8.2 DA0271/2021 - Change of Use - Yoga Studio to Shop - 15-17 Byron Place, Mudgee

#### REPORT BY THE PLANNING COORDINATOR

TO 21 APRIL 2021 ORDINARY MEETING GOV400088, DA0271/2021

#### RECOMMENDATION

# **That Council:**

- A. receive the report by the Planning Coordinator regarding Development
  Application DA0271/2021 Change of Use Yoga Studio to Shop 15-17 Byron
  Place, Mudgee; and
- B. approve DA0271/2021 Change of Use Yoga Studio to Shop 15-17 Byron Place, Mudgee subject to the following conditions and Statement of Reasons:

#### CONDITIONS

# PARAMETERS OF CONSENT

1. Development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below, except as varied by the conditions herein.

Title/Name	Drawing No/ Document Ref	Revision/Issue	Dated	Prepared by
Floor Plan	-	-	Undated	-

- 2. For clarity, this development consent provides approval for a change of use to shop, on the upper level of the building only. No building works are approved as part of this development consent.
- 3. This approval does not provide any indemnity to the owner or applicant under the Disability Discrimination Act 1992 with respect to the provision of access and facilities for people with disabilities.

#### PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

- 4. Under Clause 93 of the *Environmental Planning and Assessment Regulations 2000*, the fire protection measures in the building are to be improved and be brought into conformity with respect to Category 1 fire safety provisions. In this regard, the building shall comply with:
  - a) Performance Requirement DP4 'Exits' of NCC 2019, BCA Volume 1 (amendment 1), in relation to all required Exits within the building including barrier protection at the discharge Exit points and contrasting slip-resistant treads;
  - b) Performance Requirement DP6 'Path of travel to exits' of NCC 2019, BCA Volume 1 (amendment 1), in relation to the path of travel to all required Exits within the building;

- c) Performance Requirement EP2.2 'Safe evacuation routes' of NCC 2019, BCA Volume 1 (amendment 1);
- d) Performance Requirement EP4.1 'Visibility in an emergency' of NCC 2019, BCA Volume 1 (amendment 1), in relation to emergency lighting throughout the building; and
- e) Performance Requirement EP4.2 'Identification of exits' of NCC 2019, BCA Volume 1 (amendment 1), in relation to all directional and required Exit signage throughout the building.

Plans and specifications for the installation of the required fire safety measures must be submitted to and approved by Council prior to installing.

Certification from a suitably qualified *Building Code of Australia* person stating compliance with the above performance requirements and for the installation of the required measures is to be provided to Mid-Western Regional Council prior to the final inspection and prior to use of the building.

- 5. The list of measures contained in the fire safety schedule attached to the Development Consent are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the Environmental Planning and Assessment Regulation 2000.
- 6. Once all fire safety measures have been installed and commissioned, a final inspection is to be arranged with Council.
  - Note payment of the applicable fee pursuant to Council's adopted fees and charges is to be made prior to Council conducting a final inspection.
- 7. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building.
- 8. Prior to occupation or the issue of the Occupation Certificate the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate in accordance with Clause 153 of the *Environmental Planning and Assessment Regulation 2000* for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of Fire & Rescue NSW and a copy is to be prominently displayed in the building.

# **OPERATIONAL/ ONGOING**

The following conditions have been applied to ensure that the use of the land and/or building is carried out in a manner that is consistent with the aims and objectives of the environmental planning instrument affecting the land.

9. For every 12 month period after the issue of the final Fire Safety Certificate the owner/agent of the building must provide Mid-Western Regional Council and the Commissioner of Fire and Rescue NSW with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.

