

8 August 2018

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday,  
15 August 2018**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 15 August 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, 15 AUGUST 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 - 18 JULY 2018

\* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 1 AUGUST 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 - 1 AUGUST 2018

\* MINUTES - TRAFFIC COMMITTEE MEETING - 7 AUGUST 2018

**10. NOTICES OF MOTION - Ni**

**11. RESCISSION MOTIONS - Nil**

**12. COUNCILLORS/ DELEGATES REPORTS**

- \* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 11 JULY 2018
- \* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 25 JULY 2018
- \* MINUTES - BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE - 12 JULY 2018
- \* PLACEMENT OF ORIGINAL BATHURST WAR MEMORIAL CARILLON BELLS - PREPARED BY CR M MORSE

**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.

**\* GENERAL MANAGER'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	HONORARY CITIZENSHIP OF BATHURST	10A (2) (a) – Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned.

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

ITEM	SUBJECT	REASON FOR
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		CONFIDENTIALITY
1	LAFFING WATERS DEVELOPMENT MASTER PLAN TENDER	10A (2) (d) (iii) – contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	FINANCIAL STATEMENT - 2018 BATHURST 12 HOUR	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	BATHURST VISITOR INFORMATION CENTRE CAFE - REQUEST FOR FINANCIAL ASSISTANCE	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 DESIGN & CONSTRUCTION OF HOWICK STREET TAXI SHELTER & ASSOCIATED WORKS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

		position of the person who supplied it.
2	TENDER FOR CONSTRUCTION OF TAXIWAYS AND APRONS 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.
3	VARIATION TO CONTRACT FOR CONSTRUCTION OF SUNNYBRIGHT STAGE 1	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	TENDER FOR REFURBISHMENT OF PIT STRAIGHT WALKWAY BRIDGE MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**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 - 18 JULY 2018 (11.00005)**

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

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 July 2018, are **attached**.

**Financial Implications:** N/A

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

- Objective 6: Community leadership and collaboration Strategy 6.4

### **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 - 1 AUGUST 2018 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 1 August 2018 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 1 August 2018, are **attached**.

**Financial Implications:** N/A

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

- Objective 6: Community leadership and collaboration Strategy 6.4

### **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 18 JULY 2018**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**PUBLIC QUESTION TIME**

**2 PUBLIC QUESTION TIME**

**G Boshier and L Nichols – Youth Council - Item #1 Delegates**

Spoke to the Youth Council report of 3 July 2018 meeting. Gabrielle Boshier voted Youth Mayor and Lydia Nichols voted Deputy Youth Mayor. Referred to the Groove and Grill event at the Winter Festival and future endeavours.

**B Hennesey – applicant - DA Lot 15, DP 700460 Tarana Rd, Brewongle - Item #3 DEPBS**

Spoke to DA before Council and the history of this proposal. Noted details provided to Council and the existing settlement pattern in this area. The zoning of the land is unreasonable and irrelevant. Noted boundary restrictions of the site with the road and rail corridors. The block is unique and a building would be good for the area and the economy. The land is uneconomic for agriculture. Referred to Rock Forest DA recently considered by Council. If they are unsuccessful with the DA they will continue with their struggle.

**D Pratley –DA 624 Limekilns Road, Forest Grove - Item #4 DEPBS**

Is this proposal only to try and add value to the property for future sale? The concept flies in the face of the current LEP. Council should consider prior arguments against this development Referred to water availability concerns and impact on the Winburndale Creek.

**R Carroll – adjoining neighbour - DA 624 Limekilns Road, Forest Grove - Item #4 DEPBS**

Area is zoned agricultural, will this land need to be rezoned? Concern at possible size of the development, costs, water impact. The proposal is an unknown quantity. Asks Council to consider prior representations.

**J Gorrick – DA 14 Ironstone Ave, White Rock - Item #6 DEPBS**

Spoke to impact of the DA, noise, shading problems. This development will put residents into a conflict situation. Believes Mr Mould will park more than one vehicle at his premises. There is long term conflict which will cause stress. Requested Council uphold the LEP requirements. Council is here to do their best for all

residents, Feels this is a transport depot. Spoke to financial capacity of the applicant. Asks for the DA not to be approved,

**L Moulds** – owner - DA 14 Ironstone Ave, White Rock - Item #6 DEPBS

There will be only one truck at the property. Noted advice from Crennan Legal on the development proposed. There will be no overshadowing, the noise is acceptable.

**P Gorrick** – neighbour - DA 14 Ironstone Ave, White Rock - Item #6 DEPBS

Spoke to prior discussions on this matter at Council. Then referred to the financial status of the applicant and vehicle parking at his current residential premises. Noted recommendation in the report about vehicle parking and the DA creates a turning circle for a B-Double which is not normal for a residential area. Does not believe this proposal is legal.

**B Manning** - resident

Spoke to student assignment processes. Then referred to an Engineering Certificate and the structure of these and recommended works to be undertaken. Then spoke to her court case with Council and landowners. Noted Calare Civil certificate which said all completed works, yet sub-soil drainage was not done. Council paid over and above the valuation of the property. Spoke to Council correspondence about the dividing fence.

**M Griffiths** – resident 70 Havannah Street

Spoke to DA for 48 Havannah Street. Spoke to; access to site plans, not being able to speak to staff but has to do it in writing; denial of procedural fairness; ombudsman fact sheets; bias of Council to the applicant; discrimination by the Deputy Mayor, Cr Bourke; Council's Code of Conduct. What action has been taken against Cr Bourke? Also made allegations against Cr Christian.

**E Dowd** – Owner - DA 138 Russell Street - Item #5 DEPBS

Spoke to review of DA before Council, concerning car parking contribution. If this continues to be required, they will not be able to proceed with the purchase. Lease for 3 car parking spaces at 99 Keppel Street has been entered into, a copy of the lease has been provided to Council. Referred to prior submissions made. Feels Council should waive the fee in full.

**T Jones** – National Redress Scheme

Spoke to the recent inquiry held and quoted from statements made by persons such as the Prime Minister. Spoke to possible action by local government and current media actions. Asks Council to take a lead and publicly thank the police for the work they have done. Noted incidences that occurred in Bathurst.

**B Triming** – Bathurst Regional Access Committee Chair

Thanked Council for its assistance to the Access Committee. Winter Festival was great, and compliments to the Events Team who have worked on increasing access. Noted people coming to Bathurst and staying the weekend due to the excellent works on access availability. Would like to see more work on web page showing

extra access that has been put in.

**I Pearson – Carillon**

Spoke to recent grant for the Carillon of \$300,000 and assistance of Council staff to the Carillon Group. Thanked Paul Toole for his efforts and assistance with S Pearson in getting an application submitted. Council needs to allocate future funds for ongoing maintenance and could Council clean the facade of the building.

**L Sullivan – Mount Panorama Second Circuit Action Group - Tender - Item #1 DES Confidential**

Spoke to this item before Council, the size of the project, it is a legacy development. Congratulations to Council for finishing this project and noted efforts by various persons for this project. Facility will cater for bikes and cars and be unique, thanks to everyone.

**APOLOGIES**

**3 APOLOGIES**

**MOVED** Cr B Bourke

and **SECONDED** Cr A Christian

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

**MINUTES**

**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 JUNE 2018 (11.00005)**

**MOVED** Cr B Bourke

and **SECONDED** Cr A Christian

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 June 2018 be adopted.

**5 Item 2 MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 27 JUNE 2018 (11.00005)**

**MOVED** Cr J Rudge

and **SECONDED** Cr J Fry

**RESOLVED:** That the Minutes of the Extraordinary Meeting of Bathurst Regional Council held on 27 June 2018 be adopted.

**6 Item 3 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 4 JULY 2018 (11.00005)**

**MOVED** Cr W Aubin

and **SECONDED** Cr J Jennings

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 4 July 2018 be adopted.

**DECLARATION OF INTEREST**

- 7** **DECLARATION OF INTEREST 11.00002**  
**MOVED** Cr J Fry and **SECONDED** Cr J Rudge

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

Cr Jennings

Item #1 of the Director Engineering Services Confidential report

Cr Bourke

Item #3 of the Director Environmental, Planning & Building Services report

**RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS****Director Environmental Planning & Building Services' Report**

- 8** **Item 1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)**  
**MOVED** Cr M Morse and **SECONDED** Cr B Bourke

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

- 9** **Item 2 GENERAL REPORT (03.00053)**  
**MOVED** Cr B Bourke and **SECONDED** Cr J Rudge

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

- 10** **Item 3 DEVELOPMENT APPLICATION NO. 2018/207 – SINGLE STOREY DWELLING AT LOT 15, DP 700460, TARANA ROAD, BREWONGLE. APPLICANT: MR P & MRS V HENNESSY. OWNER: MR P & MRS V HENNESSY (DA/2018/207)**  
**MOVED** Cr M Morse and **SECONDED** Cr J Jennings

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

**Reason: Proponent has donated to Op Shop of which Cr Bourke is the Volunteer Manager.**

**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 15 DP 700460.
- (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 2018/207 until 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 a refusal under delegation.

(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 J Rudge,

Against the motion - Nil

Absent - Cr I North,

Abstain - Nil

**11** **Item 4 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 (fadasds)**

**MOVED** Cr J Fry

and **SECONDED** Cr A Christian

**RESOLVED:** That Council:

- (a) as the consent authority, grant concept approval pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/21, 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. Any development of any precinct in any stage be subject to a further Development Application.
  - ii. The number of long term sites is zero.
  - iii. The maximum period a person may stay in a moveable dwelling or holiday van on any short term site over the entirety of the site is 150 days in any 12 month period (unless the moveable vehicle is a holiday van and the person is the owner of that holiday van).
  - iv. Staging of the development is to occur as proposed in the application, i.e. the development is to occur in 2 Stages with Precincts 1 & 2 occurring in Stage 1.
  - v. Each precinct of the caravan park is only to proceed if the corresponding attractions detailed in the SEE and accompanying plans are also provided or are already provided on site.
  - vi. The owners are to surrender the development consent granted under Development Application 2002/0736.
  - vii. Upgrading the new intersection providing access from Limekilns Road to accommodate appropriate turning traffic inclusive of street lighting.
  - viii. Upgrading Limekilns Road to a minimum rural residential road standard in accordance with Council's adopted Engineering Guidelines from the new entrance to the property and Marsden Lane.
  - ix. Widening the road shoulders in Limekilns Road to accommodate a

- designated on road cycleway of minimum 1.5m width.
- x. A full detailed assessment against the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 is provided for each stage.
  - xi. All buildings, structures and landscaping associated with the development are to be located so that their finished height is, in the case of a building, no higher than the obstacle limitation surface for Bathurst Airport and in the case of a landscape feature, the mature height is to be 5m less than the obstacle limitation surface.
  - xii. All dwelling sites are located outside the area identified as being subject to greater than 10 x 60 dBA noise events as identified in the Bathurst Airport Masterplan.
  - xiii. The following bird strike reduction strategies are to be incorporated in the development:
    1. All water bodies are to be designed with steep embankments and deep waters suitable for preventing aquatic plant growth;
    2. All properties are to be provided with rubbish bins with lids such that rubbish cannot escape;
    3. All open space areas are to be provided with adequate rubbish bins with lids that are adequately maintained;
    4. All open space areas are to be regularly maintained, including mowing; and
    5. All common waste storage areas are to be suitably covered and disposed of regularly.
  - xiv. An Acoustic assessment is to be submitted to address the impact of road noise on surrounding properties in accordance with the NSW Road Noise Policy.
  - xv. Details of fencing to be provided to the external boundaries of the site noting that the fencing will need to address security, privacy and biodiversity objectives.
  - xvi. Landscaping is to be provided to the areas between the proposed new entrance road and the southern boundary.
  - xvii. That the applicant prepare a site management plan incorporating the following:
    1. Site management protocols to address light associated with street lighting, vehicle lighting and building lighting inclusive of the caravan park and camping areas;
    2. Dust management protocols, inclusive of monitoring during construction;
    3. All trees and buildings not to impinge more than 10 degrees from the horizontal above the property fenceline;
    4. Landscaping of the areas between the observatory and the development within Precinct 1; and
    5. Siting all buildings, including dwellings and caravan sites a minimum of 100m away from the observatory site.
  - xviii The Maximum number of caravan sites be restricted to 194.
- (b) Development Applications subsequent to concept approval must address, amongst other matters, contamination assessment, biodiversity assessments, heritage conservation and interpretation and Aboriginal Cultural Heritage.
  - (c) notify those that made submissions of its decision; and
  - (d) call a division.

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

**The result of the division was:**

**In favour of the motion** - Cr B Bourke, Cr A Christian, Cr J Fry, Cr J Jennings, Cr M Morse,

**Against the motion** - Cr W Aubin, Cr G Hanger, Cr J Rudge,

**Absent** - Cr I North,

**Abstain** - Nil

**12** **Item 5 REVIEW OF DEVELOPMENT APPLICATION NO. 2018/137 – CHANGE OF USE FROM DWELLING TO OFFICE PREMISES, ALTERATIONS AND ADVERTISING SIGNAGE AT 138 RUSSELL STREET, BATHURST. APPLICANT: MR E DOWD & MS L HENNESSY. OWNER: BELLFIELD INVESTMENTS PTY LTD (DA/2017/137)**

**MOVED** Cr B Bourke

and **SECONDED** Cr A Christian

**RESOLVED:** That Council:

- (a) require the payment of the contributions, or the applicant is to provide documentary evidence of a long-term arrangement for the provision of three (3) physical car parking spaces on another site within the vicinity of 138 Russell Street. Such an arrangement is to be registered on the title for 138 Russell Street and evidence of this registration provided to Council. Should the arrangement cease at any time and no equivalent arrangement be available, the party having the benefit of this consent must pay Council the applicable contribution under the Section 7.11 (formerly Section 94) Contributions Plan *Bathurst CBD Car Parking* for three (3) car parking spaces.

NOTE 1: The arrangement may be a long-term lease, an easement for parking or a land purchase.

NOTE 2: Council will need to be satisfied that the alternate site where it is proposed to provide the three (3) car parking spaces has a surplus of car parking spaces beyond those required for the existing development on that alternate site.

- (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 J Rudge,

**Against the motion** - Nil

**Absent** - Cr I North,

**Abstain** - Nil

**13** **Item 6 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)**

**MOVED** Cr J Rudge

and **SECONDED** Cr M Morse

That Council:

- (a) support the variation to the Clause 6.2.4 Minimum Setbacks – Zone R5 – Large Lot Residential and Zone E4 Environmental Living development standards prescribed in the Bathurst Regional Development Control Plan 2014;
- (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.
  - (ii) The shed is only to be used to park vehicles owned or used by the residents of dwelling.
  - (iii) No employees or third parties are to utilise the vehicles parked on the premises.
  - (iv) The shed and site is not be used for the unloading and/or storage of any business related goods.
  - (v) No more than one semi-trailer is to be housed on the site.
  - (vi) An Occupation Certificate for the shed cannot be issued until an Occupation Certificate for a dwelling on the same site has been issued.
  - (vii) 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. 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.
  - (viii) The paving (in concrete) of all vehicular manoeuvring areas, in accordance with Bathurst Regional Council’s Guidelines for Engineering Works.
  - (ix) Heavy vehicles, other than for the purposes of entering or leaving the site, should not be heard from inside a neighbour’s residence with windows either open or closed, between 8 pm and 8 am on a Saturday, Sunday or public holiday or 8 pm and 7 am on any other day.
  - (x) The washing of heavy vehicles should not occur on site unless appropriate measures are put in place to prevent pollution of waterways.
- (c) notify those that made submissions of its decision; and
- (d) call a division.

**The following AMENDMENT was MOVED**

**14**

**Item 6.01 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)**

**MOVED** Cr J Fry

and **SECONDED** Cr A Christian

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. 2018/122, 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.
  - (ii) The shed is only to be used to park vehicles owned or used by the residents of dwelling.
  - (iii) No employees or third parties are to utilise the vehicles parked on the premises.
  - (iv) The shed and site is not be used for the unloading and/or storage of any business related goods.
  - (v) No more than one semi-trailer is to be housed on the site.
  - (vi) An Occupation Certificate for the shed cannot be issued until an Occupation Certificate for a dwelling on the same site has been issued.
  - (vii) 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. 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.
  - (viii) The paving (in concrete) of all vehicular manoeuvring areas, in accordance with Bathurst Regional Council's Guidelines for Engineering Works.
  - (ix) Heavy vehicles, other than for the purposes of entering or leaving the site, should not be heard from inside a neighbour's residence with windows either open or closed, between 8 pm and 8 am on a Saturday, Sunday or public holiday or 8 pm and 7 am on any other day.
  - (x) The washing of heavy vehicles should not occur on site unless appropriate measures are put in place to prevent pollution of waterways.
  - (xi) That the tree planting be doubled on the western boundary.
  - (xii) The slab RL be maintained as proposed in the Development Application.
- (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 A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse,

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

Absent - Cr I North,

Abstain - Nil

**The AMENDMENT was PUT and CARRIED.**

**The AMENDMENT then became the MOTION.**

**The MOTION was then PUT and CARRIED.**

- 15** **Item 7 BATHURST REGION HERITAGE REFERENCE GROUP (20.00134)**  
**MOVED** Cr B Bourke and **SECONDED** Cr J Jennings

**RESOLVED:** That Council:

- (a) note the minutes of the Bathurst Region Heritage Reference Group meeting held on 4 June 2018; and
- (b) adopt the amended charter for the Bathurst Region Heritage Reference Group as outlined in attachment 3 to this report.

- 16** **Item 8 2017/18 BATHURST REGION LOCAL HERITAGE FUND (16.00151)**  
**MOVED** Cr J Jennings and **SECONDED** Cr J Fry

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

- 17** **Item 9 2017/18 BATHURST MAIN STREET IMPROVEMENT FUND (16.00152)**  
**MOVED** Cr M Morse and **SECONDED** Cr J Jennings

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

- 18** **Item 10 2017/18 BATHURST REGION HERITAGE CONSERVATION AND INTERPRETATION FUND (13.00087)**  
**MOVED** Cr J Fry and **SECONDED** Cr J Rudge

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

- 19** **Item 11 HERITAGE ADVISOR REPORTS (10.00004)**  
**MOVED** Cr M Morse and **SECONDED** Cr J Jennings

**RESOLVED:** That Council:

- (a) note the information on the role of the Heritage Advisor; and
- (b) require formal pre lodgement discussions for development in the Bathurst Regional Council Heritage Conservation Areas involving demolition, building height more than single storey over any part of the site, modifications to or in the vicinity of a heritage item and development proposals seeking a variation to a development standard.

- 20** **Item 12 BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 – HOUSEKEEPING AMENDMENT (20.00322)**  
**MOVED** Cr J Rudge and **SECONDED** Cr B Bourke

**RESOLVED:** That Council:

- (a) prepare an amendment to the Bathurst Regional Development Control Plan 2014 as outlined in this report;
- (b) place the draft DCP Amendment on public exhibition in accordance with the statutory requirements of the Environmental Planning and Assessment Act; 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 J Rudge,

Against the motion - Nil

Absent - Cr I North,

Abstain - Nil

**21** **Item 13 BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 – MAJOR REVIEW (20.00296)**

**MOVED** Cr J Rudge

and **SECONDED** Cr W Aubin

**RESOLVED:** That Council note a major review of the Bathurst Regional Development Control Plan 2014 has commenced as outlined in this report.

**22** **Item 14 BATHURST REGIONAL LEP 2014– 2018 HOUSEKEEPING AMENDMENT (20.00322)**

**MOVED** Cr M Morse

and **SECONDED** Cr J Rudge

**RESOLVED:** That Council:

- (a) prepare a Planning Proposal in accordance with the NSW Department of Planning and Environment Guidelines to amend the Bathurst Regional LEP 2014 as outlined in this report;
- (b) forward the Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway Determination;
- (c) accept any delegations from the Department of Planning and Environment in relation to this Planning Proposal;
- (d) place the draft LEP Amendment on public exhibition in accordance with the statutory requirements of the Environmental Planning and Assessment Act; and
- (e) call a division.

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Cr I North,

Abstain - Nil

- 23** **Item 15 2018 BUSINESS LEADERS LUNCH (20.00071)**  
**MOVED** Cr B Bourke and **SECONDED** Cr J Rudge

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

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

- 24** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

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

- 25** **Item 2 MONTHLY REVIEW - 2017/2021 DELIVERY PLAN AND OPERATIONAL PLAN 2017-2018 (16.00148)**  
**MOVED** Cr W Aubin and **SECONDED** Cr J Rudge

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

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

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

- 27** **Item 4 POWER OF ATTORNEY (11.00007)**  
**MOVED** Cr B Bourke and **SECONDED** Cr J Rudge

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

- 28** **Item 5 REQUESTS FOR FINANCIAL ASSISTANCE (18.00108, 22.01429, 18.00195, 18.00004, 18.00195)**  
**MOVED** Cr J Rudge and **SECONDED** Cr J Jennings

**RESOLVED:** That Council:

- (a) **Royal Bathurst Show- Major Sponsor of Community Stage** - Waive the fees associated with the hanging of the Show banner across William Street for the two weeks leading up to the Show with the \$1,244 being funded from the Section 356 General Donations allocation; and include consideration of the future years' sponsorship when developing the 2019/2020 budget.
- (b) **Bathurst City Community Club - Discount on General Rates and Water** - Provide 50% of the general rates to an amount of \$3,655 with funding being provided by the Section 356 Donations allocation.
- (c) **Bathurst Arts Council - Annual Youth Arts Awards Concert** -
  - (i) waive the BMEC venue hire fees for the 2018 Youth Arts Awards concert up to a cost of \$1,500 with funding being provided by the Section 356 BMEC Community Use allocation.
  - (ii) provide \$1,000 to fund the awards presented at the Showcase concert, with funding being provided by the Section 356 Donations allocation.
- (d) **20th Anniversary National Cool Climate Wine Show** - Participate as a "silver sponsor" of the 2018 20th Anniversary National Cool Climate Wine Show with the \$1,500 being funded from the Section 356 Donations allocation.
- (e) **Central Tablelands Woodcraft Inc - Street Libraries** - Provide up to \$700 to the Central Tablelands Woodcraft Inc towards the cost of the materials for two street libraries with funding being provided from the Section 356 Donations allocation.

**29**

**Item 6 SISTER CITY DELEGATION TO OHKUMA - 2018 (23.00011)**

**MOVED** Cr B Bourke

and **SECONDED** Cr W Aubin

**RESOLVED:** That Council:

- (a) Send a delegation to Aizuwakamatsu to visit Ohkuma Town during November 2018, subject to further discussion with Ohkuma Town Council;
- (b) Authorise the Mayor and General Manager (or their authorised delegates) to attend as Council's delegates; and
- (c) Authorise the General Manager to appoint a travel agent to commence preparations.

**30**

**Item 7 BATHURST BIKE HIRE SCHEME - BOOMERANG BIKES (20.00117)**

**MOVED** Cr W Aubin

and **SECONDED** Cr A Christian

**RESOLVED:** That Council does not renew the License Agreement with Boomerang Bikes for the Bathurst Bike Hire Scheme.

**31**

**Item 8 REQUEST FOR REIMBURSEMENT - SEWER CHOKE COSTS - 18 GLADSTONE STREET, BATHURST (22.01191/004)**

**MOVED** Cr B Bourke and **SECONDED** Cr A Christian

**RESOLVED:** That Council reimburse the owners of 18 Gladstone Street, Bathurst an amount of \$1,182.78 in accordance with Council's policy "Sewer Blocks - Review of Payment to Private Person for Sewer Blocks in Council Mains".

**32** **Item 9 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 22.00487, 04.00125, 04.00136, 22.02055)**

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

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

**Director Engineering Services' Report**

**33** **Item 1 PROPOSED CROWN ROAD TRANSFER - BEATH STREET WATTLE FLAT (25.00593)**

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

**RESOLVED:** That Council approve the transfer of the Crown public road identified as Beath Street, Wattle Flat, as detailed in the Director Engineering Services' report.

**34** **Item 2 FLYING FOX CAMP MANAGEMENT PLAN FOR MACHATTIE PARK & KINGS PARADE (04.00012)**

**MOVED** Cr B Bourke and **SECONDED** Cr A Christian

**RESOLVED:** That Council:

- (a) Place the Flying Fox Camp Management Plan on public exhibition for a period of 28 days;
- (b) Should it be deemed necessary to significantly alter the draft plan, following any comments received during the public submission period, a further report be presented to Council for consideration;
- (c) Subject to any significant amendments deemed necessary from submissions received by the public or the Office of Environment and Heritage, Council adopt the Flying-fox Camp Management Plan;
- (d) That Council allocate funding to develop a flying-fox action plan in preparation of the possible arrival of flying foxes in Machattie Park this coming summer.

**35** **Item 3 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005 & 36.00631)**

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

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

**Director Cultural & Community Services' Report****36 Item 1 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD 4 JUNE 2018 (07.00116)****MOVED** Cr J Jennings and **SECONDED** Cr J Rudge**RESOLVED:** That the information be noted.**37 Item 2 BATHURST REGIONAL ART GALLERY - FRENCH ARTIST IN RESIDENCE (FAR) HILL END ARTIST IN RESIDENCE PROGRAM (21.00092)****MOVED** Cr J Rudge and **SECONDED** Cr J Jennings**RESOLVED:** That the information be noted.**38 Item 3 DESTINATION COUNTRY AND OUTBACK - 2018 DESTINATION MANAGEMENT PLAN (20.00020)****MOVED** Cr J Jennings and **SECONDED** Cr M Morse**RESOLVED:** That the information be noted.**REPORTS OF OTHER COMMITTEES****Policy Committee Meeting****39 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 JULY 2018 (07.00064)****MOVED** Cr W Aubin and **SECONDED** Cr J Rudge**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 4 July 2018 be adopted.**Traffic Committee Meeting****40 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 3 JULY 2018 (07.00006)****MOVED** Cr W Aubin and **SECONDED** Cr A Christian**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 3 July 2018 be adopted.**COUNCILLORS/ DELEGATES REPORTS****41 Item 1 MINUTES - BATHURST REGIONAL YOUTH COUNCIL 3 JULY 2018 (11.00020)****MOVED** Cr J Rudge and **SECONDED** Cr W Aubin**RESOLVED:** That Council:

- (a) Note the information; and
- (b) Adopt the membership of the Bathurst Regional Youth Council for 2018/2019, including Gabrielle Boshier as Youth Mayor and Lydia Nichols as Youth Deputy Mayor.

**42 Item 2 MINUTES - BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE - 14 JUNE 2018 (07.00107)**

**MOVED** Cr J Rudge and **SECONDED** Cr A Christian

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

**43 Item 3 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 26 JUNE 2018 (11.00019)**

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

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

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

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

**MOVED** Cr J Rudge 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	RURAL LICENCE	10A (2) (d) (i) – contains commercial information



	AGREEMENT AT LOTS 2 & 3 DP1115543, KNOWN AS 57A CHURCH LANE, KELSO.	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	FINANCIAL STATEMENT - 2018 BATHURST 6 HOUR	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
3	FINANCIAL STATEMENT - 2017 CHALLENGE 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.
4	PURCHASE OF LOTS 2 AND 3 FREEMANTLE ROAD, EGLINTON	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 DESIGN & DOCUMENTATION OF SECOND MOTOR RACING CIRCUIT, MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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

- a** **Item 1 RURAL LICENCE AGREEMENT AT LOTS 2 & 3 DP1115543, KNOWN AS 57A CHURCH LANE, KELSO. (22.00487)**  
**MOVED** Cr B Bourke and **SECONDED** Cr J Rudge

That Council approves entering into a rural licence agreement for Lots 2 & 3 in

DP1115543, known as 57A Church Lane, Kelso for a period of 12 months with a 12 month year option period at Council's discretion, as detailed in the report and subject to Council's Land Management Guidelines and insurance requirements.

- b** **Item 2 FINANCIAL STATEMENT - 2018 BATHURST 6 HOUR (04.00125)**  
**MOVED** Cr J Jennings and **SECONDED** Cr B Bourke

That the information be noted.

- c** **Item 3 FINANCIAL STATEMENT - 2017 CHALLENGE BATHURST (04.00136)**  
**MOVED** Cr B Bourke and **SECONDED** Cr J Rudge

That the information be noted.

- d** **Item 4 PURCHASE OF LOTS 2 AND 3 FREEMANTLE ROAD, EGLINTON (22.02055)**  
**MOVED** Cr J Jennings and **SECONDED** Cr W Aubin

That Council:

- (a) Purchase the properties at Lots 2 and 3 Freemantle Road, Eglinton as detailed in the report;
- (b) Delegate authority to the General Manager to execute the purchase contracts; and
- (c) Classify the land as operational land under the provisions of Section 31 (2) of the Local Government Act 1993.

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

- e** **Item 1 TENDER FOR DESIGN & DOCUMENTATION OF SECOND MOTOR RACING CIRCUIT, MOUNT PANORAMA (36.00631)**  
**MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

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

**Reason: Family friend is member of one of the parties tendering.**

**That Council accept the tender of Apex Circuit Design for \$3,703,000 (ex GST) for the design and documentation of the second motor racing circuit for Mount Panorama, subject to adjustments and provisional amounts.**

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

- 45** **RESOLVE INTO OPEN COUNCIL**  
**MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

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

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

**46** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED** Cr A Christian and **SECONDED** Cr J Rudge

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

**MEETING CLOSE**

**47** **MEETING CLOSE**

The Meeting closed at 8.45 pm.

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

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY  
COMMITTEE  
HELD ON 1 AUGUST 2018**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:38 PM**

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

**APOLOGIES**

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

**RESOLVED:** That the apology from Crs Bourke and Rudge be accepted and leave of absence granted.

**DECLARATION OF INTEREST**

**3 DECLARATION OF INTEREST 11.00002**

Nil.

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

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

**4 Item 1 REQUEST FOR VARIATION - SALE OF CATS FROM SMALL ANIMAL  
POUND (16.00155)**  
**MOVED** Cr I North and **SECONDED** Cr J Fry

**RESOLVED:**

- (a) That Council introduce a new fee for the sale of cats from the pound that have been micro-chipped, vaccinated, wormed and desexed at \$145.00 inclusive of GST and amend the revenue policy to include the fee.
- (b) That the proposed new fee be placed on public exhibition for a period of 28 days.
- (c) If no submissions are received, amend the revenue policy.

**Director Engineering Services' Report**

- 5** **Item 1 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005 & 36.00670)**  
**MOVED** Cr I North and **SECONDED** Cr J Jennings

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

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

- 6** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**  
**MOVED** Cr A Christian and **SECONDED** Cr J Jennings

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

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

**RESOLVED:** That:

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

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

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

**Director Engineering Services' Report**

- a** **Item 1 TENDER FOR REFURBISHMENT OF FERNERY AND BEGONIA HOUSE, MACHATTIE PARK (36.00670)**

**MOVED** Cr I North

and **SECONDED** Cr A Christian

That Council accept the tender of Tablelands Builders in the amount of \$42,716.30 (incl. GST), subject to provisional items and variations.

**RESOLVE INTO OPEN COUNCIL**

**7 RESOLVE INTO OPEN COUNCIL**

**MOVED** Cr I North

and **SECONDED** Cr J Fry

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

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

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

**MOVED** Cr I North

and **SECONDED** Cr W Aubin

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

**MEETING CLOSE**

**9 MEETING CLOSE**

The Meeting closed at 7.04 pm.

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

## GENERAL MANAGER'S REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 AUGUST 2018

**1 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(11.00005, 23.00132)**

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

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

**1 HONORARY CITIZENSHIP OF BATHURST (23.00132)**

This report relates to a proposal to name an Honorary Citizen of Bathurst.

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

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

- Objective 2: A smart and vibrant economy Strategy 2.6

**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



D J Sherley  
**GENERAL MANAGER**



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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 AUGUST 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 Planning 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.

#### **(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 6: Community leadership and collaboration Strategy 6.4

**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 July 2018 (**attachment 1**).
- (b) Applications refused during July 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 July 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 4: Enabling sustainable growth Strategy 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4

### **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. 2018/215 – TWO LOT RURAL RESIDENTIAL SUBDIVISION AT 171 HOWARDS DRIVE, MOUNT RANKIN. APPLICANT: TABLELANDS & BUTTSWORTH SURVEYORS. OWNER: MR R & MRS P DAY (DA/2018/215)**

**Recommendation:** That Council:

- (a) support the variation to Clause 4.1 *Minimum Subdivision Lot Size* development standard prescribed in the Bathurst Regional Local Environmental Plan 2014 for Development Application 2018/215; and
- (b) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/215, 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.

**Report:** The Site

Council has received a Development Application (DA) for a two lot rural residential subdivision at 171 Howards Drive, Mount Rankin, described as Lot 2 DP 865763 and Lot 1, DP 1237564.

Lot 2 DP865763 contains an area of 18.12 ha. Lot 2 contains the existing infrastructure on the property inclusive of the existing dwelling.

Lot 1 DP1237564 contains an area of 0.9977 ha being the residue of an unformed Crown Road recently closed by the Department of Lands and acquired by the applicant.

See location plan and aerial photo at **attachment 1**.

The subject site currently contains a dwelling and numerous rural outbuildings.

The proposal

The proposal is for a two lot rural residential subdivision. See plan of proposed development at **attachment 2** and Statement of Environmental Effects at **attachment 3**.

The subdivision will comprise the following:

- Lot 20 with an area of 10 hectares; and
- Lot 21 with an area of 9.11 hectares.

Proposed Lot 20 will contain the existing dwelling and outbuildings.

Proposed Lot 21 will be vacant.

Planning Context

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

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

#### Clause 4.1 Minimum subdivision lot size

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

The Minimum Lot Size Map indicates a minimum lot size for the creation of a lot is 10 hectares. The development is for a two lot subdivision to create a lot of 10 hectares and a lot of 9.11 hectares.

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

#### Clause 4.6 Exceptions to development Standards

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

*request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*

- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

A Clause 4.6 Variation has been submitted with the Development Application. The Clause 4.6 Variation can be found in the Statement of Environmental Effects at **attachment 3**. The applicant has made the following case as to why the development standard is unreasonable or unnecessary in the circumstances of the case:

- The variation request is less than 10%.
- The proposal contributes towards providing additional saleable housing in the locality.
- The proposal to subdivide cannot reasonably be regarded as one that will substantially alter the low-density nature of the existing large lot residential environment.
- The proposed lots will facilitate the construction of housing that will be compatible with the immediate environs.
- The proposal to subdivide will in no way result in development that would be incompatible with the existing built environment.
- There is no reason to believe that the subdivision will not be compatible with the established subdivision pattern. Both new lots will have full street frontage.
- The design of the subdivision is sound with respect to creating new lots which can be developed in accordance with the provisions of Council's adopted development controls for single dwellings and/or dual occupancy. These policies aim to ensure development takes place in such a way so as to protect the amenity of adjoining lands.
- With respect to the under-sized lot, a dwelling can be sited so as not to impact on the existing dwelling on proposed Lot 20, or on the surrounding lots that are also zoned for the same large lot residential purpose.
- The subject land is close to surrounding dwellings.
- The land is a standalone holding.
- The development standard unreasonably restricts a positive development outcome by inhibiting a variety of housing types and densities to be established in the area.

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

- The subdivision will not negatively impact on surrounding land uses.
- Strict compliance with the development standard in this instance is not considered necessary for the following reasons:
  - The site is within an established rural-residential area comprising a range of lot sizes.
  - The proposed subdivision if approved will not result in development taking place that would be contrary to the objectives of the R5 zone or the objectives of Clause 4.1.
  - The proposed subdivision will not impact on either the built or natural environment in any substantial way. In this regard:
    - It will not result in any substantial changes to the established streetscape qualities of the area.
    - The act of subdividing will not directly impact on neighbouring properties.
    - Future development will be subject to Development Application requirements where issues including overshadowing, noise, and privacy will be addressed. A future new building site would have good separation distances to adjoining dwellings.

- The act of subdividing the site will not result in any substantial changes to traffic volumes in the locality.
  - Subdividing the site will not necessitate removal of any existing important vegetation.
  - This report demonstrates that despite Lot 21 being less than 10 ha in area, the proposal complies with the DCP.
- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
- (a) *the consent authority is satisfied that:*
- (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
  - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
- (b) *the concurrence of the Secretary has been obtained.*

The applicant's written request adequately outlines why the development standard is unreasonable or unnecessary and what the environmental planning grounds are to justify the contravention. It is considered that Council can support the variation for the following key reasons:

- The proposal is not inconsistent with the objectives of the development standard;
- The proposal is not inconsistent with the objectives of the R5 Large Lot Residential zone;
- The proposed lot size is only an 8.9% variation to the development standard; and
- The same circumstance (i.e. a 19 hectare holding) is unlikely to occur elsewhere in the R5 Large Lot Residential zone.

#### Concurrence

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

### ***Bathurst Regional Development Control Plan 2014 – 3 Chapter Subdivision of Land***

#### Electricity and Telephone

Conditions will be imposed to ensure that prior to the issue of the subdivision certificate, the developer provides documentary evidence which confirms that electricity and telephone services will be available to be provided to the proposed allotment.

#### Soil & Water Management

Conditions will be imposed to ensure that the provisions of Council's Environmental Management Guidelines for Land Development are observed.

#### Land Contamination

Council is not aware of any past land uses that could have potentially contaminated the subject site.



## **Bathurst Regional Development Control Plan 2014 – 6 Rural and Rural Lifestyle Development**

### Access, Entrances and Fencing

A condition will be imposed to ensure that the proposed accesses and entrances are constructed in accordance with Council's Guidelines for Engineering Works and with Planning for Bushfire Protection.

### Onsite Effluent Disposal

The existing effluent disposal system for the existing dwelling will be wholly contained within proposed Lot 20. Proposed Lot 21 will have sufficient area for the disposal of effluent.

## **Bathurst Regional Development Control Plan 2014 – Chapter 9 Environmental Considerations**

<b>Sensitive Land Areas – DCP Map No. 29 Land Resources</b>		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
Land Capability Class 7	NO	<i>Plans and documentation submitted with the Development Application indicate that the proposed development will not result in significant disruption to sensitive land areas.</i>
Land Capability Class 8	NO	
Karst Extent	NO	
Salting	NO	
Sever or Extreme Sheet or Rill Erosion	NO	
<b>Sensitive Waterways – DCP Map No. 30 Riparian Land &amp; Waterways</b>		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
Sensitive Waterways	No	<i>Plans and documentation submitted with the Development Application indicate that the proposed development will not result in significant disruption to sensitive waterways.</i>
<b>High or Moderate Biodiversity – DCP Map No. 31 Biodiversity</b>		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
DECC Estate	NO	<i>Plans and documentation submitted with the Development Application indicate that the proposed development will not result in significant disruption to areas of high or moderate biodiversity sensitivity.</i>
High Biodiversity Sensitivity	NO	
Moderate Biodiversity Sensitivity	NO	

### Conclusion

Council has received a Development Application for a two lot rural residential subdivision at 171 Howards Drive, Mount Rankin. The Minimum Lot Size Map indicates a minimum lot size of 10 hectares applies in this locality. Proposed Lot 21 will have a size of 9.11 hectares. The proposed development is seeking consent to vary Clause 4.1 of Bathurst Regional LEP 2014 to create a lot that is less than the minimum lot size. Notwithstanding the non-compliance the development is considered acceptable for the reasons within the report. Approval is therefore recommended.

**Financial Implications:** Nil.

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

- Objective 3: Environmental stewardship Strategy 3.1, 3.3, 3.4
- Objective 4: Enabling sustainable growth Strategy 4.3, 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4

**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. 2018/136 – FOUR LOT RURAL RESIDENTIAL SUBDIVISION AT 426 MOUNT RANKIN ROAD, MOUNT RANKIN. APPLICANT: DAVID AND NARELLE DRUITT. OWNER: DAVID AND NARELLE DRUITT (DA/2018/136)**

**Recommendation:** That Council:

- (a) support the variation to Clause 4.1 *Minimum Subdivision Lot Size* development standard prescribed in the Bathurst Regional Local Environmental Plan 2014 for Development Application 2018/136;
- (b) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/136, 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.

**Report:** The Site

Council has received a Development Application (DA) for a four lot rural residential subdivision at 426 Mount Rankin Road, Mount Rankin, described as Lot 221 DP 1224805 and Lot 2, DP 1237151. A location plan and aerial photo are provided at **attachment 1**.

Lot 221 DP1224805 comprises an area of 39.62 ha and contains the existing infrastructure on the property inclusive of the existing dwelling.

Lot 2 DP1237151 comprises an area of 0.1432 ha being an area of unformed Crown Road closed by the Department of Lands and acquired by the applicant.

The subject site currently contains a dwelling and numerous rural outbuildings.

The proposal

The proposal is for a four lot rural residential subdivision. See plan of proposed development at **attachment 2** and Statement of Environmental Effects at **attachment 3**.

The subdivision will comprise the following:

- Proposed Lot 1 with an area of 9.642 hectares;
- Proposed Lot 2 with an area of 10 hectares;
- Proposed Lot 3 with an area of 10 hectares; and
- Proposed Lot 4 with an area of 10 hectares;

Note that there is a slight discrepancy between the total land area available being 39.7632 ha and the area shown on the submitted plans being 39.642. This discrepancy does not materially affect the assessment.

Proposed Lot 1 will contain the existing dwelling and outbuildings.

Proposed Lots 2, 3 and 4 will be vacant.

Planning Context

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

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

### Clause 4.1 Minimum subdivision lot size

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

The Minimum Lot Size Map indicates a minimum lot size for the creation of a lot is 10 hectares. The development is for a four lot subdivision to create three lots of 10 hectares and a residue lot of 9.642 hectares.

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

### Clause 4.6 Exceptions to development Standards

- (1) *The objectives of this clause are as follows:*
  - (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
  - (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
- (2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*

- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
  - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

A Clause 4.6 Variation proposal has been submitted with the Development Application. The Clause 4.6 Variation can be found in the Request to Vary a Development Standard under Clause 4.6 of the Bathurst Regional Local Environmental Plan 2014 at **attachment 4**. The applicant has made the following case as to why the development standard is unreasonable or unnecessary:

- The variation request is less than 10%.

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

- The subdivision will not negatively impact on surrounding land uses.

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

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

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

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

It is considered that Council can support the variation for the following key reasons:

- The proposal is not inconsistent with the objectives of the development standard;
- The proposal is not inconsistent with the objectives of the R5 Large Lot Residential zone;
- The proposed lot size is only a 4% variation to the development standard.

#### Concurrence

The variation to the development standard does not require concurrence of the Department of Planning as the variation is not greater than 10%. The Department has delegated Council to determine such matters.

### ***Bathurst Regional Development Control Plan 2014 – 3 Chapter Subdivision of Land***

#### Electricity and Telephone

Conditions will be imposed to ensure that prior to the issue of the subdivision certificate, the

developer provides documentary evidence which confirms that electricity and telephone services will be available to the proposed allotment.

#### Soil & Water Management

Conditions will be imposed to ensure that the provisions of Council's Environmental Management Guidelines for Land Development are observed.

#### Land Contamination

Council is not aware of any past land uses that could have potentially contaminated the subject site.

### ***Bathurst Regional Development Control Plan 2014 – 6 Rural and Rural Lifestyle Development***

#### Access, Entrances and Fencing

A condition will be imposed to ensure that the proposed accesses and entrances are constructed in accordance with Council's Guidelines for Engineering Works and with Planning for Bushfire Protection.

#### Onsite Effluent Disposal

The existing effluent disposal system for the existing dwelling will be wholly contained within proposed Lot 1. Other lots will have sufficient area for the disposal of effluent.

