



**muswellbrook
shire council**

Enquiries

Please ask for Pathum Gunasekara
Direct 02 6549 3860
Our references Planning Proposal 5
Your reference PP_2010_MUSWE_002_00
(10/14144)

10 February 2011

Michael Leavey
Regional Director Hunter & Central Coast Region
Department of Planning
Newcastle Office
PO Box 1226
NEWCASTLE NSW 2300



Attention: Trent Wink - Senior Planner

Dear Sir,

Planning Proposal to make housekeeping amendments to Muswellbrook Local Environmental Plan 2009 – Planning Proposal 5

I am writing to advise that the conditions of the Gateway Determination dated 2 August 2010 have been complied with in the following manner:

Condition 1 - Removal of the proposed amendment to clause 7.5 of Muswellbrook LEP 2009

- a) Removed the above amendment from the planning proposal.

Condition 2 - Proposed rezoning of previous Crown roads to the adjoining zone to apply to all roads in the LGA.

- a) All unzoned Crown roads and all other unzoned roads in the LGA were rezoned to either E3 Environmental Management or RU1 Primary Production.

Condition 3 - Community consultation

- a) The planning proposal was publicly available for 14 days, during the period from 12 November 2010 to 26 November 2010.
- b) The notice requirements for public exhibition of the Planning Proposal and specifications for material that must be made publicly available along with the Planning Proposal as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2010) were complied with.
- c) No submissions were received during the public exhibition period.

Condition 4 - Consultation with State and Commonwealth Public Authorities

- 1) The Department of Lands was consulted;
- 2) The Department of Lands did not respond within 28 days;

Muswellbrook Shire Council ABN 88 864 180 944

Address all communications to The General Manager Mail PO Box 122 Muswellbrook NSW 2333 Phone 02 6549 3700
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Condition 5 – No public hearing is required.

Council, at its meeting held on 13 September 2010, resolved to proceed the above proposal as follows;

- (a). Amend the Planning Proposal in accordance with items 1 and 2 of the Gateway Determination.
- (b). Refer the Planning Proposal to the Department of Lands for Comment. If comments are received, update the Planning Proposal as necessary.
- (c). Place the Planning Proposal on public exhibition for a period of 14 days.
- (d). If no submissions are received from the public during the exhibition period, proceed the draft LEP to gazettal.

A copy of Council report and resolution are attached as Appendices B and C.

Would you please make arrangements for the drafting of a local environmental plan to give effect to the Planning Proposal. A copy of the map cover sheet signed by the General Manager "with the word draft removed" is attached.

Please note that this plan is to be finalised by 14 March 2011.

Yours sincerely



PATHUM GUNASEKARA
STRATEGIC PLANNER - MUSWELLBROOK SHIRE COUNCIL

Encl.	Appendices	A: Copy of map cover sheet
		B: Copy of Council Report
		C: Copy of Council's Resolution
		D: Updated Planning Proposal
		E: Gateway Determination dated on 2 August 2010
		F: Gateway Determination (extension) dated on 25 November 2010