

12 September 2018

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday,
19 September 2018**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 19 September 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, 19 SEPTEMBER 2018

1. 6:00 PM - MEETING COMMENCES

2. PUBLIC FORUM

3. PRAYER

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

4. APOLOGIES

5. MINUTES

* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15 AUGUST 2018

* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 5 SEPTEMBER 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 - 5 SEPTEMBER 2018

* MINUTES - TRAFFIC COMMITTEE MEETING - 4 SEPTEMBER 2018

10. NOTICES OF MOTION - Nil

11. RESCISSION MOTIONS - Nil

12. COUNCILLORS/ DELEGATES REPORTS

* MINUTES - BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE - 16 AUGUST 2018

* CENTROC BOARD MEETING 23 AUGUST 2018 PARLIAMENT HOUSE CANBERRA

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

Recommendation: That:

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

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

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

* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF COMMERCIAL LEASE AT LOT 7 DP806109 KNOWN AS 5 WARK PARADE, WINDRADYNE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

2	RENEWAL OF COMMERCIAL LEASE AT PART LOT 10 IN DP1157553 KNOWN AS JOHN MATTHEWS SPORTING COMPLEX, DURHAM STREET CARPARK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	RENEWAL OF SPORTING LICENCE AGREEMENT FOR PART LOT 7013 DP1114435 KNOWN AS BROOKE MOORE OVAL TO THE RUGBY UNION CRICKET CLUB	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	SALE OF LAND AT LOT 908 DP1110004 KNOWN AS 45 HAMPDEN PARK ROAD, KELSO.	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS 2018-2019	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 THE BATHURST RAIL MUSEUM	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TENDER FOR CONSTRUCTION OF NEW AMENITIES BUILDING, CARPARK AND CARPARK LIGHTING AT PROCTOR 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.
4	TENDER FOR DEMOLITION OF 146 COLLEGE ROAD HOUSE AND SHEDS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	RELEASE AND CREATION OF EASEMENTS - LOT 1 DP1191492, 365 LIMEKILNS ROAD KELSO - SITE OF RESERVOIR 34	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would

		prejudice the commercial position of the person who supplied it.
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- 14. RESOLVE INTO OPEN COUNCIL

- 15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 16. MEETING CLOSE

MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15 AUGUST 2018 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 15 August 2018 be adopted.

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

2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 5 SEPTEMBER 2018 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Council following Policy Committee held on 5 September 2018 be adopted.

Report: The Minutes of the Ordinary Meeting of Council following Policy Committee held on 5 September 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 15 AUGUST 2018

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

J Lynch and F Sheehan – Bathurst Regional Youth Council

Spoke to report to the Council on the YJAM event (DCCS #3), it was very successful and provided an opportunity for local artists.

M Wilson – Turon River flows

Noted recent flow issues with the Turon River. Querying who has caused this disaster and what can be done to stop this re-occurring. Suggests Bathurst, Orange, Lithgow and Mid-Western Councils should meet to discuss how water is monitored and metered. Noted ability for mines to pull water out of the system. Bathurst Regional Council has no authority in this matter, but should intervene on behalf of the citizens of Bathurst. Currently all life in Turon is dead, river needs to be restocked. Water is flowing now but for how long? Asks Council to strenuously intervene in this matter.

A McRobert – Turon River flows

Asks Council to follow this matter up. Needs an investigation to occur, if Macquarie River stopped there would be an investigation. River now running, but do not know why.

D Goldney – George Park Master Plan - Director Engineering Services report Item #2

Asked is this a public park? No objections to footballers using the park, but concerned why a fence is proposed to go around the park. This is a takeover of a public park and needs further discussion. Need more public consultation, other than just sporting groups.

B Manning – 9 McKell Street

Spoke about this matter and release of information and appeal to the Civil Tribunal. Made various accusations against Council. Referred to works undertaken by Council on the property and noise issues that exist.

The General Manager provided responses to Mrs Manning's claims and noted external reports obtained by Council to resolve the matter.

P Dowling

Attendance of Councillors - Voting Protocols

Spoke to need to have all Councillors in attendance at meetings for important decisions.

The General Manager advised of meeting protocols in place.

Peel/Durham Street

Spoke to traffic flow problems and could actions be taken to address these problems.

The Acting Director Engineering Services advised will review this matter.

Meter Methane Flare

Asked has a meter been installed? Could this be used to stop methane just being released or burnt off?

The Acting Director Engineering Services advised meter has not been installed due to changes in Government policy. Council is monitoring through consultants and will continue to monitor actions whilst reviewing Government policy.

G Crisp

Noted from 1 July 2018 Federal Act (Whistleblowers Act) passed, this protects people from taking negative actions against informants. Spoke to arrangements with OLG to deal with complaints raised by Mr Crisp and whether this has issues under this legislation. Feels Councillors should be aware of their liabilities.

B Trimming – Bathurst Regional Access Committee

Drinking fountain at library is great, could we look at new fountains also including a dog watering facility? Thanked Council for works at Torpy's bridge. New seating at library is great. The new picnic table at Machattie Park should be looked at as being the adopted standard, could they be put on the grassed areas in Kings Parade where laybacks are? At library, external power points near seating, could these be raised and be a wheelchair charging point with a MLAK key be used to open them. Noted good response to Western Advocate article on no parking on footpaths and driveways.

Could there be a no parking sign installed on the southern side of Mitre Street, near Russell Street?

APOLOGIES

3 APOLOGIES

Nil.

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

MOVED Cr B Bourke

and **SECONDED** Cr J Rudge

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 July 2018 be adopted, with the following change at Minute 14 Item 6.01 Development Application No. 2018/122 - Shed and Earthworks including retaining wall at 14 Ironstone Avenue, White Rock

(a)

(xii) The slab RL be maintained as proposed in the Development Application

to read

(a)

(xii) The slab RL be maintained as proposed in the Development Application and the 10 metre setbacks be maintained.

5 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 1 AUGUST 2018 (11.00005)

MOVED Cr W Aubin

and **SECONDED** Cr J Jennings

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

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

MOVED Cr B Bourke

and **SECONDED** Cr W Aubin

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS**General Manager's Report**

- 7** **Item 1 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 23.00132)**
MOVED Cr J Jennings and **SECONDED** Cr I North

RESOLVED: That the information be noted.

Director Environmental Planning & Building Services' Report

- 8** **Item 1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)**
MOVED Cr W Aubin and **SECONDED** Cr I North

RESOLVED: That the information be noted.

- 9** **Item 2 GENERAL REPORT (03.00053)**
MOVED Cr I North and **SECONDED** Cr M Morse

RESOLVED: That the information be noted.

- 10** **Item 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)**
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: 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.

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

- 11** **Item 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)

MOVED Cr I North

and **SECONDED** Cr B Bourke

RESOLVED: 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.

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

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

MOVED Cr I North

and **SECONDED** Cr W Aubin

RESOLVED: 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.

13 Item 6 NAMING OF PUBLIC ROADS – APPLEDORE DRIVE (20.00024)

MOVED Cr I North

and **SECONDED** Cr J Rudge

RESOLVED: 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.

14 Item 7 BATHURST BUY LOCAL GIFT CARD UPDATE (20.00313)
MOVED Cr I North and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

15 Item 8 NSW GOVERNMENT 20 YEAR VISION FOR REGIONAL NSW AND SPECIAL ACTIVATION PRECINCTS (20.00057)
MOVED Cr B Bourke and **SECONDED** Cr J Jennings

RESOLVED: 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.

16 Item 9 DRAFT ABERCROMBIE REGIONAL ECONOMIC DEVELOPMENT STRATEGY (REDS) (20.00071)
MOVED Cr J Jennings and **SECONDED** Cr I North

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

17 Item 10 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005 & 36.00671)
MOVED Cr J Rudge and **SECONDED** Cr I North

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report

18 Item 1 STATEMENT OF INVESTMENTS (16.00001)
MOVED Cr M Morse and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

19 Item 2 MONTHLY REVIEW - 2018/2022 DELIVERY PLAN AND OPERATIONAL PLAN 2018-2019 (16.00155)
MOVED Cr I North and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

20 Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL

ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)

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

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

21 Item 4 POWER OF ATTORNEY (11.00007)

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

RESOLVED: That the information be noted.

22 Item 5 BATHURST STREET AND CUSTOM MOTORCYCLE SHOW - AGREEMENT (23.00153/028)

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

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

23 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - 2018 SPYDERFEST MOTORCYCLE SHOW AND SHINE (23.00015)

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

RESOLVED: 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.

24 Item 7 2018 BATHURST WINTER FESTIVAL - 7-22 JULY (23.00152)

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

RESOLVED: That the information be noted.

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

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

RESOLVED: That the information be noted.

Director Engineering Services' Report

26 Item 1 BATHURST AERODROME - POSSIBLE USERS' GROUP COMMITTEE (21.00053 21.00017)

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

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

- 32** **Item 3 BATHURST REGIONAL YOUTH COUNCIL - YJAM GROOVE & GRILL AT BATHURST WINTER FESTIVAL, 15 JULY 2018 (11.00020)**
MOVED Cr B Bourke and **SECONDED** Cr A Christian

RESOLVED: That the information be noted.

- 33** **Item 4 VILLAGE EVENT FUNDING PROPOSAL (16.00163)**
MOVED Cr J Jennings and **SECONDED** Cr J Rudge

RESOLVED: 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.

- 34** **Item 5 BATHURST LIBRARY - NSW PUBLIC LIBRARY FUNDING (21.00054, 16.00059)**
MOVED Cr M Morse and **SECONDED** Cr J Rudge

RESOLVED: 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.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

- 35** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 AUGUST 2018 (07.00064)**
MOVED Cr B Bourke and **SECONDED** Cr A Christian

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

Traffic Committee Meeting

- 36** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 AUGUST 2018 (07.00006)**
MOVED Cr W Aubin and **SECONDED** Cr A Christian

CONFIDENTIAL REPORTS
MOVED Cr I Northand **SECONDED** Cr J Rudge

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.

*** 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 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.
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*** 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.

Cr Morse left the meeting at 7.42 pm

General Manager's Report

- a** **Item 1 HONORARY CITIZENSHIP OF BATHURST (23.00132)**
MOVED Cr W Aubin and **SECONDED** Cr I North

That Council act in accordance with the report.

Director Environmental Planning & Building Services' Report

- b** **Item 1 LAFFING WATERS DEVELOPMENT MASTER PLAN TENDER (36.00671)**
MOVED Cr I North and **SECONDED** Cr W Aubin

That Council:

- (a) in accordance with Clause 177 of the Local Government (General) Regulation 2005, decline to accept any of the tenders received for the Laffing Waters Development Master Plan;
- (b) in accordance with Clause 178(3)(e) of the Local Government (General) Regulations 2005, enter into negotiations with Tract Consulting Pty Ltd with a view to entering into a contract in relation to the Laffing Waters Development Master Plan,
- (c) in accordance with Clause 178(4)(b) the reason for entering into negotiations with Tract Consulting Pty Ltd are:
- (i) Budget is not available for the full scope of works proposed;
 - (ii) The company is the preferred tenderer with the requisite skills, capability and experience to deliver the project; and
 - (iii) Council officers wish to refine the Scope of Works to deliver the project on budget.

Director Corporate Services & Finance's Report

- c** **Item 1 FINANCIAL STATEMENT - 2018 BATHURST 12 HOUR (04.00097)**
MOVED Cr I North and **SECONDED** Cr J Fry

That the information be noted.

- d** **Item 2 BATHURST VISITOR INFORMATION CENTRE CAFE - REQUEST FOR FINANCIAL ASSISTANCE (21.00095)**
MOVED Cr W Aubin and **SECONDED** Cr J Fry

That Council not provide financial assistance for the electrical work, or reduced lease fee, as requested by the lessees of the Bathurst Visitor Information Centre Cafe.

Director Engineering Services' Report

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

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

That Council accept the tender of Shumack Engineering Pty Ltd for the tendered project price of \$121,440 (incl. GST) subject to further provisional items and variations.

f **Item 2 TENDER FOR CONSTRUCTION OF TAXIWAYS AND APRONS
EXTENSION AT BATHURST AERODROME (36.00616)**
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

That the tender from Antoun Civil Engineering (Aust) Pty Ltd, excluding provisional items, be accepted in the amount of \$1,941,461.96 (incl. GST) subject to provisional items and variations.

g **Item 3 VARIATION TO CONTRACT FOR CONSTRUCTION OF SUNNYBRIGHT
STAGE 1 (36.00653)**
MOVED Cr I North and **SECONDED** Cr J Jennings

That Council accepts the variation to the contract sum of \$161,958.00 (GST incl.)

h **Item 4 TENDER FOR REFURBISHMENT OF PIT STRAIGHT WALKWAY BRIDGE
MOUNT PANORAMA (36.00662)**
MOVED Cr W Aubin and **SECONDED** Cr I North

That Council accepts the tender from Chris Horton Manufacturing in the amount of \$397,897.43 (GST incl.), subject to provisional items and variations.

RESOLVE INTO OPEN COUNCIL

42 **RESOLVE INTO OPEN COUNCIL**
MOVED Cr J Rudge and **SECONDED** Cr J Jennings

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

43 **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr I North and **SECONDED** Cr B Bourke

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

MEETING CLOSE

44 **MEETING CLOSE**

The Meeting closed at 7.51 pm.

CHAIRMAN: _____

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY
COMMITTEE
HELD ON 5 SEPTEMBER 2018**

MEETING COMMENCES

1 MEETING COMMENCES 7:00 PM

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

APOLOGIES

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

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

DECLARATION OF INTEREST

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

RESOLVED: That the Declaration of Interest be noted.

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

Director Corporate Services & Finance's Report

4 Item 1 FREE WATER FOR VERIFIED PRIMARY PRODUCERS (16.00155)
MOVED Cr J Jennings and **SECONDED** Cr W Aubin

RESOLVED: That Council provides free water for verified primary producers until the drought declaration for the Bathurst Local Government Area has been removed or as resolved by Council.

5 Item 2 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 32.00005)
MOVED Cr I North and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

Director Engineering Services' Report

- 6** Item 1 INTERSECTION OF MITRE, SUTOR & LAMBERT STREETS (25.00095)
MOVED Cr I North and SECONDED Cr A Christian

RESOLVED: That Council:

- (a) note results of the public consultation, and
- (b) call tenders once construction plans are finalised.

- 7** Item 2 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 36.00680)
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

- 8** RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS
MOVED Cr W Aubin and SECONDED Cr J Rudge

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	BATHURST AQUA PARK - LICENCE AND RENTAL	10A (2) (d) (i) – contains commercial information of

	a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR LANDSCAPE CONSTRUCTION OF FREEMAN 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 Corporate Services & Finance's Report

- a** **Item 1 BATHURST AQUA PARK - LICENCE AND RENTAL (32.00005)**
MOVED Cr J Jennings and **SECONDED** Cr A Christian

That Council enter into a licence agreement, and rental agreement, with the operators of the Bathurst Aqua Park in accordance with this report, with a cabin being made available, and this to be charged at \$200 per week.

Director Engineering Services' Report

- b** **Item 1 TENDER FOR LANDSCAPE CONSTRUCTION OF FREEMAN PARK (36.00680)**
MOVED Cr W Aubin and **SECONDED** Cr I North

That Council:

- (a) Decline to accept any of the submitted tenders,

GENERAL MANAGER'S REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 SEPTEMBER 2018

1 ELECTION OF DEPUTY MAYOR (12.00005)

Recommendation: That the information be noted.

Report: Election of Deputy Mayor

Section 230(1) of the Local Government Act 1993, provides that: "a Mayor elected by the Councillors holds the office of Mayor for two years, subject to this Act". Council at its meeting on 20 September 2017, elected Cr Hanger as Mayor and accordingly no Mayoral election will occur this year.

There is no prescribed term for the position of Deputy Mayor. It is up to Council to consider whether to set the term of office of the Deputy Mayor. Council last year set a one year term for the position of Deputy Mayor.

The Local Government (General) Regulation 2005, Schedule 7, prescribes how a Deputy Mayor is to be elected.

