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- ◆ Town Planning
 - ◆ Development Applications
 - ◆ Statement of Environmental Effects Reports
 - ◆ Rezoning Reports
 - ◆ Yield Reports

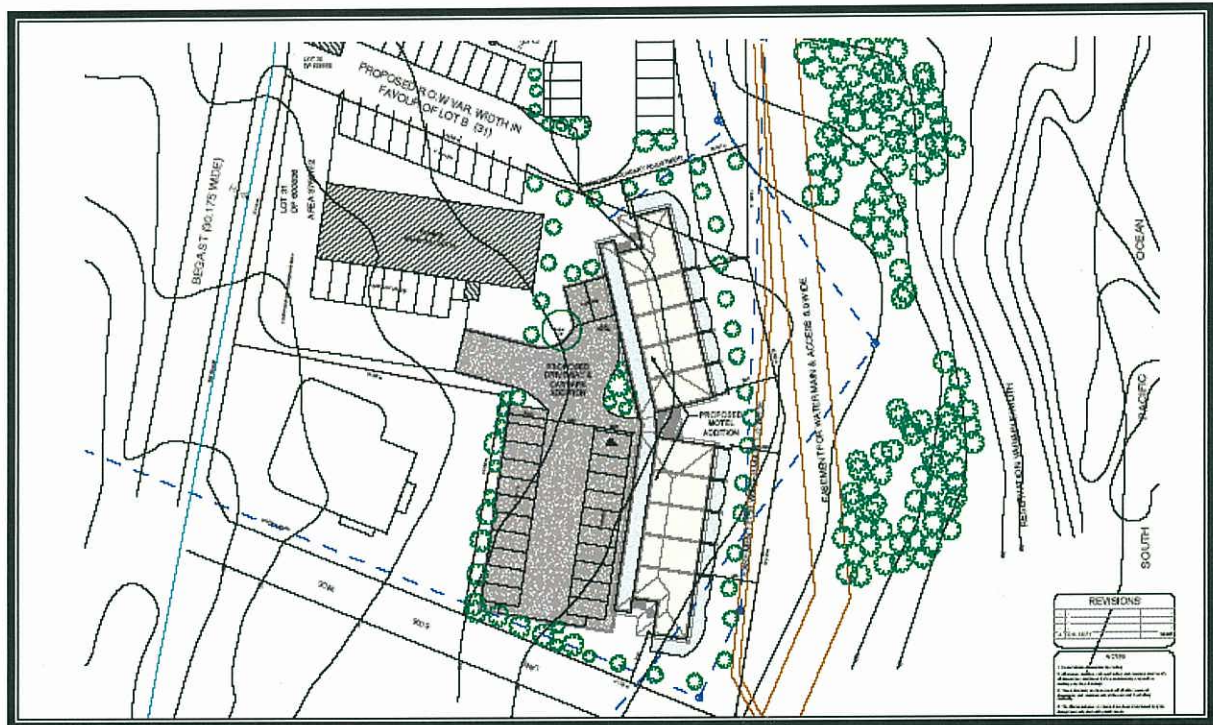
KEEPPLAN

PLANNING & DEVELOPMENT SERVICES

ENVIRONMENTAL ASSESSMENT REPORT

20 UNIT MOTEL ADDITION, TATHRA HOTEL/MOTEL 8-12 BEGA STREET, TATHRA

**Prepared by KEEPLAN, Planning and Development Services
for Mr Barrie Frost**



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EXECUTIVE SUMMARY

Approval is sought for a freestanding addition to the Tathra Hotel Motel by construction of an additional 20 motel units. To facilitate the motel addition, approval is also sought for a minor boundary adjustment with the adjoining northern lot 30, on which the Tathra hotel is sited. The Tathra Hotel is a locally listed interim heritage item under the provisions of Bega Valley Local Environmental Plan 2002.

The Motel extension is a split-level design building comprising two flared building wings with an eastern orientation over the Tasman Sea. At the direction of Bega Valley Shire Council (BVSC), the building has been specifically designed as two separate wings, divided by a wide staircase and set at angles. From above, the building will appear as a single level. It has been specifically designed and sited to limit, as much as is possible, any adverse visual impact.

The subject site is located on the Tathra Headland overlooking the Tasman Sea and is a sensitive site given its elevated coastal setting above a cliff face to the ocean. The subject site is an irregular shaped property with a total area of 3756m² that has frontage to Bega Street and falls away to the coastal headland reserve to the Tasman Sea. Access to the motel addition is via existing access arrangements from Bega Street which currently provides access to the existing motel and bottleshop.

The proposed development is permissible in the 3(a) Business (General) zone under the provisions of Bega Valley Local Environmental Plan 2002 and is consistent with the relevant clauses for consideration as detailed within the Environmental Assessment Report.

The addition represents a logical and economic commercial utilisation of the site which is currently under utilised given it is appropriately zoned 3(a) Business (General).

In view of the above, the proposal is considered appropriate and it is recommended that the consent authority grant consent.

STATEMENT OF PREPARATION

This Statement has been prepared on behalf of the Frost Group, being the owner of the subject land. The Statement accompanies the Part 3A Major Project Application made in respect of a development described as:

Proposal: 20 Unit Motel addition

Real Property Description: Lots 30 & 31 DP 606559

Street: Bega Street

Locality: Tathra

Name and address of person who prepared Environmental Assessment Report:-

John Mckee
KEEPLAN, Planning and Development Services
John R Mckee Pty Ltd
P.O Box 256
Bega NSW 2550

I, John Mckee, of KEEPLAN, Planning and Development Services hereby certify that the contents of this Environmental Assessment Report is neither false nor misleading.



(Signature)

(Date)25 July 2007.....

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Appendices

1.	Statement of Heritage Impact prepared by Victoria Design & Management Pty Ltd;
2.	Aboriginal Archaeological Assessment Report prepared by NSW Archaeology Pty Ltd;
3.	Geotechnical Report prepared by Van Leeuwen & Stoddard, Consulting Engineers;
4.	Soil, Water & Management Plan prepared by Van Leeuwen & Stoddard, Consulting Engineers;
5.	Stormwater Plan prepared by Van Leeuwen & Stoddard, Consulting Engineers;
6.	Arborist Report prepared by Mr Jace Ellard;
7.	Energy Assessment report prepared by Michael Hallahan & Associates Pty Ltd.
8.	Traffic Study prepared by Andrew Marshman & Associates,
9.	Photomontage prepared by KL & CM Gordon Drafting Services

1.0 INTRODUCTION

KEEPLAN, Planning and Development Services has been commissioned by Mr Barrie Frost to prepare an Environmental Assessment Report for a proposed 20 unit freestanding motel addition upon the Tathra Hotel Motel site and also a minor boundary adjustment with the adjoining northern property Lot 30 on which the Hotel is sited.

The proposed development constitutes a “major project” under the provisions of Schedule 2 Part 3A of the Major Projects State Environmental Planning Policy given it proposes the erection of a *recreational or tourist facility in a sensitive coastal location outside the metropolitan coastal zone—that provides accommodation (or additional accommodation) for any number of persons*

The environmental assessment report has been prepared in response to the Director General’s Requirements dated 5 May 2006 and incorporates the following:

- Executive summary
- Description of Existing Environment
- Description of Development
- An assessment of the potential impacts of the project and key issues
- A description of the measures implemented to avoid, minimise, mitigate, manage or monitor the impacts of project
- A signed statement certifying that the report is neither false or misleading

The application should be read in conjunction with the architectural plans prepared by KL & CM Gordon Drafting Services and the following expert supporting reports:

- Statement of Heritage Impact prepared by Victoria Design & Management Pty Ltd;
Appendix 1
- Aboriginal Archaeological Assessment Report prepared by NSW Archaeology Pty Ltd;
Appendix 2
- Geotechnical Report prepared by Van Leeuwen & Stoddard, Consulting Engineers;
Appendix 3
- Soil, Water & Management Plan prepared by Van Leeuwen & Stoddard, Consulting Engineers; **Appendix 4**
- Stormwater Plan prepared by Van Leeuwen & Stoddard, Consulting Engineers;
Appendix 5
- Arborist Report prepared by Mr Jace Ellard; **Appendix 6**
- Energy Assessment report prepared by Michael Hallahan & Associates Pty Ltd.
Appendix 7
- Traffic Study prepared by Andrew Marshman & Associates, **Appendix 8**
- Photomontage prepared by KL & CM Gordon Drafting Services, **Appendix 9**

2.0 DESCRIPTION OF EXISTING ENVIRONMENT

2.1 Location

The subject site is located on the Tathra coastal headland overlooking the Tasman Sea. The development site is located on the immediate southern side of the locally heritage listed Tathra Hotel.

