

Bathurst Interim LEP 2005 Heritage amendment

Proposal Title : **Bathurst Interim LEP 2005 Heritage amendment**

Proposal Summary : **Amendment to two heritage items in Bathurst: increase the curtilage of the State Heritage-listed Cathedral of St Michael and St John (zoned 3(a)General Business); 107 William Street Bathurst; and decrease the curtilage around the Holy Family School, French Smith Place and Wentworth Drive, Kelso, zoned Residential 2(a).**

PP Number : **PP_2013_BATHU_002_00** Dop File No : **13/03555**

Planning Team Recommendation

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

S.117 directions : **2.3 Heritage Conservation**

Additional Information : **1. Consultation is required with the following public authorities under section 56(2)(d) of the EPAA: NSW Heritage Office (OEH)**

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 (EPAA) as follows:

- (a) the planning proposal must be made publicly available for 28 days, and**
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of 'A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012)'.**

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EPAA. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

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

5. Council's wish to utilise delegations in this matter is supported.

Supporting Reasons : **1. To ensure professional advice on the integrity of the amendment to the curtilage of the Holy Family School at Kelso is obtained and considered.**

2.To ensure an appropriate consultation period.

3.To ensure an adequate timeframe to complete the LEP.

Panel Recommendation

Recommendation Date : **14-Mar-2013**

Gateway Recommendation : **Passed with Conditions**

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

- 1. Prior to undertaking public exhibition, Council is to amend the project timeline within the planning proposal to reflect the 9 month timeframe allocated for completing the LEP.**
- 2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:**
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and**
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to**

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Preparing LEPs (Department of Planning & Infrastructure 2012).

3. Consultation is required with the NSW Office of Environment and Heritage (OEH) under section 56(2)(d) of the EP&A Act. OEH is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

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

Signature:



Printed Name:

NEIL SELMAN

Date:

15/03/2013