A Nomination form is at **attachment 1** for Councillors and may be returned to the General Manager, or handed to the General Manager at the commencement of the Ordinary meeting.

The procedure for the election will be:

1. The General Manager will be the Returning Officer.
2. The General Manager will call for further nominations.
3. Nominations will be closed.
4. The Returning Officer will announce the names of the nominees at the Council meeting at which the election is to be held.
5. If more than one nomination is received, an election will be held.
6. Council will be asked to resolve the form of election, if required, ie ordinary ballot, preferential ballot or open voting.
7. The election is to be held at the Council meeting at which the Council resolves on the method of voting.

Nominations

The following process for nomination applies, as per Clause 2 of Schedule 7.

1. A Councillor may be nominated without notice for election as Mayor or Deputy Mayor.
2. The nomination is to be made in writing by two or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
3. The nomination is to be delivered or sent to the Returning Officer.
4. The Returning Officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

Financial Implications: Nil

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.1, 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 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS (11.00002)

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

Report: In accordance with the provisions of Section 450(A) of the Local Government Act, the Disclosure of Interest of Councillors and Designated Persons Returns for Councillors and relevant staff will be tabled at the meeting.

Financial Implications: Nil

Bathurst 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 MEMBERSHIP OF REGIONAL CITIES NSW (18.00208)

Recommendation: That Council:

- (a) Note the information contained within this Invitation to Join Regional Cities NSW Council Report.
- (b) Join Regional Cities NSW (RCNSW) with a formal review of Council's membership to take place within the first 24 months of the formal commencement of RCNSW, to ensure it is meeting its stated objectives.
- (c) Note that whilst sixteen Councils have been invited to join RCNSW, a minimum of nine Councils will be needed to establish RCNSW.
- (d) Allocate \$5,000 for membership of RCNSW from 1 January 2019 to 30 June 2019.
- (e) Note that any future requests for financial contributions over and above the annual membership fee to RCNSW will be reported to Council for further consideration, as appropriate.

Report: Bathurst Regional Council is currently a member of the NSW Inland Forum group which includes Albury, Armidale, Bathurst, Dubbo, Orange, Tamworth and Wagga Wagga Councils. The Inland Forum work collaboratively to achieve improved outcomes and opportunities for Inland NSW. Over the last 12 months, discussions have been held on expanding the group to create a new body known as Regional Cities NSW (RCNSW) to increase the ability of regional cities to leverage better outcomes.

The RCNSW concept is being modelled on the successful model that has been implemented in Victoria, where the ten largest cities outside of Melbourne work cooperatively on issues and projects of mutual interest that affect regional cities in that State.

Most recently Mayors and General Managers met at a planning day in Sydney on 2 August 2018. Here ideas on the establishment of RCNSW were workshopped and discussed, refer **attachment 1** which contains a report of the workshop.

In summary, the proposal is generally as follows;

- RCNSW will be comprised of Mayors and CEOs/General Managers of 16 large cities in regional New South Wales. These cities reside outside of the expanded metropolitan areas of Sydney, Newcastle and Wollongong, have distinct regional catchments, and share similar opportunities and challenges for growth and investment.
- RCNSW will be an alliance of regional cities dedicated to achieving real change in regional New South Wales through policy development and active implementation of those policies. Regional cities are the heart of regional New South Wales and by improving their infrastructure and liveability, regional cities can help to grow and support wider regional and rural communities.

Further details about the governance arrangements proposed for RCNSW can be found in **attachment 1**.

The Councils invited to participate in RCNSW are as follows:

Albury	Coffs Harbour	Maitland	Tamworth
Armidale	Dubbo	Orange	Bathurst
Griffith	Tweed	Cessnock	Lismore
Queanbeyan	Wagga Wagga	Mid-Coast	Port Macquarie-Hastings

At the planning day held on 2 August 2018, participants agreed on the following indicators of overall success for RCNSW:

- State government and community have recognised the significance and benefits of regional cities;
- A seat at the policy table to advise state government on the formation and implementation of policies;
- The establishment of a population or settlement strategy that would prioritise population growth to regional cities;
- The alliance is known as having a clear point of difference from the other alliances in the regional developments space, and
- A strong network that offers collaboration, networking and collective benefit to all members.

Further information relating to what success might look like for RCNSW, can be found on pages 5 and 6 of the attached document titled *'Regional Cities NSW Workshop Report – 2 August 2018.'*

It was agreed at the planning day that the overall success of RCNSW would be the creation of connected, thriving and sustainable regional cities. To this end, discussion took place on the establishment of a short-term agenda for RCNSW, to ensure that this new alliance was more than simply a talk-fest on regional issues, but had real actions and goals to work towards. The most supported ideas around this to come from the planning day were:

Memorandum of Understanding (MOU) with State Government:

Establishing, through a formal agreement, a mechanism for the alliance to have a seat at the table and provide strategic influence on the State's policy and investment agenda.

Snowy Hydro Funding:

Providing a set of recommendations on how the government should invest the \$4.2 billion released in the NSW budget from the sale of Snowy Hydro project. The government has indicated that all of these funds will go to the regions and they will need guidance on how this money should be allocated. The group also anticipated that there would be streamlined funding mechanisms to enable regional cities to access this funding.

Population Strategy:

Due to ongoing debate of metropolitan congestion and rapid population growth, the group saw a great opportunity to have influence in developing a framework for growing regional cities under the banner of a state population strategy, with the aim being to develop a settlement plan directing people, infrastructure and business to regional cities.

Regional Investment:

Identifying a framework to identify how regional investment can be streamlined to be better facilitated in the regions.

One of the other key purposes of the 2 August 2018 planning day was to discuss the

proposed governance and structure arrangements for RCNSW. Further details on this can be found at **attachment 1**, 'Regional Cities NSW Workshop Report – 2 August 2018' however in summary, the following was agreed:

- Formation: The alliance to be known as Regional Cities New South Wales (RCNSW) be formed.
- Membership: Councils representing regional cities that had a clear service centre role would be invited to be members.
- Board Members: The forum should be a Mayor and CEO/General Manager forum with alternates offered in the case of inability to attend.
- Board Structure: All member councils (Mayor and CEO/General Manager) will sit on the board. Voting will be by consensus.
- Meeting Schedule: Members agreed to meeting quarterly at a venue to be defined at a later date, noting that visits to each member city would be welcomed.
- Working Group: It was agreed that a working group to further define and evolve the structure and agenda of the alliance be established, as well as to work through the development of the proposed MOU. Working Group members were nominated as:
- Mr Paul Bennett, General Manager, Tamworth Regional Council.
 - Mr Craig Swift-McNair, General Manager, Port Macquarie-Hastings.
 - Mr David Sherley, General Manager, Bathurst Regional Council.
 - Mr Peter Thompson, General Manager, Wagga Wagga City Council.
 - Ms Susan Law, CEO, Armidale Regional Council.

The above-mentioned working group met via teleconference on 3 September 2018 to confirm the meeting notes from the planning day in August; to progress discussions around the structure of RCNSW and to propose a standard approach by member Councils in reporting back to their respective Councils on the outcomes of the RCNSW meetings.

There are a range of issues that Council will need to take into account when considering whether or not to join RCNSW. Perhaps one of the most relevant issues is why Council would join an alliance such as RCNSW, when we have only recently joined a Joint Organisation (JO)? Whilst this is a valid question to ask, it is important to distinguish the difference between RCNSW and a JO. A JO is geographically based and its interests are those of the geographic region.

RCNSW membership is not geographically based, but will rather focus on commonality of interests between the sixteen regional cities, regardless of their location. This form of an alliance will be able to pursue issues such as population growth, congestion, access, investment etc. and perhaps more effectively than a JO may be able to, simply considering the membership ad make up of a JO.

From a funding perspective, there have been initial discussions around the level of financial contribution required from each member Council in order to ensure the viability of RCNSW. It was agreed at the planning day that an investment of \$10,000 per annum by each member

Council was considered to be a reasonable amount of funding to enable RCNSW to be established; to engage an appropriate secretariat and to establish a strategic plan. There may well be other initiatives that this pooled funding will be able to support in line with the objectives of RCNSW.

It should be noted that as per recommendation 4) as included in this report, the current funding request for this financial year is \$5,000, effectively being for membership of RCNSW from 1 January 2019 to 30 June 2019, noting that the Inland Forum has kindly offered to fund the secretariat and support staff during the coming months to ensure that RCNSW can be established in a timely and effective manner.

Financial Implications: There will be a charge of \$5,000 for the 2018/19 financial year.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 2: A smart and vibrant economy Strategy 2.3
- Objective 6: Community leadership and collaboration Strategy 6.2
- Objective 6: Community leadership and collaboration Strategy 6.3

Community Engagement

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

4 SISTER CITY DELEGATION TO OHKUMA 2018 (23.00011)

Recommendation: For Council's consideration.

Report: Council at the Ordinary meeting of 18 July 2018 (DCSF #6) received a report concerning the visit by a delegation to Ohkuma. It was 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.

The visit has now been confirmed as follows:

Leave Australia 3 November 2018
Arrive Australia 10 November 2018

It is intended that the delegation will be in Ohkuma for the period 5 to 8 November 2018. Advertising has occurred seeking expressions of interest from the community.

Councillors may wish to give consideration as to Councillor representation on the trip.

Financial Implications: The indicative cost for each council delegate is around \$4,500 per person

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 2: A smart and vibrant economy Strategy 2.2
- Objective 4: Enabling sustainable growth Strategy 4.1, 4.3

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

19 SEPTEMBER 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
 - (iii) 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) 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 August 2018 (**attachment 1**).
- (b) Applications refused during August 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 August 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 2018 BATHURST JOBS EXPO (20.00305)

Recommendation: That the information be noted.

Report: Bathurst Regional Council successfully held the 5th Bathurst Jobs Expo on Tuesday 21 August 2018 at the Bathurst Memorial Entertainment Centre (BMEC). Council has successfully run the event for the past 5 years in collaboration with the Central West Careers Advisors (CWCA), major sponsor TAFE NSW and B-Rock as the media partner. The Bathurst Jobs Expo provides numerous social and economic benefits:

1. Directly links job seekers and school leavers to employment and career opportunities in the Bathurst Region and neighbouring areas.
2. Assists in reducing the unemployment rate in the Bathurst Region.
3. Provides a mechanism for local businesses to advertise available roles, attract candidates and find the skills that they are looking for.
4. Helps to retain school leavers, CSU students and other skilled individuals within the Bathurst workforce.

Approximately 2,250 people attended, which is slightly above the attendance from the 2017 Expo. Job seekers travelled from Blayney, Canowindra, Gulgong, Lyndhurst, Mudgee, Oberon, Orange, Parkes, Portland and Rylstone to attend the event. Approximately 950 of the attendees were high school students from Bathurst High School, Blayney High School, Canowindra High School, Cowra High School, Kandos High school, Kelso High School, MacKillop College, Oberon High School, Orange High School, Parkes High School, Portland Central School, Scots All Saints College, Skillset Senior College, St. Stanislaus College and The Henry Lawson High School.

Approximately 50 exhibitors were on display at the 2018 Expo from across NSW, consisting of local businesses, government, employment agencies and education providers. 2018 also saw a number of new exhibitors attend the Jobs Expo for the first time. Some exhibitors, both new and returning included the Bathurst Police, Bathurst RSL, BORG Manufacturing, Charles Sturt University, Defence Force Recruiting, Department of Human Services, Devro, LiveBetter Community Services, McDonald's, Fire & Rescue NSW, Paramedical Services, Roads and Maritime Services, Spatial Services and Woolworths.

Council received positive feedback from the event:

"I think that the Jobs Expo has already got a great range of opportunities shown and explains great ideas. I can't think of anything that could be done to make it any better" – Attendee

"I think this was the best Jobs Expo yet. Very well organised and just a fantastic setup for Jobseekers and students to gather important information all in the one spot."- Exhibitor

"I don't think there needs to be any improvements. It is a great day for people attending and stall holders alike". - Exhibitor

The Bathurst Jobs Expo is recognised as the leading jobs and careers expo in the Central West. A Memorandum of Understanding (MOU) was signed with the CWCA in 2015 to retain the event in Bathurst until 2020.

Conclusion:

The 2018 Bathurst Jobs Expo was a great success and obtained the highest attendance

rate to date, with 2,250 people attending from across the Central West NSW. The Expo provides numerous social and economic benefits to the Bathurst community and the broader Central West. Council will continue to run the Expo in collaboration with CWCA and event sponsors.

A final comprehensive 2018 Jobs Expo Report will be completed in coming weeks and disseminated appropriately.

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 3: Environmental stewardship Strategy 3.2
- Objective 5: Community health, safety and well being Strategy 5.1, 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.

4 NAMING OF PUBLIC ROADS – WHEATFIELD DRIVE, NEWLAND CRESCENT, KEYSTONE RISE, BURLINGTON RISE, ALLUVIAL PLACE, FAIRLEIGH PLACE, LYON CLOSE, MARBLE CLOSE (20.00024)

Recommendation: (a) give notice of its intention to adopt the name Wheatfield Drive, Newlands Crescent, Keystone Rise, Goldmine Rise, Alluvial Place, Settlers Place, Avoca Close, Marble Close; and

(b) direct the General Manager to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the names gazetted, should no submissions be received.

Report: Wheatfield Drive, Newlands Crescent, Keystone Rise, Goldmine Rise, Alluvial Place, Settlers Place, Avoca Close, Marble Close have been proposed for the road names for the future subdivision of Lot 1024 DP 1245197 & Lot 1023 DP 1245197.

The area will be accessed from Limekilns Road. There will be two access points, being Wheatfield Drive and Alluvial Place. A copy of the location map is included at **attachment 1** and a plan of roads at **attachment 2**.

Wheatfield Drive

Wheatfield Drive is named after an early school erected on Crown Land at Paling Yards via Limekilns. The Wheatfield School operated from 1877-1918. Paling Yards is north of this subdivision on Limekilns Road.

Newland Crescent

John Newland Wark was a Scottish gas engineer. Wark had a private venture to develop the Bathurst Gasworks. He constructed the Bathurst Gasworks in 1871 for his father, the sole proprietor.

Newlands Crescent will be an acknowledgment to the significant gasworks history of Bathurst.

Keystone Rise

Keystone Orchard, Perthville was a successful orchard, particularly of pears, peaches and nectarines. The Keystone Orchard was long held and managed by the Goddard family (the developer of the land). Keystone Orchard also has connection to the Wark Family which has a rich history with the establishment of the Bathurst Gasworks.

Burlington Rise

Burlington Picture Theatre, known as 'The Burlo' opened on lower William Street in 1907 and was a popular meeting place and place of entertainment.

It was an open-air theatre with a 1,900 audience capacity. It relocated to upper William Street, No. 154 – 158 in 1913.

It was modernised in 1934 and was renamed The Tudor in September 1952. It closed in 1961 and was later demolished. A Mazda car dealership now stands on the site.

Alluvial Place

Bathurst has a prominent agricultural sector derived from proximity to waterbodies. Bathurst has fertile soils and gold rich soil that is of relevance to its social history.

Fairleigh Place

Fairleigh Grammar School was located on upper William Street. Mrs Wark was a well-respected headmistress for many years. Mrs Wark retired from the position of Principal in October 1906. It is not known when the school closed down.

Blair Anderson Wark VC from Bathurst was a student and has a notable war history.

The school was also known for performing arts with performances held regularly at the Masonic Hall in Keppel Street during the 1920's.

Lyon Close

Marsden College for Girls in Kelso, under the Church of England, was a prominent rural girl's school. Miss Lyons was the headmistress during 1920's. Miss Lyons was well respected and known for offering education in remote districts where educational opportunities were few. The school was founded by Bishop Rev. G. M. Long. Marsden College was amalgamated with All Saints College in 1977.

Marble Close

Marble Close was nominated because of the presence of the metamorphic rock in the region. The Abercrombie Caves are particularly detailed with marble. It is also present throughout other parts of the region.

