

Muswellbrook Shire Council



MUSWELLBROOK SHIRE COUNCIL
ADMINISTRATION CENTRE
MUSWELLBROOK NSW 2333
ABN 86 864 180 944

ENQUIRIES

PLEASE ASK FOR Mr P Jeuken

DIRECT 02 6549 3772

OUR REFERENCE DA 57/2008

YOUR REFERENCE Application

30 January 2009

Mr Shewan
740 Ridgesland Road
MANOBALAI NSW 2333

Dear Mr J Shewan

Development Application No. 57/2008 - Relocatable Home Hostel Site Comprising Of 402 Units, Lot: 121 DP: 568222, 60 Skellatar Stock Route Muswellbrook 2333

I refer to your submission lodged in relation to Council's consideration of the development application for a relocatable home hostel site on the land referred to above. At the meeting of Council held on 10 November 2008, Council resolved to refuse the application for several reasons. In response to that determination of the development application, Council received notification on 24 December 2008 that the applicant had lodged an appeal with the Land & Environment Court of NSW against the refusal of the application.

At a special meeting of Council held on 28 January 2009 Council considered a report on the appeal, and resolved as follows:

"The appeal proceedings 11287 of 2008 lodged with the Land and Environment Court against Council's refusal of Development Application No. 57/2008 proposing a relocatable home hostel site comprising of 402 units at lot 1 in DP568222, Skellatar Stock Route, Muswellbrook BE DEFENDED, AND FURTHER that delegation be granted to the Director Environmental Services and Assistant Director Environmental Services to conduct and deal with matters relating to the appeal proceedings."

As a result of the appeal and Council's resolution, the Land & Environment Court will now determine whether or not the development application should be approved or refused. Council has taken appropriate steps to ensure that the Council's determination of the development application is defended and that the application does not merit approval being granted. As a person who made a submission to the development, the Court's appeal process provides an opportunity for your concerns to be considered as part of the appeal hearing.

At this time appeal hearing dates and a timetable for the Land & Environment Court has not been determined, however, Council will keep you informed of progress in the appeal proceedings to ensure you are advised and able to take advantage of your opportunity to address the Court at the appropriate time if you choose.

If you have any concerns regarding this matter, please contact me on 02 6549 3772.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Jeuken'.

PETER JEUKEN
ASSISTANT DIRECTOR – ENVIRONMENTAL SERVICES