

**POLICY COMMITTEE MEETING  
BATHURST REGIONAL COUNCIL**

26 March 2020

His Worship the Mayor & Councillors

**Notice of Policy Committee Meeting of Bathurst Regional Council –  
Wednesday 4 March 2020**

I have to advise that a Policy Committee Meeting of Bathurst Regional Council will be held in the Council Chambers on Wednesday 4 March 2020 commencing at 6:00 pm.



D J Sherley  
**GENERAL MANAGER**

**BUSINESS AGENDA**  
**POLICY COMMITTEE MEETING OF BATHURST REGIONAL COUNCIL**  
**TO BE HELD ON Wednesday 4 March 2020**

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## 1. MEETING COMMENCES

### MINUTE

Meeting commenced at 6.00pm.

**Present:** Cr B Bourke (Chair), Cr W Aubin, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North

## 2. RECORDING OF MEETING

This Council meeting is being recorded in accordance with Councils webcasting of Councils meetings policy. The recording will be archived and made available for viewing at any time on Council's YouTube channel for a maximum period of 12 months. All care is taken to maintain your privacy however if you are in attendance in the public gallery you should be aware that your presence may be recorded. Your continued attendance means that you agree to being recorded and also that you will abide by the Council's adopted Code of Meeting Practice.

The Chairperson or General Manager have the discretion to interrupt the recording of any meeting at any time should it be deemed necessary. This may occur in circumstances where commentary is considered to be misleading, defamatory or inappropriate to be published or where behaviour breaches Council's adopted Code of Meeting Practice.

## 3. PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

Could all those who are able, please stand for the prayer and the acknowledgement.

3.01 Almighty God, give wisdom to those in authority and guide all peoples in the way of righteousness and peace, so that we may share with justice the resources of the earth, work together in trust and seek the common good. Amen

3.02 I would like to acknowledge that this meeting is being held on the traditional lands of the Wiradjuri people and recognise the strength, resilience and capacity of Aboriginal people in this land.

## 4. APOLOGIES

### MINUTE

**MOVED: Cr I North SECONDED: Cr W Aubin**

**RESOLVED:** That the apology of Cr Jacqui Rudge be accepted and leave of absence granted.

## 5. MINUTES

### 5.1. CONFIRMATION OF MINUTES - 5 FEBRUARY 2020

**File No: 07.00064-06**

#### **RECOMMENDATION:**

That the Minutes of the Policy Meeting of Bathurst Regional Council held on 5 February 2020 be adopted.

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#### **REPORT:**

The Minutes of the Policy Meeting of Bathurst Regional Council held on 5 February 2020 are attached.

#### **MINUTE**

**RESOLUTION NUMBER: POL2020-4**

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

#### **RESOLVED:**

That the Minutes of the Policy Meeting of Bathurst Regional Council held on 5 February 2020 be adopted.

## 6. DECLARATION OF INTEREST

### **Declaration of Interest**

#### **MINUTE**

**RESOLUTION NUMBER: POL2020-5**

**MOVED: Cr I North SECONDED: Cr M Morse**

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

## **7. RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS**

### **DIRECTOR ENVIRONMENTAL PLANNING AND BUILDING SERVICE'S REPORT**

#### **7.1.1. TRIAL OF STREET VENDING AND ROADSIDE STALLS DURING RACE WEEK**

**File No: 41.00089 30.00004**

#### **RECOMMENDATION:**

That Council:

- (a) place the amended "Street vending and roadside stalls" Policy on public exhibition for a period of 28 days;
- (b) if no submissions are received, adopt the policy;
- (c) if submissions are received, prepare a further report for Council.

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#### **REPORT:**

Council at its meeting held 5 June 2019 adopted a Policy entitled "Street vending and roadside stalls". The Policy allowed for a one year trial for street vending during the full track closure event at Mount Panorama each year.

The trial for street vending and roadside stalls in regard to wood vendors during race week saw four Section 68 applications received and approved by Council.

The vendors were issued permits and allowed entry into the Durham Street side of Morse Park for the week leading up to the race. The vendors complied with all requirements of the permits and no damage was occasioned to the reserve as a result of the activity.

At the conclusion of the event the vendors were asked to provide feedback and whilst they were very supportive of Council's efforts to provide an opportunity to sell their product lawfully and were looking forward to participating again in 2020 they were disappointed in regard to the location selected.

