

10 May 2017

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday,  
17 May 2017**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 17 May 2017 commencing at 6.00 pm.

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



D J Sherley  
**GENERAL MANAGER**

## **BUSINESS AGENDA**

### **ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**

**TO BE HELD ON WEDNESDAY, 17 MAY 2017**

**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 - 19 APRIL 2017

\* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 3 MAY 2017

**6. DECLARATION OF INTEREST**

To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Section 451 of the Local Government Act, in relation to Declaration of Interest at meetings.

**7. MAYORAL MINUTE**

Nil

**8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

\* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

\* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

\* DIRECTOR ENGINEERING SERVICES' REPORT

\* DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

**9. REPORTS OF OTHER COMMITTEES**

\* MINUTES - POLICY COMMITTEE MEETING - 3 MAY 2017

\* MINUTES - TRAFFIC COMMITTEE MEETING - 2 MAY 2017

**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	MANAGING AGENCY AGREEMENT - LOT 25 IN DP214037 LOCATED AT 9 MCKELL STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	KELSO FLOODPLAIN VOLUNTARY ACQUISITION - PROPOSED PURCHASE OF LOT 2 AND LOT 3 IN DP194761 LOCATED AT 20 STEPHENS LANE, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED SALE OF PART LOT 824 IN DP1185390 LOCATED ON WESTBOURNE DRIVE, LLANARTH	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.
4	INTERIM SPORTING LICENCE AGREEMENT - LOT 234 IN DP750357 KNOWN AS THE BATHURST INDOOR SPORTS STADIUM LOCATED ON VITTORIA STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	PROPOSED SALE - COMPULSORY ACQUISITION BY AGREEMENT - LOT 10 IN DP716663 LOCATED AT 6 COMMONWEALTH 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 NEW RESIDENTIAL DEVELOPMENT AND SUBDIVISION OF LAND - LOT 5 IN DP847225 LOCATED AT 197 LIMEKILNS ROAD, KELSO	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.
7	PROPOSED NEW RESIDENTIAL DEVELOPMENT AND SUBDIVISION OF LAND - LOT 1126 IN DP1215618 LOCATED ON COLVILLE STREET, WINDRADYNE	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.
8	ADVERTISING AT MOUNT PANORAMA - HELL CORNER BRIDGE	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.

**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 - 19 APRIL 2017 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 19 April 2017 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 19 April 2017, are attached.

**Financial Implications:** N/A

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

- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

## **2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 3 MAY 2017 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 3 May 2017 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 3 May 2017, 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 19 APRIL 2017**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

**Present:** Councillors Hanger (Chair), Aubin, Bourke, Morse, Westman.

**PUBLIC QUESTION TIME**

**2 PUBLIC QUESTION TIME**

**K McNab – Mitre/Lambert/Suttor Street Intersection**

Spoke to concerns with the intersection and tabled a petition of over 1,000 persons. Requests Council allocate funds for construction of a round-a-bout. Noted letters sent to Council by education users. This is Bathurst's worst intersection by far.

**B Trimming – Bathurst Regional Access Committee**

Thanked the Engineering department for new footpath at tennis and netball courts. Thanked Cr North and Director Cultural & Community Services for facilitating project.

Further spoke to Small Business Access Grants, Riding for Disabled and Western Advocate access and thanked Council. Noted Draft Disability Inclusion Action Plan is presented to Council tonight, encourages the community to provide feedback. The Plan is a State Government requirement, there is one opportunity to get this right.

**B Trimming – Ratepayer**

Requests Council replace Machattie Park sign in Russell Street as it is fading. Thanked Council for cleaning memorials as requested. Could someone check why the Carillon flame is regularly going out? Noted Business paper includes Go-Kart report, concern at opposing views of Aboriginal groups and a request to receive funds for tickets sold at races.

**The General Manager** noted independent consultant utilised who reported on discussion held regarding the Go-Kart track and cultural sensitivity of Mount Panorama. Noted no agreement has been made as to any revenue allocations.

**P Hennessy – Roadwork requirements - O'Connell Road subdivision**

Spoke to Council requirements once they subdivide their property concerning the road into the development. Spoke to variations requested of Council concerning the road requirements. Noted history of property and the funding required for heritage purposes for works at the site. Heritage is a real strength of the area, bureaucracy



has been a hindrance. Mr Hennessy will address the next meeting of Council.

**L Petford – Mitre/Lambert/Suttor Street Intersection**

Spoke in support of the McNab's request. They are doing this work for the community, this is the worst intersection in NSW. Previously lived in this area for 10 years. Raised concerns for the school in this location. Asked Council to do something.

**S McMahon – Mitre/Lambert/Suttor Street Intersection**

Weekend of 12 Hour race was involved in an accident at this location. Supports the request by Mr McNab.

**G Crisp – Ratepayer**

Does the Mayor:

- (a) deny written complaints received about water charging process?
- (b) deny the system overcharges ratepayers \$11 million per annum for water?

Spoke to complaints made against the General Manager and the processes to be followed.

Continued to make various allegations against various persons/bodies.

**The General Manager** provided responses and noted there is no overcharge and that Mr Crisp recently took Council to court over water charges and withdrew his case.

**D McNab – Mitre/Lambert/Suttor Street Intersection**

Requests on behalf of ratepayers that works occur to resolve safety and traffic flow problems. Seeks Council to vote the funds, the longer the works are delayed, the greater the costs. These costs could be offset by black-spot funding, if these funds are not forthcoming, then money needs to be found.

**B Manning – Ratepayer**

Support those who have spoken on Mitre/Lambert/Suttor Street intersection. Further, wished to provide support to Mr Crisp about Council causing people going to court. She took Council to court and it cost \$150,000. Queries why Council bought house next to her. Spoke to S:8 of the Local Government Act. Councils are not allowed, since 2008, to purchase properties for investments. Spoke to Council processes in regards to meeting procedures, including purchasing and sale of land and closing of meeting requirements.

**P Dowling – Ratepayer**

Spoke to placement of a permanent sign on Mount Panorama. Also use of Wahluu name. Need to get "Mount Panorama Bathurst" sign done.

**The Director Engineering Services** noted funds are in 2017/2018 budget for consideration.

Gasworks

There is an opportunity with this site for tourism. Suggests Council consider this opportunity.

**APOLOGIES**

- 3** **APOLOGIES**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

**RESOLVED:** That the apologies from Crs Coote and North be accepted and leave of absence granted.

**MINUTES**

- 4** **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15 MARCH 2017 (11.00005)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Morse

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 15 March 2017 be adopted.

- 5** **Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 5 APRIL 2017 (11.00005)**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 5 April 2017 be adopted.

**DECLARATION OF INTEREST**

- 6** **DECLARATION OF INTEREST 11.00002**  
**MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

**RESOLVED:** That the following Declarations of Interest be noted.

Cr Hanger

Item #12 of the Director Corporate Services and Finance's report.

Item #3 of the Director Corporate Services and Finance's confidential report.

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**Director Environmental Planning & Building Services' Report****7 Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)****MOVED** Cr B Bourke and **SECONDED** Cr M Morse**RESOLVED:** That the information be noted.**8 Item 2 GENERAL REPORT (03.00053)****MOVED** Cr G Westman and **SECONDED** Cr W Aubin**RESOLVED:** That the information be noted.**9 Item 3 DEVELOPMENT APPLICATION NO. 2017/18 – 2 X 3 BEDROOM RESIDENTIAL UNITS, THREE LOT SUBDIVISION, PARTIAL DEMOLITION OF EXISTING DWELLING AT 190 WILLIAM STREET, BATHURST. APPLICANT:MR G COLEMAN. OWNER: MR L DEAN (2017/18)****MOVED** Cr W Aubin and **SECONDED** Cr M Morse**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. 2017/18, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including the following conditions to the effect that:
  - (i) the applicant is to submit to Council, for endorsement, a landscape plan prepared in accordance with Chapter 13 of Bathurst Regional Development Control Plan 2014 prior to the issue of a construction certificate. Council is to certify that the landscape plan is in accordance with Council's Development Control Plan prior to the issuing of the construction certificate; the landscape plan is to include provision for a lattice screen;
  - (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 M Morse, Cr G Westman**Against the motion** - Nil**Absent** - Cr M Coote, Cr I North**Abstain** - Nil**10 Item 4 DEVELOPMENT APPLICATION NO. 2016/433 – TELECOMMUNICATIONS FACILITY AT LOT 1 DP234893, BOUNDARY ROAD, MITCHELL. APPLICANT: COMMPLAN PTY LTD. OWNER: BATHURST REGIONAL COUNCIL (2016/433)**

**MOVED** Cr G Westman

and **SECONDED** Cr W Aubin

**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.2016/433, 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) The applicant is responsible for:

- (a) The maintenance and upgrading of infrastructure and maintenance of the site.
- (b) Notifying Council and the Department of Environment, Climate Change and Water should any emissions other than electromagnetic radiation arise from the installation and operation of the infrastructure and recommend a preferred strategy of amelioration.
- (c) Removing infrastructure within 3 months of decommissioning.
- (d) Ensuring each facility has a permanent and legible weatherproof sign that must be visible in the immediate proximity of the facility to identify the name and contact details of the operator and site manager;

(ii) the applicant is to provide Council with the measurement of EME levels at the nearest residence to the proposed site within thirty (30) days of commissioning of the facility and provide the results to Council along with a statement that the EME emission levels from the proposed base station would not differ significantly from that measured, and will at all times comply with the standard specified in the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) 2002, 'Radiation Protection Standard: Maximum Exposure levels to Radio frequency Fields – 3khz to 300Ghz', Radiation Protection Series No. 3;

(iii) the installation is to comply at all times with the RF emission standards specified in AS/NZS 2778.1.

(iv) compliance with any requirements of the Civil Aviation Safety Authority (CASA);

(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 G Hanger, Cr M Morse, Cr G Westman

Against the motion - Cr B Bourke

Absent - Cr M Coote, Cr I North

Abstain - Nil

- 11** **Item 5 DEVELOPMENT APPLICATION NO. 2015/0196 – REQUEST FOR MODIFICATION OF THE CONSENT FOR A RECREATION FACILITY (GO KART TRACK), BROCKS SKYLINE, MOUNT PANORAMA. APPLICANT: BATHURST KART CLUB. OWNER: BATHURST REGIONAL COUNCIL (2015/0196)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Morse

**RESOLVED:** That Council notes the General Manager's action to obtain:

- (a) an Aboriginal Cultural Heritage Assessment for the subject land to inform the application to modify DA 2015/0196; and
- (b) cultural heritage mapping of the Mount Panorama precinct to inform the longer term cultural heritage management of Mount Panorama.

- 12** **Item 6 ECONOMIC & BUSINESS OUTLOOK MORNING TEA – DR KEITH SUTER (20.00306)**  
**MOVED** Cr M Morse and **SECONDED** Cr B Bourke

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

- 13** **Item 7 NAMING OF PUBLIC ROADS – YELLOW BOX PLACE (20.00024)**  
**MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

**RESOLVED:** That Council:

- (a) adopt the name Yellow Box Place; and
- (b) direct the Acting Director Environmental Planning and Building Services to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

- 14** **Item 8 BATHURST CBD CAR PARKING (28.00006)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Morse

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

- 15** **Item 9 PEST BIRD MANAGEMENT STRATEGY – AN UPDATE ON ACTIVITIES (14.00627)**  
**MOVED** Cr B Bourke and **SECONDED** Cr M Morse

**RESOLVED:** That Council note the report.

- 16** **Item 10 PLANNING PROPOSAL – SCHEDULE 5 ENVIRONMENTAL HERITAGE (20.00302)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Morse

**RESOLVED:** That Council:

- (a) adopt the Bathurst Regional Local Environmental Plan amendment to update



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

- 22** **Item 5 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST SHEEP DOG CLUB (04.00087-02/065)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

**RESOLVED:** That Council donate \$500 to the Bathurst Sheep Dog Club for the use of the campground at Rockley to be funded from Section 356 donations.

- 23** **Item 6 CLASSIFICATION OF LAND - LOTS 433 AND 434 IN DP1225030 LOCATED IN IGNATIUS PLACE, KELSO TO OPERATIONAL LAND. (22.14719 and 2015/0017)**  
**MOVED** Cr M Morse and **SECONDED** Cr B Bourke

**RESOLVED:** That Council classifies Lots 433 and 434 in DP1225030 located on Wentworth Drive and Ignatius Place, Kelso, as 'Operational land' under the provisions of Section 31(2) of the Local Government Act 1993, as detailed in the report.

- 24** **Item 7 HILL END WAR MEMORIAL (04.00032)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

**RESOLVED:** That Council note that the Hill End & District Volunteer Bushfire Brigade has assumed the ongoing community management of the Hill End War Memorial.

- 25** **Item 8 UPDATE - FIRE AND EMERGENCY SERVICES LEVY (FESL) (18.00145)**  
**MOVED** Cr M Morse and **SECONDED** Cr W Aubin

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

- 26** **Item 9 REQUEST FOR FINANCIAL ASSISTANCE - EGLINTON HALL 70TH BIRTHDAY CELEBRATIONS (18.00004-33/012)**  
**MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

**RESOLVED:** That Council make a donation of \$1,000 to the Eglinton War Memorial Hall and Park Committee to assist with the Hall's 70th birthday celebrations in July, to be funded from Section 356 Donations.

- 27** **Item 10 POPULARLY ELECTED MAYOR (12.00005)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

**A MOTION was MOVED**

That the question of a popularly elected Mayor be referred to a referendum at the 2017 Council Elections.

**The MOTION was PUT and LOST**

- 28** **Item 10.01 POPULARLY ELECTED MAYOR (12.00005)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Morse

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

- 29** **Item 11 NEWLY ACQUIRED 'OPEN SPACE' AT PERTHVILLE - LOTS 1, 2, 3, 4, 7, 8, 9 AND 10 IN SECTION 16 DP758840 (22.13487)**  
**MOVED** Cr G Westman and **SECONDED** Cr B Bourke

**RESOLVED:** That Council approves

- (a) the consolidation of Titles for Lots 1, 2, 3, 4, 7, 8, 9 and 10 in Section 16 DP758840.
- (b) the undertaking of a Scoping study of the Perthville land to identify future usages, to be funded from Section 94 funds.
- (c) classify the land as 'Operational' under the provisions of Section 31(2) of the Local Government Act 1993.

- 30** **Item 12 PROPOSAL FOR RUNNING RACE AT MOUNT PANORAMA (04.00009)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

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

**Reason: Family member organising the event.**

**The Mayor, Cr Hanger, vacated the Chair.**

**Cr Westman was elected to take the Chair for this item in accordance with S:369 (2) of the Local Government Act.**

- 31** **Item 12 PROPOSAL FOR RUNNING RACE AT MOUNT PANORAMA (04.00009)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

**RESOLVED:** That Council:

- (a) Host the event as outlined with support and assistance from organisers;
- (b) Co-ordinate all appropriate traffic management controls and provide insurance coverage for the event;
- (c) Allow access to the Harris Park complex for pre and post race activities, food vendors and over flow car parking (if required);
- (d) Promote the event through regular outlets and media, and
- (e) Advise the Mount Panorama Residents of the event and any impacts on resident access.



- 32** **Item 13 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 25.00035, 21.00053, 22.02299, 22.00654, 22.01199, 04.00008)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

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

### **Director Engineering Services' Report**

- 33** **Item 1 EASEMENT FOR ELECTRICAL RETICULATION - FIELD 2 - PROCTOR PARK GORMANS HILL ROAD BATHURST (36.00617)**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

**RESOLVED:** That Council:

- (a) approve the creation of an easement for electrical reticulation to be installed on Lot 1 DP128895 and Lot 131 DP1123581 located at the Proctor Park Football Complex, Gormans Hill Road, Bathurst;
- (b) authorise the General Manager to sign Creation of Easement - Landowner Deed, Pioneer Scheme Application and Consent Form as Council's representative,

as detailed in the Director Engineering Services' report.

- 34** **Item 2 INTERSECTION OF MITRE, SUTTON & LAMBERT STREETS (25.00095)**  
**MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

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

- 35** **Item 3 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 14.00007, 36.00624 )**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

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

### **Director Cultural & Community Services' Report**

- 36** **Item 1 DRAFT BATHURST CULTURAL VISION 2036 (20.00056)**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

**RESOLVED:** That Council:

- (a) Endorse the placement of the draft Bathurst Cultural Vision 2036 on public exhibition for the statutory 28 day period and receive submissions until Thursday 18 May 2017.



- 42** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 5 APRIL 2017 (07.00064)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 5 April 2017 be adopted.

**Traffic Committee Meeting**

- 43** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 4 APRIL 2017 (07.00006)**  
**MOVED** Cr W Aubin and **SECONDED** Cr G Westman

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 4 April 2017 be adopted.

**DELEGATES REPORTS**

- 44** **Item 1 CENTROC BOARD MEETING (07.00017-29)**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

**RESOLVED:** That the report on the CENTROC Board Meeting held 23 February 2017 in Forbes be noted.

- 45** **Item 2 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 8 MARCH 2017 (11.00019)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Morse

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

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

- 46** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**  
**MOVED** Cr G Westman and **SECONDED** Cr M Morse

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

**There were no representations from the public.**

**RESOLVED:** That:

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

considered is classified confidential under the provisions of section 10A(2) as outlined above.

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	ABORIGINAL CULTURAL HERITAGE ASSESSMENTS OF THE MOUNT PANORAMA PRECINCT	10A (2) (h) – contains information concerning the nature and location of a place or an item of Aboriginal significance on community land.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSAL TO CONDUCT MUSIC FESTIVAL	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.
2	TRANSFER OF SHARE OF HANGAR LEASE - LOT 303 IN DP1187714 BATHURST AERODROME - ROSS AVIATION PTY LTD TO RENMEUL 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.
3	TYERS PARK - PROPOSED STRATEGIC DEVELOPMENT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	EXPRESSION OF INTEREST - RURAL LICENCE AGREEMENT - LOT 1 IN DP995205 AND LOT 1 IN DP1007963 LOCATED ON PATNA, COMMONWEALTH AND MORRISSET STREETS, 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.
5	EXPRESSION OF	10A (2) (d) (i) – contains commercial information

	INTEREST - RURAL LICENCE AGREEMENT - LOTS 14 AND 15 IN DP1089380 LOCATED AT 193 MORRISSET STREET, BATHURST	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	PANTHERS HOME GAME HOSTING AGREEMENT	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR NETWASTE REGIONAL ENVIRONMENTAL MONITORING OF LICENSED LANDFILLS	10A (2) (d) (iii) – contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.
2	TENDER FOR CONSTRUCTION OF PERTHVILLE STORMWATER DRAINAGE	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. 10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**Director Environmental Planning & Building Services' Report**

- a** **Item 1 ABORIGINAL CULTURAL HERITAGE ASSESSMENTS OF THE MOUNT PANORAMA PRECINCT (11.00005, DA2015/0196)**  
**MOVED** Cr B Bourke and **SECONDED** Cr M Morse

**That Council:**

- (a) endorse the General Manager's action to commission consultants to complete the aboriginal cultural heritage assessments of the Mount Panorama precinct as outlined in this report;
- (b) note that a satisfactory result would not be achieved by inviting tenders for this project as Council considers this project to be one of extreme urgency;

- (c) without calling tenders accept the Extent Heritage quotation of \$239,730 (excluding GST) in accordance with Section 55(3)(i) of the Local Government Act 1993 due to the following extenuating circumstances:
- (i) the urgency of the matter; and
  - (ii) the experience, cost effectiveness and quality of work exhibited by Extent Heritage in previous work done at Mount Panorama for Council.

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

- b** **Item 1 PROPOSAL TO CONDUCT MUSIC FESTIVAL (25.00035)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

That Council refer the matter to a Working Party.

- c** **Item 2 TRANSFER OF SHARE OF HANGAR LEASE - LOT 303 IN DP1187714 BATHURST AERODROME - ROSS AVIATION PTY LTD TO RENMEUL PTY LTD (21.00053)**  
**MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

That Council approves the transfer of the portion of the Lease agreement belonging to Ross Aviation Pty Ltd to Renmeul Pty Ltd for the hangar site located on Lot 303 in DP1187714 at the Bathurst Aerodrome, as detailed in the report.

- d** **Item 3 TYERS PARK - PROPOSED STRATEGIC DEVELOPMENT (22.02299)**  
**MOVED** Cr B Bourke and **SECONDED** Cr M Morse

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

Reason: Member of Board of Bathurst Thoroughbred Racing.

The Mayor, Cr Hanger, vacated the Chair.

Cr Westman was elected to take the Chair for this item in accordance with S:369 (2) of the Local Government Act.

- 47** **Item 3.01 TYERS PARK - PROPOSED STRATEGIC DEVELOPMENT (22.02299)**  
**MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

That Council advise Bathurst Thoroughbred Racing that in principle support for this proposal of:

- (a) upgrade of Eleven Mile Drive (\$360,000)
- (b) upgrade of Sewer (\$200,000 maximum)
- (c) upgrade of water supply (\$100,000 maximum)
- (d) no ongoing funding provision

will be referred to the 2017/2018 budget for consideration by Council

- e** **Item 4 EXPRESSION OF INTEREST - RURAL LICENCE AGREEMENT - LOT 1 IN DP995205 AND LOT 1 IN DP1007963 LOCATED ON PATNA, COMMONWEALTH AND MORRISSET STREETS, BATHURST (22.00654)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

**That** Council approves entering into a new Rural Licence agreement with Ms Leslie Carley and Mr Stephen Whitehouse for Lot 1 in DP995205 and Lot 1 in DP1007963 located at Patna, Commonwealth and Morrisset Streets, Bathurst for a period of one (1) year with an option period of one (1) year at Council's discretion, as detailed in the report.

- f** **Item 5 EXPRESSION OF INTEREST - RURAL LICENCE AGREEMENT - LOTS 14 AND 15 IN DP1089380 LOCATED AT 193 MORRISSET STREET, BATHURST (22.01199)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Morse

**That** Council approves entering into a new Rural Licence agreement with Ms Catherine Cox for Lots 14 and 15 in DP1089380 located at 193 Morrisset Street, Bathurst for a period of one (1) year with a one (1) year option period, at Council's discretion, as detailed in the report.

- g** **Item 6 PANTHERS HOME GAME HOSTING AGREEMENT (04.00008)**  
**MOVED** Cr B Bourke and **SECONDED** Cr M Morse

**That** Council enter into a new Panthers Home Game Hosting Agreement for the 2018 to 2028 NRL Season in accordance with the conditions as contained within the report.

#### **Director Engineering Services' Report**

- h** **Item 1 TENDER FOR NETWASTE REGIONAL ENVIRONMENTAL MONITORING OF LICENSED LANDFILLS (14.00007)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

**That** Council act in accordance with the Director Engineering Services' report.

- i** **Item 2 TENDER FOR CONSTRUCTION OF PERTHVILLE STORMWATER DRAINAGE (36.00624)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

**That** Council accept Central West Civil Pty Ltd total tendered project price of \$546,474.84 (GST incl.) subject to provisional items and variations.

#### **RESOLVE INTO OPEN COUNCIL**





**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY  
COMMITTEE  
HELD ON 3 MAY 2017**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:34 PM**

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

**APOLOGIES**

**2 APOLOGIES**

Nil.

**DECLARATION OF INTEREST**

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

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**4 Item 1 DRAFT BATHURST DELIVERY PLAN 2017-2021 & ANNUAL  
OPERATIONAL PLAN 2017/2018 (16.00148)**  
**MOVED** Cr M Coote and **SECONDED** Cr W Aubin

**RESOLVED:** That Council place the draft Bathurst Delivery Plan 2017-2021 and Annual Operational Plan 2017/2018 including the Revenue Policy for 2017/2018, on public exhibition for the statutory 28 day period and receive submissions until 6 June 2017.

**Director Engineering Services' Report**

**5 Item 1 PROPOSED ROAD TRANSFER - CROWN ROAD OFF THE GREAT  
WESTERN HIGHWAY RAGLAN (25.00320)**

**MOVED** Cr I North

and **SECONDED** Cr B Bourke

**RESOLVED:** That Council approve the transfer of the Crown Road adjoining Lot 304 DP1187714 off the Great Western Highway from The Crown to Council, subject to the information contained in the Director Engineering Services' report.

**6** **Item 2 COMPULSORY ACQUISITION OF AN EASEMENT FOR SEWER GRAVITY MAIN BETWEEN BONNOR STREET AND LIMEKILNS ROAD KELSO - INFORMATION (25.00066)**

**MOVED** Cr G Westman

and **SECONDED** Cr M Morse

**RESOLVED:** That:

- (a) Council approve an application for the compulsory acquisition of an easement for construction of a sewer gravity main 6 wide within Lot 1 DP197444 and Lot 284 DP735655 located between Bonnor Street and Limekilns Road Bathurst. Such easement is subject to final survey;
- (b) The application to the Minister and/or Governor is to follow the provisions of the Local Government Act 1993 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991, and:
  - (i) Is to include a reduction in the minimum period of 60 days for the acquisition to be made;
  - (ii) Is not to include mineral rights; and
- (c) Council classify the acquired land as operational land under Section 31(2) of the Local Government Act 1993;
- (d) Council instruct a surveyor to prepare an Easement Acquisition Plan;

in accordance with the information contained in the Director Engineering Services' report.

**MEETING CLOSE**

**7** **MEETING CLOSE**

The Meeting closed at 6.50 pm.

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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 MAY 2017

## **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 April 2017 (**attachment 1**).
- (b) Applications refused during April 2017 (**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 April 2017 (**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 NO. 2017/90 – USE OF EXISTING FUNCTION ROOM AND USE OF EXISTING DECK AT THE DUDLEY HOTEL, 250 STEWART STREET, BATHURST. APPLICANT: MR R TAYLOR. OWNER: MR M WORTHINGTON & MR A CATALANO (DA/2017/90)**

**Recommendation:** That Council:

- (a) support the variation to the car parking ratio of 1 space per 10m<sup>2</sup> for pubs prescribed in the Bathurst Regional Development Control Plan 2014 and therefore support the reduction in the required number of car parks from 34 to 29;
- (b) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2017/90, 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) At least 29 car parking spaces are to be available on the site at all times; and
- (c) call a division.

**Report:** The Site

Council has received a Development Application (DA) for the use of an existing function room and the use of an existing deck at the Dudley Hotel, 250 Stewart Street, Bathurst, described as Lot 10, DP 1230248 and Part Lot 4, Section 30 DP 7580652 (see location plan at **attachment 1**).

The site currently contains:

- a two storey pub building;
- an attached bottle shop;
- an attached gaming lounge;
- a separate function room;
- a beer garden/deck; and
- an off-street car park with 29 spaces.

**History of the Site**

In June 2007 Council approved the following works on the subject site:

- The demolition of later additions at the rear of the dwelling at 246 Stewart Street and the removal of the interior walls of the dwelling;
- The complete demolition of the dwelling at 242 Stewart Street and the construction of a liquor storage building;
- The conversion of the dwelling at 246 Stewart Street to a poker machine area including the addition of amenities at the rear
- The erection of a 2.0 metre high masonry front fence across the front of 242 and 246 Stewart Street; and
- The provision of off-street car parking spaces.

Some time after the above works were completed the liquor storage building was converted to a function room. A deck was also constructed between the gaming lounge and the

function room. Neither received Council consent.

The table below outlines the car parking requirements and provision as originally considered for the 2007 proposal.

Proposed additional floor area (excludes liquor store)	63m <sup>2</sup>
Car parking ratio (lounge/dining area)	1 space per 5.6m <sup>2</sup> of floor area
Existing number of car parks (pub pre 2007 development)	8
Additional car parks required by development	11
Total number of car parks required	19
Total number of car parks proposed	30

It should be noted that the ratio for car parking for lounge/dining area in 2007 under Council's *Off-Street Car Parking Code* was 1 space per 5.6m<sup>2</sup> of floor area. The current ratio for car parking for pubs outside the CBD is 1 space per 10m<sup>2</sup> of floor area.

#### The current proposal

The current Development Application is for the continual use of the existing function room and the existing deck, for which consent has not been granted.

The function room, deck and the previously approved gaming lounge have a total licensed floor area of 262.19m<sup>2</sup>.

See plans of existing configuration of the site 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 pub is permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

##### *Bathurst Regional Development Control Plan 2014*

#### **Chapter 14 – Parking**

Under the Bathurst Regional Development Control Plan 2014 the current ratio for the provision of car parking for pubs outside the CBD is 1 space per 10m<sup>2</sup> of floor area.

The function room, deck and the previously approved gaming lounge have a total licensed floor area of 262.19m<sup>2</sup>. Based on this floor area a total of 26 car parking spaces are required above and beyond those provided for the original pub (8). A total of 34 spaces would therefore be required as outlined below:

Proposed additional floor area (function room, deck & gaming lounge)	262.19m <sup>2</sup>
Car parking ratio (pubs outside the CBD)	1 space per 10m <sup>2</sup> of floor area
Existing number of car parks (pub pre 2007 redevelopment)	8
Additional car parks required for function room, deck and gaming lounge	26
Total number of car parks required	34
Total number of car parks proposed	29

As noted in the table above there is currently a deficit of 5 car parking spaces.

The applicant seeks to vary the required number of car parking spaces from 34 to 29 for the following reasons:

- With the introduction of RBT very few patrons drive to the Hotel, most are dropped off.
- Ample on-street parking is available in the immediate vicinity of the Hotel.
- The Hotel is within walking distance of the Bathurst CBD.
- Even in peak periods the existing car park has not been completely full.
- The function room is only used intermittently by sporting clubs for meetings and end of season functions and is generally not available for external hire.
- The Hotel has its own courtesy bus for picking up and taking home patrons.

See applicant's request for variation at **attachment 3**.

The subject site is outside the area where the Section 94 Plan – *Bathurst CBD Car Parking* applies and therefore Council has no mechanism to accept a contribution in lieu of the deficit car parking spaces. Accordingly Council's options are to either accept the variation or refuse the application on the basis of the non-compliance.

### Submissions

As the Development Application involves a licensed premises it was advertised and notified to adjoining property owners from 10 April 2017 to 27 April 2017. No submissions were received during the advertising/notification period.

### Conclusion

Council has received a Development Application (DA) for use of an existing function room and use of an existing deck at the Dudley Hotel, 250 Stewart Street, Bathurst. In 2007, a major redevelopment of the site occurred which included the construction of a liquor storage building and new gaming lounge. Some time after the above works were completed the liquor storage building was converted to a function room. A deck was also constructed between the gaming lounge and the function room. This Development Application seeks approval for the continued use of the existing function room and the existing deck for which consent had not previously been sought. A total of 34 car parking spaces are required for all existing development on the site however only 29 spaces are available. The applicant seeks to vary the car park ratio and therefore the total number of car parks required. It is considered that this variation can be supported for the reasons outlined in this report. Approval 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



**4 DEVELOPMENT APPLICATION NO. 2017/125 – TWO LOT SUBDIVISION AT 131 MOUNT RANKIN ROAD, MOUNT RANKIN. APPLICANT: MRS VICKIE HART. OWNER: MRS V E HART (DA/2017/125)**

**Recommendation:** That Council:

- (a) support the variation to the 4.1 Minimum Subdivision Lot Size development standard prescribed in the Bathurst Regional Local Environmental Plan 2014;
- (b) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2017/125, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (c) call a division.

**Report:** The Site

Council has received a Development Application (DA) for a two lot subdivision at 131 Mount Rankin Road, Mount Rankin (Lot 20, DP 852712). A location plan is provided at **attachment 1**.

The site has an area of 26.45 Ha.

The site contains a dwelling and associated rural outbuilding. The site contains a number of watercourses and 4 dams varying in size.

The proposal

The proposal is for a two lot subdivision. See a plan of the proposed subdivision at **attachment 2**.

The subdivision will result in two lots:

- Lot 200 will have an area of 17.45Ha; and
- Lot 201 will have an area of 9Ha

Lot 200 will maintain the existing dwelling and the associated outbuildings and three of the dams.

Lot 201 will be created as a vacant lot with scattered vegetation and one dam.

The boundary between the 2 allotments has been run parallel to one of the watercourses passing through the property.

Planning Context

*Bathurst Regional Local Environmental Plan 2014*

The subject site is zoned R5 Large Lot Residential under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. A subdivision is permissible with consent in the R5 Large Lot zone. The proposal is consistent with the objectives of the zone.

#### 4.1 Minimum subdivision lot size

- (1) *The objectives of this clause are as follows:*
  - (a) *to protect and enhance the production capacity of rural lands, by maintaining farm sizes and the status of productive lands,*
  - (b) *to ensure residential lots are of a suitable shape and size to provide a building envelope, private open space and suitable building setbacks for acoustic and visual privacy,*
  - (c) *to control the subdivision of land shown on the Lot Size Map for the purposes of a dwelling house,*
  - (d) *to ensure that lot sizes are consistent with the desired settlement density and intensities for different localities and reinforce the predominant subdivision pattern of the area,*
  - (e) *to ensure a secure water supply is available to land in Zone RU4 Primary Production Small Lots to enable the cultivation of land by irrigation.*
- (2) *This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*
- (3) *The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*

The Minimum Lot Size Map indicates a minimum lot size for the creation of a lot is 10Ha. The development is for a two lot subdivision to create allotments of 9Ha and 17.45Ha.

The proposed development is seeking consent to vary Clause 4.1 of Bathurst Regional LEP 2014 to create a lot that is less than the minimum lot size. See discussion on Clause 4.6 variation below.

#### **Clause 4.6 Exceptions to development Standards**

- (1) *The objectives of this clause are as follows:*
  - (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
  - (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
- (2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
  - (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
  - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

A Clause 4.6 Variation was submitted with the Development Application (**attachment 3**). The applicant has made the following case as to why the development standard is unreasonable or unnecessary in the circumstances of the case:

- Enlargement of proposed lot 201 to satisfy the MLS would result in a poor lot shape for the following reasons:
  - o proposed lot 201 has been designed so that the existing dam and water supply arrangements for the property remain in proposed lot 200 to serve the existing dwelling and the activities that take place on that lot.
  - o It is not practical to enlarge proposed lot 201 by 1Ha without interrupting the existing water supply arrangement, or without causing a poor lot shape for proposed lot 200.
  - o despite the proposed variation to the Minimum Lot Size, proposed Lot 201 will be a suitable shape size to provide a building envelope, private open space and suitable building setbacks for acoustic and visual impact.
- The size of Lot 201 (9Ha) is consistent with other lots within the locality. The two lots immediately to the east of proposed lot 201 are smaller than 9 Ha. Therefore the development is consistent with Clause 4.1(1) (d) of the BRLEP 2014 which seeks to ensure that lots sizes are consistent with the desired settlement density and intensities for different localities and reinforces the predominant subdivision pattern of the area.

The applicant has made the following case as to what the environmental planning grounds are to justify contravening the standard:

- The creation of proposed lot 201 can be demonstrated to meet the relevant objectives of the development standard as well as the relevant objectives of the R5 Large Lot Residential Zone.
- The creation of proposed lot 201 at 90% of the MLS map requirements will not generate any greater environmental impact than if strict compliance with the MLS was created.
- The creation of this lot will satisfy Council's normal requirements for large lot residential subdivisions in relation to the provisions for services, legal and physical access.
- Proposed lot 201 does not introduce a lot that is uncharacteristic of the area, given that the adjoining lots immediately to the east are less than 10 Hectares in area.

(4) *Development consent must not be granted for development that contravenes a development standard unless:*

(a) *the consent authority is satisfied that:*

- (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
- (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

(b) *the concurrence of the Secretary has been obtained.*

The applicant's written request adequately outlines why the development standard is unreasonable or unnecessary and what the environmental planning grounds are to justify the contravention.

The applicant's 4.6 variation is at **attachment 3**.

#### Concurrence

The variation to the development standard does not require concurrence of the Department of Planning as the variation is not greater than 10%.

#### Conclusion

Council has received a Development Application (DA) for a two lot subdivision at 131 Mount Rankin Road, Mount Rankin. The Minimum Lot Size Map indicates a minimum lot size of 10ha is applicable in this locality. Proposed lot 201 will have a size of 9ha.

The proposed development is seeking consent to vary Clause 4.1 of Bathurst Regional LEP 2014 to create a lot that is less than the minimum lot size. Notwithstanding the non-compliance the development is considered acceptable for the reasons within the report. Approval 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

## **5 MOBILE BLACK SPOTS PROGRAM FUNDING (08.00002)**

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

**Report:** Council regularly conducts Mobile Black Spot Audits to identify the location of black spots within the Local Government Area (LGA), and ranks them in terms of their impact on residents. Black spots are identified through consultation with the community, businesses and telecommunication providers. Council then forms a list of priority black spots, with this information shared with the NSW Government to inform the National Mobile Black Spot Database. Providing this data increases the likelihood of attracting funding and addressing black spots in areas where Council would like to see mobile and internet services.

In recent years, Council has partnered with Regional Development Australia Central West (RDACW) and major telecommunication providers Telstra, Optus and Vodafone, to attract funding to the Bathurst Regional LGA for the development of new mobile phone towers under the NSW Governments Mobile Black Spots Program (MBSP). This involves Council providing detailed submissions to Telstra, Optus and Vodafone to inform their grant applications for the MBSP. Council therefore plays a critical role in advising telecommunication providers of priority blackspots, and assisting them with their funding applications. The MBSP provides the opportunity for telecommunication providers to construct towers outside of major city areas and fringes that would not otherwise be commercially viable.

Council, in partnership with the telecommunication providers, has achieved significant success in both Round 1 and Round 2 of this program.

The Bathurst Regional LGA received funding for 3 mobile towers across Round 1 and Round 2 of the MBSP:

- Rockley (Telstra), Round 1
- Trunkey Creek (Telstra), Round 1
- Napoleon Reef (Optus), Round 2

The areas listed above were identified by Council as priority black spot areas. Council has been informed that Telstra will commence the construction of mobile towers in both Rockley and Trunkey Creek under Round 1 of funding in mid-2017.

Telstra intends to construct a monopole at the Rockley site which will significantly enhance both internet and mobile services in this area.

Optus is expected to commence development of the Napoleon Reef site in early 2018.

The NSW Government will shortly announce Round 3 of the MBSP, and Council intends to once again assist telecommunication providers in attracting additional mobile phone towers to the Bathurst Regional LGA.

Additionally, RDACW recently engaged a telecommunications specialist, Optimi Digital, to review reported mobile black spots across the region and identify sites of community need and competitive funding potential under the MBSP. Their work compliments and expands on Council's previous work in the identification of black spot priority areas within the LGA, and provides further data to support the telecommunication provider's applications for Round 3 of the MBSP. RDA have identified 4 "priority" mobile black spots in the LGA, and 4 secondary sites. These sites have been selected due to their compatibility with the MBSP guidelines,

ability to address multiple black spots and their proximity to existing infrastructure.

The priority sites are located at:

- Wattle Flat
- Sunny Corner
- Rock Forest
- Mount Rankin

The secondary sites are located at:

- Limekilns
- Clear Creek
- Wiagdon
- Triangle Flat

Council recently identified a mobile black spot on the Mitchell Highway. The Mitchell Highway is identified as a Non-Gazetted Location. The MBSP guidelines indicate that the attraction of funding is dependent on addressing “reasonable amounts of social and economic infrastructure” that are affected by the mobile black spot. Locations along roads, rivers, creeks, State reserves and National Parks will not attract funding through the MBSP, as these locations are more isolated with minimal or no evident resident population. Funding will be allocated for priority ‘town’, ‘village’ and ‘locality’ sites where people live and work. Therefore, the black spot located on the Mitchell Highway is not eligible for the MBSP funding.

The RDACW’s recommendations will be incorporated into Council’s submissions to the telecommunication providers for Round 3 of the MBSP, which will hopefully assist in attracting more funding for mobile towers to the Bathurst Regional LGA.

#### Conclusion:

Council, in partnership with the telecommunication providers, has achieved significant success in both Round 1 and Round 2 of the NSW Government’s Mobile Black Spots Program (MBSP). The Bathurst Regional LGA received funding for 3 new mobile towers under the MBSP at Rockley, Trunkey Creek and Napoleon Reef.

The areas listed were identified by Council as priority black spot areas. Council has been informed that Telstra will commence the construction of mobile towers in both Rockley and Trunkey Creek under the Round 1 funding as early as July 2017.

Optus is expected to commence development of the Napoleon Reef site in early 2018.

The NSW Government is expected to announce Round 3 of the MBSP in 2017, and Council intends to once again assist telecommunication providers in attracting additional mobile phone towers to the Bathurst Regional LGA. Council will also continue to engage with businesses and the local community to identify new black spots, and will also include the priority black spots identified by RDACW (**attachment 1**) in Council’s submission to the telecommunication providers. Locations along roads, rivers, creeks, State reserves and National Parks will not attract funding through the MBSP, as these locations are more isolated with minimal or no evident resident population. Funding will be allocated for priority ‘town’, ‘village’ and ‘locality’ sites where people live and work.

**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 6.5
- Objective 17: To encourage living, vibrant and growing villages and rural settlements. Strategy 17.7

Yours faithfully



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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 MAY 2017



## **1 STATEMENT OF INVESTMENTS (16.00001)**

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

**Report:** \$76,100,000 was invested at 30 April, 2017 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:

	<b><u>Rating</u></b>	<b><u>Balance</u></b>	<b><u>Average Return</u></b>
<b><u>Short Term 1 – 365 Days</u></b> <b>(comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits):</b>			
National Australia Bank Limited	A1+	\$6,500,000.00	2.84%
St George	A1+	\$3,000,000.00	2.78%
Bankwest	A1+	\$3,000,000.00	2.69%
Bank of Queensland Limited	A2	\$16,500,000.00	2.73%
Bendigo and Adelaide Bank Limited	A2	\$500,000.00	2.72%
Newcastle Permanent	A2	\$2,500,000.00	2.80%
Maritime, Mining & Power Credit Union Ltd	ADI	\$1,100,000.00	2.79%
People's Choice Credit Union	ADI	\$3,000,000.00	2.69%
Railways Credit Union Limited	ADI	\$2,000,000.00	2.87%
SGE Credit Union Limited	ADI	<u>\$1,500,000.00</u>	<u>2.75%</u>
		<b>\$39,600,000.00</b>	<b>2.76%</b>
<b><u>Long Term &gt; 365 Days</u></b> <b>(comprising Commercial Bills, Term Deposits, Debentures and Bonds):</b>			
<b><u>Floating Rate Term Deposits</u></b>			
CBA Deposit Plus	AA-	\$1,500,000.00	2.59%
CBA Deposit Plus 1	AA-	\$1,500,000.00	2.74%
CBA Deposit Plus 2	AA-	\$1,500,000.00	4.00%
WBC Coupon Select	AA-	\$2,000,000.00	2.78%
WBC Coupon Select 1	AA-	\$3,000,000.00	3.00%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$2,200,000.00</u>	<u>1.70%</u>
		<b>\$11,700,000.00</b>	<b>2.76%</b>
<b><u>Fixed, Negotiable &amp; Tradeable Certificates of Deposits</u></b>			
Greater Bank Ltd	BBB+	<u>\$2,000,000.00</u>	<u>3.28%</u>
		<b>\$2,000,000.00</b>	<b>3.28%</b>
<b><u>Floating Rate Notes</u></b>			
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	2.67%
AMP	AA-	\$800,000.00	2.90%
AMP	AA-	\$1,000,000.00	3.13%
CBA Climate Bond	AA-	\$1,000,000.00	2.72%
AMP	A+	\$1,000,000.00	2.85%

Suncorp Metway	A+	\$1,000,000.00	3.00%
Rabobank	A+	\$1,000,000.00	3.29%
Macquarie Bank	A	\$1,000,000.00	2.89%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	2.98%
Bank of Queensland	A-	\$1,000,000.00	2.80%
Bank of Queensland 1	A-	\$2,000,000.00	2.90%
Bendigo & Adelaide Bank 2	A-	\$1,000,000.00	2.73%
Bendigo & Adelaide Bank 3	A-	\$1,000,000.00	2.88%
Bank of Queensland 2	A-	\$1,000,000.00	2.84%
Police Bank Ltd	BBB+	\$1,000,000.00	2.88%
Police Bank Ltd 2	BBB+	\$1,000,000.00	2.88%
Credit Union Australia 2	BBB+	\$1,000,000.00	3.00%
Credit Union Australia 3	BBB+	\$1,000,000.00	3.40%
Newcastle Permanent	BBB+	\$1,000,000.00	3.14%
Newcastle Permanent 2	BBB+	\$1,000,000.00	3.40%
Newcastle Permanent 3	BBB+	\$1,000,000.00	3.40%
Members Equity Bank 2	BBB+	\$1,000,000.00	2.78%
		<b>\$22,800,000.00</b>	<b>2.97%</b>

**Total Investments** **\$76,100,000.00** **2.84%**

***These funds were held as follows:***

Reserves Total (includes unexpended loan funds)	\$39,816,372.00
Grants held for specific purposes	\$2,773,031.00
Section 94 Funds held for specific purposes	\$32,931,328.00
Unrestricted Investments – All Funds	\$579,269.00

**Total Investments** **\$76,100,000.00**

**Total Interest Revenue to 31 March 2017** **\$1,778,821.34** **2.84%**

**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 MONTHLY REVIEW - 2016-2020 DELIVERY PLAN AND QUARTERLY BUDGET REVIEW STATEMENT 2016-2017 (16.00144)**

**Recommendation:** That the information be noted and any variations to income and expenditure be voted.

**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/council/general-information/public-documents](http://www.bathurst.nsw.gov.au/council/general-information/public-documents). A listing of the Objectives and Strategies from the Bathurst 2036 Community Strategic Plan can be found within the Plan commencing from page 34.

At **attachment 1** is an update of the strategies for the 2036 Community Strategic Plan.

Clause 203(1) of the *Local Government (General) Regulation 2005* (the Regulation) requires a council's responsible accounting officer to prepare and submit a quarterly budget review statement to the governing body of council. The quarterly budget review statement must show, by reference to the estimated income and expenditure that is set out in the management plan or operational plan adopted by council for the relevant year, a revised estimate of income and expenditure for that year. It also requires the budget review statement to include a report by the responsible accounting officer as to whether or not they consider the statement indicates council to be in a satisfactory financial position (with regard to its original budget) and if not, to include recommendations for remedial action.

The Division of Local Government has now set a prescribed format for the Quarterly Budget Review Statement (QBRs). The new statement is in the same format as the requirements for the new Annual Operational Plan that replaced the Management Plan from 1 July 2012. The Report shown at **attachment 2** is in the format of a commercial Income and Expenditure Statement as per the Office of Local Government Guidelines.

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 1.

**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 April 2017.

**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:	\$Nil
BMEC Community use:	\$Nil
Mount Panorama:	\$12,819.89

#### **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.

- Bathurst Bushrangers ARFC Inc - George Park - Lot 7324, DP 1157012 - Licence Agreement
- Bathurst Meals on Wheels Service Inc - 4 Watt Drive - Lot 800, DP 1160678 - Lease Agreement
- Government Property NSW - Level 3, 230 Howick Street - Part Lot 1, DP774489 - Variation of Lease
- The Neighbourhood Centre - 2/55 Seymour Street - Part Lot 180, DP 862410 - Licence Agreement
- AJ & SC Brilley - 67 Woodside Drive - Lot 7, DP 263393 - Transfer
- Hibbards Pty Ltd - 22 Lew Avenue - Lot 11, DP 1226661 - Transfer
- Hibbards Pty Ltd - 13 Fraser Drive - Lot 53, DP 1226661 - Transfer
- Bathurst Seymour Centre - Unit 3, 55 Seymour Street - Lot 180, DP862410 - Lease

#### **Linen Plan Release**

- Nil

**Financial Implications:** Nil.

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

- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

## **5 2017 BROCK COMMODORE OWNERS ASSOCIATION OF AUSTRALIA NATIONAL EVENT (23.00015-08/078)**

**Recommendation:** That:

- (a) Council close Russell Street between William Street and George Street between 8.30 am and 1.30 pm on Saturday, 14 October 2017 to enable a display of Brock Commodores;
- (b) Council open Pit Lane at the Mount Panorama Circuit between 9 am and 12.30 pm on Sunday, 15 October 2017 to enable a photo shoot of the Brock Commodores; and
- (c) Council donate the costs associated with:
  - (i) The venue hire and entry fees to the National Motor Racing Museum for the Mayoral Welcome Reception, estimated to be \$1,000;
  - (ii) The road closure of Russell Street, estimated to be \$1,500;
  - (iii) The opening and use of Pit Lane, estimated to be \$249;

which are to be funded from Council's Section 356 Donations 2017/2018 budget allocation.

**Report:** Council is in receipt of a request from the 2017 Brocktober Co-ordinator of the Brock Commodore Owners Association of Australia Incorporated, seeking to hold their annual national event for 2017 in Bathurst. A copy of this request is provided at **attachment 1**

The 2017 Brocktober event is scheduled to occur from 13 to 15 October 2017. The event organisers are anticipating that over 60 cars and 130 members will be attending this event.

In brief, the 2017 Brocktober event program includes:

- Mayoral Welcome Reception at the National Motor Racing Museum;
- A show and Shine display in Russell Street;
- Scenic drives around the Bathurst region;
- A photo shoot in Pit Lane, and
- A presentation dinner and charity auction at Rydges.

As part of this event, the organisers are seeking financial support for:

- (i) The venue hire and entry fees to the National Motor Racing Museum for the Mayoral Welcome Reception, estimated to be \$1,000. It should be noted that the catering costs for this reception are being paid for by the event organisers;
- (ii) The costs associated with the Russell Street road closure, estimated to be \$1,500; and
- (iii) The fees associated with the opening and use of Pit Lane, estimated to be \$249.

**Financial Implications:** The total financial support sought for this event amounts to \$2,749 which could be funded through Council's 2017/2018 Section 356 Donations allocation.

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

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play.
- Objective 23: To encourage a supportive and inclusive community.

Strategy 4.1

Strategy 23.2

## **6 THE KANGAROO PROJECT - "APPLETON" ORCHARD, COLLEGE ROAD (14.00665)**

**Recommendation:** That:

- (a) The update of the Kangaroo Project be noted; and
- (b) Delegate to the General Manager the authority to maintain the fencing until the end of October 2017, should it be required.

**Report:** Council has recently received (3 May 2017) an update from Mr Ray Mjadwesch on the kangaroo relocation project at Appleton Orchard, College Road.

A summary of the progress of this project, as contained in Mr Mjadwesch's update, is provided as follows:

- All of the permitted animals (30) have been removed from the orchard, and eight of them have been fitted with satellite tracking collars, as part of the NSW Office of Environment and Heritage's (OEH) requirements, and are returning good data about the kangaroos' movements and behaviour.
- An interim report has been produced for OEH and Mr Mjadwesch is awaiting their advice with regards to fitting "i-got-u" devices to an additional 20 animals.
- They are on track to complete the relocation of all animals from the orchard by the end of May.

Contained within the update are two items where Mr Mjadwesch has provided an advanced notice of his intention to seek additional funds from Council. These items are specifically:

- (i) A contribution towards the costs of the satellite tracking collars. Mr Mjadwesch has indicated that the costs of these collars were approximately \$30,000; and
- (ii) Reimbursement of the cost of medicants and darts. Mr Mjadwesch has indicated that, as the number of animals to be relocated is closer to 300, and not 150, the original funding of \$12,000 for medicants and darts has already been exceeded.

To date, Council has already expended approximately \$75,000 on this project. This amount includes:

- \$63,000 for the cost of fencing up to the end of May; and
- \$12,000 for the cost of medicants and darts.

Whilst it is noted, in the update, that the relocation program is on track to be completed by the end of May, this report is seeking that the General Manager be authorised to retain the fencing up to the end of October, should it be required. This will allow for the fencing to remain should any further delays be experienced with this project, and also allow for a secured site for any clean-up works that may be required. The cost of fencing is approximately \$7,500 per month.

**Financial Implications:** This project continues to cost Council funds over and above the \$20,000 originally committed to the project.

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



- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.6
- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.3, 10.6
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8

**7 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(22.07480, 22.00972, 22.00545, 21.00037, 22.02208, 22.00358, 20.00119,  
04.00028)**

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

**Report:** The following items have been included in the confidential section of the business paper for Council's consideration:

**1 MANAGING AGENCY AGREEMENT - LOT 25 IN DP 214037 LOCATED AT 9  
MCKELL STREET, BATHURST (22.07480)**

This report relates to the acceptance of a new Managing Agency Agreement for Lot 25 in DP 214037 Located at 9 McKell Street, Bathurst.

**2 KELSO FLOODPLAIN VOLUNTARY ACQUISITION - PROPOSED PURCHASE OF  
LOT 2 AND LOT 3 IN DP194761 LOCATED AT 20 STEPHENS LANE, KELSO (22.00972)**

This report relates to the proposed purchase of Lot 2 and Lot 3 in DP194761 at 20 Stephens Lane, Kelso under floodplain voluntary acquisition.

