



24 April 2018

Department of Planning & Environment
Employment Policy & Systems
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam

Proposed Amendments to the Standard Instrument LEP – Better Planning for NSW Retail Sector

I refer to the above matter.

Council supports the inclusion of the proposed definitions into the SI LEP and in particular supports the proposed definition for specialised retail premises. This definition is supported by Council's 2011 CBD & Bulky Goods Business Development Strategy. I note, however, that the proposal in relation to Artisan Premises appears limited to food and drink.

Council is very concerned, however, at the proposed way in which the floor space limitation for a Neighbourhood Supermarket is proposed to be introduced through clause 5.4.

The Bathurst LEP 2014 utilises the B1 Neighbourhood Centre zone with floor space for the size of shops and supermarkets controlled under clause 5.9 of the Bathurst Regional DCP 2014 (copy **enclosed**).

The recommended maximum size for supermarkets in the B1 zone in Bathurst was determined by the 2011 Bathurst CBD and Bulky Goods Business Development Strategy, those sizes being:

- 2,500 m² at Trinity Heights, Westpoint and Laffing Waters.
- 1,200m² at Eglinton.

Council would therefore request that clause 5.4 be amended in the Bathurst Regional LEP to permit a neighbourhood supermarket to a maximum size of 2,500m² (1,200m² at Eglinton) in line with the recommendations of Council's retail strategy.

I seek written confirmation from the Department that this alteration will be included as part of the series of amendments being made.

Department of Planning & Environment
24 April 2018

If you have any queries, please contact Council's Manager Strategic Planning, Janet Bingham, on 02 6333 6211. I await your advice in respect of this matter.

Yours faithfully



Neil Southorn
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

Noise

- a) A noise impact assessment report must be prepared and submitted with a Development Application for any development which Council considers may have the potential to increase existing noise levels in a locality.
- b) The noise impact assessment must be prepared in accordance with the OEH Industrial Noise Policy.

5.8 OPEN AREAS AND FENCING

5.8.1 Land to which this Section applies

This section applies to all lands within Zones **B5** - Business Development and **IN1** - General Industrial. However, where determined by Council, any one or more of the standards listed below may be required for new development of land within Zones **B1** - Neighbourhood Centre and **B3** - Commercial Core.

5.8.2 Objectives

- a) To minimise the visual impact of business and industrial development on the locality.

5.8.3 Development standards

- a) All loading/unloading, storage, garbage or open work areas are to be located behind the building alignment and are to be fully screened from the view of a public road.
- b) Fences/screen walls (including security fencing) are not to be located within 5 metres of the front property boundary and 3 metres of a property boundary adjoining a side or rear street, unless adequate landscape screening is provided.
- c) Details of proposed materials and the type of construction for (a) and (b) above should be included with the Development Application.

5.9 NEIGHBOURHOOD SHOPPING CENTRES

5.9.1 Land to which this Section Applies

This section applies to the neighbourhood shopping centres shown on DCP Map No. 6 – Neighbourhood Shopping Centres.

5.9.2 Objectives

- a) To accommodate the establishment of retail, commercial and professional services in convenient locations within residential areas where the scale and type of development does not detract from the status and viability of the Central Business District (CBD) as the retail, commercial and administrative centre of the City of Bathurst.

5.9.3 Development standards

- a) Development is to be compatible with the amenity of the surrounding residential area, in terms of bulk, scale and building materials.
- b) Development is not to detract from the status and viability of the CBD as the retail, commercial and administrative centre of the City of Bathurst.

- c) Council shall not grant consent to individual shops within a neighbourhood shopping centre having a floor area exceeding 700m², except as follows:
 - i) Council may consent to a supermarket within the Trinity Heights, Westpoint and Laffing Waters Neighborhood Shopping Centres, as shown on DCP Map No. 6, having a floor area not exceeding 2500m².
 - ii) Council may consent to a supermarket within the Eglinton Neighborhood Shopping Centres, as shown on DCP Map No. 6, having a floor area not exceeding 1200m².
- d) Neighbourhood Centres are to be generally designed as follows:
 - i) a strip development (linear or L-shaped) with all facilities facing a common external verandah which should focus on a common or small recreation/park area.
 - ii) Shops and facilities should be incorporated into the neighbourhood centre precinct and linked with a walkway and verandah system grouped around a common or small recreation/park area.
 - iii) The internal walkway should create a link to the existing or future pedestrian and cycle networks that extend to local residential areas.

5.10 SECTION 10 (BOUNDED BY BENTINCK , RUSSELL, SEYMOUR AND KEPPEL STREETS)

5.10.1 Land to which this Section applies

This section applies to that land shown on DCP Map No. 7 - Section 10. Notwithstanding any other provision of this Plan, development at this locality must comply with the standards listed below.

5.10.2 Objectives

- a) To provide for public car parking areas within the CBD.

5.10.3 Development standards

- a) Council may grant consent only to those developments listed in the table below within the land use areas specified by the table and shown on DCP Map No. 7 - Section 10.

Land Use Area	Development to which Council may grant consent
Car Parking & Access	Car Parking and vehicle or pedestrian access.
Business	The purposes permissible within Zone B3 – Commercial Core pursuant to the LEP.