

Planning Proposal – PP-2023-2616
Amendment No. 23
Muswellbrook Showground

Local Government Area:	Muswellbrook Shire Council (MSC)
Principal Instrument:	Muswellbrook Local Environment Plan 2009
Subject Land:	95-107 Maitland Street MUSWELLBROOK 2333 LOT: 22 DP: 616590 REF: SHOW GROUND
Land Owner:	Upper Hunter Show Incorporated
Applicant:	PO Box 562 MUSWELLBROOK NSW 2333
Date:	2 September 2024
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Version	002

Table of Contents

Part 1 – Objectives or Intended Outcomes	3
Objective	3
Intended Outcomes.....	3
Part 2 – Explanation of Provisions	3
Part 3 – Justification of Strategic and site-specific merit.....	4
Section A – Need for the Planning Proposal.....	4
Section B – Relationship to Strategic Planning Framework	4
Section C – Environmental, Social and Economic Impact.....	17
Section D – State and Commonwealth Interests	17
Part 4 – Maps	18
Part 5 – Community Consultation	24
Part 6 – Project Timeline	24
Attachment A.....	25
Attachment B.....	26

Table of Figures

Figure 1 - Locality Map.....	18
Figure 2 - Land Zoning	19
Figure 3 - Minimum Lot Size	20
Figure 7 - Contaminated Land.....	21
Figure 7 – Flood Prone Land map (1% AEP).....	22
Figure 7 – Flood Prone Land map (PMF).....	23

Part 1 – Objectives or Intended Outcomes

Objective

The Planning Proposal seeks to amend the Muswellbrook Local Environmental Plan (LEP) 2009 to permit an additional permitted use on the land subject to this proposal for the purposes of a camping ground.

The land subject to this planning proposal are:

- a) Lot 400 DP 578684
- b) Lot 22 DP 616590
- c) Lot 10 DP 843828

Intended Outcomes

- The amendment would permit the existing use of a site whose permissibility was extinguished due to a recent amendment to a definition in the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation*.

Camping ground was permitted with consent in the E3 Productivity Support zone up until the definition of caravan park was amended on 1 December 2022 (by DPE changing the definition in all LEPs). The definition of caravan park was previously:

caravan park means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

Since 1 December 2022, caravan park is now defined as:

caravan park means an area of land, with access to communal amenities, used for the installation or placement of caravans, or caravans and other moveable dwellings, but does not include farm stay accommodation.

camping ground means an area of land, with access to communal amenities, used for the short-term placement of campervans, tents, annexes or other similar portable and lightweight temporary shelters for accommodation and includes a primitive camping ground but does not include—

- (a) a caravan park, or
- (b) farm stay accommodation.

Part 2 – Explanation of Provisions

The proposed objective will be achieved by amending the MLEP 2009 by: -

- Amend the Muswellbrook LEP 2009 by adding an additional permitted use under *Schedule 1 Additional Permitted uses* to permit the use of the subject site for the purposes of a camping ground.

Part 3 – Justification of Strategic and site-specific merit

Section A – Need for the Planning Proposal

❖ Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The planning proposal is not the result of a strategic study or report or outcomes of a Local Strategic Planning Statement (LSPS).

❖ Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This planning proposal is the best means to achieve the objective of permitting a camping ground on the subject site.

Section B – Relationship to Strategic Planning Framework

❖ Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

The Hunter Regional Plan 2041

The Hunter Regional Plan 2041 considers a 20-year timeframe with a focus on the next five years. It was published in December 2022. Specifically, the planning proposal is consistent with:

Objective 5 - Plan for 'nimble neighbourhoods', diverse housing and sequenced development

Strategy 5.8 - Short-term rental accommodation (page 60)

Local strategic planning should consider the demand for hotels, motels and short-term rental accommodation.

Comment: The proposed additional permitted use of the site as a camping ground will provide flexible and affordable rental accommodation close to the town centre that will attract visitors while also providing housing for temporary workers.

Objective 8 Plan for businesses and services at the heart of healthy, prosperous and innovative communities

Strategy 8.1 - Centres and main streets (page 83)

Local strategic planning should consider:

- *enabling a diverse range of tourism accommodation and attractions in centres and particularly main streets.*

Comment: The proposed additional permitted use of the site as a camping ground will permit flexibility in tourist accommodation in the locality. The subject land is close to the main town centre of Muswellbrook (less than 2 kilometres) and is adjacent to the golf course and indoor sports centre. Camping will provide affordable short-term accommodation in the locality.

Strategy 8.5 - Visitor economy (page 85)

Local strategic planning should consider:

- *identifying towns and villages which have a strong tourism presence and/or serve as gateways to visitor experiences in surrounding areas.*
- *supporting a diverse range of tourism development, including events and place-making initiatives which celebrate the local community, heritage and Country*

Comment: As above, permitting an additional use for the site as a camping ground would permit further flexibility in short term accommodation, which may be used in conjunction with the existing showground for events or as a standalone development subject to development consent.

Strategy 8.6 - Visitor economy (page 85)

Planning proposals to facilitate tourism activities will:

- *demonstrate that the scale and type of tourism land use proposed can be supported by the transport network and complements the landscape setting*
- *be compatible with the characteristics of the site and existing and likely future land uses in the vicinity of the site*
- *demonstrate that the tourism land use would support the function of nearby tourism gateways or nodes*

Comment: The subject site is located close to the centre of town and able to be accessed via Maitland Road (a State Classified Road) and Rutherford Road.

transport options and access and the use of the site as a camping ground will complement the existing use of the site as a showground and is not antipathetic to the future mixed employment related uses on the site. It will provide a low-cost accommodation option for travellers.

Due to the factors identified above, it is considered that the proposal is consistent with the HRP directions.

Upper Hunter Employment Lands Strategy (2023)

The Strategy provides a strategic planning framework to guide the future development of employment lands in the Upper Hunter Region. The Strategy was prepared in relation to the Local Government Areas (LGA) of Muswellbrook, Singleton, Dungog and Upper Hunter.

An aspect of the strategy specifically related to Muswellbrook and this Proposal is the exploration of a bulky goods retail precinct at Muswellbrook.

From around the early 2010's the Muswellbrook showground area has been identified as the potential bulky retail goods growth area.

Related to supporting the growth of this area Council has

- undertook the rezoning of the land from a recreational land use zone to a commercial land use zone supportive of bulky goods retail (2011).
- Undertaken a master planning exercise for the precinct and through this work developed a site-specific Development Control Plan Chapter (2014).
- Prepared a site specific Section 94 Contributions Plan (2016).

Notwithstanding the work undertaken the community has not been successful in attracting investment in the development of the land.

The employment land strategy explores the opportunity attached to bulky goods retailing in the area and puts forward the following related action and delivery task.

Action 2.2 *Promote and facilitate, in collaboration with the landowner, the establishment of a regional homemaker centre in Muswellbrook*

Principal Delivery Task - *Explore options for a Bulky Goods retailing site should the Showground no longer be relocated near Skellatar Stock Route and near Racecourse Road to clustering entertainment uses. Working with landowners to seek rezone land, if necessary.*

Planning Comment: as is explored above Council has an established strategic direction pre- the 2023 employment land strategy of promoting the bulky goods retail development of the site. This strategy has not materialised into any substantive interest in the pursuit of that development.

The 2023 strategy actionable outcomes propose a shift in Council's strategic direction to explore other sites for this type of development. This exploration of other sites requires a greater body of work than has been undertaken to inform this Planning Proposal.

What this Planning Proposal seeks to do is establish an additional permitted use on the subject site that is supportive/complimentary to the ongoing use of the land by the Upper Hunter Show Society through any interim period where its current use by this entity is continued and the long-term strategic vision for the land is further evaluated.

Overall Council Officers view the proposal to be compatible with the strategic direction of this employment land strategy.

It is also relevant to note that while the proposal would permit a land use compatible with the lands ongoing showground use it would not limit the continued exploration of the sites development as a retail bulky goods precinct.

Muswellbrook Community Strategic Plan 2022-2032

The Muswellbrook Community Strategic Plan is an overview document that identifies the community's vision and goals for the future. It covers a minimum time frame of 10 years.

Goal 1 of the Muswellbrook Community Strategic Plan is to create a *"dynamic local economy with full employment for current and future residents in a diverse range of high value industries"*, one of which is to *"diversify the economy, facilitate the development of intensive agriculture, innovative manufacturing, health services and other growth industries"*.

The proposal to permit the use of a camping ground on the subject site will support an existing use on the site that promotes tourism and is consistent with the aims under the Muswellbrook Community Strategic Plan 2022-2032.

Muswellbrook Shire Council 2022-2023 Operational Plan

The Muswellbrook Shire Council 2022-2023 Operational Plan is a one-year plan that spells out the details of the Delivery Program, identifying the individual projects and activities that will be undertaken in a specific financial year to achieve the commitments made in the four-year Delivery Program.

Goal 6.1 Economic Prosperity

A dynamic local economy with full employment for current and future residents in a diverse range of high value industries

Comment: The use of the site as a camping ground will be generally consistent with the goal of supporting a dynamic local economy with full employment by providing affordable housing, supporting a diverse labour force, stimulating demand for local services, creating jobs in construction and maintenance, and encouraging the use of local resources. These factors collectively contribute to a robust and resilient local economy that can accommodate current and future residents across various industries.

Goal 6.2 Social Equity and Inclusion

- *Improve the affordability, liveability and amenity of Shire communities.*
- *Promote social cohesion and improve connectivity and the delivery of social services within the Shire*

Comment: A camping ground can align community goals by enhancing affordability, liveability, and amenity within the Shire by offering a more affordable housing option, these estates enable diverse demographics, including lower-income residents, to access housing within the community. A well-planned estate will foster social cohesion by promoting community engagement through organized activities and shared spaces which reduces social isolation and strengthens community bonds and is therefore consistent with this goal under the Muswellbrook Shire Council Operational Plan 2022-2023.

Muswellbrook Shire 2022 – 2026 Delivery Program

Goal 1.2.1 seeks to “Facilitate the diversification of the Shire’s economy and support growth of existing industry and business enterprise”. The relevant measures proposed to enact this goal is:

- Increasing number and diversity of businesses and industries in the Shire;

While the proposed camping ground will be a relatively minor development, the proposal will permit the formalisation of an existing use on the site and is not inconsistent with the aim of this Plan.

Goal 2.1.4 seeks to “Advocate for affordable housing”. The relevant measures proposed to enact this goal is:

- Affordable housing included as a priority in Council’s advocacy program

The proposed additional permissible use for the locality will align with this goal as the use of the site as a camping ground provides additional short- or long-term accommodation in the locality.

- ❖ Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Muswellbrook Local Strategic Planning Statement 2020 - 2040

The Muswellbrook Local Strategic Planning Statement (LSPS) is part of a hierarchy of strategic land use planning documents and is a mandated requirement of the NSW State Government under the Environmental Planning and Assessment Act 1979.

The LSPS states on page 24:

Planning Priority 6: A variety of niche tourism opportunities are encouraged.

- Council will seek to increase investment in tourism services and infrastructure.

Actions

Local planning instruments will be reviewed to ensure that there is flexibility for a wide range of tourism related activities in the Shire.

This planning proposal will result in investment in tourism infrastructure and is an example of flexibility in planning instruments to encourage tourism accommodation in an appropriate location, close to town and infrastructure.

The LSPS also states (on page 26) the following:

Planning Priority 8: Our Town Centres and Villages are places of economic growth, business diversification and employment opportunities.

- Tourism and visitor related activities are encouraged in Muswellbrook, Denman and Sandy Hollow;

Actions

Local planning instruments will be reviewed to increase opportunities for new mixed-use development outcomes in line with the Muswellbrook Town Centre Strategy.

This planning proposal will permit the increase of tourism related development in Muswellbrook. It is an example of a mixed-use development (despite it being located outside the Town Centre Strategy boundary) and will therefore give effect to the above planning priorities under the endorsed LSPS.

- ❖ Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Yes. The *Upper Hunter Economic Diversification Action Plan: Implementation Priorities* (NSW Government, 2018) establishes renewed priorities for business growth and sustainable economic transitions in the region. The plan identifies five strategic themes to facilitate long-term regional economic opportunities for the Upper Hunter. This planning proposal is consistent with theme 1:

Driving land use certainty

Economic development and jobs growth in the region will be underpinned by planning frameworks delivering certainty of land use.

- ❖ Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the following relevant State Environmental Planning Policies (SEPPs) outlined in Table 1 below.

Figure 1 - Assessment of the Planning Proposal against relevant SEPPs

Table 1:

SEPP	Relevance	Implications
SEPP (Biodiversity and Conservation) 2021	This SEPP provides planning controls for the conservation of Biodiversity in NSW.	The proposal does not involve any provisions which would be inconsistent with the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	This SEPP sets out provisions to regulate the energy efficiency of residential buildings to encourage sustainable residential development	The proposal does not involve any provisions which would be inconsistent with the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	The SEPP provides exempt and complying development codes for types of development that are of minimal environmental impact that may be carried out without the need for development consent or in accordance with a complying development certificate.	The proposal does not involve any provisions which would be inconsistent with the SEPP.

SEPP (Housing) 2021	This SEPP aims to enable the development of diverse housing types by encouraging the development of housing that will meet the needs of more vulnerable members of the community.	The proposal does not involve any provisions which would be inconsistent with the SEPP.
SEPP (Industry and Employment) 2021	<p>This SEPP provides provisions:</p> <ul style="list-style-type: none"> ➤ To promote economic development and the creation of employment in the Western Sydney Employment Area. ➤ To regulate signage and advertisements. 	The proposal does not involve any provisions which would be inconsistent with the SEPP.
SEPP No 65—Design Quality of Residential Apartment Development	This Policy provides provisions for development for the purpose of a residential flat building, shop top housing or mixed-use development with a residential accommodation component.	The proposal does not involve any provisions which would be relevant to this SEPP.
SEPP (Planning Systems) 2021	This policy aims to identify State Significant Development, regionally significant development, and critical state significant development.	The proposal does not involve any provisions which would be inconsistent with the SEPP.
SEPP (Primary Production) 2021	Aims of the SEPP include to facilitate the orderly economic use and development of lands for primary production.	The proposal does not involve any provisions which would be relevant to this SEPP.
SEPP (Resilience and Hazards) 2021	This SEPP sets out provisions for coastal management, hazardous and offensive development, and the remediation of land.	The proposal does not involve any provisions which would be inconsistent with the SEPP.
SEPP (Resources and Energy) 2021	This SEPP sets out provisions for Mining, petroleum production and extractive industries and Extractive industries in Sydney area.	The proposal does not involve any provisions which would be relevant to this SEPP
SEPP (Transport and Infrastructure) 2021	This SEPP sets out provisions relating to Transport and Infrastructure.	The proposal does not involve any provisions which would be inconsistent with the SEPP.

❖ Is the planning proposal consistent with applicable Ministerial Directions?

An assessment of the Planning Proposal and its consistency against the applicable Ministerial Directions is provided at Table 4 below.

Figure 2 - Consistency with applicable Ministerial Directions

Ministerial Direction	Objective/s	Consistency / Comment
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions, and actions contained in Regional Plans.	This planning proposal affects land subject to the Hunter Regional Plan 2041. The proposal is consistent with this Plan.
1.2 Development of Aboriginal Land Council land	The objective of this direction is to provide for the consideration of development delivery plans prepared under chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021 when planning proposals are prepared by a planning proposal authority.	Not applicable.
1.3 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The planning proposal is considered consistent with this Ministerial Direction as it does not change any controls relating to concurrence, consultation, referral to the Minister or identification of development as designated development.
1.4 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.	<p>This planning proposal will allow a new land use (camping ground) on a specific site. However, it will not impose any new development standards or requirements.</p> <p>It does not refer to drawings or details other than exhibition material that demonstrates how a camping ground could work on this site and is therefore considered to be consistent with these directions.</p> <p>Any site-specific controls for the use of the site as a camping</p>

		ground will be subject to future development applications.
Focus area 1: Planning Systems – Place-based		
The proposed development does not involve any changes relevant to any of the areas in the Place based directions.		
Focus Area 2: Design and Place		
-This Focus Area was blank when the Directions were made.		
Focus Area 3: Biodiversity and Conservation		
3.1 Conservation Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	<p>This planning proposal does not alter or remove any environment protection zones. No environmental standards will be reduced by the proposed LEP changes.</p> <p>The subject land does not contain environmentally sensitive areas or high environmental value vegetation (HEV).</p> <p>The planning proposal will not alter development standards that relate to dwellings on the subject land.</p>
3.2 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	The Heritage provisions will remain unchanged. No items are heritage listed. There are also no items of Heritage significance in the locality. As the proposal is for addition of a new permissible use only, it is considered it will not have any effect on any heritage items.
3.3 Sydney Drinking Water Catchments	The objective of this direction is to provide for healthy catchments and protect water quality in the Sydney drinking water catchment	Not Relevant
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	The objective of this direction is to ensure that a balanced and consistent approach is taken when applying conservation	Not Relevant

	zones and overlays to land on the NSW Far North Coast.	
3.5 Recreation Vehicle Areas	The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	Not Relevant
3.6 Strategic Conservation Planning	The objective of this direction is to protect, conserve or enhance areas with high biodiversity value.	The proposal relates to a highly disturbed site and is unlikely to impact any areas with high biodiversity value.
3.7 Public Bushland	The objective of this direction is to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland.	The proposal is not expected to impact any bushland in urban areas.
Focus Area 4: Resilience and Hazards		
4.1 Flooding	<p>The objectives of this direction are to:</p> <p>(a) ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.</p>	<p>The site is located above the 1% AEP.</p> <p>The site is within the probable maximum flood (PMF) area; however, the assessing Officer notes that a more intensive use, i.e., caravan parks is permissible with consent in the proposed site.</p> <p>A camping ground is not considered to be a sensitive use due to the nature of the development.</p> <p>Due to this the proposal is not considered to be inconsistent this direction.</p>
4.2 Coastal Management	The objective of this direction is to protect and manage coastal areas of NSW.	Not Relevant
4.3 Planning for Bushfire Protection	<p>The objectives of this direction are to:</p> <p>(a) protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible</p>	This direction applies to all local government areas when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to, land mapped as bushfire

	land uses in bush fire prone areas, and (b) encourage sound management of bush fire prone areas.	prone land. The subject site is not identified as bushfire prone land. Not relevant
4.4 Remediation of Contaminated Land	The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.	<p>The subject site has not been identified as an investigation area within the meaning of the Contaminated Land Management Act 1997.</p> <p>The subject has been identified as being potentially contaminated on Council's Mapping system, however, no further information is available regarding this.</p> <p>Council Officers have reviewed the history of the site and note that the site has been used as a showground since 1957 with a broad range of events and activities carried out on the site in relation to the same, including the existing camping ground on the site. Council Officers are unable to ascertain whether any of these activities may have contaminated the land, however, this planning proposal does not propose to rezone the land, but rather permit a use which was previously permissible on the site with consent.</p> <p>Due to above reason, Council Officers are satisfied that the land is suitable for the proposed use in its current state.</p>
4.5 Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	The subject land is not affected by acid sulfate soils (ASS).

4.6 Mine Subsidence and unstable land	The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence	This planning proposal does not impact on any mine subsidence area.
Focus Area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>	<p>This planning proposal only proposes an additional use to the land as a camping ground.</p> <p>Any new camping ground or enlargement of a camping ground on the site will be subject to a development application that may require further infrastructure to be constructed.</p> <p>Notwithstanding, the subject site is well located in terms of road access. Public transport is limited in the LGA generally; however, the site is easily accessible via walking or cycling.</p>
5.2 Reserving Land for Public Purposes	<p>The objectives of this direction are to:</p> <p>(a) facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition</p>	<p>This planning proposal does not alter an existing zone or reservation of land for public purposes.</p> <p>The showground is privately owned and is not a reserve.</p> <p>Not relevant</p>
5.3 Development Near Regulated Airports and Defence Airfields	This direction applies to all relevant planning authorities when preparing a planning	Not relevant

	proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.	
5.4 Shooting Ranges	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range	Not relevant
Focus Area 6: Housing		
6.1 Residential Zones	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted	This planning proposal does not involve any residential land and will not permit residential accommodation as a land use. Not relevant
6.2 Caravan Parks and Manufactured Home Estates	The objectives of this direction are to: (a) provide for a variety of housing types, and (b) provide opportunities for caravan parks and manufactured home estates.	This planning proposal will not alter the permissibility of caravan parks or manufactured home estates on any land.
Focus Area 7: Industry and Employment		
7.1 Employment Zones	Under this direction, a planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of Employment zones, (c) not reduce the total potential floor space area for employment	This planning proposal will not rezone or alter the boundary to any land zoned for employment purposes. The proposal could, however, potentially reduce the usable employment land by allocating an area to be used for camping, however, as the site is zoned E3 Productivity Support, clause

	<p>uses and related public services in Employment Zones.</p> <p>(d) not reduce the total potential floor space area for industrial uses in E4, E5 and W4 zones, and</p> <p>(e) ensure that proposed employment areas are in accordance with a strategy that is approved by the Planning Secretary.</p>	<p>7.1(c) clause does not apply to this proposal.</p> <p>In addition to this, camping requires minimal infrastructure and can easily be modified to an employment use subject to market conditions.</p>
7.2 Reduction in non-hosted short-term rental accommodation period	<p>The objectives of this direction are to:</p> <p>(a) mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced, and</p> <p>(b) ensure the impacts of short-term rental accommodation and views of the community are considered.</p>	<p>This direction only applies to Byron Shire Council. Not relevant.</p>
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	<p>This direction applies when a relevant planning authority prepares a planning proposal for land within those council areas on the North Coast that the Pacific Highway traverses, being those council areas between Port Stephens Shire Council and Tweed Shire Council, inclusive, and that applies to land in the vicinity of the existing and/or proposed alignment of the Pacific Highway.</p>	<p>Not Relevant</p>
Focus Area 8: Resources and Energy		
<p>The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</p> <p>This proposal is not expected to restrict or prohibit any future Mining, Petroleum Production or Extractive Industries.</p>		
Focus Area 9: Primary Production		

This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).

The proposal does not involve any changes to land in an existing or proposed rural zone. Not relevant

Section C – Environmental, Social and Economic Impact

- ❖ Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No significant native vegetation remains on the subject land. It has a history of grazing and then has been used as a showground since the 1950s. It is not mapped on the NSW biodiversity mapping and is not identified on Council's terrestrial biodiversity mapping. There is no likelihood of threatened species, populations or ecological communities being affected by permitting a camping ground on the subject land.

- ❖ Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed.

The subject site has been identified as being potentially contaminated on Council's mapping system. This proposal will permit the use of the site as a camping ground subject to development consent. The subject site has historically been used as a showground with camping activities associated with showground events being carried out on the site. Any future approval for a new location on the site as a camping ground or enlargement/ formalisation of the existing camping sites would be subject to a Preliminary Hazard Assessment and any remediation (if required) would be carried out as part of the development conditions of consent.

The site has not been identified as being affected by the 1% Flood AEP and is not affected by bushfire, landslip or any other natural hazards.

- ❖ How has the planning proposal adequately addressed any social and economic effects?

The planning proposal will have a small positive social and economic impact on the locality by permitting the use of the site as a camping ground and therefore increasing the options for short terms accommodation in the Shire. .

Section D – State and Commonwealth Interests

- ❖ Is there adequate public infrastructure for the planning proposal.

Yes. The Site currently has access to existing essential services (water, electricity and telecommunications). These services will not be impacted as a part of outcomes from the Planning Proposal.

- ❖ What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

This Planning Proposal will require public notification. Relevant government authorities will be notified during the exhibition period.

Part 4 – Maps

Figure 1 - Locality Map



Figure 2 - Land Zoning

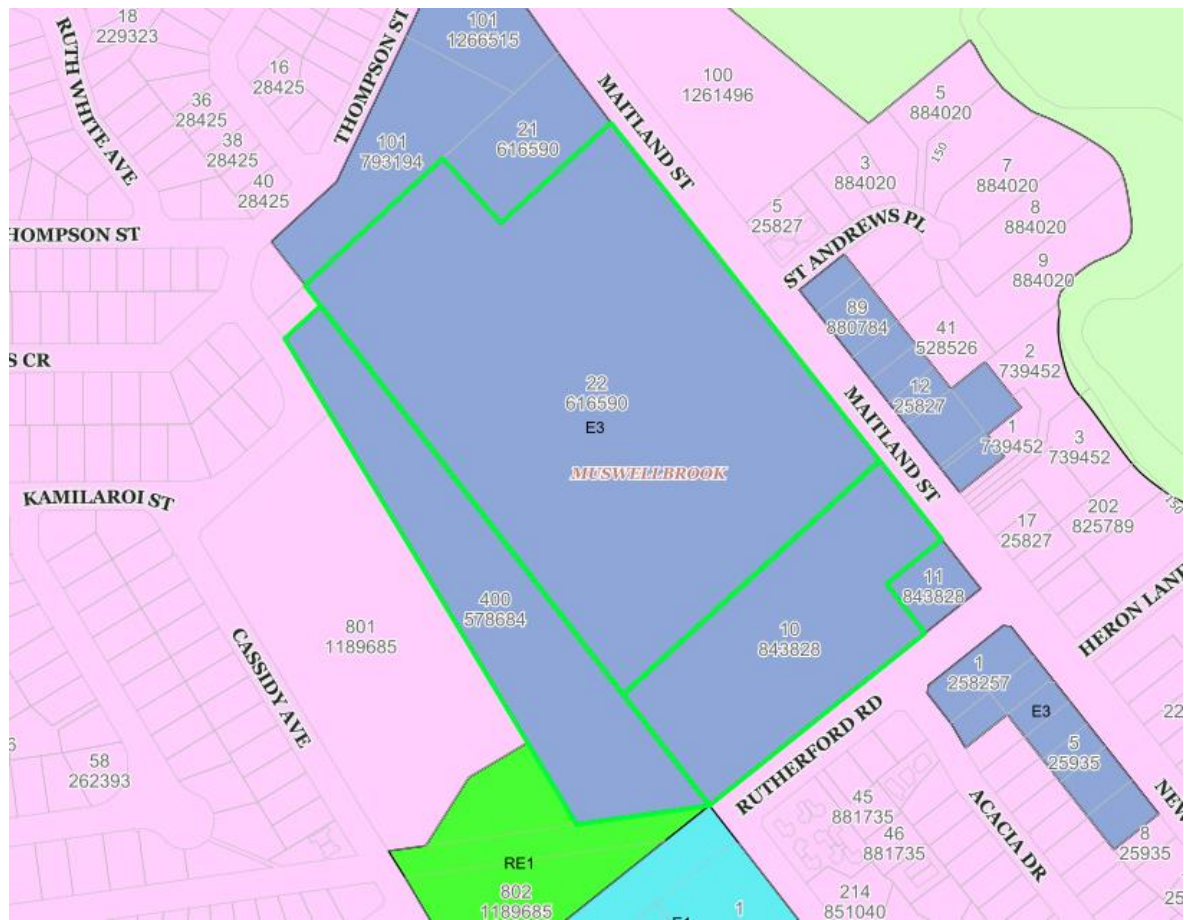


Figure 3 - Minimum Lot Size



Figure 4 - Contaminated Land



Page 22



Figure 6 – Flood Prone Land map (PMF)



Part 5 – Community Consultation

A 28-day exhibition period is proposed. The Gateway Determination will confirm the exhibition period.

Part 6 – Project Timeline

Action	Timeframe
Consideration by Council	80 days
Council Decision	26/03/2024
Anticipated commencement date (date of Gateway determination)	25 days
Anticipated timeframe to finalise the infrastructure studies/plan	N/A
anticipated timeframe for completion of any additional technical studies, not completed prior to Gateway	N/A
timeframe for public agency consultation	TBD
anticipated dates of public exhibition and, if required, a public hearing	TBD
timeframe for submissions to be considered	20 days
timeframe for the consideration of a proposal after the exhibition	TBD
date the plan will be made (where council is the LPMA) or date of submission to the Department to finalise the LEP	TBD
date the plan will be made (where council is the LPMA) or date of submission to the Department to finalise the LEP	TBD

Council intends to utilise delegations under s3.36 of the EP & A Act 1979 to finalise the Planning Proposal.

Attachment A

The Business Paper and Meeting Minutes of the Ordinary Council Meeting on 26 March 2024.

Attachment B

Evaluation Criteria for the Issuing of an Authorisation

Evaluation criteria for the issuing of an Authorisation				
(Note – where the matter is identified as relevant and the requirement has not been met, council is to attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not Relevant	Agree	Disagree
Is the planning proposal consistent with the Standard Instrument Order, 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain detail related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Secretary?	Y			
Does the planning proposal adequately address any consistency with all relevant S117 Planning Directions?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y			
Minor Mapping Error Amendments				
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?	N	✓		
Heritage LEPs				

Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?	N			
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?	N			
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?	N			
Reclassifications				
Is there an associated spot rezoning with the reclassification?	N			
If yes to the above, is the rezoning consistent with an endorsed Plan of management (POM) or strategy?		✓		
Is the planning proposal proposed to rectify an anomaly in a classification?		✓		
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		✓		
Has Council confirmed whether there are any trusts, estates, interests, dedications, conditions, restrictions, or covenants on the public land and included a copy of the title with the planning proposal?		✓		
Has council confirmed that there will be no change or extinguishment of interests and that the proposal does not require the Governor's approval?		✓		
Has the council identified that it will exhibit the planning proposal in accordance with the Department's Practice Note regarding <i>classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land</i> ?		✓		
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		✓		

Spot Rezoning

Will the planning proposal result in a loss of development potential for the site (i.e., reduced FSR or building height) that is not supported by an endorsed strategy?	N			
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?	N			
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?	N			
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		✓		
Does the planning proposal create an exception to a mapped development standard?	Y			

Section 3.22 matters

Does the proposed instrument	Y			
<ul style="list-style-type: none"> a) Correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provision, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error? b) Address matter in the principal instrument that are of a consequential, transitional, machinery or other minor nature? or c) Deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land? 				

(Note – the Minister/GSC (or Delegate) will need to form an Opinion under section 3.22 of the Act in order for a matter in this category to proceed).

Notes

- Where a council responds, ‘yes’ or can demonstrate that the matter is ‘not relevant’, In most cases, the planning proposal will routinely be delegated to council to finalise as a matter of local planning significance.
- Endorsed strategy means a regional strategy, or any other local strategic planning document that is endorsed by the Secretary of the Department.
- Matters that will routinely be delegated to a Council under administration are confirmed on the Department’s website www.planning.nsw.gov.au/Plans-for-Your-Area/Local-Planning-and-Zoning