

## Item 8: Development

### 8.1 DA0238/2024 - PAN-415255 - Boundary Adjustment (3 into 3 lots) - Old Bombira 7 Moggs Lane BOMBIRA

REPORT BY THE TOWN PLANNER  
TO 17 APRIL 2024 ORDINARY MEETING  
GOV400105, DA0238/2024

#### RECOMMENDATION

**That Council:**

- A. receive the report by the Town Planner on the Development Application DA0238/2024 - PAN-415255 - Boundary Adjustment (3 into 3 lots) - Old Bombira 7 Moggs Lane BOMBIRA;**
- B. That Development Application DA0238/2024 - PAN-415255 - Boundary Adjustment (3 into 3 lots) - Old Bombira 7 Moggs Lane BOMBIRA be approved subject to the following conditions and Statement of Reasons:**

#### CONDITIONS

#### APPROVED PLANS

- 1. The development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.**

<b>Title / Name:</b>	<b>Drawing No / Document Ref</b>	<b>Revision</b>	<b>Date</b>	<b>Prepared by:</b>
<b>Existing Site Plan</b>	<b>L01</b>	<b>A</b>	<b>18/10/2023</b>	<b>Barnson</b>
<b>Proposed Site Plan</b>	<b>L02</b>	<b>B</b>	<b>22/02/2024</b>	<b>Barnson</b>

**In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.**

#### GENERAL

- 2. This consent is for a boundary adjustment (3 into 3 Lots) only. No physical works are approved under this consent.**
- 3. Proposed Lot 101 and Lot 102 is to have a minimum area of 4000m<sup>2</sup>.**

#### PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

4. Under the Environmental Planning & Assessment Act 1979, a Subdivision Certificate is required before the linen plan of subdivision can be registered with NSW Land Registry Services.

**Note – The fee to issue a Subdivision Certificate is set out in Council’s Fees and Charges.**

5. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager (or their delegate).
6. All costs associated with the preparation of a Survey Plan and associated easement documentation are to be borne by the developer.
7. Prior to the issue of a subdivision certificate, a survey drawing is to be submitted to Council, demonstrating that all private water services, sewer services and water meters are located wholly within the lot that they serve.

#### **ADVISORY NOTES**

1. The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning - Public Places".
2. The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.
3. Division 8.2 of the Environmental Planning and Assessment Act (EP&A Act) gives you the ability to seek a review of the determination. This request is made to Council and must be made within 6 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee; please contact Council's Development Department for more information or advice.
4. If you are dissatisfied with this decision section 8.7 of the EP&A Act 1979 gives you the right to appeal to the Land and Environment Court, pursuant to section 8.10(1)(b).
5. To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the EP&A Act.

#### **STATEMENT OF REASONS**

The determination decision was reached for the following reasons:

1. The proposed development complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.
2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the Environmental Planning & Assessment Act 1979.
3. The development was not required to be publicly notified in accordance with Council’s Community Participation Plan 2019. No submissions were received.

## Executive summary

OWNER/S	Desmond and Carol Anne Kennedy
APPLICANT:	Desmond Kennedy c/o Jack Massey – Barnson
PROPERTY DESCRIPTION	Lot 1 DP 772140 – 7 Moggs Lane BOMBIRA Lot 10 DP 1284642 – 6 Page Street BOMBIRA Lot 11 DP 1284642 – 8 Page Street BOMBIRA
PROPOSED DEVELOPMENT	Boundary Adjustment (3 into 3 lots)
ESTIMATED COST OF DEVELOPMENT:	\$1.00
REASON FOR REPORTING TO COUNCIL:	Determination of a development application where a senior member of Council or Councillor (Mayor), is the owner or applicant of the subject land (excluding Council owned or managed land)
PUBLIC SUBMISSIONS:	Nil

Council is in receipt of a Development Application DA0238/2024 which seeks approval for a boundary adjustment – 3 into 3 lots located at 7 Moggs Lane Bombira and 6 and 8 Page Street Bombira, legally described as Lot 1 DP 772140 and Lot 10 and 11 DP 1284642 (**Figure 1**). The application was received by Council on 4<sup>th</sup> March 2024.