- 10. Where any essential services are installed in the building a copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of Fire and Rescue NSW and Council. A further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
- 11. All waste generated by the development is to be disposed of to a Council approved waste facility. All fees and charges for disposal are to be borne by the developer.
- 12. Garbage areas are to be adequately screened from public. All waste must be secured in enclosed containers.
- 13. The hours of operation of the development are limited to the following:
  - a) 7am to 6pm, Monday to Friday; and
  - b) 7am to 2pm, Saturday; and
  - c) No activities are to be undertaken on Sundays and public holidays.
- 14. Despite other conditions of consent that limit hours of operation, VIP events may be held for a single day, twice per year. The hours of the VIP events are confined to 9am to 8pm.
- 15. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with *Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting"*.
- 16. No display or sale of goods is to take place from public areas or footpaths fronting the premises.
- 17. There being no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.
- 18. The development is to be maintained in a clean and tidy manner, at all times.

# STATEMENT OF REASONS

- 1. The proposed development complies with the requirements of the applicable environmental planning instruments and *Mid-Western Regional Development Control Plan 2013.*
- 2. The proposed development is considered satisfactory in terms of the matters identified in Section 4.15 of the *Environmental Planning and Assessment Act 1979.*

#### OTHER APPROVALS

Not applicable.

#### **ADVISORY NOTES**

1. The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning - Public Places".

- 2. The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.
- 3. Division 8.2 of the Environmental Planning and Assessment Act (EP&A Act) gives you the ability to seek a review of the determination. This request is made to Council and must be made within 12 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee; please contact Council's Development Department for more information or advice.
- 4. If you are dissatisfied with this decision section 8.7 of the EP&A Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice, pursuant to section 8.10(1)(b).
- 5. To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the EP&A Act.

# Executive summary

OWNER/S	Woolpack Mudgee Hotel Pty Ltd
APPLICANT:	Ms Belinda A Barbera
PROPERTY DESCRIPTION	15-17 Byron Place, Mudgee (Lot 111 DP1136686)
PROPOSED DEVELOPMENT	Change of Use – Yoga Studio to Shop
ESTIMATED COST OF DEVELOPMENT:	Not applicable
REASON FOR REPORTING TO COUNCIL:	A Councillor is the owner of the subject land
PUBLIC SUBMISSIONS:	Nil

Council is in receipt of a development application that seeks approval to change the use of the upper level of 15-17 Byron Place, Mudgee (Lot 111 DP1136686) from a yoga studio to a shop.

No building works are associated with the proposed change of use.

The prospective tenant, the Vape Wizard, seeks to install their logo and name onto existing signs. These signs include awning fascia signs and a top hamper sign.

The application was not required to be notified or advertised in accordance with the *Mid-Western Regional Community Participation Plan 2019*. No submissions were received during the assessment period.

As the proposal involves land that is owned by a Councillor, the application cannot be determined by delegated staff – Council is required to determine the application.

The application is recommended for approval.

Disclosure of Interest

# Background

# SUBJECT SITE

The subject site is located at 15-17 Byron Place, Mudgee. The site has an area of 346 m<sup>2</sup>. The site contains a two-storey commercial building. The upper level of the building is currently vacant but was most recently used as a yoga studio. The upper level is accessed via a stairway which is accessed from an entrance leading onto Byron Place. The lower level is currently occupied by Sureway Employment Agency.

The building is not listed as a Heritage Item, but is located in the Mudgee Heritage Conservation Area.

There are no on-site car parking spaces available for the proposed use.

The eastern part of the site is affected by a right-of-carriageway providing access to the rear of the Woolpack Hotel.



# PROPOSED DEVELOPMENT

Council has received a development application for a change of use (yoga studio to shop) at 15-17 Byron Place, Mudgee. The change of use relates to the upper level of the building only.

No building works are associated with the proposed change of use.

The prospective tenant, the Vape Wizard seeks to install their logo and name onto existing signs. These proposed signs are summarised as follows:

- Replacement of the awning fascia sign facing the west (side) of the building;
- Replacement of the awning fascia sign facing Byron Place; and
- Replacement of the top hamper sign, above the entry door into the tenancy, facing Byron Place.

The shop will sell vaping products, including the electronic vaping units and the liquids to go with them. A total of 3 staff will be associated with the shop. The proposed hours of operation are:

- 9am to 6pm Monday to Friday;
- 10am to 2pm Saturday;
- Closed Sunday; and
- 9am to 8pm extended hours for VIP events two times per year.

# Detailed report

LEGISLATIVE REQUIREMENTS

# **Environmental Planning and Assessment Act 1979 (EP&A Act)**

Designated Development

Not applicable.

The proposed development is not identified as designated development, in accordance with Schedule 3 of the *Environmental Planning and Assessment Regulation 2000.* 

Integrated Development

The development proposal is not considered to be Integrated Development, in accordance with section 4.46 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

SECTION 4.15(1) - MATTERS FOR CONSIDERATION - GENERAL

The application has been assessed in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. The main issues are addressed below as follows.

# (a) <u>Provisions of any Environmental Planning Instrument and any draft EPI – 4.15(1)(a)(i)</u> and (ii)

#### State Environmental Planning Policy No 55 – Remediation of Land

A review of Council's records and site inspection did not reveal any evidence of a potentially contaminating activity. Accordingly, no further consideration is necessary.

# State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The proposed change of use of the commercial premises cannot be exempt development as the most recent use of the tenancy was a yoga studio. Consequently, the proposed use requires development consent from Council.

The replacement of the two awning fascia signs (one facing the side and one facing Byron Place) comply with the exempt requirements for "fascia signs" and no development consent is required for the replacement of these signs.

The replacement of the top hamper sign above the doorway at ground level complies with the exempt requirements for "top hamper signs" and no development consent is required for the replacement of this sign.

# Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012)

The following clauses of the MWRLEP 2012 have been assessed as being relevant and matters for consideration in the assessment of the Development Application.

# 1.2 Aims of Plan

The proposed development is not contrary to the relevant aims and objectives of the plan.

# 1.4 Definitions

The proposal is defined in accordance with the MWRLEP 2012 as a:

**shop** means premises that sells 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.

**Note—** Shops are a type of *retail premises*—see the definition of that term in this Dictionary.

# 2.3 Zone objectives and Land Use Table

The land is zoned B3 – Commercial Core pursuant to MWRLEP 2012. The proposal, being a shop, is permissible with consent in the zone and complies with the relevant objectives.

The objectives of the zone and how the proposal satisfies the objectives is addressed below:

#### **B3 Commercial Core**

- 1. To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
  - **Comment** The proposal contributes to the range of land uses available within the downtown area.
- 2. To encourage appropriate employment opportunities in accessible locations.
- **Comment** The proposal will provide for additional employment opportunities in the downtown area.
- 3. To maximise public transport patronage and encourage walking and cycling.
  - **Comment** The proposal adds to the consolidation of commercial enterprises in the downtown area, which is expected to encourage walking and cycling and the use of public transport to a central location.
- 4. To promote the central business district of Mudgee as the major focus for retail and commercial activity in Mid-Western Regional.
  - **Comment** The proposal will contribute to the central business district of Mudgee as the major focus for commercial activity.
- 5. To consolidate business development in the Mudgee town centre and avoid unnecessary or inappropriate expansion of business-related land uses into surrounding residential neighbourhoods.
- **Comment** The proposal will contribute to the central business district of Mudgee as the major focus for commercial activity.

- 6. To ensure that new development is compatible with the historic architectural character and streetscapes of the Mudgee commercial core area.
  - **Comment** The proposed use does not involve any significant building additions or alterations that would impact upon the heritage streetscape.
- 7. To ensure that the form and layout of new development is designed to encourage free pedestrian movement and connectivity within the commercial core.
- **Comment** The proposal provides for the continued free pedestrian movement throughout the CBD.
- 4.6 Exceptions to development standards

Not applicable.

