



ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL

13 June 2018

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday,  
20 June 2018**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 20 June 2018 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, 20 JUNE 2018**

**1. 6:00 PM - MEETING COMMENCES**

**2. PUBLIC QUESTION TIME**

**3. PRAYER**

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

**4. APOLOGIES**

**5. MINUTES**

\* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 16 MAY 2018

\* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 6 JUNE 2018

**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 GENERAL MANAGER'S AND DIRECTORS' REPORTS**

\* GENERAL MANAGER'S REPORT

\* 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 - 6 JUNE 2018

\* MINUTES - TRAFFIC COMMITTEE MEETING - 5 JUNE 2018

**10. NOTICES OF MOTION**

**1 NOTICE OF MOTION - CR NORTH - WATER RESTRICTIONS (11.00004, 32.00017)**

**Recommendation:** Moved by Cr North:

That Council commence Water restrictions at the earliest convenience.

Also for Council to review its Drought Management Policy taking into account the rapid growth of our Region.

**11. RESCISSION MOTIONS - Nil**

**12. COUNCILLORS/ DELEGATES REPORTS**

\* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 9 MAY 2018

\* MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 8 MAY 2018

\* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 23 MAY 2018

\* MINUTES - COMMUNITY SAFETY COMMITTEE - 17 MAY 2018

\* CENTROC BOARD MEETING 24 MAY 2018 (PARLIAMENT HOUSE, SYDNEY)

**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 10B(1) it is considered that discussion of the matter in open meeting, would on balance, be contrary to the public interest.
- 3. 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	RURAL LICENCE	10A (2) (d) (i) – contains

	AGREEMENT RENEWAL AT LOT 60 DP1226661, KNOWN AS COX LANE, EGLINTON	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	PURCHASE OF PROPERTY - 29-35 SYDNEY ROAD, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED NEW COMMERCIAL LICENCE AGREEMENT AT BATHURST AERODROME TO GO 2 INVESTMENTS PTY LTD T/A HERTZ CAR RENTAL	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	RURAL LICENCE AGREEMENT - LOT 1 DP 1007963 AND LOT 1 DP995205 KNOWN AS CORNER OF PATNA & COMMONWEALTH 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	PROPOSED NEW COMMERCIAL LICENCE AGREEMENT, PART LOT 2	10A (2) (d) (i) – contains commercial information of a confidential nature that would,

	DP1186691 KNOWN AS 29 SYDNEY ROAD, KELSO	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.
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**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER - DESIGN & CONSTRUCTION OF NEW TENNIS CENTRE BUILDING, JOHN MATTHEWS SPORTING COMPLEX	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	TENDERS - PREFERRED CONTRACTORS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**14. RESOLVE INTO OPEN COUNCIL**

**15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**

**16. MEETING CLOSE**

## MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 16 MAY 2018 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 16 May 2018 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 16 May 2018, are **attached**.

**Financial Implications:** N/A

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

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

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 6 JUNE 2018 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Council following Policy Committee held on 6 June 2018 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Council following Policy Committee held on 6 June 2018, are **attached**.

**Financial Implications:** N/A

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

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

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.



**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**  
**HELD ON 16 MAY 2018**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

**Present:** Councillors Hanger (Chair), Aubin, Bourke, Christian, Fry, Jennings, Morse, North, Rudge.

**PUBLIC QUESTION TIME**

**2 PUBLIC QUESTION TIME**

**V Tourle – Friends of Centennial Park - Scoping Study Centennial Park - DES Item #1**

Spoke to proposed scoping study and agree with the recommendations in the Engineer's report. Referred to proposed steps, asks that consultants brief include continued community input, and that aesthetics show appreciation of nature. Look forward to continuing to work with Council.

**P Simmons – Friends of Centennial Park - Scoping Study Centennial Park - DES Item #1**

Thanks Council for listening and spoke to process undertaken. The community has an affection for the park as an open space with ongoing improvements.

**D McLeod – Friends of Centennial Park - Scoping Study Centennial Park - DES Item #1**

Thanks to Council and for the consultation undertaken. Usage of the park has increased. Spoke to recommendations.

**L Petford – Scoping Study Centennial Park - DES Item #1**

Asks for watering system to be put into the park and planting of more trees.

**L Hart – Resident 28 Vine Street - DA Units at 17 Vine Street - DEPBS Item #5**

Stated this development would not be allowed under Council's LEP. It is completely out of character, will impact amenity of the area. Should be a different area nearer the CBD.

**V McNamara – Representing parents at 15 Vine Street - DA Units at 17 Vine Street - DEPBS Item #5**

Expressed concerns about traffic issues, loss of amenity. Spoke to character of

area and the impact the development will have. Need signage on corner of Vine Street to stop unnecessary traffic going down the road. Referred to pedestrian habits in the street and danger to foot traffic. If footpath is constructed would request input into the design of the path.

**K Pearce – Resident 19 Vine Street - DA Units at 17 Vine Street - DEPBS Item 5**

Questioned how, given current discrepancies, (e.g. not all levels have been designed and errors on plans) the development can be approved?

**B Trimming – Chairman, Bathurst Regional Access Committee**

**DA Units at 17 Vine Street - DEPBS Item #5**

Good to see footpath going in, who pays for it? Also spoke to concerns about angles and steep grade issues that can occur with footpaths.

**The Director Environmental, Planning & Building Services** advised proposal is for developer to provide the path.

**Machattie Park Sign**

Asked when will this sign go in? Also good to see race winners sign in front of Council has been replaced.

**The Director Environmental, Planning & Building Services** advised will check on Machattie Park sign, understands has been ordered.

**MacKenzie Place**

Needs a new street sign as old one was stolen.

**P Cooper - Financial Administrator, Trustees of Roman Catholic Church - DA Units at 17 Vine Street - DEPBS Item #5**

Spoke to direction of Catholic Church to help people as part of the National Disability Insurance Scheme. This will also help families. The proposal is cutting edge and will offer greater independence and choice and will be managed by Housing Plus. Spoke to criteria for selecting tenants. It allows people to live independently and the development is unique for this area. A care provider will be provided on site.

**N Lee – Challenge Community Services - DA Units at 17 Vine Street - DEPBS Item #5**

Spoke to opportunities the National Disability Insurance Scheme creates. The proposed development is incredible. The NDIS allows people to choose how they want to live and Challenge will work closely with residents and Housing Plus to build a strong relationship.

**A Marshall – on behalf of residents, Mr & Mrs McKay - DA Units at 17 Vine Street - DEPBS Item #5**

Concerns have been sent to Councillors. Concern at what the building will be used for, noise problems, construction issues and amenity impacts.

**M Griffiths – resident Havannah Street - 48 Havannah Street development**

This is a highly toxic site and Council continues to let unlicensed persons operate there. This has occurred for nearly 18 months and Council has done nothing. There are thousands of cubic metres of asbestos on the site. The occupational hygienist was referred to by Mr Griffiths. Staff have advised him that asbestos has been moved, it must be cleansed first. Also raised other possible contaminants on site. Why is Council accepting the waste at the Waste Management Centre? All 11,000 cubic metres of waste must be removed. Seeking confirmation of what staff have previously advised him of, does not want copies of receipts. Referred to resident who recently passed away in the location. There is dumping from other contaminated sites occurring.

**G Crisp – ratepayer**

Spoke to matters concerning the water fund and the Aquatic Centre cost. Spoke to the Local Government Act and requirements of Council to comply with it. Referred to water charges he owes Council.

**I Pearson – ratepayer - Bathurst 2040 Community Strategic Plan - GM Item #1**

Found the document is reasonably comprehensive. Referred to submission made, also spoke to heritage matters such as infill development, sustainability matters. Then spoke to TAFE and Head Masters residence and the town square direction. Forward planning for additional parking is lacking, look at underground parking.

**J Page – Napoleon Reef/Glanmire/Walang Residents Association - Bathurst 2040 Community Strategic Plan - GM Item #1**

Spoke to previous history of plans. The visions of the Napoleon Reef/Glanmire/Walang area do not relate to Yetholme and Raglan and so plans have been lacking. It is critical that this area and other similar areas are recognised and included in future planning. It is pleasing to see recognition has started, but needs more. When will Council staff commence discussions to develop a community plan for the area?

**W Alderton – Sunset Group, Distinctive Wardrobes - Sale of Lots 1009, 1010 and 1011 Corporation Avenue - DCSF Confidential Item #9**

Spoke to item before Council tonight. This is a growing business and seeks Council's assistance to allow growth to continue.

**P Dowling –ratepayer - Mount Panorama sign**

Spoke to vision of Mayor Griffin. Noted the naming of Mount Panorama was done by public submission. Referred to prior proposals to put 'Bathurst' under the 'Mount Panorama' sign as a permanent feature. This needs to be done permanently. Noted loss of bikes from the track, this was unfortunate, brought a lot of money to Bathurst.

**The Director Engineering Services** advised there are funds allocated in the budget to put a permanent sign in. Discussions are occurring with the Crown.

**APOLOGIES****3 APOLOGIES**

Nil

**MINUTES****4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 18 APRIL 2018 (11.00005)**

**MOVED** Cr I North

and **SECONDED** Cr J Jennings

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 April 2018 be adopted.

**5 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 2 MAY 2018 (11.00005)**

**MOVED** Cr I North

and **SECONDED** Cr W Aubin

**RESOLVED:** That the Minutes of the Ordinary Meeting of Council following Policy Committee held on 2 May 2018 be adopted.

**DECLARATION OF INTEREST****6 DECLARATION OF INTEREST 11.00002**

**MOVED** Cr M Morse

and **SECONDED** Cr I North

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

Cr Bourke

Item #4 of the Director Corporate Services & Finance's Confidential report.

Cr Aubin

Item #5 of the Director Environmental, Planning & Building Services' report.

**RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS****General Manager's Report****7 Item 1 BATHURST 2040 COMMUNITY STRATEGIC PLAN (03.00180)**

**MOVED** Cr I North

and **SECONDED** Cr B Bourke

**RESOLVED:** That Council adopt the Bathurst 2040 Community Strategic Plan.

**8 Item 2 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2018 (ALBURY) (18.00074)**

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

**RESOLVED:** That Council

- (a) authorise the Mayor (Cr Hanger) and Crs Bourke, Fry & Rudge to attend the Local Government NSW Annual Conference 2018
- (b) nominate the Mayor (Cr Hanger), Crs Bourke and Fry as the voting delegates for Motions and Board positions
- (c) nominate Cr Rudge as an Observer

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

**9 Item 1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)**

**MOVED** Cr B Bourke and **SECONDED** Cr J Rudge

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

**10 Item 2 GENERAL REPORT (03.00053)**

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

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

**11 Item 3 DEVELOPMENT APPLICATION NO. 2018/47-THREE LOT RURAL SUBDIVISION AT 2102 TURONDALE ROAD, TURONDALE AND 332 WELLS ACCESS ROAD, WATTLE FLAT. APPLICANT: VOERMAN AND RATSEP. OWNER: TRADE SUPPLIES PTY LTD AND EMANUAL AND JEMER HOLDINGS PTY LTD (DA/2018/47)**

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

**RESOLVED:** That Council:

- (a) support the variation to the minimum lot size development standards prescribed in the Bathurst Regional Local Environmental Plan 2014 in relation to the creation of proposed lot 31;
- (b) as the consent authority, grant consent pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/47, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended; 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 A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr J Rudge,

Against the motion - Nil

Absent - Nil

Abstain - Nil

**12 Item 4 DEVELOPMENT APPLICATION NO. 2018/24 – DEMOLITION OF DWELLING AND SHED, CONSTRUCTION OF FIVE X TWO BEDROOM RESIDENTIAL UNITS AND FIVE LOT STRATA SUBDIVISION AT 350 STEWART STREET, BATHURST. APPLICANT: BAR CONSTRUCTIONS. OWNER: 350 STEWART STREET PTY LTD (DA/2018/24)**

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

**RESOLVED:** That Council:

- (a) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/24, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended; and
- (b) 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 A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr J Rudge,

Against the motion - Nil

Absent - Nil

Abstain - Nil

**13 Item 5 DEVELOPMENT APPLICATION NO. 2017/448 – FIVE X TWO BEDROOM SELF CONTAINED RESIDENTIAL UNITS AT 17 VINE STREET, SOUTH BATHURST. APPLICANT: HOUSING PLUS. OWNER: TRUSTEES ROMAN CATHOLIC CHURCH DIOCESE OF BATHURST (da/2017/448)**

**MOVED** Cr M Morse and **SECONDED** Cr J Rudge

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

**Reason: son works in the industry**

**RESOLVED:** That Council:

- (a) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2017/448, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
  - (i) A footpath is to be constructed from the site to the Havannah Street

pedestrian crossing to comply with the requirements of Clause 26 of the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

- (ii) Restriction as to User is to be registered on the title of the property under Section 88E of the Conveyancing Act 1919 limiting the use of the accommodation in accordance with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

(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 A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North,

Against the motion - Cr W Aubin, Cr B Bourke, Cr J Rudge,

Absent - Nil

Abstain - Nil

**14**

**Item 6 DEVELOPMENT APPLICATION NO. 2018/112 – SINGLE STOREY DWELLING WITH ATTACHED GARAGE AT 32 PINE RIDGE ROAD, ROCK FOREST. APPLICANT: MS C GRENVILLE. OWNER: MS C GRENVILLE (DA/2018/112)**

**MOVED** Cr B Bourke

and **SECONDED** Cr W Aubin

**RESOLVED:** That Council:

- (a) support in principle the variation to the development standard prescribed in Clause 4.2B *Erection of dwelling houses on land in certain rural zones* of the Bathurst Regional Local Environmental Plan 2014 for Lot 16 DP 844085;
- (b) refer the proposal to the Department of Planning and Environment for the concurrence of the Secretary of the Department;
- (c) defer determination of Development Application 2018/112 until the concurrence of the Secretary of the Department has been received. If concurrence is provided, determine the application by way of approval with conditions under delegation, and if concurrence is not provided, the application be determined by way of refusal under delegation; and
- (d) call a division.

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

**The result of the division was:**

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North

Against the motion - Cr J Rudge

Absent - Nil

Abstain - Nil

**15** **Item 7 DEVELOPMENT APPLICATION NO. 2017/396 – 222 LOT SUBDIVISION INCORPORATING 219 RESIDENTIAL LOTS, 1 LOT IDENTIFIED AS FUTURE SCHOOL, 1 OPEN SPACE LOT AND 1 RURAL LOT AT FREEMANTLE ROAD, EGLINTON. APPLICANT: VOERMAN AND RATSEP. OWNER: HYNASH PTY LTD (DA/2017/396)**

**MOVED** Cr I North

and **SECONDED** Cr J Jennings

**RESOLVED:** That Council:

- (a) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2017/396, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended.
- (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 A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr J Rudge,

**Against the motion** - Nil

**Absent** - Nil

**Abstain** - Nil

**16** **Item 8 BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2014 AMENDMENT - LIMEKILNS ROAD (20.00319)**

**MOVED** Cr I North

and **SECONDED** Cr J Rudge

**RESOLVED:** That Council:

- (a) note that Council resolved, by Minute under delegated authority, to commence amendments to the Bathurst Regional Local Environmental Plan (LEP), Development Control Plan (DCP) and Roadworks - New Residential Subdivisions Developer Contributions Plan;
- (b) place the draft LEP, DCP and Developer Contributions Plan Amendments on public exhibition in accordance with the statutory requirements of the Environmental Planning and Assessment Act and the Gateway Determination; 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 A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr J Rudge,

**Against the motion** - Nil



Absent - Nil  
Abstain - Nil

- 17** **Item 9 BATHURST REGIONAL LEP 2014 HOUSEKEEPING AMENDMENT – OPEN SPACE (20.00307)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

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

- 18** **Item 10 BATHURST REGIONAL COUNCIL LOCAL APPROVALS POLICY 2018 (20.00130 & 41.00089)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

**RESOLVED:** That Council:

- (a) place the Draft Bathurst Regional Council Local Approvals Policy 2018 on public exhibition for a period of 28 days and accept submissions for a period of 42 days in accordance with Section 160 of the Local Government Act 1993;
- (b) if no submissions are received, refer the Policy to the Departmental Chief Executive, seeking consent for the nominated exemptions, in accordance with Section 162 of the Local Government Act 1993;
- (c) upon receipt of advice from the Departmental Chief Executive, and provided that no amendments are required, adopt the Policy;
- (d) give public notice of the revocation of the Local Approvals Policy 2013 and the adoption and commencement of the Local Approvals Policy 2018 in accordance with Section 166 of the Local Government Act 1993; and
- (e) update Council's Policy Manual – Policy: *LEP's & DCPs & Local Approval Policy* to replace the words "Bathurst Region Local Approvals Policy 2013" with "Bathurst Regional Council Local Approvals Policy 2018."

- 19** **Item 11 2018 PET EXPO (23.00026)**  
**MOVED** Cr M Morse and **SECONDED** Cr J Rudge

**RESOLVED:** That Council note the success of the 2018 Pet Expo event.

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

- 20** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**  
**MOVED** Cr B Bourke and **SECONDED** Cr J Fry

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

- 21** **Item 2 MONTHLY REVIEW - 2017/2021 DELIVERY PLAN AND OPERATIONAL PLAN 2017-2018 (16.00148)**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

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

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

**MOVED** Cr B Bourke and **SECONDED** Cr J Fry

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

**23 Item 4 POWER OF ATTORNEY (11.00007)**

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

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

**24 Item 5 BOUNDARY ALTERATION - TRUNKEY ROAD ARKELL (11.00001-12)**

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

**RESOLVED:** That Council inform the Office of Local Government, the land owner, and the Blayney Shire Council that it has no objection to the transfer of Lot 1 DP 1182421 to Blayney Shire Council from Bathurst Regional Council, and that an application be made to the Minister to have the boundaries altered to include this lot within Blayney Shire Council.

**25 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - CAMP QUALITY'S ESCARPADE - BATHURST 2018 (23.00026-20/126)**

**MOVED** Cr B Bourke and **SECONDED** Cr J Jennings

**RESOLVED:** That Council:

- (a) Waive the venue hire and commission charge for the opening night dinner at the Bathurst Memorial Entertainment Centre (BMEC) to be held on 20 October 2018;
- (b) Waive the venue hire charges for the Volunteers Shed and Grandstand at Mount Panorama for the morning of 21 October 2018;
- (c) Waive the William Street Banner installation and removal charge for the week leading up to 21 October 2018; and
- (d) Assist with the promotion of this event through its social media.
- (e) Pay for the cost of the Street Banner

**26 Item 7 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 21.00044, 22.01907, 08.00007, 21.00077, 22.13929, 22.00219, 20.00030)**

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

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

**Director Engineering Services' Report**

**27 Item 1 SCOPING STUDY FOR FUTURE USE OPTIONS - CENTENNIAL PARK (37.00546)**

**MOVED** Cr M Morse

and **SECONDED** Cr B Bourke

**RESOLVED:** That Council

- (a) adopt the scoping study report on the future use options for Centennial Park, Bathurst.
- (b) choose a design utilising concepts taken from Options 1 and 6 of the land use scenarios presented. The design will incorporate the following elements, which have been the main priorities and desires expressed throughout the community consultation period.
  - design to maintain existing openness of Centennial Park
  - provision of more trees
  - incorporation of an irrigation system throughout the park, including lawn areas
  - Barbecue/shade/seating
  - upgrade of playground elements
  - retention of at least 1 junior cricket area
  - provision of other active elements such as fitness stations
  - formalisation of path network from gravel to a more durable hard surface treatment
  - lighting improvements
- (c) provide funding within the 2018/2019 Management Plan to develop a detailed design of Council's preferred enhancement scenario.
- (d) provide funding within future Management Plans to undertake the beautification upgrade of Centennial Park.

**28 Item 2 EXTEND SEASONAL USE OF OUTDOOR OLYMPIC POOL AT THE BATHURST AQUATIC CENTRE (04.00105)**

**MOVED** Cr I North

and **SECONDED** Cr B Bourke

**RESOLVED:** That Council:

- (a) extend the seasonal use of the outdoor 50m Olympic pool at the Bathurst Aquatic Centre for the remainder of the existing pool management contract, and
- (b) consider the extension of the outdoor pool season when preparing future Aquatic Centre Management contracts.

**29 Item 3 PROPOSED ROAD WIDENING - LOT 101 DP1231601 LIMEKILNS ROAD KELSO (22.00891)**

**MOVED** Cr I North

and **SECONDED** Cr J Rudge

**RESOLVED:** That Council approve the proposed road widening affecting part of Lot 101 DP1231601 on the Limekilns Road at Kelso, and dedicate the road to the public, as detailed in the Director Engineering Services' report.

- 30** **Item 4 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 36.00666 & 36.00616)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

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

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

- 31** **Item 1 KELSO COMMUNITY HUB - MAY 2018 UPDATE (09.00026)**  
**MOVED** Cr B Bourke and **SECONDED** Cr A Christian

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

- 32** **Item 2 NSW SENIORS FESTIVAL, 4 - 15 APRIL 2018 "LET'S DO MORE TOGETHER" (07.00016)**  
**MOVED** Cr A Christian and **SECONDED** Cr J Fry

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

- 33** **Item 3 NATIONAL YOUTH WEEK, 13 – 22 APRIL 2018 "UNITY THROUGH DIVERSITY" (11.00020)**  
**MOVED** Cr W Aubin and **SECONDED** Cr I North

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

- 34** **Item 4 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD 9 APRIL 2018 (07.00116)**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

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

- 35** **Item 5 2018 CATAPULT FESTIVAL, 18 - 22 APRIL 2018 (23.00140)**  
**MOVED** Cr J Jennings and **SECONDED** Cr J Rudge

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

#### **REPORTS OF OTHER COMMITTEES**

##### **Policy Committee Meeting**

- 36** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 MAY 2018 (07.00064)**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 2 May 2018 be adopted.

### **Traffic Committee Meeting**

- 37** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 1 MAY 2018 (07.00006)**  
**MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 1 May 2018 be adopted.

### **COUNCILLORS/ DELEGATES REPORTS**

- 38** **Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 11 APRIL 2018 (11.00019)**  
**MOVED** Cr J Rudge and **SECONDED** Cr I North

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

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

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

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 CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF COMMERCIAL LICENCE AGREEMENT AT BATHURST AERODROME TO PACIFIC AUTOMOTIVE HOLDINGS PTY LTD T/A THRIFTY CAR RENTAL	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	RENEWAL OF COMMERCIAL LICENCE AGREEMENT AT BATHURST AERODROME TO WTH PTY LTD T/A AVIS AUSTRALIA CAR RENTAL	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	RENEWAL OF COMMERCIAL LICENCE AGREEMENT AT BATHURST AERODROME TO BUDGET RENT A CAR AUSTRALIA 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.
4	RENEWAL OF COMMUNITY LICENCE AGREEMENT WITH COMMUNITY OPPORTUNITY SHOP INC FOR LOT 6 DP608111 KNOWN AS 8 LIONS CLUB DRIVE, 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	RENEWAL OF TELECOMMUNICATIONS LEASE AGREEMENT FOR PART LOT 1 DP6334401 KNOWN AS MCPHILLAMY PARK, MOUNT PANORAMA WITH MASTER COMMUNICATIONS & ELECTRONICS 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.
6	NEW COMMERCIAL LEASE AT PART LOT 404 DP1241250 KNOWN AS THE 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.

	AERODROME TO K & S FREIGHTERS PTY LTD T/A AERO REFUELLERS	Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	PROPOSED BOUNDARY ADJUSTMENT AND SUBSEQUENT SALE OF LAND AT PART LOT 1007 DP1168702 KNOWN AS KELSO INDUSTRIAL RESIDUE LAND TO OAKLEIGH PLUMBING PTY LTD	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.
8	PROPOSED BOUNDARY ADJUSTMENT OF LAND AT PART LOT 12 DP1040066 KNOWN AS 176 RUSSELL STREET WITH PART LOT 4, SECTION 7 DP758065 AND PART LOT 3, SECTION 7 DP758065 KNOWN AS 133-137 KEPPEL 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.
9	SALE OF LOTS 1009, 1010 AND 1011 CORPORATION AVENUE, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR CONSTRUCTION OF CIVIL WORKS -TRADE CENTRE STAGE 10	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	TERMINATION OF CONTRACT FOR CONSTRUCTION OF TAXIWAYS AND APRON EXTENSION AT BATHURST AERODROME	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

- 40** **Item 999.01 SUSPENSION OF STANDING ORDERS 11.00005**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

**RESOLVED:** That Standing Orders be suspended to allow Council to deal with Item #4 of the Director Corporate Services & Finance Report - Renewal of Community Licence Agreement with Community Opportunity Shop Inc for Lot 6 DP608111 known as 8 Lions Club Drive Bathurst first, followed by the remainder of the Agenda.

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

- a** **Item 1 RENEWAL OF COMMERCIAL LICENCE AGREEMENT AT BATHURST AERODROME TO PACIFIC AUTOMOTIVE HOLDINGS PTY LTD T/A THRIFTY CAR RENTAL (21.00044)**  
**MOVED** Cr W Aubin and **SECONDED** Cr I North

**That** Council approve the renewal of commercial licence agreement with Pacific Automotive Holdings Pty Ltd t/a Thrifty Car Rental for counter space, lockable cabinet and signage together with a return key facility located in the terminal building, being part Lot 404 in DP1241250 at the Bathurst Aerodrome for a period of up to five (5) years as detailed in the report.

- b** **Item 2 RENEWAL OF COMMERCIAL LICENCE AGREEMENT AT BATHURST AERODROME TO WTH PTY LTD T/A AVIS AUSTRALIA CAR RENTAL (21.00044)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

**That** Council approve the renewal of commercial licence agreement with WTH Pty Ltd t/a AVIS Australia Car Rental for counter space, lockable cabinet and signage together with a return key facility located in the terminal building, being part Lot 404 in DP1241250 at the Bathurst Aerodrome for a period of up to five (5) years as detailed in the report

- c** **Item 3 RENEWAL OF COMMERCIAL LICENCE AGREEMENT AT BATHURST AERODROME TO BUDGET RENT A CAR AUSTRALIA PTY LTD (21.00044)**  
**MOVED** Cr I North and **SECONDED** Cr A Christian

**That** Council approve the renewal of commercial licence agreement with Budget Rent A Car Australia Pty Ltd for counter space, lockable cabinet and signage together with a return key facility located in the terminal building, being part Lot 404 in DP1241250 at the Bathurst Aerodrome for a period of up to five (5) years as detailed in the report.

- d** **Item 4 RENEWAL OF COMMUNITY LICENCE AGREEMENT WITH COMMUNITY OPPORTUNITY SHOP INC FOR LOT 6 DP608111 KNOWN AS 8 LIONS CLUB DRIVE, BATHURST (22.01907)**



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

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

**Reason: Volunteer Manager of Community Opportunity Shop**

**That** Council approve the renewal of the community licence agreement for Lot 6 in DP608111, known as Community Opportunity Shop at 8 Lions Club Drive, Bathurst for a period of five (5) years as detailed in the report.

**e** **Item 5 RENEWAL OF TELECOMMUNICATIONS LEASE AGREEMENT FOR PART LOT 1 DP6334401 KNOWN AS MCPHILLAMY PARK, MOUNT PANORAMA WITH MASTER COMMUNICATIONS & ELECTRONICS PTY LTD (08.00007)**

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

**That** Council approve the renewal of the Telecommunications lease agreement for part Lot 1 in DP6334401 known as McPhillamy Park, Mount Panorama, with Master Communications & Electronics Pty Ltd (Mastercom) for a period of 2 years with a 2 year option period (at Council's discretion) as detailed in the report.

**f** **Item 6 NEW COMMERCIAL LEASE AT PART LOT 404 DP1241250 KNOWN AS THE BATHURST AERODROME TO K & S FREIGHTERS PTY LTD T/A AERO REFUELLERS (21.00077)**

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

**That** Council approve entering into a new commercial lease agreement with K & S Freighters Pty Ltd t/a Aero Refuellers at the Bathurst Aerodrome for a period of 10 years with 2 options of 5 years (at Council's discretion) as detailed in the report.

**g** **Item 7 PROPOSED BOUNDARY ADJUSTMENT AND SUBSEQUENT SALE OF LAND AT PART LOT 1007 DP1168702 KNOWN AS KELSO INDUSTRIAL RESIDUE LAND TO OAKLEIGH PLUMBING PTY LTD (22.13929)**

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

**That** Council approve a proposed boundary adjustment, subject to development consent and subsequent sale of land at part Lot 1007 in DP1168702 known as Kelso Industrial residue land as detailed in the report.

**h** **Item 8 PROPOSED BOUNDARY ADJUSTMENT OF LAND AT PART LOT 12 DP1040066 KNOWN AS 176 RUSSELL STREET WITH PART LOT 4, SECTION 7 DP758065 AND PART LOT 3, SECTION 7 DP758065 KNOWN AS 133-137 KEPPEL STREET BATHURST (22.00219)**

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

**That** Council approve the proposed boundary adjustment at part Lot 12 DP1040066 known as 176 Russell Street, Bathurst, with part Lot 4, Section 7 DP758065 and part Lot 3, Section 7 DP758065 known as 133 -137 Keppel Street, Bathurst, subject to development consent as detailed in the report.

- i** **Item 9 SALE OF LOTS 1009, 1010 AND 1011 CORPORATION AVENUE, BATHURST (20.00030)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

That Council

- (a) act in accordance with Option 2 as outlined in the report
- (b) delegate authority to the General Manager to sign the sale contracts.

**Director Engineering Services' Report**

- i** **Item 1 TENDER FOR CONSTRUCTION OF CIVIL WORKS -TRADE CENTRE STAGE 10 (36.00666)**  
**MOVED** Cr I North and **SECONDED** Cr A Christian

That Council accepts the tender of Hynash Constructions Pty Ltd, for the Construction of Civil Works Trade Centre Stage 10 to the amount of \$1,476,766.00 (incl. GST) subject to adjustments and provisional items.

- k** **Item 2 TERMINATION OF CONTRACT FOR CONSTRUCTION OF TAXIWAYS AND APRON EXTENSION AT BATHURST AERODROME (36.00616)**  
**MOVED** Cr W Aubin and **SECONDED** Cr J Rudge

**RESOLVED:** That Council:

- (a) terminate the contract with Manly Civil Pty Ltd for the Construction of Taxiways and Apron Extension at the Bathurst Aerodrome (36.00616)
- (b) call fresh tenders, in accordance with Clause 167 "Open Tendering" of the Local Government (General Regulation), 2005.

**RESOLVE INTO OPEN COUNCIL**

- 41** **RESOLVE INTO OPEN COUNCIL**  
**MOVED** Cr W Aubin and **SECONDED** Cr J Rudge

**RESOLVED:** That Council resume Open Council.

**ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**

- 42** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

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

**MEETING CLOSE**

**43**      **MEETING CLOSE**

The Meeting closed at 8.35 pm.

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

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY  
COMMITTEE  
HELD ON 6 JUNE 2018**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

**Present:** Councillors Hanger (Chair), Aubin, Bourke, Christian, Fry, Jennings, Morse, North, Rudge.

**APOLOGIES**

**2 APOLOGIES**

Nil.

**DECLARATION OF INTEREST**

**3 DECLARATION OF INTEREST 11.00002**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

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

Cr Jennings  
Item #1 of the Director Environmental, Planning & Building Services's report.

**RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS**

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

**4 Item 1 GROWING LOCAL ECONOMIES FUND (20.00071)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

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

**Reason: Does consultancy work/research for Tremain's Mill.**

**RESOLVED:** That Council advertise the Growing Local Economies Fund to local organisations for a period of 14-28 days.

**Director Corporate Services & Finance's Report****5 Item 1 QUARTERLY BUDGET REVIEW STATEMENT 2017-2018 - MARCH QUARTER (16.00144)****MOVED** Cr B Bourke and **SECONDED** Cr A Christian**RESOLVED:** That the information be noted.**6 Item 2 2018 LOCAL GOVERNMENT NSW ANNUAL WATER MANAGEMENT CONFERENCE (23.00007)****MOVED** Cr I North and **SECONDED** Cr A Christian**RESOLVED:** That Council nominate Cr Fry as its delegate for the 2018 Local Government NSW Annual Water Management Conference to be held in Armidale from Monday, 3 September - Wednesday, 5 September 2018.**RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS****7 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS****MOVED** Cr M Morse and **SECONDED** Cr W Aubin

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 CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	HANGAR LEASE FEES	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.
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**Director Corporate Services & Finance's Report**

**a** **Item 1 HANGAR LEASE FEES (16.00044)**

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

That Council:

- (a) Note the current 2017/2018 Market Rate at \$12.00 per m<sup>2</sup> (excluding GST); and
- (b) Introduce the new market rate by equal increments over a period of up to five years in instances where the new market rate is greater than 25% more than the current rent paid by the lessee.
- (c) Apply a discount of 45% to the market rental rate of the existing lessees at the Bathurst Aerodrome, for those who have completed infrastructure works such as water, sewer, roads, to their sheds.

**The MOTION was PUT and LOST**

**8** **Item 1.01 HANGAR LEASE FEES (16.00044)**

**MOVED** Cr W Aubin and **SECONDED** Cr M Morse

**RESOLVED:** That Council:

- (a) Note the current 2017/2018 Market Rate at \$12.00 per m<sup>2</sup> (excluding GST); and
- (b) Introduce the new market rate by equal increments over a period of up to five years in instances where the new market rate is greater than 25% more than the current rent paid by the lessee.
- (c) Not apply a discount to the market rental rate of the existing lessees at the Bathurst Aerodrome.

**Crs Bourke, North and Christian asked that their negative votes be recorded.**

**RESOLVE INTO OPEN COUNCIL**

**9** **RESOLVE INTO OPEN COUNCIL**

**RESOLVED:** That Council resume Open Council.

**ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**

**10      **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE****

**RESOLVED:** That the Report of the Committee of the Whole, Item (a) be adopted.

**MEETING CLOSE**

**11      **MEETING CLOSE****

The Meeting closed at 9.12 pm.

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

## **GENERAL MANAGER'S REPORT**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 JUNE 2018



## **1 LOCAL GOVERNMENT AND SHIRES ASSOCIATION OF NSW - CASUAL VACANCY (18.00289)**

**Recommendation:** That Council nominate three voting delegates for the casual vacancy - Vice President (Rural/Regional Councils).

**Report:** Council has been advised of a casual vacancy in the office of Vice President (Rural/Regional Councils) on the Board of the Local Government and Shires Association of New South Wales, refer **attachment 1**.

Bathurst Regional Council is entitled to three (3) ordinary members' voting entitlements for the election. Councillors are requested to nominate the three voting delegates for Bathurst Regional Council.

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

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

- Objective 33: To be and develop good leaders. Strategy 33.7

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Yours faithfully



D J Sherley  
**GENERAL MANAGER**

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 JUNE 2018

## **1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)**

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

**Report:** Section 4.15 of the Environmental Planning and Assessment Act 1979 is provided below to assist Council in the assessment of Development Applications.

### **4.15 Evaluation** (cf previous s 79C)

#### **(1) Matters for consideration—general**

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the provisions of:
  - (i) any environmental planning instrument, and
  - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
  - (iii) any development control plan, and
  - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
  - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),
  - (v) (Repealed)
- (b) that apply to the land to which the development application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

Note. See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

#### **(2) Compliance with non-discretionary development standards—development other than complying development**

If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:

- (a) is not entitled to take those standards into further consideration in determining the development application, and
- (b) must not refuse the application on the ground that the development does not comply with those standards, and
- (c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards, and the discretion of the consent authority under this section and section 4.16 is limited accordingly.

- (3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:
- (a) subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and
  - (b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.

Note. The application of non-discretionary development standards to complying development is dealt with in section 4.28 (3) and (4).

**(3A) Development control plans**

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

- (a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and
- (b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and
- (c) may consider those provisions only in connection with the assessment of that development application.

In this subsection, standards include performance criteria.

**(4) Consent where an accreditation is in force**

A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the regulations.

- (5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).

**(6) Definitions**

In this section:

- (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and
- (b) non-discretionary development standards means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.

**Financial Implications:** Nil

**Bathurst 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

## **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **2 GENERAL REPORT (03.00053)**

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

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

- (a) Applications approved using authority delegated to the Director Environmental Planning & Building Services during May 2018 (**attachment 1**).
- (b) Applications refused during May 2018 (**attachment 2**).
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**).
- (d) Applications pending determination 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 May 2018 (**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 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

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

**3 DEVELOPMENT APPLICATION NO. 2018/56 – ADDITIONS AND ALTERATIONS TO DWELLING AT 6 STANLEY STREET, BATHURST.**  
**APPLICANT: TABLELANDS BUILDERS PTY. OWNER: MR JW HOLLIS & MRS MP HOLLIS (DA/2018/56)**

**Recommendation:** That Council:

- (a) as the consent authority, refuse Development Application No. 2018/56 pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, for the following reasons:
  - (i) The development is inappropriate in terms of its bulk, size and detailing given its location in Stanley Street and in the Heritage Conservation Area; and
  - (ii) The development will have a negative impact on the streetscape in Stanley Street; and
- (b) call a division.

**Report:** Summary

Development Application 2018/56 is for substantial alterations and 2 storey additions to 6 Stanley Street, Bathurst. The property is located within the Heritage Conservation Area and overlooks Bicentennial Park. Whilst the existing building is not heritage listed, the location and existing streetscape are important to the character of the locality.

The initial application contained plans and elevations. The proposal raised concern with Council staff in relation to bulk and scale of the development and its impact on the locality. Following discussions with the applicant, a statement of heritage impact and a statement of environmental effects was subsequently submitted. The applicant was invited to amend the plans to soften the impact on the street but this suggestion was not taken up. Council staff are of the view that amended plans could be developed to lessen the impact yet retain the floor space needs of the applicant.

The application did not receive any submissions during the notification period. Despite this the application is reported to Council for determination in the public interest.

It is acknowledged that some parts of Stanley Street may warrant significant redevelopment at some point in the future, including two storey dwellings, given the proximity of these areas to the CBD, the pressure to increase dwelling density in parts of the City, the possibility to capture impressive views and their proximity to the public open space and recreation corridor along the Macquarie River. However, this particular proposal in this particular location does represent a significant departure from the existing character of this important precinct.

Under the circumstances, Council staff are unable to support the proposal in its current form and consequently recommend refusal.

**The Site**

Council has received a Development Application (DA) for additions and alterations to the existing dwelling at 6 Stanley Street, described as Lot C DP 337737 with an area of 392m<sup>2</sup>. A location plan and aerial photo are provided at **attachment 1**.

The subject site contains a single storey dwelling and detached garage. The dwelling is north facing, overlooking the Macquarie River Bicentennial Park and the Flagstaff. The building is an inter war 1930's building, of rendered masonry walls and tiled roof consistent with nearby dwellings. The site is adjacent to The Domain car park.

The site is located within the Heritage Conservation Area. The existing building is not listed as a significant item but contributory to the existing street character.

### The proposal

The proposal involves:

- Partial demolition involving the entirety of the existing roof structure and rear kitchen, laundry and verandah;
- Extending the ground floor dining, laundry and kitchen areas;
- Adding a two storey component creating four additional bedrooms, kitchenette, family room, bathroom and verandah;
- Replacement of roof tiles with colorbond iron roof sheeting.

The proposed plans are at **attachment 2**.

Dual occupancies are not permissible on this site on the basis of its insufficient land size. The intention is that the building functions as a single dwelling, albeit distinct areas have a degree of shared facilities.

The application was lodged with a set of plans but without a Statement of Environmental Effects nor a summary of the impact of the proposed development on the streetscape generally and heritage character of the specific locality.

Following discussion with Council staff, the applicant has subsequently submitted two documents to support the application, namely an assessment of the "bulk and scale" of the development and a Statement of Environmental Effects. Both of these documents are provided at **attachment 3**.

### 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*. Additions to dwellings are permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

#### **Clause 4.3 Height of Buildings**

The *Height of Buildings Map* indicates the maximum building height for the subject property is 9.0 metres. The proposed building will have an overall height of approximately 7.9 metres.

#### **Clause 5.10 Heritage Conservation**

Clause 5.10(4) of Bathurst Regional Local Environmental Plan 2014 requires Council to consider the effect of the proposed development on the heritage significance of the Heritage Conservation Area.



The site is located within the Bathurst Heritage Conservation Area. The existing dwelling is not individually listed as a heritage item but is considered to be contributory within the streetscape.

The application has provided only a limited amount of information in terms of the how this development fits within the streetscape. There remains a concern that the development does not sit comfortably within the streetscape due to its bulk, size and scale and its inconsistency with the heritage features within the locality. The proposal intends to add several bedrooms and a kitchenette in a second floor that will occupy a large portion of the site and side and front elevations, the applicant suggesting this will not adversely impact on heritage and the immediate vicinity of the streetscape.

*Bathurst Regional Development Control Plan 2014*

## **Chapter 2 – Exhibition and Notification of Development Applications**

The Development Application was notified to adjoining property owners from 1 March 2018 to 12 March 2018. Following the notification period, no submissions were received.

## **Chapter 4 – Residential Development**

An assessment of the development against the principal development standards in Chapter 4 of Council's DCP is provided below. With the exception of the Minimum Lot Size, the development is otherwise compliant.

<b>Development Standard</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
Minimum Lot Size	550m <sup>2</sup>	392m <sup>2</sup>	NO*
Height	9.0 metres – two storeys	7.9 metres	YES
Setback - Front	Must complement existing		YES
Setback - Side	As per BCA	As per BCA	YES
Setback – rear	As per BCA	As per BCA	YES
Car parking	1 covered space	1 covered car space	YES
Private open space	Minimum 50m <sup>2</sup> for four bedroom dwellings	Approximately 104m <sup>2</sup>	YES
Driveway width	Minimum 3.0 metres	3.0 metres	YES
Private open space width	Minimum 4.0m wide	8.0 metres, approximately.	YES

\* While the prescribed minimum lot size for a single dwelling is 550m<sup>2</sup> and the subject site has an area of 392m<sup>2</sup>, the lot size is considered appropriate given that the proposal is for additions and alterations to the existing dwelling. It is the bulk and scale of the proposed additions that remain of concern.

## **Chapter 10 Urban Design and Heritage Conservation**

The applicant was requested to provide a Statement of Heritage Impact to address the underlying concerns relating to the impact of the development within the streetscape. Whilst there are many different tools to address these issues, the applicant was provided with a copy of the *NSW Heritage Office Guidelines for Infill Development in the Historic Environment* as a basis for guiding the assessment of the development. This document provides guidance in terms of character, scale, form, siting, materials and colour and

detailing when dealing with developments in a Heritage Conservation Area. The Heritage Office Guidelines are consistent with those matters that would typically be dealt with by a Heritage Impact Statement under Section 10.3.3 of Council's DCP. The intention was to provide a detailed discussion on the design and the impact the development will have on the heritage streetscape and contributory significance of the building.

### Character

The existing dwelling on the site forms part of the contributory inter-war (1930's) housing stock in this locality. The existing low rise streetscape in its current form provides a harmonious setting complementary to the public open space of the Macquarie River Bicentennial Park.

Whilst 2 storey developments can sit comfortably within a heritage streetscape, this is largely a factor of the development occurring on the surrounding land. In this particular case there is a strong dominance of single storey developments in the locality along Stanley Street. Whilst there are examples of 2 storey developments in the locality (e.g. 1 George Street) there is a general consistency of single storey housing stock.

It is acknowledged that there is the potential for this area of Stanley Street and William Street to undergo renewal over time given its proximity to the CBD, and the relative significance of much of the existing housing stock. This is likely to include more two storey dwellings to take advantage of the northerly aspect and the views across the open space and floodplain to the hills beyond. Notwithstanding this, it is very important to create an appropriate bulk and scale to complement surrounding single storey buildings. The proposal in its current form is bulky with minimal articulation and in the opinion of Council staff will not enhance the streetscape.

Streetscape impressions are often used to portray a proposed development within the context of its surroundings. With the limited streetscape assessment being provided by the applicant, Council has prepared sketches that portray the proposed development relative to the immediate adjacent streetscape, refer **attachment 4**. The applicant was asked to provide this information, but advised the large frontage would result in an unreasonable scale that would be illegible. **Attachment 4** demonstrates the implication of the proposed development adjacent to a modest building and car park.

### Bulk and scale

Due to the concerns expressed about the bulk and scale of the development it is necessary that this be put into some context. The Land and Environment Court Planning Principles ( *Veloshin v Randwick Council* [2007] NSWLEC 428) provides some guidance to decision makers in relation to assessment of bulk and scale as follows:

#### *Planning principle: assessment of height and bulk*

The appropriateness of a proposal's height and bulk is most usefully assessed against planning controls related to these attributes, such as maximum height, floor space ratio, site coverage and setbacks. The questions to be asked are:

*Are the impacts consistent with impacts that may be reasonably expected under the controls?* (For complying proposals this question relates to whether the massing has been distributed so as to reduce impacts, rather than to increase them. For non-complying proposals the question cannot be answered unless the difference between the impacts of a complying and a non-complying development is quantified.)

*How does the proposal's height and bulk relate to the height and bulk desired under the relevant controls?*

Where the planning controls are aimed at preserving the existing character of an area, additional questions to be asked are:

*Does the area have a predominant existing character and are the planning controls likely to maintain it?*

*Does the proposal fit into the existing character of the area?*

Where the planning controls are aimed at creating a new character, the existing character is of less relevance. The controls then indicate the nature of the new character desired. The question to be asked is:

*Is the proposal consistent with the bulk and character intended by the planning controls?*

Where there is an absence of planning controls related to bulk and character, the assessment of a proposal should be based on whether the planning intent for the area appears to be the preservation of the existing character or the creation of a new one. In cases where even this question cannot be answered, reliance on subjective opinion cannot be avoided. The question then is:

*Does the proposal look appropriate in its context?*

*Note: the above questions are not exhaustive; other questions may also be asked.*

The Heritage Office Guidelines provide the following definitions to bulk and scale.

*Bulk is the combined effect of the arrangement, volume, size and shape of a building or group of buildings*

*Scale is the size of a building and its relationship with its surrounding buildings or landscape.*

The proposed development introduces the two storey element at the front building line and covers the entirety of the existing structure as well as further extension to the rear. Development in the immediate vicinity includes the single storey dwelling at 4 Stanley Street and the Domain carpark. The net result of this is that the development will be seen in isolation from other development with limited shielding by surrounding development. It therefore will be seen as a dominant feature within the streetscape and does not relate to the adjoining sites.

The Bulk and Scale Information provided by the applicant, **attachment 3**, states that there are "no heritage buildings in this section of Stanley Street". Whilst it is acknowledged that there are no heritage items in the immediate vicinity there are a number of contributory buildings in this section of Stanley Street that provide a level of significance within the streetscape. The loss of contributory buildings or in this case the significant alteration to a contributory building would have a detrimental impact on the heritage significance of Bathurst. The objective of Chapter 10 of the Bathurst Regional DCP 2014 is to protect significant streetscapes and enhance a sense of identity and place.

Further, the proximity of the site to the important public space of Bicentennial Park means the development will be highly visible to the public from multiple vantage points.

### Form

The Heritage Office Guidelines provide the following definitions for the form of a building.

*Form – the form of a building is its overall shape and volume and the arrangement of its parts.*

The proposal does not relate to the neighbouring building at 4 Stanley Street. The building, in its current form, has similar roof heights, eave heights, roof colour and material that presents as a consistent streetscape. The loss of these elements will have a significant impact on the streetscape. The proposal being 2 storeys over its entirety will dominate the streetscape, detracting from all other contributory buildings that form the heritage significant streetscape.

The Domain Carpark, adjacent to the site, increases the dominant appearance of the proposal. The carpark is open and wide, providing no covering ability to the proposal.

### Siting

The building maintains the existing footprint of the existing dwelling with further extension to the rear.

### Materials and colour

The proposal involves the removal of roof tiles and replacement with colorbond roof sheeting. The roof tiles are an excellent example of this period of building and roof tiles provide consistency of materials for the dwellings at 4, 10 and 12 Stanley Street, as well as buildings in William Street. The loss of the tiles will be incompatible with the surrounding area and the building in its context. The tiles reflect the architecture and affluence of the time, which today contribute to a sense of place.

It is further noted that Council has historically had discussions with the owners of 4 Stanley regarding the replacement of roof tiles. Council encouraged the owners of 4 Stanley to retain the existing roof tiles as it is representative of the age and style of the building.

### Detailing

The proposed aluminium windows and colorbond roofing are not typical for the period of the existing buildings. Detail of materials used can have a negative impact on the appearance of a building, and these features are not supported.

Whilst the balcony and 25 degree roof pitch are good elements and present articulation on the façade, they are insufficient on their own to warrant support of the development.

### Conclusion

The proposed development seeks consent for additions and alterations to the dwelling at 6 Stanley Street, Bathurst.

The alterations and additions would result in a bulk and scale that is incompatible with the existing streetscape and locality, an adverse impact on the Heritage Conservation Area and a poor urban design outcome. The proposed development does not relate to adjoining properties or consider the scale of the building within the streetscape and its proximity to Bicentennial Park. The loss of terracotta tiles would be disappointing to the period and style

of the building.

Whilst there is typically no outright objection to two storey dwellings in the Heritage Conservation Area, specific design elements must be considered carefully and within the context of the neighbouring area. Introducing larger buildings into streetscapes has an impact on the character of that streetscape, and the significant history surrounding it.

**Financial Implications:** Nil.

### **Bathurst 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

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

**4 DEVELOPMENT APPLICATION NO. 2018/122 – SHED AND EARTHWORKS INCLUDING RETAINING WALL AT 14 IRONSTONE AVENUE, WHITE ROCK. APPLICANT: LAYNE MOULDS. OWNER: MR LR MOULDS (DA/2018/122)**

**Recommendation:** That Council:

- (a) support the variation to the development standards prescribed in Bathurst Regional Development Control Plan 2014 Clause 6.2.4 Minimum Setbacks – Zone R5 – Large Lot Residential and Zone E4 Environmental Living;
- (b) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No.2018/122, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979 as amended and including conditions to the effect that:
- (i) The site is not be used as a “transport depot”, “depot” or “truck depot” as defined in the Bathurst Regional Local Environmental Plan 2014 noting:
- The shed is only to be used to park vehicles owned or used by the residents of the dwelling,
  - No employees or third parties are to utilise the vehicles parked on the premises, nor park additional heavy vehicles on the premises,
  - The shed and site is not be used for the unloading and/or storage of any business related goods.
- (ii) An Occupation Certificate for the shed cannot be issued until an Occupation Certificate for a dwelling on the same site has been issued.
- (iii) A turning circle is to be provided showing that a semi-trailer 19.0 metres in length can enter and leave the site in a forward direction, this being the largest vehicle to enter the premises.
- A plan drawn to scale showing the manoeuvring area is to be submitted to Council for approval prior to the issuing of a Construction Certificate.
- NOTE 1: All vehicle turning movements are to be based on the Austroads design vehicle.
- (iv) The paving (in concrete) of all vehicular manoeuvring areas, in accordance with Bathurst Regional Council’s Guidelines for Engineering Works.
- (v) Heavy vehicles, other than for the purposes of entering or leaving the site, and maintenance and cleaning of heavy vehicles, should not be heard from inside a neighbour’s residence, between 8 pm and 8am on a Saturday, Sunday or public holiday or 8pm and 7am on any other day.
- (vi) The washing of heavy vehicles should not occur on site unless appropriate measures are put in place to prevent pollution of waterways;
- (vii) The applicant is to submit to Council, for endorsement, a landscape plan prepared in accordance with Chapter 13 of the Bathurst Regional Development Control Plan 2014. Council is to certify that the landscape plan is in accordance with Council’s Development Control Plan and any other requirements prior to the

issuing of a Construction Certificate. Landscaping is to be carried out and maintained in accordance with the certified landscape plan. The landscaping is to be completed prior to the occupation of the building.

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

**Report: Summary**

This development application is for a large shed in a large lot residential area, to enable the land owners to park their semi-trailer on the premises, together with other vehicles and household items. The size of the shed, at 12m x 20m, and its use for parking such a large vehicle, have raised objection from several neighbours based not only on disruption to the amenity of the area but also challenging whether such a use is permissible in the R5 large lot residential zone.

A group of objectors has also submitted, albeit after the closing date for submissions, a letter from Mr Trevor Cork of McPhee Kelshaw Solicitors. This submission questions the permissibility of the proposal in the zone and its contradiction with certain covenants over the land. All submissions, including that of Mr Cork, are attached to this report.

In the opinion of Council staff, the use of the land as described by the applicant is permissible in the zone, and Council is not bound by the covenant over the land that relates to set backs from the boundaries and the size of the shed. Therefore the application could be approved with conditions if Council is inclined to do so, noting it may be preferable to allow the truck to be parked on site rather than it be illegally parked on the street. For Council to approve the application, it will need to be satisfied the use of the land in this way is permissible, specifically, that the parking of the truck is ancillary to the use of the land for a dwelling and it is not used as a truck depot. Council will also need to exercise its power to vary the covenant in relation to boundary setbacks given it has been assigned the power to vary the covenant by the developer.

Those conditions and the recommendation of Council staff that it be approved, are reliant on the statement of the applicant about how the truck will be used on site and the frequency of truck movements; the recommendation of Council staff may be different if those circumstances change. Further, the application itself was not accompanied by a Statement of Environmental Effects that comprehensively discusses how the impacts on neighbours will be mitigated, relying on post application comment at the request of Council staff. It is acknowledged the site is located in somewhat undulating terrain and the visual impact on neighbours is a relevant matter.

**The Site**

Council has received a Development Application (DA) for a shed and earthworks, including a retaining wall, at 14 Ironstone Avenue, White Rock, described as Lot 10 DP 1062075. A location plan and aerial photo are provided at **attachment 1**.

The site has an area of 4003 m<sup>2</sup>.

The site contains a 7 x 12 metre shed, which had approval to be used as a temporary dwelling. The consent for the temporary dwelling has lapsed and the shed is currently being used for storage purposes.

Council is also concurrently considering a Development Application for a dwelling on the

property. The dwelling otherwise complies with Council's adopted standards and will be determined under delegated authority in the near future. Earthworks to create the building pad for the dwelling have been completed.

The adjoining properties contain dwellings and associated outbuildings with established landscaping. The site remains one of the few remaining lots in the Blue Ridge Estate which has not been substantially developed.

The site slopes generally from the front to the rear and from east to west.

### The proposal

The proposal involves the erection of a shed (see plan of proposed development at **attachment 2**).

The shed is proposed to be 12 metres x 20 metres. The eave height of the shed is 4.7 metres with a total height of 5.866 metres.

The site requires approximately 1 metre cut and 1 metre of fill for the development which will be retained with a 1 metre high retaining wall.

The shed will have a maximum height of approximately 6.9 metres from natural ground level.

The shed is proposed to be located 5 metres from the side boundary with 18 Ironstone Avenue and 5.65 m from the rear boundary with 86 and 90 Blue Ridge Drive.

It is noted that during the assessment process the applicant has reduced the size of the shed (originally 12 x 22 metres), the overall height of the building (from 6.67m to 5.86 m) and relocated it further from the rear boundary.

### Planning Context

#### *Bathurst Regional Local Environmental Plan 2014*

The subject site is zoned R5 Large Lot Residential Zone under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. A shed (being ancillary to a dwelling) is permissible with consent in the R5 Large Lot Residential zone.

The objectives of the R5 Large Lot Residential Zone are:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

The proposed development is considered generally consistent with the Zone objectives, however the use of the site has been raised in the public submissions. The applicant has advised that the shed is to be used to *"house my truck and trailer, 2 very rare classic cars, a caravan, boat, children's motorbikes, lawnmower, box trailer, yard equipment, tools, fridge, table and chairs, pushbikes, toys, play/work/storage etc"*



The applicant has also provided a description on how he proposes to utilise the shed as it relates to the truck and trailer (see **attachment 3** and **attachment 4**). Below is a summary of the parameters of the use:

- The shed will only be used to park one truck which is owned by the resident.
- The truck parked in the shed will be operated by the resident of the dwelling.
- The business does not have employees.
- The truck will not be moved from the site on a daily basis as the work is seasonal.
- No unloading or storage of any business related goods will occur at the property.
- General maintenance, e.g. washing and minor maintenance of all the vehicles, will occur on site.

The Bathurst Regional Local Environmental Plan 2014 defines the following uses as:

*“Truck Depot” means a building or place used for servicing or parking of trucks or earthmoving machinery and the like.*

*“Transport depot” means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport terminal.*

*“Depots” means a building or place used for storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use but does not include a farm building.*

It should be noted that “Truck Depots”, “Depots” and “Transport Depots” are prohibited land uses within zone R5 under the Bathurst Regional Local Environmental Plan 2014.

In order to satisfy itself that the development is permissible, Council must satisfy itself that the development is ancillary to the use of the property as a dwelling. The use of the premises may be considered to be a depot, truck depot or transport depot where it is considered to be either the dominant purpose or its own independent purpose. These concepts are usefully discussed in the Department of Planning’s Circular on How to Characterise Development (PS13-001 Issued 21 February 2013) provided at **attachment 5**. Based on the Circular the following may be ascertained:

- Development is considered to be for a particular purpose if that purpose is the dominant purpose of the development.
- An ancillary use is a use that is subordinate or subservient to the dominant purpose.
- If a component serves the dominant purpose, it is ancillary to that dominant purpose.
- If a component serves its own purpose, it is not a component of the dominant purpose but an independent use on the same land. It is a dominant use in its own right.

In this case the applicant has advised that the shed serves the function of storage of the owners own work vehicle (albeit in this case that is a truck) as well as a significant amount of other material and goods that would normally be associated with a dwelling.