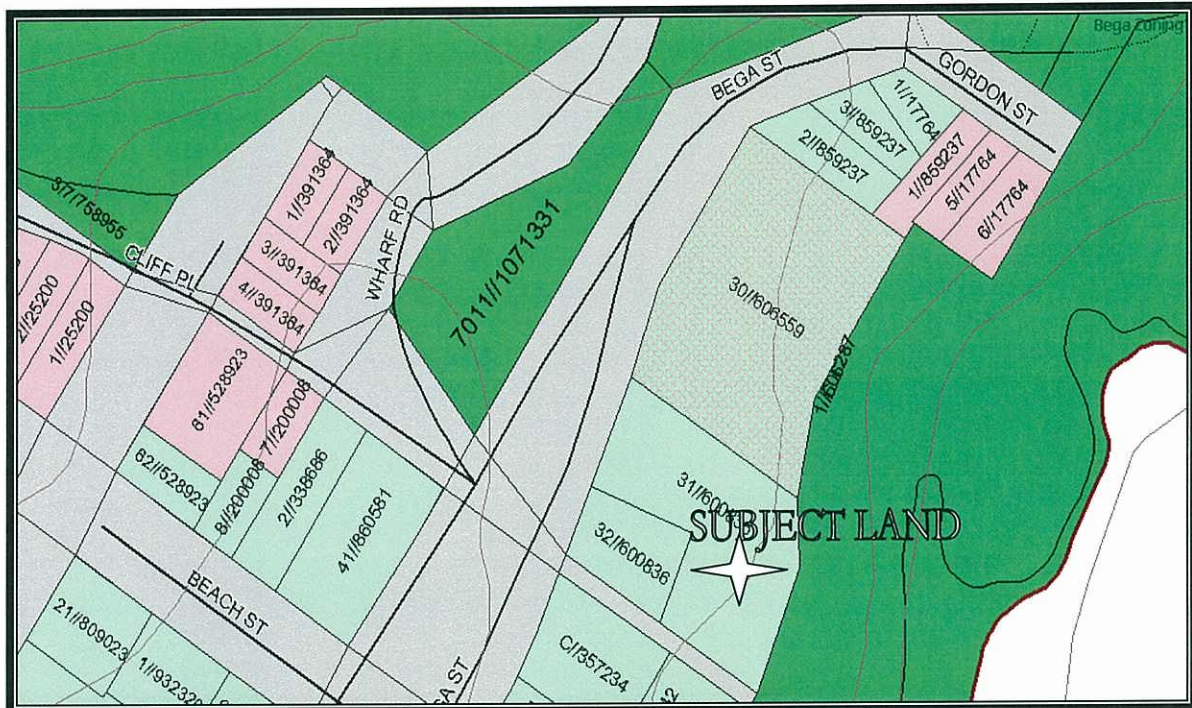


Figure 1 Locality Plan

2.2 Site Description

The property's legal description is Lot 31 DP 606559, which comprises the existing Motel and Lot 30 DP 600836, which comprises the existing Hotel, Bega Street, Tathra.

The subject land (lot 31) containing the existing motel is generally irregular shaped and has an area of 3756m². The proposed boundary adjustment will marginally increase the area of lot 31 to 3950m² and reduce the size of the hotel property (lot 30) to 5936m².

The site has a frontage of 37.905 metres to Bega Street, a depth of approximately 81 metres and rear boundary frontage to a cliff face public reserve of 65.27 metres.

The site of the motel addition comprises maintained grassland and is generally devoid of vegetation apart from a single Norfolk Island Pine, which is located on the eastern side of the existing motel and will be retained as part of the development.

The higher western portion of the property, above the proposed motel site, contains an existing split level red brick motel complex comprising 12 units and associated car parking provision.

The lower eastern portion of the site where the motel addition is proposed is has a gentle slope to the east. To the east of the site, directly adjoins a public reserve which falls away steeply in the form of cliff faces to the Tasman Sea.

Access to the motel addition is proposed via the existing main southern driveway to the site which serves the existing motel and bottle shop. Access arrangements to the motel addition are proposed via the extension of the existing 7.0m wide bitumen sealed driveway around the rear southern side of the existing motel which narrows to 6.0 metres where the addition is proposed.

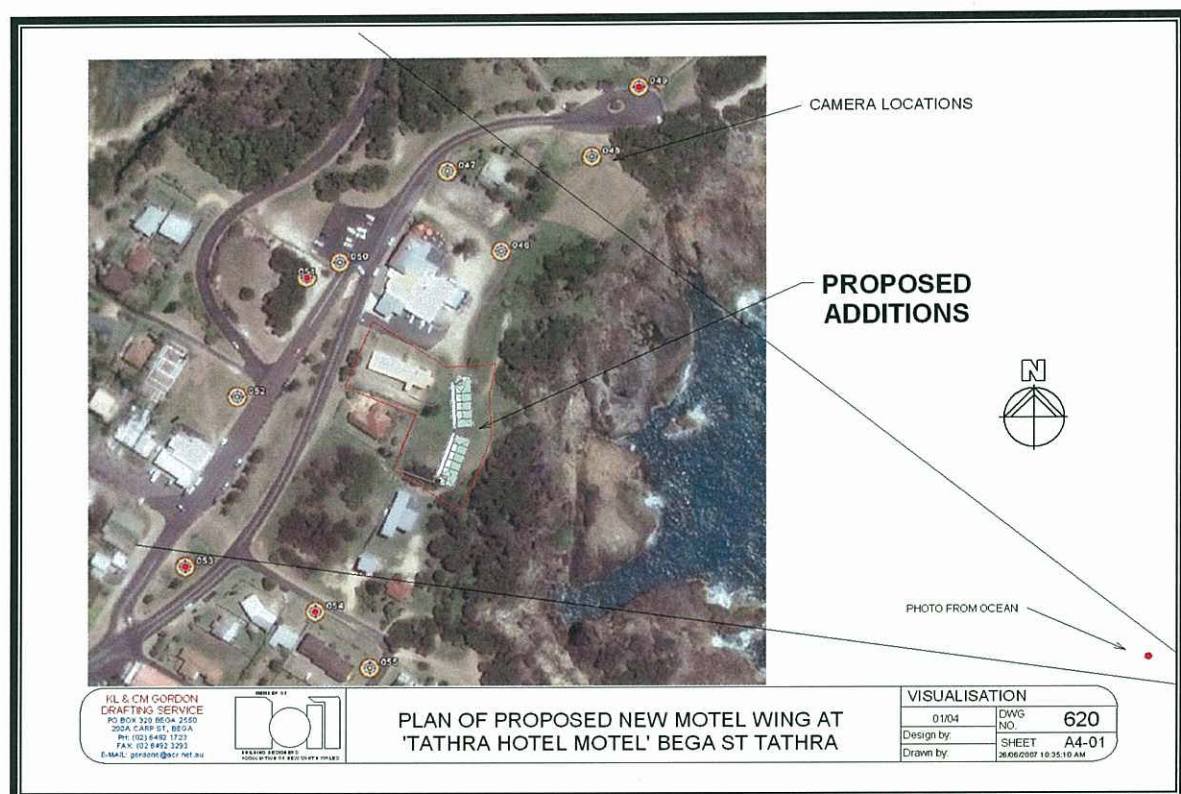


Figure 2 Aerial view of site



Photograph 1 View facing east from Bega Street towards existing hotel, bottle shop and eastern end of existing motel units



Photograph 2 View facing east depicting bottle shop & existing motel units



Photograph 3 View facing east towards Tasman Sea and existing tee tree above cliff face

2.3 Site Context

The subject site is located on the Tathra Headland overlooking the Tasman Sea and is a sensitive site given its elevated coastal setting above a cliff face to the ocean.

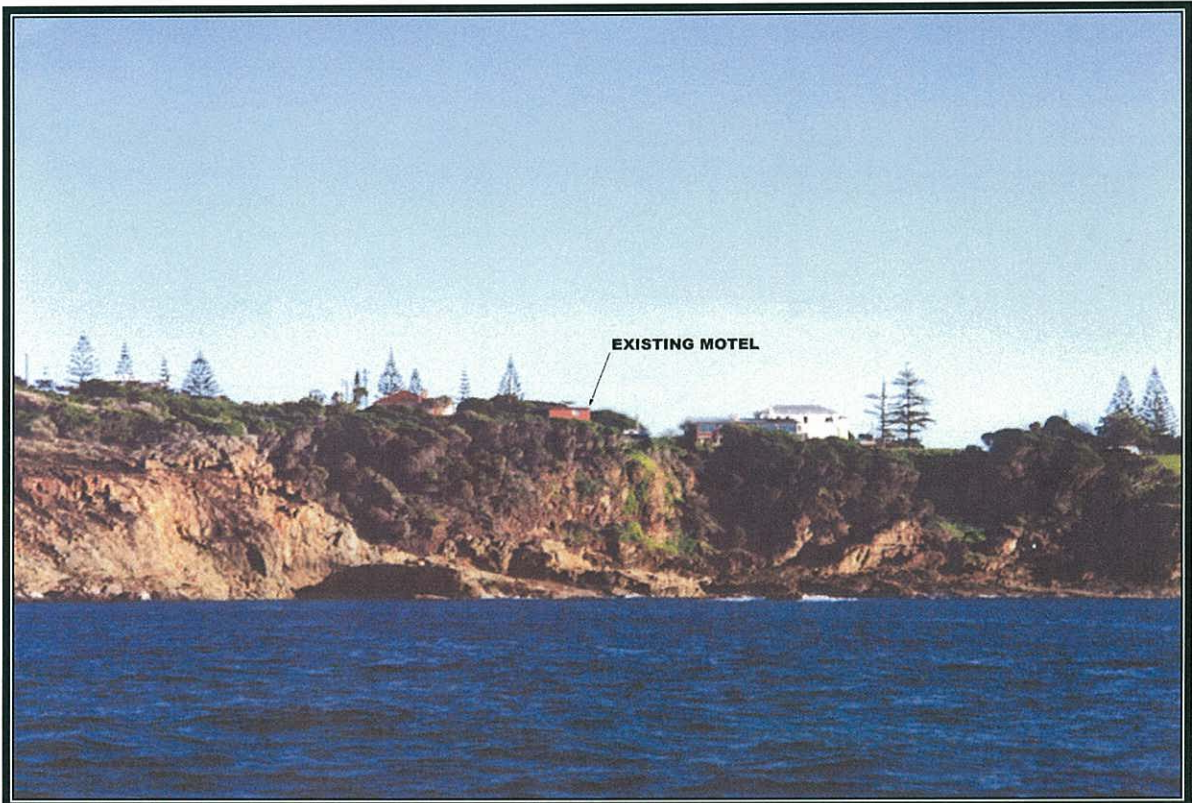
The site of the motel addition directly adjoins the locally heritage listed Tathra Hotel to the north which is a two storey weatherboard building.