The applicant is proposing a boundary adjustment that involves adding additional area to Lot 1 and reducing the areas of Lots 10 and 11 accordingly. The three lots are proposed to be numbered 103, 102 and 101. Lot 103 will contain the existing dwelling and associated structures and increase in area to 2.577ha, while Lots 101 and 102 will be reduced in area to 4000m<sup>2</sup> each and remain vacant residential lots. The proposal is for a re-alignment of boundaries only. No physical works are proposed. The existing and proposed plans are included within **Attachment 1**.

The application was not required to be advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019.

The proposed development has been assessed in accordance with Council's DCP and the LEP. The proposed development is considered consistent with Council's planning controls.

The application has been referred to Council for consideration as it exceeds staff's *Delegation of Authority*, in that the owner of the subject land is a senior member of Council or Councillor (Mayor).

The application is recommended for Approval.

## Disclosure of Interest

Mayor Des Kennedy is a part owner of all three lots subject to this application.

## Detailed report

### SITE DESCRIPTION

The proposed boundary adjustment is located within the established 'Old Bombira' residential precinct and the recently subdivided 'Bonnyview Estate' approximately 2km to the north-east of the Mudgee Town Centre. The proposed boundary adjustment is located on the north-eastern side of Moggs Lane and western side of Page Street. Lot 1 DP 772140 is a large allotment that contains an existing dwelling house, associated outbuildings, pool and tennis court. Lot 10 and 11 DP 1284642 were recently created under a new subdivision and are vacant residential allotments.

The subject site is located within an established residential area and the immediate vicinity is characterised by large R2 low density residential allotments. Extending beyond the subject site is the racecourse to the south west, Ulan Road and the AREC centre to the north west and rural land to the north and east.



Figure 1 – Site Locality Map



Figure 2 – Site Aerial



**PROPOSED DEVELOPMENT**

The proposed development is for a boundary adjustment between Lot 1 DP 772140, Lots 10 DP 1284642 and Lot 11 DP 1284642. The proposal seeks to shift the rear boundary of Lot 10 and 11 east and allocate this portion of land to Lot 1. This would result in an increase in land area of Lot 1 by 1875m<sup>2</sup>.

Lot 1 will retain its access off Moggs Lane and Lot 10 and 11 will retain its access off Page Street, as per the existing arrangement. All existing services shall be retained and the proposed boundary adjustment does not impact on any existing service infrastructure located on the subject site.

The proposed boundary adjustment is a re-alignment of boundaries only. No physical works are proposed.

Existing site details:

Street No.	Lot & DP	Road Frontage	Area	Use of Land
7	Lot 1	Moggs St	2.389 ha	Residential. Contains an existing house and ancillary buildings
6	Lot 10	Page St	4592m <sup>2</sup>	Vacant residential land
8	Lot 11	Page St	5283m <sup>2</sup>	Vacant residential land

Proposed site details:

Street No.	Lot	Road Frontage	Area	Use of Land
7	Lot 103	Moggs St	2.577 ha	Residential. Contains an existing house and ancillary buildings
6	Lot 101	Page St	4000m <sup>2</sup>	Vacant residential land
8	Lot 102	Page St	4000m <sup>2</sup>	Vacant residential land



**Figure 3 – Existing Site Plan**



Figure 4 – Proposed Site Plan

## 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 the removal of vegetation. Therefore, no further consideration of the SEPP is considered necessary.

#### STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008

The proposed development is not impacted by any requirements of this Policy. It is acknowledged that any fencing undertaken in the future will be required to be undertaken in accordance with this policy between landowners. No further consideration is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Pursuant to section 4.6(2) of the Policy, no preliminary contamination report is required. The site currently is approved for residential purposes.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

The proposed development is for a boundary realignment only. It does not impact upon any nearby infrastructure or trigger the requirements of this policy.

**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.

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**Clause 1.2 Aims of Plan**

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

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**Clause 2.2 Zoning of Land to Which Plan Applies**

The land is zoned R2 Low Density Residential and is therefore subject to the Plan.

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**Clause 2.3 Zone objectives and Land Use table**

The land is zoned R2 Low Density Residential pursuant to MWRLEP 2012. The proposal, being a boundary adjustment is permissible with consent in the zone and complies with the relevant objective of the R2 Zone which is to:

1. *To provide for the housing needs of the community within a low density residential environment.*

**Comment** The proposal will not inhibit the housing needs of the community as expected in the R2 zone.

2. *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

**Comment** The proposal is not expected to hinder other possible permissible land uses within the immediate area.

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**Clause 2.6 Subdivision – consent requirements**

As the proposal involves a boundary adjustment this will also require development consent as discussed throughout the report.

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**Clause 4.1 Minimum subdivision lot size**

The proposed subdivision generally meets the objectives of the clause, as the proposal will promote further suitable land uses that can be accommodated on the site whilst complying with all the relevant planning controls.

The minimum lot size pursuant to the LEP mapping is 2ha. However, the subject lots are also located within the nominated 'Area B' on the Minimum Lot Size map.

Proposed Lot 103 already exceeds 2ha. However, proposed Lot 101 and 102 are proposed to be 4000m<sup>2</sup>.



It is acknowledged that existing Lot 10 and 11 were approved below 2ha under the original subdivision approval (DA0101/2020). Under this consent, consideration was given to clause 4.1(3A)(b) of the LEP which states:

*(3A) Despite subclause (3), if the consent authority is satisfied that each lot is, or will be serviced by a water reticulation system and sewerage system—*

*(b) land identified as “Area B” on the Lot Size Map may be subdivided to create lots of at least 4,000 square metres.*

As the original subdivision extended reticulated water and sewer services, lots below 2ha (but no less than 4000m<sup>2</sup>) were permitted. Accordingly, as the boundary adjustment does not propose to reduce the lot area below 4000m<sup>2</sup> or require changes to the existing servicing strategy, the boundary adjustment is satisfactory and achieves compliance with the minimum lot size provisions.

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#### **Clause 4.3 Height of buildings**

Not applicable. No physical works are proposed.

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#### **Clause 5.10 Heritage Conservation**

The development site is not identified as containing a heritage item, nor is it located within the Mudgee Heritage Conservation Area. Accordingly no further heritage consideration is considered necessary.

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#### **Clause 5.21 Flood planning**

Not applicable. The site is not flood affected.

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#### **Clause 6.3 Earthworks**

Not applicable. No physical works are proposed.

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#### **Clause 6.4 Groundwater vulnerability**

The site is identified as groundwater vulnerable in accordance with Council’s mapping. However, no physical works are proposed.

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#### **Clause 6.5 Terrestrial biodiversity**

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

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#### **Clause 6.9 Essential Services**

All lots are currently serviced by both Council’s water and sewer networks, the boundary adjustment will not affect these current arrangements. No new service connections or easements are required. As a result, all essential services are available to all allotments.

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#### **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 4.7 Tree Preservation Order**

No trees to be removed listed under the TPO.

**Part 5.2 Flooding**

Not applicable.

**Part 5.3 Stormwater Management**

Both lots and the existing structures can drain to either Moggs Lane or Page Street via existing drainage systems and easements. No additional infrastructure or easements are required.

**Part 5.4 Environmental Controls**

Not applicable.

**Part 7.1 Urban Subdivision**

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
<b>Applies to</b>	
Land zoned residential; village zones; rural residential lots up to 2 hectares	Land is zoned Residential
<b>Lot size</b>	
Minimum lot size as determined by MWRC LEP 2012	Yes. Each lot complies with clause 4.1(3)
All lots have street frontage	Proposed Lot 103 will retain its access to Moggs Lane. Proposed Lot 101 and 102 will retain access to Page Street.
Lots increase in size relative to slope as follows: – 0-10 degrees: 600m <sup>2</sup> – 10-15 degrees: 700m <sup>2</sup> – 15-20 degrees: 800m <sup>2</sup> – >20: subdivision prohibited	Approximate fall is between 0-10 degrees.
All lots have 16m width at building line in residential and village zones	There is no change to the lot width.
Battle-axe handles in R1, R3 and RU5 Village have width of 4m	Not applicable
Battle-axe handles in R2 and R5 residential zones have width of 6m	Not applicable
<b>Lot Design</b>	
For infill subdivision lot orientation maximises solar access and takes account of existing pattern of development	Yes. The proposed boundary adjustment does not impact on solar access for future development. The lot are large and are capable of achieving maximum solar access.

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
For new release subdivision lot orientation maximises solar access by maximising north-south lots	The lot orientation was already approved. The change is lot depth and configuration will not impact on solar access.
For new release subdivision east-west orientated lots have increased width and midpoint	All lots are of a suitable size to achieve a high level of solar access.
Lots generally rectangular in shape	Achieved.
Lots on southern side of road provide greater frontage width for better solar orientation of future dwelling	Not applicable
Corner lots have sufficient area to allow dual occupancy and independent utility connection points	Not applicable
<b>Street Layout and Design</b>	
Traffic Impact Statement submitted for 5+ lots	Not applicable. A Traffic Impact Statement is not required in this instance as the proposed subdivision is for a boundary adjustment only. No additional Lots or new roads are proposed.
Traffic Impact Statement submitted for all subdivisions where new road required	Not applicable
Subdivision integrates with existing residential area	Yes. The boundary adjustment does not impact on the lots integration with the established residential area.
New roads must provide “through road” connections to surrounding roads and road heads where they exist in the locality	Not applicable
Where cul-de-sac treatment unavoidable, pedestrian linkages between streets provided	Not applicable
Multiple cul-de-sacs and “no through roads” discouraged	Not applicable
Maximum number of lots in cul-de-sac is 12 lots	Not applicable
Subdivision >80 lots should not require backtracking	Not applicable
<b>Road Standards for New Development</b>	
Urban Road Standards required	Not applicable. No new roads are proposed or required.
1 x 1.2m footpath, barrier kerbing	Not applicable
Commercial and Industrial Subdivision roads: 22m road reserve, 13m carriageway, 2 x 4.5m nature strip, 1 x 1.2m footpath, barrier / rollover kerbing	Not applicable

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
<b>Cycle ways and footpaths</b>	
Cycle ways and pedestrian networks included in new subdivisions	Not applicable. This is a boundary adjustment only.
If subdivision site identified in Council cycle way plan or pedestrian strategy, subdivision needs to respond to strategy	Not applicable
New subdivisions provide direct, convenient and safe access to major facilities	Not applicable
Cul-de-sacs may be required to include 10m wide shared overland flow/pathway	Not applicable
Developer to provide contribution to Council for installation of cycle ways and footpaths prior to release of subdivision certificate	Not applicable
<b>Open Space</b>	
Greenfield sites >20 lots ensure that lots are <400m from local park, playground or passive open space	Not applicable. This is a boundary adjustment only. There is no requirement for additional facilities.
Where on-site detention basins double as open space, must include raised level area which incorporates playground or fitness equipment etc and shading landscaping	Not applicable. This is a boundary adjustment only. There is no requirement for additional facilities.
<b>Landscaping</b>	
Landscape plan provided, detailing treatment of public domain	Not applicable. Existing landscaping within the street verges is proposed to be retained and is to be impacted by the boundary adjustment.
Land dedicated as public reserve top soiled, levelled, turfed prior to release of subdivision certificate and maintained by developer for period of two years	Not applicable.
<b>Street Trees</b>	
Two (2) street trees provided per lot	Street trees are existing. The proposed boundary adjustment does not require additional plantings.
Developer provides levy to Council to provide these trees after 80% of works carried out	Not applicable
<b>Utility Services</b>	
Servicing plan submitted showing provision of underground electricity, sewer, water, drainage and telecommunications to the development	All lots are currently connected to reticulated services. The proposed boundary adjustment does not impact upon or require augmentation of existing services. Each lot retains its



DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
	existing service arrangements.
Evidence of consultation with relevant authorities submitted with application	Not applicable
<b>Drainage</b>	
As per Section 5.3 Stormwater and Drainage	Not applicable. All stormwater generated by the existing dwelling and vacant lots can be managed via existing arrangements. The boundary adjustment does not impact how stormwater will be managed on each lot as a result.

**Section 7.11 Contributions**

**MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019**

Pursuant to Council’s Contributions Plan 2019, no contributions are necessary as the proposal will not increase the demand on local infrastructure as no additional lots are being created.