# 5.10 Heritage Conservation

The subject site is not listed as a Heritage Item but is located in the Mudgee Heritage Conservation Area. No physical building works are proposed as part of this application. The proposed change of use will involve replacement of existing awning fascia signs and a top hamper sign to refer to the new shop's business name and logo. The replacement of signs will not have a significant impact on the character of the Mudgee Heritage Conservation Area.

# 6.2 Flood planning

Not applicable. The land is not subject to any known flooding.

# 6.7 Active Street Frontages

The subject site is located within the area mapped as 'Active Street Frontage' pursuant to the LEP mapping. The proposal will result in all premises on the ground floor facing Byron Place having a use for employment agency which is included in the group definition of a business premises. Accordingly, the proposal is considered to satisfy this clause.

# 6.9 Essential Services

All essential services that are relevant to the proposal are available or will be available as a result of the proposed development.

# **Draft Environmental Planning Instruments**

No draft Environmental Planning Instruments apply to the land to which the Development Application relates.

# (b) The provisions of any Development Control Plan or Council Policy – 4.15(1)(a)(iii)

# Mid-Western Regional Development Control Plan 2013 (the DCP)

# Part 4.5 Commercial Development

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Building setbacks	
Building setback from the street – no minimum	Complies.
Side and rear setbacks must comply with BCA	Complies.
Signage	

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Signage complies with relevant provisions in section 4.4 DCP 2013	Yes. Refer to relevant section of report.
Design	
Buildings interact with the street	Yes. Windows incorporated.
On active street frontages, ground level of building used for business or retail premises	Yes.
Building facades are articulated by use of colour, arrangement of elements, or varying materials	Yes. Existing building façade is articulated with windows and a stepped parapet.
Heritage inclusions	Yes. Exterior of building to be retained.
External plant to be screened from public	No external plant proposed.
Development on a corner – includes architectural features to address both streets	Not applicable.
Landscape buffers to other zones	Not applicable.
Scale form and height	
Complies with LEP height controls – 8.5m maximum height	Yes.
Consistent with existing heritage character of the town centres of Gulgong, Mudgee and Rylstone	Yes.
Mortimer and Church Street, Mudgee	
Maintain the streetscape established in Church Street between Market and Mortimer Streets:  – Zero front and side setbacks  – Double storey pattern	Not applicable.
Provides variance particularly on upper floor levels, every 20-25m	Not applicable.
Articulation and Façade Composition	
Breaks visual bulk with fenestration or change in materials etc	Extensive fenestration provided.
No excessive blank walls in front façade	Yes.
Where blank walls are proposed (side or rear) ,minimise impacts with landscaping, patterning of façade, signage, public art	Not applicable.
Residential–Commercial interface	
Landscape buffer to residential boundaries	Not applicable.
Ground and first floor do not overlook residential properties	Yes.
Maintain acoustic privacy through the use of acoustic fencing where vehicles movements adjoin property boundaries	Not applicable.
Reduce visual bulk by locating buildings and structures away from residential boundaries, or where buildings are located along residential boundaries ensure sufficient landscaping is provided	Not applicable.
Development does not reduce sunlight available to north facing windows of living areas, private open space or clothes drying areas of adjoining properties to less than 3 hours between 9am and 3pm at winter solstice	Not applicable.
Utilities and Services	
Building and structures located clear of infrastructure	Yes.

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Able to be serviced by water, sewer and waste disposal	Yes.
Trade waste application required?	Not applicable.
Traffic and Access	
All vehicles must be able to enter and exit the site in a forward direction	Not applicable. No onsite vehicle access.
All vehicle movement paths are sealed	Not applicable.
Driveways comply with Australian Standard AS2890.1 Parking Facilities	Not applicable.
All loading facilities located within the site	Not applicable.
All loading facilities designed to comply with Australian Standards	Not applicable.
Application addresses traffic flow and safety issues, e.g. pedestrian, car and truck movements	Not applicable.
Pedestrian Access	
Maintain existing covered pedestrian access within town centres	Covered access retained.
Convenient and safe access through parking areas	Not applicable.
Convenient and safe disabled access through parking areas, focus on improving links with existing retail	Links to other sites not altered.
Parking	
Discussed elsewhere in report	Yes.
Landscaping	
Landscaped areas in car parks should be provided incorporating the use of canopy trees and buffer planting to residential boundaries	Not applicable.
Landscaping to comprise low maintenance, drought and frost resistant species	Not applicable.

