



POLICY COMMITTEE

28 January 2015

His Worship the Mayor & Councillors

Notice of Policy Committee Meeting of Bathurst Regional Council - Wednesday, 4 February 2015

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 4 February 2015 following the Ordinary Meeting of Council which commences at 6 pm.

A handwritten signature in blue ink, appearing to read 'D J Sherley'.

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

POLICY COMMITTEE

TO BE HELD ON WEDNESDAY, 4 FEBRUARY 2015

1. 8:17 PM - MEETING COMMENCES

2. APOLOGIES

3. REPORT OF PREVIOUS MEETING

* MINUTES - POLICY COMMITTEE MEETING - 3 DECEMBER 2014

4. DECLARATION OF INTEREST

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. DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS

* DEVELOPMENT APPLICATION NO. 2014/0429 - FOUR X TWO BEDROOM UNITS; DEMOLITION OF EXISTING LAUNDRY AND CONSTRUCTION OF REPLACEMENT LAUNDRY AT LOT 1 DP 510158, 10 DALY STREET, WEST BATHURST. APPLICANT: MR & MRS BURKE. OWNER: MR & MRS BURKE

* DEVELOPMENT APPLICATION NO. 2014/0481 – ADDITIONS AND ALTERATIONS TO DWELLING AT LOT 2 DP 566691, 62 MITRE STREET BATHURST. APPLICANT: S PURCELL. OWNER: S PURCELL

* DEVELOPMENT APPLICATION 2014/0409 – RURAL LAND SHARING COMMUNITY – THIRD DWELLING AT 155 FLEMING DRIVE, LAFFING WATERS. APPLICANT – ALUKA CONSTRUCTIONS. OWNER – MS KJ BEARD

6. RECEIVE AND DEAL WITH DIRECTORS' REPORTS

* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

7. GENERAL BUSINESS

8. DISCUSSION FORUM OTHER

9. MEETING CLOSE

MINUTE

1 Item 1 MEETING COMMENCES

Present: Councillors Rush (Chair), Aubin, Bourke, Coote, Hanger, Jennings, Morse, North, Westman.

MINUTE

2 APOLOGIES

Nil

REPORT OF PREVIOUS MEETING AND MINUTES

POLICY COMMITTEE

1 MINUTES - POLICY COMMITTEE MEETING - 3 DECEMBER 2014 (07.00064)

Recommendation: That the Minutes of the Policy Committee Meeting held on 3 December 2014 be adopted.

Report: The Minutes of the Policy Committee Meeting held 3 December 2014, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

MINUTE

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 3 DECEMBER 2014
(07.00064)

MOVED: Cr B Bourke SECONDED: Cr G Westman

RESOLVED: That the Minutes of the Policy Committee Meeting held on 3 December 2014 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 3 DECEMBER 2014

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

Present: Councillors Rush (Chair), Aubin, Bourke, Coote, Hanger, Jennings, Morse, North, Westman.

APOLOGIES

2 APOLOGIES
MOVED Cr B Bourke and **SECONDED** Cr M Coote

RESOLVED: That the apology from Cr Aubin for late arrival to the meeting be accepted and leave of absence granted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 5 NOVEMBER 2014 (07.00064)
MOVED Cr G Westman and **SECONDED** Cr I North

RESOLVED: That the Minutes of the Policy Committee Meeting held on 5 November 2014 be adopted.

Cr Aubin arrived at the meeting.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002
MOVED Cr M Coote and **SECONDED** Cr B Bourke

RESOLVED: That the Declaration of Interest be noted.

GENERAL BUSINESS

5 Item 1 PARKING - 271 RANKIN STREET (25.00009)

Cr Jennings - noted a number of older people live here. There is an issue when turning right onto the road, with vision to the left. Could this be investigated?

6 Item 2 PARKING SIGNS - CITY OF SYDNEY (28.00007)

This is page 1 of Minutes of the Policy Committee held on 3 December 2014.

Cr Jennings - noted an article on simpler traffic signs in Sydney, can we look at this?

The Director Engineering Services advised currently using RMS standard signs, but will keep a watching brief on the trial in Sydney.

7 **Item 3 CCTV FORUM (07.00106)**

Cr Jennings - previously attended a forum where The Hon John Cobb said he could deliver CCTV to Bathurst. Could this be followed up?

The General Manager will write to Federal Member. Unaware of this having been proposed, as CCTV issues are normally State Government.

8 **Item 4 TAXIS COLOUR (28.00009)**

Cr Jennings - noted around the world, taxis are often all the one colour, who would be responsible for this?

General Manager advised control of taxis is a NSW Government matter.

9 **Item 5 OLDEST NATIVE AND NON-NATIVE TREES IN BATHURST (20.00153)**

Cr Jennings - asked do we know with 2015 coming up, what are the oldest trees in Bathurst?

The Director Engineering Services advised we don't have this information, but will investigate.

10 **Item 6 RAGLAN RAILWAY STATION (22.00159)**

Cr Jennings - questioned who would be responsible for maintaining and repairing the Raglan Railway Station.

The General Manager understands this would be Transport for NSW and possibly John Holland if they are the lessee.

11 **Item 7 INVESTMENT COMPANIES (16.00001)**

Cr Jennings - asked do we know what investments are tied up in coal assets and

the risk factors this poses?

The General Manager advised Council does not know break-up. Investments are based on institutions and investment options that are approved by the State Government.

12 **Item 8 PIPER STREET WORKS (25.00020)**

Cr Morse - noted engineers have been working in this area with major works occurring. The response of the staff has been fantastic.

13 **Item 9 100TH ANNIVERSARY ANZAC DAY (23.00076)**

Cr Morse - had a lady approach her about making poppies for ANZAC Day. Will be done through library/RSL and others. This will be fantastic opportunity. Noted timing of plantings in Kings Parade will be varied in 2015 to allow for flowers to be blooming at this time.

14 **Item 10 BEARD COMPETITION 2015 (20.00153)**

Cr Morse - challenge to Cr North to grow a bushy beard for 2015. It is being organised through the Historical Society and 2BS. Funds go to the Christmas Miracle Appeal.

15 **Item 11 CAR PARKING - FREE STANDING CARARK (28.00026)**

Cr Morse - asked has a cost been established for a free standing car park in the space behind the RSL?

The General Manager advised this area has been identified for next shopping centre, a free standing proposal was considered for Carrington Park.

16 **Item 12 SPORTS MARKETING (16.00140)**

Cr Westman - have previously had a presentation by Rick Sleeman on sports marketing. With the growth in facilities, it may be timely to revisit his proposal. Could this be referred back to Council for consideration as part of the 2015/16 budget process.

17 **Item 13 PEDESTRIANS RUNNING RED LIGHTS (28.00013)**

Cr Aubin - expressed concern at persons crossing the road against the red pedestrian light. Can we find out if it is possible to have a count down light system on street lights.

The General Manager noted State Government have recently implemented a trial of this type of signal.

18 **Item 14 LOCAL GOVERNMENT EXCELLENCE IN ENVIRONMENT AWARDS (23.00059)**

Cr North - attended recent presentation in Sydney. Council did very well and won two awards, one with the Water Salinity Alliance and the other, saving the Mount Panorama Woodlands. Do we have a Sustainability Action Plan?

The Director Environmental, Planning & Building Services advised Council has the Dubbo, Orange, Bathurst Environmental Sustainability Action Plan, and also has a Regional Environmental Plan and Council Environmental Plan.

19 **Item 15 CLIMATE CHANGE (07.00093)**

Cr North - noted some Councils have a Risk Assessment Document, do we have one?

The Director Environmental, Planning & Building Services advised Council has a draft Adaptation Plan. When State and Federal policies are set in place, this can then proceed further. Council is currently implementing a number of measures e.g. levee banks, solar energy, light changes and other adaptation measures.

20 **Item 16 SOLAR PANELS (13.00039)**

Cr North - asked is Council still going down the path of solar panels. Is a solar farm a possibility?

The Director Environmental, Planning & Building Services advised Council is currently focusing on 3-5 year payback periods, will continue to review direction as the easier projects are implemented.

21 **Item 17 CITY OF SYDNEY VEHICLE FLEET (30.00002)**

Cr North - noted they have done a lot of review on efficiency possibilities. Could we look further into this?

22 Item 18 EGLINTON HALL AND PARK COMMITTEE (18.00177)

Cr North - have concerns about how facility is being run. They haven't got a key to the new toilet block. Could Council contact them to discuss procedures as the Hall Committee are unsure of all processes involved.

23 Item 19 MULTI-LEVEL CARPARK EXPRESSION OF INTEREST (20.00090)

Cr North - asked has the multi-level carpark matter progressed any further? Have we started to develop an Expression of Interest?

The Director Environmental, Planning & Building Services advised the Environmental, Planning & Building Services department is currently doing a review of car parking in the CBD and a report will come to Council in the new year on future parking.

24 Item 20 TRIAL PARKING LINES - GEORGE STREET (28.00006)

Cr North - noted the trial on parking lines in George Street is going very well, congratulated everyone on the implementation.

25 Item 21 AERODROME - TRANSPORTING PATIENTS/FRAIL AGED (21.00044)

Cr North - asked could we look at a mobile cover to get persons to the air ambulance, particularly wet weather is a problem. The long term solution would be a hangar.

26 Item 22 CCTV (07.00106)

Cr North - spoke of the need to look at a scheme where we help people to put in CCTV in their businesses, this could be funding or providing assistance in heightening awareness.

27 Item 23 NSW PUBLIC LIBRARIES CONFERENCE (18.00127)

Cr Bourke - attended the libraries conference with Cr Morse. It was worthwhile. Noted proposed day of action for tomorrow, over funding for libraries. Has raised concerns with the Minister for Local Government over the issues, the Minister will go

This is page 5 of Minutes of the Policy Committee held on 3 December 2014.

to the Premier with these.

The Mayor noted letters of concern have previously been sent.

28 Item 24 DUMP POINTS (26.00011)

Cr Bourke - noted this issue raised at last Policy Committee meeting. Is there a dump point at the Showground?

The Director Engineering Services advised there is a report to December Council Meeting which covers these matters.

29 Item 25 2015 PARADE - DEFENCE, AMBULANCE, POLICE (20.00153)

Cr Bourke - asked how is the 2015 parade going?

The Mayor spoke to current status.

DISCUSSION FORUM OTHER

**30 Item 1 CR JENNINGS REPORT - VISIT TO CHINA (23.00129, 23.00025)
MOVED Cr M Coote and SECONDED Cr I North**

RESOLVED: That the report be referred to a Working Party for consideration.

MEETING CLOSE

31 MEETING CLOSE

The Meeting closed at 6.45 pm.

CHAIRMAN: _____

Date: _____ **(4 February 2015)**

MINUTE

- 4** **Item 1 DECLARATION OF INTEREST 11.00002**
MOVED: Cr I North SECONDED: Cr G Westman

RESOLVED: That the Declaration of Interest be noted.

MINUTE

5 Item 2 SUSPENSION OF STANDING ORDERS 11.00002
MOVED: Cr I North SECONDED: Cr B Bourke

That Standing Orders be suspended to deal with the Discussion Forum items.

DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS AND MINUTES

POLICY COMMITTEE

1 DEVELOPMENT APPLICATION NO. 2014/0429 - FOUR X TWO BEDROOM UNITS; DEMOLITION OF EXISTING LAUNDRY AND CONSTRUCTION OF REPLACEMENT LAUNDRY AT LOT 1 DP 510158, 10 DALY STREET, WEST BATHURST. APPLICANT: MR & MRS BURKE. OWNER: MR & MRS BURKE (DA/2014/0429)

Recommendation: That the information be noted.

Report: Council has received a Development Application for four x two bedroom residential units, and the demolition of existing laundry and construction of replacement laundry at the existing boarding house at 10 Daly Street, West Bathurst, described as Lot 1 DP 510158. A location plan is provided at **attachment 1**.

The site

The site is currently 2,883 sq m.

Located on the site is a large 2 storey residential building which was built in 1874. The building is currently divided into 12 one bedroom units. The building is used as a boarding house, currently leased by GWAHS, and is used by medical professionals during their stays in Bathurst.

The boarding house has operated on the site since 1951 when it received Council approval to operate as a guest house.

Planning provisions

The land is zoned 2(a) General Residential pursuant to BRILEP 2005 which was the Plan in force when the Development Application was lodged.

Boarding houses and residential units are permissible with consent.

The subject land is located within the Bathurst Heritage Conservation Area. The building is not listed as an individual heritage item.

The proposal

The proposal as it currently stands is to erect 4 new 2 bedroom residential units on the property. The units will be located to the rear of the property and behind the boarding house. Access will be by way of the current access to the property from Daly Street.

The boarding house will continue to operate in its current fashion although it will have access to the new laundry building following its completion.

It is noted that the proposal was originally lodged as five x two bedroom units and new carports, however following concerns raised in the initial assessment and in the submissions one unit on the North Eastern side of the existing building has been removed and the carports have been removed from the proposal.

The amended plans are at **attachment 2**.

The Development Application, as originally lodged, was notified in accordance with Council's Development Control Plan. Notification was sent to those four properties which adjoin or are directly adjacent to the subject land from 27 October to 10 November 2014. At the closure of the notification period a total of six submissions had been received. A copy of the submissions is at **attachment 3**.

Issues raised in the submissions included:

- Compatibility of the materials proposed in relation to the surrounding area
- Proposed location of unit 5 (note this has been removed)
- Traffic Impacts
- Privacy
- Impacts on property values
- Impacts on Heritage significance of the existing building
- Development is out of character with the existing area
- Overshadowing
- Noise
- Density
- Compliance with relevant planning controls, Regulations and Acts.
- Location of driveway
- Plant types along fences
- Location and suitability of existing sewer connection
- Significance and potential impacts on Bunya Tree
- Potential for Over Crowding of the site
- Impacts on views from adjoining properties

The amended plans have been forwarded to those persons who made submissions as part of the invitations for the discussion forum.

Following the Discussion Forum the application will be referred to Council for determination.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8

MINUTE

6 Item 1 DEVELOPMENT APPLICATION NO. 2014/0429 - FOUR X TWO BEDROOM UNITS; DEMOLITION OF EXISTING LAUNDRY AND CONSTRUCTION OF REPLACEMENT LAUNDRY AT LOT 1 DP 510158, 10 DALY STREET, WEST BATHURST. APPLICANT: MR & MRS BURKE. OWNER: MR & MRS BURKE (DA/2014/0429)

The Mayor gave an introduction to the session.

K Birch - owner 89 Mitre Street - referred to objections made in original submission. Also feels proposal is prohibited by law under the Local Government Act. Council does not have power to consider the application. The property is not listed as a Boarding House under the Boarding House Register. Yet, owner says the property is running as a boarding house.

Advice from Council has not given sufficient notice or detail on the proposal. The amended plan does not comply with LEP density levels. The number of car spaces does not comply with DCP, also all parking is in front of building line. There is no visitor parking as required by the DCP, this will force overflow parking onto Daly Street. Landscape plans and open space available are issues needing addressing. There will be adverse impacts on the Bunyah pine. There is no evidence of need by hospital for accommodation, there is adequate rental accommodation in Bathurst. Temporary structures are a concern, particularly with heritage preservation. Noted not all documents have been provided to Councillors. Also has concerns at not being given access to all of Development Application application form. Letter tabled from K Birch and L Thompson.

M Connolly - resident - has concerns about the development. There are aesthetic impacts, particularly with relocated second hand portable cottages. Will create a trailer park. Please refuse.

B Triming - MacKenzie Place - advised that several years ago UWS built houses in Howick Street. These have created parking/traffic problems. Cars are parked across the footpath. The proposal in Daly Street will see the same problems. Funding of footpaths should be sought so as to get at least one sealed footpath in this area. Car parking is a problem. Also do not want to mess up this beautiful old building and this heritage area.

I MacPherson - National Trust - advised have made a submission on this Development Application. Principle issue is location of transportable buildings in heritage area/buildings. Noted issues; removal capability at a future date, and capital value argument are not supportable. Feels should not be approved in current form. Any further development on this site will deteriorate heritage of site.

S Bathgate - Bathurst 2036 Heritage Action Network - Network is against this proposal. Is there a strata proposal for the site?

The Director Environmental, Planning & Building Services advised no.

Mr Bathgate asked if this could occur in the future.

The Director Environmental, Planning & Building Services advised that any site could have an application for subdivision into the future.

Mr Bathgate expressed concern about possible subdivision. Transportable homes are not

conducive to this area.

R White - representing owner - spoke to actions taken to address concerns of residents. Including, removed carports of concern and one of the units. Parking removed, to respond to concerns of adjoining residents. The Statement of Environmental Effects has been provided to Council.

Grange has been a Boarding House since 1951. The Hospital will lease the whole site, so Boarding House Act is irrelevant. This will not be a transportable park and the buildings will be brand new. Spoke to; landscaping undertaken, removal of noxious weeds and the adding of trees to the site, the location of car parking and level of supply.

L Thompson - 89 Mitre Street - owner appears to cherry pick from the Boarding Houses legislation where it suits. The lease with the hospital is irrelevant for the Development Application considerations. Need a footpath. Transportable dwellings are covered under S:68 of the Local Government Act. This proposal breaches the legislation with respect to transportable units. Invite Councillors to their house to look at impact of development. There is no indication of how high the development will be. If construct the buildings on site, this should require a new Development Application as it is substantially different. Colours proposed are inconsistent with conservation areas. The proposal should be considered under S:68 of the Local Government Act, not the Environmental Planning & Assessment Act.

F Visser - neighbour - against the development. This is a trailer park. If development approved, then the whole of Bathurst can have transportables.

2 DEVELOPMENT APPLICATION NO. 2014/0481 – ADDITIONS AND ALTERATIONS TO DWELLING AT LOT 2 DP 566691, 62 MITRE STREET BATHURST. APPLICANT: S PURCELL. OWNER: S PURCELL (DA/2014/0481)

Recommendation: That the information be noted.

Report: Council has received a Development Application for additions and alterations to the existing dwelling at 62 Mitre Street, Bathurst, described as Lot 2, DP 566691. A location plan is provided at **attachment 1**.

The site

The site is currently 885.8 sq m.

Located on the site is a single storey dwelling.

The site slopes from street level to the rear and from the south west to north east.

The proposal

The proposal involves the demolition of the rear section of the property.

The proposal is for three storey additions to the rear of the dwelling comprising a two storey habitable component with a garage/basement below. The proposed plans are at **attachment 2**.

The applicant has provided shadow diagrams in support of the application (**attachment 3**).

The subject land is located within the Bathurst Heritage Conservation Area under Clause 5.10 of Bathurst Regional Local Environmental Plan 2014. It does not however contain any identified heritage items.

The Development Application was notified in accordance with Council's Development Control Plan. Notification was sent to those four properties which adjoin or are directly adjacent to the subject land.

The Development Application was notified to the adjoining and adjacent property owners from 3 December to 14 December 2014. At the closure of the notification period a total of two submissions had been received. These are included at **attachment 4**.

Issues raised in the submissions included:

- Damage to adjoining properties during construction
- Noise from potential heating/cooling systems
- Impacts on amenity and interference to TV and radio reception
- Blocking of views
- Overshadowing
- Privacy
- Impacts on rental and property values

Following the Discussion Forum the application will be referred to Council for determination.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets.

Strategy 28.8

MINUTE

7 Item 2 DEVELOPMENT APPLICATION NO. 2014/0481 – ADDITIONS AND ALTERATIONS TO DWELLING AT LOT 2 DP 566691, 62 MITRE STREET BATHURST. APPLICANT: S PURCELL. OWNER: S PURCELL (DA/2014/0481)

The Mayor gave an introduction to the session.

L Cheetham - owner 66 Mitre Street - have put in a submission against the development. Have concerns at proposal including, over shadowing, view from property. Should not lose all views from their property. Have not seen drawings of proposal but concerns exist for invasive aspects. This proposal could set dangerous precedents. The upper story is major concern, could this be removed and a flat roof be put in place. Urge Council to reject Development Application.

A Rintoul - 60 Mitre Street - have spoken to developer. Main concern is depth of excavation required and drainage concerns. The development 'per se' is not a concern.

B Purcell - owner - referred to potential noise from heating and cooling systems and what is being placed upstairs (bedroom). Does not feel invasion of privacy is an issue. Working with Council on this development. Have commissioned jointly with Rintoul's a dilapidation report. Overshadowing has been addressed. Some views are blocked, cannot get away from this.

J Rintoul - 60 Mitre Street - the building is over powering The second story means no privacy. Have concerns with the driveway and impacts that may occur. Noted dilapidation report.

3 DEVELOPMENT APPLICATION 2014/0409 – RURAL LAND SHARING COMMUNITY – THIRD DWELLING AT 155 FLEMING DRIVE, LAFFING WATERS. APPLICANT – ALUKA CONSTRUCTIONS. OWNER – MS KJ BEARD (DA/2014/0409)

Recommendation: That the information be noted.

Report: Council has received a Development Application for the property at 155 Fleming Drive, Laffing Waters, described as Lot 8 DP 255707.

A location plan is provided at **attachment 1**.

The proposal

The Development Application relates to the construction of a third dwelling on the site.

A copy of the submitted plans and accompanying Statement of Environmental Effects are provided at **attachment 2**.

It is noted that following public exhibition the applicant amended the site plan to address some of the issues raised on the public submission. The changes involve reducing the front setback from 82 metres to 70 metres and the relocation of the rainwater tanks.

The property is a 10.12ha rural allotment that contains two dwelling and outbuildings.

The site is cleared and is used for grazing and rural residential activities.

Land in the vicinity is used for rural and rural residential type uses.

The proposal is dealt with pursuant to the provisions of the State Environmental Planning Policy (SEPP) 15 – Rural Land sharing communities. SEPP 15 provides administrative and assessment criteria for Development Applications relating to multiple dwellings (3 or more) on rural land.

A copy of the SEPP is provided at **attachment 3**.

Public notification

The Development Application requires public exhibition under the provisions of SEPP 15.

Public exhibition includes public notice in the local paper (twice) and notification of adjoining property owners.

The Development Application was advertised and notified to adjoining property owners from 24 November 2014 to 24 December 2014. Following the notification period 1 submission was received (**attachment 4**). Issues raised in the submission included:

- Proposed setbacks;
- A site analysis has not been supplied as required by the SEPP;
- The Statement of Environment Effects does not make reference to adjoining owners views;
- A Management Plan for the development has not been supplied as required by the SEPP;
- Dwelling ownership rights have not been supplied;
- The Statement of Environmental Effects fails to address the means proposed for establishing and community management to ensure the aims and objectives of SEPP 15

- are met;
- The proposed location of the rainwater tank in-relation to the side boundary

In response to the public submission the applicant has submitted a site analysis (**attachment 5**). The Management Plan and ownership rights information have already been provided in the Statement of Environmental Effects in **attachment 2**.

The amended site plan and the site analysis have separately been forwarded to the person who lodged a submission.

Following the Discussion Forum a report will be referred to Council for determination.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8

MINUTE

8 Item 3 DEVELOPMENT APPLICATION 2014/0409 – RURAL LAND SHARING COMMUNITY – THIRD DWELLING AT 155 FLEMING DRIVE, LAFFING WATERS. APPLICANT – ALUKA CONSTRUCTIONS. OWNER – MS KJ BEARD (DA/2014/0409)

The Mayor gave an introduction to the session.

L Small - Fleming Drive (neighbour) - the Development Application does not comply with SEPP15, there was no site analysis. Has sought legal assistance in this matter. Council should ensure all documents are submitted prior to consideration being made of the Development Application.

L Farraway - have met with Council and then got Antony Daintith to do a statement of environmental effects and have addressed all issues. The house meets all setbacks. A site analysis has been submitted and relevant issues have been addressed. The house and tanks have been moved to address concerns. This is a third house on the property. The house is 100 metres from the neighbours house. Would invite Councillors to come out and view the site.


K Beard- owner - the proposal will allow for accommodation to live near family. This is reason for the development. Asks Council to approve Development Application.

MINUTE

9 Item 3.01 RESUMPTION OF STANDING ORDERS (DA/2014/0409)
MOVED: Cr M Morse SECONDED: Cr B Bourke

That Council resume standing orders.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'D R Shaw', written in black ink.

D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND MINUTES

POLICY COMMITTEE

4 FEBRUARY 2015

1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 26 NOVEMBER 2014 (07.00096)

Recommendation: That the recommendations of the Audit & Risk Management Committee Meeting held on 26 November 2014 be adopted.

Report: The minutes of the Bathurst Regional Council Audit and Risk Management Committee Meeting held on 26 November 2014 are shown at **attachment 1**,

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

MINUTE

10 Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 26
NOVEMBER 2014 (07.00096)

MOVED: Cr G Westman SECONDED: Cr M Coote

RESOLVED: That the recommendations of the Audit & Risk Management Committee Meeting held on 26 November 2014 be adopted.

2 DELEGATIONS REGISTER UPDATE (20.00009, 41.00088)

Recommendation: That Council adopt the Delegations Register in accordance with the report.

Report: Clause 17 of Council's Delegations Register lists legislation that Council is required to comply with as part of its day to day operations. Council recently updated its Land Sale Policy and this process identified two additional pieces of legislation that need to be added to the list being the Property, Stock and Business Agents Act 2002 and the Real Property Act 1900.

It is recommended that the Delegations register be updated to include these two pieces of legislation at Clause 17. Clause 17 would then read as follows:-

17. Be authorised to perform all necessary activities, to serve any notices or orders, undertake inspections, issue or refuse license and permits, to exercise the power of entry, to appoint appropriate staff as an authorised officer, authorised person, authorised Council employee, or impounding officer as the case may be, to exercise the functions of those positions under the relevant acts and associated regulations and to implement the provisions as relating to the operation of Council of the relevant Acts and associated regulations, including but not limited to:

- Boarding Houses Act 2012
- Building Professionals Act 2005
- Companion Animals Act 1998
- Community Land Development Act 1989
- Conveyancing Act 1919
- Crown Lands Act 1989
- Dividing Fences Act 1991
- Environmental Planning and Assessment Act 1979 as amended
- Food Act 2003 and Regulations
- Fire Brigades Act 1989
- Government Information (Public Access) Act 2009
- Health Records & Information Privacy Act 2002
- Heritage Act 1977
- Independent Commission Against Corruption Act 1988
- Interpretation Act 1987
- Impounding Act 1993 as amended
- Land Acquisition (Just Terms Compensation) Act 1991
- Library Act 1939
- Local Government Act 1993 as amended plus regulations
- Mt Panorama Motor Racing Act 1989 plus regulations
- Motor Vehicle Sports (Public Safety) Act 1985 as amended plus regulations
- Native Title Act 1994 as amended
- Noxious Weeds Act 1993 as amended
- Ombudsman Act 1974

- Plumbing & Drainage Act 2011 plus Regulation
- Privacy & Personal Information Protection Act 1998
- **Property, Stock and Business Agents Act 2002 plus regulation**
- Protection of Environment Operations Act 1997 as amended
- Public Health Act 2010 and Regulations made thereunder
- Public Interest Disclosures Act (1994)
- **Real Property Act 1900 plus regulation**
- Recreation Vehicles Act 1993 as amended
- Roads Act 1993 as amended
- Road Transport (General) Act 2005
- Rural Fires Act 1997 as amended
- Rural Lands Protection Act 1998
- Strata Schemes (Freehold Development) Act 1973
- Strata Schemes (Leasehold Development) Act 1986
- State Emergency and Rescue Management Act 1989
- State Emergency Service Act 1989
- Swimming Pools Act 1992 as amended
- Transport Administration Act 1988
- Unclaimed Money Act 1995
- Waste Avoidance & Resource Recovery Act 2001
- Water Management Act 2000
- Work Health and Safety Act 2011

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.8
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

MINUTE

- 11 **Item 2 DELEGATIONS REGISTER UPDATE (20.00009, 41.00088)**
MOVED: Cr M Coote SECONDED: Cr M Morse

RESOLVED: That Council adopt the Delegations Register in accordance with the report.

3 MOUNT PANORAMA RESIDENT ACCESS - FULL TRACK HIRE POLICY (18.00150, 41.00089)

Recommendation: That Council adopt the revised Policy including the requirement for two meetings per annum to be held with the residents.

Report: In October 2014 Council updated the Mount Panorama Resident Access - Full Track Hire Policy.

The Draft Policy included a number of amendments to the existing Policy adopted by Council on 5 December 2012. The amendments were clearly identified in the Draft Policy which is shown at **attachment 1**.

A copy of the draft Policy was provided to all residents at Mount Panorama seeking comments on the proposed amendments to the Policy. Residents were asked to respond by 15 November 2014 and Council received seven submissions. The submissions are shown at **attachment 2**.

Submissions received covered the following areas:

- Track opening and closing times
- Resident notification requirements
- Number of resident meetings with Council
- Alternate resident access
- Number of tickets and car passes issued
- Noise pertaining to entertainment for race goers, eg RAAF Fighter Plane
- Lack of penalties for promoters failing to abide by the Resident Access Policy

Following consideration of the submissions received it is proposed to make one amendment to the Draft Policy provided to the residents.

It is recommended that the Policy be amended to include the requirement to hold two meetings per annum between Council and the residents.

This would result in the following change to the Draft Policy

Change from:

Resident Communication

- a) Residents meetings will be held throughout the year as required. This will provide a forum for updates, feedback and discussion on Mount Panorama Events.
- b) In addition to these 'as required' meetings a meeting can be arranged at any time on request at a time convenient to residents and BRC.

Change to:

Resident Communication

- a) Two residents meetings will be held during each year. This will provide a forum for updates, feedback and discussion on Mount Panorama Events.
- b) In addition to these two meetings further meetings can be arranged at any time on request at a time convenient to residents and BRC.

It is recommended that Council adopt the revised Policy including the requirement for two meetings per annum to be held with the residents. The revised Policy is shown at **attachment 3**.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.7

MINUTE

12 Item 3 MOUNT PANORAMA RESIDENT ACCESS - FULL TRACK HIRE POLICY
(18.00150, 41.00089)

MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That Council adopt the revised Policy including the requirement for two meetings per annum to be held with the residents.

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

GENERAL BUSINESS

POLICY COMMITTEE

MINUTE

13 Item 1 CHINA ENGAGEMENT SEMINAR (23.00129)

Cr Jennings - advised will be attending panel session in Sydney on this. Would be happy to report back to Council.

MINUTE

14 Item 2 C PERKINS - FREEDOM RIDE (09.00031)

Cr Jennings - advised Anniversary will occur on 15 February. The Wiradjuri will be holding a screening at Panthers of Mr Perkins video, followed by a healing day function at the river.

MINUTE

15 Item 3 TOUR OF WIRADJURI SITES (09.00031)

Cr Jennings - Councillors and staff have been offered the opportunity to undertake a tour of important sites.

The Mayor noted this was already being organised.

MINUTE

16 Item 4 ENTRY SIGNS (28.00007)

Cr Jennings - asked when will the old signs come down.

The Director Engineering Services advised one sign still on Orange Road, will be removed in the near future.

MINUTE

17 Item 5 REX FLIGHT SCHEDULE (18.00162)

Cr Jennings - asked have there been any more reductions in service levels provided.

The General Manager spoke to summer flight schedules and current infrastructure works.

MINUTE

18 Item 6 FLAGSTAFF AREA - TREE CARVING (36.00518)

Cr Jennings - understands there was proposed to be a carving in a large tree on the site. This has been knocked down.

The Director Engineering Services spoke to footprint and construction issues around the flagstaff.

MINUTE

19 Item 7 PRIME MINISTER (20.00153)

Cr Jennings - asked have we had any responses concerning his attendance to 2015 celebrations.

The Mayor spoke to actions being undertaken. Understands the Prime Minister is interested in attending celebrations.

MINUTE

20 Item 8 BROKEN HILL - NATIONAL HERITAGE CITY LISTING (20.00047)

Cr Jennings - noted this was recently announced. Could we look at this for Bathurst.

The Director Environmental, Planning & Building Services will investigate this matter.

MINUTE

21 Item 9 2015 CELEBRATIONS - SYDNEY DINNER (20.00153)

Cr Jennings - spoke to article in Western Advocate. What budget did this come from? How much money has been paid to activities and charities linked with P Duncan? What exact expenditure has occurred? Stated has requested updated bicentenary budget details in the past.

The Mayor advised that the bicentenary has an item for promotion of the bicentenary, this is a Council approved operational budget. This is similar for other examples such as; Australia Day, 12 Hour Race, V8's and Proclamation Day. The objective of our public relations and marketing strategy is to spread the message, celebrate the bicentenary and get the community involved.

Council discussed appointment of an ambassador and have got a person in place. This has not been a secret. The dinner provided a great opportunity to promote Bathurst and 2015 celebrations and further it allowed significant leveraging to occur, eg Qantas article.

MINUTE

22 Item 10 QANTAS MAGAZINE STORY (20.00153)

Cr Jennings - queried how this story could have been influenced by the dinner. The print production would have been in place well before the dinner.

The Mayor spoke to process in place and discussions with Central NSW Tourism on the item and others. Understands function had impact on slant of the article.

MINUTE

23 Item 11 EVENTS ATTENDED BY MAYOR (23.00007)

Cr Morse - feels a diary of Mayoral events that the Mayor attends could possibly be provided in the Councillors weekly newsletter.

The Mayor spoke of Diary processes in place and the 5 pm session each Tuesday that is available for Councillors to meet informally with him - will look at the matter.

MINUTE

24 Item 12 ALDI/RUSSELL STREET TRAFFIC MATTERS (25.00011)

Cr Morse - could the problem of traffic merging after the Russell/William Street lights be referred to the Traffic Committee.

MINUTE

25 Item 13 KEFFORD STREET DOG PARK (22.01232)

Cr Morse - conflict exists with large and small dogs. Could a small area be partitioned off for small dogs at the Kefford Street area.

MINUTE

26 Item 14 2015 ENDORSEMENTS (20.00153)

Cr Morse - there is a concern that endorsements are not being processed expediently. Request report on process which could be implemented to fast track proposals.

MINUTE

27 Item 15 MRS MACQUARIE's CELLO (20.00153)

Cr Morse - permission has been received for Cello to come to Bathurst. Will be utilised at a concert at the Bathurst Memorial Entertainment Centre.

MINUTE

28 Item 16 SIGNAGE (20.00153)

Cr Morse - asked will we have a large Bathurst 200 sign set up at the entrance(s) to the City.

MINUTE

29 Item 17 GENERAL BUSINESS (07.00064)

Cr Westman - stated this General Business session should be for policy items, operational matters should be dealt with in other forums.

MINUTE

30 Item 18 COUNCILLOR QUESTIONS - GENERAL BUSINESS (07.00064)

Cr Coote -noted if anyone has a question, ask relevant area, do not go running to the newspaper.

MINUTE

31 Item 19 DISCUSSION FORUM (07.00064)

Cr Coote - queried why DA Discussion Forum #2 and #3 came to the Discussion forum session.

The Director Environmental, Planning & Building Services spoke to reasons for making decision to put these items to discussion forums.

MINUTE

32 Item 20 BATHURST 12 HOUR EVENT (04.00097)

Cr Coote - requested that the sign under the Mount Panorama sign on the Mount be redone with this being the bicentenary year.

The Director Engineering Services advised the sign has been repainted.

MINUTE

33 **Item 21** **GENERAL BUSINESS (07.00064)**

Cr North - spoke to the nature of items which he feels are relevant to be raised.

MINUTE

34 Item 22 REVIEW OF COUNCIL DEPARTMENTS (11.00016)

Cr North - asked where this review is at. When will Council deal with communications processes and have discussion on this?

MINUTE

35 Item 23 BATHURST 200 SHOP (11.00153)

Cr North - requested consideration be given to the need to open shop on Saturday and Sunday as soon as possible.

MINUTE

36 Item 24 CARPARK STUDY AND MULTI STOREY CARPARK (20.00090)

Cr North - questioned where this is at. Understands developers have spoken to senior staff.

The General Manager spoke to assessment of parking currently occurring and meeting with developer.

MINUTE

37 Item 25 SECOND RACE TRACK - NOISE STUDY (07.00084)

Cr North - asked where this is at.

The Director Environmental, Planning & Building Services advised have received a report and this is being analysed by staff.

MINUTE

38 Item 26 BATHURST AERODROME (21.00044)

Cr North - advised would like to see a meeting to be organised with user groups to discuss issues into the future.

MINUTE

39 Item 27 POLICY COMMITTEE - GENERAL BUSINESS (07.00064)

Cr North - advised would not like to see General Business sessions being used as a political forum. Noted processes that have been put in place for Councillors to work together.

MINUTE

40 Item 28 BANNERS ON HERITAGE BUILDINGS (20.00143)

Cr Bourke - asked do we have a Policy on banners on heritage buildings. Referred to sign on Court House Building for Conservatorium. Need consistency.

The Director Environmental, Planning & Building Services spoke to DCP in place and provisions on advertising contained therein. Not aware of Conservatorium seeking approval.

MINUTE

41 MEETING CLOSE

The Meeting closed at 10.21 pm.

CHAIRMAN: _____

Date: _____ **(18 February 2015)**