

Planning Proposal
Lot 2 and Part Lot 1 DP 1252505
58 Pitts Lane, Putta Bucca



Navigate Planning

9 May 2022

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Introduction

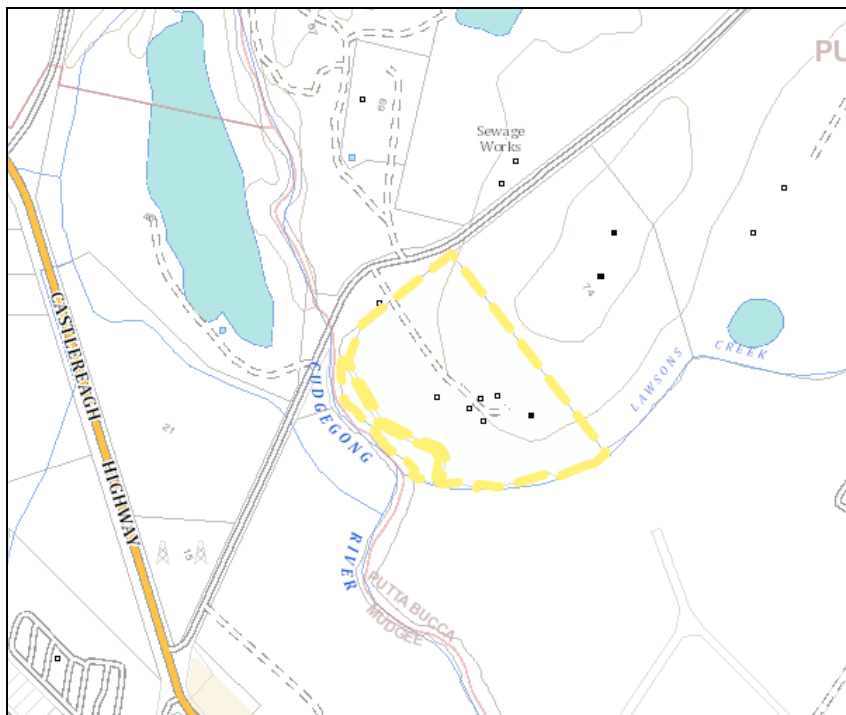
Mid-Western Council is progressively developing the Glen Willow Regional Sports Complex on land at Pitts Lane, Putta Bucca, across the Cudgegong River from the Mudgee town centre. The sports complex hosts a wide number of local and regional sporting events and provides facilities for many different sports and codes.

To further the opportunities for Glen Willow to host regional sporting events, the Council has determined that a sports training and accommodation facility should be developed to provide fit for purpose accommodation and training facilities for visiting teams.

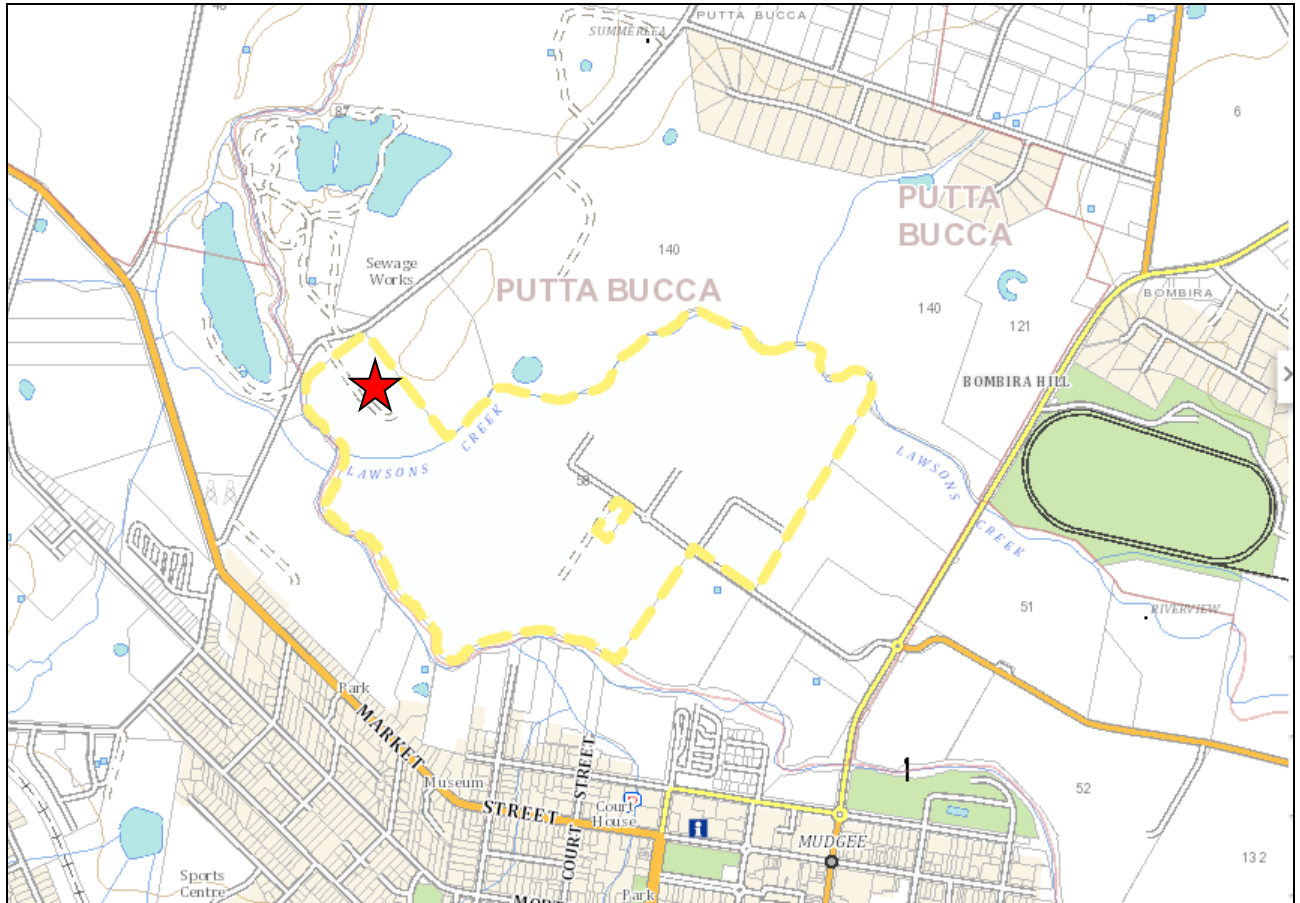
A site has been chosen for this facility and was recently purchased by Council. Funding from the NSW State Government for Stage 1 of the project has recently been secured. Following the purchase of the land, Council resolved on 17 February 2021 to classify the land as operational land. Prior to the purchase by Council, the land was in private ownership and as such was not previously classified as operational or community land. It is proposed to retain the classification as operational as this provides Council with greater flexibility to develop the land in accordance with the requirements of the relevant legislation and environmental planning instruments.


The site adjoins the Glen Willow Sports Complex and is currently being physically connected to the sports complex through an extension of Pitts Lane across Lawson Creek to connect to Putta Bucca Road. The site of the new sports training and accommodation facility would be in the vicinity of the existing dwelling on the site to the north of the new road under construction. The existing dwelling is proposed to be retained and re-used in association with the sports training and accommodation facility.

The subject site is Lot 2 and Part Lot 1 DP 1252505, as shown in the map below.

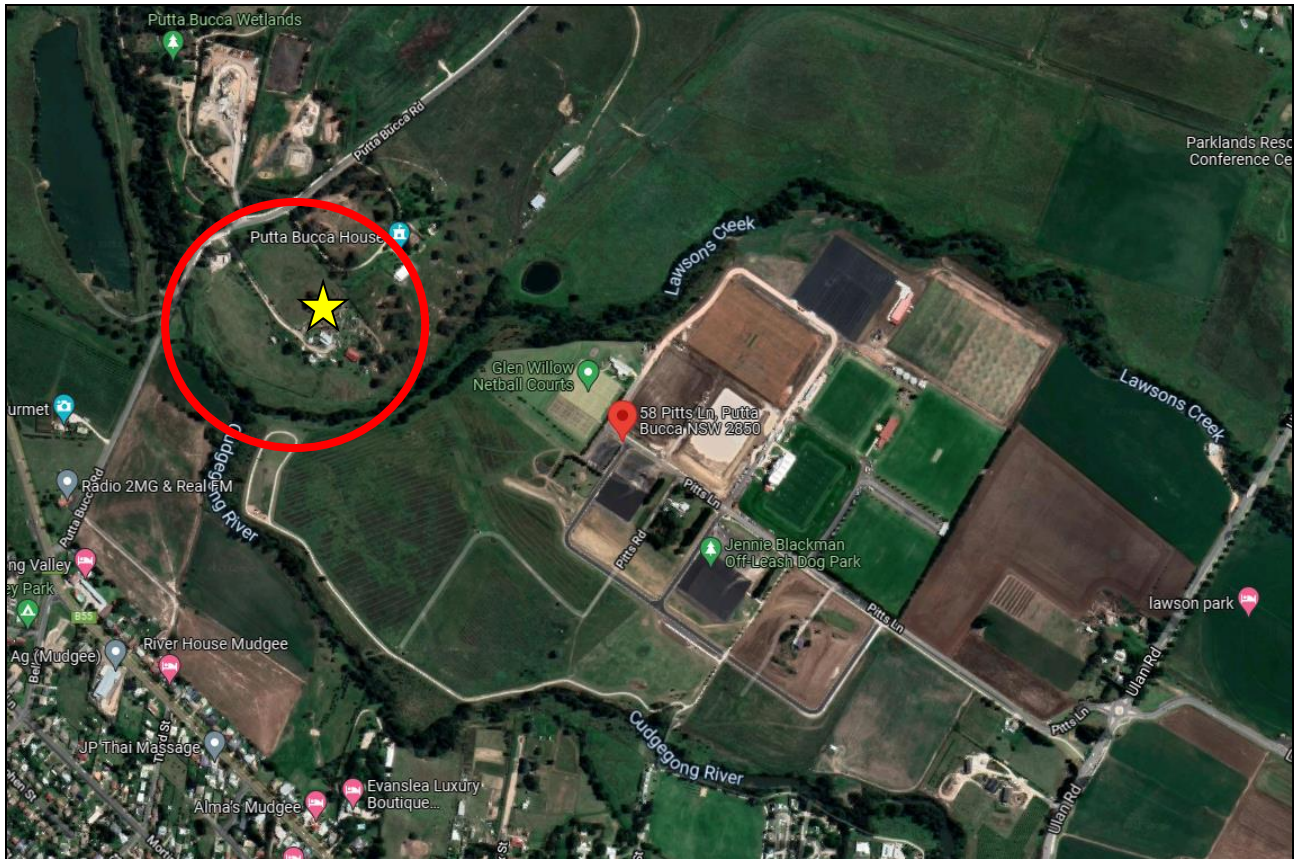


The whole of the land known as 58 Pitts Lane, Putta Bucca is identified in the map below.



 Site of proposed Sports Training and Accommodation Facility

An aerial photograph of the site showing its relationship with Glen Willow is provided on the following page. The subject land is identified in the red circle and the location of the proposed sports training and accommodation facility is marked with a yellow star.



The road connection currently under construction is shown in the figure below (taken from the REF for that project).



Part 1 Objectives and intended outcomes

Objective

To amend the Mid-Western Regional Local Environmental Plan 2012 to provide for the development of the subject site at 58 Pitts Lane, Putta Bucca in association with the adjoining Glen Willow Regional Sports Complex.

Intended Outcomes

To facilitate the development of a sports training and accommodation facility in association with the Glen Willow Regional Sports Complex.

To contribute to the growth of sports related tourism in the Mid-Western Region.

Part 2 Explanation of provisions

This planning proposal seeks to achieve the objective identified in Part 1 through the rezoning of the land under the Mid-Western Regional Local Environmental Plan 2012 and the making of a consequential amendment to the Lot Size Map.

The following table outlines the proposed changes to the LEP.

Item	Current	Proposed
Land Zoning Map	RU4 Primary Production Small Lots	RE1 Public Recreation
Lot Size Map	20ha	No Minimum Lot Size

Mapping of the proposed amendments are included in Part 4.

Part 3 Justification

SECTION A NEED FOR A PLANNING PROPOSAL

QUESTION 1 *Is the planning proposal a result of an endorsed LSPS, strategic study or report?*

The proposed development of a sports training and accommodation facility on the subject land is not a development specifically identified in any strategic study or report. However, it will support the objectives of the following plans and strategies:

- Glen Willow Master Plan
- Recreation Strategy 2013
- Community Strategic Plan
- Local Strategic Planning Statement
- Mid-Western Regional Comprehensive Land Use Strategy

In July 2021, Mid-Western Regional Council submitted an application for funding from the NSW State Government under the Resources for Regions – Round 8 program. The application was for stage 1 of the project, described as follows:

This project will construct stage 1 of the Glen Willow Training Camp Facility located adjacent Mudgee's Glen Willow Regional Sporting Complex. Stage 1 of the facility will see the construction

of a building featuring a gym, recovery centre, conference/lecture room, dining/lounge room, kitchen, storeroom, laundry, and toilets to meet the needs and requirements of visiting and local athletes, sporting teams and groups. Stage 1 will support future stages of the project's masterplan which will see construction of buildings featuring accommodation and amenities. Athletes, teams and groups will be able to utilise the training camp facility for activities, training, and events.

The funding application demonstrates that the project is consistent with the Mid-Western Region Community Strategic Plan, the Regional Economic Development Strategy and the Destination Country & Outback Destination Management Plan. The application for funding for Stage 1 was successful.

Discussion on the above plans and strategies is included under Section B, Question 4, below.

QUESTION 2 *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

A number of options for achieving the objective of the Planning Proposal have been considered. The options included:

- Rezoning the land to SP3 Tourism
- Rezoning the land to RE1 Public Recreation with no additional permitted use (if the proposed facility is considered to be ancillary to the Glen Willow Sports Complex)
- Rezoning the land to RE1 and adding an additional permitted use (should the proposed sports training and accommodation facility not be considered as ancillary to Glen Willow).

Of the above options, it is considered that rezoning the land to RE1 with no additional permitted use is the best means of achieving the intended outcome.

Rezoning to RE1 is preferred as this ensures all of the Glen Willow precinct has the one consistent zoning and this zone facilitates a range of public recreation uses that could be accommodated on the land, including the sports training and accommodation facility as an ancillary component of the Glen Willow Regional Sports Complex. Justification for the ancillary nature of the proposed development is provided below.

The identification of an additional permitted use is generally not preferred if the proposed uses can be accommodated within the permitted uses of a zone. As stated above, this can be achieved with the RE1 zone.

The planning proposal also seeks to remove the current 20ha minimum lot size from the subject land, consistent with the approach for the remainder of the Glen Willow site. It is proposed to consolidate the subject lot with the lots that make up the remainder of the Glen Willow site. Therefore, the removal of the 20ha minimum lot size for the subject lot will ensure there is no split minimum lot size over the consolidated site.

The removal of the 20ha minimum lot size is further justified by the proposed rezoning to RE1 Public Recreation, which removes the agricultural and dwelling potential of the land. The primary objectives of minimum lot sizes in rural zones relate to maintaining larger lot sizes for productive agricultural activities and minimising the density of dwellings. These objectives are not applicable to the RE1 zone and therefore, the 20ha minimum lot size is not required to be retained.

Justification of Ancillary Nature of Proposed Sports Training and Accommodation Facility

The Department of Planning, Industry and Environment Planning Circular PS13-001 *How to characterise development* contains the following guidance with regards to ancillary uses:

“An ancillary use is a use that is subordinate or subservient to the dominant purpose. The concept is important when a development involves multiple components on the same land. To put it simply:

- *if a component serves the dominant purpose, it is ancillary to that dominant purpose;*
- *if a component serves its own purpose, it is not a component of the dominant purpose but an independent use on the same land. It is a dominant use in its own right. In such circumstances, the development could be described as a mixed use development.”*

At the Glen Willow Regional Sports Complex, the dominant purpose is the undertaking of various sporting activities, being defined as recreation facility (major) and recreation area. The Sports Training and Accommodation facility serves this dominant purpose as it provides an opportunity for visiting sports teams to train and stay overnight on the subject land.

The proposed development is solely for the use of sports teams and sports persons who are engaged in sporting activities at Glen Willow. The purpose of the proposed development is therefore recreation facility (major) and recreation area.

The proposed development, if it were not ancillary to the Glen Willow Regional Sports Complex, would best fit the definition of tourist and visitor accommodation. However, the development does not serve this purpose separately from Glen Willow. Its only use is in conjunction with Glen Willow. Therefore, the sports training and accommodation facility does not serve its own purpose.

Planning Circular PS13-001 provides the following considerations for characterising development:

- Is the component going to serve the dominant purpose of the development or is it independent?

Comment – As discussed above, the proposed development serves the dominant purpose of the land and is not an independent use.

- What is the amount of land to be used for a certain component, relative to the amount of land proposed to be used for other purposes? If the amount of land is relatively small, it is more likely to be ancillary.

Comment – The dominant purpose of the land covers approximately 83ha. The Sports Training and Accommodation Facility has a footprint of approximately 6,200m², being 0.75% of the total site area. The relatively small size of the proposed development compared to the size of the dominant purpose supports the contention that the proposed development is ancillary.

- Evidence of a purpose that is inconsistent with the dominant purpose is likely to undermine a claim that a component is ancillary.

Comment – The sole use of the proposed facility by teams and persons engaged in sporting activities at Glen Willow supports the contention that the proposed development is an ancillary activity. The proposed use will not be inconsistent with the dominant purpose.

- If the component is temporary, it is more likely to be ancillary; if it is regular (that is, will constitute an ongoing use for a long period of time), it is likely to be an independent use.

Comment – The proposed development is a permanent development of the subject land but its use will be somewhat temporary or intermittent, as its use is limited to those times that touring sports teams or persons choose to train and stay overnight in the facility.

- If the component goes beyond what is reasonably required in the circumstances for the development to implement the dominant purpose, it is likely to be an independent use (regardless of whether it has ancillary qualities).

Comment – It cannot be said that the proposed development is a necessary development of the site as there are other opportunities in the local area for sports teams or persons to find training venues and accommodation options should they decide to stay overnight in Mudgee. However, it is considered that a fit for purpose training and accommodation facility on the subject land is a reasonable requirement to support the ongoing use and growth of the Glen Willow Regional Sports Complex.

- Related components of a development are likely to have an ancillary relationship, although this is not necessarily determinative of such a relationship.

Comment – Based on the discussion above, it can be determined that the proposed development is an ancillary activity to the Glen Willow Regional Sports Complex.

- Physical proximity of the component to the rest of the development is likely to be evidence of an ancillary relationship, although again not necessarily determinative.

Comment – The current construction of a road linking the subject land to the Glen Willow Regional Sports Complex and the consolidation of the subject lot with the Glen Willow lots provide both physical and legal proximity to support the contention that the proposed development is ancillary.


SECTION B STRATEGIC PLANNING FRAMEWORK

QUESTION 3 *Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?*

Central West and Orana Regional Plan 2036

The planning proposal is consistent with all relevant directions of the Central West and Orana Regional Plan as outlined in the table below.

Direction	Relevance and Consistency
<p>Direction 1: Protect the region's diverse and productive agricultural land</p> <p>Direction 2: Grow the agribusiness sector and supply chains</p> <p>Direction 12: Plan for greater land use compatibility</p>	<p>The subject land is currently zoned RU4 Primary Production Small Lots, therefore these directions are relevant to the planning proposal.</p> <p>Each of these directions contain actions to protect important agricultural lands and minimise land use conflicts.</p> <p>The planning proposal seeks to rezone the land from RU4 to RE1 Public Recreation. The subject land is identified on the draft State Significant Agricultural Land map currently on public exhibition, an extract of which is provided below (with the subject land identified by the red star).</p>


	 <p>Notwithstanding the inclusion of the land on the draft map, the land is not considered to be important agricultural land given its relatively small size, its public ownership and the current construction of a road through the centre of the site. The adjoining land to the north is also not considered to be important agricultural land, again due to the small size and the use of the land for a dwelling and functions. The adjoining land to the south, across the Cudgegong River is a larger lot wholly within the floodplain and is considered to be important agricultural land. The proposed sports training and accommodation facility will be approximately 180m from the nearest part of that land.</p> <p>It is considered that the proposed rezoning of the land from RU4 Primary Production Small Lots to RE1 Public Recreation and the development of a sports training and accommodation facility will not result in the loss of important agricultural land or cause any land use conflicts with any important agricultural land around Mudgee.</p>
<p>Direction 4: Promote and diversify regional tourism markets</p>	<p>The key action is to <i>enable opportunities appropriate for tourism development and associated land uses in local environmental plans.</i></p> <p>The planning proposal will enable an opportunity to grow sports tourism in the Mid-Western Region through the development of a sports training and accommodation facility on the subject land.</p> <p>The development of a sports training and accommodation facility on land that contains the Glen Willow Regional Sports Complex will facilitate the diversification of the Mid-Western Region's tourism market through a focus on sports tourism as identified in Council's Local Strategic Planning Statement.</p>
<p>Direction 13: Protect and manage environmental assets</p>	<p>The key action is to <i>protect high environmental value assets through local environmental plans.</i></p> <p>The subject land contains some high value environments along the edges of the site with the Cudgegong River and Lawson Creek, as shown on the Sensitive Biodiversity Map in the Mid-Western Regional LEP 2012. No</p>

	<p>change to this mapping is proposed. Rezoning of the land to RE1 Public Recreation will facilitate the protection of these environmental assets through the application of the zone objectives, including <i>to protect and enhance the natural environment for recreational purposes</i>.</p> <p>Future development of a sports training and accommodation facility will be undertaken in a manner that ensures the protection of these high value environments.</p>
Direction 14: Manage and conserve water resources for the environment	<p>The key action is to <i>locate, design, construct and manage new development to minimise impacts on water catchments, including downstream areas and groundwater sources</i>.</p> <p>The planning proposal will facilitate the development of a sports training and accommodation facility that will be developed in a manner that ensures no detrimental impact from stormwater on the adjoining watercourses or groundwater.</p>
Direction 15: Increase resilience to natural hazards and climate change	<p>The key action is to <i>locate developments, including new urban release areas, away from areas of known high biodiversity value; areas with high risk of bushfire or flooding; contaminated land; and designated waterways</i>.</p> <p>The planning proposal will facilitate the development of a sports training and accommodation facility in a location that avoids areas of high biodiversity value along watercourses, is above the 1 in 100year flood plain, is not bushfire prone and is not known or likely to be contaminated land.</p>
Direction 16: Respect and protect Aboriginal heritage assets	<p>The key action is to <i>protect, manage and respect Aboriginal objects and places in accordance with legislative requirements</i>.</p> <p>An Aboriginal Due Diligence Assessment was undertaken by Apex Archaeology in May 2021 for the proposed road currently being constructed across the subject land. The assessment concluded that Aboriginal cultural material was non-existent and the area was deemed to have been disturbed by past land use practices. See further discussion under Question 8.</p>
Local Government Narrative	<p>The Mid-Western Region's Local Government Narrative in the Regional Plan includes the following priority:</p> <p><i>Support the provision and continued development of major regional sports, recreation and cultural facilities.</i></p> <p>The planning proposal will facilitate a sports training and accommodation facility on land adjoining the Glen Willow Regional Sports Complex. The new facility will assist in attracting additional regional sporting events to Mudgee.</p>

Draft Central West and Orana Regional Plan 2041

The planning proposal is consistent with all relevant objectives of the exhibited draft Central West and Orana Regional Plan as outlined in the table below.

Objectives	Relevance and Consistency
<p>Objective 1: Identify, protect and connect important environmental assets</p>	<p>The subject land contains some high value environments along the edges of the site with the Cudgegong River and Lawson Creek, as shown on the Sensitive Biodiversity Map in the Mid-Western Regional LEP 2012. No change to this mapping is proposed. Rezoning of the land to RE1 Public Recreation will facilitate the protection of these environmental assets through the application of the zone objectives, including <i>to protect and enhance the natural environment for recreational purposes</i>.</p> <p>Future development of a sports training and accommodation facility will be undertaken in a manner that ensures the protection of these high value environments.</p>
<p>Objective 2: Support connected and healthy communities</p>	<p>Rezoning the land to RE1 Public Recreation and the development of a sports training and accommodation facility on the subject land will further the aim of attracting high profile teams to play at the Glen Willow Regional Sports Complex by providing a dedicated, fit for purpose, training and accommodation facility in close proximity to the main stadium.</p> <p>The ability to continue to attract and host major sporting teams, regional carnivals and other events at the Glen Willow Sports Complex will be a significant boost towards greater participation in sport at a local level. The proposal is associated with the extension of a walking and cycling track along the Cudgegong River, furthering the aim of the Draft Plan to activate riverfronts.</p>
<p>Objective 3: Plan for resilient places and communities</p>	<p>The planning proposal will facilitate the development of a sports training and accommodation facility in a location that avoids areas of high biodiversity value along watercourses, is above the 1 in 100year flood plain, is not bushfire prone and is not known or likely to be contaminated land.</p> <p>The proposal will also assist in minimising emissions relating to the Glen Willow Regional Sports Complex by providing a consolidated facility in close proximity, minimising the travel needs of touring teams. The associated road connection from Glen Willow to Putta Bucca Road will also facilitate improved public transport access to Glen Willow and the associated extension of the walking and cycling track will promote active transport options.</p>
<p>Objective 5: Ensure site selection and design embraces and respects the region's landscapes, character and cultural heritage</p>	<p>Rezoning of the land to RE1 Public Recreation will have no negative impacts on the local landscape, character and cultural heritage. The location and design of the proposed sports training and accommodation facility on the subject site has been planned to avoid or minimise impacts on the adjoining Putta Bucca House heritage item and given the relatively low elevation of the site, it will not be dominant in the landscape.</p> <p>An Aboriginal Due Diligence Assessment was undertaken by Apex Archaeology in May 2021 for the proposed road currently being constructed across the subject land. The assessment concluded that Aboriginal cultural material was non-existent and the area was deemed to have been disturbed</p>

	by past land use practices.
<p>Objective 13: Protect agricultural production values and promote agriculture innovation, sustainability and value-add opportunities</p>	<p>This objective refers to the existing Biophysical Strategic Agricultural Land map and the development of Important Agricultural Land (IAL) mapping. The subject land is identified on the Biophysical Strategic Agricultural Land map, as contained in State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007, an extract of which is provided below (with the subject land identified by the red star). The whole of the Glen Willow Regional Sports Complex is also identified on this map.</p>  <p>Notwithstanding the inclusion of the land on the Biophysical Strategic Agricultural Land map, the land is not considered to be important agricultural land given its relatively small size, its public ownership and the current construction of a road through the centre of the site. The adjoining land to the north is also not considered to be important agricultural land, again due to the small size and the use of the land for a dwelling and functions. The adjoining land to the south, across the Cudgegong River is a larger lot wholly within the floodplain and is considered to be important agricultural land. The proposed sports training and accommodation facility will be approximately 180m from the nearest part of that land.</p> <p>It is considered that the proposed rezoning of the land from RU4 Primary Production Small Lots to RE1 Public Recreation and the development of a sports training and accommodation facility will not result in the loss of important agricultural land or cause any land use conflicts with any important agricultural land around Mudgee.</p>
<p>OBJECTIVE 14: Protect and leverage the existing and future road, rail and air transport networks and infrastructure</p>	<p>This objective includes a strategy to limit the encroachment of incompatible development to airports and aerodromes. The planning proposal relates to land in the vicinity of the Mudgee Airport. The subject land is not within the landing or take-off surface limitation areas and the broader obstacle surface limitation height is 511.5m AHD.</p> <p>The subject land in the vicinity of the proposed development has ground levels between 450m AHD and 456.5m AHD. A single storey development on the land will therefore not exceed the obstacle surface limit. It is</p>

	anticipated that consultation with the operator of the Mudgee Airport will be undertaken as a requirement of the Gateway Determination.
Objective 17: Support a diverse visitor economy	<p>The planning proposal will enable an opportunity to grow sports tourism in the Mid-Western Region through the development of a sports training and accommodation facility on the subject land.</p> <p>The development of a sports training and accommodation facility on land that contains the Glen Willow Regional Sports Complex will facilitate the diversification of the Mid-Western Region's tourism market through a focus on sports tourism as identified in Council's Local Strategic Planning Statement.</p>
Objective 22: Protect Australia's first Dark Sky Park	<p>The <i>Environmental Planning and Assessment Regulation 2000</i> provides that the Dark Sky Planning Guidelines apply to land in the local government areas of Coonamble, Dubbo, Gilgandra and Warrumbungle and to certain development within 200km of the Siding Springs Observatory (being development of a class or description included in Schedule 4A to the Act, State significant development or designated development). The subject land is located approximately 150km from the observatory but is not of a class or description to which the Dark Sky Planning Guidelines apply.</p> <p>Notwithstanding, the proposed development can be designed to meet the requirements of the guidelines for minimising lighting and avoid upward light spill.</p>
Local Government Priorities	<p>Mid-Western Council's priorities for the LGA include major recreation, cultural and regional sports facilities, including the Glen Willow Regional Sports Complex.</p> <p>The planning proposal will facilitate a sports training and accommodation facility on land adjoining the Glen Willow Regional Sports Complex, assisting in attracting additional regional sporting events to Mudgee.</p>

QUESTION 4 *Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?*

The planning proposal is consistent with and furthers the objectives of the following local strategies and plans.

Glen Willow Master Plan

The Glen Willow Master Plan, adopted by Council in 2016, outlines the following objectives and goals for the precinct:

The Mid-Western Regional Council has established Glen Willow as a regional sporting facility that has the capacity to attract important regional and State level competitions. The main field at Glen Willow is of the highest level with the centrepiece being a first class field with a 1000 seat grandstand incorporating changing room facilities, amenities, broadcast facilities including media rooms, canteen facilities, staff and storage areas and competition level lighting for night games. The ongoing aim is to develop Glen Willow further and to have a facility that would attract high profile teams to play and through this increasing interest in sport, encouraging more participation by local people.

The current Glen Willow Master Plan incorporating the subject land and proposed development is shown below.



The development of a sports training and accommodation facility on the subject land, which is currently being physically connected to the sports complex will further the ongoing aim of attracting high profile teams to play, by providing a dedicated, fit for purpose, training and accommodation facility in close proximity to the main stadium.

The new facility will also support the hosting of sports carnivals and other major sporting events, furthering the regional nature of the complex.

The Master Plan also states that *the goal is to encourage more participation in sport and to establish a significant green space that is located conveniently close to the majority of residents in the region.*

The ability to continue to attract and host major sporting teams, regional carnivals and other events at the Glen Willow Sports Complex will be a significant boost towards greater participation in sport at a local level. This planning proposal furthers the Council's local and regional sport and recreation objectives.

Recreation Strategy 2013

Mid-Western Regional Council adopted a Recreation Strategy on 25 July, 2013. The Strategy contains a number of recommendations that are supported by this planning proposal, including the following:

That Council, through organised sporting groups, the Sports Council's and Mudgee Regional Tourism Inc, investigate opportunities for the promotion of the region's sporting facilities for sports related tourism.

That Council focus on the maintenance and embellishment of the existing infrastructure and delivery of Stages 2 and 3 of the Glen Willow facility in conjunction with rationalisation of duplicated facilities.

