



ORDINARY MEETING OF
COUNCIL FOLLOWING POLICY
COMMITTEE

28 August 2019

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 4 September 2019

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 4 September 2019 commencing at approximately 6.15 pm (or immediately following the conclusion of the Policy Committee).

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

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

TO BE HELD ON WEDNESDAY, 4 SEPTEMBER 2019

- 1. 6:15 PM - MEETING COMMENCES**
- 2. APOLOGIES**
- 3. 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 Part 4 and Part 5 of the Council Code of Conduct, in relation to Declaration of Interest at meetings.
- 4. RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS**
* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT
- 5. RESOLVE INTO OPEN COUNCIL**
- 6. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
- 7. MEETING CLOSE**

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES'
REPORT**

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

4 SEPTEMBER 2019

1 DRAFT BATHURST REGIONAL DEVELOPMENT CONTROL PLAN AMENDMENT – COMMUNITY PARTICIPATION (20.00331)

Recommendation: That Council:

- a) adopt the amendment to the Bathurst Regional Development Control Plan 2014 as outlined in this report;
- b) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act; and
- c) call a division.

Report: Background

In March 2018, changes to the Environmental Planning and Assessment (EPA) Act 1979 set out new requirements for Councils to prepare a Community Participation Plan (CPP). All Planning Authorities, including the Department of Planning and Councils, will be required to have in place a Community Participation Plan by 1 December 2019.

Council prepared and adopted the Bathurst Regional Community Participation Plan at its meeting held 17 July 2019. Council resolved to:

- (a) *adopt the Community Participation Plan as detailed in this report with amendment to correct the typographical error on page 23 second last dot point to read "Section 3.14.4.2" and page 24 paragraph 3 to read "Section 3.14.4.2 and 3.14.4.3"*
- (b) *commence an amendment to the Bathurst Regional Development Control Plan 2014 to repeal chapter 2 and insert instead an appropriate reference to the Community Participation Plan;*
- (c) *note that the Community Participation Plan will not commence until the Development Control Plan amendment is adopted;*
- (d) *notify those who made submissions of Council's decision, and*
- (e) *call a division.*

The public exhibition and notification is currently contained in Chapter 2 of Council's Development Control Plan. Council now requires a subsequent amendment to the Bathurst Regional Development Control Plan 2014 to remove the public exhibition and notification of development application requirements within the DCP, ie Chapter 2.

Repeal of Chapter 2 of the Bathurst Regional Development Control Plan

Chapter 2 of the Bathurst Regional Development Control Plan currently contains the public exhibition and notification requirements for Development Applications. These provisions have been transferred to Section 3 of the Community Participation Plan, recently adopted by Council. The duplication of the provisions within the DCP are no longer required and should be repealed. Chapter 2 of the DCP should now only include a reference to the CPP in relation to exhibition or notification requirements for Development Applications.

The proposed wording to be inserted into the DCP is provided as **attachment 1**.

Public Exhibition

Council placed the draft DCP Amendment on public exhibition for a period of 28 days from 22 July 2019 to 19 August 2019. An advertisement was placed in the Western Advocate on 20 July 2019 and the project was placed on Council's Yoursay website. **Attachment 2** summarises the project on the Yoursay website.

Submissions

No submissions were received during the public exhibition period.

Conclusion:

Council is required to implement a Community Participation Plan (CPP) under the Environmental Planning and Assessment Act. Council adopted the Community Participation Plan at its meeting held 17 July 2019. A subsequent DCP amendment is required to repeal Chapter 2 of the Bathurst Regional Development Control Plan and insert instead a reference to the adopted CPP. There are no planning grounds which would prevent Council adopting the draft Development Control Plan Amendment outlined in this report.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.1, 1.2
- Objective 6: Community leadership and collaboration Strategy 6.1, 6.3, 6.5

Community Engagement

- Consult To obtain public feedback on alternatives and/or decisions

Yours faithfully



N Southorn
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES