



ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL

8 April 2015

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 15 April 2015**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 15 April 2015 commencing at 6.00 pm.

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

D J Sherley  
**GENERAL MANAGER**

# **BUSINESS AGENDA**

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

**TO BE HELD ON WEDNESDAY, 15 APRIL 2015**

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

**2. PUBLIC QUESTION TIME**

**3. PRAYER**

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

**4. APOLOGIES**

**5. MINUTES**

\* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 18 MARCH 2015  
\* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL FOLLOWING POLICY - 1 APRIL 2015

**6. DECLARATION OF INTEREST**

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

**7. MAYORAL MINUTE - Nil**

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

\* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT  
\* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT  
\* DIRECTOR ENGINEERING SERVICES' REPORT  
\* DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

**9. REPORTS OF OTHER COMMITTEES**

\* MINUTES - POLICY COMMITTEE MEETING - 1 APRIL 2015  
\* MINUTES - TRAFFIC COMMITTEE MEETING - 7 APRIL 2015

**10. NOTICES OF MOTION - Nil**

**11. RESCISSION MOTIONS - Nil**

**12. DELEGATES REPORTS**

\* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 11 MARCH 2015

\* MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 10 MARCH 2015

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

**Recommendation:** That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF RURAL LICENCE AGREEMENT - SECTION 5 PART LOT 304 DP1187714 - 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. 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.
2	RENEWAL OF LICENCE AGREEMENT - PART LOT 101 AND PART LOT 103 DP1204847 KNOWN AS 5-7 LEE STREET KELSO - UPPER MACQUARIE COUNTY COUNCIL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3, 4, 7, 8, 9 AND 10 IN SECTION 16 DP758840 - CATHOLIC DIOCESE OF BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	MOUNT PANORAMA LAND	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	SALE OF LOT 402 DP1150519 LOCATED AT 17 MCGIRR STREET, BATHURST AND KNOWN AS THE BATHURST SUSTAINABLE LIFESTYLE HOUSE PROJECT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who

		supplied it.
6	SIGNAGE AT MOUNT PANORAMA - LEASE TO MARS PETCARE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	PROPOSED NEW LEASE - LOT 193 DP821845 CHRISTIE STREET RAGLAN - KNOWN AS THE OLD RAGLAN SCHOOL HALL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**14. RESOLVE INTO OPEN COUNCIL**

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

**16. MEETING CLOSE**

## MINUTE

### 1 MEETING COMMENCES

**Present:** Councillors Rush (Chair), Bourke, Coote, Hanger, Jennings, Morse, Westman.

## MINUTE

### 2 PUBLIC QUESTION TIME

#### M Hollis – Domain Car Park

Thanked Council for the carpark that has recently been built near the river.

#### B Trimming

##### Domain Car Park

Thanked Council for carpark, footpaths and layback. Feels should be two disabled access spaces, and if second put in could it go near flag staff end. The path up to top of pool is good, but can can parking spot at end of path be removed to allow access.

##### Street Trees, Durham Street

Noted plans to replace trees, but no plan to replace footpath along this strip. Could this be done?

##### Pylons, William Street

Support proposal to put artwork onto the poles. Asks councillors to support this idea. Could Wiradyuri pole be the one closest to Council Chambers?

#### Council Staff

Congratulated staff on efforts being made. Particularly with special events, access issues etc.

#### L Thompson – DA 2014/0429 - 10 Daly Street - DEPBS Item #4

The DA process has been flawed from day one. The process is ridiculous and various figures have been varied in the DA. The plans for transportable units show greater areas (m<sup>2</sup>) than what can physically fit. The DA is not to provide additional health service accommodation. Asks Council not to approve the DA.

**MINUTE**

- 3**     **APOLOGIES**  
**MOVED: Cr B Bourke SECONDED: Cr M Coote**

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



**MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

**1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 18 MARCH 2015 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 March 2015 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held 18 March 2015, are attached.

**Financial Implications:** N/A

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

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

**MINUTE**

**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**  
**- 18 MARCH 2015 (11.00005)**

**MOVED: Cr M Coote SECONDED: Cr G Westman**

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 March 2015 be adopted.

**2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
FOLLOWING POLICY - 1 APRIL 2015 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 1 April 2015 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 1 April 2015, are attached.

**Financial Implications:** N/A

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

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

**MINUTE**

**5 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
FOLLOWING POLICY - 1 APRIL 2015 (11.00005)**

**MOVED: Cr M Coote SECONDED: Cr M Morse**

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 1 April 2015 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
HELD ON 18 MARCH 2015**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**PUBLIC QUESTION TIME**

**2 PUBLIC QUESTION TIME**

**G Sattler** – Mitchell Conservatorium - Item #5 DCSF - Would like to come and meet with Council, to appraise Council of how the Conservatorium operates.

**B Trimming** – resident - Pylons, William Street - Is there an update on the suggestion of painting the pylons in William Street?

**The Mayor** advised a letter has been received on proposal, matter is being reviewed.

**B Trimming** - resident – Google maps - Is there an action to update the google maps data? Much of it for Bathurst is out of date.

**G Crisp** – Ratepayer - Spoke to process of implementing Court Order from Manning matter. Has the structure that was ordered to be removed been removed.

**Director Environmental, Planning & Building Services** understands Order has been complied with.

**Mr Crisp** then spoke to judgement and letter received from Council.

**G Crisp** - ratepayer - Mount Panorama Racing Control - How is this controlled at Mount Panorama? Who will pay \$20 million for second track.

**The Mayor** spoke to legislation in place for operation of Mount and the Council budgeting process.

**B Manning** – resident - DA Court Case - Spoke about a visit in January to the Mayor about the recent Court Case and what has happened. What investigation has been done? Spoke to notification not occurring on second Development Application.

**The Mayor** spoke to education, DCP changes that have occurred, application of methodology and review undertaken.

**APOLOGIES**

- 3** **APOLOGIES**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

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

## **MINUTES**

- 4** **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 18 FEBRUARY 2015 (11.00005)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 February 2015 be adopted.

## **DECLARATION OF INTEREST**

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

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

Cr Coote

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

Cr Coote

Item #7 of the Director Corporate Services & Finance's Confidential report

Cr Morse

Item #5 of the Director Corporate Services & Finance's report

Cr Westman

Item #10 of the Director Corporate Services & Finance's report

## **RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

- 6** **Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

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

- 7** **Item 2 GENERAL REPORT (03.00053)**  
**MOVED** Cr M Morse and **SECONDED** Cr M Coote

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

- 8** **Item 3 DEVELOPMENT APPLICATION NO. 2015/0045 – TWO LOT**

**RESIDENTIAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 239 RANKIN STREET AND 194 PIPER STREET, BATHURST. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS. OWNER: MR S & MRS M HOGAN (DA/2015/0045)**

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

**RESOLVED:** That Council:

- (a) support the variation to the minimum lot size standard for subdivision and dwelling houses under Clause 4.1(3) of the Bathurst Regional Local Environmental Plan 2014 and the corresponding Lot Size Map; and
- (b) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2015/0045, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (c) call a division.

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 M Coote, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

**Against the motion** - Nil

**Absent** - Cr G Hanger, Cr J Jennings,

**Abstain** - Nil

**9 Item 4 RELEASE OF RESTRICTION AS TO USER – LOT 61, DP 835743, 10A LOREN STREET, EGLINTON (22.02014)**

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

**RESOLVED:** That Council authorise the General Manager to sign the document that releases the restriction as to user imposed on Lot 61, DP 835743, 10A Loren Street, Eglinton as detailed in the report.

**10 Item 5 DRAFT BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 (AMENDMENT NO 3) (20.00285)**

**MOVED** Cr M Coote and **SECONDED** Cr B Bourke

**RESOLVED:** That Council:

- (a) adopt the Bathurst Regional Development Control Plan 2014 (Amendment No 3); and
- (b) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act, and
- (c) notify those who made submissions of the decision of Council, and
- (d) call a division.

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



**The result of the division was:**

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr M Coote, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Cr G Hanger, Cr J Jennings,

Abstain - Nil

**11      Item 6 DRAFT BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 (AMENDMENT NO 4) (20.00286)**

**MOVED** Cr I North

and **SECONDED** Cr M Coote

**RESOLVED:** That Council:

- (a) adopt the Bathurst Regional Development Control Plan 2014 (Amendment No 4), including those amendments to the plan as outlined in this report, and
- (b) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act, and
- (c) call a division.

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

**The result of the division was:**

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr M Coote, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Cr G Hanger, Cr J Jennings,

Abstain - Nil

**12      Item 7 REVOLVING ENERGY FUND GUIDELINES (13.00061)**

**MOVED** Cr B Bourke

and **SECONDED** Cr G Westman

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

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

**13      Item 1 STATEMENT OF INVESTMENTS (16.00001)**

**MOVED** Cr B Bourke

and **SECONDED** Cr G Westman

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

**14      Item 2 YEAR TO DATE MONTHLY REVIEW - 2014-2018 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2014-2015 (16.00137)**

**MOVED** Cr M Coote

and **SECONDED** Cr M Morse

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

**15      Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL**

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

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

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

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

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

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

**17** **Item 5 REQUEST FOR FINANCIAL ASSISTANCE - MITCHELL CONSERVATORIUM (18.00023-02/016)**

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

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

**Reason: Member of the Bathurst Chamber Orchestra - student of Mitchell Conservatorium**

**RESOLVED:** That Council:

- (a) hold a workshop to consider the future directions of the Mitchell Conservatorium and its relationship with Council
- (b) Make available the use of the Bathurst Memorial Entertainment Centre City Hall for public concerts up to an amount of \$7,000 per annum
- (c) Continue to provide the Machattie Park Cottage for teaching spaces to the Mitchell Conservatorium at no charge
- (d) Continue to provide Machattie Park and Rotunda free of charge for the Carols by Candlelight event.

**18** **Item 6 REQUEST FOR FINANCIAL ASSISTANCE - NATIONAL JUNIOR HEREFORD SHOW (18.00004)**

**MOVED** Cr M Coote and **SECONDED** Cr B Bourke

**RESOLVED:** That Council make available the Windradyne Room to the Central Tablelands Herefords Association with the cost of \$1,000 to be funded from the Mount Panorama fee subsidy.

**19** **Item 7 RELOCATION OF SEWER MAIN - BATHURST RSL CLUB LTD (2014/0376-02)**

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

That Council assist the Bathurst RSL Club to relocate the sewer main in Rankin Street, Bathurst by contributing \$45,000 towards these works.

**The MOTION was PUT and LOST**

**20 Item 7.01 RELOCATION OF SEWER MAIN - BATHURST RSL CLUB LTD****(2014/0376-02)****MOVED** Cr M Cooteand **SECONDED** Cr B Bourke

**RESOLVED:** That Council assist the Bathurst RSL Club to relocate the sewer main in Rankin Street, Bathurst by contributing \$50,000 towards these works.

**21 Item 8 USE OF CARRINGTON PARK - CITY -V- COUNTRY POLICE RUGBY LEAGUE MATCH (04.00008)****MOVED** Cr B Bourkeand **SECONDED** Cr I North

**RESOLVED:** That Council make available the use of Carrington Park for the conduct of the New South Wales City Police -v- New South Wales Country Police Rugby League clash on 20 May 2015 and meet the cost of the Carrington Park hire fees and Mayoral Reception, to be funded from Equity.

**22 Item 9 REQUEST FOR FINANCIAL ASSISTANCE - FAMILY VIOLENCE AWARENESS GROUP (18.00004)****MOVED** Cr I Northand **SECONDED** Cr G Westman

**RESOLVED:** That Council make available the Home and Community Care (HACC) Meeting Room for the Family Violence Awareness Group to conduct their monthly meetings at a total yearly cost of \$160, to be funded from Section 356 Donations.

**23 Item 10 SPORTING ASSOCIATION GRANTS PROGRAM YEAR ENDING 30 JUNE 2015 (18.00279)****MOVED** Cr M Cooteand **SECONDED** Cr I North

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

**Reason: Secretary of BMX Club.**

**RESOLVED:** That Council approve the following sporting grants totalling \$20,000 for the 2014/2015 financial year as follows:

Bathurst Giants Junior Australian Rules Football Club	\$1,850
Bathurst City Croquet Club	\$2,500
Bathurst Archers Inc.	\$4,150
Bathurst BMX Club	\$3,000
Rugby Union Cricket Club	\$3,000
King Cain Wallabies Triathlon Club	\$5,500

**24 Item 11 REQUEST FOR FINANCIAL ASSISTANCE - PRE WAR MG REGISTER RALLY 2015 (23.00015)****MOVED** Cr G Westmanand **SECONDED** Cr M Coote

**RESOLVED:** That Council close Russell Street between William Street and George Street between 8.30 am and 12.30 pm on 14 November 2015 to enable a display of Pre War MGs, to be funded from the 2015/2016 Operating Plan Section 356

Donations.

- 25** **Item 12 REQUEST FOR FINANCIAL ASSISTANCE - WOMEN IN AVIATION WEEK (18.00004)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

That Council provide free landing charges to the Women in Aviation Event amounting to an estimated \$554.

**The MOTION was PUT and LOST**

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

- 26** **Item 1 TREE REMOVAL - CUBIS PARK/EGLINTON OVAL (04.00005-03)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

**RESOLVED:** That Council:

- (a) Undertake the removal of nine (9) Radiata Pine (*Pinus radiata*) trees at the eastern boundary of Cubis Park/Eglinton Oval and residential properties.
- (b) Replant the area with appropriate replacement trees species suitable for the Sporting Precinct.
- (c) Allocate sufficient funding and resources within the 2015/16 Management Plan for works to proceed.

- 27** **Item 2 CROWN ROADS AT ROCKLEY (25.00575)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

**RESOLVED:** That Council approve the transfer of the Crown public road located at the Village of Rockley, as detailed in the Director Engineering Services' report.

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

- 28** **Item 1 BATHURST LIBRARY - ANZAC CENTENARY (21.00029)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

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

### **REPORTS OF OTHER COMMITTEES**

#### **Policy Committee Meeting**

- 29** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 MARCH 2015 (07.00064)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 4 March 2015 be adopted.

**Traffic Committee Meeting**

- 30** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 3 MARCH 2015 (07.00006)**  
**MOVED** Cr G Westman and **SECONDED** Cr I North

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 3 March 2015 be adopted.

**DELEGATES REPORTS**

- 31** **Item 1 MINUTES - AUSTRALIA DAY WORKING PARTY - 17 FEBRUARY 2015 (23.00033)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

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

- 32** **Item 2 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 11 FEBRUARY 2015 (11.00019)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Coote

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

- 33** **Item 3 CENTROC BOARD MEETING (07.00017)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Coote

**RESOLVED:** That the report on the CENTROC Board Meeting held 26 February 2015 in Boorowa be noted.

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

- 34** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**  
**MOVED** Cr M Coote and **SECONDED** Cr W Aubin

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

**The following representation was made.**

M Nicholls, Western Advocate - queried why Item #7 of the Director Corporate Services & Finance Report was in Confidential. Feels this should be discussed in Open Council, as it is part of Council's strategic direction for Mount Panorama.