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

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.1, 4.2, 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

5 NAMING OF PUBLIC ROADS – CONNOLLY DRIVE & DARVALL DRIVE (20.00024)

Recommendation: (a) give notice of its intention to adopt the names Connolly Drive and Darvall Drive for the new roads created by the 176 lot residential subdivision off the eastern end of Graham Drive and Mendel Drive in Kelso; 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 submissions be received.

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

A location plan and aerial photograph is included at **attachment 1** and annotated plan of subdivision at **attachment 2**.

The developer, Hynash Group, have requested the following road names for two of the roads being created in the subdivision.

Connolly Drive

The name Connolly refers to Verdun Connolly.

The following history was provided to Council by Lynette Howard (nee Connolly) in 2004 when she nominated the Connolly name for Council's future road name database.

Patrick and Mary Connolly, (Great grandparents of Verdun), arrived in Sydney from Ireland with their 5 children, on 1 May 1856, and then travelled to Sofala to make their home.

Peter Connolly (Verdun's grandfather) married on the 31 May 1875 at Sofala to Elizabeth, the daughter of Sargent Major of Western Goldfields. They went on to have 9 children all born at Sofala. They moved into Bathurst and it is recorded in the Bathurst Rates Book that they owned land and buildings from 1862. Peter was a known publican with two of the Inns being the "Belle Marie" (still stands at the corner of Stewart and Durham Streets) and "Morning Star" (corner of Piper and George Streets). They owned Inns at 148-150 Piper Street (now the site of Metro Cinema).

Verdun's father, Augustus, went on to own 148 Piper Street and his Aunty Millicent owned 150 Piper Street. Augustus was a plumber, and he coached the Waratah Football team and was a personal trainer for cyclists. He had involvement with the Old Vale Circuit and Verdun's mother, Doris, would arrange to have refreshments around the circuit. Augustus died at St. Vincents hospital, Bathurst after a long illness.

At age 14, Verdun met his lifelong partner, Rosetta Rawlinson who was raised at Perthville. Rosetta came from a family of 7 children and her parents were the gatekeepers at Hen and Chicken Lane for approximately 35 years. Her mother, Hannah Rawlinson, was the midwife for Perthville and was very highly respected. The Rawlinson family came from England approximately 1912 and soon after moved to Perthville where they reared their family and their descendants continue to live in the Bathurst area.

Verdun answered the "call to duty" and enlisted for World War 2 in 1940. Verdun sailed on the "Ettrick", which was part of the first convoy to sail to the Middle East. He took part in Australia's first Battle in Bardia in 1941. Verdun fought the Vichy French, Greece against the

Germans, Libya against the Italians, Syria and Papua New Guinea against the Japanese. Lord Mount Batton went on to say "no more service could be asked of any man fighting his country's war".

Verdun and Rosetta were married on the 2 January 1943.

Verdun was in WeWak, Papua New Guinea, when the War finished. He had spent 2011 days on active service and was discharged 12 October 1945.

On his return from the War, he worked on Jordon Creek, before taking employment at "Bidgeribbon" at the Lagoon. After a short time he started at JJ Newton Joinery and was involved in the transformation of the Old Ice works to Dairy Farmers and several other buildings such as Scots School, Knickerbocker hotel and residential housing. He took up employment with the Railways in Sydney and returned to Bathurst in 1981 to buy the family home at 215 Brilliant Street.

Darvall Drive

The name Darvall refers to Sir John Bayley Darvall (born 19 November 1809 – died 28 December 1883).

Sir John Bayley Darvall was an Australian barrister and politician. He was a member of the New South Wales Legislative Council for three periods between 1844 and 1856 and again between 1861 and 1863. He was also a member of the New South Wales Legislative Assembly for three periods between 1856 and 1865. He held the positions of Solicitor General and was the 8th Attorney General of New South Wales in a number of short-lived colonial governments. He was the Local Member for the Electoral District of the County of Bathurst from 1 July 1848 to 30 June 1851.

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

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.1, 4.2, 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

6 BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 – HOUSEKEEPING AMENDMENT (20.00322)

Recommendation: (a) amend the Bathurst Regional DCP 2014 as outlined in this report; and

- (b) notify those who lodged submissions of its decision; and
- (c) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act, and
- (d) call a division.

Report: Background

The Bathurst Regional Development Control Plan 2014 has been in force since November 2014. The purpose of the proposed amendment is to provide clarification of Council's requirements for street lighting within subdivisions, Council's requirements in relation to all two-storey housing with respect to overshadowing, the requirements of the Fire & Rescue NSW and Council's requirements for certain development proposals in Heritage Conservation Areas. The proposed wording of the relevant DCP provisions are included at **attachment 1**.

Council resolved at its ordinary meeting held 18 July 2018 to place the draft DCP Amendment on public exhibition. The draft amendment to the *Bathurst Regional Development Control Plan* seeks to:

- Amend Section 3.3.1 and Section 11.3.1 in relation to subdivisions requiring LED street lighting.
- Amend Section 4.4.2 in relation to overshadowing from two-storey dwelling houses not associated with a dual occupancy or multi unit development.
- Amend Section 4.10.2 in relation to fire hydrants for certain developments.
- Amend Section 10, Urban Design and Heritage Conservation, to address issues associated with the information lodged with certain development types in Heritage Conservation Areas and formalising a pre-lodgement discussion process.

Public exhibition

The draft DCP amendment was placed on public exhibition for a period of 28 days, from 4 August 2018 to 31 August 2018.

A total of two submissions were received with copies of the submissions provided at **attachment 2**.

The table below summarises the submissions received and the key matters raised in those submissions.

Name	Comments or issues raised	BRC Response	Plan Changes
Mr S Bathgate Bathurst Heritage Network	<ul style="list-style-type: none"> • Supports the inclusion of Pre-DA meetings. • Suggests the inclusion of partial demolitions should be included as a pre-DA type. • Suggests rewording of dot point 6 within section 10.1A.2. 	To assist with the implementation of the process, partial demolitions have specifically been excluded at its commencement. Council, as part of the major review of the DCP, will evaluate the operation of the clause and the developments to which this provision applies.	Minor rewording of dot point 6 of section 10.1A.2 to read "... including buildings in the Bathurst Heritage Conservation Area that are corner sites, ..."
Ms E Laughton	Supports the proposed amendment.	Noted	No Change

Attachment 3 is a report that summarises the level of engagement with respect to this Draft DCP during the exhibition period.

Discussion forum

Council received two submissions as a result of the public exhibition, however, no unresolved key issues of objection arose out of the submissions, so a discussion forum was not held.

Conclusion

The proposed amendment to the Bathurst Regional Development Control Plan seeks to provide clarification of Council's requirements for street lighting within subdivisions, Council's requirements in relation to all two-storey housing with respect to overshadowing, the requirements of the Fire & Rescue NSW and certain types of development in Heritage Conservation Areas. The amendment was placed on public exhibition for a period of 28 days from 3 August 2018 to 31 August 2018 with two submissions received.

There are no environmental or planning grounds to prevent the DCP amendment from proceeding. Its adoption, which is provided at **attachment 1**, is therefore recommended.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.2, 1.5
- Objective 3: Environmental stewardship Strategy 3.3
- Objective 4: Enabling sustainable growth Strategy 4.3, 4.6
- Objective 6: Community leadership and collaboration Strategy 6.1, 6.4

Community Engagement

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

7 NSW EPA ILLEGAL DUMPING GRANT PROJECT DELIVERY REPORT (13.00006)

Recommendation: That Council notes the following report.

Report: Illegal dumping is an ever increasing problem for Bathurst Regional Council, despite supporting appropriate waste disposal through kerbside collection, waste vouchers and resource recovery initiatives. In 2010, Council received 35 reports of illegal waste dumping. In 2017, there were 129 reported incidences and the matter continues to grow. In 2017 Council applied for, and was successful in receiving \$19,890 in grant funding as part of a NSW EPA Waste Less, Recycle More initiative funded from the waste levy. Council supported the grant with \$17,387 of cash and in-kind contributions. This grant was to:

- Review over 800 illegal dumping reports from 2010 to 2018 and upload over 600 reports to the NSW EPA RID online database;
- Analyse the data to identify key regional dumping 'hotspots';
- Assess the rationale for dumping in the hotspot locations and identify mitigation options;
- Installation of remote surveillance cameras, lighting, illegal dumping signs, gateways, fences, earth mounds and increased monitoring of hotspots;
- Development and roll out of public education program including signage installation, social, radio and print media campaigns;
- Development of an illegal dumping strategy to better monitor and adapt to ongoing dumping incidences.

With Council being able to analyse over eight years of illegal dumping reports, previously unknown hot spots were identified and actions to reduce or eliminate dumping in those locations implemented. The social media campaign reached over 20,000 online users between February and July 2018 and a run of 10 print advertisements in local newspapers reinforced the campaign. This started conversations within the community regarding appropriate and affordable waste disposal. Council also has been able to purchase new advanced technology remote surveillance cameras that can be easily deployed in problem areas and monitor large areas 24 hours a day.

Since the project was completed in August 2018:

- Two new offenders have been identified and been issued penalty notices;
- Four hotspots have not received any new dumping incidents;
- Other inappropriate access activity (trespassing, off-roading, burnouts etc) has greatly reduced;

The grant report is included at **attachment 1.**

Due to the wide range of tasks required to complete the project, a broad cross section of Council staff were involved in the project implementation. This included staff in the waste, maintenance, works, environment, property, finance and regulatory services sections. The Environment Section would like to highlight its sincere appreciation to these sections and

staff in ensuring the project completion was a success.

Financial Implications: Council received \$19,890 in funding, as part of a NSW EPA Waste Less, Recycle More initiative funded from the waste levy. Other cash and in-kind contributions of \$17,387 were funded from existing waste and environmental infringement budgets.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.4
- Objective 3: Environmental stewardship Strategy 3.3
- Objective 6: Community leadership and collaboration Strategy 6.1

Community Engagement

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

8 AMENDMENTS TO THE PUBLIC HEALTH REGULATION 2012 (14.00001)

Recommendation: That Council note the additional responsibilities and activities required of Council Officers due to amendments to the Public Health Act 2010 and associated Regulation.

Report: The *Public Health Regulation 2012* was amended on 10 August 2018 with additional requirements in relation to the management of cooling water systems in New South Wales. This amendment supplements the amendments that commenced on 1 January 2018, which introduced monthly testing of previous cooling water systems, and notification of reportable test results to local government authorities.

Bathurst Regional Council has legislated responsibilities under Section 4 of the *Public Health Act 2010* to take appropriate measures to ensure compliance with regulation of cooling water systems. These additional requirements will increase the workload and resources needed to satisfy legislative responsibilities within Council.

1. The Regulation introduces obligations on the owner/operator for the prevention of Legionnaires disease outbreaks from cooling water systems which include the following:
 - i. The Risk Assessment of Legionella contamination is to be documented in a Risk Management Plan (RMP) and updated every 5 years
 - ii. Independent Auditing of compliance with the RMP and Regulation is to be conducted annually
 - iii. Certificates of RMP completion and audit completion are to be provided to the Local Government Authority
 - iv. Monthly Sampling and Testing for Legionella and heterotrophic colony counts are to be undertaken
 - v. Reportable laboratory test results Legionella count $\geq 1,000$ cfu/mL or Heterotrophic Colony Count $\geq 5,000,000$ cfu/mL are to be notified
 - vi. All cooling towers are to display a unique identification number.
2. Legislative requirements of a Local Government Authority are the following:
 - i. Maintain a register of all cooling water systems within the Local Government Area (LGA)
 - ii. May undertake inspections to monitor compliance and identify unregistered systems
 - iii. Investigate systems with an audit demonstrating non-compliance
 - iv. Assist Public Health Units during a Legionnaires' disease outbreak investigation
 - v. Receive notifications of installation or a change in particulars (including decommissioning) of systems within the LGA
 - vi. Issue a unique identification number for each cooling tower using a consistent format across NSW i.e.

- 3 letters for the LGA
 - 4 digits for the cooling water system number
 - 2 digits for the cooling tower number within the cooling water system
- vii. Receive and investigate notifications of reportable test results of Legionella count $\geq 1,000$ cfu/mL or Heterotrophic Colony Count $\geq 5,000,000$ cfu/mL
- viii. Receive and follow up outstanding certificates of Risk Management Plan completion and audit completion.

Council's Environmental Health Officers will implement the requirements of the regulation as soon as resources will allow.

A Factsheet from NSW Health outlining the requirements of Local Government Authority is included at **attachment 1**.

Financial Implications: These activities will be undertaken utilizing existing staff resources, but is a further example of responsibility shifting from the State Government to Local Government.

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.

9 BATHURST BACKYARD BIRD COUNT – RESULTS OF 2017 PROGRAM (13.00081)

Recommendation: That Council notes the success of the 2017 Bathurst Backyard Bird Count and supports ongoing participation in the Aussie Backyard Bird count.

Report: Since 2014, as part of BirdLife Australia's National Bird Week celebrations, BirdLife Australia has run Aussie Backyard Bird Count, one of the largest citizen science projects of this nature in Australia. Council has participated in and promoted the program since 2015.

The Aussie Backyard Bird Count provides an opportunity for locals to become citizen scientists for one week every October. The data collected by these citizen scientists plays a vital role in providing important information to BirdLife Australia and increases our understanding of Australian bird species that live where people live. The health of bird populations also gives an indication of environmental health, and bringing people closer to their environment can have positive health impacts for people too.

Surveying native and introduced bird populations are listed as priority actions in the Bathurst Biodiversity Management and Pest Bird Management Plans. Council actively promoted participation in the 2017 program which ran from 23 to 29 October 2017.

Due to the amount of data collected by BirdLife Australia, there is a time delay between the bird count and receiving the data for the Bathurst region. The full report is included as **attachment 1**.

The following presents a snapshot of participation and the results for the Bathurst region:

- A total of 10,575 individual birds were observed and recorded during the week, an increase of 3,149 from 2016.
- 158 bird species were recorded.
- 3 of the top 10 most common species observed were introduced birds with the introduced House Sparrow being the most common bird.
- 13 Threatened species were recorded.
- 218 participants registered and contributed over 111 hours of survey time.
- 355 checklists were submitted with an average of 2.9 per registered participant.
- An average of 85 birds was recorded per participant.
- Most of the birds recorded were in the central parts of the Council area, indicating good involvement of people in the urban and suburban areas.
- The prominence of introduced species in the most common species observed is greater than that observed state and nationwide.
- Decline in native birds is being blamed on continued loss of native vegetation in the urban, suburban and rural landscape and an increase in simplified plantings of exotic species.

Activities

Council actively promoted the 'Bathurst Backyard Bird Count' through the distribution of supplied posters, flyers, bookmarks and a media release. A Facebook page facebook/bathurstbirdcount and Instagram account @bathurstbirdcount were again used to help promote the event and build involvement. A guided bird walk led by local naturalist,

Tiffany Mason, attracted 9 locals on a cold and windy day and resulted in dozens of birds from 37 species being observed in Boundary Road Reserve.

To complete their own surveys, local residents were encouraged to sit for 20 minutes and use the phone app or website to record the birds they see in their backyard or local area. Through this method, 218 participants submitted 355 checklists with over 10,500 birds observed across the region during the week-long event.

Most common species

The 5 most common species surveyed was the introduced House Sparrow* followed by the Common Starling*, Australian Magpie, Galah, and the Common Blackbird* (*introduced species).

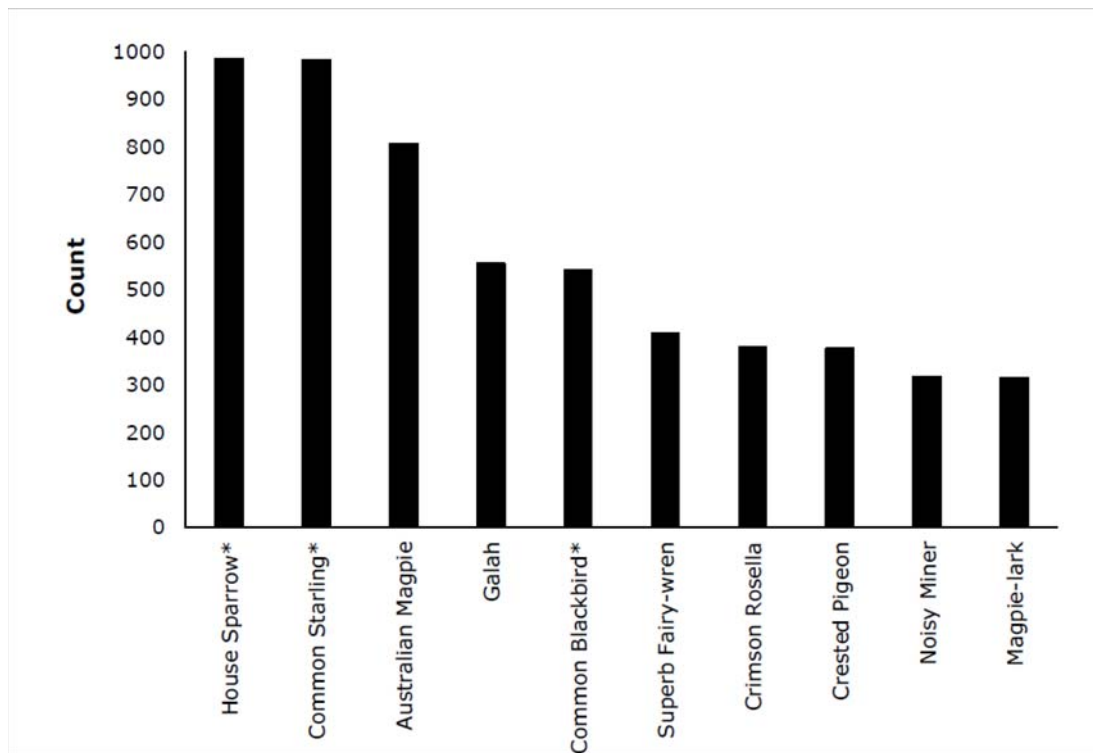


Figure 1: The 10 most commonly observed bird species within the Bathurst Regional Council boundaries during the 2017 Aussie Backyard Bird Count. * indicates introduced species.

The proportion of introduced species of bird in the Bathurst Region was far greater than that seen in State and National Results with introduced birds, making up over 26% of all birds counted. This result is likely due to the high proportion of exotic vegetation in the urban areas and a trend towards simple garden designs dominated by non-native species. Common native species were those that are known to be more aggressive (magpies, parrots) or adapted to living in suburban environments (fairy wrens, crested pigeons).

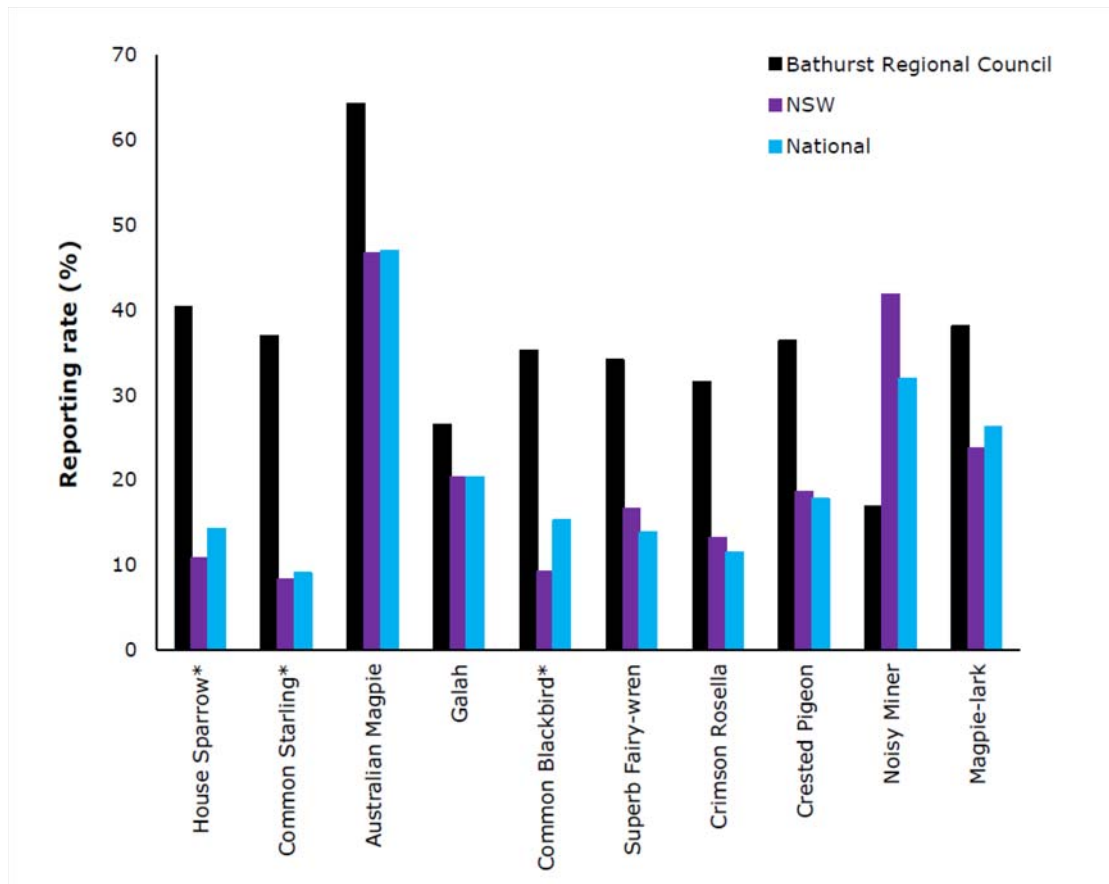


Figure 2. Comparison between the reporting rates of the ten most commonly detected species during the 2017 Aussie Backyard Bird Count within the Bathurst Regional Council boundaries, New South Wales and nationally. * indicates introduced species.

Several declining or threatened species were identified during the survey. These species are considered to be declining for a variety of reasons but mostly due to clearing of woodland habitat, loss of nesting hollows due to development and firewood collection, and declining food resources including prey animals. The threatened species recorded were:

- Gang-gang Cockatoo (Vulnerable)
- Glossy Black Cockatoo (Vulnerable)
- Turquoise Parrot (Vulnerable)
- Superb Parrot (Vulnerable)
- Brown Treecreeper (Vulnerable)
- Diamond Firetail (Vulnerable)
- Dusky Woodswallow (Vulnerable)
- Scarlet Robin (Vulnerable)
- Little Eagle (Vulnerable)
- White-fronted Chat (Vulnerable)
- Powerful Owl (Vulnerable)
- Hooded Robin (Vulnerable)
- Painted Honeyeater (Vulnerable)

Both the Powerful Owl and Little Eagle have been sighted in a localised area and two individuals were recorded. This is significant as these are both vulnerable Australian Raptor species and they are residents in our region and could even be a breeding pair.

Sightings of vulnerable Australian parrot species in the Bathurst region ranged from two to

seven individuals per species. More research is needed to determine the actual population size and extant for these species.

Overview

Native species in the Bathurst Region are being replaced by introduced or feral species and smaller natives are being replaced by larger more aggressive native species. This has been blamed upon the replacement of native vegetation and a move towards a 'simplified' backyards and urban landscapes without a diversity of grass, shrub and tree species. Bathurst residents often complain about the impact of introduced bird species on their homes and businesses.

If current trends continue, the Bathurst Region will be dominated by introduced species and a handful of adaptable and aggressive native species.

As the results show that introduced birds and aggressive native birds continue to increase, it is recommended for Council to consider opportunities to increase the proportion of native plantings within the urban and suburban environment, not just in Council reserves but in street tree plantings and new developments. Based upon current science, to support sustainable and healthy populations at least 30-50% of suburban land area should consist of native and biodiverse habitat. Such areas provide key corridors, food resources and refuges for all native species and are less likely to support introduced species.

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 1.4
- Objective 3: Environmental stewardship Strategy 3.1
- Objective 6: Community leadership and collaboration Strategy 6.1

Community Engagement

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

Yours faithfully



N Southorn
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 SEPTEMBER 2018

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$91,880,000 was invested at 31 August 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:

	<u>Rating</u>	<u>Balance</u>	<u>Average Return</u>
<u>Short Term 1 – 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits):			
National Australia Bank Limited	A1+	\$13,500,000.00	2.66%
Bankwest	A1+	\$16,500,000.00	2.78%
CBA	A1+	\$6,000,000.00	2.71%
Westpac	A1+	\$1,500,000.00	2.81%
Bank of Queensland Limited	A2	\$6,000,000.00	2.60%
Bendigo & Adelaide	A2	\$1,500,000.00	2.80%
IMB	A2	\$3,000,000.00	2.62%
Auswide Bank	A2	\$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>
		\$55,500,000.00	2.70%
<u>Long Term > 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Bonds):			
<u>Floating Rate Term Deposits</u>			
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	3.05%
Westpac Coupon Select	AA-	\$2,000,000.00	2.99%
Westpac Coupon Select 1	AA-	\$3,000,000.00	3.00%
Westpac Coupon Select 2	AA-	\$1,500,000.00	2.95%
Westpac Coupon Select 3	AA-	\$1,500,000.00	2.75%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$1,830,000.00</u>	<u>1.70%</u>
		\$14,330,000.00	2.78%
<u>Fixed, Negotiable & Tradeable Certificates of Deposits</u>			
AMP Fixed Rate	A	\$1,000,000.00	2.99%
Greater Bank Ltd	BBB	\$1,000,000.00	3.36%
Greater Bank Ltd	BBB	<u>\$2,000,000.00</u>	<u>3.50%</u>
		\$4,000,000.00	3.34%
<u>Floating Rate Notes</u>			
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	2.91%
CBA Climate Bond	AA-	\$1,000,000.00	3.03%
CBA	AA-	\$500,000.00	2.89%
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	1.35%
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	3.04%
Bendigo & Adelaide Bank 2	BBB+	\$1,000,000.00	2.99%
Bendigo & Adelaide Bank 3	BBB+	\$1,000,000.00	3.06%
Members Equity 3	BBB	\$750,000.00	3.22%
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	<u>\$1,000,000.00</u>	<u>3.62%</u>
		\$18,050,000.00	3.14%

Total Investments **\$91,880,000.00** **2.83%**

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	\$ 2,663,900.00

Total Investments **\$91,880,000.00**

Total Interest Revenue to 31 August 2018 **\$427,649.92** **2.83%**

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. 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 - Refer to attachment 1

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 August 2018.

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

Section 356:	\$ Nil
BMEC Community use:	\$4,696.73
Mount Panorama:	\$32,875.87

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.

- Australia Post - Shop 2, Ground Floor, 230 Howick Street, Bathurst - Lot 1, DP 774489 - Lease
- KJ & P Anderson - Proposed Lot 1004 at Bathurst Trade Centre - Part Lot 806, DP 1169443 - Contract
- Charles Sturt University - 20 Leena Street, South Bathurst - Lot 268, DP 820952 - Contract
- Morton, Slattery, O'Dwyer & Wilkinson - Bathurst Trade Centre - Proposed Lot 1001, Lot 806, DP 1169443 - Contract
- Bathurst Netball Association Inc - 261 Durham Street, Bathurst - Lot 1, DP 1167594 - Licence

Linen Plan Release

- Mrs CP Stait - Stage 1:66 Lot release of 180 lot residential subdivision - Lot 500, DP 1219505 - Graham Drive, Kelso and Lot 6, DP 788492 - Marsden Lane, 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 STATEMENT BY COUNCIL ON FINANCIAL REPORTS (16.00137, 41.00089)

Recommendation: That Council:

- (a) refer the draft Financial Statements to Council's auditors, Audit Office of NSW, for audit;
- (b) sign the Certificates with respect to the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ended 30 June 2018;
- (c) adopt the Accounting Policies shown in the financial reports.

Report: Council is required, under section 413 (1) of the Local Government Act 1993, to prepare financial reports for each year, and refer them for audit. For Council's information the draft Financial Reports for the year ended 30 June 2018 are provided as the General Purpose Financial Statements (**attachment 1**) and Special Purpose Financial Statements (**attachment 2**). Note that the draft Financial Reports may be subject to change during the audit process.

Pursuant to Section 413 (2)(c) Council is required to make a statement in the approved form (**attachment 3** and **attachment 4**) in respect of its General Purpose Financial Statements and Special Purpose Financial Statements.

Each year, Council determines its significant Accounting Policies to be incorporated into the Financial Statements. Those policies deal with how the Council implements the International Financial Reporting Standards (IFRS), the Australian Accounting Standards (AAS), the Local Government Code of Accounting Practice (the Code) and the specific principles, bases, conventions, rules and practices that are applied in preparing and presenting the Financial Statements. The accounting policies are included in the Financial Statements for Council's adoption.

Following completion of the audit the Financial Statements will be placed on public exhibition prior to the formal presentation to Council.

Financial Implications: Nil

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.1, 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 2018 NEWTONS NATION IDF WORLD CUP (04.00122)

Recommendation: That:

- (a) The report on the 2018 Newtons Nation IDF World Cup event held at Mount Panorama be noted.
- (b) Council waive/pay the venue hire and cleaning costs, amounting to \$13,989.00 (including GST), associated with the 2018 event, to be funded from Council's Section 356 - Mount Panorama Fee Waiver allocation.

Report: Council would recall at its meeting of 13 December 2017 that it resolved (in part):

"(a) make available the Mount Panorama Motor Racing Circuit for use by the Australian Skateboard Association for the Newtons IDF World Cup in April 2018".

Following this resolution, a number of meetings were held between representatives of the Australian Skateboard Racing Association (ASRA) and Council staff. The purpose of these meetings were to resolve the issues that had arisen in previous years and to set some expectations to aid in delivering a successful, issue-free event for 2018.

The event was conducted from Thursday, 5 April to Sunday, 8 April 2018, and from Council's perspective, there were no significant issues that were brought to Council's attention during this event.

Council staff recently met with representatives from ASRA to debrief on the 2018 event, and to commence discussions/planning for the 2019 event. At this meeting one area that was discussed for improvement for 2019 was the provision of additional notice and information on the event to the affected residents. Discussions on the growth of the event for 2019 are continuing, with the dates for 2019 being announced shortly.

In previous years Council has either waived or borne the venue based costs associated with this event, however, Council's resolution of 13 December 2017 was silent on this matter. For the 2018 event the venue hire and cleaning charges amounted to \$13,989.00 (including GST).

Council has notified ASRA of their requirement to pay these charges. In response, ASRA have written to Council seeking these charges to be waived. A copy of this letter is provided at **attachment 1**.

The details of the venue hire and cleaning charges for this event are as follows:

Skyline Tower- per day	\$168.00 @ 3 days	\$504.00
Skyline Tower- screen removal	per event	\$495.00
Part circuit hire- per day	\$3,736.00 @ 3 days	\$11,208.00
Toilet block- per day	\$249.00 @ 3 days	\$747.00
Street sweeper- track cleaning	\$180.00/ hr @ 3hrs	\$540.00
Post event cleaning- at cost		<u>\$495.00</u>
		<u>\$13,989.00</u> (incl gst)

As Council has not previously charged ASRA for the venue hire and cleaning charges associated with this event, and as there was no advance direction provided to ASRA of their requirement to pay these charges, it is recommended that Council waive/pay the venue hire

and cleaning costs for the 2018 event as outlined above.

Financial Implications: Should Council resolve in accordance with the recommendations of this report, \$13,989.00 (including GST) venue hire and cleaning costs can be funded from Council's Section 356 - Mount Panorama Fee Waiver allocation which has a balance of \$32,875.87

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 2: A smart and vibrant economy Strategy 2.5

Community Engagement

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

7 REQUEST FOR FEE WAIVER - BATHURST REGIONAL LIBRARY MEETING ROOM (21.00047)

Recommendation: That Council not waive the "Community User" hire charge for the Bathurst U3A Inc. The University of the Third Age's use of the Bathurst Regional Library Meeting Room for the period July to December 2018.

Report: Council is in receipt of a request from the Bathurst U3A Inc. seeking Council to waive the hire fees associated with their use of the meeting room in the Bathurst Regional Library. A copy of the request is provided at **attachment 1**.

Council's adopted fee structure for the Bathurst Regional Library meeting room provides for a set of fees for "Commerical Users", and a significantly discounted set of fees for "Community Users". The Bathurst U3A Inc. would be eligible for the "Community User" fees. Further, details on the meeting room's conditions of use, which provides information on the adopted fee structure, is provided at **attachment 2**.

The Bathurst U3A Inc. have made the following bookings in relation to the July to December 2018 period.

- Term 3 - 1.5 hours per week for six weeks
- Term 4 - 1.5 hours per week for six weeks

Accordingly, at the "Community User" hourly rate of \$37.00, the total hire fee for these bookings amounts to \$666.00.

As yet, a booking request for January to June 2019 has not been received.

As the "Community User" hire charge for the meeting room is already significantly discounted. It is the recommendation of this report that Council not waive the hire fees associated with the Bathurst U3A Inc. request.

It should be noted that the Library has omitted to charge the Bathurst U3A Inc. for the hire of this facility in recent times, therefore, the Bathurst U3A Inc. have not allowed for this cost when setting their annual membership fees. As their memberships are on a calendar year basis, the next opportunity to revise their fees will not occur until January 2019. Accordingly, Council may instead resolve to continue not to charge the Bathurst U3A Inc. for the remainder of the calendar year in light of these circumstances and advise the Bathurst U3A Inc. of the hire fees that will be payable from January 2019 onwards.

Financial Implications: Should Council resolve in accordance with the recommendations of this report, then 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 1.3

Community Engagement

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

8 REQUEST FOR FINANCIAL ASSISTANCE - NISSAN DATSUN DRIVERS CLUB - BATHURST 2018 RALLY (18.00195)

Recommendation: That Council not waive the costs associated with the partial closure of Russell Street for the 2018 Nissan Datsun Drivers Club "ceremonial" start and display as Council's General Donations allocation has been fully committed.

Report: Council has received advice that the Nissan Datsun Drivers Club will be conducting Round 5 of the NSW Rally Championship and East Coast Classic Rally Series on Saturday 22 September 2018. The request is shown at **attachment 1**.

The Club is seeking Council to waive the costs associated with closing Russell Street.

The Bathurst Rally will be staged between the St Patrick's Rugby League Complex on Hereford Street Kelso, Sunny Corner State Forest and return to the Rugby League Complex. It is expected up to 70 cars will take part in this event. A ceremonial start at Russell Street opposite the Court House has been requested.

The Rally will be conducted between 10.00 am and 8.00 pm. The competitors will travel from Russell Street to Mt Horrible Road and then to Sunny Corner via public roads and finish back at the Kelso Rugby League Complex. All vehicles are registered and Australian Road Rules will be observed at all times on the transport sections.

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 7 August 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 \$32,875.87.

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.

9 WAIVING OF HIRE FEE - USE CENTENNIAL PARK (04.00047)

Recommendation: That Council:

- (a) waive the hire fee applicable for the use of Centennial Park by Best Paw Forward on 16 September 2018; and
- (b) agree to a variation to the terms of use relating to the hours of usage for Sunday, 16 September 2018 only.

Report: Council is in receipt of a request from Best Paw Forward for the use of Centennial Park on Sunday, 16 September 2018 for a series of short training sessions from 9 am until 12 noon, with all proceeds going to the "Buy a Bale" organisation. A copy of the request is at **attachment 1**.

Best Paw Forward has been previously granted approval under Section 68 of the Local Government Act for the conduct of dog obedience classes at Centennial Park. This request is seeking a variation to the terms of use of Centennial Park, in particular the hours of usage, with all other conditions still applying. Best Paw Forward will donate all proceeds from the day to the Buy a Bale organisation.

The hire fees applicable for usage on this day would be \$290.

Council's donation will be acknowledged by Best Paw Forward on its website and Facebook page.

Financial Implications: Should Council resolve in accordance with the recommendations of this report, Council will forego \$290 in revenue from the hire of Centennial Park.

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.

10 CONSOLIDATION AND SUBDIVISION OF LAND AT LOT 18 & LOT 19 DP1084053 KNOWN AS 38 WILLIAM STREET, BATHURST (22.06911)

Recommendation: That Council

- (a) approves the consolidation of Lot 18 and Lot 19 DP1084053.
- (b) approves the subsequent subdivision of the 'commercial portion' of the property.

Report: Council purchased this property on the 16 May 2018. The property had a commercial building (zoned B3 Commercial Core) that had 3 shops leased as well as prime 'green field space' for future expansion of the day-care facility owned and operated by Council next door. Please see map of proposed site at **attachment 1**.

Plans are now approved for the 'green field site' to be developed as additional car parking and access for the day-care facility. Council now needs to maintain the value of the commercial aspect of the property by undertaking a consolidation of the lots and subdivide the commercial portion off from the car parking activities into a separate title so that the value is protected and maintained but also limit any possible public liabilities from the day-care facility activities to the commercial leases on site.

Calculations to show minimum parking requirements for the commercial activities can be seen at **attachment 2**.

Once the consolidation and subdivision has been completed, the commercial building will be managed through Council's Property Section and the improvements and upgrading of the day-care facility will be unimpeded.

Therefore it is recommended that Council:

- (a) approves the consolidation of Lot 18 and Lot 19 DP1084053.
- (b) approves the subsequent subdivision of the 'commercial portion' of the property.

Financial Implications: If the recommendations are adopted, Council will fund the consolidation and subdivision of the property from Land Development funds.

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.

11 AMENDMENT TO REVENUE POLICY (16.00155)

Recommendation: That:

- (a) Council amend the revenue policy from the description "Release of Shopping Trolley or A frame sign (per item)" to "Release of Shopping Trolley, A frame sign or other articles (per item)".
- (b) the proposed amendment be placed on public exhibition for a period of 28 days.
- (c) If no submissions are received, amend the revenue policy.
- (d) if submissions are received a further report be provided to Council.

Report: The Impounding Act 1993 section 15 allows that "An impounding officer may impound an article found in the officer's area of operations if the officer believes on reasonable grounds that the article has been abandoned or left unattended." Currently Council uses this section for the impounding and release, upon payment of the fee, of shopping trolleys and signs that are causing an obstruction. The amendment is required by the Regulatory Services section of Council to fully perform their function.

The fee of \$52.50 will not change under this recommendation.

Financial Implications: Nil

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration 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.

**12 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 22.00267, 22.01046, 04.00050, 22.16152, 22.06911)**

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 RENEWAL OF COMMERCIAL LEASE AT LOT 7 DP806109 KNOWN AS 5 WARK PARADE, WINDRADYNE (22.00267)

This report relates to proposed renewal of the commercial lease agreement at Lot 5 DP806109 known as 5 Wark Parade, Windradyne with Vivability Inc. for a period of two (2) years with a two (2) year option.

2 RENEWAL OF COMMERCIAL LEASE AT PART LOT 10 IN DP1157553 KNOWN AS JOHN MATTHEWS SPORTING COMPLEX, DURHAM STREET CARPARK (22.01046)

This report relates to the proposed renewal of the commercial lease agreement for part Lot 10 DP1157553 known as John Matthews Sporting Complex, Durham Street carpark with iSpy Coffee Van for a period of twelve months with a twelve month option.

3 RENEWAL OF SPORTING LICENCE AGREEMENT FOR PART LOT 7013 DP1114435 KNOWN AS BROOKE MOORE OVAL TO THE RUGBY UNION CRICKET CLUB (04.00050)

This report relates to the proposed renewal of the Sporting Licence Agreement for part Lot 7013 DP1114435 known as Brooke Moore Oval with the Rugby Union Cricket Club for a period of five (5) years

4 SALE OF LAND AT LOT 908 DP1110004 KNOWN AS 45 HAMPDEN PARK ROAD, KELSO. (22.16152)

This report relates to the proposed sale of Lot 908 DP1110004 known as 45 Hampden Park Road, Kelso.

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 handwritten signature in black ink, appearing to read 'A Jones', written over a large, hand-drawn oval shape.

A Jones
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 SEPTEMBER 2018

1 VEGETATION MANAGEMENT PLAN UPDATE (37.00563)

Recommendation: That Council:

- (a) Place the Vegetation Management Plan on public exhibition for a period of 28 days;
- (b) Subject to any significant amendments deemed necessary from submissions received by the public, Council adopt the Vegetation Management Plan; and
- (c) Should it be deemed necessary to significantly alter the draft plan, following any comments received during the public submission period, a further report will be presented to Council for consideration.

Report: Council engaged the environmental consultancy Molino Stewart to review and update the Vegetation Management Plan (VMP). The objectives of the plan are to:

- Provide a working tool for Council to manage vegetation resources and plan for the future;
- Provide the foundation and set the direction for developing specific vegetation management actions or work plans by Council, key stakeholders and the community; and
- Strengthen the cultural and environmental values of native and exotic vegetation within the Bathurst Regional LGA including its rural villages, through coordinated and sustainable vegetation management and planning.

The original VMP has been updated to encompass all the changes since the original plan was adopted, including the amalgamation with Evans Shire Council, inclusion of additional properties under the care and control of Bathurst Regional Council, new suburban areas and the completion of a number of the recommended actions of the original VMP.

As part of the VMP preparation, ecologists carried out field inspections of approximately 130 Council managed parks and reserves across the region. The conservation value and threats to the vegetation across these properties was assessed to inform management measures.

Community consultation was also completed to gain an understanding of community values, ideas and concerns regarding vegetation management. Consultation included an online survey on Council's "Your Say" website, Councillor workshop, a public discussion forum, and letters sent to key stakeholders and organisations.

The updated VMP provides strategies and recommendations for vegetation management, particularly land under the care and control of Council. The plan reflects the exotic trees of cool climate origin within the Heritage Conservation Area, gateways, waterways and floodplain wetlands within Bathurst. The plan also now encompasses the surrounding historic villages with agricultural lands, natural bushland, steeply wooded slopes and riverine gorges characterised by native vegetation. To accommodate for these characteristics, and to create an appropriate transition between the rural, village and urban landscapes, the following vegetation themes have been incorporated within the VMP – Significant Landscapes, Native Remnant Vegetation, Waterways, Streetscapes, Parks and Public Reserves, Gateways, and Wetlands and Floodplains. A copy of the draft Vegetation Management Plan update is provided at **attachment 1**.

Key achievements of the original Vegetation Management Plan include:

- “Racing to Save the Mount Panorama Woodlands” project to rehabilitate the endangered Box Gum Grassy Woodlands across Mount Panorama;
- Construction of erosion control structures, weed control and revegetation within Hawthornden Creek, South Bathurst;
- “Restoring Regent Honeyeater Habitat” project, including weed control and planting of over 4000 native trees, shrubs and grasses along the Macquarie River, Abercrombie;
- Highway gateway tree plantings and entrance statements along the Mitchell and Mid-Western Highways; and
- Community tree planting events with the Community Environmental Engagement Officer.

It is recommended that Council place the draft VMP on public exhibition for a period of 28 days.

Financial Implications: The update to the Vegetation Management Plan was funded from the existing Vegetation Management Plan allocation. Council currently provides \$250K annually within the annual operating plan to implement the recommended actions and processes within the VMP.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.3, 1.4
- Objective 3: Environmental stewardship Strategy 3.1, 3.3, 3.4, 3.5

Community Engagement

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

2 MACHATTIE PARK/KINGS PARADE FLYING-FOX ACTION PLAN (04.00012)

Recommendation: For Council's consideration.

Report: *Flying-fox Camp Management Plan*

Grey Headed Flying-foxes are listed as vulnerable to extinction and protected under the NSW *Biodiversity Conservation Act 2016* and Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*. As such a Flying Fox Camp Management Plan was required to be developed to meet the requirements of NSW Office of Environment and Heritage (OEH) *Flying-Fox Camp Management Policy 2015*, prior to any proposed actions that Council may wish to take in respect to the Flying-fox colony. The Flying-fox Camp Management Plan for Machattie Park and Kings Parade was developed by Eco Logical Australia, an environmental consultancy experienced in Flying-fox management. This document was adopted by Council on the 21 August 2018, following a public exhibition period, and includes three action levels:

- Level 1: Community Education & Habitat Restoration.
- Level 2: Deterrent Actions.
- Level 3: Dispersal Actions.

Council is currently carrying out the Level 1 Actions including planting of habitat trees along the Macquarie River, and the expansion of the educational program to provide information on the ecological value of Flying-foxes and how residents can live with them.

Deterrent & Dispersal Plan

In order to implement deterrent and dispersal actions to protected species, Council was also required to prepare a Flying Fox Deterrent and Dispersal Plan for Machattie Park and Kings Parade. This plan details the specific actions and procedures that are to be taken for an attempt to relocate the flying foxes from Machattie Park and at the same time ensure that the flying foxes are not harmed. Whilst flying-foxes have not been recorded at Kings Parade, this location is included within the Deterrent and Dispersal Plan as both parks are heritage listed, have similar habitat and are close to each other. A copy of the Flying-fox Deterrent and Dispersal Plan is provided as **attachment 1** for your information.

The Flying-fox Deterrent and Dispersal Plan has been developed by Eco Logical Australia, as this company have the expertise in the management of flying foxes and the understanding of the compliance requirements that must be adhered to in respect to animal welfare and OEH regulations for the protection of these animals.

The Deterrent and Dispersal Plan includes the installation of deterrents that may discourage Flying-foxes from re-establishing the camp in Machattie Park. If these deterrents are ineffective and the Flying-fox camp establishes, then active dispersal techniques are proposed to be implemented immediately. These actions are based on previous dispersal attempts which require actions to be undertaken each day at dawn when the Flying-foxes are flying in and returning to camp, and over an extended period of time. Refer to Table 1 for a summary of these actions.

Table 1: Proposed Deterrent & Dispersal Actions

Phase	Action	Description
	Noise	Permanent speakers will be installed and mounted in trees

Deterrent	emitters on timers	which have been used previously for roosting. These speakers must be able to be turned on instantaneously, with a random, loud, varied and unexpected sound track to deter flying-foxes. The speakers are to be operate 6 days a week between 4am - 6am.
	Lighting	Multiple semi-permanent hydraulic lighting towers will be installed along the footpath network within Machattie Park, directed into the canopy. These lights will be used to deter and monitor flying-foxes arriving back into camp pre-dawn. The lighting is to be operated 6 days a week between 4am - 6am.
	Canopy sprinklers	Temporary irrigation hoses will be attached to selected trees with sprinklers positioned at the top of the tree canopy to be manually operated as a deterrant to flying foxes trying to roost. The canopy sprinklers are to be operated 6 days a week between 4 am - 6am.
Dispersal	Randomised light and noise	A team of five people including a supervising Ecologist will need to be engaged to carry out disturbance activities during dawn in the form of noise and light in a randomised schedule. Dispersal activities are to be carried out 6 days a week between 4am – 6am.

Costs

Costs for the Flying-fox Deterrent and Dispersal Plan involve the initial installation of deterrent and dispersal infrastructure into Machattie Park and the labour hours that will be required on a daily basis to carry out the actions of the Deterrent and Dispersal Plan, including compulsory monitoring requirements on the flying-foxes. Whilst flying-foxes have not been recorded at Kings Parade, the equipment and roving crew can be moved to this park if required. Refer to Table 2 for a summary of these costs. Please note that the minimum estimate of the costs that would be involved to implement deterrent and dispersal measures within Machattie Park and Kings Parade are as follows:-

• Equipment and infrastructure set-up costs	\$52,387
• Weekly cost (for an unknown period of time)	\$4,625 per week for the deterrent actions \$16,175 per week for dispersal actions
• Total estimated cost for the Summer 2018/19 season	\$457,647 based on: - Small colony numbers - Equipment setup costs - Deterrents for 1 month - Dispersal for 6 months

The anticipated total costs for the implementation of an Deterrent and Dispersal Plan aimed at trying to move the flying foxes from Machattie Park and Kings Parade will be largely dependent upon the numbers that try to re-establish into the Park, the length of time they stay within Bathurst, and many other unknown variables that may eventuate.

Even if deterrent or dispersal measures are effective in the short term, the Flying-foxes may return to Machattie Park or Kings Parade in subsequent years and as such these costs would be recurrent. If Council wishes to proceed with the Deterrent and Dispersal Plan,

further expense will be incurred as there will be a need to permanently install adequate electricity, water sources, and lighting within the park.

Table 2: Cost Summary for Deterrent and Dispersal Plan for 2018/19 season

Actions	Weekly cost	Monthly cost	Season (6 months)
Set-up costs (incurred once)			
Speaker supply and installation			\$16,220
Dispersal team equipment per team			\$967
Canopy sprinkler system supply and installation			\$25,200
Wiring of speakers and supply of temporary power			\$10,000
Set-up cost estimate total			\$52,387
Estimated weekly operating costs for deterrents			
Fuel for portable lighting	\$250	\$1,000	
Labour for set up and pack up of lights, and operation of sprinkler and sound systems. (4am – 6am for 6 days a week)	\$1,050	\$4,200	
Light hire	\$3,325	\$13,300	
Deterrent estimate total	\$4,625	\$17,060	
Estimated running costs during dispersal			
Labour per team including an Ecologist supervisor (4am – 6am for 6 days a week)	\$11,550	\$46,200	\$277,200
Fuel for road works lights	\$250	\$1,000	\$6,000
Labour for set up and pack up of lights, and operation of sprinkler and sound systems. (4am – 6am for 6 days a week)	\$1,050	\$4,200	\$25,200
Light hire	\$3,325	\$13,300	\$79,800
Dispersal estimate total	\$16,175	\$64,700	\$388,200

Note that these costs are based upon the use of one dispersal team which would be required to disperse a similar Flying-fox population to that recorded in 2017/18. Should the flying fox camp increase in size, additional dispersal teams would be required.

HIGH PROBABLE FAILURE RATE

The implementation of any deterrent and dispersal measures to a flying fox colony is extremely ad hoc, complex to carry out and generally results in the expenditure of large amount of funds without any success. The following issues / concerns need to be noted should Council wish to implement this Deterrent and Dispersal Plan for Machattie Park and/or Kings Parade:-

- There is no guarantee where the flying-foxes will disperse to and they may relocate to less desirable areas within the City. A key risk is that the camp may relocate to a less suitable area such as school grounds or on private property.
- A review of 17 recent camp dispersal attempts throughout Australia found that dispersal programs were **unsuccessful in 95% of these cases**. In most instances, dispersed animals did not move far, repeat and ongoing dispersal was generally required and in all cases it was not possible to predict where displaced flying-foxes would re-roost. Further, costs to implement the dispersal and deterrent actions range upward of \$500,000 - \$1M.

- Dispersal actions must be undertaken in the early mornings (4am- 6am) when the Flying-foxes are arriving each day into the park. Loud noise is proposed as part of the Deterrent and Dispersal Plan and includes speakers playing randomised loud noises, the dispersal team hitting pots and pans, and the generators required for the lights. The dispersal activities will cause significant disturbance to nearby residents given the timing (early morning) and nature of the activities.
- All Flying-fox deterrent and dispersal actions **must cease** and must not recommence or progress to subsequent levels without consulting OEH if any of stop work triggers occur. Stop work measures include dependent young, or birthing, lactating or late-pregnancy females in the camp, or if individuals appear malnourished. WIRES have advised that the Flying-foxes that arrived in 2017 were heavily pregnant. If this was to occur again in 2018, deterrent and dispersal actions would not be able to proceed. It should be noted that the general arrival of flying foxes into the Bathurst Region occurs at the time of gestation and or birthing.
- Flying-foxes are very habitual and may return in subsequent years even if the deterrent or dispersal measures are effective in the short term. As such, there may be ongoing costs for future deterrent and dispersal follow up programs if the flying foxes return to Machattie Park.
- As Flying-foxes are a listed threatened species, a license will be required from the Office of Environment and Heritage for the deterrent and dispersal actions. The Deterrent and Dispersal Plan will be provided to OEH and formal reports must be regularly submitted throughout the program. OEH may request a Flying-fox expert to assess the onsite conditions and advise Council whether the program can proceed or cease.

Recommendation

It is recommended that Council do not proceed with the deterrent and dispersal actions outlined within the Flying-fox Deterrent and Dispersal Plan.

Flying-foxes are habitual and very difficult to successfully and permanently disperse, and as such there is no proven approach to successfully move on Flying-fox camps. As such the recommendation to not proceed with the Deterrent and Dispersal Plan is based upon the very low success rate of other dispersal attempts, the significant costs involved, ongoing cost requirements, disturbance to surrounding residents, and the high risk that the Flying-foxes could disperse to other more unsuitable locations within the city, such as schools or private property. There is also a likelihood that the Flying-foxes will arrive in Bathurst already in late-pregnancy, and therefore Council will be required to cease all actions in accordance with OEH legislative requirements.

It is recommended that if the Flying-foxes do arrive in Machattie Park in Summer 2018, that Council only carry out the Level 1 actions within the Flying-fox Camp Management Plan. These actions include additional cleaning of park furniture and raking up of debris, community education and awareness, and the planting of alternative habitat along the Macquarie River. Given that the Macquarie River was used as camps in the past, there is the possibility that habitat restoration activities at these sites would facilitate improving their suitability for future flying-fox camps.

Financial Implications: It is believed that the minimum cost estimate to carry out the Flying-fox Deterrent and Dispersal Plan is in the vicinity of \$460,000 based on the setup of equipment and 6 months of Flying-fox management actions. There is currently no allowance within the annual operating plan to implement these actions. Should Council wish to proceed

3 RECYCLING RELIEF FUND (14.00007)

Recommendation: That the information be noted.

Report: Bathurst Regional Council entered into a contract with JR Richards and Sons Pty Ltd in April 2016 for the period of 10 years being for the collection of recycling and food and garden waste and recycling processing services. This contract identified that JR Richards and Sons would enter into a separate contract with a third party to ensure that there was a recycling processing option or Materials Recycling Facility (MRF) available for the tenure of the contract. There is no direct contract in place between Council and the MRF operator, Visy Pty Ltd.

On 4 April 2018, Council received advice from its recycling contractor JR Richards and Sons requesting a formal variation to the existing contract due to increases in processing costs at the MRF operated by Visy Pty Ltd in Sydney. A price increase for all recyclable material was made effective by Visy and communicated to JR Richards and Sons in March 2018. In turn JR Richards and Sons advised that they would be passing on these additional costs through a price increase.

A confidential report to the 18 April 2018 Council meeting regarding changes to the NetWaste services contract identified the proposed price increases and cost implications to Council.

In August 2018 Council made an application to the New South Wales Environment Protection Authority (EPA) under the Recycling Relief Fund. The fund was established by the New South Wales Government in response to the implementation of the China's National Sword Policy which restricted incoming waste and recycling to China. The fund enabled Council to apply for funding amounting to a maximum of \$75.00 per tonne excluding GST to cover additional costs to Council to process recycling for a maximum of four months. Some additional administrative expenses were also included as part of this funding submission.

On 27 August 2018 Council was advised that this funding submission was successful and the amount of \$58,612.50 excluding GST was secured pending provision of evidence of actual expenditure and material going to recycling, and a Strategic Plan to assist Council with ensuring the sustainability of recycling services into the future. This program is supported by the New South Wales EPA Waste Less, Recycle More initiative funded from the waste levy.

Council through the NetWaste group appointed Wright Corporate Strategy following a quotation process to undertake a Strategic Recycling Plan (2018 – 2023) for the NetWaste region as a whole with a view to preparing a document that would meet regional priorities and objectives.

This Strategic Plan is now complete and available at **attachment 1**. The Strategic Plan contains a number of actions across 5 key action areas which Council will work towards achieving in collaboration with NetWaste and other key stakeholders including the State Government. A technical strategy underpins the Strategic Plan to provide supporting information.

Council will endeavour to work towards achieving the actions contained in the Strategic Plan.

Financial Implications: There are no financial implications should Council accept the recommendation.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 3: Environmental stewardship Strategy 3.3
- Objective 4: Enabling sustainable growth Strategy 4.3
- Objective 6: Community leadership and collaboration Strategy 6.2, 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.

**4 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 36.00684, 36.00677, 36.00681, 36.00679, 22.06857)**

Recommendation: That the information be noted.

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

**1 TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS
2018-2019 (36.00684)**

This report considers the tender for the supply and delivery of Water Treatment Chemicals (Liquid Aluminium Sulphate, Sodium Hypochlorite and Sodium Hydroxide)

2 TENDER FOR CONSTRUCTION OF THE BATHURST RAIL MUSEUM (36.00677)

This report considers the tender for the construction of the Bathurst Rail Museum

**3 TENDER FOR CONSTRUCTION OF NEW AMENITIES BUILDING, CARPARK AND
CARPARK LIGHTING AT PROCTOR PARK (36.00681)**

This report considers the tender for the construction of new amenities building, carpark and carpark lighting at Proctor Park

**4 TENDER FOR DEMOLITION OF 146 COLLEGE ROAD HOUSE AND SHEDS
(36.00679)**

This report considers the tender for the demolition of house and sheds at 146 College Road Bathurst

**5 RELEASE AND CREATION OF EASEMENTS - LOT 1 DP1191492, 365 LIMEKILNS
ROAD KELSO - SITE OF RESERVOIR 34 (22.06857)**

This report considers the release and creation of easements at lot 1 DP1191492 benefitting Bathurst Regional Council, and compensation to the land owners

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 handwritten signature in black ink that reads "Darren J. Sturgiss." The signature is written in a cursive style with a period at the end.

Darren Sturgiss
DIRECTOR
ENGINEERING SERVICES

DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 SEPTEMBER 2018

1 2018/2019 BATHURST CCTV FUNDING PROGRAM (16.00145)

Recommendation: That Council:

- (a) Provide \$2,437.73 under the 2018/2019 Bathurst CCTV Funding Program as follows;

Business	Amount of Funding
Steve Lewis Automotive	\$500 which is the maximum amount approved for funding.
Tablelands Artists Co-operative Gallery Limited	\$500 which is the maximum amount approved for funding.
Havenhand & Mather Architects Pty Ltd	\$437.73 which is 50% of the quoted installation cost.
Watson Tractors Pty Ltd	\$500 which is the maximum amount approved for funding.
Frank Smith Work Clothing	\$500 which is the maximum amount approved for funding.

- (b) Reopen the application process to offer the program to further businesses in a second round closing Friday 18 January 2019

Report: Council has allocated \$10,000 in its 2018/2019 Annual Operating Plan up to a maximum amount of \$500 on a dollar for dollar basis for businesses who address the criteria under the 2018/2019 Bathurst CCTV Funding Program.

The applications were required to meet the following criteria:

1. Specifications, quality and source of equipment.
2. Surveillance equipment registered with Bathurst Police.
3. Completion of installation within 90 days of approval.
4. Information supporting and addressing the need for CCTV in the business location.
5. Potential for coverage of the public space adjacent to the premises.

The CCTV Funding Program for the CBD Premises Assessment Group included representatives from the following organisations:

- (a) Councillor Delegate
- (b) Police Representative
- (c) Bathurst Business Chamber Representative
- (d) Council Staff Delegate

Applications for the program for this financial year, were received up to Friday 17 August 2018. The Assessment Group assessed the applications against the criteria and made the following recommendations to Council.

The Assessment Group have recommended that Council provide \$2,437.73 under the 2018/2019 Bathurst CCTV Funding Program to provide assistance to the following applicants:

Item	Business	Amount of Funding
(a)	Steve Lewis Automotive	\$500 which is the maximum amount approved for funding.
(b)	Tablelands Artists Co-operative Gallery Limited	\$500 which is the maximum amount approved for funding.
(c)	Havenhand & Mather Architects Pty Ltd	\$437.73 which is 50% of the quoted installation cost.
(d)	Watson Tractors Pty Ltd	\$500 which is the maximum amount approved for funding.
(e)	Frank Smith Work Clothing	\$500 which is the maximum amount approved for funding.

CCTV Funding Program Summary to date

This is the fourth year of this program. To date, 60 businesses have been approved for funding under this program, 10 businesses failed to complete and were withdrawn from the Program, hence 50 businesses have completed the process and installed CCTV under the Program. If Council adopts the recommendation from the Assessment Group, the accrued total will be 55 businesses.

Recommendation that a second round of applications be received by Council with a closing date of Friday 18 January 2019, to allow a timely completion of the projects within a 90 day timeline, prior to the end of the financial year. Further advertising of the program will occur at the appropriate time.

Financial Implications: Council has provided \$10,000 in the Annual Operating Plan 2018/2019 for Bathurst CCTV Funding Program. A balance of \$7,562.27 remains available following this round of applications.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 5: Community health, safety and well being Strategy 5.4

Community Engagement

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

2 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD 6 AUGUST 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 6 August 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 6 August 2018:

- Website Status update
- Trails & Tours app update
- Update on the BVIC refurbishment and retail review
- BVIC received a Silver award at the Regional Tourism Awards held 28 July 2018

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.

3 BATHURST REGIONAL ART GALLERY - UNIVERSITY OF TECHNOLOGY SYDNEY (UTS) COLLABORATION AWARD (21.00002)

Recommendation: That the information be noted.

Report: Distinguished Professor Peter McNeil and Dr Christine Dean from the University of Technology Sydney (UTS) have been awarded the UTS Ally Award Celebrating and Supporting Sexual and Gender Diversity for their contribution to the development of BRAG's *The Unflinching Gaze* exhibition.

Awarded on 14 August, 2018, the UTS Ally Award recognises work done to improve human rights for people from lesbian, gay, bisexual, transgender, transsexual, intersex and queer communities.

McNeil and Dean received the award for their consultation and intellectual framing of *The Unflinching Gaze* and related catalogue, community outreach and advocacy.

The bi-annual UTS Human Rights Awards acknowledges the contribution of staff and students at UTS who, through their spirit and commitment, are creating a more equitable university and society. Judge of this year's Award was Race Discrimination Commissioner Dr Tim Soutphommasane.

BRAG partnered with McNeil and Dean to develop a series of symposia featuring leading international and Australian artists, academics and curators discussing contemporary art, LGBTIQ issues, and 'queer' curating. McNeil secured funding from the UTS Faculty of Design, Architecture and Building Publication Support Fund and UTS Equity and Diversity to assist with the publication of the exhibition catalogue, as well as the participation of international speakers at the symposia in Sydney and Bathurst.

The Unflinching Gaze: photo media & the male figure (14 October - 3 December 2017) was a major exhibition of over 200 photographs and video works by 62 Australian and international artists looking at representations of the male figure curated by retired BRAG Director, Richard Perram OAM. The exhibition aimed to raise awareness of LGBTIQ+ issues in regional NSW, and to create a platform for education and inclusion.

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 2: A smart and vibrant economy Strategy 2.6
- Objective 5: Community health, safety and well being Strategy 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.

4 2018/2019 RURAL VILLAGE IMPROVEMENT PROGRAM (16.00104)

Recommendation: That Council distribute the 2018/2019 Rural Village Improvement Program funding as follows:

Name of Association	Project Requested	Total Requested
Hill End & District Volunteer Bushfire Brigade	Picnic tables to be placed at general and Catholic cemeteries	\$2,850
Rockley & District Community Association	Electrical work including repairs to fans and exit lights at hall	\$2,850
Sofala and District Agricultural & Horticultural Show Society Inc	Cement vee drain to stop storm water entering show pavilions	\$1,425
Sofala Progress Association Inc	Install wash hand basin in kitchen as now required, balance to repair white ant damage and fans in the hall	\$1,425
Sunny Corner & District Progress Association Inc	Eave repair and construction at Sunny Corner Hall	\$2,850
Trunkey Creek Progress Association	Purchase of universal banquet chairs for hall	\$2,850
Wattle Flat Heritage Lands Trust	For shade house #3 at Solitary Mine Site, purchase and install: <ul style="list-style-type: none"> • one heavy duty timber picnic setting in shade house. • guttering, brackets, guarding and downpipes to tank already installed. 	\$1,425
Wattle Flat Progress Association	Purchase heavy duty 6m x 3m aluminium and PVC marquee complete with three walls plus one extra set of walls to be used for Progress Association events	\$1,425
Yetholme Progress Association	Prepare and install notice and information board with location map as first stage of interpretive signage program for village.	\$2,850
TOTAL AMOUNT		\$19,950.00

Report: An amount of \$20,000 has been provided for in the 2018/2019 Annual Operating Plan and Budget for the Rural Village Improvement Program.

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

Since the program’s introduction, Council has made contributions to the villages of Hill End, Rockley, Sofala, Trunkey Creek, Wattle Flat, Sunny Corner and Yetholme in improving the infrastructure available to their residents. Over \$1,000,000 has been provided through this program during the last twelve years.

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

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

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

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

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

The current programs allocation in accordance with Bathurst Regional Council's 2018/2019 Annual Operating Plan and Budget is \$20,000.

The table below summarises the applications received from the Village community organisations for the 2018/2019 program:

Name of Association	Project Requested	Total Requested
Hill End & District Volunteer Bushfire Brigade	Picnic tables to be placed at general and Catholic cemeteries	\$2,850
Rockley & District Community Association	Electrical work including repairs to fans and exit lights at hall	\$2,850
Sofala and District Agricultural & Horticultural Show Society Inc	Cement vee drain to stop storm water entering show pavilions	\$1,425
Sofala Progress Association Inc	Install wash hand basin in kitchen as now required, balance to repair white ant damage and fans in the hall	\$1,425
Sunny Corner & District Progress Association Inc	Eave repair and construction at Sunny Corner Hall	\$2,850
Trunkey Creek Progress Association	Purchase of universal banquet chairs for hall	\$2,850
Wattle Flat Heritage Lands Trust	For shade house #3 at Solitary Mine Site, purchase and install: <ul style="list-style-type: none"> • one heavy duty timber picnic setting in shade house. • guttering, brackets, guarding and downpipes to tank already installed. 	\$1,425
Wattle Flat Progress Association	Purchase heavy duty 6m x 3m aluminium and PVC marquee complete with three walls plus one extra set of walls to be used for Progress Association events	\$1,425
Yetholme Progress Association	Prepare and install notice and information board with location map as first stage of interpretive signage program for village.	\$2,850
TOTAL AMOUNT		\$19,950.00

The Village Improvement Program, whilst an infrastructure program, has also built invaluable social capital and capacity in each village that is essential in maintaining a quality of life to attract residents and visitors alike. The level of pride and satisfaction that members of the community displayed is admirable. It is abundantly clear the residents in these villages are

committed to ensuring they maintain a high level of social interaction and in doing so have developed an acute sense of place.

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

Financial Implications: An amount of \$20,000 has been provided for in the 2018/2019 Annual Operating Plan and Budget for the Rural Village Improvement Program.

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 2.6
- Objective 4: Enabling sustainable growth Strategy 4.3
- 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.

5 AUSTRALIAN FOSSIL & MINERAL MUSEUM-HOME OF THE SOMERVILLE COLLECTION - HONORARY BATHURST CITIZEN PRESENTATION, EXHIBITION OPENING AND BIRTHDAY CELEBRATION HELD ON 26 JULY 2018 (21.00054, 18.00186)

Recommendation: That the information be noted.

Report: The Australian Fossil and Mineral Museum held an exhibition opening, birthday celebration and the presentation of the Honorary Bathurst Citizen to Warren Somerville AM on Thursday 26 July 2018. The exhibition titled 'The Home of the Somerville Collection' details the history of the Museum site, the building and the collection. This exhibition was developed to celebrate the contribution of Warren Somerville AM and the other key players in the establishment of the Museum. It is also designed to engage the public and other key stakeholders with the Museum, through its past and into thinking about the future, which will initiate engagement with future strategic planning for the AFMM.

The exhibition opening was timed to coincide with the fourteenth anniversary of the Australian Fossil and Mineral Museum. It opened on the 26 July 2004. The occasion was significant as it also saw the presentation of an Honorary Bathurst Citizenship to Warren Somerville. This honour was presented to Warren Somerville by Mayor Graeme Hanger OAM.

The event was planned in conjunction with the mayor's office and invitations were extended to Warren Somerville and his family, Councillors, Bathurst Regional Council executives, The Australian Museum, Somerville Board members, major financial contributors, Museums Unit management team, AFMM volunteers, Friends of AFMM and other people who had played a role in the development of the Museum. The event was attended by 80 guests.

The event was a resounding success with very positive feedback being received.

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 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.

6 BATHURST LIBRARY - ELECTRONIC LIBRARY COLLECTIONS (21.00054)

Recommendation: That the information be noted.

Report: Bathurst Library, in addition to its physical collections, makes available to library members access to free electronic collections, eBooks, eAudiobooks and eMagazines via the eLibrary portal.

Bathurst Library has collaborated, as part of a group purchasing consortia with other libraries in the Central West area, substantially increasing the collection at an even more competitive rate. The partnerships allow Bathurst Library to expand the content available to its members without increasing the yearly expense on material and platform fees. Each of the participating libraries have a say in what goes into the collection which ensures that the interests of their own members are reflected each time new stock is added to the library.

The library currently provides electronic collections over three platforms being:

1. Wheelers (eBooks),
2. BorrowBox (eBooks and eAudiobooks), and
3. RB Digital (eAudiobooks, eMagazines and some classic eBooks).

The eBook and eAudiobook collections include popular fiction and non-fiction titles for both adult and young people.

Participating libraries in the purchasing consortia include Bathurst, Big Sky (Brewarrina, Lighting Ridge, Moree, Mungindi, Walgett), Bourke, Broken Hill, Central West, Cobar, Gunnedah, Inverell, Lachlan, Lithgow, Mid-Western, North Western, Oberon, Parkes and Weddin.

The table below show the increase in collection content since entering in the three consortia:

	pre consortia	post consortia
eBooks titles	2,769	11,660
eAudiobooks titles	1,166	2,910
eMagazines titles	76	116
Platforms	2	3
Overall cost	\$31,722	\$31,099

The number of users of the Library eCollections continues to grow steadily with 350 new users joining over the last 12 months. The increase in collection content has translated in a dramatic increase in loans issued from 381 in August 2017 to 1,299 in August 2018.

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 2: A smart and vibrant economy Strategy 2.3
- Objective 4: Enabling sustainable growth Strategy 4.3

- Objective 5: Community health, safety and well being Strategy 5.3
- Objective 6: Community leadership and collaboration Strategy 6.2

Community Engagement

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

7 NATIONAL MOTOR RACING MUSEUM - FATHER'S DAY EVENT, SUNDAY 2 SEPTEMBER 2018 (21.00005)

Recommendation: That the information be noted.

Report: This year the National Motor Racing Museum held its third Father's Day event Sunday, 2 September.

The event included free entry for Fathers on the day and free sausage sizzle kindly manned by The Bathurst Lions Club. Additionally, the 30th Anniversary of the opening of the National Motor Racing Museum was celebrated with a short formal function, and visitors born in 1988 were also admitted to the museum for free.

As was the case in 2017, the museum offered a ride around the Mount Panorama circuit in one of the NMRM's race cars. The cars included:

- 1968 Holden Monaro
- 1967 Ford XR GT
- 1963 Ford Cortina GT
- 1966 Mini Cooper 'S'
- George Reed Special

Trike Adventures from Dubbo also provided rides on the day.

An estimated total of 750 people attended the event with just under 500 entries to the museum. This demonstrated an increase from last year's event with 600 people, although museum entry figures were very similar to 2017. The day attracted locals and visitors from further afield including Orange, the Blue Mountains, Sydney and Interstate. Several patrons specifically remained in the Bathurst area to attend the day, and one family from Brisbane modified their travel plans to remain in the locality, and booked seats in the Falcon and the George Reed Special, as well as visiting the museum and shop several times in the week leading up to Father's Day.

The event generated \$5,824 income on the day, up from \$5,500 in 2017. The car rides which were largely prepaid generated \$3445, up from \$2710 in 2017. Money made through the car rides will be allocated for the purchase of another replica car that will be used for such events.

Information collected on the day indicated that individuals found out about the event through facebook, radio, local newspapers and word of mouth. Several facebook posts were made to promote the event from 1 August, with a total of 52,600 people reached across the 7 posts leading up to the event. The post was also shared across a number of relevant pages, including enthusiast media during the campaign. A further 25 people (including 9 local residents) signed up for the museum's e-newsletter on the day.

Father's Day at the National Motor Racing Museum is directly linked to Action 7.2 in the 2015 Destination Management Plan (DMP) 'Think like a visitor: Increase the level of development of sustainable product that delivers the Bathurst (Region) destination experience'.

The activity leverages the opportunity to harness the lucrative VFR (Visiting Friends & Relatives) market segment which is identified in the DMP as a primary target market. This segment currently counts for 42% of the total annual visitors to the region.

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 1.3
- Objective 2: A smart and vibrant economy Strategy 2.5

Community Engagement

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

8 BATHURST DESTINATION BRAND STRATEGY - PROGRESS REPORT (20.00299)

Recommendation: That the information be noted.

Report: Council, at its meeting held 13 December 2017, (DCCS Report #2) resolved to receive Quarterly destination brand strategy implementation progress reports, outlining the performance monitoring data as described in the report.

The following information is provided as an update on the implementation of the Bathurst Destination Brand:

Destination Brand Implementation	Action
Destination Website	The new Visit Bathurst destination website has been completed. Performance metrics will be provided in future reports.
Online Booking Platform	The new booking engine has been completed and successfully integrated into the website. There a total of 50 industry operators engaged with the platform and to date, online sales of \$3,064 has been generated. Event tickets are also now sold online.
Curated Online Content	Curated content for the website has been prepared by a specialist agency who have completed the following : <ul style="list-style-type: none"> · Google analytics, search engine optimisation and analysis of the existing site · Keyword identification based on analysis, brand guidelines and identified target audiences · Written a total of 76 original/new content pieces
Graphic Design of Branded Collateral	All primary elements identified in the Brand style guide have been created by a local graphic designer, with a range of collateral including the 'What's On" and templates for print and PowerPoint application,
Development of Marketing Plan	A three year marketing plan has been developed and endorsed in principle by the Tourism Reference Group and can be read as <u>attachment 1.</u>
Signage	The re-branding of four highway billboards (located on Mitchell Highway, Orange Road, Blayney Road and Marangaroo) will be undertaken in this new financial year.
Touring Trail App	2 of 3 Touring apps have been completed. Craig Lowndes has provided the narration of the Mount Panorama driving tour, Mayfield Garden's narration has been delivered by ABC presenter Graeme Ross, and Grant Denyer will narrate the Town Square Tour at a date in late September.
Public Relations	A specialist tourism PR agency continues to focus on media relations, the development of bespoke Bathurst Region media kits, a series of targeted media famils and the distribution of media releases promoting Bathurst as a short break destination. All PR reports have been uploaded to the councillor portal. Planning for a media event in October is underway.

Visitor Guide

Production of a visitor guide is nearing completion and will be the next priority project.

The Public Relations activity has been active and continues to provide very strong and positive results for the region.

Coverage Summary

Total press clippings - including print, online, radio, TV and social channels:

June

Total number of clippings: 15
Total circulation: 2,998,974
Total Equivalent Advertising Value: \$96,619
Total PR Value: \$295,619

July

Total number of clippings: 30
Total circulation: 21,725,020
Total Equivalent Advertising Value: \$231,884
Total PR Value: \$695,652

August

Total number of clippings: 2
Total circulation: 160,284
Total Equivalent Advertising Value: \$2850
Total PR Value: \$8550

Further reports will be provided quarterly to Council on the implementation of the Bathurst Destination Brand.

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.3
- Objective 2: A smart and vibrant economy Strategy 2.1, 2.6
- Objective 6: Community leadership and collaboration Strategy 6.2

Community Engagement

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

Yours faithfully



Alan Cattermole
DIRECTOR
CULTURAL & COMMUNITY SERVICES

POLICY COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - POLICY COMMITTEE MEETING - 5 SEPTEMBER 2018 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 5 September 2018 be adopted.

Report: The Minutes of the Policy Committee Meeting held on 5 September 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 5 SEPTEMBER 2018

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

APOLOGIES

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

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

REPORT OF PREVIOUS MEETING

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

RESOLVED: That the Minutes of the Policy Committee Meeting held on 1 August 2018 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002
MOVED Cr I North and **SECONDED** Cr W Aubin

RESOLVED: That the Declaration of Interest be noted.

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

Director Corporate Services & Finance's Report

5 Item 1 PUBLIC WI-FI ACCEPTABLE USE POLICY (20.00315, 41.00089)
MOVED Cr B Bourke and **SECONDED** Cr J Rudge

RESOLVED: That Council

- (a) following consideration of the submissions received amend the Public Wi-Fi Acceptable Use Policy following as outlined in the report
- (b) adopt the Public Wi-Fi Acceptable Use Policy and update the Council Policy Manual

GENERAL BUSINESS

6 MOUNT PANORAMA 28 OCTOBER - DRIVING FOR DROUGHT 1000 (23.00026)

Cr Bourke - spoke to proposed event and preparations put in place. To help farmers in the drought, 1,000 vehicles will go around the track, tickets go on sale next week.

7 Item 2 AFL GEORGE PARK (04.00042)

Cr Bourke - referred to Master Plan on public exhibition. Queried if better to move the AFL in the future, down to Hereford Street. Is there sufficient room in this location?

The Director Engineering Services advised not sufficient land at this time, would need to acquire more.

8 Item 3 AQUATIC CENTRE WALL REAR ASPECT (04.00105)

Cr Rudge - referred to discussion held on improving this area, noted trees have been planted, further actions to occur.

9 Item 4 SPEED HUMPS HEREFORD STREET GROUNDS (04.00146, 04.00112)

Cr Rudge - noted these have been installed.

10 Item 5 MOUNT PANORAMA SIGNS (28.00007)

Cr Rudge - thanks for the four signs being replaced.

11 Item 6 STREET SIGNS CBD (28.00007)

Cr Rudge - spoke to proposed heritage signs to be installed in the CBD.

12 **Item 7 HERITAGE LIGHTS CBD (28.00014)**

Cr Rudge - noted new plastic fittings being developed to facilitate replacement when breakages occur. This will save money in the long run with a mould having been made.

13 **Item 8 GREATER BUILDING SOCIETY - BLACK POLE OUT FRONT (25.00006)**

Cr Rudge - This is not visible at night, could something be done about this?

14 **Item 9 BATHURST BUSINESS CHAMBER (18.00027)**

Cr Rudge - the Bathurst business Chamber will be introducing a signage award as part of the annual awards, this is good news.

15 **Item 10 FARMER'S APPEAL - HAMPERS (18.00004, 20.00313)**

Cr Rudge - spoke to project in place to deliver hampers to those who need help. Utilising the 'Buy Local Gift Card" facility. Noted various supporters to the appeal.

16 **Item 11 BATHURST FAMILY HISTORY GROUP (18.00326)**

Cr Rudge - noted recent successes, eg Migrant Camp research undertaken. This has been acknowledged by the local member.

Meeting was suspended at 6.15 pm for the commencement of the Discussion Forum.

General Business resumed at 6.37 pm following the conclusion of the Discussion Forum

17 **Item 12 EGLINTON SCHOOL LAND (20.00170)**

Cr Jennings - asked where this matter is at?

The Acting Director Environmental, Planning & Building Services advised representatives of the Department of Education met with various parties this week and will be undertaking a review of future needs.

18 **Item 13 ENTRANCE STATEMENT TO THE CITY (07.00097)**

Cr Jennings - asked where this matter is at?

The Director Engineering Services advised the Consultant is finalising design drawings, these will be referred to a Working Party in the future.

19 **Item 14 WASTE MANAGEMENT CENTRE ROAD (25.00126)**

Cr Jennings - needs some works undertaken due to condition.

The Director Engineering Services advised works are scheduled for next year's budget considerations.

