



New South Wales

Bathurst Regional Local Environmental Plan 2014 (Amendment No 22)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

LOUISE McMAHON

As delegate for the Minister for Planning and Public Spaces

Bathurst Regional Local Environmental Plan 2014 (Amendment No 22)

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Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Bathurst Regional Local Environmental Plan 2014 (Amendment No 22)*.

2 Commencement

This plan commences on the day on which it is published on the NSW legislation website.

3 Land to which plan applies

This plan applies to land to which *Bathurst Regional Local Environmental Plan 2014* applies.

4 Maps

The maps adopted by *Bathurst Regional Local Environmental Plan 2014* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this plan.

Schedule 1 Amendment of Bathurst Regional Local Environmental Plan 2014

[1] Clause 1.8A Savings

Insert after clause 1.8A(3)—

- (4) A development application made, but not finally determined, before the commencement of *Bathurst Regional Local Environmental Plan 2014 (Amendment No 22)* must be determined as if that plan had not commenced.

[2] Clause 2.1 Land use zones

Insert “R3 Medium Density Residential” in appropriate order under the heading **Residential Zones**.

[3] Land Use Table

Insert after the matter relating to Zone R2—

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that medium density residential environments are of a high visual quality in their presentation to public streets and spaces.
- To maximise public transport patronage and encourage walking and cycling.
- To encourage the provision of affordable housing.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home-based child care; Home businesses; Home occupations; Roads

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Group homes; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Respite day care centres; Seniors housing; Tank-based aquaculture; Waste or resource transfer stations; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Dual occupancies; Eco-tourist facilities;

Electricity generating works; Emergency services facilities; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies

[4] Clause 5.1 Relevant acquisition authority

Insert after the matter relating to “Zone SP2 Infrastructure and marked “Classified road”” in clause 5.1(2), table—

Zone SP2 Infrastructure and marked “Future Council
Road Alignment”

Zone SP2 Infrastructure and marked Council
“Infrastructure, Education, Open Space”

[5] Part 7 Additional local provisions

Insert at the end of the part, with appropriate clause numbering—

Minimum subdivision lot size for certain battle-axe lots in Laffing Waters and Kelso

- (1) This clause applies to the following land, to the extent the land is in Zone R1 General Residential—
 - (a) Lot 231, DP 1177478, 151 Laffing Waters Lane, Laffing Waters,
 - (b) Lot 12, DP 857116, 183 Laffing Waters Lane, Laffing Waters,
 - (c) Lot 401, DP 1285473, Marsden Lane, Kelso,
 - (d) Lot 2, DP 716660, 130 Laffing Waters Lane, Laffing Waters,
 - (e) Lot 8, DP 788492, Laffing Waters Lane, Kelso.
- (2) The size of a battle-axe lot, or another lot with an access handle, resulting from the subdivision of the land must not be less than 900m².
- (3) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle must not be included in calculating the lot size.