The use, storage and maintenance of commercial vehicles in residential and rural residential areas solely by the resident of the dwelling in conjunction with their employment would be considered to be ancillary to the residential use of the land. This scenario exists with many home based businesses where commercial vehicles are brought back to the dwelling. The fact that in this case that vehicle is a truck does not change this principle. It is for this reason that many of the larger blocks are attractive for those in the trades.

It should, however, be noted that the site does not currently contain a dwelling house although that approval is expected to be issued in the near future. In order for the shed to be properly considered to be ancillary to the dwelling, the dwelling should exist. A condition should therefore be imposed on the shed restricting it from having an Occupation Certificate issued until an Occupation Certificate for the dwelling has been issued. This will ensure the shed is not used to park vehicles on site without the resident living on site.

It should be noted that if the operational parameters described by the applicant were to change then this may alter the assessment and lead to a different conclusion.

#### *Clause 1.9A Suspension of covenants, agreements and instruments.*

Clause 1.9A of Bathurst Regional LEP 2014 enables Council to grant consent notwithstanding that it is inconsistent with any covenant or similar instrument which restricts the carrying out of that development.

The Clause does not apply to "a covenant imposed by the Council or that the Council requires to be imposed". In those cases additional processes need to be followed.

In this case the land is subject to a number of covenants and restrictions as to user including those relating to setbacks from the side and rear boundaries and the size of any shed or garage (maximum 120m<sup>2</sup>).

The Deposited Plan and accompanying Section 88B Instrument are provided at **attachment 6**. As noted on the Deposited Plan, Lot 10 is subject to boundary offsets of 10 metres shown as (R). These are referred to in part 3 of the 88B Instrument. As noted in the 88B Instrument the benefitted parties are every other lot in the subdivision. Council is not a benefitted party. Likewise, the covenants relating to the size of sheds referred to in the 88B Instrument were not imposed or required by Council. This is consistent with the fact that Council's Planning Instruments of the time did not require setbacks to the side and rear boundaries nor the size of garages. In this context the restriction is not imposed or required by Council and can therefore be varied by Council.

The impact of the development relative to the setbacks and size are discussed in further detail below, however, Clause 1.9A has the effect of ensuring that developer imposed covenants do not alter the way in which Council deals with an application.

#### *4.3 Height of Buildings*

The objective of this clause is to establish a maximum height limit to which buildings may be erected in certain locations.

The height of buildings map specifies a height of 9 metres for the subject site. The proposed shed has a height from natural ground level of 6.866 metres. This includes the 1 metre of fill and a building height of 5.866 metres. Therefore the proposed shed complies with this planning standard.

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

### **Chapter 6 Rural and Rural Lifestyle Development**

#### **Clause 6.2**

The objectives of clause 6.2 are:

- a) *To prevent conflict between residential activities and primary industry.*
- b) *To ensure that development will not significantly adversely affect the use of adjoining land.*
- c) *To ensure that building sites do not impact on existing drainage patterns and water supplies.*
- d) *To protect the environmental qualities of the land.*

#### *6.2.4 Minimum setbacks – Zone R5 – Large Lot Residential and Zone E4 Environmental Living.*

Clause 6.2.4 of the DCP provides that *“Council must only grant consent to the erection of buildings within the building envelope, if shown on the deposited plan”*.

In the absence of an identified building envelope, the DCP provides for setbacks of 8 metres to the front, side and rear boundaries.

The Deposited Plan for 14 Ironstone Avenue shows a building envelope setback 10 metre from all boundaries. The shed is proposed to be 5 metres from the nearest side boundary with 18 Ironstone Avenue and 5.65 metres from the rear boundary.

The current 10 metre wide restriction as to user to the side and rear building offsets was imposed by the developer when the land was subdivided in 2003. The 10 metre wide boundary offsets were not imposed to satisfy any planning standards in the DCP of the time.

It is further noted that within the Blue Ridge Estate the width of the Restriction as to User has changed and are not consistent at 10 metres for the whole estate. The subject lot was part of an earlier stage of the Estate which generally required 10 metre setbacks to the side and rear. In latter stages the developer reduced the side and rear setback to 5 metres. For example the subject lot (14 Ironstone Avenue) has a 10 metre side and rear setback on the Deposited Plan whilst the adjoining lot (18 Ironstone Avenue), developed in a later stage, has a 5 metre side and rear setback. The net result of this is that there are numerous examples of sheds being located 5 metres off the side and rear boundaries throughout the Estate; e.g. 18 Ironstone Avenue, 86 Blue Ridge Drive and 13 Ironstone Avenue.

The Applicant has provided the following reasons to support the variation to Clause 6.2.4 of the Bathurst Regional DCP 2014:

- The site of the shed was chosen as it is on the lowest part of the site. Because of the natural slope of the site it will result in the finished floor level of the shed being 3.85 metres below the finished floor level than the approved dwelling on site.
- The subject shed will have a roof height that is 190mm below the existing shed on site.
- The position of the shed at 5 metres from the side boundary will allow for easy manoeuvring of the applicants vehicles into the shed.
- There are sheds within the estate including on the adjoining property at 5 metres.

The variation to Clause 6.2.4 can, in this case, be supported for the above reasons. It is further noted that increasing the setbacks to either 8 metres (as contemplated in the DCP) or 10 metres (as contemplated on the Deposited Plan) would likely increase the visibility of the shed, have a greater impact on views because of the natural topography of the site and lead to a greater level of earthworks and retaining walls.

It is acknowledged if the shed were to be moved to either 8 or 10 metres from the side boundary it would be sited behind the dwelling and have reduced visibility to Ironstone Street but it would have a greater impact in relation to heights and views for adjoining neighbours.

## Public Notification

The Development Application was notified to adjoining property owners from 25 April 2018 to 7 May 2018. Following the advertising and notification period a total of 11 submissions were received (see submissions at **attachment 7**). The Applicant has provided a written response to the submissions see **attachment 4**).

It should be noted that the applicant has amended the DA plans after reviewing the submissions. The amended plans include:

- Increasing the setback from the rear boundary by 0.65 metres to a setback of 5.65 metres.
- The length of the shed has been reduced from 22 metres to 20 metres.
- The total height of the structure has been reduced by 1.02 metres to an overall height of 5.866 metres.
- The plans also include 1 metre of cut and fill and 1 metre high retaining wall.

A Public Discussion Forum was convened on 6 June 2018 (see minutes of discussion forum at **attachment 8**). Issues raised in the submissions and at the discussion forum included:

- The size of the shed is representative of an industrial shed or farm shed.

**Comment:** It is a characteristic of the Estate that many lots have sheds and, in some cases, these can be quite large. There are examples of large sheds in the vicinity including for example:

- 78 Blue Ridge Drive has a 16m x 13m shed;
- 26 Ironstone Avenue has a 17.5m x 12m shed; and
- 119 Blue Ridge Drive has a 17.5m shed x 8m shed.

It is acknowledged that the scale and proportion of this shed is larger than others, however it is the overall impact of the shed that must be considered.

- The noise impact of a truck being stored on site.

**Comment:** The Environment Protection Authority (EPA) has published a *Guideline for Managing Vehicle Noise*. The Guideline suggests that vehicles on residential premises (other than for vehicles entering or leaving) should not be heard inside a neighbour's residence, between 8 pm and 8am in a Saturday, Sunday or public holiday or 8pm and 7am on any other day.

A condition can be imposed on the Development Application to ensure that heavy vehicles are not making excessive noise consistent with this Guideline.

It should be noted that the use of the site for parking of heavy vehicles has historically been raised by surrounding residents. The approach being taken to this application is consistent with the advice given to surrounding residents in the past.

- Views to and from the site.

**Comment:** The visual impact of the shed can be softened by appropriate landscaping, and a condition of consent to that effect is proposed.

The development has the potential to impact most upon the views from those properties

to the rear (most notably 94 and 98 Blue Ridge Drive).

94 Blue Ridge Drive would have views from the rear section of the dwelling, backyard and swimming pool over part of the site.

98 Blue Ridge Drive has similar views although there is more vegetation along the boundary of the property.

Whilst the shed will certainly be visible from these and other sites it is not considered that this impact will be "significant" as discussed below.

Council's DCP does not contain any numerical standards in relation to the protection or sharing of views.

The Land and Environment Court has established a number of principles in relation to view sharing. These principles are considered below, with a comment relevant to this application.

### ***Principles of view sharing: the impact on neighbours***

(Reference: Roseth SC, Tenacity Consulting v Warringah [2004], NSWLEC 140)

*25 The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all away cannot be called view sharing, although it may, in some circumstances, be quite reasonable.) To decide whether or not view sharing is reasonable, I have adopted a four-step assessment.*

*26 The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.*

**Comment:** The views that may be potentially affected are views of land with no icons although partial views to Bathurst and South Bathurst would be considered to be highly valuable by residents.

*27 The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*

**Comment:** In this case the views are over the side and rear boundaries of the property. Due to the natural topography, the shed has been located on the lowest elevation on the site and will reduce the impact of the shed. The majority of the views from these rear properties will however be maintained.

*28 The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For*

*example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.*

**Comment:** 94 Blue Ridge Drive shares its entire rear boundary with 14 Ironstone Avenue. The views from 94 Blue Ridge are over the rear boundary and the side boundary of the site and predominantly to the north and northwest. With a 5 metre setback to the rear and side boundary the shed is considered to have a minimal overall impact on the loss of views to Bathurst from this site. The majority of the broader views back to Bathurst and South Bathurst would be retained. Views from 98 Blue Ridge Drive (being located above the shed) would largely be retained.

*29 The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.*

**Comment:** In the opinion of Council staff, the proposed shed is permissible, however it does not meet the requirements of the DCP in relation to the side and rear setbacks. The reasons for the non-compliance with the DCP are detailed in the report. The location chosen, however, will have the least impact on views due to the natural topography. Altering the development to comply would have the effect of increasing the height of the development with corresponding impacts including a greater impact upon views.

- Height of the shed.

**Comment:** The shed is lower than the height standards adopted in Council's LEP of 9 metres. It is further noted that the applicant has reduced the height of the shed during the assessment process.

- The proximity of the shed to the lot boundaries.

**Comment:** Refer to comments under Section 6.2.4 of the Development Control Plan 2014.

- Inconsistent with the R5 Large Lot Residential Zone objectives.

**Comment:** Refer to comments under Bathurst Regional Local Environmental Plan 2014 section of the report.

- The impact on the road network in the estate with heavy vehicle movements to the shed.

**Comment:** The heavy vehicle movements do not occur on a daily basis as described in the applicants response to the submissions. The roadways are adequate to cater for heavy vehicle movements.

A condition will be imposed on the Development Application to ensure that a prime mover and trailer can enter and leave the site in a forward direction. This will ensure all vehicle manoeuvring occurs on site and that vehicles will not be required to reverse into

the site. This will limit any external impact on the road network.

- Overshadowing.

**Comment:** Whilst there are not adopted standards for sheds, the overshadowing standard usually applied to residential development in Council's Development Control Plan 2014 is two hours of sunlight to be maintained to the living areas and private open space on the 21 June. The proposed development is 5 metres from the closest boundary. The impact of the shed causing overshadowing to adjoining properties is considered minimal.

- The intended use of the shed is to operate a transport business.

**Comment:** Refer to comments regarding the permissibility of the development.

- The current use of the site is to operate a transport business.

**Comment:** Refer to comments regarding the permissibility of the development.

- Environmental impact of washing the vehicles on site.

**Comment:** Whilst washing of vehicles of any sort is something that occurs regularly on many residential lots it cannot occur in such a fashion that results in the pollution of waters. Were that to occur it would potentially be a breach of the Protection of the Environment Operations Act. A condition may be imposed which prohibits the washing of heavy vehicles on site unless it is done in a fashion that does not pollute waters. Further, the noise generated from washing trucks, such as the use of pressure washers, can be limited to certain hours.

- The plans do not include earthworks for the shed, which may alter the height of the shed from natural ground level.

**Comment:** The applicant has submitted amended plans which include additional earthworks and a retaining wall (**attachment 2**). The cut and fill on site is 1 metre.

- Devaluing property values.

**Comment:** Property values are not a planning consideration as they are not a matter prescribed by Section 4.15 of the Environmental Planning and Assessment Act 1979.

Council received a further submission on 5 June, after the formal notification period, from Trevor Cork of McPhee Kelshaw Solicitors representing a group of objectors (**attachment 9**). This submission attempts to cast doubt over the permissibility of the development in the zone by quoting Mr Cork's client's submission that the use of the land to park a commercial vehicle is prohibited in the LEP. The submission also argues that, irrespective of Council's powers to vary the terms of a restriction in the 88B Instrument, Council should not do so lightly. Council staff are of the view that the development is permissible if Council is satisfied it is ancillary to the use of the property as a dwelling. Council staff agree that any decision to alter a covenant, one which neighbours may have relied upon, should not be taken lightly.

### Conclusion

A Development Application has been lodged for a 20 metre x 12 metre shed within the locality of White Rock. The use of the shed is to store amongst other things the prime mover

truck and trailer of the resident of the soon to be constructed dwelling. The resident is the owner and operator of the vehicle. Restrictions can be imposed to ensure that the use of the shed does not become a truck depot.

**Financial Implications:** Nil.

**Bathurst 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

**Community Engagement**

- Consult To obtain public feedback on alternatives and/or decisions



## **5 NAMING OF PUBLIC ROADS – BRENNAN DRIVE, CAIN DRIVE & DOVEY DRIVE (20.00024)**

**Recommendation:** That Council:

- (a) adopt the names Brennan Drive, Cain Drive and Dovey Drive ; and
- (b) direct the Director Environmental, Planning & Building Services to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

**Report:** In October 2016 Council approved a Development Application for a 176 lot residential subdivision off the eastern end of Graham Drive and Mendel Drive in Kelso. This subdivision is an extension of the estate known as Marsden Heights.

A location plan and aerial photo are at **attachment 1** and the plan of subdivision at **attachment 2**.

The developer, Hynash Group, have requested the following road names for three of the roads being created in the subdivision. Other roads in the subdivision will be named at a later date.

The proposed names comply with Bathurst Regional Council's *Guidelines for the Naming of Roads*.

### **Brennan Drive**

David John Brennan.

Resided in Rockley NSW.

The first Bathurst District soldier killed in action during a mortar attack at Fire Base Thrush in Vietnam on 6 June 1969.

Memorial details: Garden of Remembrance, Rookwood, NSW.

Corporal in the 9th Battalion, Royal Australian Regiment. Australian Army Service No: 2184013.

NOTE: Brennan Street was Gazetted in No.173 dated 5/11/1976 for the Macquarie Gardens Subdivision at Kelso. Council has previously adopted this name however to date it hasn't been used.

### **Cain Drive**

Peter Francis Cain.

A prominent and highly respected Bathurst solicitor.

Born in Orange in 1938 and died in Bathurst in 2008.

Won a bursary and attended St. Stanislaus College from 1951 – 1955.

Studied in the Seminary for 12 months. Commenced as an Assistant Clerk in the Court of

Petty Sessions in Bathurst Court House and around the State.

In 1962 he married Veronica Livermore and they had four children. Commenced as a Solicitor in 1971 with John King in Bathurst. Was a founding partner at J H King & Cain in 1973 and stayed with King Cain until his death on 9 May 2008.

### **Dovey Drive**

Thomas Robert DOVEY

Born in 1833 and died in 1916.

An original Bathurst Pioneer.

Alan McRae noted the following on 23 April 2012: "Cabin boy, overseer, general and produce store owner, teamster, partner in Fish's Foundry, landowner".

Married Anne Jane Hawkins on 20 March 1861 and they had 12 children.

The name Dovey is noted by the Bathurst History Group with 28 listings.

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

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

- Objective 24: To provide and support the provision of accessible, affordable and well planned transport systems. Strategy 24.2
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

### **Community Engagement**

- Consult To obtain public feedback on alternatives and/or decisions

## **6 BATHURST 2036 HOUSING STRATEGY (20.00089)**

**Recommendation:** That Council:

- (a) adopt the Bathurst 2036 Housing Strategy; and
- (b) notify those who made a submission of its decision.

**Report:** Council commenced the development of the Bathurst 2036 Housing Strategy in 2016. The Bathurst 2036 Housing Strategy will guide how residential development in Bathurst is planned and managed. In particular, it aims to identify the existing and future housing needs of the City of Bathurst and how a range of housing types can be encouraged.

The Bathurst 2036 Housing Strategy is a strategic document which will encourage choice in housing supply to meet the existing and future needs of the City of Bathurst. The Strategy only considers the R1 General Residential, R2 Low Density Residential, B1 Neighbourhood Centre and B3 Commercial Core land use zones. Investigations relating to rural residential development (zone R5 Large Lot Residential) will be completed as part of a future review of the Bathurst Region Rural Strategy.

Given Bathurst's proximity to metropolitan Sydney, Bathurst is predicted to experience increasing pressure for additional residential development. *NSW Department of Planning and Environment's population and housing projection (2016)* predicts that Bathurst's population will reach 55,250 by 2036, an additional 12,170 people. Based on a predicted declining household size to 2.32 people per dwelling in 2036, this equates to an extra 5,245 dwellings.

The Strategy examines the location and type of residential development that could be provided to meet the changing needs of the Bathurst community, ensuring development enhances Bathurst's urban character, manages any associated environmental risk and is appropriately serviced.

The strategic objectives and actions contained within the Housing Strategy will form the cornerstone of planning for the future of Bathurst and its suburbs.

### **Public Exhibition**

Council undertook a two stage consultation process to assist in the development of the strategy.

- Stage 1 Community's vision for housing – What are the opportunities that Council should consider for the future?
- Stage 2 Development of the Strategy – Feedback on draft actions for the future.

#### *Stage 1 consultation*

Consultation with the Bathurst community was undertaken during March 2016 with three workshops held on 14 & 17 March 2016. A summary of the Stage 1 consultation was reported to Council on 15 June 2016 and the associated summary document is available on Council's yoursay website.

#### *Stage 2 consultation*

Consultation with the Bathurst community was undertaken from 6 November 2017 to 8

December 2017 with two information sessions held on 13 November 2017.

As part of the public exhibition at least 430 people were aware of the project and visited the yoursay engagement portal. A total of 15 submissions were received (8 from the Bathurst community and 7 from Government Departments). A copy of the submissions is provided as **attachment 1**. A summary of the submissions received as part of the Stage 2 consultation is provided as **attachment 2**. The attachment also includes Council's response to the submissions and how the draft Housing Strategy has been amended to take into consideration the matters raised.

There were no unresolved matters arising from the submissions and therefore a discussion forum has not been held.

**Attachment 3** is a report that summarises the level of engagement with respect to the draft Bathurst 2036 Housing Strategy during the Stage 2 exhibition period.

*Bathurst 2036 Housing Strategy final report presented to Council for adoption*

The Bathurst 2036 Housing Strategy has been developed to guide the anticipated population growth of the City of Bathurst.

The Strategy is presented in two volumes:

- Volume 1 – Background Information
- Volume 2 – The Implementation Plan

Volume 1 – Background Information brings together the background research undertaken in the preparation of the Strategy. It provides detailed analysis in relation to:

- The planning and policy context
- The housing vision
- Demographic analysis
- The issue of affordability
- Housing demand and supply
- Housing Density/Lot Yield
- Visioning consultation

Volume 2 (The implementation Plan) is presented as a standalone document and includes a summary of the detailed research from Volume 1.

The Implementation Plan (Volume 2) identifies the strategic context for the future supply of housing, impacts for future infrastructure provision and opportunities for growth and change. It establishes a strategy for growth through a series of planning precincts. The significant features, constraints and opportunities for each precinct are identified along with recommended objectives and actions to enable planned change.

The Implementation Plan seeks to achieve planned housing growth to:

- Extend the life of the existing vacant land stock
- Improve housing diversity and choice, particularly as household size declines, the population ages and median house price increases
- Address the key messages identified by the community in the visioning process.

The proposed growth strategies seek to:

- Increase living densities and lot yields in appropriate locations;
- Respect the heritage significance of Bathurst's streetscapes, buildings and sites, and take some development pressures off the City's key heritage areas.
- Encourage adaptive reuse of larger heritage sites.
- Maintain the existing open space and plan for new open space where necessary.
- Improve accessibility and walkability to the CBD and Neighbourhood Activity Centres (NACs) and increase the housing stock in close proximity to those centres.
- Encourage higher density living and lot yields on greenfield sites whilst preserving neighbourhood amenity.
- Manage change from old to new housing stock and ensure the impacts of change are managed to complement the existing neighbourhood character.
- Ensure the provision of quality access to NACs and CBD through walking and integrated public transport.
- Encourage master planning of different precincts.
- Encourage the development of high quality urban design principles to manage increased living densities and to manage change between the old and new housing stock.
- Offset increases in living densities with higher design standards relating to matters such as sustainability, accessibility, affordability and ageing in place.

The Strategy recognises that there are a number of methods that could be used to increase the living density of the City with the aim of reducing unrestrained urban sprawl. The identified actions will assist in delaying the zoning of additional land and reducing the City's urban sprawl.

Bathurst's population will continue to age and household size will continue to decrease. The identified actions in the Housing Strategy encourage housing choice and diversity, particularly with respect to lot and household size.

The actions within the Housing Strategy map a balanced approach to managing increasing living densities within the City whilst addressing the identified constraints and the community's desire to maintain the character of the existing neighbourhoods and maintain the rural feel of the City.

Based on current development trends, the Housing Strategy identifies that no further land is required to be zoned prior to 2036 to cater for the expected population growth.

Volume 2 of the Strategy includes a timeframe for delivery of the Strategy as well as a process for ongoing monitoring and review.

### Conclusion

A number of amendments, as outlined in **attachment 2**, have been made to the draft Bathurst 2036 Housing Strategy. There were no unresolved issues arising from the submissions received. It is therefore recommended that Council adopt the Bathurst 2036 Housing Strategy to guide residential development of the City of Bathurst into the future.

The final Strategy is provided at **attachment 4**. Attachment 4 includes an executive summary of the Strategy at the beginning of volume 1.

**Financial Implications:** The Strategy has been prepared by Council within existing budgets.

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

- Objective 28: To plan for the growth of the region and the Strategy 28.1

protection of the region's environmental, economic, social and cultural assets.

- Objective 33: To be and develop good leaders.

Strategy 33.5 33.6

### **Community Engagement**

- Involve  
To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

## **7 EDGELLS LANE BRICK PITS WETLAND HYDROLOGICAL ASSESSMENT (13.00086)**

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

**Report:** Council engaged Pitt and Sherry to prepare a hydrological study of the Brick Pit wetlands (Edgells Lane) site and provide advice on how best to manage their ecological habitat value for wetland birds.

The brief for the hydrological assessment included:

- A surface water assessment to determine the origin, frequency and nature of flooding;
- A groundwater assessment to assess the movement of groundwater between the site's aquifers, Macquarie River and Raglan Creek and the impact of water levels in the wetland;
- A concept plan for enhancement of the wetlands through the addition of supplementary water; and
- Recommended actions to enable the development of a detailed design of the wetland enhancements.

The completed report is provided at **attachment 1**.

The hydrological assessment found that the Brick Pit wetlands are located in the floodplain between the Macquarie River and Raglan Creek, at an elevation below the banks of both waterways. It found that the primary mechanism for the flooding of the Brick Pit wetlands is the Macquarie River overtopping its banks, which occurs at a frequency of about once every five to 10 years. The Raglan Creek diversion, which is located upstream (south) of the Great Western Highway, was constructed by Roads and Maritime Services to reduce nuisance flooding on the Highway and is likely to be having an impact on the frequency of flooding of the wetlands.

The wetting and drying of the Brick Pit wetlands indicates that the flooding from the Macquarie River and Raglan Creek is not the only mechanism that controls inflows and outflows. A connection to the aquifers underlying the flood plain is hypothesised, that may be recharged during flood events and drawn down by extraction and natural seepage between flood events.

Groundwater modelling using soil profiles obtained from bore logs indicates that the Brick Pit wetlands is recharged during dry periods from an underlying aquifer and also through the aquifer from the Macquarie River and Raglan Creek. This can sustain water levels in some areas of the wetlands during dry periods for three or more years. Groundwater extraction will also affect water levels at the wetland.

Because of the flooding and groundwater influences on the hydrology of the wetland, the wetland is likely to have low water levels for approximately 90% of the time and occasionally be dry.

A concept plan to protect and enhance the quality and diversity of habitat of the wetland is included in the report. Enhanced habitat quality will be achieved primarily through providing more permanent water in the wetland and undertaking minor earth moving works to improve habitat and hydrology/hydraulics in the wetland. Based on the likely impact of the aquifer on wetland water levels, the report recommended that water be added to the wetland by pumping from the aquifer via the existing well adjacent to the wetland. This will allow three zones to be developed within the Brick Pit being:

- A permanent deeper open water zone in the northern portion of the wetland;
- An ephemeral/shallow wetland zone in the southern portion of the wetland; and
- A terrestrial zone surrounding the wetland and an island within the permanent water zone.

Discussions with the consultant following submission of the report also identified that it may be possible to source supplementary water for the wetlands by extracting flows from Raglan Creek during periods of high flow by a gravity system. This option will be further explored during the detailed design phase.

The following steps are recommended to progress the project to detailed design:

- Undertake further modeling to improve the calibration of the hydrological model to the gauge records in order to yield a better fit for flows exceeding the 10% AEP (10 year ARI) events;
- Further site investigations in the form of test bore holes and soil tests to estimate the extent and nature of the aquifer below the floodplain; and
- Further investigations into possible bore water extraction in the area.

**Financial Implications:** The hydrological study was funded from a \$50,000 allocation in the 2017-2018 Operating Plan. A further \$50,000 has been requested in the 2018-2019 operating plan which will allow for the development of the detailed design of the wetland.

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

- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.4, 10.7

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.



## **8 BATHURST REGION ECONOMIC DEVELOPMENT STRATEGY 2018–2022 (20.00071)**

**Recommendation:** That Council adopt the Bathurst Region Economic Development Strategy 2018–2022.

**Report:** The Bathurst Region Economic Development Strategy 2018–2022 presents a framework by which the Council, in partnership with industry and the community, can take a coordinated approach to retaining and growing the existing economic base of the region, as well as attracting new investment. Council, at its meeting held 18 April 2018, resolved to place the draft Strategy on public exhibition. The Strategy was placed on public exhibition on 21 April 2018 for 28 days.

The Economic Development Strategy 2018–2022 is the third iteration of the Strategy for the Bathurst region. The vision of the draft Strategy is for Bathurst to become:

“A pioneering, adaptable economic hub that celebrates the regions rich diversity, culture, skills and history, yet nourishes innovative, nimble industries and professionals of the future.”

The objectives of the new Strategy have been based on “Economic Enablers” that were identified through Council business development programs, key stakeholder engagement and community consultation. The objectives are as follows:

1. Nurture economic and cultural infrastructure development.
2. Planning processes that protect and grow a vibrant region.
3. Market-leading promotional campaigns and events.
4. Support local business growth, partnerships and skill development.
5. Grow local employment, investment and attract new businesses.
6. Develop Bathurst into a Smart City.

The Western Research Institute (WRI) was engaged to undertake a range of community engagement and research activities to assist Council’s strategy development. The outputs of these activities provided Council with a strong understanding of the features, strengths and challenges affecting economic development in the region. These activities included:

- A socioeconomic profile of the Bathurst Region.
- A review of strategic economic documentation developed by Council and other stakeholder organisations.
- Four community engagement forums consisting of approximately 100 participants.
- A short survey, developed to gather feedback from the Bathurst business community and the wider community. Approximately 45 survey responses were received.
- An analysis of the information gathered from community engagement with input from relevant strategic documentation.

During the exhibition period, Council held a community information session and also received a number of submissions (see **attachment 1**). The feedback received during the exhibition period has been incorporated into the final version of the Economic Development Strategy 2018–2022. The following changes were made:

- Diversification in agricultural production due to changing climate conditions added as an opportunity (page 15).
- Climate change added as a threat due to the potential impact on agricultural businesses (page 15).

- Timeframe for the upgrade of Chifley and Winburndale Dams changed from Long Term to Medium Term (page 38).
- Activation of the night-time economy added to the Action Plan (page 41).
- Support of programs that address Equal Employment Opportunity (EEO) and gender equality in the workplace added to the Action Plan (page 42).
- Exploration of "smart practices" in town planning, workforce development and partnerships with neighbouring Councils added to the Action Plan (page 43).

Council also anticipates that the NSW Government will shortly provide the next draft of the Regional Economic Development Strategy (REDS), which places Bathurst and Oberon within the same Functional Economic Region (FER). Many of the activities within the Bathurst Region Economic Development Strategy 2018–2022 have been incorporated into the REDS, which will primarily be used to support grant applications for economic infrastructure.

The Final Economic Development Strategy 2018–2022 is provided at **attachment 2**.

### Conclusion

The Bathurst Region Economic Development Strategy 2018–2022 has been developed incorporating the conversations, comments, suggestions and feedback that have taken place over the past 18 months. It identifies and responds to the community's economic vision and priorities for the future. The feedback received during the exhibition period has been considered and incorporated into the final version.

It is recommended that Council adopt the Economic Development Strategy 2018–2022.

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

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

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.1

### **Community Engagement**

- Collaborate To partner with the public in each aspect of decision making including the development of alternatives and identification of the preferred solution.

Yours faithfully



N Southorn  
**DIRECTOR**  
**ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 JUNE 2018

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

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

**Report:** \$75,380,000 was invested at 30 May, 2018 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+	\$6,000,000.00	2.55%
Bankwest	A1+	\$1,500,000.00	2.50%
Westpac	A1+	\$1,500,000.00	
Bank of Queensland Limited	A2	\$12,500,000.00	2.21%
People's Choice Credit Union	A2	\$4,500,000.00	2.64%
IMB	A2	\$1,500,000.00	2.60%
G & C Mutual Bank Limited	A3	\$1,500,000.00	2.65%
Auswide Bank	A3	\$3,500,000.00	2.70%
Maritime, Mining & Power Credit Union Ltd	ADI	\$4,500,000.00	2.69%
Railways Credit Union Limited	ADI	<u>\$2,000,000.00</u>	<u>2.73%</u>
		<b>\$39,000,000.00</b>	<b>2.40%</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	2.72%
CBA Deposit Plus 1	AA-	\$1,500,000.00	2.77%
CBA Deposit Plus 2	AA-	\$1,500,000.00	3.04%
WBC Coupon Select	AA-	\$2,000,000.00	2.98%
WBC Coupon Select 1	AA-	\$3,000,000.00	3.00%
WBC Coupon Select 2	AA-	\$1,500,000.00	2.95%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$1,830,000.00</u>	<u>1.70%</u>
		<b>\$12,830,000.00</b>	<b>2.75%</b>
<b><u>Fixed, Negotiable &amp; Tradeable Certificates of Deposits</u></b>			
Greater Bank Ltd	BBB	\$1,000,000.00	3.34%
Greater Bank Ltd	BBB	<u>\$2,000,000.00</u>	<u>1.55%</u>
		<b>\$3,000,000.00</b>	<b>2.15%</b>
<b><u>Floating Rate Notes</u></b>			
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	2.98%
CBA Climate Bond	AA-	\$1,000,000.00	2.95%
Suncorp Metway	A+	\$1,000,000.00	3.31%
Rabobank	A+	\$1,000,000.00	3.32%
AMP	A	\$1,000,000.00	3.08%
AMP	A	\$800,000.00	3.02%

AMP	A	\$1,000,000.00	3.13%
Macquarie Bank	A	\$1,000,000.00	2.92%
Bank of Queensland	BBB+	\$1,000,000.00	2.92%
Bank of Queensland 1	BBB+	\$2,000,000.00	3.10%
Bank of Queensland 2	BBB+	\$1,000,000.00	3.07%
Bendigo & Adelaide Bank 2	BBB+	\$1,000,000.00	2.90%
Bendigo & Adelaide Bank 3	BBB+	\$1,000,000.00	3.04%
Members Equity 3	BBB	\$750,000.00	3.21%
Police Bank Ltd 1	BBB	\$1,000,000.00	3.08%
Police Bank Ltd 2	BBB	\$1,000,000.00	3.02%
Credit Union Australia 3	BBB	\$1,000,000.00	3.64%
Newcastle Permanent	BBB	\$1,000,000.00	3.40%
Newcastle Permanent 2	BBB	\$1,000,000.00	3.59%
Newcastle Permanent 3	BBB	<u>\$1,000,000.00</u>	<u>3.71%</u>
		<b>\$20,550,000.00</b>	<b>3.16%</b>

**Total Investments** **\$75,380,000.00** **2.66%**

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

Reserves Total (includes unexpended loan funds)	\$37,616,372.00
Grants held for specific purposes	\$2,773,031.00
Section 94 Funds held for specific purposes	\$32,931,328.00
Unrestricted Investments	\$2,059,269.00

**Total Investments** **\$75,380,000.00**

**Total Interest Revenue to 31 May 2018** **\$2,081,206.35** **2.66%**

**A Jones**  
**Responsible Accounting Officer**

**Financial Implications:** **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.

**Bathurst 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

**Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **2 MONTHLY REVIEW - 2017/2021 DELIVERY PLAN AND OPERATIONAL PLAN 2017-2018 (16.00148)**

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

**Report:** Bathurst Regional Council has in place the Bathurst 2036 Community Strategic Plan which aims to inform the community about the major directions and programs Council is undertaking in shaping the future of the Bathurst Region. These directions are summarised as objectives and strategies in Part VI of the Community Strategic Plan which was adopted by Council on 20 February 2013. The Plan is available for viewing at the council offices at 158 Russell Street or can be downloaded from the Public Documents section of Council's website, [www.bathurst.nsw.gov.au/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 Council's progress towards achieving the Strategies and Objectives for the 2017-2021 Delivery Plan and the Annual Operational Plan 2017-2018.

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 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

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

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

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

**Report:** At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 31 May 2018.

**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:	\$3,690.30

#### **Bathurst 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

#### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

#### **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.

- Essential Energy - Proctor Park, Gormans Hill Road, Gormans Hill - Lot 1, DP128895 and Lot 131, DP1123581 - Transfer granting easement
- Eodo Pty Ltd - Limekilns Road, Kelso - Lot 1021, DP1233843 - Transfer releasing easement
- JR & SG Wallace - 31 Hampden Park Road, Kelso - Lot 3, DP1242636 - Transfer

#### **Linen Plan Release**

- ML Bayliss & TS Kirby - Two lot residential subdivision - Lot 31, DP773473 - 97 Boundary Road, Robin Hill

**Financial Implications:** Nil.

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

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

#### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.



## **5 SUBMISSIONS - DRAFT DELIVERY PLAN 2018-2022 AND OPERATIONAL PLAN 2018/2019 (16.00155)**

**Recommendation:** That Council consider the submissions individually.

**Report:** Council has had the Draft Bathurst Delivery Plan 2018-2022 and Operational Plan 2018/2019 (DP/OP) on exhibition for the required period of 28 days.

Council has received a number of submissions in relation to the DP/OP. Submissions were made on various matters and are detailed below for Councillors information:

### **(a) Bathurst Golf Club**

**Recommendation:** That Council not amend the DP/OP in respect of this submission..

**Report:** Council has received a submission from Bathurst Golf Club (BGC), see **attachment 1**, requesting a review of their raw water pricing. BGC has met with Council on several occasions in relation to their water charges. After consultation and in an effort to alleviate some of their burden, the tariff steps were amended in the 2018/2019 Revenue Policy:

Community Clubs:

2017/2018 Tariff Steps		2018/2019 Tariff Steps	
kl	c per kl	kl	c per kl
0 - 18,000	0.77	0 - 18,000	0.81
18,001 - 32,000	1.02	18,001 - 45,000	1.07
> 32,000	1.51	> 45,000	1.68

These steps were amended based on the Golf Club's previous water usage to ensure that their water bills were less onerous. With the increased step in the centre portion, a user will pay 44 cents per kilolitre less for water used in the 32,000 to 45,000 range being a saving of \$5,720. The final step has been increased to ensure that there is a disincentive for excessive water usage.

BGC has put forward two different proposals for consideration by Council. The first is to change the Tier 2 top step from 45,000 kl to 65,000 kl. This would result in a loss of revenue to Council of \$14,250 for an annual consumption of 65,000 kl. The second proposal includes the change in Tier 2 steps and reduce the Tier 3 charges to \$1.59 per kl. This proposal would also reduce Council's revenue by \$14,250 for a annual consumption of 65,000 kl and give no incentive to reduce water consumption.

The saving of \$5,720 already included in the advertised Revenue Policy provides BGC with some relief and the tariffs proposed are set to encourage efficient use of water, and therefore it is recommended not to change the tariffs as advertised.

**Financial implications:** If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2018-2022 and Operational Plan 2018/2019.

### **(b) Bathurst Edgell Jog**

**Recommendation:** That Council amend the DP/OP to provide a donation of \$13,000 to the Bathurst Edgell Jog as a section 356 donation.

**Report:** Contained within Council's draft budget is an amount of \$6,000 for assistance with the organising of the Bathurst Edgell Jog. A submission has been received, shown at **attachment 2**, requesting further assistance following a meeting between the organising committee and the Council. The DP/OP contains a sundry vote of \$20,000 for donations through section 356 and it is proposed to increase the funding for the Jog to \$13,000 by reducing the sundry vote to \$13,000 for the 2018/2019 year.

**Financial implications:** If the recommendation is adopted, there will be no financial implication to the Bathurst Delivery Plan 2018-2022 and Operational Plan 2018/2019.

**(c) Rebellion on the Turon**

**Recommendation:** That Council not amend the DP/OP in respect of this submission.

**Report:** Contained within Council's draft budget under Section 356 donations is an amount of \$500 for assistance with the organising the Rebellion on the Turon. A submission has been received, shown at **attachment 3**, requesting further assistance from Council for an additional \$11,890. The DP/OP contains a sundry vote of \$20,000 for donations through section 356. If Council agrees to fund the Edgell Jog as per the last item, this will leave an amount of \$13,000 in section 356 donations. If Council agrees to this request also, it will reduce the sundry vote to \$1,110 for the 2018/2019 year.

**Financial implications:** If the recommendation is adopted, there will be no financial implication to the Bathurst Delivery Plan 2018-2022 and Operational Plan 2018/2019.

**(d) Scallywags Child Care Centre Expansion**

**Recommendation:** That Council note the submission.

**Report:** Mr Nicholas Murphy has made a submission (shown at **attachment 4**) supporting the expansion of the Centre.

**Financial implications:** If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2018-2022 and Operational Plan 2018/2019.

**(e) The Bridle Track**

**Recommendation:** That Council not amend the DP/OP in respect of the submission.

**Report:** Mr Glenn Floyd, a resident of Orange has made a submission requesting Council fix the Bridle Track (shown at **attachment 5**). As Council is aware, this road has been damaged for several years and is unable to be repaired within current funding limitations and noting the significant engineering works required.

**Financial implications:** If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2018-2022 and Operational Plan 2018/2019.

**(f) Accessibility, Lack of Parking and Employment Opportunities**

**Recommendation:** That Council not amend the DP/OP in respect of the submission.

**Report:** Council has received a submission from Vanessa Comiskey (shown at **attachment 6**) that there is a lack of commitment in the DP/OP to disability access, addressing all day parking opportunities, and strengthening training and employment in the region. The items referred to in this submission are about changes to the Objectives shown in the Bathurst 2040 Community Strategic Plan which is outside the scope of the DP/OP focus.

**Financial implications:** If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2018-2022 and Operational Plan 2018/2019.

**(g) Water and Sewerage Availability Charges**

**Recommendation:** That Council not amend the DP/OP in respect of the submission.

**Report:** Council has received a submission from Ray Carter (see **attachment 7**), Horton Rhodes Lawyers (see **attachment 8**), Heath Consulting Engineers (see **attachment 9**) and David Hagney who works for Mr Carter's company (see **attachment 10**) in relation to water and sewerage service availability charges. The submissions request Council to review the method of water and sewer fund non-residential access charges. Council has reviewed these access charges and has found that they reflect a cost recovery on each of the services. Council's Water and Sewer Funds are based on Council recovering its operational costs by way of income received respectively from water and sewerage access charges together with income from usage charges.

Mr Carter, and his related parties, contend that Council is unable to make an annual charge under section 501 of the Local Government Act 1993, as amended, for a charge to an essential / fire service through a dedicated pipe or through the same pipe and meter that supplies drinking water.

Section 501 of the Act states that:

- 501 For what services can a council impose an annual charge?*
- (1) A council may make an annual charge for any of the following services provided, or proposed to be provided, on an annual basis by the council:*
- water supply services*
  - sewerage services*
  - drainage services*
  - waste management services (other than domestic waste management services)*
  - any services prescribed by the regulations.*
- (2) A council may make a single charge for two or more such services.*
- (3) An annual charge may be levied on each parcel of rateable land for which the service is provided or proposed to be provided.*

Council does, in accordance with the Act, impose an annual charge on each parcel of rateable land for which a water service is provided or proposed to be provided. Council's water supply responsibility ends at the meter servicing the property and charges the property based on the size of the meter installed as this reflects the load that can be potentially placed on Council's infrastructure. Council, in relation to that water supply, does not direct, once the water enters the property, how that water is used nor whether it is used for drinking or for fire fighting purposes required under the relevant BCA Standards. Council has previously provided the opportunity for meter downsizing where available.

Mr Carter et al assert that under clause 125 of the Local Government Regulation (General) 2005 that he has an "emergency service" at each of his premises where a fire service is maintained.

*125 Services for which an annual charge may be imposed (section 501)*

*(1) Emergency services provided or proposed to be provided within the area of the Blue Mountains City Council are prescribed for the purposes of section 501 of the Act.*

*(2) In this clause, emergency services includes (without limitation) bushfire and other fire services, civil emergency services, and management services associated with emergency services.*

Clause 125 was enacted to give direction under the 5th dot point under section 501(1) of the Act (shown above): "any services prescribed by the regulations". Clause 125 is specifically directed towards emergency services in the Blue Mountains City Council area only.

Council uses the availability pricing method shown in NSW Government's Best Practice Management of Water Supply and Sewerage Guidelines. Council's calculation of the access charges have been reviewed by the Minister for Water and Utilities in 2004 and the Minister for Water in 2009. Both Ministers have supported Council's approach as "responsible" and "appropriate".

The power to impose availability (s501) and usage (s502) charges have also recently been contested in court and found to be legal charges. Horton Rhodes Lawyers represented Prefabricated Buildings Pty Ltd, one of Mr Carter's companies, in the NSW Land and Environment Court against Council regarding this matter. Prefabricated Buildings Pty Ltd's application was dismissed with Robson J finding that "it appears clear that Council is entitled to charge for services based on both actual use and availability of those services" and that the accessibility charges had not been unlawfully levied under the Act. A copy of the decision [2017] NSWLEC 44 is shown at **attachment 11**.

**Financial implications:** If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2018-2022 and Operational Plan 2018/2019.

**(h) Submission from Mr G A Crisp**

**Recommendation:** That Council not amend the DP/OP in respect of the submission received from Mr G A Crisp.

**Report:** Council has received a submission from Mr G A Crisp dated 5 June 2017. The submission does not actually address any content of the DP/OP but is titled as a submission. The submission by Mr Crisp contains complaints and allegations much of which are unrelated to the DP/OP process. It is not possible to dissect those matters from the remainder of the submission. Much of the material:

- (i) has been raised before
- (ii) involves allegations made against a range of persons and is not necessarily related to the Bathurst Delivery Plan 2018-2022 or the Operational Plan 2018/2019
- (iii) is defamatory and will not be re-published by Council.

The submission from Mr Crisp has been provided to Councillors as a confidential memorandum **under separate cover**.

**Financial implications:** If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2018-2022 and Operational Plan 2018/2019.

**(i) Submission from Council**

**Recommendation:** That Council amend the DP/OP in respect of the submission.

**Report:** The DP/OP is a derivative of the Bathurst 2040 Community Strategic Plan (CSP) and the actions and tasks proposed in the DP/OP are linked to the objectives shown in the CSP. The DP/OP was formulated whilst the CSP was in draft format for public submission. As a result of submissions, the objectives in the CSP were changed and therefore the DP/OP actions and targets are required to be linked to the new document. A table showing the amendments is shown **attachment 12**.

**Financial implications:** If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2018-2022 and Operational Plan 2018/2019.

**(j) Submission from Council**

**Recommendation:** That Council amend the DP/OP in respect of the submission.

**Report:** Several issues have arisen between the draft DP/OP being adopted and the closing of public submissions.

It is recommended that the following changes be adopted:

1. Council has been advised that it will receive a grant from Restart NSW for \$1,000,000 towards the Mt Panorama Boardwalk. The full cost of the project is \$2,081,000, with the rest of the funding, \$1,081,000, to be sourced from Section 7.11 funds. Net cost to the DP/OP is nil.
2. Council has been successful in obtaining Community Child Care Fund grants for a three year period. The grants are for 2018/2019 \$150,000, 2019/2020 \$100,000 and 2020/2021 \$100,000. These grants will match the expenditure on the transition of the Family Day Care operation. Net cost to the DP/OP is nil.
3. The John Matthews Sports Complex. Council staff have now costed the redevelopment of the complex which includes upgrading all courts to ITF compliance; including Acrylic Hardcourt Surface courts, synthetic grass courts and Hot Shots courts for juniors, along with additional seating, shelters, walkways and fencing. The redevelopment is estimated to cost \$2,700,000, being funded by NSW State Government grant of \$2,025,000 which

has been applied for and awaiting on approval, Tennis NSW contribution of \$270,000 and Section 7.11 contributions of \$405,000. Net cost to the DP/OP is nil.

**Financial implications:** If the recommendation is adopted, there will be no financial implication for the Bathurst Delivery Plan 2018-2022 and Operational Plan 2018/2019.

#### **(k) Sporting Grants**

**Recommendation:** That Council not amend the DP/OP in respect of this submission.

**Report:** Contained within Council's draft budget under Section 356 donations is an amount of \$20,000 for the Bathurst District Sport & Recreation Council (BDSRC). The BDSRC have requested an increase in Sporting Grants to \$30,000, see submission, shown at **attachment 13**, requesting further assistance from Council for an additional \$10,000. .

The BDSRC are allocated \$20,000 per annum through Section 356 and, in the last two years, have given grants of \$20,000 (07/02/2018 - DES Item 3) and \$7,248 (01/02/2017 - DCSF Item 8).

The DP/OP contains a sundry vote of \$20,000 for donations through Section 356. If Council agrees to fund the Edgell Jog and Rebellion on the Turon as per previous items, there would only be \$1,110 remaining to fund this submission.

**Financial implications:** If the recommendation is adopted, there will be no financial implication to the Bathurst Delivery Plan 2018-2022 and Operational Plan 2018/2019.

**Financial Implications:** If the recommendations are adopted, the changes will be incorporated into the Delivery Plan 2018-2022 and Operational Plan 2018/2019 which will become the budget for Bathurst Regional Council for 2018/2019.

#### **Bathurst 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

#### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **6 DELIVERY PLAN 2018-2022 AND OPERATIONAL PLAN 2018/2019 (16.00155)**

**Recommendation:** That:

- (a) Following consideration of the submissions received by Council, the Draft Delivery Plan 2018-2022 and Operational Plan 2018/2019 be adopted as the Bathurst Regional Council Delivery Plan and Operational Plan, subject to the inclusion of any amendment adopted as a result of the submissions received, and all expenditure and income items incorporated in the Operational Plan 2018/2019 be voted.
- (b) Councillors remuneration be set at the maximum level for the category Regional Rural as published by the Local Government Remuneration Tribunal.
- (c) It be noted that Council has reviewed its organisation structure in accordance with section 333 of the Local Government Act 1993 as amended.

**Report:** The Draft Delivery Plan 2018-2022 and Operational Plan 2018/2019 has been advertised for the statutory 28 days and submissions were received during the exhibition period.

Council considered these submissions in the previous report (DCSF #5 of 20 June 2018) and any adjustment to the Draft Delivery Plan 2018-2022 and Operational Plan 2018/2019 adopted at that item will now have to be included in the formal adoption of the Plan.

The adopted budget contains an allowance for Councillors to be paid in accordance with the maximum level allowed by the Local Government Remuneration Tribunal under the category, Regional Rural, as shown at **attachment 1**.

Under section 333 of the Local Government Act 1993 as amended, the Council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the Council. The organisation structure was reviewed during the Operational Plan development.

**Financial Implications:** The Delivery Plan 2018-2022 and Annual Operational Plan 2018/2019 is the budget of the Bathurst Regional Council for the 2018/2019 financial year.

### **Bathurst 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

### **Community Engagement**

- Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.



## **7 2018/2019 REVENUE POLICY (16.00155)**

**Recommendation:** That, following consideration of the submissions received by Council, the Revenue Policy for 2018/2019, as presented to Council, be adopted as the Bathurst Regional Council 2018/2019 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

**Report:** Council's Revenue Policy for 2018/2019 has been advertised for the statutory 28 days and submissions considered by Council.

Included in this year's Plan is the provision of eight waste management vouchers consisting of:

- two (2) x Mixed Refuse Vouchers of 200kg each
- two (2) x Mixed Refuse Vouchers of 100kg each
- two (2) x Green Waste Vouchers of 200kg each, and
- two (2) x Green Waste Vouchers of 100kg each.

Vouchers have been issued to ratepayers for a number of years. The number of vouchers was amended last year to assist ratepayers in getting better value from the issued vouchers. The usage will be monitored during 2018/2019 for review and modification, if required, during next year's budget process.

**Financial Implications:** The 2018/2019 Revenue Policy sets out the fees and charges for Council services for the 2018/2019 financial year. These fees and charges assist Council to achieve its budgeted income for the year.

### **Bathurst 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

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **8 2018/2019 RATE LEVY (16.00155)**

**Recommendation:** That Council formally resolve to make the following rates and charges in relation to the 2018/2019 Rating Year.

- (a) ORDINARY RATES FOR 2018/2019 - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Bathurst Delivery Plan 2018-2022 and Annual Operating Plan 2018/2019 for the twelve months to 30 June 2019 was adopted by the Council on 20 June 2018 it is hereby recommended that:
1. a **Residential Rate** of zero point two eight nine one four six (0.289146) cents in the dollar on the land value of all rateable land categorised as Residential in accordance with Section 516 of the Local Government Act, 1993 excepting those parcels of land sub-categorised as "Residential Town/Villages", AND THAT
  2. a **Residential Town/Villages Rate** of zero point nine four one two five six (0.941256) cents in the dollar on the land value of all rateable land sub-categorised as Residential – Town/Villages, in accordance with Section 529(2) (b) of the Local Government Act, 1993, AND THAT
  3. a **Farmland Rate** of zero point two two zero one eight six (0.220186) cents in the dollar on the land value of all rateable land categorised as Farmland in accordance with Section 515 of the Local Government Act, 1993, AND THAT
  4. a **Business Rate** of zero point four five four four eight five (0.454485) cents in the dollar on the land value of all rateable land categorised as Business in accordance with Section 518 of the Local Government Act, 1993, excepting those parcels of land sub-categorised as "Business Bathurst City", "Business Forest Grove", "Business Ceramic Avenue", "Business Eglinton Non-Urban", "Business Orton Park", "Business Stewarts Mount", "Business Evans Plains" AND THAT
  5. a **Business Bathurst City Rate** of one point eight four five five two zero (1.845520) cents in the dollar on the land value of all rateable land sub-categorised as Business Bathurst City in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
  6. a **Business Forest Grove Rate** of one point five nine seven six four eight (1.597648) cents in the dollar on the land value of all rateable land sub-categorised as Business Forest Grove in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
  7. a **Business Ceramic Avenue Rate** of one point five nine seven six four eight (1.597648) cents in the dollar on the land value of all rateable land sub-categorised as Business Ceramic Avenue in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
  8. a **Business Eglinton Non-Urban Rate** of one point five nine seven six four eight (1.597648) cents in the dollar on the land value of all rateable land sub-categorised as Business Eglinton Non-Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
  9. a **Business Orton Park Rate** of one point five nine seven six four eight (1.597648) cents in the dollar on the land value of all rateable land

sub-categorised as Business Orton Park in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT

10. a **Business Stewarts Mount Rate** of one point five nine seven six four eight (1.597648) cents in the dollar on the land value of all rateable land sub-categorised as Business Stewarts Mount in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
11. a **Business Evans Plains Rate** of one point five nine seven six four eight (1.597648) cents in the dollar on the land value of all rateable land sub-categorised as Business Evans Plains in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
12. a **Mining Rate** of zero point three five one three three five (0.351335) cents in the dollar on the land value of all rateable land categorised as Mining in accordance with Section 517 of the Local Government Act, 1993,

BE NOW MADE for the 2018/2019 Rating Year subject to the following Minimum and Base Amounts in accordance with Section 548 and Section 499 of the Local Government Act, 1993, AND THAT aggregation of values of certain parcels of land subject to a minimum or base amount in accordance with Section 548A of the Local Government Act, 1993, be permitted.

	Category	Minimum Amount	Base Amount	%Yield Base Amount
1	<b>Residential</b>		\$262.00	32
2	<b>Residential/Town Village</b>	\$373.00		
3	<b>Farmland</b>		\$355.00	24
4	<b>Business</b>	\$260.00		
5	<b>Business Bathurst City</b>	\$399.00		
6	<b>Business Forest Grove</b>	\$399.00		
7	<b>Business Ceramic Avenue</b>	\$399.00		
8	<b>Business Eglinton Non-Urban</b>	\$399.00		
9	<b>Business Orton Park</b>	\$399.00		
10	<b>Business Stewarts Mount</b>	\$399.00		
11	<b>Business Evans Plains</b>	\$399.00		
12	<b>Mining</b>		\$229.00	48

- (b) DOMESTIC WASTE MANAGEMENT CHARGES FOR 2018/2019 - That the annual residential charge – Standalone Dwellings where the service is available under Section 496 of the Local Government Act, 1993, for the removal of weekly general waste, weekly food and green waste and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2018 being three hundred and ninety four dollars and zero cents (\$394.00) for the provision of one waste mobile bin, one food and green waste mobile bin and one recycle mobile bin be made by the Council, and the annual residential charge for other than standalone dwellings for the removal of weekly general waste, and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2018 being two hundred and ninety two dollars and zero cents (\$292.00), and that the annual charge to be made for each parcel of rateable vacant land where the service is available under Section 496 of the Local Government Act, 1993, for the twelve months commencing 1 July 2018 being six dollars and zero cents (\$6.00) be made by the Council and further that a charge where

the service is provided under Section 496 of the Local Government Act, 1993, for each additional domestic waste collection service of two hundred and three dollars and zero cents (\$203.00) per mobile bin and for each additional food and green waste collection service of one hundred and two dollars and zero cents (\$102.00) and for each additional fortnightly recycling collection service of eighty nine dollars and zero cents (\$89.00) per mobile bin be made by the Council.

- (c) **WASTE MANAGEMENT SERVICE CHARGES FOR 2018/2019 (NON DOMESTIC)** – That the annual charge where the service is provided under Section 501/502 of the Local Government Act, 1993, for the weekly removal of garbage being two hundred and three dollars (\$203.00) per mobile bin and the weekly removal of food and green waste being one hundred and two dollars (\$102.00) and the fortnightly collection of material for recycling being eighty nine dollars (\$89.00) per mobile bin for the twelve months commencing 1 July 2018 be made by the Council.
- (d) **WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2018/2019** That the annual waste charge be levied for each rural rateable property that is outside of the waste collection area, Council provides access to rural transfers stations, under Section 501 of the Local Government Act, 1993, for the twelve months commencing 1 July 2018 being eighty five dollars (\$85.00) be made by the Council.
- (e) **WASTE MANAGEMENT VOUCHERS** – That the Council provide to all rateable properties eight waste management vouchers, consisting of 4 Mixed Refuse Vouchers consisting of two by 200kg and two by 100kg each and 4 Green Waste Vouchers consisting of two by 200 kg and two by 100kg each, at no charge.
- (f) **SEWERAGE CHARGES FOR 2018/2019** – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2018.
1. That the annual charge for single residential (including residential strata) and un-metered properties, be five hundred and eight four dollars and zero cents (\$584.00).
  2. That the annual charge for vacant land be three hundred and seventy one dollars and zero cents (\$371.00).
  3. That the annual access charges for non-residential and multiple residential properties are to be the total of the metered charges applicable to the property as shown in the table below multiplied by a sewerage discharge factor.

Size of Water Connection (mm)	Charge for 2018/2019
20	\$527.00
25	\$819.00
32	\$1342.00
40	\$2100.00
50	\$3280.00
65	\$5275.00

80	\$8389.00
100	\$13108.00
150	\$29488.00
Strata Properties (Each non-residential lot)	\$527.00
Assumption School	\$1643.00

- That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be one dollar and seventy five cents (\$1.75) per kilolitre of filtered water supplied multiplied by a sewerage discharge factor.

(g) SEWERAGE CHARGES -TRADE WASTE 2018/2019

That in accordance with Sections 501,503, 539, and 541 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2018.

- That the Annual Trade Waste Fee for individual businesses be one hundred and nineteen dollars and zero cents (\$119.00).
- That the Annual Trade Waste Fee (Large Discharger) for individual business be seven hundred and ninety four dollars and thirty cents (\$794.30).
- That the Trade Usage Charge for non-residential properties be two dollars and ninety cents (\$2.90) per kilolitre of filtered water supplied multiplied by a trade discharge factor.

(h) WATER CHARGES 2018/2019 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2018.

- That the annual water availability charges are to be the total of the metered charges applicable to the property as shown in the table below for:

Size of Water Connection (mm)	Charge for 2018/2019 \$
20	\$175.00
25	\$274.00
32	\$448.00
40	\$701.00
50	\$1094.00
65	\$1848.00
80	\$2797.00
100	\$4369.00
150	\$9831.00
Hillview Water Supply	\$159.00

- That the minimum annual water availability charge for each unit within a Strata development be one hundred and seventy five dollars and zero cents (\$175.00).

