

# **Statement of Environmental Effects**

Farm Stay Accommodation and alterations to existing restaurant

Client: Parkview capital Pty Ltd Date: 27 June 2025

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# **Document Status**

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22/05/25	V1 Preliminary Draft	Liz Densley	Client Review
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# **APPENDICES**

- A. Architectural Plans
- B. Landscape Plan
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- D. Civil
- E. Traffic Report
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- G. Accessibility
- H. Geotechnical
- I. Site and Soil Assessment
- J. Contamination PSI

- K. Solar Storage Proposal
- L. Services and Infrastructure
- M. BCA Capability Statement

Appendices and other supporting documents have been uploaded to the planning Portal under separate cover.

# 1. Introduction

The Statement of Environmental Effects (SEE) has been prepared to support a Development Application for Winery farm stay accommodation, alternations and extension to existing cellar building and restaurant. The site is 85 Rocky Waterhole Road, and accommodates an existing commercial vineyard, cellar door, cafe and function centre. The site operates under an existing development consent (DA0286/2017).

The SEE has been prepared in accordance with the requirements of the *Environmental Planning and Assessment Act* 1979 (EPA Act), the *Environmental Planning and Assessment Regulation 2021* (EPA Reg) as well as the requirements of Mid-Western Regional Council (Council).

The SEE is based on and to be read in conjunction with the accompanying documentation listed in the appendices.

Proposal	16 accommodation units, alterations and extension to the exiting cellar building and restaurant, amenities, and demolition of existing structures	
Applicant	Eight Mile Planning	
Land owner	Parkview Capital Pty Ltd	
Property description	Lot 2 DP 1283989 85 Rocky Waterhole Road	
Application type	Development Application – Local	
Determining Authority	The Application will be determined by Mid-Western Regional Council	
Key SEPP/LEP/DCP	Mid-Western Regional Local Environmental Plan 2012 (MWRLEP) Mid-Western Regional Development Control Plan 2015 (MWRDCP)	
Permissibility	The proposal is characterised as an agritourism development consistent with the policy and supporting statutory changes that commenced in December 2022 Tourist and visitor accommodation, cellar door premises, food and drink premises are permissible in the RU4 zone.	
Key Planning Controls (MWRLEP)	<ul> <li>6.5 Terrestrial biodiversity – the proposal is within the disturbed part of the site and outside the area identified</li> <li>6.10 Visually sensitive land near Mudgee – the proposal is consistent with the provisions</li> </ul>	

Table 1 Summary

The SEE is based on and to be read in conjunction with the accompanying documentation listed in the appendices.

Document	Prepared by	Appendix
Architectural Plans	Wild Modular	А
Landscape Plan	Play/St	В
Visual Renders	SF Render	С
Civil	Barnson	D
Traffic Report	Metafora	E
Bushfire Report	Statewide Bushfire Consulting	F
Access Report	Funktion	G
Geotech	Barnson	Н
Site and Soil Assessment	Barnson	I
Contamination PSI	PB Ag Consulting	J
Solar and Storage Proposal	Remote Offgrid Energy	К
Services and Infrastructure	Lucid Consulting	L
BCA Capability Statement	Philip Chun	М

# Table 2 Accompanying documentation

Appendices and other supporting documents have been uploaded to the Planning Portal under separate cover.

# **1.1 Site Context**

The subject site is located approximately 7 kilometres east of Mudgee, with primary access from Rocky Waterhole Road. The site forms part of an established rural landholding, known as Peppertree Hill Estate (previously identified as "Moothi Estate"), which currently operates as a commercial vineyard. It is situated within a broader rural landscape characterised by agricultural production, scattered rural dwellings, and natural landforms.

The total site area includes a mix of gently undulating and steeply sloping terrain. As seen on the terrain map, the western and northern portions of the site are relatively flat to moderately sloping and are already cleared and disturbed through existing vineyard operations, access tracks, and infrastructure. The proposed development will be wholly contained within this disturbed area, which lies predominantly within the central and northern sections of the property. This location ensures minimal impact on the natural landscape and avoids the need for significant earthworks or vegetation removal.

The southern and eastern areas of the site comprise steeper slopes with higher topographic relief and areas of intact native vegetation. No development is proposed in these parts of the site, ensuring protection of visual amenity, slope stability, and ecological values.

The siting of the development avoids encroachment into these sensitive landscape areas and respects the natural landform as reinforced by the imagery provided addressing the visual sensitivity provisions of the

MWRLEP. By containing the proposed works within the previously disturbed and gently sloping portions of the property, the development avoids adverse impacts on the scenic and environmental qualities of the site.

- » In summary, the development footprint:
- » Is limited to the northern and central sections of the property, already disturbed and used for viticulture;
- » Avoids all steeply sloping land and vegetated ridgelines to the south and east;
- » Maintains the integrity of the existing vineyard and rural landscape; and
- » Aligns with the site's existing agricultural use and its suitability for low-scale agritourism development.

# Figure 1 Site Location



Source: Explorer, 2025.

# Figure 2 Site Location



Source: Explorer, 2025.

# 2. Proposed development

The proposal involves the redevelopment of an existing vineyard property to deliver a premium agritourism experience focused on food, wine, within in an operational vineyard. As shown on the site plan (Figures 3 and 4), the development comprises a series of well-integrated components that respond to the site's topography, vegetation, and existing infrastructure.

The existing cellar door building will be adaptively reused and expanded to accommodate a new wine bar, a fullservice restaurant, and flexible tasting and event spaces. This upgraded hospitality hub will include approximately 337m<sup>2</sup> of internal floor space and an additional 86m<sup>2</sup> of outdoor covered deck, enhancing the visitor experience while maintaining the building's rural character.

Sixteen freestanding accommodation villas will be constructed across the site in a dispersed, low-impact layout that preserves open space and vineyard views. These modular units will include a mix of one-bedroom, accessible two-bedroom, and luxury two-bedroom options, each ranging between 45m<sup>2</sup> and 65m<sup>2</sup>, with adjoining private terraces. Their siting takes advantage of natural landforms and is set back from boundaries and vegetation corridors while minimising the visual impact of the development within the landscape.

A dedicated amenities building will be located centrally within the development. This facility is designed to cater to wellness tourism and guest use, offering spa and sauna rooms, ice baths, a pool, gym, and therapy spaces. Its location is accessible from all accommodation clusters while maintaining privacy and separation from the cellar door precinct.

Supporting infrastructure includes upgrades to the internal road network and the formation of new vehicle access connections to Rocky Waterhole Road. New parking areas will be constructed to service both the accommodation and hospitality functions. The site will also be serviced by an on-site wastewater treatment system, stormwater management infrastructure, and extensive undergrounding of electrical and communications services.

Landscaping plays a key role in integrating the built form into the rural setting. Vegetation buffers, native plantings, and vineyard rows are used to frame views and reinforce the site's character. Sustainability is further enhanced through the installation of a solar array and battery storage system, designed to meet a significant portion of the development's energy needs and reduce reliance on the grid.

The spatial layout, as detailed on the site plan, ensures functional separation between public and private areas, reinforces visual cohesion, and supports both operational efficiency and environmental sensitivity.

The proposal can be summaries as follows.

## **Cellar Door and Restaurant Renovation**

- » Expansion and adaptive reuse of the existing cellar door building
- » Inclusion of a wine bar, full-service restaurant, tasting and event space
- » Approx. 337m<sup>2</sup> indoor area + 86m<sup>2</sup> outdoor covered deck

#### **Accommodation Villas**

- » 16 modular units, including 1-bed, 2-bed accessible and 2-bed luxury villas
- » Designed for short-term visitor accommodation in a low-impact layout
- » Ranging from 45–65m<sup>2</sup> per villa plus private terraces

# **Amenities Building**

- » Standalone building with spa, sauna, ice baths, therapy rooms, pool and gym facility
- » Targeted at wellness tourism and exclusive guest use

#### Supporting Infrastructure

- » Upgraded internal road network and new access connections
- » On-site wastewater treatment and stormwater management
- » New parking areas and undergrounding of powerlines
- » Landscaping and revegetation buffers
- » Solar and battery storage addressing energy needs and sustainability

The arrangement of the development is shown on the site plan.

Figure 3 Site Plan

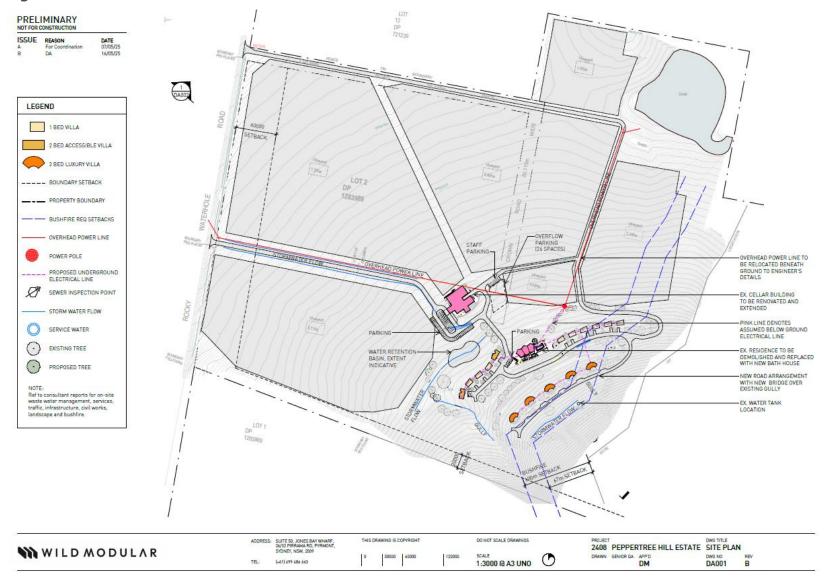
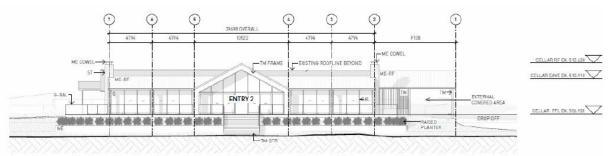




Figure 4 Site Plan (Extract)

Source: Wildmodular, Appendix A.

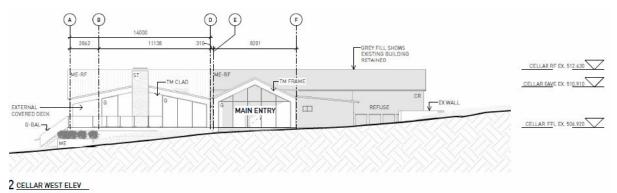


# Figure 5 Cellar North Elevation

1 CELLAR NORTH ELEV

Source: NBRS, Appendix A.

# Figure 6 West Elevation



Source: Wildmodular, Appendix A.

The building has been designed having regard to the location taking opportunity of the aspect and view line. Similarly, the accommodation villas are set higher on the site and orientated to maximise the views and minimise the impact on the landscape.





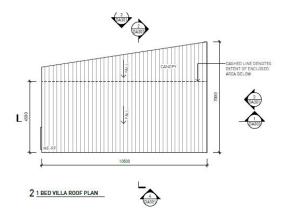
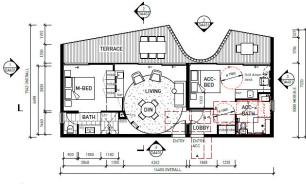
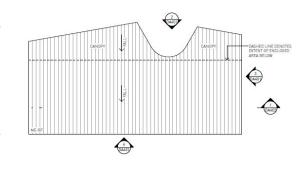


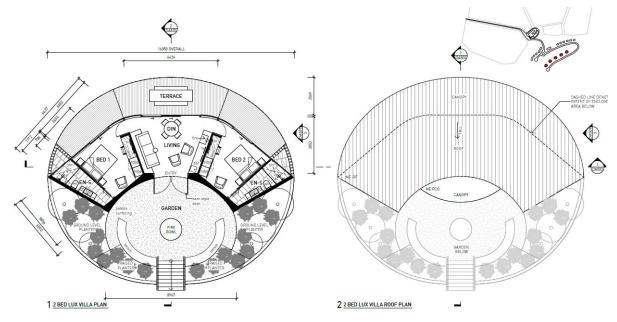
Figure 8 2 Bedroom unit (accessible)



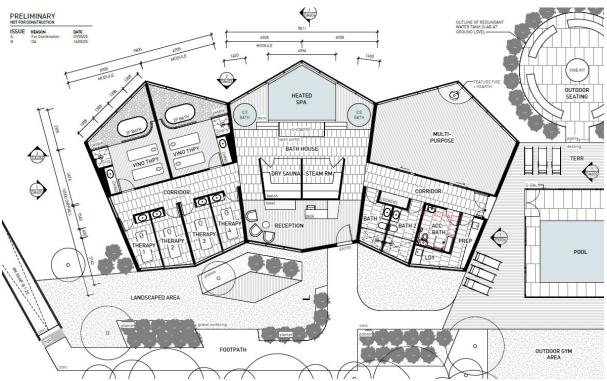


1 2 BED-ACC VILLA FLOOR PLAN





2 2 BED-ACC VILLA ROOF PLAN



# Figure 10 2 Amenities – Spa

# 2.1 Landscaping

The landscape design for Peppertree Hill Estate, as detailed in the Landscape Plan (**Appendix B**), adopts a restrained and site-responsive approach that aligns with the bushfire protection measures required for BAL 12.5, while also promoting ecological rehabilitation and enhancing the overall guest experience.

Landscaping is confined to areas of the site that have already been disturbed, particularly those associated with existing vineyard operations. This ensures that the steeper, vegetated slopes remain untouched and protected, preserving the site's natural topography and ecological values.

To ensure the built form integrates visually with the surrounding environment, the design incorporates contour planting, natural materials, and native vegetation. Earthworks, such as fill batters, will be treated with landscaping to visually merge with the adjacent landform, further reducing the visual impact of development.

The proposal also includes a number of interactive and sensory features designed to enrich the visitor experience. These include a wildflower meadow, a garden featuring bush herbs and medicinal plants, a winter garden, and dedicated star-gazing platforms. These elements are intended to connect guests with the natural landscape.

In addition, the design incorporates green infrastructure solutions, such as the use of grass paving for villa car parking areas, which reduces impervious surfaces and supports passive stormwater management. Service vehicle access will be integrated discreetly within the vineyard layout, maintaining a rural and uncluttered appearance across the site.

The site is identified as Visually Sensitive Land under the MWRLEP. The development responds to this designation by confining built form to existing cleared areas and employing a landscape strategy that enhances natural character and reduces visual prominence. This includes the retention of natural landforms, the use of native and low-scale planting for screening, and the incorporation of visually recessive materials and finishes. As a result, the development will be visually unobtrusive when viewed from surrounding vantage points, particularly along Rocky Waterhole Road and adjoining elevated areas.

The planting palette has been designed to be fire-sensitive and site-responsive, meeting the requirements of Bushfire Attack Level (BAL) 12.5. Plant spacing and species selection have been carefully considered to minimise bushfire risk. To support this, the landscape design avoids the establishment of continuous tree canopies near buildings, and includes only tree species with smooth bark and low flammability. Additionally, all fencing and structures within six metres of any building will be constructed from non-combustible materials.

The selected plant species are primarily drought-tolerant and either native to the local area or well-adapted to the specific conditions of the site. Notable species include *Lomandra 'Tanika'*, *Themeda australis* (Kangaroo Grass), *Poa sieberiana* (Snow Grass), *Acacia decora* (Western Silver Wattle), *Xanthorrhoea australis* (Grass Tree), and several species of *Eucalyptus*.

A strong emphasis has been placed on creating a visually engaging landscape that responds to seasonal change. The planting design incorporates native wildflowers such as Flannel Flower (*Actinotus helianthi*) and Yellow Buttons (*Chrysocephalum apiculatum*), which provide bursts of colour and visual interest throughout the year, contributing to an immersive and appealing rural environment.

# 2.2 Civil Works & Infrastructure

Civil Design documentation has been prepared by Barnson (**Appendix D**) and involve earthworks, road construction, stormwater management, and utility servicing to support the delivery of the development. Civil works provide the necessary servicing and access infrastructure to support the proposed development and ensure its integration with the site's natural topography and environmental constraints.

# **Bulk Earthworks**

Bulk earthworks are proposed to shape the site, creating level building platforms and forming the internal access roads. These works will involve cut and fill operations, with material compacted in accordance with geotechnical recommendations. Site preparation will also include stripping topsoil, treating unsuitable materials, and implementing erosion and sediment control measures to ensure compliance with environmental standards.

## **Internal Roads**

The internal road network comprises five new roads (Roads 1 through 5), each designed to service specific parts of the estate, including the proposed villas, lodge, and restaurant. The roads will be constructed with gravel pavements in accordance with Austroads and AUS-SPEC guidelines and include standard crossfalls to ensure appropriate drainage. Several roads traverse natural drainage lines and will be constructed with rip-rap-lined causeways and culverts to maintain overland flow paths and provide all-weather access.

Pavement works will include subgrade preparation and compaction, followed by placement of unbound granular basecourse and subbase layers. The accessways and driveways will also feature gravel surfacing, consistent with the rural character of the site and functional requirements of the development. Car parking areas will be provided adjacent to the main buildings and tourist villas.

## Stormwater

A stormwater management system is proposed to ensure the site remains functional and stable during and after rainfall events. This includes the installation of 300 mm Bluemax pipes with concrete headwalls at key discharge locations, rip-rap protection at causeways to reduce scouring, and site grading to maintain surface flow paths. The system is designed to control stormwater within the property boundary and minimise impacts on the surrounding landscape.

## Electricity

The development incorporates a comprehensive solar and battery storage system designed to significantly reduce reliance on grid electricity. The proposed system includes:

» A 99.6kW solar array using 162 Trina TSM-615NE19R panels with a high efficiency of up to 23.1%.

- » 89.97kW of inverter capacity delivered through three Sigenergy Sigen EC 30.0 TP inverters.
- » A total usable battery storage of 156.4kWh, enabling significant energy autonomy.

The system is expected to supply over 83% of the site's total electricity needs, with solar panels providing 53.3% directly and batteries contributing 29.9%. This will reduce annual electricity costs from approximately \$53,882 to \$7,680 and cut greenhouse gas emissions by an estimated 80 tonnes of CO<sub>2</sub>e per year—equivalent to removing 260 fossil fuel vehicles from the road annually.

# Infrastructure

The proposed development is supported by a comprehensive site services infrastructure plan (**Appendix L**) designed to deliver sustainable, efficient, and compliant utility connections across the estate. Key elements include:

# Water Supply:

- » Two 75kL stainless steel above-ground drinking water tanks for potable use, and an existing 20kL tank retained for irrigation and toilet flushing.
- » Rainwater harvesting systems are proposed, collecting water from roofs and transferring it to two additional 75kL tanks for filtration and reuse.
- » A drinking water treatment plant is proposed in a containerised unit (6m x 2.5m x 2.4m) for site-wide potable water treatment.

# **Fire Protection:**

- » A fire hydrant system is proposed, with two 144kL fire water tanks providing a four-hour supply.
- » Vertical turbine pumps and a containerised diesel pump set will ensure adequate pressure and coverage, with provision for a FRNSW-compliant hardstand area (6m x 18m).
- » A performance solution will address site constraints for hydrant booster location and coverage.

## Sanitary Drainage and Non-Drinking Water:

New networks of sanitary drainage and non-potable water supply are proposed, supported by filtration and booster systems using existing dam water for toilet flushing.

## **Electrical and Communications:**

- » A new main switchboard and underground low-voltage power and communications conduits are proposed.
- » Communications infrastructure includes new cabinets, inter-building wireless bridge antennas, and replacement of existing NBN connections with upgraded fixed wireless services.

## Stormwater and Irrigation:

- » Stormwater from rooftops is directed into inground civil stormwater systems, coordinated with civil engineers.
- » Extensive irrigation infrastructure supports the site's vineyard areas.

This integrated site servicing approach ensures that the development is appropriately serviced while aligning with sustainability principles and resilience goals.

# 3. Statutory Assessment

The following section provides an assessment of the proposed development against the relevant matters for consideration under section 4.15 of the Environmental Planning and Assessment Act 1979(EPA Act).

Table 3Assessment under 4.15	
Section 4.15	Comment
(1) Matters for consideration—general In determining a development application, a construction of the development matters as are of relevance to the development The provision of:	onsent authority is to take into consideration such of the following t the subject of the development application:
(i) any environmental planning instrument	MWRLEP is the EPI applying to the development. The proposal has been considered in relation to the relevant provisions are discussed below.
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent	Not Applicable
(iii) any development control plan	The Mid-Western Regional DCP Control Plans applies to the site. The relevant provisions are addressed below.
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4	Not Applicable
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)	This DA is considered to satisfactorily meet the relevant requirements of the EP&A Regulations relating to development applications
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	Consideration has been given to the likely impacts of the development, refer section 3.3 below.
(c) the suitability of the site for the development	The site is well suited to the proposed development due to its existing rural tourism use, established vineyard operation, and strategic location within the Mudgee region, which is recognised as a prominent food and wine destination.
(d) any submissions made in accordance with this Act or the regulations	This is a matter for the Council as consent authority.
(e) the public interest	The proposal is in the public interest as it supports the economic, social, and strategic objectives of the Mid-Western Regional Council and the wider Central West region.

# **3.1 Environmental planning instruments**

# State Environmental Planning Policies (SEPPs)

The State Environmental Planning Policies (SEPPs) have been considered in the table below.

# Table 4 State Environmental Planning Policies

SEPP	Comment
SEPP (Biodiversity and Conservation) 2021	Not applicable. The development area excludes land mapped as terrestrial biodiversity and relies on the existing disturbance footprint.
SEPP (Transport and Infrastructure) 2021	Not applicable.
SEPP (Sustainable Buildings) 2022	Sustainability standards for non-residential development come into effect from 1 October 2023. The non-residential building sustainability standards are in Chapter 3. The proposal does not meet the thresholds for reporting embodied emissions.
SEPP (Resilience and Hazards) 2021	A Preliminary Site Investigation has been undertaken by PB Ag Consulting. Refer below.

# SEPP (Resilience and Hazards) 2021 – Chapter 4: Contamination and Remediation

Clause 4.6 of the State Environmental Planning Policy (Resilience and Hazards) 2021 requires that, in determining a development application, the consent authority must consider whether the land is contaminated and whether it is suitable (or can be made suitable) for the proposed use.

An assessment of ground conditions and potential contamination risk has been undertaken by PB Ag Consulting (June 2025), specifically addressing the location of the proposed development within the context of the holding.

This review confirms the following:

- » The proposed development footprint is located on undisturbed native land that has not been used for agricultural production or other potentially contaminating activities.
- » The development area is well separated from the site's vineyard operations, fuel and chemical storage areas, and existing on-site effluent management systems.
- The proposed sites for the villas and wellness centre are located on higher ground, at a substantial distance from potential contamination sources, and are not within areas historically exposed to spray drift, soil disturbance, or the application of agricultural chemicals.
- » The risk of soil contamination in the areas accessed by guests and visitors is assessed as extremely low to negligible.
- » No off-site fill is proposed for use within the development footprint. If fill is required, it will be sourced from clean, undisturbed locations within the site that are outside any areas of agricultural or chemical use.

Based on the above, no soil testing or remediation is considered necessary.

In accordance with Clause 4.6(4) of the SEPP, it is concluded that the land is suitable for the proposed development and there is no indication of contamination that would preclude the use of the site for tourist accommodation and wellness facilities.

The proposed development therefore satisfies the requirements of Chapter 4 of the SEPP (Resilience and Hazards) 2021 and may proceed without the need for further investigation or remediation.

# Mid-Western Regional Local Environmental Plan

The objectives of the RU4 Primary Production Small Lots zone are:

- » To enable sustainable primary industry and other compatible land uses.
- » To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.
- » To minimise conflict between land uses within this zone and land uses within adjoining zones.
- » To ensure that development does not unreasonably increase the demand for public infrastructure or services.

The table below outlines how the proposal is consistent with these objectives:

RU4 Zone Objective	Compliance Assessment	
Enable sustainable primary industry and compatible uses	The site supports an existing commercial vineyard operation. The proposed tourism use complements this agricultural activity and promotes value-added agricultural enterprise.	
Promote diversity and employment in primary industries	The development diversifies land use by integrating agritourism and hospitality functions, creating new employment opportunities in tourism, food services, and land management.	
Minimise land use conflict	The proposal is located within a large rural holding and has been designed to mitigate amenity and visual impacts. It does not adjoin conflicting urban uses and maintains a low-impact built form.	
Avoid unreasonable demand on infrastructure	The development will be self-sufficient with on-site wastewater treatment, water supply, and underground power. It does not require augmentation of public utilities.	

Table 5	Zone	Objectives

These elements collectively support the zone's intent to facilitate rural-based tourism that is compatible with agricultural land use and environmental conservation objectives.

Under the RU4 zone, the following land uses are permissible with consent. The definitions of these uses under the MWRLEP are provided below:

» Tourist and visitor accommodation (serviced apartments) means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

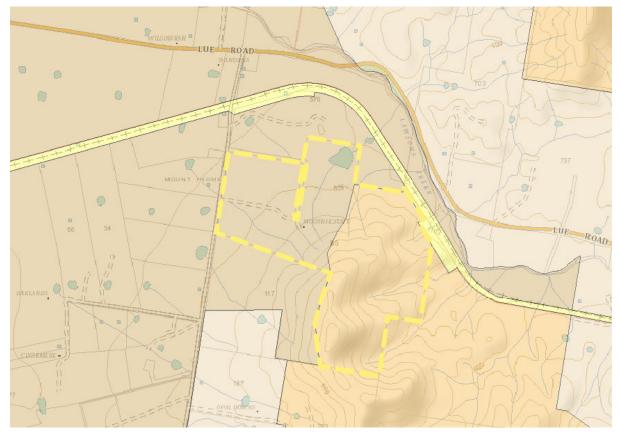
farm stay accommodation means a building or place-

- (a) on a commercial farm, and
- (b) ancillary to the farm, and

(c) used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings.



- » Cellar door premises means a building or place at which wine, beer, cider or spirits that are produced on the premises or elsewhere by the person by whom the business is carried on may be tasted and sold, and may also include ancillary facilities for providing food and drink.
- » Restaurant or café means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not takeaway meals and drinks or light refreshments are also offered for sale.
- » Function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.



# Figure 11 Current zone

Source: ePlanning Spatial Data

# **Part 4 – Development standards**

The proposal is not inconsistent with the development standards in Part 4 of the MWRLEP.

# Part 5 – Miscellaneous provisions

An assessment of Part 5 is provided below.

Clause		Accomment
	Title	Assessment
5.1	Relevant acquisition authority	Not applicable – No land acquisition is proposed.
5.2	Classification and reclassification of public land	Not applicable – The site is privately owned.
5.3	Development near zone boundaries	Not applicable – The site is not adjacent to differing zones.
5.4	Controls relating to miscellaneous permissible uses	Not applicable – The proposal does not involve uses specified under this clause.
5.5	Development within the coastal zone	Not applicable – The site is not located within the coastal zone.
5.6	Architectural roof features	Not applicable – No architectural roof features are proposed.
5.7	Development below mean high water mark	Not applicable – The site is land-based and not adjacent to tidal waters.
5.8	Conversion of fire alarms	Not applicable – No fire alarm conversions are involved
5.9	Preservation of trees or vegetation	Applicable – The proposal includes landscaping; any vegetation removal will comply with Council's Tree Preservation Order.
5.10	Heritage conservation	Not applicable – The site is not listed as a heritage item nor within a heritage conservation area.
5.11	Bush fire hazard reduction	Applicable – A Bushfire Assessment Report has been prepared, and the proposal complies with bushfire protection measures (Appendix F).
5.12	Infrastructure development and use of existing buildings of the Crown	Not applicable – The development is not by or for the Crown.
5.13	Eco-tourist facilities	Not applicable – The proposal is for farm stay accommodation, not eco-tourist facilities.
5.14	Seniors housing in rural zones	Not applicable – The proposal does not involve seniors housing.
5.15	Bed and breakfast accommodation	Not applicable – The proposal is for farm stay accommodation, not B&B.
5.16	Dual occupancies on land in certain rural and environmental protection zones	Not applicable – The proposal does not involve dual occupancy.
5.17	Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones	Applicable – The proposal complies with the minimum lot size requirements for the RU4 zone.