**3 PROPOSED SALE OF PART LOT 824 IN DP1185390 LOCATED ON WESTBOURNE  
DRIVE, LLANARTH (22.00545)**

This report relates to the proposed sale of Lot 824 in DP1185390, Westbourne Drive, Llanarth.

**4 INTERIM SPORTING LICENCE AGREEMENT - LOT 234 IN DP750357 KNOWN AS  
THE BATHURST INDOOR SPORTS STADIUM LOCATED ON VITTORIA STREET,  
BATHURST (21.00037)**

This report relates to a proposed Interim Sporting Licence Agreement for the Bathurst Indoor Sports Stadium located on Vittoria Street, Bathurst.

**5 PROPOSED SALE - COMPULSORY ACQUISITION BY AGREEMENT - LOT 10 IN  
DP716663 LOCATED AT 6 COMMONWEALTH STREET, BATHURST (22.02208)**

This report relates to the sale via compulsory acquisition by agreement of Lot 10 in DP716663 at 6 Commonwealth Street, Bathurst.

**6 PROPOSED NEW RESIDENTIAL DEVELOPMENT AND SUBDIVISION OF LAND -  
LOT 5 IN DP847225 LOCATED AT 197 LIMEKILNS ROAD, KELSO (22.00358)**

This report relates to a new residential development and subdivision of land at Lot 5 in DP847225 at 197 Limekilns Road, Kelso.

**7 PROPOSED NEW RESIDENTIAL DEVELOPMENT AND SUBDIVISION OF LAND -  
LOT 1126 IN DP1215618 LOCATED ON COLVILLE STREET, WINDRADYNE (20.00119)**

This report concerns a new residential development and subdivision of land at Lot 12126 in DP1215618 on Colville Street, Windradyne.

**8 ADVERTISING AT MOUNT PANORAMA - HELL CORNER BRIDGE (04.00028)**

This report relates to a proposal for a the new exclusive rights agreement for advertising on the Hell Corner Bridge at Mount Panorama.

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

**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

Yours faithfully



R Roach  
**DIRECTOR**  
**CORPORATE SERVICES & FINANCE**

## DIRECTOR ENGINEERING SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 MAY 2017

## **1 PROCTOR PARK FOOTBALL PRECINCT (04.00044)**

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

**Report:** The following information is presented to inform Council on the various projects, capital works and general maintenance contributions that have been directed towards the Proctor Park Football Precinct by Council and user groups over the past several years. Council has and will continue to improve and develop sporting facilities for all sports in Bathurst, as funding resources permit, and the development of the Proctor Park Football Precinct is no exception.

Improvement projects that have been undertaken to date are as follows:-

<b>FINANCIAL YEAR</b>	<b>PROJECTS</b>	<b>COST</b>
2004/05	Sports lighting to Police Paddock	\$43,000
2007/08 & 2008/09	Construct 2 x new football fields at Police Paddock	\$80,000
2010/11	Sports lighting to Field 1 at Proctor Park	\$170,000
2012/13	Construction of new Change rooms at Proctor Park	\$300,000
2013/14	Storage Shed at Proctor Park (Loan)	\$63,000
2016/17	Install Field Lighting to Field 2 at Proctor Park and Electrical Substation Upgrade	\$330,000
2016/17	Purchase of Land to improve entrance to Proctor Park	\$300,000
<b>Total of improvements since 2004</b>		<b>\$1,286,000</b>

In addition to the above improvement works, Council would be aware that it also spends in excess of \$92,000 per annum in general maintenance works to the various football fields and facilities at Proctor Park and Police Paddock. Such works involve mowing, fertilising, aeration and turf renovation treatments to the fields, as well as general building maintenance activities.

Council has also been working with the user groups of Proctor Park, including Bathurst District Football, to develop the Proctor Park Football Precinct into the future. In December 2015 Council adopted a Master Plan Document for the future development of the Proctor Park Football Precinct. The document was produced following extensive consultations with all football stakeholder groups. The proposed works within the Master Plan document were prioritised into five (5) stages, with stage 1 items being the highest priority. The stages that were identified and accepted by Bathurst District Football were as follows:-

<b>STAGE</b>	<b>PROJECT</b>
Stage 1	Construction of a Synthetic Field
Stage 2	Reconstruction of existing playing fields at Proctor Park, construction of new amenities building and field lighting

Stage 3	Reconstruction of existing playing fields at Police Paddock, new amenities block and fencing
Stage 4	Construction of additional football fields and amenities building on new land (Land to be purchased)
Stage 5	Construction of grandstand facilities
<b>TOTAL ESTIMATED COST</b>	<b>\$13.59M</b>

In 2016, Council finalised the design documents and called for tenders for the construction of a synthetic field at Proctor Park. Upon close and assessment of submitted tenders, Council resolved not to accept any tender due to all submissions being well above Council's estimate and budget for the works. At the same time, Council received a request from the peak governing body for Proctor Park (Bathurst District Football) requesting that the Stage 2 works within the Proctor Park Management Plan be given priority over Stage 1 works.

Council has agreed to the request for a change in the priorities of the Master Plan document and has since arranged the following works:-

- Design works for stormwater drainage, infield sub surface drainage, contouring, irrigation, fencing and turfing for fields one, two and three, which is currently being finalised with tenders to be advertised in May,
- Anticipated construction works for the restoration of the three (3) fields to commence in October this year, at the optimum timing for turf growth and following the winter football season,
- Design of a dedicated formal carpark for Proctor Park.

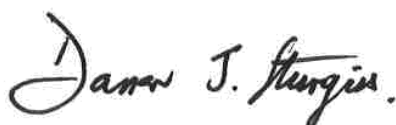
Council has allocated a further \$2M in the 2017/2018 Management Plan for the restoration of three (3) Proctor Park fields as detailed above. It is envisaged that the car park works and other proposed Master Plan projects would be budgeted in future Management Plans, to be actioned as resources permit.

**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 6.3

Yours faithfully



Darren Sturgiss  
**ACTING DIRECTOR  
ENGINEERING SERVICES**

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 MAY 2017

## **1 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD 6 MARCH 2017 (07.00016)**

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

**Report:** As part of the Destination Management Plan, which was adopted by Council on 20 May 2015, the establishment of a Tourism Reference Group has been undertaken, with the membership of the Group endorsed by Council on 9 December 2015.

The role of the Group is to provide strategic advice, review plans and provide recommendations to Council for the implementation of the Destination Management Plan.

The eleventh meeting of the Bathurst Region Tourism Reference Group was held on 6 March 2017. The Minutes of the Group's meeting are provided at **attachment 1.**

At the Meeting held on 6 March 2017, the group established the following actions, linked to the Destination Management Plan:

**Destination NSW:** Destination NSW has approved \$20,000 funding for the Bathurst Winter Festival (Regional Flagship Fund) for marketing purposes.

**Australian Regional Tourism Network:** Destination Development Manager attended a board meeting in Melbourne 22 February 2017. New and inaugural research into the national spend by Local Governments across Australia has been conducted. A very high response rate (256/500) was received. Total expenditure by LG in Australia is \$373million. ARTN delegates are meeting Senator Fiona Nash (Minister for Regional Development), 20 March 2017 to discuss tourism issues.

**Bathurst Artisan Trades Trail:** Bathurst Artisan Trades Trail is a new product developed in collaboration with a range of groups in Bathurst and is designed to extend the visitor stay and lengthen Heritage Week. On 13 -14 May, ten heritage venues will partner with artisans and tradesmen to showcase a wide range of traditional craftsmanship. Tickets are available online (autumncolours.com.au).

**Destination Brand Project:** A revised brief was prepared and distributed and advertised 16 February. Closing date for agency responses is 16 March. The request for quotes invites agencies to tender for all or any of the following: (1.creative brand development 2. asset development - building of assets to deliver campaigns as outlined 3. development and delivery of marketing campaigns).

**Bicycling Australia Magazine:** Bicycling Australia Magazine, March edition, features a ten page article on Bathurst entitled 'Bathurst: the cycling miracle of NSW' Circulation 26,000 / Readership 36,000.

**The End Festival at Hill End 22 / 23 April 2017:** Council is partnering with National Parks to deliver this festival of arts, heritage and culture. Council's contribution will cover a sculpture installation by Sally Kiddall and an exhibition of Holtermann photos by Merlin & Bayliss, which are in Council's permanent collection.

**Local Government NSW Tourism Conference:** attending 12 - 13 March 2017 at Taree.

**Latin American Film and Cultural Festival:** Festival is being planned for a day in late November in partnership with the Uruguayan Embassy in a CBD location. Early planning suggests films and a food/wine festival.



Professional Development Program: Training Session to be held Wednesday 8 March 2017, with regards to “Tour Guiding”, 15 operators attending

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

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

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1
- Objective 11: To protect the region’s unique heritage and history. To protect a unique identity. Strategy 11.6

## **2 2017 AUTUMN SCHOOL HOLIDAY ACTIVITIES (21.00039, 21.00054, 21.00060, 21.00106)**

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

**Report:** The Bathurst Library, Australian Fossil and Mineral Museum, Bathurst Memorial Entertainment Centre, Vacation Care, Kelso Community Hub and Bathurst Regional Art Gallery are recognised as consistently offering high quality programs during school holidays.

The Council Autumn School Holiday activities for 2017 were well attended with over 3,500 children attending a wide variety of activities as follows:

### **Australian Fossil & Mineral Museum**

The BRAG LEGO – Mount Panorama – Wahluu exhibition was installed in the Temporary Exhibition gallery on 7 April 2017 to coincide with the school holiday period and to replace our standard holiday activity program. This exhibition features two LEGO models of Mount Panorama – Wahluu and a custom built ‘play’ table with a ‘moat’ for thousands of LEGO pieces. This exhibition provides an opportunity for your visitors to engage in hands on STEM (Science, technology, engineering and maths) learning experiences. Additional panels have been developed to include the geology of Mount Panorama and the National Motor Racing Museum and a Mt Panorama race track playmat and larger size “Duplo” has been added for toddlers. Lego merchandise has been sourced for the shop and dinosaur Lego models will be on display in the fossil gallery. Entry to this exhibition is either free with museum entry or \$5 per person admission fee for the temporary exhibition only. 2573 visitors have visited this exhibition since it opened on 7 April 2017.

Torchlight Tours – Dinosaurs in the Dark Torchlight Tours were held on Tuesday 11 and Tuesday 18 April, with a total attendance of 83 visitors. These tours were extremely popular and booked out quickly. The torchlight tours are designed for family audiences and delivered with a balance of scientific interest, hands on demonstrations and humour. The guides adapt the content to suit the audience for each tour.

<b>Date</b>	<b>Activity</b>	<b>Attendance</b>
Tue 11 April	Torchlight Tour	34
Tue 18 April	Torchlight Tour	51
7-25 April	LEGO Mount Panorama – Wahluu exhibition	2573

### **Bathurst Memorial Entertainment Centre**

In the January and April school holidays 17 young people developed a Regional Theatre Project Production “17 Things the Government Doesn’t Want You To Know About the Internet (Project Inness)”. Young people wrote the script, composed and performed the music and designed the show, with mentorship from local, established artists Nel Kentish, Maryanne Jaques and Karl Shead. The end production was performed at BMEC on 13 April and then travelled to Sydney to perform at the Australian Theatre for Young People’s (ATYP) theatre in Walsh Bay. This program forms part of the BMEC / ATYP partnership funded by Create NSW (formerly Arts NSW) and the federal governments Regional Arts Fund.

### **Kelso Community Hub**

Activities were held from Monday 10 April 2017 to Friday 21 April 2017 as follows:

Date	Activity	Attendance
Mon 10 April	Rural Fire Service EaSter egg hunt and activities	16
Tue 11 April	Me myself and Art workshop	11
Wed 12 April	DIY Workshop Bunnings and Walk in Wednesday	77
Tue 18 April	Movie afternoon	12
Wed 19 April	Walk in Wednesday with Rural Fire Service BBQ and Activities	22
Wed 19 April	Hub Services Day	200 - 250
Thu 20 April	Building stronger home teams workshop - CRL	80

### Bathurst Library

The Library April 2017 School holidays program consisted of 7 activities spread over a two week period. The first activity "Pirates and Mermaids" was cancelled due to low bookings. 73 children attended the remaining 6 activities.

In the Lego Play Day activity, children played with the Library Lego during a one hour free session. The Manga and Anime program was presented by Artist, Illustrator and Designer Mathew Lin. Bathurst Library partnered with Mudgee Library to bring Matthew to the region to present his program in both libraries and thus lowered the tutor's costs.

Date	Activity	Attendance
Tue 11 April 17	Goblets and candlesticks: craft activity	18
Wed 12 April 17	Star Wars Headbands and Lightsabres: craft activity	13
Thu 13 April 17	Easter Weaving Baskets and Egg hunt: craft activity	16
Tue 18 April 17	Lego Play Day: a free play activity	9
Wed 19 April 17	Goblin and Fairy doors: craft activity	6
Thu 20 April 17	Manga and Anime Drawing: activity taught by a professional artist	11

### Bathurst Regional Art Gallery

BRAG programmed five workshops over five days (11–20 April) which coincided with the Library program. Each Easter school holidays BRAG partners with BRC's Environment department to deliver Waste 2 Art themed workshops. In 2017, three of the five programmed workshops were Waste 2 Art themed and as such the presenter fees and materials were funded by the Environment department. Fiona Howle, one of BRAG's long standing workshop presenters, was scheduled to deliver the three Waste 2 Art workshops, however she was only available to present two workshops due to illness. The other three workshops were presented by BRAG's Education and Public Programs Officer due to limited workshop presenter availability. Attendance for the program was as follows:

Date	Activity	Attendance	Total places available
Tue 11 April	Soft Plastic Creations (Waste 2 Art)	15	16
Wed 12 April	Crazy Chandeliers (Waste 2 Art)	13	16
Tue 18 April	Origami Wall Art	12	16
Wed 19 April	Plastic Sculptures (Waste 2 Art)	14	16

Thu 20 April	String Art	15	16
	<b>Total Attendance</b>	<b>69</b>	<b>80</b>

### **Vacation Care**

The April Vacation Care program operated from Monday 10 April to Friday 21 April 2017.

Overall the program averaged 24 children per day, reflecting the popularity of the service within the Bathurst community.

The children engaged in a variety of activities including an excursion to Metro Cinemas, bike safety training, Easter egg hunt, Mad Hatters Tea Party and an upcycling project from recycled car tyres.

The Service again received government Inclusion Support Funding to support children with additional needs.

Vacation Care is scheduled to again be operational in July 2017 school holiday period.

**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, 20.3
- 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

### **3 NATIONAL YOUTH WEEK 31 MARCH 2017 - 9 APRIL 2017 "GET INVOLVED, BE HEARD, MAKE A DIFFERENCE!" (23.00047)**

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

**Report:** National Youth Week was held from 31 March-9 April. The theme for National Youth Week this year was "Be Involved, Be Heard, Make A Difference".

Youth Week celebrates the positive contributions young people aged 12-25 years make to our communities. Youth Week is the largest celebration of young people in Australia. Thousands of young people aged 12-25 from across Australia are involved each year.

This year Bathurst celebrated Youth Week with the following six events attracting over 700 people.

**What:** Youth Week YJAM

**Where:** Forecourt of the Australian Fossil and Mineral Museum, Howick Street

**When:** 6-10pm, Friday 31 March, 2017

Youth Week YJAM was hosted in the historic forecourt of the Australian Fossil and Mineral Museum, and included performances from 13 local young musicians. A free BBQ was in operation, and a free coffee cart was available. The event was attended by over 350 people.

**What:** Youth Week Fun Run

**Where:** Bicentennial Park

**When:** 10am-12noon, Sunday 2 April 2017

Council partnered with Cityfit Bathurst to create the Youth Week Fun Run event. Cityfit, conducted the warm up component, which was followed by the fun run around the river track. The event finished with a free BBQ lunch. The event was attended by over 20 young people.

**What:** Trivia Afternoon

**Where:** Machattie Park

**When:** 4-6pm, Tuesday 4 April 2017

The trivia afternoon comprised of 5 rounds of trivia, MC'ed by Stephen Chapman, local Young Citizen of the Year, and Mayor Graeme Hanger. There was afternoon tea and snacks. The event was attended by over 35 young people

**What:** Youth Week meets Walk in Wednesday

**Where:** Kelso Community Hub

**When:** 3.30-5.30pm, Wednesday 5 April

Walk in Wednesday was a fun filled afternoon full of activities, sports, social time and a free BBQ. The event was attended by over 35 young people

**What:** Skate Workshops & Jam

**Where:** Bathurst Skate Park

**When:** 4-6.30pm, Thursday 6 April

Facilitated by Totem Skate School, the afternoon activity provided workshops for young people to learn how to skate and improve their skills. It also finished with a relaxed

competition, called a Skate Jam. Over 20 young people participated in the program with others watching on.

**What:** Adventure to the Movies

**Where:** Adventure Playground/Victoria Park

**When:** 6-10pm, Friday 7 April 2017

Big Hero 6 & Blended, were shown on the big screen under the stars at the Adventure Playground. Food and drink was available at the event for purchase from local and regional food vendors. The event was attended by over 250 people.

**Financial Implications:** The event was funded through National Youth Week, The INDENT/Music NSW Event Development Grant for the YJAM Project and funds allocated in Council's budget to support Youth Week.

### **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, 27.3, 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

#### **4 2017 INTERNATIONAL WOMEN'S DAY EVENT (23.00026)**

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

**Report:** International Women's Day provides an opportunity to acknowledge and celebrate the achievements of women throughout the world.

International Women's Day was commemorated in Bathurst with several events held during the week from Monday 6 March 2017 to Friday 10 March 2017. Several diverse events were held across the city, to enable access by women from many walks of life. Activities available during the week included: Morning Tea events, Bathurst Business Chamber After Hours event and Barefoot lawn bowls for women to learn lawn bowls.

The keynote event, coordinated by Council, was held Wednesday 8 March 2017 in Bathurst Panthers Club Auditorium. The International Theme for 2017 was "#BeBoldForChange". The event featured over thirty stalls from a broad section of the community and industry with a focus of organisations which provide services to and for women and raise opportunities for women both professionally and personally.

Aunty Gloria Rogers, a local Wiradjuri Elder, presented the Warming to Country. The event was MC'd by Sarah Boorer from Bathurst Broadcasters.

The event was well-attended with approximately 350 attending in total; including over 130 students from local high schools and TAFE in attendance, as well as many community members.

A feature of the event was a Forum in the form of a Hypothetical, which showcased five local successful women from diverse backgrounds and life experience: Rebecca Mathie (Manager Bathurst City Community Club), Rebecca Willcox (Charles Sturt University Engineering Student), Kylie Fogarty (Bathurst Correctional Centre Dogs for Diggers Program), Sammy Doueihy (Woolworths Metropolitan Store Manager) and Amy Raveneau (The Neighbourhood Centre)

**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, 23.5, 23.6, 23.8

## **5 2017 HARMONY DAY EVENT - SATURDAY 18 MARCH 2017 (09.00032)**

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

**Report:** Bathurst Regional Council coordinated a free community event at the Bathurst Library/Art Gallery forecourt on Saturday 18 March 2017, from 10am to 12pm to celebrate Harmony Day. The event featured food, coffee, live acts and entertainment as well as three activities, including Waste 2 Art Instrument Making, BRAG DIY Screen Printing, and Family Day Care – Everyone Belongs Art & Crafts. Over 450 people from a range of cultural backgrounds celebrated the rich diversity of different cultures in the Bathurst Region and the importance of inclusiveness, respect and acceptance.

A Warming to Country was provided by Gloria Rogers, a local Wiradjuri Elder.

Participants were entertained by the Community Drumming Circle, The Sounds Live Choir, Traditional Ecuadorian Dance, Salsa Dance, and live music from Isabella Jacobson, Alora Dickson and Emily Gerkins, whilst enjoying a free multicultural barbecue and food.

The Harmony Day Theme for 2017 'Everyone Belongs' was reflected in the celebrations by providing local and international foods at the event and diverse local performers.

**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, 20.3
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1, 23.3, 23.5, 23.6



## **6 2017 SENIORS' FESTIVAL, 3 - 12 MARCH 2017 (07.00016)**

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

**Report:** Council and the Seniors Festival Organising Committee planned events for the Bathurst community to celebrate Seniors Festival 2017, from 3 to 12 March 2017. Events included morning teas, free blood pressure and glucose tests, sing-a-longs, an exercise class, technology training, church service, Seniors Expo, a wonderful display and morning tea at Miss Traill's House, performances at BMEC and multiple musical concerts at various events along with many other programs that took place throughout Seniors Festival 2017.

The activities involved partnerships between Council and the Combined Pensioners and Superannuants Association, Bathurst Library, Bathurst Seymour Centre, Miss Traill's House, the Uniting Church, Bathurst RSL, Bathurst Senior Citizens Centre, Metro Cinemas, the Bathurst Memorial Entertainment Centre and Scallywags Child Care Centre.

Council organised an event entitled 'Young Meets Old' held at Scallywags Child Care Centre. This event comprised of an exchange of generations, storytelling, mingling and a morning tea.

Participation at all events was exceptional with over 400 people participating in the Seniors Festival Events throughout this period.

The activities received overwhelmingly positive feedback from participants and organisers. The Seniors Week Organising Committee has commenced planning for engaging events to ensure that Seniors Festival is meaningful to the community and builds upon the success of the previous calendar of events.

**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, 20.3
- 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 21.2
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1, 23.3, 23.5, 23.6
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5, 30.6

## **7 BATHURST REGIONAL ART GALLERY - GENERATION ART (GA) PROGRAM REVIEW (21.00002)**

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

**Report:** *Generation Art (GA)* was a ground breaking pilot program designed for local Year 10 students by Bathurst Regional Art Gallery (BRAG) and the Australian Catholic University (ACU).

The program was a long term engagement with 11 students from five Bathurst High Schools over several months last year. The aims were to:

- Deliver and assess the success of an alternate model for youth based engagement for art galleries and museums.
- Build stronger relationships with Bathurst secondary schools.
- Facilitate the development of life-long cultural learners.

GA was specifically designed to build on and complement the current art experiences provided by secondary schools by reaching out and engaging youth audiences with BRAG, its collection and our local artists.

GA includes a research component. Programs such as these are important in developing the small body of existing research around arts based youth engagement strategies and aesthetic development.

The GA program has also attracted considerable interest within the Galleries sector. A paper on the program will be presented by BRAG staff at the Museums Galleries Australia National Conference in Brisbane in mid-May and the Museums Galleries Australia industry journal has also invited the research team to write an article about the program for their June issue.

The GA program was designed by the research team, Dr Donna Mathewson Mitchell (lead researcher) of the Australian Catholic University (ACU) Sydney (formerly Charles Sturt University, Bathurst) and Emma Hill, Education and Public Programs Officer at BRAG.

The most significant findings from the research indicate that youth audiences are keen to participate in programs that:

- Are bespoke flexible programs - specifically created to meet their needs.
- Are participant centric – give participants a voice, space to think and speak.
- Keep it real – real artworks, real practice, real world projects.
- Provide access to artists in the gallery and in artist studios.
- Provide an all access pass – immersion into all aspects of day to day Gallery operations.
- Involve social interaction - encourage cross school social interaction and facilitate co-creation opportunities.

Additional outcomes were:

- repeated visitation to an art gallery in the context of a program contributes to the development of cultural and community knowledge and cultural capital of potential value to future cultural participation;
- a program focused on art, art galleries, artists and the art world complements school-based learning and visual arts curriculum promoting and enhancing visual arts as an area of study in schools; and
- the broader community is interested and supportive of programs that involve and promote youth audiences.

These findings indicate that the GA program had significant educational, artistic and social impact. Findings also indicate impact on cultural and creative participation in the immediate Bathurst region and potentially beyond.

The research team hopes to continue to track the outcomes of the original program over the next few years. The next version of the *Generation Art* program is currently in planning for 2018.

**Financial Implications:**

*Generation Art* has been funded in full by BRAG as part of the Gallery's youth based education programming. ACU has contributed administration processes and Dr Mathewson Mitchell's time in kind. The project is contained within BRAG's existing operating budgets

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

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

- Objective 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.1
- 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
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.4

Yours faithfully



Alan Cattermole  
**DIRECTOR**  
**CULTURAL & COMMUNITY SERVICES**

**POLICY COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 MINUTES - POLICY COMMITTEE MEETING - 3 MAY 2017 (07.00064)**

**Recommendation:** That the recommendations of the Policy Committee Meeting held on 3 May 2017 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held on 3 May 2017, 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 3 MAY 2017**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**APOLOGIES**

**2 APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 5 APRIL 2017 (07.00064)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Coote

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 5 April 2017 be adopted.

**DECLARATION OF INTEREST**

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

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**5 Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 22 MARCH 2017 (07.00096)**  
**MOVED** Cr M Coote and **SECONDED** Cr M Morse

**RESOLVED:** That the recommendations of the Audit & Risk Management Committee Meeting held on 22 March 2017 be adopted.

## **GENERAL BUSINESS**

### **6 BATHURST BUSINESS CHAMBER (23.00026, 18.00027)**

**Cr Bourke** - expressed concern at a recent article from the Business Chamber about Council operations, in particular, Christmas decorations. The attack on Council was unfair. Noted no support by Chamber for 2015 celebrations. Council brings numerous events to town, spoke to items such as New Years Eve and the Winter Festival. Council has already said it will have a working party on Christmas decorations before end of year. Council is helping the businesses throughout the year. The Chamber needs to work with Council. Council has spent over \$2 million in the last year, helping the businesses through economic development, events, and other programs.

### **7 Item 2 AUTUMN COLOURS FESTIVAL (23.00060)**

**Cr North** - advised has been receiving feedback about concerns that the Autumn Colours Festival Program is online. Noted booklet that has been issued for May 2017. Can feedback be provided to Councillors on how the program has run this year. A report after the Event has finished would be appreciated.

### **8 Item 3 CCTV CAMERAS (16.00145)**

**Cr North** - noted CCTV Cameras are going into Oberon, they are working with the Government, perhaps we can review.

### **9 Item 4 MOBILE TOWERS (08.00002)**

**Cr North** - noted at Gold Coast they have camouflaged towers. Can we look at this as an option for future requests in Bathurst.

### **10 Item 5 RECYCLING (14.00053)**

**Cr North** - spoke to services in place, noted Glenelg Council have trailers with bins, which the community can hire out.

### **11 Item 6 CEW BEAN AND D PARER (04.00032)**

**Cr North** - CEW Bean and D Parer are two notable people who have connections

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**This is page 2 of Minutes of the Policy Committee held on 3 May 2017**

with Bathurst. Would like to see Council do something to acknowledge these persons. Noted plane memorial in Canberra and signage on the plane which does not acknowledge Bathurst.

**12**      **Item 7 LAGOON ROAD (25.00128)**

**Cr North** - asked where are we at with 80 km/h signs on the Lagoon Road.

**The Acting Director Engineering Services** advised Council has raised with RMS that a review of signage needs and speed zone requirements needs to be undertaken.

**13**      **Item 8 PIGEONS (14.00627)**

**Cr North** - advised has had contact from a person who has eradicated pigeons at other locations. The contractor will contact Council to discuss his services.

**14**      **Item 9 CAFE AT BATHURST VISITOR INFORMATION CENTRE LEASE (21.00095)**

**Cr North** - asked that matter be reviewed.

**15**      **Item 10 LAGOON ROAD (25.00128)**

**Cr Aubin** - noted the RMS will look at organising hidden cameras being placed near signs being knocked down. The RMS will also review speed limits.

**16**      **Item 11 TELEPHONE COMMUNICATIONS (08.00002)**

**Cr Aubin** - recently on road to Orange, encountered a mobile black spot. Could we contact local member on this problem?

**17**      **Item 12 LAGOON ROAD (25.00128)**

**Cr Coote** - noted people are using O'Regan's Road to go to the Dam so as to go around the speed restrictions on Lagoon Road.



**18      Item 13 BATHURST SHOWGIRL BALL AND BATHURST SHOW (22.00053)**

**Cr Coote** - spoke to how well the Ball and the Show went, congratulated all involved.

**19      Item 14 ANZAC DAY (23.00076)**

**Cr Coote** - Rockley service was excellent, congratulations to all involved.

**20      Item 15 BUSINESS CHAMBER (18.00027)**

**Cr Westman** - spoke to relationships with Business Chamber. What are we doing to mend the relationship with the Chamber?

**The General Manager** spoke to working with Chamber; regular meetings with President, provision of id profile package to assist businesses, Biz-Week, Welcome Wagon and other collaborations with the Chamber.

**21      Item 16 ADVENTURE PLAYGROUND (04.00121)**

**Cr Westman** - spoke to expenditure proposed. Recently went through Tamworth, their facility is outstanding. Feels Council should go and inspect this to see how it works.

**22      Item 17 PROBUS CLUB (23.00012)**

**Cr Morse** - received thanks to Council from Probus Club for providing facilities for their recent picnic.

**23      Item 18 ART GALLERY (21.00039)**

**Cr Morse** - recommends people go and see the current exhibition. It is a superb exhibit.

**24      Item 19 AUTUMN COLOURS (23.00060)**

**Cr Morse** - agree with problem of catalogue only being available on line. Be aware of what older people need. We need to look after our community.

**25**      **Item 20 CENTENNIAL PARK (04.00047, 37.00546)**

**Cr Morse** - asked can we have hard copy of the Centennial Park Scoping Study surveys at Council offices and other locations.

**26**      **Item 21 FLAGPOLES - EVANS BRIDGE (18.00269)**

**Cr Morse** - spoke to number of flags going up on the poles. Have previously asked for funds to be provided by Council for additional flags.

**27**      **Item 22 THE END FESTIVAL (23.00026)**

**Cr Morse** - This event at Hill End was excellent, Council provided funding to assist. Congratulations to National Parks and Wildlife Service.

**28**      **Item 23 BATHURST SHOW (22.00053)**

**Cr Morse** - this was excellent, but there was no banner recognising Council on the community stage. Could this be addressed for next year.

**MEETING CLOSE**

**29**      **MEETING CLOSE**

The Meeting closed at 6.33 pm.

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

**TRAFFIC COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 MINUTES - TRAFFIC COMMITTEE MEETING - 2 MAY 2017 (07.00006)**

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

**Report:** The Traffic Committee Meeting scheduled for 2 May 2017, was not held due to the lack of a quorum. The meeting was postponed to 6 June 2017.

**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

## DELEGATES REPORTS

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 MAY 2017

## **1 MINUTES - BATHURST REGIONAL YOUTH COUNCIL 7 MARCH 2017 (11.00020)**

**Recommendation:** That Council:

- (a) Note the information; and
- (b) Adopt the membership of the Bathurst Regional Council for 2017, including Sarah Driver as Youth Mayor and Lili Carter as Deputy Youth Mayor.

**Report:** The 2017 Youth Council held their first training day and meeting on Tuesday 8 March 2017. The Youth Council elected their new leaders for 2017, Sarah Driver was elected as Youth Mayor and Lili Carter, Deputy Youth Mayor. The Youth Council considered a number of items at their first meeting including the events for Youth Week 2017, 31 March 2017 - 9 April 2017 and future projects. The Youth Council addressed the following items at their meeting held on 7 March 2017:

- Election of Youth Mayor, Deputy Youth Mayor and Secretaries
- Working Party meetings and project/event ideas for 2017
- Youth Week 2017
- Youth Council facebook page
- Harmony Day 2017

A copy of the minutes from the meeting are provided at **attachment 1**.

**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 23.3, 23.6
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.1, 27.3, 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