



BATHURST
REGIONAL COUNCIL



Civic Centre
158 Russell Street
Private Mail Bag 17
Bathurst NSW 2795

Telephone 02 6333 6111
Facsimile 02 6331 7211
council@bathurst.nsw.gov.au
www.bathurstregion.com.au

27 January 2016

Mr A Albury
Regional Director
NSW Department of Planning and Environment
Western Region
PO Box 58
DUBBO NSW 2830

Dear Mr Albury

Planning Proposal - Eglinton (West) RE1, RU1, R1 zone boundary alteration

I refer to the abovementioned matter.

Council resolved at its Ordinary Meeting held 18 November 2015 to prepare and submit a Planning Proposal under Section 55 of the Environmental Planning and Assessment Act 1979 to amend the RU1, RE1 and R1 zone boundary at Eglinton.

Please find **enclosed** all the required documentation for the Planning Proposal to proceed to the Gateway for consideration.

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

Yours faithfully

R Denyer
ACTING DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES
Per:

Request for Initial Gateway Determination

Instructions to Users

1. When forwarding a planning proposal to the Minister under section 56(1), the relevant planning authority must provide the information specified in this form.
2. Please send this completed form and one (1) electronic copy and two (2) hard copies of the completed Planning Proposal and other information as applicable, to your local Regional Office.
3. This document is a locked word document, please check boxes and type directly into the hi-lighted grey areas of this form.

Relevant Planning Authority Details

Name of Relevant Planning Authority: Bathurst Regional Council

Contact Person: Mr Richard Denyer

Contact Phone and Email: 02 6333 6211

Richard.denyer@bathurst.nsw.gov.au

Planning Proposal Details - Attachments

1. **LAND INVOLVED** [If relevant - e.g. Street Address and Lot and Deposited Plan]
Lot 11 DP 872964, Freemantle Road, Eglinton

Attached/Completed [Check the box]

2. **MAPS** [If applicable – provide 1 electronic and 2 hard copies]

☒ Location map showing the land affected by the proposed draft plan in the context of the LGA [tagged 'location map']

☒ Existing zoning map showing the existing zoning of the site and surrounding land and proposed zoning change for the site/s [tagged 'comparative existing/proposed zoning']

3. **PHOTOS and other visual material** [if applicable]

☐ Aerial photos of land affected by the Planning Proposal

☐ Photos of land involved and surrounding land uses

4. **COMPLETE PLANNING PROPOSAL** [provide 1 electronic and 2 hard copies]

☒ Council's must address all relevant matters in a planning proposal – including the Director-General's requirements for the justification of all planning proposals (other than those that solely reclassify public land) as set out in the Department of Planning publications; a 'Guide to preparing local environmental plans' and a 'Guide to preparing a planning proposal'. These requirements must be completed prior to submitting the Planning proposal to the Regional Office.

5. **PLANNING PROPOSAL HAS BEEN SUPPORTED BY COUNCIL**

☒ Council has considered the written planning proposal prior to sending it to the Department of Planning

☒ Council has resolved to send the written planning proposal to the Department of Planning [attach Council's resolution]



Signed for and on behalf of the Relevant Planning Authority

DATE 27 January 2016

BATHURST REGIONAL COUNCIL



PLANNING PROPOSAL

FOR

BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2014 APPLICATION No 8 (20.00295)

EGLINTON (WEST) RE1, RU1, R1 ZONE BOUNDARY ALTERATION

Lot	DP	Address
11	872964	Freemantle Road, Eglinton

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Map Number	Map Name	Version
LZN_011A	Land zone Map – Sheet LZN_011A	A
LSZ_011A	Lot size Map – Sheet LSZ_011A	A
HOB_011A	Height of buildings Map – Sheet HOB_011A	A
LSM_011A	Minimum Lot Size - Multi Dwelling Housing & Residential Flat Buildings Map – Sheet LSM_011A	A
LSD_011A	Minimum Lot Size - Dual Occupancy Map - Sheet LSD_011A	A
LRA_011A	Land Reservation Acquisition Map - Sheet LRA_011A	A

List of Attachments

Attachment Number	Name
1	Location Plan
2	Council report and minute to proceed with the Planning Proposal
3	Comparative zone map

Relevant Planning Authority Details

Relevant Planning Authority:	Bathurst Regional Council
Contact Person:	Mr Richard Denyer Acting Director, Environmental Planning and Building Services
Contact Phone Number:	02 6333 6213
Contact email address:	council@bathurst.nsw.gov.au

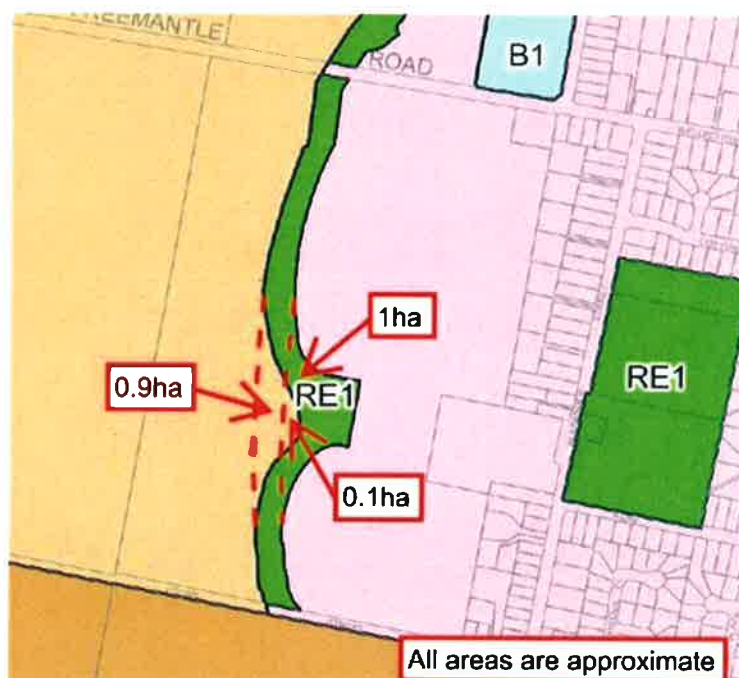
Introduction

Council has received a request to consider an alteration to the Bathurst Regional Local Environmental Plan with respect to the RU1 Primary Production, R1 General Residential and RE1 Local Recreation zone interface in Eglinton. A location plan is included at **attachment 1**.

Lot 11 DP 872964, Freemantle Road, Eglinton

Council has received a request from the current landowner for it to consider an amended lot layout to cater for a residential subdivision. The amended lot layout is predicated on the need for a RU1, RE1, R1 zone boundary alteration. It is proposed to rezone the following as part of the Planning Proposal:

- RU1- Primary Production zoned land proposed to be changed to RE1 – Public Recreation zoned land is approximately 0.9 hectare;
- RU1- Primary Production zoned land proposed to be changed to R1 – General Residential zoned land is approximately 0.1 hectare; and
- RE1- Public Recreation zoned land proposed to be changed to R1 – General Residential zoned land is approximately 1 hectare.



In summary, the Planning Proposal will result in a loss of approximately 1 hectare of rural land, a loss of approximately 0.1 hectares of recreation land and an increase of approximately 1.1 hectares of residential land.

The Planning Proposal in its current form is not inconsistent with the Local Environmental Study produced for the original rezoning of the land or the Bathurst Region Urban Strategy.

A copy of the Council report and minute to proceed with the Planning Proposal are provided at **attachment 2**.

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 aim of the Planning Proposal is to alter the RU1 Primary Production, R1 Residential and RE1 Local Recreation zone interface in the suburb of Eglinton in response to a development specific request.

1.2 The subject land

Lot 11 DP 872964, Freemantle Road, Eglinton

The subject land comprises Lot 11 DP 872964, Freemantle Road, Eglinton. The property is in private ownership.

The site is approximately 44.46 hectares and is generally rectangular in shape. The land is located approximately 6km north west of the Bathurst CBD.

The land currently has the following characteristics:

Current land use	Zone Bathurst Regional LEP 2014	Current classification	Land status
Rural grazing land	RU1 Primary Production R1 Residential and RE1 Local Recreation	n/a	n/a



Part 2 Explanation of Provisions

2.1 Introduction

The aim of the Planning Proposal is to alter the RU1 Primary Production, R1 Residential, RE1 Local Recreation zone interface in the suburb of Eglinton in response to a development specific request.

Lot 11 DP 872964, Freemantle Road, Eglinton

Council has received a request from the current landowner for it to consider an amended lot layout to cater for a residential subdivision. The amended lot layout is predicated on the need for a RU1, RE1, R1 zone boundary alteration. It is proposed to rezone the following as part of the Planning Proposal:

- RU1- Primary Production zoned land proposed to be changed to RE1 – Public Recreation zoned land is approximately 0.9 hectare;
- RU1- Primary Production zoned land proposed to be changed to R1 – General Residential zoned land is approximately 0.1 hectare; and
- RE1- Public Recreation zoned land proposed to be changed to R1 – General Residential zoned land is approximately 1 hectare.

Supporting the rezoning of the land, amendments to the following maps will also occur imposing the appropriate controls on the land:

- Minimum Lot Size—Dual Occupancy Map
- Height of Buildings Map
- Minimum Lot Size—Multi Dwelling Housing and Residential Flat Buildings Map
- Lot Size Map
- Land Reservation Acquisition Map

Alterations to Council's DCP in relation to the land is proposed to occur concurrently with the exhibition of the Planning Proposal.

PART 3 Justification

Section A – Need for the Planning Proposal

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

The Planning Proposal is in response to a landowner request to altering the RU1 Primary Production, R1 Residential and RE1 Local Recreation zone boundary to cater for the residential lot layout.

On balance, the amount of open space decreases by approximately 1000sqm, which is considered minor in nature.

Council has subsequently resolved on 18 November 2015 to prepare a planning proposal to rezone the subject land.

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 development and intended outcomes of the Planning Proposal. The only avenue available to Council to rezone the land 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. proximity to existing urban areas, public transport and infrastructure accessibility, providing jobs closer to home etc)	Yes	The lot was zoned for residential purposes during 2010 which incorporated a 50 metre wide buffer as open space as part of the Eglinton expansion. This Planning Proposal aims to amend the RU1/R1/RE1 zone interface catering for development specific circumstances. The Planning Proposal is consistent with the Bathurst Region Urban Strategy and generally consistent with the Eglinton LES prepared for the rezoning of the land in 2010. There are no relevant regional strategies relevant to the Bathurst Regional LGA. The Planning Proposal is consistent with the relevant Section 117 directions of the Minister. They are explained later in this Planning Proposal documentation.
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	Yes	Notwithstanding the alteration to the RU1/R1/RE1 zone boundary interface, following the proposed rezoning, the amount of open space is expected to decrease by approximately 1000 sqm. The minor decrease in the open space will retain appropriate buffers to the remaining rural land and does not represent a significant decrease in available open space for the

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.		locality. The site is not known to have any environmental constraints and the site is not bush fire prone land.
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4. Is the Planning Proposal consistent with a Council's local strategy or other local strategic Plan?

The Bathurst Region Urban Strategy 2007 identified this area for continued growth of the city. Therefore the Planning Proposal is consistent with the strategy. A Local Environmental Study was prepared for the site in 2006.

Notwithstanding the alteration to the RU1/R1/RE1 zone boundary interface, following the proposed rezoning, the amount of open space is expected to decrease by approximately 1000 sqm. The minor decrease in the open space will retain appropriate buffers to the remaining rural land and does not represent a significant decrease in available open space for the locality.

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	Not Relevant
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
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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	The planning proposal will result in the reduction of the rural land by approximately 1 hectare, majority of which will be used for open space and approximately 1000sqm being used for residential purposes. The open space land will retain appropriate buffers to the residual rural land of approximately 50 metres. Council considers that this is of minor significance. 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 planning proposal will result in the reduction of the rural land by approximately 1 hectare, majority of which will be used for open space and approximately 1000sqm being used for residential purposes. The open space land will retain appropriate buffers to

ok.

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✓

ok.

Section 117 Ministerial Direction	Consistency
	the residual rural land of approximately 50 metres. Council considers that this is of minor significance. The planning proposal does not propose to make any alterations to the provisions of the rural zones, apart from the minor rezoning. Council is satisfied that 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.
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	The proposal does not alter or remove a provision relating to land in

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Section 117 Ministerial Direction	Consistency
Development Near Licensed Aerodromes	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	The lot has approximately 212sqm of land identified as flood prone, however the location of the land subject to the planning proposal is some 330 metres to the south east. The land is already zoned for residential purposes. The area subject to the planning proposal is not identified as flood prone land. As agreed by the Department in 2011, Council is satisfied that should the land identified as being flood prone at a later stage be identified for development its current policy will ensure that any identified risks will be managed to the adopted flood level. Council is satisfied that the provisions of the planning proposal that are inconsistent are of minor significance. In this regard it is noted that the planning proposal affects 212.8sqm of land identified by Council as flood prone land.

(or contradictory. Which is it?)
No map provided, will require for extra info.

Section 117 Ministerial Direction	Consistency	
	Council is satisfied that although the planning proposal is inconsistent with the requirements of the direction, it is of minor significance.	
4.4 Planning for Bushfire Protection	The Planning Proposal does not include any land which is identified as being Bushfire Prone Land. Council is satisfied that the planning proposal is consistent with the requirements of the direction.	✓
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	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	✓

Section 117 Ministerial Direction	Consistency
Creek	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 Approval and referral Requirements	The Planning Proposal does not affect development application provisions and 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. The Planning proposal involves altering the RU1 / R1 / RE1 zone interface, and as yet, has not been dedicated to Council for public purposes. Council is satisfied that although the overall amount of open space is decreasing in the locality, appropriate buffers are maintained to the residual rural land and there is sufficient land available for recreational uses following the rezoning. 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 by the reclassification.

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. Appropriate buffers to rural lands and creek corridors have been maintained.

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. Council does not propose to consult with any State or Commonwealth Public Authority as the Planning Proposal only involves a boundary adjustment between the existing residential and recreation zone.

• which creek corridors? what about dams?

Part 4 Mapping

The following maps are proposed to be amended as a result of this planning proposal.

Map Number	Map Name	Version
LZN_011A	Land zone Map – Sheet LZN_011A	A
LSZ_011A	Lot size Map – Sheet LSZ_011A	A
HOB_011A	Height of buildings Map – Sheet HOB_011A	A
LSM_011A	Minimum Lot Size - Multi Dwelling Housing & Residential Flat Buildings Map – Sheet LSM_011A	A
LSD_011A	Minimum Lot Size - Dual Occupancy Map - Sheet LSD_011A	A
LRA_011A	Land Reservation Acquisition Map - Sheet LRA_011A	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; and
- b) written notification to all of the directly adjoining landowners; and
- c) notification on Council's website.

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

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

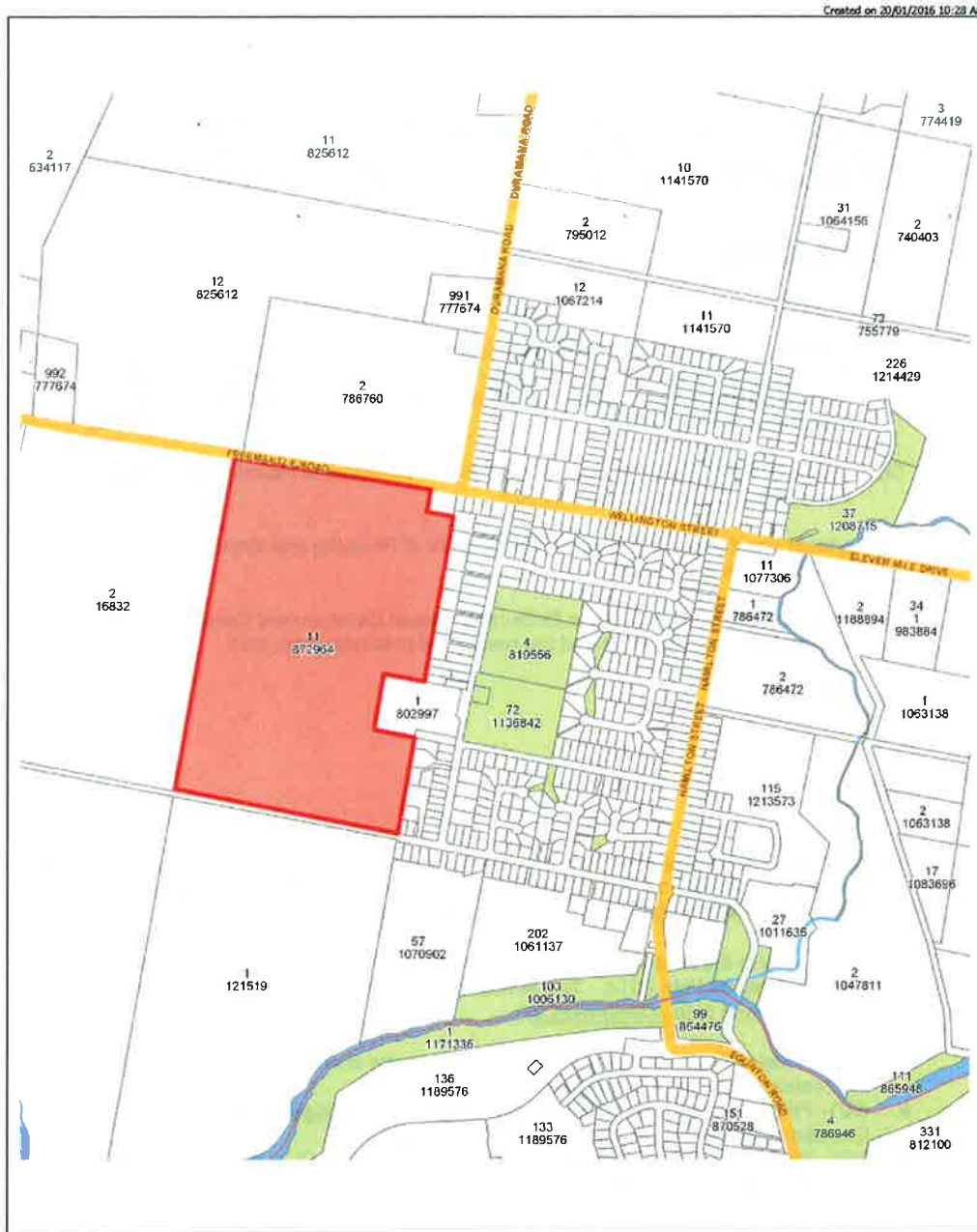
Following the public exhibition period, this section will be altered to reflect the extent of consultation that was undertaken, including any issues which were raised as a result of the consultation.

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 8 months from the date of the Gateway Determination.

Step	Criteria	Project timeline
1	Anticipated commencement date (date of Gateway determination)	February 2016
2	Anticipated timeframe for the completion of required technical information	March 2016
3	Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	Not relevant
4	Commencement and completion dates for public exhibition period	March/April 2016
5	Dates for public hearing (if required)	Not relevant
6	Timeframe for consideration of submissions	May 2016
7	Timeframe for the consideration of a proposal post exhibition	June 2016
8	Date of submission to the department to finalise the LEP	August 2016
9	Anticipated date RPA will make the plan (if delegated)	October 2016
10	Anticipated date RPA will forward to the department for notification.	November 2016

Attachment 1 Location plan



BATHURST REGIONAL COUNCIL

Bathurst Regional Council
 Suite 17
 120 Newell Street
 Bathurst NSW 2780
 Telephone: 02 6332 1211
 Fax: 02 6331 1223
 Email: enquiries@brc.nsw.gov.au

Important Notice!

This notice is a general notice document. It is not a legal document and is not intended to be used as a legal document. It is intended to provide information only. The information in this notice is not intended to be used as a legal document. It is intended to provide information only. The information in this notice is not intended to be used as a legal document. It is intended to provide information only.

Drawn By: 15/01/16

Project Name: 20441 / P15A 2015/05

Date: 20/01/2016 10:28 AM

Map Scale: 1:12500 at A4

Attachment 2 Council report and minute

Bathurst Regional Council Ordinary Meeting 18 November 2015

5 BATHURST REGIONAL LEP 2014 AMENDMENT NO 8 – ALTERING OF ZONE BOUNDARIES, LOT 11 DP 872964, FREEMANTLE ROAD, EGLINTON AND BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 APPLICATION NO 8 (20.00295)

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, RU1 Primary Production and RE1 Local Recreation zone boundary of Lot 11 DP 872964, Freemantle Road, Eglinton;
- (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;
- (d) prepare an amendment to the Bathurst Regional Development Control Plan 2014 to amend Map No 3 Eglinton and the residential precincts map; and
- (e) call a division.

Report:

Council has received a request from the current landowner to consider an amendment to the zone boundaries of Lot 11 DP 872964 Freemantle Road, Eglinton to straighten the recreation zone. A location plan is provided at attachment 1.

The alterations to the zone boundaries will require an amendment to the Bathurst Regional Local Environmental Plan 2014. The amendment will result in the following variations to the existing zoned land (see attachment 2):

- RU1- Primary Production zoned land proposed to be changed to RE1 – Public Recreation zoned land is approximately 0.9 hectare;
- RU1- Primary Production zoned land proposed to be changed to R1 – General Residential zoned land is approximately 0.1 hectare; and
- RE1- Public Recreation zoned land proposed to be changed to R1 – General Residential zoned land is approximately 1 hectare.

In summary, the Planning Proposal will result in a loss of approximately 1 hectare of rural land, a loss of approximately 0.1 hectares of recreation land and an increase of approximately 1.1 hectares of residential land.

The Planning Proposal in its current form is not inconsistent with the Local Environmental Study produced for the original rezoning of the land or the Bathurst Region Urban Strategy.

The applicant provided the following justifications for the planning proposal:

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- The removal of the need to have a road intersection(s) in front of the proposed extension to the public school.
- There is an opportunity to provide a local access road along the perimeter of the open space/public reserve.
- Dwellings will overlook the open space from across the public road.
- The three dams along the water course will require removal and regrading to prevent a public health and safety problem adjacent to residential land.
- The realigned open space will provide improved hydraulic flows of the water course subsequent to the removal and regrading of the dams.

In this circumstance, given the removal of the dams and the relatively minor loss of recreation and rural land the planning proposal should be supported.

Conclusion:

Council has received a request to consider altering the R1 General Residential, RU1 Primary Production and RE1 Local Recreation zone boundaries. The proposed amendment results in an overall increase of approximately 1.1 hectares of R1 Residential zoned land with a minor loss of recreation and rural land.

It is considered that in this circumstance that the request to amend the LEP and DCP should be supported.

Financial Implications

Nil. The planning proposal is funded from fees received by the applicants.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- | | | |
|--|----------|------------|
| ● Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. | Strategy | 9.6 |
| ● Objective 13: To minimise the City's environmental footprint. | Strategy | 13.1 |
| ● 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, 28.9 |

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Meeting type:	ORDINARY MEETING OF BATHURST REGIONAL COUNCIL		
Minute Section:	RECEIVE AND DEAL WITH DIRECTORS' REPORTS	Section Number	9
Minute Status:	Released		
Minute Security:	Standard		
SubSection:	Director Environmental Planning & Building Services' Report	SubSection Number:	9.01
Created By:	Sally Moore/BathurstCC	Division Required:	Yes
Subject:	BATHURST REGIONAL LEP 2014 AMENDMENT NO 8 - ALTERING OF ZONE BOUNDARIES, LC 872964, FREEMANTLE ROAD, EGLINTON AND BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 APPLICATION NO 8		
Item Number:	5		
File Number:	(20.00295)		
Minute Number:	16		
Moved By:	Cr I North	Seconded By:	Cr G Westman

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, RU1 Primary Production and RE1 Local Recreation zone boundary of Lot 11 DP 872964, Freemantle Road, Eglinton;
- (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;
- (d) prepare an amendment to the Bathurst Regional Development Control Plan 2014 to amend Map No 3 Eglinton and the residential precincts map; and
- (e) 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 M Coote, Cr G Hanger, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Cr B Bourke, Cr J Jennings,

Abstain - Nil

Precis:

Attachment 3 Comparative zone map



Bathurst Regional Council expressly disclaims all liability for errors or omissions of any kind whatsoever, or any loss, damage or other consequence which may arise from any person relying on information in this Plan.
 Date 21/01/2016
 Note: The colours on this Plan do not indicate landuse zones under the Bathurst Regional Local Environment Plan 2014.
 "Base Maps: © Department of Lands 2006"

