

16 Sydney Road, Mudgee - Motel accommodation

Proposal Title : **16 Sydney Road, Mudgee - Motel accommodation**

Proposal Summary : **Additional permitted use in Schedule 1 of the Mid Western LEP 2012 for Tourist and Visitor Accommodation on the subject site.**

PP Number : **PP_2013_MIDWR_002_00** Dop File No : **13/02094**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **1.1 Business and Industrial Zones
2.3 Heritage Conservation
4.3 Flood Prone Land
6.1 Approval and Referral Requirements
6.3 Site Specific Provisions**

Additional Information : **That community consultation be undertaken for a minimum of 14 days.
That the planning proposal be finalised in 6 months.
That consultation with NSW Roads and Maritime Services be undertaken.**

Supporting Reasons : **The use of a Schedule 1 additional permitted use is warranted in this case as other zones would potentially promote an undesirable development outcome. Tourist and visitor accommodation on the subject site would not compromise the intent of the B5 Business Development zone.**

Panel Recommendation

Recommendation Date : **31-Jan-2013**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

- 1. Council's proposed provision to include tourist and visitor accommodation as an additional permitted uses on land at 16 Sydney Road, Mudgee is not supported and should be removed from the planning proposal. Council is to consider zoning the site SP3 Tourist to permit the land use and using minimum lot size provisions to prevent inappropriate subdivision and development of the site. Council is to amend the planning proposal to reflect the above approach prior to proceeding to public exhibition. Existing and proposed land use zoning maps, and if appropriate minimum lot size maps, should be included in the planning proposal, at an appropriate scale, which clearly identify the subject site.**
- 2. Prior to undertaking public exhibition, Council is to provide additional traffic information to address any implications the proposal may have on the road network during the construction and operation of the tourist facility.**
- 3. Prior to undertaking public exhibition, Council is to amend the planning proposal to include a project timeline, consistent with Section 2.6 Part 6 of the A Guide to Preparing Planning Proposals. The project timeline is to provide a mechanism to monitor the progress of the planning proposal.**
- 4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:**
 - (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012) and must be made publicly available for 14 days; and**

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).

5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Transport NSW – Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature: _____

Printed Name: _____

Neel McGaffin

Date: _____

8.2.13