**The Mayor** provided advice of confidential nature of the item.

**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	LAND RELEASE - WINDRADYNE 1000 STAGE 1 RESIDENTIAL SUBDIVISION - MCLEAN STREET, GOVERNORS PARADE, BARR STREET, GRIMES STREET, BARNEY STREET, ADAMS STREET AND TWYNAM AVENUE	10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
2	EXPRESSION OF INTEREST - LOT 231 DP1177478 KNOWN AS 151 LAFFING WATERS LANE, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	EXPRESSION OF INTEREST - PART LOT 1 DP784476 AND LOTS 134, 137, 138, 144 AND 145 DP750357 LOCATED ON VALE ROAD AND LLOYDS ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who

		supplied it.
4	PURCHASE OF LAND AT KELSO	10A (2) (d) (i) - contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	PROPOSED NEW LEASE AGREEMENT - LOT 12 IN DP1024590 BATHURST AERODROME - ARCAV AIR PTY LTD T/A AERO REFUELLERS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	SIMPLOT AUSTRALIA	10A (2) (d) (i) - contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	MOUNT PANORAMA LAND	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would

		prejudice the commercial position of the person who supplied it.
8	CAMPERVAN MOTORHOME CLUB OF AUSTRALIA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR DESIGN & INSTALLATION OF AN AIR CONDITIONING SYSTEM FOR BATHURST REGIONAL ART GALLERY & BATHURST CITY LIBRARY	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 LAND RELEASE - WINDRADYNE 1000 STAGE 1 RESIDENTIAL SUBDIVISION - MCLEAN STREET, GOVERNORS PARADE, BARR STREET, GRIMES STREET, BARNEY STREET, ADAMS STREET AND TWYNAM AVENUE (20.00119)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

**That Council approves:**

- (a) the release for sale of fifty-seven (57) lots, namely Lots 1001 to 1057 in current Lot 136 in DP1123180 in the new residential subdivision located on McLean Street, Barr Street, Grimes Street, Barney Street, Adams Street, Governors Parade and Twynam Avenue to be known as Windradyne 1000 Stage 1, under the ballot system.



(b) the sale prices as detailed in the report.

- b** **Item 2 EXPRESSION OF INTEREST - LOT 231 DP1177478 KNOWN AS 151 LAFFING WATERS LANE, KELSO (22.00677)**  
**MOVED** Cr B Bourke and **SECONDED** Cr M Coote

That Council approves entering into a new Rural Licence agreement with Damien Stocks of Stocks Agriculture Pty Ltd for Lot 231 in DP1177478 located at 151 Laffing Waters Lane, Kelso for a period of three (3) years as detailed in the report.

- c** **Item 3 EXPRESSION OF INTEREST - PART LOT 1 DP784476 AND LOTS 134, 137, 138, 144 AND 145 DP750357 LOCATED ON VALE ROAD AND LLOYDS ROAD, BATHURST (22.12383)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

That Council approves entering into a new Rural Licence agreement with Mr Craig Hotham for part Lot 1 in DP784476 and Lots 134, 137, 138, 144 and 145 in DP750357 located on Vale Road and Lloyds Road, Bathurst for a period of two (2) years with a two (2) year option period as detailed in the report.

- d** **Item 4 PURCHASE OF LAND AT KELSO (22.00358)**  
**MOVED** Cr I North and **SECONDED** Cr G Westman

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

Reason: introduced sale to the Mayor and Director Corporate Services & Finance.

That Council act in accordance with the recommendations of the report.

- e** **Item 5 PROPOSED NEW LEASE AGREEMENT - LOT 12 IN DP1024590 BATHURST AERODROME - ARCAV AIR PTY LTD T/A AERO REFUELLERS (21.00077)**  
**MOVED** Cr I North and **SECONDED** Cr G Westman

That Council approves entering into a new Lease agreement with Arcav Air Pty Ltd t/a Aero Refuellers for an Aircraft Refuelling Facility located on Lot 12 in DP1024590 situated at the Bathurst Aerodrome for a period of five (5) years with an option period of five (5) years as detailed in the report.

- f** **Item 6 SIMPLOT AUSTRALIA (22.01698)**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

That Council act in accordance with the recommendations contained in the report.

- g** **Item 7 MOUNT PANORAMA LAND (22.07536, 20.00278)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

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

Reason: Mother-in-law is dating Mr Rayner

That Council act in accordance with the recommendations in the report.

- h** **Item 8 CAMPERVAN MOTORHOME CLUB OF AUSTRALIA (04.00041)**  
**MOVED** Cr B Bourke and **SECONDED** Cr M Coote

That Council act in accordance with the recommendations of the report.

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

- i** **Item 1 TENDER FOR DESIGN & INSTALLATION OF AN AIR CONDITIONING SYSTEM FOR BATHURST REGIONAL ART GALLERY & BATHURST CITY LIBRARY (36.00515)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

That Council accept the tender from PR Davis Refrigeration for \$639,000 (GST incl.), subject to provisional items and variations.

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

- 35** **RESOLVE INTO OPEN COUNCIL**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

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

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

- 36** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED** Cr I North and **SECONDED** Cr M Coote

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

#### **MEETING CLOSE**

- 37** **MEETING CLOSE**

The Meeting closed at 6.52 pm.

