

30 May 2012

His Worship the Mayor & Councillors

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 6 June 2012 commencing at 5.00 pm.



D J Sherley  
**GENERAL MANAGER**

# **BUSINESS AGENDA**

## **POLICY COMMITTEE**

**TO BE HELD ON WEDNESDAY, 6 JUNE 2012**

1. 5:00 PM - MEETING COMMENCES
2. APOLOGIES
3. REPORT OF PREVIOUS MEETING
  - \* Minutes - Policy Committee Meeting - 2 May 2012
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. RECEIVE AND DEAL WITH DIRECTORS' REPORTS
  - \* Director Engineering Services' Report
6. GENERAL BUSINESS
7. DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS
  - \* Planning Proposal - Eglinton Expansion
8. MEETING CLOSE

## MINUTE

### 1 MEETING COMMENCES

**Present:** Councillors Westman, Aubin, Bourke, Carpenter, Hanger, Morse, North, Thompson, Toole.

**In attendance:** General Manager, Acting Director Corporate Services & Finance, Director Cultural & Community Services, Director Engineering Services, Director Environmental Planning & Building Services, Manager Recreation, Parks Operations Manager, Manager Water & Waste, Senior Strategic Planner, Acting Manager Environment, Development Control Planner, Media & Public Relations Officer.

**MINUTE**

**2     APOLOGIES**

Nil.

POLICY COMMITTEE  
REPORT OF PREVIOUS MEETING

**REPORT OF PREVIOUS MEETING TO THE POLICY COMMITTEE MEETING HELD ON 6  
JUNE 2012**

General Manager  
Bathurst Regional Council

**1 MINUTES - POLICY COMMITTEE MEETING - 2 MAY 2012 (07.00064)**

**Recommendation:** That the Minutes of the Policy Committee Meeting held on 2 May 2012 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held 2 May 2012, 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 - 2 MAY 2012 (07.00064)**

**MOVED: W Aubin SECONDED: M Morse**

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 2 May 2012 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 2 MAY 2012**

**MEETING COMMENCES**

**1 MEETING COMMENCES**

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

**In attendance:** General Manager, Director Corporate Services & Finance, Director Cultural & Community Services, Director Engineering Services, Director Environmental Planning & Building Services, Acting Manager Environment, Environmental Officer, Manager Financial Services, Manager Water & Waste.

**APOLOGIES**

**2 APOLOGIES**

**MOVED** Cr B Bourke and **SECONDED** Cr I North

**RESOLVED:** That the apologies from Crs Thompson & Toole be accepted and leave of absence granted.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 APRIL 2012 (07.00064)**  
**MOVED** Cr W Aubin and **SECONDED** Cr I North

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 4 April 2012 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**

**MOVED** Cr I North and **SECONDED** Cr T Carpenter

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**Director Environmental Planning & Building Services' Report**

**5 Item 1 BATHURST REGION ECONOMIC DEVELOPMENT ACTIVITIES**  
**(20.00071)**

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

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

**Director Corporate Services & Finance's Report**

**6 Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 28 MARCH**  
**2012 (07.00096)**

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

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This is page 1 of Minutes of the Policy Committee held on 2 May 2012.

General Manager

Page 8  
Mayor





**Cr North** - asked where are we at with this service?

**The Director Engineering Services** spoke to the problem with catering for the amount of waste. Have been looking at the Orange hub proposal, as Bathurst Waste Management Centre does not have the capacity to take the material. The Hub is the best alternative.

**13**      **GASWORKS SITE (22.00052)**

**Cr Bourke** - asked where is remediation at? What has Jemena done? Can we find out where the State Member is up to on this matter? Requested a report come to Council.

**The Director Environmental, Planning & Building Services** spoke to voluntary remediation (soil) program works Jemena have undertaken. Aware Jemena and State Government are holding discussions on this matter. Waiting to hear the results.

**14**      **POPULARLY ELECTED MAYOR (12.00005)**

**MOVED** Cr B Bourke

**That** Council hold a referendum to determine whether Council should have a popularly elected Mayor.

**The General Manager** noted Council has dealt with this matter in 2011.

**Cr Bourke** withdrew the **MOTION** and requested that a report be prepared for the May meeting.

**15**      **CEMETERY - TOILETS (09.00009)**

**Cr Bourke** - stated there are no public toilets at the cemetery, could Council look at placing a facility at the cemetery. Cr Bourke requested a report on this.

**MEETING CLOSE**

**16**      **MEETING CLOSE**

The Meeting closed at 5.34 pm.

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

**Date:** \_\_\_\_\_ **(16 May 2012)**

**MINUTE**

**4     DECLARATION OF INTEREST 11.00002**

**MOVED: P Toole SECONDED: M Morse**

**RESOLVED:** That the following Declarations of Interest be noted.

Cr Westman

Item #2 of the Director Engineering Services report.

POLICY COMMITTEE  
DIRECTOR ENGINEERING SERVICES' REPORT & MINUTES  
6 JUNE 2012

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE POLICY COMMITTEE**  
**MEETING HELD ON 6 JUNE 2012**

General Manager  
 Bathurst Regional Council

**1 STREET TREE WORKS TO COMMENCE IN ROCKLEY AS PART OF BATHURST HERITAGE STREET TREE AUDIT (37.00206)**

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

**Report:** Council would be aware that in August 2007, it adopted the Bathurst Heritage Street Tree Audit Report and approved the actioning of all recommendations contained within it. Such recommendations included general maintenance activities such as pruning, dead wood removal, trimming etc and the removal and replanting of trees within the Bathurst Heritage area and the villages of Hill End and Rockley.

Over the Past 5 years, Council has been busy implementing the various works that have been identified within the Street Tree Audit. With the exception a small amount of plantings still to occur within Bathurst and minor tree maintenance works still to be completed on a number of main entrance roads within Bathurst, Council has completed almost all of the works that have been recommended within in the Bathurst City area including Machattie Park and Kings Parade.

For information over the past 5 years, Council has completed the following works in relation to the Bathurst Street Tree Audit:

**Original Identified Works Bathurst Street Tree Audit**

Location Area	Total No. of trees assessed	No. trees requiring removal	Further inspections to determine appropriate action	No. requiring various works to be performed	Planting Opportunities (spaces for new tree planting).
Bathurst	3444	220	43	751	819
Gilmour Street	105	7		47	78
Great Western Hwy	252	39	2	145	112
Vale Road	489	28	12	128	73
Mid Western Hwy	81	10		15	71
Mitchell Hwy	90	14	2	30	82
Centennial Park	16	9		4	
Victoria Park	43	23		22	
George Park	13	1	1	8	
Machattie Park	178	4	14	105	
Kings Pde	12	2		10	2
Rockley	115	23		40	53
Hill End	343	59	2	150	18

<b>TOTAL TREES</b>	<b>5181</b>	<b>439</b>	<b>76</b>	<b>1455</b>	<b>1308</b>
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#### Actual Works Undertaken To-Date

Location Area	Actual No. of trees removed	Actual No. of trees where works were undertaken	Actual No of trees planted.
Bathurst	328	1770	1138
Gilmour Street	3	38	
Great Western Hwy	79	93	
Vale Road	86	91	
Mid Western Hwy	Works to be completed	Works to be completed	Works to be completed
Mitchell Hwy	Works to be completed	Works to be completed	Works to be completed
Centennial Park	9	4	
Victoria Park	23	22	157
George Park	1	8	1
Machattie Park	6	105	
Kings Parade	2	10	2
Rockley	Works still to commence	Works to be completed	Works to be completed
Hill End	Works to be completed	Works to be completed	Works to be completed
<b>TOTAL TREES</b>	<b>537</b>	<b>2141</b>	<b>1298</b>

From the above table, it is noted that Council has installed an additional 319 new street trees within the streets of Bathurst's heritage area than was originally identified for planting within the Street Tree Audit. In addition, Council staff have undertaken a significant amount of additional general maintenance works on the City's streets. This was mainly due to taking the opportunity to conduct tidy up works to all trees within each street whilst conducting works on trees identified for work within the Audit.

It is also noted that within a number of roads and parks there are no plantings that have been carried out at this stage. This is due to a number of reasons, including that Council is still to undertake planting works where opportunities have been identified, plantings are either yet to be determined such as the future proposed works by the RMS along the Great Western Highway, or there have been no opportunities for plantings to be implemented.

The above table also shows an increase in the number of actual tree removals than originally indicated within the Audit, due to further investigation works identifying significant hazards to selected trees that warranted such action to be implemented.

As a result of the Audit works being all but complete within Bathurst, Council is soon to commence on the identified works within the village of Rockley. It is envisaged that soon after completion of the recommended tree works in Rockley, Council will commence on the last of the Street Tree Audit works within the Village of Hill End.

The initial works to be undertaken as part of the Street Tree Audit works in Rockley will see the installation of new street trees within various streets of the village in this year's winter tree planting program. It is envisaged that pruning, dead wood removal and general tree maintenance works will also be undertaken on the existing street trees in Rockley this year. Other works to be implemented upon the completion of the initial works will be the unfortunate removal of approximately 23 existing street trees throughout Rockley. Such tree removal works are to be undertaken only as a result of necessity due to serious health and safety issues that are evident.

It should be noted that in addition to planting opportunity works, Council will be installing replacement trees for every tree that is required to be removed. Although it will be sad to see the removal of some of the older trees in the village, it will be great to see the vibrant colours of the new trees planted in Rockley, which will ensure that the tree-scape of this heritage village continues to be a dominant and aesthetically pleasing feature for residents and visitors.

To ensure that residents of Rockley are kept informed of the proposed works that are to be undertaken, it is anticipated that a media release will be issued in Council's notices within the Western Advocate as well as correspondence to be sent to the Rockley Progress Association.

**Financial Implications:** The cost of the tree works for Rockley has been accounted for within the current and future Management Plan.

### **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 9.4

**MINUTE**

**5 Item 1 STREET TREE WORKS TO COMMENCE IN ROCKLEY AS PART OF BATHURST HERITAGE STREET TREE AUDIT (37.00206)**

**MOVED: R Thompson SECONDED: G Hanger**

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



## **2 PROPOSED BATHURST BIKE PARK (18.00022)**

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

**Report:** The Bathurst Bike Park is proposed to be located on the Vale Road, at Lot 20, DP1119593. It is proposed to contain a 333m velodrome, kermese and criterion road bike course, BMX track, downhill and cross country mountain bike tracks, amenities and car parking facilities.

The feasibility study for the proposed development was carried out by Simply Great Leisure Pty Ltd. and was commenced in December 2009. The feasibility study provided an examination of the potential issues which would impact upon the successful construction and operation of the proposed bike park.

Upon completion of the feasibility study, a development application was lodged which was assessed by the Joint Regional Planning Panel.

The development approval process involved approvals from the Roads and Maritime Services due to possible impact upon Vale Road which is a classified Main Road, The Australian Rail Track Corporation due to potential impacts on the rail line adjacent to the site and APA Group, the owners of the high pressure gas main which passes through the site.

Development consent for the development has been granted, with date of determination of 9 December 2011.

The feasibility study estimate of \$9.34 million (ex GST) includes provision of \$1.376 million for a clubhouse. The clubhouse as estimated was of two storey construction and included extensive change room amenities, commercial kitchen and food servery. Subsequent discussion with the bike groups has resulted in a more appropriately sized facility providing a lesser degree of amenities, and a basic kitchen which could be completed at a much reduced cost. For example, the recently completed Australian Football League Clubhouse was recently constructed at a cost of \$450,000. In times where large events will be held, additional portable facilities can be provided as required at minimal cost.

The original estimate included significant design, construction and prolongation contingencies totalling \$945,000. Consultant's fees and Engineering Report Impact Allowances totalling a further \$1,160,000 were included along with cost escalation estimate of \$569,000. Thus a total of \$2,674,000 has been included in the consultant estimate of \$9.34 million, bringing the construction element of their estimate to \$6.67 million.

Council's estimate of the work, taking into account local experience and pricing with similar civil engineering projects managed by Bathurst Regional Council is \$5.5 million

The suggested construction sequence of the bicycle park will need to take into account the following factors:-

- Development consent conditions
- Budget
- Essential access requirements
- Service requirements
- Constructability
- Effect of construction on completed and subsequent stages

The above factors were discussed with representatives of the bike groups and the following priority sequence of the work is proposed as follows:-

- (a) Access off Vale Road including Roads and Maritime Services requirements
- (b) Environmental works
- (c) Eastern Car Park Stage 1 (off Vale Road)
- (d) Velodrome / Amenities building / Power
- (e) Access off College Road
- (f) BMX track
- (g) College Road Western Car Park
- (h) Kermese / Short Course

Council design staff have commenced the design of the access of both Vale Road and College Roads, with the required road construction work to be completed by Council's works section.

It is intended that the construction of the bike park elements will be carried out in an appropriately staged manner, utilising a design and construction contract methodology.

**Financial Implications:** Current available funding is \$1.35 million, with works to be staged in accordance with available funding.

#### **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1

**MINUTE**

**6 Item 2 PROPOSED BATHURST BIKE PARK (18.00022)**

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

**Cr Westman declared a pecuniary interest in this item, left the Chamber and took no part in discussion or voting.**

**Reason: owns a bike shop in Bathurst.**

**The Mayor vacated the Chair.**

**RESOLVED: That Cr Toole take the Chair in the absence of the Mayor**

**Cr Toole took the Chair.**

**MINUTE**

**7 Item 2 PROPOSED BATHURST BIKE PARK (18.00022)**

**MOVED: R Thompson SECONDED: W Aubin**

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

**Deputy Mayor, Cr Carpenter arrived at the meeting.**

Yours faithfully



Doug Patterson  
**DIRECTOR  
ENGINEERING SERVICES**

POLICY COMMITTEE  
GENERAL BUSINESS

**MINUTE**

**8     Item 1   RAGLAN CREEK CHANNEL (31.00006)**

**Cr Bourke** - asked where are we at with funding?.

**The Director Engineering Services** advised RMS confident funding will be available. Awaiting State Budget to be handed down.

**MINUTE**

**9     Item 2   LIGHTS - HAVANNAH ST ONTO HIGHWAY (25.00027)**

**Cr Bourke** - asked where are we at with two right-hand turn lanes onto highway?

**The Mayor** noted has been raised with RMS and matter is progressing.

**MINUTE**

**10     Item 3   TAFE BUILDING (22.01387)**

**Cr Bourke** - asked was this discussed with Minister on Monday?

**The Director Cultural & Community Services** advised no discussions were held with respect to the TAFE building.



**MINUTE**

**11     Item 4    GAS WORKS SITE (22.00052)**

**Cr Bourke** - asked was this matter discussed with Minister on Monday?

**The Director Environmental, Planning & Building Services** advised that the matter was not discussed.

**MINUTE**

**12     Item 5    FERNERY, MACHATTIE PARK (04.00012)**

**Cr Bourke** - advised that in regards to pond in the fernery, understands money is being taken out by children. Could we look at putting in place some mesh or other structure to stop this occurring?

**MINUTE**

**13     Item 6    MAIL TO COUNCILLORS (03.00049)**

**Cr Bourke** - advised mail is being opened before it comes to Councillors, could this be halted, may require a Policy change.

**The Mayor** advised a report will come back to Council on this matter.

**MINUTE**

**14     Item 7    KENTUCKY FRIED CHICKEN ROAD ACCESS (07.00006)**

**Cr Bourke** - advised problem occurring with cars queuing up and down George Street. Could this matter be examined and possibly be referred to the Traffic Committee.

**MINUTE**

**15     Item 8   MR BROWN, EGLINTON (23.00012)**

**Cr North** - advised received a letter from this ratepayer who noted how good the staff were when doing a footpath in Eglinton.

**MINUTE**

**16     Item 9    ROCKLEY TOILET (36.00449)**

**Cr North** - asked where is this at?

**The Director Engineering Services** spoke to process in place, tenders have been called, hopefully report to June meeting.

**MINUTE**

**17     Item 10    SES MATTERS (22.02581)**

**Cr North** - request a report for a future Council, as to having a Councillor delegate to the SES. Referred to building problems the SES have with current site.

## MINUTE

### 18 Item 11 RMS ROAD MATTERS (18.00121)

**Cr North** - talked to the level of decision making rights Council has in respect to issues on RMS roads; e.g. speeding issues. There seems to be difficulty in Council having a say and getting Traffic Committee to consider Council input. Spoke to a resident's concern he had received and lack of response received.



**MINUTE**

**19     Item 12    CRIGHTON VILLAGE, EGLINTON (22.01826)**

**Cr North** - asked where is this at?

**The Mayor** noted Mr Cox is in the audience tonight and may provide advice as to where the proposal is at during the Discussion Forum session.

**MINUTE**

**20     Item 13    MUSEUM PASS (18.00004)**

**Cr North** - pleased a 3 museum pass has been approved for group coming next year. Would like this to be put in permanently. Requested a report on this come back to Council.

**MINUTE**

**21     Item 14   RFS - LG&SA PRESS RELEASE (18.00233)**

**Cr North** - spoke to press release issued by LG&SA on operational disengagement with the RFS. Has concerns with this proposal. Please refer to a working party for future discussion.

**Meeting suspended to allow Discussion forum to take place at the advertised time, 5.15 pm.**

**General Business continued at 5.43 pm.**

**MINUTE**

**22     Item 15    CLEANING OF HIGHWAY (25.00005)**

**Cr Aubin** - How often do the group do the Highway near the RTA? Could we look at doing it more regularly?

**The Director Engineering Services** spoke of process in place.

**MINUTE**

**23     Item 16    CITY ENTRANCE PLANS (25.00005)**

**Cr Aubin** - Where are we at with this?

**The Parks Operation Manager** advised they are currently awaiting feedback from Councillors and then will collate these. Program works will start at the Orange approach first.

**MINUTE**

**24     Item 17    GREEN SPACES IN NEW ESTATES (20.00018)**

**Cr Aubin** - Do we have a policy for this?

**The Director Environmental Planning & Building Services** spoke to plans on green space requirements to be included with new LEP and process that is occurring.

**MINUTE**

**25     Item 18    COURTHOUSE EASTWING (22.01071)**

**Cr Morse** - Council leases this and sub-leases to Historical Society. There are problems with water getting into the building. Could Council renew its requests to repair the roof of the Court House Wing? Understands Attorney General is sending a representative up to look at this problem.

**MINUTE**

**26     Item 19   BRIDLE TRACK REPAIRS (25.00283)**

**Cr Morse** - Where is this at?

**The Director Engineering Services** advised they are looking at various alternatives, there are a number of issues. Currently obtaining Geotechnical information, will report to Council in July.



**MINUTE**

**27     Item 20    HOWICK/BENTINCK STREET TRAFFIC PROBLEMS (25.00006)**

**Cr Morse** - advised has provided a list of issues to General Manager. There are considerable access and behavioural issues impacting this site. Could this matter be reviewed?

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to the Policy Meeting 06/06/2012

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GENERAL MANAGER

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MAYOR  
Page 41

**MINUTE**

**28 Item 21 HEREFORD STREET CAR PARKING - RUGBY CLUB HOUSE  
(22.10764)**

**Cr Toole** - requested Council look at sealed car parking in this location.

**MINUTE**

**29     Item 22    RAIL SERVICE - BATHURST TO SYDNEY (18.00001)**

**Cr Toole** - congratulated Councillors, particularly Crs North, Carpenter and Westman on their efforts in getting the daily rail service to Bathurst.

**MINUTE**

**30     Item 23    RAIL SERVICE - BATHURST TO SYDNEY (18.00001)**

**Cr Carpenter** - congratulated local member for getting this service in place.  
Recommended Council support this service.

**MINUTE**

**31     Item 24    INVINCIBLE FLOWER MILLS HERITAGE SIGN (16.00032)**

**Cr Carpenter** - advised this is covered by vegetation. Could Council look at getting this sign cleared.

**MINUTE**

**32     Item 25   TAXI RANK NEAR HOSPITAL (22.01047)**

**Cr Carpenter** - advised has had approaches about locating this closer to the hospital. Could Traffic Committee consider moving the taxi rank.

## MINUTE

### 33 Item 26 LEVEE BANKS - GRAVEL TRACKS (31.00001)

**Cr Carpenter** - asked could Council look at putting gravel tracks on top of the levees to allow cyclists to utilise these facilities.

**The Director Engineering Services** spoke to concerns at steepness of the batters, safety issues and possible scouring of the levee. Also resident concerns adjacent to levee about privacy issues.

**MINUTE**

**34     Item 27    ENERGY CONTRACTS (16.00007)**

**Cr Carpenter** - advised aware renegotiations have occurred on power costs? Can Council be advised of the results.

**The General Manager** advised a report will come to Council.

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to the Policy Meeting 06/06/2012

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GENERAL MANAGER

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MAYOR  
Page 48



**MINUTE**

**35     Item 28    BIKE PARK (2010/0770)**

**Cr Hanger** - met with Minister Annesley on this project. The meeting went very well and certainly raised awareness of the project.

POLICY COMMITTEE

DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS REPORT & MINUTES

**DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS TO THE POLICY  
COMMITTEE MEETING HELD ON 6 JUNE 2012**

General Manager  
Bathurst Regional Council

**1 PLANNING PROPOSAL - EGLINTON EXPANSION (20.00170)**

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

**Report:** Council, at its meeting held 21 July 2010, resolved to prepare and submit a Planning Proposal to the Department of Planning and Infrastructure and to amend the Bathurst Regional (Interim) Development Control Plan 2011. The aim of the Planning Proposal is to aid the expansion of the Village in line with the recommendations of the Local Environmental Study prepared in 2005 and the Bathurst Region Urban Strategy 2007.

Council received 2 gateway determinations from the Department of Planning and Infrastructure in respect of this Planning Proposal. The determinations were dated 14 October 2010 and 16 January 2012 (**attachment 1**). The main changes between the original Planning Proposal (14 October 2010) and the amended Planning Proposal (16 January 2012) are:

- Proposed zoning of the open space as 6(a) - Local Recreation rather than 2(a) – Residential;
- Reduction of the lot yield and population growth;
- Reconfiguration of the land for Eglinton Public School expansion;
- Identification of a new business area on the DCP map (as recommended by the Bathurst CBD and Bulky Goods Business Development Strategy 2011);
- Additional land to the north to be included in the proposal (as requested from landholders);
- Inclusion of part of Lot 1 DP 1047811 in Schedule 1 of the Bathurst Regional (Interim) Local Environmental Plan 2005 (as requested by the landholder);
- Minor adjustment of the subject area in response to landowner submissions; and
- Minor adjustment of the area to be zoned as open space in response to landowner submissions.

**Public exhibition**

As the Planning Proposal had altered significantly from that originally exhibited, a subsequent gateway determination (16 January 2012) and the re-exhibition of the Planning Proposal was required.

The Planning Proposal was placed on public exhibition on two occasions as listed below:

<b>Exhibition period</b>	<b>Dates</b>
1	6 November 2010 to 4 December 2010
2	17 March 2012 to 16 April 2012

The Planning Proposal on both occasions was notified to the individual landowners who adjoined the subject land, the landowners involved, the landowner of the Eglinton Shop and

the tenant of the shop, a number of Government Agencies and was also advertised in the Western Advocate.

### Submissions received

A total of 21 submissions (see attachment 1) were received over both exhibition periods. A public hearing has not been held as no-one making a submission requested one, and the gateway determination did not require a Public Hearing. A summary of the submissions from both exhibition periods (1 & 2) are listed and addressed in the table below.

<b>Landowner or Agency</b>	<b>Comments or Issue Raised</b>
NSW Education & Communities	<ol style="list-style-type: none"> <li><u>Submission dated 21 February 2011</u> <ul style="list-style-type: none"> <li>Suggested future school expansion would be better suited to the west and south rather than north and west.</li> </ul> </li> <li><u>Submission dated 10 April 2012</u> <ul style="list-style-type: none"> <li>Reconfiguration of the land is suited to the needs of the School.</li> <li>Will be seeking contributions to State Public Infrastructure.</li> </ul> </li> </ol>
NSW Rural Fire Service	<ol style="list-style-type: none"> <li><u>Submission dated 3 December 2010</u> <ul style="list-style-type: none"> <li>Raised no concerns or special considerations.</li> </ul> </li> <li><u>Submission dated 12 April 2012</u> <ul style="list-style-type: none"> <li>Raised no concerns or special considerations.</li> </ul> </li> </ol>
Mr P Rogers	<ol style="list-style-type: none"> <li><u>Submission dated 30 March 2012</u> <ul style="list-style-type: none"> <li>Will Council allow further rezoning of the northern part of the lot once the Crighton's development (retirement village) commences.</li> </ul> </li> </ol>
Office of Environment and Heritage	<ol style="list-style-type: none"> <li><u>Submission dated 16 April 2012</u> <ul style="list-style-type: none"> <li>Raised no concerns or special considerations.</li> <li>Not seeking contributions to State Public Infrastructure.</li> </ul> </li> </ol>
Mr & Mrs Hewitt c/- Mr M Ratsep Voerman & Ratsep Consulting Surveyors	<ol style="list-style-type: none"> <li><u>Submission dated 16 April 2012</u> <ul style="list-style-type: none"> <li>Proposes an amended road and lot layout for Lot 11 DP 872964 on the western side of the village and Lot 11 DP 1158528, Lots 7 &amp; 8 Section 4 DP 983884 on the eastern side of the village. Lot layout on the eastern side incorporates minor changes to the proposed open space</li> </ul> </li> </ol>
NSW Rural Fire Service Chifley Zone & Eglinton Brigade	<ol style="list-style-type: none"> <li><u>Submission dated 12 April 2012</u> <ul style="list-style-type: none"> <li>The area of the RFS land should remain unchanged.</li> <li>The trees on the eastern boundary must remain as a buffer.</li> <li>A fence needs to be installed on the southern and western boundaries by the future developer.</li> </ul> </li> </ol>
Mr G Dun Central West Transport Forum	<ol style="list-style-type: none"> <li><u>Submission dated 12 April 2012</u> <ul style="list-style-type: none"> <li>Concerned with the lack of consideration of transport issues, particularly from the RMS (formerly RTA) and State Government, in relation to a northern bypass around Bathurst. Development at Eglinton may jeopardise this possible future major road infrastructure.</li> </ul> </li> </ol>
Mr G Cox Crighton Properties	<ol style="list-style-type: none"> <li><u>Submission dated 24 November 2010</u> <ul style="list-style-type: none"> <li>Seek minor expansion of the northern boundary of the Planning Proposal to include the proposed open space on the land with the retirement village and zone the strip of open space as residential.</li> </ul> </li> <li><u>Submission dated 13 April 2012</u> <ul style="list-style-type: none"> <li>Reiterates its comments in its letter dated 24 November 2010.</li> <li>Seek minor expansion of the northern boundary of the Planning Proposal to include the proposed open space on the land with the retirement village and zone the strip of open space as residential.</li> </ul> </li> </ol>
Mr R Camplin Bathurst Broadcasters	<ol style="list-style-type: none"> <li><u>Submission dated 27 March 2012</u> <ul style="list-style-type: none"> <li>Notes the requirement to relocate the transmission towers from</li> </ul> </li> </ol>

	<p>the current location.</p> <ul style="list-style-type: none"> <li>● Is interested in using the residue of the land for a Seniors Living development if the Crighton development does not proceed.</li> <li>● Expresses an interest in having the Business area located on their land.</li> </ul>
Mr T Hendry Roads and Maritime Services	<p>1. <u>Submission dated 7 December 2010</u></p> <p>a. The Bathurst Regional (Interim) Local Environmental Plan should not be amended pursuant to the Planning Proposal until such time as a comprehensive traffic study has been undertaken in accordance with the methodology set out in the RTA Guide to Traffic Generating Development based on the assumptions provided for in the Planning Proposal and considering the greater road network including consideration of:</p> <ol style="list-style-type: none"> <li>Existing annual average daily traffic</li> <li>Traffic growth over 20 years allowing for the specific number of lots provided for in the Planning Proposal and other approved and anticipated development growth within the area</li> <li>The limited availability and opportunity for growth of retail services within the immediate Eglinton area</li> <li>An intersection analysis based on the specific parameters of the Planning proposal of the operation of the intersections of: <ol style="list-style-type: none"> <li>Durham Street and Stewart Street</li> <li>Gilmour Street and the Great Western Highway</li> <li>Bradwardine Road and the Mitchell Highway</li> <li>Eleven Mile Drive and Sofala Road/Gilmour Street</li> </ol> </li> </ol> <p>b. Subject to the undertaking of a comprehensive traffic study and Council offering and committing to suitable solutions for the upgrade of intersections where a need is indicated by such a study the RTA objects to the Planning Proposal.</p> <p>2. <u>Submission dated 20 April 2012</u></p> <ol style="list-style-type: none"> <li>Reiterates its objections in its letter dated 7 December 2010.</li> <li>Objects to the Planning Proposal in the current form given that a comprehensive traffic study has not been provided.</li> <li>Unable to determine whether contributions will be sought for State Public Infrastructure</li> </ol>
Mr T Dunphy Macquarie Motors Group	<p>1. <u>Submission dated 1 December 2010</u></p> <ul style="list-style-type: none"> <li>● Request the inclusion of the existing dwelling on a separate allotment.</li> </ul>
Ms J Smyth	<p>1. <u>Submission dated 2 December 2010</u></p> <ul style="list-style-type: none"> <li>● Concerned with the width of identified open space within her property.</li> <li>● Concerned with the urban sprawl potential of the rezoning.</li> </ul>
Ms M Kovac NSW Department Industry and Investment	<p>1. <u>Submission dated 1 December 2010</u></p> <ul style="list-style-type: none"> <li>● Raised no concerns or special considerations in relation to the Primary Industries Division.</li> <li>● Fisheries Division supports the inclusion of the open space buffer as a riparian corridor adjacent to Saltram Creek.</li> </ul> <p>2. <u>Submission dated 20 April 2012</u></p> <ul style="list-style-type: none"> <li>● Raised no concerns or special considerations.</li> </ul>
Mr G Bowman	<p>1. <u>Submission dated 3 December 2010</u></p> <ul style="list-style-type: none"> <li>● Seeks the removal of his land from the Planning Proposal.</li> </ul>
Ms C Rivett	<p>1. <u>Submission dated 26 February 2011</u></p> <ul style="list-style-type: none"> <li>● Concerned with the overall expansion of Eglinton and the resulting density/urban sprawl.</li> <li>● Suggested additional parks and open space areas.</li> </ul>
Mr M Ozinga	<p>2. <u>Submission date 26 April 2012</u></p>

Transport for NSW	<ul style="list-style-type: none"><li>● Concurs with the RMS's requirement for a Traffic Study prior to rezoning.</li><li>● Unable to determine whether contributions will be sought for State Public Infrastructure</li></ul>
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In respect of the RMS submissions it should be noted that the issue of traffic has been addressed as follows

- The Eglinton Village Expansion LES prepared in 2006. The RTA supported the LES and did not seek a traffic study at this time.
- The Bathurst Region Urban Strategy 2007 reviewed the recommendations of the LES and recommended that the expansion at Eglinton proceed. The RTA raised no objection to the Urban Strategy.
- The Department of Planning & Infrastructure's consideration of the site compatibility certificate for the retirement village (Crighton's development) to the north of Eglinton in 2011. The Department of Planning and Infrastructure was aware of Council's intentions to expand the village and did not identify the need for further traffic investigations at that time.
- Council has prepared a draft Section 94 development Contributions Plan for the local road network to service Eglinton, Windradyne and Llanarth.

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

**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 30.2

## MINUTE

### 36 Item 1 PLANNING PROPOSAL - EGLINTON EXPANSION (20.00170)

Discussion included:

The Director Environmental Planning and Building Services gave an introduction into this matter.

R Camplin - Ratepayer - Spoke to submissions made and 2BS BRock operations noted the history of communication towers at Eglinton. Will be commissioning new radio stations for Bathurst and spoke to future siting needs and issues with the proposed Eglinton plan. Requested Council reconsider the current proposal and add a small portion of land as identified in Bathurst Broadcasters submission to the proposed expansion area.

G Dunn - Cowra - CW Transport Forum - Concerned at the proposed development and also Kelso Highway proposals and Mount Fitzgerald works. There are problems with State Planning Authority and consultation that is occurring with the Great Western Highway. Feels Eglinton Village proposal is where a Bathurst bypass would go. Local Government may not be acting in the best interests of all, also State Government.

J Smyth - Hamilton Street - Spoke to greenspace and whether compensation is paid where land is taken.

The Director Environmental Planning & Building Services noted land is paid for.

P Cole - General Manager, 2BS BRock - Spoke to and supported request from Mr R Camplin and asked Council to give favourable consideration.

G Cox - Crightons - Provided a submission to Council on the Village proposal and requested a review of the zoning of a strip of land between aged care home and proposed residents zone. Had thought Council would give favourable consideration to this strip of land, but it has not been included in the expansion proposal. Spoke to buffer issues and provision of services up Cox's Lane. Referred to financial issues being experienced with the aged care development. Financial crisis has caused difficulties with getting funding. Group is looking at various funding models to get project commenced.

**MINUTE**

**37     MEETING CLOSE**

The Meeting closed at 6.01 pm.

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

**Date:** \_\_\_\_\_ **(20 June 2012)**