



POLICY COMMITTEE

26 October 2011

His Worship the Mayor & Councillors

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 2 November 2011 commencing at 5.00 pm.

A handwritten signature in black ink, appearing to read "D J Sherley".

D J Sherley  
**GENERAL MANAGER**

# **BUSINESS AGENDA**

## **POLICY COMMITTEE**

**TO BE HELD ON WEDNESDAY, 2 NOVEMBER 2011**

1. 5:00 PM - MEETING COMMENCES

2. APOLOGIES

3. REPORT OF PREVIOUS MEETING

\* Minutes - Policy Committee Meeting - 28 September 2011

4. DECLARATION OF INTEREST - Nil

To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Section 451 of the Local Government Act, in relation to Declaration of Interest at meetings.

5. RECEIVE AND DEAL WITH DIRECTORS' REPORTS

\* Director Corporate Services & Finance's Report

\* General Manager's Report

6. GENERAL BUSINESS

7. DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS

\* Development Application No. 2011/0273 – Telecommunication Base Station At Lot: 1 Dp 1140980, Walmer Park, Bradwardine Road Windradyne. Applicant: Tci Ltd. Owner: Bathurst Regional Council

\* Bathurst Cbd & Bulky Goods Business Development Strategy

8. DISCUSSION FORUM OTHER

9. MEETING CLOSE

## MINUTE

### 1 MEETING COMMENCES

**Present:** Councillors Westman (Chair), Aubin, Bourke, Carpenter, Morse, North, Thompson.

**In attendance:** Director Corporate Services & Finance, Director Cultural & Community Services, Director Engineering Services, Director Environmental Planning & Building Services, Manager Corporate Governance, Manager Financial Services, Parks Operations Manager, Manager Recreation, Manager Water & Waste, Development Control Planner.

**MINUTE**

**2**     **APOLOGIES**  
          **MOVED: B Bourke SECONDED: M Morse**

**RESOLVED:** That the apologies from Cr G Hanger and Cr P Toole be accepted and leave of absence granted.

POLICY COMMITTEE  
REPORT & MINTUES OF PREVIOUS MEETING

**REPORT OF PREVIOUS MEETING TO THE POLICY COMMITTEE MEETING HELD ON 2  
NOVEMBER 2011**

General Manager  
Bathurst Regional Council

**1 MINUTES - POLICY COMMITTEE MEETING - 28 SEPTEMBER 2011 (07.00064)**

**Recommendation:** That the Minutes of the Policy Committee Meeting held on 28 September 2011 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held on 28 September 2011, are attached.

**Financial Implications:** N/A

**MINUTE**

**3     Item 1   MINUTES - POLICY COMMITTEE MEETING - 28 SEPTEMBER 2011**  
**(07.00064)**

**MOVED: T Carpenter SECONDED: B Bourke**

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 28 September 2011 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 28 SEPTEMBER 2011**

**5 pm MEETING COMMENCES**

**1 MEETING COMMENCES**

**Present:** Crs Westman (Chair), Aubin, Bourke, Carpenter, Hanger, Thompson, Toole

**In attendance:** General Manager, Director Corporate Services & Finance, Director Cultural & Community Services, Director Engineering Services, Acting Director Environmental Planning & Building Services, Acting Manager Corporate Governance, Manager Environment, Acting Manager Recreation, Senior Water & Sewer Engineer.

**APOLOGIES**

**2 APOLOGIES**

**MOVED** Cr B Bourke and **SECONDED** Cr T Carpenter

**RESOLVED:** That the apologies from Crs Morse and North be accepted and leave of absence granted.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 SEPTEMBER 2011 (07.00064)**

**MOVED** Cr T Carpenter and **SECONDED** Cr W Aubin

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 7 September 2011 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**

**MOVED** Cr P Toole and **SECONDED** Cr W Aubin

**RESOLVED:** That the Declaration of Interest be noted.

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**Director Engineering Services' Report**

**5 Item 1 NSW OFFICE OF WATER - DRAFT WATER SHARING PLAN (32.00026)**

**MOVED** Cr T Carpenter and **SECONDED** Cr R Thompson

**RESOLVED:** That the information be noted.

**GENERAL BUSINESS**

**6 BLOSSOM TREES (23.00011)**

**Cr Carpenter** - asked has there been any progress on this.

**The Director Engineering Services** advised some have been planted in Ohkuma

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**This is page 1 of Minutes of the Policy Committee held on 28 September 2011.**



Garden. Finalising of the plaque has not yet occurred.

**7      MOUNT PANORAMA BATHURST SIGN (04.00019)**

**Cr Thompson** - asked where is this at.

**The Director Engineering Services** advised the sign has been completed.

**8      MANAGEMENT PLAN COSTING (16.00126)**

**Cr Thompson** - queried issue of cost of Management Plan. Feels if persons make a submission can a copy be provided free of charge. Please refer this to the 2012/2013 Management Plan process.

**9      LIBRARY NOTICES (21.00054)**

**Cr Toole** - complimented staff on processes in place.

**10     TOILET BLOCK, BERRY PARK (04.00065)**

**Cr Bourke** - congratulated Council on new toilet block. Could Council look at painting men/womens symbols on the toilet entrance.

**11     RSL FISHING CLUB PONTOON (32.00005)**

**Cr Bourke** - asked for the status on this matter.

**The Director Engineering Services** advised he will report back to Council.

**12     VALE ROAD, CLEANLINESS OF PROPERTY (22.12383)**

**Cr Bourke** - advised people are raising issues as to the state of the block on Vale Road. Could planning department look at this.

**13     BUSINESS AWARDS, AUSTRALIAN FOSSIL & MINERAL MUSEUM (21.00106)**

**Mayor, Cr Westman** - congratulated the Australian Fossil & Mineral Museum on winning the tourism award at the recent Bathurst Business Awards presentation.

**MEETING CLOSE**

**14     MEETING CLOSE**

The Meeting closed at 5.11 pm.

**CHAIRMAN:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **(19 October 2011)**

**MINUTE**

- 4**     **DECLARATION OF INTEREST 11.00002**  
**MOVED: T Carpenter SECONDED: M Morse**

**RESOLVED:** That the Declaration of Interest be noted.

POLICY COMMITTEE  
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT & MINUTES  
2 NOVEMBER 2011

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE POLICY  
COMMITTEE MEETING HELD ON 2 NOVEMBER 2011**

General Manager  
Bathurst Regional Council

**1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 28 SEPTEMBER 2011  
(07.00096)**

**Recommendation:** That the information be noted.

**Report:** The minutes of the Bathurst Regional Council Audit and Risk Management Committee Meeting held on 28 September 2011 are shown at **attachment 1**,

**Financial Implications:** Nil.

**MINUTE**

**5 Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 28**  
**SEPTEMBER 2011 (07.00096)**

**MOVED:** T Carpenter **SECONDED:** I North

**RESOLVED:** That the information be noted.

**2 POLICY - PUBLIC INTEREST DISCLOSURES (FORMERLY PROTECTED DISCLOSURES) (11.00006, 18.00132, 41.00089)**

**Recommendation:** That Council:

- (a) adopt the amended Public Interest Disclosures Policy
- (b) update the Policy Manual accordingly
- (c) enact this resolution immediately.

**Report:** Council has received advice from the Department of Premier and Cabinet (Local Government) (shown at **attachment 1**) advising of amendments to the Public Interest Disclosures Act 1994. The changes become effective from 1 November, 2011.

Council will recall that in June 2011 Council adopted a policy titled Protected Disclosures which incorporate the initial changes that were identified in the Public Interest Disclosures Act 1994. The new amendments to the Act have required additional information and also some additional procedures to be incorporated into the policy. The NSW Ombudsman has also now produced a model Public Interest Disclosures Policy for Local Government. Council has reviewed this model policy and it is proposed to adopt the model policy plus some additional council information. The policy is a complete replacement for the existing Council policy and therefore it is not proposed to advise the individual changes. The new policy is provided at **attachment 2**. Council will also note the change of name to Public Interest Disclosures Policy.

It is recommended that as the legislative changes come into effect from 1 November 2011 that Council adopt the amended Public Interest Disclosures Policy, update the Policy Manual accordingly and enact the council resolution immediately.

**Financial Implications:** Nil.

**MINUTE**

**6 Item 2 POLICY - PUBLIC INTEREST DISCLOSURES (FORMERLY PROTECTED DISCLOSURES) (11.00006, 18.00132, 41.00089)**

**MOVED: M Morse SECONDED: I North**

**RESOLVED:** That Council:

- (a) adopt the amended Public Interest Disclosures Policy
- (b) update the Policy Manual accordingly
- (c) enact this resolution immediately.

Yours faithfully



R Roach  
**DIRECTOR**  
**CORPORATE SERVICES & FINANCE**

POLICY COMMITTEE  
GENERAL MANAGER'S REPORT & MINUTES  
2 NOVEMBER 2011



## **GENERAL MANAGER'S REPORT TO THE POLICY COMMITTEE MEETING HELD ON 2 NOVEMBER 2011**

General Manager  
Bathurst Regional Council

### **1 CONDUCT OF 2012 COUNCIL ELECTIONS (12.00010)**

**Recommendation:** That Council enter into a contract with the Electoral Commission for the NSW Electoral Commission to administer Council's Elections, Constitutional Referendums and Polls until the conclusion of 2012 Ordinary Elections.

**Report:** The NSW Parliament recently passed the Local Government Amendment (Elections) Act 2011. Section 296 of the Local Government Act now provides that Council Elections (and, by operation of Section 18 of the Act, Constitutional Referendums and Polls) are to be administered by the General Manager of the Council concerned.

A Council may however resolve that the Council is to enter into a contract or make arrangements with the Electoral Commissioner for the NSW Electoral Commission to administer all Elections for the Council. If such a contract is entered into or such arrangements made, the Electoral Commissioner is to administer all the Elections, Constitutional Referendums and Polls of the Council until the conclusion of the following Ordinary Election for Councillors.

For the purposes of the conduct of the September 2012 Ordinary Elections, Schedule 8 of the Act provides that a Council may resolve, before 31 October 2011 (this date has now been amended to 30 November 2011, refer **attachment 1** - DLG Circular 11-11) to retain the Electoral Commissioner.

The issue of how next year's Elections are to be conducted has been the result of extensive lobbying by the LG&SA. Councillors will have seen a number of items on this matter in the LG&SA's weekly Circulars including:

**Attachment 2:** Item 20: 2012 Local Government Elections (Circ 36/11)

**Attachment 3:** Item 3: 2012 Local Government Elections (Circ 37/11)

Councillors should note the advice that 30 November 2011 is a "non-negotiable deadline" with regard to appointing the Electoral Commissioner. The date of 30 November 2011 has been confirmed as recently as 6 October 2011 (DLG Circular 11-30).

Council has now received the Guidelines for Council Administered Elections from the Department of Local Government (Circular 11-22) refer **attachment 4**.

If Council were to run the election, it would be required to do, amongst other things:

- appoint an independent Returning Officer;
- appoint a substitute Returning Officer;
- appoint Polling places;
- develop training packages;
- develop procedures;
- develop policies;

- develop all stationery including stationery for the vision impaired;
- handle all pre-poll, declared institution, postal and election day voting;
- handle all legal appeals on the vote;
- provision of help desk to provide information to political parties, candidates and the public;
- report to the Minister for Local Government on the conduct and costs of the election.

No access will be provided to the Electoral Commissioner's specialised software to enable the analysis of Election data. It is essential where "above the line" voting occurs, that software is available to allow for the counting of votes and allocation of preferences. Accordingly, Council would be required to source this software from another location if the Commissioner is not appointed.

For Council to conduct the 2012 Election, without the support of the Electoral Commission, is not recommended. Council does not have the expertise to administer the Election. The NSW Electoral Commission has the operational expertise, access to trained Returning Officers, the policies and procedures and legal expertise to administer the Council Election. Further, the Commission would be entirely independent of Council.

Council has held discussions with the Electoral Commissioner to discuss the conduct of the 2012 Election; refer letter at **attachment 5**. The Electoral Commission has developed a service charter for NSW Councils, refer **attachment 6**. The charter details service standards against which the performance of the NSWEC can be measured. Standards provided at the last election were very good, with the only issue the timeline for final determination of the Poll. With postal votes not closing till the Monday after the Poll and the intricacies of above the line voting, this will always be an issue.

Council could look at utilising a private contractor, however timelines such as the need to tender under Section 55 of the Local Government Act would not allow this to occur due to the time constraints placed on Council if it wishes to use the NSWEC, refer **attachment 1**. The LG&SA has advised that they have contacted the Australian Electoral Commission (AEC) to gauge their interest. The AEC has advise that they are not in a position to commit to assisting with the 2012 Elections, refer **attachment 2**.

The Guidelines (**attachment 4**) at Section 5.2, provides commentary on utilising the services of a commercial election provider. It is understood that there are some private providers out in the market place. At **attachment 7** is advice provided by E Division of the Shires Association of NSW. It is not recommended that Council seek to go to tender. As noted earlier, the NSWEC has provided a very good service in the past. Time constraints, such as the legislation, mean Council needs to make a decision before the end of November.

The possibility of going to tender for future Elections (beyond 2012) can be explored over the next eighteen months so that a properly informed decision can be made.

**Financial Implications:** The 2008 Election cost was \$177,500, see **attachment 8**. Council has been advised that an initial estimate for the 2012 Election would be the previous cost (2008) incremented to allow for CPI and wage increases. A final figure cannot be determined at this stage. The Electoral Commission advises:

"A number of Councils have asked for further information regarding the likely budget for the September 2012 elections in the event that the Council resolves that the NSWEC is to conduct these elections. At the meetings, we have explained that the NSWEC does not make any profit, nor has in the past, from the conduct of Local Government elections. The NSWEC will invoice on a cost recovery basis the actual costs of the Local Government Elections from those Councils which have selected the NSWEC to run their elections.

Councils wishing to estimate the 2012 invoice (assuming the same number of polling places and services) should consider four mark ups to the 2008 charge:

1. Wage costs increasing in the public sector of 4 years x 4% cumulative (ie 17.0%);
2. Other operational costs increasing by 4 years CPI (estimated at 12.8% cumulative);
3. Number of electors being serviced, eg a 2% increase in roll numbers will deliver a similar costs increase; and,
4. Some "economy of scale" loss may be inevitable with a reduced number of Councils electing to use NSWEC services for the 2012 Local Government Elections. At this stage, it is not possible to quantify any impact."

Councillors should note that Council's need to make an unconditional resolution on the appointment. Council cannot place caveats such as "subject to cost" on their resolution, refer Attachment 2 and the Guidelines p5 at Attachment 4.

**MINUTE**

**7 Item 1 CONDUCT OF 2012 COUNCIL ELECTIONS (12.00010)**

**MOVED: M Morse SECONDED: I North**

**RESOLVED:** That Council enter into a contract with the Electoral Commission for the NSW Electoral Commission to administer Council's Elections, Constitutional Referendums and Polls until the conclusion of 2012 Ordinary Elections.

**Cr Thompson and Cr Aubin arrived at 5.05pm**

## **2 DEPARTMENT OF LOCAL GOVERNMENT - PROMOTING BETTER PRACTICE REVIEW REPORT (NOVEMBER 2006) (03.00142)**

**Recommendation:** That Council note the updated report (as at November 2011) of the Department of Local Government, PBP Review of November 2006.

**Report:** As Councillors would be aware, in November 2006 the Department of Local Government undertook a Promoting Better Practice Review of the Council. The Review Report and initial responses were presented to Council at its meeting on 16 May 2007 (General Manager's Report No 1). Follow-up reports have been provided to Council at its meetings of 3 September 2008, 1 April 2009, 30 September 2009, 5 May 2010, 3 November 2010 and 4 May 2011.

The purpose of this item is to provide an ongoing report on how Council is addressing the recommendations contained within the review. At **attachment 1** is an Action Plan/Status Report which provides a Progress Report on each recommendation. It is considered the results of the Review were extremely pleasing. A number of the recommendations have progressed:

### **1. Recommendation 1**

The State Government has issued guidelines on Long Term Financial Planning. Bathurst Regional Council has been gazetted for inclusion in Group 3, completion date June 2012. Asset Management Plans are generally now in place, with the WMC yet to be finalised. Social and Community Plan adopted 17 November 2010 (DCCS No 2). Community Strategic Plan (CSP) reference documents, including the Community Engagement Strategy (CES) were reported to Council on 21 September 2011 (refer General Manager's Report No 2, 21 September 2011).

### **2. Recommendation 10**

Draft Risk Management Plan went to Audit & Risk Management Committee (ARMC) 28 September 2011.

### **3. Recommendations 13 and 16**

Development of the new LEP which has been delayed due to, amongst other things, the Government's Rural Land Inquiry (Recommendation 13, 16) and inability of the Department to sign off on various strategies and settle on format for standard template. The Draft LEP has to be continually rewritten. Scheduled completion date is now December 2011. In the meantime, Council has prepared and adopted an Interim Comprehensive DCP (refer to Director Environmental Planning & Building Services Report No 7 of 16 February 2011) which will allow, as far as possible, for the implementation of the Bathurst Urban, Rural and Heritage Strategies.

### **4. Recommendations 24 and 25**

Asset Management Plans for Urban and Rural Roads, Footpaths and Cycleways, Bridges and Major Culverts completed (refer Director Engineering Services Report No 1, 21 July 2010). Plans for Water, Sewer, Buildings, Drainage and Parks and Gardens completed (refer Director Engineering Services No 4, 8 December 2010). The Plan for the Bathurst Aerodrome is completed (refer Director Engineering Services No 1) 20 July 2011. Asset Management Plan Waste Management Centre (WMC) is currently being finalised.

### **5. Recommendation 34**

Draft workforce plan has been developed; will be referred to the integrated planning process, refer recommendation No 1.

**Financial Implications:** Actions are being taken within existing budgets.

**MINUTE**

**8 Item 2 DEPARTMENT OF LOCAL GOVERNMENT - PROMOTING BETTER PRACTICE REVIEW REPORT (NOVEMBER 2006) (03.00142)**

**MOVED: T Carpenter SECONDED: B Bourke**

**RESOLVED:** That Council note the updated report (as at November 2011) of the Department of Local Government, PBP Review of November 2006.

Yours faithfully



D J Sherley  
**GENERAL MANAGER**

POLICY COMMITTEE  
GENERAL BUSINESS



**MINUTE**

**9      KELSO COMMUNITY CENTRE (9.00026)**

**Cr Bourke** - asked has there been cuts as only open 3 1/2 days. Is more grant funding available to access. Need to keep centre open as much as we can.

The **Director Cultural & Community Services** advised that program funding has been lost and operating 3 1/2 days is temporary.

**Cr Bourke** - asked to approach State Member for funding.

**MINUTE**

**10     BUNORA PARK (04.00043)**

**Cr Aubin** - asked about status of report.

The **Director Engineering Services** responded that the report will be submitted to the January meeting.

**MINUTE**

**11     HOWICK & GEORGE STREETS ROUNDABOUT (25.00006)**

**Cr Aubin** - asked if the roundabout at the intersections of Howick and George Streets is to be resurfaced.

The **Director Engineering Services** advised that no plan to reseal due to prospect of traffic lights.

**MINUTE**

**12     TREE REMOVAL HILL STREET (25.00382)**

**Cr North** - advised that the resident stated that Council staff were very courteous when completing this job. Resident now feels that concrete needs to be placed on the footpath area.

Tabled letter from resident.

**MINUTE**

**13     MARANATHA LAWN CEMETERY (09.00009)**

**Cr North** - tabled a letter from K Kearney suggesting that chapel in the grounds of the cemetery be reopened to the public.

**MINUTE**

**14     RATES LEVIED ON PROPERTY ON LORD STREET (22.01578)**

**Cr North** - raised issue of rates levied on a property in Lord Street asked if the gentleman could meet with the director to discuss the issue.

**MINUTE**

**15     DELWARE CRESCENT - B DOUBLE ROUTE (28.00012)**

**Cr North** - asked how this matter could be revisited by the applicant (tabled letter from applicant)

The **Director Engineering Services** advised the process available to the applicant.

**MINUTE**

**16     CAR EVENTS MOUNT PANORAMA (04.00009)**

**Cr North** - asked if GT nationals and Australian Early Holden Federation could discuss with Council Officers proposed dates of events at Mount Panorama.



**MINUTE**

**17     AUSTRALIA DAY CELEBRATIONS (23.00033)**

**Cr North** - feels that Villages are not being supported on Australia Day. We need to reconsider the decision of the Australia Day Working Party.

**MINUTE**

**18     DIRTY WATER COMPLAINTS (32.00013)**

**Cr Morse** - acknowledged the efforts of Council's water section in providing her with advice and in dealing with the dirty water complaints received.

**MINUTE**

**19     CARRINGTON PARK - LONG JUMP PIT (04.00008)**

**Cr Morse** - asked whether the new long jump pit would be made less obvious.

The **Director Engineering Services** advised that the completion of the project would involve the installation of synthetic grass on top of the concrete.

## MINUTE

### 20 OPHIR ROAD (25.00040)

**Cr Morse** - asked whether section between Eglinton Road and Abercrombie House could be resealed or the speed limit reduced.

The **Director Engineering Services** advised funding for reseal works has been approved this financial year and can discuss the speed limit with the RTA.

## MINUTE

### 21 SUPPORT OF SPORTING CLUBS (16.00044)

**Cr Morse** - asked for figures on the cost of sporting facilities and the usage.

The **Director Corporate Services & Finance** advised that the operating costs of these facilities are included in the Management Plan. Usage figures are something not able to be collected by Council would need to be done by sporting bodies.

## MINUTE

### 22 AUSTRALIA DAY CELEBRATIONS (23.00033)

**Cr Morse** - advised Sofala last year were very disappointed with support of event. Feels that it is spreading support rather than reducing it if Council provides each Village with a small sum of money.

**MINUTE**

**23     OPHIR ROAD (25.00040)**

**Cr Thompson** - asked if Council was to discuss speed limits on Ophir Road with the RTA would be residents be consulted.

The **Director Engineering Services** responded that the speed limit considerations are based solely on the road conditions.

**MINUTE**

**24     SPRING SPECTACULAR & BOOK SALE (23.00026)**

**Cr Thompson** - advised that these events were a great success.



**MINUTE**

**25     ROYAL BATHURST SHOW (18.00108, 16.00129)**

**Cr Thompson** - feels that Council should consider including an amount for the show in the 2012/13 Management Plan.

**MINUTE**

**26     SEWER CHARGE MODELLING (26.00010)**

**Cr Thompson** - asked when some figures on sewer modelling would be available.

The **Director Corporate Services & Finance** advised that preliminary figures should be available shortly.

**MINUTE**

**27     BLUE HELIOTROPE (18.00004)**

**Cr Thompson** - would like to see Council provide a small amount of funding for follow up work on Blue Heliotrope.

**MINUTE**

**28     WEEDS IN URBAN AREA (13.00022)**

**Cr Carpenter** - mentioned that we should not forget the cost of weeds in the urban area.

**MINUTE**

**29     AUSTRALIA DAY CELEBRATIONS (23.00033)**

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**Cr Carpenter** - advised that she thought village celebrations were to be held every second year.

**MINUTE**

**30     OPHIR ROAD (25.00040)**

**Cr Carpenter** - asked whether any works were proposed on the dangerous corner just past Abercrombie House.

The **Director Engineering Services** advised no funding available at present time.

**MINUTE**

**31     TOURISM PROMOTION (20.00020)**

**Cr Carpenter** - advised that on a recent bus trip to Sydney she noticed Orange tourist brochures on the back of the seats. Perhaps Council could look at a similar promotion.

**MINUTE**

**32     CONSTITUTIONAL RECOGNITION (18.00008)**

**Cr Carpenter** - asked whether Council was putting a submission in on constitutional recognition.

The **Mayor** advised that a letter had already been sent.



**MINUTE**

**33     CHILD CARE PLACES (09.00008)**

**Cr Carpenter** - asked whether a report could be supplied on supply and demand for child care places in Bathurst.

**MINUTE**

**34     KELSO COMMUNITY CENTRE (09.00026)**

**Cr Carpenter** - supports Cr Bourke on the benefits of the Kelso Community Centre.  
Need to put pressure on State Member for funding.

**MINUTE**

**35     OLD TAFE BUILDING (22.01387)**

**Cr Carpenter** - need to be pressuring State Member for funding of this facility.

The **Director Cultural & Community Services** advised that Council has met twice with the State Member in relation to this matter.

**MINUTE**

**36     DEVELOPMENT APPLICATION NOTIFICATION (11.00003)**

**Cr Carpenter** - wasn't aware that Development Application Policy was a Council policy. Believes people should be advised.

The **Director Environment Planning & Building Services** gave advice on Council's policies.

POLICY COMMITTEE

DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS

**DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS TO THE POLICY  
COMMITTEE MEETING HELD ON 2 NOVEMBER 2011**

General Manager  
Bathurst Regional Council

**1 DEVELOPMENT APPLICATION NO. 2011/0273 – TELECOMMUNICATION BASE  
STATION AT LOT: 1 DP 1140980, WALMER PARK, BRADWARDINE ROAD  
WINDRADYNE. APPLICANT: TCI LTD. OWNER: BATHURST REGIONAL COUNCIL  
(DA/2011/0273)**

**Recommendation:** That the information be noted.

**Report:** Council has received a Development Application (DA) for a telecommunications base station facility at Walmer Park, Bradwardine Road, Windradyne, described as Lot 1 DP 1140980 (see location plan at **attachment 1**).

The tower is to be operated by Vodafone.

The site contains sporting fields, a clubhouse and 2 telecommunications base stations (operated by Telstra and Optus) which also act as lighting for the park.

The proposal involves the erection of a 3 m x 2.5 m equipment shelter and a 22.4 m tall monopole. Attached to the top of the pole will be 3 panel antennas (see plan of proposed development at **attachment 2**). The pole will also operate as lighting for the park.

Council at its meeting held 21 September 2011 resolved to defer Development Application No.2011/0273 for further consideration at a public discussion forum.

Following Council's meeting a total of 98 properties were notified of the meeting and given the opportunity to lodge a written submission.

At the time of preparation of this report 1 submission was received raising concerns about the impacts of RF EME. A copy of the submission is provided at **attachment 3**.

Following this Discussion Forum a report will be prepared for the November Council Meeting.

**Financial Implications:** Nil.

## MINUTE

### **37 Item 1 DEVELOPMENT APPLICATION NO. 2011/0273 – TELECOMMUNICATION BASE STATION AT LOT: 1 DP 1140980, WALMER PARK, BRADWARDINE ROAD WINDRADYNE. APPLICANT: TCI LTD. OWNER: BATHURST REGIONAL COUNCIL (DA/2011/0273)**

**Mayor** advised the residents of procedure for addressing Council.

Discussion included:

**Michelle Knockles (McKibbin Place)** - spoke to lack of notification on all three communication towers. Believes there is real health issues. Cumulative effect of all three towers. Will sell if tower proceeds. Council has a duty of care to residents.

**Albert Ashbury** - public often ill informed in these matters. Council doesn't appear to follow its notification procedures. There are conflicting reports over the health issues. Urged Council to consider carefully. Asked Council to adhere to own principals and consult people affected by these types of applications.

**Janetta Roth** - believes there is evidence supporting the health concerns. Development standards for residential area. Towers should be 500m away. Against having 3 towers in the area, Walmer Park is a recreation area.

**Melissa Johnson** - would prefer to live in comfort and not near towers. Reduced property values. Area is a low income area, why are these developments not in high income areas. What does Council get from it.

**Lee Burden (McKibbin Place)** - tower is 55m from her home, concerns are the same as Kelso residents. It is a recreation area. Towers have huge visual impact. Raised health concerns. Believes Council should install towers in new areas. Graffiti on buildings.

**Bob Collins (Stack Street)** - area developed by Bathurst Orange Development Corporation. Covenants in place. No poles in estate. Too visible. Towers 55m from residences. Will have visual impact. Has a farm in Rylstone and there are no towers in the villages there.

**Sharon Evans (Whiteman Place)** - will sell if tower goes in. Wants children to be able to play safely. Objects to graffiti on current buildings.

**Doreen Morgan** - concerned over possible lack of brain development in under 14 year olds.

**Clarissa Tyrell** - mentioned international study. EF waves impact on the human body but we are not sure to what extent. Raised health concerns, no long term studies in Australia.

**TCI Ltd Adilla (Environmental Planner)** - involved in a long planning process, looked at several sites. Selected the colour of tower to blend in. Monopole structure gives less visual impact.

**Engineer (Vodaphone)** - monopole structure and underground cabling used to lessen visual impact.

**Michael Bangay (Radass Consulting)** - world health organisation had a clear statement

based on facts that there are no adverse health concerns. Phone base stations are low level emissions compared to broadcast towers. Tabled a fact sheet from the World Health Organisation.



## **2 BATHURST CBD & BULKY GOODS BUSINESS DEVELOPMENT STRATEGY (20.00161)**

**Recommendation:** That the information be noted.

**Report:** Council at its Ordinary Meeting on 16 August 2011 resolved to place the recently completed draft Bathurst CBD & Bulky Goods Business Development Strategy on public exhibition for a period of one month. The Strategy was placed on public exhibition between 27 August 2011 and 27 September 2011.

A full copy of Bathurst CBD & Bulky Goods Business Development Strategy has previously been provided to Councillors.

During the exhibition period Dr Jeff Wolinski made two presentations, one presentation to the Business Chamber and one to the general community. The aim of these presentations was to present the recommended policy framework for the future retailing system and to answer questions from the audience. Both presentations were well attended.

During the public exhibition period a total of 6 submissions were received. See submissions at **attachment 1**.

Details of the submissions are outlined in the table below:

Name	Issues Raised
Ms P Moppett, Barnson	<ul style="list-style-type: none"> <li>• Seek a gross leasable area (GLA) of 2500m<sup>2</sup> for the supermarket at Trinity Heights.</li> <li>• Does not support the designation of Trinity Heights Shopping Centre as “small neighbourhood activity centre”.</li> </ul>
Ms G Davies, Resident	<ul style="list-style-type: none"> <li>• Overall values not clearly outlined.</li> <li>• Public transport and pedestrian linkages (paths &amp; cycleways).</li> <li>• Green space buffers between business and residential areas.</li> <li>• Bulk, scale and design of commercial buildings need to be restricted (particularly the Bathurst Trade Centre).</li> <li>• Landscaping at the Bathurst Trade Centre.</li> <li>• Need for a comprehensive transport study, including consideration of malls.</li> </ul>
Mr N Winberg, Scott Carver Architects	<ul style="list-style-type: none"> <li>• Seek a gross leasable area (GLA) of 2500m<sup>2</sup> for the supermarket at Trinity Heights.</li> </ul>
Mr H Zochling, Hadley Green Asset Management	<ul style="list-style-type: none"> <li>• Does not support the designation of Trinity Heights Shopping Centre as “small neighbourhood activity centre”.</li> <li>• Seek a gross leasable area (GLA) of 2500m<sup>2</sup> for Trinity Heights.</li> <li>• Lack of consideration of passing trade at Trinity Heights Shopping</li> </ul>

	Centre
Mr D Nicoll, Elders Real Estate Bathurst	<ul style="list-style-type: none"> <li>• Does not support the designation of Trinity Heights Shopping Centre as “small neighbourhood activity centre”.</li> <li>• Seeks a gross leasable area (GLA) of 2500m<sup>2</sup> for supermarkets at Trinity Heights.</li> </ul>
Mr W Artis, Resident	<ul style="list-style-type: none"> <li>• Lack of short term recommendations, need for cost-effective short term projects</li> <li>• Traffic congestion created around ingress/egress to Bathurst City Centre</li> <li>• Shopping centre design reducing flow of pedestrians onto surrounding streets.</li> <li>• Need for improved streetscapes within the CBD.</li> <li>• Lack of improvement to city’s gateways</li> <li>• Need for advertising sign restrictions</li> </ul>

The Strategy will be referred to the next Council meeting for consideration of its adoption .

**Financial Implications:** N/A

## MINUTE

### **38 Item 2 BATHURST CBD & BULKY GOODS BUSINESS DEVELOPMENT STRATEGY (20.00161)**

**Mayor** advised the residents of procedure for addressing Council.

Discussion included:

**Hugh Zooping** (Representative Trinity Heights Shopping Centre) - wants to ensure owners can maintain a vibrant centre. Should be same as Westpoint. Site can physically accommodate a larger supermarket. Would like to see strategy modified to include this.

The **Director Environment Planning Building Services** responded Council has been talking to the consultant.

**MINUTE**

**39    MEETING CLOSE**

The Meeting closed at 6.34 pm.

**CHAIRMAN:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **(16 November 2011)**