

Windradyne and Llanarth - zone boundary alterations between zone RE1 and R1 - Bathurst

Proposal Title : **Windradyne and Llanarth - zone boundary alterations between zone RE1 and R1 - Bathurst**

Proposal Summary : **Zone boundary alterations between zones R1 General Residential and RE1 Public recreation – Windradyne and Llanarth, Bathurst**

PP Number : **PP_2015_BATHU_005_00**

Dop File No : **15/15796**

Proposal Details

Date Planning : **04-Nov-2015**

LGA covered : **Bathurst Regional**

Proposal Received :

Region : **Western**

RPA : **Bathurst Regional Council**

State Electorate : **BATHURST**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **Ophir**

Suburb : **Llanarth**

City : **Bathurst**

Postcode : **2795**

Land Parcel : **Part Lot 11 DP 778516**

Street : **Governors Parade**

Suburb : **Windradyne**

City : **Bathurst**

Postcode : **2795**

Land Parcel : **Part Lot 138 DP1123180**

DoP Planning Officer Contact Details

Contact Name : **Wayne Garnsey**

Contact Number : **0268412180**

Contact Email : **wayne.garnsey@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Nicholas Murphy**

Contact Number : **0263336514**

Contact Email : **nicholas.murphy@bathurst.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Ashley Albury**

Contact Number : **0268412180**

Contact Email : **ashley.albury@planning.nsw.gov.au**

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	0	No. of Dwellings (where relevant) :	0
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 contact has been undertaken with lobbyist's**

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

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

Supporting notes

Internal Supporting Notes : **The proposal is considered a minor zone boundary realignment to facilitate the final residential design. These changes will result in a minor increase in recreation land provision.**
Council have advised that the zone RE1 land is in private ownership or Council owned and classified as operational with no land being a public reserve - therefore no reclassification is required.
Lot 138 Windradynne is Council owned - Council has requested delegation to finalise the amendment. No objection is raised to this as the land is already zoned for residential and public recreation.

External Supporting Notes :

Adequacy Assessment

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

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

Comment : **The objectives of the proposal is clear in that the minor zone boundary changes will facilitate future residential lay out**

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

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

Comment : **Yes provisions are clearly provided. The proposal will require LEP mapping changes to reflect the proposed zone boundaries**

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

3.2 Caravan Parks and Manufactured Home Estates

* May need the Director General's agreement

3.3 Home Occupations

3.4 Integrating Land Use and Transport

6.2 Reserving Land for Public Purposes

Is the Director General's agreement required? **No**

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 :

Section 6.2 Reserving land for public purposes. The proposal is changing land that is identified and zoned as public recreation albeit with a net overall increase of 3.7 ha of recreation land. The inconsistency is considered minor as the proposal is consistent with the endorsed strategy and results in a minor zone boundary change to facilitate the final residential lot layout. The General Manager Western Region as the nominated officer can be satisfied that this inconsistency is of minor significance in this case and can approve the proposed alteration. No further work is required in regard to this matter.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Locality mapping is provided to clearly indicate where the land is located and where the planning proposal applies.

LEP Maps compliant with the Departments Technical guidelines will be required at section 59 stage.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Yes – 28 days is adequate and 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 :

Comments in relation to Principal LEP :

The Bathurst LEP 2014 was notified on 19 November 2014

Assessment Criteria

Need for planning proposal :	To alter the proposed land use zonings as proposed requires a planning proposal.
Consistency with strategic planning framework :	The proposal is consistent with the endorsed Bathurst land use strategy. The proposal is considered minor as it facilitates the final residential design and layout and results in a net increase of public recreation land of 3.7 ha.
Environmental social economic impacts :	The proposal is for minor zone boundary changes and has minor social, economic and environmental impacts

Assessment Process

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

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

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
Bathurst Evaluation for delegation.pdf	Proposal	Yes
Bathurst email dated 4 Nov 2015 - no reclassification .pdf	Proposal	No
Bathurst Initial request for gateway.pdf	Proposal	Yes
Am 6 Council Report.pdf	Proposal	Yes
Planning Proposal requesting gateway determination.docx	Proposal	Yes
Bathurst covering letter dated 21 Oct 2015.pdf	Proposal Covering Letter	Yes

Bathurst Gateway determination dated 5 November
2015.pdf

Determination Document

Yes

Planning Team RecommendationPreparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **3.2 Caravan Parks and Manufactured Home Estates**
 3.3 Home Occupations
 3.4 Integrating Land Use and Transport
 6.2 Reserving Land for Public Purposes

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.

2. 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. 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).

3. Prior to submission of the planning proposal under Section 59 of the Environmental Planning and Assessment Act, 1979 the LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for LEP maps'.

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

Supporting Reasons : **The proposal should proceed as it is considered to be a minor zone boundary adjustment to facilitate the final residential lot layout with no adverse impact on the recreational land.**
Council has advised that no reclassification is required.

Signature:



Printed Name:

W G ARNSEY

Date:

5.11.15