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

**Date:** \_\_\_\_\_ **(15 April 2015)**

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE  
HELD ON 1 APRIL 2015**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:28 PM**

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

**APOLOGIES**

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

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

**DECLARATION OF INTEREST**

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

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**Director Engineering Services' Report**

**4 Item 1 DRAFT MASTER PLAN PROPOSAL - PROCTOR PARK FOOTBALL  
PRECINCT (04.00044)**  
**MOVED** Cr W Aubin and **SECONDED** Cr I North

**RESOLVED:** That Council:

- (a) endorse the Draft Master Plan proposal for the development of the Proctor Park Football (Soccer) precinct, Bathurst and;
- (b) commence the consultation process with all relevant stakeholders in order to finalise the Draft Master Plan and prepare a final report for Council's endorsement.

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

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

**MOVED** Cr I North

and **SECONDED** Cr M Coote

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 we no representations from the public.**

**RESOLVED:** That:

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

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED CREATION OF RIGHT OF CARRIAGEWAY OVER LOT 22 DP1172136 TO BENEFIT WETJED INVESTMENTS PTY LTD - GREAT WESTERN HIGHWAY UPGRADE KELSO - STOCKLAND DRIVE	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	12 MONTH EXTENSION - MANAGEMENT OF BATHURST AQUATIC CENTRE	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

- a** Item 1 PROPOSED CREATION OF RIGHT OF CARRIAGEWAY OVER LOT 22 DP1172136 TO BENEFIT WETJED INVESTMENTS PTY LTD - GREAT WESTERN HIGHWAY UPGRADE KELSO - STOCKLAND DRIVE (22.08755)  
MOVED Cr M Coote and SECONDED Cr W Aubin

That Council approve the creation of:

- (a) a right of carriageway over Lot 22 DP1172136 to benefit Wetjed Investments Pty Ltd (Grainforce Pty Ltd), and
- (b) an electricity easement (variable width) for the relocation of a 66kV line.

- b** Item 2 12 MONTH EXTENSION - MANAGEMENT OF BATHURST AQUATIC CENTRE (36.00326)  
MOVED Cr M Coote and SECONDED Cr B Bourke

That Council extend Belgravia Leisure's contract for the Management of the Bathurst Aquatic Centre in accordance with the Director Engineering Services' report.

### RESOLVE INTO OPEN COUNCIL

- 6** RESOLVE INTO OPEN COUNCIL  
MOVED Cr W Aubin and SECONDED Cr I North

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

### ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 7** ADOPT REPORT OF THE COMMITTEE OF THE WHOLE  
MOVED Cr B Bourke and SECONDED Cr M Coote

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

**MEETING CLOSE****8**      **MEETING CLOSE**

The Meeting closed at 6.43 pm.

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

**Date:** \_\_\_\_\_ **(15 April 2015)**

**MINUTE**

**6     DECLARATION OF INTEREST 11.00002**  
**MOVED: Cr B Bourke SECONDED: Cr J Jennings**

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

Cr Coote

Item #4 of the Director Corporate Service and Finance's Confidential report.

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 APRIL 2015



**1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)**

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

**Report:** A copy of Section 79C of the Environmental Planning and Assessment Act 1979 is provided at **attachment 1** to assist Council in the assessment of Development Applications.

**Financial Implications:** Nil.

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

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8

**MINUTE**

**7 Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)**

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

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

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

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

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

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during March 2015 (**attachment 1**).
- (b) Applications refused during March 2015 (**attachment 2**).
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**).
- (d) Applications pending approval for greater than 40 days as at the date of compilation of this report (**attachment 4**).
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 or Clause 4.6 of Bathurst Regional LEP 2014 approved in March 2015 (**attachment 5**).
- (f) No political disclosure statements have been received in relation to any "planning applications" being considered at this meeting.

**Financial Implications:** Nil.

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

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8

**MINUTE**

- 8** Item 2 GENERAL REPORT (03.00053)  
MOVED: Cr B Bourke SECONDED: Cr M Coote

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

**3 DEVELOPMENT APPLICATION NO. 2015/0033 – DEMOLITION OF EXISTING DWELLING, CONSTRUCTION OF DUAL OCCUPANCY AND TWO LOT SUBDIVISION AT 275 BENTINCK STREET, BATHURST. APPLICANT: TABLELANDS BUILDER PTY LTD. OWNER: MR M D MCNEIL (DA/2015/0033)**

**Recommendation:** That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2015/0033, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- i. Demolition is not to commence until a Construction Certificate has been issued for the proposed infill replacement building.
  - ii. Demolition is not to commence until a photographic record has been created of the existing building and submitted to Council.
- (b) call a division.

**Report:** The Site

Council has received a Development Application (DA) for demolition of an existing two storey dwelling and construction of a dual occupancy and two lot subdivision at 275 Bentinck Street, Bathurst, described as Lot 5, DP 222444. A location plan is provided at **attachment 1**.

The site is currently 790.4m<sup>2</sup>. The land is the subject of a development consent for a boundary adjustment approved by Council at its meeting held 18 February 2015 under DA 2015/0002. Once this subdivision is registered the property known as 275 Bentinck Street will have an area of 851.1m<sup>2</sup>.

**The proposal**

The proposal involves:

- Demolition of the existing two storey dwelling at 275 Bentinck Street;
- Construction of two single storey dwellings with attached garages (dual occupancy);
- Two lot subdivision.

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

**Planning Context**

**Bathurst Regional Local Environmental Plan 2014**

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

***Clause 4.1B Minimum Lot Sizes for Dual Occupancy***

The minimum lot size to erect a dual occupancy on the subject site is 850 m<sup>2</sup>. The property

is currently less than the minimum area however following the implementation of the approved subdivision under DA 2015/0002 it will exceed the minimum area.

A condition restricting the erection of a dual occupancy prior to the registration of the subdivision approved under DA 2015/0002 on the subject land will be imposed.

#### *Clause 4.3 Height of buildings*

The height of buildings map shows the maximum height for a building on the subject land is 9 metres. The height of the new dwelling is approximately 4 metres (measured from the existing ground level to the highest part of the dwelling). The proposed development complies with the standard.

#### *Clause 5.9 preservation of trees or vegetation*

Council's Tree Preservation and Management Policy applies to the site. No trees subject to the Policy are located on the land.

#### *Clause 5.10 Heritage Conservation*

The site is located within the Bathurst Heritage Conservation area.

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

The application has been supported by a Heritage Impact Statement prepared by the applicant (**attachment 3**).

The HIS indicates that the existing dwelling was constructed during the 1960's.

The building is not considered to be architecturally significant.

There are no known significant cultural links to the property or the dwelling.

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

On the whole it is considered that the demolition and infill will not have a significant deleterious impact on the heritage conservation area and is supportable subject to:

- Demolition is not to commence until a Construction Certificate has been issued for the replacement building.
- Demolition is not to commence until a photographic record of the dwelling has been completed and submitted to Council.

### *Bathurst Regional Development Control Plan 2014*

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

The Development Application was advertised and notified to adjoining property owners in accordance with Chapter 2 of Council's DCP between 16 February 2015 and 2 March 2015. No submissions were received.

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

#### **Bathurst Conservation Area Management Strategy (BCAMS)**

In order to assess the conservation significance of the dwelling proposed for demolition an assessment under the *Bathurst Conservation Area Management Strategy* (BCAMS) was undertaken.

The following table provides a summary of the assessment.

Date of construction	1960s
BCAMS results:	
Integrity	Substantially intact
Streetscape rating	Neutral
Heritage significance	Not significant
Overall rating (out of 10)	4

### Heritage Impact Statement

A detailed Heritage Impact Statement (**attachment 3**) has been prepared in accordance with Section 10.2.3 of the Bathurst Regional Development Control Plan 2014.

### Historical Assessment

An Historical Assessment has been prepared by the Bathurst and District Historical Society. A search of records held by the Historical Society has revealed the following:

*The house displayed typical features of houses built from the 1960s. In the opinion of the Bathurst District Historical Society 275 Bentinck Street has no historical value.*

The Historical Assessment has been included in the Heritage Impact Statement (see **attachment 3**).

## **Chapter 4 Residential Development**

### **Bathurst Regional Development Control Plan 2014 – Chapter 4 Residential Development**

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

<b>Development Standard</b>	<b>Proposed</b>	<b>Permissible</b>	<b>Compliance</b>
Minimum lot size	851.1m <sup>2</sup>	850m <sup>2</sup>	Yes
Height	Single storey	Two storey maximum	Yes
<b>Lot Width</b>			
Setbacks			
Front	6m	Complement existing	Yes
Rear	BCA	In accordance with	Yes
Side	BCA	BCA	Yes
		In accordance with	
		BCA	
Car parking	4	2	Yes
Resident			
Open Space Area			
Dwelling 1	84m <sup>2</sup>	50m <sup>2</sup>	Yes

Dwelling 2	84m <sup>2</sup>	50m <sup>2</sup>	Yes
Open space width	>4m	4m wide	Yes
Battle-axe allotment	Regular	Regular allotments only	Yes
Frontage width	17.85	Minimum 20 metres	No*
Frequency	40m separation	40m separation	Yes

- \* The applicant has submitted a written request to vary the minimum frontage width. The reduction in width can be supported in this instance as there is a power pole and established street tree which would have been located within the driveway if the lot was widened to 20m. The reduced width will not have a negative impact upon the streetscape and accordingly can be supported. The proposal complies with all other requirements of the DCP.

### Conclusion

Council has received a Development Application (DA) for demolition of an existing dwelling and construction of a dual occupancy and two lot subdivision at 275 Bentinck Street, Bathurst. A Heritage Impact Statement which includes Historical Assessments has been submitted with the Development Application. The conservation value of the existing house is very low. Demolition is therefore considered supportable.

**Financial Implications:** Nil.

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

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8



## MINUTE

**9 Item 3 DEVELOPMENT APPLICATION NO. 2015/0033 – DEMOLITION OF EXISTING DWELLING, CONSTRUCTION OF DUAL OCCUPANCY AND TWO LOT SUBDIVISION AT 275 BENTINCK STREET, BATHURST. APPLICANT: TABLELANDS BUILDER PTY LTD. OWNER: MR M D MCNEIL (DA/2015/0033)**  
**MOVED: Cr M Coote SECONDED: Cr J Jennings**

**RESOLVED:** That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2015/0033, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- i. Demolition is not to commence until a Construction Certificate has been issued for the proposed infill replacement building.
  - ii. Demolition is not to commence until a photographic record has been created of the existing building and submitted to Council.
- (b) call a division.

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

**The result of the division was:**

In favour of the motion - Cr B Bourke, Cr M Coote, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr G Rush, Cr G Westman.

Against the motion - Nil

Absent - Cr W Aubin, Cr I North.

Abstain - Nil

**4 DEVELOPMENT APPLICATION NO. 2014/0429 - FOUR X TWO BEDROOM RESIDENTIAL UNITS; DEMOLITION OF EXISTING LAUNDRY AND CONSTRUCTION OF REPLACEMENT LAUNDRY AT LOT 1 DP 510158, 10 DALY STREET, WEST BATHURST. APPLICANT: MR & MRS BURKE. OWNER: MR & MRS BURKE (DA/2014/0429)**

**Recommendation:** That Council:

(a) as the consent authority, grant consent pursuant to section 80 of the EP&A Act to Development Application No. 2014/0429, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:

1. The applicant is to obtain an Approval to Install a Transportable Dwelling pursuant to Section 68 of the Local Government Act 1993, as amended from Council PRIOR to the building being installed on the subject land.

NOTE 1: Council will determine the Section 68 Application and impose any relevant conditions in accordance with the Bathurst Local Approvals Policy. The applicant is advised to read the Bathurst Local Approvals Policy and comply with the conditions as appropriate.

2. The payment to Council of:

- a) \$1,350.00 for the inspection of plumbing and drainage work.
- b) \$239.00 for the issuing of access levels.

These fees must be paid at the time of lodgement of any Section 68 Application.

All monetary conditions are reviewed annually, and may change as of 1 July each year.

3. The developer is to apply to Council for a Certificate of Compliance pursuant to Section 305 of the Water Management Act, 2000 (application form attached).

NOTE 1: The developer should apply for a certificate as a matter of urgency because the Section 68 application cannot be issued until a certificate has been issued by Council and all monetary conditions have been satisfied.

NOTE 2: The developer will have to contribute the sum of \$12,244.80 water headworks plus \$14,895.00 sewer headworks before the Certificate of Compliance will be issued.

All monetary conditions are reviewed annually, and may change as of 1 July each year.

4. The payment to Council of \$6,130.80 for the provision of community facilities in accordance with Council's Section 94 Contributions Plan "Bathurst Regional Community Facilities".

All monetary conditions are to be paid prior to the issuing of any Section 68 Approval.

NOTE 1: Copies of all Council's Section 94 Contribution Plans may be inspected

at Council's offices.

NOTE 2: All monetary conditions are reviewed annually, and may change as of 1 July each year.

5. The applicant is to submit three copies of engineering plans, specifications and calculations in relation to relocation of house drainage and sewer connection, water and drainage.

Further, the works are to comply with Bathurst Regional Council's Guidelines for Engineering Works.

6. The submission of a letter or report, rendered drawings, manufacturers brochures and/or samples sufficient to detail the types and colours of the external materials to be used in the construction.
7. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:
  - a) a standard flushing toilet connected to a public sewer, or
  - b) if that is not practicable, an accredited sewage management facility approved by the Council, or
  - c) if that is not practicable, any other sewage management facility approved by the Council.

NOTE 1: The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

NOTE 2: Refer to Council's Guidelines for the provision of builder's temporary closet accommodation attached for additional information.

8. If a vehicular crossing over the footway is to be constructed, access levels are to be obtained from Council's Engineering Department. The vehicular crossing is to be constructed in accordance with Bathurst Regional Council's Guidelines for Engineering Works. Further the applicant is to obtain a Compliance Certificate pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended PRIOR TO THE CONSTRUCTION of the footway crossing from Council or an accredited certifying authority certifying that the works have been completed in accordance with Bathurst Regional Council's Guidelines for Engineering Works and that the levels are in accordance with those issued.

NOTE 1: If other hard standing, dust free and weather proof surfaces are proposed instead of concrete, written approval is to be obtained from Council that the proposed alternative is acceptable.

9. The applicant is to submit to Council, for endorsement, a landscape plan prepared in accordance with Chapter 13 of the Bathurst Regional Interim Development Control Plan 2011.

Council is to certify that the landscape plan is in accordance with Council's Development Control Plan prior to any work occurring on the site.

10. The applicant is to arrange an inspection of the development works by Council's

Engineering Department at the following stages of the development. This condition applies notwithstanding any private certification of the engineering works.

COLUMN 1	COLUMN 2
Drainage	* After laying of pipes and prior to backfill; * Pits after rendering openings and installation of step irons.
Water	* After laying of mains and prior to backfill; * After laying of services and prior to backfill; * Pressure testing.
Sewerage	* After laying of pipes and prior to backfill; * Main - air pressure testing; * Manhole - water test for infiltration, exfiltration.
Concrete footway crossings	* After placing of formwork and reinforcement, and prior to concrete placement;
Erosion and sediment control	* Prior to the installation of erosion measures.
All development and/or subdivision works	* Practical completion.

11. The plumbing and drainage must be inspected by Council at the times specified in Column 2.

COLUMN 1	COLUMN 2
Internal house drainage	When all internal plumbing work is installed and prior to concealment.
External house drainage	When all external plumbing work is installed and prior to concealment.
Final	Prior to occupation of the building.

