



POLICY COMMITTEE

26 August 2015

His Worship the Mayor & Councillors

**Notice of Policy Committee Meeting of Bathurst Regional Council - Wednesday, 2 September 2015**

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 2 September 2015 commencing at 6.00 pm.

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

D J Sherley  
**GENERAL MANAGER**

# **BUSINESS AGENDA**

## **POLICY COMMITTEE**

**TO BE HELD ON WEDNESDAY, 2 SEPTEMBER 2015**

**1. 6:00 PM - MEETING COMMENCES**

**2. APOLOGIES**

**3. REPORT OF PREVIOUS MEETING**

\* MINUTES - POLICY COMMITTEE MEETING - 5 AUGUST 2015

**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 CORPORATE SERVICES & FINANCE'S REPORT

**6. GENERAL BUSINESS**

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

\* DEVELOPMENT APPLICATION NO. 2015/0181 – SINGLE STOREY DWELLING AT LOT 87, DP 1067827, 74 BURRAGA ROAD, ROCKLEY. APPLICANT: MS P OXENBRIDGE. OWNER: MR T & MRS J OXENBRIDGE

**8. DISCUSSION FORUM OTHER - Nil**

**9. GENERAL BUSINESS**

**10. MEETING CLOSE**

## MINUTE

### 1 MEETING COMMENCES

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

**MINUTE**

**2     APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING AND MINUTES**

POLICY COMMITTEE

## **1 MINUTES - POLICY COMMITTEE MEETING - 5 AUGUST 2015 (07.00064)**

**Recommendation:** That the Minutes of the Policy Committee Meeting held on 5 August 2015 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held 5 August 2015, 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 - 5 AUGUST 2015**  
**(07.00064)**

**MOVED: Cr G Westman SECONDED: Cr I North**

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 5 August 2015 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 5 AUGUST 2015**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**APOLOGIES**

**2 APOLOGIES**  
**MOVED** Cr G Westman and **SECONDED** Cr M Coote

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

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 JULY 2015 (07.00064)**  
**MOVED** Cr G Westman and **SECONDED** Cr I North

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 1 July 2015 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**5 Item 1 DELEGATIONS REGISTER UPDATE (20.00009, 41.00088)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Coote

**RESOLVED:** That Council adopt the Delegations Register in accordance with the

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**This is page 1 of Minutes of the Policy Committee held on 5 August 2015.**







**RESOLVED:** That the Standing Orders be suspended to deal with the DA Discussion Forum items.

## **DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS**

**16**      **Item 1 DEVELOPMENT APPLICATION NO. 2015/0196 – RECREATION FACILITY - OUTDOOR GO KART TRACK AT MCPHILLAMY PARK, BROCKS SKYLINE, MOUNT PANORAMA. APPLICANT: BATHURST KART CLUB. OWNER: BATHURST REGIONAL COUNCIL (DA/2015/0196)**

That the information be noted.

Discussion included:

**D Dickenson** – Mount Panorama resident - has concern at noise, the assessment made was only a computer model. No objection to circuit as long as cannot hear it. How is noise recognised as offensive and what actions can be taken if noise is offensive. There is no measure of decibels in the Environmental Planning & Assessment Act. Spoke to 5dB condition and queried how this works with offensive noise. Has put in a submission.

**The Acting Director Environmental, Planning & Building Services** spoke to specification of noise levels in the consent. The question of background noise and offensive noise. Noted that consent specifies actual conditions that if complaints received, would monitor and seek action from operator.

**T Hickson** - resident - spoke to tourism and proper development of Bathurst. Noted heritage issues and noise concerns. Mount Panorama may be a soft out as cannot find another location. Go Kart racing is not appropriate for Mount Panorama. Views are important. Help people to find another location.

**M Cordato** – Mount Panorama resident - has put in a submission. Concerns at noise and feels process has been flawed. The noise assessment has not taken into account other racing noises in the area. Referred to prior AECOM report which said 5 race days per year are limited due to Health & Safety. Also referred to quality of noise issues. The noise from Go Karts will provide a noise risk to workers at the Waste Management Centre. Council should not be dumping everything in the one place. Need to consider overall noise burdens on individuals.

**N Swan** – 160 Mountain Straight - stated the main issue is noise. The PKA report is false. Need truly independent report to be requisitioned. Cumulative noise exposure from existing events is not reasonable. Referred to Wilkinson Murray report which has much higher decibel levels. PKA analysis doesn't look at what existing noise levels (cumulative) that are imposed. Queried why PKA didn't use Wilkinson Murray information.

**K Burgess** - resident - concerned at noise, not worried about the development itself.

**17**      **Item 2 DEVELOPMENT APPLICATION NO. 2015/0210 – DEMOLITION OF EXISTING DWELLING, CONSTRUCTION OF WAREHOUSE/OFFICE BUILDING**

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This is page 4 of Minutes of the Policy Committee held on 5 August 2015.

**AND TWO LOT SUBDIVISION (CONSOLIDATION) AT LOT 462 DP 718644 AND SP 89817, 215 ROCKET STREET AND 291 STEWART STREET, BATHURST. APPLICANT: BAR CONSTRUCTIONS. OWNER: MABRODA PTY LTD (DA/2015/0210)**

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

Discussion included:

**J Maher – 256 Rocket Street** - Lives opposite the development. Spoke to submission by neighbours (Harvey's). Feels a better ambience could be achieved. Rocket Street has a heritage nature. Feels building could be moved to parking area on corner of Rocket and Stewart Streets. Referred to sun issues and the street is residential. The building is built right up to the footpath.

**M Hardy - resident** - noted parking in the area is appalling, residential parking is non-existent. The development will cause more and more problems, with staff parking in the street. This is a heritage area and don't need area to be degraded. Shouldn't be knocking down a heritage building. What was the process that allowed area to go from commercial area to residential area?

**The Acting Director Environmental, Planning & Building Services** spoke to zoning issues and how rezoned last year to commercial by Council.

**L Loneragan – National Trust** - representing Iain MacPherson who was unable to attend. Issues raised rezoning height of buildings, entrance way to city, bulk of building. The closeness to residential buildings, needs further setback. Change the roof lines and problems with signage: The Developer has been very respectful and hopes something can be done.

**M Buttsworth – Gladstone Street** - was not aware land was rezoned. Rocket Street is a heritage street. Noted issue of certification to ensure new building fits within the context. The proposal will not fit in with heritage area.

**P Webb – adjoining owner** - objects to the proposal, it is basically a warehouse in a residential area. The Heritage Impact Statement says adjoining buildings built in 1960s, this is not so, more recently built. Need to keep in line with height of adjoining buildings. If they want a warehouse it should front Stewart Street. Setback should be in line with residences.

**G Buttsworth – Gladstone Street** - spoke to heritage nature of area and the restored buildings. People are proud of their homes, when put in a carport had to ensure fitted in the nature of the area and spoke to problem with tree. This development is not sympathetic with the area. The development should be in the trade centre. Will devalue homes.

**J Quill – George Street** - was sad when first building went up and impact on entrance to city. With this DA need to get it right, the aesthetics are not right for entrance to a heritage city. There are no setbacks and will be very tall. This is a residential area, queried why allowed. Parking is already a problem, staff of existing businesses park in the street and so need to consider further impact. Council is making an effort around heritage, need to go forward, please look at it in a different way so fits into heritage nature.



**Cr Jennings** - asked when are we likely to see business plan and cost/benefit analysis.

**The General Manager** advised will follow up this matter.

**24**      **Item 14 INCENTIVES LARGE SCALE MANUFACTURING (20.00071)**

**Cr Jennings** - asked what incentives exist in this Council area.

**The General Manager** spoke to provision of land, water availability, State and Federal Government incentive programs, local assistance and attractiveness.

**25**      **Item 15 AGRICULTURAL MONUMENT (04.00032)**

**Cr Jennings** - noted there is no monument recognising Bathurst as the first inland agriculture settlement. Could we look at the area where first cropping occurred, near the Bathurst Visitor Information Centre (where the trees are) and put a monument here recognising agriculture in this area. Perhaps a report could be done on this.

**MEETING CLOSE**

**26**      **MEETING CLOSE**

The Meeting closed at 7.08 pm.

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

**Date:** \_\_\_\_\_ **(19 August 2015)**

**MINUTE**

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

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

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

POLICY COMMITTEE

2 SEPTEMBER 2015



## **1 POLICY - RATES - RECOVERY OF RATES AND CHARGES (16.00015 & 41.00089)**

**Recommendation:** That Council adopt the Policy Rates - Recovery of Rates and Charges.

**Report:** Council currently has in place a procedure for the recovery of rates and charges and now wishes to adopt this as a policy to continue with effective and timely collection of outstanding rates and charges.

Council has had a written procedure for the collection of outstanding rates and charges for many years. Enforcement actions undertaken within these procedures have not been formally endorsed by Council previously and therefore it is considered necessary that the existing procedures be approved by Council as its policy (see **attachment 1**).

For Council's information, the main steps involved in the collection process of outstanding rates and charges are:

- Issue missed instalment notice;
- Issue final notice 7 day demand letter;
- Issue debt collection demand letter via Council's Debt Recovery Agent;
- Commence recovery action by Council's Debt Recovery Agent.

It is therefore recommended that Council adopts the Policy Rates - Recovery of Rates and Charges.

**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 28.6
- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.3
- Objective 33: To be and develop good leaders. Strategy 33.5

**MINUTE**

**5 Item 1 POLICY - RATES - RECOVERY OF RATES AND CHARGES (16.00015 & 41.00089)**

**MOVED: Cr G Westman SECONDED: Cr M Morse**

**RESOLVED:** That Council adopt the Policy Rates - Recovery of Rates and Charges.

Yours faithfully



R Roach  
**DIRECTOR  
CORPORATE SERVICES & FINANCE**

**GENERAL BUSINESS**

POLICY COMMITTEE

**MINUTE**

**6 Item 1 TREES, SUTTOR STREET, BETWEEN BRADWARDINE ROAD AND WATER TOWER (25.00072)**

**Cr Hanger** - requested a report on condition of these trees.

**MINUTE**

**7 Item 2 VENESS STREET PARK (04.00060)**

**Cr Hanger** - enquired as to what is the name of the Park.

**MINUTE**

**8      Item 3    WEST STREET FOOTPATH (25.00433)**

**Cr Hanger** - asked is it possible to opt out of the rates for the footpaths in this area as he does not use them?

**MINUTE**

**9 Item 4 ASTHMA INCIDENTS (09.00011)**

**Cr Jennings** - noted the rate of Asthma incidents in Bathurst is a concern. Bathurst, Tamworth and Albury have PM10 particulates data collected only. Can we request PM2.5 data also be collected for Bathurst.

**MINUTE**

**10 Item 5 BUSINESS PLAN FOR SECOND TRACK, MOUNT PANORAMA  
(20.00278)**

**Cr Jennings** - asked when will this plan be prepared.

**The General Manager** spoke to process in place.



**MINUTE**

**11 Item 6 BRICKWORK - BICENTENARY MONUMENT (36.00518)**

**Cr Jennings** - advised has received some concerns about condition of brickwork.

**The Mayor** noted some oxidisation is occurring and spoke to cleaning technique.

**MINUTE**

**12 Item 7 SPORTS MARKETING BUDGET PROGRAM (20.00020)**

**Cr Jennings** - asked for status on this matter.

**The General Manager** advised meetings are occurring August/September to progress this.

**MINUTE**

**13    Item 8    GEORGES PLAINS CREEK CLEARING (31.00002)**

**Cr Jennings** - asked is this being cleared out?

**The Acting Director Engineering Services** advised some willow removal work is planned, hope to have willow trees cleared next calendar year. Other clearing activities in creek necessitate various approvals.

## MINUTE

### 14 Item 9 CIRENCESTER (UK) PAIRING RELATIONSHIP (23.00129)

**Cr Jennings** - advised has had approaches from residents about creating a relationship with Cirencester, UK. Could this be pursued?

**The Mayor** spoke to discussions with the Earl and Countess of Bathurst. They were to approach their Council as this is the point of contact for this proposal.

**MINUTE**

**15    Item 10 GREEN BINS (14.00053)**

**Cr Jennings** - advised would support in principle an opt out option, but need details on costs of opting out and administrative concerns that may arise.

**MINUTE**

**16 Item 11 PIGEON MESS AT AUSTRALIAN FOSSIL & MINERAL MUSEUM  
(14.00627)**

**Cr Morse** - spoke to work occurring at Australian Fossil & Mineral Museum. Could we look also at cleaning up Council Chambers building near Bathurst Memorial Entertainment Centre.

**The Mayor** noted matter has been raised with Council.

**MINUTE**

**17 Item 12 COUNCILLOR MEETING WITH COMMUNITY GROUPS TIMING  
(11.00019)**

**Cr Westman** - asked could the start time for these meetings be moved to 6 pm.

**MINUTE**

**18    Item 13    KANGAROOS - MOUNT PANORAMA (14.00665)**

**Cr Westman** - asked where this matter is at. The numbers of kangaroos are increasing.



**MINUTE**

**19**    **Item 13.01    SUSPENSION OF STANDING ORDERS (11.00005)**  
**MOVED: Cr I North SECONDED: Cr M Coote**

**RESOLVED:** That the Standing Orders be suspended to deal with the DA Discussion Forum item.

**DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS AND MINUTES**

POLICY COMMITTEE

**1 DEVELOPMENT APPLICATION NO. 2015/0181 – SINGLE STOREY DWELLING AT LOT 87, DP 1067827, 74 BURRAGA ROAD, ROCKLEY. APPLICANT: MS P OXENBRIDGE. OWNER: MR T & MRS J OXENBRIDGE (DA/2015/0181)**

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

**Report:** Council has received a request to review its decision to refuse the above Development Application pursuant to Section 82A of the Environmental Planning and Assessment Act 1979.

A copy of the request for review is at **attachment 1**.

**Proposal**

The proposal involves the erection of a single storey dwelling at 74 Burraga Road, Rockley, described as Lot 87, DP1067827. A location plan is provided at **attachment 2**.

It is noted that the plan has been altered in respect to the setbacks from East Street and 67 Hill Street/63 East Street (Webster/Wood).

The setback to East Street has been increased from 20 metres to 50 metres.

The setback to 67 Hill Street/63 East Street has been increased from 36 metres to 50 metres.

All other aspects of the development remain unchanged.

A copy of the amended plans are at **attachment 3**.

The development includes the construction of two new internal accesses to Burraga Road. A secondary access road is required for dwellings located further than 200 metres from a public road in accordance with the Planning for Bushfire Protection Guidelines.

**Previous consideration**

The Development Application was refused by Council at its meeting held 15 July 2015 for the following reason:

1. *The proposed front and side setbacks do not comply with those prescribed in the Bathurst Region Development Control Plan 2014 and Council is not satisfied that the variation is acceptable.*

Council's Notice of Determination giving effect to the above resolution was issued on 16 July 2015.

**Submissions**

In accordance with Chapter 2 of Council's DCP the request for review of the Development Application was notified to the adjoining property owner and those persons who lodged submissions between 29 July 2015 and 10 August 2015. During the notification period 2 submissions were received from adjoining and adjacent property owners (see submissions at **attachment 4**).

Issues raised in the submissions included:

- Privacy and amenity of existing dwellings
- Traffic/access (impact on East Street)
- Proximity to watercourse and vegetation
- The availability of more suitable building sites
- Requirements for landscaping of the site
- Requirements for bushfire protection

Following the discussion forum a report will be prepared for Council for determination of the application.

**Financial Implications:** Nil.

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

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

## MINUTE

**20 Item 1 DEVELOPMENT APPLICATION NO. 2015/0181 – SINGLE STOREY DWELLING AT LOT 87, DP 1067827, 74 BURRAGA ROAD, ROCKLEY. APPLICANT: MS P OXENBRIDGE. OWNER: MR T & MRS J OXENBRIDGE (DA/2015/0181)**

Discussion included:

**P Oxenbridge – applicant** - advised the Development Application has been resubmitted with setbacks that comply. Referred to access issues to the public road. Since 2004, two Development Applications have been approved on East Street which required access.

**MINUTE**

**21**    **Item 1.01 RESUMPTION OF STANDING ORDERS 11.00005**  
**MOVED: Cr I North SECONDED: Cr B Bourke**

**RESOLVED:** That Council resume Standing Orders

**GENERAL BUSINESS**

POLICY COMMITTEE

## MINUTE

### 22 Item 14 CYCLEWAYS (28.00003)

**Cr Coote** - asked do we have maps of location of cycleways showing where they can go. Noted safety issues.

**The Acting Director Environmental, Planning & Building Services** spoke to cycling plan in place. There are some old maps, could be looked at into the future.



**MINUTE**

**23**    **Item 15 GREEN BINS (14.00053)**

**Cr Coote** - asked has Council already adopted to introduce the green bin.

**The General Manager** advised yes, Council adopted the provision of this service at the end of last year.

**MINUTE**

**24    Item 16    DA DISCUSSION FORUMS (11.00005)**

**Cr Coote** - asked why does Council hold so many DA Discussion Forums.

**The General Manager** referred to protocols of holding Discussion Forums to attempt to resolve outstanding issues on Development Applications.

**MINUTE**

**25    Item 17    CONDITION OF BUILDINGS IN CBD (20.00019)**

**Cr Aubin** - requested a report come back to Council on how Council can enforce maintenance of buildings in the CBD. Noted Wishbone Chicken building and the building at the corner of Keppel and Bentinck Street are two of concern.

**MINUTE**

**26    Item 18    KANGAROOS - MOUNT PANORAMA (14.00665)**

**Cr Aubin** - noted accident at recent 12 Hour event. Appears nothing is being done. Kangaroos are in significantly greater numbers. Council needs to do something.

**MINUTE**

**27    Item 19    PLACEMENT OF DISABLED SPACE - DOMAIN CAR PARK (04.00105)**

**Cr North** - asked could we look at placement of disabled spot and also putting a second spot in. This was raised by the Access Committee. The Committee also raised the issue of sight lines across round-a-bout, much of it is about education. Could the Mayor raise this in his column.

**MINUTE**

**28    Item 20    STAND PIPES PROPOSAL - PERTHVILLE (32.00013)**

**Cr North** - noted this matter was raised last year. Could Council look at this again and perhaps discuss it at a Village meeting.

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to the Policy Meeting 02/09/2015

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GENERAL MANAGER

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MAYOR  
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**MINUTE**

**29    Item 21    GREAT WESTERN HIGHWAY ROAD WORKS (25.00018)**

**Cr North** - asked have we raised issue of extension of the Highway Upgrade for beyond the Gold Panner with the State Government?

**The Mayor** advised a letter has gone to local member and discussions have occurred. Will be speaking to Minister, the Hon Duncan Gay.

**MINUTE**

**30 Item 22 EGLINTON HALL PARK OPERATION PROCEDURES (22.00350, 18.00177)**

**Cr North** - asked could a report come back on how usage of Eglinton Hall is controlled, showing guidelines in place, who holds keys, etc.

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to the Policy Meeting 02/09/2015

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GENERAL MANAGER

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MAYOR  
Page 48



**MINUTE**

**31 Item 23 LINE MARKING - MACHATTIE PARK, WILLIAM STREET  
(AUTHORISED ZONE) (25.00002)**

**Cr Bourke** - asked could this area be more clearly marked to show it is an authorised zone.

## MINUTE

### 32     Item 24     GREEN BINS (14.00053)

**Cr Bourke** - stated there is a silent protest on this proposal. There was no discussion forum, people did not have a say. Spoke to issues such as affordability, opt in/out. What is effect on businesses in Bathurst, where does their waste go to?

**The Manager Water and Waste** noted businesses can opt in. Businesses looked at individually. Spoke to business operations.

**The Mayor** noted processes in place and the current position of Council with respect to Green Waste.

**MINUTE**

**33    MEETING CLOSE**

The Meeting closed at 6.40 pm

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

**Date:** \_\_\_\_\_ **(21 October 2015)**