



POLICY COMMITTEE

31 March 2010

His Worship the Mayor & Councillors

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 7 April 2010 commencing at 5.00 pm.

A handwritten signature in black ink, appearing to read 'DJS'.

D J Sherley  
**GENERAL MANAGER**

# **BUSINESS AGENDA**

## **POLICY COMMITTEE**

**TO BE HELD ON WEDNESDAY, 7 APRIL 2010**

1. REPORT OF PREVIOUS MEETING
  - \* Minutes - Policy Committee Meeting - 3 March 2010
2. RECEIVE AND DEAL WITH DIRECTORS' REPORTS
  - \* Director Environmental Planning & Building Services' Report
3. GENERAL BUSINESS
4. DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS
  - \* Amendment To Blue Ridge Estate Development Control Plan (dcp)
5. DISCUSSION FORUM OTHER
6. MEETING CLOSE

## MINUTE

### 1 5 PM MEETING COMMENCES

Councillors Toole (Chair), Aubin, Bourke, Hanger, Morse, North, Thompson, Westman.

**In attendance:** General Manager, Director Corporate Services & Finance, Director Engineering Services, Director Environmental, Planning & Building Services, Manager Corporate Governance, Manager Recreation, Manager Strategic Planning, Senior Water & Sewer Engineer, Development Control Planner, Manager Community Services

**MINUTE**

**2     APOLOGIES**

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

**RESOLVED:** That the apology from Cr Carpenter be accepted and leave of absence granted.

POLICY COMMITTEE  
REPORT OF PREVIOUS MEETING

**REPORT OF PREVIOUS MEETING TO THE POLICY COMMITTEE MEETING HELD ON 7  
APRIL 2010**

General Manager  
Bathurst Regional Council

**1 MINUTES - POLICY COMMITTEE MEETING - 3 MARCH 2010 (0./00064)**

**Recommendation:** That the recommendations of the Policy Committee Meeting held on 3 March 2010 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held on 3 March 2010, are attached:

**Financial Implications:** N/A

**MINUTE**

**3 Item 1 MINUTES OF THE POLICY COMMITTEE MEETING HELD 3 MARCH 2010 (07.00064)**

**MOVED: Cr R Thompson SECONDED: Cr G Westman**

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 3 March 2010 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 3 MARCH 2010**

**MEETING COMMENCES**

**1 MEETING COMMENCES**

**Present:** Councilors Toole (Chair), Aubin, Bourke, Carpenter, Hanger, Morse, North, Thompson, Westman.

**In Attendance:** General Manager, Director Corporate Services & Finance, Director Engineering Services, Director Environmental Planning & Building Services, Manager BMEC, Manager Corporate Governance, Manager Water & Waste, Manager Recreation, Parks Operations Manager.

**APOLOGIES**

**2 APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES OF THE POLICY COMMITTEE MEETING HELD 3 FEBRUARY 2010 (07.00064)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 3 February 2010 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST (11.00002)**  
**MOVED** Cr M Morse and **SECONDED** Cr B Bourke

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**5 Item 1 PURCHASING MANUAL (15.00008, 41.00089)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

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

**6 Item 2 REVISED POLICY - SECTION 356 DONATIONS (18.00004, 41.00089)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr M Morse

**RESOLVED:** That Council adopt the revised Policy - Section 356 Donations as presented with the following additional information required to be submitted with a





**12      VEHICLE MOVEMENT - MOUNT PANORAMA (04.00028)**

Cr Aubin - asked if Council had any statistics on the number of vehicles travelling around Mount Panorama.

The General Manager advised that approximately 300,000 tourists are believed to visit Mount Panorama annually.

Cr Aubin asked could promotional signage be installed around the race track, outside of race periods.

**13      ADVENTURE PLAYGROUND - TOILET BLOCK (04.00121)**

Cr Carpenter -stated this area presents an opportunity for signage - what is intended. Perhaps could be used as a public art project.

The Director Engineering Services advised the proposal is to put a dinosaur in this area and a sign stating 'Adventure Playground'.

**14      TOURISM CONFERENCE (29.00010)**

Cr Carpenter - asked who was attending.

Cr Morse advised she was attending.

**15      NSW COMBINED HIGH SCHOOLS CRICKET CHAMPIONSHIPS (04.00033, 04.00014, 04.00045, 04.00042, 04.00007)**

Cr Hanger - advised these Championships are being held in Bathurst. It is an exciting opportunity for the town and brings in many visitors and the booking of accommodation. Thanked the outdoor staff for efforts they have put into preparing grounds and also thanked the schools for provision and preparation of their grounds.

**16      ST VINCENTS HOSPITAL CLOSURE (22.02195)**

Mayor - spoke to current details of this matter and the proposed closure on 1 June 2010. Two issues - capital shortfall and operational losses need to be addressed.

**MEETING CLOSE**

**17      MEETING CLOSE**

The Meeting closed at 5.52pm.

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

**Date:** \_\_\_\_\_ **(17 March 2010)**

**MINUTE**

**4     DECLARATION OF INTEREST**

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

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

POLICY COMMITTEE  
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT  
7 APRIL 2010

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE  
POLICY COMMITTEE MEETING HELD ON 7 APRIL 2010**

General Manager  
Bathurst Regional Council

**1 POLICY - BURIAL ON PRIVATE PROPERTY (09.00039)**

**Recommendation:** That Council:

- (a) place the Draft Burial on Private Property Policy on public exhibition for a period of 28 days, including written notification to local funeral directors; and
- (b) should no submissions be received during the public exhibition period, adopt the policy.

**Report:** Since the amalgamation of the former Bathurst City and Evans Shire Councils, the Engineering and Planning Departments have received a steady stream of enquiries in relation to burial on private property.

In the absence of a specific Council policy, burial on private property is governed by the Department of Health Guideline titled *Burials on Private Land - Approval by Local Authority*. Council's Draft Burial on Private Property Policy (see **attachment 1**) aims to elaborate on the provisions of the Department of Health's Guideline by providing additional provisions in relation to location, perpetual access and security in ownership.

The Burial on Private Property Policy will provide Council with a clear process for considering and approving Development Applications for private burial grounds. Ideally the approval process should be completed prior to the first interment, however circumstances may warrant a more immediate response (i.e. when death has occurred suddenly) whereby the property owner or executor will be asked to confirm in writing that each of the provisions in the Burial on Private Property Policy can be met and give an undertaking that a Development Application for *subdivision and approval of private burial ground* will be lodged as soon as possible after the first interment.

It should be noted that once a Development Application for a private burial ground has been approved, further consent is not required for each individual grave. Council officers will however inspect each individual grave prior to interment to ensure that minimum cover will be achieved.

In most cases subdivision of the private burial ground from the overall land holding will be required in order to prevent future disturbance, maintain access in perpetuity and maintain family ownership if and when the overall land holding is sold out of the family.

**Financial Implications:** Nil.

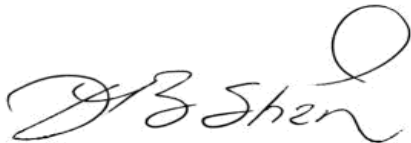
**MINUTE**

- 5 **Item 1 POLICY - BURIAL ON PRIVATE PROPERTY (09.00039)**  
**MOVED** Cr M Morse **SECONDED** Cr B Bourke

**RESOLVED:** That Council:

- (a) place the Draft Burial on Private Property Policy on public exhibition for a period of 28 days, including written notification to local funeral directors; and
- (b) should no submissions be received during the public exhibition period, adopt the policy.

Yours faithfully



D R Shaw  
**DIRECTOR**  
**ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

POLICY COMMITTEE  
GENERAL BUSINESS MINUTES  
7 APRIL 2010

**MINUTE**

**6      LINE-MARKING CAR SPACES IN CBD (28.00006)**

**Cr Westman** - asked could Council look at possible benefits of line-marking spaces in the CBD.

**The Director Engineering Services** advised of previous actions taken.

**The Director Environmental, Planning & Building Services** noted car parking study to occur this year.



**MINUTE**

**7      BEGONIA HOUSE (04.00012)**

**Cr Morse** - congratulated staff on presentation of Begonia House and fact that the facility was open over Easter.

**MINUTE**

**8      HERITAGE ITEMS - DRAWINGS/DIAGRAMS (04.00032)**

**Cr Morse** - asked do we have drawings/diagrams on items such as Evan's Memorial, etc.

**The Director Engineering Services** advised pictures and diagrams are in place for many of these items.

## MINUTE

### 9 GOVERNOR MACQUARIE DINNER (23.00125)

**Cr Morse** - advised that organising of the Governor Macquarie Dinner was a joint effort between BRC, Historical Society and CSU. The tickets are now on sale, there are a number of excellent speakers, and encourages people to attend.

**MINUTE**

**10 CORNER LOGAN/ALEXANDER STREETS AND CORNER DURAMANA ROAD/WELLINGTON STREET (25.00180, 25.00171)**

**Cr North** - expressed concern at cars cutting corners, when will works be undertaken.

**The Director Engineering Services** noted works have been agreed to by Traffic Committee and will be done in the near future.

**MINUTE**

**11     KELSO INDUSTRIAL CENTRE - TRAINS (25.00110)**

**Cr North** - asked is there another exit point, where can get out when trains are going across the road.

**The Director Environmental, Planning & Building Services** advised there is not an alternate access to White Rock Road. In an emergency could possibly go via private property and Zagreb Street.

**MINUTE**

**12     ADVENTURE PLAYGROUND (04.00121)**

**Cr North** - has received suggestion that future extensions include exercise equipment.

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to the Policy Meeting 07/04/2010

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GENERAL MANAGER

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MAYOR  
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**MINUTE**

**13     PIGEONS (14.00009)**

**Cr Bourke** - advised there is a problem with the control of pigeons. Where is Council on this matter?

**The Director Environmental, Planning & Buildings Services** advised details of grant applications made and matter will be considered in the 2010/2011 Management Plan.

**MINUTE**

**14     CHIFLEY ENGINE LEASE - DISPLAY AREA (22.00159)**

**Cr Bourke** - heard lease has fallen through?

**The Director Corporate Services & Finance** advised unaware of any problem. Tender for structure has been called.

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to the Policy Meeting 07/04/2010

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GENERAL MANAGER

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MAYOR  
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**MINUTE**

**15     MEETING ADJOURNMENT (22.00159)**

The meeting adjourned at 5.20 pm as the advertised time for the Discussion Forum was 5.30 pm.

The meeting reconvened at 5.30 pm.

POLICY COMMITTEE  
DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS  
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT  
7 APRIL 2010

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE  
POLICY COMMITTEE MEETING HELD ON 7 APRIL 2010**

General Manager  
Bathurst Regional Council

**1 AMENDMENT TO BLUE RIDGE ESTATE DEVELOPMENT CONTROL PLAN (DCP)  
(20.00077)**

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

**Report:** Council has been approached by a landowner to amend the Blue Ridge DCP to remove the Scenic Protection Buffer from those affected lots. The effect of the amendment will be to enable buildings to be constructed where they have previously been prohibited.

Council's Engineering Department have previously indicated that there is adequate pressure and sufficient capacity within existing sewer mains to service additional lots. On this basis, Council resolved at its meeting held 17 February 2010 to proceed with the preparation of the DCP amendment removing the Scenic Protection Buffer.

Council prepared a draft DCP (see **attachment 1**) and subsequently placed the draft DCP on public exhibition over the period 22 February 2010 to 22 March 2010. A total of five submissions were received in relation to the matter (see **attachment 2**) Three submissions were in favour of the proposal and two were opposed.

The issues raised in the submissions opposing the proposal include:

- a) increase in the number of dwellings;
- b) provision of services; and
- c) increase in traffic.

Specifically relating to the front boundary setback, one landowner raised the issue that owing to the shape of their lot, the imposition of a maximum building line of 20m would restrict the location of a future dwelling and associated outbuildings. It was also raised in another submission that the 20 metre setback be increased to 25 metres.

It was not Council's intention to disadvantage any landowner and as such the amended DCP would be able to specifically exclude Lot 19 from the 20 metre maximum front building line restriction. It is anticipated that no other lots would require an exclusion from the front building line restriction.

It was also suggested in one submission that Council consider the construction of a secondary access from the Blue Ridge Estate, connecting with White Rock Road.

This matter will be reported to the next meeting of Council for consideration of the adoption of the DCP amendment.

**Financial Implications:** Nil.

## MINUTE

### **16 Item 1 AMENDMENT TO BLUE RIDGE ESTATE DEVELOPMENT CONTROL PLAN (DCP) (20.00077)**

**The Director Environmental, Planning & Building Services** provided a brief history of the Blue Ridge Estate Development Control Plan proposed change.

Discussion included:

**S Shiels** - Lot 19 Blue Ridge Estate - only concern is impact on their block of the change, due to the shape of that block. The house they wish to build must be well set back on the block. Request their block stays as it is, due to the uniqueness of the block.

**M Warren** - Littlebourne - live at front of estate. When Estate first proposed concern at traffic up and down the road. This proposal means an extra 7 lots and will create further problems. Need to look at access onto White Rock Road.

**B O'Connell** - Lot 4 Blue Ridge Estate - have bought a lot in the Estate. The proposal will affect their ability to build on the block. Wish to be able to utilise their block and in favour of removal.

**B Goddard** - Landowner, Blue Ridge Estate - the modification to the DCP will impact on his land. Spoke of history of water access issues. Noted flexibility needed with setbacks. In favour of the proposal.

**K Peterson** - does not have details of proposal. Blue Ridge was developed on basis of rural/residential subdivision. Any future subdivision will defeat this purpose.

Yours faithfully



D R Shaw  
**DIRECTOR  
ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

**MINUTE**

**17     MEETING CLOSE**

The Meeting Closed at 5.43 pm.

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

**Date:** \_\_\_\_\_ **(21 April 2010)**

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to the Policy Meeting 07/04/2010

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GENERAL MANAGER

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POLICY COMMITTEE  
ATTACHMENTS TO THE  
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT  
7 APRIL 2010

<b>POLICY:</b>	BURIAL ON PRIVATE PROPERTY
<b>DATE ADOPTED:</b>	Director Environmental, Planning & Building Services Report # Policy Council Minute Book No.
<b>ORIGINAL ADOPTION:</b>	
<b>FILE REFERENCE:</b>	09.00039
<b>OBJECTIVE:</b>	To guide the creation and subsequent use of burial grounds on private property for one or multiple burials.

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## 1. SELECTION OF SITE AND COUNCIL APPROVAL

- 1.1 The area of land holding must be a minimum of 5 hectares.
- 1.2 The land holding must not be zoned for urban, village or rural residential purposes or be within an area identified strategically for rezoning to urban, village or rural residential purposes under the Bathurst Region Urban Strategy or the Bathurst Region Rural Strategy.
- 1.3 The site of the proposed burial ground must be a minimum of:
  - (a) 100 metres from the nearest water course or water body and not within a flood prone area (Council may require a Geotechnical report if the site is within a drinking water catchment area or if the applicant seeks to reduce the above distance); and
  - (b) 100 metres from the nearest dwelling or outbuilding;
- 1.4 The proposed burial ground is to be subdivided from the overall holding (Council will consider the above criteria, Points 1.1-1.3, in assessing the Development Application for subdivision). The area of the proposed burial ground lot is to be a minimum of 25m<sup>2</sup>. A larger area may be necessary if the burial ground is likely to be used for multiple burials (i.e. multiple family members over a long period of time).
- 1.5 As part of the subdivision a right of carriageway is to be created from the nearest public road to the proposed burial ground lot.

**NOTE: Council will not accept benefit of a right of carriageway to a private burial ground lot.**

- 1.6 As part of the subdivision, a restriction as to user is to be created over the private burial ground lot preventing the use of such a lot for any purpose other than for burial or the erection of monuments.

## **2. UPON COMPLETION OF SUBDIVISION**

A stock proof fence is to be provided around the perimeter of the burial ground lot prior to the first interment.

## **3. USE OF BURIAL GROUND**

- 3.1 A minimum cover of 900mm must be achieved between the lid of the coffin and natural ground level.

**NOTE: Council officers must be given 48 hours notice to inspect the first and each subsequent grave prior to interment.**

- 3.2 Each grave is to be permanently marked with details of the deceased persons. Some delineation of the area of excavation is preferable (e.g. a low fence or bund, to prevent accidental future disturbance and to assist in defining the grave if exhumation is required).
- 3.3 The precise grave location is to be described by an accurate diagram. This information is to be submitted to Council along with details of the deceased as soon as possible after the first and each subsequent interment.
- 3.4 Above ground burial chambers are not permitted.

## **4. KEEPING OF RECORDS**

Council will maintain a register of all private burial grounds created under this policy. Details of each burial ground, the location of each grave site and details of the deceased persons will be kept on the property file and in such a register.

**NOTE: Appropriate recording of private burial grounds created prior to the commencement of this policy cannot be guaranteed.**



POLICY COMMITTEE  
ATTACHMENTS TO THE  
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT  
7 APRIL 2010

BATHURST  
REGIONAL COUNCIL



**DEVELOPMENT CONTROL PLAN –  
BLUE RIDGE ESTATE**

Adopted: 20 April 2005  
Effective Date: 13 April 2006

**NAME OF PLAN**

1. This plan is called Bathurst Regional Council Development Control Plan – Blue Ridge Estate.

**AIM OF PLAN**

2. This plan aims:
  - (a) to control the subdivision of land and the erection of dwellings/buildings to which this plan applies; and
  - (b) to ensure that the natural features and the environmentally sensitive areas of the land are not adversely affected by future development.

**LAND TO WHICH THIS PLAN APPLIES**

3. This plan applies to the land situated in the Bathurst as shown edged by a heavy red line on the map marked Development Control Plan – Blue Ridge Estate.

**DEFINITIONS**

4. In this Plan, unless the context or subject matter otherwise indicates or requires:

“Development Control Plan Map” means the map marked “Development Control Plan – Blue Ridge Estate” and deposited in the office of Council;

“Dwelling” means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile;

“Local Environmental Plan” means any Local Environmental Plan or Deemed Local Environmental Plan applying to all or part of the land to which this plan applies.

“Storey” means the number of storeys, floors or levels which a building contains, shall be the maximum number of storeys, floors or levels, as the case may be, of the building which may be intersected by the same vertical line, not being a line which passes through any wall of the building, but this does not include a reference to the whole or any part of a roof used as an uncovered garden terrace or deck.

**SUBDIVISION OF LAND**

5. (1) Subject to this Plan and to any Environmental Planning Instrument, Council may grant consent to the subdivision of land only in accordance with certain subdivision controls.
  - (a) each allotment of land shall be no less than 4,000m<sup>2</sup>;
  - (b) each allotment of land is connected to Council's sewer and water services;
  - (c) no allotment of land has direct vehicular access to White Rock Road;
  - (d) a future public road reserve is designated on the survey plan and constructed to provide access from the subject land to the adjoining allotment Lot 5B DP 415674;
- (2) Council may grant consent to the subdivision of land only where:

Bathurst Regional Council  
Development Control Plan – Blue Ridge Estate

- (e) existing dams on the subject land are filled unless required for drainage purposes;
- (f) one public road only is constructed from either White Rock Road or O'Connell Road to access the subject land;
- (g) an earth mound and landscape plantings are incorporated along the northern side of any access to O'Connell Road to minimise the impact of the road on the adjoining property;
- (h) provision is made for a school bus pick-up and set-down point(s) within the subdivision;
- (i) pedestrian and cyclist access is provided to White Rock Road;
- (j) a building envelope is identified for an allotment of land taking account of the Land Management Controls in accordance with clause 7 of this plan and the Vegetation Controls in accordance with clause 9 of this plan;
- (k) a storm water management plan has been prepared for development of the entire site, outlining water flow characteristics within and from the site to a designated drainage channel, treatment and handling of run off from the development, potential pollution sources and proposed control mechanisms;
- (l) vehicular access shall not be created or used to give access to a road closer than 20m to any intersection with another road; and
- (m) agricultural interface buffers are planted in accordance with Part 9 of this plan.

**CONTROLLED LAND USE AREAS**

6. (1) Subject to this Plan and to any Environmental Planning Instrument, or deemed Environmental Planning Instrument, Council may grant consent only to certain development within certain controlled land use areas.
- (2) The Development Control Plan Map identifies the lands within each controlled land use area.
- (3) The following table specifies the types of controlled land use areas in Column I and the developments to which, in these areas, Council may grant consent are respectively shown opposite in Column II.

Column I Type of Controlled Land Use Areas	Column II Development to which Council may grant consent
Rural Housing – Type 1	Single storey dwelling and other ancillary buildings
Rural Housing – Type 2	Single storey or double storey dwelling and other ancillary buildings

**LAND MANAGEMENT CONTROLS**

7. (1) Notwithstanding any other provision of this Plan, but subject to any Environmental Planning Instrument, Council may not grant consent to the development of land or the subdivision of land contrary to the provisions of this clause.
- (2) The Development Control Plan Map identifies the lands subject to Land Management Controls.
- (3) The following table specifies the types of Land Management Controls in Column I and the requirements to which the development of the land must conform are respectively shown opposite in Column II.

Column I Type of Land Management	Column II Effect on the Development of Land
Development Excluded Area Scenic Protection Buffer	No buildings may be erected. No works may be undertaken other than post and wire fencing.
Drainage/Dam Reserve	No buildings may be erected (notwithstanding that a dam may be filled).
Utility Supply Easement	No buildings are to be erected or works constructed within the boundaries of any easements. Construction of vehicular access over any portion of the easements must be to the satisfaction of Council.
Agricultural Interface	No buildings may be erected. One public road may be constructed through the area to serve the subject land.

- (4) Erosion and sediment controls shall be installed before site works commence.

**BUILDING CONSTRUCTION**

8. Council may consent to an application to erect a building in accordance with this plan where:
- (a) the materials used are naturally textured and coloured and are sympathetic to the natural environment and are not reflective;
  - (b) the bulk and scale of the building does not adversely impact on the visual amenity from neighbouring properties or the visual amenity from other significant locations in the City;
  - (c) the design of the building is in keeping with the rural character of the area;

- (d) rural structures such as outbuildings are adequately screened with vegetation and are setback from any road;
- (e) dwelling designs are energy efficient; and
- (f) fencing of allotments are post and wire/netting; and
- (g) the front building line of the dwelling cannot be sited more than 20 metres from the front property boundary.

#### VEGETATION CONTROLS

9. (1) Council may consent to an application to subdivide land in accordance with this plan where:
- (a) a landscape plan is lodged and approved by Council showing the proposed landscaping of the agricultural interface area shown on the Development Control Plan including:
    - (i) type of species;
    - (ii) density of plantings;
    - (iii) fencing of area; and
    - (iv) proposed maintenance program to ensure tree growth.
  - (b) vegetation in accordance with the approved Landscape Plan is planted and fenced in that area shown as agricultural interface on the Development Control Plan Map; and
  - (c) the existing vegetation shown on the Development Control Plan Map is retained outside of proposed building envelopes.
- (2) The provisions of Council's Tree Preservation Order applies to the existing vegetation on the subject land as shown on the Development Control Plan Map.

#### LIMIT OF RESTRICTION

10. This plan does not restrict any matter not specifically included with this Plan or specifically excluded by this Plan.



No.	DATE	DESCRIPTION
2	1/1/05	A.M. Sensitive Protection Buffer removed

SCALE: 1:7,500



PARISH: KELSO

**LEGEND**  
**CONTROLLED LAND USE AREAS**  
 1. Rural Housing Type 11  
 2. Rural Housing Type 12

**LAND MANAGEMENT CONTROLS**  
 1. Utility Supply Easement  
 2. Agricultural Interference

**VEGETATION CONTROLS**  
 1. Existing Vegetation

Subject Land Shown Thus:

COUNTY: ROXBURGH

LOCALITY: WHITE ROCK

DRAWN: GIS Department  
 PLANNING  
 OFFICER: S HANSON  
 DIRECTOR ENVIRONMENTAL,  
 PLANNING and BUILDING SERVICES: D.R. SHAW  
 COUNCIL  
 FILE No. 20/0001

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979  
**BATHURST REGIONAL COUNCIL**  
 DEVELOPMENT CONTROL PLAN, BLUE RIDGE ESTATE

CERTIFIED IN ACCORDANCE WITH THE E.P.A. ACT 1979 AND REGULATIONS  
 GENERAL MANAGER DATE: 20/4/05

Steven & Elizabeth Shiels  
PO Box 75 DF\_DAS\_1\_2  
BATHURST NSW 2795

BATHURST REGIONAL COUNCIL  
26 FEB 2010  
REF. 20. 00077-03/007

25 February 2010

Mr DR Shaw  
Environmental, Planning & Building Services  
Bathurst Regional Council  
Private Mail Bag 17  
BATHURST NSW 2795

Dear Mr Shaw,

Re: Draft Development Control Plan – Blue Ridge Estate

We wish to express our disapproval of the amendment of the Blue Ridge DCP to include a front building setback.

Due to the unique shape of our block (Plan A), we would be the only block in the estate to be disadvantaged by the proposed changes. The proposed change indicates that the maximum setback distance of the building from the front property boundary is 20m. If this amendment proceeded and taking into account the side boundary of the property is 5m, we are left with a frontage size of approximately 16m (Plan B). The front yard would be very small and we would have the majority of the land in a large back section. We were planning on building a large shed/workshop which would be impossible with the house positioned so far forward that there would be very limited access to the rear of the property.

So we can take advantage of the shape and size of the block we purchased in a Rural/Residential Estate and build a house which falls in line with and compliments the already established neighbouring properties, we wish to keep the current building boundaries (Plan C). If the front building setback of 20m was approved the house would look like a development in a high density building suburb of Western Sydney.

We hope that you can sympathise with our point of view on this matter as we ultimately will end up with a \$230,000 block of land that we will be unable to build on or be able to sell.

Yours faithfully

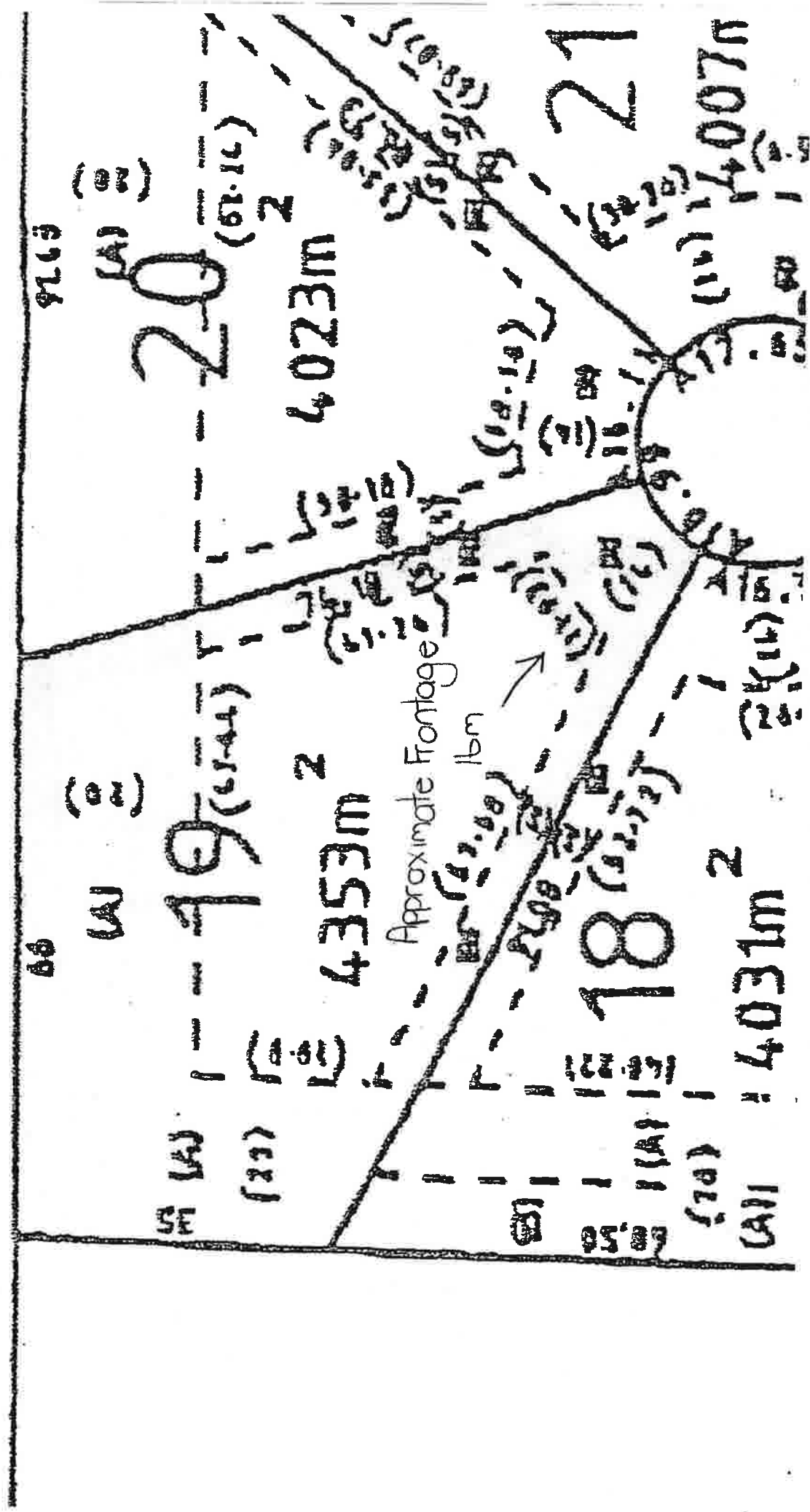
Steven & Elizabeth Shiels

DEPB  
EPNM



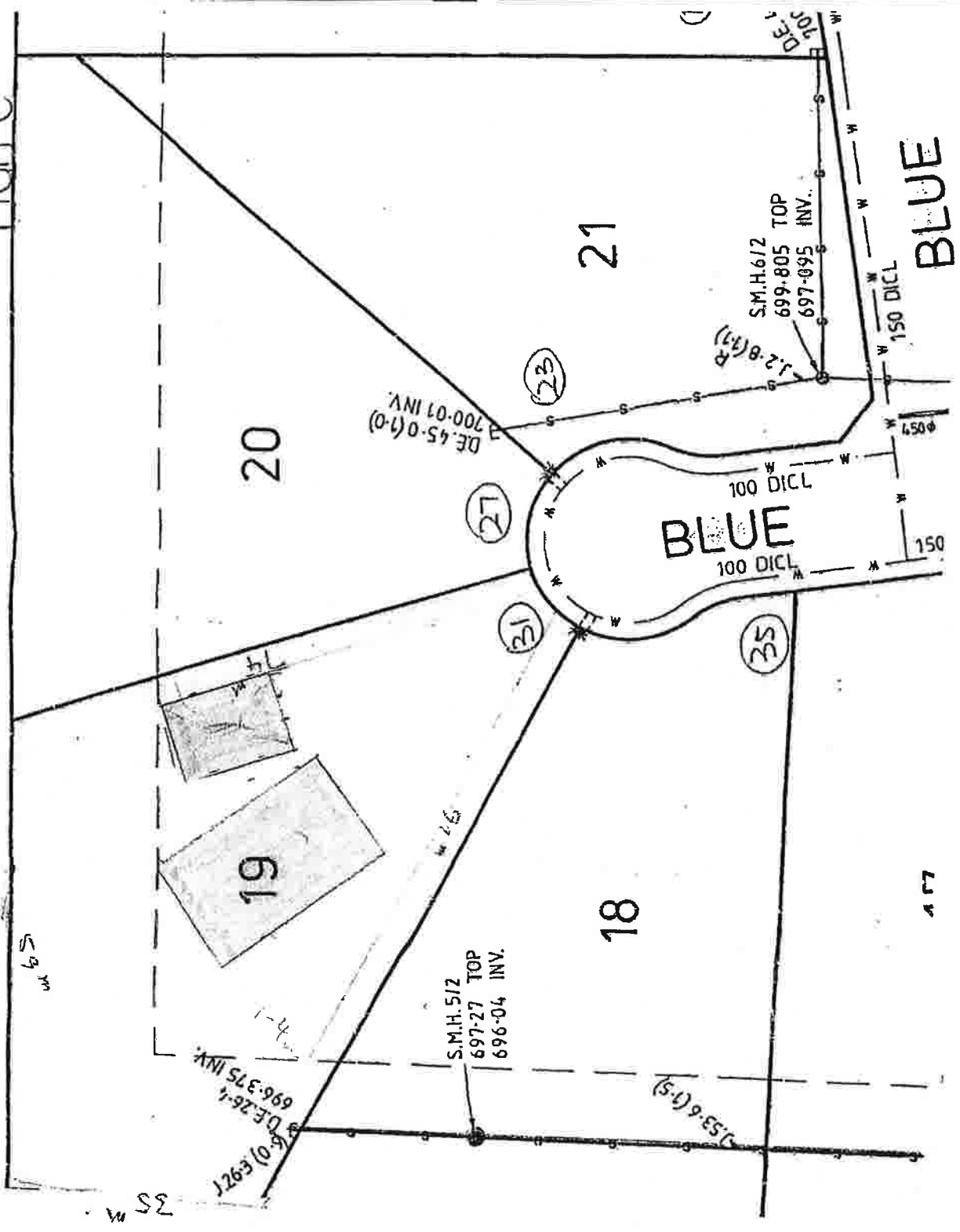


Plan B



D.P. 862788

Plan C



BATHURST REGIONAL COUNCIL

- 4 MAR 2010

REF. 20.00077-03/010

Brett & Simone O'Connell  
5 Tarana Road Oberon  
OBERON NSW 2787

Friday 26<sup>th</sup> March 2010

Mr Nicholas Murphy  
Environmental Planning & Building Services Department  
Bathurst Regional Council  
Private Mail Bag 17  
BATHURST NSW 2795

**Re: Draft Development Control Plan – Blue Ridge Estate (Amendment No.2)**

We are owners of Lot 4/163 Blue Ridge Drive. Our block is one of those currently restricted by the scenic protection buffer and we are strongly in favour of its removal for the following reasons:

- 1) Our plans have already been submitted to council with the intention to build a 5 bedroom acreage home including a 3 bay shed. We feel that this home will contribute to the visual appeal of the estate and compliment its lovely rural surroundings.
- 2) We have purchased a one acre block and have paid a considerable amount of money for an area that we cannot fully utilise. We feel that those affected by the buffers should be extended the same building privileges as the remaining residents that do not have these restrictions in place.
- 3) We are a family with three young children (a 4 year old and 2 year old twins) and naturally as parents are always concerned for their safety. We strongly feel that it can only be an advantage if we were able to increase the distance from the front of our home to the road. With the current buffer zones in place we will be forced to build within an area that we feel is dangerously close to the main arterial road in front of the block. We also face a similar dilemma to the back of the home and that being the distance between the home itself to our proposed 3 bay shed. We would like to have the buffer zone lifted so that we are able to gain distance to move vehicles/machinery to and from the shed without anyone's safety being jeopardised.

DEPB  
ERNM

It is our intention to use the shed as mentioned above for storage purposes which will enable us to maintain a neat and tidy front and backyard without vehicles/machinery being readily accessible and visible to our children and others.

- 4) It is our understanding that one of the reasons the buffer zone was first put in place was to prevent Bathurst and surrounding areas from clearly being able to see sheds and other permanent fixtures towards the rear perimeter of the elevated blocks. If true, we struggle to see this being a problem as existing industrial areas nearby are already visible to those concerned. We also feel that when people purchase land that they are doing just that – you cannot purchase a view.
- 5) We believe that the population of Bathurst is steadily growing and that the community is progressive. With this in mind we fully support and would like to see future developments given the green light. It would be nice to see more land become readily accessible to families wanting to settle in Bathurst and enjoy what this well established community has to offer.

If the outcome for the current control plan is unfavourable we would like to request that council consider lifting the scenic protection buffer off the elevated blocks on Blue Ridge Drive (Lots 1, 2, 3 and 4). We understand that there may be objections to this proposal but would like to clearly state that it is not our intention to impose upon our next door neighbours backyards or to affect the scenic view for others. We cannot understand why the scenic buffers were put on these particular blocks in the first place and definitely cannot see how anyone could possibly be affected by their removal.

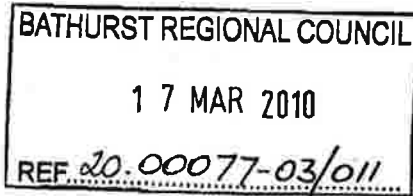
In conclusion we would like to state once again that we are strongly **in favour** of the removal of the buffer zones and are also **in favour** of additional allotments within the estate. We kindly request that you take all the points mentioned above into consideration.

Our family is looking forward to moving to Bathurst and we hope to hear from you within the very near future.

Kind regards

  
J O'Connell

Brett & Simmone O'Connell



"Littlebourne"  
4031 O'Connell Road  
Bathurst NSW 2795

15<sup>th</sup> March 2010

Mr D R Shaw  
Director, Environmental, Planning & Building Services  
Bathurst Regional Council  
Private Mail Bag 17  
Bathurst NSW 2795

Dear Mr Shaw,

**Re: Draft Development Control Plan – Blue Ridge Estate (Amendment No. 2)**

We refer to your letter dated 16 February 2010 advising that Council has resolved to commence the preparation of an amendment to the Blue Ridge DCP to remove the scenic protection buffer and include a front building setback.

In particular, we note the proposed amendment will allow further re-subdivision of some lots resulting in up to 7 additional allotments within the estate, and permit dwellings and ancillary development within the Scenic Protection buffer where such development was previously prohibited.

We wish to lodge our concerns regarding the increase in houses, population, service requirements and traffic which this amendment will allow. Traffic studies conducted for the initial Blue Ridge Estate proposal commented upon the likely activity resulting from the approved number of allotments.

Since that initial approval, which resulted in the creation of Blue Ridge Drive providing access to the Estate from O'Connell Road, a subsequent development with associated traffic activity implications has been approved. This later development (Lot 1 DP: 1067087 and Lot 2 DP: 1067807) provided for an additional 40 allotments which has already significantly added to traffic movements anticipated from O'Connell Road along Blue Ridge Drive.

The proposed amendment for Draft Development Control Plan – Blue Ridge Estate (Amendment No. 2) will result in up to 7 additional allotments, each with up to 3 vehicles (estimate) in regular daily use plus additional service vehicle activity.

EPNM

Given the proposal impacts significantly upon the original traffic analysis and approval, we would request further consideration be given to the total nature of traffic activity along Blue Ridge Drive, and that additional access to Blue Ridge Estate be provided from White Rock Road as a matter of priority. We believe provision of access to the Blue Ridge Estate from White Rock Road will alleviate safety concerns relating to traffic on O'Connell Road accessing Blue Ridge Drive, improve amenity for residents and neighbouring properties, and ensure traffic management is consistent with appropriate boundaries for good community planning.

Yours sincerely,



Mrs Mary Warren

On behalf of

Mrs MM Warren, Ms AR Warren & Ms LJ Warren

CC: Mr Shirley, General Manager, Bathurst Regional Council

**GICO PTY LTD**

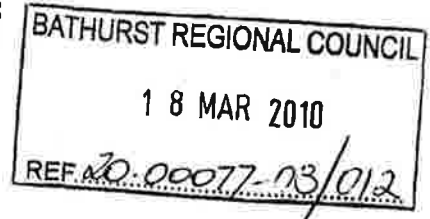
968 Rockley Road Bathurst NSW 2795

Telephone: 02 63372022 Fax: 02 63372066 Email: [admin@eodo.net.au](mailto:admin@eodo.net.au)

ABN 86155319423

Mobile -Bruce 0429108413

Carol 0428893858



SUBMISSION RELATING TO MODIFICATION OF BLUE RIDGE D.C.P- Draft  
Development Control Plan - Blue Ridge Estate – (Amendment No 2 )

Attention: Ms J Bingham

Dear Ms Bingham,

I received the BRC letter, dated 16 Feb 2010 , regarding the “draft development control plan- Blue Ridge Estate (amendment no 2).

I wish to express my favourable support for the amendments with the comment that should you assess that the maximum 20m setback to the front building line proposed could be increased to 25m it would add flexibility and reduce constraints on potential development of each lot without impacting greatly on the final streetscape.

If you need further information please contact me.

Regards

Bruce Goddard  
0429 108 413  
[bruce@eodo.net.au](mailto:bruce@eodo.net.au)

DEPB



BATHURST REGIONAL COUNCIL  
22 MAR 2010  
REF. 20-00077-03/013



Rosemary  
Gordon/BathurstCC  
19/03/2010 03:51 PM

To Jane M McIntosh/BathurstCC,  
cc  
bcc  
Subject Fw: DCP Blue Ridge Estate (MAIL)  
FILE No 20.00077

--- Forwarded by Rosemary Gordon/BathurstCC on 19/03/2010 03:51 PM ---



"Fay Baker"  
<baker@cirruscomms.com.au>  
19/03/2010 03:35 PM

To <council@bathurst.nsw.gov.au>  
cc  
Subject DCP Blue Ridge Estate

Fay Baker

PO Box 582

Bathurst NSW 2795

6337 1219

baker@cirruscomms.com.au

March 19, 2010

Mr. D R Shaw

Bathurst Regional Council

Bathurst

Ref: Agricultural Interface – Blue Ridge Drive, White Rock.

DEPB ✓

Dear Sir,

Thank you for the information concerning the above "Development Control Plan"

I fully support this proposal as a practical and sensible move.

I own land at 19 Blue Ridge Drive, (22//1062075) and while the block is 4402 square metres , there is only a small corner of the block currently available for building.

I do hope commonsense prevails with this issue.

Fay Baker

