

Planning Services

IRF19/2847

Gateway determination report

LGA	Bathurst Regional
PPA	Bathurst Regional Council
NAME	To permit health services facilities in zone RE2 Private Recreation (0 homes, 0 jobs)
NUMBER	PP_2019_BATHU_001_00
LEP TO BE AMENDED	Bathurst LEP 2014
ADDRESS	6 sites- various locations
DESCRIPTION	Lot 2 DP 716663 2 Commonwealth Street West Bathurst Lot 6 DP 708190 184 Morrisset Street West Bathurst Lot 4 DP 615659 45 Mitre Street Bathurst Lot 24 DP 1240125 234 Gilmore Street Kelso Lot 250 DP 1113982 7 Upfold Street Gormans Hill Lot 4 DP 1015387 8 Havannah Street Bathurst
RECEIVED	Adequate 17 April 2019
FILE NO.	IRF19/2847
POLITICAL DONATIONS	There are no known donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no known meetings or communications with registered lobbyists with respect to this proposal

1. INTRODUCTION

1.1 Description of planning proposal

To omit Health Services Facilities as prohibited development in zone RE2 Public Recreation and insert such use as permissible development. Council advise it has undertaken a review of health services facilities to help facilitate such uses near the Bathurst Base Hospital.

1.2 Site description

The proposal applies to six (6) sites as follows:

1. Lot 2 DP 716663 2 Commonwealth Street West Bathurst – PCYC
2. Lot 6 DP 708190 184 Morrisset Street West Bathurst - Ten Pin Bowling
3. Lot 4 DP 615659 45 Mitre Street Bathurst- vacant land
4. Lot 24 DP 1240125 234 Gilmore Street Kelso – St Pats sporting club/hotel
5. Lot 250 DP 1113982 7 Upfold Street Gormans Hill – Greyhound Racing track
6. Lot 4 DP 1015387 8 Havannah Street Bathurst – dwelling

Sites 1, 2 and 3 are located in close proximity to the Bathurst Base Hospital.

1.3 Existing planning controls

Bathurst LEP 2014 currently does not permit Health Services Facilities on zone RE2 land. Council has submitted that this is reasonable use on the subject land that will provide flexibility and benefit the Bathurst Regional LGA and surrounding areas.

The intent of the proposal is to allow Health Services Facilities as a permissible use on zone RE2 Private recreation land.

Health services facilities means the following:

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

This will provide a range and flexibility for the provision of such services in Bathurst.

1.4 Surrounding area

Sites 1, 2 and 3 are in close proximity to Bathurst Base Hospital and with associated health services facilities and aged care facilities nearby.

Sites 4, 5 & 6 are near existing recreation facilities with good access and services.

Sites 1, 2, 4, 5 and 6 appear to be flood affected.

1. Lot 2 DP 716663 2 Commonwealth Street West Bathurst – PCYC



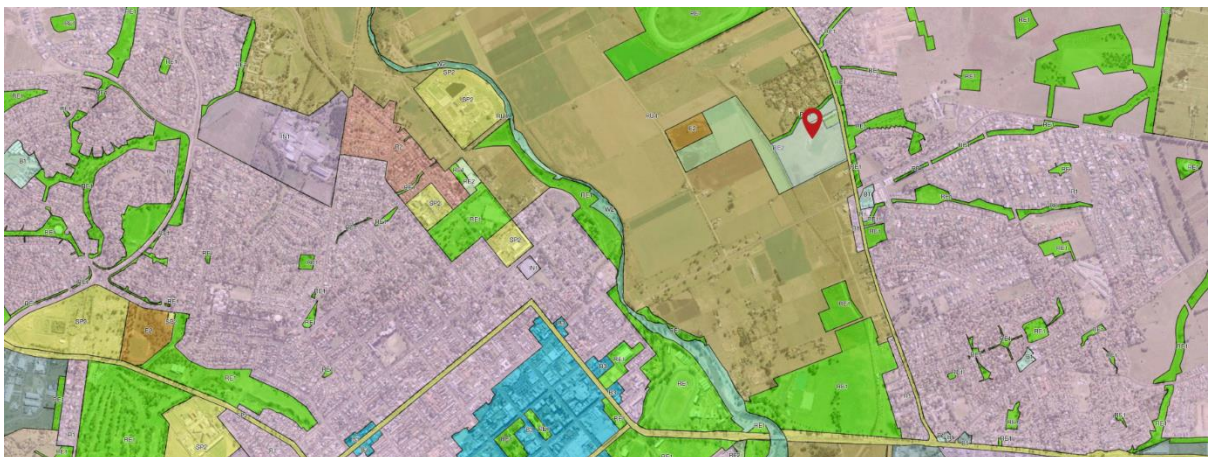
2. Lot 6 DP 708190 184 Morrisset Street West Bathurst - Ten Pin Bowling