While the strategy did not specifically envisage a sports training and accommodation facility, such a development supports the above recommendations, specifically through the embellishment of facilities at Glen Willow in a manner that promotes sports related tourism.

The construction of the new road connecting the site to Glen Willow and the associated walking/cycle track that connects to the Putta Bucca Wetlands and back to Mudgee via Putta Bucca Road are also actions recommended by the Recreation Strategy,

Community Strategic Plan

The Mid-Western Regional Community Strategic Plan includes the following strategy:

Strategy 1.3 - Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles.

The ability to continue to attract and host major sporting teams, regional carnivals and other events at the Glen Willow Sports Complex will be a significant boost towards greater participation in sport at a local level. Greater participation in local sport will further the strategy of promoting healthy lifestyles and both personal and community wellbeing.

Local Strategic Planning Statement

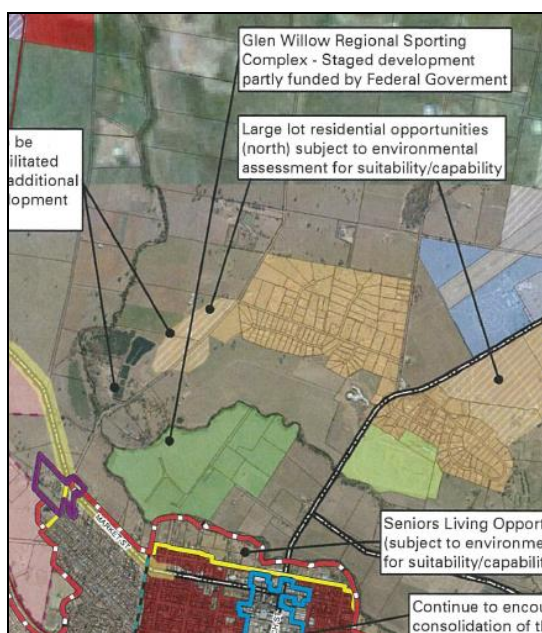
The Mid-Western Regional Local Strategic Planning Statement includes the following statement:

Increased visitation due to major events is also expected, with a strategic focus on Sports Tourism in the Region, including partnerships with national rugby league, rugby union and soccer organisations.

The Glen Willow Sports Complex is the primary regional sporting complex in the Mid-Western Region. It has already been successful in attracting tourists to the region for major sporting events. The planning proposal will facilitate a development that adds to the attractions at Glen Willow for touring teams, increasing the opportunity for new sporting events to be held. This will in turn assist in increasing visitation to the region. Providing dedicated accommodation for sports teams frees up other existing and new tourist accommodation for visitors.

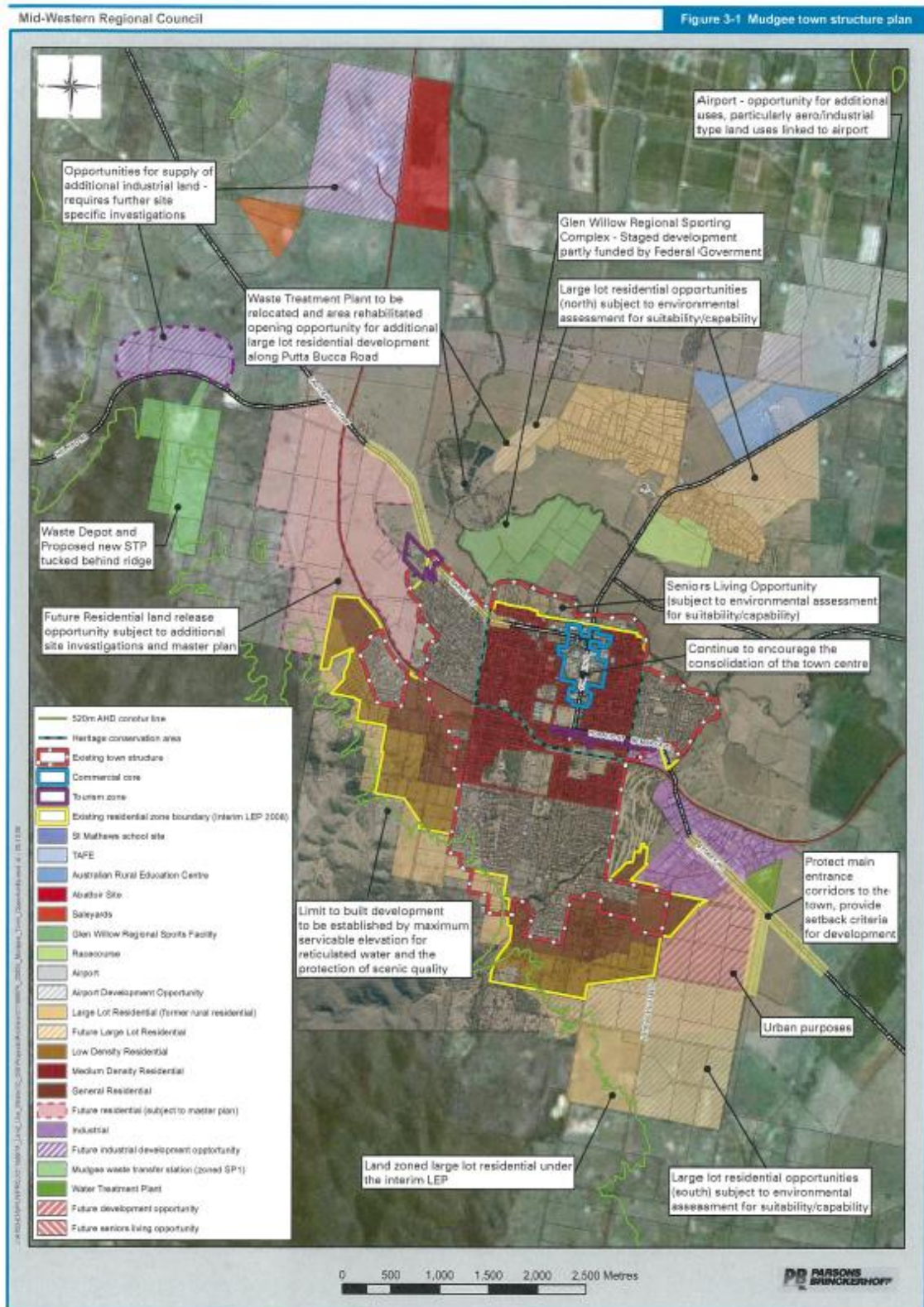
Mid-Western Regional Comprehensive Land Use Strategy

The Mudgee Town Centre Structure Plan contained within the Comprehensive Land Use Strategy identifies the Glen Willow Regional Sporting Complex with staged development partly funded by the Federal Government, as shown in the extract below. A full copy of the Structure Plan is provided on the following page.



The subject land was not envisaged as being part of the Glen Willow Regional Sporting Complex at the time the Strategy was developed. However, the inclusion of the land does not prejudice other strategic directions as the land is not identified in the Structure Plan for any other specific development opportunity.

The development proposal represents stage 3 of the Glen Willow redevelopment and is therefore consistent with the identification in the Comprehensive Land Use Strategy of staged development at Glen Willow.



QUESTION 5 *Is the planning proposal consistent with any other applicable State and regional studies or strategies?*

The planning proposal is consistent with and furthers the objectives of the following regional strategies and plans.

Mid-Western Regional Council - Regional Economic Development Strategy 2018-2022

One of the five key elements of this Strategy is to develop a mature and diversified tourism sector, recognising the region's strong and mature winery reputation and building a diverse offering, including sports and heritage tourism.

This planning proposal and the development of a sports training and accommodation facility supports the above strategy by improving facilities at the Glen Willow Regional Sports Complex to attract sporting events and grow sports tourism.

Destination Country & Outback Destination Management Plan

Supporting sports tourism through attracting and hosting regional, State or national sporting events is a key action of this Plan, recognising that sport is one of a number of signature experiences in regional NSW that attracts visitors year round.

This planning proposal and the development of a sports training and accommodation facility supports the above action by improving facilities at the Glen Willow Regional Sports Complex to attract sporting events and grow sports tourism.

QUESTION 6 *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The following table addresses the relevancy and consistency of the planning proposal with State Environmental Planning Policies.

SEPP	Relevance and Consistency
SEPP (Aboriginal Land) 2019	Not relevant. This SEPP only applies to certain mapped land in the Central Coast LGA.
SEPP (Activation Precincts) 2020	Not relevant. The subject land is not within an Activation Precinct.
SEPP (Affordable Rental Housing) 2009	Not relevant.
SEPP (Building Sustainability Index: BASIX) 2004	Not relevant.
SEPP (Coastal Management) 2018	Not relevant. The proposal is not in the coastal zone.
SEPP(Concurrences and Consents) 2018	Not relevant.
SEPP (Educational Establishments and Child Care Facilities) 2017	Not relevant.
SEPP (Exempt and Complying Development Codes) 2008	Not relevant.
SEPP (Gosford City Centre) 2018	Not relevant.

SEPP (Housing for Seniors or People with a Disability) 2004	Not relevant.
SEPP (Infrastructure) 2007	<p>Relevant. This SEPP provides approval pathways for various infrastructure projects, including identifying development without consent and exempt development on operational land (consistent with exempt development on parks and other public reserves). The SEPP also identifies certain traffic generating development that requires referral to Transport for NSW.</p> <p>Rezoning the land to RE1 Public Recreation will provide the opportunity for certain works and infrastructure relating to operational land to be undertaken in accordance with the SEPP requirements.</p> <p>The proposal is not considered to be traffic generating development under clause 104 of the SEPP.</p>
SEPP (Koala Habitat Protection) 2020	Not relevant. This SEPP does not apply to land in the RU4 or RE1 zones.
SEPP (Koala Habitat Protection) 2021	<p>Relevant. The subject land is greater than 1ha in size and is currently zoned RU4 and proposed to be zoned RE1. There is no approved koala management plan applying to the land.</p> <p>The proposed rezoning and the future development of a sports training and accommodation facility does not require the removal of any native vegetation. It is therefore considered that the planning proposal and future development will have no impact on koalas or koala habitat.</p>
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not relevant.
SEPP (Kurnell Peninsula) 1989	Not relevant.
SEPP (Major Infrastructure Corridors) 2020	Not relevant.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	<p>Relevant. This SEPP standardises the approach throughout NSW to the assessment and approval of mining activities under Part 4 of the EP&A Act. Clause 13 of the SEPP applies to an application for consent for development on land that is in the vicinity of an existing mine, petroleum production facility or extractive industry, or identified on a map as being the location of State or regionally significant resources of minerals, petroleum or extractive materials, or identified by an environmental planning</p>

	<p>instrument as being the location of significant resources of minerals, petroleum or extractive materials.</p> <p>Preliminary consultation has been undertaken with the Department of Regional NSW – Mining, Exploration and Geoscience (MEG) to determine if clause 13 of the SEPP applies. No response from MEG has yet been received to the preliminary consultation. Further consultation will be undertaken during public exhibition of the planning proposal.</p>
SEPP No 19—Bushland in Urban Areas	Not relevant. This SEPP applies only to Sydney metropolitan council areas.
SEPP No 21—Caravan Parks	Not relevant.
SEPP No 33—Hazardous and Offensive Development	Not relevant.
SEPP No 36—Manufactured Home Estates	Not relevant.
SEPP No 47—Moore Park Showground	Not relevant.
SEPP No 50—Canal Estate Development	Not relevant.
SEPP No 55—Remediation of Land	<p>Relevant. This SEPP introduces planning controls for the remediation of contaminated land. The policy states that land must not be developed if contamination renders it unsuitable for a proposed use. If the land is unsuitable, remediation must take place before the land is developed.</p> <p>In accordance with Clause 6 of SEPP 55, the subject land has been considered with respect to the likelihood of contamination. Mid-Western Regional Council's records indicate that the subject land is unlikely to be contaminated. See further discussion under Question 9.</p> <p>The subject land is considered to be suitable for the proposed change of use from rural and rural-residential purposes to recreation purposes.</p>
SEPP No 64—Advertising and Signage	Not relevant. However, in any future development of a sports training and accommodation facility, any associated signage would need to be assessed in accordance with the requirements of the SEPP.
SEPP No 65—Design Quality of Residential Apartment Development	Not relevant.
SEPP No 70—Affordable Housing (Revised Schemes)	Not relevant.

SEPP (Penrith Lakes Scheme) 1989	Not relevant.
SEPP (Primary Production and Rural Development) 2019	<p>Relevant. The subject land is currently zoned RU4 Primary Production Small Lots and is identified on the draft State Significant Agricultural Land map currently on public exhibition.</p> <p>Notwithstanding the inclusion of the land on the draft map, the land is not considered to be State significant agricultural land given its relatively small size, its public ownership and the current construction of a road through the centre of the site. The adjoining land to the north is also not considered to be important agricultural land, again due to the small size and the use of the land for a dwelling and functions. The adjoining land to the south, across the Cudgegong River is a larger lot wholly within the floodplain and is considered to be important agricultural land. The proposed sports training and accommodation facility will be approximately 180m from the nearest part of that land.</p> <p>It is considered that the proposed rezoning of the land from RU4 Primary Production Small Lots to RE1 Public Recreation and the development of a sports training and accommodation facility will not result in the loss of State significant agricultural land or cause any land use conflicts with any important agricultural land around Mudgee.</p>
SEPP (State and Regional Development) 2011	<p>Relevant. This SEPP identifies certain State and regionally significant development that requires the approval of either the Independent Planning Commission or the Joint Regional Planning Panel.</p> <p>The proposed Sports Training and Accommodation Facility is considered to be regionally significant development, meeting the criteria of 'council related development over \$5m' in Schedule 7 of the SRD SEPP.</p>
SEPP (State Significant Precincts) 2005	Not relevant. The land is not a state significant precinct.
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	Not relevant.
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	Not relevant.
State Environmental Planning Policy (Three Ports) 2013	Not relevant.
State Environmental Planning Policy (Urban Renewal) 2010	Not relevant.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	<p>Relevant. This SEPP applies to land in the RE1 Public Recreation zone and outlines the approval requirements for clearing of vegetation.</p> <p>The planning proposal seeks to rezone the land to RE1 Public Recreation. However, the planning proposal does not necessitate any clearing of native vegetation. The proposed development of a sports training and accommodation facility can be undertaken on cleared areas of the land without impacts on any native vegetation.</p>
State Environmental Planning Policy (Western Sydney Aerotropolis) 2020	Not relevant.
State Environmental Planning Policy (Western Sydney Employment Area) 2009	Not relevant.
State Environmental Planning Policy (Western Sydney Parklands) 2009	Not relevant.

QUESTION 7 *Is the planning proposal consistent with applicable Ministerial Directions?*

The following table addresses the relevancy and consistency of the planning proposal with Ministerial Directions.

Direction	Relevance and Consistency
1.1 Business and Industrial Zones	Not relevant.
<p>1.2 Rural Zones</p> <p>This Direction applies when a relevant planning authority prepares a Planning Proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).</p> <p>The objective of this Direction is to protect the agricultural production value of rural land.</p>	<p>Relevant. The planning proposal is consistent with this direction as it does not propose to rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>The planning proposal seeks to rezone land from a rural zone to a recreation zone.</p> <p>However, given that the proposed rezoning is to facilitate a tourist purpose (sports training and accommodation facility), the direction is relevant.</p> <p>The planning proposal meets the objective of protecting the agricultural production value of land as the subject land is not considered to be viable agricultural land. While a part of the site is within the floodplain of the Cudgegong River, due to its small size, public ownership and the current construction of a road through the centre of the site, it is not significant agricultural land. The proposed development will not cause rural land use conflicts.</p>
1.3 Mining, Petroleum Production and Extractive Industries	Relevant. The Planning Proposal is inconsistent with this Direction as it proposes a zone that prohibits

<p>This direction applies when a relevant planning authority prepares a Planning Proposal that would have the effect of prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</p> <p>The objective of this Direction is to ensure that the future extraction of State or Regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</p>	<p>mining and extractive industries. The proposed land use (sports training and accommodation facility) would also be incompatible with any mining or extractive industries.</p> <p>The direction requires consultation with the Department of Primary Industries to identify if the planning proposal will affect any resources of State or regional significance.</p> <p>A planning proposal may be inconsistent with the direction if Council can satisfy the Department of Primary Industries that the inconsistency is of minor significance.</p> <p>Preliminary consultation has been undertaken with the Department of Regional NSW – Mining, Exploration and Geoscience (MEG). No response from MEG has yet been received to the preliminary consultation. Further consultation will be undertaken during public exhibition of the planning proposal.</p>
<p>1.4 Oyster Aquaculture</p>	<p>Not relevant.</p>
<p>1.5 Rural Lands</p> <p>This Direction applies when a relevant planning authority prepares a Planning Proposal that will affect land within an existing or proposed rural or environment protection zone or that changes the existing minimum lot size on land within a rural or environment protection zone.</p> <p>The objectives of this Direction include to protect the agricultural production value of rural land and facilitate the orderly and economic development of rural lands for rural and related purposes.</p>	<p>Relevant. The planning proposal is consistent with this direction as:</p> <ul style="list-style-type: none"> • It is consistent with the directions in the Central West and Orana Regional Plan as addressed under Question 3 above and Council’s Local Strategic Planning Statement as addressed under Question 4 above, • It does not affect land of agricultural significance for the State or the local rural community, • It will not negatively affect existing identified environmental values along the Cudgegong River and Lawson Creek, • The natural and physical constraints of the land have been considered and addressed in this planning proposal, • It will not cause rural land use conflicts, and • The further development of the Glen Willow Regional Sports Complex is considered to be in the public interest, having significant social and economic benefits to the community.
<p>2.1 Environment Protection Zone</p>	<p>Not relevant.</p>
<p>2.2 Coastal Management</p>	<p>Not relevant.</p>
<p>2.3 Heritage Conservation</p> <p>This Direction applies when a relevant planning authority prepares a Planning</p>	<p>Relevant. This Planning Proposal is not inconsistent with this Direction as relevant provisions to facilitate the conservation of heritage items and Aboriginal</p>

<p>Proposal. The objective is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p>	<p>objects, areas or places are already contained in the Mid-Western Regional LEP 2012 and no changes to these provisions are proposed.</p> <p>The site does not contain a heritage item or any known Aboriginal objects, areas or places.</p> <p>The site adjoins land that contains a heritage item (Putta Bucca House). The existing provisions of the LEP relating to development in the vicinity of a heritage item will apply to any future development of a sports training and accommodation facility on the subject land.</p>
<p>2.4 Recreation Vehicle Areas</p>	<p>Not relevant.</p>
<p>2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPS</p>	<p>Not relevant.</p>
<p>2.6 Remediation of Contaminated Land</p> <p>This direction applies to:</p> <p>(a) land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997,</p> <p>(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</p> <p>(c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land:</p> <p>(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</p> <p>(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</p> <p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal</p>	<p>Relevant. The subject land is not within an investigation area. The site is known to have been used for a purpose referred to in Table 1 of the Contaminated Land Planning Guidelines, being agricultural/horticultural activities, as the site was formerly used for dairying purposes.</p> <p>The subject land was used for grazing cattle and some milking sheds were located on site. These activities are not considered likely to have caused contamination of the land. Over the last 47 years the land has been used for residential purposes.</p> <p>Given this known history, it is not considered necessary to obtain a preliminary investigation report for the planning proposal. The only likely contamination of the land is from the potential for asbestos fragments from the historic demolition of sheds.</p> <p>Geo-technical investigations of the site have been undertaken. The boreholes drilled into the site did not uncover any uncontrolled fill, structural footprints or potential asbestos containing material.</p> <p>See further discussion under Question 9.</p>

authorities.	
3.1 Residential Zones	Not relevant.
3.2 Caravan Parks and Manufactured Home Estates	Not relevant.
3.3 Revoked	N/A
<p>3.4 Integrating Land Use and Transport</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p> <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve a range of planning objectives relating to accessibility.</p>	<p>Not relevant. The planning proposal does not relate to land zoned, or proposed to be zoned for residential, business, industrial, village or tourist purposes. However, as the planning proposal seeks to facilitate a tourist-related development, consideration has been given to this Direction.</p> <p>The planning proposal relates to land on which a new road is currently being constructed to connect the site and the Glen Willow Regional Sports Complex to Putta Bucca Road, thereby providing an alternative access to Glen Willow and a through road link to Mudgee Town Centre. This facilitates improved public transport links connecting Glen Willow to Mudgee. Associated with the road construction is an extension of a footpath/cycleway from Glen Willow to Putta Bucca Road, facilitating improved pedestrian and cycling access.</p> <p>The planning proposal is considered consistent with this Direction.</p>
<p>3.5 Development Near Regulated Airports and Defence Airfields</p> <p>This direction applies when a relevant planning authority prepares a Planning Proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome. The objectives of this Direction are to ensure the effective and safe operation of aerodromes, ensure that their operation is not compromised by development and ensure development for residential purposes is not adversely affected by aircraft noise.</p>	<p>Relevant. The planning proposal relates to land in the vicinity of the Mudgee Airport. The subject land is not within the landing or take-off surface limitation areas and the broader obstacle surface limitation height is 511.5m AHD.</p> <p>The subject land in the vicinity of the proposed development has ground levels between 450m AHD and 456.5m AHD. A single storey development on the land will therefore not exceed the obstacle surface limit.</p> <p>It is anticipated that consultation with the operator of the Mudgee Airport will be undertaken as a requirement of the Gateway Determination.</p>
3.6 Shooting Ranges	Not relevant.
3.7 Reduction in non-hosted short term rental accommodation period	Not relevant.
4.1 Acid Sulfate Soils	Not relevant.
4.2 Mine Subsidence and Unstable Land	Not relevant.

<p>4.3 Flooding</p> <p>This Direction applies when a relevant planning authority prepares a Planning Proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p> <p>The objectives of this Direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 and that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p>	<p>Relevant. This Planning Proposal is consistent with this direction as the extent of flooding affecting the subject land is known.</p> <p>The planning proposal will facilitate a development that can be undertaken on that part of the subject land that is above the 100yr ARI flood level. See further discussion under Question 8 below.</p>
<p>4.4 Planning for Bushfire Protection</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.</p> <p>The objectives of this direction are to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and to encourage sound management of bush fire prone areas.</p>	<p>Not relevant. The subject land is not mapped as bushfire prone and is not in close proximity to land mapped as bushfire prone land.</p>
<p>5.1 Revoked</p>	<p>N/A</p>
<p>5.2 Sydney Drinking Water Catchments</p>	<p>Not relevant.</p>
<p>5.3 Farmland of State and Regional Significance on the NSW Far North Coast</p>	<p>Not relevant.</p>
<p>5.4 Revoked</p>	<p>N/A</p>
<p>5.6 Revoked</p>	<p>N/A</p>
<p>5.7 Revoked</p>	<p>N/A</p>
<p>5.8 Revoked</p>	<p>N/A</p>
<p>5.9 North West Rail Link Corridor Strategy</p>	<p>Not relevant.</p>
<p>5.10 Implementation of Regional Plans</p> <p>Planning Proposals must be consistent with a Regional Plan released by the Minister for Planning.</p>	<p>Relevant. The Planning Proposal is consistent with the directions in the Central West and Orana Regional Plan as addressed under Question 3 above.</p>

5.11 Development of Aboriginal Land Council Land	Not relevant.
<p>6.1 Approval and Referral Requirements</p> <p>This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	Relevant. The Planning Proposal is consistent with the direction as it does not include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority and does not identify development as designated development.
6.2 Reserving Land for Public Purposes	Not relevant.
<p>6.3 Site Specific Provisions</p> <p>This Direction applies when a relevant planning authority prepares a Planning Proposal that will allow a particular development to be carried out.</p> <p>The objective of this Direction is to discourage unnecessarily restrictive site specific planning controls.</p>	Relevant. The Planning Proposal is consistent with this direction as it seeks to rezone the subject land to a zone that facilitates the proposed development as an ancillary activity to the Glen Willow Regional Sports Complex. No additional permitted land use is required and no site specific development standards or requirements are proposed.
7.1 to 7.13 Metropolitan Planning	Not relevant.

SECTION C ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

QUESTION 8 *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

No. The planning proposal seeks to facilitate the development of a sports training and accommodation facility on a part of the site that is cleared of vegetation. The areas of vegetation on the site predominantly follow the Cudgegong River and Lawson Creek and on the downslope towards Lawson Creek to the east of the existing dwelling. No development associated with this planning proposal is proposed in these areas.

QUESTION 9 *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

No. Environmental issues considered in the development of the planning proposal are outlined below.

Environmental Heritage

The subject land does not contain a heritage item, is not in a heritage conservation area and is unlikely to contain any significant archaeological deposits. The adjoining land to the north contains a heritage item, being Putta Bucca House.

Rezoning the subject land to RE1 Public Recreation will have no detrimental impacts on the adjoining heritage item. Putta Bucca House is oriented to primarily face east away from the subject

land. Due to the elevation of Putta Bucca House, the land around the house enjoys views in all directions, including over the subject land towards the hills.

The proposed Sports Training and Accommodation facility will be located within the view line to the south from Putta Bucca House but will sit at a lower elevation and will not disrupt the visual connection to the hills. Any future buildings will not be overly visible from Putta Bucca House and can be easily screened from view by medium-sized trees and shrubs that will themselves sit low enough to not block the distant views. Any future buildings will also be approximately 150m from Putta Bucca House.

It is considered that the planning proposal will have no detrimental impact on items of environmental heritage.

Aboriginal Cultural Heritage

An Aboriginal Due Diligence Assessment was undertaken by Apex Archaeology in May 2021 for the proposed road currently being constructed across the subject land. The assessment included further site investigations into an area of the site along Cudgegong River and Lawson Creek that was previously considered to have potential for Aboriginal cultural material. The assessment concluded that Aboriginal cultural material was non-existent and the area was deemed to have been disturbed by past land use practices. No newly identified archaeological material was found.

Any future development of a sports training and accommodation facility or any recreation activities will be undertaken in accordance with the legislative requirements to protect any Aboriginal item uncovered during construction.

It is considered that the planning proposal will have no detrimental impact on Aboriginal cultural heritage.

Potential Site Contamination

The subject land has been used for the last 47 years for residential purposes, with a single dwelling and a range of outbuildings. The previous owner used the site for storage and repair of trucks and other machinery in addition to residential purposes. The site is being progressively cleared of all machinery and other items. A septic tank exists on the site treating effluent from the dwelling.

Prior to this use, the land was part of a larger rural property that operated as a dairy. It is understood the site was used for both grazing and milking purposes with milking sheds located on the property. The milking sheds were removed some time ago.

There is potential for asbestos to be found in the existing dwelling and fragments may be located in the soil from the demolition of previous sheds.

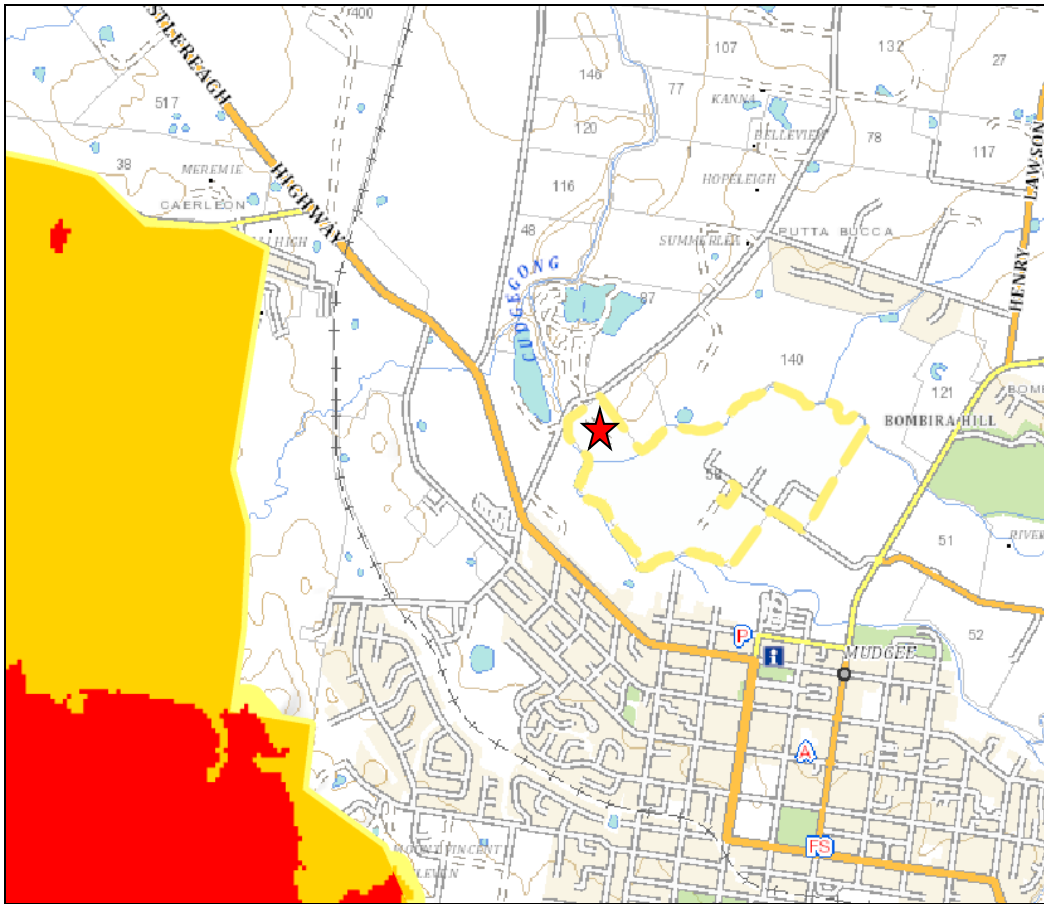
There is no evidence of any previous use that is likely to have caused contamination of the site.

Geo-technical investigations of the site have been undertaken. The boreholes drilled into the site did not uncover any uncontrolled fill, structural footprints or potential asbestos containing material. The site is considered suitable for the proposed use.

Environmental Hazards

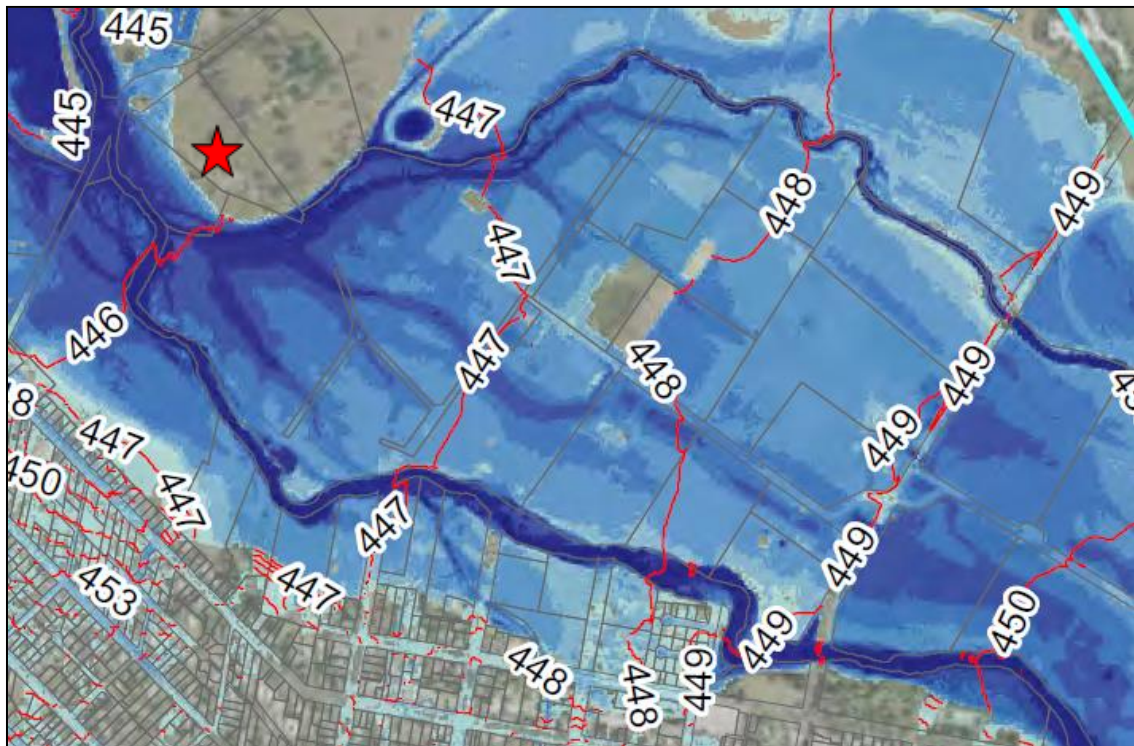
Bushfire

The subject land is not mapped as bushfire prone and is not in close proximity to land mapped as bushfire prone land, as shown below.



Flooding

The subject land contains land within the 1% AEP flood level, as shown in the map below.



★ Site of proposed Sports Training and Accommodation Facility

As indicated by the red star on the map, the site of the Sports Training and Accommodation Facility is above the 1% AEP flood level. Development of the land above the 1% AEP flood level will have no impact on flood levels, flows or velocity. Stormwater from any future roofed and sealed areas can be captured in rainwater tanks before discharge through treatment devices towards Lawson Creek and the Cudgegong River. This will have no significant impact on flood levels.

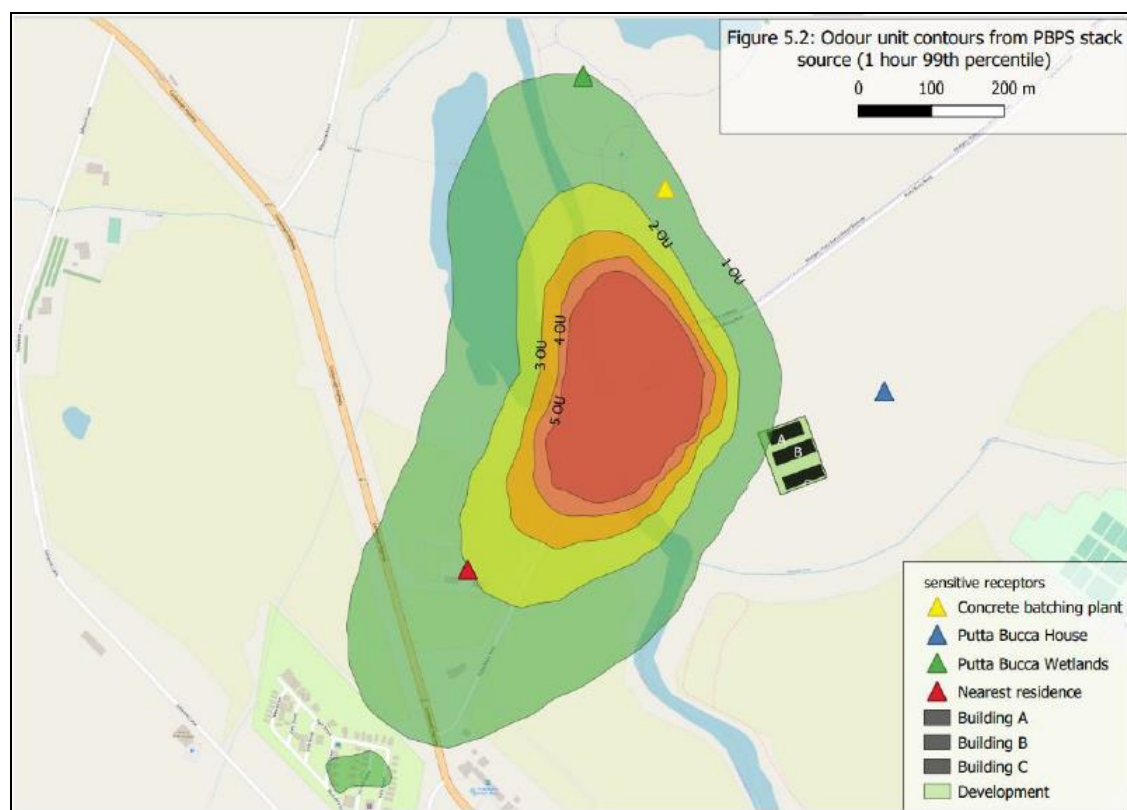
QUESTION 10 *Has the planning proposal adequately addressed any social and economic effects?*

Yes. Social and economic issues considered in the development of the planning proposal are outlined below.

Odour Impacts

A sewer pumping station (SPS) adjoins the site of the proposed rezoning and development. An Odour Assessment of the impact of the SPS on the proposed development of the subject land has been undertaken by GHD. The odour assessment is critical for confirming that the proposed location of the sports training and accommodation facility is appropriate, but it does not significantly influence the proposal to rezone the land to the RE1 Public Recreation zone.

The assessment concluded that odour from the SPS will not exceed the relevant impact assessment criteria, as demonstrated in the following diagram.



The proposed development can therefore be undertaken in the proposed location with no significant odour impacts.

It is not proposed to identify any recommended buffer zone within the MWRLEP 2012 as the current LEP, under clause 6.12, only applies to a buffer around the sewage treatment plant, not to pumping stations.

Acoustic Impacts

The subject land is located in a semi-rural location, surrounded by a mix of rural land, open space and natural areas. The immediately adjoining property to the north contains a residence (Putta Bucca House) and a marquee used for weddings and other functions. The proposed development of a sports training and accommodation facility could therefore have noise impacts on the adjoining residence and also be impacted by noise from the function venue. Other potential noise sources impacting the proposed development are from a concrete batching plant, a sewer pumping station and the Glen Willow Regional Sports Complex.

An acoustic impact of the rezoning and proposed development on surrounding land has been undertaken by Akoustic. The study addressed noise emissions from surrounding developments that could affect the proposed sports training and accommodation facility. As the proposed development is predominantly residential in nature, it was determined to not be likely to generate significant noise levels, aside from noise associated with car parking at the site.

The study found that predicted noise levels at the façade of the accommodation blocks of the proposed development from functions being held at the adjoining Putta Bucca House would exceed the trigger levels for day and evening periods by 11dB and 14dB respectively. These levels will only be exceeded when events are held and the predicted noise levels represent the loudest periods of a typical social event when speeches are being made and applause occurs. At other times, like during the dinner, noise emissions will be at least 10 dB less. A 2m high noise barrier between the proposed development and the adjoining property to the north would reduce noise levels from Putta Bucca House events by up to 11dB.

Amplified music noise emissions from live performances at the adjoining function centre should not exceed the general crowd noise levels due to the location of the stage and the solid walls at the southern end of the marquee that act as a sound barrier. Good quality sound reinforcement loudspeakers can also direct sound into the marquee audience and minimise the spill over of the music to residential areas. Noise from vehicles leaving the site does not exceed the noise trigger limits.

The predicted noise levels close to the proposed development from the nearby concrete batching plans will not exceed the day and morning shoulder trigger levels. The predicted noise levels are only applicable when the plant is batching and at other times noise levels would be considerably less. Noise from the adjoining sewer pumping station is not expected to disturb any guests at the proposed women's sporting centre as the pumps and other noise generating equipment is located inside a building.

In relation to the Glen Willow Regional Sports Complex, the study found that it is unlikely that noise generated by sports activities such as netball would be annoying and due to the distance from the netball courts noise levels could be audible but not likely to be intrusive nor would the source of the netball noise levels be a persistent annoyance. Larger events held at the Regional Sports Stadium would be planned and managed by organisers that are required to submit a management plan to include control of noise emissions. Considering the connection that guests at the proposed development would have with Glen Willow, any noise from sporting activities would be unlikely to be offensive.

The study found that the adjoining Putta Bucca House would not be adversely affected by noise from the operation of the proposed development assuming that reasonable steps are taken to control noise emissions from mechanical plant servicing the development. Noise from traffic and car parking will not exceed the relevant noise trigger levels.

Based on the above, there is no acoustic impacts that would prevent the rezoning of the land or the development of the sports training and accommodation facility.

Other Social Impacts

The proposed rezoning and development of a Sports Training and Accommodation facility will have significant positive social impacts for Mudgee and the wider Mid-Western community. As part of the growing regional sports complex known as Glen Willow, the proposal will increase the opportunities for sporting teams to visit and stay in Mudgee. The ability to continue to attract and host major sporting teams, regional carnivals and other events at the Glen Willow Sports Complex will be a significant boost towards greater participation in sport at a local level. This planning proposal furthers the Council's local and regional sport and recreation objectives.

Economic Impacts

The proposed rezoning and development of a Sports Training and Accommodation facility will have significant positive economic impacts for Mudgee and wider Mid-Western community. The use of the facility by high-profile sports teams generates a wide range of economic benefits from increased sports tourism in the region. The facility will allow teams to stay overnight, increasing their spending in the local economy and encourage visitors to stay longer, also increasing their spending in the local economy. While the accommodation component is in direct competition with existing tourist accommodation, the proposal is considered a benefit to existing tourism accommodation providers as it frees up rooms for more visitors, providing an overall benefit to the whole community.

SECTION D STATE AND COMMONWEALTH INTERESTS

QUESTION 11 *Is there adequate public infrastructure for the planning proposal?*

Yes. Infrastructure issues considered in the development of the planning proposal are outlined below.

Sewer Services

The subject land and the proposed development will be connected to Council's reticulated sewer system. An extension of the sewer mains will be required to achieve this. An existing on-site septic system will be decommissioned.

Water Supply

The subject land and the proposed development will be connected to Council's reticulated water supply system. An extension of the water supply mains will be required to achieve this. In addition, water tanks will be used to capture and manage stormwater on site and for reuse in landscape areas.

Traffic and Transport

A new road connection from the Glen Willow Sports Complex, across Lawson Creek and to Putta Bucca Road is currently under construction. This road connection facilitates direct access for sports teams and sports people from Glen Willow to the subject site without impact on the surrounding road network.

The new intersection with Putta Bucca Road will be a roundabout at the current entrance to the Putta Bucca Wetlands, providing a safe access and exit from the site to the surrounding road network.

The proposed sports training and accommodation facility will not generate significant additional traffic to the road network as touring teams will likely travel together in buses. In any case, the provision of a second access to Glen Willow allows for the spread of traffic flow via either Ulan Road or Putta Bucca Road. The surrounding road network is considered capable of accommodating the traffic generated by the proposed development. Adequate parking for the proposed development will be provided on site.

A Review of Environmental Factors was undertaken by Mid-Western Regional Council as part of the approval for the road works under Part 5 of the Environmental Planning and Assessment Act 1979. No further traffic assessment is considered warranted for the planning proposal.

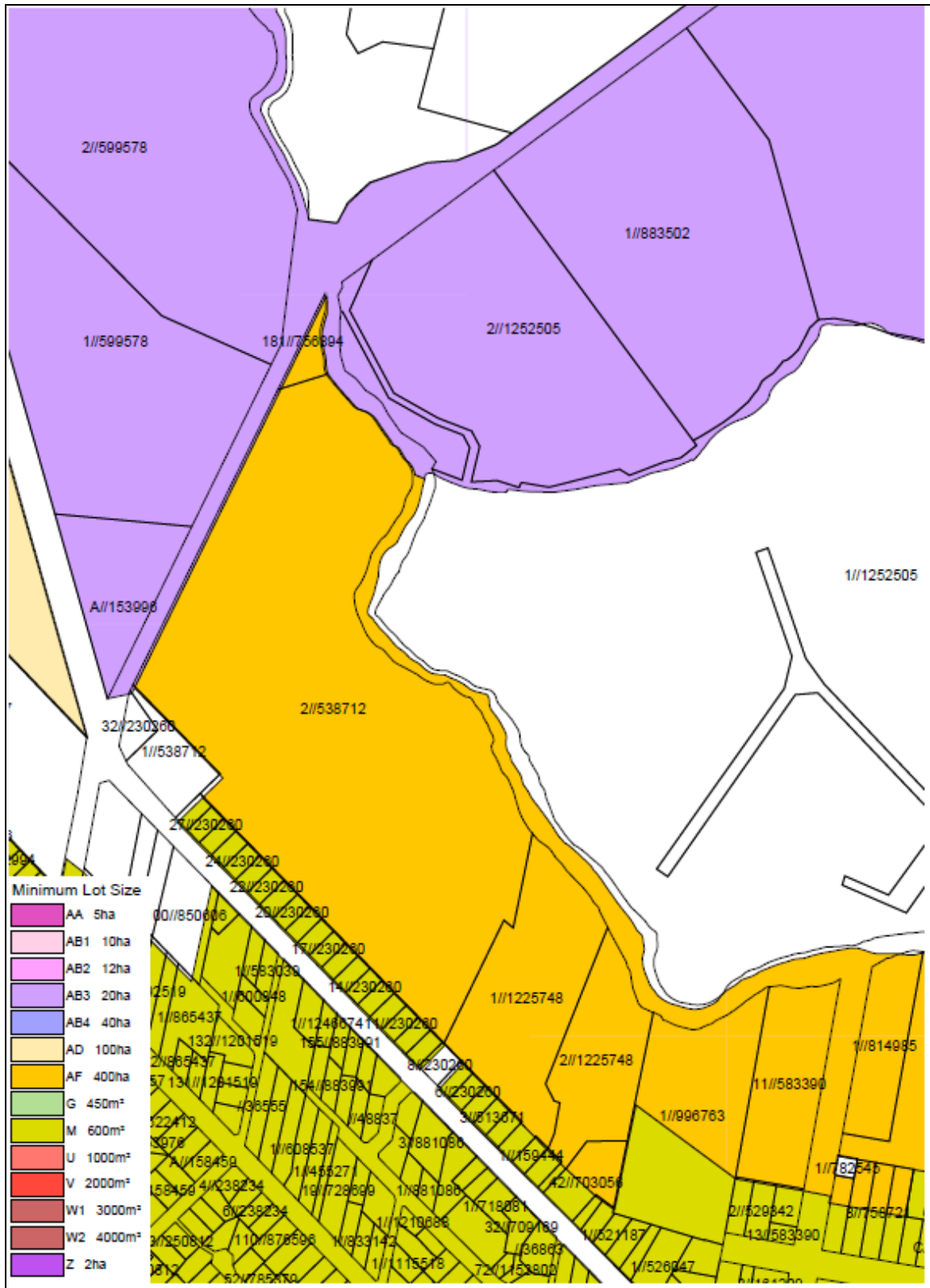
Stormwater Management

Stormwater from roofed and sealed areas will be collected in rainwater tanks and then discharged through appropriate water quality and quantity treatments before ultimate discharge towards Lawson Creek and the Cudgegong River.

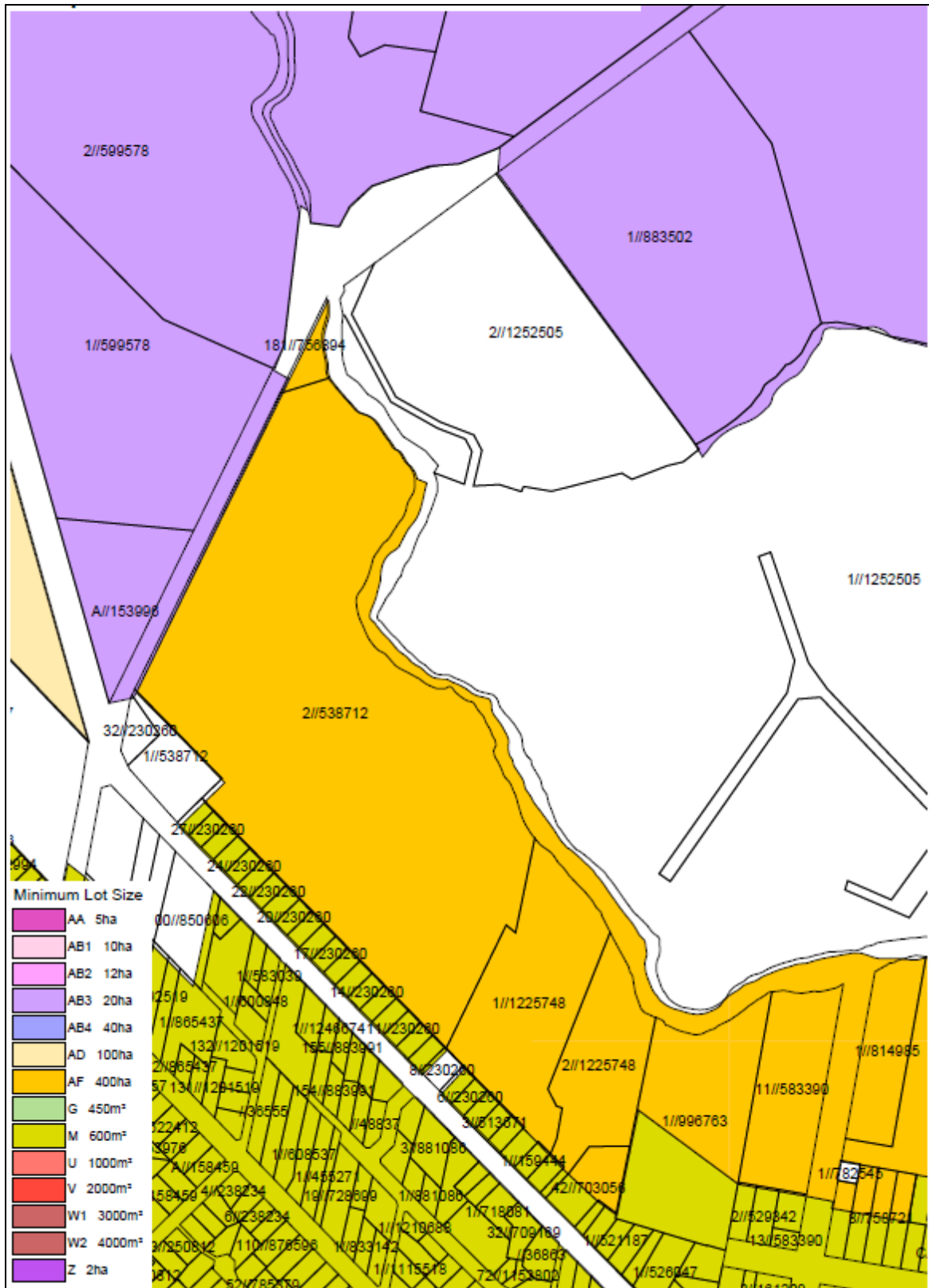
QUESTION 12 *What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?*

Consultation with State and Commonwealth public authorities has not yet been undertaken, other than preliminary consultation with the Department of Regional NSW – Mining, Exploration and Geoscience. In issuing a Gateway Determination, the Department of Planning, Industry and Environment will outline those agencies to be consulted with.

Existing Minimum Lot Size



Proposed Minimum Lot Size



Part 5 Community consultation

The Department of Planning, Industry and Environment will confirm community consultation requirements through the Gateway Determination process. If this Planning Proposal is supported, it is likely that the Proposal will be exhibited as a low impact proposal for a period of not less than 14 days in accordance with Section 5.5.2 of A Guide to Preparing LEPs. A low impact proposal is defined as ‘a *Planning Proposal that, in the opinion of the person making the Gateway determination is:*

- *consistent with the pattern of surrounding land use zones and/or land uses*
- *consistent with the strategic planning framework*
- *presents no issues with regard to infrastructure servicing*
- *not a principal LEP*
- *does not reclassify public land.”*

Public exhibition of the Planning Proposal will include notification on the Mid-Western Regional Council website and in writing to affected and adjacent landowners.

Part 6 Project timeline

The Project Timeline will assist with tracking the progress of the Planning Proposal through the various stages of consultation and approval. It is estimated that this amendment to Mid-Western Regional Local Environmental Plan 2013 will be completed by December 2022.

Estimated Timeline

Key Stages of Consultation and Approval	Estimated Timeframe
STAGE 1 – Consideration by Council	January 2022
STAGE 2 – Council Decision	March 2022
STAGE 3 –Gateway Determination	May 2022
STAGE 4 – Pre exhibition	May 2022
STAGE 5 – Commencement and completion of public exhibition period	June 2022
STAGE 6 – Consideration of submissions	July 2022
STAGE 6 – Post exhibition review and additional studies	August 2022
STAGE 7 – Submission to the Department for finalisation (where applicable)	October 2022
STAGE 8 – Gazettal of LEP amendment	December 2022