# Part 5.1 Car Parking

For a change of use of premises, this part of the DCP sets out the methodology of determining car parking requirements as follows:

(i) Determine parking requirement of previous approved use.

The previous uses of the upper level of the building and the associated car parking rates are summarised as follows:

- Office 1/30m<sup>2</sup> GFA.
- Night Club no specified rate.
- Indoor recreation facility no specified rate. The RTA Guide to Traffic Generating Development specifies a parking rate of 3 spaces per 100m2 GFA for indoor recreation facilities.
- Restaurant 1/7m<sup>2</sup> GFA
- (ii) Determine parking requirements of proposed development.

(iii) Subtract the number of spaces required by (i) and (ii) above. The difference calculated represents the total car parking spaces to be provided.

The previous approved uses provide car parking credits of various amounts. The previous use with the highest parking rate is the restaurant. As the parking rate for the restaurant is higher than the parking rate for a shop, the proposed change of use does not require the provision of additional parking spaces. It is noted that the previous uses relied on the parking in Byron Place to support the proposed uses.

# Part 5.3 Stormwater Management

No changes are proposed to the existing stormwater management measures.

# Part 5.4 Environmental Controls

The considerations listed in this part are not applicable to the proposed change of use.

# (c) Provisions of any Planning Agreement or Draft Planning Agreement – 4.15(1)(a)(iiia)

No planning agreement applicable.

# (d) Regulations - 4.15(1)(a)(iv)

Clause 93(2) and (3) requires Council to consider fire safety measures and structural capacity when assessing a development application for a change of use where no alterations or extensions to the building are proposed. The proposal is seeking a change of use with no alterations or extensions to the building. Accordingly, Council's Manager Health and Building Surveying has provided the following comments:

Clause 93 requires the consent authority to be satisfied on the following:

1. The fire protection and structural capacity of the building are appropriate to the new use. The Environmental Planning and Assessment Regulation 2000 definition is:

# Fire protection and structural capacity of a building means-

- (a) The structural strength and load-bearing capacity of the building, and
- (b) The measures to protect persons using the building, and to facilitate their egress from the building, in the event of fire, and
- (c) The measures to restrict the spread of fire from the building to other buildings nearby.

1(a) and 1(c) are considered satisfactory as the use is not expected to increase the load nor risk of fire spread. However, a condition is included in consideration of 1(b).

2. The category 1 fire safety provisions comply.

**Category 1 fire safety provision** means the following provisions of the Building Code of Australia, namely, EP1.3, EP1.4, EP1.6, EP2.1, EP2.2 and EP2.3 in Volume One of that Code and P2.3.2 in Volume Two of that Code.

EP2.2 'Safe Evacuation Routes' is considered appropriate and identified as relevant. Condition including requiring partial upgrade.

# (e) The likely impacts of development – 4.15(1)(b)

# Context and Setting & Site Design and Internal Design

The proposal is appropriate with regards to the surrounding context and setting.

# Access, transport and traffic

The proposed development will rely on existing access and parking facilities within Byron Place. The traffic generation from the proposed change of use will not exceed the capacity of the local road network.

#### **Utilities**

All relevant utilities are available or can be made readily available to the site.

# Heritage

The subject site is not affected by any items of European or Aboriginal heritage. The re-use of the upper floor of the existing building will have no impact on the character of the Heritage Conservation Area.

# Other land resources

The approved development will not impact on other land resources.

#### Water

No significant impact expected.

