

8.2 DA0140/2024 - Alterations and Additions to the Federal Hotel including New Drive-Thru Bottleshop, New Two (2) Storey Hotel Accommodation, Signage, Consolidation of Land and Ancillary Works - 34 to 36, 38 and 40-42 Inglis Street, Mudgee

REPORT BY THE PLANNING COORDINATOR AND MANAGER PLANNING
 TO 20 MARCH 2024 ORDINARY MEETING
 GOV400105, DA0140/2024

RECOMMENDATION

That Council:

- A. receive the report by the Planning Coordinator and Manager Planning on the DA0140/2024 - Alterations and Additions to the Federal Hotel including New Drive-Thru Bottleshop, New Two (2) Storey Hotel Accommodation, Signage, Consolidation of Land and Ancillary Works - 34 to 36, 38 and 40-42 Inglis Street, Mudgee; and
- B. approve DA0140/2024 - Alterations and Additions to the Federal Hotel including New Drive-Thru Bottleshop, New Two (2) Storey Hotel Accommodation, Signage, Consolidation of Land and Ancillary Works - 34 to 36, 38 and 40-42 Inglis Street, Mudgee subject to the following conditions and statement of reasons:

APPROVED PLANS

1. The 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 listed herein and/or any plan notations:

Title / Name:	Drawing No / Document Ref	Revision / Issue:	Date:	Prepared by:
Cover sheet & site location	DA000	A	13/9/2023	Bergstrom Architects Pty Ltd
Site analysis	DA001	A	13/9/2023	Bergstrom Architects Pty Ltd
Existing photographs	DA002	A	13/9/2023	Bergstrom Architects Pty Ltd
Lot consolidation plan	DA003	A	25/9/2023	Bergstrom Architects Pty Ltd
Existing ground floor plan	DA010	A	13/9/2023	Bergstrom Architects Pty Ltd
Existing level 1 plan	DA011	A	13/9/2023	Bergstrom Architects Pty Ltd

Existing roof plan	DA012	A	13/9/2023	Bergstrom Architects Pty Ltd
Existing elevations - sheet 01	DA050	A	13/9/2023	Bergstrom Architects Pty Ltd
Existing elevations - sheet 02	DA051	A	13/9/2023	Bergstrom Architects Pty Ltd
Demolition plan - ground	DA090	A	13/9/2023	Bergstrom Architects Pty Ltd
Demolition plan - level 1	DA091	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed lower ground floor plan	DA100	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed ground floor plan	DA101	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed level 1 plan	DA102	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed roof plan	DA103	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed elevations - pub	DA500	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed elevations - hotel	DA501	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed elevations & external finishes - bottle shop	DA502	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed signage details	DA503	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed sections	SHEET 01 DA510	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed sections	SHEET 02 DA511	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed sections	SHEET 03 DA512	A	13/9/2023	Bergstrom Architects Pty Ltd

3d views sheet 01	DA520	A	13/9/2023	Bergstrom Architects Pty Ltd
3d views sheet 02	DA521	A	13/9/2023	Bergstrom Architects Pty Ltd
Landscape plans	DWG 2401 - SHEETS 1 – 5	A	28/9/2023	Paddock Studio Pty Ltd
Civil concept drawings	NDP-CIV-001	2.0	22/02/2024	NDY (ANNOTATIONS OF PLANS DA100 AND DA101)
Hydraulic drawings	NDP-HSK-001	4.0	22/02/2024	NDY (ANNOTATIONS OF PLANS DA100, DA101, DA102 AND DA103)
Mechanical concept drawings	NDY-CSK-001	1.0	20/10/2023	NDY
Statement of environmental effects	-	REV 4	12/10/2023	Canberra Airport Group
Statement of heritage impact	-	-	October 2023	Sue Rosen Associates
Traffic and parking impact assessment	-	2.0	5/10/2023	SCT Consulting
Noise impact assessment	rp230705c0029	3.1	5/9/2023	NDY
Tree assessment report		1.0	5/10/2023	McArdle and Sons Arboricultural Services Pty Ltd

2. For clarity, this development consent provides approval for demolition works, alterations and additions to the existing Federal Hotel, new drive through bottle shop, 38 room hotel accommodation building, business identification signage and ancillary works including landscaping and fencing of the site.

GENERAL

3. This consent does not permit commencement of any site works. Works are not to commence until such time as a Construction Certificate for building works have been obtained, along with the appointment of a Principal Certifier.
4. All building work must be carried out in accordance with the *Building Code of Australia*.

Note: Prescribed condition pursuant to section 4.17(11) of the Environmental Planning and Assessment Act 1979.

5. All demolition works are to be carried out in accordance with AS 2601-2001 “Demolition of structures”, with all waste being removed from the site. Hazardous waste such as asbestos cement sheeting etc, shall be handled, conveyed and disposed of in accordance with guidelines and requirements from SafeWork NSW. Disposal of asbestos material at Council’s Waste Depot requires prior arrangement for immediate landfilling.

6. All earthworks, filling, building, driveways or other works are to be designed and constructed (including stormwater drainage if necessary) to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.

7. This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.

It is a condition of the development consent that the person having the benefit of the development consent must, at the person’s own expense—

- a) protect and support the building, structure or work on adjoining land from possible damage from the excavation, and b.
- b) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This section does not apply if—

- a) the person having the benefit of the development consent owns the adjoining land, or
- b) the owner of the adjoining land gives written consent to the condition not applying.

8. This section applies to a development consent for development involving building work, subdivision work or demolition work.

It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—

- a) showing the name, address and telephone number of the principal certifier for the work, and
- b) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and c. stating that unauthorised entry to the work site is prohibited.

The sign must be—

- a) maintained while the building work, subdivision work or demolition work is being carried out, and
- b) removed when the work has been completed.

This section does not apply in relation to—

- a) Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.
9. Stormwater drainage is to comply with the Mid-Western Regional Council Development Control Plan 2013 and the standards referenced in Appendix B and D.
10. The footpath and driveway levels are not to be altered outside the property boundary without Council's permission. Driveways installed over public footpaths must match the existing footpath profile.
11. Fill placed in residential or commercial lots shall be compacted in accordance with *AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments*.
12. The only waste derived fill material that may be received at the development site must be:
- a) Virgin excavated natural material, within the meaning of the Protection of the Environment Operations Act 1997; and
 - b) Any other waste-derived material the subject of a resource recovery exemption under cl.91 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material.
13. Notwithstanding the approved plans the structure is to be located clear of any easements and/or 1.5 metres from any water and sewer mains in accordance with Council Policy.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

14. Prior to the issue of any Construction Certificate, evidence that the lots making up the subject site have been consolidated into a single allotment and registered with NSW Land Registry Services is to be submitted to Council and the Certifier (if applicable). The lots to be consolidated into a single parcel include:
- a) Lot 16 Section 43 DP 758721
 - b) Lot 17 Section 43 DP 758721
 - c) Lot 18 Section 43 DP 758721
 - d) Lot 10 DP 1275386
15. Application shall be made to Council under Part B, Section 68 of the Local Government Act 1993 to carry out Water Supply, Stormwater and Sewerage Works. The application shall contain details demonstrating compliance with the Plumbing and Drainage Act 2011 and/or the Plumbing Code of Australia. The Section 68 application shall be considered and approved by Council prior to the release of any Construction Certificate for the development.
16. Prior to issue of any Construction Certificate, a Liquid Trade Waste approval is to be obtained from Mid-Western Regional Council.

17. The developer shall obtain a Certificate of Compliance under the Water Management Act 2000, from Council prior to issue of any Construction Certificate.
- Note: Refer to Advisory Notes in relation to payment of contributions to obtain a Certificate of Compliance noting that further information regard floor areas must be supplied to Council's Water and Sewer Department for confirmation of the applicable Contribution amount payable. Please contact Council's Water and Sewer Department for further information.*
18. Prior to the issue of a Construction Certificate, the developer shall pay a long service levy at the prescribed rate to either the Long Service Levy Corporation or Council, for any work costing \$250,000 or more.
- Note: The amount payable is currently based on 0.25% of the cost of work. This is a State Government Levy and is subject to change.*
- Note: Council can only accept payment of the Long Service Levy as part of the fees for a Construction Certificate application lodged with Council. If the Construction Certificate is to be issued by a Private Certifier, the long service levy must be paid directly to the Long Service Levy Corporation or paid to the Private Certifier.*
19. In accordance with the provisions of Section 7.12 of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Contributions Plan 2019, a levy based on the value of works shall be paid to Council in accordance with this condition for the purpose of local infrastructure, prior to issue of any Construction Certificate.
- The value of works is to be calculated in accordance with Section 2.9.3 and the procedure outlined in Section 4.3 of the Contributions Plan. A report regarding value of works and any necessary certification is to be submitted to Council. Council will calculate and advise of the levy amount following submission of the documents.
- Note: the contribution amount will be adjusted by the Consumer Price Index, if not paid in the same financial year the development consent was issued.*
- Note: Mid-Western Regional Contributions Plan 2019 is available for perusal at Council's Administration Centre at 86 Market Street, Mudgee or on Council's website www.midwestern.nsw.gov.au under Council Documents/Strategies and Plans.*
20. Prior to issue of a Construction Certificate for the new two (2) storey accommodation building, suitable privacy screens are to be detailed on the plans for all Level 1 windows on the northern and western elevations. The screens may consist of louvers or similar devices with a maximum visual permeability of 20 per cent and install to a minimum height of 1.6m from finished floor level of the upper storey to prevent direct overlooking from rooms to adjacent private open space areas. Alternatively, obscured glazing may also be incorporated to a minimum height of 1.6m for each window. Full details are to be submitted for approval to the Certifier (i.e. Council or a private Certifier) prior to the issue of any Construction Certificate.
21. The acoustic treatment required by the Acoustic Report prepared by NDY Group Details shall be included on all plans submitted with the Construction Certificate application. The plans including acoustic treatments must be certified by the

acoustic consultant and written evidence submitted to the Principal Certifier prior to the issue of any Construction Certificate for the hotel accommodation and bottle-shop. Where mechanical plant or condensers are to be included on the western elevations of the buildings, this plant must be suitably enclosed with acoustic treatment or relocated away from the western elevation of the development, prior to issue of any Construction Certificate.

22. Prior to issue of any Construction Certificate for the hotel accommodation or bottle shop buildings, the western boundary fence proposed as a timber fence between the subject land and 44 Inglis Street is to be increased from 1.8m to 2m in height to match the height of the existing boundary fence.
23. A Schedule of Conservation Works, prepared by a suitably qualified conservation architect, including but not limited to the matters listed in the Statement of Heritage Impact, be submitted to and approved by Council's Heritage Adviser before the issue of a Construction Certificate.
24. Prior to issue of a Construction Certificate, details demonstrating compliance with the Disability (Access to Premises – Buildings) Standards 2010 shall be submitted to and approved by the Certifier (i.e. Council or a private Certifier).
25. A schedule of existing and proposed fire safety measures is to be submitted to the Certifier (i.e. Council or a private Certifier) with the application for the Construction Certificate.
26. Pursuant to section 64 of the Environmental Planning and Assessment Regulation 2021, the existing buildings are to be brought into conformity with the following Performance Requirements of the BCA, Volume 1.
 - a) C1P2 – Spread of Fire b) D1P4 – Exits
 - b) D1P6 – Paths of Travel to Exits
 - c) E1P1 – Fire Hose Reels
 - d) E1P2 – Fire Extinguishers
 - e) E1P3 - Fire Hydrants
 - f) E4P1 – Visibility in an emergency
 - g) E4P2 – Identification of exits
 - h) E4P3 – Emergency warning and intercom systems.

Plans and specifications demonstrating compliance are to be submitted to and approved by the Certifier prior to the issue of a construction certificate.

27. All finished surface levels shall be shown on the plans submitted for any Construction Certificate.
28. Prior to the issue of a construction certificate, detailed plans of all food/beverage preparation, serving and storage areas (including for perishable stock, waste, chemicals and personal belongings) must be prepared by a suitably qualified person.

Plans must be prepared in accordance with the following editions in force on the date of determination and provided to the Certifier (i.e. Council or a Private Certifier):

- a) **Food Standards Code (Australia) and Food Safety Standard 3.2.3 – Food Premises and Equipment;**
- b) **Food Act 2003 and Food Regulation 2015;**
- c) **Australian Standard 4647:2004 (Design, Construction and Fit-out of Food Premises;**
- d) **AS 1668.2-2012 – The use of ventilation and air conditioning in buildings;**
- e) **Plumbing Code of Australia and Australian Standard/New Zealand Standard AS/NZS 3500 series on Plumbing and Drainage)**
- f) **Mid-Western Regional Council's commercial trade wastewater requirements for food premises, and/or**
- g) **The Building Code of Australia.**

29. A detailed engineering design is to be submitted to and approved by Council prior to the issue of a S138 Roads Act Approval and prior to the issue of any Construction Certificate for the Development. The engineering design is to comply with Council's Development Control Plan and the Standards referenced within Appendix B and D.

A S138 Roads Act Approval is required for but not limited to the following civil works:

- a) **Commercial vehicular crossings / driveways in Inglis Street in accordance with Council's Access to Properties Policy.**
- b) **Removal of any redundant vehicle crossings, laybacks and subsequent rectification works.**
- c) **Relocation of any affected services.**
- d) **Reinstatement and turfing of all disturbed footway areas.**
- e) **Construction of Lyons Lane to the following standard from Lewis Street to Church Street (a distance of approximately 205m):**
 - **A 5.5m wide bitumen sealed formation.**
 - **A flexible gravel pavement designed by an appropriately qualified Geotechnical Engineer.**
 - **One-way cross fall to a concrete dish drain.**
 - **Sub-soil and piped drainage as required.**
 - **Modification and reinstatement of any existing private property accesses within Lyons Lane.**
 - **Relocation / adjustment of any affected public utilities / services within Lyons Lane.**
 - **Reinstatement of all disturbed areas within Lyons Lane.**

Note - no works can commence prior to the issue of the S138 Roads Act Approval.

30. Prior to the issue of any Construction Certificate for the development, application shall be made to Council under Section 68 of the Local Government Act 1993 to carry out Stormwater Drainage Works. A detailed engineering design

is to be submitted to and approved by Council prior to the issue of a Section 68 approval. The engineering design is to comply with Council's Development Control Plan and the Standards referenced within Appendix B and D.

The work required for but not limited to the following civil works:

- a) Full details of the proposed relocation of the sewer main within the subject site.
- b) Details of any required connection points to serve the proposed development.
- c) Details of any capping to existing mains / connection points.
- d) Details of an appropriately sized connection and water meter serving the subject site.
- e) Details of an appropriately sized fire service main for the subject site.
- f) Confirmation sufficient pressure exists within the existing water mains to adequately serve the proposed development.

The Section 68 application shall be considered and approved by Council prior to the release of the first Construction Certificate for the development.

31. A Drainage Report prepared in accordance with the Institution of Engineers publication *Australian Rainfall and Run-off* shall be submitted to and approved by the Certifier (i.e. Council or a private Certifier) prior to the issue of the Construction Certificate. The drainage report and design must comply with the following requirements:

- a) Drainage design for the proposed below ground detention system must be accompanied by fully detailed runoff calculations and a structural design prepared and certified by a suitably qualified professional Engineer.
- b) Drainage design must also incorporate suitable and appropriate water quality controls to prevent pollution or contamination of downstream environments.
- c) Drainage report and design must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 1.5/5/20/50/100-year event.
- d) Drainage design must ensure that no stormwater runoff is permitted to discharge over adjoining properties. Discharge of runoff onto adjoining properties and any works associated with the control of stormwater discharge over and adjoining property must not occur without the consent of the owner of any affected property.

32. An Erosion and Sediment Control Plan is to be submitted to and approved by the Certifier (i.e. Council or a private Certifier) prior to the issue of a Construction Certificate. The Erosion and Sediment Control Plan for the development is to be prepared and implemented in accordance with the LANDCOM guidelines and requirements as outlined in the latest edition of "Soils and Construction – Managing Urban Stormwater". Points to be considered include, but are not limited to:

- a) Saving available topsoil for reuse in the revegetation phase of the development;
- b) Using erosion control measures to prevent on-site damage;

- c) **Rehabilitating disturbed areas quickly; and**
- d) **Maintenance of erosion and sediment control structures.**

33. Details of the internal circulating driveway, car parking spaces and waiting bays are to be submitted to and approved by the Certifier (i.e. Council or a private Certifier), prior to the issue of any Construction Certificate. These details shall comply with the requirements of AS/NZS 2890.1:2004 – Parking Facilities – Part 1: Off-street Car Parking and the relevant conditions of this development consent.

The plans shall include the provision of the following:

- **A total of 38 off-street car parking spaces, including 3 accessible car parking spaces.**
- **Details of the required signage, physical barriers and pavement markings to delineate the customer car parking area from the service vehicle entry off Lyons Lane.**
- **This consent does not constitute approval for the use of Lyons Lane by any vehicle other than those delivery vehicles required to serve the proposed development. Conflict between customer and service delivery vehicles is also to be appropriately managed through the provision of the above-mentioned physical means as well as a Plan of Management for the site.**

34. Consent from Council must be obtained for all works within the road reserve pursuant to Section 138 of the Roads Act 1993, prior to the issue of any Construction Certificate. The accesses are to be designed and constructed in accordance with Council's Access to Properties Policy.

35. Vehicular entrances comprising kerb laybacks (where roll kerb and gutter does not exist) and concrete footway crossings are to be provided to each lot at a suitable location. These should be constructed in accordance with Aus-Spec #1 and Council's "Access to Properties" Policy.

Concrete must not be poured until the excavation, formwork and reinforcing has been inspected by Council. The contractor/owner must arrange an inspection by contacting Council's Operations Department between 8.00am and 4.30pm Monday to Friday, giving at least twenty four (24) hours' notice.

Failure to have the work inspected may result in the access being removed and reconstructed at the contractors / owners expense.

36. A copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 (twenty million dollars), is to be provided to Council, prior to issue of any Construction Certificate for all work on public land or infrastructure. The insurance cover shall include the following:

- a) **Mid-Western Regional Council is to be indemnified against any works carried out by the contractor.**
- b) **Public Liability Insurance is to include Mid-Western Regional Council as an interested party.**
- c) **The copy of the Contractor's public liability insurance cover is to include the Certificate of Currency.**

37. The registered proprietor of the land shall prepare a Plan of Management for the car parking area, drive thru bottle shop facilities and service delivery vehicles within the development.

The Plan of Management shall set out all required operational parameters for these facilities including the following:

- Details of the on-site management of all deliveries and waste collection services associated with the development.
- Deliveries and waste collection must ideally occur outside normal operating hours and must not occur during the typical peak periods of midday to 1pm and 5pm to 7pm daily. Deliveries and waste collection services occurring during business hours shall be managed by appropriately trained staff to ensure no conflict with other vehicles occurs.
- Details of the management of the service delivery areas and entry off Lyons Lane to ensure inappropriate use by private vehicles does not occur.
- Queued vehicles must under no circumstances be allowed to affect the driveway entry to the site or impact upon the circulating carriageway of the car parking areas. Detailed management methods for the operation of the drive thru including queue length management are to be provided.

The plan shall be submitted to and approved by Council prior to the issue of any Construction Certificate.

38. The registered proprietor of the land shall prepare a Plan of Management for the OSD facilities within the development. The Plan of Management shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements and time intervals for such inspection and maintenance. The plan shall be submitted to and approved by Council prior to the issue of any Construction Certificate.

39. Prior to the issue of a Construction Certificate, the applicant must prepare a Construction Management and Traffic Management Plan. The following matters should be addressed in the plan:

- a) A plan view of the entire site and frontage roadways indicating:
- b) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways.
- c) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.
- d) The locations of proposed work zones in the frontage roadways.
- e) Location of any proposed crane, concrete pump, truck standing areas on and off the site.
- f) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
- g) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.

- h) An on-site parking area for employees, tradespersons and construction vehicles as far as possible.
- i) The proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period.
- j) How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.
- k) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed by a Chartered Civil Engineer.
- l) During excavation, demolition and construction phases, noise generated from the site must be controlled.
- m) All site works must comply with the occupational health and safety requirements of the New South Wales WorkCover Authority.
- n) During excavation, demolition and construction phases, toilet facilities are to be provided on site, at the rate of one (1) toilet for every twenty (20) persons or part of twenty (20) persons employed at the site.
- o) All traffic control plans must be in accordance with the RMS publication *Traffic Control Worksite Manual* and prepared by a suitably qualified person (minimum 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum for six (6) weeks prior to the activity proposed being undertaken.

- 40. Details of any proposed mechanical exhaust systems, detailing compliance with the relevant requirements of Clause F6D6 or F6D12 of the Building Code of Australia 2022 and AS 1668 Parts 1 and 2 (including exhaust air quantities and discharge location points) are to be provided to the Certifier (i.e. Council or a private Certifier) prior to the issue of a Construction Certificate.
- 41. Prior to the issue of a Construction Certificate, a survey plan prepared by a registered surveyor is to be submitted to the Certifier, verifying the proposed building footprint does not extend over the property boundary into the neighbouring property.
- 42. Application shall be made to Council under Section 68 of the Local Government Act 1993 to Install a domestic oil or solid fuel heating appliance (other than a portable appliance). The application shall contain details demonstrating compliance with the Building Code of Australia and the manufacturers details/specifications. The Section 68 application shall be considered and approved by Council prior to the installation of the appliance or release of any Construction Certificate for the development.
- 43. Prior to issue of any Construction Certificate, the requirements of Essential Energy, including the following, shall be achieved:
 - a) The Applicant must meet the minimum safety clearance requirements for the development in accordance with AS/NZS 7000.

- b) The Applicant must meet the requirements of AS2067 for the substation in relation to fire safety. Clearances will be dependent on the building classification. Minimum separation / clearances and segregation for fire risk from the substation to any building, fence, planting, landscaping, retaining walls or other development must be maintained at all times. Refer to AS2067, Essential Energy's policy CEOM7098 *Distribution Underground Design Construction Manual* and the latest industry guideline currently known as ISSC 20 *Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. The Applicant may want to seek assistance with this from a fire engineer to determine they meet the required clearances.
- c) The easement area for the substation must remain clear of all obstructions. Surface treatment should be grass or wood chip material only and must be lower than the concrete plinth of the substation.
- d) The easement area must be accessible at all times by Essential Energy (24 hours a day / 7 days a week).
- e) Any proposed driveway access and/or exit (concrete crossovers) must remain at least 1.0 metre away from any electricity infrastructure (power pole, streetlight) at all times, to prevent accidental damage.
- f) The Applicant will also need to engage the services of an Accredited Service Provider to ensure adequate provision of power is available to the development in accordance with industry standards.

PRIOR TO THE COMMENCEMENT OF BUILDING WORKS

44. In accordance with the provisions of the Environmental Planning and Assessment Act 1979 construction works approved by this consent must not commence until:
- a) A Construction Certificate has been issued by the Certifier (i.e. Council or an accredited certifier); and
 - b) A Principal Certifier has been appointed by the person having benefit of the development consent in accordance with the Environmental Planning and Assessment Act 1979; and
 - c) If Council is not the Principal Certifier, notify Council no later than two (2) days before building work commences as to who is the appointed Principal Certifier; and
 - d) At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.
45. Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person.
- Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work, and must include the following matters:
- a) The proposed demolition methods
 - b) The materials for and location of protective fencing and any hoardings to the perimeter of the site

- c) Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones
 - d) Details of demolition traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles
 - e) Protective measures for on-site tree preservation and trees in adjoining public domain (if applicable) including in accordance with AS 4970-2009 Protection of trees on development sites
 - f) Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways
 - g) Noise and vibration control measures, in accordance with any Noise and Vibration Control Plan approved under this consent
 - h) Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines
 - i) Details of any bulk earthworks to be carried out
 - j) Location of any reusable demolition waste materials to be stored on-site (pending future use)
 - k) Location and type of temporary toilets onsite
 - l) A garbage container with a tight-fitting lid.
46. Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.
47. Prior to the commencement of construction work impacting upon tree canopies located along the common boundary of the subject site and 44 Inglis Street, the adjoining land owner must be formally notified and consulted prior to any tree trimming commencing. Any trees that have not been considered under the Arborist Report dated 5 October 2023 and that require trimming are to be reinspected in consultation with the adjoining land owner to ensure there are no adverse impacts to adjoining land as a result of the approved development.
48. A sign must be erected in a prominent position on any work site on which involved in the erection or demolition of a building is carried out;
- a) stating that unauthorised entry to the work site is prohibited, and
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 - c) the name, address and telephone number of the principal certifying authority for the work,
 - d) The sign shall be removed when the erection or demolition of the building has been completed.

49. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.
- NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE**
50. The licensed demolition contractor and/or principal contractor must comply with the following specific requirements in respect of the proposed demolition works:-
- a) Demolition work is not be undertaken until:
 - Council has been provided with a copy of any required Hazardous Substances Management Plan;
 - The licensed demolition contractor and/or principal contractor has inspected the site and is satisfied that all measures are in place to comply with the provisions of such Plan;
 - b) The removal, handling and disposal of any asbestos material (in excess of 10m²) is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by WorkCover NSW, and in accordance with the requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard 2601-2001
 - c) All asbestos and other hazardous materials are to be appropriately contained and disposed of at a facility holding the appropriate license issued by the NSW Environmental Protection Agency;
 - d) Seven working days' notice in writing is to be given to Council prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor.
51. The removal of any asbestos material (less than 10m²) during the demolition phase of the development is to be in accordance with the requirements of the Workcover Authority and disposed of at an approved waste facility.
52. If the work involved in the erection/demolition of the building;
- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - b) involves the enclosure of a public place, then
- a hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
53. Prior to the commencement of works on site, the applicant shall advise Council's Operations Department, in writing, of any existing damage to Council property.
54. The developer shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council

and other service authorities should be contacted for specific requirements prior to commencement of any works.

55. Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to Council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
56. Runoff and sediment erosion controls shall be installed prior to commencement of works with the development site to the satisfaction of the Certifier (i.e. Council or the Principle Certifier) and incorporate:-
- a) diversion of uncontaminated up-site runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed;
 - b) sediment control fences at the downslope perimeter of the cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water; and
 - c) maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.

DURING WORKS

57. Demolition or Construction work noise that is audible at other premises is to be restricted to the following times:
- Monday to Saturday - 7.00am to 5.00pm
- No construction work noise is permitted on Sundays or Public Holidays.
58. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the requirements of the Plumbing & Drainage Act 2011 and the Plumbing Code of Australia.
59. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.
60. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
61. 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.
62. Prior to the pouring of any in-situ concrete, the building/s shall be set-out by a registered land surveyor in the position as approved by Council.
- A copy of the identification survey shall be provided to the Principal Certifier at time of any pier/footing/slab inspection.
63. The civil works associated with the S68 and S138 approvals are to be inspected by Council to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:
- a) Installation of sediment and erosion control measures;

- b) **Water and sewer mains installation prior to backfilling;**
 - c) **Inspection and proof rolling of subgrade and each subsequent pavement layer;**
 - d) **Prior to poring of any kerb or concrete dish drain;**
 - e) **All sub-soil and piped drainage prior to backfill;**
 - f) **Formwork and steel in place, prior to pouring of any concrete and**
 - g) **Practical Completion.**
64. **Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the appropriate regulatory authority (e.g. Office of Environment and Heritage (OEH), SafeWork NSW, Council, Fire and Rescue NSW etc) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority. Note - such materials cannot be disposed of to landfill unless the facility is specifically licensed by the EPA to receive that type of waste.**
65. **In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.**
66. **The development site is to be managed for the entirety of work in the following manner:**
- a) **Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;**
 - b) **Appropriate dust control measures;**
 - c) **Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;**
 - d) **Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.**
67. **The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.**
68. **All public footways, foot paving, kerbs, gutters and road pavement damaged during the works are to be restored to match existing conditions at the Developer's / Demolisher's expense.**
69. **Transportation of contaminated fill or materials from the site on public roads must be carried out in accordance with the requirements of *Australian Dangerous Goods Code* and *Australian Standard 4452 Storage and Handling of Toxic Substances*. This must include relevant incident management strategies for transportation on public roads.**

70. The developer is to grant Council unrestricted access to the site at all times to enable inspections or testing of the water, sewer and stormwater works.
71. The developer is to extend and meet the full cost of water reticulations to service the development plus the cost of connecting to existing services. All water supply work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the *Local Government Act 1993*) and in accordance with the National Specification – Water Supply Code of Australia. *Note: Council does not permit other bodies to insert new junctions into ‘live’ water and/or sewer mains. Please contact Council’s Operations Water and Wastewater Department by calling ☎ 1300 765 002 or 02 6378 2850 or by emailing council@midwestern.nsw.gov.au to obtain a quote for the connection of sewer (Private Works Order).*
72. The developer is to extend and meet the full cost of sewer reticulations to service the development plus the cost of connecting to existing services. All sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the *Local Government Act 1993*) and in accordance with the National Specification – Sewerage Code of Australia. *Note: Council does not permit other bodies to insert new junctions into ‘live’ water and/or sewer mains. Please contact Council’s Operations Water and Wastewater Department by calling ☎ 1300 765 002 or 02 6378 2850 or by emailing council@midwestern.nsw.gov.au to obtain a quote for the connection of sewer (Private Works Order).*

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

73. 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 Certifying Authority appointed for the erection of the building.
74. Prior to occupation or the issue of the Occupation Certificate the owner of the building must cause the Principal Certifier to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Section 41 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 for each measure listed in the schedule. The certificate must only be in the form specified by Section 86 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.
75. Prior to use of the development and/or issue of an Occupation Certificate, a satisfactory final inspection report from the Council must be received by the Certifier, verifying that all works have been completed in accordance with the relevant Section 68 (*Local Government Act 1993*) approval/s.
76. Prior to use of the development and/or issue of an Occupation Certificate, all works included in the Trade Waste Approval are to be completed.
77. Prior to use of the development and/or issue of an Occupation Certificate, the excavated and/or filled areas of the site are to be stabilised and drained, to prevent scouring onto adjacent private or public property. The finished ground around the perimeter of the building is to be graded to prevent ponding of water, and to ensure the free flow of water away from the building and adjoining properties.

78. Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier which demonstrates that the mechanical exhaust ventilation system has been constructed and installed in accordance with the approved plans.
79. Prior to issue of the Occupation Certificate, a Certificate of Compliance is to be provided to the Principal Certifier for the illuminated signage to certify that the signage is installed in accordance with AS4282-2019.
80. Before the issue of an Occupation Certificate, the food premises shall be inspected by an Authorised Officer of Council under the Food Act 2003, to determine compliance with the *Food Act 2003, Food Safety Standards and Australian Standard 4674:2004: Design, Construction and Fit-out of Food Premises*.
81. Before the issue of an Occupation Certificate, council and any other appropriate enforcement agency must be notified of the food business in accordance with the *NSW Food Act 2003* and the *Australia New Zealand Food Standards Code – 3.2.2 – Food Safety Practices and General Requirements*.
82. All landscape works are to be undertaken in accordance with the approved landscape plan and conditions of Development Consent, prior to use of the development and/or issue of an Occupation Certificate.
83. The Schedule of Conservation Works are to be executed to the satisfaction of Council’s Heritage Adviser before the issue of an Occupation Certificate.
84. Prior to commencement of use of the development and/or issue of an Occupation Certificate, all car parking and associated driveway works are to be completed in accordance with the relevant Section 138 Roads Act approval/s.
85. Prior to the issue of an Occupation Certificate, 3m wide easements benefiting Council, including associated Section 88B instruments, are to be created over any existing or newly constructed sewer mains located within the subject property.
86. The adjustment of existing services or installation of new services and meters, as required, in compliance with *Australian Standard 3500: National Plumbing and Drainage Code*. All costs associated with this work shall be borne by the developer.
87. Following completion of the development, work-as-executed plans (WAE) are to be provided to Council in the following formats:
 - a) PDF; and
 - b) Dwg format or “AutoCAD Compatible”
 - c) MapInfo tab files with individual layers, supplied in individual tables

All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.

To accompany the WAE Drawings, Council also requires the completion of Asset Data Excel Spreadsheets (to be provided by Council) prior to the issue of the Occupation Certificate.

88. Prior to issue of the Occupation Certificate, all acoustic measures required by the Acoustic Report and the conditions of this consent shall be completed in full.

OPERATIONAL / ONGOING

89. The development shall only operate in accordance with the following hours:

Bottle Shop:

- 10am to 10pm, seven days.

Hotel Accommodation:

- A check-in desk operated in accordance with the Federal Hotel liquor licence with any after hour check-in prearranged with Federal Hotel staff only.

Federal Hotel:

- In accordance with the existing Federal Hotel liquor licence, only.

90. The development must comply with the requirements of the *Liquor Act 2007* and all requirements imposed by Liquor and Gaming NSW at all times.
91. All windows and retractable portion of the roof within the beer garden addition to the hotel must not be open during the night time periods of operation (after 10pm).
92. No deliveries or waste collections are permitted to occur during the evening / night-time period between 10pm and 7am, daily.
93. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site. Signage identifying the driveway and car park as low speed environments is also to be appropriately located within the site.
94. All loading and unloading in connection with the premises shall be carried out wholly within the site.
95. All car parking spaces, loading and unloading areas, vehicle manoeuvring, and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use at all times.
96. All line-marking for the on-site car parking spaces and footpath areas are to be maintained in a visible condition, at all times.
97. For every 12-month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of NSW Fire Brigades with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.
98. 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. A further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.

99. The premises shall, at all times, be operated and maintained in accordance with Food Safety Standards 3.1.1, 3.2.2 and 3.2.3 prescribed in chapter 3 of the Australia and New Zealand Food Standards Code.
100. No display or sale of goods is to take place from public areas fronting the premises.
101. All general waste generated by the proposed development shall be disposed of to a suitably licenced waste facility able to accommodate such wastes.
102. Garbage areas and mechanical plant are to be adequately screened from public view with an opaque fence and/or adequate landscaping. All waste must be secured in enclosed containers at all times.
103. 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"*.
104. 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.
105. The development is to be maintained in a clean and tidy manner, at all times.
106. All approved signage is to be maintained in good condition at all times.
107. The signage is to be securely affixed and is not to flash, move or be objectionably glaring.
108. Measures, such as raised kerb edges or bollards, are to be installed and maintained around all approved landscape areas in order to prevent vehicles driving over them. Landscaping is to be maintained for the life of the development.

COUNCIL ADVISORY NOTES

1. This development consent requires a Certificate of Compliance under the *Water Management Act 2000* to be obtained prior to the issue of any Construction Certificate. A person is to apply to Mid-Western Regional Council, as the water supply authority, for a Certificate of Compliance pursuant to section 305 of the *Water Management Act 2000*.

Please be advised that as a precondition to the granting of a Compliance Certificate, the following is to occur:

- a) A monetary contribution, as to be formally confirmed by Councils Water and Sewer Department following supply of further information must be paid to Council in full (including indexation, where applicable). A current estimation based on the DA plans is provided as follows:
 - water contributions – 14.88 ET = \$144,607.14
 - sewer contributions – 16.90 ET = \$74,947.90
- b) The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500:

National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.

Note - Section 64 Developer Contributions are subject to Consumer Price Index increase on 1 July each year. Please contact Council's Planning and Development Department regarding any adjustments.

2. **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".**
3. **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.**
4. **The erection of dividing fences under this consent does not affect the provisions of the Dividing Fences Act 1991. Under this Act, all relevant parties must be in agreement prior to the erection of any approved dividing fence/s under this consent. Council has no regulatory authority in this area and does not adjudicate civil disputes relating to the provision of, or payment for, the erection of dividing fences. If there is a neighbour dispute about the boundary fence and you are seeking mediation, you may contact the Community Justice Centre, or if legal advice or action is required, you may contact the Chamber Magistrate.**
5. **Division 8.2 of the Environmental Planning and Assessment Act 1979 (EP&A Act) gives you the ability to seek a review of the determination. This request is made to Council and must be made and determined within 6 months after the date on which you receive this notice.**
6. **If you are dissatisfied with this decision section 8.7 of the EP&A Act gives you the right to appeal to the Land and Environment Court pursuant to section 8.10(1)(b).**
7. **To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the EP&A Act.**

ESSENTIAL ENERGY ADVISORY NOTES

1. **If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.**
2. **Any existing encumbrances/easements in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.**
3. **In addition, Essential Energy's records indicate there is electricity infrastructure located within the properties and within close proximity of the properties. Any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.**

4. Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).
5. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed development generally complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.
2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the Environmental Planning & Assessment Act 1979.
3. The matters raised within submissions have been addressed in the following manner:
 - Conditions have been imposed to manage fencing, acoustic treatment for mechanical plant and condensers, along with tree trimming of trees along the western boundary.

Executive summary

OWNER/S:	Investment Management Group Hotels Pty Limited
APPLICANT:	Mr Andrew Connor The Trustee for Investment Management Group Hotels Unit Trust
PROPERTY DESCRIPTION:	34 to 36, 38 and 40-42 Inglis Street MUDGEE NSW 2850 Lots 16 – 18 Sec 43 DP 758721 and Lot 10 DP 1275386
PROPOSED DEVELOPMENT:	Alterations and additions to the Federal Hotel including new drive-thru bottle shop, new 38 room hotel accommodation, new signage, ancillary demolition and civil works and consolidation of land (4 into 1 Lot).
ESTIMATED COST OF DEVELOPMENT:	\$14,164,366 Million
REASON FOR REPORTING TO COUNCIL:	Cost of development exceeds \$3M
PUBLIC SUBMISSIONS:	1 submission – comments only

Council is in receipt of Development Application DA0140/2024 that seeks approval for the consolidation of four (4) lots into one (1) lot, demolition of outbuildings and former Bottleshop, alterations and additions to the existing heritage listed Federal Hotel, new drive-thru bottle shop, new signage and the construction of a new two (2) storey hotel accommodation building comprising of 38 rooms with supporting parking to be located at 34 to 36, 38 and 40-42 Inglis Street MUDGEE NSW 2850, legally described as Lots 16 – 18 Sec 43 DP 758721 and Lot 10 DP 1275386.

The subject land has a total site area of 5,065m² and contains a number of storage sheds and former warehouse that have historically been used by various businesses including Cudgegong Plumbing, along with the existing heritage listed Federal Hotel and Bottlemart located on the corner of Inglis and Lewis Streets.

The site is located with frontage to Inglis and Lewis Streets and also benefits from rear lane access to Lyons Lane. The site is immediately bound by residential dwellings and a church to the north and west, with the existing railway and railway depot located to the south, opposite the site on Inglis Street. The subject site is also located in the Heritage Conservation Area of Mudgee.

The application was advertised, and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 8 November 2023. One (1) submission has been received providing comments for Council consideration during the assessment and determination of the application.

In summary, the proposed development has been assessed in accordance with Council's DCP and the LEP and has considered all referral responses and community submissions. A merits-based assessment finds that the proposed development is generally consistent with Council's current planning controls.

The application has been referred to Council for consideration as it exceeds staff's *Delegation of Authority*, in that the value of the development exceeds \$3 Million.

As a result of a full merits-based assessment of the proposal, the application is recommended for approval, subject to conditions.

Disclosure of Interest

Nil

Detailed report

Development Application DA0140/2024 that seeks approval for the consolidation of four (4) lots, demolition of outbuildings, alterations and additions to the existing heritage listed Federal Hotel, new drive-thru bottle shop, new signage and the construction of a new two (2) storey Hotel Accommodation building comprising of 38 rooms with supporting parking, to be located at 34 to 36, 38 and 40-42 Inglis Street MUDGEES NSW 2850, legally described as Lots 16 – 18 Sec 43 DP 758721 and Lot 10 DP 1275386.

Subject Site

The subject land has a total site area of 5,065m² and contains a number of storage sheds and former warehouse that have historically been used by various businesses including Cudgegong Plumbing, along with the existing heritage listed Federal Hotel and Bottlemart located on the corner of Inglis and Lewis Streets, Mudgee.

The site is located with frontage to Inglis and Lewis Streets and also benefits from rear lane access to Lyons Lane. The site is immediately bound by residential dwellings and a church to the north and west, with the existing railway and railway depot located to the south, opposite the site on Inglis Street. The subject site is also located in the Heritage Conservation Area of Mudgee.

Limited vegetation exists over the subject land, with one (1) mature tree located on the boundary of 38 and 40-42 Inglis Street and two (2) smaller trees / shrubs located within the frontage of 40-42 Inglis Street. There are however a number of mature trees located along the boundary of 40-42 and 44 Inglis Street, which provides a buffer for the residence located at 44 Inglis Street. Minor

branch trimming of overhanging vegetation is stated to be required to support the development in this location. New landscaping is also proposed along the boundary with 44 Inglis Street.

All services are currently connected to the subject land including, water, sewer, telecommunications and electricity with kerb and gutter in both streets, and a number of driveways currently providing access to the subject site.

A Council sewer main also runs through the subject site (shown to be located within Lot 16 Sec 43 DP 758721) and this sewer main is proposed to be relocated to enable the development to proceed. Further, Essential Energy has noted that there are overhead power lines within Lewis Street and Lyons Lane that need to be considered by the developer and Council in respect of the additions to the rear of the Federal Hotel - This is further discussed later in the report.

Figure 1 provides the site location below:



Figure 1: Site Locality Plan

Proposed Development

The proposed development involves the following:

1. Consolidation of the titles from four (4) lots into one (1) lot.
2. Demolition of all outbuildings/ sheds, the former Bottleshop building, redundant driveways and three (3) trees located within the confines of the site.
3. Relocation of the Council sewer main through the proposed new car park within the site.
4. Alterations and additions to the existing Federal Hotel, including:
 - a) a northern / rear extension towards Lyons Lane comprising of an underground keg room / staff room with lift, a new ground floor kitchen, bar, bistro, beer garden with supporting amenities and children's play area (all single storey); and
 - b) in addition to the western elevation of the Hotel to include an outdoor gaming area and supporting facilities connecting to the new bistro area (all single storey); and

- c) internal refurbishment / heritage conservation works to the first floor and second floor areas of the Federal Hotel featuring an updated bar / sports bar, lounge areas, private dining rooms, staff room and storage rooms along with updated bathroom facilities (noting that no upper storey rooms are proposed to be used for hotel accommodation).
5. Construction of a new single storey drive-thru Bottleshop with access and egress via Inglis Street.
6. Construction of a new two (2) storey hotel building comprising of 38 rooms (1 bedroom with ensuite) and associated facilities.
7. New driveways (total of 3) created within Inglis Street and one (1) in Lyons Lane (for restricted vehicle access only) and new landscaping throughout the site.
8. 38 onsite parking spaces (including 2 accessible spaces) to be provided within the central area of the consolidated site.

It is noted that the following hours of operation are proposed (generally, in keeping with existing operations):

Bottle Shop

- 10am to 10pm, seven days.

Hotel Accommodation

- A check-in desk proposed to operate as per current Federal Hotel liquor license.
- After hours check-in to accommodation will be prearranged with Federal Hotel staff and run internally as part of the hotel building entry.

Federal Hotel

- Current liquor license allows trading to 10am till 12am (midnight) Monday to Saturday, and Sunday trading 10am to 10pm. There is no current change proposed to these arrangements.

Figures provided below demonstrate the proposed site layout and elevations of the proposed works when viewed from Inglis and Lewis Streets.

Attachment 1 also includes a full copy of the submitted development plans and supporting specialised reports.

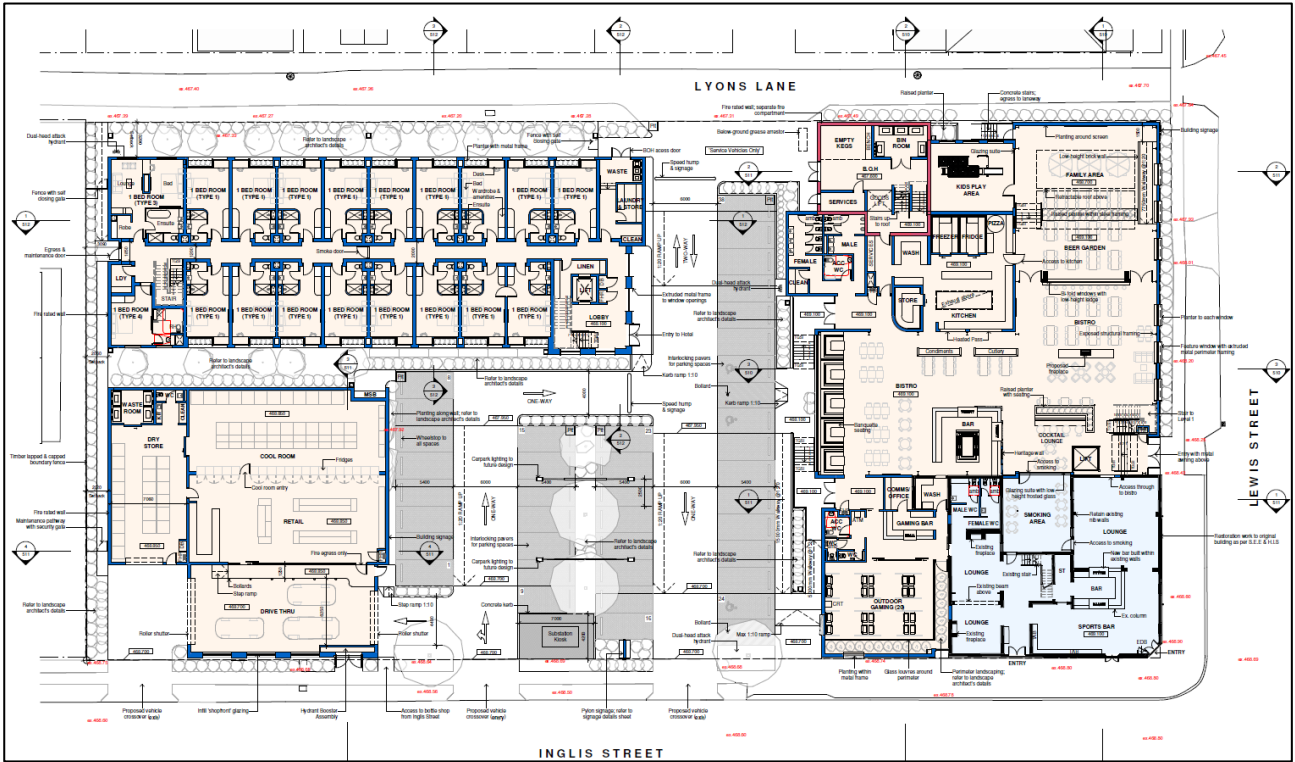


Figure 2: Proposed Ground Floor and Site Layout Plan

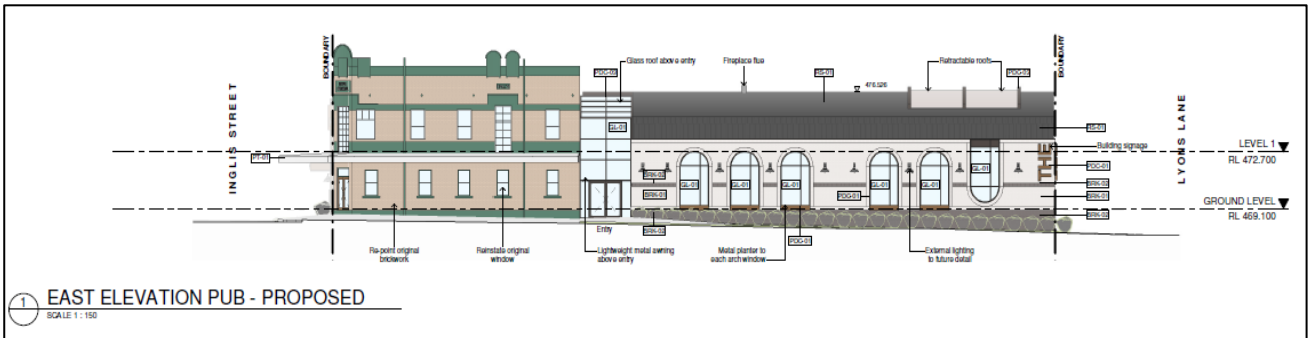


Figure 3: Elevation Plan - Federal Additions (Lewis Street Elevation)

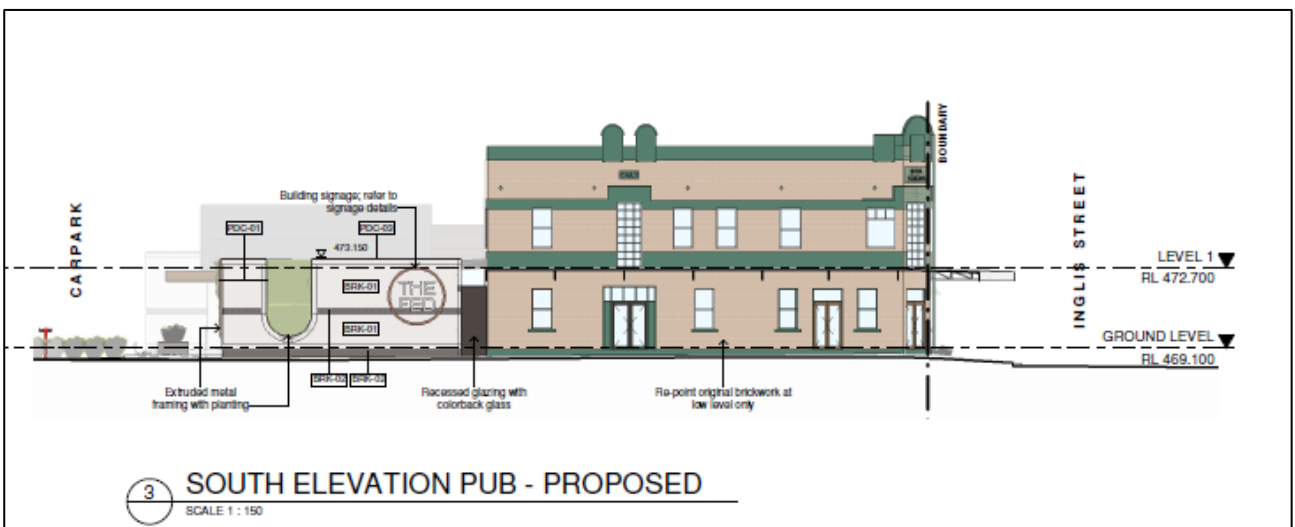


Figure 4: Elevation Plan - Federal Additions (Inglis Street Elevation)

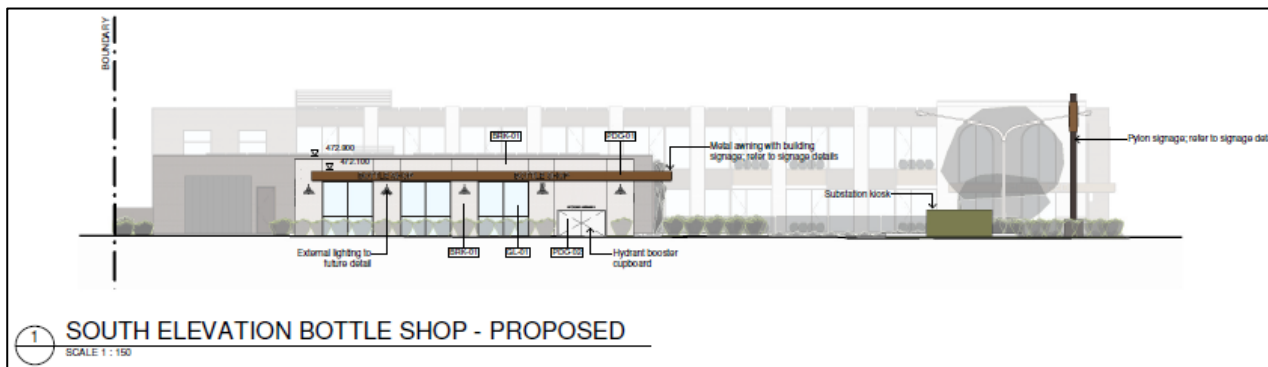


Figure 5: Elevation Plan – Bottleshop with new two storey hotel to the rear of the site (Inglis Street Elevation)



Figure 6: 3D Perspective – Federal Hotel Addition (Lewis Street Elevation)



Figure 7: 3D Perspective – Federal Hotel Addition, New Hotel and Bottleshop (Inglis Street Elevation)

LEGISLATIVE REQUIREMENTS

Environmental Planning and Assessment Act 1979

Designated Development

The development proposal is not considered to be Designated Development, in accordance with Schedule 3 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regs).

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).

ASSESSMENT

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

4.15(1)(a) Requirements of Regulations and Policies

(i) *Do any environmental planning instruments (SEPP, REP or LEP) apply to the land to which the Development Application relates?*

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

The proposed development will not require removal of native vegetation or koala habitat under this Policy. Therefore, no further consideration of this SEPP is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021 Pursuant to section 4.6 of the Policy, a site inspection and a search of council's records did not reveal any potentially contaminating activities historically occurring upon the site. Accordingly, no further consideration is necessary. A condition is recommended to be imposed in relation to removal and disposal of waste material (including potential asbestos material) associated with the demolition

works required and ensure that the site is appropriately cleared prior to commencing new building work.

STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

The proposed development involves new Signage associated with the proposed development including wall signage on the new buildings, along with a new freestanding pylon sign within the Inglis Street entry to the carpark. A full merits-based assessment of the design criteria of the policy confirms there are no matters which warrant refusal of the proposed signage, noting it is adequately separated from existing residents of Inglis and Lewis Streets. Standard conditions are recommended however to ensure that the signage is maintained for the life of the development.

STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

This policy establishes a state-wide planning approach to Sustainable Building design and construction and the provisions applicable to non-residential development commenced on 1 October 2023.

Chapter 3: Standards for non-residential development applies to the proposal. It is considered that the requirements of this policy have been adequately addressed with the provision of sustainable forms of building materials selected, waste reduction and reuse opportunities proposed, a passive design outcome is achieved, inclusion of solar panels on all buildings, water saving devices are to be installed. As a result, it is considered that the provisions of section 3.2 of this policy have been achieved by the development.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

Essential Energy

Pursuant to Section 2.48, the development will be located in close proximity to overhead electricity power lines within the side and rear setbacks of the site, adjacent to the new additions to the Federal Hotel in Lewis Street and Lyons Lane. A new substation is also proposed to be established within the Inglis Street frontage of the site.

A referral to Essential Energy was therefore undertaken and the following initial comments were provided, noting that there were safety concerns raised due to setbacks / clearance requirements from the overhead powerlines. As a result, the applicant provided further information from their appointed consultant to enable the concerns to be addressed at a later stage. As a result, conditions have been imposed, prior to issue of any Construction Certificate.

MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN 2012 (MWRLEP 2012)

The following clauses of Mid-Western Regional Local Environmental Plan 2012 have been assessed as being relevant and matters for consideration in assessment of the Development Application.

Clause 1.2 Aims of Plan

The application is not considered to be contrary to the relevant aims and objectives of the plan.

Clause 1.4 Definitions

The proposal is defined in accordance with the MWRLEP 2012 as demolition works, alterations and additions to the existing pub, hotel or motel accommodation and a new retail premises (bottle shop), as defined below:

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

hotel or motel accommodation means a building or place (whether or not licensed premises under the *Liquor Act 2007*) that provides temporary or short-term accommodation on a commercial basis and that—

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

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

- (a), (b) (Repealed)
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (la) specialised retail premises,
- (m) timber yards,
- (n) vehicle sales or hire premises,

but does not include farm gate premises, highway service centres, service stations, industrial retail outlets or restricted premises.

Clause 2.2 Zoning of Land to Which Plan Applies

The land is zoned SP3 Tourist and MU1 Mixed Use and is therefore subject to the Plan.

Clause 2.3 Zone objectives and Land Use table

The land is zoned SP3 Tourist and MU1 Mixed Use pursuant to MWRLEP 2012. The proposal, being alterations and additions to the existing pub (an existing use within the SP3 zone), new retail premises (drive-thru bottle shop) and new hotel or motel accommodation within the MU1 zone is permissible with consent in the zone and complies with the relevant objectives of the zones which is to:

- provide for a variety of tourist-oriented development and related uses.

Comment: The proposal seeks to retain the existing hotel use whilst providing additional tourist related facilities, with supporting accommodation for the Region which is generally consistent with the SP3 zone objective.

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*

Comment: The proposal seeks to provide additional employment opportunities, including for retail sales, kitchen/ bistro and bar and hotel accommodation staff.

- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*

Comment: The proposal seeks to provide improvements and refurbishments to the existing heritage building whilst providing a complementary addition to the Lewis Street frontage. New pedestrian pathways and landscaping also ensures that the streetscape is attractive and useable for the community.

- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

Comment: The proposal is considered to adequately minimise land use conflict in the zone, and seeks to maintain appropriate buffers to residents in the layout proposed. Conditions are however recommended to maintain privacy with the Level 1 hotel room windows, with inclusion of privacy screening on the upper level northern and western windows only.

- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*

Comment: The proposal seeks to maintain a mixed-use business on the site including retention of the historic pub and hotel accommodation land use along with the bottle shop development.

- *To ensure development is consistent with the character of adjoining residential neighbourhoods.*

Comment: The proposal is considered to be consistent with the character of the area, providing a positive streetscape outcome for the heritage listed hotel and the Mudgee Heritage Conservation Area.

