



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

12 August 2015

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 19 August 2015

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 19 August 2015 commencing at 6.00 pm.

From 6.00 pm to 6.15 pm there will be an opportunity for members of the public to raise matters with Council and staff.

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 19 AUGUST 2015

1. 6:00 PM - MEETING COMMENCES

2. PUBLIC QUESTION TIME

3. PRAYER

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.

4. APOLOGIES

5. MINUTES

* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15 JULY 2015
* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 5 AUGUST 2015

6. 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.

7. MAYORAL MINUTE - Nil

8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS

* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT
* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT
* DIRECTOR ENGINEERING SERVICES' REPORT
* DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

9. REPORTS OF OTHER COMMITTEES

* MINUTES - POLICY COMMITTEE MEETING - 5 AUGUST 2015
* MINUTES - TRAFFIC COMMITTEE MEETING - 4 AUGUST 2015

10. NOTICES OF MOTION - Nil

11. RESCISSION MOTIONS - Nil

12. DELEGATES REPORTS

13. RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS

Recommendation: That:

- (a) Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
- (c) Correspondence and reports relevant to the subject business be withheld from access.

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005,:

- 1. In accordance with Section 9(2A) of the Local Government Act 1993, it is the opinion of the General Manager that the following business is of a kind as referred to in section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public.
- 2. In accordance with Section 10A(4) members of the public are invited to make representations to the Council as to whether the matters should or should not be dealt with in Confidential Committee.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	LAND AND ENVIRONMENT COURT PROCEEDINGS - MCHUGH VS BATHURST REGIONAL COUNCIL	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	KELSO FLOODPLAIN VOLUNTARY ACQUISITION - PROPOSED PURCHASE OF LOT 1 IN DP193944 LOCATED AT 61 CHURCH LANE KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

		Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	SALE OF PROPOSED LOT 806 IN DP1169443 BRADWARDINE ROAD, BATHURST TRADE CENTRE	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council’s position in negotiating commercial and or financial arrangements.
3	BATHURST AUTOFEST EVENT AT MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	RECONSTRUCTION OF GREAT WESTERN HIGHWAY AT KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	TRANSFER OF LEASE - LOT 12 IN DP1041715 BATHURST AERODROME FROM TREVOR-JONES TO CRUM	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in

		open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	EXPRESSION OF INTEREST PART LOT 17 IN DP1099208 KNOWN AS 1 ROCKLEY STREET GEORGES PLAINS.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	NEW RESIDENTIAL TENANCY AGREEMENT FOR LOT 4 IN DP532310 AND COMMERCIAL LEASE AGREEMENT FOR LOT 123 IN DP750357 LOCATED AT 146 COLLEGE ROAD BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	PROPOSED NEW LICENCE AGREEMENT - LOT 20 IN DP1119593 LOCATED ON VALE ROAD ORTON PARK AND KNOWN AS THE BATHURST BICYCLE PARK INC	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	TRANSFER OF LEASE LOT 271 IN DP1162107 BATHURST AERODROME FROM REDPATH TO DRUMMOND	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the

		public interest as it would prejudice the commercial position of the person who supplied it.
10	PURCHASE OF COMMERCIAL SITE IN HOWICK STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	CONSTRUCTION OF AERODROME SUBDIVISION	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15 JULY 2015 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 15 July 2015 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 15 July 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

2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 5 AUGUST 2015 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 5 August 2015 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 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

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 15 JULY 2015**

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

2 MINUTE SILENCE

The Mayor observed a minute silence to honour the passing of Oberon Mayor, John McMahon

PUBLIC QUESTION TIME

3 PUBLIC QUESTION TIME

B Trimming – resident

- Skating Rink - congratulated all persons involved in this event. Noted event organisers, when setting up the event, were aware of disability access issues.
- Local news coverage - asked will Council look at making representations about new media laws, as may lose local broadcasts. This is not good for the local area.

The Mayor will take issue on media on notice and check into the matter.

APOLOGIES

4 APOLOGIES

MOVED Cr I North

and **SECONDED** Cr M Coote

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

MINUTES

**5 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL -
17 JUNE 2015 (11.00005)**

MOVED Cr G Westman

and **SECONDED** Cr I North

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional

Building Services Department at the following times:

- a) At lodgement of the schedule of materials to be reused.
 - b) Halfway through the reconstruction process.
 - c) Prior to the issuing of an Occupation Certificate.
- iii. Prior to the issue of Occupation Certificate, the existing building and the site history is to be recorded and interpreted on-site. An interpretation sign is to be installed onsite and approved by Council.
 - iv. During the demolition of the building/s, if any archaeological remains are discovered, the developer is to stop works immediately and notify the NSW Heritage Office and Council. Any such find is to be dealt with appropriately, in accordance with the Heritage Act 1977, and recorded, and details given to Council prior to the continuing of works.

Note: A Section 140 permit will need to be obtained to disturb archaeological relics. This permit is to be obtained from the NSW Heritage Office, prior to the disturbance of the archaeological relics.

- v. The development is to incorporate the following elements:
 - The front rooms and verandah raised from street level by approximately 3 steps to be consistent with the existing height above ground.
 - The front verandah floor is to be framed and suspended. The front room floors are to be framed with timber floor boards, re-using boards from the existing house where possible.
 - The symmetrical façade will feature a verandah replicating the existing timber framing, verandah plate and post set out. Where possible re-use of the framing, posts and other original materials is proposed.
 - The front roof pitch has been designed to match the existing.
 - The front two windows are to be of a timber framed construction, double hung and in the same shape as original. It is noted the plan shows some aluminium windows on the front facade. These should be replaced with timber.
 - Brick veneer in stretcher bond is acceptable. Brick work should be face brick on the external skin. (Re-use the existing bricks with clean face exposed externally).
 - Reconstruction of a chimney (non-functioning is acceptable) towards the front facade.
- vi. The developer is to retain as much of the original fabric of the building as possible. Where this is not possible, as little of the affected material is to be replaced. The replacement material is to be compatible with the original material.

Note: A schedule of the materials to be reused is to be provided to Council.

- (b) notify those that made submissions of its decision; and
- (c) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

In favour of the motion - Cr B Bourke, Cr M Coote, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Cr W Aubin,

Abstain - Nil

Cr Aubin arrived at the meeting

10 **Item 4 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)**

MOVED Cr M Morse

and **SECONDED** Cr M Coote

RESOLVED: That Council:

- (a) as the consent authority, not grant consent pursuant to section 80 of the EP&A Act 1979 to Development Application No. 2015/0181, due to:

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

- (b) notify those that made submissions of its decision
(c) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr M Coote, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Nil

Abstain - Nil

11 **Item 5 DRAFT BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 – AMENDMENT NO 2 (20.00284)**

MOVED Cr I North

and **SECONDED** Cr M Coote

RESOLVED: That Council:

- (a) adopt the Bathurst Regional Development Control Plan 2014 Amendment No 2 as outlined in this report;
(b) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act;
(c) notify those that made submissions of its decision; and

(d) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr M Coote, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Nil

Abstain - Nil

12 Item 6 2014/15 BATHURST REGION HERITAGE CONSERVATION AND INTERPRETATION FUND (13.00068)

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

RESOLVED: That the information be noted.

13 Item 7 2014/15 BATHURST REGION LOCAL HERITAGE FUND (16.00138)

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

RESOLVED: That the information be noted.

14 Item 8 BATHURST REGION HERITAGE REFERENCE GROUP (20.00123)

MOVED Cr G Westman and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

15 Item 9 2015 LAND IMPROVEMENT AWARDS PROGRAM (13.00064)

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

RESOLVED: That Council award the 2014/15 Land Improvement Award grants to:

- (a) "Riparian Management and sediment control to preserve ground cover and protect Bathurst's water supply by John Owens for \$7,000; and
- (b) "Land Management Grant 2015" by Gina and David Sykes for \$6,500; and
- (c) "The final link – Hen & Chicken Lane Biodiversity Corridor" for \$6,500.

16 Item 10 EVOCITIES DEVELOPMENTS (20.00071)

MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

17 Item 11 NATIONAL COMPETITIVENESS INDEX – LOCAL ECONOMIC DEVELOPMENT SUPPORT (20.00071)

MOVED Cr J Jennings and **SECONDED** Cr I North

RESOLVED: That the information be noted.

- 18** **Item 12 BUSINESS MANAGEMENT WORKSHOPS AUGUST 2015 (20.00071)**
MOVED Cr G Westman and **SECONDED** Cr I North

RESOLVED: That the information be noted.

- 19** **Item 13 BATHURST REGION DESTINATION MANAGEMENT PLAN REFERENCE GROUP (07.00116)**
MOVED Cr G Westman and **SECONDED** Cr M Coote

RESOLVED: That Council:

- (a) adopt the draft charter for the Bathurst Region Destination Management Plan Reference Group, and
- (b) seek expressions of interest for members of the Destination Management Plan Reference Group.

Director Corporate Services & Finance's Report

- 20** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

- 21** **Item 2 YEAR TO DATE MONTHLY REVIEW - 2014-2018 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2014-2015 (16.00137)**
MOVED Cr B Bourke and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

- 22** **Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)**
MOVED Cr M Coote and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted and any additional expenditure be voted.

- 23** **Item 4 POWER OF ATTORNEY (11.00007)**
MOVED Cr M Coote and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

- 24** **Item 5 BATHURST FILIPINO-AUSTRALIAN COMMUNITY INC (BFAC) (18.00195)**
MOVED Cr B Bourke and **SECONDED** Cr J Jennings

RESOLVED: That Council:

- (a) commence the process, as outlined in the report, for the re-establishment of alcohol-free zones in the Bathurst CBD for a period of four years commencing 1 November 2015 and concluding 31 October 2019.
- (b) notify the public of the zone establishment as required under Section 644 of the Local Government Act, 1993.
- (c) endorse the continuation of the alcohol-free areas of Machattie Park/Kings Parade and Macquarie River Bicentennial Park.
- (d) Prepare a further report to Council at the conclusion of the notification period, including submissions received or, if no submissions are received, undertake the establishment of Alcohol Free Zones 2015–2019.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

33 **Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 JULY 2015 (07.00064)**
MOVED Cr M Coote and **SECONDED** Cr I North

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

Traffic Committee Meeting

34 **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 JULY 2015 (07.00006)**
MOVED Cr W Aubin and **SECONDED** Cr I North

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 7 July 2015 be adopted.

RESCISSION MOTIONS

35 **Item 1 RESCISSION MOTION - LEASE OF HANGAR - BATHURST AERODROME TO BURKES TRANSPORT PTY LTD (11.00005)**
MOVED Cr M Morse and **SECONDED** Cr B Bourke

RESOLVED: That Council rescind the following decision of 17 June 2015 (GM Confidential #1):

That Council confirm the lease conditions for Lot 4 DP847356 located at Bathurst Aerodrome with Burkes Transport Bathurst as approved by Council on 21 November 2012.

DELEGATES REPORTS

- 36** **Item 1 CENTROC BOARD MEETING 28 MAY 2015 (PARLIAMENT HOUSE, SYDNEY) (07.00017)**
MOVED Cr I North and **SECONDED** Cr M Morse

RESOLVED: That the report on the CENTROC Board meeting held 28 May 2015 at Parliament House, Sydney be noted.

- 37** **Item 2 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 10 JUNE 2015 (11.00019)**
MOVED Cr I North and **SECONDED** Cr G Westman

RESOLVED: That the information be noted.

- 38** **Item 3 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 23 JUNE 2015 (11.00020)**
MOVED Cr J Jennings and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS

- 39** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**
MOVED Cr G Westman and **SECONDED** Cr I North

The Mayor advised that Item #3 of the Director Corporate Services & Finance Confidential report - Proposed new rural licence agreement, 14 Stephens Lane, Kelso had been **WITHDRAWN**.

The Mayor invited members of the public to make submissions on whether the matter should or should not be dealt with in Confidential Committee.

The following representation was made.

M Nicholls, Western Advocate - queried why Item #5 of the Director Corporate Services & Finance Report was in Confidential. Feels this should be discussed in Open Council, as matter is of importance to the whole of the community.

RESOLVED: That:

- (a) Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as

outlined above.

- (c) Correspondence and reports relevant to the subject business be withheld from access.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF RESIDENTIAL LEASE - LOT 127 IN DP249576 KNOWN AS 12 WHITEMAN PLACE, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PROPOSED PURCHASE OF LOT 5 IN DP847225 LOCATED AT 197 LIMEKILNS ROAD, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED NEW RURAL LICENCE AGREEMENT - LOT 2 IN DP154468 KNOWN AS 14 STEPHENS LANE KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	EXPRESSION OF	10A (2) (d) (i) – contains

	INTEREST - LOT 1 IN DP623416 AND LOT 4 IN DP845477 LOCATED AT ZANTE LANE BATHURST	commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	BATHURST 12 HOUR EVENT	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR SUPPLY AND INSTALLATION OF SEWER CARRIER MAIN - STAGE 1 AND 2 EAST EGLINTON	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2	TENDER FOR THE CONSTRUCTION OF CIVIL WORKS AT EGLINTON RESIDENTIAL ESTATE – STAGE 100	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
3	TENDER FOR THE UPGRADE OF WATER SUPPLY FOR EGLINTON – HAMILTON STREET	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged

		from production in legal proceedings on the ground of legal professional privilege.
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*** GENERAL MANAGER'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	LEASE OF HANGAR - BATHURST AERODROME TO BURKES TRANSPORT PTY LTD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Director Corporate Services & Finance's Report

- a** **Item 1 RENEWAL OF RESIDENTIAL LEASE - LOT 127 IN DP249576 KNOWN AS 12 WHITEMAN PLACE, BATHURST (22.00202)**
MOVED Cr I North and **SECONDED** Cr W Aubin

That Council approves the continuation of the residential lease for 12 Whiteman Place, Bathurst with Ms Doreen Morgan for a period of twelve (12) months with a twelve (12) month option period, as detailed in the report.

- b** **Item 2 PROPOSED PURCHASE OF LOT 5 IN DP847225 LOCATED AT 197 LIMEKILNS ROAD, KELSO (22.00358)**
MOVED Cr B Bourke and **SECONDED** Cr I North

Cr Coote declared a non-pecuniary interest in this item, left the Chamber and took no part in discussion or voting.

Reason: Introduced sale to Mayor & Director Corporate Services & Finance.

That Council acts in accordance with the report.

- c** **Item 3 PROPOSED NEW RURAL LICENCE AGREEMENT - LOT 2 IN DP154468 KNOWN AS 14 STEPHENS LANE KELSO (22.12905)**

The Item was WITHDRAWN.

- d** Item 4 EXPRESSION OF INTEREST - LOT 1 IN DP623416 AND LOT 4 IN DP845477 LOCATED AT ZANTE LANE BATHURST (22.06378)
MOVED Cr M Coote and SECONDED Cr G Westman

That Council approves entering into a new Rural Licence agreement with Crystal Guntley for Lot 1 in DP623416 and Lot 4 in DP845477 located on Zante Lane, Bathurst for a period of one (1) year with an option period of one (1) year as detailed in the report.

- e** Item 5 BATHURST 12 HOUR EVENT (04.00097)
MOVED Cr W Aubin and SECONDED Cr B Bourke

That Council act in accordance with the recommendations contained within the report.

Director Engineering Services' Report

- f** Item 1 TENDER FOR SUPPLY AND INSTALLATION OF SEWER CARRIER MAIN - STAGE 1 AND 2 EAST EGLINTON (36.00544)
MOVED Cr B Bourke and SECONDED Cr G Hanger

That Council resolve to:

- (a) Terminate contract 36.00544 with Bustin Free Earthworks Pty Ltd, and
- (b) Call fresh tenders to complete the remaining work.

- g** Item 2 TENDER FOR THE CONSTRUCTION OF CIVIL WORKS AT EGLINTON RESIDENTIAL ESTATE – STAGE 100 (36.00535)
MOVED Cr I North and SECONDED Cr W Aubin

That Council:

- (a) Terminate Contract 36.00535 with Bustin Free Earthworks Pty Ltd, and
- (b) Call fresh tenders to complete the remaining work.

- h** Item 3 TENDER FOR THE UPGRADE OF WATER SUPPLY FOR EGLINTON – HAMILTON STREET (36.00532)
MOVED Cr I North and SECONDED Cr W Aubin

That Council resolve to:

- (a) Terminate Contract 36.00532 with Bustin Free Earthworks Pty Ltd, and
- (b) Call fresh tenders to complete the remaining work.

General Manager's Report

- i** **Item 1 LEASE OF HANGAR - BATHURST AERODROME TO BURKES TRANSPORT PTY LTD (21.00083)**
MOVED Cr I North and **SECONDED** Cr W Aubin

A MOTION was moved

That Council adopt the lease conditions for Lot 4 DP847356 located at Bathurst Aerodrome, with Burkes Transport (Bathurst) Pty Ltd in accordance with Option 5 of the report.

The MOTION was PUT and LOST

- i** **Item 1.01 LEASE OF HANGAR - BATHURST AERODROME TO BURKES TRANSPORT PTY LTD (21.00083)**
MOVED Cr G Westman and **SECONDED** Cr M Coote

That Council adopt the lease conditions for Lot 4 DP847356 located at Bathurst Aerodrome, with Burkes Transport (Bathurst) Pty Ltd in accordance with Option 2 of the report.

RESOLVE INTO OPEN COUNCIL

- 40** **RESOLVE INTO OPEN COUNCIL**
MOVED Cr B Bourke and **SECONDED** Cr M Coote

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 41** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr M Coote and **SECONDED** Cr I North

RESOLVED: That the Report of the Committee of the Whole, Items (a) to (j) be adopted.

Cr Coote asked that his negative vote be recorded for Item #5 Director Corporate Services & Finance Confidential report.

Crs Aubin, Bourke, North asked that their negative vote be recorded for Item #1 General Manager's Confidential report.

MEETING CLOSE

- 42** **MEETING CLOSE**

The Meeting closed at 7.40 pm.

CHAIRMAN: _____

Date: _____ **(19 August 2015)**

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE
HELD ON 5 AUGUST 2015**

MEETING COMMENCES

1 MEETING COMMENCES 7:00 PM

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

APOLOGIES

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

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

DECLARATION OF INTEREST

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

RESOLVED: That the following Declarations of Interest be noted.

Cr Rush

Item #2 of the Director Engineering Services Confidential report

Cr Westman

Item #2 of the Director Engineering Services Confidential report

**RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH
CONFIDENTIAL REPORTS**

**4 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH
CONFIDENTIAL REPORTS**
MOVED Cr M Coote and **SECONDED** Cr M Morse

The Mayor invited members of the public to make submissions on whether the matter should or should not be dealt with in Confidential Committee.

There were no representations from the public.

RESOLVED: That:

- (a) Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as

outlined above.

- (c) Correspondence and reports relevant to the subject business be withheld from access.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR THE DESIGN AND CONSTRUCTION OF A NEW PASSENGER ELEVATOR, BATHURST CIVIC CENTRE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER VARIATION FOR THE CONSTRUCTION OF A BMX TRACK AT BATHURST BIKE PARK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Director Engineering Services' Report

- a** **Item 1 TENDER FOR THE DESIGN AND CONSTRUCTION OF A NEW PASSENGER ELEVATOR, BATHURST CIVIC CENTRE (36.00525)**
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That Council accept the tender of KONE Elevators for \$203,535.20 (GST incl.), subject to variations and provisional items.

- b** **Item 2 TENDER VARIATION FOR THE CONSTRUCTION OF A BMX TRACK AT BATHURST BIKE PARK (36.00547)**
MOVED Cr B Bourke and **SECONDED** Cr M Coote

Cr Westman declared a non-pecuniary interest in this item and remained in the Chamber.

Reason: BMX Club Secretary

Cr Rush declared a pecuniary interest in this item, left the Chamber, vacated the Chair and took no part in discussion or voting.

Reason: One of the Tenderers is a relative of partner

Cr North took the Chair.

RESOLVED: That Council accept the variation from Central West Civil Pty Ltd for the amount of \$265,786.82 (incl. GST) for the addition of an International 8m Start Ramp for the Bathurst BMX track.

The Mayor returned to the meeting and took the Chair.

RESOLVE INTO OPEN COUNCIL

- 5** **RESOLVE INTO OPEN COUNCIL**
MOVED Cr M Coote and **SECONDED** Cr I North

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 6** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr M Coote and **SECONDED** Cr I North

RESOLVED: That the Report of the Committee of the Whole, Items (a) to (b) be adopted.

MEETING CLOSE

- 7** **MEETING CLOSE**

The Meeting closed at 7.42 pm.

CHAIRMAN: _____

Date: _____ **(19 August 2015)**

DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 AUGUST 2015

1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)

Recommendation: That the information be noted.

Report: A copy of Section 79C of the Environmental Planning and Assessment Act 1979 is provided at **attachment 1** to assist Council in the assessment of Development Applications.

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

2 GENERAL REPORT (03.00053)

Recommendation: That the information be noted.

Report: The following reports are provided for Council's information.

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during July 2015 (**attachment 1**).
- (b) Applications refused during July 2015 (**attachment 2**).
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**).
- (d) Applications pending approval for greater than 40 days as at the date of compilation of this report (**attachment 4**).
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 or Clause 4.6 of Bathurst Regional LEP 2014 approved in July 2015 (**attachment 5**).
- (f) No political disclosure statements have been received in relation to any "planning applications" being considered at this meeting.

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

3 FORMER BATHURST TAFE SITE - CONSERVATION MANAGEMENT PLAN (CMP) (13.00073)

Recommendation: That Council:

- (a) adopt the Conservation Management Plan for the former Bathurst TAFE site as a strategic document;
- (b) release the Plan to the public and seek feedback on it and the future of the Town Square as part of the Town Square exhibition being held by the Bathurst Town Square Group;
- (c) note that a report on the feedback received will be provided to Council; and
- (d) refer the Plan to the NSW Office of Environment & Heritage.

Report: Council, at its meeting held in June 2013, resolved to accept the offer from the NSW Government that the former TAFE site in William Street Bathurst be vested to Bathurst Regional Council as Torrens Title land. It should be noted that to date transfer of the site to Council has not been completed and Council continues to face difficulties in reaching a satisfactory resolution to this matter.

In 1998, the NSW Department of Public Works commissioned a Conservation Management Plan (CMP) for the site. That Plan was prepared by Bialowas and Associates.

In considering the future of the site, an updated CMP was recommended to provide the basis for redevelopment of the site, particularly in terms of its heritage significance.

In early 2014, Council staff prepared a brief and called for quotations for the completion of a new CMP for the site which aimed to:

1. Update the existing CMP taking into consideration:
 - a. the additional studies already completed for the site; and
 - b. the possible redevelopment/ownership scenarios available to Council; and
2. Extend the management policies and directions of the CMP in order to integrate the TAFE site into the remainder of the Bathurst Town Square.

Council, at its meeting on 6 February 2014, resolved to engage Hickson, McLachlan and White to prepare the Bathurst TAFE CMP. The final CMP has been prepared and submitted to Council.

A copy of the CMP has been provided to Councillors. A presentation outlining the key outcomes of the plan was made to Councillors at the Working Parking held 22 July 2015.

The CMP considers the former TAFE site including the William St building, the former headmasters cottage and the former Bathurst Public School (currently housing the AFMM). The document also takes a wider view and considers the whole Bathurst Town Square (block bounded by Russell, William, Howick and George Streets) as the Town Square forms the setting for the former TAFE Buildings.

Essentially the CMP aims to guide the future of the former TAFE site in heritage terms. The CMP does not necessarily consider all other development issues that may also impact on

the way in which the site is managed or redeveloped into the future. Whilst a large document, each chapter has been set up to be generally read independent of the other chapters. Chapter 1 provides a summary of the document. Chapter 2 details the history of the site. Chapters 3, 4 and 5 examine the relative heritage significance of the former TAFE and public school buildings and the Bathurst Town Square. Chapter 6 outlines key areas for repair. Chapter 7 provides the detailed recommendations for the TAFE and the Town Square in heritage terms and offers opportunities for reuse that protects and enhances its significance.

It would now be appropriate for Council to adopt the CMP as a strategic document which, amongst a range of other information that has or will be put together, will guide the future reuse/redevelopment of the TAFE site.

In adopting the plan as a strategic document it would also be appropriate for Council to release it for public comment, not only in relation to the TAFE site but in relation to the future of the Bathurst Town Square more generally.

In this regard Council has a unique opportunity to release the plan as part of an exhibition of the Town Square being planned by the Bathurst Town Square Group (part of the Bathurst District Historical Society) commencing in September. The exhibition will be held in the AFMM and aims to showcase and consider the past, present and future of the Bathurst Town Square.

Council staff work closely with the Town Square Group and have identified opportunities to obtain community feedback on the CMP and the future of the Bathurst Town Square as part of the wider exhibition being planned.

Council has allocated funds in the 2015/16 Management Plan to extend the work of the CMP to further master planning of the Town Square. The Town Square exhibition and feedback sought on the CMP would be the first step in this process. The exhibition also offers Council an opportunity to release the CMP in a positive environment.

Further master planning of the Town Square is supported by the Bathurst Destination Management Plan and the Bathurst CBD and Bulky Goods Business Development Strategy.

Conclusion

Council has now received a comprehensive plan to assist in guiding the future reuse/redevelopment of the former Bathurst TAFE site in terms of its heritage significance. The CMP extends to include a consideration of the Bathurst Town Square, being the setting of the TAFE site.

As changes in ownership of the site and its adaptive reuse occurs revisions of the CMP will remain important.

It is appropriate for Council now to adopt the CMP as a strategic document and release it to the public for feedback. In this regard it is proposed that this occur as part of the Bathurst Town Square exhibition commencing in September.

Importantly the CMP identifies that the former TAFE site is of State level significance. The CMP should also be referred to the NSW Office of Environment and Heritage.

Financial Implications: Funding for the CMP is contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.1, 3.8
- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.1, 11.2
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.2, 28.5
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2

4 ANNUAL REPORT OF FOOD ACTIVITIES, FOOD REGULATION PARTNERSHIP – NSW FOOD AUTHORITY (14.00002)

Recommendation: That the information be noted.

Report: The partnership between the NSW Food Authority and Council requires Council to submit an annual activity report of Council's food activities.

The report includes the number and type of food premises inspections, what resources Council has to administer the requirements of complying with the Food Act 2003 and the various regulations and standards associated with the Act.

Food premises include restaurants, cafes, pubs, clubs, pre-schools, primary schools, secondary schools, CSU, service stations, tourist accommodation, takeaways, sporting clubs, health food shops, motels, wineries, supermarkets, licensed clubs, home occupation, and caterers.

All food premises have been classified into either low, medium or high risk. The risk level is determined by the risk involved with the type of food being offered for sale.

All medium and high risk premises are inspected at least annually with an unannounced inspection.

The annual activity report to the NSW Food Authority for the period 1 July 2014 to 30 June 2015 is at **attachment 1**. Council's staff undertook 1080 inspections of food outlets during this period. This includes the Bathurst Show and the V8 races at Mount Panorama.

Key activities of Council's Environmental Health staff in 2014/15 has included the following.

- Council officers are available to advise operators of new food premises, and those planning renovations to existing premises, to discuss their proposal prior to commencing any work to ensure compliance with all the necessary standards and codes.
- Council provides a free online food safety training 'Im Alert' which has been developed by Environment Health Australia. Recently the 2000th person completed the training using Council's web page "bathurst.imalert.com.au".
- A quarterly newsletter is produced by Council and distributed to all food operators in Bathurst LGA. These newsletters are also available on Council's website.
- Council participates in the 'Scores on Doors' scheme where individual food premises are scored using a food premises assessment report issued by NSW Food Authority. A certificate with five or four stars is issued and the individual operator may elect to display the certificate or not.
- Council staff attend local high schools to give a presentation on what an Environmental Health Officer's work involves on a day to day basis.
- This year Council's Environmental Health Officers attended Oberon Shire Council for 2 days to help with officer training and required inspections on their behalf.

Financial Implications: Council's food regulation activities are funded within existing budgets.

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 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 29.8
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.4
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

5 BATHURST COMMUNITY ACCESS AND CYCLING PLAN UPDATE (20.00165)

Recommendation: That the information be noted.

Report: Council adopted the Bathurst Community Access and Cycling Plan at its Ordinary Meeting held 15 June 2011. This report outlines Council's key achievements in the implementation of the Plan over the 2014/2015 financial year.

During the 2014/2015 financial year, Council has undertaken a number of projects with respect to the footpath and cycleway network. Of particular note are the following works:

Road Name	Location	Suburb	Asset Type	Length (m)
Church Street, Perthville	Prince Street to Public School entrance	Perthville	Footpath	143
Prince Street	Church Street to Rockley Street	Perthville	Footpath	117
Prince Street	Church Street to 39 Prince Street	Perthville	Footpath	182
Rocket Street	Stewart Street to Rankin Street	Bathurst	Footpath	220
Stanley Street	William Street to George Street	Bathurst	Footpath	204
The Domain Carpark	Carpark to Aquatic Centre	Bathurst	Footpath	117
Icely Street	Open Space	Eglington	Cycleway	335
Macquarie Park	Stanley Street	Bathurst	Cycleway	130
Ilumba Way	Ilumba Way to Hughes Street	Kelso	Cycleway	448
Total				1896 m (~1.9 km)

The Icely Street cycleway at Eglington was constructed by the land developer as part of the subdivision of the land.

Council has also continued to maintain the existing footpaths and cycleways during the 2014/2015 financial year. Maintenance of the footpaths and cycleways generally relate to removing trip hazards and replacement of small sections of the footpaths where required.

Council's footpath and cycleway construction will continue in the 2015/16 financial year.

Financial Implications: Funding for this item is contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.6
- Objective 14: To encourage less car dependency. Strategy 14.1
- Objective 19: To improve equity of access to all members of the community in public and private domains. Strategy 19.1
- Objective 24: To provide and support the provision of accessible, affordable and well planned transport systems. Strategy 24.2
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.2

6 GATEWAY ENTERPRISE PARK, SYDNEY ROAD KELSO - REQUEST FOR DEVELOPMENT CONTROL PLAN (DCP) AMENDMENT (22.07432 & 20.00250)

Recommendation: That Council:

- (a) not support the request to reduce the riparian zone along Raglan Creek as shown on Map No. 8 - Gateway Enterprise Park of Bathurst Regional DCP 2014;
- (b) notify the landowner of its decision; and
- (c) call a division.

Report: Council has received a request from the landowner to reduce the riparian corridor along Raglan Creek identified on the Bathurst Regional Development Control Plan 2014 Map No 8 Gateway Enterprise Park, Sydney Road, Kelso. The landowner also supplied a consultant report with the request. A copy of the request is at **attachment 1**. The adopted DCP map is at **attachment 2**. The adopted riparian corridor in the DCP is 30 metres, measured from the top of bank on either side of Raglan Creek. The landowner is seeking a reduction to 20 metres.

Background

Consent was granted in 2006 to a Part 3A Major Projects Development Application by the NSW Department of Planning and Environment. The application included a number of bulky goods development sites, together with an intermodal freight terminal encompassing warehousing. The consent has since lapsed.

At the time, Council made representation to the Department of Planning opposing the proposed development.

Council's key areas of concern related to the fact that it was nearing completion of its Urban Strategy and that any development of the site should only occur after the Strategy's adoption and then after any relevant rezoning. In this regard the proposed development pre-empted a coordinated approach to the planning of the site that the rezoning process would enable. Key areas of concern that Council sought a coordinated planning approach to were:

- protection of Raglan Creek.
- protection of the City's gateway - in terms of landscaped buffers and built urban form.
- access to the site.

Notwithstanding Council's concerns, the Department approved the development, although as indicated, the consent has now lapsed.

Bathurst Regional LEP 2014

The adopted Bathurst Region Urban Strategy 2007 and the later 2011 Bulky Goods Strategy ultimately recommended the site for service business rezoning.

Council developed and exhibited LEP and DCP planning controls to zone the land B5 Business Development. These controls sought specifically, amongst other things, to address the issues of the protection of Raglan Creek, the City's gateway and access to the site. At the time of exhibition of both the Urban Strategy and the comprehensive LEP, the community expressed a deep desire for adequate protection of the City's gateway and Raglan Creek.

During the exhibition of the draft Bathurst Regional LEP 2014 and draft Bathurst Regional

DCP 2014, the landowners made representation as to the proposed width of the riparian corridor as shown on the DCP map. At Council's Ordinary meeting held 16 December 2013, Council considered the BRLEP 2014 and BRDCP 2014. An extract of the submission and Council's response to it is outlined below:

No.	49
Landowner Name	GSA Planning On behalf of Gateway Land Corporation
Land to which the request relates	Lot 1 DP 1093933, Lot 2 DP 1079829, Lots 21 & 22 DP 137352, and Lot 23 DP 1133685, 207 - 213 Sydney Road, Kelso
Comments or issues raised by landowner	<p>Supports the proposed B5 Business Development zone for the site. Objects to the following proposed DCP provisions for the site:</p> <ol style="list-style-type: none"> 1. Unreasonable access restrictions – seeks 3 access points to the site – at the intersection of GWH and Ashworth Drive, left in and left out on western entry and left turn in on eastern entry of site. 2. Highway uses disadvantaged by major road buffer – proposed 15m (5m in some locations) is in addition to the RMS road acquisition. The overall buffer to the highway might therefore be up to 70m. Seek a 10m parking zone within the proposed 15m major road buffer. 3. Excessive landscape buffer (side setback) of 20m – neighbouring uses are either agricultural or manufacturing. There is little potential therefore for land use conflict. Seek 5m landscape setback and 15m building setback (total 20m) along eastern and western boundaries. 4. Inappropriate outer riparian corridor – draft DCP requires 50m riparian corridor and 15m outer riparian corridor (total 30m outer riparian). This is considered excessive given that the creek is mostly dry and resembles an overgrown ditch. Seeks removal of outer riparian corridor. 5. Restrictive signage provisions – requests that Council permits pylon signs in the major road buffer as highway exposure is imperative to business success.
BRC response	<p>DCP Map No 8 Gateway Enterprise Park, as exhibited, enables the creation of a left in and left out turning arrangement at the western end of the site. This was obviously not clear to the reader and so the DCP map has been amended to clearly illustrate the additional access at the western point of the site.</p> <p>The major road buffer of 5 – 15 metres is considered appropriate for the site. The original proposal (prior to exhibition) illustrated a 40 metre wide buffer, and through negotiations with the landowner and the RMS, has been reduced to that shown on the draft DCP map. Notwithstanding the width of the buffer, the Great Western Highway will be realigned from the current location, towards the south.</p> <p>The Bathurst Vegetation Management Plan and the Urban Strategy made recommendations for the enhancement of the land adjacent to the City's gateways (ie the entrances to Bathurst along the Highways). The location of the major road buffer and the verges of the Great Western Highway (once realignment has been completed) along the northern boundary of the site seeks to achieve that recommendation.</p> <p>The width of 15 metres will provide adequate space for trees with a mature height of approximately 15 – 20 metres in height to be planted</p>

	<p>(as recommended in Section 13 of the DCP) without impacting on the buildings being constructed as part of the development.</p> <p>Further reduction or additional uses within the major road buffer cannot be supported.</p> <p>The vegetation screen at the western property boundary has been established at the request of the adjoining landowners. Notwithstanding the agricultural and manufacturing land uses adjoining the site, the width of the vegetation screen (east and west) is considered appropriate as it will allow for trees with a mature height of at least 15 metres to be planted without impacting on the building. The vegetation screens (eastern and western boundaries), whilst serving as a landuse buffer between neighbouring properties, are also considered critical to softening the visual impact of the development on the Gateway to the City.</p> <p>The riparian corridor over Raglan Creek has been identified in accordance with the NSW Office of Water Guidelines for riparian corridors. It should be noted that the total area of the outer riparian zone should be provided, although it may be offset in accordance with the Guidelines to allow flexibility in building design and subdivision layout. The open space area identified on the DCP Map No 8 – Gateway Enterprise Park is proposed to be purchased by Council under an appropriate Section 94 Plan.</p> <p>The signage restrictions for the site have been reassessed and it is considered that allowing one Directory Board Sign or Structure within the Major Road Buffer is appropriate and is therefore supported.</p>
Plan change(s)	<p>The draft DCP has been amended to allow 1 Directory Board Sign within the Major Road Buffer.</p> <p>The draft DCP Map No 8 – Gateway Enterprise Park has been amended to better show the western access point.</p>

Based on Council's assessment of the submission, the width of the riparian corridor was not reduced when Council adopted the BRLEP 2014 & BRDCP 2014.

Submission dated 31 March 2015

The landowner commissioned WorleyParsons to complete an assessment of the appropriate stream classification of the applicable section of Raglan Creek within the subject land. WorleyParsons concluded that the section of Raglan Creek should be classified as a 2nd order stream, thereby requiring a 20m riparian zone measured on either side of the creek from the top of bank, rather than 30 metres as adopted in Council's DCP.

In Council's response to the landowner dated 14 April 2015 it was stated that Council uses a number of information sources and previous experiences to assist in the drafting of development standards and Development Control Plan (DCP) Maps for land which is being intensified and used for urban purposes. Council reviewed the reports prepared by GSA Planning and WorleyParsons dated 5 September 2014 and 21 August 2014 respectively. Whilst the reports conclude that Raglan Creek is a 2nd order stream, Council maintains that the classification order is only part of the consideration in determining the appropriate riparian corridor width in this instance.

A number of recent Council studies and strategies have concluded that the Eastern gateway to Bathurst is an important vista to be maintained. Taking this into consideration, Council determined that a wider riparian corridor was warranted in this particular case. Also, as illustrated on DCP Map No 8 – Gateway Enterprise Park, a 5 metre wide access corridor has

been identified which will facilitate an off-road cycleway route from Raglan to Kelso.

Notwithstanding the classification of Raglan Creek, Council is of the opinion that the DCP requirements as adopted will achieve appropriate urban development on land previously not zoned for urban purposes. This takes into consideration a variety of planning outcomes, protection of the riparian corridor is only one.

Submission dated 19 June 2015

The landowner has now again submitted the reports commissioned from WorleyParsons unaltered, requesting a review of the DCP provisions relating to the riparian corridor on the subject land.

The landowner has not provided any additional information with the most recent request, therefore based on earlier assessments, Council staff maintain that it should **not** support a reduction in the riparian corridor in this instance.

In this regard it is reiterated that the provisions in Council's DCP have been put in place to protect the Raglan Creek corridor and the City's gateway. During exhibition of both the Urban Strategy and the comprehensive LEP these were key issues raised by the community and for which the community sought Council to appropriately control.

If Council should wish to support the landowner's request, a DCP amendment would be required at a cost of \$1,880.00 in accordance with Council's 2015/16 Revenue Policy. The amendment would need to be publicly exhibited prior to further consideration.

Conclusion:

Council has received a request to reduce the adopted riparian corridor for Raglan Creek as it passes through the Gateway Enterprise Park (the City's next bulky goods precinct). The request seeks a reduction from 30 metres, measured from the top of bank on either side of Raglan Creek to 20 metres on the basis that Raglan Creek is classified as a 2nd order stream. Council's position has long been that the corridor width has been determined, not only on the classification of Raglan Creek, but also Council's experiences in protecting and enhancing urban waterways, the City's gateways & vistas and providing for an appropriate cycling or footpath accessway.

On this basis, it is **strongly** recommended that Council maintain its adopted standard and **not** support the landowners request in this instance.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.4 9.6
- 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

7 DRAFT BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2014 - AMENDMENT NO 2 (20.00280)

Recommendation: That Council:

- (a) reclassify Lot 7 DP 263393, 67 Woodside Drive, Mount Rankin from Community to Operational;
- (b) forward the Bathurst Regional LEP 2014 – Amendment No 2 – Woodside Drive Reclassification Planning Proposal to the NSW Department of Planning and Environment for gazettal;
- (c) note that a further report will be submitted to Council should the land be proposed for sale or long term lease;
- (d) notify those who made submissions or attended the Public Hearing of its decision; and
- (e) call a division.

Report: Background:

The land at 67 Woodside Drive, Mount Rankin is approximately 2.2 hectares and is generally rectangular in shape. A location plan is provided at **attachment 1**. The land is located approximately 8km north west of the Bathurst CBD. The lot was created in 1982 as a public reserve for the residents of the Woodside Drive area and dedicated to the former Evans Shire Council in December 1982 as part of a rural residential subdivision.

The land has a tributary of Kelloshiel Creek located on the northern boundary. As part of a broader study, Council undertook a biodiversity assessment of the lot in 2012, and at that time it was assessed as having a poor condition and poor conservation rating. The land currently has a number of weed species located on the land and has not been used for recreation purposes as was originally intended. A neighbouring landowner is currently cropping part of the land without a formal lease with Council.

Council does not hold any leases over the property. Council's Asset Management System - Recreation (Plan of Management) identifies a number of public reserves within the Bathurst Regional LGA, including the subject land. The Asset Management System sets out the maintenance level of service of the reserve.

Council at its Policy Committee held 18 February 2015 resolved to:

- (a) prepare a Planning Proposal in accordance with the NSW Department of Planning and Environment Guidelines to reclassify Lot 7 DP 263393, 67 Woodside Drive, Mount Rankin from Community to Operational;*
- (b) forward the Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway Determination; and*
- (c) accept any delegations from the Department of Planning and Environment in relation to this Planning Proposal.*

The Woodside Drive Reclassification Planning Proposal involves an amendment to the Bathurst Regional Local Environmental Plan 2014, to:

- (a) Reclassify the land from Community to Operational (pursuant to Clauses 27 & 28 of the Local Government Act 1993); and
- (b) Remove the Public Reserve Status (pursuant to Clause 30 of the Local Government Act 1993).

This is to be achieved by:

- (a) Amending Bathurst Regional Local Environmental Plan 2014 to include Lot 7 DP 263393 in the table under Part 2 of Schedule 4 of the Bathurst Regional LEP 2014.

If the land is sold by Council, a dwelling would be permissible on the land with consent.

Public Exhibition:

The Planning Proposal was publicly exhibited for the period 20 April 2015 to 19 May 2015. Two submissions were received during the exhibition period.

Public Hearing:

As required by Section 29 of the Local Government Act 1993, a Public Hearing was held on 16 June 2015. Ten members of the public attended the hearing. A copy of the submissions and the public hearing report, prepared from the independent chair of the Public Hearing are at **attachment 2**.

Matters raised in Submissions or at the Public Hearing

Attachment 3 to this report summarises the public submissions received and those matters raised at the public hearing and the recommended planning response/comment. Council staff do not recommend any alterations to the draft Plan as exhibited in response to the submissions received for those reasons outlined in the planning response/comment at **attachment 3**.

The findings of the Public Hearing indicated that those who attended sought the retention of the land by Council and its continued use for public purposes rather than the sale of the land that could result if its reclassification proceeds.

Planning Proposal for Council adoption:

The matters raised in the submissions received during public exhibition or representations at the public hearing do not warrant the Planning Proposal to be discontinued. It is important to note that the reclassification of the land from Community to Operational does not compel Council to sell the land, and provides Council with further flexibility in entering into lease arrangements and sale of the land at a future date if it is deemed appropriate.

It is therefore recommended that Council proceed with the reclassification of the land from Community to Operational.

As a result of the representations made by the community, Council has two alternative options available to it following the reclassification of the land.

Option 1:

Sell the land on the open market following the reclassification of the land, or lease the land, or part thereof, for agricultural purposes. A decision to sell or lease the land would be the

subject of a further report to Council.

OR

Option 2:

Retain the land as public open space dependent on negotiations with Council and the local residents and/or interested community groups.

It should be noted that if Council were to maintain the land as public open space a budget should be allocated in future Management Plans to fund maintenance and improvements on the land.

Conclusion:

Council commenced a planning proposal to reclassify the land, Lot 7 DP 263393, from Community to Operational pursuant to the Local Government Act. Council placed the proposal on public exhibition and held a public hearing. A number of representations were made.

The clear message that was contained in the submissions received and the representations made at the public hearing was that the land should be retained in public ownership. Notwithstanding, the matters raised do not warrant the Planning Proposal to be discontinued. The reclassification of the land from Community to Operational does not compel Council to sell the land. The land can be retained in public ownership despite the reclassification. It's reclassification to operational land will, however, provide Council with flexibility in entering into lease arrangements or proceed to the sale of the land at a future date if it is deemed appropriate. In this regard it is proposed that a further report would be submitted to Council.

Financial Implications: Council is not currently funding the maintenance or improvement of the land under its management plan. The reclassification of the land will not change the current financial status quo. The reclassification would however offer Council an opportunity to sell or lease the land into the future.

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 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2, 30.7, 30.3

8 BIZWEEK (20.00071)

Recommendation: That the information be noted.

Report: Bathurst Regional Council has partnered with the Western Advocate and the Bathurst Business Chamber to create BizWeek, a project that ties together new and existing business events to celebrate the success and diversity of our local businesses. BizWeek will take place from the 17 – 25 September and is part of Council's "Bathurst Buy Local Campaign".

The schedule of events for BizWeek is as follows:

Crazy Day

Thursday 17 September

BizWeek will be launched at Crazy Day, an established sale day that is held across Bathurst. Crazy Day allows retailers to offer significant sale discounts and is primarily coordinated through the Western Advocate. This year's theme is 200 and celebrates 200 years of community and local business.

BizWeek Business Lunch - Lunch with Todd Sampson

Friday 18 September, The Carrington, 12pm - 1.30pm

Todd Sampson, one of Australia's most influential executives (source: The Financial Review and News Limited) will present a Business Lunch on the topic "The Power of Creativity".

Mr Sampson is a co-creator of Earth Hour, panellist on both ABC's "The Gruen Transfer" and Channel 10's "The Project", board member of Qantas & Fairfax, Host of ABCs "Redesign Your Brain" and CEO of Leo Burnett Australia, one of the world's leading advertising agencies. He has also completed an unassisted ascent to the top of Mount Everest.

Mr Sampson will share his real life experiences and challenge participants to think differently about leadership, idea generation, cultural change and creative problem solving.

SEO for Small Business Seminar

Bathurst Memorial Entertainment Centre

Wednesday 23 September, presented by Brijid Consulting

This Seminar will provide basic search engine optimisation (SEO) tips geared to small businesses with little to no search engine marketing or optimisation experience. Participants will hear about the resources available to small business owners and will learn how to track and increase website traffic.

Carillon Business Awards

Friday 25 September

The Carillon Business Awards is a prestigious event that recognises and celebrates excellence in the Bathurst business community. The Awards attract hundreds of nominations for local businesses across many award categories.

The Carillon Business Awards Dinner will be held on the 25 September and will conclude BizWeek.

Conclusion:

BizWeek will provide the Bathurst community with the opportunity to celebrate and recognise the success of our local businesses in a collective campaign. As part of Council's Bathurst Buy Local Campaign, this project also encourages the community to support local business and drive local sales growth.

Financial Implications: Funding for this item is contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.3, 1.4
- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1
- Objective 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.1, 5.2

Yours faithfully



R Denyer
**ACTING DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 AUGUST 2015

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$73,800,000 was invested at 31 July 2015 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<u>Rating</u>	<u>Balance</u>	<u>Average Return</u>
<u>Short Term 1 – 365 Days</u>			
(comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits):			
Bank of Queensland	A2	\$4,000,000.00	3.18%
Bendigo and Adelaide Bank	A2	\$500,000.00	2.94%
IMB Limited	A2	\$500,000.00	2.92%
Bankwest	A1+	\$6,500,000.00	2.98%
National Australia Bank Limited	A1+	\$21,000,000.00	3.11%
Westpac Banking Corporation	A1+	\$2,000,000.00	3.70%
Maritime, Mining & Power Credit Union	ADI	\$1,000,000.00	2.95%
People's Choice Credit Union	ADI	\$1,000,000.00	2.86%
Railways Credit Union Limited	ADI	\$2,000,000.00	3.23%
SGE Credit Union Limited	ADI	<u>\$1,500,000.00</u>	<u>3.10%</u>
		\$40,000,000.00	3.12%
<u>Long Term > 365 Days</u>			
(comprising Commercial Bills, Term Deposits, Debentures and Bonds):			
<u>Committed Rolling Investments</u>			
Westpac	AA-	\$2,000,000.00	3.41%
Westpac	AA-	\$2,000,000.00	3.44%
Westpac	AA-	\$2,000,000.00	3.33%
National Australia Bank Limited	AA-	\$2,000,000.00	2.96%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$2,800,000.00</u>	<u>2.20%</u>
		\$10,800,000.00	3.00%
<u>Fixed, Negotiable & Tradeable Certificates of Deposits</u>			
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>3.34%</u>
		\$2,000,000.00	3.34%
<u>Floating Rate Notes</u>			
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	3.89%
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	3.05%
Macquarie Bank	A	\$1,000,000.00	3.25%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	3.34%
Bank of Queensland	A-	\$1,000,000.00	3.16%
Bank of Queensland	A-	\$2,000,000.00	3.26%
Bendigo & Adelaide Bank	A-	\$1,000,000.00	3.09%
Bank of Queensland 2	A-	\$1,000,000.00	3.22%
Credit Union Australia	BBB+	\$3,000,000.00	3.45%
Police Bank Ltd	BBB+	\$1,000,000.00	3.23%
Credit Union Australia	BBB+	\$1,000,000.00	3.35%

Newcastle Permanent	BBB+	\$1,000,000.00	3.50%
Members Equity Bank 2	BBB+	\$1,000,000.00	3.14%
Members Equity Bank	BBB	\$3,000,000.00	3.40%
Greater Building Society	BBB	<u>\$1,000,000.00</u>	<u>3.43%</u>
		\$21,000,000.00	3.36%
Total Investments		<u>\$73,800,000.00</u>	<u>3.18%</u>

These funds were held as follows:

Reserves Total (includes unexpended loan funds)		\$37,957,424.00	
Grants held for specific purposes		\$2,494,304.00	
Section 94 Funds held for specific purposes		<u>\$32,881,697.00</u>	
Unrestricted Investments – All Funds		\$466,575.00	
General Fund	\$466,575.00		
Water Fund	\$0.00		
Sewer Fund	\$0.00		
Waste Fund	<u>\$0.00</u>		
Total Investments		<u>\$73,800,000.00</u>	

Total Interest Revenue to 31 July 2015 **\$208,969.09** **3.18%**

Year to Date Averages

(as per the CBA & RBA for comparison purposes)

Reserve Bank of Australia - Cash Rate	2.00%
AFMA - 90 day Bank Bill Swap Rate (BBSW) Avg Mid	2.15%
Three Year Swap Rate - Commonwealth	2.14%
Five Year Swap Rate - Commonwealth	2.54%
Mofidied Deitz Calculation	3.34%

Attachment 1 shows Council's year to date performance against the benchmarks contained in Council's Investment Policy. Council has outperformed each of the benchmarks required and complied with the Ministers Investment Order.

R Roach
Responsible Accounting Officer

Financial Implications: Interest received on investments has been included in the current budget.

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

2 YEAR TO DATE MONTHLY REVIEW - 2015-2019 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2015-2016 (16.00140)

Recommendation: That the information be noted.

Report: Bathurst Regional Council has in place the Bathurst 2036 Community Strategic Plan which aims to inform the community about the major directions and programs Council is undertaking in shaping the future of the Bathurst Region. These directions are summarised as objectives and strategies in Part VI of the Community Strategic Plan which was adopted by Council on 20 February 2013. The Plan is available for viewing at the council offices at 158 Russell Street or can be downloaded from the Public Documents section of Council's website, www.bathurst.nsw.gov.au. Shown at **attachment 1** is a listing of the Objectives and Strategies from the Bathurst 2036 Community Strategic Plan.

At **attachment 2** is an update of Council's progress towards achieving the Strategies and Objectives for the 2015-2019 Delivery Plan and the Annual Operating Plan 2015-2016.

The Local Government (General) Regulation 2005 has been amended by inserting clause 413A to make it the duty of the General Manager to give timely information to Councillors about any fines or penalty notices from agencies such as the Australian Taxation Office, the Roads and Maritime Services or the Environment Protection Authority, or where a court or tribunal makes a costs order against a council.

Fines or penalty notices this month - Refer to attachment 2.

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

3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)

Recommendation: That the information be noted and any additional expenditure be voted.

Report: At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 31 July 2015.

Financial Implications: Council's Sundry Section 356 Donations and Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies are included in the current budget, which currently have a balance as follows:

Section 356:	\$11,244.91
BMEC Community use:	\$ 5,464.00
Mount Panorama:	\$21,866.00

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 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

4 POWER OF ATTORNEY (11.00007)

Recommendation: That the information be noted.

Report: That the General Manager's action in affixing the Power of Attorney to the following be noted.

- Upper Macquarie County Council - Part 5-7 Lee Street, Kelso - Lot 101, Lot 102, Lot 103, DP1204847 - Licence Agreement
- Rouland, RJ & K - Part 333 Wambool Road, O'Connell - Lot 1, DP32374 - Deed of Agreement
- Slobocarb Pty Ltd - Part 111 Stanley Street - Lot 11, Lot 12, DP1205690 - Deed of Agreement
- Stabosl Pty Ltd - Part 109 Stranley Street - Lot 13, Lot 14, Lot 15, DP 1205690 - Deed of Agreement
- Ireland, G & M - Conrod Straight - Lot 1, DP749758 - Rural Licence
- Ireland, G & M - College Road - Lot 117, DP750357 - Rural Licence
- Oak Tree Retirement Village Bathurst Pty Ltd / Stabosl Pty Ltd - Part 111 Stanley Street - Lot 11, Lot 12, DP1205690 - Deed of Assignment
- Oak Tree Retirement Village Bathurst Pty Ltd / Slobocarb Pty Ltd - Part 109 Stanley Street - Lot 13, Lot 14 & Lot 15, DP1205690 - Deed of Assignment

Linen Plan Release

Nil

Financial Implications: Nil

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

5 NAMING OF SHED AT MOUNT PANORAMA (20.00038)

Recommendation: That:

- (a) Council name the shed at Mount Panorama as detailed in the report the "Tony Warrener Centre";
- (b) V8 Supercars Australia Pty Ltd be requested to supply a plaque detailing the history of Mr Warrener's involvement with motor racing at Mount Panorama, and
- (c) An official unveiling ceremony take place during the Bathurst 12 Hour race in February 2016.

Report: Council has received notification that Mr Tony Warrener, who had a very long association with Mount Panorama, particularly the NRMA apprentice reconstruction team, has passed away.

During the course of Mr Warrener's 40 year involvement at Mount Panorama, he recruited, organised and operated what is known as the "reconstruction shed" for cars damaged during races at Mount Panorama. Mr Warrener operated this shed with the assistance of many sponsors and, in particular, the NRMA.

With the reconstruction of Mount Panorama, which commenced in 2000, Council negotiated with Mr Warrener (whose buildings were located in the centre of the paddock area at the rear of the pits), to relocate the sheds to the current location, which is shown at **attachment 1**. During this time, Council worked very well with Mr Warrener in the design and the reconstruction of this facility at Mount Panorama which continued to operate up until 2008 when the rule changes, etc resulted in the sheds not being required any further. These sheds are now used as storage and operational sheds.

Council has received a request from V8 Supercars Australia Pty Ltd to name one of these sheds in the memory of Tony Warrener who contributed so much in the early years of the development of the V8 Supercar Series.

It is recommended that Council name the shed, as shown at **attachment 1**, as the Tony Warrener Centre and that V8 Supercars Australia Pty Ltd be requested to supply a plaque detailing the history of Mr Warrener's involvement with motor racing at Mount Panorama. It is further proposed that there will be an official unveiling ceremony during the Bathurst 12 Hour in February 2016 when members of the Warrener family will be invited to attend.

Financial Implications: As the facility is already constructed, there will be only minor costs involved in erecting the various signs.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.9
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.3

6 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST BLACKTRACKERS RUGBY LEAGUE CLUB (18.00004)

Recommendation: That Council donate \$500 to the Bathurst Blacktrackers Rugby League Club to assist in participating in the 2015 Annual Aboriginal Rugby League Knockout, to be funded from Section 356 Donations.

Report: Council has received a request from Bathurst Blacktrackers Rugby League Club seeking sponsorship to participate in the 2015 Annual NSW Aboriginal Rugby League Knockout. A copy of the request is provided at **attachment 1**.

This year's Annual Aboriginal Rugby League Knockout will be held on the October long weekend in Dubbo, and is the largest gathering of Aboriginal people in Australia annually.

The Bathurst Blacktrackers team consists of players from Bathurst, Mudgee, Lithgow and the surrounding Central West.

This group is requesting sponsorship of the playing strip and accommodation.

There are no financial statements for this organisation as this team only comes together for this Knockout competition. All funds raised by sponsorship are spent each year.

Financial Implications: This request could be funded from Council's Section 356 Donations for 2015/16 which currently has a balance of \$11,244.91.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

7 REQUEST FOR FINANCIAL ASSISTANCE - CENTRAL TABLELANDS WOODCRAFT INC (18.00282)

Recommendation: That Council donate \$500 to the Central Tablelands Woodcraft Inc towards the cost of holding their 'Craft & Art on Show' (CAOS), to be held on 31 October and 1 November 2015, to be funded from Section 356 Donations.

Report: Council has received a request from Central Tablelands Woodcraft Inc ("Woodies") for financial assistance, to assist in holding the 'Craft & Art on Show' (CAOS), to be held on 31 October and 1 November 2015. A copy of the request is provided at **attachment 1.**

CAOS helps to promote the Central Tablelands Woodcraft Inc to the local community and raises awareness and encourages more people to join and participate in their group. In addition, this year the group will be celebrating its 25 year anniversary. Not only is the Show the main fundraiser for the "Woodies" the venue is used by numerous craft and art groups to promote their activities, sell their wares and encourage members of the community to experience the benefits of being a member of a creative group.

The President advises that they are a non-profit organisation, who support the community by providing woodcraft items to local schools, kindergartens, churches among others. Membership has grown to over 70 people, both men and women.

Council has previously assisted this craft exhibition in 2009 (\$200), 2010 (\$250), 2012 (\$500) and 2014 (\$500).

A copy of this organisation's Financial Statement will be provided to Councillors under separate cover.

Financial Implications: This request could be funded from Council's Section 356 Donations which currently has a balance of \$11,244.91.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.6

8 REQUEST FOR FINANCIAL ASSISTANCE - TREK4KIDZ (18.00195)

Recommendation: That Council make available the Mayoral Suite at Mount Panorama to Trek4Kidz, at a cost of approximately \$1,000 to be funded from the Mount Panorama fee subsidy.

Report: Council has received a request from Trek4Kidz at **attachment 1** requesting Council to consider the waiving of or reduction in the hire fee for the Mayoral Suite, Mount Panorama.

Trek4Kidz is an incorporated body raising much needed funding for the Starlight Children's Foundation. The group will be travelling through different parts of Victoria and New South Wales on a trip commencing in Mudjee and finishing in Bathurst. Their final function will be held in the Mayoral Suite on Saturday, 29 August 2015. Other venues have generously waived the venue hire fee, allowing for the possibility of greater donations.

The organisation has requested the use of the Mayor Suite and kitchen. It is estimated the cost of hiring this room, plus use of the kitchen will be approximately \$1,000.

A copy of the organisation's financial statements will be forwarded under separate cover.

It is recommended that Council make available the Mayoral Suite at Mount Panorama, including kitchen, to Trek4Kidz, to be funded from the 2015/2016 Mount Panorama fee subsidy.

Financial Implications: The request could be funded from the 2015/2016 Mount Panorama fee subsidy which has a balance of \$21,866.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

9 APPOINTMENT OF STATE EMERGENCY SERVICE CONTROLLERS - BATHURST AND SOFALA UNITS (18.00043)

Recommendation: That Council support the appointment of Mr Gavan Ellis as Volunteer Local Controller for Bathurst Unit and Mr Martin Tomkinson as the Volunteer Unit Controller for the Sofala Unit, and Ms Jessie Davidson as the Unit Controller for the Bathurst Unit to the Commissioner of NSW State Emergency Service (SES) Unit for 2 years from 1 August 2015.

Report: Section 17 (1) of the State Emergency Service Act, 1989 states:

- (1) *The Commissioner may, on the recommendation of the council of a local government area, appoint one or more persons as the local controller for the area.*

Council has received correspondence from the Office of the Commissioner, NSW SES advising of the appointment of Mr Gavan Ellis as Volunteer Local Controller for Bathurst Unit and Mr Martin Tomkinson as the Volunteer Unit Controller for the Sofala Unit, and Ms Jessie Davidson as the Unit Controller for the Bathurst Unit to the Commissioner of NSW State Emergency Service (SES) Unit for 2 years from 1 August 2015.

NSW SES seek confirmation of support for these appointments. It is recommended that Council support the appointments as listed above.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- 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 29.6
- Objective 22: To improve community safety. Strategy 22.8

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 AUGUST 2015

1 REVIEW OF PESTICIDE NOTIFICATION PLAN (02.00010)

Recommendation: That Council endorse the revised Pesticide Notification Plan.

Report: Council may be aware that in 2006, a Pesticides Notification Plan was developed and adopted by Council, in line with the NSW State Government regulatory requirements set by the then Department Environment and Conservation NSW. The Notification Plan details how Council notifies the community when it uses or allows the use of pesticides in public places that are owned or controlled by Council.

Council's Pesticide Notification Plan has been in operation since its adoption in 2006 and is believed to have been meeting all legislative requirement set by the State Government in respect to informing the community on pesticide use on Council owned or controlled land and is an efficient working document. To date, Council has not received any concerns from the community in relation to the operation of the Notification Plan.

However, in compliance with the NSW Pesticide Regulation 2009, a review of Council's Notification Plan is required to be undertaken periodically and therefore a review of this document is required.

A review of Council's existing Pesticide Notification Plan has been undertaken in accordance with the Pesticide Regulation and is now presented to Council as a revision document, tabled at **attachment 1**. It has been determined that no significant changes to the Plan have been necessary, other than minor changes to reflect reference to updated Pesticide Regulation Clauses.

The revised Pesticide Notification Plan sets out the proposed levels of notification and the methods of how it intends to inform the community of pesticides that are applied in public places. It is believed that Council's Plan as proposed will enable it to continue to comply with the mandatory requirements of the Pesticide Act and at the same time provide the most cost effective and efficient means of applying pest control measures to land under its care and control.

For Council's information, the Revised Pesticide Notification Plan provides the following:

- The categories of prescribed public places where pesticides will be used
- How the community will be notified before pesticides are used in public places
- What special steps will be taken to notify the community before pesticides are applied next to sensitive places such as schools, childcare centres etc.
- When notice of pesticide use will not be provided
- Notice of emergency pesticide applications
- Where the plan will apply
- Who regularly uses the public places
- How the community will be informed of the plan
- Future reviews of the Plan

It should be noted that Council is not a high user of pesticides and only uses pesticides in public places when necessary to control noxious weeds, to protect public property from pest damage and to protect the users of public places from pest nuisance. Further, the application of chemicals in man-made horticultural environments, which unfortunately produce ideal conditions for pests, is a necessary tool in the effective and cost efficient management of those assets. Council only employs suitably qualified personnel who are certified to undertake the responsible application of pesticides and the like and are not likely to use such chemicals if there is a doubt regarding public safety during application.

Council's revised Pesticides Notification Plan has been prepared in accordance with the Pesticide Regulation 2009. It is recommended that the revised plan be endorsed.

Financial Implications: Should Council's Draft Pesticide Notification Plan be endorsed as proposed, the costs associated with providing the required public notification will be accommodated within Council's existing operational budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.4
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.5
- Objective 22: To improve community safety. Strategy 22.11

2 CROWN ROADS AT ROCKLEY (25.00575)

Recommendation: That Council approve the transfer of Hill Street (north of Budden Street), a Crown Public Road, located at the Village of Rockley.

Report: Council will recall at its ordinary meeting on 15 March 2015 that the ownership of Crown Roads within Rockley was considered. Council resolved to:

“Approve the transfer of the Crown Public Road located in the Village of Rockley, as detailed in the Director Engineering Services’ report.”

There are a number of Crown roads within the Villages surrounding Bathurst that have been constructed and maintained by Council. Due to the fact that the road is owned by The Crown and is not a Council asset, the level of construction and maintenance may not always be up to the same standard as a Council owned road.

The criteria that were considered when looking at each road in Rockley was:

- (a) Is the road improved (e.g. sealed or formed to a suitable standard)?
- (b) Is the road on its correct alignment?
- (c) Does it provide continuity with other Council owned roads?
- (d) Does the road serve 3 or more residents?
- (e) Does it offer too great a liability to Council if transferred?

After the resolution was made on 15 March 2015 and discussions with Crown Lands, it has been found that there is one additional road that satisfies the criteria located at Hill Street, north of Budden Street. The road also provides side access for Stevens Park and the amenities block. A Plan showing the road can be found at **attachment 1**.

It is recommended that Council approve the transfer of Hill Street (north of Budden Street), a Crown Public Road, located at the Village of Rockley.

Financial Implications: The Crown Lands application fee is \$200.00. Ongoing road maintenance costs to be funded from road maintenance budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 6: To support infrastructure development necessary to enhance Bathurst’s life-style and industry development. Strategy 6.1
- Objective 6: To support infrastructure development necessary to enhance Bathurst’s life-style and industry development. Strategy 6.6
- 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 29.1

3 PROPOSED COMPULSORY ACQUISITION FOR ROAD WIDENING LOTS 1, 2, 3 AND 6 DP872746 GOULBURN ROAD BATHURST (25.00028)

Recommendation: That Council make application to the Minister and/or Governor for the compulsory acquisition of Lots 1, 2, 3 and 6 DP872746 located at Goulburn Road for road widening. The application is to follow the provisions of the Roads Act 1993 and the Land Acquisition (Just Terms Compensation) Act 1991 and does not include mineral rights.

The acquired land is to be classified as operational land.

Report: In 1997 Evans Shire Council, in conjunction with the Roads and Traffic Authority (as they were then known), undertook road widening of Goulburn Road. All physical works associated with the road widening are complete. The Acquisition Plan was registered on 17 November 1997 and is found at **attachment 1**. This Acquisition Plan shows Lots 1- 6 as the land required for road widening. Lots 1-6 DP872746 were never acquired or dedicated as road as was the original intention.

To correct the public record, Council must proceed with the acquisition of Lots 1- 6 as the road has been built and is encroaching on adjoining land.

Lots 1, 2, 3 and 6 are contained on Crown Land with leases to various landholders. The only avenue open to Council to acquire Lots 1, 2, 3 and 6 DP872746 from The Crown is by the compulsory acquisition process provided for in the Land Acquisition (Just Terms Compensation) Act 1991.

Lots 4 and 5 are contained within private land which Council intends on acquiring by Agreement with the landowners.

It is recommended that Council approve the compulsory acquisition of Lots 1, 2, 3 and 6 DP872746 located at Goulburn Road for road widening. The application to the Minister and/or Governor is to follow the provisions of the Roads Act 1993 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991.

Financial Implications: The cost of the application and acquisition is estimated to be \$5,000.00 and is to be funded from Rural Road Widenings.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1
- 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 29.1

4 CROWN ROADS AT YETHOLME (25.00115)

Recommendation: That Council approve the transfer of Stafford Street (from Great Western Highway to Porters Lane), a Crown public road, located at the Village of Yetholme, as detailed in the Director Engineering Services' report.

Report: Council will recall at its ordinary meeting on 15 March 2015 that the ownership of Crown Roads within Rockley was considered. Council resolved to:

“Approve the transfer of the Crown public road located in the Village of Rockley, as detailed in the Director Engineering Services' report.”

There are a number of Crown roads within the Villages surrounding Bathurst that have been constructed and maintained by Council. Due to the fact that the road is owned by The Crown and is not a Council asset, the level of construction and maintenance may not always be up to the same standard as a Council owned road. In order to overcome this problem, Council Engineers have investigated the Crown roads within the village of Yetholme and have found it necessary to transfer some Crown public roads to its ownership for improved maintenance and access within Yetholme.

The criteria that were considered when looking at each road in Yetholme was:

- (a) Is the road improved (e.g. sealed or formed to a suitable standard)?
- (b) Is the road on its correct alignment?
- (c) Does it provide continuity with other Council owned roads?
- (d) Does the road serve 3 or more residents?
- (e) Does it offer too great a liability to Council if transferred?

Following this investigation, there is one road that meets these criteria. It is recommended that Council make application to The Crown for the transfer of the following road to Council's ownership:

- 1 Stafford Street (from Great Western Highway to Porters Lane).

The remaining Crown Roads in the village of Yetholme do not satisfy any of the criteria.

Please refer to the plan of road ownership in the village of Yetholme at **attachment 1**.

Financial Implications: The Crown Lands application fee is \$200.00. Ongoing road maintenance costs to be funded from road maintenance budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1
- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.6

- 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 29.1

Yours faithfully



Doug Patterson
DIRECTOR
ENGINEERING SERVICES

DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 AUGUST 2015

1 BATHURST REGIONAL YOUTH COUNCIL - BLACK LIGHT NIGHT DANCE PARTY, 24 JULY 2015 (11.00007)

Recommendation: That the information be noted.

Report: The Bathurst Regional Youth Council held its annual dance party at BMEC on Friday 24 July. The theme of the event was “Black Light Night” and young people were encouraged to dress in light colours so that they would illuminate under the lights. There were 485 young people in attendance on the night. The event was a drug and alcohol free, fully supervised event, with no major incidents noted.

Young people enjoyed music provided by a DJ who also provided a video screen. Highlights of the event were the provision of a photo booth and face painting.

Representatives from headspace Bathurst provided a range of resources for young people. Young people also had the opportunity to experience the dangers of alcohol and drugs by attempting to do simple tasks while wearing hazard goggles which replicate the effects of alcohol and drugs.

The “chill out” area was popular and provided an option for young people to take a break from dancing and just chat amongst themselves.

Some party food and mocktails were provided.

The Youth Council were pleased to provide the opportunity for young people to socialise in a safe environment.

Financial Implications: Funding for this item is contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.6
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.1, 27.4, 27.5, 27.6, 27.9
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2, 30.5
- Objective 33: To be and develop good leaders. Strategy 33.2, 33.3

2 KELSO COMMUNITY CENTRE - JULY 2015 SCHOOL HOLIDAY ACTIVITIES (09.00026)

Recommendation: That the information be noted.

Report: Kelso Community Centre offered a number of activities during the July school holidays. Across the two weeks of the school holidays there were two days of activities catering for children and young people within the Kelso community. Positive feedback was received from the community in regards to these activities, which had an average attendance of 12 children and young people across the two days.

The following activities were offered for the school holidays:

- Wednesday 1 July – ‘Inside Fun’ featured attendees watching the movie ‘Penguins of Madagascar’ and participating in a number of craft activities.
- Wednesday 8 July – ‘Wii Challenge’, which included a Nintendo Wii challenge and door hanger craft activity.

Financial Implications: Funding for this item is contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.7
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.9

3 NAIDOC WEEK FLAG RAISING AND RECONCILIATION ACTION PLAN LAUNCH 2015 (09.00031)

Recommendation: That the information be noted.

Report: Council celebrated NAIDOC Week with a flag raising, morning tea, and the launch of the Bathurst Regional Council's Reconciliation Action Plan (RAP). The event was held on Monday 6 July 2015 with morning tea and speeches from Bathurst Mayor Cr Gary Rush, the Honourable John Cobb Member for Calare, and Wiradyuri Elder Dinawan Dyrribang who presented the Council with the newly designed Wiradyuri flag. This flag was then raised at the front of the Council building by the school students present.

NAIDOC celebrations are held around Australia each July to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander peoples. This year Australia celebrates National NAIDOC Week from Sunday 5 July 2015 to Sunday 12 July 2015. The theme for National NAIDOC Week 2015 is *We all Stand on Sacred Ground: Learn, Respect and Celebrate*. This year's theme highlights Aboriginal and Torres Strait Islander peoples' strong spiritual and cultural connection to land and sea.

Council's inaugural Reconciliation Action Plan (Tier 2) was officially launched by Bathurst Mayor Cr Gary Rush at the event. This document has been developed in partnership with Bathurst Regional Council, members of the local Aboriginal community and Reconciliation Australia with the aim to provide an opportunity to build relationships, understanding and respect between local Aboriginal and Torres Strait Islander peoples and the broader Bathurst community.

It is estimated that sixty people attended the event.

Financial Implications: Funding for this item is contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.7
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.9
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.4

4 BATHURST FAMILY DAY CARE - ASSESSMENT AND RATING PROCESS 2015 (09.00008)

Recommendation: That the information be noted.

Report: The National Quality Standards and National Quality Assessment and Rating process were introduced in 2013 under the National Quality Framework in accordance with the *Education and Care Services National Law Act 2010* and the *Education and Care Services National Regulations 2011*. The National Quality Standard sets a new and higher benchmark for services. It describes the programs, practices and relationships that research tells us contribute to the best outcomes for children.

Bathurst Regional Council Family Day Care successfully completed the Assessment and Rating process for Education and Care services on 15,16 and 17 June 2015. The visit was conducted by an authorised officer from the NSW Early Childhood Education and Care Directorate.

Bathurst Regional Council Family Day Care was assessed against the National Quality Standards. During the visit the service was assessed against seven quality areas. These areas are:

- Quality Area 1 – Educational Program and Practice
- Quality Area 2 – Children’s Health and Safety
- Quality Area 3 – Physical environment
- Quality Area 4 – Staffing arrangements
- Quality Area 5 – Relationships with Children
- Quality Area 6 – Collaborative partnerships with families and communities
- Quality Area 7 – Leadership and Management

Bathurst Family Day Care received a rating for each quality area as well as an overall service rating - **Exceeding National Quality Standard**.

It is noted that **Exceeding** was awarded for **all** seven Quality Areas and 18 Standards. As a result of this exceptional result the Department of Education and Communities has recommended that Bathurst Family Day Care apply for the Australian Children’s Education and Care Quality Authority (ACECQA) Excellence Award.

By receiving the overall service rating Bathurst Family Day Care continues to demonstrate the provision of high quality care for families and children in the Bathurst community. The service rating will be published on the www.mychild.gov.au and www.acecqa.gov.au websites for public viewing. It is expected that the service will complete the assessment and rating process again within the next three years.

Financial Implications: There are no financial implications resulting from this report.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.7
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1, 26.4

- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community.

Strategy 27.3, 27.8

5 BATHURST VISITOR INFORMATION CENTRE - 2015 INLAND TOURISM AWARDS WINNER (20.00020)

Recommendation: That the information be noted.

Report: At the presentation dinner of the Inland Tourism Awards held in Broken Hill on Saturday 25 July 2015 the Bathurst Visitor Centre was presented with the winner's trophy in the category of 'Visitor Information Services'. There were five finalists in this category.

The Inland Tourism Awards (INTA), commenced in 2004, held annually to acknowledge excellence in tourism in the four regional tourism areas of Central, Inland, Murray and Riverina New South Wales.

One of the main focus points of the awards is to develop quality regional tourism products and provide businesses the opportunity to benchmark their business with similar businesses in activity and size and also have the opportunity to identify their own personal and professional development within the tourism industry.

The Awards provide tourism organisations and individuals the opportunity to gain an insight into their industry, their business, achieve recognition for their success and promote tourism within their region.

Winners of the Inland Tourism Awards gain finalists status upon entering the NSW State Tourism Awards, and if successful, go onto the National Tourism Awards.

For the 2015 awards there were 60 nominations in 21 categories of these, 13 were from the Central NSW Tourism region. From these, six won their category, three received silver and one an encouragement award.

Bathurst Visitor Information Centre will submit a nomination for the State awards in the same category. Nominations for these awards close 31 August 2015.

Financial Implications: Costs associated with nomination submission and attending the presentation functions are from existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1
- Objective 33: To be and develop good leaders. Strategy 33.5

6 BATHURST LIBRARY - LAUNCH OF LOCAL HISTORY BOOKS (21.00029)

Recommendation: That the information be noted.

Report: The Bathurst Library has recently hosted two local history book launches. Both books were written by local authors and dealt with aspects of the history of the Bathurst area. The Bathurst Library supports local authors and a book launch is an example of this.

The first, on 14 June, was for “Golden Diggers: Hill End & Tambaroora District's Contribution to the First World War” by Helen Wood and Lorraine Purcell. This book documents the biographies of the ‘Diggers’ from Hill End and their lives in Hill End and region at the time of the First World War. This event was well attended by 36 people, many from Hill End.

The second book launch was held on Sunday 12 July with over 120 people attending for the launch of “White Rock: the Gateway to Bathurst” by the White Rock Progress Association. This title documents the history of the White Rock locality and the significant families and events in its history.

Both events were held on Sunday afternoons after the Library closed at 2.00pm. This was well received, particularly as in the winter months guests did not need to travel into the night.

Financial Implications: Funding for this item is contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2

7 VACATION CARE PROGRAM - JULY 2015 (09.00005)

Recommendation: That the information be noted.

Report: The winter holiday program for June/July 2015 operated from Monday 29 June through to Friday 10 July. Sixty two (62) children were booked in over the holiday period, with an average of 30.8 children attending per day. The holiday program ran at 91% capacity.

Vacation Care's educational program is reflective of the My Time, Our Place – Framework for school age children. The program included an excursion to Metro Cinema where the children enjoyed watching "Inside Out", they participated in a joint excursion to Flipout in Orange with Eglinton OOSH (Out Of School Hours) Group.

Other activities enjoyed by the children included a dress up day (Heroes and Villains) and a pyjama day. A beading workshop and an Up Cycling sustainability initiative workshop were presented by Council. The workshops provided the children with information about sustainable practices and allowed them to create an individual bird feeder and a vertical garden made from recycled shoes and handbags.

The Vacation Care Program continues to provide a valuable service for children and their families of the broader Bathurst community, operating within the principles of creating a play based learning environment that is fun and stimulating.

Vacation Care is scheduled to again be operational in the September/ October 2015 school holiday period.

Financial Implications: Funding for this item is contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.8
- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.7
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.5, 27.9

8 BATHURST MEMORIAL ENTERTAINMENT CENTRE - CREATIVE LEARNING PROJECT (21.00060)

Recommendation: That the information be noted.

Report: For the past three years the Bathurst Memorial Entertainment Centre (BMEC) has been working closely with Patch Theatre Company of Adelaide, South Australia exploring ways to develop deep engagement with young people aged four to eight and their carers. BMEC and Patch have been articulated as national leaders in this aim which has developed local, national and international partnerships with arts and education institutions. In 2015 the project has reached a new high point.

The focus for engagement activity is the presentation of world class performances for young people. In 2015 the performance used as a catalyst for engagement was *The Moon's a Balloon*, a magical production based on the notion that amazing possibilities can come from the simplest of things.

Using the production as a springboard, Patch and BMEC created three community engagement activities or "intersects"; a performer intersect, a choir intersect and an audience intersect.

The performer intersect involved eight Theatre Media students led by Charles Sturt University lecturer, Dan Aubin. Dan travelled to Adelaide in March to learn how his students could be inserted into the production and then returned to Bathurst to create repertoire and to prepare for the performance.

The choir intersect involved the Mitchell Young Voices of Mitchell Conservatorium and their choir leader, Michelle Griffin. Michelle also travelled to Adelaide to learn what her students would be required to perform and returned to Bathurst for months of preparation.

When the Patch actors and director arrived in Bathurst these two intersects were woven into the performance culminating in a joint production which was truly a collaboration of two communities. The result was seen by an audience of 654 patrons including numerous local primary schools.

The Audience Intersect is represented by the Open Storybox program. The Open Storybox uses *The Moon's a Balloon* and two other children's productions presented in Bathurst as a focal-point for teaching across the curriculum with a particular emphasis on literacy and imagination. The program will involve 14 selected teachers from Bathurst primary schools in a workshop day in August led by Dr Susan Davis from the University of Central Queensland.

The 14 teachers involved in the Open Storybox program have agreed to form a teacher advisory group for BMEC supporting early childhood learning and creativity through the performing arts.

The Creative Learning Project has now become a multifaceted connection point for artists and educators with ongoing links to learning and creativity. The program has drawn national and international attention and places Bathurst at the forefront of research into deep community engagement through the performing arts.

Financial Implications: Funding for this item is contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, Strategy 20.6

programs, activities and events and to support and enhance cultural and social activities across the community.

- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.4
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.9

Yours faithfully



Alan Cattermole
DIRECTOR
CULTURAL & COMMUNITY SERVICES

POLICY COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

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

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

Report: The Minutes of the Policy Committee Meeting held on 5 August 2015, are attached.

Financial Implications: N/A

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 28.5

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

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

The **General Manager** advised Council is awaiting a response from the independent reviewer. When the response is received, the matter will be processed in accordance with Council's adopted Code of Conduct.

11 **Item 5 GREEN WASTE BINS (14.00053)**

Cr North - has received a lot of positive feedback on the introduction of green bins.

Cr Aubin arrived at the meeting.

12 **Item 6 GREAT WESTERN HIGHWAY, EAST OF BATHURST (25.00018)**

Cr North - need to keep pressure for double lanes into the city, out to the aerodrome. Could we raise it with State member?

13 **Item 7 GEORGE & HOWICK INTERSECTION, KEPPEL STREET REDEVELOPMENT, DURHAM & RANKIN STREET (20.00010)**

Cr North - queried how these were going, especially George & Howick Street intersection.

The **Director Engineering Services** gave an update on discussions with RMS.

- Traffic modelling of George & Howick and also of problem at traffic lights in George & Durham is occurring.
- Durham & Rankin Street further investigation is on hold.
- Keppel Street funding for carpark is included in the 2015/2016 Management Plan.

14 **Item 8 KANGAROOS AT AERODROME & HIGHWAY (14.00665)**

Cr Aubin - asked does Council have a plan for the management of kangaroos at the aerodrome.

The **Director Engineering Services** provided advice on actions taken at aerodrome when such an issue occurs.

Cr Aubin - noted kangaroos are a problem at Mount Panorama and spoke to economic, social issues.

15 **Item 8.01 SUSPENSION OF STANDING ORDERS (11.00005)**
MOVED Cr M Morse and **SECONDED** Cr I North

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**

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)**

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING - 4 AUGUST 2015 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 4 August 2015 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 4 August 2015, are attached.

Financial Implications: N/A

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 28.5

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 4 AUGUST 2015

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

Members: Sergeant Peter Foran (Police), David Veness (MP Representative), David Vant (Roads and Maritime Services).

Present: Darren Sturgiss (Chair) (Manager Technical Services), Paul Kendrick (Traffic & Design Engineer).

APOLOGIES

2 APOLOGIES

That the apology of Cllr Warren Aubin be accepted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 JULY 2015 (07.00006)

That the Minutes of the Traffic Committee Meeting held on 7 July 2015 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 7 JULY 2015 (07.00006)

That the information be noted and necessary actions be taken.

6 Item 2 TEMPORARY BUS ZONES FOR 2015 SUPERCHEAP AUTO BATHURST 1000 (28.00022)

That Council approve the proposed temporary bus zones and extension of existing bus zone times subject to conditions as detailed in the Director Engineering Services' report.

7 Item 3 SUPERCHEAP AUTO BATHURST 1000 TRAFFIC MANAGEMENT PLAN (04.00001)

That Council adopt the following zones and restrictions as part of the Traffic Management Plan for the 2015 Supercheap Auto Bathurst 1000, as noted in the report.

8 Item 4 INTERNATIONAL CYCLING GRAND PRIX SERIES (23.00026-18)

That Council approve in principle the Western Region Criterium Championship event to be held on Friday 20 November 2015 in Bathurst. The event is to be classified as Class 2 event and approved subject to conditions as detailed in the Director Engineering Services' report.

9 **Item 5 BATHURST WALLABIES TRIATHLON CLUB EVENTS 2015/2016 SERIES (23.00026-18)**

That Council approve the staging of the Bathurst Wallabies Triathlon Club 2015/2016 series of events. The events are to be classified as Class 2 events and approved subject to conditions as detailed in the Director Engineering Services' report.

10 **Item 6 BATHURST LIGHT CAR CLUB SPORTS CLASSIC DEVELOPMENT SERIES RALLY 2015 (23.00015-07)**

That Council classify the Bathurst Light Car Club Bathurst 200 Car Rally, to be held on 26 September, 2015 as a Class 2 event, and the event be approved subject to conditions as detailed in the Director Engineering Services' Report.

11 **Item 7 2015 SUPER CHEAP AUTO BATHURST 1000 - OFF TRACK EVENT ROAD CLOSURES, TEMPORARY NO PARKING (04.00073-04)**

That Council approve in principle the staging of the 2015 Super Cheap Auto Bathurst 1000 off-track events as follows:-

- (a) Parade and B-Double Permit routes;
- (b) Super Wednesday;
- (c) Saturday Street Fair.

The event is to be classified as a Class 2 event and approved subject to conditions decided by the Traffic Committee.

12 **Item 8 MOUNT PANORAMA RACING CIRCUIT SAFETY REVIEW (04.00029)**

That Council –

- (a) Install a “Give Way” sign on Mountain Straight at its intersection with Hinton Drive, with appropriate line marking as per AS1742.2, and install an additional advanced warning of Give Way sign.
- (b) Relocate, replicate and increase the size of the “Two-Way” signs and “No street luge or skateboarding on circuit” signs from size A to size B.
- (c) Duplicate existing speed signs to cover both sides of the road.
- (d) Place signage at the roundabout prior to the National Motor Racing Museum advising trailers and caravans to access the National Motor Racing Museum from Ray Bant Drive.
- (e) Install “Two-Way” and “Steep Grade” signage at the top of The Cutting and The Esses respectively.
- (f) Install a “No right turn” at the “Bathurst Clay Target Club”.
- (g) Replace the “60” sign under Murray’s Corner Bridge with a “Two-Way” sign.

13 **Item 9 NO LIMITS SOUNDS MUSIC FESTIVAL (23.00026-18/075)**

That Council classify the No Limits Sounds Music Festival to be staged on Saturday 17 October 2015 at the Bathurst Showground as a Class 2 event, and approve the

event subject to conditions detailed in the Director Engineering Services' Report.

TRAFFIC REGISTER

14 **Item 1 TRAFFIC REGISTER (07.00006)**

That the information be noted.

MEETING CLOSE

15 **MEETING CLOSE**

The Meeting closed at 2.40 pm.

DELEGATES REPORTS

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 AUGUST 2015

1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 8 JULY 2015 (11.00019)

Recommendation: That the information be noted.

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

Apologies: Cr Jennings

1. ESSENTIAL ENERGY (18.00260)

Gary Humphries, Chief Operating Officer and Phil Green, Regional Manager gave an update on Essential Energy

Discussion included:

- Australian Energy Regulator (AER) Determination.
- Essential Energy servicing Bathurst
- Public lighting update

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5