

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2013_MIDWR_003_00
Date Sent to Department under s56	29 July 2013 ✓
Date considered at LEP Review Panel	Considered by the Director General's Delegate
Gateway determination date	5 August 2013 ✓

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited	16/8/13 - 30/8/13 ✓	
Date of public hearing (if held)	—	
Date sent to PCO seeking Opinion	13/11/13 ✓	
Date Opinion received	2/4/14 ✓	
Date Council Resolved to Adopt LEP	6/11/13 ✓	
Date LEP made by GM (or other) under delegation	4/4/14	
Date sent to DP&I requesting notification	4/4/14	

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information:

6.2.2 MUDGEE COMMON PLAN OF MANAGEMENT

GOV400029, A0100056, F0650038

432/13

MOTION: Shelley / White**That:**

1. the report by the Statutory/Strategic Planner on the Plan of Management for Mudgee Common, known as Lot 7304 DP1151583, 58 Common Road Mudgee, be received;
2. the Plan of Management for Mudgee Common, known as Lot 7304 DP1151583, 58 Common Road Mudgee, be adopted and forwarded to NSW Crown Lands for final approval.

The motion was put and carried.

6.2.3 STATE ENVIRONMENTAL PLANNING POLICY (MINING, PETROLEUM PRODUCTION AND EXTRACTIVE INDUSTRIES) 2007 (MINING SEPP)

GOV400029, A0100056, A0420126

433/13

MOTION: Shelley / Weatherley**That:**

1. the report by the Director, Development and Community Services on the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 be received;
2. Council make a submission in accordance with attachment 1 to this report.

*The motion was put and carried.***MOTION: Thompson / Webb**

That representations be made to the State Government to have this region declared part of the Upper Hunter coal fields rather than Western coal fields.

The motion was withdrawn.

6.2.4 PLANNING PROPOSAL MINOR AMENDMENTS – POST EXHIBITION

GOV400029, A0100056, LAN900035

434/13

MOTION: Shelley / Martens**That:**

1. the report by the Manager Strategic Planning on the Planning Proposal Minor Amendments – Post Exhibition be received;

2. Council exercise its plan making delegation under section 59 of the Environmental Planning and Assessment Act and request that the amendment to the LEP consistent with the intent of the Planning Proposal in relation to the following matters be made:

Amendment	Objective/Outcome
(a) Amendment to the R5 zone at Grattai – Lot 153 and 162 DP 756880,	Enable a dwelling to be erected on the lot ✓
(b) Extension of the B3 Commercial Core zone over Lot 100 DP 1080880 (Mitre-10),	Consistent zone across the entire site ✓
(c) Amend anomalies in the heritage schedule,	There were a small number of properties with incorrect descriptions
(d) Permissibility of camping in RE1 Public Recreation zone,	To amend the land use table for the RE1 zone to permit camping
(e) Amend an omission to the Lot Size Map – Lot 300 DP 1092535	To amend a mistake in the published Lot Size Map for this property in Perseverance Lane in Gulgong
(f) Reinstatement of Minimum Lot Size as per s73A Amendment No. 2	To correct a mistake on the Lot Size Map previously been corrected and subsequently undone in a mapping error to Amendment 4.

The motion was put and carried.

6.2.5 SEPTEMBER QUARTERLY BUDGET REVIEW

GOV400029, A0100056, FIN300061

435/13

MOTION: Shelley / White

That:

1. the report by the General Manager on the September Quarterly Budget Review be received;
2. the 2013/14 Operational Plan be amended in accordance with the variations as listed on pages 4 to 18 of the September 2013 Quarterly Budget Review;
3. Council notes that the amendments in the 2013/14 Operation Plan include the employment of a Senior Project Engineer for the roads capital works program;

1.1.1 Planning Proposal Minor Amendments – Post Exhibition

REPORT BY THE MANAGER STRATEGIC PLANNING TO 6 NOVEMBER 2013 COUNCIL MEETING
Planning Proposal Minor Amendments
GOV400029, A0100056, LAN900035

RECOMMENDATION

That:

1. the report by the Manager Strategic Planning on the Planning Proposal Minor Amendments – Post Exhibition be received;
2. Council exercise its plan making delegation under section 59 of the Environmental Planning and Assessment Act and request that the amendment to the LEP consistent with the intent of the Planning Proposal in relation to the following matters be made:

Amendment	Objective/Outcome
(a) Amendment to the R5 zone at Grattai – Lot 153 and 162 DP 756880,	Enable a dwelling to be erected on the lot
(b) Extension of the B3 Commercial Core zone over Lot 100 DP 1080880 (Mitre-10),	Consistent zone across the entire site
(c) Amend anomalies in the heritage schedule,	There were a small number of properties with incorrect descriptions
(d) Permissibility of camping in RE1 Public Recreation zone,	To amend the land use table for the RE1 zone to permit camping
(e) Amend an omission to the Lot Size Map – Lot 300 DP 1092535	To amend a mistake in the published Lot Size Map for this property in Perseverance Lane in Gulgong
(f) Reinstatement of Minimum Lot Size as per s73A Amendment No. 2	To correct a mistake on the Lot Size Map previously been corrected and subsequently undone in a mapping error to Amendment 4.

Executive summary

In February Council resolved to prepare a Planning Proposal (PP) to address a number of general amendments to the Local Environmental Plan 2012 published in August 2012. These amendments ranged in scale and complexity from fixing minor anomalies in the Lot Size Maps to the inclusion of new local provisions. In order that the simple matters were not caught up or delayed by the more complex issues, the amendment was divided into two PPs. The Planning Proposal Minor Amendments (Attachment 1) was submitted to the Department of Planning and Infrastructure in July 2013 and was accepted through the Gateway. Having met the conditions therein, including public exhibition, the amendments can now, subject to a Parliamentary Opinion be submitted to the Minister to be made.

Detailed report

The General Amendments were split on the basis of complexity. The "minor" amendments relate to the following:

Amendment	Objective/Outcome
(a) Amendment to the R5 zone at Grattai – Lot 153 and 162 DP 756880,	Enable a dwelling to be erected on the lot
(b) Extension of the B3 Commercial Core zone over Lot 100 DP 1080880 (Mitre-10),	Consistent zone across the entire site
(c) Amend anomalies in the heritage schedule,	There were a small number of properties with incorrect descriptions
(d) Permissibility of camping in RE1 Public Recreation zone,	To amend the land use table for the RE1 zone to permit camping
(e) Amend an omission to the Lot Size Map – Lot 300 DP 1092535	To amend a mistake in the published Lot Size Map for this property in Perseverance Lane in Gulgong
(f) Reinstatement of Minimum Lot Size as per s73A Amendment No. 2	To correct a mistake on the Lot Size Map previously been corrected and subsequently undone in a mapping error to Amendment 4.

The Planning Proposal was publically exhibited for a period of 14 days from 16th August 2013, consistent with the Gateway Determination. Council did not receive any public submission in respect to the proposal.

Consultation was also undertaken with Rural Fire Service, Office of Environment and Heritage and Department of Primary Industries (Agriculture and Minerals) in accordance with the conditions of the Gateway determination and again there were no issues raised.

The amendment involves changes to the LEP maps and the addition of caravan parks as a permissible use in the RE1 Recreation zone in the instrument. Council have sort assistance with the mapping requirements from the Department of Planning and Infrastructure. Initial contact has also been made with Parliamentary Counsel in regard to the legal drafting of the amendment. Further, as this Planning Proposal includes amendments to the same map sheets as the Bellevue Road Planning Proposal, Parliamentary Counsel propose to combine the two amendments. Once an Opinion has been received the documentation can be forwarded directly to the Minister to enable the plan to be made.

Financial implications

Not applicable.

Strategic or policy implications

The publication of the amendment means a change to the Local Environmental Plan, however, will not have a significant impact on land use generally.

LIZ DENSLEY
MANAGER STRATEGIC PLANNING

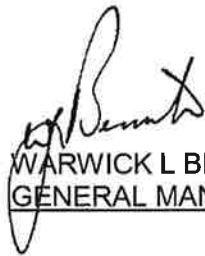


CATHERINE VAN LAEREN
DIRECTOR DEVELOPMENT & COMMUNITY
SERVICES

25 October 2013

Attachments: 1. Planning Proposal

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER