



New South Wales

# **Muswellbrook Local Environmental Plan 2009 (Amendment No 10)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

STEVE McDONALD, GENERAL MANAGER, MUSWELLBROOK SHIRE COUNCIL  
As delegate for the Minister for Planning and Infrastructure

## Muswellbrook Local Environmental Plan 2009 (Amendment No 10)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of Plan

This Plan is *Muswellbrook Local Environmental Plan 2009 (Amendment No 10)*.

### 2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

### 3 Land to which Plan applies

This Plan applies to the land to which *Muswellbrook Local Environmental Plan 2009* applies.

### 4 Maps

Each map adopted by *Muswellbrook Local Environmental Plan 2009* that is specified in Column 1 of the following table is declared by this Plan to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of the table as approved by the Minister on the making of this Plan:

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
Muswellbrook Local Environmental Plan 2009 Floor Space Ratio Map (5650_COM_FSR_005A_010_20120328)	Muswellbrook Local Environmental Plan 2009 Floor Space Ratio Map (5650_COM_FSR_005A_010_20130530)
Muswellbrook Local Environmental Plan 2009 Heritage Map (5650_COM_HER_008_080_20120404)	Muswellbrook Local Environmental Plan 2009 Heritage Map (5650_COM_HER_008_080_20130820)
Muswellbrook Local Environmental Plan 2009 Heritage Map (5650_COM_HER_009_080_20120328)	Muswellbrook Local Environmental Plan 2009 Heritage Map (5650_COM_HER_009_080_20130820)
Muswellbrook Local Environmental Plan 2009 Height of Buildings Map (5650_COM_HOB_005A_010_20120328)	Muswellbrook Local Environmental Plan 2009 Height of Buildings Map (5650_COM_HOB_005A_010_20130530)
Muswellbrook Local Environmental Plan 2009 Land Reservation Acquisition Map (5650_COM_LRA_008_080_20120328)	Muswellbrook Local Environmental Plan 2009 Land Reservation Acquisition Map (5650_COM_LRA_008_080_20130904)
Muswellbrook Local Environmental Plan 2009 Land Reservation Acquisition Map (5650_COM_LRA_008A_020_20120328)	Muswellbrook Local Environmental Plan 2009 Land Reservation Acquisition Map (5650_COM_LRA_008A_020_20130904)

<b>Column 1</b>	<b>Column 2</b>
<b>Name of map being amended or replaced</b>	<b>Name of amending or replacement map</b>
Muswellbrook Local Environmental Plan 2009 Lot Size Map (5650_COM_LSZ_005A_010_20120328)	Muswellbrook Local Environmental Plan 2009 Lot Size Map (5650_COM_LSZ_005A_010_20130530)
Muswellbrook Local Environmental Plan 2009 Lot Size Map (5650_COM_LSZ_008_080_20120328)	Muswellbrook Local Environmental Plan 2009 Lot Size Map (5650_COM_LSZ_008_080_20130628)
Muswellbrook Local Environmental Plan 2009 Lot Size Map (5650_COM_LSZ_008A_020_20120328)	Muswellbrook Local Environmental Plan 2009 Lot Size Map (5650_COM_LSZ_008A_020_20130530)
Muswellbrook Local Environmental Plan 2009 Land Zoning Map (5650_COM_LZN_005A_010_20120328)	Muswellbrook Local Environmental Plan 2009 Land Zoning Map (5650_COM_LZN_005A_010_20130419)
Muswellbrook Local Environmental Plan 2009 Land Zoning Map (5650_COM_LZN_008_080_20120328)	Muswellbrook Local Environmental Plan 2009 Land Zoning Map (5650_COM_LZN_008_080_20130820)
Muswellbrook Local Environmental Plan 2009 Land Zoning Map (5650_COM_LZN_008A_020_20120412)	Muswellbrook Local Environmental Plan 2009 Land Zoning Map (5650_COM_LZN_008A_020_20130419)

## Schedule 1 Amendment of Muswellbrook Local Environmental Plan 2009

### [1] Land Use Table

Insert “Camping grounds; Caravan parks;” after “Aquaculture;” in item 3 of the matter relating to Zone RU1 Primary Production.

### [2] Land Use Table, Zone E3

Insert “Camping grounds; Caravan parks;” after “Bed and breakfast accommodation;” in item 3.

### [3] Schedule 2 Exempt development

Insert after the matter relating to **Advertising structures**:

#### **A-frame signs, display of goods and street furniture on footpath**

- (1) Must be associated with a lawfully established business.
- (2) Must be on the part of the footpath that is adjacent to that business.
- (3) Must not obstruct access to the premises, adjacent premises or pedestrians using footpath.
- (4) Must be temporary and removed at the close of business each day.
- (5) Must be secure and stable.
- (6) Must be installed in accordance with the manufacturer’s specifications and any relevant Australian Standards.
- (7) Must not involve construction work.
- (8) Must be authorised under Division 3 of Part 9 of the *Roads Act 1993*.
- (9) If street furniture is used as part of an outdoor eating area, approval must be obtained under section 125 of the *Roads Act 1993*.
- (10) **A-frame signs**  
Must also comply with the following:
  - (a) maximum 1 per premises,
  - (b) maximum display area—0.5m<sup>2</sup>.

### [4] Schedule 5 Environmental heritage

Omit “Lot 1, DP 235996; Lot 13, DP 236687; Lot 151, DP 740809” from the matter relating to I82 in Part 1.

Insert instead “Part of Lot 102, DP 1170190”.

### [5] Schedule 5, Part 1, I89

Omit the matter relating to the item. Insert instead in appropriate order:

Muswellbrook	Edderton Homestead	Edderton Road	Part of Lot 9, DP 843635	Local	I89
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**[6] Schedule 5, Part 1, I90**

Omit the matter relating to the item. Insert instead in appropriate order:

Muswellbrook	Plashett Homestead	Edderton Road	Lot 2, DP 616024	Local	I90
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