



PLANNING PROPOSAL

FOR

**BATHURST REGIONAL LOCAL
ENVIRONMENTAL PLAN 2014
AMENDMENT No 4
(20.00290)**

ADDITIONAL LEP CLAUSES
(DRINKING WATER CATCHMENT, TEMPORARY USE OF
LAND AND MINIMUM LOT SIZES FOR CERTAIN SPLIT
ZONES)

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Schedule of Maps

Map Number	Map Name	Version
DWC_007	Drinking Water Catchment Map - Sheet DWC_007	A
DWC_011	Drinking Water Catchment Map - Sheet DWC_011	A
DWC_012	Drinking Water Catchment Map - Sheet DWC_012	A
DWC_013	Drinking Water Catchment Map - Sheet DWC_013	A
DWC_015	Drinking Water Catchment Map - Sheet DWC_015	A
DWC_016	Drinking Water Catchment Map - Sheet DWC_016	A
DWC_000	Site Identification Map	A
MCS_20150423	Map Cover Sheet	A

List of Attachments

Attachment Number	Name
1	Council memorandum to proceed with the Planning Proposal

Relevant Planning Authority Details

Relevant Planning Authority:	Bathurst Regional Council
Contact Person:	Ms Janet Bingham Manager Strategic Planning, Environmental Planning and Building Services Department
Contact Phone Number:	02 6333 6213
Contact email address:	council@bathurst.nsw.gov.au

Introduction

The Bathurst Regional LEP 2014 was gazetted on 18 November 2014. Since its gazettal Council has identified a number of additional clauses which would improve the operation of the Bathurst Regional LEP.

Council is proposing to insert 3 additional clauses, and where appropriate, the supporting maps. The clauses to be inserted are:

Item	Proposed clause number	Clause name
1	2.8	Temporary use of land
2	4.1C	Minimum lot sizes for certain split zones
3	7.14	Drinking water catchment

A copy of the Council memorandum to proceed with the Planning Proposal is provided at **attachment 1**.

If the Planning Panel so determines, Council will accept the delegated functions offered to it pursuant to Section 59 of the Environmental Planning and Assessment Act 1979.

The Planning Proposal has been prepared in accordance with Section 55 of *the Environmental Planning and Assessment Act 1979* (the Act) and the relevant Department of Planning Guidelines, including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

Part 1 Objectives or intended outcomes

1.1 Introduction

The Additional LEP Clauses Planning Proposal involves an amendment to the Bathurst Regional Local Environmental Plan 2014 to insert the following clauses:

Item	Proposed clause number	Clause name
1	2.8	Temporary use of land
2	4.1C	Minimum lot sizes for certain split zones
3	7.14	Drinking water catchment

The Planning Proposal aims to:

- a) Permit, with consent, uses on land (excluding the RU2 Rural landscape zone) within the Bathurst Regional LGA on a temporary basis up to 42 days in a calendar year;
- b) Permit the subdivision of land below the minimum lot size for lots with multiple zones; and
- c) Protect the Bathurst City drinking water supply from potential contaminants entering the waterway.

1.2 The subject land

Clause 2.8 Temporary use of land

This clause will apply to the Bathurst Regional LGA with the exception of land zoned RU2 Rural landscape at Mount Panorama.

Clause 4.1C Minimum lot sizes for certain split zones

This clause will apply to the Bathurst Regional LGA.

Clause 7.14 Drinking water catchment

This clause will introduce a new series of maps called the Drinking Water Catchment Maps. This clause will apply generally to rural lands identified on those maps.

Part 2 Explanation of Provisions

2.1 Introduction

The Additional LEP Clauses Planning Proposal involves an amendment to the Bathurst Regional Local Environmental Plan 2014 to insert the following clauses:

Item	Proposed clause number	Clause name
1	2.8	Temporary use of land
2	4.1C	Minimum lot sizes for certain split zones
3	7.14	Drinking water catchment

In respect of proposed clause 7.14 – Drinking Water Catchment, the Planning Proposal also seeks to insert the following map series.

Map Number	Map Name	Version
DWC_007	Drinking Water Catchment Map - Sheet DWC_007	A
DWC_011	Drinking Water Catchment Map - Sheet DWC_011	A
DWC_012	Drinking Water Catchment Map - Sheet DWC_012	A
DWC_013	Drinking Water Catchment Map - Sheet DWC_013	A
DWC_015	Drinking Water Catchment Map - Sheet DWC_015	A
DWC_016	Drinking Water Catchment Map - Sheet DWC_016	A
DWC_000	Site Identification Map	A
MCS_20150423	Map Cover Sheet	A

PART 3 Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

The Bathurst Regional LEP 2014 was gazetted on 18 November 2014. Since its gazettal Council has identified a number of additional clauses which would improve the operation of the Bathurst Regional LEP.

Temporary use of land

The proposed clause effectively makes the temporary use of land permissible with consent in any zone (except zone RU2 Rural Landscape) as long as Council is satisfied that the use will not compromise future development of the land, or have detrimental economic, social, amenity or environmental impacts on the land. It is proposed to limit the temporary use of land to a maximum of 42 days.

It is, however, not Council's intention to permit Commercial Motor Race Hosting (as defined in Clause 7.8 Mount Panorama commercial motor race hosting of the Bathurst Regional LEP 2014) as a temporary use. It is therefore Council's intention to use the model clause, with a modification excluding all lands zoned RU2 Rural Landscape.

Council wishes to include the clause in the Bathurst Regional LEP, as the clause will facilitate the temporary use of land that might otherwise be prohibited with the exception of land zoned RU2 Rural Landscape. The temporary use of land clause is a model clause which has been included in a large number of LEP's.

Council believes that the inclusion of the model clause (excluding land zoned RU2 Rural Landscape), will improve flexibility to cater for temporary uses of land within the Bathurst Region.

Drinking water catchment

Section 3.3 of the Australian Drinking Water Guidelines 2011 (updated Dec 2013) states that 'prevention is an essential feature of effective drinking water quality management. Preventative measures are those actions, activities and processes used to prevent hazards from occurring or reduce them to acceptable levels'. In particular, there should be a 'multiple barrier approach' and 'preventative measures should be applied as close to the source as possible, with a focus on prevention in catchments rather than sole reliance on downstream control'.

Development in drinking water catchments must consider likely impacts on the catchment, including measures to avoid, minimise or mitigate the impacts. Drinking water catchments and the associated Drinking Water Catchment Maps provide sufficient protection to assess a wider range of agricultural and other land uses on their merits without compromising the importance of protecting the drinking water catchments and drinking water quality.

Council considers that the inclusion of the model drinking water catchment clause within the Bathurst Regional LEP will increase the protection afforded to the City's drinking water.

Minimum lot sizes for certain split zones

Council, as part of the Bathurst Regional LEP 2014, rezoned a number of rural properties for residential purposes catering for the continuing growth of the Bathurst Region. Council has identified a number of properties which have multiple zones, primarily a rural and a residential zone. Council has received a number of enquiries from landowners with the split zones seeking consent to subdivide along the zone boundary, creating a residential zoned development lot and a rural zoned residual lot (which may include an existing dwelling) which is below the minimum lot size.

Council is seeking to insert the minimum lot sizes for certain split zones clause within the LEP to be able to subdivide a property with a split zoning along the zone boundary even if there is an existing dwelling on the residual rural lot which is below the minimum lot size.

The existing provisions within the current LEP do not enable Council to create a subdivision as described above. The proposed clause is similar in nature to Clause 4.1D of the Port Stephens LEP 2013, clause 4.1B in Tamworth LEP 2010, Hornsby LEP 2013, 4.1A in Uralla LEP 2012.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best means of achieving the intended outcomes of the Planning Proposal. The only avenue available to Council to insert additional clauses in the LEP is via a Planning Proposal.

Section B – Relationship to strategic planning framework

3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The following table addresses the evaluation criteria for the consistency with the regional and sub-regional strategies, as required by the guidelines for preparing a Planning Proposal.

Evaluation criteria	Y/N	Comment
Does the proposal have strategic merit and: ◇ Is consistent with a relevant local strategy endorsed by the Director General; or ◇ Is consistent with the relevant regional strategy or Metropolitan Plan; or ◇ Can it demonstrate strategic merit, giving consideration to the relevant section 117 directions applying to the site and other strategic considerations (e.g.	Yes	No sub-regional or metropolitan strategies apply to the Bathurst Region. The planning proposal is considered minor in nature and is consistent with the relevant Section 117 directions. Further explanation is below at Q 6 below.

proximity to existing urban areas , public transport and infrastructure accessibility, providing jobs closer to home etc)		
Does the proposal have site specific merit and is it compatible with the surrounding land uses, having regard to the following: ◇ The natural environment (including known significant environmental values, resources or hazards) and ◇ The existing uses, approved uses and likely future uses of the land in the vicinity of the proposal; and ◇ The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.	Yes	The inclusion of the additional LEP clauses will have minimal impact on the surrounding land uses. The drinking water catchment clause will exclude the landowners within the identified area being able to spread biosolids on their land and also require developments such as feedlots and the like to consider the impact of wastewater on the drinking water catchment. Council is satisfied that the clause will provide greater benefit to protecting the water catchment. The temporary use of land and the minimum lot size for certain split zone clauses will have little impact.

4. Is the Planning Proposal consistent with a Council's local strategy or other local strategic Plan?

The drinking water catchment clause is supported by the Bathurst 2036 Community Strategic Plan. Objective 12 discusses the protection and enhancement of water quality and riparian ecology. The protection of the water quality is directly impacted on by limiting the application of biosolids within the Bathurst City drinking water catchment. Additionally, the proposed drinking water catchment clause is consistent with Council's implementation of the Bathurst Region Urban Strategy.

The minimum lot size for certain split zones is supported by Objective 28 of the Bathurst 2036 Community Strategic Plan. Objective 28 discusses the planning for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. To facilitate the subdivision of land with split zones facilitates the growth of the region whilst considering the impact on the adjoining rural land. The Bathurst Region Urban Strategy provides clear direction for future growth and land-use change in the area for the next 15 to 20 years. The proposed amendment to facilitate the subdivision of split zones is consistent with the strategic direction established in the Bathurst Region Urban Strategy. Additionally, the proposed drinking water catchment clause is consistent with Council's implementation of the Bathurst Region Urban Strategy.

The temporary use of land clause is not directly supported by a strategy, however the inclusion of the clause will provide for the temporary use of land being permissible with consent in any zone (except zone RU2 Rural Landscape) as long as Council is satisfied that the use will not compromise future development of the land, or have

detrimental economic, social, amenity or environmental impacts on the land. It is proposed to limit the temporary use of land to a maximum of 42 days.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Council has undertaken a review to determine whether or not the Planning Proposal is consistent with the State Environmental Planning Policies. There are no SEPP's which are relevant to the Planning Proposal. See the table below.

State Environmental Planning Policy (SEPP)	Compliance (Yes/No or Not Relevant)
SEPP No 14 – Coastal Wetlands	Not Relevant
SEPP No 15 – Rural Landsharing Communities	Not Relevant
SEPP No 19 – Bushland in Urban Areas	Not Relevant
SEPP No 21 – Caravan Parks	Not Relevant
SEPP No 22 – Shops and Commercial Premises	Not Relevant
SEPP No 26 – Littoral Rainforests	Not Relevant
SEPP No 29 – Western Sydney Recreation Area	Not Relevant
SEPP No 30 – Intensive Agriculture	Not Relevant
SEPP No 32 – Urban Consolidation (Redevelopment of Urban Land)	Not Relevant
SEPP No 33 – Hazardous and Offensive Development	Not Relevant
SEPP No 36 – Manufactured Home Estates	Not Relevant
SEPP No 39 – Spit Island Bird Habitat	Not Relevant
SEPP No 41 – Casino Entertainment Complex	Not Relevant
SEPP No 44 – Koala Habitat Protection	Not Relevant
SEPP No 47 – Moore Park Showground	Not Relevant
SEPP No 50 – Canal Estate Development	Not Relevant
SEPP No 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	Not Relevant
SEPP No 55 – Remediation of Land	Not Relevant
SEPP No 59 – Central Western Sydney Regional Open Space and Residential	Not Relevant
SEPP No 60 – Exempt and Complying Development	Not Relevant
SEPP No 62 – Sustainable Aquaculture	Not Relevant
SEPP No 64 – Advertising and Signage	Not Relevant

SEPP No 65 – Design Quality of Residential Flat Development	Not Relevant
SEPP No 70 – Affordable Housing (Revised Schemes)	Not Relevant
SEPP No 71 – Coastal Protection	Not Relevant
SEPP (Affordable Rental Housing) 2009	Not Relevant
SEPP (Building Sustainability Index: BASIX) 2004	Not Relevant
SEPP (Exempt and Complying Development Codes) 2008	Not Relevant
SEPP (Housing for Seniors or People with a Disability) 2004	Not Relevant
SEPP (Infrastructure) 2007	Not Relevant
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not Relevant
SEPP (Kurnell Peninsula) 1989	Not Relevant
SEPP (Major Development) 2005	Not Relevant
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not Relevant
SEPP (Penrith Lakes Scheme) 1989	Not Relevant
SEPP (Rural Lands) 2008	Applies. See justification below.
SEPP (SEPP 53 Transitional Provisions) 2011	Not Relevant
SEPP (State and Regional Development) 2011	Not Relevant
SEPP (Sydney Water Drinking Catchment) 2011	Not Relevant
SEPP (Sydney Region Growth Centres) 2006	Not Relevant
SEPP (Temporary Structures) 2007	Not Relevant
SEPP (Urban Renewal) 2010	Not Relevant
SEPP (Western Sydney Employment Area) 2009	Not Relevant
SEPP (Western Sydney Parklands) 2009	Not Relevant

SEPP (Rural Lands) 2008

The minimum lot sizes for certain split zones clause will permit the subdivision of rural land below the minimum lot size (including land with an existing dwelling) but only where such land has been impacted upon by a recent urban rezoning under the Bathurst Regional LEP 2014. The minimum lot sizes for certain split zones clause seeks to facilitate urban development and enable the residual rural land to be excised. Council is of the opinion that the insertion of the minimum lot sizes for certain split zones clause will enable Council to zone only the land that it requires for

urban purposes, enabling the subdivision of the residual rural land, rather than zoning to lot boundaries.

6. Is the Planning Proposal consistent with applicable Ministerial Directions (s. 117 directions)?

Council has undertaken a review to ensure the planning proposal is consistent with all relevant Section 117 Ministerial Directions issued by the Minister for Planning to relevant planning authorities under section 117(2) of the *Environmental Planning and Assessment Act 1979*.

All relevant Section 117 Ministerial Directions are considered in the following table.

Section 117 Ministerial Direction	Consistency
1. Employment and resources	
1.1 Business and Industrial Zones	Not applicable. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
1.2 Rural Zones	Not applicable. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
1.4 Oyster Aquaculture	Not applicable. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
1.5 Rural Lands	The Section 117 direction applies to the planning proposal. The addition of the clauses within the LEP is not altering the zone of any rural zone. The temporary use of land clause will permit a use on the land on a temporary basis for up to 42 days in any year. Council will not apply the clause to the RU2 Rural Landscape zone as the zone applies to the privately owned land on

Section 117 Ministerial Direction	Consistency
	and surrounding Mount Panorama. Council does not wish to permit commercial motor race hosting as a temporary use to the RU2 land. Council as part of the Bathurst Regional LEP 2014 rezoned a number of rural properties for residential purposes catering for the continuing growth of the Bathurst Region. Council has identified a number of properties which have multiple zones, primarily a rural and a residential zone. Council has received a number of enquiries from landowners with the split zones seeking consent to subdivide along the zone boundary, creating a residential zoned development lot and a rural zoned residual lot (which may include an existing dwelling) which is below the minimum lot size. Council is seeking to insert the minimum lot sizes for certain split zones clause within the LEP to enable the subdivision of a property with a split zoning along the zone boundary even if there is an existing dwelling on the residual rural lot which is below the minimum lot size. The existing provisions within the current LEP do not enable Council to create a subdivision as described above. This proposed clause is similar in nature to Clause 4.1D of the Port Stephens LEP 2013, clause 4.1B in Tamworth LEP 2010, Hornsby LEP 2013, 4.1A in Uralla LEP 2012. Council is proposing to insert the Drinking Water Catchment clause into the LEP as a preventative measure. Preventative measures are those actions, activities and processes used to prevent hazards from occurring or reduce them to acceptable levels'. In particular, there should be a 'multiple barrier approach' and 'preventative measures should be applied as close to the source as possible, with a focus on prevention in catchments rather than sole reliance on downstream control'. Development in drinking water catchments must consider likely impacts on the catchment, including measures to avoid, minimise or mitigate the impacts. Drinking water catchments and the associated Drinking Water Catchment

Section 117 Ministerial Direction	Consistency
	Maps provide sufficient protection to assess a wider range of agricultural and other land uses on their merits without compromising the importance of protecting the drinking water catchments and drinking water quality. Council considers that the inclusion of the drinking water catchment clause within the Bathurst Regional LEP will increase the protection afforded to the City's drinking water. Whilst the clauses will apply to rural land, Council is satisfied that the matter is of minor significance and the planning proposal is consistent with the requirements of the direction.
2. Environment and Heritage	
2.1 Environment Protection Zones	Not applicable. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
2.2 Coastal Protection	Not applicable. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
2.3 Heritage Conservation	Not applicable. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
2.4 Recreation Vehicle Areas	Not applicable. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Not applicable. Council is satisfied that the planning proposal is consistent with the requirements of the direction as the zone of the land is not being altered.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
3.3 Home Occupations	Not applicable. Council is satisfied that the planning proposal is consistent with the requirements of the direction.

Section 117 Ministerial Direction	Consistency
3.4 Integrating Land Use and Transport	Not applicable. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
3.5 Development Near Licensed Aerodromes	The proposal does not alter or remove a provision relating to land in the vicinity of a licensed aerodrome. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
3.6 Shooting Ranges	The proposal does not affect land adjacent or adjoining an existing shooting range. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
4. Hazard and Risk	
4.1 Acid Sulfate Soils	The Bathurst Region does not include any land identified on Acid Sulfate Soils Planning maps held by the Department. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
4.2 Mine Subsidence and Unstable Land	The Bathurst Region does not include any land identified as within a Mine Subsidence District proclaimed under the Mine Subsidence Compensation Act 1961. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
4.3 Flood Prone Land	Whilst the temporary use of land clause will enable temporary uses on flood prone land, such development, including any temporary structures, would still require assessment under Clause 7.1 Flood Planning of the Bathurst Regional LEP 2014. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
4.4 Planning for Bushfire Protection	Whilst the temporary use of land clause will enable temporary uses on bush fire prone land, such development, including any temporary structures, would still require assessment under Clause 7.2 Bush fire prone land of the Bathurst Regional LEP 2014. Council is satisfied that the planning proposal is consistent with the requirements of the direction.

Section 117 Ministerial Direction	Consistency
5. Regional Planning	
5.1 Implementation of Regional Strategies	No regional or sub-regional strategy applies to the Bathurst Region. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
5.2 Sydney Drinking Water Catchments	The Bathurst Region is outside the identified Sydney Drinking Water Catchment area. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Does not apply to the Bathurst Region. No farmland of State or Regional significance is located within the Bathurst Region. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
5.4 Commercial and Retail; Development along the Pacific Highway, North Coast	Does not apply to the Bathurst Region. No regional or sub-regional strategy applies to the Bathurst Region. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
5.8 Second Sydney Airport: Badgerys Creek	Does not apply to the Bathurst Region. No regional or sub-regional strategy applies to the Bathurst Region. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
5.9 North West Rail Link Corridor Strategy	Does not apply to the Bathurst Region. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
6. Local Plan Making	
6.1	The Planning Proposal does not affect development application provisions and

Section 117 Ministerial Direction	Consistency
Approval and referral Requirements	does not propose any referral provisions relating to this land. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
6.2 Reserving land for Public Purposes	The Planning Proposal does not relate to reserving land for public purposes. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
6.3 Site Specific Provisions	The Planning Proposal does not relate to a particular development to be carried out on a specific site. Council is satisfied that the planning proposal is consistent with the requirements of the direction.
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Strategy	Does not apply to the Bathurst Region. Council is satisfied that the planning proposal is consistent with the requirements of the direction.

Section C – Environmental , social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Council is satisfied that, as a result of the Planning Proposal, critical habitat, threatened species, populations or ecological communities will not be adversely affected.

8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Council considers that there are no likely environmental effects as a result of the Planning Proposal. The Planning Proposal aims to:

- a) Permit, with consent, uses on land within the Bathurst Regional LGA on a temporary basis up to 42 days in a calendar year (excluding land zoned RU2 Rural Landscape);
- b) Permit the subdivision of land below the minimum lot size for lots with multiple zones; and
- c) Protect the Bathurst City drinking water supply from potential contaminants entering the waterway.

9. Has the Planning Proposal adequately addressed any social and economic effects?

Social Impacts

It is considered that as a result of the Planning Proposal there are no social impacts that need to be addressed.

Economic Impacts

It is considered that as a result of the Planning Proposal there are no economic impacts that need to be addressed.

Section D State and Commonwealth interests

10. Is there adequate public infrastructure for the Planning Proposal?

The Planning Proposal does not impact on any existing or future public infrastructure.

11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the Gateway Determination?

Council has not consulted with any Government Agencies in the preparation of the Planning Proposal.

Council proposes to consult with the Department of Primary Industries, Western NSW Local Health District and Oberon Shire Council in relation to the Planning Proposal concurrently with its public exhibition.

Part 4 Mapping

The following maps are proposed to be inserted into the Bathurst Regional LEP 2014 as part of this planning proposal.

Map Number	Map Name	Version
DWC_007	Drinking Water Catchment Map - Sheet DWC_007	A
DWC_011	Drinking Water Catchment Map - Sheet DWC_011	A
DWC_012	Drinking Water Catchment Map - Sheet DWC_012	A
DWC_013	Drinking Water Catchment Map - Sheet DWC_013	A
DWC_015	Drinking Water Catchment Map - Sheet DWC_015	A
DWC_016	Drinking Water Catchment Map - Sheet DWC_016	A
DWC_000	Site Identification Map	A
MCS_20150423	Map Cover Sheet	A

Part 5 Community Consultation

Council anticipates that following the Gateway Determination and Council satisfying any conditions imposed prior to the public exhibition period, the Planning Proposal will be placed on public exhibition for a period of 28 days.

It is proposed that the Planning Proposal will be publically notified by:

- a) a notice in the Western Advocate newspaper on at least 2 occasions;
- b) affected landowners in relation to the split zone clause;
- c) written notification to all landowners in the Bathurst Region who are located within the identified drinking water catchment and who have applied biosolids on their land in the proceeding 5 years;
- d) written notification to Australian Native Landscape, who are the authorised agent to spread biosolids within the Bathurst Region;
- e) written notification to identified water quality interest groups within the Bathurst Region; and
- f) notification on Council's website.

A Public Hearing is not proposed to be conducted as part of this Planning Proposal.

If the Planning Panel deems necessary, Council will notify the relevant government public authorities concurrently with the public exhibition period with respect to the Planning Proposal.

Following the public exhibition period, this section will be altered to reflect the extent of consultation that was undertaken, including any issues which were raised as a result of the consultation.

Part 6 Project timeframe

The following table outlines Council's anticipated timetable for the completion of the Planning Proposal. Council anticipates that the process will take approximately 9 months from the date of the Gateway Determination.

Step	Criteria	Project timeline
1	Anticipated commencement date (date of Gateway determination)	July 2015
2	Anticipated timeframe for the completion of required technical information	July 2015
3	Timeframe for government agency consultation	28 days to mid-September 2015
4	Commencement and completion dates for public exhibition period	28 days to mid-September 2015
5	Dates for public hearing (if required)	Not required
6	Timeframe for consideration of submissions	October 2015
7	Timeframe for the consideration of a proposal post exhibition	November 2015
8	Date of submission to the department to finalise the LEP	December 2015
9	Anticipated date RPA will make the plan (if delegated)	February 2016
10	Anticipated date RPA will forward to the department for notification.	March 2016

Attachment 1 Council memorandum

MEMORANDUM

TO: GENERAL MANAGER

FROM: DIRECTOR ENVIRONMENTAL, PLANNING & BUILDING SERVICES

DATE: 8 MAY 2015

SUBJECT: **BATHURST REGIONAL LOCAL ENVIRONMENT PLAN 2014 AMENDMENT NO. 4 – ADDITIONAL LEP CLAUSES**
Bathurst Regional Local Environment Plan 2014 – (Amendment No 4)

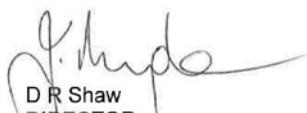
FILE: NM:LMW:20.00290

Under authority delegated by you, I hereby resolve to:

- (a) prepare a Planning Proposal in accordance with the NSW Department of Planning and Environment Guidelines to insert three additional LEP clauses:
 - i) Drinking water catchment
 - ii) Temporary use of land
 - iii) Minimum lot sizes for certain split zones.
- (b) The Planning Proposal aims to:
 - i) Permit, with consent, uses on land within the Bathurst Regional LGA on a temporary basis up to 42 days in a calendar year;
 - ii) Permit the subdivision of land below the minimum lot size for lots with multiple zones; and
 - iii) Protect the Bathurst City drinking water supply from potential contaminants entering the waterway.
- (c) forward the Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway Determination; and
- (d) accept any delegations from the Department of Planning and Environment in relation to this Planning Proposal.

Recommendation

That this resolution be noted.


D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

mnm - depbs - gm - lep amendment 4.docx