Clause 2.7 Demolition requires development consent

In satisfaction of this clause, the development application seeks approval for the demolition of outbuildings, removal of vegetation, the former bottle shop and internal arrangements of the hotel. Standard conditions are able to be provided to address this requirement.

Clause 4.3 Height of buildings

Part of the subject site (zoned SP3 containing the Federal Hotel and the additions) is not mapped for a maximum building height limit however, the remaining portion of the subject site (zoned MU1) is mapped with a maximum height limit of 8.5m. As a result, the proposed single storey bottle shop and the hotel, will be located within the mapped area of the site containing the building height limit of 8.5m.

As the proposed bottle shop is single storey with a height of 5m - this proposed building will therefore not exceed 8.5m. The proposed hotel building is 2 storey and is to be located to the rear of the land containing a current natural ground level of 468m AHD. The maximum overall height of the hotel is shown within the plans to be at 475.75m AHD, therefore, the proposed new building will be constructed at a maximum overall height of 7.75m (excluding rooftop services which would increase the overall height to 8.1m) and therefore complies with this clause.

Clause 5.4 Controls relating to miscellaneous permissible uses

The proposal does not include any of the listed uses contained under this clause.

Clause 5.10 Heritage Conservation

The proposal includes works involving a Local Heritage Listed item (Federal Hotel), adjoins the Heritage Listed Wallerawang Gwabegar Railway and is also a site located within the Heritage Conservation Area under schedule 5 of the LEP. As a result, consideration must be given to the relevant objectives and heritage significance, in accordance with Clause 5.10(4).

The provision of Clause 5.10(4) states:

*(4) **Effect of proposed development on heritage significance.** The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).*

The applicant has submitted a professionally prepared Heritage Impact Statement which confirms that the building is a 'landmark corner public hotel in the Federation Free Style' and 'makes a strong contribution to the streetscape of the Mudgee Heritage Conservation Area'. The report however highlights a number of building related issues with the historic hotel, and subsequently has provided a number of conservation measures (section 6 of the report) for the building to preserve its significance.

The report has reached the following conclusions and recommendations:

- *The proposed works will retain significant fabric, form and detailing at the Federal Hotel, reconstruct missing fabric and undertake essential conservation works. Where change conflicts with original or early fabric, the proposal has made efforts to mitigate impact by partially retaining and incorporating fabric/layout into the new concept so that an interpretable vestige remains. There will be a visual improvement to the principal building facades of the Federal following the removal of detracting elements such as aluminium frames windows and doors, the rear 1930s mezzanine addition, and repointing of sections of the hotel's 1880s brick façade.*
- *The bistro addition, new accommodation hotel and bottle shop allow the Federal to cater to a larger demographic of potential patrons, improving its commercial viability and ensuring its continued function as a public hotel and ability to fund ongoing essential maintenance of the building.*
- *The Federal Hotel will continue to be a dominant landmark in the streetscape. There is considered to be minimal adverse impact on items in the immediate vicinity and the Mudgee Heritage Conservation Area.*
- *Overall, the outcome of the proposal will be the revitalisation of a landmark venue and activation of a less-frequented section of the Mudgee Heritage Conservation Area. It has potential to also improve engagement with the historic Mudgee Railway Station buildings across the road.*

The following general recommendations are made:

1. *Traditional lime mortar in a matching colour is used to repoint the required sections of the Federal's 1880s sandstock brick façade. Refer to David Young's technical guide to repointing mortar joints in older buildings: <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Heritage/heritage-maintenance-mortars-materials-mixes-methods-guide.pdf>*
2. *Exterior walls having infill work done should be in matching type and colour brick to the surrounding area. At ground floor the sandstock brick is typically in in English bond pattern, though some walls (NW wing and Store lean-to) look to be Flemish bond. Stretcher bond is used at first floor.*

3. *In the case that the first floor of the Federal is no longer used for accommodation, remove paint from the glazing of the original transom windows on the first floor and refurbish transoms to original condition.*
4. *If compliance with the NCC requires that the Federal's timber staircase have a higher balustrade, that a free-standing slimline brass railing be installed inside of the existing balustrade if it can maintain stair width compliance (preferred). Otherwise install a slim brass railing between the newel posts to achieve height compliance.*
5. *If original ceilings/cornicing or other original fabric/detailing are discovered during works in the public bar and proposed lounge area, that they are made good and incorporated into the new fit-out of the area.*
6. *Salvage pressed metal wall lining from the former WC on verandah and re-use as an interpretative installation in the Hotel.*
7. *In the case that earthworks across the site discover suspected archaeological heritage:*

All contractors involved in the construction works should be briefed on the possibility of relics being present and advised of their legal responsibilities:

o Historical archaeological features and deposits are afforded statutory protection by the 'relics provision'. Section 4(1) of the Heritage Act 1977 defines 'relic' as any deposit, artefact, object or material that relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and is of State or Local heritage significance.

The 'relics provision' requires that no archaeological relics be disturbed or destroyed without prior consent from the Heritage Council of NSW; and

o The National Parks and Wildlife Act 1974 protects Aboriginal cultural heritage in NSW. It is an offence to knowingly (or otherwise) harm or desecrate an Aboriginal object or Aboriginal place. Harm is defined to mean destroying, defacing, damaging or moving an object from the land. An Aboriginal object is legally protected irrespective of land tenure, the significance of the object and whether or not it has been recorded. The penalties for harming or desecrating Aboriginal objects and or places in NSW include significant monetary fines and the potential for imprisonment.

The development application was also referred to Council's Heritage Advisor with the following comments noted:

- *The buildings and structures to be demolished include the modern bottle shop, sheds of various ages, and site works. These are generally modern, and make no contribution to the significance of the hotel or the conservation area. One timber-clad shed is older, but is in poor condition and makes little contribution. Various unsympathetic accretions to the hotel itself are to be demolished. There is no objection to these proposals.*
- *Some internal alterations are proposed but little original fabric will be affected. Where internal fabric is affected, the impact will be minor.*
- *Sympathetic external alterations and additions to the rear of the hotel are proposed, together with comprehensive conservation work.*
- *The proposal provides for the extensive redevelopment of the site including a new bottle shop, and a new accommodation building, together with landscaping.*
- *The hotel is a two-storey building on a prominent corner, but the site is quite large, so the major impact will come from the new development. The new buildings will be essentially modern. Rather than imitating the forms, colours and details of the item, they make subtle references: in particular, the arched (negative) windows refer to the prominent arched elements in the parapet, the one inverted window at the end of the Lewis Street façade providing a visual stop. Face brickwork is used for the walls, but in a different tone. The new buildings complement the original hotel, rather than imitate or compete with it.*

- *The building is not in poor condition. The SOHI lists extensive conservation work, including repointing of salt-damaged brickwork. However, most of the work is not repair or maintenance, but what the Burra Charter terms reconstruction: returning a place to a known earlier state, e.g. replacing later aluminium windows with timber to the original design. Council cannot compel owners to undertake conservation work. Regardless of the owner's financial means, it is fair to say that they would have little motivation to undertake this type of work without the incentive available under the DCP and/or LEP, and it is this work which will have an important impact in conserving the item.*
- *In my opinion, conservation to the level which the item requires and deserves can be achieved if consent is granted. The SOHI includes a summary of proposed conservation work on p.4 and recommendations on p. 103. A note on the drawings makes a general cross-reference to the SOHI. It is recommended that any consent include conditions that:*
- *A Schedule of Conservation Works, prepared by a suitably qualified conservation architect, including but not limited to the matters listed in the Statement of Heritage Impact, be submitted to and approved by Council's Heritage Adviser before the issue of a Construction Certificate; and*
- *The work be executed to the satisfaction of Council's Heritage Adviser before the issue of an Occupation Certificate.*
- *The proposal is supported subject to the above conditions being imposed.*

As a result of the above findings, it is considered that there are no heritage-based grounds for refusal of the application.

The proposed conservation works to the Heritage Listed Item (Federal Hotel) will not have any significant adverse impacts on the heritage significance of the heritage item or the Mudgee Conservation Area, subject to compliance with the recommended conditions of consent.

The proposal will also seek to achieve the objectives of Clause 5.10(1) of the LEP by conserving the building and its associated fabric, setting and views.

Clause 5.21 Flood planning

The subject site is identified as being partly affected by the Probable Maximum Flood (PMF) under the Mudgee Flood Study 2021, however the site itself is not affected by flooding during the 1% AEP flood event. Inglis and Lewis Street both have minor flood affectation, likely due to overland flow within the surrounding road network. As a result, the proposal is not located within the flood planning area and therefore no further consideration is necessary.

Clause 6.1 Salinity

The proposal generally involves minimal earthworks throughout the site; however, a small 'basement' is to be created for the purposes of a keg room and staff area, requiring a small area of cut and retaining wall up to 1.9m (from natural ground level) within the site. As the proposal involves concrete slab construction, a condition of consent has been included requiring the slab to be designed appropriately to minimise the impacts of salts in the ground on the building.

Clause 6.3 Earthworks

The proposal involves earthworks including excavation for the purposes of the basement keg room and staff area with a retaining wall up to 1.9m from natural ground level. The provisions under Clause 6.3(3) have been considered and there are no significant adverse impacts expected as a result of the proposed earthworks to prepare the site for the development, subject to compliance with the recommended conditions of consent.

Clause 6.4 Groundwater vulnerability

The site is identified as groundwater vulnerable in accordance with Council's mapping. Excavation is needed to facilitate the proposal (of up to 1.9m for a small area of the basement keg room within the site) and no significant impacts upon those matters contained within clause 6.4(3) is expected as a result of the proposed development. Given the extent of excavation, it is considered that the development would not cause groundwater contamination, adversely affect any groundwater dependent ecosystems, will not cumulatively impact potable water supply, and therefore no special measures, or conditions of consent would be considered necessary.

Clause 6.5 Terrestrial biodiversity

The proposal is not located in any area identified as 'Moderate or High Biodiversity Sensitivity'.

Clause 6.7 Active street frontages

Not applicable. The site is not located within the area mapped as 'Active Street frontage'.

Clause 6.8 Airspace operations – Mudgee Airport

The proposal will not penetrate the relevant height limits for safe operation of the Mudgee Airport.

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. Importantly, Council's sewer main that bisects the site will be relocated to the proposed carpark, thus will ensure that no building works are located within 1.5m of the centreline of the pipe.

Clause 6.10 Visually sensitive land near Mudgee

The land is not located within the area identified within the visually sensitive land map.

4.15(1)(a) Requirements of Regulations and Policies

(ii) Draft environmental planning instruments (EPI)

No draft environmental planning instruments apply to the land to which the Development Application relates.

(iii) Any development control plans

MID-WESTERN REGIONAL DCP 2013

An assessment is made of the relevant chapters and sections of this DCP. Those chapters or sections not discussed here were considered not specifically applicable to this application or are discussed elsewhere in this report.

Part 4.4 Signs

The proposed development seeks to provide building wall signage displaying the business names of 'The Fed', 'The Federal Hotel', 'Bottleshop', 'Hotel Fed', and a new freestanding pylon sign within the Inglis Street frontage of the site. The pylon sign is proposed at a maximum height of 7.5m high and will be 2.2m wide, with internal illumination of the text within the sign. As there is only one (1) pylon sign, with each building wall sign proposed reflecting each use within the 'business area' (as described under the DCP), the proposed signage is considered to be compliant with the DCP controls. Further, the signage has been designed to remain sympathetic to the character of the area and heritage listed building being of neutral tones and materials and conservatively placed through the development to ensure the signage does not dominate the streetscape.

Part 4.5 Commercial Development

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Building setbacks	
Building setback from the street – no minimum	Yes – the proposed new building works will retain the zero setback from Inglis and Lewis Street, remaining consistent with the existing Federal Hotel.
Side and rear setbacks must comply with BCA	Yes – all setbacks comply. Northern (rear) setback = zero line setback for the Federal hotel and 3.2m for the Hotel Accommodation. Western setback = minimum of 2.02m (bottle shop) and 2.06m for the Hotel Accommodation.
Signage	
Signage complies with relevant provisions in section 4.4 DCP 2013	Yes. Refer to Part 4.4 assessment of report. Conditions recommended.
Design	
Buildings interact with the street	Yes. Various windows, materials and design features are incorporated into the design which is considered to provide a positive contribution to the streetscape whilst conserving the heritage item onsite and the character of the heritage conservation area of Mudgee.
On active street frontages, ground level of building used for business or retail premises	Not applicable
Building facades are articulated by use of colour, arrangement of elements, or varying materials	Yes – the overall design and layout is supported. As the site is located in the Mudgee Heritage Conservation area and a heritage item is also being conserved onsite, the overall finishes proposed have also been reviewed by Councils Heritage Advisor and there is no objection to the general built form of the development as proposed.
Heritage inclusions	Yes. Heritage impact assessment provided and addressed within section 5.10 of this report against the provisions of the LEP 2012.
External plant to be screened from public	External plant is shown to be within dedicated service areas within the site, or appropriately screened. Condition recommended.
Development on a corner – includes architectural features to address both streets	Complies – the sites existing hotel will be retained on the corner of Lewis and Inglis Street with additions proposed to both the north and west of the site. The design of the development has been architecturally designed and provides suitable materials and finishes, remaining sympathetic to the heritage building and conservation area.
Landscape buffers to other zones	Landscaping provided which is considered to be appropriate for the site and softens the overall commercial development. It is noted that the landscape plan includes street trees under the existing powerlines in Lewis Street and this must

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
	<p>comply with Essential Energy requirements.</p> <p>Condition is sought to be imposed to manage the landscaping onsite in perpetuity.</p>
Scale form and height	
<p>Complies with LEP height controls – 8.5m maximum height</p>	<p>The site is partly mapped with a maximum building height of 8.5m and has been assessed to comply. It is also noted that the existing Federal hotel building is located within an area where no building height limit applies, and the additions proposed by this application still remain less than 8.5m and are proposed to be at an overall lower height than the hotel building.</p>
<p>Consistent with existing heritage character of the town centres of Gulgong, Mudgee and Rylstone</p>	<p>The development is considered to be consistent with the existing heritage character of the Mudgee Heritage Conservation area. The development has been reviewed by Council’s Heritage Advisor and as noted within the above assessment under Clause 5.10 of the LEP, there is no objection to the proposal on heritage grounds and subject to conditions of consent as recommended.</p>
Mortimer and Church Street, Mudgee	
<p>Maintain the streetscape established in Church Street between Market and Mortimer Streets:</p> <ul style="list-style-type: none"> – Zero front and side setbacks – Double storey pattern 	<p>Not applicable</p>
<p>Provides variance particularly on upper floor levels, every 20-25m</p>	<p>Not applicable</p>
Articulation and Façade Composition	
<p>Breaks visual bulk with fenestration or change in materials etc.</p>	<p>Yes. Varying materials and colours provided.</p>
<p>No excessive blank walls in front façade</p>	<p>Yes. Visual bulk is reduced with the inclusion of various colours and materials.</p>
<p>Where blank walls are proposed (side or rear), minimise impacts with landscaping, patterning of façade, signage, public art</p>	<p>Yes. Minimal blank walls are proposed to side or rear boundaries and additional landscaping provided as part of the proposal minimises impacts in this regard.</p>
Residential–Commercial interface	
<p>Landscape buffer to residential boundaries</p>	<p>Yes. Landscaping of boundaries provided to all immediate residential buildings and landscaping also provided throughout the site to soften the car parking / hard standing areas.</p>

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Ground and first floor do not overlook residential properties	The proposed hotel accommodation is two (2) storey and will have upper-level windows on the western and northern elevations. It is recommended that a condition be imposed to require privacy screening at a minimum 1.6m from the FFL for all level 1 windows on the northern and western elevations of the hotel accommodation to reduce direct overlooking into the private open space areas of the existing residential properties in this location.
Maintain acoustic privacy through the use of acoustic fencing where vehicles movements adjoin property boundaries	The proposed development includes a timber lapped fence along the western boundary, adjoining the residential property along with new landscaping of the site along with boundary fencing. An acoustic report has to be provided and ensures that acoustic privacy is maintained by the development.
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	Yes. Sufficient separation is provided to the adjacent resident with landscaping treatments throughout and setbacks of over 2m provided to the western boundary when the DCP permits commercial buildings to be constructed up to the boundary of the site.
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	Yes. Owing to the setbacks to the western (side) and northern (rear) boundaries, the development does not reduce sunlight to less than 3 hours between 9am and 3pm on residential properties.
Utilities and Services	
Building and structures located clear of infrastructure	Yes. Compliance is achieved, subject to relocation of the sewer main through the site and away from new buildings. A condition is imposed accordingly.
Able to be serviced by water, sewer and waste disposal	Yes. Compliance is able to be achieved.
Trade waste application required?	Yes. Condition imposed.
Traffic and Access	
All vehicles must be able to enter and exit the site in a forward direction	Yes. Noting that dual driveways are proposed to service the development.
All vehicle movement paths are sealed	Yes. Shown on plan and conditioned.
Driveways comply with Australian Standard AS2890.1 Parking Facilities	Yes. Condition imposed.
All loading facilities located within the site	Yes. Condition imposed.

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
All loading facilities designed to comply with Australian Standards	Yes. A condition will also be required to ensure compliance is achieved.
Application addresses traffic flow and safety issues, e.g. pedestrian, car and truck movements	Yes. The application was supported by a Traffic Impact Assessment and this has been referred Council's Development Engineers. No objection to the proposal has been provide by Council's Development Engineers.
Pedestrian Access	
Maintain existing covered pedestrian access within town centres	Not applicable
Convenient and safe access through parking areas	Yes. Internal footpath connections provided onsite.
Convenient and safe disabled access through parking areas, focus on improving links with existing retail	Yes. Links to other sites not altered by the proposal.
Parking	
Discussed elsewhere in report	The applicant has sought to utilise the 'heritage incentive' clause of the DCP as discussed under the Part 5.1 Car parking assessment in this report. The site has a historic deficit of onsite parking; however, the proposal seeks to rectify this by provision of greater onsite parking and therefore the variation sought is supported by staff in the circumstances of the case.
Landscaping	
Landscaped areas in car parks should be provided incorporating the use of canopy trees and buffer planting to residential boundaries	Yes – the landscaping plan provided details extensive landscaping within the car park and throughout the boundaries of the site.
Landscaping to comprise low maintenance, drought and frost resistant species	The landscape plan includes a number of trees, shrubs and grass species that are suitable for the local climate.

Part 5.1 Car Parking

In accordance with Council's DCP, Section 5.1 – Car Parking, the following car parking is required to support the development:

Pub	Within the Commercial Core B3 zone, car parking study required. All other areas, 1 space per 5m2 of public/licensed area plus 2 spaces per 3 guest rooms plus 2 spaces per 3 employees.
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The following details the existing parking requirements generated by the development and the required parking under the DCP:

EXISTING USE	Area / number	Car Parking Required
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Licensed floor area	340m ²	68
Employees	7	4.7
Accommodation	15	15
Drive Through Bottle shop	3 currently provided	3
Total		91
Current Variation to DCP		80.2%

PROPOSED USE	Area / number	Car Parking Required
Licensed floor area	791m ²	158.2
Employees	10	6.7
Accommodation	38	38
Drive Through Bottle shop	8 proposed	8
Total		211
Proposed Variation to DCP		78.2%

The site currently only provides a total of 18 off street car parking spaces (including 3 spaces within the drive through bottle shop), with the remainder of the car parking presumably occurring on street. It is therefore concluded that the site has a significant historical deficiency in car parking, approximately 73 spaces. This represents a current variation of 80.2% to the car parking required by the DCP.

The proposed development also represents a very significant increase in GFA and requires the provision of 211 car parking spaces, whilst only providing a total of 46 spaces (38 marked spaces and 8 spaces within the drive through bottle shop). This represents a variation of approximately 78.2% to the DCP.

Based upon the above, it can be clearly seen that the Federal Hotel is currently operating successfully (and has been for some time) whilst only providing car parking for the accommodation and bottle shop components of the existing development at a variation of over 80% to current DCP requirements given the historical use of the site.

As such, the remaining car parking has been historically occurring on the surrounding road frontages of the site. The proposed development seeks to continue with this same model in that car parking for the proposed accommodation and bottle shop are compliant, whilst the remaining car parking for the development is to continue to occur on street.

The applicant is seeking to continue to rely upon the use of on-street car parking and to claim a concession in the form of a “Heritage Incentive” prescribed by Council’s Car Parking DCP as shown below.

Heritage Incentive

The Mid-Western Regional Council may exempt development involving the restoration and/or conservation of a heritage item from part or all of the subject developments parking demand. The applicant shall make a claim for the exemption and the justification thereof in the development application.

The Heritage Incentive will only be applied where the applicant can demonstrate that the conservation of the building depends upon the use of this clause.

The applicants Heritage Impact Statement included the following comments to support the use of the DCP exemption:

<p>Part 5 Development Standards</p> <p>5.1 Car Parking</p> <p>Heritage Incentive</p> <p>The Mid-Western Regional Council may exempt development involving the restoration and/or conservation of a heritage item from part or all of the subject developments parking demand. The applicant shall make a claim for the exemption and the justification thereof in the development application.</p> <p>The Heritage Incentive will only be applied where the applicant can demonstrate that the conservation of the building depends upon the use of this clause.</p>	<p>The proposal complies with the conditions of the application of this incentive.</p> <p>Conservation works proposed to the Item are listed in Section 6, above.</p> <p>The proposal includes an increase in the number of accommodation rooms and a bistro addition; currently the Hotel does not have a proper kitchen and the food options at the site are limited. The conservation and ongoing essential maintenance of the Item is dependent on the proposed alterations and additions to improve the Hotel's commercial viability to generate funds for the same.</p>
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Advice was also sought from Council's Heritage Advisor as to the value of the conservation works proposed. Council's Heritage Consultant has confirmed the works are considered significant enough to warrant the support of such a variation to Council's DCP parking requirement.

Based upon the assessment above, the extent of the historical deficiency of car parking and the heritage incentives granted by Council's Car Parking DCP, on balance, it is considered that the applicants' proposal and DCP variation is worthy of support by Council.

Part 5.3 Stormwater Management

Council's Development Engineer has provided comments and conditions concerning adequate disposal of stormwater.

Part 5.4 Environmental Controls

All the relevant considerations have been discussed elsewhere in this report or dealt with through conditions of consent.

Contributions

MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019

Pursuant to Council's Contributions Plan 2019, the development is proposing a commercial development that has a proposed cost greater than \$200,000. Therefore, a levy of 1% applies in accordance with the Plan. A condition has been applied accordingly.

Section 64 - Water/Sewer Developer Services Charges

In accordance with the Developer Servicing Plans for Water and Sewer (August 2008), the proposed development will require the payment of DC headworks charges. A condition has been imposed accordingly for payment of the contributions.

4.15(1)(a) Provisions of any Planning Agreement or Draft Planning Agreement – (1)(a)(iia)

No Planning Agreements are applicable.

Regulations – 4.15(1)(a)(iv)

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

Additional matters that consent authority must consider:

The Regulations requires Council to consider AS2601 when consent is sought for demolition of a building. The application includes demolition and compliance with AS2601 will be required and included as a condition of consent.

Likely impacts of the development – 4.15(1)(b)¹

¹ Including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

(A) CONTEXT AND SETTING

The proposal is appropriate with regards to the surrounding context and setting and is considered to be a suitable form of development for the site. The overall design of the new building works, along with the conservation measures proposed by plans and the Heritage Impact Statement to the Federal Hotel will ensure that the established character of the area is also preserved on a prominent corner of the area.

(B) ACCESS, TRANSPORT AND TRAFFIC

The proposed development has been considered in respect of the sites new access from Inglis Street, new onsite parking arrangements (as detailed within the Part 5.1 DCP assessment) and traffic demand generated by the proposal.

The RMS Guide to Traffic Generating Developments does not prescribe a trip generation rate for a Hotel, the closest land use being a Motel and Restaurant. The following trip generation rates for a Motel and Restaurant are specified by the guide:

Motel

- Evening peak hour vehicle trips = 0.4 per unit

Restaurant

- Evening peak hour vehicle trips = 5 per 100m² GFA

The proposed development will therefore generate the following vehicle trips:

EXISTING USE	Evening peak hour trips
Motel – 15 rooms	6
Current ground floor GFA 340m ²	17
Total	23

PROPOSED USE	Evening peak hour trips
Motel – 38 rooms	15.2
Current ground floor GFA 791m ²	39.55
Total	54.75

The drive through bottle shop has not been included in the traffic volumes above as it is considered to be like for like, that is, no increased vehicle movements as a result of the proposed development.

Based upon the trip generation rates and tables above, the development once complete has the potential to increase traffic by approximately 32 vehicle trips per hour beyond that currently occurring. However, these figures do not take into account factors such as cross-use within the various facilities provided by the hotel, multi destination tripping within the Mudgee CBD and modern driver behaviour in terms of drink driving. Many modern studies have shown that the use of

taxis, courtesy buses, ride sharing and walking will lower the trip generation rates associated with a CBD hotel.

The hotels central location and the current high standard of the surrounding road network will ensure that any additional traffic generated by the development is able to be absorbed without impacting on current levels of service. Therefore, no additional or upgrading works are considered to be required from a traffic perspective.

The plans submitted demonstrate access to the site will be via Inglis Street to service the bottleshop and hotel accommodation with onsite parking provided.

Limited-service vehicle access may occur via Lyons Lane however conditions are recommended to ensure that restrictions to this, along with the upgrade of the lane would be required to ensure suitable access is provided.

Further, any additional parking for the hotel is proposed to continue the status quo, with on-street parking being retained.

(C) PUBLIC DOMAIN

The development will not impact the public domain in terms of recreation opportunities, the amount, location, design, use and management of public spaces, or pedestrian linkages between public spaces. Footpath upgrades will however be undertaken by the developer, as shown on the plans, within the frontages of the site.

(D) UTILITIES

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

(E) HERITAGE

As outlined within the assessment of the proposal under Clause 5.10 of the LEP, there are no adverse heritage impacts associated with the proposal with the development seeking to 'preserve' and conserve the existing heritage listed building satisfying the objectives of Clause 5.10 Heritage Conservation of the LEP 2012.

(F) OTHER LAND RESOURCES

No impact expected on the conserving and the use of valuable land, such as productive agricultural land, mineral or extractive resources, or water supply catchments.

(G) WATER

No significant impact expected with water conservation measures required under the new Building Sustainability policy requirements introduced in October 2023.

(H) SOILS

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

(I) AIR AND MICROCLIMATE

The development is not expected to impact air quality or microclimatic conditions. Localised odours may be limited to cooking from the new commercial kitchen; however, conditions of consent are recommended to ensure that all mechanical exhausts comply with the applicable Australian Standards.

(J) FLORA AND FAUNA

The limited amount of vegetation proposed to be removed has been discussed throughout this report. No negative impacts are expected by removal of the vegetation within the site to facilitate the proposal.

(K) WASTE

Waste service is currently available however, separate commercial arrangements will be required in relation to demolition wastes and ongoing operational wastes generated by the development.

(L) ENERGY

As noted under the newly introduced Building Sustainability SEPP, the proposal seeks to implement energy saving devices along with rooftop solar to assist in reducing energy outputs generated by the proposed development.

(M) NOISE AND VIBRATION

An acoustic report has been prepared to support the application prepared by NDY Group and identifies surrounding sensitive receivers whilst assessing all aspects of the proposed development.

The identified closest sensitive receivers are located within Lewis Street and Inglis Street, with the following conclusions made with respect to each aspect of the development.

OPERATIONAL NOISE

- *Operational noise criteria were set using a modified approach to the NSW NPfl where the project amenity noise level is adopted as the project trigger noise levels.*
- *The main contributors of operational noise emission are expected to be building services equipment, the waste collection area and car park.*
- *Outdoor condensers are predicted to comply with the PTNL based on distance propagation and acoustic treatment.*
- *Waste collection activities will comply with project trigger noise levels assuming sound power level of 89 dBA and an acoustic barrier at the northern boundary.*
- *Car park noise is predicted to comply with the PTNL with an acoustic barrier at the northern boundary.*
- *Noise from outdoor gaming area will also meet the project criteria, administrative control measures are recommended for evening and nighttime.*

CONSTRUCTION NOISE

- *Construction noise criteria have been set in general accordance with NSW Interim Construction Noise Guideline, again adopting the project amenity noise level as the noise affected level.*
- *Construction noise is predicted to exceed the noise affected level, indicating reasonable steps to reduce noise should be taken.*
- *Construction noise is not, however, predicted to exceed the highly noise affected level (75 dBA) when site hoarding is implemented, indicating a construction noise and vibration management plan is not required.*
- *Construction noise will be controlled using time management per phase and a perimeter hoarding as indicated.*

CONSTRUCTION VIBRATION

- *Construction vibration has been assessed against British Standard BS 7385:1993 Evaluation and measurement for vibration in buildings – Part 2: Guide to damage levels from ground-borne vibration “Assessing Vibration: a technical guideline” issued by the Department of*

Environment and Conservation NSW for measurement and assessment of vibration, and German Standard DIN 4150-3 Structural Vibration Part 3: Effects on building and structures.

- *The main sources of construction vibration emission from the site are expected to be vibratory rollers and piling works.*

Based on the above conclusions noise and vibration impacts on the surrounding community from the proposed Federal Hotel Mudgee will be compliant with noise and vibration regulations. As such NDY supports the applicable planning pathway for the proposed hotel.

Based on the above acoustic modelling and the content of the submission received, it is recommended that specific conditions be imposed to ensure compliance with the report along with the following to address adjoining resident concerns:

1. increase the new timber fence along the western boundary to the established fence height of 2m (from 1.8m as shown on the plans); and
2. ensure that any mechanical plant or condensers proposed along the western boundary be located within a soundproof / insulated acoustic enclosure, or relocated away from the western elevation of the buildings.

(N) 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.

(O) TECHNOLOGICAL HAZARDS

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

(P) SAFETY, SECURITY AND CRIME PREVENTION

The proposal is considered to increase passive surveillance and has been designed with crime prevention through environmental design principals including car park lighting, open sight-lines, with limited opportunities within the site for concealment of people, therefore reducing the risk of antisocial behaviour and crime activities.

(Q) SOCIAL IMPACT IN THE LOCALITY

The proposal is considered to generate generally positive social impacts whilst creating an improved accommodation outcome for the site, supporting conservation of the historic Federal Hotel.

(R) ECONOMIC IMPACT IN THE LOCALITY

The proposal is considered to generate positive economic impacts with employment opportunities, use of local trades and suppliers and providing an improved venue for the local community.

(S) SITE DESIGN AND INTERNAL DESIGN

The layout and design of the proposal has been well considered, whilst also seeking to conserve the heritage listed hotel. As a result, the layout and design of the proposal is considered to be adequate as discussed throughout this report.

(T) CONSTRUCTION

To comply with the BCA where relevant.

(U) CUMULATIVE IMPACTS

There are no known cumulative 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.

Suitability of Site for Development – 4.15(1)(c)

(A) DOES THE PROPOSAL FIT IN THE LOCALITY?

Whilst there are no hazardous land uses or activities nearby, it is considered that the development has been designed to ensure there is minimal impact on the locality and surrounding land.

(B) ARE THE SITE ATTRIBUTES CONDUCTIVE TO DEVELOPMENT?

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

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

The application was advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 8 November 2023. During the notification and advertising period, 1 unique submission was received providing comments for Council consideration.

The submission received by Council is included as Attachment 2 raised the following with comments provided in the table below:

Key Concern Raised:	Comment:
Increase the new timber boundary fence to the existing fence height of 2m and remain unpainted.	Supported – condition imposed accordingly.
Arborist report provided missing trees and tree trimming along the boundary – wishing to be consulted.	Supported – a revised report is to be prepared considering all trees in consultation with the adjoining owner (condition imposed accordingly).
Noise from motor noise of air conditioners / coolroom from the Bottleshop – seeks to have the located away from this boundary.	An acoustic report has been prepared and confirms that acoustic louvers are required on the rooftop condensers located on the hotel building. A condition is imposed accordingly to ensure compliance with the Report.
Dust from demolition and potential asbestos	A standard condition has been imposed to ensure that all demolition impacts, including dust suppression and works to remove asbestos material occurs in accordance with the applicable Australian Standards.
Power supply for this site runs underground in front of the proposed Bottleshop.	Noted. This would be a consideration for works to be approved by Essential Energy.

The applicant has also responded to the submission, which has been included as **Attachment 2** to this report.

As noted above and as a result of a full merits-based assessment of the proposal, conditions are considered to be able to be imposed for the development in order to address the relevant concerns raised. A redacted copy of the public submission received by Council during the notification period is included as **Attachment 2** to this report.

(B) SUBMISSIONS FROM PUBLIC AUTHORITIES

The application was referred to Essential Energy with comments provided, noting that there were safety concerns raised due to setbacks / clearance requirements from the overhead powerlines. As a result, the applicant provided further information from their appointed consultant to enable the concerns to be addressed at a later stage. As a result, conditions have been imposed, prior to issue of any Construction Certificate.

The Public Interest – 4.15(1)(e)

(A) FEDERAL, STATE AND LOCAL GOVERNMENT INTERESTS AND COMMUNITY INTERESTS

The proposed development has resulted in significant community interest however, the majority of the key areas for concern have been addressed by the applicant and may be restricted via conditions of consent to mitigate impacts during operations.

CONSULTATIONS

(A) HEALTH AND BUILDING

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

(B) TECHNICAL SERVICES

Council's Development Engineer has provided a final referral response with the recommendation of a number of conditions of consent.

(C) HERITAGE ADVISOR

Council's Heritage Advisor has not raised any objections to the proposal, subject to conditions of consent as noted within the Clause 5.10 LEP assessment of the application.

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

- Comprehensive Land Use Strategy
- Mudgee Town Structure Plan
- Mid-Western Local Strategic Planning Statement

Council Policies

- Mid-Western Local Environmental Plan 2012

Mid-Western Development Control Plan 2013
Community Participation Plan 2019

Legislation

Local Government Act 1993

Public Health Act 2010

Environmental Planning and Assessment Act 1979 (as amended)

Environmental Planning and Assessment Regulation 2021

Roads Act 1993

Financial implications

Development Contributions will be collected by Council in accordance with the Developer Contributions Plan and Developer Services Plans (Water and Sewer).

Should Council refuse the application however, the costs associate with an appeal through the Land & Environment Court will be required to be funded by Council.

Associated Risks

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

KAYLA ROBSON
PLANNING COORDINATOR

ALINA AZAR
DIRECTOR DEVELOPMENT

1 March 2024

Attachments: 1. Development Plans and Reports. (separately attached)
2. Submission and Applicants Response. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER