

5 BATHURST REGIONAL LEP 2014 AMENDMENT NO 6 – WINDRADYNE & LLANARTH OPEN SPACE ADJUSTMENT (20.00292)

Recommendation:

That Council:

- (a) prepare a Planning Proposal in accordance with the NSW Department of Planning and Environment Guidelines to amend the R1 General Residential and RE1 Local Recreation zone boundary adjacent to Sawpit Creek in Windradyne and Llanarth;
- (b) forward the Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway Determination;
- (c) accept any delegations from the Department of Planning and Environment in relation to this Planning Proposal; and
- (d) call a division.

Report:

Council has received two requests to consider an alteration to the Bathurst Regional Local Environmental Plan with respect to the R1 General Residential and RE1 Local Recreation zone interface in Windradyne and Llanarth. A location plan is included at **attachment 1**.

Site 1 – Lot 11 DP 778516, Ophir Road, Llanarth

Council has previously issued development consent for a residential subdivision comprising 18 residential lots and 2 open space lots. The approval retained two existing dwellings on two of the 18 proposed residential lots despite those lots being zoned recreation. Thus that part of the open space land would not have been dedicated to Council.

Council has received a request from the current landowner for it to consider an amended lot layout to cater for a multi-unit development on proposed lot 16. The amended lot layout is predicated on the need for a RE1/R1 zone boundary alteration. It is proposed to rezone an area on the southern boundary from RE1 Local Recreation to R1 General Residential and rezone land at the north of the site from R1 to RE1. Currently approximately 9240 sqm is zoned RE1, and following the proposed rezoning approximately 9623 sqm will be zoned RE1. This will result in an overall increase of 383 sqm of recreation land. See **attachment 2**.

The existing two houses will remain on the land zoned recreation however the development now proposes to demolish the two existing houses and dedicate the land to Council.

In this circumstance, ie the overall gain of recreation land, the demolition of the two dwellings in the open space, and the maintenance of an appropriate buffer to Sawpit Creek, the planning proposal should be supported.

Site 2 – Lot 138 DP 1123180, Governors Parade, Windradyne

It should be noted that Bathurst Regional Council is the owner of this particular lot.

Council's Windradyne 1001 subdivision is currently being designed. The final design has responded to the features of the land and has resulted in a number of proposed lots being located partially within the RE1 Local Recreation zone, and two lots wholly within the RE1 zone. It is proposed to rezone an area of approximately 0.68 hectares on the western boundary from RE1 Local Recreation to R1 General Residential. It is also proposed to rezone approximately 4 hectares from R1 General Residential to RE1 Local Recreation. This will result in an overall increase of approximately 3.32 hectares of Recreation land. See **attachment 3**. A 50 metre buffer will be retained to the adjoining rural zoned land to the west.

In this circumstance, ie the overall gain of recreation land, the planning proposal should be supported.

Conclusion

Council has received two separate requests to consider altering the R1 General Residential and RE1 Local Recreation zone interface in Windradyne and Llanarth. The proposed amendment results in an overall increase of approximately 4 hectares of RE1 Local Recreation zoned land. It is considered that in this circumstance that the request to amend the LEP should be supported.

Financial Implications

Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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| ● Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. | Strategy | 9.6 |
| ● Objective 10: To protect and enhance the region's biodiversity. | Strategy | 10.1 |
| ● Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. | Strategy | 28.1 |

Meeting type:	ORDINARY MEETING OF BATHURST REGIONAL COUNCIL		
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Minute Section:	RECEIVE AND DEAL WITH DIRECTORS' REPORTS	Section Number	12
Minute Status	Released		
Minute Security:	Standard		

SubSection:	Director Environmental Planning & Building Services' Report	SubSection Number:	12.02
Created By:	Sally Moore/BathurstCC	Division Required:	Yes

Subject:	BATHURST REGIONAL LEP 2014 AMENDMENT NO 6 - WINDRADYNE & LLANARTH OPEN SPACE ADJUSTMENT		
Item Number:	5		
File Number:	(20.00292)		
Minute Number:	23		

Moved By:	Cr G Westman	Seconded By:	Cr W Aubin
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Resolution: **RESOLVED:** That Council:

- (a) prepare a Planning Proposal in accordance with the NSW Department of Planning and Environment Guidelines to amend the R1 General Residential and RE1 Local Recreation zone boundary adjacent to Sawpit Creek in Windradyne and Llanarth;
- (b) forward the Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway Determination;
- (c) accept any delegations from the Department of Planning and Environment in relation to this Planning Proposal; and
- (d) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Cr M Coote,

Abstain - Nil

Precis: