

22 February 2017

His Worship the Mayor & Councillors

**Notice of Policy Committee Meeting of Bathurst Regional Council -  
Wednesday, 1 March 2017**

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 1 March 2017 commencing at 6.10 pm.



D J Sherley  
**GENERAL MANAGER**

## **BUSINESS AGENDA**

### **POLICY COMMITTEE**

**TO BE HELD ON WEDNESDAY, 1 MARCH 2017**

**1. 6:10 PM - MEETING COMMENCES**

**2. APOLOGIES**

**3. REPORT OF PREVIOUS MEETING**

\* MINUTES - POLICY COMMITTEE MEETING - 7 DECEMBER 2016

**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 ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

\* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

**6. GENERAL BUSINESS**

**7. DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS - Nil**

**8. DISCUSSION FORUM OTHER - Nil**

**9. MEETING CLOSE**

## MINUTE

### 1 MEETING COMMENCES

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

## MINUTE

### 2 APOLOGIES

Nil.

## REPORT OF PREVIOUS MEETING AND MINUTES

POLICY COMMITTEE

## **1 MINUTES - POLICY COMMITTEE MEETING - 7 DECEMBER 2016 (07.00064)**

**Recommendation:** That the Minutes of the Policy Committee Meeting held on 7 December 2016 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held 7 December 2016, 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 - 7 DECEMBER 2016  
(07.00064)

MOVED: Cr W Aubin SECONDED: Cr B Bourke

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 7 December 2016 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 7 DECEMBER 2016**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**APOLOGIES**

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

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

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 NOVEMBER 2016 (07.00064)**  
**MOVED** Cr I North and **SECONDED** Cr M Coote

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 2 November 2016 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**  
**MOVED** Cr I North and **SECONDED** Cr M Coote

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**General Manager's Report**

**5 Item 1 SENIOR STAFF CONTRACTS (19.00030)**  
**MOVED** Cr G Westman and **SECONDED** Cr I North

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

Cr Aubin arrived at 6.03 pm.

**GENERAL BUSINESS**

**6 Item 1 GASWORKS SITE (22.00052)**



**Cr Bourke** - raised concerns about the safety of the site. Jemena need to fence the area off. Noted correspondence has been sent.

**7**      **Item 2 LAGOON ROAD SPEED LIMIT (28.00011)**

**Cr North** - has had concerns expressed about the speed limit recently introduced. Could Council review in the future?

**8**      **Item 3 2017/2018 BUDGET (16.00148)**

**Cr North** - spoke about the land recently acquired at Perthville. Can money be provided for a feasibility study on future uses? Also need money provided for a toilet block at the Police paddock.

**9**      **Item 4 GREAT WESTERN HIGHWAY UPGRADE - EXTENSION (25.00018)**

**Cr North** - asked if Council has made representations to the Government about the widening of the Great Western Highway further east beyond Ashworth Drive.

**The General Manager** advised letters have been sent. Further, this was raised last week with RMS.

**10**     **Item 5 EGLINTON HALL PLAYGROUP (22.00350)**

**Cr North** - has had approaches about the costs that playgroups incur. The Eglinton Group will be seeking assistance from Council relating to the costs and charges raised by Playgroups NSW.

**11**     **Item 6 MITRE/LAMBERT/SUTTOR STREET INTERSECTION (25.00095)**

**Cr North** - feels the Mitre/Lambert/Suttor Street intersection is a street corner Council needs to review, can we try and develop some solutions?

**12**     **Item 7 MITRE/LAMBERT/SUTTOR STREET INTERSECTION (25.00095)**

**Cr Aubin** - also feel the Mitre/Lambert/Suttor Street intersection needs a review, agrees with Cr North's comments.

**13**     **Item 8 LAGOON ROAD SPEED LIMIT (28.00011)**

**Cr Aubin** - noted the review occurred after the matter was raised by former Cr Jennings. Could we have these requests come through the Traffic Committee first? Could a policy be developed on this process?

Cr Aubin tabled documents relating to this matter.

**14 Item 9 POT HOLE FIXING MACHINE (15.00002)**

**Cr Aubin** - was recently overseas and saw a Caterpillar pot hole fixing machine. Will provide details to the Engineers for follow up.

**15 Item 10 NBN CABINET - MICHEL'S CORNER SHOP (08.00005)**

**Cr Coote** - has received advice that a proposed cabinet for this location has been refused.

**The Acting Director Engineering Services** advised Council has no control over the roll-out of the NBN. Not aware of any objection by Council.

**16 Item 11 ADVENTURE PLAYGROUND (04.00121)**

**Cr Coote** - noted the signs are very high in the new area. Could Council look at lowering these?

**17 Item 12 SPORTS COUNCIL - ISSUES WITH SHOOTERS AT MOUNT PANORAMA (18.00077)**

**Cr Coote** - noted there are use conflicts occurring at Mount Panorama. Could Council look at purchasing a new location as a possibility to alleviate the problem? The Dubbo Club have done this.

**18 Item 12.01 SUSPENSION OF STANDING ORDERS (11.00005)  
MOVED Cr I North and SECONDED Cr B Bourke**

**RESOLVED:** That Standing Orders be suspended to allow Council to deal with the Discussion Forum Item.

**DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS**

**19 Item 1 DEVELOPMENT APPLICATION NO. 2016/360 – CHANGE OF USE TO TATTOO STUDIO, SHOP FITOUT AND COFFEE WINDOW AT 106 WILLIAM STREET, BATHURST. APPLICANT: MR T TILLEY. OWNER: MS P CROGHAN (DA/2016/360)**

Discussion included:

**David Killen** – on behalf of the applicant

Noted:

- Eleven submissions have been received, only one objection.
- This is an existing business operating in Bathurst.
- Noted proposed location is very similar to the nature of businesses that exist where the business currently operates.
- Fits within the commercial core guidelines/objectives.
- The business is well run and is local.
- Will not be identifiable as a tattoo parlour.
- The business is high quality custom tattoo work.
- Most issues raised by the objector can be dealt with by conditions of consent.
- There is not a "style" of person that attends a tattoo studio.
- The industry is highly regulated, the business has had no issues.
- Streetscape issues have been addressed.
- Council should promote a well run business like this.
- This is a discrete business and Council has been provided with details of how it will be advertised.

**Sharyn Semmens** – Real Estate Agent

Have worked with proponent. The legislation is very onerous. Have spoken to owner who is satisfied with the proposal. Noted the range of people who have tattoos. The proposal has been on the Western Advocate Facebook page, people are overwhelmingly in favour of the proposal.

**Stacey Whittaker** – President Bathurst Business Chamber

Spoke to the operations of the business and notes that it is currently a very discrete business. The Chamber is in support of local business and this proposal should be encouraged.

**20**

**Item 1.01 RESUMPTION OF STANDING ORDERS (11.00005)**

**MOVED** Cr I North

and **SECONDED** Cr W Aubin

**RESOLVED:** That Council resume Standing Orders.

**GENERAL BUSINESS**

**21**

**Item 13 AFL CLUBHOUSE (04.00042)**

**Cr Coote** - asked what is happening with the lease on this facility?

**The General Manager** noted process undertaken and that the Council has recently determined to re-lease the facility to the Bushrangers AFL Club.

**22**

**Item 14 LAGOON ROAD SPEED LIMIT (28.00011)**

**Cr Morse** - noted history of speed limit on Ophir Road and its speed of 100km/hr. Queried why it has stayed at this level, whereas Lagoon Road speed limit was reduced.

**The Acting Director Engineering Services** advised the matter is one that RMS considers under various guidelines that they have in place.

**23**      **Item 15 KEPPEL STREET CARPARK (22.00653)**

**Cr Morse** - asked has the works in this area finished. Is there a water feature?

**The Acting Director Engineering Services** advised there will be no water feature, but is being constructed according to Water Sensitive Urban Design Guidelines.

**24**      **Item 16 TREES - CORNER OF KEPPEL & BENTINCK STREET (13.00019)**

**Cr Morse** - thanked Council for the works undertaken in this area. Further noted the proposal to add trees on the street verge at the Trade Centre.

**25**      **Item 17 ROXBURGH DRIVE/HUGHES STREET (13.00019)**

**Cr Hanger** - noted there have been around 20 trees planted on this corner, concerns have been raised about sight distance and safety issues. Could this be looked at?

**26**      **Item 18 ROCKLEY VILLAGE MEETING (20.00177)**

**Cr Bourke** - advised the signage into Rockley needs to be reworked.

**MEETING CLOSE**

**27**      **MEETING CLOSE**

The Meeting closed at 6.35 pm.

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

**MINUTE**

**4     DECLARATION OF INTEREST 11.00002**  
**MOVED: Cr W Aubin SECONDED: Cr M Coote**

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

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

POLICY COMMITTEE

1 MARCH 2017

## **1 ASBESTOS POLICY (18.00105, 41.00089)**

**Recommendation:** That Council :

- (a) place the updated Asbestos Policy on public exhibition for a period of 28 days; and
- (b) if no submissions are received, adopt the Policy.

**Report:** Council at its meeting on 19 June 2013 adopted the Asbestos Policy. The Policy is based upon the *Model Asbestos Policy for NSW Councils* developed by the Heads of Asbestos Coordination Authorities.

The Policy has been updated to reflect a number of changes that have occurred since its adoption, including:

1. WorkCover NSW changing structure and the relevant authority is now SafeWork NSW.
2. The *Protection of the Environment (Waste) Regulation 2005* has been repealed and replaced with the *Protection of the Environment (Waste) Regulation 2014* which has impacted the requirements for the transport and management of asbestos containing material.
3. Changes to state government authorities, such as the lead agency for some asbestos issues becoming the Department of Industry.

The changes noted above do not alter the main substance of the Policy, but rather refine, update and clarify where relevant. The updated Policy is provided at **attachment 1**.

It is recommended that Council place the Policy on public exhibition and invite submissions from members of the public.

**Financial Implications:** There are no financial implications to Council outside its existing obligations.

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

- Objective 33: To be and develop good leaders. Strategy 33.5

## MINUTE

- 5 Item 1 ASBESTOS POLICY (18.00105, 41.00089)  
MOVED: Cr W Aubin SECONDED: Cr M Coote

**RESOLVED:** That Council :

- (a) place the updated Asbestos Policy on public exhibition for a period of 28 days; and
- (b) if no submissions are received, adopt the Policy.

Yours faithfully



J Bingham  
**ACTING DIRECTOR**  
**ENVIRONMENTAL, PLANNING & BUILDING SERVICES**



**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND  
MINUTES**

POLICY COMMITTEE

1 MARCH 2017

## **1 DELEGATIONS REGISTER REVIEW (41.00088)**

**Recommendation:** That Council adopt the Delegations Register as tabled.

**Report:** Council under Section 377 of the Local Government Act 1993 may delegate certain authority to the General Manager or any other person or body (not including another employee of the Council). Council has in place a detailed list of delegations to the General Manager the Mayor and some other bodies. Section 380 of the Local Government Act 1993 requires Council to review the delegations in the 12 months following a general local government election. The Delegations Register was adopted by Council on 7 November 2012 following the election and was last reviewed in August 2015.

Council has also established a process of reviewing the delegations register on a more regular basis than the four yearly legislated requirement. The Delegations Register is now submitted to Council for review.

Amendments have been made up to December 2016 to the Register to reflect changes previously adopted by Council.

A review of Clause 17 of the Delegations Register has identified the following changes to legislation:

Remove Strata Schemes (Freehold Development) Act 1973 and Strata Schemes (Leasehold Development) Act 1986 and replace with *Strata Schemes Development Act 2015* .

Under Planning and Development alter item 433 as follows:

Remove Livestock Health and Pest Authority and replace with *Local Land Services* .

The revised register is provided 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**

- 6**     Item 1 DELEGATIONS REGISTER REVIEW (41.00088)  
          MOVED: Cr W Aubin SECONDED: Cr M Morse

**RESOLVED:** That Council adopt the Delegations Register as tabled.

Yours faithfully



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

**GENERAL BUSINESS**

POLICY COMMITTEE

## MINUTE

### 7 Item 1 ELECTION DATE (12.00010)

**Cr Morse** - asked has the Election date been officially advised by the government and what advice has been received on amalgamations.

**The General Manager** advised that he understands elections are due in September 2017 and amalgamations in rural areas will not go ahead. However, formal advice has not been received in relation to either matter.

**MINUTE**

**8 Item 2 DOG OFF-LEASH AREA, BUDGET 2016/2017 (22.01232)**

**Cr Morse** - asked where are we at with this project.

**The Manager Environment** advised area will be next to existing off-leash area. Clearing works are occurring with fencing due to be installed by June 2017.

**MINUTE**

**9 Item 3 REGIS RESOURCES (21.00137)**

**Cr Morse** - asked where is this matter at.

**The General Manager** advised awaiting Environmental Impact Statement from company as requested.

**MINUTE**

**10 Item 4 CBD BEAUTIFICATION; ARTERIAL ROADS AND CBD ROADS**  
**(20.00019)**

**Cr Westman** - requests a Working Party to be held on these two topics as soon as possible.



**MINUTE**

**11    Item 5    CBD CHRISTMAS DECORATIONS (23.00026)**

**Cr Westman** - asked can planning commence on Christmas decorations for the CBD this year as soon as possible.

**MINUTE**

**12 Item 6 ENGINEERING DEPARTMENT: INFRASTRUCTURE (23.00012)**

**Cr Westman** - thanked staff for the way facilities have been presented; eg, hockey facilities and BMX facilities and also noted the excellent work of the Events Team.

**MINUTE**

**13    Item 7    MAYORAL ELECTION (12.00005)**

**Cr Coote** - congratulated new Mayor on election and noted the job performed by the former Mayor, Cr Rush.

**MINUTE**

**14 Item 8 ELECTION OF MAYOR AND DEPUTY MAYOR (12.00005)**

**Cr Aubin** - congratulated the Mayor and the Deputy Mayor on their election

**MINUTE**

**15    Item 9    ROADS WORKING PARTY (16.00148)**

**Cr Aubin** - supports Working Party requested by Cr Westman and noted his request recently for an extra \$2 million to be included in the 2017/2018 budget.

**MINUTE**

**16 Item 10 KANGAROOS AT MOUNT PANORAMA - 12 HOUR (14.00665)**

**Cr Aubin** - asked if there had been any kangaroo activity during the recent 12 Hour event.

**The Acting Director Engineering Services** advised there were no reported activities.

**MINUTE**

**17 Item 11 RECENT NEWTONS NATION EVENT (04.00122)**

**Cr Aubin** - advised went really well. Council received a lot of positive feedback. Hopes event will continue into the future.

**MINUTE**

**18 Item 12 ELECTION OF MAYOR AND DEPUTY MAYOR (12.00005)**

**Cr North** - congratulated new Mayoral team.



**MINUTE**

**19 Item 13 STRATEGIC DIRECTION (11.00016)**

**Cr North** - need to start reviewing this, including Council structure and where to in the future.

**MINUTE**

**20    Item 14    PETITION - SUTTOR/MITRE/LAMBERT STREETS (25.00095)**

**Cr North** - has received a petition of over 2000 signatures presented by Mr and Mrs McNabb concerning the intersection and tabled the petition on their behalf.

**MINUTE**

**21    Item 15    LAGOON ROAD SPEED SIGNS (25.00128)**

**Cr North** - can speed signs be put back up and can press releases be issued on the speed requirements and asking people to notify if they see anyone knocking them down.

**MINUTE**

**22 Item 16 789-793 LAGOON ROAD (25.00128)**

**Cr North** - the road drops away where the bus operates. Could this be checked as it is dangerous.

## MINUTE

### 23    Item 17    GO-KART CLUB (21.00135)

**Cr North** - Clubs advise of many Karting groups who would like to utilise these facilities. Where is this going?

**The General Manager** advised discussions are being held with interest groups to finalise the Development Application.

**MINUTE**

**24    Item 18    GASWORKS SITE (22.00052)**

**Cr Bourke** - noted Jemena are going to spend over \$100,000 on the fencing. Who is paying? Can Councillors get a report on this?

**MINUTE**

**25    Item 18.01    PIGEONS IN CBD (14.00627)**

**Cr Bourke** - advised this is still a problem. Requests report on how handled in Melbourne and what can be done in Bathurst.

**MINUTE**

**26    Item 19    POSITION OF MAYOR (12.00005)**

**Cr Bourke** - spoke to role of Mayor and that it is a full time role. Feels should consider having a publicly elected Mayor and seek community feedback on this matter.



**MINUTE**

**27    Item 20    CHRISTMAS LIGHTS/NEW YEARS EVE (23.00131)**

**Cr Bourke** - queried how much Council spends on these events and what do the Business Houses contribute to Christmas decorations?

## MINUTE

### 28 MEETING CLOSE

The Meeting closed at 6.33 pm.

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