The universal view was that their trade almost certainly suffered by setting up in Morse Park and they would have preferred a location closer to the event itself, where some passing trade was more likely to occur. This is not an unreasonable request and one that could be addressed more appropriately by Council by allowing an area off Leena Street to be utilised for the 2020 event.

The proposed area for the new trial is a parcel of Council owned land which is accessed from Leena Street, South Bathurst. The location has the advantage of being adjacent to the Mount Panorama precinct and is shown at **attachment 1**. Further, the hours available to the vendors for trading could be extended to allow for trade in the late afternoon and early evening, as there is no need for staff to “secure” the site.

To conclude, the trial was encouraging in that there was also a reduction in the number of complaints of unauthorised roadside wood sellers during race week especially on the major arterial roads into the city and this could be attributed to both media advice regarding the requirement for Council permits and the trial itself.

It is therefore recommended that a further trial be undertaken for the 2020 event, and that submissions on the revised Policy are invited from the community.

The revised draft Policy is at **attachment 2**.

## **MINUTE**

**RESOLUTION NUMBER: POL2020-6**

**MOVED: Cr A Christian SECONDED: Cr W Aubin**

**RESOLVED:**

### **RECOMMENDATION:**

That Council:

- (a) place the amended “Street vending and roadside stalls” Policy on public exhibition for a period of 28 days;
- (b) if no submissions are received, adopt the policy;
- (c) if submissions are received, prepare a further report for Council.

## **DIRECTOR CORPORATE SERVICES & FINANCE’S REPORT**

### **7.2.1. REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 27 NOVEMBER 2019**

**File No: 07.00096**

### **RECOMMENDATION:**

That the recommendations of the Audit and Risk Management Committee Meeting held on 27 November 2019 be adopted.

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## **REPORT:**

The minutes of the Bathurst Regional Council Audit and Risk Management Committee Meeting held on 27 November 2019 are shown at **attachment 1**.

## **MINUTE**

**RESOLUTION NUMBER: POL2020-7**

**MOVED: Cr I North SECONDED: Cr A Christian**

## **RESOLVED:**

That the recommendations of the Audit and Risk Management Committee Meeting held on 27 November 2019 be adopted.

## **8. GENERAL BUSINESS**

### **MINUTE**

#### **1. Zero Mass Water Technology - 23.00017-06**

**Cr.-Jennings** - Extracts fresh drinking water from atmosphere and is currently being trialled in Singleton. Can Bathurst Regional Council look at the trial results, however suspect it would be low yield for Bathurst.

**Director Engineering Services:** Aware of technology, agree unlikely it would be useful for Bathurst.

#### **2. Street Stall Fees - 14.00065-21**

**Cr. Jennings** - Asked on behalf of local groups, why the fee for Street Stalls are so expensive? Has been advised that the fee is \$162.00.

**Director Environmental, Planning and Building Services:** Taken on notice and will provide information back to Councillors.

#### **3. Coronavirus - 09.00011-03**

**Cr. Jennings** - Has Council contacted the health service to understand their preparedness to respond to coronavirus? How well is Council prepared?

**Acting General Manager:** Bathurst Regional Council have not engaged with local health service. Local Emergency Management Plan in place.

**Cr Jennings** - Asked Council to contact the hospital to see what they are doing.

#### **4. Heat Wave Policy - 11.00015-05**

**Cr. Jennings** - Spoke to the previous request that Council develop a policy. Highlighted the increase temperatures and winter lower temperatures.

#### **5. Area Zone Meeting - Libraries - 21.00054-07**

**Cr. Morse** - Attending meeting in Dubbo and noted that Bathurst mentioned positively.

#### **6. Derelict Houses in William Street - 02.00005-07**

**Cr. Morse** - Mentioned at Heritage Meeting and acknowledged that Council can do little. Noted that Legislation needs to change to empower Council to forcibly secure properties. Seeking Council to lobby appropriate government departments to allow Councils to have greater powers to deal with derelict houses in Heritage areas.

#### **7. International Womens Day - 23.00155**

**Cr. Morse** - Spoke of International Womens Day being held this Friday in Machattie Park and encouraged women to attend.

#### **8. Agricultural Chemicals - 13.00022-05**

**Cr. Fry** - Noted that the recent insurance payouts in the USA are amounting to millions. Does Council have any plans to stop using herbicides.

**Director Engineering Services:** No not at present, only legal chemicals being used.

#### **9. Water Security - 32.00017-06**

**Cr. Fry** - Thanked Paul Toole for getting Bathurst on Critical list. Asked if Greening Bathurst could make a submission to "Premise" as Greening Bathurst have approached Cr Fry to co-ordinate a response to the Safe and Secure Water Program and would they be considered.

**Director Engineering Services:** Approval process is through the State Government.

**Mayor:** Advised Senior staff will be meeting with the Government tomorrow.

#### **10. Coronavirus - 09.00011-03**

**Cr. Christian** - noted the panic buying locally. Spoke of the importance that people obtain the facts before reacting. Council needs to proceed with caution and promote calmness.

#### **11. Give Way Signs - Vale Road/Rocket Street Intersection - 25.00033-03**

**Cr. Christian** - Requests that Council install Give Way Signs in the middle of the road at the intersection of Vale Road and Rocket Street.



## **12. Community Groups Funding - 18.00195-35**

**Cr. Christian** - Council needs to develop a policy that requires groups to provide itemised expenditures for their project or event.

## **13. Old Hospital Gormans Hill - 22.02195-04**

**Cr. Christian** - Asked if Council owns this property as it is in disrepair .

**Director Environmental. Planning and Building Services:** No this property is not owned by Council.

## **14. Fencing of Adventure Playground - 04.00121-03**

**Cr. Christian** - Has fencing around the Adventure Playground been considered by Council previously.

**Director Engineering Services:** Yes, Council has previously resolved not to fence.

**Cr. Aubin:** Designer of playground advised Council at that time not to fence.

## **15. Green Core Program - 19.00039**

**Cr. Christian** - Would like Bathurst Regional Council to pursue funding for trainee programs, or at least look at the program. Believes it has great benefit to young people.

**Director Engineering Services:** Advised funding for program no longer available.

**Cr. Christian:** Bathurst Regional Council should consider looking into setting up its own program.

## **16. Water Tanks - 02.00005-07**

**Cr. Christian** - Asked if Council can regulate larger tanks to be installed on new dwellings.

**Director Environmental. Planning and Building Services:** Advised the tank size is regulated under BASIX. Councils are prohibited to require something more/greater than the criteria set by BASIX.

## **17. Water Tank Subsidies - 16.00175**

**Cr. North** - Noted that water tank subsidies have been listed for consideration in future budgets.

## **18. Fencing of Adventure Playground - 04.00121-03**

**Cr. North** - Agreed with Cr Aubin's comments earlier.

### **19. Community Groups Funding - 16.00004-13**

**Cr. North** - Policy should also require applicants to identify other funding that they have sought/secured.

### **20. PFAS - 13.00008-05**

**Cr. North** - Asked about the court cases that have recently been resolved/settled elsewhere. Has Bathurst Regional Council received any advice?

**Director Environmental, Planning and Building Services:** Responded that no documentation has been received as yet. Spoke of guidelines for land holders.

### **21. Holden Concept Cars - 21.00050-06**

**Cr. North** - Advised that Holden are looking for somewhere to house/display these cars. Could Council look into this for Bathurst.

**Acting General Manager:** Advised the National Motor Racing Museum coordinator has been making enquiries.

### **22. Events in Bathurst - 23.00026-29**

**Cr. North** - Spoke to the positive comments he has received on what Bathurst is hosting given the drought and congratulated all staff involved in how great Bathurst looks.

### **23. Water Presentation February by Cr Fry - 32.00017-06**

**Cr. North** - Spoke to the ideas presented by Cr Fry in February, particularly Rockley Road idea as a water retention area. Seeking Bathurst Regional Council to create a policy to explore these ideas for future water environmental infrastructure.

## **9. MEETING CLOSE**

### **MINUTE**

The Meeting closed at 6.40pm.

Policy Meeting of Council Agenda - 4 March 2020  
Attachments

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**MINUTES OF THE POLICY COMMITTEE MEETING OF  
BATHURST REGIONAL COUNCIL  
HELD ON WEDNESDAY 5 FEBRUARY 2020**

**1. MEETING COMMENCES**

**MINUTE**

Meeting commenced at 6.00pm.

**Present:** Cr W Aubin, Cr B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse , Cr I North, Cr J Rudge

**2. PRAYER AND ACKNOWLEDGEMENT OF COUNTRY**

**3. APOLOGIES**

**MINUTE**

**MOVED: Cr I North SECONDED: Cr J Rudge**

**RESOLVED:** Nil

**4. MINUTES**

**4.1. Confirmation of Minutes - 4 December 2019**

**File No: 07.00064**

**MINUTE**

**RESOLUTION NUMBER: POL2020-3**

**MOVED: Cr I North SECONDED: Cr J Fry**

**RESOLVED:**

That the Minutes of the Policy Committee Meeting of Bathurst Regional Council held on 4 December 2019 be adopted.

## 5. DECLARATION OF INTEREST

### Declaration of Interest

#### MINUTE

RESOLUTION NUMBER: POL2020-2

MOVED: Cr G Hanger SECONDED: Cr J Rudge

RESOLVED: That the Declaration of Interest be noted.

## 6. SUBMISSION HEARING - DEVELOPMENT APPLICATION SUBMISSIONS

- 7.1. **DA 2019/367 - DEMOLITION OF EXISTING COMMERCIAL BUILDING, CONSTRUCTION OF FOOD AND DRINK PREMISES AND CHANGE OF USE OF DWELLING HOUSE TO OFFICE PREMISES - LOT 5 DP 1086710 AND LOT 1 DP 737574, 103 AND 105 STEWART STREET BATHURST NSW 2795**

**File No: DA 2019/367/002**

#### MINUTE

##### **M. Feebrey - On behalf of the National Trust - Bathurst Branch**

- Residents have expressed a number of concerns and have requested the trust to represent. Issues raised include;
- Pedestrian safety, noise, alcohol consumption, opening hours, traffic flows, light pollution
- Development proposed is considered out of character for area

##### **B. Lynch - Objection to development**

- LEP issues and the question of compliance
- Illuminated nylon signs and other signage concerns
- Odour concerns
- Council has a responsibility to residents

##### **S. Bathgate - Bathurst Heritage Network**

- Existing businesses use rights on a property
- Signage will create a precedence
- Signage is large scale and prominent
- Traffic concerns
- Site is zoned residential

- This is substituting a daytime business
- Site is too small

### **D. Kinsela - 330 Howick Street Resident**

- Not against Taco Bell at the right and appropriate location
- Has met with the developer and questioned the car numbers before drive through backlogs onto the road, there are traffic concerns and noted KFC issues
- Exhaust fumes and noise
- "Potentially" the site is too small
- Development will set a precedence

### **H. Abbott - Developer of the project**

- Taco Bell have nominated site as the one and only site in Bathurst that is suitable
- Development is permissible within zone subject to DA
- Have received copies of submissions and are currently reviewing with the view to addressing concerns raised
- Taco Bell is owned by an Australia company
- Site is not too small
- Spoke to various reports that have been prepared, heritage, traffic, lighting etc
- Have complied with State and Council regulations

### **M.Wales - Planning consultant for the Development**

- Will be addressing the concerns raised by the residents.
- Endeavouring to engage with the residents
- Development is permissible within the zoning
- Potential employment of 70 people part-time
- Traffic assessments undertaken by traffic agencies
- Noise impact undertaken by Environmental Noise consultants
- Currently working on responses to amenity and privacy concerns
- Odour control - development will not add further adverse impact.

## 7. GENERAL BUSINESS

### GENERAL BUSINESS

#### MINUTE

##### **1. Elton John Concert - Bathurst Beaters Fundraising - 23.00163**

**Cr. Rudge** - Thanks to Events staff and others involved in the Elton John Concert. Bathurst Beaters fundraising for book raised.

##### **2. River Road - no parking signs - 25.00125**

**Cr. Rudge** - No parking signs on River Road. Director Engineering Services will research and advise.

##### **3. Water issues at Aged Care Facility - 32.00017- 06**

**Cr. Rudge** - Information over water restrictions. How is this information conveyed to aged care facilities: Noted use of water by recent Events held in the city.

**Director Engineering Services** - Bathurst Regional Council website carries relevant information, direct contact for larger water users is being made by Council. Events don't necessarily use a lot of water, eg 2018 Supercars event used around 1ML over usual consumption.

##### **4. Freeman Park Garbage Bins - 04.00144**

**Cr. Jennings** - Has been advised by residents that there are no bins at park.

**Director Engineering Services** - Correct, better compliance when bins are not provided. This has become Bathurst Regional Council Practice.

**General Manager** - Matter has been raised in the past at a number of other parks.

##### **5. Library 24 hour operations - 21.00054-07**

**Cr. Jennings** - 24/ 7 access to Library, could this be investigated, advised 24/7 access is available at Parkes and Tullamore

**Director Cultural Community Services** - Online collection is currently available will research proposal for 2020/21 budget.

##### **6. CCTV Facial recognition software - 20.00320**

**Cr. Jennings** - Does the current system provide for facial recognition via the CCTV system?

**Director Cultural Community Services** - Current system does not, system has capacity but not being used.

This is a matter for the NSW Police.

### **7. Coles Driveway Potholes - 22.00553-08**

**Cr. Jennings** - Noticed Coles driveway has been fixed. Has Council had any contact with owners?

**Director Engineering Services** - The driveway is privately owned, not a Council road.

### **8. Toronto Street Railway Crossing: Stop Sign - 25.00110 & 07.00006-24**

**Cr. Jennings** - Railway crossing is a community concern, many feel stop signs unnecessary.

**Director Engineering Services** - This matter has previously been discussed, stop signs must remain while this area is a working train line. Even if only one train per week.

### **9. Keppel Street Walkway Construction - 22.00653-02 & 25.00039-05**

**Cr. Jennings** - When is this due to be completed and how many parking spaces will be available?

**Director Engineering Services** - 50- 60 car parks, lane-way 6 weeks to construct.

### **10. Bathurst Regional Council Heatwave Policy - 11.00015-05**

**Cr. Jennings** - Does Bathurst have one? Spoke to State polices in place. City of Darebin in Victoria have one.

**General Manager** - We don't have one, will investigate.

### **11. Primary Producers - Rate Relief - 16.00004-13**

**Cr. Jennings** - Access to rate relief is occurring in South Australia, could representations be made to the NSW Government? Bathurst Regional Council limited to what we can do.

**General Manager** - NSW State Government has provided rate relief to those impacted by the fires.

### **12. Recycled Water: Use as a water source from WWTW - 32.00017-04**

**Cr. Jennings** - Recycled water needs to be a priority, item for Council's response to the drought.

**Director Engineering Services** - 2008 study considered re-use of treated effluent. Currently two projects (stormwater and Winburndale pipeline) are current focus of the organisation. Recycled effluent part of medium-term projects for consideration.

### **13. Freeman Park Garbage Bins - 04.001445**

**Cr. Aubin** - Could Council look at putting a bin at the end of the pathway.

### **14. Police at Rockley - 07.00107**

**Cr. Aubin** - Police are responding from Oberon but sometimes are unable to as no car is available.



### **15. Mt Panorama - Fencing - 14.00665-02**

**Cr. Aubin** - How do we stop kangaroos entering the race track when live? How do they get here? Spoke of the race collisions at recent 12 hour. Seeking a report on what type of fencing can be done and requested funding to be included 2020/21 budget.

### **16. Cr. Morse's OAM - 23.00033-12**

**Cr. Morse** - Honoured by OAM for services to Local Government. A reflection of the service by the staff of Council. Should be shared with the staff.

### **17. Mt Panorama - disabled access - 04.00019-15**

**Cr. Morse** - Spoke of the absence of signage showing the accessible lift over pit straight. Seeking Bathurst Regional Council to make representations to promoters to ensure signage is made prominent at future events.

### **18. State of Water Emergency - 32.00017-04**

**Cr. Fry** - We are in a crisis with our water. Water engineering practices over the last 100 years have not changed. Seeking Bathurst Regional Council to redirect some of the next government funding of \$10 million to grey water reticulation systems and other sustainable solutions.

### **19. 12 Hour Race - 04.00097-18 & 14.00665-02**

**Cr. Fry** - 12 hour race went very well. Believes cheap fencing could be used to control kangaroos.

Requested Bathurst Regional Council to approach Supercars to consider running an Electric Vehicle at a future event at Mount Panorama.

### **20. Elton John Concert - 23.00163**

**Cr. Fry** - Milestone event. Could Bathurst Regional Council consider the provision of a platform to allow wheelchair users for future concerts.

### **21. Standalone solar lights - 40.00003-02**

**Cr. Fry** - Could Bathurst Regional Council look at installing standalone solar lights on Denison Bridge.

**Director Engineering Services** - Matter would need to be considered with future budgets.

### **22. Mitre/ Suttor/ Lambert Streets Roundabout - 36.00713**

**Cr. Christian** - Sought an update on this project.

**Director Engineering Services** - Works have commenced, too early to predict completion time.

### **23. Street Sign Audit - 28.00007-06**

**Cr. Christian** - Sought an update on this project. Acknowledged the changes that have already occurred.

**Director Engineering Services** - Majority completed.

### **24. Stewart Street parking signage - 25.00036-06**

**Cr. Christian** - Acknowledged parking signage.

### **25. Fencing at Mount Panorama - 04.00019-15**

**Cr. Christian** - Support Cr Aubin's position. Needs to be addressed ASAP.

### **26. Toronto Street Railway crossing - 25.00110 & 07.00006-24**

**Cr. North** - Noted that a "stop" sign was at the crossing.

### **27. Police at Rockley - 07.00107**

**Cr. North** - Commented that the Police residence has been empty since the previous officer retired.

### **28. CCTV Screen feeds - 20.00320**

**Cr. North** - Sought an update on the image quality on the CCTV footage.

**Director Cultural Community Services** - Priority for stage two, under-boring commenced.

### **29. Mt Panorama Fencing - 04.00019-15**

**Cr. North** - Need to ensure that Bathurst Regional Council engages with residents.

### **30. State Government 10 million - 32.00017-04**

**Cr. North** - Asked if Bathurst Regional Council on the list to fast track the process.

**Director Engineering Services** - Responded that Bathurst Regional Council is presently not on the list.

**Cr. North** - Is Bathurst Regional Council still pursuing the water allocation that was identified as not being used?

**Director Engineering Services** - Bathurst Regional Council has sought a review of the earlier State Government decision.

**8. MEETING CLOSE**

**MINUTE**

The Meeting closed at 7:25 pm.

**CHAIR:**

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 Date: 18/02/2020  
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 Map Scale: 1:3092 @ A4

<b>POLICY:</b>	STREET VENDING AND ROADSIDE STALLS – OPERATION DURING FULL TRACK CLOSURE MOTOR RACING EVENTS
<b>DATE ADOPTED:</b>	Director Environmental, Planning & Building Services Report #1 Policy 5 June 2019 Council 17 July 2019 Minute Book No. 12991
<b>ORIGINAL ADOPTION:</b>	Director Environmental, Planning & Building Services Report #1 Policy 5 June 2019 Council 17 July 2019 Minute Book No. 12991
<b>FILE REFERENCE:</b>	10.00004
<b>OBJECTIVE:</b>	To provide guidelines for Street Vending and Roadside Stall operations during full track closure motor racing events

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### **AIM**

The aim of this policy is to provide guidelines for Council and vendors for the sale of items from the street and roadside during the major race events at Mount Panorama

### **BACKGROUND**

Council accepts that the sale of firewood and other items is a long-established practice in Bathurst during the major motor sport race events. This is a safety risk. It also can adversely impact on the visual image of the city to visitors during these events.

This policy is intended to facilitate the safe and effective sale of firewood and other products through street vending and roadside stalls during these major events.

This policy will be trialled for a period of twelve months

### **DEFINITIONS**

There are two forms in which the sale of goods may take. These are as a roadside stall or as street vending. These are defined as follows:

“Road side stall” means a building or place (not exceeding 20 square metres in floor space or area) where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.

Note: A building larger than 20 square metres in floor space would be defined as a shop.

“Street vending” mean the setting up or use within the road reserve of any box, stall, stand, barrow or stationary vehicle, other than a road side stall for the purpose of the sale of any

goods or for the benefit of any commercial enterprise.

### **GUIDELINES**

This policy establishes guidelines for street vending and road side stalls to ensure proper standards are met and to ensure that these activities are conducted lawfully.

The guidelines are:

1. Road side stalls and street vending are always to comply with the above definitions
2. The activities are to be confined to the approved locations set out in this policy
3. Not more than one temporary sign is to be used. Such a sign may be double sided and it must not exceed dimensions of 900mm x 600mm. Any sign that is placed on the site must be wholly within the site and not affect sight distances of vehicles moving near the site. All signage and its location must be approved by Council as part of the application process for the operation
4. Any vehicle using the site must be able to be accommodated wholly within the subject site.
5. Failure to comply with any aspect of this policy may result in the termination of approval.

### **CRITERIA FOR APPROVALS**

Where street vending/roadside stall retailing is intended to take place during full track closure race events at Mount Panorama, Council is prepared to consider approving applications that meet this policy.

### **PASSING TRAFFIC**

Street vending and roadside stall activities catering for passing traffic must either:

- (a) operate at an existing Council approved Commercial Premises; or
- (b) be located adjacent to Leena Street, Bathurst within an area designated by Council; and
- (c) not operate during hours of darkness.

### **ROADSIDE STALL APPROVALS**

In order to carry out roadside stall operation during full track closure race events at Mount Panorama, approval is required under the Environmental Planning and Assessment Act 1979.

Operators of roadside stalls will therefore need to lodge a Development Application with Council outlining what will be offered for sale, the proposed time of operations and details of any signage.

Roadside stall vendors will be required to hold Public Liability Insurance to the value of twenty (20) million dollars with Bathurst Regional Council listed as an interested party.

The proposed roadside stall operations may only be carried out upon receipt of an approval from Council outlining the conditions of approval for the activity.

### **STREET VENDING APPROVALS**

In order to carry out street vending, approval is required under the Local Government Act

1993.

To obtain approval a Section 68 application needs to be lodged with Council outlining details of what will be offered for sale, the proposed time of operations and details of any signage.

Street vendors will be required to hold Public Liability Insurance to the value of twenty (20) million dollars with Bathurst Regional Council listed as an interested party.

The proposed street vending operations may only be carried out upon receipt of an approval from Council outlining the conditions of approval for the activity.

### **APPROVED LOCATIONS**

All street vending/roadside stall operations are to take place at either Leena Street or at an existing Council approved Commercial Premises. Street vending or roadside stall operation at any other location will not be approved.

### **COUNCIL APPROVED COMMERCIAL PREMISES**

If selling is to be done from an existing Council approved commercial premises (such as a service station), no approval is required from Council providing a number of exemption criteria are met. This includes;

1. The proposal must not take up any carparking within the site.
2. The proposal must not impact upon any vehicular manoeuvring areas or hinder vehicular ingress or egress to the site.
3. The site must be able to accommodate all traffic utilising the vending facility.
4. Only one advertising sign is permitted per vending facility and it must be placed wholly within the site upon which the activity is being carried out. The sign must not be placed in the road reserve or in a place that will affect site distances of vehicles using the site.

**MINUTES OF THE AUDIT & RISK MANAGEMENT COMMITTEE  
HELD ON 27 NOVEMBER 2019**

**MEETING COMMENCES**

**1 MEETING COMMENCES 1:00 PM**

**Present:** Andrew Fletcher (Chair), Phillip Burgett, Cr Ian North, Cr Jacqui Rudge,

**In Attendance:** Leanne Smith (Intentus), Shephard Shambira (Internal Auditor), Director Corporate Services & Finance, Manager Corporate Governance, Manager Financial Services.

**APOLOGIES**

**2 APOLOGIES**

**RESOLVED:** That the apology from Mayor Bobby Bourke and Karen Taylor be accepted and leave of absence granted.

**DECLARATION OF INTEREST**

**3 DECLARATION OF INTEREST 11.00002**

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

**REPORT OF PREVIOUS MEETING**

**1 Item 1 MINUTES - AUDIT & RISK MANAGEMENT COMMITTEE - 25  
SEPTEMBER 2019 (07.00096)**

**MOVED** P Burgett and **SECONDED** Cr I North

**RESOLVED:** That the Minutes of the Audit & Risk Management Committee Meeting held on 25 September 2019 be adopted.

Roll 3 items to next meeting:

- (1) Item 6 Quarterly Budget Review
- (2) Cash Receipting report
- (3) Internal Audit Manual, How will Bathurst Regional Council roll out?



**EXTERNAL AUDIT REPORTS & FINANCIAL STATEMENTS**

**2 Item 1 AUDITED FINANCIAL REPORTS (16.00055)**

**RESOLVED:**

- (i) That the information be noted.
- (ii) The Committee recommends request that the ARMC, in future, be invited to attend the Auditor briefings to Council on the Financial Statements
- (iii) The Committee recommends that Council reconsider its Land Sales Policy in terms of Ballot procedures.
- (iv) The Committee recommends that Council review its Purchasing Policy to reflect current practice.

**3 Item 2 ENGAGEMENT CLOSING REPORT (DIRECTOR CORPORATE SERVICES & FINANCE) (16.00137, 41.00089)**

**RESOLVED:**

- (i) That the information be noted.
- (ii) The Committee recommends Bathurst Regional Council reassess its cyber security systems.

**RISK MANAGEMENT**

**4 Item 1 JARDINE LLOYD THOMPSON PUBLIC SECTOR RISK REPORT (GENERAL MANAGER) (03.00006, 07.00096)**  
**MOVED** Cr I North and **SECONDED** P Burgett

**RESOLVED:** That the Jardine Lloyd Thompson Public Sector Risk Report 2019 be noted.

**INTERNAL AUDIT REPORTS & COMPLIANCE**

**5 Item 1 INTERNAL AUDIT PROGRAM - STATUS REPORT (INTERNAL AUDITOR) (07.00096)**  
**MOVED** Cr I North and **SECONDED** P Burgett

**RESOLVED:**

- (i) That the information be noted.
- (ii) IT Audit be deferred to 2020/21.

**6 Item 2 QUARTERLY BUDGET REVIEW - SEPTEMBER 2019 AND OPERATING**

Page 2

**PLAN ACTIONS REVIEW - 31 OCTOBER 2019 (DIRECTOR CORPORATE SERVICES & FINANCE) (07.00096)**

**MOVED** P Burgett and **SECONDED** Cr I North

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

**7 Item 3 INTERNAL AUDIT REVIEW REPORT - SECURITY OF BUILDINGS HOUSING COLLECTION ITEMS (07.00096-05)**

**MOVED** P Burgett and **SECONDED** Cr I North

**RESOLVED:** That

- (i) The Committee asked questions of the Internal Audit on various matters and noted the report.
- (ii) A copy of the Business Continuity Plan relied upon by the Internal Auditor be provided to Committee members by the Internal Auditor out of session.

**8 Item 4 NEW RISK AND INTERNAL AUDIT FRAMEWORK DISCUSSION PAPER - ANALYSIS (07.00096-05)**

**MOVED** Cr I North and **SECONDED** P Burgett

**RESOLVED:** That

- 1. The report by the Internal Auditor and Independent members on the New Risk and Internal Audit Framework Discussion Paper be noted.
- 2. Council consider this analytical report when formulating the Council's submission to the Office of Local Government.

**9 Item 5 INTERNAL AUDIT REVIEW REPORT - CASH RECEIPTING PROCESS - (REMOTE SITES) (07.00096-05)**

**MOVED** P Burgett and **SECONDED** Cr I North

**RESOLVED:** That the report by the Internal Auditor on cash receipting processes for remote sites be deferred to the next meeting.

**10 Item 6 ORDERS RAISED AFTER INVOICE DATE (DIRECTOR CORPORATE SERVICES & FINANCE) (07.00096)**

**MOVED** Cr I North and **SECONDED** P Burgett

**RESOLVED:**

- (i) That the information be noted.

**11 Item 7 ARMC - PURPOSE AND FUNCTION CHECKLIST (GENERAL MANAGER) (07.00096)**

**MOVED** P Burgett and **SECONDED** Cr I North

**RESOLVED:**

- (i) That the information be noted.
- (ii) Audit Plan be provided to March meeting with changes to IT.

**GENERAL BUSINESS**

**12 Item 1 SITE VISIT OF COUNCIL FACILITIES (DIRECTOR CORPORATE SERVICES & FINANCE) (07.00096)**

**MOVED** Cr I North and **SECONDED** P Burgett

**RESOLVED:** (i) That the information be noted.

(ii) Visit to Windurndale Dam be scheduled out of session once the road is constructed.

**13 Item 2 OFFICE OF LOCAL GOVERNMENT CIRCULARS (07.00096)**

**MOVED** P Burgett and **SECONDED** Cr I North

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

**14 MEETING CLOSED**

Meeting closed 3.45 pm