The property backs onto a variable width coastal foreshore reserve to the Tasman Sea which comprises an existing sewer pumping station and cliff face area.

To the immediate south the site adjoins an established split level brick dwelling which is owned by the Hotel.



Photograph 4 View facing east from subject site over adjoining public reserve & existing tee tree



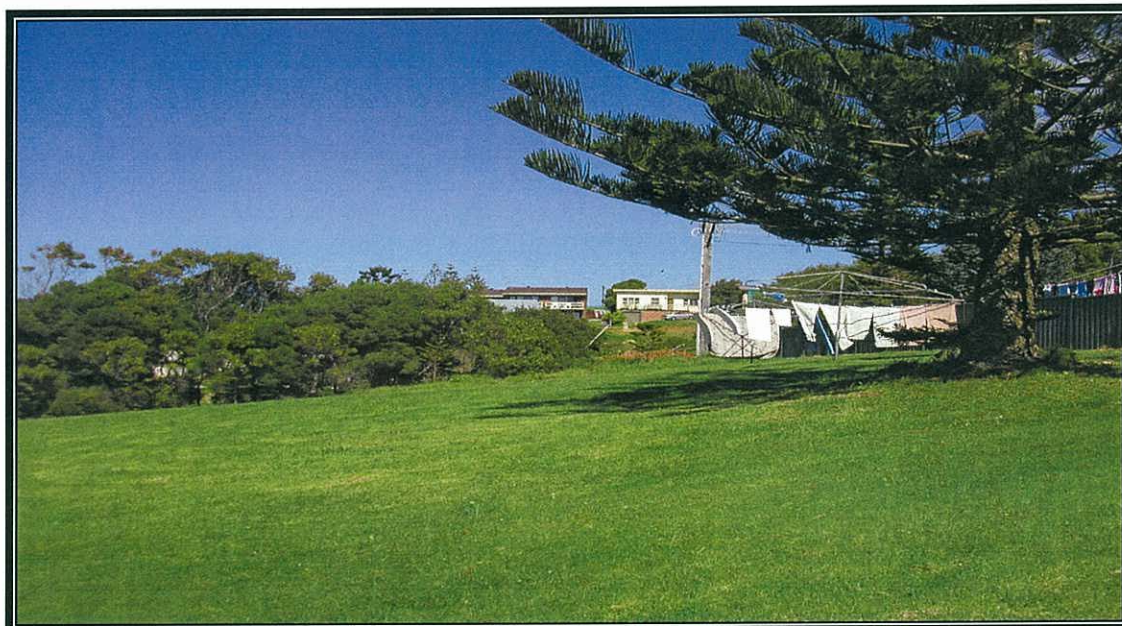
Photograph 5 View facing west from the Tasman Sea showing existing motel and hotel buildings.



Photograph 6 View facing south west towards adjoining brick residence upon lot 32 which is utilised as a hotel manager's residence.



Photograph 7 View facing north from proposed site of motel



Photograph 8 View facing south from proposed site of motel



Photograph 9 View of existing sewer pump station upon lower portion of adjoining public reserve

3.0 DESCRIPTION OF DEVELOPMENT

Approval is sought for a freestanding 20 unit motel addition to the existing Tathra Motel Hotel and also a minor boundary adjustment with lot 31 DP 600836 & lot 30 DP 606559.



Figure 3 Site Plan of development

At the direction of Bega Valley Shire Council, the proposed Motel addition is a specifically designed split level building, comprising two flared wings, set at angles divided by a wide staircase with an eastern orientation over the Tasman Sea. The motel addition is sited on the lower eastern side of the existing motel.

Each wing of the building has a length of 27 metres and a depth of 8.5 metres. The building has a maximum height of 7.0 metres measured from the natural ground level to the ridge of the roof and 5.0 metres to the ceiling of the building.

The building is proposed to be constructed of double brick wall materials which will be rendered. The roof design is of a hip shape and will be constructed of metal clad materials (colorbond). An open metal balcony is also proposed around the entire frontage of the building.



Photo 10 Image of motel addition facing west

Each unit comprises typical motel facilities and has been designed to the relevant Australian Standard for disabled access and amenities.

The motel addition is setback approximately 59 metres from Bega Street and has a variable rear boundary setback to the eastern coastal cliff face reserve ranging from 6.5metres at the southern end to 7.0 metres at the northern end. It has a southern side boundary setback of 7.3metres to an unconstructed paper laneway and northern side boundary setback of 5.2metres to the hotel property.

Access arrangements to the car park are proposed via the existing bitumen driveway to Bega Street which will be extended around southern side of the existing motel. The motel addition has provision for a sealed bitumen car park located on the western side of the motel addition comprising a total of 23 new car parking spaces, including 1 disabled space. The proposed motel indicates an existing 29 car parks which combined with the additional 23 totals 52 car parking spaces.



Approval is also sought for a boundary adjustment to partially relocate the current common dividing boundary of lot 31 DP 600836, (which the motel addition is proposed upon) and the adjoining northern lot 30 DP 606559, (which the existing hotel is erected upon), marginally further north.

4.0 KEY ISSUES

	<u>KEY ISSUES SUMMARY REFERENCE</u>
4.1	Statutory & Other Requirements Addressed under Section 4.1 of Environmental Assessment Report.
4.2	Cumulative Impacts on Water Quality and Wetlands; Stormwater; Sedimentation and Soil Erosion Addressed under Section 4.2 of Environmental Assessment Report. Stormwater plan prepared by Leeuwin & Stoddard Consulting Engineers submitted with proposal. Appendix 4
4.3	Design, Visual Impacts and Design Quality Principles Addressed under Section 4.3 of Environmental Assessment Report. Photomontage providing visual analysis of the proposal in the context of the existing surrounding environment provided. Appendix 9
4.4	Heritage Addressed under Section 4.4 of Environmental Assessment Report. Detailed Heritage Impact Report and Archaeological Assessment Report submitted. Appendices 1 & 2
4.5	Traffic impacts (Construction & Operational) Addressed under Section 4.5 of Environmental Assessment Report. Detailed Traffic Study prepared by Andrew Marshman & Associates. Appendix 8
4.6	Flora & Fauna Impacts Impact of proposal upon existing Norfolk Pine tree addressed under Section 4.6 of Environmental Assessment Report. Detailed Aborist report prepared. Appendix 6
4.7	Impacts on water quality and soil erosion Addressed under Section 4.7 of Environmental Assessment Report. Stormwater plan prepared by Van Leeuwin & Stoddard, Consulting Engineers. Appendix 5

4.8	Noise Impacts Addressed under Section 4.8 of Environmental Assessment Report.
4.9	Land Delineation Addressed under Section 4.9 of Environmental Assessment Report.
4.10	Utilities Addressed under Section 4.10 of Environmental Assessment Report.
4.11	Waste Management Addressed under Section 4.11 of Environmental Assessment Report.
4.12	Provision of Public Services and Infrastructure Addressed within Section 4.12 of Environmental Assessment Report.
4.13	Social & economic Context Addressed within Section 4.13 of Environmental Assessment Report.
4.14	Tourism Addressed within Section 4.14 of Environmental Assessment Report.
4.15	Matters of National Environmental Significance Addressed within Section 4.15 of Environmental Assessment Report.
4.16	General Environmental Risk Analysis/Draft Statement of Commitment Addressed within Section 4.16 of Environmental Assessment Report.

4.1 STATUTORY AND OTHER PLANNING REQUIREMENTS

4.1.1 State Environmental Planning Policy (Major Projects)

The proposed development constitutes a “major project” under the provisions of Schedule 2 Part 3A of the Major Projects State Environmental Planning Policy given it proposes the erection of a:

(f) recreational or tourist facilities (other than internal refits of, or minor alterations or minor additions to, existing facilities):

(i) in the case of facilities wholly or partly in a sensitive coastal location outside the metropolitan coastal zone—that provide accommodation (or additional accommodation) for any number of persons, or

4.1.2 State Environmental Planning Policy No.71-Coastal Protection (SEPP 71)

The site is located within the 1 kilometre “coastal zone” as defined under Section 4A of the Coastal Protection Act 1979 and also constitutes a “sensitive coastal location” as defined under SEPP 71.