# Table 6 LEP Part 5 Assessment

Clause	Title	Assessment
5.18	Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations	Not applicable – No artificial waterbodies are proposed.
5.19	Intensive livestock agriculture	Not applicable – The proposal does not involve intensive livestock agriculture.
5.20	Pond-based, tank-based and oyster aquaculture	Not applicable – The proposal does not involve aquaculture.
5.21	Flood planning	Not applicable – The site is not identified as flood-prone land.
5.22	Earthworks	Applicable – Earthworks will be minimal and managed to prevent erosion and sedimentation. Refer Civil Plans Appendix D
5.23	Development on land intended to be acquired for public purposes	Not applicable – The land is not intended for public acquisition.
5.24	Farm stay accommodation	Applicable – The proposal complies with Clause 5.24, as assessed in detail below.

# **Clause 5.24 Farm Stay Accommodation**

As noted, the proposal is permissible as tourist and visitor accommodation, however, for completeness, it is relevant that the development is considered in the context of clause 5.24 as **farm stay accommodation**.

The objectives of this clause are to:

- » Encourage farm stay accommodation that supports the viability of agricultural activities;
- » Ensure farm stay accommodation is ancillary to the agricultural use of the land;
- » Minimise land use conflict and protect the amenity of adjoining land uses.

The following table provides a summary of compliance of the proposal against the provisions in the clause.

Provision	Assessment
(1) This clause applies to land in a rural or environmental protection zone.	<b>Complies</b> . The subject land is zoned <b>RU4 Primary Production</b> <b>Small Lots</b> , which is a rural zone under the MWRLEP.
(2) Development for the purpose of farm stay accommodation may be carried out with development consent.	<b>Complies.</b> The proposal is subject to a development application seeking consent for farm stay accommodation, in accordance with the requirements of the LEP.
(3) The consent authority must be satisfied that the accommodation is ancillary to the use of the land for agriculture.	<b>Complies</b> . The proposed accommodation includes 16 villas, including 2 accessible villas, sited within a working commercial vineyard. The primary use of the land remains agricultural (viticulture), and the accommodation is ancillary to and supportive of that use.

Provision	Assessment
(4) In deciding whether to grant development consent, the consent authority must consider the following—	
(a) the compatibility of the development with the rural character of the land and surrounding locality,	<b>Complies</b> . The design of the villas and bath house is low-scale, consistent with rural character, and utilises natural topography and landscaping to minimise visual impact.
(b) the need to protect the agricultural production value of the land,	<b>Complies</b> . The proposed development does not involve significant land disturbance or loss of productive vineyard land. It supports value-adding to agricultural production by encouraging tourism linked to the cellar door and vineyard operations.
(c) whether the development requires the clearing of native vegetation and, if so, the extent of the clearing,	<b>Complies</b> . The development has been sited to minimise vegetation clearing. Landscaping and bushfire provisions have been considered, with no substantial native vegetation removal proposed.
(d) whether the development would increase the risk of weed or pest invasion,	<b>Complies</b> . Biosecurity will be managed through operational practices. Visitor access is controlled, and designated parking and pathways limit disturbance to agricultural operations.
(e) whether the development would result in any land use conflict in respect of surrounding land uses,	<b>Complies.</b> The proposed use is low impact, located away from boundaries, and is not expected to cause conflict. The rural setting includes other similar agritourism activities and low-density rural land uses.
(f) the adequacy of arrangements for access to and from the site and for vehicular parking,	<b>Complies</b> . A dedicated access review has been prepared confirming compliance with BCA and Premises Standards. Accessible parking is proposed adjacent to key buildings, and all accessways meet safety and accessibility standards.

# Part 6 – Additional local provisions

An assessment of Part 6 is provided below.

Clause	Title	Assessment	
6.1	Salinity	<b>Applicable</b> – The site is not identified as being affected by salinity; however, construction practices will incorporate measures to prevent salinity issues.	
6.2	Flood planning	Not applicable – The site is not identified as flood-prone land.	
6.3	Earthworks	<b>Applicable</b> – Earthworks will be minimal and managed to prevent erosion and sedimentation, complying with best practice guidelines.	

Table 8 LEP Part 6 Assessment

Clause	Title	Assessment
6.4	Groundwater vulnerability	<b>Applicable</b> – The site is identified as groundwater vulnerable; measures will be taken to protect groundwater resources during construction and operation. The proposal is also supported by a Site and Sil Assessment for On-Site Effluent Management System ( <b>Appendix I</b> ).
6.5	Terrestrial biodiversity	<b>Applicable</b> – The proposal avoids significant vegetation clearing and protects biodiversity values; any necessary clearing will be assessed and managed appropriately.
6.6	Location of sex services premises	<b>Not applicable</b> – The proposal does not involve sex services premises.
6.7	Active street frontages	<b>Not applicable</b> – The site is not located within an area requiring active street frontages.
6.8	Airspace operations— Mudgee Airport	<b>Not applicable</b> – The site is not within the vicinity of Mudgee Airport and does not affect airspace operations.
6.9	Essential services	<b>Applicable</b> – Essential services (water, electricity, sewage) are available to support the development.
6.10	Visually sensitive land near Mudgee	<b>Applicable</b> – The site is identified as visually sensitive land near Mudgee. Refer Assessment below.
6.11	Temporary workers' accommodation	<b>Not applicable</b> – The proposal does not involve temporary workers' accommodation.
6.12	Development in a designated buffer area	Not applicable – The site is not within a designated buffer area.
6.13	Development on land identified as being subject to a planning agreement	<b>Not applicable</b> – The site is not subject to a planning agreement.
6.14	Minimum subdivision lot size for community title schemes on certain land in Zone R5	<b>Not applicable</b> – The site is zoned RU4, not R5, and does not involve community title subdivision.

# **Clause 6.10 Visually Sensitive Land**

The subject site is identified as "Visually Sensitive Land" under the MWRLEP. Clause 6.10 applies to land on the urban fringe of Mudgee and seeks to ensure that development conserves the visual and environmental qualities that contribute to the scenic rural backdrop of the township.

In accordance with Clause 6.10(3), development consent must not be granted unless the consent authority is satisfied that the development:

(a) will complement the visual setting forming the backdrop to Mudgee; and

(b) will be designed, set back and sited to respond sympathetically to the landform of the site and minimise visual intrusion.

# Assessment

The proposed development has been carefully designed to integrate with the natural topography and rural landscape character of the site. As demonstrated in the visual renders contained in **Appendix C**, the development achieves a high level of visual compatibility with its surroundings.

The 16 modular accommodation villas are single-storey and modest in scale. They are sited across the lowerlying portions of the property, away from ridgelines and elevated viewpoints. Their orientation and separation respond to the contours of the land, allowing the development to nestle into the terrain rather than dominate it. The renders show that the villas are not visually intrusive when viewed from nearby roads or elevated vantage points such as Lue Road.

The expanded cellar door and restaurant are located within a previously cleared area near existing buildings and vineyard rows. This cluster of built form is consistent with the established character of rural viticultural estates. The use of natural materials, subdued colours, and contemporary rural design elements helps the structures to blend into the visual context. The visual render of the cellar door precinct (Appendix C, Drawing ADA002) confirms that these buildings sit comfortably within the existing landscape setting.

Generous building setbacks and the retention and enhancement of vegetated buffers further assist in softening the appearance of the development. These buffers are positioned to screen key viewing corridors, particularly along Rocky Waterhole Road, and reduce the prominence of built form when seen from the public domain.

The layout shown on the site plan and illustrated in the visual impact diagrams (Appendix C, Drawings ADA003 and ADA004) demonstrates a deliberate design response that prioritises landscape sensitivity. Built elements are spatially arranged to maintain view corridors, reinforce landscape openness, and avoid skyline breaks.

The proposal achieves a high standard of visual integration with the rural setting of Mudgee. It has been designed and sited to protect the scenic values of the visually sensitive landscape, and is consistent with the objectives and development standards of Clause 6.10 of the MWRLEP.

# 3.2 Development Control Plan

The Mid-Western Regional DCP 2015 (DCP) applies to the site. The DCP include controls for development of tourist and visitor accommodation in rural areas. These controls pre-date the introduction of targeted agritourism provisions introduced in 2022 by the Department of Planning Housing and Infrastructure.

The relevant provisions of Part 5 and Part 6 of the DCP are addressed in the following table.

Clause	Provision Description	Assessment
5.1 Car Parking	Specifies parking rates for various land uses and design standards for parking areas.	Applicable – Parking is provided in accordance with the DCP, including accessible and sufficient spaces for guests.
5.2 Flooding	Applies to development on flood prone land and outlines floor level and evacuation standards.	Not applicable – The site is not located on flood-prone land.
5.3 Stormwater Management	Outlines stormwater quantity and quality management standards and erosion control during construction.	Applicable – Stormwater is managed on-site with appropriate detention and erosion control systems.

ble 9	Part 5 –	<ul> <li>Development Standards</li> </ul>
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5.4 Environmental Controls	Applies to issues such as bushfire, threatened species, pollution and vegetation removal.	Applicable – Bushfire, vegetation, and amenity issues have been addressed through expert reporting and design.	
Fable 10   Part 6 – Deve	elopment in Rural Areas		
Clause	Provision Description	Assessment	
6.1 Dwellings	Covers eligibility, site servicing and setback requirements for rural dwellings.	Not applicable	
6.2 Temporary Workers Accommodation	Applies to accommodation for large-scale infrastructure workers.	Not applicable – No temporary workers' accommodation proposed.	
6.3 Wind Farms	Guidelines for commercial wind energy generation infrastructure.	Not applicable – Proposal does not include wind energy generation.	
6.4 Tourist and Visitor Accommodation	Provides controls for serviced apartments and visitor cabins in rural areas.	Applicable – The proposal includes 16 villas and complies with design, location, and servicing requirements. Refer below.	
6.5 Solar Energy Farms	Applies to commercial-scale solar energy development.	Not applicable – Proposal does not involve solar farms.	

# **Tourist and Visitor Accommodation**

The proposed tourist and visitor accommodation generally complies with Clause 6.4 of the MWRDCP as follows:

# Table 11 Assessment Clause 6.4 – Tourist and Visitor Accommodation

Provision	Requirement	Proposal	Compliance / Comment
6.4.1 Objectives	Ensure that tourist and visitor accommodation is appropriately located, designed and managed to maintain rural and environmental character and minimise impacts on neighbours.	The proposed development includes serviced apartments and farm stay accommodation on a site that already contains a commercial vineyard. The layout, landscaping, and low- scale modular design respond to the site's topography and preserve rural character.	<b>Complies</b> – The development supports agritourism and integrates with existing agricultural land use.
6.4.2 Serviced Apartments – Number of Units	A maximum of 3 serviced apartments is permitted on rural land under this clause.	The proposal includes 16 serviced apartments, exceeding the standard control.	Variation required – Justification provided below.

Provision	Requirement	Proposal	Compliance / Comment
6.4.3 Farm Stay Accommodation	Farm stay accommodation must be associated with a working farm and located to minimise land use conflict. No maximum number of units is specified.	The site is a working vineyard and the farm stay accommodation is integrated within the property, complementing the vineyard and surrounding landscape.	<b>Complies</b> – Yes there is no numerical limit for farm stay accommodation.
6.4.4 Design and Siting	Accommodation must be appropriately sited, visually unobtrusive, and of a scale and design that reflects rural character.	Accommodation is well spaced, single-storey, uses natural materials, and avoids ridgelines or visually prominent locations. Landscaping enhances integration with the landscape.	Complies – Design responds to visual sensitivity and DCP design criteria.
6.4.5 Environmental Impact	The development must not result in significant environmental impacts, including bushfire, traffic, or wastewater impacts.	Environmental impacts have been addressed through BAL- compliant design, on-site wastewater systems, and low traffic generation.	<b>Complies</b> – Environmental risks are mitigated.

# Justification for the number of Fram Stay Accommodation Units

Clause 6.4 permits a maximum of 3 serviced apartments in rural areas., however, there are no requirements for designated **farm stay accommodation**.

The 16 accommodation units can be justified for the following reasons:

Consistency with Zone Objectives (RU4 Primary Production Small Lots):

- » The proposal supports diversification of rural income by enabling tourism-related income and investment in the region while maintaining the site's use as a vineyard.
- » It encourages small-scale rural tourism consistent with the zone's objective to facilitate low-impact, rural-compatible land uses.

## Integration with Existing Agricultural Use:

- » The apartments form part of an agritourism offering that includes farm stay options and a vineyard experience.
- » The development leverages the site's productive use and does not fragment or alienate agricultural land.

## Rural Character and Environmental Sensitivity Maintained:

- » The additional units are designed and sited in a low-impact, dispersed arrangement.
- » Landscaping and building materials ensure the development sits harmoniously within the rural landscape.

## Economic and Strategic Planning Support:

» The proposal supports tourism objectives within the Mid-Western Regional LSPS, Community Strategic Plan, and Regional Economic Development Strategy, which promote growth in nature-based and foodand-wine tourism. » The development will allow the site to cater to seasonal and group visitation, enhancing economic benefits.

### No Cumulative Impact or Precedent Risk:

- » The design ensures the scale remains modest and integrated, not inconsistent with the policy intent of the relevant planning controls.
- » Any future proposals will still require individual merit assessment, limiting the precedent risk.

The proposal is consistent with zone objectives, environmental considerations, and strategic tourism goals. Further, as **farm stay accommodation**, **the proposal complies** fully with the DCP, as there is no prescribed numerical limit and it is clearly integrated into a working agricultural use.

# **Agritourism policy**

In September 2023, the Department of Planning Housing and Infrastructure introduced changes to the planning framework to include agritourism. The policy aims to support rural landowners in diversifying income streams by enabling small-scale tourism-related activities on working farms. It recognises the value of connecting visitors with agricultural production through experiences such as farm stays, tastings, tours, workshops, roadside stalls, and cellar doors. The policy ensures these activities remain secondary to the primary use of the land for agriculture and operate within planning and environmental controls.

Key components of the policy include:

- » Permissibility for certain agritourism uses (e.g. farm stay accommodation, farm gate premises, farm experience premises) in rural zones such as RU1, RU2, and RU4.
- » Approval pathways ranging from exempt development (for low-impact uses) to complying development and development applications.
- » **Clear development standards** addressing building size, setbacks, waste management, traffic access, and environmental protection.
- » **Support for farm viability** through value-adding, community engagement, and landscape-based experiences.
- » **Protection of rural character and biosecurity** while facilitating access to experiences that promote understanding of agriculture.

While the proposed development at Peppertree Hill Estate, which would otherwise satisfy the requirements of the policy as far as including farm stay accommodation (villas), a bath house, and refurbishment of a cellar building and restaurant for visitor use, does not rely on the policy, it does align with and support the objectives of the NSW agritourism policy in the following ways:

- » **Diversification and Viability**: The proposal supplements existing agricultural operations by introducing low-impact tourism facilities, enhancing farm viability and economic resilience.
- » Connection to Agricultural Activities: Visitors will engage with a working farm environment and local produce through the cellar door and onsite experiences, fostering appreciation for regional food and wine production.
- » Land Use Compatibility: The proposal maintains agriculture as the principal land use, with tourism elements designed to be ancillary and complementary.
- » **Design and Landscape Integration**: The development respects the rural character of the region through context-sensitive siting, use of existing buildings, and planned landscaping.
- » Accessibility and Infrastructure: The inclusion of accessible paths, parking, and facilities demonstrates compliance with inclusivity principles and relevant building codes.

» Environmental and Community Considerations: The access review and design respond to landscape constraints and aim to minimise off-site impacts (e.g. noise, odour), consistent with biosecurity, visual, and amenity considerations.

# 3.3 Likely impacts of the development

The impacts of the development have generally been covered in the assessment of the proposal however, the following additional matters are considered below.

# Traffic

A Traffic Impact Assessment (TIA) prepared by Metafora Consultants (Appendix D) has been prepared for the proposal.

The development will have a negligible impact on the local road network. An estimated modest increase of 3, 9, and 2 additional vehicle trips during the AM, PM, and weekend peak hours respectively, relative to the existing use. This increase is not expected to result in any adverse impacts to the surrounding transport infrastructure.

Due to the rural location of the site, the TIA notes that access by active or public transport is unlikely. Instead, reliance on private vehicle transport is expected, and the internal circulation, access, and parking have been designed in accordance with AS2890 standards. The main site access will accommodate visitor and emergency vehicles, while a secondary access point for service and waste vehicles.

The car parking provision meets the requirements of the MWRDCP, with a total of 112 spaces proposed (87 formal and 26 informal) to support the proposal. While a minor shortfall of six formalised spaces was identified, this is considered acceptable due to the internal overlap of parking demand, particularly where villa guests are also restaurant patrons, coupled with the ample opportunity for informal parking. The availability of overflow parking behind the staff area ensures sufficient capacity for peak periods and events.

Accessible parking spaces have been provided, including dedicated spaces for accessible villas, staff, the main car park, and the bath house.

# **On-Site Waste Water Management**

A Site and Soil Evaluation has been undertaken by Barnson (**Appendix I**) for on-site wastewater management. The report confirms that the existing systems are no longer adequate to service the proposed development, which includes a refurbished cellar door and restaurant, new bath house, and sixteen luxury villas.

The assessment concludes that the site is suitable for on-site effluent disposal, subject to the installation of an upgraded wastewater treatment system. A new aerated wastewater treatment system (AWTS) is proposed, with treated water to be safely dispersed through specially designed absorption mounds. This approach is appropriate for the site's soil conditions and ensures that wastewater will be managed in an environmentally sustainable and compliant manner.

The system has been designed in accordance with relevant national and local guidelines and meets required setback distances from water sources and property boundaries. The report confirms there is sufficient land available to accommodate the system, and that groundwater and surface water risks are low and the proposed development can be appropriately serviced by on-site wastewater infrastructure.

# Accessibility

An access review was undertaken by a qualified Funktion (**Appendix G**) to assess compliance of the proposed development at Peppertree Hill Estate with the Disability (Access to Premises – Buildings) Standards 2010, Building Code of Australia (BCA) 2022, and relevant Australian Standards (including AS1428 series and AS2890.6).

The development includes the refurbishment of the existing cellar building, construction of a new bath house, and addition of 16 new villas, two of which are accessible. The design incorporates accessible parking, compliant paths of travel, and accessible facilities across key areas of the site, including the bath house and cellar building. Due to the site's topographical constraints and travel distances, a performance-based solution is adopted whereby all users will arrive by vehicle, and accessible parking is provided near entrances to key buildings.

Accessible amenities such as bathrooms, circulation spaces, and signage are either compliant or capable of complying with relevant standards. Management strategies are also proposed to ensure inclusive use, including provisions for emergency egress, spa access, and adaptation of facilities to meet individual needs.

The assessment concludes that the design can meet the functional accessibility requirements and provide equitable, dignified access for all users through inclusive design and appropriate operational strategies.

Further design information focusing on the detailed elements will be developed as the scheme progresses through to the construction phase to ensure compliance is achieved.

# **Bushfire assessment**

A Bush Fire Assessment Report has been prepared by Statewide Bushfire Consulting to support the development application for the construction of 16 new tourist villas and additions to the existing café/restaurant (cellar door) and lodge on bushfire prone land.

The site is bushfire prone and the development is classified as Special Fire Protection Purpose (SFPP) under Section 100B of the *Rural Fires Act 1997*, requiring assessment against *Planning for Bush Fire Protection 2019* (*PBP 2019*).

Key bushfire protection measures include:

- » Construction to a minimum BAL-12.5, including retrofitting of existing buildings.
- » Asset Protection Zones: 67m to the east and 40m to the south, to be managed in perpetuity.
- » Landscaping to minimise fuel loads and ember risk, consistent with PBP guidelines.
- » Access: Two compliant all-weather access roads with provision for fire appliances.
- » Water supply: 10,000L static tanks per villa and 20,000L each for the café and lodge.
- » Utilities: Underground electricity where practicable; no changes to gas services.
- » Emergency management: Evacuation plan, emergency assembly areas, and signage.

The report concludes the proposal complies with all relevant bushfire protection criteria and is capable of achieving a safer bushfire outcome than the existing development. A Bush Fire Safety Authority will be required from the NSW Rural Fire Service.

# **Contribution to the tourism economy**

The importance of tourism is further reflected in the NSW Government's Central West and Orana Regional Economic Development Strategy (REDS), which recognises tourism as one of the region's high-potential growth sectors. The strategy specifically encourages investment in experiences that build on the region's food, wine, nature and heritage assets. It highlights the role of boutique accommodation and agritourism ventures in attracting higher-yield visitors and stimulating local economies.

This proposal supports the REDS strategic directions by delivering a tourism product that is aligned with regional strengths—premium wine, rural landscapes, and authentic visitor experiences. By leveraging the site's existing vineyard operations and integrating wellness and food offerings, the development contributes to a diversified and resilient regional economy.

The importance of tourism is also reinforced by the Mid-Western Regional Council's strategic planning documents. The Mid-Western Regional Local Strategic Planning Statement (LSPS) identifies tourism as a key

driver for regional prosperity, supporting initiatives that diversify and enhance visitor experiences while protecting rural landscapes. Relevant LSPS priorities include:

**Planning Priority 6** – Promote tourism as a significant contributor to the local economy through the protection of scenic rural landscapes and support for agritourism.

**Planning Priority 9** – Foster liveable communities through compatible land use planning, including tourism development that complements local character.

Additionally, the Mid-Western Community Strategic Plan 2040 outlines key objectives that this proposal supports, including:

Strategic Direction 1.1 – Support local business, tourism and employment growth.

Strategic Direction 3.2 – Promote and protect the region's identity and scenic amenity.

The Peppertree Hill Estate directly aligns with these goals by contributing to Mudgee's tourism appeal, providing new jobs, enhancing rural visitor infrastructure, and preserving the aesthetic and environmental values of the landscape.

Tourism is a key pillar of the local economy in Mudgee and the wider Mid-Western region, contributing significantly to local employment, small business activity, and regional branding. The area is widely recognised for its boutique wineries, gourmet food offerings, natural beauty, and heritage character, which collectively attract a growing number of domestic and international visitors each year.

The proposed development aligns with and supports regional economic objectives by enhancing the quality and diversity of tourism infrastructure. The addition of premium short-term accommodation, an expanded cellar door and dining offering, and a wellness facility will strengthen Mudgee's reputation as a destination for high-value tourism. It will also encourage longer visitor stays, increased visitor expenditure, and off-peak visitation.

This form of development delivers direct and indirect economic benefits including construction jobs, long-term hospitality and management roles, and increased demand for local produce, wine, and services. The project is expected to have a positive multiplier effect on the local economy, consistent with the tourism growth strategies of the NSW Government and Mid-Western Regional Council.

# Social and economic impact

The proposed development at Peppertree Hill in Mudgee, comprising 16 new tourist villas and additions to the existing café/restaurant and cellar door, is expected to deliver a range of positive economic and social impacts for the local community and the broader region.

Economically, the development will contribute to the continued growth and diversification of Mudgee's thriving tourism sector. By increasing the supply of high-quality visitor accommodation, the project supports the region's capacity to attract both domestic and international tourists. This aligns with strategic objectives for tourism in the Mid-Western Region and provides a valuable opportunity to enhance the area's competitiveness as a destination.

The proposal supports agritourism by leveraging the site's existing vineyard operation and rural character, thereby encouraging increased visitation and local expenditure on wine and food experiences. The expansion of the cellar door and hospitality offerings will provide direct support to the local viticulture industry and associated producers.

The development will also generate employment, both during construction and in ongoing operational roles, including hospitality, cleaning, maintenance, and tourism services. This will contribute to local job creation and economic resilience. Furthermore, increased tourist activity will have broader flow-on effects across the regional economy, benefiting local businesses such as cafes, restaurants, retailers, and tour operators.

From a social perspective, the proposal enhances the visitor experience by offering high-quality, rural accommodation that is sensitively integrated into the landscape. The development is designed to respect and reflect the region's scenic and agricultural identity, which contributes to the preservation of local character and amenity for both visitors and residents.

The increased tourism activity associated with the proposal is expected to bring social and cultural benefits through strengthened community identity and local pride. Events and experiences linked to wine, food, and the natural environment offer opportunities for greater engagement between residents and visitors, supporting social cohesion.

Accessibility has also been considered as part of the design, with improvements that support inclusive tourism and enable people with mobility needs to enjoy the facilities. These measures contribute to a more socially inclusive visitor experience and align with broader equity objectives in tourism development.

Overall, the development is well positioned to deliver lasting economic and social benefits while respecting the rural setting and community values of the Mudgee region.

# Sustainability

The integration of a solar and battery storage system demonstrates a strong commitment to sustainability. The system will substantially reduce greenhouse gas emissions, enhance energy self-sufficiency, and lower operational costs for the development. These outcomes align with broader policy objectives for reducing carbon footprints and supporting renewable energy generation in rural areas. The proposal not only contributes to environmental resilience but also showcases best practice in sustainable rural development. The solar and storage proposal is attached as **Appendix K**.

# 3.4 Site suitability

The site is well suited to the proposed development due to its existing rural tourism use, established vineyard operation, and strategic location within the Mudgee region, which is recognised as a prominent food and wine destination. The property has direct access from a sealed public road and contains sufficient area to accommodate the proposed buildings, landscaping, and required bushfire protection measures without impacting neighbouring properties.

The site's natural topography and expansive rural setting provide an ideal backdrop for low-scale, nature-based tourist accommodation. The development has been carefully designed to respond to the site's environmental characteristics, including its bushfire risk, visual sensitivity, and vegetation constraints. Existing infrastructure, including power and on-site waste systems, can be appropriately upgraded to support the proposal. Overall, the site offers both physical and locational attributes that support its ongoing use and enhancement as a rural tourism destination.

# 3.5 Public Interest

The proposal is in the public interest as it supports the economic, social, and strategic objectives of the Mid-Western Regional Council and the wider Central West region. By enhancing local tourism infrastructure, the development contributes to economic diversification and job creation, supporting both direct employment and local businesses that rely on visitor spending.

The development promotes agritourism and rural enterprise by building on the existing vineyard operations and expanding opportunities for visitors to experience the region's agricultural identity. The development has been designed to protect the environmental and visual qualities of the rural landscape, and includes measures to manage bushfire risk, access, and amenity. It aligns with key policy directions set out in the Local Strategic Planning Statement, Community Strategic Plan, and Regional Economic Development Strategy. Importantly, the development respects the character of the area while contributing positively to tourism growth and community wellbeing, ensuring that the broader public derives lasting benefits from the proposal.

# 4. Conclusion

Peppertree Hill Estate represents a compatible, permissible, and strategically aligned development that will support and enhance rural tourism in the Mudgee region. It integrates short-term accommodation, a restaurant, and a cellar door premises with an existing commercial vineyard operation, supporting the RU4 zone's intent to enable sustainable primary production and compatible land uses.

The development complies with the objectives of the RU4 Primary Production Small Lots zone by promoting agricultural diversification, minimising land use conflicts, and avoiding unreasonable pressure on public infrastructure. It respects the scenic character of visually sensitive land near Mudgee and is designed to minimise environmental and visual impacts.

The project is consistent with the MWRLEP and MWRDCP, and satisfies key planning provisions. The proposal is expected to generate positive economic, environmental, and social outcomes and warrants support and development consent from Council.

# Appendices

Uploaded under separate cover via the Planning Portal

- A. Architectural Plans
- B. Landscape Plan
- C. Visual Renders
- D. Civil
- E. Traffic Report
- F. Bushfire Report
- G. Accessibility
- H. Geotechnical
- I. Site and Soil Assessment
- J. Contamination PSI
- K. Solar Storage Proposal
- L. Services and Infrastructure
- M. BCA Capability Statement

