

Muswellbrook LEP 2009 Amendment 10 - Administrative amendment

MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes :

Council have indicated that they do not wish to exercise plan making delegations as they are concerned they do not have resources available to complete mapping consistent with the SI Mapping Guidelines. It is recommended plan making delegations are granted, but Council are advised the Department will assist in the preparation of maps if required.

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment :

The statement of objectives explains that the intent of the planning proposal is to address a number of minor administrative matters in the Muswellbrook LEP 2009 relating to the written instrument, heritage items and land use zone maps. The statement of objectives is supported.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment :

The explanation of provisions explains that the planning proposal will be achieved through an amendment to Muswellbrook LEP 2009. The following changes are proposed:

- * Inserting 'A-frames sign, street furniture and display goods on Council's footpath' in Schedule 2 Exempt Development;**
- * Updating addresses and / or property descriptions for items I89, I90 and I92 in Schedule 5 Heritage Items;**
- * Amending Land Use Zoning sheets LZN-008, LZN-008A, LZN-005A to remove split zonings;**
- * Amending Heritage Map sheets HER-008 and HER-009 to accurately reflect item locations;**
- and**
- * Inserting 'camping ground' and 'caravan parks' as permitted with consent in the RU1 Primary Production and E3 Environmental Management.**

The explanation of provisions is supported.

Justification - s55 (2)(c)

- a) Has Council's strategy been agreed to by the Director General? **No**
- b) S.117 directions identified by RPA : **1.2 Rural Zones**
1.5 Rural Lands
- * May need the Director General's agreement

Is the Director General's agreement required? **Yes**

- c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**
- d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**
If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Council have provided mapping suitable for public exhibition, however they may require assistance in preparing final LEP maps.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Muswellbrook Shire Council propose to exhibit the planning proposal for 14 days. As the proposal is considered of minor impact, the exhibition timeframe is supported.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**
If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**
If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **April 2009**

Comments in relation to Principal LEP : **The Muswellbrook LEP 2009 was gazetted in April 2009.**

Assessment Criteria

Need for planning proposal : **The planning proposal is required to amend a number of minor administrative matters. These matters have been identified by staff since the gazettal of Muswellbrook LEP 2009.**

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Consistency with strategic planning framework :

UPPER HUNTER SLURP

The planning proposal only proposes minor administrative amendments, and as such is considered consistent with the Upper Hunter Strategic Regional Land Use Plan (SLURP).

STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)

The planning proposal is considered consistent with all relevant SEPPs.

SECTION 117 DIRECTIONS

*Direction 1.2 Rural Zones

The planning proposal is inconsistent with Direction 1.2 Rural Zones as it rezones RU1 Primary Production to R5 Village. The inconsistency is considered of minor significance as it relates to a small area subject to a road boundary realignment.

*Direction 1.5 Rural Lands

Council have identified the planning proposal as being inconsistent with Direction 1.5 Rural Lands as the proposal affects rural zoned lands. The planning proposal is considered consistent with the Rural Planning Principles as only minor areas of rural land subject to split zonings are affected, and thus is considered consistent with this Direction.

Environmental social economic impacts :

The proposal will have improved environmental, social and economic impacts through an up-to-date and better functioning Muswellbrook LEP 2009.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **6 Month** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) :

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

