



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

14 October 2015

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 21 October 2015

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 21 October 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.

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

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 21 OCTOBER 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 - 16 SEPTEMBER 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

* GENERAL MANAGER'S REPORT

9. REPORTS OF OTHER COMMITTEES

* MINUTES - POLICY COMMITTEE MEETING - 30 SEPTEMBER 2015

* MINUTES - TRAFFIC COMMITTEE MEETING - 6 OCTOBER 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 CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED NEW SPORTING AND RECREATIONAL FACILITY LICENCE AGREEMENT - PART LOT 7310 IN DP1139638 LOCATED ON BOUNDARY ROAD BATHURST - BATHURST PIGEON CLUB	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	EXPRESSION OF INTEREST - BATHURST TENNIS CENTRE LOCATED ON PART LOT 1 IN DP11657533, PART LOT 10 IN DP1157553	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the

	AND PART LOT 7006 IN DP1057676 KNOWN AS 217 DURHAM STREET, BATHURST	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	NEW COMMERCIAL LEASE AGREEMENT - JOHN MATTHEWS SPORTING COMPLEX CAR PARK - PART LOT 10 IN DP1157553 - ISPY COFFEE VAN	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	NEW SPORTING AND RECREATIONAL LICENCE AGREEMENT - PART LOT 1 IN DP 634401, PART LOT 2 IN DP 634401, PART LOT 1 IN DP 700629, PART LOT 9 IN DP1047248 AND PART LOT 40 IN DP1056379 LOCATED AT MCPHILLAMY PARK MT PANORAMA - BATHURST KART CLUB 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.
5	SALE OF LOT 402 IN DP1150519 KNOWN AS 17 MCGIRR STREET BATHURST	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.
6	PROPOSED PURCHASE OF LAND - MT 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.
7	2015 BICENTENARY CELEBRATIONS PROJECT - GRAHAM LUPP	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	BLAYNEY TO BATHURST (B2B) CYCLING FESTIVAL	10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. 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 Council.
9	BATHURST 12 HOUR - TRANSFER OF CONTRACT	10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. 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 Council.
10	BATHURST 12 HOUR - AMENDMENT TO CONTRACT	10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. 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 Council.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	CENTROC TENDER FOR LINEMARKING SERVICES	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 FOR CONSTRUCTION OF CIVIL WORKS - EGLINTON RESIDENTIAL ESTATE STAGE 100	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	TENDER FOR SUPPLY & INSTALLATION OF A TIMING & SCORING SYSTEM AT MOUNT PANORAMA MOTOR RACING CIRCUIT	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	TENDER FOR SUPPLY AND DELIVERY OF ONE 6X4 BITUMEN TRUCK	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	TENDER FOR DESIGN & CONSTRUCTION OF RETAINING WALL, RYAN'S ROAD THE LAGOON	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.

*** GENERAL MANAGER'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RON CAMPLIN AWARD	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 - 16 SEPTEMBER 2015 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 16 September 2015 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 16 September 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 16 SEPTEMBER 2015**

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

2 SUSPENSION OF STANDING ORDERS (11.00005)

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

RESOLVED: That Standing Orders be suspended to allow Council to deal with Item #1 of the General Manager's Report - Election of Mayor and Deputy Mayor.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

General Manager's Report

3 Item 1 ELECTION OF MAYOR AND DEPUTY MAYOR (12.00004)

ELECTION OF MAYOR - One nomination for the position of Mayor was received for Cr Rush.

There being only one nomination, Cr Rush was declared elected as Mayor for the period to September 2016.

ELECTION OF DEPUTY MAYOR - One nomination for the position of Deputy Mayor was received for Cr North.

There being only one nomination, Cr North was declared elected as Deputy Mayor for the period to September 2016.

Councillor Rush took the Chair.

A short recess at 6.01 pm was declared to allow the Mayor to speak with the media.

Cr Aubin arrived at 6.03 pm.

The Mayor, Councillor Rush resumed the meeting at 6.12 pm.

4 RESUMPTION OF STANDING ORDERS (12.00004)

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

RESOLVED: That Council resume Standing Orders.

PUBLIC QUESTION TIME**5 PUBLIC QUESTION TIME****M Wales - DEPBS Item # 6 - LEP Amendment, Sydney Road**

Requests a deferral of this matter to the next meeting of Council. Feels there are a number of the matters in this report they would like to review and provide further information to Council. Would seek to also have discussions with Council staff.

Dana – Mount Rankin Landcare Group - DEPBS Item # 4

Seeks deferral of the matter and would like to keep land in community ownership.

L Cottee – Physical Disability Council

Spoke to roll out of NDIS and the opportunities this presents to Bathurst. It is a great opportunity for the town.

B Triming**On behalf of Peter Dowling - Green Bins**

Peter has previously addressed this matter with Council. Mr Triming read a letter from Mr Dowling raising issues such as; one cap fits all, articles in Western Advocate, surveys undertaken, lack of consultation, needs to be optional. Requests Councillors support Bobby Bourke.

Mr Triming also raised his own concerns and questioned why not provide a waste tumbler bin for composting?

Microphones

Spoke to problems, noted seems to be fixed now. Asked can staff use the end microphone when providing advice.

M Dunbar – Bathurst Go-Kart Steering Committee - DEPBS Item # 3

Supports the DA in front of Council. This is a win-win for everyone.

L Sullivan - Green Bins

Supports proposal of green bins. Feels however there should be an opt-in-out option. Spoke to user pays system at Penrith, who have 20 options. Concern at the autocratic decision making of Council. Spoke to community survey undertaken after decision made to implement the bin. Queries the wording of the survey and noted process undertaken by the Blue Mountains. Queried whether the Council has breached its charter under the 1983 Act. Community have not been kept informed, there is no cost/benefit analysis provided. Spoke to letters received by ratepayers from Council and the Director Engineering Services report of 2013. Noted Bathurst Regional Council is not in the State levy area. Council has failed in its duty to the community.

G Crisp

Green Bins

Cannot add to Mr Sullivan's presentation, very well done and hope Western Advocate publishes it.

Spoke to tendency to put items into confidential, this item should not have been dealt with as this. There is a lack of transparency.

Amalgamations

Spoke to comments made by the Mayor with respect to amalgamations. Noted further at page 61 of the Business Paper the level of investments held by the Council that are not restricted are less than \$1 million.

P Cole - Green Bins

Can speak on both sides of this matter. Referred to prior introduction of recycling bin. If bin introduced then impose a charge and gain should occur from reduced greenhouse gas and life of landfill. Stuck between a rock and a hard place.

APOLOGIES

- 6** APOLOGIES
MOVED Cr I North and SECONDED Cr G Westman

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

MINUTES

- 7** Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 19 AUGUST 2015 (11.00005)
MOVED Cr W Aubin and SECONDED Cr G Hanger

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 19 August 2015 be adopted.

DECLARATION OF INTEREST

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

RESOLVED: That the Declaration of Interest be noted.

- 9** SUSPENSION OF STANDING ORDERS 11.00002
MOVED Cr I North and SECONDED Cr J Jennings

PANORAMA. APPLICANT: BATHURST KART CLUB. OWNER: BATHURST REGIONAL COUNCIL (DA/2015/0196)

MOVED Cr B Bourke

and **SECONDED** Cr J Jennings

RESOLVED: That Council:

(a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2015/0196, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:

(i) Noise levels from the operation of the go-kart track are to comply with the following noise criteria:

a. The maximum noise levels during race event days are to be as follows:

Address	Maximum dBA ($L_{Aeq(1hr)}$)
404 Conrod Straight	39
402 Conrod Straight	38
428 Conrod Straight	37
280 Hen & Chicken Lane	35
All other Residential properties	36

b. The maximum noise levels at all other times (i.e. practice days) are to be as follows:

Address	Maximum dBA ($L_{Aeq(1hr)}$)
All residential properties	36
280 Hen & Chicken Lane	35

(ii) No more than 18 individual race days are to be held in a calendar year;

(iii) Within three months of the facility becoming operational noise measurements are to be taken on a race day at the nearest affected residences and the results submitted to Council;

(iv) The number of go-karts on the track at the same time is not to exceed 5 on a practice day and 32 on a race event day.

(v) The facility must not be operated during full track closure motor racing events on the Mount Panorama Racing Circuit, when the Motor Cross track is in use or when there are partial track closures for motor sport events on the Mount Panorama Racing Circuit;

(vi) The applicant is to submit to Council for endorsement a landscape plan that includes trees to replace those being removed at a ratio of 2:1; and

(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 W Aubin, Cr B Bourke, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Cr M Coote,

Abstain - Nil

22 Item 4 DRAFT BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2014 - AMENDMENT NO 2 (20.00280)

MOVED Cr I North

and **SECONDED** Cr J Jennings

RESOLVED: 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.

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 G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Cr M Coote,

Abstain - Nil

23 Item 5 BATHURST REGIONAL LEP 2014 AMENDMENT NO 6 – WINDRADYNE & LLANARTH OPEN SPACE ADJUSTMENT (20.00292)

MOVED Cr G Westman

and **SECONDED** Cr W Aubin

RESOLVED: That Council:

- (a) prepare a Planning Proposal in accordance with the NSW Department of Planning and Environment Guidelines to amend the R1 General Residential and RE1 Local Recreation zone boundary adjacent to Sawpit Creek in Windradyne and Llanarth;
- (b) forward the Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway Determination;

- (c) accept any delegations from the Department of Planning and Environment in relation to this Planning Proposal; 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 G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,
Against the motion - Nil
Absent - Cr M Coote,
Abstain - Nil

24 **Item 6 BATHURST REGIONAL LEP 2014 AMENDMENT NO 7 – LOT 182, DP 1013217, SYDNEY ROAD, KELSO (20.00293)**

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

RESOLVED: That Council:

- (a) division.defer consideration of the rezoning application.
- (b) refer the matter to a Working Party of Council.
- (c) call a d

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 G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr G Rush,
Against the motion - Cr G Westman,
Absent - Cr M Coote,
Abstain - Nil

25 **Item 7 DRAFT BATHURST CBD CAR PARKING STRATEGY SUPPLEMENTARY REPORT 2015 (20.00090)**

MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That Council:

- (a) adopt the Bathurst CBD Car Parking Strategy - Supplementary Report 2015 as a strategic document to inform future decisions to alter time limits in the Bathurst CBD; and
- (b) consider the inclusion of funding in the 2016/17 Management Plan for the completion of an Integrated Transport Plan for the Bathurst CBD.

26 **Item 8 NAMING OF ROADS – MITCHELL DRIVE, ORCHARD COURT, ORDNANCE ROAD, VILLAGE DRIVE, WIRADJURI ROAD, MINIMBAH PLACE,**

GURADYI DRIVE, WAHLUU PLACE, WIRRI PLACE (20.00024)**MOVED** Cr I North and **SECONDED** Cr G Hanger**RESOLVED:** That Council:

- (a) note that Charles Sturt University intend to formally gazette the names of private roads at its Bathurst Campus; and
- (b) direct the Acting Director Environmental, Planning & Building Services Department to undertake procedures to have the names gazetted on behalf of Charles Sturt University.

27 Item 9 2015 BUSINESS MANAGEMENT WORKSHOPS - FEEDBACK (20.00071)**MOVED** Cr W Aubin and **SECONDED** Cr I North**RESOLVED:** That the information be noted.**28 Item 10 2015 BATHURST JOBS EXPO UPDATE (20.00071)****MOVED** Cr G Westman and **SECONDED** Cr B Bourke**RESOLVED:** That the information be noted.**Director Corporate Services & Finance's Report****29 Item 1 STATEMENT OF INVESTMENTS (16.00001)****MOVED** Cr B Bourke and **SECONDED** Cr G Westman**RESOLVED:** That the information be noted.**30 Item 2 YEAR TO DATE MONTHLY REVIEW - 2015-2019 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2015-2016 (16.00140)****MOVED** Cr I North and **SECONDED** Cr G Westman**RESOLVED:** That the information be noted.**31 Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)****MOVED** Cr I North and **SECONDED** Cr G Hanger**RESOLVED:** That the information be noted and any additional expenditure be voted.**32 Item 4 POWER OF ATTORNEY (11.00007)****MOVED** Cr W Aubin and **SECONDED** Cr G Westman**RESOLVED:** That the information be noted.

- 33** **Item 5 REQUEST FOR FINANCIAL ASSISTANCE - HILL END PUBLIC SCHOOL ART CAMP (18.00004)**
MOVED Cr I North and **SECONDED** Cr J Jennings

RESOLVED: That Council donate \$1,800 to the Hill End Public School to assist students of small schools in the Bathurst Region to participate in the Art Camp to be funded from Section 356 Donations.

- 34** **Item 6 USE OF ANN ASHWOOD PARK - 2016 COUNTRY CUP CARNIVAL (04.00112)**
MOVED Cr W Aubin and **SECONDED** Cr B Bourke

RESOLVED: That Council:

- (a) Make available the use of Ann Ashwood Park for the Country Cup Carnival from 14-17 March 2016.
- (b) Agree to donate \$2,000 to the Bathurst Bulldogs Rugby Union Club for use of their changeooms and clubhouse facilities.
- (c) Provide a lunchtime Mayoral Reception on 14 March 2016 for the teams involved in the Country Cup Carnival.

- 35** **Item 7 REQUEST FOR FINANCIAL ASSISTANCE - KING CAIN WALLABIES TRIATHLON CLUB (18.00004)**

The ITEM was WITHDRAWN

- 36** **Item 8 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST CITY & RSL BAND ASSOCIATION (20.00153)**
MOVED Cr G Westman and **SECONDED** Cr I North

RESOLVED: That Council make available the use of the Bathurst Memorial Entertainment Centre Theatre on 22 November 2015 to the Bathurst City & RSL Band Association for the conduct of a concert involving the RAN Band from HMAS Kattabul in Sydney, with the cost of \$2603 to be funded from BMEC Community Use Subsidy.

- 37** **Item 9 STATEMENT BY COUNCIL ON FINANCIAL REPORTS (16.00137, 41.00089)**
MOVED Cr B Bourke and **SECONDED** Cr M Morse

RESOLVED: That Council:

- (a) refer the draft Financial Statements to Council's auditors, Intentus Chartered Accountants, for audit;
- (b) sign the Certificates with respect to the General Purpose Financial Statements and the Special Purpose Statements for the year ended 30 June 2015;

(c) adopt the Accounting Policies shown in the financial reports, as tabled.

38 Item 10 AGRICULTURAL MONUMENT (04.00032)
MOVED Cr J Jennings and SECONDED Cr B Bourke

RESOLVED: That Council refer the matter to the 2016/2017 Budget Process.

39 Item 11 BATHURST 200 BICENTENARY ACTIVITIES (20.00153)
MOVED Cr B Bourke and SECONDED Cr M Morse

RESOLVED: That the information be noted.

40 Item 12 BATHURST HARNESS RACING CLUB LTD - WATER CONSUMPTION CHARGES (18.00107, 22.04170)
MOVED Cr B Bourke and SECONDED Cr W Aubin

RESOLVED: That Council reclassify the Bathurst Harness Racing Club Limited water usage charges from the Residential Filtered Rate to the Community Clubs Rate.

Director Engineering Services' Report

41 Item 1 PROPOSED TRANSFER OF LOT D DP155836 TO THE OWNERS OF LOT 4 DP1205465 (22.00031, 22.00484 AND 22.15131)
MOVED Cr B Bourke and SECONDED Cr I North

RESOLVED: That Council approve the transfer of Lot D DP155836 to the owners of Lot 4 DP1205465 as detailed in the Director Engineering Services' report.

42 Item 2 PROPOSED ROAD TRANSFER, UNNAMED CROWN ROAD OFF LIMEKILNS ROAD BATHURST (25.00012)
MOVED Cr B Bourke and SECONDED Cr W Aubin

RESOLVED: That Council approve the transfer of the unnamed Crown Road adjoining Lot 2 DP772047 off Limekilns Road, Bathurst, from the Crown to Council, subject to the information contained in the Director Engineering Services' report.

43 Item 3 PROPOSED ROAD TRANSFER, PART TURONDALE ROAD, DURAMANA (25.00340)
MOVED Cr I North and SECONDED Cr G Westman

RESOLVED: That Council approve the transfer of part Crown road adjoining 946 Turondale Road, Duramana, from the Crown to Council, subject to the information contained in the Director Engineering Services' report.

44 Item 4 CROWN ROADS AT PEEL (25.00115)
MOVED Cr M Morse and SECONDED Cr G Westman

RESOLVED: That Council approve the transfer of three Crown public roads located at the Village of Peel, as detailed in the Director Engineering Services' report.

Director Cultural & Community Services' Report

45 Item 1 BATHURST REGIONAL ART GALLERY - BATHURST NATIONAL TRUST BICENTENARY HERITAGE AWARDS FOR THE BATHURST POSSUM SKIN CLOAK HEALING WORKSHOP (21.00002)

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

RESOLVED: That the information be noted.

46 Item 2 BANNER POLES, WILLIAM STREET, BATHURST (23.00006)

MOVED Cr J Jennings and **SECONDED** Cr W Aubin

That Council consider the vinyl "skin" decorated in a local Aboriginal and Heritage design applied to the banner poles in William Street, in future budgetary processes in line with Council priorities.

The MOTION was PUT and LOST

47 Item 3 BATHURST MEMORIAL ENTERTAINMENT CENTRE - 2015 AUSTRALIAN PERFORMING ARTS CENTRE AWARDS (21.00060)

MOVED Cr W Aubin and **SECONDED** Cr G Westman

RESOLVED: That the information be noted.

48 Item 4 BATHURST MEMORIAL ENTERTAINMENT CENTRE - 2015 INLAND SEA OF SOUND FESTIVAL (21.00069)

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

RESOLVED: That the information be noted.

49 Item 5 CCTV FUNDING PROGRAM FOR CENTRAL BUSINESS DISTRICT (CBD) PREMISES (16.00145)

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

RESOLVED: That Council:

- (a) Approve the process for the CCTV Funding Program for Central Business District (CBD) Premises as outlined in the report.
- (b) Appoint Councillor North as the delegate on the CCTV Funding Program for CBD Premises Assessment Group.

50 Item 6 2014 UNEARTH CENTRAL NSW CAMPAIGN SUMMARY (20.00020)

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

RESOLVED: That the information be noted.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

- 51** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 SEPTEMBER 2015 (07.00064)**
MOVED Cr I North and **SECONDED** Cr G Westman

RESOLVED: That the recommendations of the Policy Committee Meeting held on 2 September 2015 be adopted.

Traffic Committee Meeting

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

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 1 September 2015 be adopted.

DELEGATES REPORTS

- 53** **Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 12 AUGUST 2015 (11.00019)**
MOVED Cr I North and **SECONDED** Cr G Westman

RESOLVED: That the information be noted.

- 54** **Item 2 CENTROC BOARD MEETING (07.00017)**
MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That the report on the CENTROC Board Meeting held 12 August 2015 in Parliament House be noted.

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

- 55** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**
MOVED Cr W Aubin and **SECONDED** Cr I North

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 ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	VOLUNTARY PLANNING AGREEMENT CRUDINE RIDGE WIND FARM	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**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST HARNESS RACING CLUB	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	MOUNT PANORAMA -	10A (2) (d) (i) – contains

	PROPOSED NEW EVENT	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	NEW RESIDENTIAL LEASE - PART LOT 2 IN DP749758 KNOWN AS 200 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.
4	RENEWAL OF LICENCE AGREEMENT - PACIFIC AUTOMOTIVE HOLDINGS PTY LTD T/A THRIFTY CAR RENTAL - COUNTER SPACE, TERMINAL BUILDING, BATHURST AERODROME	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	PROPOSED DEMOLITION OF RESIDENCE - LOT 2 IN DP532310 KNOWN AS 180 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.
6	PROPOSED REDUCTION IN SALE PRICE - LOT 402 IN DP1150519 KNOWN AS 17 MCGIRR STREET, BATHURST	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	CENTROC TENDER FOR SUPPLY & DELIVERY OF BITUMEN EMULSION TO CENTRAL NSW COUNCILS	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	CROWN ROAD AT ROCKLEY	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.

*** 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.
2	WASTEWATER TREATMENT PLANT OPERATIONS	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 Environmental Planning & Building Services' Report

a Item 1 VOLUNTARY PLANNING AGREEMENT CRUDINE RIDGE WIND FARM (20.00248)

MOVED Cr J Jennings

and SECONDED Cr G Westman

That Council:

- (a) agree in principle to enter into a Voluntary Planning Agreement for the Crudine Ridge Wind Farm as outlined in the report; and
- (b) note that following public exhibition of the draft agreement a further report will be presented to Council.

Director Corporate Services & Finance's Report

- b** **Item 1 BATHURST HARNESS RACING CLUB (18.00107)**
MOVED Cr M Morse and **SECONDED** Cr W Aubin

That Council

- (a) act in accordance with Option 1 of the report.
- (b) as a matter of urgency, prepare a report on the feasibility of conducting a cull of kangaroos on Mount Panorama and surrounding areas before the 12 Hour Race in February 2016

- c** **Item 2 MOUNT PANORAMA - PROPOSED NEW EVENT (04.00136)**
MOVED Cr W Aubin and **SECONDED** Cr I North

That Council act in accordance with the report.

- d** **Item 3 NEW RESIDENTIAL LEASE - PART LOT 2 IN DP749758 KNOWN AS 200 COLLEGE ROAD, BATHURST (22.05258)**
MOVED Cr W Aubin and **SECONDED** Cr B Bourke

That Council approves entering into a new Residential Tenancy Agreement for the residence only located on part Lot 2 in DP749758 known as 200 College Road, Bathurst with Mr Jesse Johnson-Bannister for a period of twelve (12) months with an option period for a further twelve (12) months as detailed in the report.

- e** **Item 4 RENEWAL OF LICENCE AGREEMENT - PACIFIC AUTOMOTIVE HOLDINGS PTY LTD T/A THRIFTY CAR RENTAL - COUNTER SPACE, TERMINAL BUILDING, BATHURST AERODROME (21.00044)**
MOVED Cr I North and **SECONDED** Cr W Aubin

That Council approves entering into a new Licence agreement with Pacific Automotive Holdings Pty Ltd t/a Thrifty Car Rental for counter space, lockable cabinet and signage together with a return key facility located in the terminal building (part Lot 37 in DP1159302) at the Bathurst Aerodrome for a period of three (3) years as detailed in the report.

- f** **Item 5 PROPOSED DEMOLITION OF RESIDENCE - LOT 2 IN DP532310 KNOWN AS 180 COLLEGE ROAD, BATHURST (22.02563)**
MOVED Cr I North and **SECONDED** Cr G Westman

That Council approves the demolition of the residence located on Lot 2 in DP532310 and known as 180 College Road, Bathurst as detailed in the report.

- g** **Item 6 PROPOSED REDUCTION IN SALE PRICE - LOT 402 IN DP1150519 KNOWN AS 17 MCGIRR STREET, BATHURST (22.14003)**
MOVED Cr M Morse and **SECONDED** Cr W Aubin

That Council approves the reduction in sale price for the residence located on Lot 402 in DP1150519 known as 17 McGirr Street, Bathurst in accordance with the report.

Director Engineering Services' Report

- h** Item 1 CENTROC TENDER FOR SUPPLY & DELIVERY OF BITUMEN EMULSION TO CENTRAL NSW COUNCILS (07.00017)
MOVED Cr W Aubin and SECONDED Cr I North

That Council accept the tender from Boral Asphalt for the supply and delivery of Bitumen Emulsion until 28 February 2017.

- i** Item 2 CROWN ROAD AT ROCKLEY (25.00115)
MOVED Cr G Westman and SECONDED Cr W Aubin

That Council approve the transfer of a portion of East Street, Rockley, a Crown public road located at the Village of Rockley, as detailed in the Director Engineering Services' report.

General Manager's Report

- j** Item 1 LEASE OF HANGAR - BATHURST AERODROME TO BURKES TRANSPORT PTY LTD (21.00083)
MOVED Cr G Westman and SECONDED Cr W Aubin

That Council confirm the lease conditions for Lot 4 DP847356 located at Bathurst Aerodrome, with Burkes Transport (Bathurst) Pty Ltd as approved by Council on 15 July 2015.

- k** Item 2 WASTEWATER TREATMENT PLANT OPERATIONS (37.00410)
MOVED Cr G Westman and SECONDED Cr J Jennings

That the information be noted.

RESOLVE INTO OPEN COUNCIL

- 56** RESOLVE INTO OPEN COUNCIL
MOVED Cr W Aubin and SECONDED Cr J Jennings

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 57** ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

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

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

Crs Bourke, Morse and North asked for their negative vote to be recorded against Item #1 of the General Manager's Confidential Report.

Cr Jennings asked for his negative vote to be recorded against Item #1 of the Director Corporate Services & Finance's Confidential Report.

MEETING CLOSE

58 **MEETING CLOSE**

The Meeting closed at 9.31 pm.

CHAIRMAN: _____

Date: _____ **(21 October 2015)**

DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 OCTOBER 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 September 2015 (**attachment 1**).
- (b) Applications refused during September 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 September 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 DEVELOPMENT APPLICATION 2015/0181 – SINGLE STOREY DWELLING AT LOT 87 DP1067827, 74 BURRAGA ROAD, ROCKLEY. APPLICANT: P OXENBRIDGE. OWNER: MR T & MRS J OXENBRIDGE (DA/2015/0181)

Recommendation: That Council:

- (a) having undertaken a review of the application pursuant to Section 82A of the Environmental Planning and Assessment Act 1979, as amended, change its decision and grant consent to Development Application 2015/0181 for the erection of a single storey dwelling at 74 Burruga Road, Rockley subject to conditions including the following:
 - The proposed internal roadways to Burruga Road are to be constructed prior the granting of any Construction Certificate for the dwelling.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

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

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

Proposal

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

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

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

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

All other aspects of the development application remain unchanged.

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

Previous consideration

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

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

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

2015.

Planning Context

Bathurst Regional Local Environmental Plan 2014

The subject site is zoned RU1 Primary Production under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. A dwelling house is permissible with consent in the RU1 Primary Production zone. The proposal is consistent with the objectives of the zone.

Clause 4.2B Erection of dwelling houses on land in certain rural zones

The Lot Size Map indicates that the minimum lot size for the subject site is 100 hectares.

As the subject site has an area of 107.46 hectares a dwelling is permissible under the Bathurst Regional Local Environmental Plan 2014 with consent.

Development Control Plan

Bathurst Regional Development Control Plan 2014 – Chapter 6 Rural and Rural Lifestyle Development

Front, Side and Rear Setbacks – RU1 Primary Production Zone

Development Standard	Proposed	Permissible	Compliance
Setback - front	50m	50m	Yes*
Setback - side (nearest side)	50m	50m	Yes*

* The dwelling is to be located in the north east corner of the property. The dwelling will be setback 50 metres from East Street and 50 metres from the common boundary with 67 Hill Street/63 East Street (Webster/Woods).

Council's Development Control Plan requires a setback of 50 metres from the front, side and rear boundaries for properties in excess of 100 hectares.

The development therefore complies with the boundary setback requirements stipulated in Council's DCP.

In that respect the amended plans have sought to directly address the reason for Council's previous refusal.

Building Form and Design

- a) *The materials used must be naturally textured and coloured, sympathetic to the natural environment and must be non-reflective.*

The proposed dwelling will have clad walls and sheet metal roofing. A condition will be imposed to ensure that non-reflective materials of an appropriate rural colour scheme are used.

- b) *The bulk and scale of the building must not adversely impact on the visual amenity from neighbouring properties or the visual amenity from other significant locations in the City or the Region.*

The proposed dwelling is single storey with an overall height of 4.5 metres. While it is acknowledged that the proposed dwelling will alter the view from the adjoining dwelling at 63 East Street, the proposed dwelling will not completely block the view.

- c) *The height of the building must relate to the topography of the land so that on steeper sites at least part of the roof plane is parallel to the slope and the overall building height sits below any ridgeline/s.*

The proposed dwelling is single storey with an overall height of 4.5 metres therefore it will not protrude above the nearby ridgeline.

- d) *The design of the building must be in keeping with the rural character of the area.*

The design of the proposed dwelling is consistent with that of other dwellings in the surrounding area and is considered appropriate for the locality.

- e) *Rural structures such as outbuildings must be adequately screened with vegetation and setback from any road.*

No outbuildings are proposed under this Development Application.

Bathurst Regional Development Control Plan 2014 – Chapter 9 Environmental Considerations

Sensitive Land Areas – DCP Map No. 29 Land Resources		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
Land Capability Class 7	NO	<i>*The proposed dwelling will not be sited within the areas identified as being susceptible to salting.</i>
Land Capability Class 8	NO	
Karst Extent	NO	
Salting	YES*	
Severe or Extreme Sheet or Rill Erosion	NO	
Sensitive Waterways – DCP Map No. 30 Riparian Land & Waterways		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
Sensitive Waterways	No*	<i>*No Sensitive Waterways have been identified on the subject site.</i>
High or Moderate Biodiversity – DCP Map No. 31 Biodiversity		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
DECC Estate	NO	<i>*While the proposed dwelling will be sited in an area identified as being of Moderate Biodiversity Sensitivity, the impact is considered to be minimal given that the site is highly disturbed and that no significant vegetation needs to be removed to make way for the proposed dwelling.</i>
High Biodiversity Sensitivity	YES*	
Moderate Biodiversity Sensitivity	YES*	

East Street

East Street (located immediately to the north of the proposed dwelling) is a public road under the control of the Crown. East Street provides access to those properties with frontage to it including the property the subject of this Development Application.

The subject property has frontage to 3 public roads being Burruga Road, East Street and Common Road.

The application proposes the construction of a primary access and a secondary access from Burruga Road. The primary and secondary accesses generally follow existing farm tracks. Conditions will be imposed to ensure that the primary and secondary accesses comply with the Rural Fire Services standards for internal property access roads and with Council's Engineering Guidelines.

It is noted that the construction of internal access roads to Burruga Road would not preclude the owners of the property using East Street to access the property and the dwelling. The applicant acknowledged at the July and September Discussion Forums that East Street would be used as an access to the property in the same way that it currently does.

East Street is a public road which provides legal access to those properties adjoining it independent of the current Development Application. That is if this Development Application were not to proceed the owners would still be able to use East Street to access the property.

Correspondence from the objectors and applicant has centred on whether East Street is suitable for use by the additional traffic to be generated by the proposed development. The issue for Council to resolve is whether East Street is of a suitable standard for use as access to the dwelling.

The Council's adopted standard for new rural roads is a 9m wide sealed formation. Council would not, as a condition of consent, be able to justify upgrading East Street to the full Council public road standard and has in fact previously resolved not to require rural roads to be upgraded to this standard for individual dwellings.

The minimum standard Council would usually apply in these circumstances would be the Rural Fire Service standard for public roads as outlined in the Planning for Bushfire Guidelines.

The Rural Fire Services standard is usually employed by Council as it ensures a minimum level of service for rural properties in the event of emergencies. This is the case notwithstanding whether the dwelling site is mapped as bushfire prone.

The applicant has, since the original consideration of the application, engaged the services of a bushfire planning consultant to examine East Street relative to these standards.

A copy of the bushfire report is provided at **attachment 3**.

It is noted that the ultimate conclusion drawn is that East Street, in its current condition, provides a minimum level of service consistent with the Planning for Bushfire Guidelines.

Advice from Department of Lands

The Department of Lands had previously refused to provide consent (as the roads authority) to any works on East Street that would allow it to be upgraded whilst it is under their control. The Department has also previously advised that it would be willing to transfer the road to Council's care and control.

The Department has also previously advised that granting consent to development on the land with access via East Street will be taken as a request on Council's behalf to transfer the road to Council and will arrange for notification of the transfer in the Government Gazette.

As part of this process Council sought further comments from the Department of Lands regarding East Street (refer **attachment 4**).

Council's position in relation to Crown Roads in Rockley

Council at its meeting held 18 March 2015 resolved to approve the transfer of certain roads within the Village of Rockley. In terms of East Street Council's intention is to transfer East Street between Budden Street and Lachlan Street.

An agreement has not yet been reached between Council and NSW Trade & Investment – Crown Lands Division on that section of East Street fronting the subject land (i.e. south of Lachlan Street).

The only mechanism Council would have available to it to prohibit vehicular access to the property from East Street would be to require the applicant to create a Restriction as to User on the property which prohibits the access to the property from this road. Note that this would not necessarily prohibit pedestrian or stock use of East Street.

Previous applications on East Street

It is noted that the applicant has raised the approach being taken with this property in comparison with others in the vicinity. The following summary is provided for information purposes.

1. Mansell dwelling (102 Market Street)

There are no official records available in relation to the Mansell dwelling as to when it was constructed although anecdotally it would appear to be in the 1950's.

2. Dwelling (Lachlan Street)

In 2004 Council approved a dwelling on Lachlan Road (immediately to the east of 102 Market Street) for the previous owners of the land.

Access to the dwelling relied upon the pre-existing access to the land via Lachlan Street which is a Crown Road.

The land has since been purchased by Mansell and contains the shed discussed below.

Evidence on the Council file is that the owners had applied to Crown Lands to construct Lachlan Street and had received agreement.

There is no evidence that this development ever proceeded and it has subsequently lapsed.

3. Mansell shed (Lachlan Road)

In 2007 Council approved the construction of a storage shed on Lachlan Road (immediately to the east of 102 Market Street).

Access to the shed relied upon the pre-existing access to the land via Lachlan Street which is a Crown Road.

As the proposal was for a non-residential purpose the minimum standards for a dwelling did not apply.

4. Dwelling (29 East Street)

In 2005 Council approved a dwelling at 29 East Street (formerly known as 93 Market).

Access to the property is from East Street (north of Market Street).

Whilst this section of East Street is a Crown Road its condition was at the time of assessment considered satisfactory. It is noted that this approval predated the Planning for Bushfire Protection Guidelines which came into effect in 2006.

5. Webster dwelling

The Webster dwelling was approved by Evans Shire Council in 1994. The approval was subject to a condition of consent as follows:

The legal access road, from the currently constructed section of East Street to the entrance to Lot 8 Section 29, is to be constructed, and maintained, to an all weather surface.

The approval itself would predate the current Planning for Bushfire Guidelines.

The Crown lands policy in relation to construction of Crown lands at this time is not known nor is it known to Council what arrangements, if any, were made between the owners and the Department of Lands.

Options for East Street

1. Maintain status quo

Council could choose to maintain the current situation in relation to the use of East Street. This would enable the landowners to use East Street in the same way as they currently do to access the farming operations with the addition of the dwelling. In the event of fire or East Street becoming impassable the owners would be reliant upon the Burruga Road access.

The effect of this option would be to increase the amount of traffic on the road and lead to the greater need for maintenance on East Street. Ongoing maintenance would be a matter for the respective users and the Department of Lands to resolve.

As noted above the owners of 63 East Street have a similar obligation to maintain East Street. The maintenance obligations would fall equally on all users.

As noted in most recent advice from the Department of Lands, adoption of this position will most likely result in the Department of Lands seeking to transfer East Street to Council.

2. Require the road to be upgraded

Council could impose a condition requiring that East Street comply with the minimum public road standard although as noted above the Council's own standard would be considered onerous in a planning sense.

A suitable standard would need to be identified in the consent and what that may be would need to be resolved.

It would remain an obligation on the owners to seek and receive permission from the Department of Lands prior to any works being undertaken and be able to comply with any conditions imposed on it in that respect.

It is to be noted that the likely result of this outcome would be that a condition of any consent to upgrade works would be the transfer of East Street to Council.

3. Restrict access to East Street

The final option would be to seek to restrict access to East Street by way of creation as a Restriction as to User on the title of the land as originally recommended to Council.

This option would be appropriate if the road were considered to be unsatisfactory given the Department of Lands refusal to grant consent.

It is noted that the Department of Lands has not supported this option.

As outlined above the applicant has provided a bushfire report that indicates that East Street, in its current condition, provides a minimum level of service consistent with the Planning for Bushfire Guidelines. In this respect option 1 is preferred being the status quo.

Submissions

In accordance with Chapter 2 of Council's DCP the request for review of the Development Application was notified to the adjoining property owner and those persons who lodged submissions to the original application between 29 July 2015 and 10 August 2015. During the notification period 2 submissions were received from adjoining and adjacent property owners (see submissions at **attachment 5**).

Issues raised in the submissions included:

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

The matter was referred to the discussion forum on 2 September 2015.

It is noted that the applicant has also lodged a further submission during consideration of the review. These are provided at **attachment 6**.

Privacy and amenity

The dwelling will be located 50 metres from the boundary with its closest neighbouring property. The dwelling will be visible from that property and others and will have some level of impact on privacy by virtue of location and the absence of vegetation between the 2 residences. That said that level of impact is in accordance with the expectations contained in Council's planning schemes.

It is noted that the adjoining property owners have requested that tree planting occur in the

area between the 2 dwellings. There is no requirement contained within the DCP to plant vegetation between 2 adjoining dwellings. Accordingly there would appear to be limited grounds to require planting given the proposal now complies with the minimum setbacks contained in the DCP. It is noted that this does not preclude the individual property owners taking steps to plant vegetation on their respective land to maintain the level of privacy they desire.

Traffic/access

This matter has been dealt with elsewhere in the report.

Proximity to watercourse

There are a number of drainage depressions traversing the site although none are identified as watercourses.

A geotechnical report in relation to the effluent disposal system will be required as part of the conditions of consent which will examine the location of the effluent disposal system relative to any water bodies.

Alternate locations

Council's obligation is to consider the location put forward by the applicants and determine whether that is appropriate. If it is appropriate then the application should be approved. If it is not appropriate it should be refused.

Section 94 Contributions

It is noted that the property is subject to two Council adopted Section 94 Contributions Plans being the Regional Community Facilities Plan and Regional Roadworks. Conditions will be imposed requiring contributions under these Plans (being \$5689.40 and \$5083.20 respectively for the 2015/16 financial year).

Conclusion

The current Development Application being considered by Council complies with the numerical standards contained in Council's adopted Development Control Plan which contrasts with the previous application refused by Council.

The issue of East Street remains a significant concern from the resident's perspective and the position taken by the Department of Lands. That said the road as it currently stands provides a minimum level of service for any dwelling consistent with that for the existing dwelling using it as well as being in accordance with the RFS minimum level.

It is therefore recommended that, having undertaken a review, the Development Application be approved subject to conditions.

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

4 MODIFICATION TO DEVELOPMENT APPLICATION NO. 2014/0506 – DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF SERVICE STATION WITH CONVENIENCE STORE AND ADVERTISING SIGNAGE AT 267 & 269 STEWART STREET, BATHURST. APPLICANT & OWNER: ISAAC PROPERTY DEVELOPMENTS BATHURST PTY LTD (DA/2014/0506)

Recommendation: That Council:

- (a) as the consent authority, grant consent to the modification of Development Application No. 2013/0445 made under Section 96(1A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (b) call a division.

Report: Council has received a request to modify Development Application 2014/0506.

The Site

The subject land comprises 267 & 269 Stewart Street, Bathurst, described as Lot 78 DP 1137733 and Lot 11 in DP 857932.

The site area is 1320m² in total.

A location plan at is provided at **attachment 1**.

The original proposal

The proposal comprised the following:

- Demolition of all buildings and existing site improvements;
- Construction of a service station with convenience store and installation of all associated fuel infrastructure; and
- Installation of associated advertising signs and structures.

The service station will operate 24 hours per day, 7 days per week.

Previous Consideration

The original application was considered by Council at its meeting held 17 June 2015. Council resolved to approve the Development Application subject to conditions.

Of note to the current proposal is condition 2 relating to the design of the building which was as follows:

2. *The proposed building is to be redesigned so that the external appearance will be compatible with the heritage significance and streetscape qualities of the site and the Heritage Conservation Area and in particular:*
 - a) *Create a faux parapet to replicate the parapet detailing (including the insert panels) from the eastern elevation on the northern elevation.*
 - b) *Detail the panels on the eastern and northern façades to include some recessing and trim.*
 - c) *Provide details (dimensions and materials) of the proposed verandah posts.*
 - d) *Provide detailing to the eastern elevation either side of the parcel lockers in the*

- form of windows or recessed banding.*
- e) *Centre the parcel lockers.*
 - f) *Include a picket or open metal panel within the front boundary fence treatment and increase the height of the fence pillars to 1.5m*
 - g) *Proposed pylon sign is to be redesigned to match the height of the proposed canopy.*
 - h) *Extend the redesigned brick fence along the eastern elevation to include the section in front of the proposed building.*
 - i) *Extend the brick retaining wall/fence along the northern elevation to the front boundary.*

The modified proposal.

The modification as lodged includes amended plans incorporating the design changes as required by Council's condition with the exception of part (f) relating to the proposed fence pillars and part (h) relating to the brick fence on the eastern (Stewart Street) elevation.

In terms of the brick fence referred to in part (f) the original proposal involved the construction of a fence along the front boundary to Stewart and Blandford Streets. That fence was to involve brick pillars of approximately 1.2 metres in height with a box hedge infill between the pillars.

Council by virtue of its condition required this fence treatment to increase the height of the brick pillars from 1.2 metres to 1.5 metres and include a picket or open metal panels in lieu of the box hedge.

A commitment was given to Council at its meeting that Council staff would continue to work with the developers in relation to this fence design treatment.

The current proposal involves the construction of brick pillars of 1.2 metres in height for approximately 5 metres along the frontage of Stewart Street and Blandford Street and splayed to the corner. The fence includes the picket fence inserts as originally required by Council.

The applicant has proposed the deletion of the brick fence along the eastern elevation referred to in part (h) of the condition.

Other amendments to the plans consistent with condition 2 have been incorporated into the plans including:

- New awning over parcel lockers and parcel lockers centred on eastern elevation.
- Revised colours and treatment of eastern and northern elevations including recessed panels, expressed v joints and timber posts.
- Revised fence materials on Blandford and Stewart Street consisting of dwarf brick wall (1.2m high) with attached brick piers and stone capping with picket fence inserts and box hedge between piers.
- Boundary fencing reduced to only be located in the splay adjacent to corner of Blandford Street and Stewart Street behind the pylon sign.
- Amended pylon sign including reduction in height to match the height of the fuel canopy.
- Extension of brick retaining wall/fence along the northern elevation through to front boundary.

A copy of the modification request and report is at **attachment 2** and a copy of the amended plans is at **attachment 3**.

Planning Context

Bathurst Regional Local Environmental Plan 2014

Under the Bathurst Regional Local Environmental Plan 2014 the subject site is zoned B3 Commercial Core. The proposal is defined as a *service station* under the Bathurst Regional Local Environmental Plan 2014 and is permissible with consent in the B3 Commercial Core zone.

5.10 Heritage Conservation

The proposal is located within the Bathurst heritage conservation area. The existing buildings are not listed as heritage items in the Bathurst Regional Local Environmental Plan 2014.

Council is required to consider the effect of the proposed development on the heritage significance of the heritage conservation area.

Bathurst Regional Development Control Plan 2014

The proposed modification does not introduce or alter any standards already assessed under the DCP.

General Discussion

The proposed modification will have a minimal impact on the streetscape. The applicant's rationale behind the reduction in fence height is that a 1.5m high fence along the front boundaries will have an adverse impact on site safety by virtue of limiting motorist visibility into and out of the site. From Council's perspective the ultimate goal was to introduce brick elements into the streetscape and this aim has been achieved in the amended design. Whilst it is ultimately less than that originally envisaged by Council it also needs to be mindful of issues relating to traffic movements into and out of the site.

Notification

It is noted that the modification involves "minimal environmental impact" that will not increase the impact of the development on adjoining or nearby land or development. Accordingly the modification does not require further notification or advertising.

Conclusion

Council has received an application to modify Development Application 2014/0506. The Development Application was for demolition of existing buildings, construction of service station with convenience store and advertising signage at 275-277 Stewart Street, Bathurst. The modification to the approved plans and condition 2(f) can be supported for the reasons outlined in this report. It is recommended that Council grant consent to the modification of the development consent.

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

5 DEVELOPMENT APPLICATION NO. 2015/0293 - DUAL OCCUPANCY AND TWO LOT STRATA SUBDIVISION AT 270A HAVANNAH STREET, SOUTH BATHURST. APPLICANT & OWNER: WATER TOWER DEVELOPMENTS PTY LTD (DA/2015/0293)

Recommendation: That Council:

- (a) support the variation to the height of building standard as prescribed in the Bathurst Regional Local Environmental Plan 2014 and the corresponding height of buildings map and the number of storeys standard under the Bathurst Regional Development Control Plan 2014; and
- (b) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 2015/0293, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (c) call a division.

Report: The Site

Council has received a Development Application (DA) for a dual occupancy and a two lot strata subdivision at 270A Havannah Street, Bathurst, described as Lot 11 DP 1060521. A location plan is provided at **attachment 1**.

The site currently contains a redundant concrete water storage tank. The height of the tank is currently 5.3 metres above the existing ground level.

The proposal

The proposal involves:

- Use of the existing concrete water tank as a basis for the proposed new dual occupancy which will be constructed over 4 levels.
- The existing roof structure will be raised by approximately 4.8 metres to allow for construction of a 2 storey dual occupancy.
- A parking level will be provided at existing ground level to service the dual occupancy.
- A sub floor storage area is also proposed as part of the development.
- External to the reservoir will be lift atrium as well as a number of balconies and cantilevered sections extending from the reservoir itself.
- Two lot strata subdivision.

Access to the site will be from Havannah Street.

Plans of the proposed development are at **attachment 2**.

Planning Context

Bathurst Regional Local Environmental Plan 2014

The subject site is zoned R1 General Residential under the provisions of the *Bathurst Regional Local Environmental Plan 2014* (LEP). A dual occupancy and subdivision are permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

Clause 4.1B Minimum Lot Sizes for Dual Occupancy

The minimum lot size to erect a dual occupancy on the subject site is 850 m². The property has an area of 907.3 m². The proposed development complies with the standard.

Clause 4.3 Height of buildings

The height of buildings map shows the maximum height for a building on the subject land is 9 metres.

The maximum height of the proposed structure is 12.2 metres (measured from the existing ground level to the highest part of the dwelling). Accordingly the development as proposed exceeds the standard by 3.2 metres.

The proposed development is utilising an existing structure (concrete water tank) on the site that is currently 5.3 metres high measured at the wall of the reservoir and approximately 7 metres at the apex of the roof.

Clause 4.6 of the LEP enables Council to grant consent to development that contravenes a development standard where it has received a written request and Council is satisfied that the compliance with the standard is unreasonable or unnecessary in the circumstances of the case and there are sufficient environmental planning grounds to justify the contravening the standard.

The applicant has prepared a request under clause 4.6 which seeks to justify the variation to this standard (**attachment 3**).

The reuse of the existing reservoir on the site acts as a significant constraint to the development of the site. A significant contributor to the overall height of the building is the retention and extension to the existing truss roof over the reservoir. As it stands the height of the walls (including the proposed extensions) will be in the order of 10 metres above existing ground levels.

The reservoir itself currently sits within a row of three 2 storey dwellings being 270, 270B and 272 Havannah. These dwellings are in the order of 7.8m, 8m and 8.3m respectively measured at the highest point of each respective dwelling.

Shadow diagrams have been provided for the development (**attachment 4**). The shadow diagrams illustrate the shadow cast from the existing development and the proposed development. The principal shadows will be cast on the property at 270B Havannah Street during the morning period by the existing reservoir structure. The dwelling at 270B is already currently impacted to a significant degree during this morning period. Whilst a “compliant” development would reduce this level of overshadowing it would not be to a significant extent nor would it result in an area of existing non-compliance becoming compliant.

The privacy of adjoining owners has been carefully considered. Level 1, living and media rooms, are orientated to face Havannah Street. Level 2 – unit 2, living room and pergola are orientated to Havannah Street. Level 2 – unit 1, living room and verandah are orientated towards Prospect Street and over the private open space for 33 Prospect Street.

On the basis of this information, it is considered that Council can support the requested variation in the height of building standard.

Bathurst Regional Development Control Plan 2014

Chapter 2 – Exhibition and Notification of Development Applications

The Development Application was notified to adjoining property owners in accordance with Chapter 2 of Council's DCP between 1 September 2015 and 11 September 2015. No submissions were received.

Chapter 4 Residential Development

Bathurst Regional Development Control Plan 2014 – Chapter 4 Residential Development

The site is contained within Precinct 2 pursuant to the *Bathurst Regional Development Control Plan 2014* (DCP). Dual occupancy developments are permissible with consent in the precinct. The proposal complies with the objectives of the Precinct and the development standards for dwellings as follows:

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	907.3m ²	850m ²	Yes
Height	Three storey	Two storey	No*
Setbacks Front Rear Side	5.77m BCA BCA	6m in accordance with BCA in accordance with BCA	No** Yes Yes
Car parking resident	3	2	Yes
Open space area Dwelling 1 Dwelling 2	60m ² >100m ²	50m ² 40m ²	Yes Yes
Open space width	>4m	4m wide	Yes
Battle-axe allotment	Regular	Regular allotments only	Yes
Frontage width	24.095	minimum 20m	Yes
Frequency	40m separation	40m separation	Yes

* The applicant has submitted a written request to vary the maximum height as outlined above (**attachment 5**). The exceedance in height can be supported in this instance as the existing structure on the site is already 5.3 metres approximately from the existing ground level. Also the site has a significant slope with a change of levels of over a metre.

An exceedance of the maximum height will not negatively impact upon the privacy of adjoining dwellings. The applicant has also completed a variation to the Development Control Plan 2014, which justifies the variation to the standard.

** As the site contains an existing structure, the front setback does not comply. This variation to the standard is considered acceptable.

The proposal complies will all other requirements of the DCP.

Conclusion

Council has received a Development Application (DA) for the use of and additions to the existing concrete water tank as a dual occupancy and two lot strata subdivision at 270A Havannah Street, South Bathurst.

The retention and reuse of the water tank is supported as an appropriate means to interpret earlier infrastructure within the City area. On this basis and for the reasons outlined in the applicants request to vary the height of building standards, it is considered that Council can support the variation in the height standard in this instance. Approval of the application is therefore recommended.

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

6 DEVELOPMENT APPLICATION NO. 2015/0158 – CONSTRUCTION OF DUAL OCCUPANCY (SECOND DWELLING), TWO LOT SUBDIVISION AND REMOVAL OF A TREE AT 359 HOWICK STREET, BATHURST. APPLICANT: BRETT MOULDS DESIGN AND DRAFTING PTY LTD. OWNER: MR BS ROBINSON (DA/2015/0158)

Recommendation: That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 2015/0033, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- i. A landscape plan is to be provided prior to the issuing of a Construction Certificate. The landscape plan must include screening of a lattice structure 1.5m on top of the existing fence for the full length of the rear boundary of the proposed new lot.
- (b) call a division.

Report: The Site

Council has received a Development Application (DA) for the construction of a dual occupancy (second dwelling), two lot subdivision and removal of a tree at 359 Howick Street, Bathurst, described as lot 11, DP 628595. A location plan is provided at **attachment 1**.

The site is currently 1004 square metres and contains an existing dwelling and detached garage.

The site slopes from Howick Street to the rear.

The proposal

The proposal involves:

- The construction of a single storey dwelling with attached garage (dual occupancy).
- Two lot subdivision.
- Removal of a tree.

Plans of the proposed development are at **attachment 2**.

Planning Context

Bathurst Regional Local Environmental Plan 2014

The subject site is zoned R1 General Residential under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. A dual occupancy and subdivision are permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

Clause 4.1B Minimum Lot Sizes for Dual Occupancy

The minimum lot size to erect a dual occupancy on the subject site is 850 m². The site has

an area of 1004m² and therefore complies with this standard.

Clause 4.3 Height of buildings

The height of buildings map shows the maximum height for a building on the subject land is 9 metres. The height of the new dwelling is approximately 6.5 metres (measured from the existing ground level to the highest part of the dwelling). The proposed development complies with the standard.

Clause 5.9 preservation of trees or vegetation

Council's Tree Preservation and Management Policy applies to the site.

The development involves the removal of several trees and shrubs however only one tree identified for removal is subject to the Tree Preservation and Management Policy (ie higher than 9 metres). Located in the south western corner of the allotment is an Atlas Cedar. The tree is estimated to be approximately 15-20 years old and 13 metres high with a healthy canopy of 9 metres.

The tree has been inspected by Council's Parks and Recreation Section and is considered to have a moderate landscape, and high environmental and aesthetic value.

The tree will be located within the area currently identified for the dwelling. Given its location retention is not considered an option without significantly altering the development as proposed. The overall objective of the TPO is to preserve the amenity of the area, including biodiversity values. In this respect there will be a minor loss of amenity and biodiversity as a result of the tree removal.

Clause 5.10 Heritage Conservation

The site is located within the Bathurst Heritage Conservation area.

Council is required to consider the effect of the proposed development on the heritage significance of the heritage conservation area.

The proposed infill building will make a positive impact upon the streetscape of Howick Street.

On the whole it is considered that the infill will not have a significant deleterious impact on the heritage conservation area and is supported on this basis.

Bathurst Regional Development Control Plan 2014

Chapter 2 – Exhibition and Notification of Development Applications

The Development Application was advertised and notified to adjoining property owners in accordance with Chapter 2 of Council's DCP between 6 May 2015 and 18 May 2015. One submission was received (**attachment 3**).

A discussion forum for this Development Application was held on 1 September 2015. A copy of the minutes are at **attachment 4**.

After the discussion forum an additional submission was received (**attachment 5**).

The issues raised in the submissions include:

Visual Impact

This is addressed below in relation to Chapter 10 Urban Design and Heritage Conservation of the DCP.

Setbacks

The proposed development complies with Council's DCP requirements for front, side and rear setbacks for dual occupancies.

Shadow diagrams have been provided for the proposed development that demonstrates compliance with Council's standards (see **attachment 2**).

The dwelling is to be setback 3.433 metres from the rear boundary to 110 Hope Street. The issue of privacy has been raised in the submission and was discussed at the discussion forum (see **attachment 4**). At the discussion forum it was agreed that a condition of consent would be imposed requiring the submission of a landscape plan to be submitted including screening to the property at the rear to a minimum standard of a lattice structure of 1.5m on top of the existing fence for the full width of the boundary of the proposed new lot.

Adequacy of Plans

The submission states that the location of neighbouring buildings, windows and balcony's should be shown on the submitted plans.

The proposed development is single storey only. This particular provision relates to 2 storey development. That said the location of the adjoining buildings in Howick Street (ie those potentially impacted by overshadowing) are shown on the submitted shadow diagrams.

Loss of Privacy

Due to the overall slope of the land the rear section of the dwelling and deck will be elevated above the existing ground level by approximately 1.7 metres. This will result in a degree of overlooking of the adjoining properties including 110 Hope Street and the existing dwelling at 359 Howick Street.

A condition has been proposed to provide a landscape plan which will include screening of the rear of the site which will provide a buffer and screen to 110 Hope Street.

Noise

The proposed development is a residential use within land that is zoned residential. The noise generated is considered appropriate.

Devaluation of property prices

Property values are not a planning consideration as they are not a matter prescribed by section 79(C) of the Environmental Planning and Assessment Act 1979.

Chapter 10 Urban Design & Heritage Conservation

The proposed infill dwelling is orientated towards Howick Street. The design, scale and bulk of the building complements the adjoining dwellings. The proposed dwelling is designed to match the height of eaves of the adjoining dwelling, which is in keeping with the streetscape.

The proposed dwelling will only have limited visibility from Hope Street as it will be located behind the existing garage and substantial tree. The infill dwelling will be setback 18m from Hope Street.

The existing dwelling on 359 Howick Street is sited substantially higher than 110 Hope Street due to the slope of the land. This is due to the design of the building and the natural topography of the site. The proposed infill dwelling at the rear of the site will have a similar bulk and scale to the existing dwelling on the site from the Hope Street streetscape.

Chapter 4 Residential Development

Bathurst Regional Development Control Plan 2014 – Chapter 4 Residential Development

The site is contained within Precinct 2 pursuant to the *Bathurst Regional Development Control Plan 2014* (DCP). Dual occupancy developments are permissible with consent in the precinct. The proposal complies with the objectives of the Precinct and the development standards for dual occupancy developments:

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	1004.2m ²	850m ²	Yes
Height	Single-storey	Two- storey maximum	Yes
Setbacks Front Rear Side	2.865m BCA BCA	complement existing in accordance with BCA in accordance with BCA	Yes Yes Yes
Car parking (resident)	2	1	Yes
Open space area Proposed dwelling Existing dwelling	>40m ² 65m ²	40m ² 50m ²	Yes Yes
Open space width	>4m	4m wide	Yes*
Battle-axe allotment	regular	regular allotments only	Yes

* The design of the development is such that the floor level of the new dwelling is elevated above the ground level by approximately 1.7 metres. The dwelling has a deck of 24.5 m² directly adjoining the living (family and meals) rooms at floor level. The remainder of the required open space is provided at ground level and accessed by stairs from the deck.

Conclusion

Council has received a Development Application (DA) for construction of a second dwelling (dual occupancy), two lot subdivision and removal of a tree at 359 Howick Street, Bathurst.

The issues raised in the submissions have been dealt with in the body of the report. Whilst it is acknowledged that there will be impacts on the adjoining properties these are within those expected as residential densities increase throughout the City. A condition imposing additional screening is recommended.

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

7 DRAFT BATHURST REGIONAL SECTION 94 PLAN FOR RURAL ROADS (AMENDMENT NO. 1) (20.00036)

Recommendation: That Council:

- (a) adopt the Bathurst Regional Section 94 Development Contributions Plan - Rural Roads (Amendment No. 1), and
- (b) amend Council's 2015/2016 Revenue Policy to reflect changes to the amended Section 94 Development Contributions Plan – Rural Roadworks; and
- (c) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act 1979, as amended: and
- (d) call a division.

Report: Council has undertaken a review of the Rural Roads Section 94 Development Contribution Plan.

The amendment proposes to ensure that all relevant clauses in the Bathurst Regional Local Environmental Plan 2014 (LEP) are correctly referenced in the Plan. In this regard, the amendment proposes to include a reference to Clause 7.11 Subdivision of land at Mount Haven Estate, Meadow Flat in section 1.6 of the Plan. Accordingly the amended Plan will require a contribution pursuant to the Plan as development, including subdivision and dwellings, occurs within the E4 Environmental Living zone at the Mount Haven Estate. The Plan as originally adopted by Council inadvertently did not reference Clause 7.11 of the LEP.

A copy of the Bathurst Regional Section 94 Development Contributions Plan, Rural Roads as recommended to be adopted is included at **attachment 1**.

Public exhibition

The draft Plan was placed on public exhibition from 15 August 2015 to 14 September 2015. Landowners within the Mount Haven estate were individually notified of the proposed amendment. Council did not receive any submissions in relation to the draft Plan.

Conclusion

Council has undertaken a review of its Rural Roads Section 94 Development Contribution Plan to ensure that all relevant clauses in the Bathurst Regional LEP 2014 are correctly referenced in the Plan. The draft Plan was placed on public exhibition for a period of 28 days. Council did not receive any submissions in relation to the draft Plan and the draft Plan is now recommended for adoption.

Financial Implications: Council will continue to reserve collected funds for the provision of infrastructure, facilities and cultural services.

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 28.1, 28.2, 28.5

- 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 29.2, 29.4
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2

8 PROPOSED UPGRADE OF AIR QUALITY MONITORING STATION LOCATED AT WASTEWATER TREATMENT WORKS (21.00018)

Recommendation: That Council note the proposed upgrade to the air quality monitoring station located at the Wastewater Treatment Works.

Report: At the Policy Committee meeting held on 2 September 2015 it was requested that Council investigate the collection of "PM2.5" particulates data, being particulate matter measuring less than or equal to 2.5 micrometres in diameter.

The air quality monitoring station located at the Wastewater Treatment Works in Morrisett Street currently monitors "PM10", that is particulate matter measuring less than or equal to 10 micrometres in diameter.

The concentrations of particulate matter in the air have a considerable impact on the visual amenity of the region, but more importantly the health of Bathurst Region residents. According to the NSW Health website, "*numerous studies have showed associations between exposure to particulates and increased hospital admissions as well as death from heart or lung diseases*" (www.health.nsw.gov.au accessed 6 October 2015).

Sources of particulate matter can be naturally occurring from dust storms, bush fires and volcanoes, or anthropogenic from woodsmoke, vehicle emissions and industrial processes.

Data collected by the station located at Council's WWTW is reported in "real time" through the NSW Office of Environment and Heritage (OEH) website.

Council wrote to OEH on 4 September 2015 seeking the upgrade of the monitoring station. Staff from OEH contacted Council the following week and advised that an upgrade in 2015/16 to PM2.5 monitoring was scheduled, and that a proposal would be forwarded for Council's consideration. On 18 September 2015 Council received a formal proposal to upgrade the monitoring station. A copy of the proposal, and the specifications (based on a recent upgrade in Tamworth) is at **attachment 1**.

The proposal was reviewed by staff from Council's Water and Waste section, and OEH was formally advised on 2 October 2015 that Council has no objections to the upgrade as proposed.

The upgrade will be overseen by NSW Public Works who will advise in due course of a commencement date for the works.

Financial Implications: There are no financial implications to Council as the proposed upgrade is funded by the NSW Government.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.4

9 STATE LISTING OF BATHURST SHOWGROUND (22.00053)

Recommendation: That the information be noted.

Report: The Heritage Council of New South Wales has recently advised Council of the State Heritage Listing of the Bathurst Showground. A copy of the correspondence from the Heritage Council is at **attachment 1**.

Council supported the listing of the Bathurst Showground on the State Heritage Register given its association with the larger agricultural region.

It is noted that the Bentinck Street Elm Trees and the Denison Bridge indicated on the Gazettal Map were previously listed on the State Heritage Register.

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

10 BATHURST REGION HERITAGE REFERENCE GROUP (20.00123)

Recommendation: That the information be noted.

Report: The Bathurst Region Heritage Reference Group met on 21 September 2015. The minutes of that group's meeting are provided at **attachment 1**.

The group will meet next in December 2015.

Attachment 2 provides an update of Council's achievements to date with respect to the implementation of its Heritage Strategy and includes:

- Ongoing management of the 2015-16 Bathurst Region Local Heritage Fund and the Bathurst Region Conservation and Interpretation Fund 2015-16.
- Inception meeting and consultation with Aboriginal community undertaken for Aboriginal Heritage Study.
- Site inspections undertaken for the Hill End Archaeological investigations.
- Ongoing management and support of the Bathurst Bicentenary National Trust Heritage Awards.
- Nominated for the State and local National Trust and Keep NSW Beautiful Awards for Delightful Spot Heritage Trail and Pillars of Bathurst Cultural Garden.
- Near completion of age and significance mapping of buildings in the Bathurst Heritage Conservation Area.
- Urban/Heritage revisitation seminar by Dr Glen Hazelton.
- Senior Heritage Planner, Manager Strategic Planning and Council's Heritage Advisor attended Heritage network seminar hosted by the NSW Office of Environment and Heritage.
- Completion and adoption of the Conservation Management Plan for the former TAFE site. Note that public exhibition of the TAFE CMP commenced as part of the Town Square Exhibition at the Australian Fossil and Mineral Museum commencing September 2015.
- Commence history of 'Bathurst Government Settlement, Outlying Areas.'
- Liaise with NSW Institution of Surveyors in commencing Bathurst Surveyors History Heritage Trail.
- Rephotograph buildings included in the William and George Street Main Street Study completed.

Financial Implications: Administrative costs of the meeting are met within Council's existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.1
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.3, 30.5, 30.6

11 BIZWEEK (20.00071)

Recommendation: That the information be noted.

Report: Council partnered with the Western Advocate, the Bathurst Business Chamber & 2BS/B-Rock to create BizWeek, a project that tied together new and existing business events to celebrate the success and diversity of our local businesses. BizWeek ran from the 17– 25 September and formed a part of Council's "Bathurst Buy Local Campaign".

BizWeek events included the following.

Crazy Day

Thursday 17 September

A morning tea was held at Books Plus on Crazy Day to launch BizWeek. Crazy Day, an established sale day held across Bathurst allows retailers to clear old stock through significant sale discounts and is primarily coordinated through the Western Advocate. Council partnered with the Western Advocate to extensively promote Crazy Day through the newspaper, radio, social media and via Council's business database.

BizWeek Business Lunch - Lunch with Todd Sampson

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

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

Todd 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 ABC's "Redesign Your Brain" and Chairman 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.

The business lunch was a huge success and attracted 180 attendees. Seated tickets were sold out within 5 days and due to the demand, the mezzanine level of the Carrington was opened and an additional 30 tickets were sold. Council has received a plethora of positive feedback from the business community.

Search Engine Optimisation (SEO) for Small Business Seminar

Bathurst Memorial Entertainment Centre
Wednesday 23 September, presented by Brijid
50 attendees

The SEO for Small Business Seminar provided basic SEO tips geared to small businesses with little to no search engine marketing experience. Approximately 50 business owners attended and picked up some vital tips about the resources available to track and increase website traffic.

Again, Council received very positive feedback from the local business community about the seminar.

Carillon Business Awards

Friday 25 September

The Carillon Business Awards is a prestigious event coordinated by the Bathurst Business Chamber that recognises and celebrates excellence in the Bathurst business community. As part of BizWeek, Council and the other partnership organisations heavily promoted the Awards. The 2015 Awards have been hailed as the best awards ever with almost 300 business nominations, more than 4000 online votes and 500 paper votes received for the People's Choice Awards.

The Carillon Business Awards Dinner was held on the 25 September and attracted a record 600 attendees from the Bathurst business community. Council was nominated for two awards and won the Award for Excellence in Sustainability.

Conclusion

BizWeek provided 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 encouraged the community to support local business in various capacities including driving local sales growth, motivating business owners to think more creatively and celebrating together to publicly recognise and congratulate our local business leaders.

Overall, BizWeek was highly successful with plans for 2016 already underway.

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

21 OCTOBER 2015

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$69,800,000 was invested at 30 September 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	\$2,500,000.00	3.08%
Bendigo and Adelaide Bank	A2	\$500,000.00	2.86%
IMB Limited	A2	\$500,000.00	2.84%
Bankwest	A1+	\$6,500,000.00	2.98%
National Australia Bank Limited	A1+	\$23,000,000.00	3.07%
St George	A1+	\$3,500,000.00	2.95%
Maritime, Mining & Power Credit Union	ADI	\$500,000.00	2.91%
People's Choice Credit Union	ADI	\$1,000,000.00	2.86%
Railways Credit Union Limited	ADI	\$1,000,000.00	3.16%
SGE Credit Union Limited	ADI	<u>\$1,500,000.00</u>	<u>2.96%</u>
		\$40,500,000.00	3.03%
<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	3.43%
Westpac	AA-	\$2,000,000.00	3.33%
National Australia Bank Limited	AA-	\$2,000,000.00	2.98%
CBA Deposit Plus	AA-		
		\$1,500,000.00	3.30%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$2,800,000.00</u>	<u>2.20%</u>
		\$10,300,000.00	2.97%
<u>Fixed, Negotiable & Tradeable Certificates of Deposits</u>			
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>3.30%</u>
		\$2,000,000.00	3.30%
<u>Floating Rate Notes</u>			
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	3.05%
Macquarie Bank	A	\$1,000,000.00	3.24%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	3.34%
Bank of Queensland	A-	\$1,000,000.00	3.18%
Bank of Queensland 1	A-	\$2,000,000.00	3.29%
Bendigo & Adelaide Bank	A-	\$1,000,000.00	3.11%

Bank of Queensland 2	A-	\$1,000,000.00	3.22%
Credit Union Australia	BBB+	\$3,000,000.00	3.49%
Police Bank Ltd	BBB+	\$1,000,000.00	3.24%
Police Bank Ltd 2	BBB+	\$1,000,000.00	3.25%
Credit Union Australia	BBB+	\$1,000,000.00	3.38%
Newcastle Permanent	BBB+	\$1,000,000.00	3.50%
Members Equity Bank 2	BBB+	\$1,000,000.00	3.14%
Greater Building Society	BBB	<u>\$1,000,000.00</u>	<u>3.42%</u>
		\$17,000,000.00	3.30%

Total Investments **\$69,800,000.00** **3.09%**

These funds were held as follows:

Reserves Total (includes unexpended loan funds)		\$33,957,425.00
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		\$466,574.00
General Fund	\$466,574.00	
Water Fund	\$0.00	
Sewer Fund	\$0.00	
Waste Fund	<u>\$0.00</u>	

Total Investments **\$69,800,000.00**

Total Interest Revenue to 30 September 2015 **\$578,338.89** **3.09%**

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	2.16%
Three Year Swap Rate - Commonwealth	2.07%
Five Year Swap Rate - Commonwealth	2.45%
Modified Deitz Calculation	3.04%

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 30 September 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:	\$ 4,584.91
BMEC Community use:	\$ 551.36
Mount Panorama:	\$21,016.00

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.

- Apsley Holdings Pty Ltd - Durham Street - Lot 1, DP 995189 - Transfer
- David Roy and Rachel Haydon HARGREAVES - 469 Rivulet Road, Peel - Lot 2, DP 837073 - Deed of Agreement
- J & A Peterson, 1 Rockley Street, Perthville - Part Lot 17, DP 1099208 - In House Licence Agreement
- Bathurst Bicycle Park Inc, Orton Park - Lot 20, DP 1119593 - Deed of Licence

Linen Plan Release

- Ruse Pty Ltd - 56 lot subdivision, release of 14 lots - Lot 1, DP 1047811 - 18 Hobson Close, Eglinton
- Bathurst Regional Council - sale of Lot 6 to the owners of 48 Gilmour Street, Kelso - Lot 6, DP 559886 - Gilmour Street, Kelso

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 BATHURST 200 BICENTENARY ACTIVITIES - UPDATE (20.00153)

Recommendation: That the information be noted.

Report: A report entitled *Bathurst 200 Bicentenary Activities* was submitted to Council's ordinary meeting held 16 September 2015. Council resolved that the information be noted. Council also requested a further report be submitted in relation to the B200 website and number of hits received in respect to the Bathurst Bicentenary activities. Council requested a breakdown of these hits into various categories, including: local, interstate, overseas etc.

This report will address the above request.

For the period 1 July 2014 to 30 June 2015 a total of 39,900 hits were received on the B200 website. Of these 38,367 (96.16%) were from Australia. The average session duration was almost 5 minutes. Visitors to the site accessed 4.56 pages per session.

The bounce rate was 37.61%. A bounce rate is the percentage of visitors to a particular website who navigate away from the site after viewing only one page. New visitors to the site accounted for 62.2% while returning visitors accounted for 37.8%.

The breakdown for Australian visitors (38,367) to the site is: -

- 26,438 (66.26%) sessions from Sydney
- 5,792 (14.52%) sessions from Bathurst

These two statistics account for over 80% of traffic to the site.

The Google Analytics reports, shown at **attachment 1** detail the top ten 10 rows only of the statistics.

The report details both national and international figures together with bounce rates, session duration and pages per session and are self explanatory.

Facebook, however, does not offer the same functions for reporting and is limited to a set period of time. The Facebook Limited Statistics spreadsheet, shown at **attachment 2** details a snapshot of a number of relevant statistics from 1 April 2015 to 31 May 2015. This date in particular highlights the activity on the page around Proclamation Day, as does the graph spike for the Bx 200 website shown in attachment 1.

Financial Implications: Nil.

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 20.2
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3

6 REQUEST FOR FINANCIAL ASSISTANCE - BOKYAKU THEATRE PRODUCTION (18.00004-31/070)

Recommendation: That Council not make available funding for the Bokyaku Theatre Production which will be touring Japan in late November 2015.

Report: Council has received a request for funding from Stefan Elbourne for the Bokyaku Theatre Production to assist their group to tour Japan in late November 2015. The Theatre group advises they are to perform with Council's Sister City Community and Japanese Exchange students who have been to Bathurst and share a communal story of hope and strengthening the bond between these two regional communities.

Council has been requested to consider an amount of up to \$1,500 to cover the costs of the performers and, in particular, a local CSU student from Perthville see request at **attachment 1.**

Financial Implications: There would be no financial implications if the recommendation is adopted.

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

7 REQUEST FOR FINANCIAL ASSISTANCE - VERTO (18.00004)

Recommendation: That Council waive the fees of \$816 for the use of the Kelso Community Centre, to VERTO to provide training to the Aboriginal Community at the Centre, to be funded from Section 356 donations.

Report: Council has received a request from VERTO for use of the Kelso Community Centre to conduct training for members of the Aboriginal Community, see **attachment 1**. It is proposed to hold this training over a 12 month period and the organisation intends to use one of the rooms at the Kelso Community Centre. The cost for use of the room is \$816 per annum. VERTO is a not-for-profit community organisation and will be working closely with some of the most vulnerable people within the community, and often with limited funding. A waiving of fees will assist with the running charges of courses at the Centre.

Financial Implications: The cost of \$816 could be funded from Council's 2015/16 Section 356 Donations, which currently has a balance of \$4,584.91

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.6

8 BATHURST NETBALL ASSOCIATION INC. (16.00119)

Recommendation: That Council note the early repayment from the Bathurst Netball Association of their loan with Bathurst Regional Council.

Report: In 2013 Council entered into an agreement with the Bathurst Netball Association Inc for the construction of a new clubhouse at the John Matthews Sporting Complex.

The cost of the facility was \$440,060 of which Council provided a loan to the Bathurst Netball Association for \$105,556. The State Government provided a grant of \$50,000. The loan was over a 10 year period.

The Bathurst Netball Association have now completed repayment of the loan, seven years ahead of schedule, and have passed on their thanks to Council for its assistance which has been of great benefit to the 1200 members of the Netball Association.

Financial Implications: There are no financial implications.

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 21.4
- 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

9 BATHURST RUGBY CLUB INC (04.00112)

Recommendation: That Council note the early repayment from the Bathurst Rugby Club of their loan with Bathurst Regional Council.

Report: In 2008 Council entered into an agreement with the Bathurst Rugby Club for the construction of a new clubhouse.

The cost of the facility was approximately \$700,000 of which Council provided a loan to the Bathurst Rugby Club for \$50,000. The loan was over a 10 year period.

The Bathurst Rugby Club have now completed repayment of the loan, two years ahead of schedule, and have passed on their thanks to Council for its assistance which has been of great benefit to the members of the Rugby community.

Financial Implications: There are no financial implications.

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 21.4

- 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

10 CARRYOVER WORKS (16.00137)

Recommendation: That the items as identified on the list of carry-over works as at 30 June 2015 be carried over and added to the Management Plan for 2015/2016.

Report: As Council would be aware, for logistical or resource management purposes, various works for which funding was provided in 2014/2015 remained incomplete or in progress as at 30 June 2015.

At **attachment 1** is a list of such works for which funding, as indicated, will need to be carried over to the 2015/2016 financial year to enable their completion.

Financial Implications: Funds voted in the 2014/2015 Management Plan will be carried over to cover the votes required to complete this work.

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

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 OCTOBER 2015

1 RELEASE OF RESTRICTION AS TO USER - LOT 2 DP1131489 (22.15662)

Recommendation: That Council authorise the General Manager to sign the documentation that releases the Restriction as to User imposed on Lot 2 DP1131489, 10A Christie Street Raglan.

Report: Council has received a request from a solicitor acting on behalf of the owners of Lot 2 DP1131489, 10A Christie Street Raglan, to release a Restriction as to User imposed on the rear of the property.

A location plan is provided at **attachment 1**.

This Restriction as to User was created at the request of Council as part of the subdivision of the land registered on 16 October 2008. The purpose of the restriction was to prevent any structures from being erected on the rear 8 metres of the lot to facilitate the creation of a future road.

At the time of the subdivision Council's prevailing planning instruments indicated a future road being constructed over this property. The Restriction as to User was aimed at facilitating this at some point in the future.

The adoption of the Bathurst Regional (Interim) Development Control Plan (DCP) 2011 and the subsequent Bathurst Regional Council DCP 2014 saw the removal of these future roads from the relevant DCP maps for Eglinton and Raglan. As Council is no longer seeking to create these roads, the restrictions placed on affected lots have become redundant. It is therefore recommended that Council authorise the General Manager to sign the documentation that releases the Restriction as to User.

All costs associated with the release are to be borne by the purchasers.

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 CROWN ROADS AT TRUNKEY CREEK (25.00115)

Recommendation: That Council approve the transfer of Crown public roads located at the Village of Trunkey Creek, as detailed in the Director Engineering Services' report.

Report: Council will recall at its ordinary meeting on 18 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 Trunkey Creek and have found it necessary to transfer some Crown public roads to its ownership for improved maintenance and access within Trunkey Creek.

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

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

Following this investigation, there are a number of roads that meet these criteria. It is recommended that Council make application to the Crown for the transfer of the following roads to Council's ownership:

(a) Portion Chard Street.

(b) Trunkey Cemetery Road – Extension of Trunkey Cemetery Road to Cemetery gates.

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

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

Financial Implications: The Crown Lands application fee is \$200.00 per road (total of \$400.00). 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 CLASSIFICATION OF LAND AT MOUNTAIN STRAIGHT, MOUNT PANORAMA (25.00137)

Recommendation: That Council approve the classification of Lot 192 DP1152952 located at Mountain Straight, Mount Panorama as Operational Land, under Section 31(2) of the Local Government Act 1993, subject to the information contained in the Director Engineering Services' report.

Report: In 2010 Land and Property Management Authority ("LPMA") sent correspondence to Council regarding Lot 192 DP1152952 ("Lot 192"). Lot 192 is land adjoining Mountain Straight, Mount Panorama and in effect, is land owned by Council. LPMA advised that the system of land title that currently applies to Lot 192 is Old System. Land and Property Information ("LPI") are in the process of converting all Old System title land in NSW to the more modern system of title known as Torrens Title. Council was asked to provide evidence of ownership. Council provided LPMA with this evidence and on 1 October 2015 LPI issued a Title in the name of Bathurst Regional Council. This Title has been issued with a "Registrar-General's Caveat" noted on it as Council is required to classify the land as operational land or community land. If Council resolve to classify the land as Operational Land, a Request can be lodged with LPI to remove the Registrar-General's Caveat.

A plan of the land to be classified as operational is at **attachment 1**.

It is recommended that Council approve the classification of Lot 192 DP1152952 as Operational Land, under Section 31(2) of the Local Government Act 1993.

Financial Implications: Nil

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

21 OCTOBER 2015

1 BATHURST DISABILITY ACCESS GRANTS (16.00107)

Recommendation: That Council will provide \$10,000 under the 2015/2016 Bathurst Disability Access Grants for the following applicants:

- (a) Bathurst District Riding for Disabled \$4,360 which is 50% of the project cost.
- (b) Bathurst City Community Club \$5,000 which is 50% of the project cost.
- (c) Bathurst Model Aero Sports Inc \$640 which is 50% of the project cost.

Report: Four submissions were received for funding under the 2015-2016 Bathurst Disability Access Grants. They included submissions from the Bathurst District Riding for Disabled Association, Bathurst City Community Club, Bathurst Model Aero Sports Inc. and Bathurst Church of Christ, for consideration. One application, forwarded by the Bathurst Church of Christ, didn't meet the criteria for funding, as referred to in BRAC's recommendation letter. Numerous attempts were made by members of the BRAC Committee and Cultural and Community Services staff to contact the Church of Christ and assist them with their application, to no avail.

The following applications were considered by executive members of the Bathurst Regional Access Committee:

1. Bathurst District Riding for Disabled Association – Seeking funds to build a cement pathway between the back gates of Carenne School, along the front of the car park, so that students and the general public in wheelchairs, especially motorised wheelchairs, have safe accessibility. This construction will be compliant with Australian Standards to ensure easy access into the premises located at 16 Research Station Drive, Bathurst, requesting \$5,000
2. Bathurst City Community Club – Seeking funds to modify a current window setting into a disability access automatic door to enable ease for access to the club. The works will be compliant with Australian Standards and are located at the premises in 29 William Street, Bathurst, requesting \$5,000.
3. Bathurst Model Aero Sports Association - seeking funds for the installation of a solar powered gate opener system for access by members. The works are to comply with Australian Standards located at the premises Limekilns Road, Clear Creek, Bathurst, requesting \$640.

The Committee reviewed the applications and determined that all the applications meet the criteria for the grant. The total amount requested in the three applications is \$10,000 and meets the total amount available. As a result the Committee has considered the projects in relation to where the most benefit would be obtained and the ability of the organisation to access funding from other sources to successfully complete the nominated project if the amount requested was not granted. See correspondence **attachment 1**.

It is recommended that the three applications be approved from Bathurst District Riding for Disabled Association; \$4,360, Bathurst City Community Club; \$5,000 and Bathurst Model Aero Sports Inc; \$640. Successful recipients will be notified that the receipt of these funds does not exempt their organisation requiring development approval for their proposed works. Recipients will be encouraged to contact Council's Environmental Planning and Building Services Department to confirm their requirements in proceeding with their proposed work.

Financial Implications: Funding will occur within current budget allocations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 19: To improve equity of access to all members of the community in public and private domains. Strategy 19.2, 19.3, 19.4

2 BATHURST REGIONAL YOUTH COUNCIL - ATTENDANCE AT YOUTH COUNCIL CONFERENCE, EUROBODALLA SHIRE 11-13 SEPTEMBER 2015 (11.00020)

Recommendation: That the information be noted.

Report: Four Youth Council members attended the Youth Council Conference at the Eurobodalla Shire from 11-13 September. Shown at **attachment 1** is a report compiled by Youth Councillors who attended.

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

3 KELSO COMMUNITY CENTRE SEPTEMBER 2015 SCHOOL HOLIDAY ACTIVITIES (09.00026)

Recommendation: That the information be noted.

Report: Kelso Community Centre offered a number of activities during the September school holidays. Across the two weeks of the school holidays there were three days of activities catering for children, young people, and the broader Kelso community.

There was positive feedback from the community in regards to the activities:

The following activities were offered for the school holidays:

- Tuesday 22 September – ‘Young Guns Fishing Adventures’ featuring a range of fishing related activities. Approximately 25 children and young people attended.
- Tuesday 29 September - ‘Community Day’ featuring a barbeque, horizontal bungee run, and cooking demonstration by VERTO. Approximately 45 community members attended.
- Wednesday 30 September – ‘Inside Fun’ featuring a movie and craft activities. Approximately 28 children and young people attended.

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

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

4 COMMUNITY SPACE YEAR 4 ALL SAINTS COLLEGE (18.00253)

Recommendation: That the information be noted.

Report: Friday 11 September, 2015, Mayor Cr Rush visited Year 4, All Saints' College to view their ideas and designs regarding a community space for Bathurst.

The ideas were developed as part of a class exercise reflecting on two picture books, *Belonging* and *Window* by Jeannie Baker. The books illustrated how things change over time by reflecting the view from a child's bedroom window every two years for a total of 24 years. The class used this idea to explore the notion of change and what creates a sense of belonging within a community. The class then created their own ideas for a community space for Bathurst.

A summary of the project including examples of community space designs are included in **attachment 1**.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 33: To be and develop good leaders. Strategy 33.3

5 2015/2016 RURAL VILLAGE IMPROVEMENT PROGRAM (16.00104)

Recommendation: That Council distribute the 2015/2016 Rural Village Improvement Program funding as follows:

	APPLICANT ORGANISATION	PROJECT SUMMARY	APPLICATION AMOUNT
1	Hill End & Tambaroora Progress Association Inc	No submission received, HETPA in process of winding up.	\$0
2	Rockley & District Community Association	Replacement of guttering and installation of gutter guard to School of Arts Hall.	\$2,850
3	Sofala and District Agricultural & Horticultural Show Society Inc	<ul style="list-style-type: none"> • Renovations to Administration Office. • Improve signage for Showground. • Repairs to pavilions. 	\$1,425
4	Sofala Progress Association Inc	<ul style="list-style-type: none"> • Electrician to install stove. • Refrigerator for functions. • Trees for Soldiers Walk. 	\$1,425
5	Sunny Corner & District Progress Association Inc	Part payment for materials for roof replacement of Sunny Corner Community Hall.	\$2,850
6	Trunkey Creek Progress Association	Folding tables for Trunkey Creek Hall.	\$2,850
7	Wattle Flat Heritage Lands Trust	Purchase and delivery of crusher dust to enhance the walking path at the Solitary Mine site.	\$1,425
8	Wattle Flat Progress Association	Replace existing wood doors on recreation ground hall with new glass lockable sliding unit.	\$1,425
9	Yetholme Progress Association	<ul style="list-style-type: none"> • Repairs to gas heaters. • Material to do minor paint and touch up work to refresh hall interior. • Landscaping – purchase plants. • New LED light fittings for toilet areas and fit new LED flouro tubes in hall light fittings. 	\$2,850
	TOTAL AMOUNT		\$17,100.00

Report: An amount of \$20,000 has been provided for in the 2015/2016 Annual Operating Plan and Budget for the Rural Village Improvement Program.

Bathurst Regional Council instituted a Rural Village Improvement Program in 2005/2006 to facilitate the long term viability of the villages in the Bathurst Regional Council area. The program is based on the premise of horizontal equity – “the provision of public facilities each of a similar grade” to villages across the local government area.

Since the program’s introduction, Council has made contributions to the villages of Hill End, Rockley, Sofala, Trunkey Creek, Wattle Flat, Sunny Corner and Yetholme in improving the infrastructure available to their residents. A listing of these projects and allocated funding is available at **attachment 1**.

Each village association is invited to provide submissions for funding for Council's consideration.

Council provided the following exclusions for the use of this funding:

- Insurance payments
- Operational costs of the organisation (ie utilities)

- Food and beverages

Council also suggested the following expenses that would be suitable:

- New chairs for halls
- Minor paint works
- Minor equipment upgrades (microwaves, fridges etc)
- Crockery and cutlery purchases
- Advertising
- Heaters or fans
- Gauze screens
- Locks
- Notice boards

Upon approval of the project and proof of expenditure a reimbursement of costs is provided to each group. An acquittal form was introduced as part of the 2010/2011 process requiring all grant recipients to detail their projects and expenditure, a copy of the acquittal form is at **attachment 2**.

The \$20,000 was equitably split between villages with each village eligible to receive \$2,850. If a particular village had more than one organisation previously engaged in this process this amount was further split to provide funding. For example, as Sofala has two community organisations who have received funding in prior years, each group has been allocated \$1,425.

The current programs allocation in accordance with Bathurst Regional Council's 2015/2016 Annual Operating Plan and Budget is \$20,000.

The table below summarises the applications received from the Village community organisations for the 2015/2016 program:

	APPLICANT ORGANISATION	PROJECT SUMMARY	APPLICATION AMOUNT
1	Hill End & Tambaroora Progress Association Inc	No submission received, HETPA in process of winding up.	\$0
2	Rockley & District Community Association	Replacement of guttering and installation of gutter guard to School of Arts Hall.	\$2,850
3	Sofala and District Agricultural & Horticultural Show Society Inc	<ul style="list-style-type: none"> • Renovations to Administration Office. • Improve signage for Showground. • Repairs to pavilions. 	\$1,425
4	Sofala Progress Association Inc	<ul style="list-style-type: none"> • Electrician to install stove. • Refrigerator for functions. • Trees for Soldiers Walk. 	\$1,425
5	Sunny Corner & District Progress Association Inc	Part payment for materials for roof replacement of Sunny Corner Community Hall.	\$2,850
6	Trunkey Creek Progress Association	Folding tables for Trunkey Creek Hall.	\$2,850
7	Wattle Flat Heritage Lands Trust	Purchase and delivery of crusher dust to enhance the walking path at the Solitary Mine site.	\$1,425
8	Wattle Flat Progress Association	Replace existing wood doors on recreation ground hall with new glass lockable sliding unit.	\$1,425
9	Yetholme Progress Association	<ul style="list-style-type: none"> • Repairs to gas heaters. • Material to do minor paint and touch up work to refresh hall interior. • Landscaping – purchase plants. • New LED light fittings for toilet 	\$2,850

		areas and fit new LED flouro tubes in hall light fittings.	
	TOTAL AMOUNT		\$17,100.00

The Village Improvement Program, whilst an infrastructure program, has also built invaluable social capital and capacity in each village that is essential in maintaining a quality of life to attract residents and visitors alike. The level of pride and satisfaction that members of the community displayed is admirable. It is abundantly clear the residents in these villages are committed to ensuring they maintain a high level of social interaction and in doing so have developed an acute sense of place.

Council's return in regards to the social capacity, pride and respect this program has generated in each village far outstrips the dollar amount allocated over the life of the program.

Financial Implications: An amount of \$20,000 has been provided for in the 2015/2016 Annual Operating Plan and Budget for the Rural Village Improvement Program.

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 6.3
- Objective 17: To encourage living, vibrant and growing villages and rural settlements. Strategy 17.3

6 BATHURST LIBRARY - BOOKLINK (21.00029)

Recommendation: That the information be noted.

Report: This year's Booklink was an unmitigated success with 107 participants and a total of 11,080 books read. The awards ceremony was held on Monday 24th August at Bathurst Library, the beginning of Book Week celebrations in Australia, with events across the country.

Booklink is a Bathurst Library initiative that has been running for the best part of 10 years, and is open to Bathurst Library patrons aged between 1-17years. The patrons borrow books from Bathurst Library or their school library and record each one in a logbook that is provided to them. When each logbook is returned the patron receives a lucky dip with small prizes, such as pencils, rubbers and a discount vouchers from one of our sponsors Books Plus. The aim of Booklink is the promotion of literacy and Bathurst Library with the children and youth of the Bathurst region. The ceremony attracted approximately 150 children and parents along with special guests the Mayor of Bathurst Councillor Gary Rush, Councillor Monica Morse and sponsor representatives Jenny Press from the CWA and Kathryn Bancroft from Books Plus.

All participants received a prize, medal and a certificate, with special trophies & prizes for age group winners, encouragement, runner-up & best reader.

The overall winner and best reader for 2015 Booklink was 2 year old Emily Rose Curry who read 860 books with 7 year old Jedd Ling runner-up reading 680 books. The feedback from the local community at the ceremony was excellent, praising the library and staff for such a great awards ceremony and how much their children look forward to coming to the library to borrow as many books as they can for a chance at a trophy and a prize.

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 23.3, 23.7
- 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, 26.6
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.4, 27.5, 27.8

7 BATHURST VISITOR INFORMATION CENTRE - PENRITH CARAVAN, CAMPING & HOLIDAY EXPO AT PENRITH - 11-13 SEPTEMBER 2015 (21.00041)

Recommendation: That the information be noted.

Report: Bathurst Visitor Information Centre hosted a stand at the Penrith Caravan, Camping and Holiday Expo held at Panthers Exhibition Centre, Penrith 11-13 September 2015.

The theme of the stand was the Bathurst Region celebrating 200 years of camping and the wonderful array of camping and outdoor activities available in the region. The public response to the stand was very positive with many making reference to the large wall map and either talking of past exploits or planning their next adventure.

Over the three days the show welcomed 17,854 visitors slightly down on 2014. Adult entry represented 63% of visitation with 28% attendance of pensioners and the rest children. Friday saw 23% of the show visitation while Saturday and Sunday were fairly even at just under 40% each.

There was a range of information distributed from the standard Bathurst Region and camping information: Bathurst Region destination guides (qty200), A3 attraction sheets (qty 100), Outdoor and Active booklets (qty 386) to a range of Bathurst 200 information and promotional tools: bagged lollies (qty 110), notepads (qty 80) and event calendars (qty 140). To attract the children fun promotional items were available with 100 of each of the 'Bathurst = Family Fun' and 'I love Bathurst' flyers and 180 of the Bathurst activity books being snapped up by the younger market and enthusiastic grandparents.

It had been a few years since Bathurst had been able to procure a stand at this show. The feedback and interest shown by those attending the show, once again, proved that the Bathurst Region is a very popular destination for camping and outdoor activities.

Financial Implications: Costs for attendance at the show were covered within the existing tourism promotion and marketing budget.

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, 4.7

8 BATHURST LIBRARY - KATH KNOWLES YOUNG LEADERS AWARD (23.00057)

Recommendation: That the information be noted.

Report: The Kath Knowles Young Leaders Award honours Kath Knowles, former Mayor of Bathurst and Chairperson of Public Libraries New South Wales, (now New South Wales Public Libraries Association) who passed away in late 2010 at the age of 39.

The intention of the Award is for the applicant to gain leadership skills that benefit both the applicant and the management of their library service.

Applicants must demonstrate skills in the following areas:

- Collaborative leadership
- Innovative programs, with a particular emphasis on socially-inclusive initiatives
- Commitment to lifelong learning

The Award provides the opportunity for library staff aged under 40 years to build leadership skills through a professional development project that is undertaken over a 12-month period with the support of a nominated mentor. The winner will be announced at the next New South Wales Public Libraries Association conference.

The Award provides aspiring young leaders in the NSW public library sector with a fantastic opportunity to work on a project that not only enhances their own aspirations, but that provides outcomes that are transferable to their colleagues across the state.

The Kath Knowles Young Leaders Award is available to all public library staff aged under 40 years at the closing date for applications, whose Council is a member of the New South Wales Public Libraries Association. Applicants are required to have a minimum 2 years' experience in the library and information sector.

The Award provides funding of \$5,000 that includes travel and registration to a conference of the applicant's choice. At the conclusion of the project a presentation is to be made to the next annual New South Wales Public Libraries Association conference. The 2014 recipient of the award was Sonia Toussaint, from Albury City Library, for her project – "Do You See What I See?" – An initiative to improve library services to the sight impaired.

The Kath Knowles Young Leaders Awards is supported by the New South Wales Public Libraries Association.

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

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 23.3, 23.7

- 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, 26.6

Yours faithfully



Alan Cattermole
DIRECTOR
CULTURAL & COMMUNITY SERVICES

GENERAL MANAGER'S REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 OCTOBER 2015

1 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS (11.00002)

Recommendation: That the completed Disclosure of Interest of Councillors and Designated Persons Returns for Councillors and relevant staff be noted.

Report: In accordance with the provisions of Section 450(A) of the Local Government Act, the Disclosure of Interest of Councillors and Designated Persons Returns for Councillors and relevant staff will be tabled at the 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
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

Yours faithfully



D J Sherley
GENERAL MANAGER

POLICY COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - POLICY COMMITTEE MEETING - 30 SEPTEMBER 2015 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 30 September 2015 be adopted.

Report: The Minutes of the Policy Committee Meeting held 30 September 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 30 SEPTEMBER 2015

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

APOLOGIES

2 APOLOGIES

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

RESOLVED: That the apologies from Crs Hanger and Westman be accepted and leave of absence granted.

3 Item 999.01 APOLOGIES

MOVED Cr M Coote and **SECONDED** Cr I North

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

REPORT OF PREVIOUS MEETING

4 Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 SEPTEMBER 2015 (07.00064)

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

RESOLVED: That the Minutes of the Policy Committee Meeting held on 2 September 2015 be adopted.

DECLARATION OF INTEREST

5 DECLARATION OF INTEREST 11.00002

MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

6 Item 1 GOVERNANCE - PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS (11.00008, 41.00089)

MOVED Cr M Morse and **SECONDED** Cr M Coote

This is page 1 of Minutes of the Policy Committee held on 30 September 2015.

RESOLVED: That Council:

- (a) Adopt the policy as outlined in the report with the following changes:

Clause 9 (vi) - first dot point

Change

- a laptop computer and associated equipment (printer etc)

To

- a computer, eg i-Pad or Laptop and associated equipment (printer etc)

Clause 15.3 - last sentence

Change

The amount of reimbursement will be the actual cost incurred, with a maximum of \$8 per hour per child applying.

To

The amount of reimbursement will be the actual cost incurred, with a maximum of \$25 per hour applying.

- (b) Note that as the changes proposed to the policy are not substantial that Council does not need to place the policy on public display and seek submissions

General Manager's Report

7 **Item 1 UMCC OPERATIONS: SERVICE LEVELS & STRATEGIC DIRECTION (18.00172)**

MOVED Cr I North

and **SECONDED** Cr M Coote

RESOLVED: That Council request UMCC to provide by the end of November 2015, a future direction and resource strategy report as detailed in the report.

GENERAL BUSINESS

8 **SUPERMARKET OUTLETS SURPLUS FOOD (14.00008)**

Cr Jennings - asked does Council know what happens with this food? Could we inquire of major supermarkets of what they do, perhaps could be redirected to community groups.

9 **Item 2 MOUNT PANORAMA SECOND TRACK BUSINESS PLAN (20.00278)**

Cr Jennings - asked how this is going.

The Director Corporate Services & Finance advised current status, mainly concentrating on land purchase. Development of Business Plan getting closer.

10 **Item 3 JOBS EXPO (20.00071)**

Cr Jennings - asked is TAFE major sponsor and is the Expo primarily focused on young persons.

The Acting Director Environmental, Planning & Building Services advised that TAFE is major sponsor and the Expo is targeted at all groups.

11 **Item 4 TESLA CARS (04.00009)**

Cr Jennings - asked has Council received a reply to Council's requests?

The General Manager advised Council is awaiting a response, follow-up correspondence has been sent.

12 **Item 5 BIZ WEEK (20.00071)**

Cr Morse - congratulated staff on this event. Todd Sampson lunch a major success.

13 **Item 6 COURSE FOR WOMEN ENTERING LOCAL GOVERNMENT BEING HELD IN SYDNEY (29.00010)**

Cr Morse - recently received advice of a course for Women interested in entering Local Government being held in Sydney, but cost at \$1,100 was cost prohibitive for most people. Requests Council prepare a folder with information and a kit for women and other interested groups for next years elections. Also could we organise some seminars.

14 **Item 7 PARKING ISSUES - GEORGE STREET (25.00007)**

Cr North - advised this is a bottleneck. When will some advice be received on what could happen in this area?.

The Acting Director Environmental, Planning & Building Services advised that a Traffic/Parking study is scheduled for next financial year.

15 **Item 8 MOUNT PANORAMA BATHURST SIGN (04.00019)**

Cr North - asked are we going to fix the sign (including 200 sign) so can be more easily seen?

The Director Engineering Services advised work on the sign has been completed today.

16 **Item 9 OUTDOOR STAFF (23.00012)**

Cr North - congratulated outdoor staff on how the city currently looks, it is great.

17 **Item 10 KEPPEL STREET CARPARK (22.00653)**

Cr North - asked when will work start on this project?

The Mayor advised that work will commence in the second half of the 2015-2016 financial year.

18 **Item 11 PARKS & GARDENS - BERRY PARK - SNAKES (04.00065)**

Cr Bourke - advised there are snakes in this area, could slashing be undertaken near toilet block.

19 **Item 12 CCTV CAMERAS (16.00145)**

Cr Bourke - asked how is this project progressing. Have we had any feedback from businesses?

The Director Cultural & Community Services advised no responses at this time.

20 **Item 13 TAFE BUILDING (22.01387)**

Cr Bourke - asked could Council have an update on the TAFE Building?

21 **Item 14 ENTRANCE TO CITY FROM PERTHVILLE ROAD (07.00097)**

Cr Bourke - advised getting good feedback on the work undertaken at the RMS Entrance/Crematorium. Have had concerns expressed about site near the Saleyards, could Council look at this?

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

Cr Bourke - asked if there is a pensioner rebate, could we get real cost to ratepayers of the Green Bin. Requested report before Christmas. If Department of Housing have to pay will they pass this cost onto tenants.

The Director Corporate Services & Finance advised a report is being prepared for Council on costs and how these are calculated. The Department of Housing charges the rents, Council has no role in this.

MEETING CLOSE

23 **MEETING CLOSE**

The Meeting closed at 6.30 pm.

CHAIRMAN: _____

Date: _____ **(21 October 2015)**

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING - 6 OCTOBER 2015 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 6 October 2015 be adopted.

Report: The Minutes of the Traffic Committee Meeting held on 6 October 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 6 OCTOBER 2015

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

Members: Darren Sturgiss (Manager Technical Services/Chair), Sergeant Peter Foran (Police), David Veness (MP Representative), David Vant and Deanne Freeman (Roads and Maritime Services).

Present: Paul Kendrick (Traffic & Design Engineer).

APOLOGIES

2 APOLOGIES

That the apology of Cr Warren Aubin be accepted.

REPORT OF PREVIOUS MEETING

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

That the Minutes of the Traffic Committee Meeting held on 1 September 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 1 SEPTEMBER 2015 (07.00006)

That the information be noted and necessary actions be taken.

6 Item 2 MONTHLY REPORT FOR LOCAL GOVERNMENT ROAD SAFETY PROGRAM (28.00002)

That the information be noted.

7 Item 3 THE AUSTRALIAN LONG TRACK MASTERS (22.00053-009)

That Council classify the Australian Long Track Masters to be staged on Saturday 14 November 2015 at the Bathurst Showground as a Class 2 event, and endorse the traffic management subject to conditions detailed in the Director Engineering Services' Report.

8 Item 4 BATHURST CYCLING CLUB ADDITIONAL EVENT 2015 (18.00022-05)

That Council classify the Bathurst Cycling Club additional event to be staged 22 November 2015 as a Class 2 event, and endorse the traffic management subject to conditions detailed in the Director Engineering Services' report.

9 Item 5 SMALL BIZ BUS - VISIT TO BATHURST OCTOBER 2015 (20.00071-03)

That Council classify the Small Biz Bus visit to Bathurst proposed for Wednesday 21 October 2015 as an unclassified event, and endorse the traffic management subject to conditions as detailed in the Director Engineering Services' report.

10 Item 6 KEPPEL STREET CENTRELINE MARKING BETWEEN WILLIAM STREET AND SEYMOUR STREETS (28.00006-012)

That Council place dividing barrier lines (two-way) in Keppel Street between William Street and Seymour Street, excluding existing loading zones.

11 Item 7 REQUEST FOR LINE MARKING FOR THE AUTHORISED PARKING ZONE NEXT TO MACHATTIE PARK, WILLIAM STREET (28.00006-09)

That no change be made to the "No Parking Authorised Vehicles Excepted" zone in William Street.

12 Item 8 DOMAIN CAR PARK DISABLED PARKING (25.00060)

That Council approve the installation of a disabled parking space in the Domain Carpark, as detailed in the Director Engineering Services' report.

13 Item 9 2015 AUSTRALIAN SUPERCROSS CHAMPIONSHIP ROUND 1 (22.00053-09)

That Council classify the Australian Supercross Championship Round 1 to be staged Saturday 10 October 2015 at the Bathurst Showground as a Class 2 event, and endorse the event traffic management subject to conditions detailed in the Director Engineering Services' Report.

14 Item 10 LATE REPORT (23.00076-02)

MOVED DAVID VENESS (MP
REPRESENTATIVE

and **SECONDED** SERGEANT PETER
FORAN (POLICE)

That the Committee accept and deal with the Late Report on the Coo-ee March 2015 Inc. Re-enactment of Enlistment March 2015 (Boomerang March), at the Traffic Committee Meeting 6 October 2015.

15 **Item 11 RE-ENACTMENT OF ENLISTMENT MARCH 2015 (THE BOOMERANG MARCH) (23.00076-02)**

That Council endorse the traffic management for the holding of the Re-enactment of Enlistment March 2015 (The Boomerang March) over 9 and 10 November 2015. The March is to be classified as a Class 1 Event, as detailed in the Director Engineering Services' report.

TRAFFIC REGISTER

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

That the information be noted.

MEETING CLOSE

17 **MEETING CLOSE**

The Meeting closed at 2.45 pm.

DELEGATES REPORTS

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 OCTOBER 2015

1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 9 SEPTEMBER 2015 (11.00019)

Recommendation: That the information be noted.

Report: **Present:** Councillors Rush (Chair), Aubin, Bourke, Hanger, Jennings, Morse, North

Apologies: Crs Coote and Westman

1. BATHURST CITY AMATEUR SWIMMING CLUB (04.00105)

Representatives from the Bathurst City Amateur Swimming Club - Jim Geyer, President and Stephen Geyer, Vice President, met with Council to update Councillors on the activities of the Swimming Club, the Growing of competitive swimming in Bathurst and the proposed new tender specification for the operations of the Aquatic Centre.

Discussion included:

- Competitive swimming is a year round sport
- currently have 112 registered swimmers
- aiming to grow competitive swimming in Bathurst - identify and attract new talented members, provide financial support
- have requested amendments to Aquatic Centre Management tender documents to help grow the club and sport in Bathurst
- changes requested to sustain the services of a qualified and experienced coach to realise the potential of more members.

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