### ***Bathurst Regional Development Control Plan 2014 – Chapter 9 Environmental Considerations***

<b>Sensitive Land Areas – DCP Map No. 29 Land Resources</b>		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
Land Capability Class 7	NO	<i>Plans and documentation submitted with the Development Application indicate that the proposed development will not result in significant disruption to sensitive land areas.</i>
Land Capability Class 8	NO	
Karst Extent	NO	
Salting	NO	
Sever or Extreme Sheet or Rill Erosion	NO	
<b>Sensitive Waterways – DCP Map No. 30 Riparian Land &amp; Waterways</b>		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
Sensitive Waterways	NO	<i>Plans and documentation submitted with the Development Application indicate that the proposed development will not result in significant disruption to sensitive waterways.</i>
<b>High or Moderate Biodiversity – DCP Map No. 31 Biodiversity</b>		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
DECC Estate	NO	<i>Plans and documentation submitted with the Development Application indicate that the proposed development will not result in significant disruption to areas of high or moderate biodiversity sensitivity.</i>
High Biodiversity Sensitivity	NO	
Moderate Biodiversity Sensitivity	NO	

## Conclusion

Council has received a Development Application for a four lot rural residential subdivision at 426 Mount Rankin Road, Mount Rankin. The Minimum Lot Size Map indicates a minimum lot size of 10 hectares applies in this locality. Proposed Lot 1 will have a size of 9.642 hectares. The proposed development is seeking consent to vary Clause 4.1 of Bathurst Regional LEP 2014 to create a lot that is less than the minimum lot size. Notwithstanding the non-compliance, the development is considered acceptable for the reasons within the report. Approval subject to appropriate conditions is therefore recommended.

**Financial Implications:** Nil.

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

- Objective 3: Environmental stewardship Strategy 3.1, 3.3, 3.4
- Objective 4: Enabling sustainable growth Strategy 4.3, 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4

## **Community Engagement**

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

## **5 GO KART TRACK MCPHILLAMY PARK ABORIGINAL CULTURAL HERITAGE ASSESSMENT AND ANTHROPOLOGICAL INVESTIGATIONS AT MOUNT PANORAMA (20.00311)**

**Recommendation:** That Council:

- (a) note the Aboriginal Cultural Heritage Assessment for the proposed Go Kart Track at McPhillamy Park, Mount Panorama; and
- (b) note the anthropological investigations with respect to Mount Panorama; and
- (c) refer both reports to the NSW Office of Environment and Heritage requesting the Aboriginal Heritage Information Management System be updated in accordance with the findings of the reports.

**Report:** This report provides information in relation to:

- The Aboriginal Cultural Heritage Assessment (ACHA) in respect of the application to modify the development approval for a Go Kart Track at McPhillamy Park, Mount Panorama.
- Anthropological investigations at Mount Panorama.

### **Background**

The Bathurst Kart Club lodged a development application for a recreation facility (Go Kart track) at McPhillamy Park, Mount Panorama. The proposal was for a 950m Go Kart track at the top of the Mountain. Consent for the application was granted by Council on 28 September 2015.

Council, on behalf of the Bathurst Kart Club, lodged an application to modify the consent issued on 28 September 2015 to extend the Go Kart Track. The extended Go Kart track proposal included additional earth works.

To assess the request for modification additional information was required including:

- A noise assessment and environmental assessment report.
- An Aboriginal Cultural Heritage Due Diligence Assessment.

Extent Heritage (who completed the Bathurst Regional Local Government Area Aboriginal Heritage Study in 2015) was engaged to prepare the Aboriginal Cultural Heritage Due Diligence Assessment which was provided to Council on 27 October 2016. The Due Diligence Assessment was completed in accordance with the Office of Environment and Heritage (OEH) guidelines.

The Due Diligence report found that since the original DA was lodged and approved, additional sites have been registered on the NSW Aboriginal Heritage Information Management System (AHIMS).

The Due Diligence report concluded that an Aboriginal Cultural Heritage Assessment should be undertaken to inform the application for modification of DA 2015/196 – Recreation Facility – Go Kart track.

At the same time Council identified the need to more accurately document the values,



places and features of the Mount Panorama precinct that are of cultural significance as a means to inform operational activities at the Mount.

Council engaged Extent Heritage to:

- Prepare an Aboriginal Cultural Heritage Assessment (ACHA) to determine if an Aboriginal Heritage Impact Permit (AHIP) application is needed with respect specifically to the application for modification for the Go Kart Track development.
- Undertake anthropological investigations to verify the claims of significance being made in relation to Mount Panorama.

#### Aboriginal Cultural Heritage Assessment of the Go Kart Track Modification

The ACHA has been prepared in accordance with NSW Office and Environment Guidelines. The key aim of the ACHA is to confirm the presence or absence of Aboriginal objects, as defined by the National Parks and Wildlife Act 1974. The ACHA has now been finalised including final comment from the Registered Aboriginal Parties (RAPs).

Consultation with the Aboriginal community was undertaken in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010). The Registered Aboriginal Parties (RAPs) for the project were: Bathurst Local Aboriginal Land Council, Dhuuloo-yala Enterprises, Wiradyuri Traditional Owners Central West Aboriginal Corporation, Bathurst Wiradyuri and Aboriginal Community Elders, Warrabinga Native Title Claimants Aboriginal Corporation, Mooka, and Murra Bidgee Mullangari Aboriginal Corporation.

Four of the RAPs were engaged to participate in the archaeological survey: Bathurst Local Aboriginal Land Council, Dhuuloo-yala Enterprises, Wiradyuri Traditional Owners Central West Aboriginal Corporation, and Bathurst Wiradyuri and Aboriginal Community Elders.

The ACHA is also informed by the anthropological assessment undertaken concurrently.

#### Archaeological Survey

An archaeological test excavation program was initially proposed by Extent Heritage, as part of the ACHA, as a means of further investigation. The main aims of the program were to confirm the extent of disturbance and the presence or absence of Aboriginal objects within the study area.

However, during Stage 3 of the Aboriginal consultation process, a number of the Registered Aboriginal Parties (RAPs) expressed concerns that the test excavation may in itself cause impacts to these areas of intangible cultural heritage value. Following discussions between Extent Heritage and the NSW Office of Environment, a detailed archaeological survey was suggested as a non-invasive alternative to investigate the archaeological potential of the study area and specifically target the registered AHIMS sites.

The archaeological survey found no Aboriginal objects or potential archaeological deposits within the study area. It concluded that the study area has a nil to low potential to contain buried sub-surface archaeological deposits.

#### Arborist Assessment

Council separately engaged arborists, Agile Arbor, to investigate a number of scar and forked trees within the study area. The arborist report was consolidated into the ACHA.

The aims of the investigation were to:

1. Assess the age of the trees, to determine whether they may have been standing when traditional Aboriginal practices may have resulted in cultural modifications, and
2. Investigate whether or not any modifications present on the trees were likely to be the result of deliberate Aboriginal cultural modification or resulting from another cause.

The arborist examined the trees and found that they have been subject to impact and trauma resulting from previous historical landuse, specifically, use of the land as a recreation park and for camping during the races. A large number of trees in McPhillamy Park show signs of damage from sharp implements such as metal axes, hand saws and chain saws. The arborist advised that these scars and marks are consistent with, and clearly related to, recent use, including camping and general maintenance of the park.

None of the trees were identified as being Aboriginal objects as defined by the NPW Act.

### Anthropological Investigations

Extent Heritage engaged Professor David Trigger and Dr Gaynor Macdonald to undertake the anthropological investigations.

The anthropological investigations have documented the beliefs of those Aboriginal people identifying as Wiradjuri who have been available for the short timeframe of the study. The investigations have presented some anthropological, ethnographic and historical information from the available literature to contextualise those beliefs. The investigations found that the proposition about regional cultural significance of Mt Panorama is consistent with studies elsewhere in Aboriginal Australia.

A relatively small group of persons emerged as available for discussions about the cultural significance of Mt Panorama. These people assert seniority in holding information about the traditional significance of the area.

There is some disagreement among those consulted as to details about the cultural significance of Mt Panorama. However, there is broad agreement that the mountain is and has always been an important place in Wiradjuri cultural traditions.

The anthropological study found that the study area has intangible cultural heritage values to the local Aboriginal community. As part of Mt Panorama Wahluu, it is associated with the creation story of Wahluu and Gaahna Bulla, 'the two brothers', which connects Mt Panorama with Mt Canobolas. Mt Panorama Wahluu is also associated with other important topographic features such as Mount Stewart and Evans Crown.

Mt Panorama Wahluu was likely a place of mythological and spiritual importance to Wiradjuri people prior to contact, as with other similar prominent topographic features across Wiradjuri country. It has contemporary cultural values to the local Aboriginal community due to these traditional associations, and also as part of a movement of cultural revitalisation and reconnection currently underway across Wiradjuri country.

There are beliefs about stone construction of the caretaker's house and other walls and fences on Mt Panorama having used materials from previously existing Aboriginal stone arrangements. The investigations identified, however, that other information indicates the stones may have come, likely purchased, from one or more local quarries. The ACHA determines that the stones within the caretaker's residence are not Aboriginal objects.

### Potential Impacts

In terms of potential impacts the ACHA makes the following observations.

#### 1. Aboriginal Objects

The proposed development includes construction of a go-kart track and carpark. This proposed development is considered unlikely to result in an impact to any Aboriginal objects, as defined and protected by the NPW Act.

The ACHA has found no Aboriginal objects within the study area and concludes that the study area has a nil to low potential to contain buried subsurface archaeological deposits. An Aboriginal Heritage Impact Permit (AHIP) is therefore not required with respect to the application to modify the DA.

#### 2. Intangible Cultural Heritage Values

The ACHA concludes that the proposed development is likely to affect the intangible cultural heritage values within the study area.

The study area is within an area that has been nominated by some members of the local Aboriginal community as an Aboriginal Place, but is not currently gazetted as such. If the Minister were to declare Mt Panorama Wahluu an Aboriginal Place, the Place would be provided with statutory protection under the National Parks and Wildlife Act 1974. The protection would apply to those heritage values and significant items for which the Place is listed.

At this time, the intangible heritage at Mount Panorama is not afforded legislative protection.

### Recommendations

The ACHA makes the following recommendations:

1. Once finalised, the ACHA report should be submitted to the NSW Office of Environment and Heritage, Regional Operations Group, North East Region, for inclusion on the Aboriginal Heritage Information Management System (AHIMS) database.
2. Council should request regular updates from OEH on the progress and status of the Aboriginal Place nomination.
3. The AHIMS database should be updated.
4. No Aboriginal objects as defined by the National Parks and Wildlife Act 1974 have been identified within the proposed Go Kart Track development area. The subject land does not currently form part of a gazetted Aboriginal Place. Therefore the proposed development does not currently require approval of an Aboriginal Heritage Impact Permit (AHIP) and development may proceed with caution.
5. In the event that a previously unidentified Aboriginal object is found during any future development, work should cease in the vicinity, and OEH, the RAPS, and a suitably qualified heritage consultant should be contacted for advice. It is an offence in NSW to disturb, damage or destroy an Aboriginal object without first obtaining an AHIP approval from OEH.
6. If human skeletal material is identified at any time during development works, all works in

the vicinity of the discovery should cease immediately and the NSW Police and NSW Coroner's Office should be contacted for advice about how to proceed. Human skeletal remains are protected under the provisions of the Coroners Act 2009 (remains that are less than 100 years old) and the National Parks and Wildlife Act 1974 (traditional Aboriginal burials). Interpreting the age and nature of skeletal remains is a specialist field and an appropriately skilled archaeologist or physical anthropologist should therefore be contacted to inspect any suspected human remains. Should the skeletal material prove to be traditional Aboriginal remains, notification of OEH and the Local Aboriginal Land Council will be required. Notification should also be made to the Commonwealth Minister for the Environment, under the provisions of the Aboriginal and Torres Strait Islander Heritage Protection Act 1984.

In relation to the potential impact on intangible cultural values the ACHA further recommends that:

1. Council should consider whether or not it is feasible to re-locate the proposed Go Kart Track to an area that is less likely to result in harm to intangible cultural values.
2. The former Caretaker's Cottage in McPhillamy Park should be retained and conserved. The cottage should be retained as a listed heritage item under Schedule 5 of the Bathurst Regional Local Environmental Plan 2014. Council should consider the preparation of a Conservation Management Plan for the cottage.

**Financial Implications:** The cost to prepare the Go Kart ACHA was \$55,130. The cost to undertake the anthropological investigations was \$89,600. The associated Registered Aboriginal Party fees for both projects (and the Campground ACHA) was \$37,840.

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

- Objective 1: Our sense of place and identity Strategy 1.1
- Objective 4: Enabling sustainable growth Strategy 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4

### **Community Engagement**

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

## **6 NAMING OF PUBLIC ROADS – APPLEDORE DRIVE (20.00024)**

**Recommendation:** That Council:

- (a) give notice of its intention to adopt the name Appledore Drive for that section of Blue Ridge Drive between O’Connell Road to the western boundaries of Lot 14, DP 1050220 and Lot 1, DP 867504 ; and
- (b) direct the General Manager to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

**Report:** In December 2017 Council approved a 25 lot large lot residential subdivision at 3991 O’Connell Road, Kelso (known as “Appledore”) and a 17 lot large lot residential subdivision at 4031 O’Connell Road, Kelso (known as “Littlebourne”).

Both properties have frontage to O’Connell Road and Blue Ridge Drive. As a result of both subdivisions there will be lots with primary access fronting what is now known as Blue Ridge Drive.

The road currently known as Blue Ridge Drive commences at O’Connell Road and extends for approximately 450 metres before entering what was historically the Blue Ridge Estate. Blue Ridge Drive then continues around the external perimeter of the site.

Houses within the existing Blue Ridge Estate are numbered to Blue Ridge Drive commencing at No.1 through to No.187.

In order to facilitate consecutive numbering of the proposed new lots fronting Blue Ridge Drive it will be necessary to rename the first 450 metres of Blue Ridge Drive (from O’Connell Road to the western boundaries of Lot 14, DP 1050220 and Lot 1, DP 867504). This avoids the need to renumber existing properties within the Estate or to adopt non-sequential street numbering.

The owner of 3991 O’Connell Road, Mr Russell McCarthy, has requested that the entrance road be renamed to Appledore Drive in recognition of the longstanding name of his property – “Appledore” also known as the Appledore Orchard.

The name complies with Bathurst Regional Council's *Guidelines for the Naming of Roads*.

See annotated plan at **attachment 1** and approved plans of subdivision at **attachment 2**.

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

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

- Objective 1: Our sense of place and identity Strategy 1.2
- Objective 4: Enabling sustainable growth Strategy 4.1, 4.2, 4.3, 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4, 6.5

### **Community Engagement**

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

## **7 BATHURST BUY LOCAL GIFT CARD UPDATE (20.00313)**

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

**Report:** Bathurst Regional Council launched the Bathurst Buy Local Gift Card in April 2015. The initiative encourages residents to shop locally and demonstrates Council's strong support for local businesses, economic prosperity and jobs growth. There are currently 146 local businesses participating in the program. The Bathurst Buy Local Gift Cards can only be spent at participating stores in Bathurst.

The Gift Card program has been a great success, with 4,972 cards purchased and \$312,399 loaded onto the cards since the launch of the program. Of this amount, \$249,621 has been redeemed at local shops.

The Bathurst Buy Local Gift Card is directly responsible for \$249,621 worth of spending at local shops which may otherwise have been spent online or outside of the Bathurst Region.

This program represents one of the many initiatives led by Bathurst Regional Council which supports the business community and the local economy.

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

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

- Objective 2: A smart and vibrant economy Strategy 2.1

### **Community Engagement**

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

## **8 NSW GOVERNMENT 20 YEAR VISION FOR REGIONAL NSW AND SPECIAL ACTIVATION PRECINCTS (20.00057)**

**Recommendation:** That Council:

- (a) note the information in this report; and
- (b) prepare a case for Mt Panorama to be deemed a Special Activation Precinct by the NSW Government.

**Report:** The NSW Government 20 Year Vision for Regional NSW was launched by the NSW Premier in Bathurst on 30 July 2018. The Vision identifies forces for change, highlights the NSW Government's priorities for Regional NSW and identifies several "engine" industries it expects to drive regional growth. The NSW Government's response is based on 7 key principles that will guide future Government investment. These are:

1. Improved travel between regional centres and from cities and international gateways.
2. Freight networks that will increase the competitiveness of key regional sectors.
3. Affordable, reliable and fast internet to support people and business.
4. Reliable accessible water and energy.
5. A skilled labour force for current and future needs of the regions.
6. Recognising each region's strengths and underlying endowments.
7. Regulation and planning to promote commercial opportunities.

A copy of the vision document is provide at **attachment 1** and at the following link:  
<https://static.nsw.gov.au/nsw-gov-au/nsw-gov-au/Regional-vision/1532654855/20-Year-Vision-for-RNSW-accessible.pdf>

The NSW Government expects these measures, in combination with Federal and Local initiatives, will significantly increase economic activity and population growth in regional NSW, including the Bathurst region.

The final part of the NSW Government's strategy is the publication of Regional Economic Development Strategies based on Functional Economic Regions. Bathurst Regional Council is joined with Oberon Shire Council as the Abercrombie Functional Economic Region. These regional strategies feature in the delivery of the NSW Government's vision. The final draft of the Abercrombie Regional Economic Development Strategy is separately reported to Council.

In launching the Vision, the NSW Government has announced the creation of Special Activation Precincts, with the Parkes Inland Port, referred to as the National Logistics Hub, the first project to be awarded this status. Whilst there are few operational details available, the concept of a Special Activation Precinct is to fast track major project outcomes by a collective focus from all tiers of Government plus private sector investment. According to the NSW Government, "A special activation precinct would offer a coordinated approach to land use and infrastructure planning, and attract major employers, drive local economies and create jobs across the Central West." The decision to award the Parkes Logistics Hub as the first of these precincts has been widely acknowledged as a good step forward.

The Parkes project is likely to create opportunities for freight and logistics operations at Bathurst and other localities. Although these locations are not direct beneficiaries of the investment expected in Parkes, Bathurst is well placed to take advantage of its road and rail connections to and from Sydney and the other national rail networks operating via Parkes, including the future inland rail. Bathurst Regional Council is well placed to favourably

consider proposals from the private sector wishing to take advantage of these emerging opportunities. Integration with air freight should also be investigated. A link to the Parkes project is at

<https://www.parkes.nsw.gov.au/business-investment/national-logistics-hub/parkes-national-logistics-hub/>

The creation of other Special Activation Precincts may also create opportunities for the Bathurst region. In particular, the NSW Government may consider that the Mt Panorama precinct and its future as an international motor sport and related business park deserves Special Activation Precinct status. It is recommended this concept be explored further with the NSW Government.

**Financial Implications:** Nil.

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

- Objective 2: A smart and vibrant economy Strategy 2.2

### **Community Engagement**

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



## **9 DRAFT ABERCROMBIE REGIONAL ECONOMIC DEVELOPMENT STRATEGY (REDS) (20.00071)**

**Recommendation:** That Council endorse the draft Abercrombie Regional Economic Development Strategy (REDS).

**Report:** In 2017, Council was advised that the NSW Government was forming 37 Functional Economic Regions (FERs). The NSW Government determined that the Bathurst LGA would partner with the Oberon LGA to form the Abercrombie FER, and would also therefore complete a Regional Economic Development Strategy (REDS) with Oberon. The NSW Government have recently provided Council with the final draft of the Abercrombie Regional REDS, prepared by consultants appointed by the NSW Government.

REDS are viewed as the first stage in a process that will assist those with an interest in the economic development of a region, particularly councils, communities and local businesses, in planning a region's future economic activities. The REDS will also provide a guiding document to support the attraction of NSW government funding.

The locally developed Bathurst Economic Development Strategy 2018-2022, which was adopted by Council in June 2018, has strongly informed the development of the REDS with Oberon.

The Draft Abercrombie Regional Economic Development Strategy is provided at **attachment 1**. The Supporting Analysis is provided at **attachment 2**.

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

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

- Objective 2: A smart and vibrant economy Strategy 2.2

### **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.

**10 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(11.00005 & 36.00671)**

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

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

**1 LAFFING WATERS DEVELOPMENT MASTER PLAN TENDER (36.00671)**

This report considers the tender for the development of a master plan to guide the development of the Laffing Waters residential development precinct and associated infrastructure and neighbourhood activity centre.

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

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

- Objective 6: Community leadership and collaboration Strategy 6.4

**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



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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 AUGUST 2018

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

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

**Report:** \$89,380,000 was invested at 31 July 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+	\$13,500,000.00	2.66%
Bankwest	A1+	\$13,500,000.00	2.78%
CBA	A1+	\$4,500,000.00	2.71%
Westpac	A1+	\$3,000,000.00	2.78%
Bank of Queensland Limited	A2	\$9,000,000.00	2.60%
Bendigo & Adelaide	A2	\$1,500,000.00	2.80%
IMB	A2	\$1,500,000.00	2.55%
Auswide Bank	A3	\$1,500,000.00	2.70%
Maritime, Mining & Power Credit Union Ltd	ADI	\$4,500,000.00	2.67%
Railways Credit Union Limited	ADI	<u>\$1,500,000.00</u>	<u>2.75%</u>
		<b>\$54,000,000.00</b>	<b>2.70%</b>

**Long Term > 365 Days**  
**(comprising Commercial Bills, Term Deposits, Debentures and Bonds):**

### **Floating Rate Term Deposits**

CBA Deposit Plus	AA-	\$1,500,000.00	2.86%
CBA Deposit Plus 1	AA-	\$1,500,000.00	2.95%
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>2.79%</b>

### **Fixed, Negotiable & Tradeable Certificates of Deposits**

AMP Fixed Rate	A	\$1,000,000.00	2.99%
Greater Bank Ltd	BBB	\$1,000,000.00	3.34%
Greater Bank Ltd	BBB	<u>\$2,000,000.00</u>	<u>3.52%</u>
		<b>\$4,000,000.00</b>	<b>3.35%</b>

### **Floating Rate Notes**

Commonwealth Bank of Aust.	AA-	\$1,000,000.00	2.91%
CBA Climate Bond	AA-	\$1,000,000.00	3.03%
Suncorp Metway	A+	\$1,000,000.00	3.24%

Rabobank	A+	\$1,000,000.00	3.50%
AMP	A	\$1,000,000.00	3.16%
AMP	A	\$800,000.00	3.16%
AMP	A	\$1,000,000.00	3.13%
Macquarie Bank	A	\$1,000,000.00	3.10%
Bank of Queensland 1	BBB+	\$2,000,000.00	3.21%
Bank of Queensland 2	BBB+	\$1,000,000.00	3.07%
Bendigo & Adelaide Bank 2	BBB+	\$1,000,000.00	2.99%
Bendigo & Adelaide Bank 3	BBB+	\$1,000,000.00	3.04%
Members Equity 3	BBB	\$750,000.00	3.21%
Police Bank Ltd 2	BBB	\$1,000,000.00	3.02%
Credit Union Australia 3	BBB	\$1,000,000.00	3.70%
Newcastle Permanent	BBB	\$1,000,000.00	3.41%
Newcastle Permanent 2	BBB	\$1,000,000.00	3.71%
Newcastle Permanent 3	BBB	\$1,000,000.00	3.62%
		<b>\$18,550,000.00</b>	<b>3.23%</b>

**Total Investments** **\$89,380,000.00** **2.85%**

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

Reserves Total (includes unexpended loan funds)	\$38,430,157.00
Grants held for specific purposes	\$10,072,220.00
Section 7.11 Funds held for specific purposes	\$40,713,723.00
Unrestricted Investments	\$163,900.00

**Total Investments** **\$89,380,000.00**

**Total Interest Revenue to 31 July 2018** **\$203,546.36** **2.85%**

**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 6: Community leadership and collaboration Strategy 6.4

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

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

**Report:** Bathurst Regional Council has in place the Bathurst 2040 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 the Community Strategic Plan which was adopted by Council on 16 May 2018. 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 2040 Community Strategic Plan can be found within the Plan commencing from page 22.

At **attachment 1** is an update of Council's progress towards achieving the Strategies and Objectives for the 2018-2022 Delivery Plan and the Annual Operational Plan 2018-2019.

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 - Nil.

**Financial Implications:** Nil.

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

- Objective 6: Community leadership and collaboration Strategy 6.4

### **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 July 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:	\$401.87
BMEC Community use:	\$8,500.00
Mount Panorama:	\$35,000.00

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

- Objective 5: Community health, safety and well being Strategy 5.3
- Objective 6: Community leadership and collaboration Strategy 6.5

#### **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.

- Mastercom Pty Ltd - Reid Park, Mt Panorama - Lot 1, DP634401 - Lease
- Airforce Cadets - Aerodrome Cottage, PJ Moodie Drive, Raglan Lot 404, DP1241250 - Bond
- JN Scanlon - Bathurst Trade Centre - Proposed Lot 1007 in Lot 806, DP1169443 - Contract
- Distinctive Solutions Australia Pty Ltd - Bathurst Trade Centre - Proposed Lot 1009, 1010 & 1011 in Lot 806, DP1169443 - Contract

#### **Linen Plan Release**

- Ruce Pty Ltd - Stage 12: Four lot residential subdivision (3 lots and 1 residue) - Lot 14, DP1239857 - Maxwell Drive, Eglinton
- Bathurst Regional Council - Road widening - Lot 101, DP1231601 - Limekilns Road, Kelso

**Financial Implications:** Nil.

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

- Objective 6: Community leadership and collaboration Strategy 6.4

#### **Community Engagement**

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



## **5 BATHURST STREET AND CUSTOM MOTORCYCLE SHOW - AGREEMENT (23.00153/028)**

**Recommendation:** That Council note the reassignment of the Agreement for the Bathurst Street and Custom Motorcycle Show to Brotherhood Christian Motorcycle Club.

**Report:** Council at its meeting held on 20 April 2016 considered a report in relation to a request from Greg Hirst Enterprises for financial support for the Bathurst Street and Custom Motorcycle Shows for the period 2017-2021.

Council resolved as follows:

- "(a) Support the Bathurst Street and Custom Motorcycle Shows for the years 2017-2021;*
- (b) Enter into a partnership agreement with Greg Hirst Enterprises for the development of this event;*
- (c) Close Russell Street, between William and George Streets, for the motorcycle event for the years 2017-2021.*
- (d) Assist by providing in-kind support only by providing access to Council's media facilities, together with the provision of the cost of road closures, traffic control and some assistance from Council's Event Staff."*

Mr Hirst advised at the time the event would:

1. Popularise Bathurst as a motorcycle venue.
2. Allow free admission to the general public.
3. Allow Bathurst to obtain major motorcycling publicity.
4. By entering into a six year agreement, a positive long-term development of the event would occur.
5. Because of the motorcycling event, local motorcycling clubs would be encouraged to be part of this event.

The formal agreement was signed in October 2016 and the event was conducted successfully the following year.

In November 2017 Council was contacted by Colleen Hirst who advised of the death of her husband Greg and the inability of Greg Hirst Enterprises to conduct the Bathurst Street and Custom Motorcycle Show for the years 2018-2021 as per the agreement signed in 2016.

Mrs Hirst further advised that the Brotherhood Christian Motorcycle Club was willing to run the show consistent with the agreement, with staff members having assisted with previous Shows. Greg Hirst Enterprises requested that Council assign the agreement to the Brotherhood Christian Motorcycle Club. Appropriate reference checks were conducted as part of Council's deliberations and it was found the Brotherhood Christian Motorcycle Club was a suitable group to continue with the conduct of the Motorcycle Show.

Appropriate amendments were made to the original Agreement, which has now been

finalised and signed by both parties. Street Level Christian Community Inc, trading as Brotherhood Christian Motorcycle Club, will continue to run the Bathurst Street and Custom Motorcycle Show until December 2021.

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

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

- Objective 2: A smart and vibrant economy Strategy 2.1, 2.6

**Community Engagement**

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

## **6 REQUEST FOR FINANCIAL ASSISTANCE - 2018 SPYDERFEST MOTORCYCLE SHOW AND SHINE (23.00015)**

**Recommendation:** That Council not waive the costs associated with the closure of Russell Street for the 2018 Spyderfest Motorcycle Show and Shine as Council's General Donations allocation has been fully committed.

**Report:** Council has received advice that the Syder Mate Club (NSW) will be holding the Spyder Fest from 7-9 September 2018 in Bathurst. The request is shown at **attachment 1**. The "Show and Shine" is part of a 3 day itinerary and organisers are expecting approximately 120 Spyder motorcycles at this year's event.

Spydermates Australia are working with local businesses to provide activities for guests during their stay in Bathurst. The Club is seeking Council to waive the costs associated with closing Russell Street for their "Show and Shine" event. Approximately 200 guests will attend, with many staying longer than the core three days of the event. Part of the program will see attendees travelling to local businesses such as Jenolan Caves, Historic Hill End, the National Motor Racing Museum, O'Connell Hotel, etc.

The Show and Shine event will involve the closure of Russell Street between William Street and George Street on Sunday, 9 September 2018 from 1 pm to 3 pm and it is estimated the fees for the closure, etc will be approximately \$2,000. Council's Traffic Committee considered this matter at its meeting held on 3 July 2018 and approved the closures, subject to conditions as detailed in the Director Engineering Services' report.

**Financial Implications:** There are insufficient funds within Council's General Donation allocation to fund this request. Should Council resolve to waive the costs, funding would need to be funded from Section 356, Mount Panorama donations which has a balance of \$35,000.

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

- Objective 1: Our sense of place and identity Strategy 1.3

### **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 BATHURST WINTER FESTIVAL - 7-22 JULY (23.00152)**

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

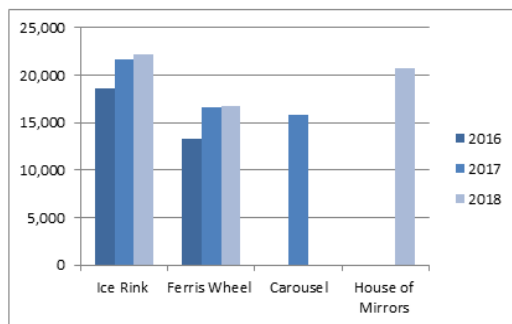
**Report:** The fourth annual Bathurst Winter Festival ran from 7 – 22 July 2018 and saw more than 55,000 attendees passing through the precinct over the two week period. Key features of the event included; McDonald's Bathurst Ice Rink, Illuminations, Ferris Wheel, House of Mirrors, two feature nights, LiveBetter Accessibility Day, Groove & Grill and a comprehensive business engagement program. The event caters for the community members, rate payers, businesses, community groups, visiting friends and family and tourists. Each year the festival continues to grow in attendance and reputation showcasing Bathurst as a vibrant and creative destination during winter. For a second consecutive year, funding was received from Destination NSW to support the marketing and promotion of the event.

**The aim of the festival is to:**

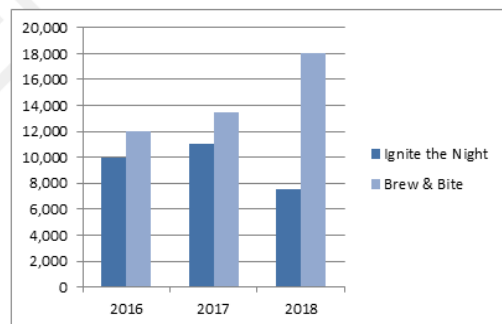
- Provide an opportunity to increase visitation to the Region
- Engage with regional food and wine industries, cultural facilities and tourism providers
- Showcase Bathurst as an event destination
- Increase access to events for the whole community

Attendance 2016 – 2018

**Table 1.** Attendance 2016, 2017 & 2018 – Through ticket sales



**Table 2.** Attendance 2016, 2017 & 2018 – Feature nights



For each festival night, attendance was measured through Council's Wi-Fi signal and counters on each entry point. This signal detects the number of Wi-Fi devices in an area in real time.

### **Social impact**

The Bathurst Winter Festival not only provided a Winter Playground for locals and visitors, but had a positive impact on school children, accessible community groups, the environment, local artists, musicians and community groups.

Primary school children were involved in voicing animal stories which were recorded and played throughout the soundscape in the fernery. Senior school children also volunteered on festival nights handing out flyers, balloons and taking photos at the photo booth.

The LiveBetter Accessibility Day had extended hours and saw more than 200 skaters of all

abilities take to ice skating during the dedicated sessions. This year, Council offered paid employment to LiveBetter participants in the Transition to Work program. Two ladies, Lara and Brianna assisted with ticketing, hiring of skates, skating aids and clearing the ice after each session. *“The chance to have paid employment has allowed Lara and Brianna to feel like valued members of the community...”* Clare Plunkett, Bathurst Disability Services Co-ordinator, LiveBetter.

Groove & Grill allowed up and coming musicians to show their talents in front of a captured audience in the Winter Playground on Sunday 15 July. An initiative from the Youth Council of Bathurst Regional Council, sixteen young artists, an increase from six in 2017, took to the stage in front of their peers and hundreds of strangers. This provides tomorrows performers an opportunity to showcase their talent to a wide and engaged audience.

In a step towards a sustainable future, a number of responsible waste initiatives were part of the festival; Council’s three waste bins, compostable coffee cups at the ice rink, reusable coffee cups for sale, free water refilling station and recycling rovers on hand to give out Buy Local Gift Vouchers to attendees seen doing the right thing.

### **Business Engagement**

The Bathurst Winter Festival has established itself as one of the marquee events in the City’s events calendar and provides local businesses a platform to engage and showcase their business at a generally quiet time of year. Council established a range of opportunities for businesses to get involved in the festival through;

- Program of Events
- Sponsorship and Partnership opportunities
- Window Competition
- Corporate ice skating sessions

Business Feedback:

**Detour Adventures 4WD** via Facebook: *“It was great. We had family visit during the holidays and they loved it all. Great vision to establish this a few years ago and stick with it. We also had visitors book tours with us because they were up here for the festival. Great for everyone. Thanks BRC”*

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

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

- Objective 2: A smart and vibrant economy Strategy 2.1, 2.6

### **Community Engagement**

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

**8 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(11.00005, 04.00097, 21.00095)**

**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 FINANCIAL STATEMENT - 2018 BATHURST 12 HOUR (04.00097)**

This report relates to financial statements for the 2018 Bathurst 12 Hour.

**2 BATHURST VISITOR INFORMATION CENTRE CAFE - REQUEST FOR FINANCIAL ASSISTANCE**

This report relates to a request by the lessees for financial assistance for electrical work, or reduced lease fee.

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

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

- Objective 6: Community leadership and collaboration Strategy 6.4

**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



A Jones  
**DIRECTOR  
CORPORATE SERVICES & FINANCE**

## **DIRECTOR ENGINEERING SERVICES' REPORT**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 AUGUST 2018

## **1 BATHURST AERODROME - POSSIBLE USERS' GROUP COMMITTEE (21.00053 21.00017)**

**Recommendation:** That Council refer the issue of re-establishing an Airport Users' Group to a Working Party of Council for consideration.

**Report:** Council recently held a meeting with representatives of lessees at the Bathurst Aerodrome and the Aircraft Operators and Pilots Association Australia (AOPA). At the meeting, the re-establishment/creation of an Airport Users' Group/Airport Advisory Committee was discussed.

Council previously had a Bathurst Airport Users' Group in place, but this has not met for some time. Council representatives to this body are currently Crs Aubin and North.

The re-creation of the group will facilitate discussion with users and the community as to the operations of the aerodrome. Matters that would need to be considered if this path is to be followed include:

- (1) Who should be members?
- (2) Will the group be advisory or have delegated authorities?
- (3) Financial implications
- (4) Development of a charter
- (5) Meeting frequency
- (6) Chairmanship of the Committee/Group

To allow Councillors to explore this proposal, it is recommended that the matter be referred to a Councillor Working Party for further discussion.

**Financial Implications:** Nil.

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

- Objective 2: To encourage the dynamic and innovative development and growth of the region's primary resources. Strategy 1.2
- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.5
- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.6

### **Community Engagement**

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



## **2 MASTER PLAN - GEORGE PARK MULTI PURPOSE SPORTS PRECINCT (04.00042)**

**Recommendation:** That Council endorse the Draft Master Plan proposal for the development of the George Park Multi-Purpose Sports Precinct, Bathurst

**Report:** George Park is the designated Australian Rules Football Precinct in the Bathurst Region, with two main ovals that are also utilised on a multi-purpose basis for a variety of other sporting and recreational activities.

Council has undertaken various improvements to the George Park Precinct over recent years including a new amenity building, a cricket wicket upgrade, new practice nets and removal of the old AFL club rooms and cricket practice nets. These works were completed at a cost of approximately \$1M.

However, with the continuing growth of sport within Bathurst and the high level of usage demand being placed on all sports facilities, further significant major upgrades and improvements will need to be considered within the near future at George Park in order to support the ongoing demands and future usage requirements from the various users at this facility. In addition, ongoing field management issues such as compacted soils and field degradation are continuing to occur and become an issue due to ever increasing utilisation of the fields, especially in periods of inclement weather.

### **Existing Field Usage Concerns**

The heavy utilisation of these sports fields during football and cricket seasons, and through other events which are held daily, contribute significantly to the overuse and decline in field condition. Added to this, issues relating to poor soil drainage and periods of inclement weather coupled with a small turnaround time between the football and cricket seasons, allows only minimal time for Council to undertake any productive restoration or renovation treatments required to the fields.

It is believed that field performance and playability of the grass surface of these fields will continue to cause concern for the George Park user groups due to a lack of adequate in field drainage. It is believed necessary that as usage continues to increase, the need for major reconstruction works to the playing surfaces of both fields will become essential. It is for this reason that one of the key components identified and included within the Draft Master Plan proposal for George Park is for a complete renovation of the two sports fields.

Changes in sport usage demands are also impacting upon the ability of George Park to cater for the needs of user groups. For example, there is a lack of infrastructure to support the training requirements for AFL and the growth of women's competitions has created a lack of facilities / change rooms to cater for development of sport.

### **Development of the Master Plan**

During 2016, Council commenced discussions with various sporting and recreational users to address future need issues, to cater for increased use and demand, to address field quality and performance and to determine priorities in respect to facility improvements.

Following the discussions a draft Master Plan of the George Park Precinct was prepared as a basis to further develop the facility into the future, to enable the Precinct to meet the growing demands for a variety of users.

In 2017 on completion of the Draft Master Plan document for the development of the George Park Multi-Purpose Sports Precinct, stakeholders and user groups were given opportunity to

present written submissions to the draft plan. The list of stakeholders included:-

- Bathurst Bushrangers ARFC
- Bathurst Giants ARFC
- Bathurst District Cricket Association
- Central West AFL
- Bathurst District Sports & Recreation Council

Council received a total of three (3) submissions to the draft Master Plan, supporting the process of the proposed development of Australian Rules Football and Cricket within Bathurst. The three submissions received were from Bathurst Bushrangers ARFC, Bathurst Giants ARFC and the Bathurst District Cricket Association.

A copy of each of the submissions is provided at **attachment 1**.

It was found that a number of comments were consistent in the submissions regarding the priority and order of works and acknowledgement of the field management issues highlighted in the Draft, namely;

- The condition of fields due to over utilisation, drainage and surface issues
- The need for improved amenities to accommodate male and female participants
- Inferior car parking facilities
- Installation of lighting to improve training and competition play opportunities

### **Recommendation**

The draft Master Plan Proposal shown at **attachment 2** displays the proposed future layout and direction of the George Park Sports Precinct, which highlights the inclusions and additions that is believed necessary to support the future increased demands for George Park users and Bathurst as a whole. The Draft Master Plan Proposal for the future development of the Precinct has been amended to reflect the specific priorities of the various user groups.

It is therefore recommended that Council endorse the Draft Master Plan proposal for the development of the George Park Multi-Purpose Sports Precinct, Bathurst.

Although priorities have been staged for the various upgrades and new development works, it is considered that some flexibility should be given in respect to the actual order of implementation. It is considered that changes to the order of priorities should be able to occur in certain circumstances such as when opportunities arise in relation to grant applications, or in situations where cost benefits exist if lower priority works were implemented at the time.

**Financial Implications:** The development of the Masterplan has been covered within existing staff budget resources.

The George Park Masterplan as at 2018 figures is estimated to cost in the vicinity of \$6.43M

to fully implement. It is anticipated that funding for specific elements within each priority stage will be subject to funding provision within future Operational Plans and from grant funding applications.

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

- Objective 1: Our sense of place and identity Strategy 1.3
- Objective 2: A smart and vibrant economy Strategy 2.6
- Objective 4: Enabling sustainable growth Strategy 4.1, 4.3
- Objective 5: Community health, safety and well being Strategy 5.1

### **Community Engagement**

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

### **3 RIGHT OF CARRIAGEWAY LOTS 1-5 IN DP1064001 ARKELL / TRIANGLE FLAT - REMOVAL OF COUNCIL AS A BENEFITTING AUTHORITY (22.00270)**

**Recommendation:** That Council approve the removal of Evans Shire Council as a benefitting authority to a right of carriageway 20 wide and variable across lots 1, 2, 3, 4 and 5 in DP1064001 as detailed in the Director Engineering Services' report.

**Report:** Reference is made to correspondence received from the Department of Industry - Lands dated 29 June 2018 concerning the proposed closure of an unconstructed Crown road at Arkell as shown in **attachment 1**.

Council officers investigated the proposed road closure and raised no objection to the closure, provided an existing Right of Carriageway identified in Deposited Plan 1064001 was maintained (refer **attachment 2**). The Department of Industry - Lands have requested confirmation as to whether Council wishes to retain Evans Shire Council as the benefitting authority or have it changed to Bathurst Regional Council. Upon further investigation, it has been found that the original development application for the 6 lot subdivision (Lots 1-6 in DP1064001) was approved subject to conditions, one of which was to establish a right of carriageway and indemnify Council from expenditure for maintenance of the road. No evidence can be found as to why Evans Shire Council should have been identified on the 88B Instrument as a benefitting authority although that is what occurred (refer **attachment 3**).

It is recommended that Council approve the removal of Evans Shire Council as a benefitting authority to a right of carriageway 20 wide and variable across lots 1, 2, 3, 4 and 5 in DP1064001 and to notify the Department of Industry - Lands that the proposed Right of Carriageway across the newly created lot following the road closure, as shown on the attached plan will not need to identify Bathurst Regional Council as a benefitting authority (refer **attachment 4**).

**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 999

#### **Community Engagement**

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

**4 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(11.00005, 36.00678, 36.00616, 36.00653, 36.00662)**

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

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

**1 TENDER FOR DESIGN & CONSTRUCTION OF HOWICK STREET TAXI SHELTER & ASSOCIATED WORKS (36.00678)**

This report considers the tender for the design and construction of a taxi shelter for Howick Street, located outside of the Stockland Shopping Centre, at the existing taxi rank.

**2 TENDER FOR CONSTRUCTION OF TAXIWAYS AND APRONS EXTENSION AT BATHURST AERODROME (36.00616)**

This report considers the tender for the construction of taxiways and apron works at Bathurst Aerodrome.

**3 VARIATION TO CONTRACT FOR CONSTRUCTION OF SUNNYBRIGHT STAGE 1 (36.00653)**

This report considers variation to contract for the construction of civil works for Sunnybright Residential Estate Stage 1

**4 TENDER FOR THE REFURBISHMENT OF PIT STRAIGHT WALKWAY BRIDGE, MOUNT PANORAMA (36.00662)**

This report considers the tender for the refurbishment of the Pit Straight Walkway Bridge at Mount Panorama.

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

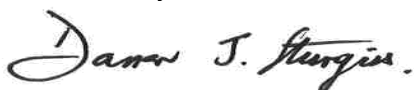
**Bathurst Community Strategic Plan - Objectives and Strategies**

- Objective 6: Community leadership and collaboration Strategy 6.4

**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

15 AUGUST 2018

## **1 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD 2 JULY 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 2 July 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 following items were discussed at the Meeting held on Monday 2 July 2018:

- Website Status update
- Trails & Tours app update
- Draft Marketing Action Plan update
- Cirencester relationship

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

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

- Objective 1: Our sense of place and identity Strategy 1.2
- Objective 2: A smart and vibrant economy Strategy 2.1
- Objective 5: Community health, safety and well being Strategy 5.2
- Objective 6: Community leadership and collaboration 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.

## **2 WINTER SCHOOL HOLIDAY ACTIVITIES 2018 (21.00039, 21.00054, 21.00060, 21.00029)**

**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 Winter School Holiday activities for 2018 were well attended with over 893 children attending a wide variety of activities as outlined below:

### **Australian Fossil and Mineral Museum**

During the Winter School Holiday period 2018, the Australian Fossil and Mineral Museum programmed the following events:

#### **Ice Age Pyjama Party**

Held on Tuesday evening 10 July 2018, the PJ party included a screening of the film Ice Age, snacks for children, face painting, craft activities and a 'sensory floor'. The event was attended by 100 people.

#### **Fossil Flicks**

We held two film evenings for adults. Friday 13 July 2018 showcased Night of the Living Dead (1968) while Friday 20 July 2018 screened Plan 9 From Outer Space (1958). A pianist played theme music at the commencement of each evening, as guests were greeted and presented with a drink and light snacks. Attendance for these events was 65 people.

#### **Dinosaurs in the Dark – Torchlight Tour**

One torchlight tour of AFMM was held Tuesday 17 July 2018 and was booked out. Local families and visitors enjoyed the chance to see the spectacular Somerville Collection in a new light. Attendance was 50 people.

### **Bathurst Library**

The Library Winter School holiday program themed to tie in with Bathurst Winter Festival provided activities for children 3 to 13 years old. All activities booked out and waiting lists were created for all sessions.

Teddy bears and other soft toys were once again invited to spend a night at the library. The sleepover ended the following morning with the Teddy bear storytime and a slideshow of photos of what the bears were up to in the Library overnight.

The program introduced local children to Kids Yoga, led by local yoga teacher Emma Livissianis. The Bug Out Coding and Simple Bots activities, run in collaboration with Save the Children Fund "Programming the Future" project, introduced attendees to coding and robotics.

Comedian Sean Murphy presented his Games Boy 18' show. This was followed up with a workshop.



<b>Date Held</b>	<b>Program Name</b>	<b>Attendance</b>
Mon 9 Jul	Igloo making	30
Tue 10 Jul	Teddy bear sleepover	22
Wed 11 Jul	Teddy bear storytime	60
Thu 12 Jul	Kids yoga	20
Fri 13 Jul	Ice skating rinks	13
Tue 17 Jul	Bug out coding	13
Wed 18 Jul	Simple bots	17
Thu 19 Jul	Games boy 18'	52
Thu 19 Jul	Games boy workshop	25
<b>Total</b>		<b>252</b>

### **Bathurst Regional Art Gallery (BRAG)**

BRAG programmed six workshops over six days (10-20 July) during the 2018 Winter school holidays. These workshops were themed to coincide with current exhibitions at the gallery, *Rachel Ellis: Sustaining Light* and *STEEL: art design architecture*.

Five of the six workshops presented sold out. Presenters were Fiona Howle and Isabel Fox. Attendance for the program was as follows:

<b>Date</b>	<b>Activity</b>	<b>Attendance</b>	<b>Total places available</b>
Tue 10 Jul	Winter Sun Mood Boards	18	25
Wed 11 Jul	Portraiture	20	20
Thu 12 Jul	Metal Works	21	21
Tue 17 Jul	3D Wire String Art	18	18
Wed 18 Jul	Layered Plastic Painting	25	25
Fri 20 Jul	Hang This!	20	20
	<b>Total Attendance</b>	<b>122</b>	<b>129</b>

### **Kelso Community Hub**

Kelso Community Hub had a busy School Holiday Program that was well attended. The Kelso Community Hub continues to increase activity participation rates.

<b>Date</b>	<b>Program Name</b>	<b>Attendance</b>
Mon 9 Jul	Museum bus trip	9
Tues 10 Jul	Hip Hop workshop	12
Wed 11 Jul	Walk in Wednesday/Fast 4 Footy Fun Day	54
Fri 13 Jul	Indoor sports bus trip	11
Mon 16 Jul	Bus trip Museum	10
Tue 17 Jul	Drumming & Art workshop	17
Wed 18 Jul	Walk in Wednesday	27
Fri 20 Jul	Movie afternoon	14
<b>Total</b>		<b>154</b>

### **Vacation Care**

The Winter Holidays was very productive. There was an average of 15 children per day over the ten day program. The children participated in range of craft, cooking, games and excursions.

The Excursions included going to Metro 5 Cinemas to watch The Incredibles 2. The children also visited Gunther's Lane Technology Hub on the final day of the holidays to experience all things technology.

The Children celebrated Bastille Day, a highlight of the day was making croissants from scratch and accompanying the croissants was hot chocolate. The children also celebrated International create your own emoji day, Christmas in July and International Ice Cream Day – where the children challenged each other to create their own unique Ice cream flavour.

Vacation Care is scheduled to operate in October 2018 (2 to 12 October 2018) school holiday period and will focus on the Bathurst Supercheap Auto 1000 and World Space Week.

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

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

- Objective 1: Our sense of place and identity Strategy 1.3
- Objective 5: Community health, safety and well being Strategy 5.1, 5.3

### **Community Engagement**

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

### **3 BATHURST REGIONAL YOUTH COUNCIL - YJAM GROOVE & GRILL AT BATHURST WINTER FESTIVAL, 15 JULY 2018 (11.00020)**

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

**Report:** The Bathurst Regional Youth Council held YJAM Groove & Grill, as part of the Bathurst Winter Festival on Sunday 15 July. The Youth Council were involved in seeking performers and promoting the event throughout the community. The Youth Council also acted as MC's on the day.

YJAM Groove & Grill attracted a large audience, ranging from young people to families. The event featured ten performances by young local performers, including solo artists, duos and a four member band. The event was held over a five hour period.

The YJAM stage was located within close vicinity of the Winter Festival ice rink. The area surrounding the YJAM stage served to create a relaxed and inviting atmosphere. This environment allowed spectators to comfortably enjoy the performances throughout the day.

A number of food vendors also attended YJAM Groove & Grill, including Mr Whippy, Big Daddy's Mobile Woodfire Pizza and a Charles Sturt University barbeque.

The Youth Council were pleased to provide the opportunity for young people to socialise in a safe, relaxed and drug and alcohol free environment. YJAM Groove & Grill was also a unique opportunity for talented local artists to perform in front of their local community.

**Financial Implications:** The event was supported by the Indent Event Development Grant secured by Bathurst Regional Youth Council.

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

- Objective 4: Enabling sustainable growth Strategy 4.1
- Objective 5: Community health, safety and well being Strategy 5.1, 5.2, 5.3, 5.5
- Objective 6: Community leadership and collaboration Strategy 6.1, 6.2, 6.3, 6.5, 6.7, 6.8

#### **Community Engagement**

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

#### **4 VILLAGE EVENT FUNDING PROPOSAL (16.00163)**

**Recommendation:** That Council:

- (a) Support, in principle, the establishment of the Village Event Funding Program.
- (b) Receive a further report on the process for the proposed Village Event Funding Program.
- (c) Refer funding for the Village Event Funding Program of \$40,000 per annum to the 2019/2020 draft budget for consideration.

**Report:** At Council's Policy Committee meeting held 6 June 2018 a request was made to investigate a funding program for village events (Minute 23, Item 18).

This theme and benefits of "product development" and "village activation" is contained in recent strategic documents including the Cultural Vision, Community Strategic Plan and most importantly the Bathurst Region Destination Management Plan (DMP) and the New Destination Country and Outback NSW Destination Management Plan 2018-2020 (DCO). The notion of "Little Places, Big Stories" is a strategic theme in the DCO.

Council's DMP recommends that Hill End, Rockley and Sofala have visitor growth potential, however the other locations can be considered.

It is recognised the important role that products, experiences, events and festivals, play in attracting new markets and encouraging repeat visitation, including a point of difference villages bring to a destination and the visitor experience.

Council can assist activity in the villages by providing a facilitation and coordination role and by providing funding to develop ideas and event proposals.

It is recommended that, in the draft 2019/2020 Operational Plan, \$40,000 is allocated in the budget. In addition staff time will be included to work with the village associations to implement this proposal.

It is also recommended that a further report be considered by Council outlining the return on this investment, criteria for villages to receive funding and performance measures.

#### **Background Information**

The following references support the proposal for Council to assist villages with events:

1. The Bathurst Region Destination Management Plan  
Strategic Priority 7.5.3 Place Planning & Promotion
2. Bathurst Region A Cultural Vision 2036  
Strategy 2.3 Support activities that enhance Bathurst Region's cultural and creative environment
3. Bathurst 2040 Community Strategic Plan  
Objective 1.3 Enhance the cultural vitality of the region  
Objective 2.6 Promote our City and Villages as a tourist destination  
Objective 5.2 Help make the Bathurst CBD, neighbourhoods and the region's villages and full of life

4. Destination Country and Outback NSW Destination Management Plan 2018-2020  
Action 2.12 Implement the Unearth the Fossils Initiative  
Action 2.13 Investigate regional opportunities (Little Places, Big Stories strategic theme)  
Action 2.14 Lead the development of a Business and Leisure Events Strategy for Country and Outback NSW

**Financial Implications:** Should Council approve the establishment of a Village Event Funding Program, an amount of \$40,000 will need to be allocated in the 2019/2020 draft budget for consideration.

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

- Objective 1: Our sense of place and identity Strategy 1.3
- Objective 2: A smart and vibrant economy Strategy 2.6
- Objective 5: Community health, safety and well being Strategy 5.2

### **Community Engagement**

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

## **5 BATHURST LIBRARY - NSW PUBLIC LIBRARY FUNDING (21.00054, 16.00059)**

**Recommendation:** That Council provide support to the campaign mounted by the NSW Public Library Associations, *Renew Our Libraries*, for increased State funding to local government for public libraries.

**Report:** The NSW Public Libraries Association and Local Government NSW have requested Council's support in their campaign *Renew Our Libraries*, to advocate to State Government for additional funds for Public Libraries.

Council has expressed its concern to Minister Paul Toole MP of the funding reduction for public libraries, a copy of the correspondence is provided at **attachment 1**. Council has received a response from The Hon Paul Toole MP and a copy of the correspondence is provided at **attachment 2**.

Bathurst Regional Council has invested significantly in library services. For example, during 2017/2018, Council provided a total contribution of \$1,297,483 to the Bathurst Library. The State Government, during the same period, provided operating funding of \$133,861 and capital funding towards the refurbishment of the Bathurst Library of \$200,000.

The Bathurst Library statistics show that there is 140,000 visits and around 240,000 loans annually. The Bathurst Library also provides electronic resources and a range of programs throughout the year.

An overview of the *Renew Our Libraries* campaign is provided at **attachment 3**.

Some of the salient points of the campaign include:

- NSW councils are currently paying 92.5% of the costs to operate public libraries, up from 77% in 1980
- In 2015/2016, NSW State Government funding for public libraries was \$26.5M compared to a contribution of \$341.1M from Local Government.
- The total funding available through the NSW Public Library Funding Strategy is not indexed to population growth or consumer price index (CPI).

The Library Council of NSW worked with the NSW Public Libraries Association and the State Library of NSW to develop an evidence-based submission.

The resulting submission *Reforming Public Library Funding*, recommending a fairer, simpler and more transparent method for the distribution of funds, was presented to the State Government in October 2012.

The NSW Public Libraries Association has joined forces with Local Government NSW to establish a library funding advocacy initiative. The *Renew Our Libraries* strategy will be rolled out over the next eight months to persuade the Government that its network of 368 public libraries has reached a funding flashpoint that, without significantly increased and sustainable funding, is at risk of imminent service reduction. The success of this approach relies heavily on the support of NSW councils, their libraries and their communities.

NSW public libraries are governed by the Library Act 1939, a legislative instrument that was initially introduced to ensure the provision and ongoing sustainability of libraries through State Government and Local Government collaboration, and providing up to 50% of the

funding required to establish and operate libraries. Since then local government has increasingly carried the funding burden.

**Financial Implications:** Libraries are funded through Local and State Governments.

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

- Objective 1: Our sense of place and identity Strategy 1.3
- Objective 5: Community health, safety and well being Strategy 5.2, 5.3, 5.5
- Objective 6: Community leadership and collaboration Strategy

**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 - 1 AUGUST 2018 (07.00064)**

**Recommendation:** That the recommendations of the Policy Committee Meeting held on 1 August 2018 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held on 1 August 2018, are **attached**.

**Financial Implications:** N/A

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

- Objective 6: Community leadership and collaboration Strategy 6.4

### **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 1 AUGUST 2018**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**APOLOGIES**

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

**RESOLVED:** That the apology from Crs Bourke and Rudge be accepted and leave of absence granted.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 JULY 2018 (07.00064)**  
**MOVED** Cr W Aubin and **SECONDED** Cr I North

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 4 July 2018 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**

Nil.

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

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

**5 Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 27 JUNE 2018 (07.00096)**

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

**RESOLVED:** That the recommendations of the Audit & Risk Management

Committee Meeting held on 27 June 2018 be adopted.

**6** **Item 2 MOUNT PANORAMA MOTOR RACING CIRCUIT - RESIDENT ACCESS - FULL TRACK HIRE POLICY (18.00150, 41.00089)**  
**MOVED** Cr W Aubin and **SECONDED** Cr I North

**RESOLVED:** That Council:

- (a) Adopt the Mount Panorama Motor Racing Circuit - Resident Access - Full Track Hire Policy, as amended; and
- (b) Rescind the Mount Panorama - Resident Ticketing Policy and remove it from the Policy register.

**Director Engineering Services' Report**

**7** **Item 1 INCLUSIVE PLAY PRINCIPLES - BATHURST PARKS (11.00006)**  
**MOVED** Cr I North and **SECONDED** Cr A Christian

**RESOLVED:** That Council:-

- (a) Consider the incorporation of inclusive design principles when planning for new community parks and playgrounds, or when upgrading existing playspaces.
- (b) Engage Council's specialist playspace consultant to review the existing design that has been developed for Stage 2 of the Bathurst Adventure Playground
- (c) Modify the design, if necessary, in order to provide playspace opportunities and playground equipment which meet best practice principles of inclusivity, regardless of age or ability.
- (d) Replace the liberty swing with play structures that provide inclusive play for all members of the community.

**GENERAL BUSINESS**

**8** **Item 1 ROADSIDE GRAZING (18.00133)**

**Cr Jennings** - queried what process is followed for roadside grazing, i.e. land availability.

**The Director Environmental, Planning & Building Services** advised the process is coordinated by Local Land Services and it is then referred to Council, where it applies to local roads, for comment. Generally Council's role takes a couple of days. The review is limited to local roads and excludes land identified as high/medium biodiversity.

**9** **Item 2 EGLINTON SCHOOL LAND (20.00170)**

**Cr Jennings** - queried where the matter with land is at.

**The Director Environmental, Planning & Building Services** advised will be meeting with officers of the Department of Education in September to discuss this proposal.

**10** **Item 3 RENEW OUR LIBRARIES CAMPAIGN (21.00054)**

**Cr Jennings** - asked are we likely to support the Renew our Libraries campaign.

**The Director Cultural & Community Services** advised Council has written to the local member and a report will go to the August Council meeting.

