of 2 x indoor multi court recreational facility/emergency evacuation centre and includes a storeroom, plant room, amenities, kitchen/kiosk, administration, meeting room, first aid room, waste room, off street parking and the provision of building identification signage at Lots 701 DP 1059193, and Lot 1, Section 81 DP 759004, Russell Street and Richmond Street, Tumut, known as Richmond Park.

Specifically, the development will comprise of the following:

- Demolition of existing bowling Green and associated structures;
- Relocation of existing playground/equipment.
- 2 x multi court indoor recreational facility/evacuation centre;
- Accessible amenities
- Administration area/control area
- Meeting Room
- First Aid Room
- Staff room
- Comms/storeroom
- Plant Roo
- Cleaners store
- Kitchen/kiosk
- Waste room
- Off street parking for 50 vehicles including 2 accessible spaces, an ambulance bay and an ev-charging space
- Landscaping works
- Ancillary Site works
- Building identification signage

The proposed hours of operation are as follows:

- Weekdays 7am – 10pm;
- Saturday 8am – 10pm
- Sunday 8am – 10pm
- Public Holidays 8am – 10pm
- In emergency situations 24 hours / 7 days a week.

Site access is proposed from Russell Street.

No full time / permanent staff. Council intends to appoint control to a "Users Group" whom will be responsible for the ongoing operation, bookings and maintenance of the facility.

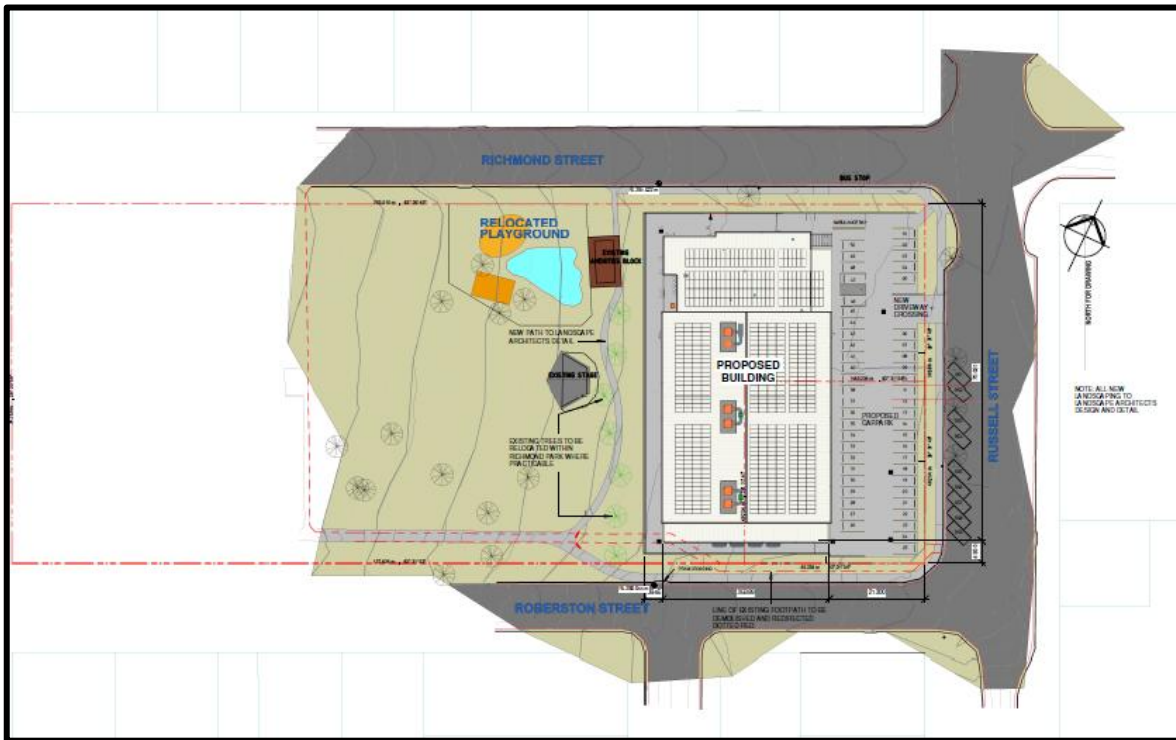


Figure 3: Proposed Site Plan (Source: Applicant)

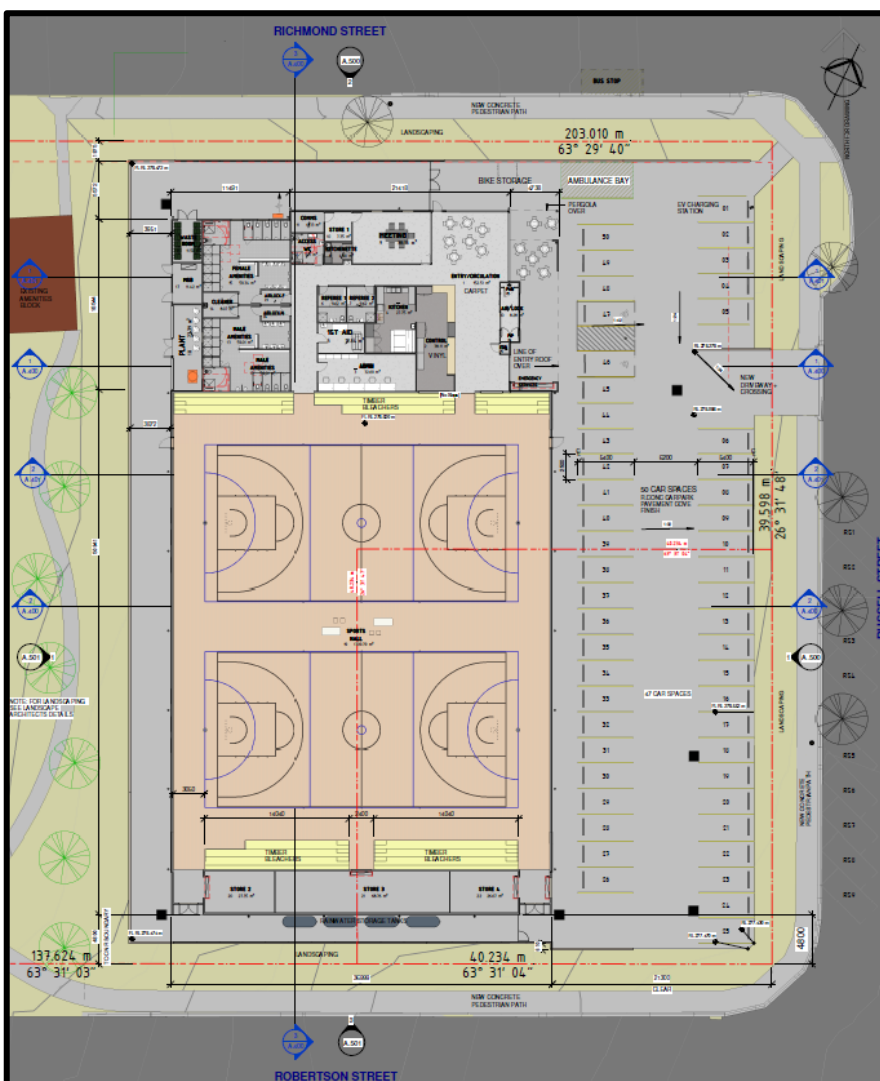


Figure 4: Proposed Floor Plan (Source: Applicant)

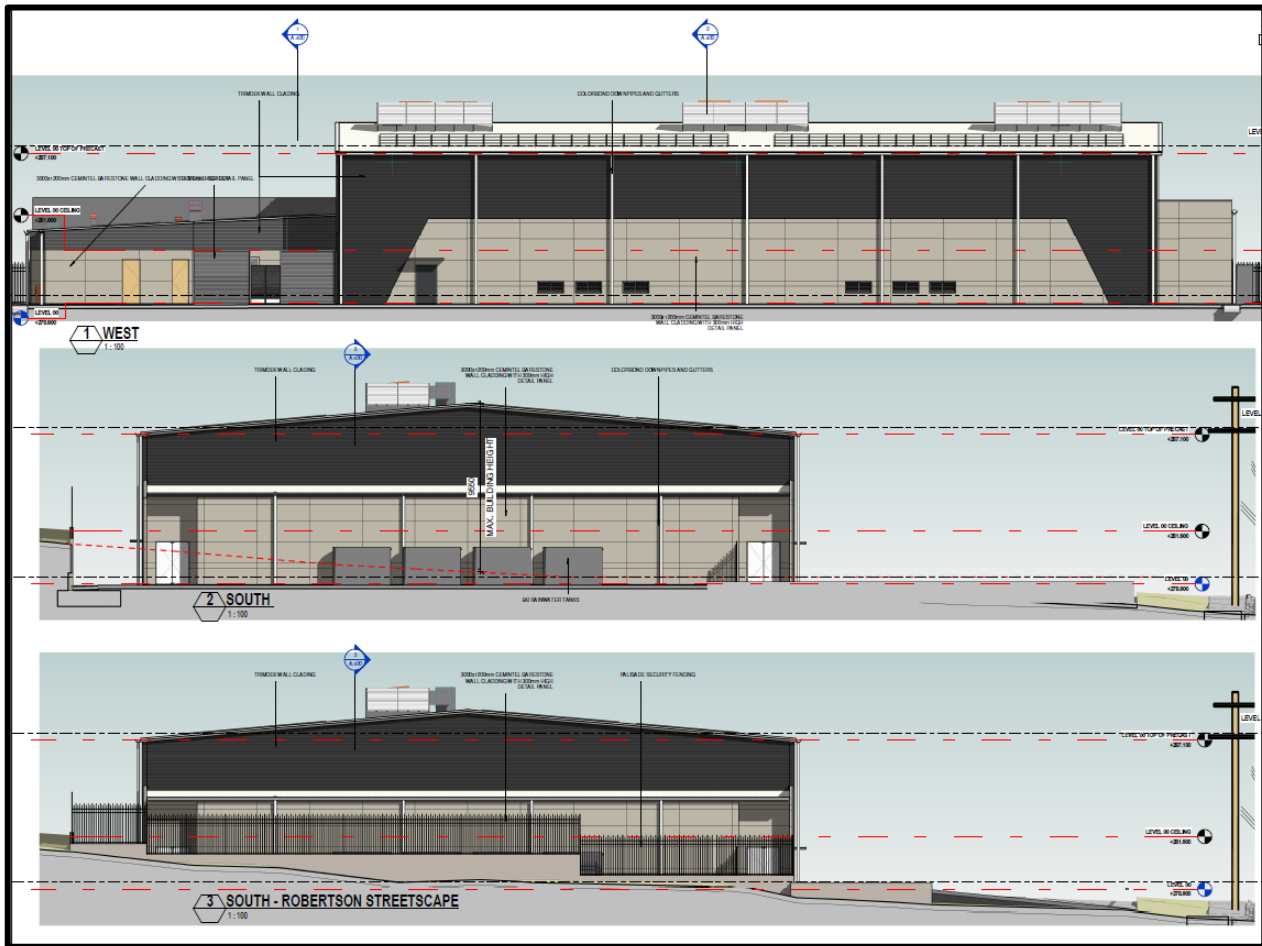


Figure 5: Elevations (Source: Applicant)



Figure 6: Elevations (Source: Applicant)

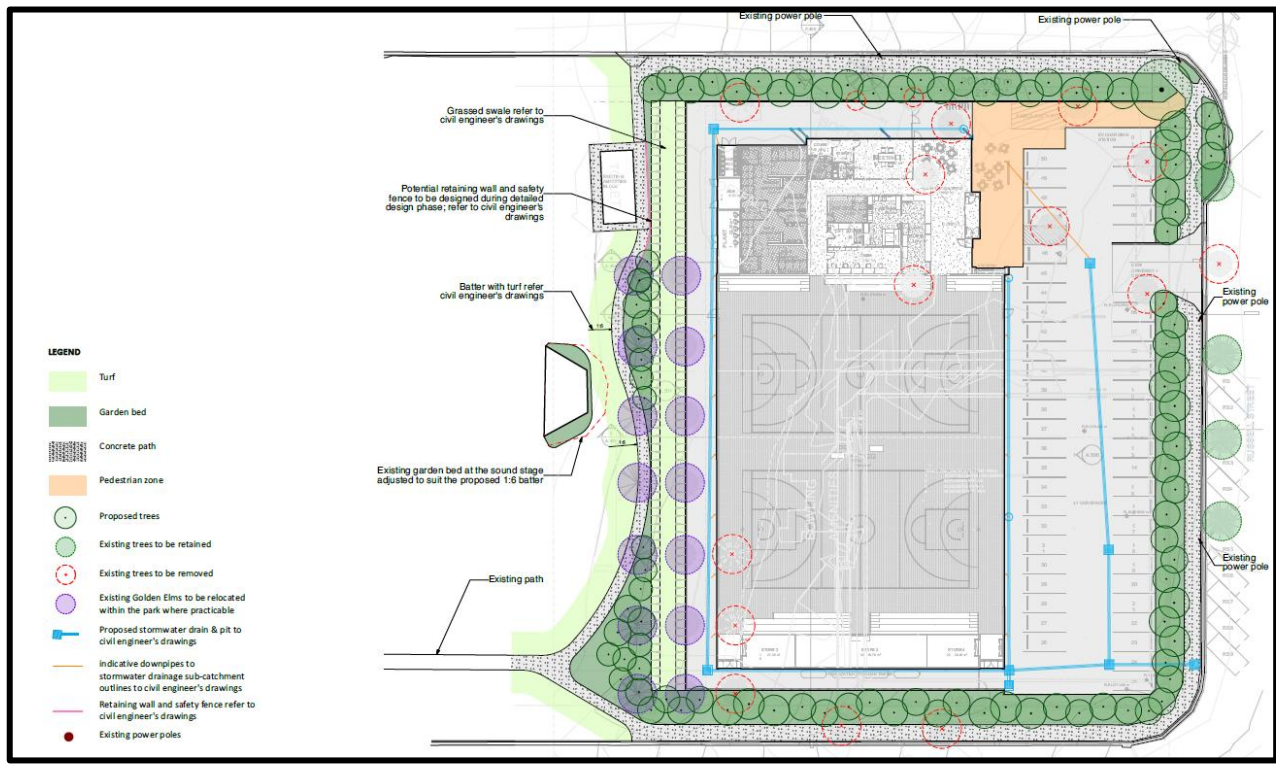


Figure 7: Proposed Landscape Plan (Source: Applicant)

6. ASSESSMENT

An assessment against 4.15 of the Environmental Planning and Assessment Act 1979 is provided below.

Environmental Planning and Assessment Act 1979 – Section 4.15

In determining a DA, the consent authority is to take into consideration the following matters as are of relevance in the assessment of the DA on the subject property.

(a)(i) The Provisions of any Environmental Planning Instrument

The Environmental Planning Instruments that relate to the proposed development are:

- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Resilience and Hazard) 2021;*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021;*
- *State Environmental Planning Policy (Biodiversity and Conversation) 2021;*
- *State Environmental Planning Policy (Industry and Employment) 2021; and*
- *Tumut Local Environmental Plan 2012;*

An assessment of the proposed DA against the above instruments is detailed below.

State Environmental Planning Policy (Planning Systems) 2021

On 4 March 2024, the Environmental Planning and Assessment Amendment (Estimated Development Cost) Regulation 2023 commenced and replaced 'cost of development' and 'capital investment value' with a new single definition and calculation method for 'estimated development cost' (EDC). These amendments were subsequently introduced into the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) and the State Environmental Planning Policy 2021 (Planning System SEPP).

Pursuant to Clause 28(1)(a), Schedule 6 of the EP&A Regulation, the application was submitted on the NSW planning portal prior to the commencement of Environmental Planning and Assessment Amendment (Estimated Development Cost) Regulation 2023. As such, Capital investment value continues to apply to the proposed development.

In accordance with Clause 2.19 and Schedule 6 of the SEPP, the proposed development constitutes 'Regional Development' as it has a Capital Investment Value (CIV) of \$9,530,431.90 which exceeds the \$5 million threshold for Council related development. Therefore, the consent authority is the Southern Regional Planning Panel.

State Environmental Planning Policy (Sustainable Buildings) 2022

This SEPP applies to the development as it includes the erection of a new building that has an estimated development cost of more than \$5 million.

The development needs to satisfy the provisions of the SEPP through consideration of the following:

- (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,*
 - (b) a reduction in peak demand for electricity, including through the use of energy efficient technology,*
 - (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,*
 - (d) the generation and storage of renewable energy,*
 - (e) the metering and monitoring of energy consumption,*
 - (f) the minimisation of the consumption of potable water.*
- (2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.*

An Environmental and Sustainable Design (ESD) report has been provided as part of this application, dated 5 February 2025 and is targeting a 4 Star Green Star Building and is capable of compliance with Section J of the NCC.

The ESD report demonstrates that the proposed development is able to satisfy the relevant considerations including within the SEPP, with measures in place to ensure sustainable design.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

The SEPP requires Council to be satisfied that the site is suitable for its intended use (in terms of contamination) prior to granting consent.

In particular, Chapter 4 Remediation of Land contains a number of objectives that aim to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health and the environment:

- a) By specifying when consent is required, and when it is not required, for a remediation work; and*
- b) By specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular; and*
- c) By requiring that a remediation work meet certain standards and notification requirements*

Subject to Section 4.6 of the SEPP, a consent authority must not consent to the carrying out of development on land unless it has considered whether the land is contaminated.

The site has been historically used for public recreation and this DA will continue to use the site for public purposes. The site has not been subject to any known contaminating uses. The potential for contamination

is considered to be low, therefore the site is unlikely to be contaminated.

The applicant prepared a Phase 1 Preliminary Site Investigation with the application, which concluded that the site is suitable subject to:

- When the existing building is to be demolished, it is recommended that a licenced professional is engaged to undertake a hazardous building materials assessment and removal as necessary.
- Additional sampling is required for any material generated from the site in accordance with the NSW EPA Waste Classification Guidelines and Resource Recovery Orders, whichever is relevant.

Conditions of consent have been included to reflect the above.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 – Infrastructure

The subject site does not have a frontage to a classified road as identified in Clause 2.119. The proposed development is not identified in Clause 2.120.

Council referred the DA to Transport for NSW who confirmed that the DA does not meet the criteria for traffic generating development and therefore no further assessment against the SEPP is required.

State Environmental Planning Policy (Biodiversity and Conversation) 2021

Chapter 2 – Vegetation in non-rural areas

Chapter 2 of this SEPP seeks to protect biodiversity values of trees and other vegetation in non-rural areas and preserve amenity of non-rural areas through preservation of trees and vegetation. The Chapter applies to non-rural areas of the State, including the Snowy Valleys Council local government area.

The proposed development is likely to have no impact on biodiversity values of trees and other vegetation, nor will it impact threatened or endangered species, communities or habitats. The proposed development is considered to be consistent with the relevant objectives and control of the SEPP and consent may be granted for the development application.

State Environmental Planning Policy (Industry & Employment) 2021

Chapter 3 – Advertising and Signage

The proposed development includes the provision of building identification signage along the front façade of the building for the purpose of identifying the multi-purpose centre. An assessment of *Chapter 3 Advertising and Signage* as part of the *State Environmental Planning Policy (Industry and Employment) 2021* is provided below.

State Environmental Planning Policy (Industry and Employment) 2021		
Provision	Control	Discussion
Chapter 3 Advertising and Signage		
3.1 Preliminary		

3.1 Aims, objectives, etc	to ensure that signage (including advertising)— (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and is of high quality design and finish.	Refer to the assessment provided below.
3.6 Granting Consent to signage	A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied— (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.	Refer to the assessment provided below.
Schedule 5 Assessment Criteria		
1 Character of the area	Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	Yes. The proposed signage is compatible.
2 Special Areas	Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage will not detract from the amenity of the area.
3 Views and Vistas	Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not obscure important views.
4 Streetscape setting or landscape	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness?	Yes. The proportions and dimensions of the development are suitable for this site. The proposed signage is compatible with the proposed building both in scale, proportion and form.

	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	<p>The signage will assist with reducing clutter with 1 sign.</p> <p>The sign assists with breaking the building up.</p> <p>The proposed signage is applied to the proposed building.</p>
5 Site and Building	<p>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</p> <p>Does the proposal respect important features of the site or building, or both?</p> <p>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</p>	The proposed signage is compatible with the area.
6 Associated devices and logos with advertisements and advertising structures	Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The proposed signage does not have any associated structures etc.
7 Illumination	<p>Would illumination result in unacceptable glare?</p> <p>Would illumination affect safety for pedestrians, vehicles or aircraft?</p> <p>Would illumination detract from the amenity of any residence or other form of accommodation?</p> <p>Can the intensity of the illumination be adjusted, if necessary?</p> <p>Is the illumination subject to a curfew?</p>	<p>The signage proposed will be illuminated.</p> <p>However, it is stated that this has been designed as low key soft lighting that is for the purpose of enhancing and making the sign writing clear and readable.</p>
8 Safety	<p>Would the proposal reduce the safety for any public road?</p> <p>Would the proposal reduce the safety for pedestrians or bicyclists?</p> <p>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</p>	The proposed signage will not reduce the safety within the surrounding public domain.

The site is zoned RE1 Public Recreation pursuant to the Tumut Local Environmental Plan (LEP) 2012. Community Facilities and Recreational Facilities (indoor) are permitted with consent in the RE1 zone and therefore the use is permissible. The secondary use of the building as an emergency centre is considered to be ancillary to the primary use.



Figure 7 – Zoning of the site outlined in red (Source: NSW Legislation)

The objectives of the RE1 zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

The subject development is not deemed to be contrary to development objectives for the RE1 land zone as follows:

Relevant Clauses

The DA was assessed against the following relevant clauses of the Tumut LEP 2012.

Clause	Requirement	Provided	Compliance
2.7 Demolition requires development consent	The demolition of a building or work may be carried out only with development consent.	Demolition has been proposed within the application.	Yes
4.3 Height of buildings	Nil	NA	NA
4.4 Floor space ratio	Nil	NA	NA
5.10 Heritage Conservation	To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.	<p>The subject site is not identified as a heritage item or located within a heritage conservation area.</p> <p>The subject site is located within proximity of 2 heritage items</p> <ul style="list-style-type: none"> - 103 Capper St, Tumut; and - 29A Richmond St, Tumut <p>The proposed development is separated a distance from 103 Capper st, with the proposed works at the other end of the park.</p> <p>In respect of 29A Richmond St, the proposed works include the smaller office component within proximity of the heritage item with sufficient landscaping and distance provided that will not adversely impact on the item.</p>	Yes
6.1 Earthworks	The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	<p>Minimal earthworks are proposed.</p> <p>The proposed earthworks will not have an adverse impact upon the land.</p>	Yes

6.11 Essential services	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— (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access.	The subject site is capable of being serviced by public utility that are essential for the development. These services are to be readily available prior to obtaining the Construction Certificate	Yes
-------------------------------	---	---	-----

(a)(ii) The Provision of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Nil

(a)(iii) The Provisions of any Development Control Plan

Snowy Valley Development Control Plan 2024

The Snowy Valley Development Control Plan 2024 provide detailed provisions to supplement the Tumut LEP 2012. An assessment of the proposal against the relevant development controls applying to the subject site and development is provided in **Attachment 1**.

(a)(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.

Not Applicable

(a)(iv) The Regulations

The Regulations do not prescribe any additional matters that are relevant to the proposed DA.

(1)(b) The likely impacts of the proposed development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Natural Environment

The proposed development is not considered to adversely impact on the natural environment and has

been designed to ensure any potential impacts are appropriately minimised and mitigated.

The proposed development has been prepared and designed in line with the key environmental planning instruments and policies implemented to minimise impacts on the natural environment.

The proposed development is not considered to have any adverse impacts on the natural environment.

Built Environment

The visual character of the area immediately surrounding the subject property predominantly consists of residential developments, with the surrounding area zoned R3 Medium Density and RE1 Public Recreation.

The likely impacts will be minimised by the setback of the proposed building and landscaping proposed. The proposed built form is considered suitable and is consistent with the objectives of the zone.

Social and Economic Impacts

The proposed development will result in a positive social outcome as it is for the purpose of serving the community and locality through the construction of a multi-purpose centre used for events, sports and in the case of an evacuation centre. The development will also provide employment opportunities in the short-term through construction and in the long term through ongoing operation.

The proposed development is therefore considered to result in positive social and economic impacts.

(1)(c) The suitability of the site

For the reasons discussed in this report and the information provided by the applicant, it considered that the site is suitable for the proposed development on the basis that the site is suitably zoned (RE1 Public Recreation).

The proposed development is compatible with the surrounding area; therefore, the consent authority can be satisfied that the site is suitable for the proposed development.

(1)(d) Any submissions made in accordance with this Act or the Regulations.

The application was publicly notified in accordance with the requirements of the Environmental Planning and Assessment Regulations 2021 and Council's Community Participation Plan from the 11 March 2025 to 8 April 2025.

A total of 168 submission was received during the notification period comprising 100 submissions in support of the DA and 68 against the DA.

The applicant was given an opportunity to respond to issues raised which is included in **Attachment 5**.

The issues raised in the submissions are summarised and addressed below:

Issue Raised	Response
Traffic congestion and safety	<p>The applicant has prepared a detailed Traffic Impact Assessment (TIA). In addition, following receipt of the submissions the applicant's traffic engineer responded to the key issues, including looking at recorded peak hour traffic counts of the surrounding network, with the conclusion reached that all intersections currently and will continue to operate at an acceptable level.</p> <p>This assessment has been reviewed and is considered to be acceptable.</p>
Inadequate parking for events	<p>The proposed car parking meets Council's DCP. In the event that a large event occurs which requires spill over on-street car parking, it is considered that there is sufficient on-street car parking without adversely impacting on parking for residents within the locality.</p>
The quiet, residential nature of surrounding streets will be significantly disrupted by the influx of external traffic	<p>Firstly, it is noted that the proposed use provides sufficient car parking in accordance with Council's DCP.</p> <p>Some change will be inevitable however each intersection will operate at an acceptable level, and it is considered that the proposed use, parking proposed, and traffic impacts are acceptable.</p>
Inaccuracies and limitations of the Noise Impact Assessment	<p>The applicant's noise expert was requested to respond. In response, the applicant clarified that the report incorrectly identified the nearest properties, this has been addressed in an amended noise report.</p> <p>In addition, the applicant responded to the ambient and background noise measurement concerns raised.</p> <p>The amended noise report has appropriately addressed the concerns raised.</p> <p>In any event it is proposed to include conditions of consent that require the applicant to undertake further noise monitoring once the development is carried out to ensure that the noise impacts as forecast are correct.</p>
Impact of car park noise on residential amenity	<p>The applicant's noise expert has addressed this concern raised. In summary, the acoustic expert is comfortable that the proposed impact will meet the relevant noise criteria.</p> <p>Again, as above, conditions of consent have been recommended that will ensure that compliance is achieved during the life of the development.</p>

Issue Raised	Response
<p>The Noise Impact Assessment is absence of comparison with similar buildings.</p>	<p>The applicant's noise expert has addressed this concern. They were of the opinion that a site specific approach to the assessment of the noise impacts were required. The NSW State Government's Noise Policy does not require comparisons.</p> <p>Again, as above, conditions of consent have been recommended that will ensure that compliance is achieved during the life of the development.</p>
<p>Concerns were raised that the bulk and scale of the development was not compatible with the streetscape.</p> <p>In addition, concerns were raised in respect of visual impact and height.</p>	<p>The proposed bulk and scale of the proposed development has been considered and is acceptable.</p> <p>It is noted that the overall height of the building is 9.5m, however the built form reduces in height to 1 storey fronting Richmond Road, with the built form setback behind car parking fronting Russell Street.</p> <p>In addition, the applicant proposes significant landscaping with a total of 96 trees and 523 shrubs generally around the perimeter of the development which will add value to the quality and character of the streetscape.</p>
<p>The War Memorial within Richmond Park will be adversely affected by the proposed development</p>	<p>The War Memorial and Richmond Park are not listed heritage items within the LEP nor are they located within a heritage conservation area.</p> <p>Notwithstanding, the proposed works are sufficiently setback with landscaping from the War Memorial to ensure that area of the park remains visually acceptable.</p>
<p>The proposed development will result in unacceptable lighting impacts including the car park</p>	<p>The applicant notes that exterior lighting is necessary for safe access and operation of the facility.</p> <p>The applicant has confirmed that no flood lighting or high mounted overhead lighting is proposed. Lighting will be shielded and located to minimise impacts on surrounding properties.</p> <p>Notwithstanding, it is appropriate to impose a condition of consent to ensure that lighting will not adversely impact on adjoining properties.</p>
<p>Concerns have been raised that the DA does not comply with Council's DCP.</p>	<p>An assessment of the DA has been undertaken against Council's DCP which is provided at Attachment 1.</p>
<p>Concerns have been raised in respect Stormwater Management noting the unrestrained flow and impact on McFarlane's creek and inadequate flow management</p>	<p>Council's engineers have reviewed the design and are comfortable that the stormwater design is acceptable subject to conditions.</p> <p>It is also noted that the applicant has demonstrated that the proposed design is an improvement to the existing situation</p>

Issue Raised	Response
during major storm events and pollution control measures.	and therefore the proposed development will not adversely impact surrounding areas.
Concern was raised in respect of the lack of sustainable measures included in the development.	The applicant has confirmed and is shown that they are proposing 600 photo voltaic solar panels on the roof of the development and will include battery storage.
Concern was raised in respect of the geotechnical suitability of the site for the proposed development.	<p>The applicant has provided a geotechnical site investigation which classifies the site as class P with no groundwater encountered.</p> <p>It is considered that this is sufficient for DA purposes and the design will need specialist input from qualified engineers prior to work commencing, this is a normal building process.</p>
Concerns were raised in respect of the lack of an operational management plan.	<p>The applicant was requested to respond to this concern.</p> <p>The applicant was of the opinion that Operational Plans are not required as part of a DA.</p> <p>This comment was unhelpful, and a Plan of Management should have been prepared with the DA.</p> <p>Notwithstanding, it is considered that a condition of consent can be imposed requiring the applicant to prepare a detailed Plan of Management prior to the issue of a construction certificate.</p>
Concerns over the lack of transparency and consultation	<p>This DA has been the subject of a 28 day public notification process in accordance with Council's Community Participation Plan.</p> <p>Members of the public have been provided with the opportunity to express their concerns and those concerns have been taken into consideration of the assessment of this DA.</p>
Lack of future expansion capacity	This DA has been considered on its individual merits. If Council need to provide future space as population grows, this will have to be assessed at that future time.
More suitable locations are available	The assessment of this DA has considered whether the proposed development on the subject site is acceptable.

Issue Raised	Response
	Whilst there may be other locations available for a similar facility, this DA needs to consider the individual merits of the proposal on the subject site.
Concerns over the visual impact and the need for a Visual Impact Assessment (VIA)	A VIA is not considered warranted. The applicant has prepared perspectives which provide for sufficient detail to properly assess the application.

(1)(e) The public Interest

The public interest is served through the detailed assessment of this DA under *the Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021*, Environmental Planning Instruments, Development Control Plan and policies.

That assessment has demonstrated that the proposed development has addressed the requirements of the relevant planning instruments and development controls applicable to it including the objectives of the zone.

The proposed development has also demonstrated that the site is suitable for the proposal. The proposal aims to provide a facility that will service the community through the provision of a new multipurpose facility utilized for events, community gatherings, and also as an emergency evacuation centre.

Based on the above assessment, the proposal is considered to be in the interest of the public.

7. OTHER MATTERS

Referrals

The application was referred to Council's engineers and assets section with all matters able to suitably conditioned. In addition, the DA was referred to Transport for NSW who advised that as the DA is not considered traffic generating development under SEPP (Transport and Infrastructure) 2021 that no comments were necessary.

8. CONCLUSION

The proposed development involves the demolition of existing structures including bowling green, relocation of existing playground and construction of a 'multi-purpose & evacuation centre' comprising of 2 x indoor multi court recreational facility/emergency evacuation centre and includes a storeroom, plant room, amenities, kitchen/kiosk, administration, meeting room, first aid room, waste room, off street parking and the provision of building identification signage at Lots 701 DP 1059193, and Lot 1, Section 81 DP 759004, Russell Street and Richmond Street, Tumut, known as Richmond Park.

The application has been assessed in accordance with the provisions of section 4.15 of the Environmental Planning and Assessment Act 1979.

The proposed development satisfies the relevant provisions of section 4.15 of the Environmental Planning and Assessment Act 1979, whereby the development shows no adverse environmental impacts.

The development proposes a facility that is within the community and public interests, and will adequately service the locality in a positive way. Accordingly, it is recommended that development consent be granted, subject to conditions.

9. RECOMMENDATION

That DA 2025/0026 seeking approval for the demolition of existing structures including bowling green, relocation of existing playground and construction of a 'multi-purpose & evacuation centre' comprising of 2 x indoor multi court recreational facility/emergency evacuation centre and includes a storeroom, plant room, amenities, kitchen/kiosk, administration, meeting room, first aid room, waste room, off street parking and the provision of building identification signage at Lots 701 DP 1059193, and Lot 1, Section 81 DP 759004, Russell Street and Richmond Street, Tumut, known as Richmond Park be approved subject to the conditions of consent in **Attachment 2** to this report.