#### Soils

No significant impact expected. The land is not known to be affected by subsidence, slip or mass movement, or contamination. The proposal will not result in significant soil erosion or degradation.

#### Air and Microclimate

The development is not expected to impact air quality or microclimatic conditions.

# Flora and Fauna

Not applicable.

#### Waste

Waste service available.

### **Energy**

Electricity is connected to the existing building. The energy needs of the development are not expected to place significant demands on the local infrastructure capacity/operation.

#### Noise and vibration.

The proposal is not a use that will generate significant noise.

# Natural Hazards

The development site is not identified as bushfire prone or flood prone and there are no known subsidence, slip or mass movement issues.

#### Technological Hazards

There are no known risks to people, property or the biophysical environment, resulting from technological or industrial hazards, or building fire risk.

# Safety, security and crime prevention

Increased passive surveillance as a result of the proposed development.

# Economic and Social impact in the locality

Generally positive.

#### Construction

Not applicable. No construction works are proposed.

# Cumulative impacts

Nil. There are no known impacts that have the potential to act in unison, in terms of space or time, or owing to their repetitive nature, that would produce an effect greater or different than the sum of the separate parts.

# (f) The Suitability of the Site for the Development – 4.15(1)(c)

# Does the proposal fit in the locality?

Yes. There are no hazardous land uses or activities nearby, there are no constraints posed by adjacent development and there are adequate utilities and transport facilities in the area available for the development.

# Are the site attributes conducive to development?

Yes. The site is not subjected to any natural hazards, and the project will not impact any critical habitat, threatened species, populations, ecological communities or endangered habitats on the site.

# (g) Submissions made in accordance with Act or Regulations – 4.15(1)(d)

### **Public submissions**

The application was not required to be advertised and notified in accordance with the provisions of *Mid-Western Regional Community Participation Plan 2019*. No submissions were received during the assessment period.

# (h) The Public Interest – 4.15(1)(e)

# Federal, State and local government interests and community interests

There are no matters that would be considered to be contrary to the public interest.

**CONSULTATIONS** 

# Health & Building

Council's Health and Building Surveyor has not raised any concerns with the proposal, subject to standard conditions.

# **Development Engineer**

Council's Development Engineer has advised that no engineering conditions are required.

**DEVELOPER CONTRIBUTIONS** 

# Section 7.11 (formerly s94) Contributions

The proposed development is for a commercial use. There are no works involved in the proposed change of use and consequently the cost of works is nil. Clause 2.7 of *Mid-Western Regional Contributions Plan 2019* states that development that is exempt from the provisions of the plan includes *any work or change from one use to another that does not result in any increase in GFA on the land.* There is no increase in Gross Floor Area (GFA) associated with the proposed change of use. Accordingly, developer contributions are not applicable to the proposed development.

#### Section 64 Contributions – Water and Sewer Headworks

In accordance with the Developer Servicing Plans for Water and Sewer (August 2008), the development does not increase the demand or loading upon Council's infrastructure or require additional water, sewer or trade waste services to the land or building. No charges can therefore be applied under the plan.

# Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Protect and enhance our natural environment
Strategy	Ensure land use planning and management enhances and protects biodiversity and natural heritage

# Strategic implications

# **Council Strategies**

Mid-Western Regional Local Environmental Plan 2012 Mid-Western Regional Development Control Plan 2013 Mid-Western Regional Development Servicing Plan Mid-Western Regional Contributions Plan 2019 Mid-Western Regional Community Participation Plan 2019

#### **Council Policies**

Not applicable.

### Legislation

Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulation 2000

# Financial implications

Nil

Associated Risks

Should Council refuse the development application, the applicant may seek a further review of this decision or appeal through the Land & Environment Court.

ILIJA SUSNJA PLANNING COORDINATOR LINDSAY DUNSTAN MANAGER, PLANNING

8 April 2021

Attachments: 1. Proposed Floor Plan.

# **APPROVED FOR SUBMISSION:**

BRAD CAM GENERAL MANAGER