20 **Item 15 SWEAT COIN APP (20.00313)**

Cr Jennings - could this system or equivalent be investigated, with rewards going into 'Buy Local Gift Card'.

The Director Cultural & Community Services advised will investigate this matter.

21 **Item 16 DROUGHT SUPPORT (13.00031)**

Cr Jennings - Local Government NSW looking at engaging metropolitan Councils to provide support to drought affected councils. Can we look at this.

The General Manager advised not aware of program, will investigate.

22 **Item 17 LOCAL BEER (20.00020)**

Cr Jennings - could Council look at stocking local beers.

23 **Item 18 TRAFFIC COMMITTEE - LINE MARKING, KEPPEL STREET AREA (20.00090)**

Cr Aubin - this was approved for trial at the meeting. Could we look at extending this to the whole of the CBD?

24 **Item 19 GO-KART DA AND LETTER FROM BATHURST WIRADYURI & ABORIGINAL COMMUNITY ELDERS (20.00311, 2015/196)**

Cr Aubin - asked the General Manager questions related to a recent letter in the Western Advocate from the Bathurst Wiradyuri & Aboriginal Community Elders.

Cr Aubin - over what period of time was the \$500,000 spent for Aboriginal Heritage Studies?

The General Manager advised the amount currently estimated at \$516,000 has been spent over the years 2015 - 2018.

Cr Aubin - where did the funds come from?

The General Manager advised the funds have been provided for in Council's budgets, eg; the costs for the campground Aboriginal Cultural Heritage Assessment came from the allocation for the Chase campground upgrade.

Cr Aubin - what part of the \$182,570 was spent on the study (survey) for the Go-Kart track?

The General Manager advised this was the budgeted amount for the project and was allocated as; \$55,130 Go-Kart Aboriginal Cultural Heritage Assessment, \$89,600 Anthropological investigation, \$37, 840 Registered Aboriginal Parties (RAP's) fees (Go-Kart and campground). Greater detail is included in the letter to the Bathurst Wiradyuri & Aboriginal Community Elders which Councillors have a copy of.

Cr Aubin - have any Aboriginal Groups (RAP's) received or will receive monies from these studies. If yes, how much?

The General Manager advised funds have been provided to Registered Aboriginal Parties (RAP's). To date \$104,000 has been expended or committed.

Cr Aubin - has the general community been notified of this expenditure?

The General Manager advised regular reports have been publicly provided to Council and the community on the progress of various Cultural Heritage matters at the Mount. These reports include financial implications.

Cr Aubin - The letter stated that the Memorandum of Understanding (MOU) has

not been considered by Council. Have we not had Working Parties on this topic and does Council already have in place items to be covered by an MOU?

The General Manager advised meetings have been held with Wiradyuri Traditional Elders on an Memorandum of Understanding/Indigenous Land Use Agreement matter; including 17 April 2018 and 28 June 2018. Council held a Working Party on 23 May 2018. An update was provided by letter to the Elders on 27 July 2018.

Cr Aubin - has there been support shown for the DA from any Aboriginal Groups?

The General Manager advised the Bathurst Local Aboriginal Lands Council has indicated support for the Go-Kart track.

Cr Aubin - The letter suggested that Crs Christian and Bourke review the report they have re their statement 'The study has found no Aboriginal objects'. Was there any Aboriginal objects found in the area covered by the Go-Kart Track DA?

The General Manager advised the ACHA included the following:

"No Aboriginal objects as defined by the National Parks & Wildlife Act 1974 NSW 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."

Cr Aubin noted the economic benefits of the proposal, which will be of value to all people.

25 **Item 20 OFF-LEASH DOG PARK (05.00002)**

Cr Morse - has been requested to get Council to investigate another off-leash area aside from the Kefford Street facility. Raised concern at large dogs in small dog area.

26 **Item 21 BATHURST CARILLON BUSINESS AWARDS (04.00021)**

Cr Morse - funds raised this year will go to the Carillon.

27 **Item 22 EGLINTON ROAD FOOTPATH - TAPS (25.00045)**

Cr Christian - can we look at installing water taps along this walkway.

28 **Item 23 MOUNT PANORAMA SIGN ON PANORAMA AVENUE (28.00007)**

Cr Christian - currently not lit, can we look at this?

The Director Engineering Services advised only lit during race events.

29 **Item 24 GEORGE/RUSSELL STREET CROSSINGS (25.00007)**

Cr Christian - could we look at putting lighting in, as this intersection is dangerous at night.

30 **Item 25 GO-KART DA (20.00311, 2015/196)**

Cr Christian - noted there were no Aboriginal objects identified in the Aboriginal Cultural Heritage Assessment.

31 **Item 26 BATHURST 1000 LAUNCH (04.00001)**

Cr North - would like to see this happen in Bathurst. Surely we can get people to come here, should be launched here.

The General Manager advised of promotional reasons why held in Sydney, eg; press coverage, attendance of high profile persons.

32 **Item 27 CONCRETE/BUILDING WASTE ISSUES (14.00007)**

Cr North - how is Council going with following the necessary documentation? Are we enforcing the process introduced?

The Acting Director Environmental, Planning & Building Services spoke of documentation being received, noted seems to be going reasonably well.

33 **Item 28 PANORAMA AVENUE WALL (25.00105)**

Cr North - since they have come down, have received some approaches, what are we going to do with the signs?

The Director Engineering Services advised the signs will be placed in the National Motor Racing Museum precinct.

34 **Item 29 MEETING PRACTICE GUIDELINES (11.00005)**

Cr North - could a Working Party be held on Meeting Practice protocols? Would like Public access time to occur at all Ordinary Meetings.

The General Manager advised that a Working Party will be arranged.

35 **Item 30 SOFALA - TURON RIVER (31.00014)**

Cr North - issue of River flows, have we had any responses?

The General Manager advised responses received from Lithgow and Mid-Western Councils, awaiting response from State Government.

36 **Item 31 VALE CREEK (31.00011)**

Cr North - have been issues and needs clearing up. If not Council's area can we push those who are responsible to take actions and also talk to government departments. Noted levee bank issues.

The Director Engineering Services advised this is private property and the responsibility is that of the landowner. Noted support being provided by Council at this time, having regard to resources available.

37 **Item 32 GO-KART TRACK DA (20.00311, 2015/196)**

Cr North - the Aboriginal Cultural Heritage Assessment is very comprehensive and explains many things. Spoke to DA timeline and queried when will come to Council?

The General Manager noted matters to be addressed in process including public exhibition of the DA. Likely to go to Council October/November 2018

38 **Item 33 OFF-LEASH AREA (05.00002)**

Cr North - please include for budget consideration 2019/2020 a new off-leash area.

DISCUSSION FORUM OTHER

39 **Item 1 LIMEKILNS ROAD PLANNING PROPOSAL (20.00319)**

Discussion included:

G Spurway – Marsden Lane resident

Lives on opposite side in Marsden Lane. Spoke to recent car accidents. Queried will the road be changed and what is protocol of being notified about the proposal. As an adjoining neighbour would have expected to be advised.

Acting Director Environmental, Planning & Building Services spoke to protocols on subdivision notification adopted by Council.

B Goddard – adjoining Developer

Developing land next to proposed rezoning and objects to the proposal. Referred to errors in the proposal, Council's existing LEP provisions and State Planning guidelines. Noted road issues and Council should look at acquiring land for the road adjacent. There is no justification to change the LEP. Concern at impact on GICO subdivision. Referred to Council's Housing Strategy currently in place. The proposal was not initiated by Council, it was by the proponent. Proposal does not align with new water mains layout and there are open space issues.

EXTENSION OF TIME

MOVED Cr W Bourke and

SECONDED Cr I North

RESOLVED: That an extension of time be granted for Mr Goddard.

G Crisp – Ratepayer

Referred to page 15 of attachments and in particular water and sewer services. Needs to give details of capacity available and if new services are needed or are to be relocated, who pays for these?

R Cutler – applicant

Spoke in favour of the planning proposal. The land is in the urban strategy and has been earmarked for future development. Noted collector road location has not been finalised and referred to current DCP. Noted concerns in submissions and inaccurate statements about entitlements of 16 Lots and open space availability. The zoning change may positively impact on land values and a number of blocks will benefit by the Collector road moving east. Raised benefits to Kelso of the Collector road being built.

G Cutler – applicant

Spoke for the proposal, quantity of land that can be retained as green is very high, compared to the neighbouring subdivision. The road eventually has to be funded so need to get houses up next to it so revenues are raised. Referred to current development at Kelso and future traffic patterns as the area gets developed.

MEETING CLOSE

40 MEETING CLOSE

The Meeting closed at 7.07 pm.

CHAIRMAN: _____

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING - 4 SEPTEMBER 2018
(07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 4 September 2018 be adopted.

Report: The Minutes of the Traffic Committee Meeting held on 4 September 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 4 SEPTEMBER 2018

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

Members: Councillor Warren Aubin (BRC) and Sergeant Colin Sheil (Police)

Present: Mr Bernard Drum (Manager Technical Services), Mr Paul Kendrick (Traffic & Design Engineer) & Mr Andrew Cutts (Tablelands Area Road Safety Officer)

APOLOGIES

2 APOLOGIES

That the apology of Mr David Veness (MP Representative and Ms Jackie Barry (Roads & Maritime Services) be accepted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 AUGUST 2018 (07.00006)

That the Minutes of the Traffic Committee Meeting held on 7 August 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 7 AUGUST 2018 (07.00006)

That the information be noted and necessary actions be taken.

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

That the information be noted.

7 Item 3 EXTENSION OF LINE MARKED ANGLE PARKING TO KEPPEL STREET

This is page 1 of Minutes of the Traffic Committee held on 4 September 2018

(28.00006)

That Council line mark angled parking spaces in Keppel Street between William Street and George Street.

8 Item 4 HILLS OF ORANGE CHARITY BICYCLE RIDE (23.00026-20/172)

That Council classify the Hills of Orange Charity Ride to be held on Friday 23 November 2018, as a Class 2 event, as detailed in the Director Engineering Services' report.

9 Item 5 2019 BATHURST STREET AND CUSTOM MOTORCYCLE SHOW (23.00026)

That Council endorse the Traffic Management Plan for the 2019 Bathurst Street and Custom Motorcycle Show to be held Saturday 9 February 2019. The event is to be classified as a Class 2 event and approved subject to conditions as detailed in the Director Engineering Services' report.

10 Item 6 ZERO GAME CAR SHOW (22.00026-20/185)

That Council endorse the Traffic Management Plan for the staging of the Zero Game Car Show at the Bathurst Showground on Sunday 30 September 2019. The event is to be classified as Class 2 event and approved subject to the conditions detailed in the Director Engineering Services' Report.

11 Item 7 MOUNT PANORAMA WORLD RECORD ATTEMPT (23.00026)

That Council endorse the Traffic Management Plan for the Mount Panorama World Record event at Mount Panorama Motor Racing Circuit on Sunday 28 October 2018. The event is to be classified as Class 2 and approved subject to the conditions detailed in the Director Engineering Services' Report.

12 Item 8 BATHURST WALLABIES TRIATHLON CLUB SERIES 2018/2019 (23.00026)

That Council classify the Bathurst Wallabies Triathlon Club 2018/2019 series as a Class 2 event, and approve subject to conditions as detailed in the Director Engineering Services' report.

TRAFFIC REGISTER

13 Item 1 TRAFFIC REGISTER (07.00006)

That the information be noted.

MEETING CLOSE

14 **MEETING CLOSE**

The Meeting closed at 2.21 pm.

COUNCILLORS/ DELEGATES REPORTS

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 SEPTEMBER 2018

1 MINUTES - BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE - 16 AUGUST 2018 (07.00107)

Recommendation: That the information be noted.

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

- Results of the Community Safety Survey
- Community Safety Focus Groups update

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.

2 CENTROC BOARD MEETING 23 AUGUST 2018 PARLIAMENT HOUSE CANBERRA (07.00017)

Recommendation: That the report on the Centroc Board meeting held 23 August 2018 at Parliament House, Canberra, be noted.

Report: The Centroc and Central NSW Joint Organisation Board meetings were held at Parliament House Canberra on 23 August 2018.

The Board met with the Hon Michael McCormack, Deputy Prime Minister and Member for the Riverina our official host for the day. The Board were grateful to hear from him first hand given the unusual circumstances at Parliament that day. The Deputy Prime Minister was thanked for his commitment to the funding for the Newell Highway. The Board spoke further about the drought and he suggested the region keep coming to Canberra with their solutions to help in the growing crisis.

The Board also heard from the then Minister for Social Services, The Hon Dan Tehan. The Board did put forward some suggestions on ways to help communities through the Drought. Minister Tehan asked Centroc to send details through, these will be forwarded to the new Minister responsible for Social Services.

Member for Calare, Mr Andrew Gee, addressed the Board, following conversations on drought and the work on Water Infrastructure and further achievements by Centroc. A number of Ministers were apologies on the day, as they were unable to attend at the last minute.

At 12.30pm Chair Cr John Medcalf and Mr Jock Carter Co - Chaired a meeting of the State Government's Central West Taskforce. The Taskforce attendees included Mr Ken Gillespie, Mr Don Murray, Michael Kneipp, Nicholas White, Phil Anderson, Nicholas Berry and Diane Sucur. The Board had discussions on priorities in rail lines, freight, corridors, heavy vehicles and public transport.

Also in attendance at the Board meeting was Chair of RDACW, Ms Christine Weston, Ms Jayne Humphries Senior Project Officer at Department of Premier and Cabinet (NSW) and Ms Karen Purser, Council Engagement Manager, Office of Local Government.

At 2.05pm the Central NSW Joint Organisation meeting was held. Where a significant amount of the meeting was procedural, the Chair reported on a meeting of the Chairs of Joint Organisations in Sydney. The Chairs were addressed by the Premier and it was clear that the State is seeking advice on regional priorities. The Chairs have agreed to give consideration to a potential collaborative approach.

Centroc Board Meeting - Key decisions and Reports

Transport Infrastructure – The Centroc Board continue advocating regarding the need for a safe swift link between Central NSW and Western Sydney.

Water Infrastructure – An update from Meredith Macpherson Water Utilities Alliance Program Manager was given. Including an update on the strategies and actions for the CWUA Strategic Business Plan review to be undertaken as part of the Joint Organisation strategic process.

The Board resolved that Advocacy for water for our region in this catastrophic drought is to be ramped up. This includes the work through the Drought Subcommittee that are to meet

again early September.

It was resolved that a media release be developed for members for greater water security and potentially revisit the cases like raising the wall at Wyangala as an urgent step.

The Chair and Executive will nominate a representative to LGNSW for their Water Subcommittee.

Health – The Board resolved to review the Beyond the Range, program and build broader health skills for the region. The Board will seek advice from Health Councils on this matter.

Regional Development – An update was given to the Board from the Chair of RDACW Christine Weston.

JO Report – The Chair gave an update on the recent joint meeting of Joint Organisations held in Sydney the week beforehand. Where the general feedback was the Office of Local Government have been working well with the JOs. The commencement of the recruitment process for the new Joint Organisations Executive Officer was noted.

Tourism – The Board resolved to resubmit the application for the Building Better Regions Fund, to assist in the growing of produce/experience offerings for the region.

Operational – The Board were updated on the \$6.8m in grant funding that Centroc has assisted members in obtaining since 2009.

Included in the briefing material to Ministers was the Southern Lights Project, where significant effort is being undertaken across Southern NSW on a collaborative project to deliver LED with smart controls street lighting, leveraging State and Federal funding where possible.

The Board resolved to write to the Minister for Environment and Energy, now the Hon Angus Taylor, as well as The Hon Michael McCormack regarding the support for small load metering for streetlighting.

Financial – The Board noted the 2017/2018 budget result of a cumulative anticipated surplus of \$197,881. It was agreed that Tourism funds remaining as at 30 June 2018 estimated at \$96,223, be reserved for the ongoing tourism project.

Financial Implications: Council's involvement in Centroc and Central NSW Joint Organisation is provided for within existing budget allocations.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.5
- Objective 6: Community leadership and collaboration Strategy 6.1, 6.2, 6.3

Community Engagement

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