**11** **Item 4 BATHURST WINTER FESTIVAL (23.00152)**

**Cr Aubin** - congratulated the Events staff on the Bathurst Winter Festival.

**12** **Item 5 OHKUMA (23.00011)**

**Cr Aubin** - advised the Council in Ohkuma is currently building a new Council building, this is good news.

**13** **Item 6 LIMEKILNS ROAD WATER RESERVOIR (32.00039)**

**Cr Morse** - congratulated the Council on the commissioning ceremony.

**14** **Item 7 PIPER STREET KANGAROO ISSUE (14.00665, 13.00031)**

**Cr Morse** - noted with the current drought, kangaroos are coming into the CBD. We need an awareness campaign.

**15** **Item 8 COMMUNITY EMAILS RESPONSE (08.00005)**

**Cr Morse** - asked could a response go on Council's email system to acknowledge receipt of emails.

**The General Manager** noted Council is migrating to a new platform.

**16**      **Item 9 PARKING FOR VISITING CARAVANS (28.00006)**

**Cr Morse** - advised there is a lack of parking spaces for caravans in the CBD.

**17**      **Item 10 FORMER TAFE BUILDING (22.01387)**

**Cr Morse** - queried what was happening with the site.

**The General Manager** advised currently awaiting Engineering report on Headmasters Residence. At this time no funding is in budget to undertake any additional works/planning.

**18**      **Item 11 BEN CHIFLEY DAM CATCHMENT COMMITTEE (07.00020)**

**Cr Fry** - acknowledged the work of the Ben Chifley Catchment Committee, but still need to do more. Noted Tim Cox, the coordinator, has 20 years of service, can we do a letter to acknowledge this. We should look at what further land care work that can be done.

**19**      **Item 12 CCTV SYSTEM (07.00106)**

**Cr Christian** - requested an update on CCTV systems.

**The Director Cultural & Community Services** advised current status of project plan, budget available and link with CBD Wi-Fi project.

**20**      **Item 13 HOWICK/GEORGE STREET INTERSECTION (25.00006)**

**Cr Christian** - asked where is the Howick/George Street intersection progress up to.

**The Director Engineering Services** advised plans are nearly finished, will soon be contacting adjoining businesses. Works are possible in early 2019.

**21**      **Item 14 ABANDONED SHOPPING TROLLEYS (28.00006)**

**Cr Christian** - have already noted a significant improvement since meeting with interested parties.

**22**      **Item 15 CHIFLEY DAM - AQUA PARK (2018/141)**

**Cr Christian** - visited the location this week, this is an exciting project.

**23**      **Item 16 FORMER MASTERS SITE (22.07151)**

**Cr Christian** - asked if anything is happening with the former Masters site.

**The Director Environmental, Planning & Building Services** noted strata subdivision has been approved, nothing is known about proposed tenants.

**24**      **Item 17 MOBILE SPEED CAMERAS (28.00011)**

**Cr Christian** - asked does Council have anything to do with location of mobile speed cameras.

**The Director Engineering Services** advised this is organised by RMS.

**25**      **Item 18 TURON RIVER FLOWS (31.00014)**

**Cr North** - asked had someone previously dammed the river. There are now flows in the river.

**The General Manager** advised inquiries are being made, but no reason available at this time.

**26**      **Item 19 EAST STREET, ROCKLEY (25.00452)**

**Cr North** - congratulated staff on the works that have been carried out at in this area. Engagement with the community has been great.

**27**      **Item 20 BATHURST WINTER FESTIVAL (23.00152)**

**Cr North** - noted the Winter Festival was really great, would like a merry-go-round to be available for young children.

**28**      **Item 21 BMX TRACK (04.00083)**

**Cr North** - noted there are two areas that seem to be gouging, can we look at fixing this up. The track repair work was good.

**The Director Engineering Services** advised works proposed for 2018/19.

**29**      **Item 22 HOWICK/GEORGE STREET (25.00006)**

**Cr North** - spoke to traffic issues. Where are we at with infrastructure study?

**The Director Engineering Services** advised staff have received draft brief from RMS. It is anticipated tenders for the plan will be called in the near future. Advice will be provided as the project proceeds.

**30**      **Item 23 BULLET TRAIN - ORANGE (18.00001, 28.00009)**

**Cr North** - received representation from Mr Brown at Eglinton about possible impact from Orange proposal on our train services. We need to make it clear we do not want a lesser service at Bathurst.

**31**      **Item 24 ENERGY EFFICIENCY (13.00065)**

**Cr North** - advised Ashley Bland has forwarded a letter regarding possible projects that could occur with Council, will provide to Council the letter for follow up.

**32**      **Item 25 CARDIOLOGY FOOTPATH & DEVELOPER CLOSE DOWN OF FOOTPATHS (2017/46, 07.00031)**

**Cr North** - this is becoming a problem. Can we monitor this, has been raised as a matter of concern by Bathurst Regional Access Committee (BRAC) and the community. Perhaps we can do more media on this.

**The Director Environmental, Planning & Building Services** spoke to current processes in place and issues with building site and in particular the cardiology development matter.

**33**      **Item 26 CBD WI-FI (20.00315)**

**Cr North** - asked where are we at with tenders for the CBD Wi-Fi project. Noted local businessman has not received advice on this matter.

**The Director Corporate Services & Finance** advised tenders have already been issued and works have commenced. Will investigate the issue further.

**34**      **Item 27 RETURN EARN - ACCESSIBILITY ISSUE (21.00143, 07.00031)**

**Cr North** - asked what was the process for this development.

**The Director Environmental, Planning & Building Services** advised currently investigating this, but understands the development is exempt.

**MEETING CLOSE**

**35**      **MEETING CLOSE**

The Meeting closed at 6.37 pm.

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



**TRAFFIC COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 AUGUST 2018 (07.00006)**

**Recommendation:** That the recommendations of the Traffic Committee Meeting held on 7 August 2018 be adopted.

**Report:** The Minutes of the Traffic Committee Meeting held on 7 August 2018, are **attached**.

**Financial Implications:** N/A

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

- Objective 6: Community leadership and collaboration Strategy 6.4

### **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 7 AUGUST 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 Andrew Cutts (Tablelands Area Road Safety Officer)

**APOLOGIES**

**2 APOLOGIES**

That the apology of Councillor Warren Aubin be accepted.  
*In the absence of Councillor Aubin, the Manager Technical Services chaired the meeting.*

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 3 JULY 2018 (07.00006)**

That the Minutes of the Traffic Committee Meeting held on 3 July 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 3 JULY 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 note

**7      Item 3 TEMPORARY TAXI ZONE DURING CONSTRUCTION OF NEW HOWICK STREET TAXI SHELTER (25.00006)**

That Council approve the proposed location of a temporary taxi zone subject to conditions as detailed in the Director Engineering Services' report.

**8      Item 4 NISSAN DATSUN DRIVERS CLUB – BATHURST 2018 RALLY (23.00015)**

That Council classify the Nissan Datsun Drivers Club - Bathurst Rally, to be held on Saturday 22 September 2018 as a Class 2 event, and the event be endorsed subject to conditions as detailed in the Director Engineering Services' Report.

**9      Item 5 PROPOSED BUS STOP AND NO PARKING SIGN - RETIREMENT VILLAGE STANLEY STREET (25.00006)**

That Council approve the proposed "Hail & Ride" bus stop sign with "No Parking" zone subject to conditions as detailed in the Director Engineering Services' report.

**10     Item 6 BATHURST HISTORIC CAR CLUB SWAP MEET (22.00053-09/163)**

That Council endorse the Traffic Management Plan for the staging of the Bathurst Historic Car Club 2019 Swap Meet at the Bathurst Showground on Sunday 3 February 2019. The event is to be classified as Class 2 and approved subject to the conditions as detailed in the Director Engineering Services' Report.

**11     Item 7 BATHURST'S BIGGEST EXPO AND CHRISTMAS MARKETS (23.00026-20/042)**

That Council endorse the Traffic Management Plan for Bathurst's Biggest Expo and Christmas Markets to be staged on Saturday 17 November and Sunday 18 November 2018 at the Bathurst Showground as a Class 2 event, subject to conditions detailed in the Director Engineering Services' Report.

**TRAFFIC REGISTER**

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

That the information be noted.

**MEETING CLOSE**

**13     MEETING CLOSE**

The Meeting closed at 2.28 pm.

## COUNCILLORS/ DELEGATES REPORTS

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 AUGUST 2018

## **1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 11 JULY 2018 (11.00019)**

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

**Report:** **Present:** Councillors Hanger (Chair), Aubin (arrived at 6.12 pm), Bourke, Christian (left meeting at 6.25 pm), Fry, Morse, North, Rudge

**Apologies:** Councillor Jennings

### **1. GREENING BATHURST (13.00019)**

Representatives from Greening Bathurst met with Council to discuss the activities of the group and tree planting plans.

Discussion included:

- An overview of who Greening Bathurst is, and what they do.
- Tabled a "Greening Bathurst" brochure. Spoke to the content of the brochure.
- Highway upgrade involvement - Perthville Cathedral.
- Spoke of their position on "Street Trees" and the value of street trees.
- Long term view for growth.
- Invited Councillors to a guided tour.

### **2. MOUNT PANORAMA SECOND CIRCUIT ACTION GROUP (20.00278)**

Representatives from the Mount Panorama Second Circuit Action Group met with Council to discuss progress on the Second Circuit project.

Discussion included:

- The Mount Panorama Second Circuit Action Group have existed for approximately 7-8 years.
- Spoke to their previously tabled "Position Statement".
- The Action Group is about "Bringing the bikes back to Bathurst".

**Financial Implications:** Nil.

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

- Objective 2: A smart and vibrant economy Strategy 2.5
- Objective 4: Enabling sustainable growth Strategy 4.3
- Objective 6: Community leadership and collaboration 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.

## **2 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 25 JULY 2018 (11.00019)**

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

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

**Apologies:** Councillor Christian

### **1. SUPERMARKETS AND OTHER STORES THAT PROVIDE SHOPPING TROLLEYS (28.00006)**

Following recent discussions regarding abandoned shopping trolleys, and the Director Environmental, Planning & Building Services report to 2 May 2018 Policy Meeting, representatives from local supermarkets and other stores that provide shopping trolleys were invited to meet with Council to discuss the issue.

Representatives from the following stores were present:

Bernardis, Coles, Aldi, Woolworths, Big W, and Dan Murphy's.

Discussion included:

- Woolworths advised they perform 2 street runs per day.
- Retailers are trying hard to get trolleys returned to the store as soon as possible.
- Things can be done to help try and get message out about returning trolleys.
- Trolley Tracker provided five \$1,000 prizes per month.

### **2. AIRCRAFT OWNERS & PILOTS ASSOCIATION AND AERODROME TENANTS (21.00008)**

Representatives from the Aircraft Owners & Pilots Association met with Council.

Discussion included:

#### **Aircraft Owners & Pilots Association (AOPA)**

- Feels there are many problems throughout the industry.
- Spoke of challenges currently facing the industry.
- Spoke of recent meeting with Council.
- General aviation businesses are closing due to inability to make a reasonable margin.
- Airlines are struggling to find pilots.

#### **Locally**



- Feels the relationship with Council is dysfunctional.
- Spoke of the value of the airport to Bathurst.
- Need to create an Airport Advisory Committee including partnership with AOPA to attract business.
- Need businesses to be able to buy their titles freehold to allow them to grow their business.

**Financial Implications:** Nil.

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

- Objective 2: A smart and vibrant economy Strategy 2.5
- Objective 4: Enabling sustainable growth Strategy 4.3
- Objective 6: Community leadership and collaboration 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.

### **3 MINUTES - BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE - 12 JULY 2018 (07.00107)**

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

**Report:** The Bathurst Regional Community Safety Committee considered a number of items at the July Meeting, including the following:

- Election of Chairperson – Cr Rudge and Robert Taylor were elected as joint Chairpersons
- Community Safety Survey distribution
- Focus Groups schedule

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 2: A smart and vibrant economy Strategy 2.3
- Objective 4: Enabling sustainable growth Strategy 4.1
- Objective 5: Community health, safety and well being Strategy 5.2
- Objective 6: Community leadership and collaboration 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 PLACEMENT OF ORIGINAL BATHURST WAR MEMORIAL CARILLON BELLS - PREPARED BY CR M MORSE (04.100021)**

**Recommendation:** That Council:

- (a) Note the report;
- (b) Approve the display of the twelve original Carillon bells at a suitable location in the Carillon Tower; and
- (c) Approve the acknowledgement of donors of \$10,000 or more to the Bathurst War Memorial Carillon refurbishment by a brass plaque near the replaced bells.

**Report:** The current top 12 original bells of the Bathurst War Memorial Carillon are being replaced as part of the upgrading and refurbishment of the Carillon.

It is considered best practice that heritage items be kept within the heritage item and it is proposed that the bells which are being replaced should be displayed in the Carillon tower. The preferred location is in an alcove adjacent to the Eternal Flame where the bells could be suitably lit and showcased. However advice has been sought from the City Engineer as to the most suitable location.

There have been enquiries from potential donors about the possibility of naming a bell. It has been agreed that none of the new bells will be named for individuals. In agreement with the RSL Sub Branch the three present unnamed bells are to be named 'Hill End and Tambaroora', 'Black Springs' and 'Bathurst'. The new 12 higher sounding bells are to be named 'The Peace Bells'.

The Bathurst War Memorial Carillon Group has resolved, following consultation with the Bathurst RSL Sub Branch, to request that acknowledgement of donations of \$10,000 or over be made by the placement of a brass plaque adjacent to these bells with an inscription such as either:

“The replacement of this bell was made possible by a donation in memory of (insert name)”

or

“The replacement of this bell was made possible by a donation by (insert name)”

An update on the progress of the refurbishment of the Carillon is provided as follows:

#### **UPDATE ON CARILLON REFURBISHMENT**

##### **Bells**

The new top octave of bells is currently being made at Taylors Foundry in Loughborough. The original names of the bells are being inscribed plus names on the three bells which have not been named before: Hill End and Tambaroora, Black Springs and Bathurst.

##### **Clock-a-matic**

The computerised playing system, Clock-a-matic is to be delivered at the same time as the bells are installed.

##### **Installation of bells**

Discussions are being held between Council and the Bathurst War Memorial Carillon Fund Trust on suitable dates for the removal of the old bells and the installation of the new bells.

### ArtState Festival

The official opening of the ArtState Festival will feature music especially composed for the Carillon, violin, cello and vibraphone. On 1 November the Opening will take place between the Courthouse forecourt and the Carillon with the finale being the playing of a peal of bells from the All Saints' Cathedral, the first time in Australia that two bell towers in close proximity will play for one occasion.

### Fund Raising

Although the generous donation of \$300,000 by the NSW Government was very gratefully received, there needs to be another approximately \$200,000 raised to upgrade the Eternal Flame, purchase and install a clavier (the proper playing mechanism for a Carillon) and train future players.

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

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

- Objective 1: Our sense of place and identity Strategy 1.2, 1.3

### **Community Engagement**

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