3. That the annual water availability charge for vacant unconnected land be one hundred and seventy five dollars and zero cents (\$175.00).
4. That the annual water availability charge for unmetered or unconnected properties be seven hundred and forty five dollars and zero cents (\$745.00).
5. That if water pressure at a property is less than 120 kpa, then a larger service may attract a charge of one hundred and seventy five dollars and zero cents (\$175.00).
6. That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for 2018/2019
Hillview Estate Water Supply	First 250 kl	\$2.18
	> 250 kl	\$4.36
Residential Filtered	First 250 kl	\$2.08
	> 250 kl	\$3.12
Residential Raw	First 250 kl	\$0.91
	> 250 kl	\$1.37
Other Filtered	First 250 kl	\$2.08
	> 250 kl	\$3.12
Other Raw	First 250 kl	\$0.91
	> 250 kl	\$1.37
Large Industrial Filtered	>0 kl	\$1.68
Large Industrial Raw	>0 kl	\$1.06
Community Clubs:	First 18,000 kl	\$0.81
Golf, Majellan & Bathurst Community Club	>18,000kl to 45,000kl	\$1.07
	Balance	\$1.68
Strata Unit property	First 250 kl (for each unit)	\$2.08
	>250 kl (for each unit)	\$3.12
Home Dialysis – subject to doctors certificate	First 200 kl	Free
	200kl-250 kl	\$2.08
	>250 kl	\$3.12
Hospital	1 <sup>st</sup> x patient average	Free
	Balance per KL	\$3.12

- (i) Included in this year's Bathurst Delivery Plan 2018/2022 and Annual Operating Plan 2018/2019 in the Water Fund are amounts for Operational expenditure at the Aquatic Centre. This is to be financed from revenue raised from the Water Fund as detailed in the Plan.
- (j) INTEREST ON OVERDUE RATES AND CHARGES FOR 2018/2019 – That in accordance with Section 566 of the Local Government Act, 1993 Council charge interest on overdue rates at a rate of 7.5 % per annum for the 12 month period commencing 1 July 2018 as advised by the Minister.
- (k) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 1.5%, a 5.0% increase in Sewer Charges, Waste Charges have been calculated on the basis of the reasonable cost of

providing the service and a 5.0% increase in Water Charges which have been calculated on achieving a 25% access charge and 75% usage charge basis as per the Best Practice Guidelines introduced by the NSW Office of Water, August 2007.

**Report:** As per the recommendation.

**Financial Implications:** The Rates and charges for the year are included in the Revenue Policy which forms part of the adopted Delivery Plan 2018-2022 and Annual Operational Plan 2018/2019.

### **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
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## **9 TCORP LOAN (16.00148)**

**Recommendation:** That Council approves the execution of the Loan Agreement with NSW Treasury Corporation..

**Report:** Council's budget for 2017/2018 allowed for loans to be secured to fund various projects. Council is now able to access loans through New South Wales Treasury Corporation (TCorp), usually, at a much more competitive rate than banks. Council has negotiated a loan for \$8,525,000 fixed at 3.46% over ten years.

Part of TCorp's procedures is that it requires approval of the loan agreement, shown at **attachment 1**, at a meeting of Council.

**Financial Implications:** The loan funds will allow Council to complete projects identified in the 2017/2018 budget.

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### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.



## **10 WATER FOR VERIFIED PRIME PRODUCERS (16.00155)**

**Recommendation:** That Council not allow verified primary producers to access water from standpipes at no charge whilst the area is drought declared.

**Report:** Council has a pass card system in place at its standpipes in Hereford Street for the provision of water. This is normally charged out at \$5.00 per kilolitre as per Council's adopted Revenue Policy 2017/2018 and continuing at \$5.00 for the 2018/2019 year. Council, at its Policy Meeting of 6 June 2018, resolved to decrease the price to \$2.50 per kilolitre, in accordance with the Revenue Policy 2017/2018 whilst part of the region is drought declared. Note that the current price for water sold to residents on town water who have used over 250 kilolitres is \$2.93 per kilolitre, moving to \$3.12 per kilolitre after 1 July 2018.

Also, in recognition of the current drought conditions, at the Policy Meeting of 6 June 2018 a resolution was passed to investigate the provision of water at no charge to verified primary producers whilst the area is drought declared.

For the 2016/2017 year 7,832 kilolitres passed through the standpipes. For the 2017/2018 year to date 11,291 kilolitres have been used. This is a 44% increase year on year and reflects the current demand for water in the region, although also noting that standpipe water is used for a myriad of purposes including construction and roadworks.

To ensure fairness around the provision of this offer, there are many variables that Council requires some certainty around:

- should only Bathurst Regional Council residents be able to access this offer;
- policing the on-selling of water;
- what type of proof of primary production to be shown, and is this provision only for farms with stock;
- should there be a maximum limit of free water per property and how would that be determined;
- what timeframe this scheme should run for.

The financial implications of this scheme are very difficult to estimate. Council has approximately 1,450 properties rated as farmland, however, the take-up rate and length of time until the drought declaration is lifted are completely unknown factors. Bulk water sales are estimated at \$30,000 for the 2017/2018 year, the effect of half-price sales, that has already been provided for, means the loss of at least \$15,000 in revenue, however the increased usage also means Council's operating costs will also increase markedly, as well as faster depletion of the Dam water.

**Financial Implications:** The financial implications of this scheme are very difficult to estimate. Council's bulk water sales for 2017/2018 are currently in excess of budget, however, the new financial year begins 1 July 2018, and next year's budget may be significantly impacted.

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## **Community Engagement**

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## **11 OPERATIONAL LAND CLASSIFICATION (22.00911, 22.06307, 22.16073)**

**Recommendation:** That Council classify the following parcels as operational land in accordance with the provision of Section 31(2) of the Local Government Act, 1993:

- (a) 38 William Street, Bathurst;
- (b) 116 Bentinck Street, Bathurst;
- (c) 434 Laffing Waters Lane, Laffing Waters

**Report:** Council, at its meeting held on 21 February 2018, resolved to proceed with the following property purchased, however, the published minute for each report omitted the resolution to classify each property as operational land.

- (a) 38 William Street, Bathurst - settled on 16 May 2018.
- (b) 116 Bentinck Street, Bathurst - settled on 16 April 2018.
- (c) 434 Laffing Waters Lane, Laffing Waters - settled on 31 May 2018.

This report has been prepared to assist in the transparency of the acquisitions process.

Section 31(2) of the Local Government Act 1993 requires:

*"(2) Before a council acquires land, or within 3 months after it acquired land, a council may resolve (in accordance with this Part) that the land be classified as community land or operational land".*

Any land that has not been classified by the end of the 3 month period is taken to have been classified at community land.

Accordingly, it is recommended that Council classify each of the property purchased as operational land in accordance with Section 31(2).

**Financial Implications:** Nil

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

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1
- Objective 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 21.1, 21.4
- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.1

### **Community Engagement**

- Inform

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## **12 REQUEST FOR FINANCIAL ASSISTANCE - 8 LIONS CLUB DRIVE, KELSO (22.01907)**

**Recommendation:** That Council fund the cost of the additional water consumption that was incurred at 8 Lions Club Drive, Kelso arising from the fire clean-up works to be funded from Section 356 donations.

**Report:** Councillors would recall the extensive damage that was caused to the Council owned premises at 8 Lions Club Drive, Kelso. An insurance claim for this incident, and subsequent rectification works, was lodged by Council and has since been settled.

As a result of the clean-up works, this site experienced a larger than normal water consumption for the period immediately following the fire. Based on an average of the previous years' consumption for the same period, the normal consumption has increased by 57kl. This equates to an additional consumption charge of \$111.15.

Ordinarily, this additional charge would have been incorporated into the insurance claim, however, due to the timing of the meter reads and the timing of when this matter was raised with Council, the insurance claim for the fire had already been lodged and settled.

Accordingly, Council's approval is sought for Council to fund the cost of the additional water consumption arising from the fire clean-up works.

**Financial Implications:** Should Council resolve in accordance with the recommendation of this report, then the additional water consumption charge of \$111.15 would be funded from Council's donations allocation which currently has a balance of \$3,690.30.

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1

### **Community Engagement**

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### **13 2019 AUSTRALIAN INTERNATIONAL LUTHIERS CONGRESS (18.00004)**

**Recommendation:** That Council:

- (a) Provide financial support of up to \$5,000 (cash/in-kind) towards the inaugural Australian International Luthiers Congress to be held in July 2019; and
- (b) Host a Mayoral Reception as part of this Congress, at Council's cost.

**Report:** Council's Mayor and Director Corporate Services & Finance met with representatives of the 2019 Australian International Luthiers Congress Organising Committee to discuss the opportunity of this event being hosted in the Bathurst region.

The organisers have advised that support for this event has already been obtained from the Scots School with accommodation, meals and conference venue being provided (at a cost) at this facility.

A copy of the proposal from the organisers, together with additional information (including event budget), has been provided to Councillors under separate cover.

In brief, the Congress is hoping to achieve 90 international/national delegate registrations, with seven expert lecturers (three Australian) delivering the Congress content. It is envisaged that the Congress will run for one week during the July 2019 school holidays. The organisers estimate the Congress will generate expenditure of \$145,000 into the Bathurst local economy, which includes the payment to the Scots School. The organisers are seeking financial support of up to \$35,000 from Council.

Historically, where an economic return can be demonstrated, Council has provided support of up to \$5,000 in cash or in kind. A recent exception to this was the sponsorship of Artstate where a greater, and more diverse, economic return was able to be demonstrated.

**Financial Implications:** Should Council resolve in accordance with the recommendations of this report, funding will need to be identified in Council's 2019/2020 Budget.

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- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.1

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**15 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(11.00005, 22.01826, 22.11668, 21.00044, 22.00654, 22.11668)**

**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 RURAL LICENCE AGREEMENT RENEWAL AT LOT 60 DP1226661, KNOWN AS COX LANE, EGLINTON (22.01826)**

This report relates to the renewal of a rural licence agreement for Cox Lane, Eglinton for a period of 12 months.

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This report relates to the proposed purchase of land at 29-35 Sydney Road, Kelso.

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

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

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

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



## **Community Engagement**

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Yours faithfully

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A Jones  
**DIRECTOR**  
**CORPORATE SERVICES & FINANCE**

## **DIRECTOR ENGINEERING SERVICES' REPORT**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 JUNE 2018

## **1 WATER SECURITY IN BATHURST (16.00103)**

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

**Report:** There was a severe drought in Bathurst over the summer of 1982-83 (over 35 years ago), that led to Council placing water restrictions in early October 1982. Restrictions were in accordance with the then Water Restrictions Policy, limiting outdoor use to one hose per property for 1 hour each afternoon. Due to the severity of the drought, the restrictions were rigorously enforced by Council, and many users were fined and ordered to pay court costs. The restrictions were lifted in early 1983 when good rainfalls refilled the dam.

The next time restrictions were imposed was in December 1997, due to very high water consumption and high temperatures, and consisted of banning fixed sprinklers. These restrictions were lifted mid 1998 with improved rainfalls and good inflows.

From 1999 to 2001 the \$30 million Chifley Dam Flood Security Upgrading and Raising Project was constructed. This project provided Council with a dam capable of withstanding the required 1 in a million year flood event, and also a very significant increase in storage capacity, from 16,000 million litres (ML) to 30,800 ML. The old dam wall provided storage equivalent to 51.9% of the current dam.

In September 2006 Council adopted the Drought Management Plan and the Demand Management Plan, being elements of the State Government's Best Practice Guidelines. Numerous actions were implemented subsequent to these, including a significant shift in how water pricing was applied, to ensure that at least 75% of residential revenue is generated through usage charges. In addition, there is a 150% step increase in the consumption charge above 250 kL consumption each year.

Other relevant reports and studies are as follows:

- EIS for the Proposed Upgrading and Augmentation of Ben Chifley Dam (July 1997).
- Ben Chifley Dam Flood Security Upgrading and Raising Project (1999-2001, \$30 million):
  - This project provided to Council a dam capable of meeting the NSW Dams Safety Committee's requirement to safely withstand a 1 in 1,000,000 year flood event, and also increased the storage capacity from 16,000 ML to 30,800 ML. The increase was possible because it was incorporated into the original design and construction in the 1950s. The 5.35m raising was the largest possible, considering the capacity of the spillway. Further raising work would necessitate substantial studies to identify if a new or additional spillway capacity could be provided.
- Ben Chifley Dam Management Plan (November 2000).
- Drought Contingency and Water Supply Emergency Management Plan was adopted by Council at its meeting on 6 September 2006.
- Ben Chifley Dam to Bathurst Water Treatment Plant Pipeline Pre-Feasibility Assessment (October 2008):
  - The Assessment concluded *that the pipeline has a benefit to cost ratio that is greater than one only when consumption increases to about 32ML per day on average. In 2008 the average is currently about 19ML per day on average. An increase from 19ML per day to 32ML per day reflects a growth within the city of about 70% or a population of around 54,000. This is clearly still some time off.* From

May 2017 to April 2018 the average consumption for Bathurst is 18.6 ML/d, showing no real change since 2008.

- Integrated Water Cycle Management Strategy (February 2009).
- Water Conservation and Demand Management Strategy (June 2009).
- Strategic Business Plan for Water Supply and Sewerage Services (February 2010).
- Climate Change & Water Supply Security Plan (May 2011).
- Aboriginal Heritage Assessment - Chifley Dam Pipeline (December 2011).
- Chifley Dam Pipeline Routes Terrestrial Flora and Fauna (March 2013).
- Chifley Dam Pipeline - Booroolong Frog and Koala survey report (April 2014).
- Bathurst Demand Management Plan (October 2014).
- Drought Management Plan (October 2014).
- Asset Management Plan - Water Supply – Drinking Water Reticulation Network (February 2016).

The key point is that in 2008 the average consumption for Bathurst over the year was about 19 ML/d, and in 2018 to date the average consumption is 18.6ML/d. It should be recognised that our customers have already reduced on average their individual water consumption over the last decade at least.

It should be noted that within this Agenda there is another report regarding pricing of water from Council's Standpipes on Hereford Street Kelso. Please refer to Report Item 10 of the Director Corporation Services and Finance.

### **Recent History**

How much water is being used?

- Bathurst uses between 6,000 ML and 7,000 ML per year, as seen on the following graph.
- The peak summer's day usage of water in Bathurst is about 34 - 35 ML/d (average November 2017 to March 2018 is 22 ML/d), with the winter average being 14 ML/d, and recently was 16 ML/d. The release of water from Chifley Dam varies from 130 ML/d at the height of summer, to the minimum environmental release required under the licence for the dam, being 4.5 ML/d. Bathurst is able to use water from the Fish River when there are adequate flows to supply the city (winter, some of autumn and spring), and Chifley Dam supplies water for summer and some of the adjacent seasons.

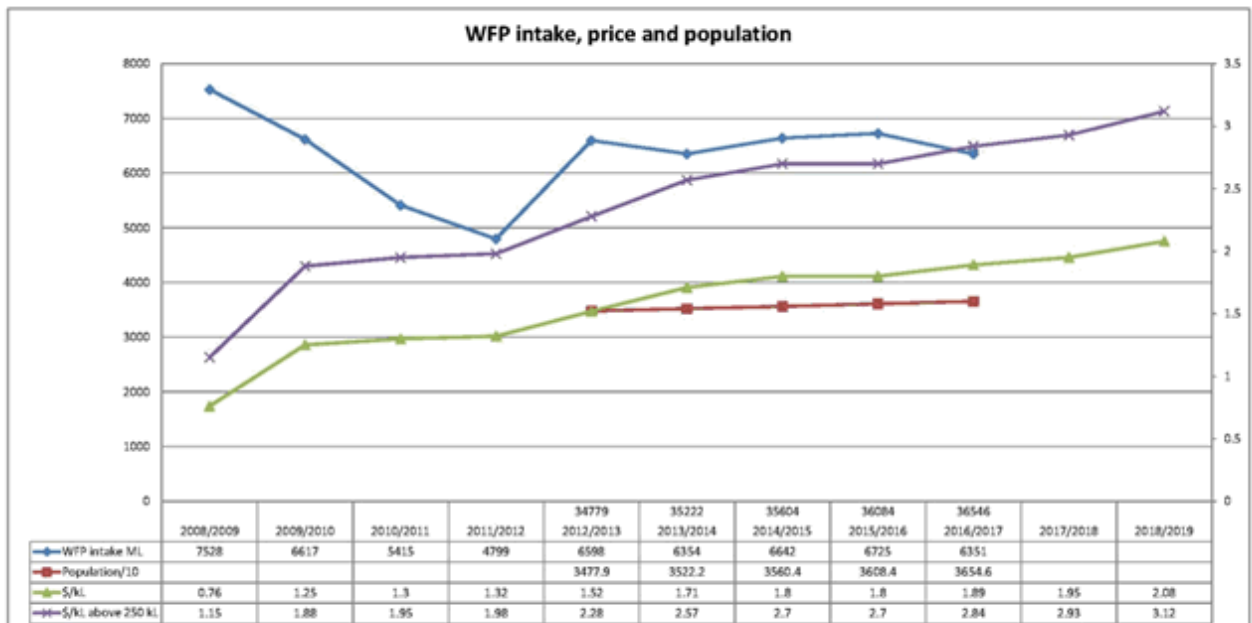
How much is left in Chifley Dam as at the end of May 2018?

- Over 16,000 ML is left in Chifley Dam.

What impacts the amount of water used?

- Pricing is a key driver, with the consumption charge moving up each year to ensure Council meets the requirement under the State Government's Best Practice Management of Water Supply and Sewerage Guidelines that at least 75% of residential revenue is generated through usage charges. In addition, there is a 150% step increase in the consumption charge above 250 kL consumption each year, with this being in place for the last ten years.
- Improvements in the quality of water supply fittings, tapware and appliances such as washing machines, dual flush toilets, and low flow shower heads to use less water ensures all newly built properties and any renovated properties use less water than previously was the case.
- The ability for landlords to charge tenants the water usage charges for water consumed where all water fixtures and fittings are efficient has driven some additional improvements.

BASIX certificates for a development application for a new home or for any alteration and addition of \$50,000 or more to an existing home, has water savings and efficiency requirements, with the targets for single dwellings are typically a 40% reduction in potable water consumption against the New South Wales benchmark. This includes the requirement to install a rain water storage tank to reduce water consumption.



**What have/are our customers being told?**

Generally every Tuesday throughout the year, Council's website is updated with the latest water details on dam levels and consumption figures. The Western Advocate assists in ensuring these details are regularly provided to as many of our customers as possible.

The details provided are as follows in the following sample:

*Chifley Dam is at 53.0% as of 5 June 2018, with 16,000ML in storage. The previous dam wall equates to 51.9% compared to the current dam.*

Release of water from Chifley Dam is averaging 17ML per day.

Inflow on 5 June 2018 is nil per day.

As of 5 June 2018 there is a GREEN Level Blue Green Algae alert currently in place for Chifley Dam.

Chifley Dam remains OPEN for all water related recreational activities. Further details are available [here](#).

Consumption of filtered water in Bathurst is averaging 15.4ML per day (which is 6.2 Olympic sized swimming pools).

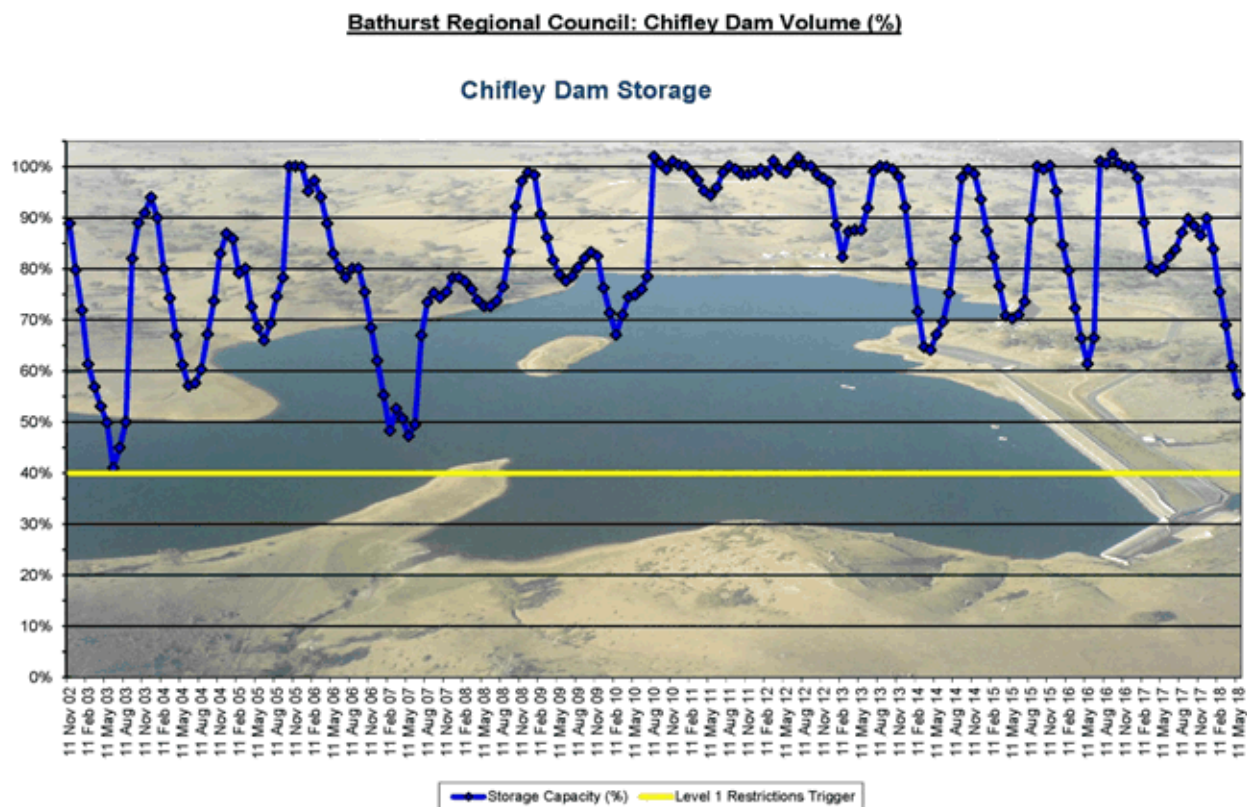
Treated water returned to the Macquarie River is averaging 8.4ML per day.

The Bathurst Regional Council area at present has no water restrictions; however water wise behaviours (such as the following examples) are expected:

- Check that sprinklers are positioned so that water only falls on soft surfaces
- Water lawns and gardens out of the heat of the day (before 10am and after 4pm).
- Use trigger nozzles on your hoses.
- Clean paths and driveways with a broom or blower first.
- Only use a hose for health or safety reasons.

For further information from the Bureau of Meteorology please view [this link](#).

Please refer to the Chifley Dam Storage Graph.



*Further details on how you can help are available at Water Wise Bathurst.*

*Compared to the same time last year we now have approximately 31% less in storage at Chifley Dam.*

*Winburndale Dam is at 48% capacity.*

#### Where does the water go from Chifley Dam?

Council has a licence to use the water stored in Chifley Dam for town water supply purposes that is drinking water. Water is released through pipes under the dam that flows down the Campbells River to the junction of the Fish River, where the Macquarie River commences. Along the way from the dam to the Water Filtration Plant during the growing period from October/November to March/April/May, a number of irrigators access the water released by Council to irrigate their crops, and property owners with stock and domestic licences also pump water for their properties. The release of water from Chifley Dam varies from 130 ML/d at the height of summer, to the minimum environmental release required under the licence for the dam, being 4.5 ML/d. At the weir at the Water Filtration Plant, Council (as all irrigators) is required to ensure there is visible flow at the downstream property boundary.

With the peak summer's day usage of water in Bathurst being about 34 - 35 ML/d, the amount of water used by irrigators, "lost" through the bed of the rivers, and "lost" to evaporation from the rivers is substantial. It is regularly more than double of that used by Council at the Water Filtration Plant, and remember there is also about 9 ML/d returned to the river by Council at the Waste Water Treatment Works. The actual outside water usage at domestic and commercial properties is about 20 ML/d in summer.

At Chifley Dam itself, there is evaporation occurring from 1.1 mm/d in June, through to 6.8 mm/d in January, (winter average is 1.5 mm/d, and summer average is 6 mm/d). Depending on the water level and then the associated surface area, the evaporation volume can be significant. When the dam is full and it is summer, there is 110 ML/d "lost" to evaporation, though at the current level in summer it would be 14 ML/d. At the current level in winter it is 4 ML/d. There are some options available to limit the evaporation by covering a significant proportion of the dam water surface with things such as floating pontoons or floating solar panels. These would come at a high price both financially and recreationally as it would be necessary to cease water activities at the dam. Given the strong patronage on the dam over summer, this has not been pursued.

#### Contrasting Water Wise choices with restrictions

For many years, Bathurst Regional Council Water and Waste staff have endeavoured to always use a positive message when providing information to Council's customers. Instead of saying "Don't water when it is really hot", staff would say "Water lawns and gardens out of the heat of the day". Instead of saying "Don't water the driveway or paths", it is better to say "Check that sprinklers are positioned so that water only falls on soft surfaces". Water Wise Bathurst messages are regularly provided in the rates notices, Saturday Western Advocate Council notices, cinema advertising, on hold messages, website updates, social media, media releases and distributed on printed resources.

Looking to the larger water authorities to see how they manage water use, such as Sydney, where water services are provided by Sydney Water Corporation, who advise their customers:

*"Water Wise Rules are simple, common sense actions about the way we use water outside.*

*They've replaced water restrictions and apply to everyone in Sydney, the Blue Mountains and the Illawarra. This includes both residents and businesses.*

*The Water Wise Rules are:*

- Watering, including with sprinklers and irrigation systems, is allowed any day before 10 am and after 4 pm to avoid the heat of the day.*
- All hand held hoses must have a trigger nozzle.*
- No hosing of hard surfaces such as paths and driveways. Washing vehicles is allowed.*
- Fire hoses may be used for firefighting activities only.*

*The Water Wise Rules are simple, common sense actions that apply to all Sydney Water customers in Sydney, the Illawarra and the Blue Mountains. This includes residents, businesses, local councils and government agencies.*

*Sydney Water encourages the community to use their common sense when applying the Water Wise Rules. For example:*

- Wash your car on the lawn wherever possible. This will not only water and fertilise your lawn but will also avoid stormwater pollution.*
- Avoid any form of outdoor hosing between 10 am and 4 pm to avoid the heat of the day, when evaporation is high.*
- Use a broom to clean up leaves, grass clippings, dirt, dust or general litter on paths or driveways instead of hosing.*

*Being water wise makes good sense.*

*Exclusions:*

*Recycled water, bore water and water used for testing fire systems, firefighting and related activities are exempt from the Water Wise Rules. Water from rainwater tanks is also exempt if it is not topped up from Sydney Water's supply."*

The provision of Water Wise messages is business as usual, and is well received by customers.

The contrast is water restrictions, which require enforcement, and that requires resources to inspect, record, issue fines and notices, and ensure that correct details are kept to succeed in any court case.

The Local Government (General) Regulation 2005 has at clause 159 and 160:

Clause 159 Prevention of waste and misuse of water

The owner, occupier or manager of premises to which water is supplied by the council must:

- (a) prevent waste of water by taking prompt action to repair leaking taps, pipes or fittings located on the premises, and
- (b) take any other action that is reasonable to prevent waste and misuse of water.



#### Clause 160 Misuse of water

An occupier of premises supplied with water from the council's water supply system must not:

- (a) take any of the water away from the premises, or
- (b) allow any other person to take any of the water away from the premises, or
- (c) use water contrary to a council notice restricting the use of water, other than in accordance with arrangements instituted by the council.

Schedule 12 of the Regulation deals with Penalty Notices, and provides that for Section 637 (1)-wilfully or negligently wasting or misusing water from a public water supply, the fine is \$220.

Clause 637 of the Local Government Act 1993 provides:

#### Clause 637 Waste or misuse of water:

- (1) A person who wilfully or negligently wastes or misuses water from a public water supply, or causes any such water to be wasted, is guilty of an offence.  
Maximum penalty: 20 penalty units.
- (2) If an offence against this section is committed, the occupier of the premises on which the offence was committed is guilty of the offence as if the occupier were the actual offender unless the occupier proves that the waste or misuse constituting the offence:
  - (a) was not reasonably within the occupier's knowledge, and
  - (b) was caused by the act of the person other than a member of the occupier's household or other than a person employed on the premises by the occupier.
- (3) Subsection (2) does not affect the liability of the actual offender, but, if a penalty has been imposed on or recovered from any person in relation to the offence, no further penalty in respect of the offence may be imposed on or recovered from any other person.

[Note: A penalty unit is worth \$110].

