



9 January 2019

Mr D Pfeiffer
General Manager, Western Region
NSW Department of Planning and Environment
PO Box 58
DUBBO NSW 2830

Dear Mr Pfeiffer

Draft Bathurst Regional LEP 2014 – Amendment No 14

I refer to the request for Gateway Determination dated 18 September 2018.

In response to your request for additional information dated 26 October 2018, the following information is provided:

1. The land was originally zoned RE2 Private Recreation as it formed part of the St Pats Club and the northern part of the land was used for active recreation. Subsequently, a clubhouse and fields for their use have been constructed privately. The site is currently undergoing redevelopment, and is no longer being used for recreation activities. Council negotiated the purchase of the southern portion of the land which contains important environmental habitat. Now in Council's ownership, it is proposed to rezone that part of the land, to protect the environmental habitat and to reflect the actual use of the residual land.

The land is physically separated from other Council owned recreation land. The configuration of the land is not conducive to active recreation and would need to form part of a larger precinct to provide a recreation benefit to the community. At this stage, Council does not have any specific use identified for the site other than for environmental restoration, however part of it could be leased for agistment or cropping.

It is recommended that the rezoning, as identified at **attachment 1** be supported.

2. Annotated maps have been provided in relation to the Heritage Items. Please see **attachment 2**.
3. The amendments to Schedule 5 of the LEP have been supported by Council's Heritage Advisor. A copy of the Heritage Advisor's assessment is provided at **attachment 3**.
4. Council acknowledges the provisions that the Inland Code has allowed for shipping containers. However Council wishes to pursue the proposed

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amendment to Schedule 2 of the LEP as it includes controls for urban zoned properties.

5. Amendment to Clauses 11 & 12 of Schedule 2 will also include the use of non-combustible materials. This will be reflected in the public exhibition documentation.
6. There are a number of Educational Establishments, both public and private, which are not located on main roads. Currently, the LEP does not permit the Education Establishment to place signage to direct the travelling public to that establishment. The minor amendment to the wording of the clause will allow Council to grant consent to these types of signs. The draft wording of Clause 7.10(2) is provided at **attachment 4**.

If you have any queries please contact Mr Nicholas Murphy, Senior Strategic Planner of Council's Environmental Planning & Building Services Department on 02 6333 6514.

Yours faithfully



J E Bingham
MANAGER STRATEGIC PLANNING

Map of the Edgell area showing proposed rezoning areas. The map includes streets such as Gilmour St, Edgells Ln, and Leo Grant Dr. A large area is outlined in purple and labeled 'Proposed RU4'. A smaller area is outlined in blue and labeled 'Proposed E2'. Other areas are labeled 'E2' and 'RE1'. The map also shows various lot numbers and surrounding properties.

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Attachment 1

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The map displays a residential neighborhood with several streets and lots. Key features include:

- Streets:** Gilmour St, Edgells Ln, Leo Grant Dr, Barker Cct, Cambridge Ct, and Graham Dr.
- Zoning Designations:**
 - Proposed RU4:** A large pink-shaded area in the center-right.
 - Proposed E2:** A blue-outlined rectangular area at the bottom right.
 - E2:** An orange-shaded area adjacent to the Proposed E2.
- Lots and Addresses:** Numerous lots are identified by numbers and addresses, including 1 (747866), 2 (841454), 3 (6537), 4 (6537), 5 (263985), 6 (6444), 7 (6444), 8 (6444), 9 (6444), 10 (263985), 11 (263985), 12 (263985), 13 (6444), 14 (6444), 15 (6444), 16 (6444), 17 (222872), 18 (222872), 19 (222872), 20 (222872), 21 (222872), 22 (222872), 23 (222872), 24 (222872), 25 (222872), 26 (222872), 27 (222872), 28 (222872), 29 (222872), 30 (222872), 31 (222872), 32 (222872), 33 (222872), 34 (222872), 35 (222872), 36 (222872), 37 (222872), 38 (222872), 39 (222872), 40 (222872), 41 (222872), 42 (222872), 43 (6537), 44 (6537), 45 (262572), 46 (262572), 47 (262572), 48 (6537), 49 (6537), 50 (6537), 51 (6537), 52 (6537), 53 (6537), 54 (6537), 55 (6537), 56 (6537), 57 (6537), 58 (6537), 59 (6537), 60 (6537).
- Other Labels:** "RE1", "RE2", "SP2 Classified Road", "B1", "KELSO", "Edgells Ln", "Leo Grant Dr", "Barker Cct", "Cambridge Ct", "Graham Dr".

Attachment 1

Map showing proposed zoning changes in Kelso, BC. The map displays various streets including Gilmour St, Edgells Ln, Leo Grant Dr, Barker Cct, and Cambridge Ct. A large parcel is outlined in purple and divided into three sections: Proposed RU4 (pink), Proposed E2 (blue), and E2 (orange). Other parcels are labeled with numbers and addresses, such as 1 747866, 10 263985, 8 263985, 7 263985, 2 747866, 13 6444, 14 6444, 15 6444, 16 6444, 2 222872, 5 222872, 402 1131422, 45 262572, 43 6537, 44 6537, 48 6537, 61 6537, 9 6444, 8 6444, 7 6444, 6 6444, and 5 6444. The map also shows various zoning designations like RE1, RE2, and B1.

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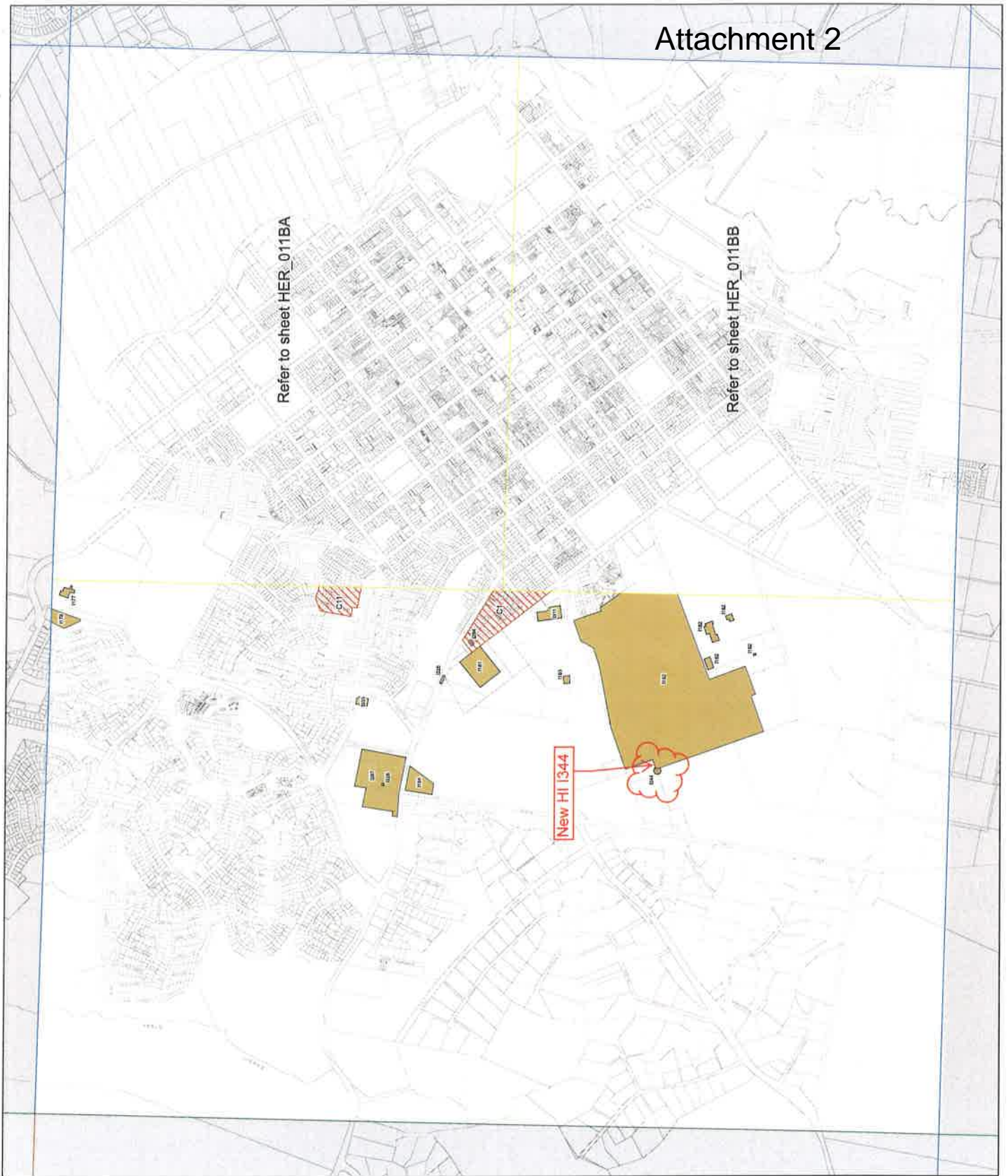
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Lot Number	Acreage	Address
1	747866	Gilmour St
2	841454	Edgells Ln
3	6537	Gilmour St
4	6537	Gilmour St
5	263985	Jacks Close
6	6444	Edgells Ln
7	6444	Edgells Ln
8	6444	Edgells Ln
9	6444	Edgells Ln
10	263985	Jacks Close
11	263985	Jacks Close
12	263985	Jacks Close
13	6444	Edgells Ln
14	6444	Edgells Ln
15	6444	Edgells Ln
16	6444	Edgells Ln
17	222872	Edgells Ln
18	222872	Edgells Ln
19	222872	Edgells Ln
20	222872	Edgells Ln
21	222872	Edgells Ln
22	222872	Edgells Ln
23	222872	Edgells Ln
24	222872	Edgells Ln
25	222872	Edgells Ln
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37	222872	Edgells Ln
38	222872	Edgells Ln
39	222872	Edgells Ln
40	222872	Edgells Ln
41	222872	Edgells Ln
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100	222872	Edgells Ln

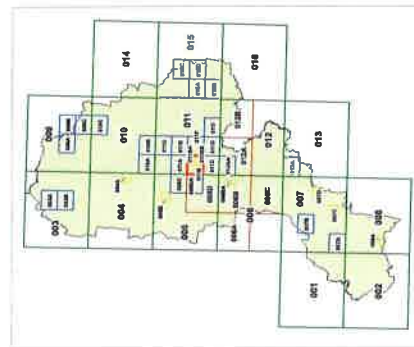


Heritage

- Conservation Area - General
- Item - General

Cadastre

Base data 23/04/1957 © Land and Property
Information (LPI)
Addendum data 08/09/2017 © Bathurst Regional
Council



Projection: GDA 1984
MGA Zone 55

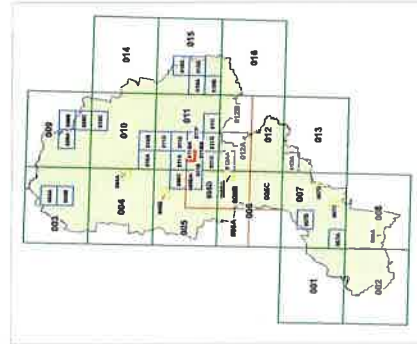
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Heritage



Cadastre

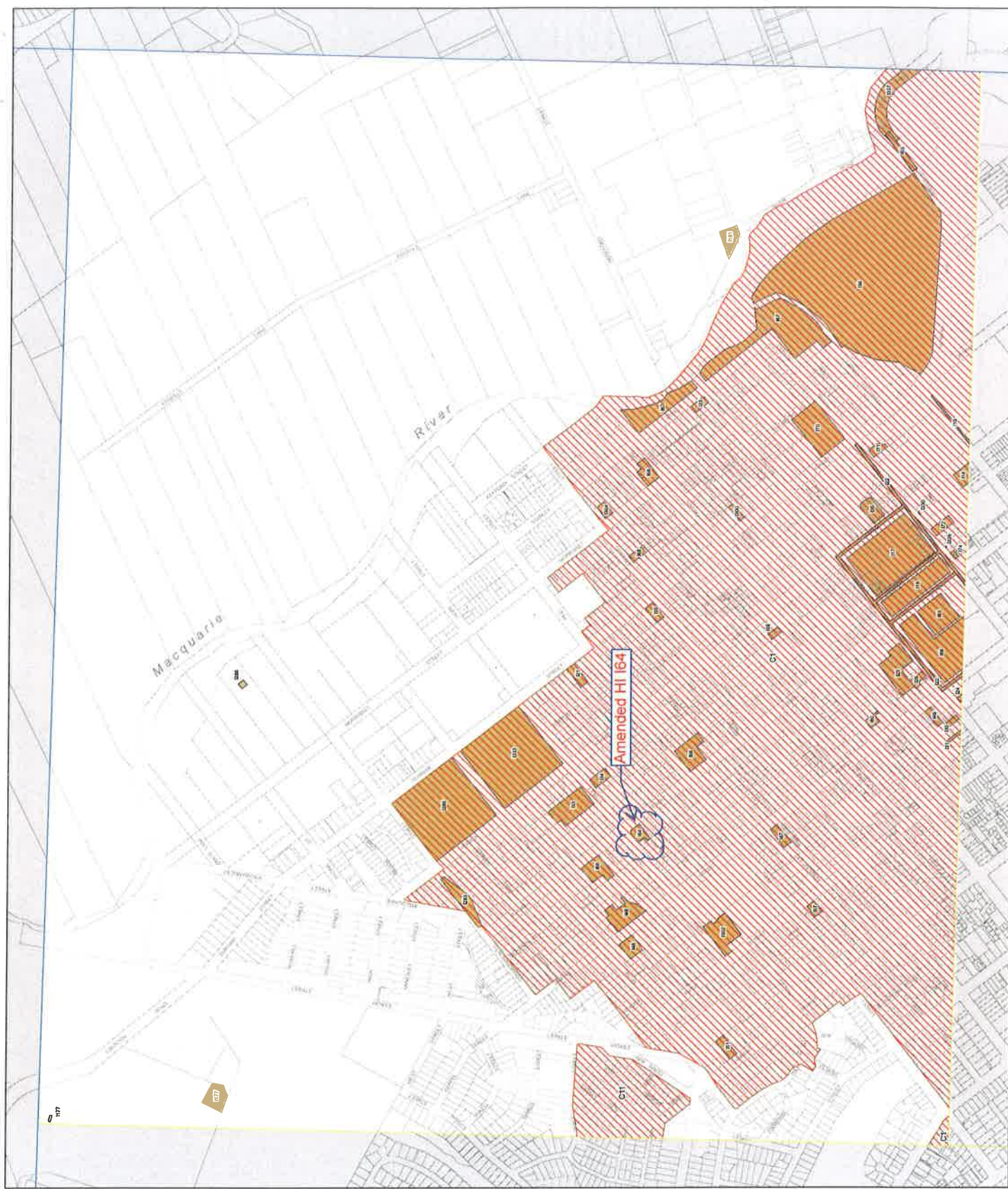
Base data 23/04/1997 © Land and Property
Information (LPI)
Addendum data 08/09/2017 © Bathurst Regional
Council



Scale: 1:10,000 @ A3
Projection: GDA 1984
MGA Zone 55

Map identification number:

0112_C0M_HER_011BA_010_2010020

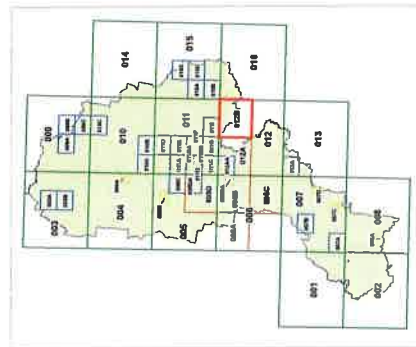


Heritage

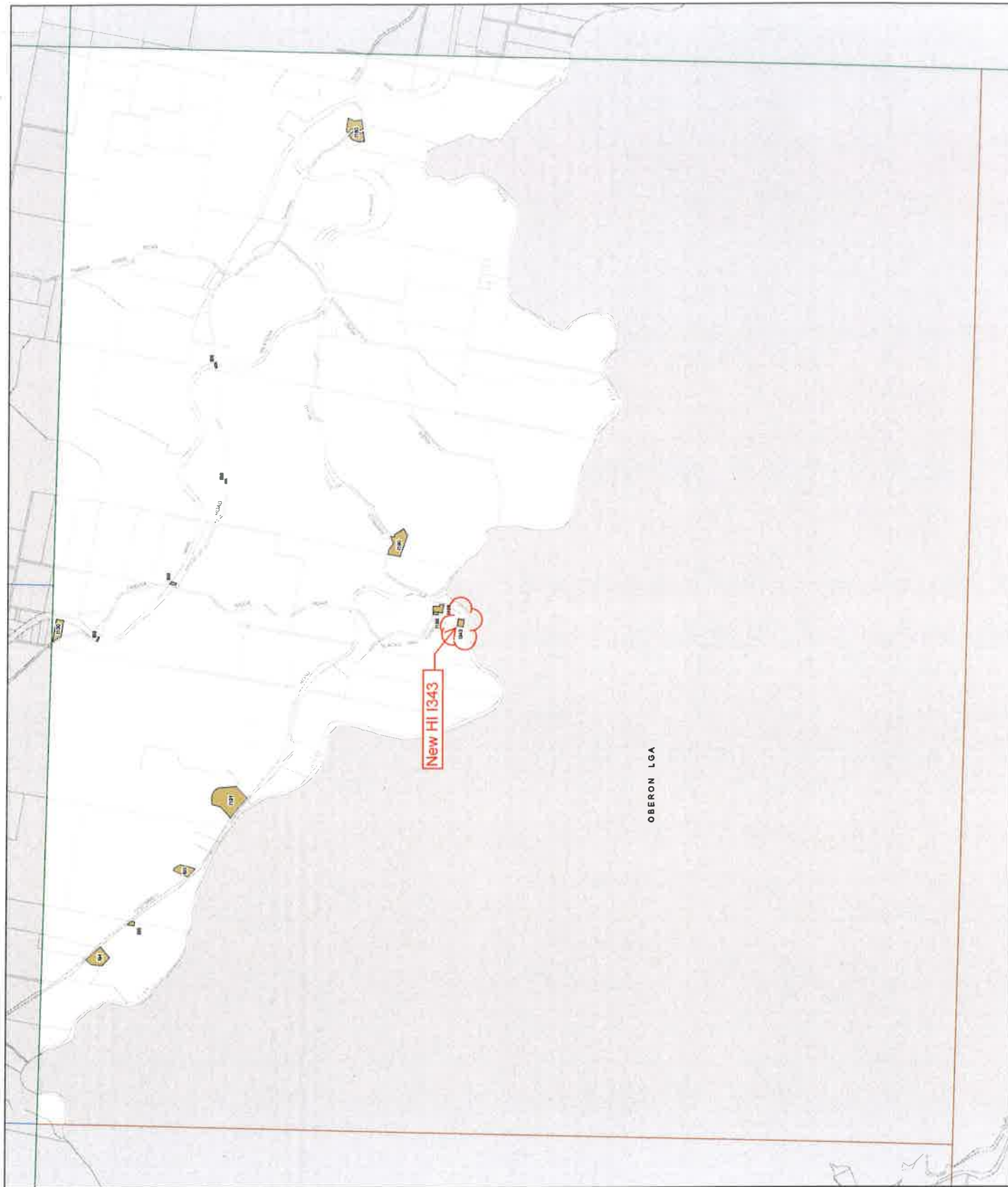


Cadastral

Base data 23/04/1997 • Land and Property
Information (LPI)
Addendum data 08/09/2017 • Bathurst Regional
Council



Scale: 1:40,000 @ A3
Projection: GDA 1994
MGA Zone 55



MEMORANDUM

TO: SENIOR STRATEGIC PLANNER – NICHOLAS MURPHY
FROM: SENIOR HERITAGE PLANNER – ASHLEE CUTTER
DATE: 5 DECEMBER 2018
SUBJECT: LEP HOUSEKEEPING – HERITAGE ADVISOR COMMENTS
FILE: 20.00322

21 Blacks Mill Lane – Mill Cottage

This cottage, possibly built by Daniel Roberts as residence for the now demolished flour mill, is one of the oldest houses in the Bathurst Regional Council area, circa 1826. The original structure is a single storey stone residence consisting of two rooms with a rear stair and attic. The qualities of the original structure that are of architectural interest include the modest scale, simple gable roof form with dormer windows in the attic, and the walls constructed of random rubble stonework. It is a rare and significant example of a vernacular style residential cottage associated with early pastoral life and pursuits with milling. The cottage also served as a Post Office for the O'Connell area in the 1800's. Presently the house is in good condition and is being maintained by its current owners.

It is recommended that Mill Cottage be listed as an item of LOCAL significance.

Boundary Road Reserve - Reference Tree on DP47960

An original example of a reference tree from the Crown Plan of Survey of Portion 186 marked 1873. The blaze, most likely cut using an axe, exposed the solid wood of the trunk, with typically a broad arrow and numbers of the portions (allotments of land) being added. This is a highly significant extant example of a reference tree showing the cadastral boundaries that it references. This type of marking is becoming rarer to discover due to the pressures of urbanisation and rural cultivation, and significantly was the only type of mark able to be used by surveyors up until 1886. The markings are in original condition, albeit partially obscured due to tree growth, with the tree surrounded by two galvanised iron pipes buried 100-300 mm below the surface in the area surrounding the boundary corner in question.

It is recommended that the Boundary Road Reserve Reference Tree be listed as an item of LOCAL significance.

10 Bishop Street, Bathurst

294 Russell Street, Bathurst, Oakstead ((Formerly Presbyterian Manse). The dwelling is one of a series of large Victorian houses set in spacious gardens on the north west hill overlooking the city. Largely intact and in a prominent location it makes

a significant contribution to the streetscape as well as having historical significance in relation to its use as the Presbyterian manse.

Council approved a single storey dwelling at the rear of 294 Russell Street, known as 10 Bishop Street, Bathurst. The development was supported as it proposed an appropriate curtilage from the existing heritage item located on the site. An existing swimming pool and retaining wall separates the heritage item from the new dwelling. In addition, the new dwelling is at the rear of the site, leaving the streetscape of Russell Street unchanged.

As the building located at 10 Bishop Street is a new building with no heritage significance, and on its own title, it is proposed to remove the heritage item off the title relating to 10 Bishop Street.

Removal of the heritage item from 10 Bishop Street is recommended.

A handwritten signature in black ink, appearing to read 'Kylie Christian', with a stylized, flowing script.

Kylie Christian
HERITAGE ADVISOR

7.10 Signage

- (1) Development consent must not be granted to the erection of signage on any land, except land in Zone SP3 Tourist, unless:
 - (a) the signage relates to the approved use of the site and is located on the land on which that use is being conducted, and
 - (b) the dimensions and overall size of the signage is not larger than would reasonably be required so to inform the public.
- (2) Despite subclause (1), development consent may be granted to the erection of signage on any land for the specific purpose of directing the travelling public to educational establishments, tourist facilities or places of scientific, historic or scenic interest, if the consent authority is satisfied that:
 - (a) the signage relates to a specific building or place within Bathurst Regional local government area, and
 - (b) the principal purpose of the signage is to direct the travelling public to that building or place, and
 - (c) the dimensions and overall size of the signage are not larger than would reasonably be required so to direct the travelling public.
- (3) Despite subclause (1), development consent may be granted to a directory board sign on any land if the consent authority is satisfied that:
 - (a) the directory board sign relates to a business or industrial estate or park in the Bathurst Regional local government area and is located at the entrance to that estate or park, and
 - (b) the dimensions and overall size of the signage are not larger than would reasonably be required to direct the public to the business or industrial estate or park.
- (4) Despite subclause (1), development consent may be granted to signage of a temporary nature on any land if the consent authority is satisfied that:
 - (a) the signage relates to a local event within the Bathurst Regional local government area, and
 - (b) the signage will not be displayed for more than 28 days before the event or 7 days after the event.
- (5) Despite subclause (1), development consent may be granted to signage on any land for the specific purpose of advertising premises for sale or for lease.
- (6) Despite subclause (1), development consent may be granted to interpretive signage on any land for the specific purpose of interpreting the built or natural environment or an item of historic nature.
- (7) In this clause:

directory board sign means a sign that displays a business identification sign for 2 or more businesses.

interpretive signage means a sign that displays interpretive information for a building or place of a historic, environmental or scenic nature.