

28 April 2010

His Worship the Mayor & Councillors

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 5 May 2010 commencing at 5.00 pm.



D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

POLICY COMMITTEE

TO BE HELD ON WEDNESDAY, 5 MAY 2010

1. 5PM MEETING COMMENCES
2. APOLOGIES
3. REPORT OF PREVIOUS MEETING
 - * Minutes of The Policy Committee Meeting held 7 April 2010
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. GENERAL BUSINESS
6. DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS
 - * Public Hearing - Draft Bathurst Regional (interim) Local Environmental Plan 2005 (amendment No. 3) And Draft Bathurst Local Environmental Plan (classification And Reclassification Of Public Land) 1997 (amendment No. 4)
7. DISCUSSION FORUM OTHER
8. MEETING CLOSE

MINUTE

1 5PM MEETING COMMENCES

PRESENT: Councillors 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 Community Services, Manager Corporate Governance, Manager Strategic Planning, Manager Recreation, Manager Technical Services, Parks Operations Manager, Operations Manager Water & Wastewater, Development Control Planner.

MINUTE

2 APOLOGIES

Nil.

POLICY COMMITTEE
REPORT OF PREVIOUS MEETING

**REPORT OF PREVIOUS MEETING TO THE POLICY COMMITTEE MEETING HELD ON 5
MAY 2010**

General Manager
Bathurst Regional Council

1 MINUTES OF THE POLICY COMMITTEE MEETING HELD 7 APRIL 2010 (07.00064)

Recommendation: That the Minutes of the Policy Committee Meeting held on 7 April 2010 be adopted.

Report: The Minutes of the Policy Committee Meeting held 7 April 2010 , are attached.

Financial Implications: N/A

MINUTE

3 Item 1 MINUTES OF THE POLICY COMMITTEE MEETING HELD 7 APRIL 2010
(07.00064)

MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That the Minutes of the Policy Committee Meeting held on 7 April 2010 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 7 APRIL 2010

5 PM MEETING COMMENCES

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

APOLOGIES

2 APOLOGIES

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

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

REPORT OF PREVIOUS MEETING

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

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

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

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST

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

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

5 Item 1 POLICY - BURIAL ON PRIVATE PROPERTY (09.00039)

MOVED Cr M Morse and **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.

GENERAL BUSINESS

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.

7 BEGONIA HOUSE (04.00012)

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

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.

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.

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.

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.

12 **ADVENTURE PLAYGROUND (04.00121)**

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

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.

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.

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.

DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS

Director Environmental Planning & Building Services' Report

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.

MEETING CLOSE

17 **MEETING CLOSE**

The Meeting Closed at 5.43 pm.

CHAIRMAN: _____

Date: _____ **(21 April 2010)**

MINUTE

4 DECLARATION OF INTEREST

MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That the Declaration of Interest be noted.

to the Policy Meeting 05/05/2010

GENERAL MANAGER

MAYOR
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POLICY COMMITTEE
GENERAL MANAGER'S REPORT
5 MAY 2010

**GENERAL MANAGER'S REPORT TO THE POLICY COMMITTEE MEETING HELD ON 5
MAY 2010**

General Manager
Bathurst Regional Council

**1 DEPARTMENT OF LOCAL GOVERNMENT - PROMOTING BETTER PRACTICE
REVIEW REPORT (NOVEMBER 2006) (03.00142)**

Recommendation: That Council note the updated report (as at May 2010) of the Department of Local Government, PBP Review of November 2006.

Report: As Councillors would be aware, in November 2006, the Department of Local Government undertook a Promoting Better Practice Review of the Council. The Review Report and initial responses were presented to Council at its meeting on 16 May 2007 (General Manager's Report No 1). Follow-up reports have been provided to Council at its meetings of 3 September 2008, 1 April 2009 and 30 September 2009.

The purpose of this item is to provide an ongoing report on how Council is addressing the recommendations contained within the review. At **Attachment 1** is an Action Plan/Status Report which provides a Progress Report on each recommendation. It is considered the results of the Review were extremely pleasing. A number of the recommendations have progressed:

1. Recommendation 1

The State Government has issued guidelines on Long Term Financial Planning. Bathurst Regional Council has been gazetted for inclusion in Group 3.

2. Recommendations 11 and 12

The Audit Committee has now met - 31.3.2010. A Charter is in place for operation of the Committee.

3. Recommendations 13 and 16

Development of the new LEP which has been delayed due to, amongst other things, the Government's recent Rural Land Inquiry (Recommendations 13, 16) and inability of Department to sign off on various strategies. Scheduled completion date is now 2011.

4. Recommendation 22

Review Business Plans water and sewer, Recommendation No 22. These have now been completed.

5. Recommendation 24 and 25

Asset Management Plans, Recommendations 24 and 25 - Development is ongoing as is noted in the attachment to the report.

Financial Implications: Actions are being taken within existing budgets.

MINUTE

5 Item 1 DEPARTMENT OF LOCAL GOVERNMENT - PROMOTING BETTER PRACTICE REVIEW REPORT (NOVEMBER 2006) (03.00142)

MOVED: Cr B Bourke SECONDED: Cr G Westman

RESOLVED: That Council note the updated report (as at May 2010) of the Department of Local Government, PBP Review of November 2006.

Yours faithfully



D J Sherley
GENERAL MANAGER

POLICY COMMITTEE

GENERAL BUSINESS

5 MAY 2010

MINUTE

9 ANTI GRAFITTI DAY (20.00045)

Cr Bourke - advised was held last Sunday. Would like to do another day in the future, but co-ordinated with the Council. PCYC would like to come on board. Request Council advise what is spent on grafitti by Council.

MINUTE

8 CRICKET PITCHES (04.00034)

Cr Aubin - advised that synthetic cricket pitches can become unplayable during the year due to condition of approaches. Can we look at putting extensions onto the pitches. With the turf pitches, in wet weather often get a lot of water pooling, may be due to age, can we look at building them up.

The Director Engineering Services will investigate these matters and spoke to maintenance works undertaken.

MINUTE

7 POPLARS ON ROAD (13.00019)

Cr Thompson - advised were knocked down and now there are a lot of suckers. Can we look at these for clearance.

The Director Engineering Services will review this matter.

MINUTE

6 ART DEVELOPMENT (11.00006)

Cr Carpenter - request Council consider including an Art Policy component in major works.

The Mayor advised will refer to a Working Party.

MINUTE

10 MEETING ADJOURNMENT (20.00045)

The meeting adjourned at 5.10 pm as interested persons had been advised the Discussion Forum was 5.30 pm.

The meeting reconvened at 5.30 pm.

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GENERAL MANAGER

MAYOR
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POLICY COMMITTEE
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT
5 MAY 2010

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE
POLICY COMMITTEE MEETING HELD ON 5 MAY 2010**

General Manager
Bathurst Regional Council

**1 PUBLIC HEARING - DRAFT BATHURST REGIONAL (INTERIM) LOCAL
ENVIRONMENTAL PLAN 2005 (AMENDMENT NO. 3) AND DRAFT BATHURST LOCAL
ENVIRONMENTAL PLAN (CLASSIFICATION AND RECLASSIFICATION OF PUBLIC
LAND) 1997 (AMENDMENT NO. 4) (20.00155)**

Recommendation: That the information be noted.

Report: Council has resolved to prepare draft Local Environmental Plans in respect Part Lot 88, DP 249485, Durack Close, West Bathurst, Lot 22, DP 864274, Mid Western Highway, Robin Hill, Part Lot 33, DP 593108, Gilmour Street, Kelso, Part Lot 224, DP 735655, Tyndall Street, Kelso and Part Lot 274, DP 735655, Elm Place, Kelso.

The effect of the draft Plans is to reclassify Part Lot 33, DP 593108, Part Lot 224, DP 735655, Part Lot 88, DP 249485, Lot 22, DP 864274 and Part Lot 274, DP 735655 from community land to operational land under the Local Government Act 1993. The draft Plans will also change the zoning of Part Lot 88, DP 249485, Durack Close, West Bathurst and Part Lot 33, DP 593108, Gilmour Street, Kelso from 6(a) Local Recreation to 2(a) Residential.

The draft Plans were placed on public exhibition for a period of 28 days from 28 September 2009 to 27 October 2009. Council received 2 submission in relation to the draft Plans (**attachment 1**). One submission was in favour of the draft Plans and one submission raised concerns relating to the diversion bank within the subject land at Mid Western Highway, although it did not oppose the draft Plan.

Council has considered the submissions that were received and considers that they relate to the diversion bank rather than directly objecting to the reclassification of the land at the Mid Western Highway. Further discussions will be held with the affected landowners relating to the reinstatement of the diversion bank as part of the creation of the Right of Carriageway.

Public Hearing

Pursuant to section 69 of the Environmental Planning and Assessment Act 1979 and section 29 of the Local Government Act 1993, a public hearing must be held with respect to the classification and reclassification of public land through a local environmental plan.

Whilst this matter has been previously considered by Council, a public hearing had not been held as required. Hence the hearing has been scheduled and the matter will be referred back to Council for reconsideration at its next meeting.

Financial Implications: Nil.

MINUTE

11 Item 1 PUBLIC HEARING - DRAFT BATHURST REGIONAL (INTERIM) LOCAL ENVIRONMENTAL PLAN 2005 (AMENDMENT NO. 3) AND DRAFT BATHURST LOCAL ENVIRONMENTAL PLAN (CLASSIFICATION AND RECLASSIFICATION OF PUBLIC LAND) 1997 (AMENDMENT NO. 4) (20.00155)

MOVED: G Westman SECONDED: R Thompson

RESOLVED: That the report be noted.

The Director Environmental Planning & Building Services gave an introduction in the proposed amendment to the Interim LEP.

Discussion included:

Mark Bayliss - 97 Boundary Road - Have a rear access to their property through the site. When RTA undertook works on Boundary Road it caused problems. RTA gave rights to use access point and then Council has queried this. Spoke to his submission.

Yours faithfully



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

MINUTE

12 MEETING CLOSE

The Meeting Closed at 5.35 pm.

CHAIRMAN: _____

Date: _____ **(19 May 2010)**

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GENERAL MANAGER

MAYOR
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