Council would need to provide additional resources to enable enforcement of water restrictions. These resources would need to cover 7 days a week, and potentially include hours early morning and at night.

#### How can water usage be reduced?

As can be seen, the usage of water is complex, and no single solution exists to reduce usage from Chifley Dam. In summer the water evaporates, is pumped by irrigators, moves underground, supplies Bathurst with water for commercial, industrial, indoor and outdoor domestic purposes and flows downstream. Many of Council's parks, gardens and sporting fields have long been supplied with raw water from Winburndale Dam, along with Charles Sturt University & the Golf Club for outside irrigation.

At Chifley, some form of floating pontoons would reduce evaporation, but at the loss of water based recreational activities and direct financial cost. They would prove challenging to keep them in the dam should there be significant inflows, which would result in water flowing over the spillway.

In Bathurst itself, commercial and industrial users are acutely aware of their consumption and associated charges, given years of user pays water and sewer pricing. There is limited scope to further impact (reduce) businesses water consumption generally.

Indoor domestic household water use has been driven down due to years of user pays water pricing, BASIX, better fittings, fixtures and appliances. Outdoor domestic use is around 20 ML/d in summer, and this is where the Drought Management Plan (DMP) initially targets usage, followed by restricting businesses as the levels increase. Restrictions would impact on people's gardens and lawns as the levels increase.

The review of the previous DMP was undertaken by a suitably qualified consultant in 2013/2014 and a summary of most significant changes is detailed below:

- Water restrictions have been updated to reflect the Bathurst, Orange and Dubbo (BOD) collaborative restrictions agreed upon in 2009, and as a result the previous 5 stages have been amended to 6 levels.
- Increased consideration has been given to access of alternative water supplies in the event of drought.
- Specific responsibilities and actions of relevant Council staff have been detailed to ensure an efficient response to any drought situation.
- Consideration has been given to potential climate change impacts and their effects on drought across the Bathurst region, including the effect on Chifley Dam and Winburndale Dam yields.
- Community recovery from a drought situation has been identified as a distinct and separate priority where Council has a role and responsibility.

Two key items that were not changed are:

- The cease to pump requirement in the Water Sharing Plan of 22% (Level 5) has not been amended. (This is the point where the State Government can begin to enforce the irrigation cease to pump rule as identified in the NSW Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources 2012, for the Campbells River downstream management zone).
- The implementation of empathetic water conservation measures by Council resolution due to lack of supply in the neighbouring Council areas remains available.

A full copy of the Drought Management Plan is available on Council's website.

### Raising Chifley Dam Wall

Raising Chifley Dam wall would require the spillway and spillway outlet to be enlarged as it is currently at maximum capacity.

For maintenance and management purposes Council owns the land bordering Chifley dam up to the level of the probable maximum flood. A larger dam would require more land to be purchased from land owners and relocate the cabins, recreation facilities, amenities and waste water pumping infrastructure.

The discharge pipework valves and scour capacity would also need to be enlarged.

Council currently releases 4.5 Mega Litres per day under current licence conditions. Should the dam capacity be increased this will increase and Council may be required to provide a "fish ladder".

A 1m increase in the height of the dam wall would increase capacity by approximately 3000ML or 10%. To obtain a 50% increase in capacity the wall would need to be raised by approximately 5m.

Preliminary costs for increasing the dam wall height have not been investigated, however costs would be in excess of the previous dam wall raising, that was \$30 million in 2001.

### Restrictions?

Whilst restrictions seem like something Council can consider given the very dry times being experienced, the usage of water has changed in Bathurst since the end of the 20th century.

Consider that on a peak summer's day there could be about 100 ML of Chifley Dam evaporation, with 130 ML being released from Chifley, and 35 ML pumped into the Water Filtration Plant, and only 20 ML (<9%) of that is used outside (where restrictions would initially impact). The Waste Water Treatment Works returns 9 ML back to the Macquarie River.

Without a shortage of supply, restrictions in winter would achieve virtually no water savings, as evaporation is low (around 4 ML/d currently), irrigation has dramatically reduced, and outdoor water use is very low. Council would also need to consider potentially additional staff to issue fines (including weekends) and face court if necessary to enforce the restrictions.

Level 1 Restrictions, which are triggered in the DMP at 40%, means residential and non-residential watering of lawns and gardens is limited in winter time to between 6am and 10am, and 4pm to 10pm daily (summer times are 6pm to 9am daily). Also, the irrigation of new turf is permitted for one week after laying, after which level 1 restrictions on watering lawns applies. Washing cars at home is permitted with bucket and rinse with trigger hose on lawn at any time. Washing down of walls or paved surfaces is not permitted for residential properties, but is permitted using trigger nozzles for non-residential properties.

Level 2 Restrictions, which are triggered in the DMP at 35%, means residential and non-residential watering of lawns and gardens is limited in winter time to between 7am and 10am, and 4pm to 7pm daily on an odds and evens basis (summer times are 6am to 9am and 6pm to 9pm on an odds and evens basis). Also, the irrigation of new turf is permitted for one week after laying, after which level 2 restrictions on watering lawns applies. Washing down of walls or paved surfaces is not permitted for residential properties, but is permitted using trigger nozzles for non-residential properties. Topping up or first fill of private swimming pools is time limited to morning and evening. Car washing is permitted with bucket and rinse with trigger hose on lawn between 9am to noon any day.

However, the adopted Drought Management Plan, as previously advised in this report, allows for Council to implement water restrictions at any time, regardless of the level of Chifley Dam.

At this time, it should be remembered that the numerous water savings measures identified above and implemented in Bathurst for many years have proven to be successful, as in 2008 the average consumption for Bathurst over the year was about 19 ML/d, and in 2018 to date the average consumption is 18.6 ML/d, during which time the population grew from 38,236 in 2008 to 41,920 in 2016 (Bathurst Region).

Should water restrictions be imposed for Bathurst, it is recommended that exemptions be placed on Council's various premier parks and sporting facilities to ensure that necessary

watering practices are able to be maintained in order to keep these community facilities alive. Although Council has reduced its water consumption to its prestige parks and sports fields by installing effective irrigation technology, changing turf species to varieties that use less water and performing best practice maintenance works, the requirement for irrigation is still essential in keeping these facilities operational and available for use for the enjoyment and benefit of the Bathurst community.

It should be noted that watering requirements in Machattie Park and Kings Parade, Haymarket Reserve, the Adventure Playground and the Macquarie River Bicentennial Park will need to be undertaken on a regular basis, to the level currently being applied, to ensure that these high profile parks are maintained to the necessary standards. Within these high profile parks, hand and hose watering is also essential during the day to ensure that annual flower displays as well as lawn areas are able to handle the volumes of patrons that enjoy these public facilities and so that the parks will be able to survive the extremes of winter and summer. Similarly, Council will need to continue with watering programs, sometimes required during the day, for its premier sports surfaces to ensure that these fields are suitable and safe for use for local and regional sporting requirements during the winter and summer season. Failure to keep a healthy turf cover to Council's premier fields will result in the possible closure of fields for sports and create a significant cost to re-establish suitable turf cover again.

Council staff will continue to monitor and report on Council's website the dam water levels, dam releases, usage at the Water Filtration Plant and the actual and predicted weather over the winter months, to ensure that if restrictions are needed they can and will be implemented as outlined in the DMP.

In the meantime a Water Wise Bathurst campaign to provide details on water saving opportunities for everyone in Bathurst both inside and outside has been enhanced, and covers items such as rates notices, Saturday Western Advocate Council notices, cinema advertising, on hold messages, website updates, social media, media releases and printed resources.

### Conclusion

At the current time, water restrictions are not recommended since implementation of Level 1 restrictions would have little effect. However, Water Wise messaging will continue for the current 8 week campaign. During this time, monitoring and reporting of the situation will occur, and a further Council report will be prepared for Spring 2018.

**Financial Implications:** Nil.

### **Bathurst 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 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.3
- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.2

## **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **2 ROAD SAFETY OFFICER PROGRAM UPDATE (16.00018)**

**Recommendation:** That Council continues its commitment to the Road Safety Officer Program and retains a Road Safety Officer position to 30 June 2019, subject to the ongoing support of the Blayney Shire Council and Roads and Maritime Services.

**Report:** A report was presented to the 15 November 2017 meeting of Council which outlined the then status of the Road Safety Program and the position of the Road Safety Officer (RSO).

At that meeting Council resolved:

*"That Council continues its commitment to the Road Safety Officer Program and commences a new RSO employment contract to 30 June 2018, subject to the ongoing support of the Blayney Shire Council and Roads and Maritime Services."*

The previous contract term for the RSO position expires on 30 June 2018 and it is therefore opportune that Council considers its ongoing commitment to the program. Changes to the reporting structure of the program and ongoing discussions between Council, Blayney Council and the Roads and Maritime Services (RMS) have meant that the funding agreement for this program is provisional for 1 year only. However, delivery of this program will continue as per previous years.

The RMS has revised the format of this program, whereby a Local Road Safety Action Plan setting out proposed projects over 1 year only will be prepared. It should be noted that previous RSO programs involved planning over a 3 year period.

Transport for NSW (TfNSW) and the RMS work in partnership with local Councils to fund Local Government Road Safety Program (LGRSP) projects targeting road safety issues at a local level.

The objectives of the LGRSP are to:

- (a) Adopt the Safe System approach to plan, develop and implement evidence-based projects aimed at improving road user safety in local communities.
- (b) Raise the profile of road safety within local government areas (LGAs).
- (c) Facilitate the involvement of local businesses, government agencies and community groups/clubs in road safety project development.
- (d) Improve the coordination of local government road safety initiatives with regional, state and national road safety initiatives.
- (e) Review and evaluate the effectiveness of community-based road safety projects.

The RMS has recently sent correspondence to Council providing an opportunity to commence a new Road Safety Program contract, for a period of 12 months, commencing 1 July 2018 and concluding 30 June 2019.

Council has been a part of the Roads and Maritime Services RSO Program since 1999 when it joined Oberon, Evans, Rylstone, Blayney and the RMS to form the Tablelands Road Safety Group. The program and Council's participation continues today, although due to amalgamations and the withdrawal of Oberon Shire Council the membership has been

reduced to Blayney, Bathurst and the RMS.

The program arrangements are defined by the Program Funding Agreement on the basis that 50% of employment costs are borne by the RMS, while the remainder is provided by the member Councils. Bathurst's current share is 33% plus the provision of office space. The cost of individual projects conducted within any year, is subject to approval from and is fully funded by the RMS.

Blayney Shire Council is also considering its future membership in the Tablelands RSO Group. However, it is expected that it will continue to support the program.

This financial year, the RSO proposes to carry out the following road safety programs and other initiatives:

### **RMS/RSO Funded Program Work**

- 1 **Towards Zero / Come Home Safely** – a regionally focused education and awareness project aimed at highlighting the negative impacts of speeding, fatigue and drink/drug driving, and co-ordinated with the TfNSW 'Towards Zero' campaign.
- 2 **Free Cuppa for the Driver** – a regional program co-ordinated between RSO's within the Central West that encourages drivers to break their trip on long journeys.
- 3 **Round a Roundabout** – an educational and public awareness project relating to the safe use of roundabouts.
- 4 **Plan B Win a Swag** – a regional program which encourages responsible driving behaviour and alternatives to drink driving.

### **Additional Work**

- **Kindy Kits** – kindergarten road safety education program delivered face to face to kindergarten classes in Bathurst Schools.
- **Bathurst 1000 Races** – co-ordinate with NSW Police Highway Patrol for promotion of safer driving and road safety awareness within Mount Panorama precinct during Bathurst 1000 Race Week.
- **Safety Around Schools** – working collaboratively with Council, schools and RMS to improve safety around schools, e.g. parking, pedestrian safety, speeding, safe drop off/pick up zones, signage, bus zones, etc.
- **Sign Audits.**
- **RMS Campaigns: *Don't Trust Your Tired Self (fatigue), Motorcycle Awareness Week.***
- **School Bus Route Reviews** – as required.
- **Youth Week** events.
- **Seniors' Week** events.
- **Top 10 Misunderstood Road Rules** – community education and workplace presentations.
- **Guest speaking roles** for community groups, clubs and workplaces.
- **Fatality Free Friday** – local community support work.
- **Bike Forums** (RMS) and provision of community education re cycling and shared road environment.

Given the benefits of the Road Safety Program in implementing road safety behavioural projects and increasing road safety awareness at a local level, it is recommended that Council continue to participate in the Program until 30 June 2019. Should Blayney Council

withdraw from the program then a further report will be presented to Council.

**Financial Implications:** The annual funding for the position is 33% of employment costs, estimated to be \$35,000.

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

- Objective 22: To improve community safety. Strategy 22.3
- Objective 24: To provide and support the provision of accessible, affordable and well planned transport systems. Strategy 24.6

**Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.



### **3 PROPOSED CROWN ROAD TRANSFER - BURGES ROAD CALOOLA (25.00322)**

**Recommendation:** That Council approve the transfer of the Crown Road section of Burges Road within Lot 1 DP1189149 at Caloola from the Crown to Council, subject to the information contained in the Director Engineering Services' report.

**Report:** Council has been notified by the Department of Industry - Crown Lands that an application to close the Crown road traversing part of lot 1 in DP1189149 has been received from the landowner of that property. The road is a constructed road known as Burges Road and is predominantly a Council owned and maintained road.

Part of the physical road alignment has been constructed outside the 'paper' alignment which can be seen in the plan at **attachment 1**. The plan also identifies the Crown Road subject to the proposed transfer.

It is recommended that Council take ownership of the Crown road reserve which may then be utilised as part of compensation negotiations with the landowner of lot 1 in DP1189149 should future road realignment works be deemed necessary.

The transfer of the Crown road to Council will be undertaken by the Department of Industry - Crown Lands and formal acknowledgement of the transfer will be by way of publication in the NSW Government Gazette.

**Financial Implications:** Nil. The Department of Industry - Crown Lands will waive the usual fee for transfer.

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

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

#### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **4 DESIGN AND ENGINEERING REPORT - MITRE/SUTTOR/LAMBERT STREET INTERSECTION (25.00095)**

**Recommendation:** That:

- (a) Council place the Mitre/Suttor/Lambert Street Intersection Report and Roundabout Design on public exhibition for a period of 28 days, and
- (b) Following the public exhibition period, a further report be presented to Council to adopt the Engineering Design.

**Report:** In 2017 Council sought an assessment for the intersection of Mitre/Suttor/Lambert Street as part of the design process. Details of this assessment and subsequent design details are presented for the purpose of public exhibition and comment.

In December 2017 Council engaged Manage Digital Pty Ltd T/A Traffic Matters (Traffic Matters) to undertake an intersection assessment.

In February 2018 following a successful quotation local design consultants Geolyse Pty Ltd were engaged to provide engineering design and geotechnical studies for the works.

The Traffic Matters assessment considers the current operation of the intersection with the current configuration, and an assessment of the future operation of the intersection taking into account forecast traffic growth over a 5, 10 and 20 year time frame. This assessment also reviews the operation of the intersection in the future as a roundabout and with traffic signals, with Suttor Street realigned to provide a 4 way intersection.

The final report of Traffic Matters is provided at **attachment 1** and the Engineering Design by Geolyse Pty Ltd is provided at **attachment 2**.

### **Traffic Assessment Summary**

The consultant has concluded that the existing intersection configuration, with minor changes, would operate satisfactorily for the next 20 years. However, the provision of a single lane roundabout, including:

- (i) the realignment of the Suttor Street leg of the intersection, and
- (ii) the provision of the kerb blisters at the pedestrian crossing in Mitre Street

would ensure the satisfactory operation of the intersection in the long term.

It is noted that the RMS Traffic Signal Design Guide warrants were not met for traffic light installation at this location.

### **Suttor Street Pedestrian Crossing Removal**

RMS practice does not permit Pedestrian (Zebra) Crossings on roads with two or more marked travel lanes in the same direction. This also applies to roads with 2 unmarked travel lanes in the same direction, i.e. where vehicles can pass other vehicles travelling in the same direction. It is noted that pedestrian counts do not meet RMS warrants for the installation of pedestrian crossings at this location.

Further advice regarding pedestrian refuge/crossing/raised threshold Technical Directions

for this location, was sought from RMS at the June Traffic Committee meeting.

The preliminary cost of constructing the roundabout is \$1.7M, subject to completion of final design.

It is recommended that Council place the Mitre/Suttor/Lambert Street Intersection Report and Roundabout Design on public exhibition for a period of 28 days.

**Financial Implications:** Funding for future works to the Mitre/Suttor/Lambert intersection have been provided from existing funds.

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

- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.2
- Objective 24: To provide and support the provision of accessible, affordable and well planned transport systems. Strategy 24.2

### **Community Engagement**

- Consult To obtain public feedback on alternatives and/or decisions

**5 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(11.00005, 36.00655 & 36.00669)**

**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 TENDER - DESIGN & CONSTRUCTION OF NEW TENNIS CENTRE BUILDING,  
JOHN MATTHEWS SPORTING COMPLEX (36.00655)**

This report considers the tender for the Design and Construction of a new Tennis Centre Building at the John Matthews Sporting Complex.

**2 TENDER - PREFERRED CONTRACTORS (36.00669)**

This report considers tenders for the engagement of contractors for minor building and other works up to the value of \$20,000 (incl GST), for casual hire for the 2018/2019 financial year.

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

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

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

**Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Yours faithfully



Darren Sturgiss  
**DIRECTOR  
ENGINEERING SERVICES**

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 JUNE 2018

## **1 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD 7 MAY 2018 (07.00116)**

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

**Report:** Included in the Destination Management Plan, adopted by Council on 20 May 2015, the establishment of a Tourism Reference Group (TRG) 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 Bathurst Region Tourism Reference Group met on 7 May 2018. The Minutes of the Group's Meeting are provided at **attachment 1**.

Councillors should note that the Minutes of each meeting of the Tourism Reference Group are formally adopted at the next meeting.

The majority of the meeting, held on 7 May 2018, was taken up with discussion of the Draft Marketing Plan and Asset Collateral.

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

### **Bathurst 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

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **2 BATHURST TOURISM REFERENCE GROUP - MEMBERSHIP (07.00116)**

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

**Report:** Council, at its meeting held 21 February 2018, requested a review on the membership of the Bathurst Tourism Reference Group.

### **BACKGROUND**

The formation of a Tourism Reference Group is a direct outcome as articulated in the 6 priority Actions within the Destination Management Plan (DMP):

***'Form a tourism reference group which consists of representation from within the industry as well as from those industries that are impacted by tourism activity. Representation may include representatives from the following activities/sectors: a hotel, B&B, sports event, vigneron, retail, restaurant, arts and cultural sector, education sector; agricultural sector; heritage; environmental and someone to represent the Villages along with Council. The reference group should meet at least 3 times per annum (ref 7.4.1).'***

This group of ten industry representatives was established in December 2015 to support the implementation of the 2015 Destination Management Plan (DMP). The ten member group were selected following an Expressions of Interest process which attracted 25 applications.

The process of creating a Destination Management Plan began in 2014 with the establishment of a DMP Project Reference Group who were appointed to guide and oversee the completion of the DMP.

One of the actions from the 2015 Bathurst Region Destination Management Plan, which was adopted by Council on 20 May 2015, was the establishment of a Tourism Reference Group. The Bathurst Region Tourism Reference Group membership was endorsed by Council on 9 December 2015.

The Tourism Reference Group has met monthly since March 2016. The group operates within the framework of a Terms of Reference which stipulates that an annual report on the implementation of the DMP be reported to Council. The advisory group has no voting rights and operates within the governance framework of a Terms of Reference which is reviewed annually. A copy of the current Terms of Reference is provided at **attachment 1**.

### **BATHURST REGION TOURISM REFERENCE GROUP (TRG)**

The following timeline is provided with regards to the formation of the Bathurst Region Tourism Reference Group:

<b>ACTION UNDERTAKEN</b>	<b>Date</b>
Link to Bathurst 2036 Community Strategic Plan: Objective 4 'To market Bathurst as a great place to live, work, study, invest and play.'	CSP adopted by Council 20 February 2013
Appointment of Seed Solutions to produce Bathurst Region Destination Management Plan	15 January 2014
Adoption of 2015 Bathurst Region Destination Management Plan	20 May 2015

Council resolved: (a) adoption of the draft charter for the Bathurst Region Destination Management Plan Tourism Reference Group; and (b) seek expressions of interest for members of the Destination Management Plan Tourism Reference Group.	15 July 2015
Applications for positions on the Tourism Reference Group advertised. 25 applications received.	26 September 2015 Applications closed 23 October 2015
Chair of Australian Regional Tourism Network provided independent industry oversight of the recommendations for applicants to the group.	October 2015
Adoption of members of Bathurst Region Tourism Reference Group (ten members)	9 December 2015 Applicants advised in writing 10 December 2015.
First meeting of the Bathurst Region Tourism Reference Group	7 March 2016
Adoption of Terms of Reference for Tourism Reference Group by Council	18 May 2016

The membership included in the Terms of Reference is for a two year term. At the Tourism Reference Group meeting held Monday 5 February 2018 and reported to Council (Director Cultural & Community Services Report #3 to Council 21 March 2018), the term of membership for TRG was extended to 2020. Monthly reports will continue to be reported to Council.

**Financial Implications:** The Bathurst Tourism Reference Group meetings and associated administration tasks are completed within existing budgets.

### **Bathurst 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

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.



### **3 TOURISM INDUSTRY ENGAGEMENT (18.00010)**

**Recommendation:** That Council:

- (a) Note the progress of the implementation of the Strategic Priorities of the Destination Management Plan (DMP) since its adoption.
- (b) Note the five year time-frame to execute the strategies.
- (c) Review the DMP following a further two year sustained and strategic campaign and product development work involving high level industry engagement.

**Report:** **BACKGROUND**

At the Policy Committee meeting held on 1 November 2017, Item 31, Minute 40, the Council requested a report on outsourcing tourism sector governance, marketing and events within the region.

This report provides an update on the progress and implementation of the six Priority Actions of the Destination Management Plan (DMP), which was adopted by Council on 20 May 2015, Director Environmental, Planning & Building Services Report, and has a focus on Priority Action 5 - Review the structure of tourism within the Council with a view to:

- (a) Improving collaboration, efficiency and outcomes across the various Council players charged with conducting tourism associated businesses
- (b) Improving collaboration between Council and Industry that results in a shared workload and funding contribution to tourism marketing activities.
- (c) Ensure links to the BRC Community Strategic Plan and its relevant deliverables.

The DMP establishes a five-year program of activities that seeks to create the following vision:

***Located in Wiradjuri country, the Bathurst Region, Australia's first inland European settlement, is recognised as a premier regional tourism destination. Compelling visitor experiences that take strategic advantage of the world famous Mount Panorama and the region's unique history and beauty support a growing destination profile.***

Contained within the DMP are the following broad objectives:

1. Improved Brand Awareness, Preference and Intention In Key Target Markets
2. Increased Visitor Numbers Across The Region/Convert Day Trippers To Over-nighters
3. Increased Visitor Expenditure (Throughout The Destination)
4. Increased Number Of Sustainable Tourism Jobs
5. Increased Investment In Tourism Product And Infrastructure In The Region
6. The Development Of A Sustainable And Cohesive Tourism Industry In The Region

The DMP process resulted in the identification of the following five key strategies:

1. **Be known:**  
Develop and improve brand awareness and preferences through targeted marketing activities.
2. **Think like a visitor:**

3. **Local love:**  
Increase the level of development of sustainable product that meets market needs. Improve access, dispersal and participation in the Bathurst (Region) destination tourism experience.
4. **Community commitment:**  
Through improved communication and coordination, people will work together to grow the tourism industry.
5. **Leading success:**  
Council will enable growth by leveraging its assets.

This report and its recommendation focuses on 'Strategy 5 – 'Leading Success' where the role of local government in leading tourism is well documented and acknowledged.

## **ROLE OF LOCAL GOVERNMENT IN TOURISM SECTOR**

Tourism is forecast to double in size by 2030 as one of the fastest growing economies in the world – Australia included. It is a key economic driver at national, state, territory and local levels throughout Australia and the outlook is very promising. Tourism stakeholders must plan effectively now and be ready to adapt to change to leverage the opportunities that are said to arise.

The role of local government in the tourism sector is critical, and this role is well recognised and documented in a range of reports and strategies. The following information is sourced from Tourism and Events Queensland (TEQ) 'Local Government's Critical Role in Driving the Tourism Economy' January 2016:

*"Sustainable demand for tourism to a region is largely driven by the degree of satisfaction that guests associate with their visit.*

*Guest expectations cannot be met and satisfaction not achieved by an individual product or service. It is the sum total of all amenities and interactions within a community, be it the taxi driver, the hire car sales person, the local chemist, the farm stay owner, the local grocer, coffee or banana plantation tour guide etc. that determine whether a tourism visitor is made to feel like a highly appreciated guest.*

*Ultimately, it is the local community that makes or breaks tourism and its Local Government representatives play a pivotal role in either proactively optimising the tourism potential or yielding to competition from an ever-growing number of competitors.*

*Local Government is at the forefront of tourism delivery and in many ways the linchpin to other spheres of government, industry and the community. It provides an expanse of tourism infrastructure, from roads to airports, caravan camping grounds, visitor centres and parks just to name a few. Local Government, in a tourism setting, is governed by legislation from the Commonwealth and State, from land-use planning through to environmental and health legislation; it is impacted by national and State tourism strategies, as well as other government strategies, and participates in, and contributes to the activities of tourism organisations and networks. Industry that supports tourism - accommodation, retail, restaurants, bars and cafes, all have reciprocal relationships with, and of course exist within Local Government jurisdictions."*

Further, the report provides:

*"Regardless of how important tourism is to a local Government jurisdiction, the*

*financial capacity of tourism industry businesses to fund destination marketing without significant government investment is not feasible."*

## **STATUS ON THE DMP'S SIX PRIORITY ACTIONS**

Section 7 of the DMP includes a range of recommendations that are aimed at developing the destination, over an extended period of time.

Six priority actions which will impact the development of Bathurst as a destination were identified and the information below provides a status update on each of those actions.

	<b>PRIORITY ACTION</b>	<b>ACTION TAKEN TO DELIVER</b>
1.	Form a tourism reference group - which consists of representation from within the industry as well as from those industries that are impacted by tourism activity. Representation may include representatives from the following activities/sectors: a hotel, B&B, sports event, vigneron, retail, restaurant, arts and cultural sector, education sector; agricultural sector; heritage; environmental and someone to represent the Villages along with Council. The reference group should meet at least 3 times per annum	Adoption of members of Bathurst Region Tourism Reference Group - 9 December 2015.  Adoption of Terms of Reference for Tourism Reference Group (TRG) - 18 May 2016.  The TRG have been meeting monthly since this time.
2.	Develop and implement a destination brand across all touch points in the destination (website, brochures, Bathurst Visitor Information Centre (BVIC) staff and buildings, signage, entry statements, etc). The brand should be applied according to brand guidelines to ensure consistency.	Adoption of Bathurst Brand strategy and logo - 13 December 2017.
3.	Publish an image library that represents the destination and its assets, providing access to the library to industry	A two-day photography shoot was undertaken 19 and 20 April. The current suite of imagery has been collated and is in a shared folder for use. This process is ongoing.
4.	In consultation with the industry, develop and implement an 18 month to 3 year marketing plan for the destination that integrates with Central NSW Tourism initiatives, incorporates traditional marketing activities (ie. visitor guide) and facilitates opportunities for industry to partner/buy-in with specific and targeted campaigns at a range of price points	The document is in draft format pending the finalisation of budget allocations and tactical implementation plan. Consultation and feedback with the newly formed regional entity Destination Network Country Outback (which replaced Central NSW Tourism) has been undertaken to ensure integration.
5.	Review the structure of tourism within the Council with a view to: (a) Improving collaboration, efficiency and outcomes across the various Council players charged with conducting tourism associated businesses	(a) Council structure has been reviewed with tourism functions and facilities co-located. (b) The BVIC has 150 members, being a growth

	<p>(b) Improving collaboration between Council and Industry that results in a shared workload and funding contribution to tourism marketing activities.</p> <p>(c) Ensure links to the BRC Community Strategic Plan and its relevant deliverables.</p>	<p>rate of around 20%. The TRG has been formed.</p> <p>(c) Ongoing and strengthened in the new CSP.</p>
6.	<p>Develop masterplan/business plans that address the immediate needs around interpretation and promotion for the</p> <p>(a) National Motor Racing Museum</p> <p>(b) Australian Fossil and Mineral Museum</p> <p>(c) Chifley Home</p> <p>(d) Mount Panorama; and</p> <p>(e) The Chifley Dam Cabins</p>	<p>The creation of a Museums Unit within the Cultural &amp; Community Services Department in 2017 will ensure the delivery of this priority action.</p>

## **SUMMARY**

Currently, the Council is approximately half way through delivery of the Strategic Priorities contained in its Destination Management Plan. While the TRG represents a broad range of the tourism industry, the Terms of Reference state the TRG is appointed as an advisory capacity.

Industry governance models such as Brand Orange, are industry led and funded. Currently, there is no budget for this model. A special rate levy may be considered for this purpose if the Council wish to proceed with this model of delivery.

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

## **Bathurst 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

## **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

#### **4 BATHURST DESTINATION BRAND STRATEGY - PROGRESS REPORT (20.00299)**

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

**Report:** Council, at its meeting held 13 December 2017, (Director Cultural & Community Services Report #2) resolved to receive quarterly destination brand strategy implementation progress reports, outlining the performance monitoring data as described in the report.

The following information is provided as an update on the implementation of the Bathurst Destination Brand:

<b>Destination Brand Implementation</b>	<b>Action</b>
Destination Website	The initial site design is complete and being populated with new written content and imagery. Final testing will occur prior to site launch at the end of June 2018.
Online Booking Platform	The new booking engine has been commissioned and operators from the Bathurst region added. Bathurst Visitor Information Centre staff undergoing training 25-29 June 2018.
Curated Online Content	An agency to develop new, distinctive and authentic editorial content for the new destination website was appointed. Work is being done to ensure the site is populated with editorial and imagery to meet the brand guidelines and resonate with target markets.
Graphic Design of Branded Collateral	All primary elements identified in the Brand style guide have been created by a local graphic designer, with a number of elements including the 'What's On' guides in production.
Signage	The location and re-branding of four highway billboards (Mitchell Highway, Orange Road, Blayney Road and Marangaroo) will be undertaken in the new financial year.
Touring Trail App	Three initial tours have been created; Mount Panorama Drive, Bathurst Town Square (funded by the National Trust) and Mayfield Garden (funded by Mayfield Garden). The app platform has been built and planning for a launch and PR campaign are underway.
Public Relations	A specialist tourism PR agency has been appointed. A schedule of works focusing on media relations, development of media kits, famils and a schedule of media releases has been ongoing. The first PR campaign undertaken by the team was the Bathurst Heritage Trades Trail.
Visitor Guide	The visitor guide has been delayed, it is anticipated the visitor guide will be released by August 2018.

While all of the above tasks are continuing, the Public Relations activity has been active and has produced some very strong and positive results for the region.

A recent example is the PR work done to promote the Bathurst Heritage Trades Trail. This specific tactical marketing activity was funded through a successful application to

Destination NSW (Incubator Funds). \$5,000 of the \$20,000 funds were allocated to Public Relations activity to promote the Bathurst Heritage Trades Trail, and the results are outlined below:

### **Coverage Summary**

Total press clippings (including print, online, radio, TV and social channels): 110

Total audience reach: 7,792, 538

Total Equivalent Advertising Value: \$498,923.14

This focus on heritage is one of the key pillars of the Brand Strategy.

Further reports will be provided quarterly to Council on the implementation of the Bathurst Destination Brand.

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

### **Bathurst 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

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **5 2018 THE END FESTIVAL, HILL END (20-22 APRIL 2018) (23.00026)**

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

**Report:** The third annual 'The End Festival' was presented by National Parks & Wildlife Service (NPWS) in the historic village of Hill End on 20 to 22 April 2018, following the inaugural festival in April 2016. Financial support of \$10,000 was provided by Bathurst Regional Council (Director Corporate Services & Finance Report #4 to Council 21 February 2017) as the official Program Partner. Council also provided in-kind marketing support.

The objective of the event, and the rationale for making a financial contribution to the festival, was to expose Hill End to a wider, more targeted tourism market and drive visitation to the Bathurst region, as a key action in the 2015 Destination Management Plan.

This objective is aligned to Strategic Objective 7.5 in the Destination Management Plan:

***Leading success: Council will enable growth by leveraging its assets***

***7.5.3 Place Planning and Promotion:***

*The precincts that have the most potential for developing into appealing to places for visitors include:*

- *Villages (in particular Rockley, Sofala and Hill End)*

The festival met the objective of increasing visitation to Hill End, with approximately 7,000 people recorded in the village during the event period. This was an increase of 17% on the 2017 event. All accommodation was at capacity and pre-booked some months prior to the event. The level of occupancy of the National Parks & Wildlife Service (NPWS) campgrounds was at capacity. Campground bookings went on-line Tuesday 3 April, after the Easter weekend and had exhausted all availability within one day.

The \$10,000 contribution was utilised for key elements of the festival:

1. Bathurst Regional Council listed as a major partner on printed collateral and online channels with logo recognition.
2. Exposure for Council's support across National Parks and Wildlife Service's social media channels with an estimated reach of 45,000.
3. Total social media reach increased from 224,973 to 1,590,682, through promotion, including Council's logo.

Surveys were conducted by NPWS on-site and post event through email and social media and these are outlined below:

### **Visitation**

- 7,000 visitors attended the event over 2 days
- 59% of visitors from Sydney and surrounds
- 22% reported that this was their first visit to Hill End
- 78% indicated it was the main reason for their visit to the Central West (increased from 57% in 2017).

### **Spend and stay in the region**

Estimated 15,700 nights spent in Central West region.

- 36% spent 1 night in the area
- 47% spent 2-3 nights in the area
- 17% spent 3 nights in the area
- Spend in region calculated (NPWS) to \$2.3million (National Visitor Survey method)

### **Destination Awareness**

- Appreciate history and heritage: 86%
- Open eyes to art and culture of the area: 87%

### **Marketing**

- 10 media articles - lifestyle and local media
- 1,590,682 social media reach through Facebook promoted posts, an increase of 235% from 2017
- \$34,908 editorial equivalent value
- Free listings, syndication, partnerships
- Information on The End event was distributed to various partners, placed on free listings and provided to the artists participating in the event. As a result, The End was mentioned or listed in eventfinda, aroundyou, syndicated to Australian Tourism Data Warehouse (ATDW), Visit NSW, Australia Tourism Guide, included on Council's and Mudgee Region Tourism websites and shared on a range of social media platforms.

Approximately 2,000 postcards, event posters and festival programs were distributed regionally. All print collateral displayed Council's logo and acknowledgement as a major partner and were distributed through:

- Visitor and Information Centres in Lithgow, Bathurst and Mudgee
- Katoomba Cultural Centre
- Cafes and shops in Leura, Kandos/Rylstone, Katoomba, Blackheath, Lithgow and Bathurst
- Bathurst Regional Council, Mudgee Region Tourism

A copy of the festival report can be found at **attachment 1**.

National Parks & Wildlife Service, in partnership with Council, is reviewing the success and format of the Festival. A further report will be presented to Council with the outcome of the review.

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

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

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1, 4.6, 4.8
- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.6

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.



## **6 ARTS OUTWEST 2017 ANNUAL REPORT (18.00036)**

**Recommendation:** That Council note the Arts OutWest Annual report for 2017.

**Report:** Council has received a copy of Arts OutWest Annual Report for 2017, copies of the report are available at Council's administration offices or can be viewed on the Arts OutWest website link: [www.artsoutwest.org.au/annualreport2017](http://www.artsoutwest.org.au/annualreport2017).

Council, in its Annual Operating Plan, provides funds to assist in the operations of Arts OutWest. Arts OutWest promotes, educates, facilitates and advocates for arts and cultural development for the communities of Central West NSW.

Arts OutWest has provided support to Council during 2017 with a variety of initiatives, the highlights of Bathurst activities are included in **attachment 1**. The Annual Report estimated the value of services provided to the Bathurst Community at \$156,665.

Arts OutWest will continue to provide Council with updates on their program and benefits to the Bathurst community. It is recommended Council continue to be a financial member of Arts OutWest with the other 10 Local Government Areas.

**Financial Implications:** Council has provided \$25,500 in the draft 2018/2019 Annual Operating Plan for Community Arts and this contribution is made directly to Arts OutWest as per the 2015/2018 Memorandum of Understanding rate of 60 cents per head of population, which is levied at the same rate for each Council area.

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

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.8
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.2, 20.6
- 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 26.2

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **7 AUTUMN SCHOOL HOLIDAY ACTIVITIES 2018 (21.00039, 21.00054, 21.00060)**

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

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

The Council Autumn School Holiday activities for 2018 were well attended with over 1,150 children attending a wide variety of activities as outlined below:

### **Australian Fossil and Mineral Museum**

During the Autumn School Holiday period 2018, the Australian Fossil and Mineral Museum programmed the following events:

#### **Mini Mammoth Ice Age Day- a MAMMOTH Day of family fun at AFMM**

Held on Sunday 29 April 2018, the day featured the Museum's inflatable mini mammoth, the really COOL Fizzics Education Liquid Nitrogen Show, screenings of the Ice Age movie in the company of our mini mammoth, a Mammoth Naming Competition and a Mammoth Shop Sale. Attendance for this event was 350.

#### **Dinosaurs in the Dark – Torchlight Tour**

Two torchlight tours of AFMM were booked out. Local families and visitors enjoyed the chance to see the spectacular Somerville Collection in a new light. Attendance was 130 over the two tours, which were held on Tuesday 17 April 2018 and Tuesday 24 April 2018

### **Bathurst Library**

All activities in the Library Autumn School holiday programs were booked out and waiting lists were created for all sessions.

The program catered for diverse age groups and offered assorted activity types. The 'Escape Room' sessions, aimed at teenagers, was promoted as part of Youth Week.

The Sydney Puppet Theatre performed a puppet show in the children's section of the library as part of the Autumn School Holiday program. This event attracted 118 children and parents.

<b>Date</b>	<b>Program Name</b>	<b>Attendance</b>
Mon 16 April	Where's Wally	20
Tue 17 April	Escape Room	12
Fri 20 April	Tribal Treasures	20
Mon 23 April	Puppet Making	16
Tue 24 April	Sydney Puppet Theatre	118
Thu 26 April	Fairy-tale Playdough	21
<b>Total</b>		<b>207</b>

### **Bathurst Regional Art Gallery (BRAG)**

BRAG programmed five workshops over five days (18-27 April) during the 2018 Autumn school holidays. These workshops were themed to coincide with the Waste to Art

competition (run by the Environment section of Council and exhibited at Bathurst Memorial Entertainment Centre from 28 April), as well as current exhibitions at the gallery.

Three of the six workshops presented sold out. Presenters were Fiona Howle and Isabel Fox. Attendance for the workshops were as follows:

<b>Date</b>	<b>Activity</b>	<b>Attendance</b>	<b>Total places available</b>
Wed 18 April	Polystyrene Printing	17	17
Fri 20 April	Contrasts	20	22
Tue 24 April	Altered Packaging	8	15
Tue 24 April	Surface	17	22
Thu 26 April	Things of Clay and Wood	22	22
Fri 27 April	Materiality	17	17
<b>Total</b>		<b>101</b>	<b>115</b>

Altered Packaging, a Waste to Art workshop for people aged 15 years and over, was moved from Thursday 19 April to Tuesday 24 April to allow extra time to promote the workshop to a different age group than is usual for BRAG school holiday workshops. An additional three participants signed up in this time.

### **Kelso Community Hub**

Kelso Community Hub had a busy School Holiday Program that was well attended. The Walk in Wednesday Activity was held in conjunction with Youth Week and Veritas House. The Kelso Cleanup Day was led by the Department of Family and Community Services. The Kelso Community Hub continues to increase activity participation rates.

<b>Date</b>	<b>Program Name</b>	<b>Attendance</b>
Tue 17 April	Hip Hop Workshop	17
Wed 18 April	Walk in Wednesday	30
Fri 20 April	Kelso Cleanup day with FACS	29
Fri 20 April	Movie and popcorn	17
Mon 23 April	Fast 4 roll a ball fun day	70
Tue 24 April	Bunnings DIY Workshop at Bunnings (transport by Bathurst Community Transport)	12
Thu 26 April	Hanging Out Activity	37
Fri 17 April	Introduction to your L's	5
<b>Total</b>		<b>217</b>

### **Vacation Care**

The Autumn School Holiday program was very productive. There was an average of 17 children per day over the nine day program. The children participated in range of craft, cooking, games and excursions.

Excursions included attending Bathurst Panthers to see the Loud Theatre Company present – Princes and Princesses' the Musical, which was a great morning of singing and dancing. The children also had the opportunity to go to Morse Park to participate in a number of games and team building experiences.

The children celebrated International Bike day – the children were asked to bring their bike or scooter to Vacation Care for the day where they participated in an obstacle course and bike races in the back carpark of the Lee Street site.

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

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

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **8 BATHURST REGION: A CULTURAL VISION 2036 - PROGRESS REPORT (20.00056)**

**Recommendation:** That Council note and endorse the actions as outlined in the progress report for the Bathurst Region: A Cultural Vision 2036.

**Report:** Council, at its meeting held 21 June 2017 adopted the Bathurst Region: A Cultural Vision 2036. The aim of the plan was to provide a 20 Year Cultural Vision for the Bathurst Region which was developed through considerable community consultation and is premised on the notion that:

*The Bathurst Region will be recognised as Australia's premier inland centre of culture and creativity.*

The implementation of the Cultural Vision will be achieved through the delivery of strategies grouped in three Outcome Areas:

1. Creative Places
2. Creative Programs
3. Creative People

These three Outcome Areas are considered the essential ingredients required to generate the conditions that will support and foster the human and physical conditions in which a centre of culture and creativity will thrive.

Each of the goals contained in the Cultural Vision has a number of related and achievable strategies that fall into the 1-4 year, the 5-10 year and the 11-20 year horizon.

In delivering the Cultural Vision, progress reporting is prepared and submitted to Council for endorsement annually. A summary report of progress of actions is available at **attachment 1**.

The Cultural Vision is beneficial in giving direction to Council facilities and programs and is utilised as a reference for grant applications and linking of stakeholders in the community.

Some key delivery actions include:

- Funding for BMEC consultancy to review the future of the facility.
- Library upgrade and refurbishment completed in January 2018.
- Successful Catapult Festival held in April 2018.
- Finalisation of planning process for the Bathurst Rail Museum with capital works to commence in September 2018.
- Collections Management Policy - significant progress, including strategic planning and business case, towards the development of a regional collections facility.

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

### **Bathurst 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 20: To provide a range of cultural facilities, programs, activities and events and to support and Strategy 20.1, 20.2, 20.3, 20.4, 20.6

enhance cultural and social activities across the community.

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets.

Strategy 28.2, 28.5, 28.7

### **Community Engagement**

- Inform  
To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **9 BATHURST LIBRARY - 2018 BOOKLINK LITERACY PROGRAM (21.00029)**

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

**Report:** Booklink, Bathurst Library's literacy program, has been an important part of the library programming for 17 years and is open to members of Bathurst Library aged between 1 to 17 years of age. Participants read books borrowed from Bathurst Library and record each title in the provided logbooks. Logbooks are handed in throughout the duration of the program.

The 2018 program attracted 96 participants reading 10,970 books. This achievement was celebrated at the awards ceremony for participants and their families held at Bathurst Library on Monday 21 May 2018 as part of Library and Information Week.

The ceremony attracted over 120 parents and children. Special guests included sponsor representatives Janifer Torner President of the CWA Bathurst Branch and Kathryn Bancroft from BooksPlus who presented the awards to the enthusiastic children. All participants received a prize medal, certificate and a book with trophies and prizes for age group winners, encouragement, runner-up and best reader.

The best reader for 2018 Booklink was Ali Wally who read 860 books; runner-up was Salman Wally who read 840 Books. Awards were also presented on the evening to the best Child Care Centre (Elizabeth Chifley), Primary School (Bathurst Public), High School (St Stanislaus) and Rural School (Perthville Public). Representatives from the schools were in attendance. The program continues to receive positive feedback from the community.

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

### **Bathurst 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, 20.2, 20.4
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1, 23.3, 23.7
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1, 26.4
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.5, 27.9

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **10 BATHURST MEMORIAL ENTERTAINMENT CENTRE - 2018 BATHURST WRITERS' AND READERS' FESTIVAL IN ASSOCIATION WITH THE SYDNEY WRITERS' FESTIVAL LIVE & LOCAL (4-6 MAY 2018) (21.00060)**

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

**Report:** For the fourth year, the Sydney Writers' Festival offered free live streaming to regional areas around Australia of numerous writers' talks from the Sydney Writers' Festival. This solid core of sessions with noted national and international writers has provided a base for Bathurst Memorial Entertainment Centre (BMEC), in association with local partner Books Plus, to build a local Writers' and Readers' Festival.

The joint event was held over three days from Friday 4 May to Sunday 6 May 2018 and included workshops, panel discussions and an international guest writer Ashleigh Young.

Sydney Writers' Festival changed dates this year from late May to the first weekend in May. This weekend was very busy in Bathurst and BMEC was unavailable due to other bookings. The Charles Sturt University - Ponton Theatre and classrooms were utilised for the event, the venue was provided without charge. However, due to the new venue the festival did have increased costs this year which were covered by Local Stages funding. Overall attendance was down this year, probably due to the change of venue, details of overall attendances are provided below:

2018	1,075
2017	1,522
2016	1,440

Planning for the 2019 festival is now underway and the BMEC City Hall and conference rooms are available.

All public events at the festival are free. Secondary school students attended workshops on Friday at a fee of \$20 per student. Local businesses and individuals support the festival and this year over \$4,500 was raised via donations, and \$500 was received from the CSU Small Grants program.

Sponsors included: CSU, Books Plus, Bathurst Custom Kitchens, Chris & Kathy Bergen, Ben & Martha Gelin, Glenn Smith, Joan Phillip, Jo-Anne Reid, Bill Green, Libby Loneragan, Julie Priddle, Kay Nankervis, Kelly Rimmer, Dean Mobbs Gallery, Production Art, Lion Majestic Hospitality Group, Pan Macmillan Publishers and Bathurst City Life, Sophie Meredith and numerous anonymous donors.

A survey of attendees indicates that audiences greatly appreciate the festival, particularly the local panels, workshops and presentations and would like to see more local author sessions in future festivals.

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

### **Bathurst 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 20.6



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

Strategy 23.3

### **Community Engagement**

- Inform  
To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **11 AUTUMN COLOURS 2018 (23.00060)**

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

**Report: BACKGROUND**

Since 1998 the Bathurst Visitor Information Centre (BVIC) has been collating a diverse array of tours, events and activities that occur between March and May. These have been grouped and promoted under the general banner of the 'Autumn Colours' program, which also includes Heritage Week. Historically, the overall Autumn Colours program has occupied an indeterminate marketing and product placement position between a community event and a regional visitor drawcard. The event had also become diluted by inclusion of a number of unrelated events that fell within the period under the umbrella banner of 'Autumn Colours'. In 2018 it was decided to return the focus of the program exclusively to interpretation of Bathurst's heritage through a volunteer led program of tours, with all other general events promoted separately via BVIC's "What's On" guide. It was also decided to specifically target the community and local host/VFR (visiting friends and relatives) markets in promotion of the events.

### **VOLUNTEER LED TOURS**

Consultation with the volunteer guides indicated that the extended duration of the program in previous years had placed considerable demands upon volunteers' time and been the source of some stress. It was therefore decided to compress the tour program into a six week period, half that of previous years with a total of 14 special tours against the 36 offered in 2017. The program was designed to commence with the April school holidays and to conclude with Heritage Week and the Heritage Trades trail to maximise cross promotion and provide a clearer overall event structure.

Total attendance across all tours was 353. Although lower than the total of 487 total attendees recorded in 2017, the average tour group size rose dramatically from 13 to 25, an increase of 86%. No scheduled tours were cancelled due to low numbers, whereas in 2017 there were 8 cancelled tours, and volunteer leaders reported that they were extremely pleased with the high average size and overall reduction in their required commitment of time.

As in previous years, tour attendees in 2018 were overwhelmingly locals, with 89.7% of all attendees registering their home postcode as 2795. This demonstrated the soundness of the marketing approach taken and the enduring strength of the program to the Bathurst community. Visitor satisfaction as reported by tour leaders was high on all activities.

### **MARKETING AND PROMOTION**

A printed program was not produced in 2017 which generated several complaints from members of the local community, though figures suggest that its absence had no negative impact upon overall 2017 event attendance. Community engagement was evaluated post event, and in response to community feedback, a printed brochure of all heritage tours was designed and produced for 2018 which also included information on Heritage Week and the Bathurst Heritage Trades Trail. This brochure maintained the focus upon the heritage tours, with unrelated tourism events over the period not included. Cost of production was well below previous years.

All events were promoted via the [www.visitbathurst.com.au](http://www.visitbathurst.com.au) website and online ticketing provided via Eventbrite with staff at BVIC providing assistance and facilitating bookings to

visitors to the Centre. All tours were promoted to local target audiences via Facebook and Twitter with boosted posts and direct links to the ticketing site. Total VisitBathurst NSW Facebook impressions over the period of the program were 526,800 with an increase in total engagement of 64.7% against the previous period. The separate microsite of [www.autumncolours.com.au](http://www.autumncolours.com.au) was not used in promotion of events in 2018, with this URL redirected to the main tourism site. Online promotion was supported by a local radio campaign that ran from mid-March to mid-May.

Members of the Heritage Working Party, Bathurst District Historical Society, Family History Group and other volunteers involved with Heritage week events and the Artisan Trades Trail were recognised at a function on Friday 8 June 2018.

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

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

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1, 4.6, 4.8
- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.6

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **12 BATHURST HERITAGE TRADES TRAIL 2018 (23.00060)**

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

**Report:** **BACKGROUND**

In 2017 the inaugural 'Bathurst Artisan Trades Trail' was held over the weekend of 13-14 May. This event was intended to provide an opportunity for visitors and locals to rediscover traditional craftsmanship through a showcase of arts and trades demonstrations around ten of Bathurst's iconic heritage venues. The event was considered an important enhancement to the existing Autumn Colours program and aligned with objective 7.2.3 of the Bathurst region Destination Management Plan (DMP).

Due to the positive response to the 2017 event, a further event was planned and held on the weekend of 12-13 May 2018.

The Heritage Trades Trail Organising Committee was formed to assist Council with the event and members of this group include representatives from:

- \* Bathurst District Historical Society
- \* Family History Group
- \* National Trust
- \* Venues
- \* Volunteers

### **THE EVENT**

Following a review of the 2017 event, a number of changes in format were made in 2018 including;

- Changing the event name from 'Artisan Trades' to 'Heritage Trades' to reduce confusion and allow for more consistency in marketing
- Reduction in the number of venues from ten to six to concentrate attendance and reduce necessity of travel time between sites
- Create clearer themes for each venue to provide visitors with a compelling reason to complete all venues within the trail framework

The Bathurst Heritage Trades Trail (BHTT) sites in 2018 included six of Bathurst's iconic venues, each presenting a thematic element of the trail:

<b>VENUE</b>	<b>THEME</b>
Chifley Home	Food Production/preparation
Tremain's Mill	Restoration Trades
BMEC	Fashion ('Getting Hitched' exhibition)
Agricultural Research Station	Agricultural and Farm Trades
Uniting Church Hall	Soft Trades
CWA Hall	Soft Trades

Funding for the 2018 event was sought and successfully obtained from the NSW State Government with \$25,000 provided by the Office of Environment and Heritage (OEH) through the *Heritage Near Me* program for event logistics and staging, and \$20,000 provided by Destination NSW through its *Incubator Event Fund* for public relations and digital marketing.

69 exhibitors, including a strong local presence, presented across the six venues showcasing trades from blacksmithing to felting. A number of special presentations and activities including whip cracking, Cobb & Co coach rides, Chifley Home tours and a 'selfie with a kelpie' were also organised across venues. A delegation from the Grimwade Centre for Cultural Materials Conservation (University of Melbourne) also attended, presenting at Tremain's Mill.

## **ATTENDANCE**

A total of 1145 tickets were sold for the event representing an increase of 91.8% over 2017 result. An additional 268 free entry passes were issued to children under 16 and event volunteers bringing total attendance over the weekend to 1,413. This level of growth for a second year event is significant and shows the strong interest in quality cultural heritage tourism activities.

The overall proportion of visitors to the event from beyond the Bathurst region increased significantly from 36% in 2017 to 48%, of whom the majority were drawn from Sydney (22.4%) and the Central West (16.2%).

## **MARKETING AND PROMOTION**

Receipt of grant funding from Destination NSW allowed investment in specialist public relations and digital marketing targeting the Sydney markets. *Leonards Advertising* utilized outbound digital media with a cumulative audience of over 4 million and created an event microsite, [www.bathursttt.com.au](http://www.bathursttt.com.au) attracting 10,625 unique users. Local tourism providers donated three weekend getaway packages that were used to promote the event via this microsite and to create a database for future use with 808 subscribers added. The public relations activity, primarily coordinated by PR Agency *Res Publica*, generated 110 total media clips with a total reach of 7,792,538 and total EAV of \$498,923. This activity did not merely increase ticket sales, but also provided a substantial boost to Bathurst's profile and provided contacts to be leveraged in future marketing and promotional activity.

The event was promoted via the [www.visitbathurst.com.au](http://www.visitbathurst.com.au) website and online ticketing provided via Eventbrite with staff at BVIC providing assistance and facilitating bookings to visitors to the Centre. All tours were promoted to local target audiences by BVIC via Facebook and Twitter with boosted posts and direct links to the ticketing site. A total of 9 event posts had a combined reach of 27,361 with engagement of 6,051. Online promotion was supported by a local radio campaign that ran from mid-April to mid-May and by local print advertising and editorial.

Members of the Heritage Trades Trail Organising Committee, Bathurst District Historical Society, Family History Group and other volunteers involved with Heritage week events and the Artisan Trades Trail were recognised at a function on Friday 8 June 2018.

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

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

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1, 4.6, 4.8
- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.6

## **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Yours faithfully



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

**POLICY COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 MINUTES - POLICY COMMITTEE MEETING - 6 JUNE 2018 (07.00064)**

**Recommendation:** That the recommendations of the Policy Committee Meeting held on 6 June 2018 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held on 6 June 2018, are **attached**.

**Financial Implications:** N/A

### **Bathurst 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

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.



**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 6 JUNE 2018**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

**Present:** Councillors Hanger (Chair), Aubin, Bourke, Christian, Fry, Jennings, Morse, North, Rudge.

**APOLOGIES**

**2 APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 MAY 2018 (07.00064)**  
**MOVED** Cr J Rudge and **SECONDED** Cr I North

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 2 May 2018 be adopted.

**DECLARATION OF INTEREST**

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

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

**RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS**

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

**5 Item 1 PUBLIC WI-FI ACCEPTABLE USE POLICY (20.00315, 41.00089)**  
**MOVED** Cr J Jennings and **SECONDED** Cr W Aubin

**RESOLVED:** That Council

- (a) Place the Public Wi-Fi Acceptable Use Policy on public exhibition for 28 days, and
- (b) adopt the Public Wi-Fi Acceptable Use Policy and update the Council Policy Manual, if no submissions are received.

## **GENERAL BUSINESS**

### **6        Item 1 PLAYGROUND EQUIPMENT (04.00121 & 04.00034)**

**Cr Bourke** - spoke to Kurrawa Park, which he recently visited while at the Floodplain Management Conference, and the facilities that were there. Suggests Council have a look at this park to see what was available in this space. Noted accessible attractions in the park, better than just a Liberty Swing, perhaps should look as this for the next stage of the Adventure Playground.

### **7        Item 2 MISCELLANEOUS MATTERS - UPDATE (08.00008)**

**Cr Bourke** - asked could an update be made to the Councillors Portal on items such as the former TAFE Building, former Gasworks site, and Second Circuit proposal.

### **8        Item 3 GRAFFITI (20.00045)**

**Cr Bourke** - considers that graffiti is on the increase, can we be more aware of this? Noted the "tags" being used. Perhaps CCTV cameras could pick some of these incidents up.

### **9        Item 4 WATER (32.00017 & 13.00031)**

**Cr Bourke** - supports any sensible solutions in water issues.

### **10       Item 5 HERITAGE TRADES TRAIL 2018 (23.00060)**

**Cr Rudge** - noted thanks has been expressed by the Committee to Council.

### **11       Item 6 ST PATS & BULLDOGS CLUBS (04.00146)**

**Cr Rudge** - road between the clubs, asked are we considering speed humps and is there lighting to go in this area?

**12**      **Item 7 HERITAGE LIGHT STANDS IN CBD (28.00014)**

**Cr Rudge** - asked can we put in guards to protect the lights?

**13**      **Item 8 STREETLIGHTS (28.00014)**

**Cr Rudge** - noted the lights seem to be dim, can this be reviewed?

**14**      **Item 9 LIBERTY SWING (04.00121 & 04.00034)**

**Cr Rudge** - noted the playground needs accessible facilities, can we look at this in next years budget?

**15**      **Item 10 DUMP POINTS (26.00011)**

**Cr Rudge** - noted there is a demand for more dump points. Perhaps the Lions Park area is suitable and appropriate.

**16**      **Item 11 COLES CARPARK DRIVEWAY (25.00332)**

**Cr Jennings** - asked is there any update on the Coles carpark driveway.

**The Director Engineering Services** noted Council has written to the shops and they have written back. Expect repairs will occur.

**17**      **Item 12 HERITAGE ADVISOR REPORTS (10.00004)**

**Cr Jennings** - would like a report back on these being placed on the public record.

**18**      **Item 13 MOTORSPORT MATTERS (04.00019 & 04.00102)**

**Cr Jennings** - raised a number of issues:

1. Asked could we investigate a local produce area at car racing events?
2. Asked could we construct, as part of the Boardwalk, a shrine to Peter Brock at Skyline?
3. Requests a costing for an LEP sign for Mount Panorama, which is changeable.
4. Invite Hyper EV to Bathurst as discussed at recent Cities Power Partnership to

an event at Mount Panorama.

5. Invite China EV race to Bathurst.

**19**      **Item 14 SELF DRIVING VEHICLES (13.00065)**

**Cr Jennings** - asked Council through Cities Power Partnership process to partner with ACT Government in assessing self driving vehicles.

**Meeting was suspended at 6.18 pm for the commencement of the Discussion Forums.**

**General Business resumed at 7.28 pm following the conclusion of the Discussion Forums.**

**20**      **Item 15 ELECTRIC VEHICLES (13.00065 & 30.00002)**

**Cr Jennings** - requests a report on transitioning the Council fleet to battery power e.g. small cars and garbage trucks.

**21**      **Item 16 ELECTRIC VEHICLE CHARGING STATIONS (13.00065)**

**Cr Jennings** - asked can we notify businesses of the benefit of putting in charging stations. Perhaps through Economic Development newsletter.

**22**      **Item 17 DROUGHT SUPPORT (32.00017 & 13.00031)**

**Cr Jennings** - requests Council activates 50% rebate on water sales Item #357 of the Revenue Policy.

**MOVED**

Cr J Jennings

**SECONDED**

Cr North

That Council:

- (a) Implement the 50% rebate for Water sold as per item # 357 of the water services; and
- (b) The General Manager be delegated the authority to implement the measure immediately .

**Cr Jennings** - requests a report back on making water free for stock and domestic use for primary producers.

Would also like water restrictions trigger level to go from 40% to 50% dam capacity.

**23**      **Item 18 VILLAGES EVENT FUNDING (16.00104 & 20.00071)**

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**This is page 4 of Minutes of the Policy Committee held on 6 June 2018**

**Cr Jennings** - would like Council to move to 3 - 4 year funding program for village events.

**24**      **Item 19 ALCOHOL FREE ZONES (20.00126)**

**Cr Jennings** - noted people in Keppel Street would like Alcohol Free Zones to have greater publicity and signage. Would like lighting in thoroughfare near Stitches and could pavement cleaner go there more often.

**25**      **Item 20 BATHURST DISTRICT SPORT & RECREATION COUNCIL GRANTS (18.00279)**

**Cr Jennings** - asked could this go back to the previous level of \$30,000 p.a.

**26**      **Item 21 BURNT OUT MOTOR VEHICLES (04.00068)**

**Cr Aubin** - asked who is responsible for removal? There is one at Walmer Park, can this be removed?

**The General Manager** will follow this up.

**27**      **Item 22 SHOPPING TROLLEYS (28.00006)**

**Cr Aubin** - great to see publicity occurring. Can we get someone out there to hand out some fines?

**28**      **Item 23 UPDATE ON MATTERS (08.00008)**

**Cr Morse** - asked could Councillors get updates on matters raised in minutes. Put on the Councillors Portal.

**29**      **Item 24 ADVENTURE PLAYGROUND (04.00104)**

**Cr Morse** - people will not go as too dangerous, no way can supervise all the children.

**30**      **Item 25 BUS FROM SYDNEY - AUSTRALIA WIDE COACHES DROP-OFF POINT (28.00009)**

**Cr Morse** - asked is there any resolution in this matter?

**The General Manager** advised current status of discussions.

**31**      **Item 26 PETER BROCK MEMORIAL WALL (23.00122)**

**Cr Morse** - photos taken of the wall at the top of Mount Panorama. Where is the video that was to be produced to show at the National Motor Racing Museum?

**32**      **Item 27 TRAFFIC STUDY (28.00017)**

**Cr Morse** - asked what is process for revised traffic study?

**The General Manager** advised of discussions occurring with RMS in developing a traffic model.

**33**      **Item 28 STREET TREES (13.00019)**

**Cr Fry** - feels there is a need for more trees in the city. Landscape drying is occurring.

**34**      **Item 29 SMART STREET LIGHTS TRIAL (28.00014)**

**Cr Fry** - would like to see this occur, not just LED's.

**35**      **Item 30 MOUNT PANORAMA - WESTERN SIDE - GATE (04.00029)**

**Cr Fry** - asked can we look at a gate going into this area?

**36**      **Item 31 ROADSIDE WOOD COLLECTION - HABITATS (13.00001)**

**Cr Fry** - noted this is being advertised. Can we double the fines and increase profile of this problem?

**37**      **Item 32 WATER RESTRICTIONS (32.00017)**

**Cr Fry** - suggests we go straight to Level 2 water restrictions.

**38**      **Item 33 STREET SIGNS (28.00007)**

**Cr Christian** - Vittoria to Durham and Stewart to Mitre Street signs - there are problems, could this be checked and action taken as needed?

**39**      **Item 34 TROLLEY BAYS (28.00006)**

**Cr Christian** - asked who builds these? Outside Target in William Street there are many trolleys left there and also outside Pantanos. Can we put in bays there as well? Council should collect these trolleys and then charge for their release.

**40**      **Item 35 FOOTPATHS (28.00016)**

**Cr Christian** - noted the footpath opposite the Courthouse needs repairs to be undertaken (Kings Parade side).

**41**      **Item 36 COUNCILLORS PORTAL (08.00008)**

**Cr North** - would like to see topics of interest go onto the portal.

**42**      **Item 37 GRAFFITI (20.00045)**

**Cr North** - feels CCTV's will help catch people, these need to be installed.

**43**      **Item 38 LIQUOR ACCORD (07.00101 & 20.00126)**

**Cr North** - spoke to vandalism in Keppel Street and need for an alcohol free zone from the railway all the way up Keppel Street.

**44**      **Item 39 LIBERTY SWING (04.00121 & 04.00034)**

**Cr North** - everyone has agreed to it, it is in the plan for the Adventure Playground, but due to costs the works did not occur. Need to find the money.

**45**      **Item 40 AUTOMATIC EXTERNAL DEFIBRILLATOR (AED) AT SPORT FACILITIES (04.00034)**

**Cr North** - would like money put away to help sporting groups with these facilities.

**46**      **Item 41 VALE CREEK ISSUES (31.00011)**

**Cr North** - this is a problem, what are we going to do about it? Need to be aware of possible impacts.

**The Director Engineering Services** advised this is in private ownership and based on computer modelling will not impact Perthville. The road impacted is an RMS road. Contact has been made with RMS, Council is helping to do an environmental assessment.

**47**      **Item 42 DUMP POINT (26.00011)**

**Cr North** - need a dump point in conjunction with a rest area. Perhaps Hereford Street is suitable, can we get a report on this?

**48**      **Item 43 SOLAR PANELS - BREWONGLE PROPOSAL (16.00007)**

**Cr North** - spoke to electricity costs incurred by Council. could we look at identifying land for large scale solar farm to be owned by Council. This will cut Council's costs.

**49**      **Item 44 WATER RESTRICTIONS (32.00017)**

**Cr North** - noted has a Notice of Motion to the next meeting for consideration of water restrictions timing.

**50**      **Item 45 RFS - FIRE CONTROL CENTRE (18.00233)**

**Cr North** - thanked Director Engineering Services for meeting with RFS and noted this went well. Can we meet again with them in the next two weeks to finalise timelines and a list.

**51**      **Item 46 HONOUR BOARD - SPORTS (21.00007)**

**Cr North** - noted need for another board to be installed on the First Floor of the Civic Centre. Also can Bathurst District Sport & Recreation Council minutes be emailed?

**DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS**

**52**      **Item 1 DEVELOPMENT APPLICATION 2018/122 – SHED AT 14 IRONSTONE AVENUE, WHITE ROCK. APPLICANT – LAYNE MOULDS. OWNER – MR L R**



## **MOULDS (DA/2018/122)**

Discussion included:

### **L Moulds – proponent - 14 Ironstone Avenue**

Spoke to the proposal before Council. Has owned the property for around 10 years. Is an owner/driver, does not operate business from the property. Noted works in Sydney and only comes home with the truck. Same as a plumber or a taxi driver bringing home vehicles, does not operate a depot.

Currently building a house and it makes sense to bring the truck home.

### **P Gorrick – resident - 18 Ironstone Avenue**

Have taken independent advice and have forwarded this to Council. Have retired to Bathurst and spoke to establishing their house in the location. The proposed shed size and location will have a significant detriment such as overshadowing, noise transmission, will cause conflict between neighbours, the shed is an eyesore and does not address correctly Council planning instruments such as the DCP. This is a commercial purpose. There is no screening of the garage and its location will not allow this to occur. No concessions should be allowed to Council standards.

### **C Hunt – resident - 25 Ironstone Avenue**

Raised concerns including; impact on standard of living including size of the shed, it is commercial, scenic values not preserved, the development is unlawful - a truck depot is not allowed, inconsistent with residential zone, safety concerns with heavy vehicles in the Blue Ridge Estate, noise impacts, devaluation of properties.

### **T Phillips – resident - 98 Blue Ridge Drive**

Has made a submission to Council. Main issues include size of the development, adverse impact on amenity of adjoining properties, no Statement of Environmental Effects has been submitted, there is no information on screening. There is a need for a properly documented submission which includes details of impacts.

### **Y Thurtell – resident - 22 Ironstone Avenue**

The proposal is visually awful, this is an industrial development, the truck should not be parked here. Spoke to noise problems from the truck.

### **F Telfser, on behalf of G Clements**

Concerns about the development include; visual impact, commercial use that will occur with such a structure, neighbourhood harmony problems that will result, additional noise, road damage from large vehicles, lack of consultation with adjoining neighbours.

### **J Stewart – resident - Blue Ridge Drive**

Has a number of concerns with the development such as; noise from vehicles, safety issues from heavy vehicles, visual impact of a substantial building, reduction in setbacks proposed, roads within the estate are not made for heavy vehicles.

**J Peak – resident - 94 Blue Ridge Drive**

Happy for shed that meets estate covenant, this does not. Spoke to setbacks required of covenant and this should be adhered to as well as DCP.

**C Telfser**

Spoke to standards of the estate and the covenants imposed. The proposal is not consistent with the estate guidelines - covenants and the DCP. The shed is double the size allowable and is 1 metre higher than allowed. The setback proposal is a concern and there are visual impacts that are inappropriate. The neighbourhood has adhered to the rules, one person should not be allowed to change the standards. Also referred to heavy vehicle movements in residential areas.

**53**

**Item 2 DEVELOPMENT APPLICATION NO. 2018/21 – CONCEPT APPLICATION FOR MIXED USE DEVELOPMENT INCLUDING EDUCATION ESTABLISHMENT, INFORMATION AND EDUCATIONAL FACILITY, TOURIST AND VISITOR ACCOMMODATION, RECREATIONAL FACILITY (OUTDOOR) AND CARAVAN PARK AT 624 LIMEKILNS ROAD, FOREST GROVE. APPLICANT: EDUCATIONAL LEARNING PTY LTD. OWNER: HERITAGE HILLS PTY LTD (DA/2018/21)**

Discussion included:

**M Coleman – resident - 21 Kooyong Place, Forest Grove**

Against the proposal, will take away views, will reduce property values.

**B Goldsmith – consultant**

Prepared the documentation for the DA. This is a concept document which is based on a prior 2002 DA and contains many of the prior concepts. Spoke to moving between transportable homes and tourist villas. There will be future DAs for all constructions. Noted Mr Pickards objections to the development. Conditions can be imposed to address his concerns, referred to prior report from Prof McKinnon. This is a joint project with Wiradyuri Traditional Owners.

**Prof D McKinnon**

Spoke on behalf of Wiradyuri Traditional Owners. Noted proposed educational facility and the meeting of school curriculum needs which will have a significant impact on education provision. The facility will become a major draw card. Lighting issues have previously been addressed in an earlier study.

**R Carroll – owner of adjacent farming property**

Objects to proposal, this is a rural farming precinct. This could lead to subdivision. DA does not contain any costings or timelines, this is a virtual mini-city. Raised noise concerns. There will be increased night time light. Traffic concerns with cattle. Winburndale pipeline, will there be increased use which will impact this

service. Noted sewer plant concerns e.g. smell and water contamination. How will camper vans etc. be managed - will this lead to permanent housing. Waste Management will possibly cause problems. What access will be used. Proximity to aerodrome needs to be considered. Property value concerns and non-compliance with zone.

**R Williams – resident - 626 Limekilns Road**

Not sure of process with a concept application and how is this different to a normal DA. A lot of questions have arisen. Noted difficulty in getting information and that it is confusing, maps difficult to read, fonts unreadable. Noted effluent concerns, native animals impacts, access availability to their property, will property be rezoned, safety problems with aerodrome. One of the proponents is listed on ASIC database as de-registered. Also referred to PFAs concerns which is not yet resolved.

**K Gunning – resident - 587 Limekilns Road**

Opposes the development. There are issues with visual, noise, traffic, and valuation matters. Concern at caravan park operations and likely tenants. There is a possible increase in crime and anti-social behaviour. The proposal is not consistent with the neighbouring land use in the area. Raised concerns at costs for water, sewer and waste.

**T Hicks, on behalf of G Webster & R Webster**

Main concerns are fence line is not substantial and people transgress into their properties. Would like something to happen so money can go to people who sold them the property. The golf course is already there, things have not happened as the owner has not been able to finance. Questions whether there is interest in the history/heritage of the location which was a migrant camp. The current business does not deal with local schools. The designated managers house - there are already two there on Heritage Park.

**J Edmonds – resident - 555 Limekilns Road**

Concern at additional traffic proposed, this is a safety issue. Do not want a satellite city built, it is not in keeping with area. Sewerage system and rubbish removal are a concern.

**D Pratty – resident - Yarris Lane**

Main concern is with biosecurity and animal welfare that will occur. Primary producers have to abide by a number of rules. These developments bring environmental issues e.g. contamination and dogs, given their size. Objection is to the caravan park and proposed agistment. Also weed control is a problem.

**B Seike – resident - 148 Limekilns Road**

The development is not suitable for the area. Worried about sewerage smells and impacts on precinct 4. Referred to proposed accommodation, which is extensive. Noted PFAs concerns. The proposed development will create noise issues, rubbish will be a problem, traffic matters, visual impacts, disease impacts, property prices, weeds.

**C Pickard – Bathurst Observatory**

Concerns include; have not been invited to be part of this. Caravan park is not where originally proposed. Spoke to noise, access to property, dust, smoke, lighting, access to Winburndale water and existing easement. There must be a dust mitigation strategy. The proposal for so many caravans and light that comes with this will impact observatory operations. A full lighting model needs to be done. Must ensure no wood fires and noise controls need to be put in place. Adequate buffer zones must be put in place and the telescope must be able to view the whole of the night sky. The access road needs to be relocated.

**MEETING CLOSE**

**54 MEETING CLOSE**

The Meeting closed at 8.05 pm.

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

**TRAFFIC COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 MINUTES - TRAFFIC COMMITTEE MEETING - 5 JUNE 2018 (07.00006)**

**Recommendation:** That the recommendations of the Traffic Committee Meeting held on 5 June 2018 be adopted.

**Report:** The Minutes of the Traffic Committee Meeting held on 5 June 2018, are **attached**.

**Financial Implications:** N/A

### **Bathurst 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

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

**MINUTES OF THE TRAFFIC COMMITTEE**  
**HELD ON 5 JUNE 2018**

**MEETING COMMENCES**

**1 MEETING COMMENCES 2:00 PM**

**Members:** Ms Jackie Barry (Roads and Maritime Services), Mr David Veness (MP Representative) and Sergeant Peter Foran (Police)

**Present:** Mr Bernard Drum (Manager Technical Services), Mr Myles Lawrence (Civil Design & Project Engineer), Mr Paul Kendrick (Traffic & Design Engineer), Mr Andrew Cutts (Tablelands Area Road Safety Officer)

**APOLOGIES**

**2 APOLOGIES**

That the apology of Councillor Warren Aubin be accepted. (Bernard Drum, Manager Technical Services, chaired the meeting)

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 1 MAY 2018 (07.00006)**

That the Minutes of the Traffic Committee Meeting held on 1 May 2018 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**

That the Declaration of Interest be noted.

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**Director Engineering Services' Report**

**5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 1 MAY 2018 (07.00006)**

That the information be noted and necessary actions be taken.

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

That the information be noted.

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**This is page 1 of Minutes of the Traffic Committee held on 5 June 2018**

**7      Item 3 DURHAM STREET BATHURST NO STOPPING SIGNS (28.00007-06/112)**

That Council approve the relocation of a “No Stopping” sign to include the pram ramp on Durham Street opposite the hospital near Commonwealth Street, which connects the footpaths on either side of Durham Street.

**8      Item 4 CBD LOAD LIMIT REVIEW (23.00026)**

That Council endorse the existing hierarchy of CBD Load Limit restrictions.

**9      Item 5 INTERSECTION IMPROVEMENTS - GEORGE AND HOWICK STREET BATHURST (25.00006)**

That Council proceed with construction of a roundabout in accordance with the Director Engineering Services’ report.

**TRAFFIC REGISTER**

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

That the information be noted.

**MEETING CLOSE**

**11      MEETING CLOSE**

The Meeting closed at 2.36 pm.



**NOTICES OF MOTION**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 NOTICE OF MOTION - CR NORTH - WATER RESTRICTIONS (11.00004, 32.00017)**

**Recommendation:** Moved by Cr North:

That Council commence Water restrictions at the earliest convenience.

Also for Council to review its Drought Management Policy taking into account the rapid growth of our Region.

**Report:** Notice is hereby given:

That Council commence Water restrictions at the earliest convenience.

Also for Council to review the Drought Management Policy taking into account the rapid growth of our Region.

**Financial Implications:** Nil.

### **Bathurst 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 31: To maintain local public ownership of water and sewer assets. Strategy 31.2

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## COUNCILLORS/ DELEGATES REPORTS

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 JUNE 2018

## **1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 9 MAY 2018 (11.00019)**

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

**Report:** **Present:** Councillors Hanger (Chair), Aubin (6.15 pm), Bourke, Christian, Fry, Jennings, Morse, North, Rudge.

**Apologies:** Nil

### **1. BATHURST BUSINESS CHAMBER (18.00027)**

Angus Edwards, Chair and Alicia Rennie from Bathurst Business Chamber met with Council to give an update on current and future activities.

Discussion included:

- Chamber looks to partner with Council and value current communications with Council
- meet with General Manager regularly
- developing strategic plan for the Chamber
- objective is to be truly representative of businesses in Bathurst
- 158 current members, looking to boost to 500 in next 2 years
- Business Awards are a big focus
- developing MOU between Chamber and Council

Services provided include:

- education and support for business
- business advice
- happy to promote events that assist members
- provide assistance to new businesses looking to come to town

**Financial Implications:** Nil.

### **Bathurst 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
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.6

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community.

Strategy 20.2

### **Community Engagement**

- Inform  
To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 8 MAY 2018** **(11.00020)**

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

**Report:** The Youth Council considered a number of items at their bi-monthly meeting, including the following:

- A debrief of National Youth Week events.
- Initial discussions around “How to Adult” workshops, to be held later this year in collaboration with TAFE.
- Regional Skateboarding Competition being held in September 2018.
- Timeline for recruitment of 2018/2019 Youth Council
- YJAM Winter music event.

The minutes are provided at **attachment 1**.

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

### **Bathurst 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

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

### **3 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 23 MAY 2018 (11.00019)**

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

**Report:** **Present:** Councillors Hanger (Chair), Aubin, Christian, North, Rudge.

**Apologies:** Councillors Bourke, Fry, Jennings, Morse

#### **1. REGIS RESOURCES (21.00137)**

Rod Smith, Tony McPaul, Michael Coote and Phil Gunn from Regis Resources met with Council to give an update on the proposed McPhillamys Mine at Kings Plains.

Discussion included:

- spoke to origin of interest at McPhillamys Mine - large reserve of gold
- issues getting water and power to site
- bringing water from Coal Mine in Lithgow via pipeline
- project wholly in Blayney Shire Council area
- 10 year mine life minimum
- 150 people employed for 10 years
- hoping for final approval in 2019 from State Government
- spoke to pipeline - route 88 kms long
- looking to use road verges through Council area
- would like to install a pump station on Council land near Waste Management Centre.

**Financial Implications:** Nil.

#### **Bathurst 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
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.6
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.2

## **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.



#### **4 MINUTES - COMMUNITY SAFETY COMMITTEE - 17 MAY 2018 (07.00107)**

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

**Report:** The Bathurst Regional Community Safety Committee considered a number of items at their May meeting, including the following:

- Election of Chairperson.
- Adoption of Terms of Reference.
- Project plan for development of Community Safety Plan 2019-2023, including consultation and research.

The minutes are provided at **attachment 1**

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

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

- Objective 22: To improve community safety. Strategy 22.1, 22.2, 22.3
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1, 23.5, 23.8
- 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

#### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **5 CENTROC BOARD MEETING 24 MAY 2018 (PARLIAMENT HOUSE, SYDNEY) (07.00017)**

**Recommendation:** That the report on the CENTROC Board Meeting held 24 May 2018 at Parliament House, Sydney be noted.

**Report:** The Centroc Board meeting and the inaugural meeting of the Central NSW Joint Organisation were held at Parliament House Sydney 24 May 2018.

The Board heard from Mr Ken Gillespie Coordinator of the Regional Infrastructure team and Mr Chris Hanger Executive Director, Regional Infrastructure Networks. Mr Gillespie's focus is on growing local economies to grow functional economic regions. He made reference to the way JO's will be strategically placed and the grants process will be overhauled.

The Hon Rick Colless, Parliamentary Secretary for Natural Resources and Western NSW was in attendance and spoke about the Benefit Cost Ratio needing to be more than one for regional projects especially in smaller communities and how to address the issue.

The Board was also joined throughout the day by (listed on order of address to the Board);

- Minister for Health and Minister for Medical Research The Hon Brad Hazzard;
- Minister for Planning, Minister for Housing, Special Minister of State, The Hon Anthony Roberts;
- Minister for Roads, Maritime and Freight, The Hon Melinda Pavey, accompanied by Ken Gillespie, Roy Wakelin-King, Executive Director, Regional & Freight, RMS and John Hardwick, Executive Director, Sydney Roads and Maritime Services;
- Minister for Tourism and Major Events, Assistant Minister for Skills, The Hon Adam Marshall;
- Minister for Lands and Forestry, Minister for Racing, The Hon Paul Toole;
- Deputy Premier, Minister for Regional New South Wales, Minister for Skills, Minister for Small Business, The Hon John Barilaro;
- Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry, The Hon Niall Blair;
- Minister for Police, Minister for Emergency Services The Hon Troy Grant;
- Parliamentary Secretary for Regional Roads, Maritime and Transport, Kevin Anderson MP and Steph Cooke, Member for Cootamundra, Advisors Simon Moses, Ryan Smith, Angus McKenzie-Wills, Chris Hanger, Executive Director Regional NSW, Department of Premier & Cabinet and Amanda Jones, Chief Operating Officer, Infrastructure NSW;
- Minister for the Environment, Minister for Local Government, Minister for Heritage The Hon Gabrielle Upton;
- Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts, Vice-President of the Executive Council, The Hon Don Harwin; and
- LGNSW President, Cr Linda Scott, accompanied by Chief Economist, Shaun McBride and Senior Policy Officer, Mark Hely.

On the day the Inaugural meeting of the Central NSW Joint Organisation was held Cr John Medcalf was elected unopposed as the Chair of Central NSW Joint Organisation, Cr Scott Ferguson was elected unopposed as the Deputy Chair and Ms Jennifer Bennett was appointed the Interim Executive Officer of Central NSW Joint Organisation. A series of polices were adopted at this meeting. Members are being asked for feedback on the Draft Charter and Draft Code of Meeting Practice.

**Transport Infrastructure** – The Centroc Board continues advocating aggressively regarding the need for a safe swift link between Central NSW and Western Sydney.

The Board is acutely aware of the challenges for the communities of Western Sydney and is respectful of their needs. Representing the communities of Central NSW the Board does not have a view on the specifics of the corridor alignment only that a corridor needs to be secured for a future safe swift link between Sydney and Central NSW.

It is Board policy to support the corridor M7 to Kurrajong. Recognising the concerns being expressed in Western Sydney on the departure from the 1951 alignment, this region sees the 1951 corridor as satisfactory with the proviso that it extends through to Kurrajong.

A future meeting with the Regional Strategic Alliance (RSA) Hawkesbury Council, Blue Mountains City Council and Penrith City Council will be progressed after they have met in June.

The Hon Melinda Pavey, Minister for Roads, Maritime and Freight addressed the Board, Accompanying her was Ken Gillespie, Roy Wakelin-King, Executive Director, Regional & Freight, RMS and John Hardwick, Executive Director, Sydney Roads and Maritime Services who is responsible for the Bells line of Road. Of note is the progression of a Taskforce of key stakeholders working towards the long term solution.

An update was given regarding a meeting with Vital Intermodal Transport Links group and NSW Farmers held in Sydney 23 May.

The Chair, Deputy Chair and Cr West met with Mick Veitch, Jodi McKay 23 May to discuss the connectivity from Central NSW to Sydney and Opposition policy in this regard.

**Water Infrastructure** - A detailed brief was provided to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry, The Hon Niall Blair.

A question was asked from the floor regarding Council's ownership of water and sewerage to the Deputy Premier, Minister for Regional New South Wales, Minister for Skills, Minister for Small Business at this time. Minister Blair had also just arrived in the room. A commitment to local government ownership was made by both the Deputy Premier John Barilaro and Minister Niall Blair.

The Benefit Cost Ratio issue was again raised with the Minister.

**Health** – The Board was addressed by the Minister for Health and Minister for Medical Research The Hon Brad Hazzard.

Further follow up with the Minister for Health regarding the funding for training for Council staff in the use of fluoride in drinking water.

The Board resolved to endorse the actions of the Chair in supporting the Murray Darling Medical School (MDMS) announcement and continue to advocate to optimise outcomes from the MDMS for this region. The region will also write to Charles Sturt University to congratulate them on their success.

**Regional Development** – The Board welcomed the new Chair of Regional Development Australia Central West, Ms Christine Weston. A letter of thanks will be sent to RDA Central West for their support for telecommunications for the region.

The Deputy Premier, Minister for Regional New South Wales, Minister for Skills, Minister for

Small Business, The Hon. John Barilaro, made reference to the types of projects that will be funded from the \$4.2b Snowy Hydro legacy fund where the thinking is once in a lifetime substantial projects where the money won't be spent until after the election next year.

**Joint Organisation Report** - Ministers throughout the day congratulated the region on its decision to join the Central NSW Joint Organisation and on being the first in the State to hold their meeting.

The Centroc Board meetings and JO Board meetings will be held concurrently until Centroc as a Section 355 Committee of Forbes Shire Council is wound up. There is a significant amount of work to be undertaken in the transfer.

**Planning** - The implementation of the Department of Planning Regional Plan for this region is on track.

Of note in the Implementation Plan is item 4.1 – aligning land use to tourism. To progress this, a meeting of tourism and Council Planning staff was arranged.

Representatives have also attended a separate workshop run by the Department of Planning on the freight network for improvements to the planning system to facilitate tourism and a food and fibre strategy for Central NSW.

The Board resolved to invite to the region Minister for Planning, Minister for Housing, Special Minister of State, The Hon. Anthony Roberts.

**Tourism** – The Board is encouraging Councils to engage in the funded regional PR and marketing campaign. The Destination Country and Outback NSW board members are: Stephen Bartlett – Chair, Wincen Cuy – Director, Russell Holden – Director, Colin Hughes – Director, Robert Mason – Director, Marie Russell AM – Director, Rhonda Taylor – Director.

In the address from the Minister for Tourism and Major Events, Assistant Minister for Skills, The Hon Adam Marshall he was clear that he has instructed the Destination Country and Outback NSW to work on a subregional basis.

**Operational** – The Board were updated on the \$6.7m in grant funding that Centroc has assisted members in obtaining since 2009.

Progress on Southern Lights Project was reported, where significant effort is being undertaken across Southern NSW on a collaborative project to deliver LED with smart controls street lighting.

There has been a lot of work taking place in Energy including a submission to IPART on the feed-in tariff, a submission to the Australian Energy Market Operator on Integrated System Plans and a grant application for \$30,000 from Dept of Planning and Environment for advice for Councils on solar streetlights.

**Financial** – The Board anticipates a profit of \$11,403 at 30 June 2018 against a budgeted profit of \$842.

Arrangements are in place for the next Centroc Board meeting be held at Parliament House in Canberra. Dates will be confirmed to members shortly.

**Financial Implications:** Council's involvement in CENTROC is provided for within existing budget allocations.

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

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.1

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.