Before the consent authority may determine the proposal, it must consider the following Clause 8 Matters for consideration under SEPP 71-Coastal Protection:

Clause 8 Matters for consideration

The matters for consideration are the following:

- (a) the aims of this Policy set out in clause 2,*
- (b) existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved,*
- (c) opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability,*
- (d) the suitability of development given its type, location and design and its relationship with the surrounding area,*

- (e) any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore,*
- (f) the scenic qualities of the New South Wales coast, and means to protect and improve these qualities,*
- (g) measures to conserve animals (within the meaning of the Threatened Species Conservation Act 1995) and plants (within the meaning of that Act), and their habitats,*
- (h) measures to conserve fish (within the meaning of Part 7A of the Fisheries Management Act 1994) and marine vegetation (within the meaning of that Part), and their habitats*
- (i) existing wildlife corridors and the impact of development on these corridors,*
- (j) the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards,*
- (k) measures to reduce the potential for conflict between land-based and water-based coastal activities,*
- (l) measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals,*
- (m) likely impacts of development on the water quality of coastal waterbodies,*
- (n) the conservation and preservation of items of heritage, archaeological or historic significance,*
- (o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities,*
- (p) only in cases in which a development application in relation to proposed development is determined:*
 - (i) the cumulative impacts of the proposed development on the environment, and*
 - (ii) measures to ensure that water and energy usage by the proposed development is efficient.*

Note. Clause 92 of the Environmental Planning and Assessment Regulation 2000 requires the Government Coastal Policy (as defined in that clause) to be taken into consideration by a

consent authority when determining development applications in the local government areas identified in that clause or on land to which the Government Coastal Policy applies.

Comment:

The subject land is a sensitive site and the future built environment needs to be carefully considered so as to preserve the natural coastal and scenic qualities of the locality. The various clause 8 issues for consideration are addressed further in this report.

4.1.3 State Environmental Planning Policy No.11-Traffic Generating Developments (SEPP 11)

The motel addition does not constitute a Schedule 1 or 2 development under the provisions of State Environmental Planning Policy No.11-Traffic Generating Developments and accordingly the proposal does not formally require consideration by the Local Traffic Committee or Regional Traffic Committee under SEPP 11.

4.1.4 Bega Valley Local Environmental Plan 2002

The proposed motel addition is a permissible use in the 3(a) Business (General) zone under Bega Valley Local Environmental Plan 2002 with consent.

The proposal is subject to consideration under the following clauses of BV LEP 2002:

Clause 30 Business (General) Zone Objectives

The objectives of the 3(a) Business (General) zone are:

- (a) to encourage a high standard of commercial development, create compact business centres which service the population and visitors and facilitate the expansion of business activities in appropriate locations,*
- (b) to set aside certain land for the provision of services required by the travelling public for the development of facilities for refreshment, accommodation, recreation and amusement,*
- (c) to permit non-commercial development where such development complements the intended commercial character of the locality, including dwellings attached to commercial development.*

Comment:

The proposed development is of a high standard commercial development. It will meet the demand for visitors and facilitate the expansion of business activities in a

location that is appropriate given the site's long history for the use as a hotel and accommodation facility.

Clause 36 Subdivision in business & industrial zones

- (1) A person shall not subdivide land in a business or industrial zone except with development consent.*
- (2) Consent may be granted to a subdivision of land within a business or industrial zone only if each allotment to be created by the proposed subdivision will be of a size and will have a ratio of depth to frontage, that the consent authority considers appropriate:*
- (a) having regard to the purpose for which the allotment is intended to be used, or*
 - (b) to facilitate future business or industrial development of the land.*

Comment:

The application seeks approval for a minor boundary adjustment and does not propose the creation of additional lots. Each proposed allotment is capable of accommodating the existing motel & hotel along with the proposed motel addition.

The boundary adjustment facilitates further expansion of the existing Tathra Hotel and Motel.

Clause 56 Aims in relation to heritage

The aims of this plan in relation to heritage are:

- (a) to conserve the environmental heritage of the local government area of Bega Valley,*
- (b) to conserve the heritage significance of existing significant fabric, relics, settings, and views associated with the heritage significance of heritage items,*
- (c) to allow for the protection of places which have the potential to have heritage significance but are not identified as heritage items,*
- (d) to integrate heritage conservation into the planning and development control processes,*
- (e) to provide for public involvement in the conservation of environmental heritage, and*

- (f) to ensure that any development does not adversely affect the heritage significance of heritage items and their settings.*

Comment:

The subject land comprising the existing Tathra Hotel is a locally listed interim heritage item under Bega Valley LEP 2002.

