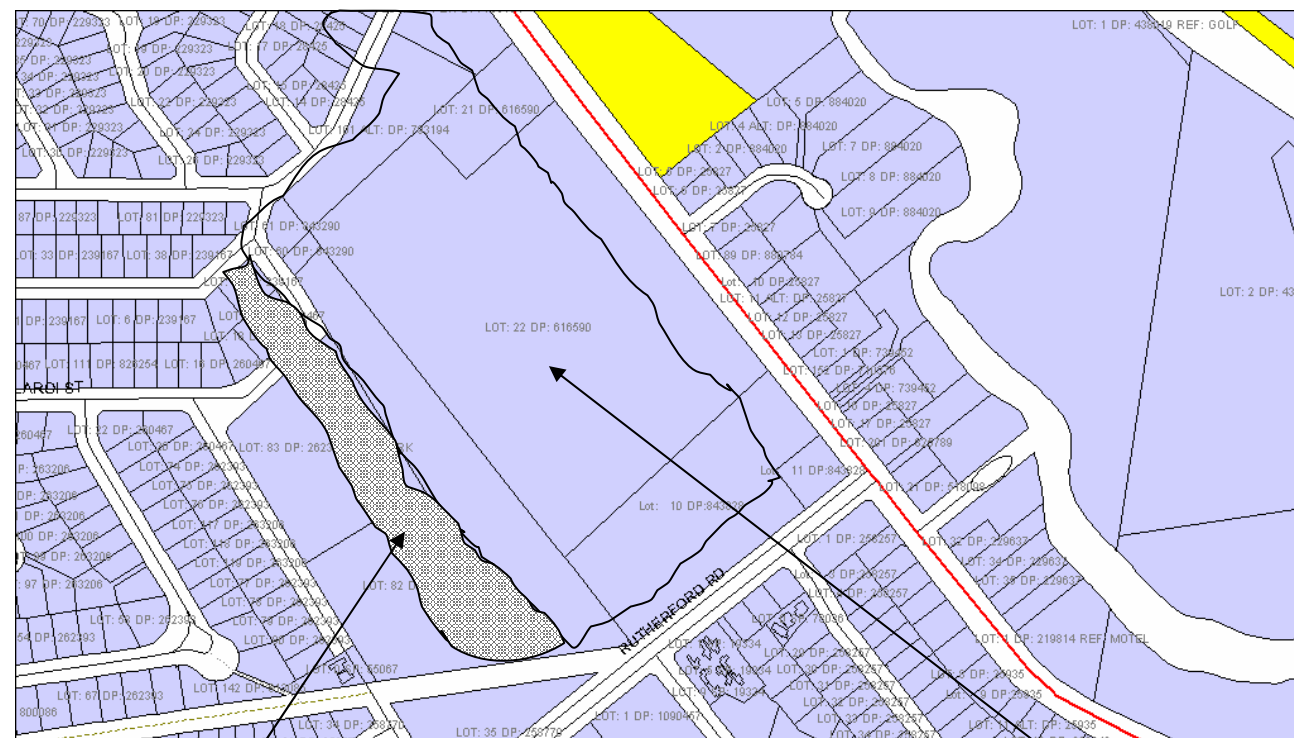


SUBMITTOR		DATE REC'D	REFERENCE NAME AND NO.
Hunter Development Brokerage PO Box 40 MAITLAND NSW 2320 Ph. 4933 6682	John Flood Estate Agents PO Box 27 MUSWELLBROOK 2333	15 December 2005	MUSWELLBROOK SHOWGROUND 2005/1

SUMMARY OF SUBMISSION	PLANNING RESPONSE/ACTION
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- Original rezoning request for the Muswellbrook Showground site in Maitland Street was from 6(a) to 3(a) and 2(b)
- Plans available in 2005 show 5(a) special uses and request this zoning be amended to reflect rezoning request.
- Request more time for submissions and access to mapping information.

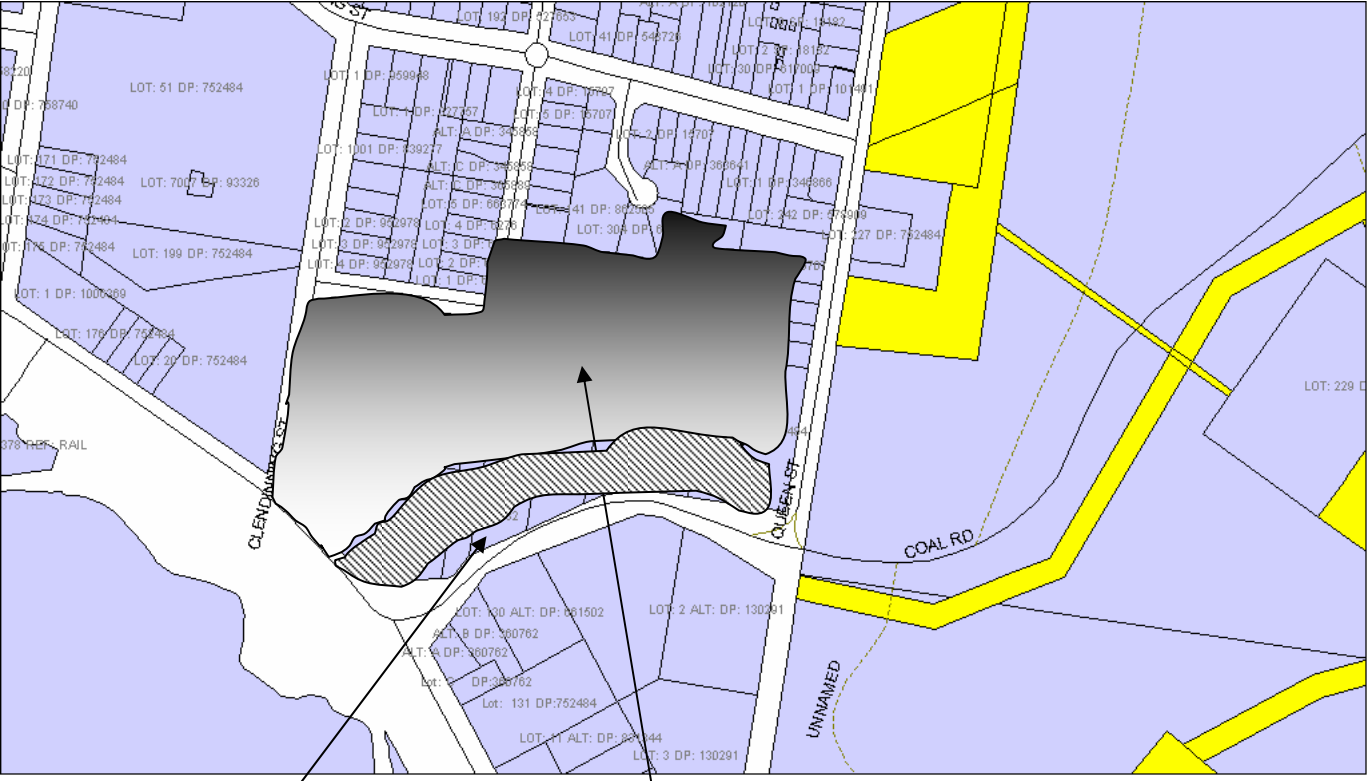
- This land is subject to amendment under the LEP 1985.
- Most appropriate proposed zoning in standard LEP template version of MLEP 2007 to reflect existing land use is 'open space'
- Council awaiting information to address the provisions of clause 19 of the Hunter REP
- Council requires written agreement on future location of showground site within the Muswellbrook LGA if rezoning is to proceed to 'local centre'.
- Land is to remain public open space in draft LEP until points 2 & 3 above have been addressed to the satisfaction of Council.

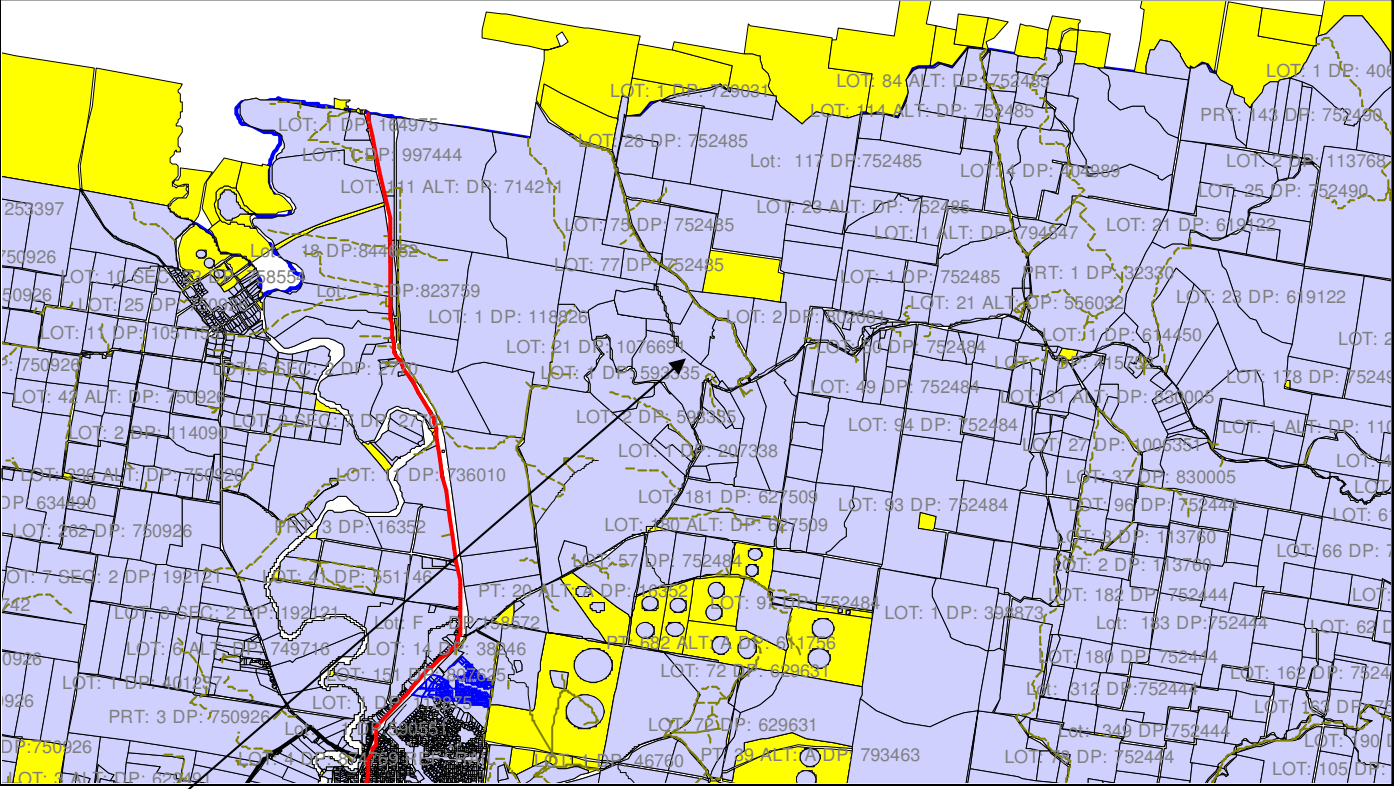


proposed 2(a) residential zone

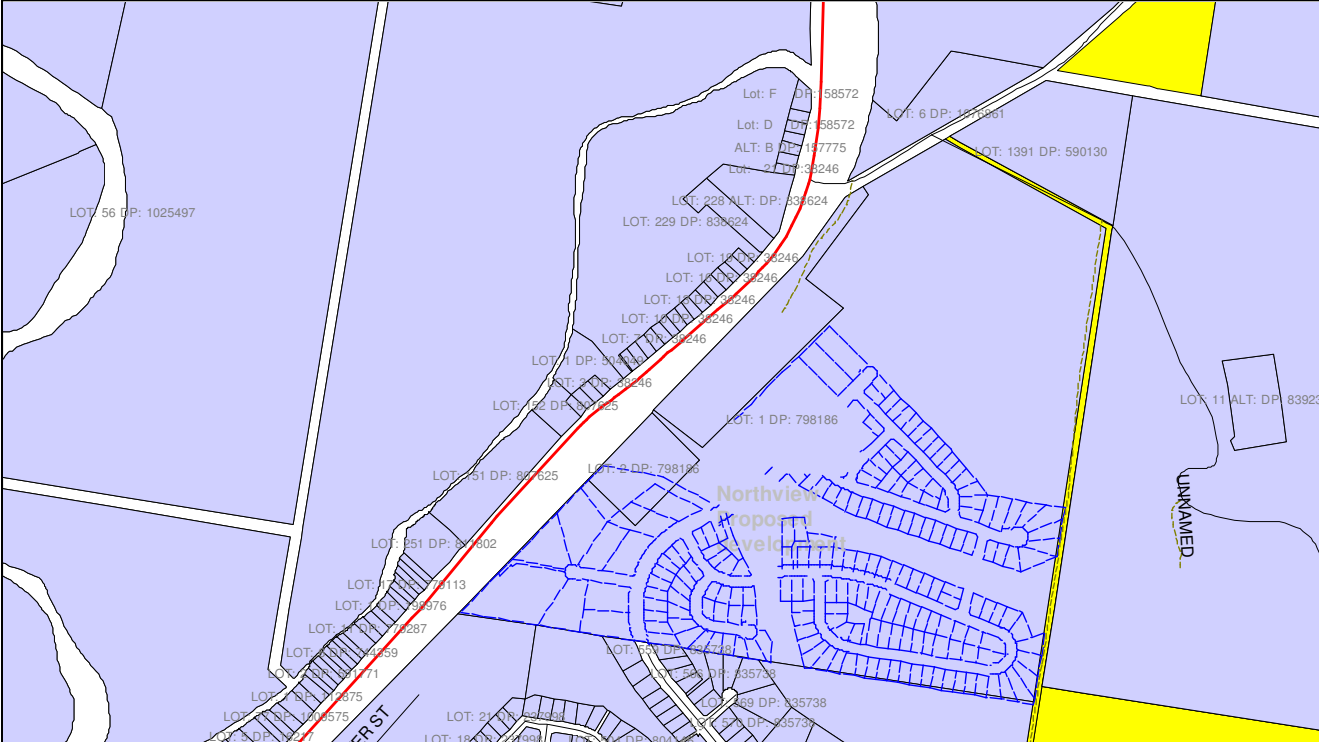
proposed 3(a) zone

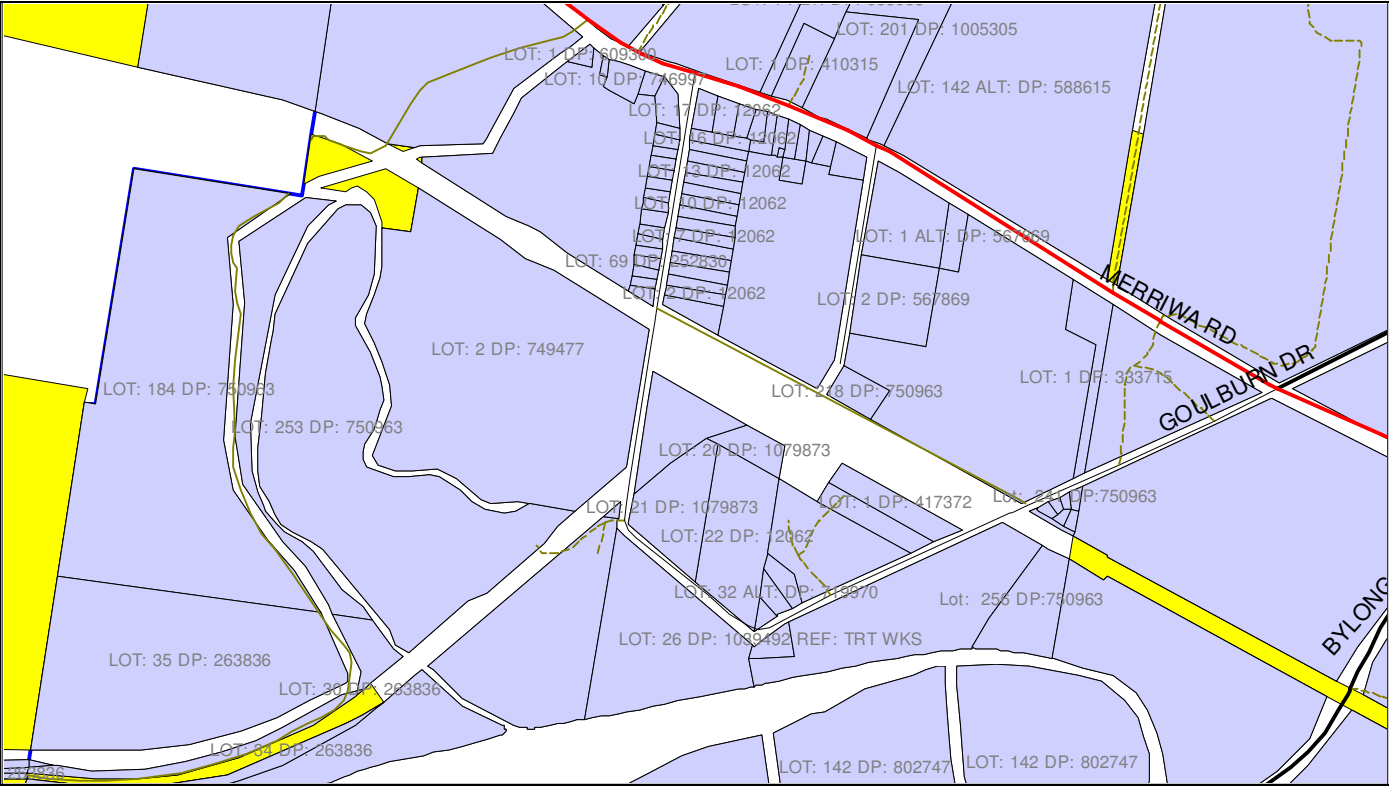
COMPLETED - 14/05/07

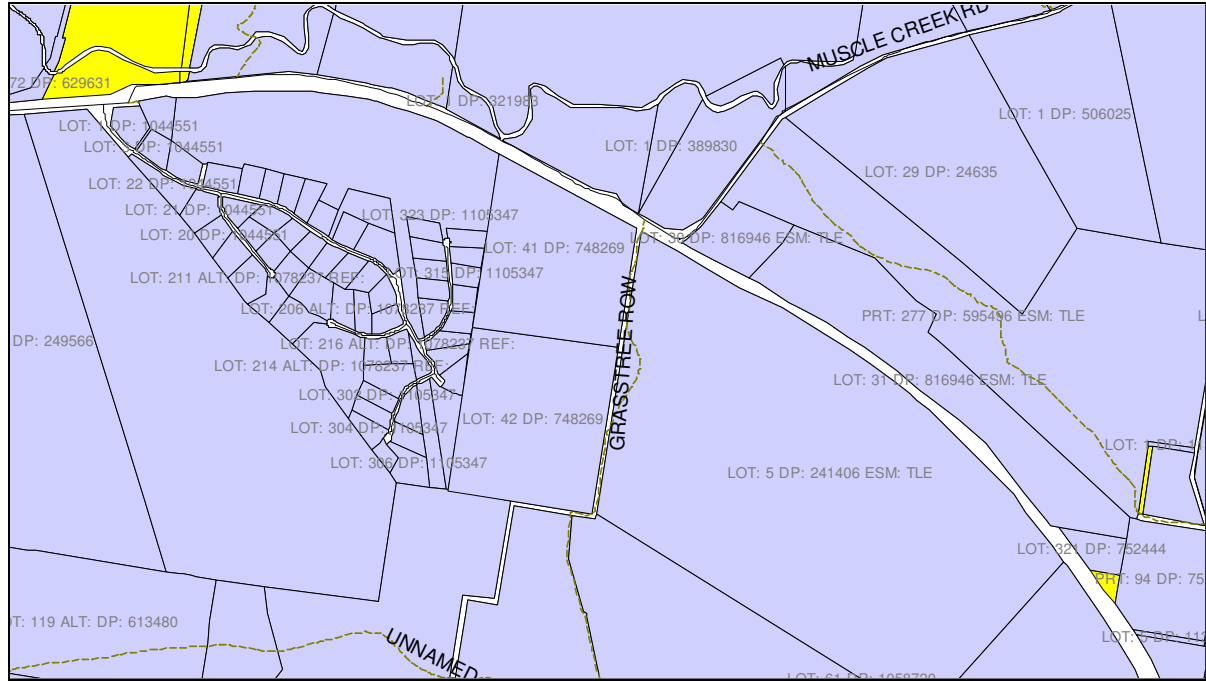
SUBMITTOR	DATE REC'D	REFERENCE NO.
Hunter Development Brokerage PO Box 40 MAITLAND NSW 2320 Ph. 4933 6682	John Flood Estate Agents PO Box 27 MUSWELLBROOK 2333	15 December 2005 18 December 2006 <p style="text-align: right;">Coal Road 2005/2</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> Lodge submission to rezone in respect to various lots with frontage to Coal Road, Queen Street, Glendenning Street, Blight Street and Campbell Street from 6(a) Open Space Proposed Recreation zone to predominately 2(a) lower density and provide a 6(b) zone along the gully line to the north of Coal Road. Existing site was former pit top for underground colliery, buildings since removed, now site is overgrown and in poor state of repair. Site drains to gully. Mine Subsidence Board has raised no objection subject to conditions relating to construction specifications for future buildings. Subject to favourable consideration of the proposed amendment, further investigations would be undertaken to quantify the development potential of the area. 		<ul style="list-style-type: none"> This site poses potential issues in relation to:- The proponent will need to undertake a Local Environment Study to address the above issues in order to demonstrate that appropriateness of the proposed rezoning. The proponent may choose to lodge an initial request for rezoning which identifies the opportunities and constraints for this site to consideration by Council and referral to the DoP prior to further consideration. Refer to procedure for "Request for Rezoning" for process to be followed in rezoning this land.
 <p style="text-align: center;">subject land – proposed 2(a)</p> <p>subject land – proposed 6(b)</p>		<p>COMPLETED - 14/05/07</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
K & V Watts 527 Sandy Creek Road MUSWELLBROOK NSW 2333 Ph, 6543 5127	20 December 2005	<p style="text-align: center;">527 Sandy Creek Rd, Muswellbrook</p> <p style="text-align: right;">2005/3</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> Request reconsideration of proposal to not allow second dwelling on rural land for a family member. Would be a disadvantage to farmers, particularly in later life. Sometimes needed to accommodate a worker on the farm. A granny flat is not suitable alternative, as each family needs a separate dwelling. Would be detrimental to a farmer, and the efficiency of operation. We consider there is a demand for rural residential lots in the vicinity of say 25 acres, and have been approached to sell parts of our land for this purpose. 		<ul style="list-style-type: none"> This matter will be considered as part of the rural lot size study to be undertaken by Council to address minimum lot sizes and dwelling entitlements within rural zones.
 <p>Location</p>		<p style="text-align: center;">COMPLETED - 1 May 2007</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
Linda McIntosh President Muswellbrook Local & Family History Society Yarraman Road WYBONG NSW 2333	13 February 2006	<p style="text-align: right;">Heritage Issues</p> <p style="text-align: right;">2005/4</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • No mention of heritage objectives in particular zones as per previous amendment 87 heritage • Can these be included in the draft LEP? • Aboriginal and European heritage needs to be recognized within the instrument. • Spelling and typographical errors • Amendment 87 included provision for demolition of heritage item or in conservation area that consideration be given to replacement development. Can this be included? • There was a previous clause of controls for items requiring further investigation. Can this be included? • Advertised development should include demolition of heritage items or in a conservation area. • Do developers need to notify NP & WS or DEC if they are affecting Aboriginal items. • Previous amendment 87 included provisions that Council could require unauthorized works to be reinstated or refuse any other DA affecting the land. Can this be added? • Can we include trees and gardens in the definition of heritage item? • Would like to see items included in draft amendment 87 included into draft LEP instrument. 		<ul style="list-style-type: none"> • Amendment 87 – Heritage did not proceed. • The heritage content of the Draft LEP is driven by the standard template requirements. • Progress on the draft LEP and review of the proposed listing of heritage items and conservation areas has been undertaken through Council's Heritage Committee. • The final version of the draft DCP for heritage and conservation will be considered by the Council's heritage committee to ensure that these issues are addressed to the satisfaction of the committee.
<h2>No Map</h2>		<p>COMPLETED – 14/05/07</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
M.M. Hyndes Bailey & Co Surveyors Michael Cole PO Box 26 MUSWELLBROOK NSW 2333 Ph. 6543 2475	16 December 2005	<p style="text-align: right;">Aberdeen Street, Muswellbrook</p> <p style="text-align: right;">2005/5</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Rezoning of land in Lot 229, DP838624 , Aberdeen Street, Muswellbrook. For residential purposes as 2(a) land. • Have provided the following reports <ul style="list-style-type: none"> - Geotechnical and contamination assessment - Flora and fauna report - Draft traffic study - Lot layout diagram • Land has been used for agricultural pursuits in the past which is now uneconomic. • The subdivision layout will be above the 1 in 100 year flood level. • Access to the New England Highway will be via T intersection, and MBK bypass will further alleviate traffic in this area. • Consultation with an archaeologist has been undertaken and cultural heritage is considered to be low. • Rezoning would eliminate an existing use right for a business on the land. • Proposal represents and orderly infill progression, resulting in high quality residential lots. 		<ul style="list-style-type: none"> • Unable to locate studies for review. • Letter sent to submitor requesting copies of studies referred to.
		<p>COMPLETED – 25/05/07</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
M.M. Hyndes Bailey & Co Surveyors Michael Cole PO Box 26 MUSWELLBROOK NSW 2333 Ph. 6543 2475	16 December 2005	<p style="text-align: right;">Golden Highway, Sandy Hollow 2005/6</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Rezoning of land known as lot 2, DP749477 & lot 253, DP750963. • Application for rezoning and subdivision lodged with Council, but not supported by Department of Planning as a spot rezoning. • Attached reports discuss the proposal including SEE and Geotech reports. • Council previously gave approval for land being 2(v) Village in LEP 1985 on land adjoining the subject land. • Sandy Hollow is currently zoned 2(v), and limited land is available. The rezoning of 4ha of land would not result in oversupply and assist in town development. 		<ul style="list-style-type: none"> • The subject land has not been identified in Council's Shire Development Strategy for inclusion into the village zone of Sandy Hollow. • Expansion of the village zone at Sandy Hollow is limited by water and sewer infrastructure availability. • The village is currently NOT serviced by sewer, and on site effluent disposal could be a long term problem for the expansion of Sandy Hollow if not addressed carefully. • This submission would need to comply with the "Request for Rezoning" provisions detailed at the beginning of this document.
		
		<p>COMPLETED – 14/05/07</p>

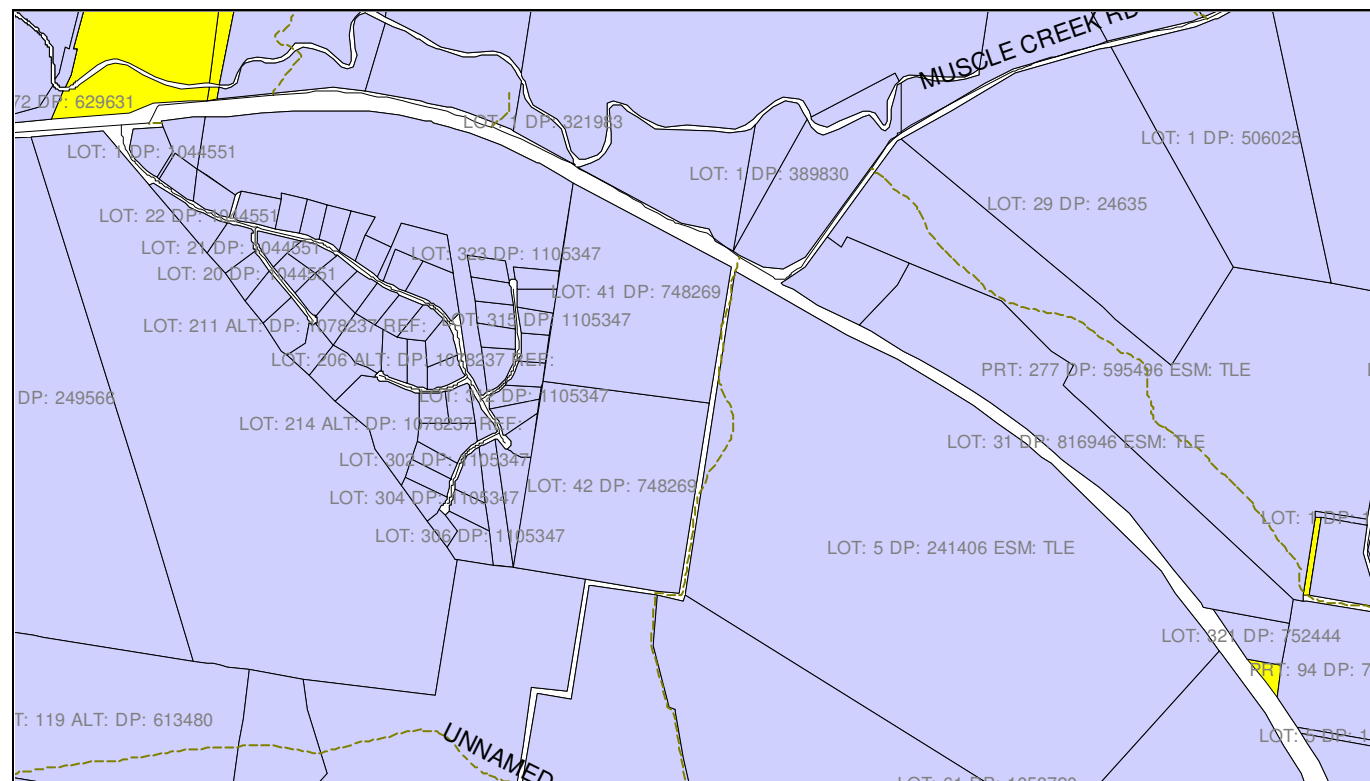
SUBMITTOR	DATE REC'D	REFERENCE NO.
M.M. Hyndes Bailey & Co Surveyors Michael Cole PO Box 26 MUSWELLBROOK NSW 2333 Ph. 6543 2475	16 December 2005	<p style="text-align: right;">Woodland Ridge Estate</p> <p style="text-align: right;">2005/7</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Lot 42 in DP748269 is currently zoned rural, we request that this land be included in the 2(c) rural residential zone. • Woodlands Ridge lies west of the subject land and which is bounded by Inglewood Rd to the east. The land is 42ha and has similar characteristics to the Woodlands Ridge land. • As part of the Woodlands Ridge development Council required roads to be designed so they could be extended to surrounding lands. Not rezoning these surrounding lands would result in sterilization of land. • Rezoning could provide for a loop road around Woodlands Ridge to improve traffic flow. • Maintaining a supply of rural residential land is important for growth. • A constraint to this development would be a threatened species of orchid which a survey has found does not exist on lot 42. • Supporting reports would need to be prepared. 		<ul style="list-style-type: none"> • The proposed rezoning request has not come from or on behalf of the landowner. • There are valid comments about the future road network and hierarchy in this locality that require resolution in the long term, particularly in relation to those lands that currently obtain access from the Grasstree ROW adjoining the eastern boundary of the subject site. The ARTC has expressed some concern about the long term future of the Grasstree level crossing and the rezoning of this land may provide a solution to that issue. • The proposed rezoning would need to be considered under the "Request for Rezoning" process outlined at the beginning of this document to ensure that appropriate studies are undertaken to address all of the relevant issues, including access, transport, threatened species, rail noise and vibration and other issues.
		<p style="text-align: right;">COMPLETED – 14/05/07</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
M.M. Hyndes Bailey & Co Surveyors Michael Cole PO Box 26 MUSWELLBROOK NSW 2333 Ph. 6543 2475	16 December 2005	<p style="text-align: right;">Woodland Ridge Estate</p> <p style="text-align: right;">2005/8</p>

SUMMARY OF SUBMISSION	PLANNING RESPONSE/ACTION
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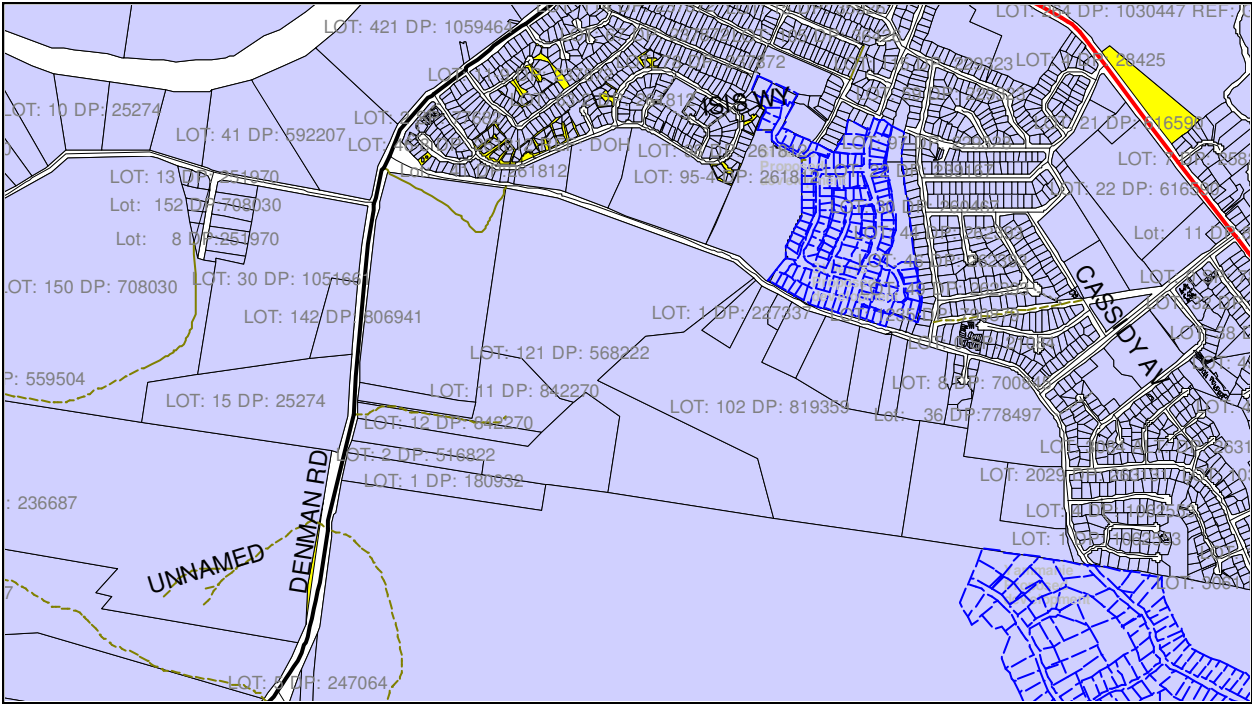
- Lot 41 in DP748269 is currently zoned rural, we request that this land be included in the 2(c) rural residential zone.
- Woodlands Ridge lies west of the subject land and which is bounded by Inglewood Rd to the east. The land is 42ha and has similar characteristics to the Woodlands Ridge land.
- As part of the Woodlands Ridge development Council required roads to be designed so they could be extended to surrounding lands. Not rezoning these surrounding lands would result in sterilization of land.
- Rezoning could provide for a loop road around Woodlands Ridge to improve traffic flow.
- Maintaining a supply of rural residential land is important for growth.
- Supporting reports would need to be prepared.

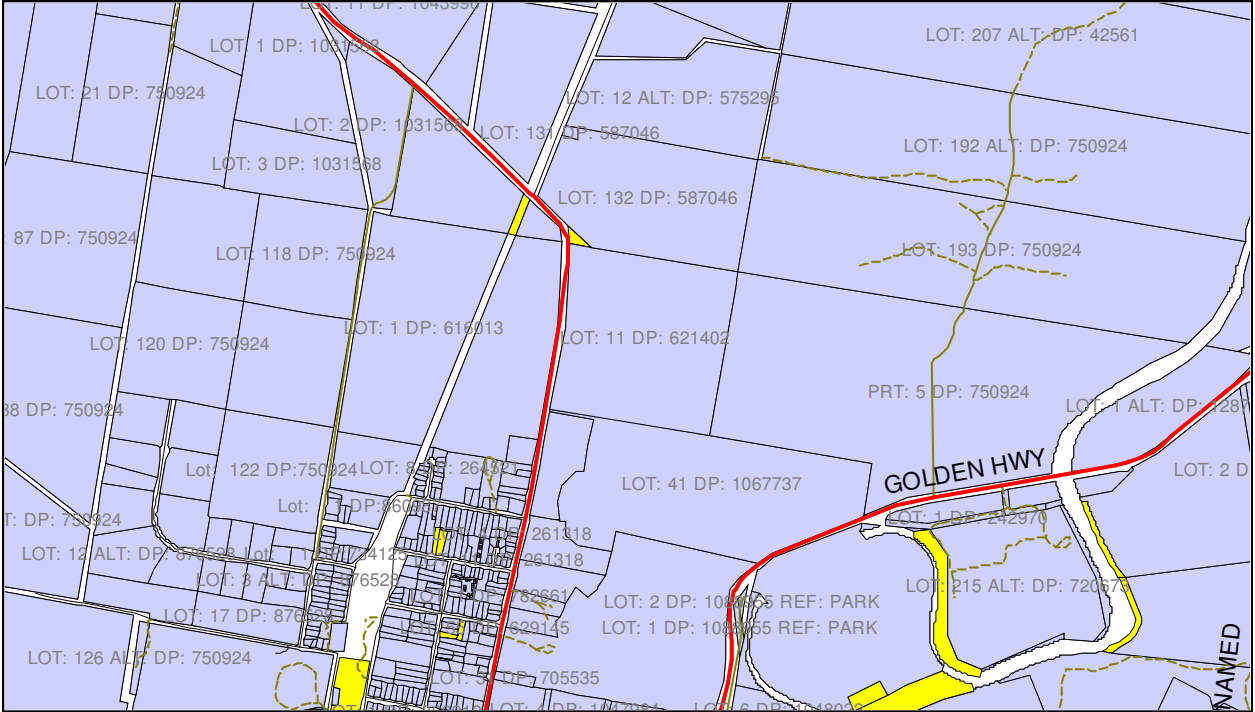
- The proposed rezoning request has not come from or on behalf of the landowner.
- There are valid comments about the future road network and hierarchy in this locality that require resolution in the long term, particularly in relation to those lands that currently obtain access from the Grasstree ROW adjoining the eastern boundary of the subject site. The ARTC has expressed some concern about the long term future of the Grasstree level crossing and the rezoning of this land may provide a solution to that issue.
- The proposed rezoning would need to be considered under the "Request for Rezoning" process outlined at the beginning of this document to ensure that appropriate studies are undertaken to address all of the relevant issues, including access, transport, threatened species, rail noise and vibration and other issues.

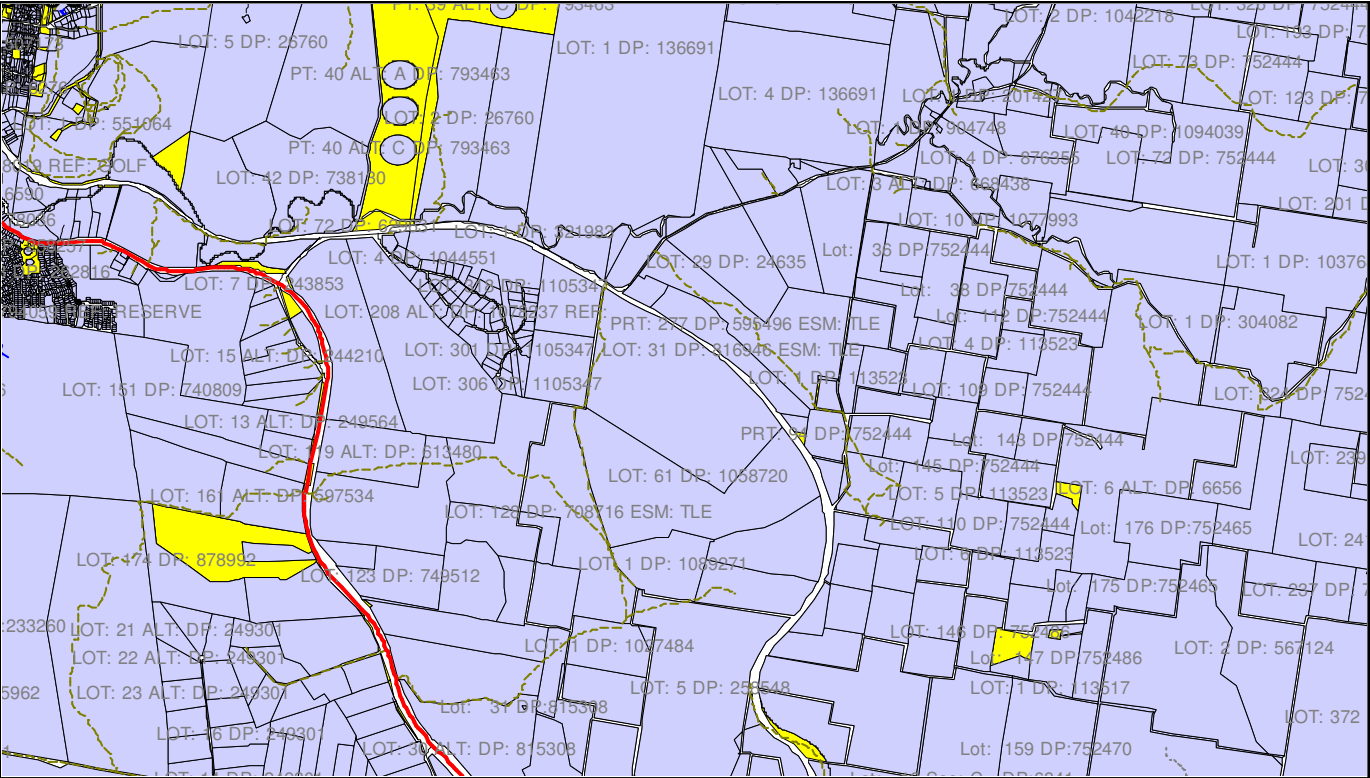


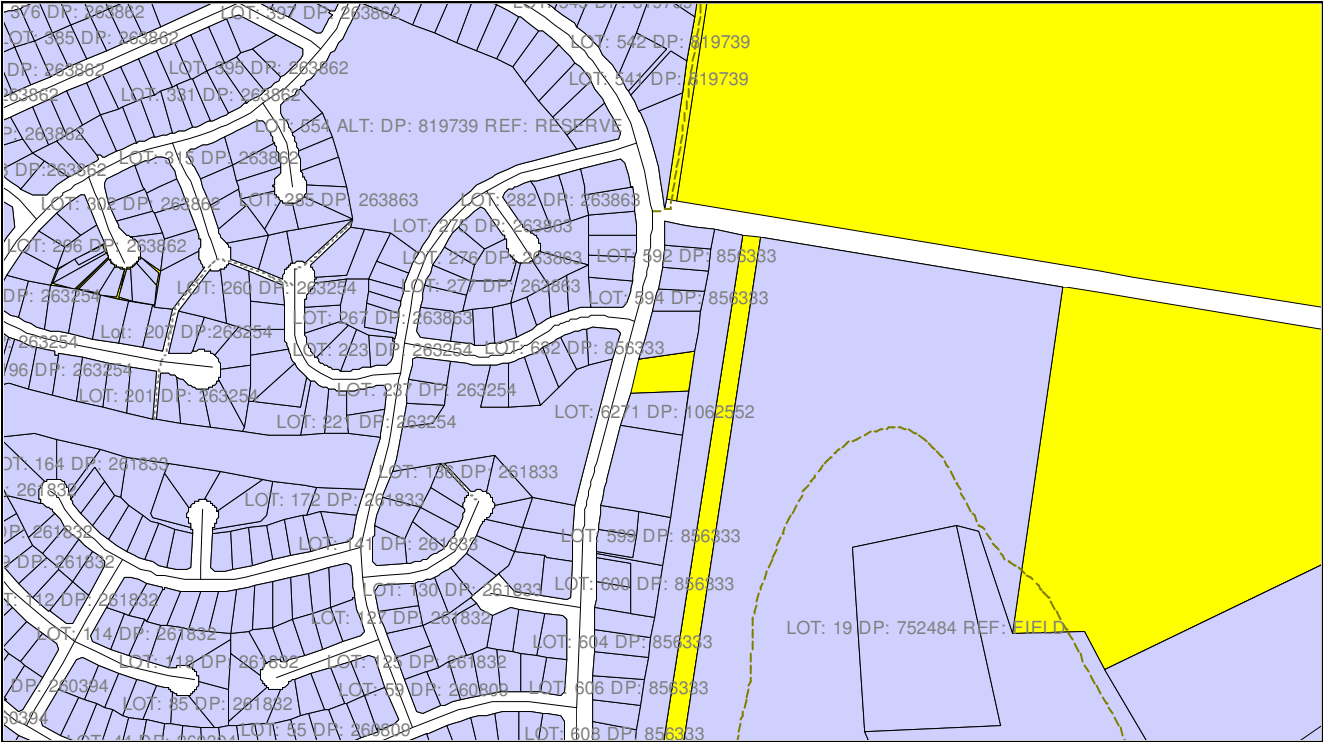
COMPLETED – 14/05/07

SUBMITTOR	DATE REC'D	REFERENCE NO.
M.M. Hyndes Bailey & Co Surveyors Michael Cole PO Box 26 MUSWELLBROOK NSW 2333 Ph. 6543 2475	16 December 2005	<p style="text-align: right;">Rural Lot Sizes 2005/9</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • An 80ha limit on subdivision is inappropriate and should be left at 40ha. • Believe that 40ha should remain and greater controls placed on dwelling location to suit environment. • Agree with the exceptions for agricultural subdivision < minimum lot size, these lots should also have a dwelling entitlement. • Not being able to live at the site is inefficient and poses security issues. • No dwelling entitlement will decrease the value of land. • No dwelling entitlement would limit scope of potential purchasers in the event of economic failure. • The land area for a dwelling would be insignificant to a farm operation. • Who is qualified to undertake a farm management plan. • No consideration given to dwelling entitlements arising from consolidation greater than 40ha. Consolidation does not require consent from Council, and the plan should amended to ensure a dwelling entitlement exists for land consolidated with an area over 40ha after August 1985. • Have noticed a tendency for excessive cut and fill on building sites to accommodate slab construction, resulting in privacy, overshadowing, maintenance and installation costs, comprised vehicular access boundary disputes and drainage problems. • Cut and fill should limited to 1.0m, and require detailed survey levels and requirements for basic driveway designs and batters for banks at 1:6. 		<ul style="list-style-type: none"> • Council will be a seeking a moratorium on rural subdivisions to address the issues raised by the Department of Primary Industries. • The rural lot size and development issues will be dealt with as part of the rural lot size study to be undertaken by Council. • Land consolidation is dealt with in the standard LEP template and consolidation of land does not require consent provided that no dwelling entitlement is created as a result. (See clause 15(2)(d) of the Draft LEP. • Cut and fill issue will be addressed in draft DCP controls.
<h2>No Map</h2>		<h2>COMPLETED – 14/05/07</h2>

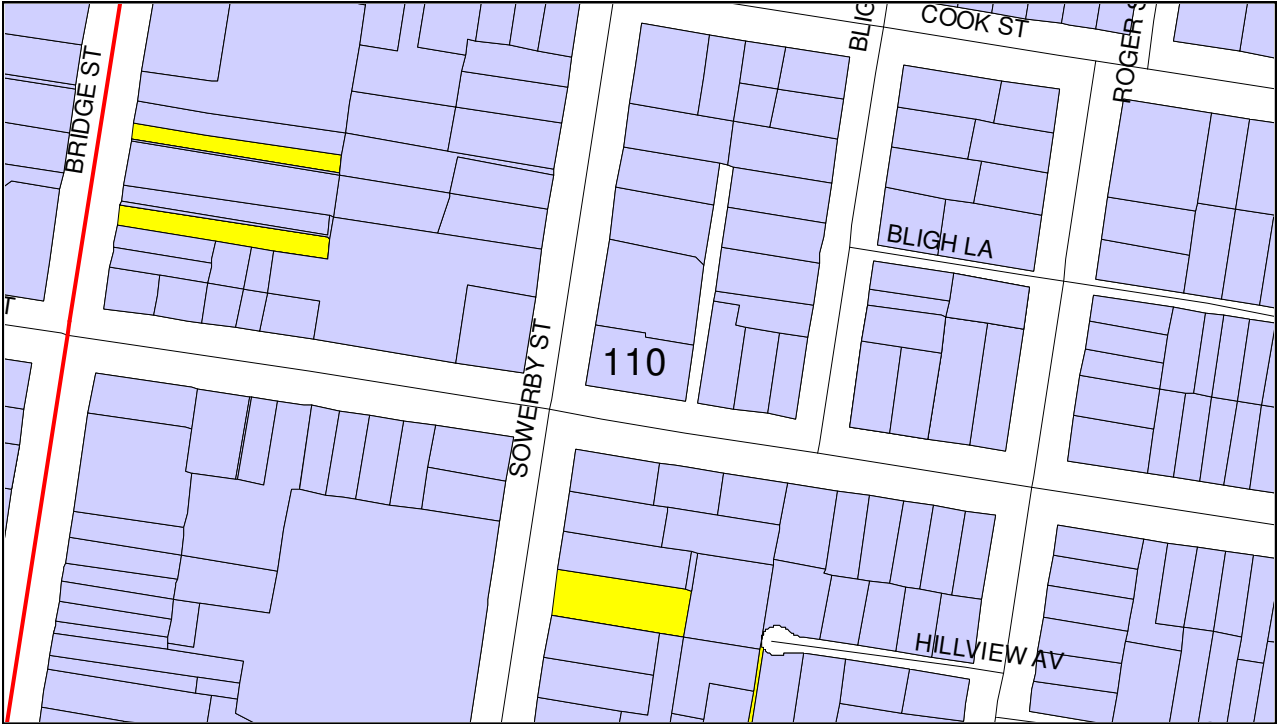
SUBMITTOR	DATE REC'D	REFERENCE NO.
M.M. Hyndes Bailey & Co Surveyors Michael Cole PO Box 26 MUSWELLBROOK NSW 2333 Ph. 6543 2475	16 December 2005	<p style="text-align: right;">Ironbark Road, Muswellbrook</p> <p style="text-align: right;">2005/10</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Lot 121 in DP568222 is 36.3ha in total and should be rezoned to rural residential 1(c). • Further investigation of building envelopes and effluent disposal would be required., • The land is close to facilities and is serviced by a sealed road, and is close proximity to the sewer treatment plant. • Can provide additional information if required and DCP could be implanted to control development on the land. 		<ul style="list-style-type: none"> • The subject land is constrained by topography and the existing sewage treatment plant adjoining the western boundary. • The proposed lot layout provided with the submission does not adequately take these constraints into account. • Any future development of this land would need to follow the "Request for Rezoning" process outlined at the beginning of this document.
		<p style="text-align: right;">COMPLETED – 14/05/07</p>

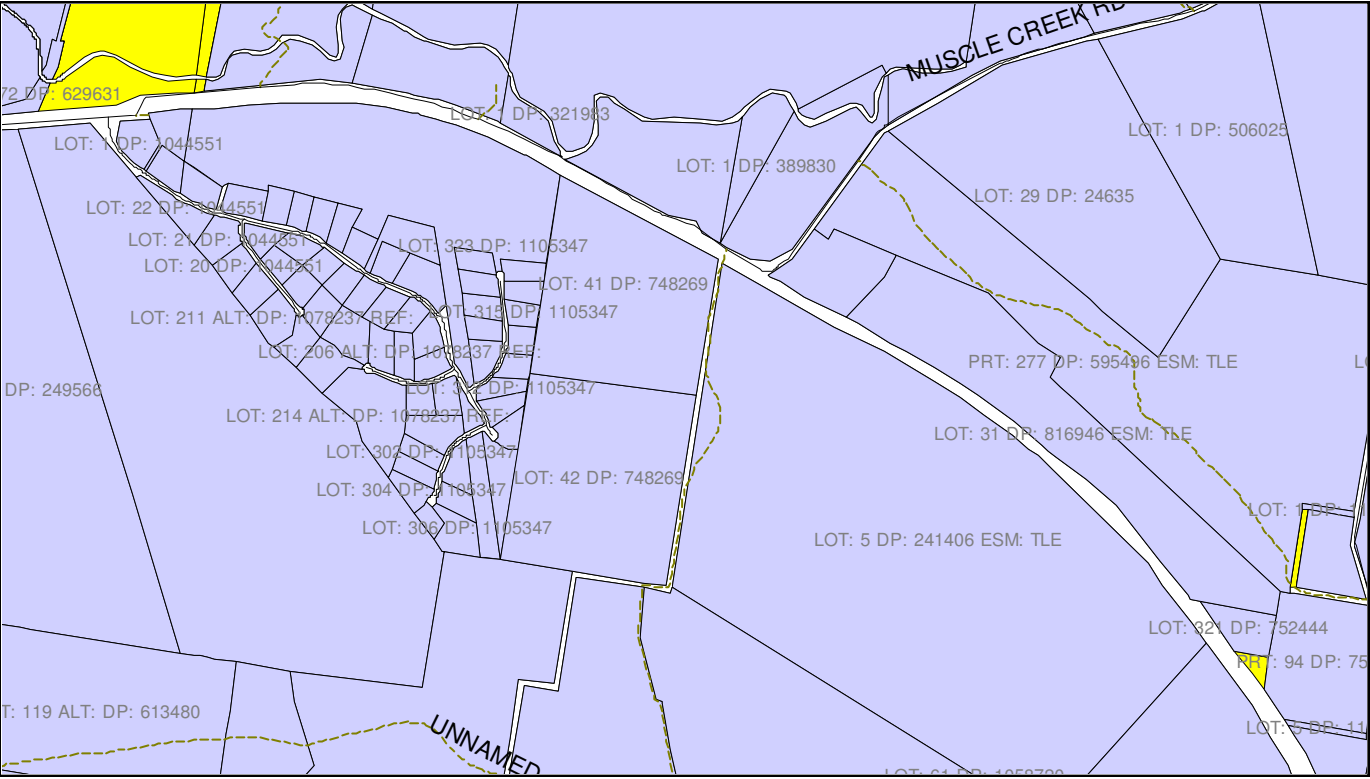
SUBMITTOR	DATE REC'D	REFERENCE NO.
John Flood Estate Agents PO Box 27 MUSWELLBROOK 2333	14 December 2005	<p style="text-align: right;">Lot 1, DP128061, Denman 2005/11</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Owners wish to subdivide their 14.7ha property at lot 1, DP128061 into rural residential lots. • Should we lodge a rezoning request or can it be included into draft LEP into the village zone? • Existing zone is 2(c), and is proposed as 1(b) agriculture in draft LEP. • Owners have concern of the impact on value of their land. • Request consideration of extension of the adjoining village zone or rezone and 29(c). 		<ul style="list-style-type: none"> • The subject land is currently zoned 2(c) but is limited by the provision of sewer and water infrastructure from development in the short term. The development of this land would ultimately be dependent upon the uptake of land in any expansion of the village zone adjoining the southern boundary of this site. • The land immediately to the west was rezoned to 1(c) - Rural Small Holdings under LEP amendment 48 to the current Muswellbrook LEP 1985. • The subject site is constrained by the road and rail corridors that adjoin the eastern and northern boundaries of the site. • This rezoning request would need to follow the "Request for Rezoning" process outlined at the beginning of this document to address the site constraints and ensure appropriate supporting studies are undertaken.
		<p style="text-align: right;">COMPLETED – 14/05/07</p>

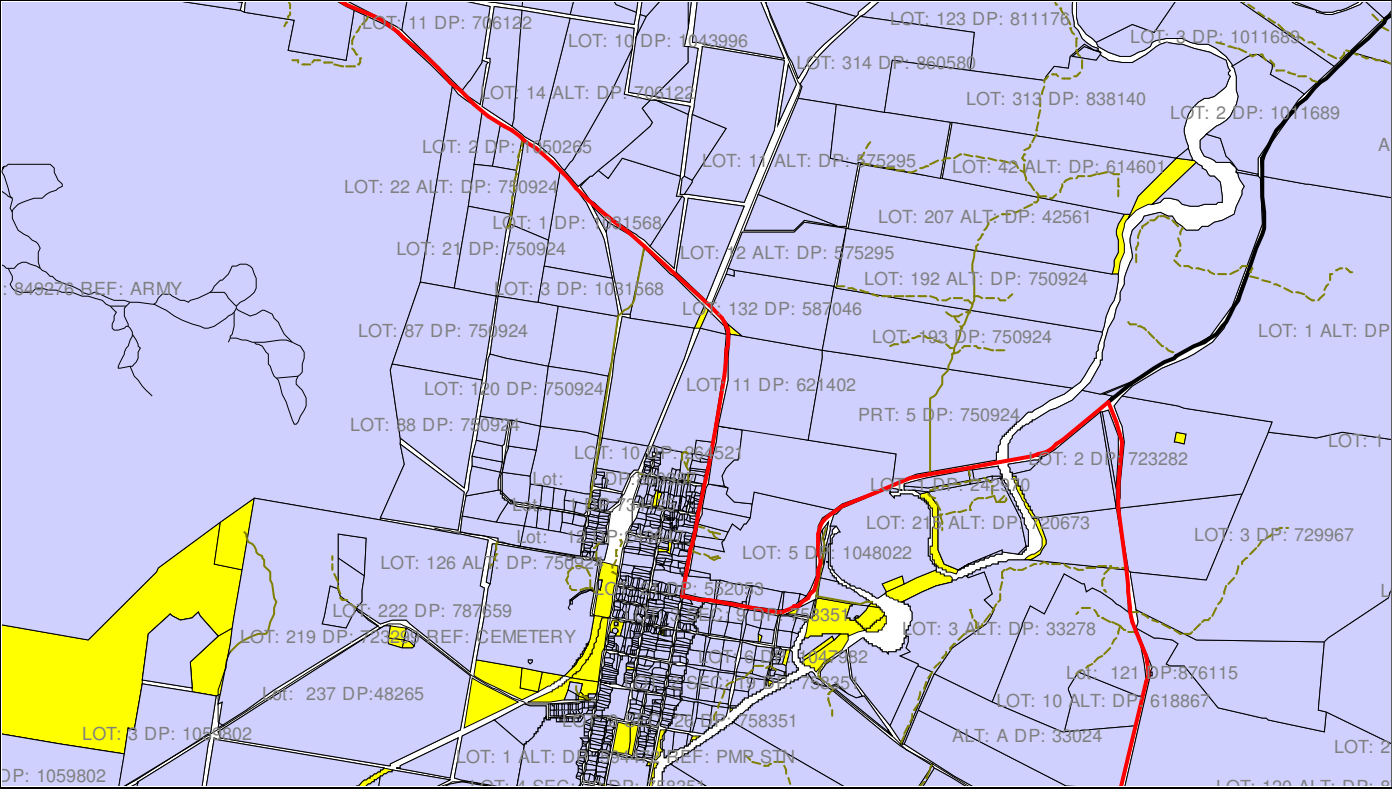
SUBMITTOR	DATE REC'D	REFERENCE NO.
Kathleen Clifton 212 Inglewood Road MUSCLE CREEK NSW 2333 Ph.	16 December 2005	<p style="text-align: center;">Lot 5, DP241406, Parish of Balmoral</p> <p style="text-align: right;">2005/12</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Would like lot 5 in DP241406 to be included in rural living 2(c) zone from its current zone of 1(a). • This rezoning is considered appropriate on the basis of expansion of Muswellbrook and adjoins the Woodlands Ridge Estate. 		<ul style="list-style-type: none"> • The rezoning of this land would follow on from resolution of the rezoning issues associated with previous submissions 20057 & 8 relating to land immediately to the west. • Without a proper road network to connect to the west in lieu of utilising the Grasstree ROW and level crossing, access is a significant constraint to the development of this land. • This rezoning request would need to follow the "Request for Rezoning" process outlined at the beginning of this document to address the site constraints and ensure appropriate supporting studies are undertaken.
		<p style="text-align: right;">COMPLETED – 14/05/07</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
Boardman Peasley Surveyors PO Box 404 MUSWELLBROOK NSW 2333 Ph. 6543 3600	14 December 2005	<p style="text-align: right;">Queen Street, Muswellbrook 2005/13</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> Plan to subdivide lot 6272 in DP1062552. Request inclusion into in 2(a) zone instead of 6(b) zone. 		<ul style="list-style-type: none"> Proposed zoning in standard LEP template version of MLEP 2007 is 'R1' LEP Amendment No. 90 to MLEP 1985 rezoned this to 2(a) in 2003. No further action required as this has been included in the draft LEP.
		
		<p>COMPLETED – 15/05/07</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
Ray Reynolds 18 Grey Gum Road DENMAN NSW 2328 Ph. 4933 6682	16 December 2005	<p style="text-align: center;">Denman Village and Rural Zones</p> <p style="text-align: right;">2005/14</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Council is to be commended for the time and effort put into to encourage public consultation in relation to future village zone. • There is no certainty of land use in the proposed village zone, which may be of concern if developers move in. • Community meetings were informed that ample opportunity would be available to raise objections, and degree of uncertainty could be eliminated by a strict DCP. • Council has used administrative procedures or not complied with legislation stifling public comments. Public exhibition needs to comply with legislative requirements. • Strict DCP controls for village should be proceeded with ASAP, to encourage development. • Consideration should be given to expanding the village zone to both sides of the highway. Commend Council for adhering to 40ha lot size minimum against 4ha suggested for some areas of low agricultural potential. • Small rural lots increase demands on infrastructure and services, which could be overcome by special s. 94 plan. • Cost of providing services to small rural lots is shifted to owners due to the standard of service provided, Fire fighting requirements should be consistent. • Electricity connection costs are greater on small rural lots, and may force people to live on the cheap to save costs. • When people purchase serviced land there are certain expectations, and the issue of consistency needs to be resolved. 		<ul style="list-style-type: none"> • It is acknowledged that the proposed Village zone for Denman will need to be underpinned by a DCP that provides clear outcomes and is enforced consistently. Draft DCP will be prepared for exhibition in conjunction with draft LEP, and will incorporate public meetings to ensure community issues are addressed. • Council is endeavoring to comply with all legislative requirements. • The area for expansion of the village zone at Denman has been identified and supported by appropriate studies or justification. • Rural subdivisions and lot size issues will be addressed as part of a rural lot size study, including infrastructure provision to ensure that services can be provided efficiently where smaller lot sizes are permitted.
<h2>No Map</h2>		<h2>COMPLETED – 15/05/07</h2>

SUBMITTOR	DATE REC'D	REFERENCE NO.
Muswellbrook Security Services Tim Ryan PO Box 313 MUSWELLBROOK NSW 2333 Ph. 6541 1121	15 December 2005	<p style="text-align: right;">110 Hill Street. Muswellbrook</p> <p style="text-align: right;">2005/15</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> Formal submission to amend the zoning of lot 3 in DP719055 from 2(a) zoning to 2(b) high density residential zone. Other blocks in close proximity to our lot are proposed for higher zonings. This will mean that high density and commercial development will encroach upon our property. 		<ul style="list-style-type: none"> There is no justification for a high density zone in this locality. The draft LEP instrument has been prepared in consideration of Section 117 Direction No. #### issued by the Department of Planning. This has resulted in the existing 2(a) zone being translated to the R1 zone, and includes provision for the same density of development as allowed for in the 2(a) zone under LEP 1985. This property is also located within a conservation area, and adjoins 2 proposed heritage items, so multi unit housing may not be an acceptable outcome from this site. No further action required.
		
		<p>COMPLETED – 15/05/07</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
Ardee Holdings Pty Ltd David Yore PO Box 78 MUSWELLBROOK NSW 2333 Ph. 6543 2411	12 December 2005	<p style="text-align: right;">Woodland Ridge Estate 2005/16</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Council required as condition of consent to our subdivision requiring access to adjoining properties in their road designs. • Ardee requests that consideration be given to including 100acres east of Woodlands Ridge stage III to be included as 2(c) rural living zone. • Land in question is Lot 42, DP748269, and Ardee Holdings has approached the owner who is not ready sell. The land should be rezoned to allow development to progress. 		<ul style="list-style-type: none"> • Refer to submissions 2005/7 & 8 • The proposed rezoning request has not come from or on behalf of the landowner. • There are valid comments about the future road network and hierarchy in this locality that require resolution in the long term, particularly in relation to those lands that currently obtain access from the Grasstree ROW adjoining the eastern boundary of the subject site. The ARTC has expressed some concern about the long term future of the Grasstree level crossing and the rezoning of this land may provide a solution to that issue. • The proposed rezoning would need to be considered under the "Request for Rezoning" process outlined at the beginning of this document to ensure that appropriate studies are undertaken to address all of the relevant issues, including access, transport, threatened species, rail noise and vibration and other issues.
		<p>COMPLETED – 14/05/07</p>

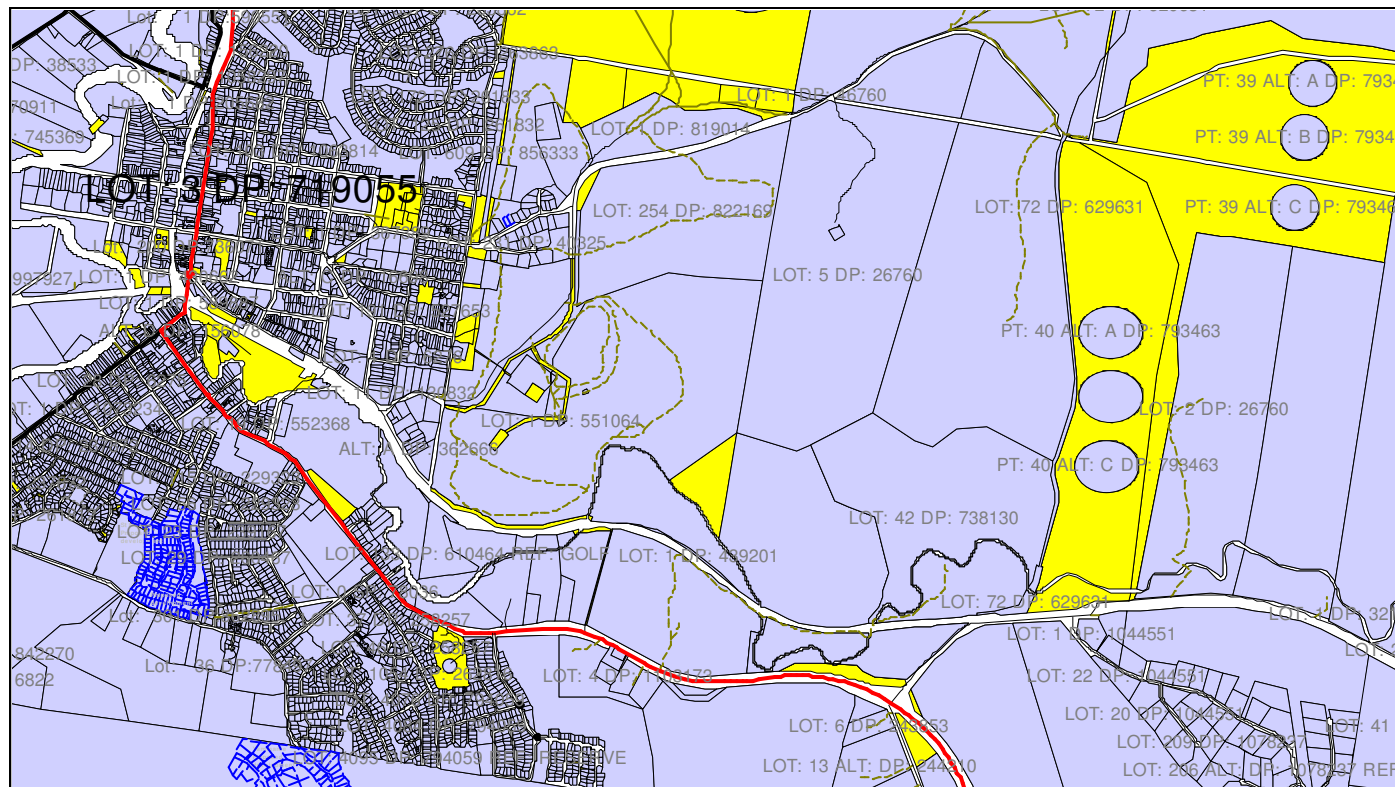
SUBMITTOR	DATE REC'D	REFERENCE NO.
MPA residential properties (Denman) Pty Ltd C/- Hunter Development Brokerage PO Box 40 MAITLAND NSW 2320 Ph. 4933 6682	December 2005	West Denman 2005/18
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> Proposed rezoning of land to village zone in West Denman. Proposed rezoning is supported by LES/SEE 		<ul style="list-style-type: none"> The rezoning of this land is supported by:- <ul style="list-style-type: none"> Flora and fauna assessment Aboriginal Achaelogy assessment Geotechnical report Servicing report The results of these preliminary studies have concluded that the land capability is suitable for inclusion into the proposed village zone.
		<ul style="list-style-type: none"> There is sufficient justification within those documents to demonstrate that the environmental impacts of the proposed expansion of the village zone into the area proposed can be satisfactorily managed and considered further as part of the DA process. Up to date studies are required to accompany this proposed rezoning.
		COMPLETED – 15/05/07

SUBMITTOR	DATE REC'D	REFERENCE NO.
Wanaruah Local Aboriginal Land Council PO Box 127 MUSWELLBROOK NSW 2333 Ph. 6543 1288	29 November 2005	Muswellbrook Common 2005/19

SUMMARY OF SUBMISSION	PLANNING RESPONSE/ACTION
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- Draft zonings for Lot 254, DP822169, Lot 265, DP1065478, and Lot 266, DP1065478 should be changed
- Area near the light industrial land near Common Road should be zoned light industrial
- Rest of the land should be 2(e) future urban expansion
- This is on the basis that topography is better suited to these uses than open space, services are in close proximity, it is a natural extension of the industrial and residential areas in MBK, any redevelopment would include open space top be dedicated to Council.
- Follow up letter form Curtis Gant Irving requesting details of impacts of proposed zonings in relation to an intention to develop this land in the future.

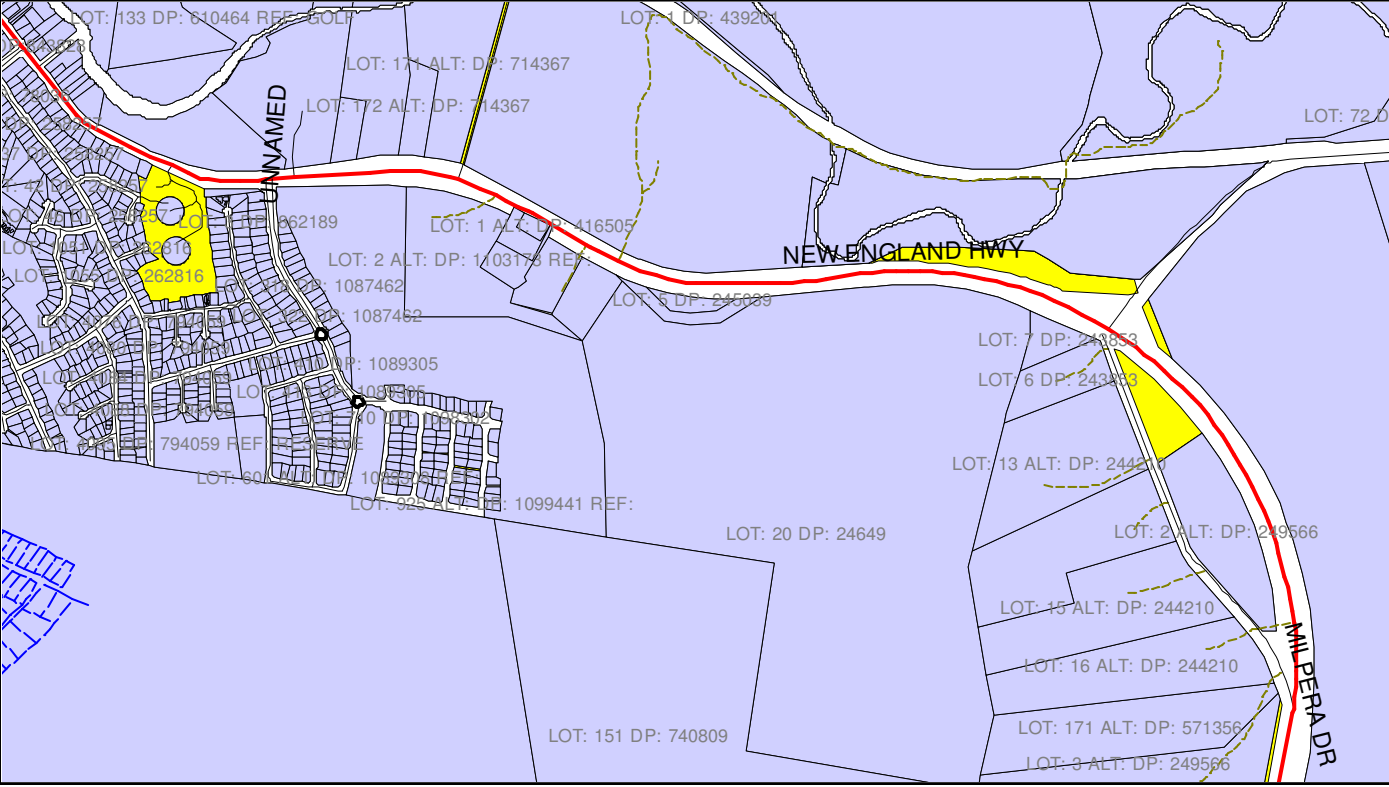
- There are no supporting studies for this request for rezoning the subject land, which has been inserted as a translation into the draft LEP instrument as 'RE2' Private Recreation' zone.
- The subject land is affected by subsidence and other issues.
- Any future proposal for rezoning of land will need to follow the procedure outlined in the "request for rezoning" at the beginning of this document.

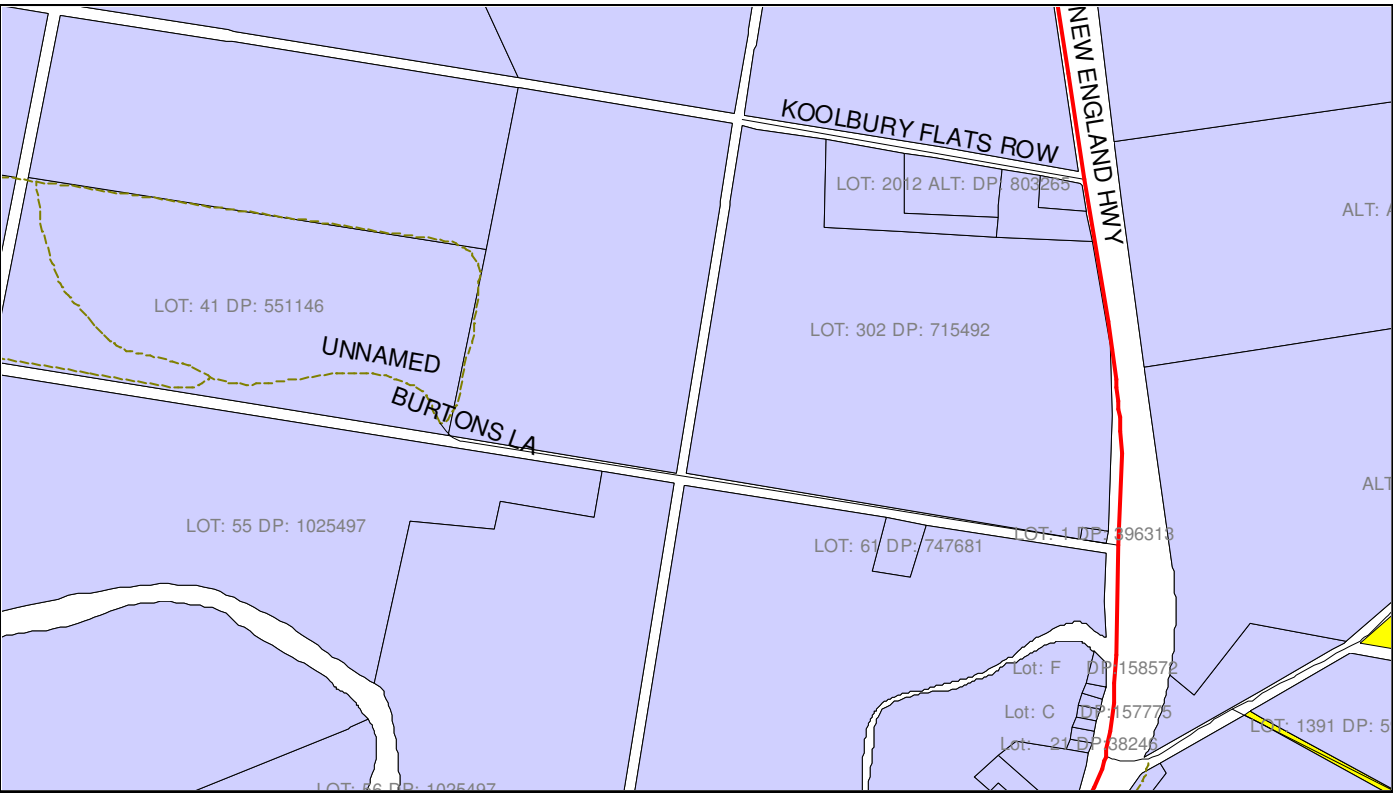


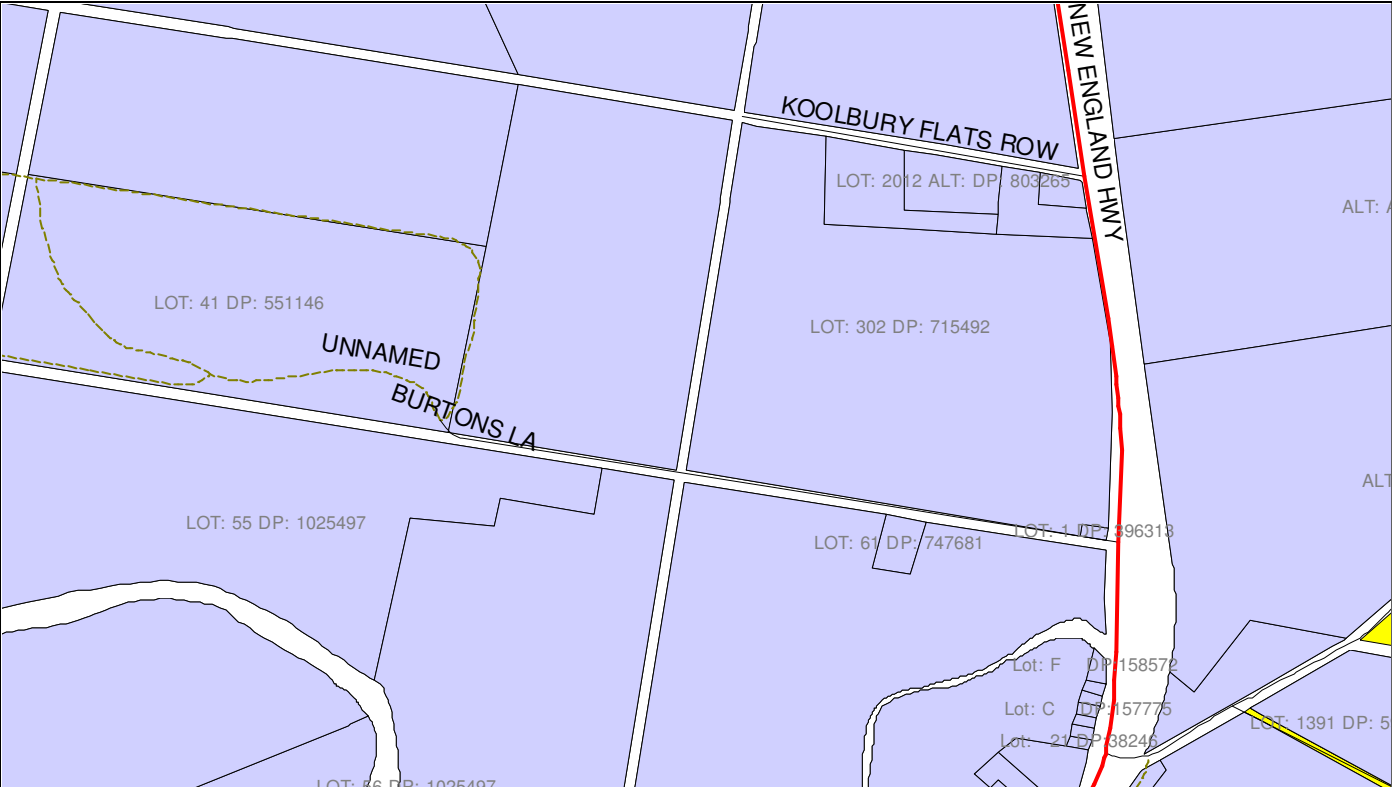
COMPLETED – 15/05/07

SUBMITTOR	DATE REC'D	REFERENCE NO.
Anvill Hill Project Watch Association Lot 12 Wybong Hall Road WYBONG NSW 2333 Ph. 4933 6682	16 December 2005	<p style="text-align: right;">Environmental Matters</p> <p style="text-align: right;">2005/21</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • No strategic biodiversity planning • No catchment management planning • No vegetation impacts mentioned • The comments provided relate to a superseded version of the draft LEP that is different to the standard template requirements. • Concerns relate to zone objectives and controls and wording that have been superseded. • See document for full comments. 		<ul style="list-style-type: none"> • Section 62 consultations have been undertaken and comments from government agencies received in relation to biodiversity, catchment management, vegetation management etc. • These issues have been addressed in the draft LEP where practical. • The majority of these issues are to be covered in more detail in the draft DCP.
<h2>No Map</h2>		
		<p>COMPLETED – 15/05/07</p>

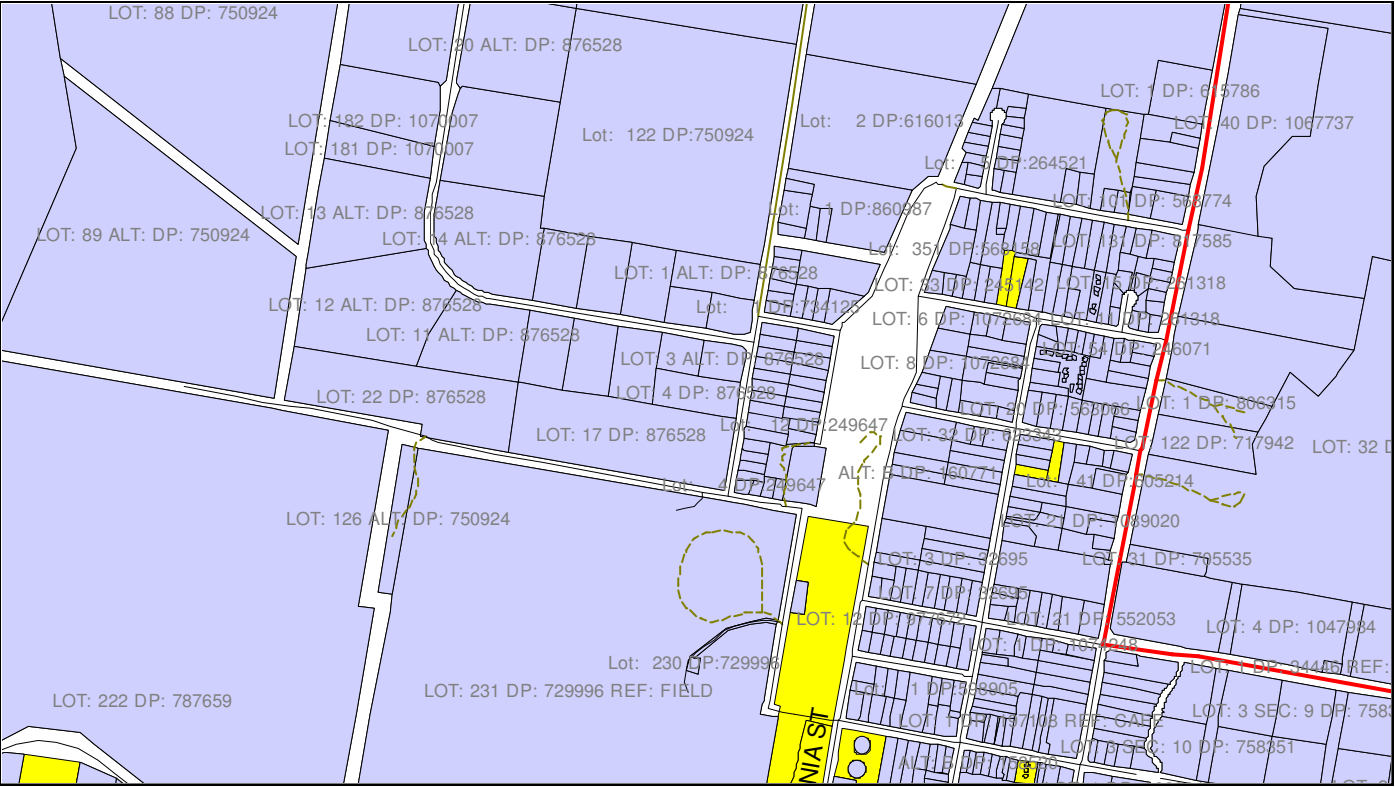
SUBMITTOR	DATE REC'D	REFERENCE NO.
Curtis Gant Irving Solicitors PO Box 191 MUSWELLBROOK NSW 2333 Ph. 6543 2433	14 December 2005	<p style="text-align: center;">Former Denman Common</p> <p style="text-align: right;">2005/22</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> Lot 237, DP48265 owned by Wanaruah Land Council is currently zoned 1(c) – rural small holdings zone. Intention is to develop rural small holding allotment to 4000m² Draft LEP indicates proposed agriculture 1 zone – secondary lands which is significantly different. Request retention of present zoning or permissible development. 		<ul style="list-style-type: none"> The subject land is to be zoned R5 – Large lot residential to translate from the existing 1(c) zoning of the land. Any future development of the land will be subject to development consent being granted.
		<p style="text-align: right;">COMPLETED – 15/05/07</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
Stephen Bridge "Ironbark" Milpera Drive MUSWELLBROOK NSW 2333 Ph.	21 December 2005	<p style="text-align: right;">81 Milpera Drive, Muswellbrook</p> <p style="text-align: right;">2005/23</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Amendment for lot 7, DP243853 only from 7(L2) zone to a 1(c) zone for rural living, where a single dwelling only would be able to be constructed. • Land currently shares borders with Monarch land and other small acreages • No agricultural benefits and already has access. • Already has power available • Lot 7 would not need to be subdivided • Not near bypass route • Enhances visual approach to MBK 		<ul style="list-style-type: none"> • The subject is to be zoned RU1 in the draft LEP. • There are number of land parcels in this locality that have an area that is significantly less than that required for economic agricultural production. • The future land uses associated in this locality and future subdivision patterns will be addressed as part of the rural lot size study to be undertaken by Council.
		
		<p>COMPLETED – 15/05/07</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
Mallesons Stephen Jaques (on behalf of Globe Wines P/L) DX 113 SYDNEY Ph. 9296 2000	19 December 2007	Globe Vineyard, New England Highway, Muswellbrook 2005/24
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Significant portion of our clients property is proposed to be rezoned 5(a) for the Muswellbrook bypass. • Draft LEP has no acquisition clause, and the site should be acquired by RTA for this use. • Please include compulsory acquisition clause into draft LEP 		<ul style="list-style-type: none"> • Council received maps from the RTA which detail the specific location of road works associated with the bypass in the vicinity of this site, and required for road widening purposes. • Standard compulsory acquisition clause is included in draft LEP, and bypass is included in Land Acquisition Map.
		
		COMPLETED – 15/05/07

SUBMITTOR	DATE REC'D	REFERENCE NO.
N & T Goldrick 32 Koolbury Flats ROW MUSWELLBROOK NSW 2333 Ph. 65425231	30 November 2005	<p style="text-align: center;">32 Koolbury Flats ROW, Muswellbrook</p> <p style="text-align: right;">2005/25</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Our land is proposed to be zoned 1(b) agriculture –secondary lands) • The land is suitable for agricultural production but this zoning denies full development potential. • The rating of this property has been on the basis of residential (rural). • We can have a coal mine approved on out land, but not a garage, plant associated with agricultural use. 		<ul style="list-style-type: none"> • The subject land will be zoned RU1 – Primary Production which allows for a range of permissible uses that address the submitters concerns about ancillary development to agriculture activities.
		
		<p>COMPLETED – 15/05/07</p>

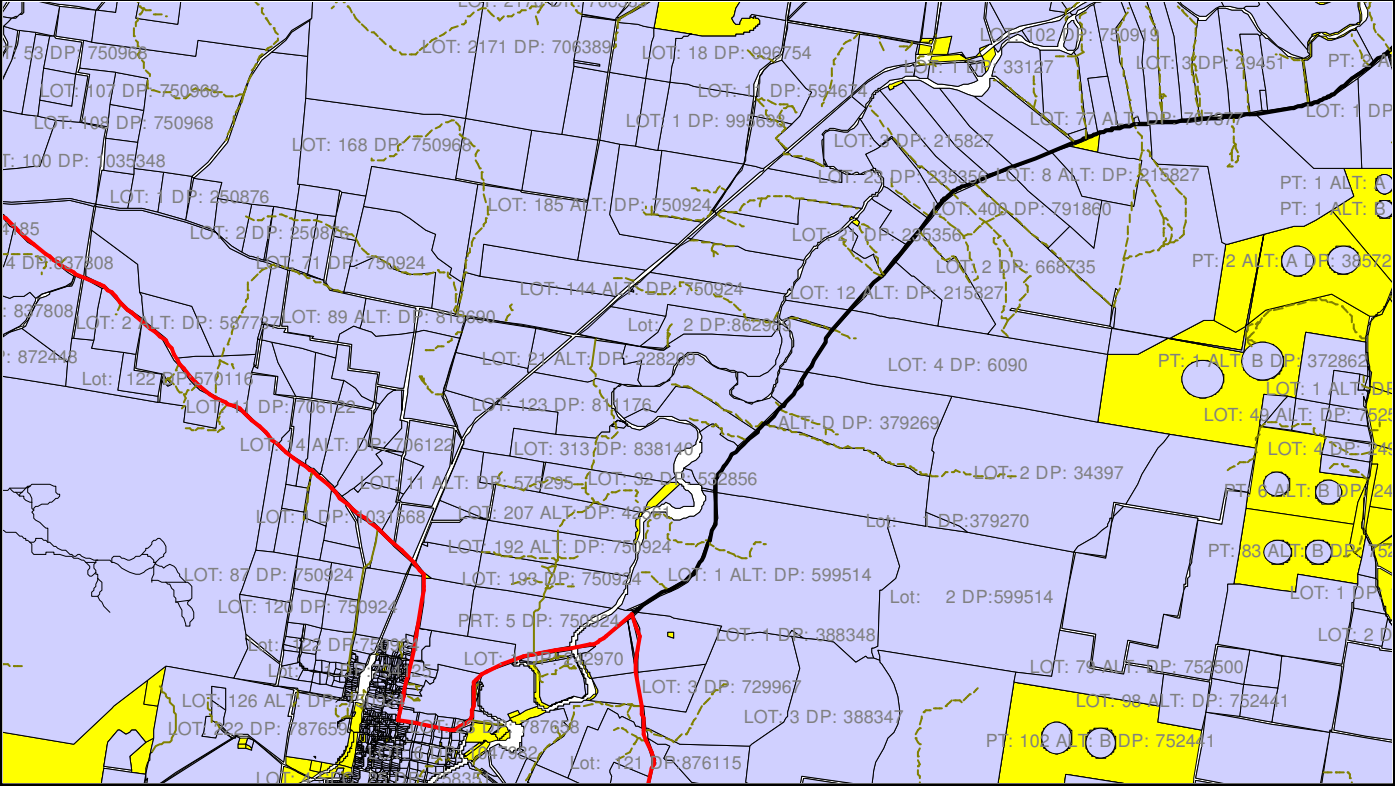
SUBMITTOR	DATE REC'D	REFERENCE NO.
SE & GT Garland PO Box 163 MUSWELLBROOK NSW 2333 Ph.	7 December 2005	<p style="text-align: right;">Rural Lot Sizes 2005/26</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> Proposed lot sizes of 80ha are far too large and there is more demand for 10ha lots in rural areas. Dept of Agriculture view is wrong, as our land is not prime agriculture land, and there is already development of this kind in our area. There should be provision for people to build a second dwelling due to farmers age, and hiring employees. Granny flats do not cover this need and don't work well. 		<ul style="list-style-type: none"> These issues will be addressed in a rural lot size study to be undertaken separately by Council.
<h2>No Map</h2>		
		<p>COMPLETED – 15/05/07</p>

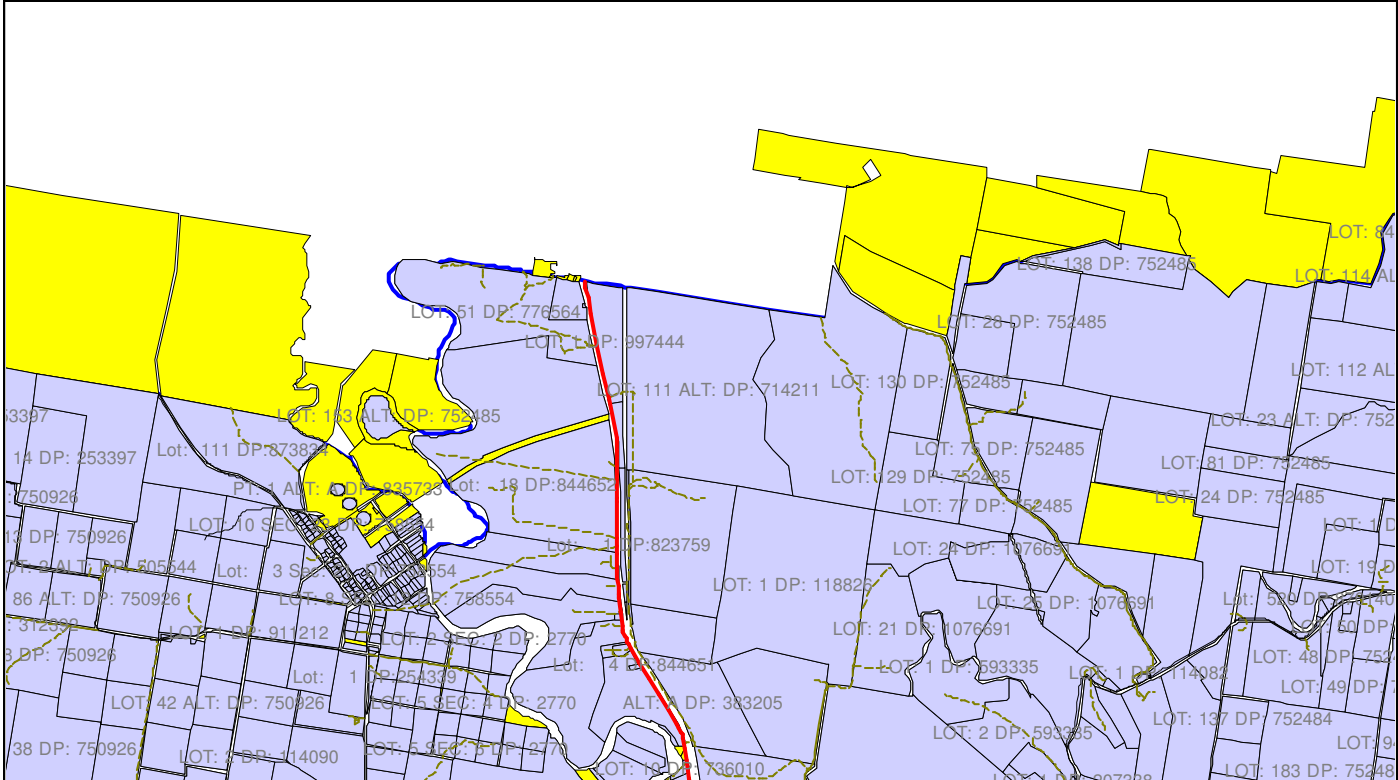
SUBMITTOR	DATE REC'D	REFERENCE NO.
Gloria Wargent 4 Almond Street DENMAN NSW 2328 Ph. 65425231	23 June 2006	<p style="text-align: right;">4 Almond Street, Denman 2005/27</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> Several years ago Council consulted community to determine demand for land to be zoned from rural to residential. My property indicated it could be included in the village zone, and since then there has been no progress. 		<ul style="list-style-type: none"> Existing 1(c) land in this locality is to be maintained and translated into draft LEP to a similar zoning. The rural residential properties in this area have limited subdivision potential due to the central location of houses on the allotments. Future subdivision of these rural residential lots will require strategic analysis to determine appropriate outcomes if subdivision and higher densities are anticipated, to ensure an integrated approach and desirable outcomes for the streetscape.
		<ul style="list-style-type: none"> The issue of future subdivision in rural residential areas will be subject to comment in the rural lot size study to be undertaken by Council, and possibly incorporated into DCP provisions at a later date to determine cohesive subdivision patterns.
		<p>COMPLETED – 15/05/07</p>

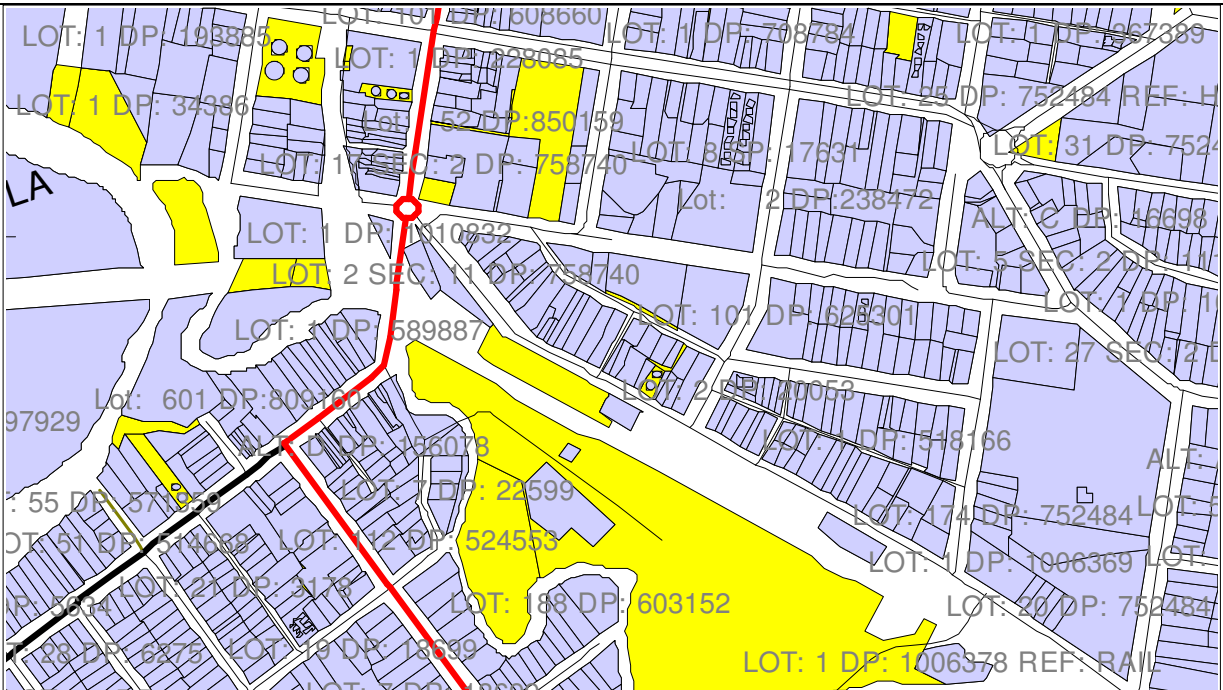
SUBMITTOR	DATE REC'D	REFERENCE NO.
Kaye Martin Mk_martin@bigpond.com.au Ph.	14 November 2005	<p style="text-align: right;">Denman Village Zone</p> <p style="text-align: right;">2005/28</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Please define city, town, village, hamlet. • Will planning controls in Denman be less stringent? • Denman is not a village as defined Australian Placenames Dictionary, and this will downgrade the status of Denman and people's perception. 		<ul style="list-style-type: none"> • The zonings provided within the standard template and adopted by Council are not intended to be literal dictionary definitions. • The RU5 village zone is generally intended to cover rural villages where a mix of residential, retail, and other uses is to be established or maintained.
<h2>No Map</h2>		
		<p>COMPLETED – 15/05/07</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
G Frazer 7 Honeysuckle Close SCONE NSW 2337 Ph.	8 February 2006	Racecourse Road, Muswellbrook 2005/29
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • In the 1970's I owned a dairy on Racecourse, which was later subdivided by me into 8 X10ha lots. I am now retired. • Developers tried to erect a pipeline to collect runoff and I was told to get a Court order to stop the work as our property would be affected by floodwaters not evident previously. • A water course cannot be diverted to pass over adjoining land. • Mr Kirkby's equine development proposal to raise the road and install a culvert will not work as it will result in water backing up. This would create another problem for Council. • Flooding issues need to be carefully considered. 		<ul style="list-style-type: none"> • Any development of the subject land referred to in submission reference 2005/17 will be subject to development consent. • As part of that development application, detailed flooding studies will be required to demonstrate the impacts of the proposed development.
<h1>No Map</h1>		COMPLETED – 15/05/07

SUBMITTOR	DATE REC'D	REFERENCE NO.
Denman & District Heritage Village Jeff Wolfgang "Mayland" DENMAN NSW 2328 Ph. 6547 2328	13 February 2007	<p style="text-align: center;">Denman & District Heritage Village</p> <p style="text-align: right;">2007/1</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • Have been offered 10ha of land at Green Valley Vineyard to establish a heritage village for the display of historic items. • It is a historic site which was once part of the former Merton Village. • Current owner is willing to donate the necessary land from his property. • We are hoping that the draft LEP can include provision for this size parcel of land to be rezoned for this use . • Letters of support from owner of land J Cruickshank and Denman & District Development Association 		<ul style="list-style-type: none"> • The proposed use of the subject land would fit within the definition of 'community facility' which is a permissible use within the RU1 zone. • The subdivision of land requested could be problematic until the rural lot size study was completed, however, the options for long term leasing of the site would remain.
		<p>COMPLETED – 15/05/07</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
Russell Byrnes Byrnes@bigpond.com Ph.	8 March 2007	1828 Denman Road, Denman 2007/2
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> Wish to confirm previous discussions regarding 1828 Denman Road of which I am the owner. Property has significant resources of sand and gravel adjacent to the Hunter River. There is no topsoil on top of it. Resource is 500/700m from crushing plant operating at 'Willowdell'. At present the zoning does not allow extraction of this resource and the proposed zoning should permit this activity. Please note this submission for consideration and advise of proposed zoning ASAP. 		<ul style="list-style-type: none"> Subject land is within the RU1 zone, where extractive industries are permissible.
		<p style="text-align: right;">COMPLETED – 15/05/07</p>

SUBMITTOR	DATE REC'D	REFERENCE NO.
Aberdeen Rifle Club PO Box 196 SCONE NSW 2337 Ph. 6545 1793 or 6543 2466	3 March 2007	Aberdeen Rifle Club 2007/3
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> • ARC is being pressured by the Upper Hunter Shire Council to relocate from its current site occupied for 150 years to free up land for housing development. • Anglo Coal have offered land in the buffer zone adjacent to their Coal Handling Plant, and ensures that rifle range and danger area is located within Dartbrook Coal land. • We are following guidelines from Dept of Defence and Firearms Registry. • One of the stipulations of our licence with Anglo Coal is that it does not take effect until all approvals have been gained from MSC and the Firearms Registry. 		<ul style="list-style-type: none"> • The subject land is within the RU1 zone where 'recreation facilities – outdoor' are permissible. • Use of land would be subject to development consent.
		COMPLETED – 15/05/07

SUBMITTOR	DATE REC'D	REFERENCE NO.
Bruce Macfarlane 2 Hillview Avenue MUSWELLBROOK NSW 2333 Ph. 0448 412321	15 December 2005	<p style="text-align: right;">Rail Coal Heritage Centre 2007/4</p>
SUMMARY OF SUBMISSION		PLANNING RESPONSE/ACTION
<ul style="list-style-type: none"> Request that Lots 11 and 12 are considered in LEP review to ensure the following activities are consistent with the zone. <ul style="list-style-type: none"> <u>Lot 12</u> <ul style="list-style-type: none"> - Railway station - Museum <u>Lot 11</u> <ul style="list-style-type: none"> - Visitor Information Centre - Public toilet facilities - Café or Aboriginal Heiritage Centre - Existing bus interchange, car parking and bus shelter. 		<ul style="list-style-type: none"> Included in schedule 1 – additional permitted uses.
		<p style="text-align: right;">COMPLETED – 15/05/07</p>

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