**Section 64 - Water/Sewer Developer Services Charges**

In accordance with the Developer Servicing Plans for Water and Sewer (August 2008), no charges have been applied as the proposed development does not increase the demand or loading upon Council’s infrastructure.

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

No Planning Agreements are applicable.

**Regulations –4.15(1)(a)(iv)**

**ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021**

No matters prescribed by the Regulations impact determination of the Development Application.

**Likely impacts of the development – 4.15(1)(b)<sup>1</sup>**

<sup>1</sup> 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. The subject site is located in an area which is characterised by low density residential development. The proposed development is for a boundary adjustment between three existing Lots. Following the boundary adjustment, the existing and future residential use of the land would remain the same. Therefore,

the proposal is consistent with the existing locality and streetscape and would not impact on the context or setting in the locality.

**(B) ACCESS, TRANSPORT AND TRAFFIC**

Access arrangements for both lots are unchanged, the proposed boundary adjustment will not affect or alter the current access arrangements. No additional traffic will be generated should the application be approved.

**(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.

**(D) UTILITIES**

The provision of all essential services is provided via existing arrangements to each proposed Lot. No new connections are required as a result of the proposed boundary adjustment.

**(E) HERITAGE**

Not applicable. Discussed in Clause 5.10 of MWRLEP 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 physical works are required as part of the boundary adjustment, and as such there would be no impact to water.

**(H) SOILS**

No physical works are required as part of the boundary adjustment, and as such there would be no impact to soils.

**(I) AIR AND MICROCLIMATE**

No physical works are required as part of the boundary adjustment, and as such there would be no impact to air quality or microclimatic conditions.

**(J) FLORA AND FAUNA**

Not applicable. No vegetation is proposed to be removed.

**(K) WASTE**

Waste service available in this area.

**(L) ENERGY**

Not applicable.

**(M) NOISE AND VIBRATION**

Not applicable. No physical works are proposed.

**(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**

Not applicable. The proposal is for a boundary adjustment only. It is not expected to impact on safety and security.

**(Q) SOCIAL IMPACT IN THE LOCALITY**

Generally positive, the boundary adjustment retains the housing opportunities for Mudgee.

**(R) ECONOMIC IMPACT IN THE LOCALITY**

Generally positive.

**(S) SITE DESIGN AND INTERNAL DESIGN**

Adequate as discussed throughout this report.

**(T) CONSTRUCTION**

Not applicable. No construction is proposed.

**(U) CUMULATIVE IMPACTS**

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

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

**(A) DOES THE PROPOSAL FIT IN THE LOCALITY?**

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

**(B) ARE THE SITE ATTRIBUTES CONDUCTIVE TO DEVELOPMENT?**

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

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

**(A) PUBLIC SUBMISSIONS**

The application was not required to be advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019.

**(B) SUBMISSIONS FROM PUBLIC AUTHORITIES**

No submissions were sought or received from public authorities.



## The Public Interest – 4.15(1)(e)

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

No significant issues in the interests of the public are expected as a result of the proposed development.

## CONSULTATIONS

### (A) HEALTH AND BUILDING

No consultation necessary.

### (B) TECHNICAL SERVICES

Council's Development Engineer has not raised any concerns with the proposal subject to standard conditions.

### (C) HERITAGE ADVISOR

No consultation necessary.

### (D) ACCESS COMMITTEE

No consultation necessary.

## Community Plan implications

Theme	Looking After Our Community
Goal	Vibrant towns and villages
Strategy	Make available diverse, sustainable, adaptable and affordable housing options through effective land use planning

## Strategic implications

### Council Strategies

Not applicable

### Council Policies

Mid-Western Regional Development Control Plan 2013

### Legislation

Mid-Western Regional Local Environmental Plan 2012

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Regulations 2021

## Financial implications

Not applicable.

## Associated Risks

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

HANNAH DRAPER  
TOWN PLANNER

ALINA AZAR  
DIRECTOR DEVELOPMENT

22 March 2024

- Attachments:*
1. Attachment 1 - Plans. (separately attached)
  2. Attachment 2 - Statement of Environmental Effects. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER