

### Muswellbrook LEP 2009 Amendment 10 - Administrative amendment

Proposal Title : **Muswellbrook LEP 2009 Amendment 10 - Administrative amendment**

Proposal Summary : **The planning proposal intends to address a number of minor administrative matters in the Muswellbrook LEP 2009. This includes proposed changes to exempt development, heritage items, heritage maps, and land use zone maps.**

PP Number : **PP\_2013\_MUSWE\_001\_00**      Dop File No : **13/04700**

### Planning Team Recommendation

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

S.117 directions : **1.2 Rural Zones  
1.5 Rural Lands**

Additional Information : **The Planning Proposal should proceed subject to the following conditions:**

- 1. 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 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).**
- 2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.**
- 3. 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).**
- 4. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.**

**It is recommended that the DDG Planning Operations and Regional Delivery form the opinion that the proposal's inconsistencies with Section 117 Direction 1.2 Rural Zones are of a minor significance.**

**It is recommended that the DDG Planning Operations and Regional Delivery advise Council that delegations in respect of plan making functions are issued, but the Department will be able to assist in the preparation of Standard Instrument LEP maps if required.**

Supporting Reasons : **The planning proposal is supported as it rectifies a number of minor administrative matters.**

### Panel Recommendation

Recommendation Date : **21-Mar-2013**

Gateway Recommendation : **Passed with Conditions**

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

- 1. Council is to update 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.

2. 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 a minimum of 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).

3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.

4. 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).

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

Signature: \_\_\_\_\_



Printed Name: \_\_\_\_\_

NEIL SELMAN

Date: \_\_\_\_\_

27/3/2013