

**Bathurst Regional Council - Reclassification of Lot 7 DP DP 263393 Woodside Drive ,
Mount Rankin to operational land**

Proposal Title :	Bathurst Regional Council - Reclassification of Lot 7 DP DP 263393 Woodside Drive , Mount Rankin to operational land		
Proposal Summary :	Proposal to reclassify Lot 7 DP 263393 Woodside Drive Mount Rankin to operational land and extinguish all interests including public reserve status		
PP Number :	PP_2015_BATHU_001_00	Dop File No :	15/05016

Proposal Details

Date Planning Proposal Received :	13-Mar-2015	LGA covered :	Bathurst Regional
Region :	Western	RPA :	Bathurst Regional Council
State Electorate :	BATHURST	Section of the Act :	55 - Planning Proposal
LEP Type :	Reclassification		

Location Details

Street :	Woodside Drive		
Suburb :	Mount Rankin	City :	Bathurst
		Postcode :	2795
Land Parcel :	Lot 7 DP 263393 - land is zone R5 Large lot residential - minimum lots size is 10 ha		

DoP Planning Officer Contact Details

Contact Name :	Wayne Garnsey
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RPA Contact Details

Contact Name :	Nicholas Murphy
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DoP Project Manager Contact Details

Contact Name :	
Contact Number :	
Contact Email :	

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	N/A

**Bathurst Regional Council - Reclassification of Lot 7 DP DP 263393 Woodside Drive ,
Mount Rankin to operational land**

MDP Number :		Date of Release :	
Area of Release (Ha) :	10.00	Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	0	No. of Dwellings (where relevant) :	1
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **No known lobbyist contact**

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **No known meetings or communications with registered lobbyists**

Supporting notes

Internal Supporting Notes : **The proposal is a reclassification of public land from community to operational. Council wish to extinguish all interests including removing the public reserve status and sell the land.**

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **Council wish to reclassify the land from community to operational and sell the land.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **include the subject land in Part 2 of Schedule 4 of the Bathurst Regional LEP 2014- with interests changed**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered :

Bathurst Regional Council - Reclassification of Lot 7 DP DP 263393 Woodside Drive , Mount Rankin to operational land

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

Council has provided further information on 1 April 2015 justifying the inconsistency with s117 6.2 Reserving land for public purposes. It is considered that the nominated officer of the Department (General Manager Western Region) can approve that the reduction in the public recreation for this land is acceptable and also be satisfied that the inconsistency with this Direction is of minor significance.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

**Locality maps are provided.
No LEP mapping is required**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

The proposed community consultation for a period of 28 days is acceptable.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **November 2014**

Comments in
relation to Principal
LEP :

The Bathurst LEP 2014 was notified on 19 November 2014

Assessment Criteria

Need for planning
proposal :

A planning proposal is required to reclassify public land.

Consistency with
strategic planning
framework :

Council advise that the proposal is consistent with the endorsed strategy that the use of the land for large lot residential purposes. The subject land would appear to be a public reserve that is not utilised by the public and not maintained by Council. See further information provided by Council on 1 April 2015.

Environmental social
economic impacts :

The subject land is isolated and not easily accessible by the public. The land is also not maintained by Council.

**Bathurst Regional Council - Reclassification of Lot 7 DP DP 263393 Woodside Drive ,
Mount Rankin to operational land**

Assessment Process

Proposal type : **Consistent** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **Minister**

Public Authority
Consultation - 56(2)
(d) :

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Further Information - Bathurst 1 April 15.pdf	Proposal	No

Planning Team Recommendation

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

S.117 directions:

Additional Information : **1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act, 1979 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 Preparing LEPs (Department of Planning & Infrastructure 2013).

No consultation is required with public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act, 1979.

**Bathurst Regional Council - Reclassification of Lot 7 DP DP 263393 Woodside Drive ,
Mount Rankin to operational land**

2. Bathurst Regional Council is to include and explain in its community consultation package that it is intending to change interests in the land.

3. Bathurst Regional Council is to conduct a public hearing in accordance with the requirements of section 29 of the Local Government Act, 1993 as the proposal involves reclassification of the land from community to operational.

Note that additional information can be obtained from the Department's LEP practice note PN 09-003 – Classification and reclassification of public land through a local environmental plan.

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 Environmental Planning and Assessment Act ,1979.

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

Supporting Reasons : The subject land is not being utilised or maintained for public recreation.

Signature:

W Garnsey

Printed Name:

W GARNSEY

Date:

1/4/15