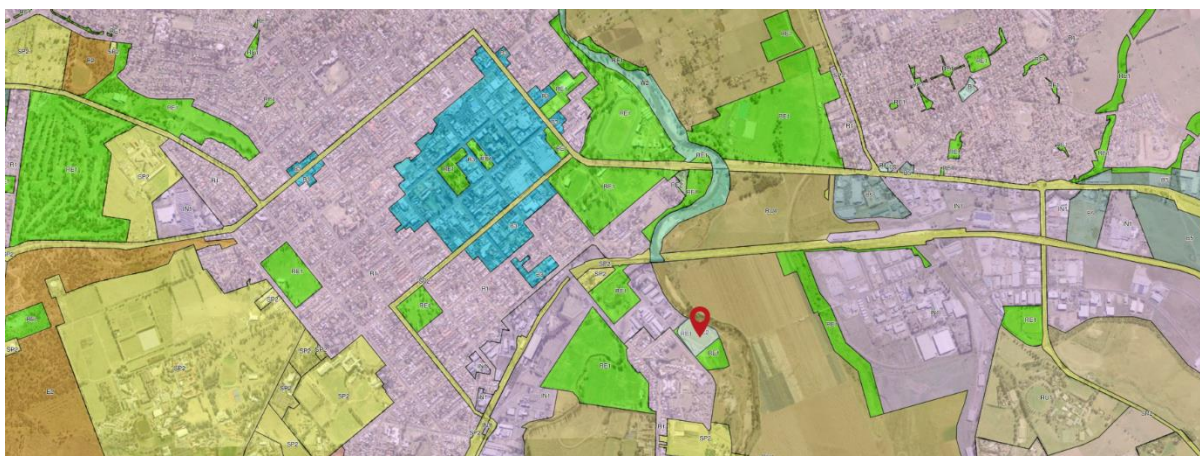
3. Lot 4 DP 615659 45 Mitre Street Bathurst- vacant land



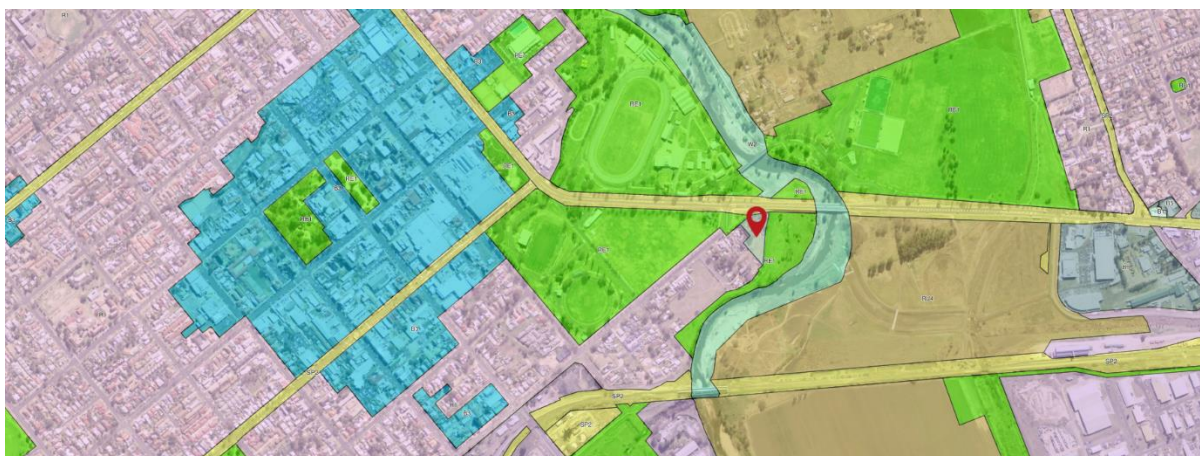
4. Lot 24 DP 1240125 234 Gilmore Street Kelso – St Pats sporting club/hotel



5. Lot 250 DP 1113982 - 7 Upfold Street Gormans Hill – Greyhound Racing track



6 Lot 4 DP 1015387 8 Havannah Street Bathurst



1.5 Summary of recommendation

Proceed as submitted as Council has justified the intent of the proposal on the subject land and issue a conditional Gateway determination.

