

MUSWELLBROOK SHIRE COUNCIL
NOTICE OF PUBLIC EXHIBITION
PLANNING PROPOSAL

Muswellbrook Local Environmental Plan 2009 Amendment No. 23

In accordance with Section 3.34(2)(c) and Schedule 1 Clause 4 of the Environmental Planning and Assessment Act 1979, Muswellbrook Shire Council hereby gives public notice of public exhibition of the Planning Proposal 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

Image 1 – Location of Proposal



A. Objectives or intended outcomes of the planning proposal

The Planning Proposal involves amending Muswellbrook Local Environmental Plan 2009 to 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.

B. Land affected by the Planning Proposal

The land subject to this planning proposal are:

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

C. How to view the Proposal

The Planning Proposal and supporting documents will be placed on public exhibition until 11 October 2024 at Council's Administration Centre during business hours (9.00 a.m. to 4.30 p.m. weekdays) and Council libraries. Details are also available on Council's Website www.muswellbrook.nsw.gov.au

D. Information on making a submission

All interested parties are invited to inspect the exhibited documents and make written submissions.

There is no obligation for you to make a submission to Council. However, should you have a view that you wish to bring to Council's attention, this is your opportunity. If objecting to a planning proposal, you should clearly state your reasons, and if possible, make positive suggestions as to what, if any, solutions you feel would be appropriate.

Any person who makes a written submission objecting to or supporting a relevant planning application made to council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any associate of that person within the period commencing two years before the submission is made and ending when the application is determined:

- all reportable political donations made to any local councillor of that council, and
- all gifts made to any local councillor or employee of that council.

A reference to a reportable political donation made to a 'local councillor' includes a reference to a donation made at the time the person was a candidate for election to the council.

Further information on reportable political donations and gifts and disclosure forms are available on Council's website at www.muswellbrook.nsw.gov.au or the Department of Planning website at www.planning.nsw.gov.au

If the matters raised are not related to this application or unsustainable in the light of the relevant legislation relating to assessment of the application or they can be addressed by conditional approval, no contact will be made with you by Council staff during the assessment phase. Typical matters raised in submissions which are NOT taken into account with the assessment are: devaluation of property, dividing fence issues, previous nuisances, existing surface water problems (if not exacerbated by the proposed development) and presumed unauthorised future use or activity.

Council staff may contact you if matters are not clear or access to your property is necessary. Generally, the merits or otherwise of your submission are not debated. Otherwise, no further contact is made until after determination

After a decision is made, Council will notify those who have made written submissions.

PLEASE NOTE: Should you consider that disclosure of your information would result in detriment to you, the words "OBJECTION IN CONFIDENCE" must be clearly stated at the top of the submission. Council may also be obliged to release the full details of the submission, including your name and address, under the provisions of the Freedom of Information Act 1989, even if these words are used on the submission.

Please contact Council on 6549 3700 if you require information about the Privacy and Personal Information Protection Act 1998. A copy of Council's Privacy Policy and Council's policy for public submissions can be obtained on Council's Website www.muswellbrook.nsw.gov.au or on application to Council.

Submissions are to be addressed to:

The General Manager, PO Box 122, Muswellbrook NSW 2333
or by email to: council@muswellbrook.nsw.gov.au

E. Who is the Local Plan Making Authority for this Proposal?

Council is the designated Local Plan Making Authority (LPMA) for this proposal.

For further information please contact Council's Development Planner, Tanya Alsleben on (02) 6549 3776.