A detailed Heritage Impact Statement has been prepared by Victoria Design & Management Pty Ltd concluding that the motel addition will not have an adverse impact upon the heritage significance of the Tathra hotel. (*Appendix 1*)

Clause 57 Protection of heritage items and relics

- (1) The following development may be carried out only with development consent:*

- (a) demolishing, defacing or damaging a heritage item,*
- (b) altering a heritage item by making structural changes to its interior,*
- (c) altering a heritage item by making structural or non-structural changes to the detail, fabric, finish or appearance of its exterior, except changes resulting from any maintenance necessary for its ongoing protective care which does not adversely affect its heritage significance,*
- (d) moving the whole or part of a heritage item,*
- (e) moving a relic, or excavating land for the purpose of discovering, exposing or moving a relic, or*
- (f) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing or having a reasonable cause to suspect that the disturbance or excavation is likely to result in a relic being damaged, disturbed or excavated, or*
- (g) erecting a building on, or subdividing, land on which a heritage item is located.*

- (2) What exceptions are there?*

Development consent is not required by this clause if:

- (a) in the opinion of the Council:*

- (i) the proposed development is of a minor nature or consists of maintenance of the heritage item, and*
 - (ii) the proposed development would not adversely affect the significance of the heritage item, and*
- (b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development consent is not otherwise required by this plan.*
- (3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, to relics in the form of grave goods or to a place of Aboriginal heritage significance:*
 - (a) the creation of a new grave or monument, or*
 - (b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.*
- (4) What must be included in assessing a developed application? Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item concerned.*
- (5) What extra documentation is needed the assessment must include consideration of a heritage impact statement that addresses at least the following issues (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a conservation management plan, if it considers the development proposed should be assessed with regard to such a plan.*
- (6) The minimum number of issues that must be addressed by the heritage impact statement are:*
 - (a) the heritage significance of the heritage item as part of the environmental heritage of Bega Valley, and*
 - (b) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and*
 - (c) the measures proposed to conserve the heritage significance of the item and its setting, and*

- (d) whether any archaeological site or potential archaeological site would be adversely affected by the proposed development, and*
- (e) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision.*

Comment:

The Tathra Hotel is a listed interim heritage item under Schedule 6 of BVLEP 2002. A detailed Heritage Impact Statement has been prepared by Victoria Design & Management Pty Ltd concluding that the motel addition will not have an adverse impact upon the heritage significance of the Tathra hotel. (*Appendix 1*)

An Aboriginal Archaeological Assessment survey has also been prepared by NSW Archaeology Pty Ltd detailing that the motel addition will not have any adverse impact upon the archaeological significance of the site. (*Appendix 2*)

Clause 59 Interim heritage items

- (1) A person shall not demolish an interim heritage item except with development consent.*
- (2) Consent must not be granted to a development application required by subclause (1) unless the consent authority has made an assessment of:*
 - (a) the significance of the item as an interim heritage item, and*
 - (b) the extent to which the carrying out of the development in accordance with the consent would affect the heritage significance of the item and its site, and*
 - (c) whether the setting of the item and, in particular, whether any stylistic, horticultural or archaeological features of the setting should be retained, and*
 - (d) whether the item constitutes a danger to the users or occupiers of that item or to the public, and*
 - (e) measures to be taken to conserve interim heritage items, including any conservation plan prepared by the applicant.*

Comment:

The Tathra Hotel is a listed interim heritage item under Schedule 6 of BVLEP 2002. A detailed heritage impact statement has been prepared by Victoria Design & Management Pty Ltd, concluding that the motel addition will not have an adverse impact upon the heritage significance of the Tathra Hotel. (*Appendix 1*)

Clause 61 Development in the vicinity of heritage items

- (1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item.*
- (2) This clause extends to development:*
 - (a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or*
 - (b) that may undermine or otherwise cause physical damage to a heritage item, or*
 - (c) if the heritage item is a place, that will otherwise have any adverse impact on the heritage significance of the place within which it is situated.*
- (3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.*
- (4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.*

Comment:

A detailed heritage impact statement has been prepared by Victoria Design & Management Pty Ltd concluding that the motel addition will not have an adverse impact upon the heritage significance of the Tathra hotel.

Victoria Design & Management Pty Ltd has advised that the proposed motel addition is sited on the lower portion of the site and is not physically linked to the original hotel. Neither does the new building have an impact on views and vistas to and from the original Hotel, including views to and from the Tasman Sea. The proposed designs are also based on traditional architectural elements already evident at the site such as hipped roofs, verandas and balconies. (*Appendix 1*)