2. PROPOSAL

2.1 Objectives or intended outcomes

The objectives of the proposal are clear to allow Health Services Facilities on the subject land that are zoned RE2 Private recreation. The planning proposal adequately describes the intent the justification and where the amendment will apply.

The proposal is not anticipated to adversely impact on existing or future use or intent of zone RE2 land.

2.2 Explanation of provisions

The proposed LEP amendments are they clear in that Health Services Facilities will be permitted on the subject land that is zone RE2 Private recreation.

2.3 Mapping

The maps included in the proposal are adequate to show the current and proposed controls and are suitable for community consultation.

No LEP mapping will be required.

3. NEED FOR THE PLANNING PROPOSAL

Council has justified the proposed amendment that will provide further flexibility in allowing Health Services Facilities on the subject land. A planning proposal is required and is the best means to facilitate the change.

4. STRATEGIC ASSESSMENT

4.1 State

The proposal is not inconsistent with State objectives to deliver health services

4.2 Regional / District

The proposal is not inconsistent with the Central West and Orana Regional Plan

4.3 Local

The proposal is not inconsistent with the endorsed Bathurst Region Urban Strategy April 2008. Council advised it has undertaken a review of the permissibility of health services facilities in Bathurst and considered options on other lands (see letter dated 8 April 2019). The proposal will provide further flexibility for such needed uses.

4.4 Section 9.1 Ministerial Directions

The proposal is consistent with the Ministerial Directions except for 4.3 Flood Prone Land as sites 1, 2, 4, 5 and 6 appear to be affected by flooding. The proposal does not change the flood controls relating to land. Future development on the land for Health Services Facilities will be subject to a development application and at such time the impacts of flooding will be assessed. The Director Regions, Western can be satisfied that the inconsistency can be considered as minor significance as future development of the land will be subject to the development assessment process in accordance with the flood planning controls.

4.5 State environmental planning policies (SEPPs)

The proposal is consistent with the relevant SEPPs.

5. SITE-SPECIFIC ASSESSMENT

5.1 Social

The proposal will assist with providing health care facilities near Bathurst Base Hospital and on other specified sites to assist in providing a range of health services. To allow such use is not anticipated to be detrimental to the use of the RE2 land or surrounding land. The proposal is positive in terms of social considerations.

5.2 Environmental

The proposal does not identify adverse environmental impacts and any future development will be subject to the development application process where Council will consider all impacts. Sites 1, 2, 4, 5 and 6 appear to be flood affected.

5.3 Economic

The economic impacts should be positive as the proposed use will provide additional opportunities for Health Services Facilities.

5.4 Infrastructure

The provision and funding of state infrastructure is not required in this case.

6. CONSULTATION

6.1 Community

Community consultation for 28 days is adequate.

6.2 Agencies

No agency consultation is required as future land use proposals can be assessed at Development Application stage. It is noted that the planning proposal does not change the current development controls and considerations ie flooding as they relate to the sites.

7. TIME FRAME

The proposed time frame for completing the LEP is to be 12 months.

8. LOCAL PLAN-MAKING AUTHORITY

Council has requested to be the local plan-making authority, and this is supported as this is a local planning matter.

9. CONCLUSION

The planning proposal is supported to proceed with conditions as Council has justified the proposed change that will facilitate flexibility in the provision of Health Services Facilities on zone RE2 Private recreation land. The proposed change does not impact on the provision of private recreation facilities on the land.

10. RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. agree that any inconsistencies with section 9.1 Direction 4.3 Flood Prone Land are minor and no further work is required.

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 28 days.
2. Consultation is not required with public authorities:
3. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.
4. Given the nature of the planning proposal, Council should be the local plan-making authority to make this plan.



30.4.19

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1.5.19

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