12. The development shall be carried out in accordance with the approved plans.
13. The Builder must at all times maintain, on the job, a legible copy of the plan and specification approved with the Construction Certificate.
14. Building work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 8.00 pm on weekdays and 8.00 am and 8.00 pm on weekends and public holidays.
15. All building rubbish and debris, including that which can be wind blown, shall be contained on site in a suitable container at all times prior to disposal at Council's Waste Management Centre. The container shall be erected on the building site prior to work commencing.

Materials and sheds or machinery to be used in association with the construction of the building shall not be stored or stacked on Council's footpath, nature strip, reserve or roadway.

NOTE 1: No building rubbish or debris shall be placed or be permitted to be placed on any adjoining public reserve, footway, road or private land.

16. Erosion and sediment control measures are to be established prior to commencement of construction and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's Erosion and Sediment Control Guidelines for Building Site.

NOTE 1: All erosion and sediment control measures must be in place prior to earthworks commencing. Copies of the above guidelines are available from Council's Environmental, Planning & Building Services Department.

17. The sheet metal cladding proposed to be used on the external surfaces of the walls and roof of the building is to be of factory prefinished, non glare materials.
18. The demolition is to be carried out in accordance with the provisions of Australian Standard AS2601-2001: The Demolition of Structures.
19. If soil conditions require it:
  - a) retaining walls associated with the erection/demolition of a building or other approved methods of preventing movement of soil must be provided, and
  - b) adequate provision must be made for drainage.
20. All excavation and backfilling associated with the erection/demolition of the building must:
  - a) be executed safely and in accordance with appropriate professional standards, and
  - b) be properly guarded and protected to prevent them from being dangerous to life or property.
21. All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500 and the Plumbing Code of Australia.

NOTE 1: It will be necessary to install a temperature control device (eg tempering valve) to ensure that hot water to all personal hygiene fixtures is delivered at a temperature not exceeding 50°C.

22. The building is to be designed and constructed so that all floor levels have sufficient height to enable the house drainage line to fall at a permissible grade to the connection to Council's sewer main, and the earthworks on the site are to be such that there is the required minimum cover over the house drainage line, all in accordance with AS/NZS 3500 and the Plumbing Code of Australia.
23. All existing house sewerage drainage pipelines affected by the proposed laundry are to be re-laid to clear the new building alignment.
24. All redundant plumbing and drainage is to be capped off in accordance with AS/NZS 3500 and the Plumbing Code of Australia.

Further, the works are to be inspected by Council's Plumbing and Drainage Inspectors before the capped off works have been concealed.

25. The water service is to be of adequate size and of a design adequate to serve

the development in accordance with the requirements of AS/NZS 3500 and the Plumbing Code of Australia. Any necessary upgrading of the existing service is to be at full cost to the applicant.

NOTE 1: Application form for water is attached. This form is to be returned to Council with payment.

26. All roofed and paved areas are to be drained and the water from those areas and from any other drainage conveyed to a legal point of discharge in accordance with AS/NZS 3500.

Storm water disposal drains shall be connected to all roof gutter down pipes within 14 days of installation of the down pipes and/or the construction of hard standing areas, as may be appropriate, to discharge roofwater to the approved method of disposal.

Where kerb and gutter is constructed, an approved PVC or galvanised steel kerb adaptor (either roll over kerb adaptor or upright kerb adaptor) shall be installed in the kerb.

NOTE 1: 'Pump-out' stormwater drainage systems are not acceptable.

27. The ground surrounding the building shall be graded and drained to ensure that all surface and seepage water is diverted clear of buildings on the site and clear of adjoining properties. Permanent surface or subsoil drains or a combination of both shall be provided to all excavated areas, hard standing areas and depressions. The invert of such drains shall be a minimum of 200 mm below the finished floor level and shall have a minimum grade of 1:100 to the approved storm water disposal location. This work shall be carried out within 14 days of the installation of the roof gutter down pipes.
28. The developer is to relocate, if necessary, at the developer's cost any utility services.
29. The existing sewer connection point for 10 Daly Street is located within the boundary of 85 Mitre. The existing 150mm house drainage line is also located within the boundaries of 85 and 87 Mitre Street. The applicant is to ensure that the existing sewer connection point and 150mm house drainage line is relocated wholly within the boundaries of 10 Daly Street.
30. An onsite fire hydrant and a booster facility at the street entrance to the site shall be installed in accordance with the requirements of Australian Standard 2419.1 'Fire hydrant installations- system design, installation and commissioning.' The hydrant and/or booster installation shall be at full cost to the developer. A letter from an appropriately qualified hydraulic engineer shall be submitted to Council, certifying that the hydrant and booster installation is in accordance with AS 2419.1.

For the purposes of this condition the Council will be required to carry out all works involving connection to the Council water main at the developer's full cost. To arrange payment and installation please contact Council's System Coordinator on 02 6333 6516.

31. A 6 metre wide reinforced concrete vehicular crossing over the footway adjacent to the proposed ingress/egress points including splays measuring 500 mm to the

street and 1000 mm perpendicular to the street and along both sides of the crossing, is to be designed and constructed in accordance with Bathurst Regional Council's Guidelines for Engineering Works.

Further, the applicant is to obtain a Compliance Certificate pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended at the completion of construction of the footway crossing from Council or an accredited certifying authority certifying that the works have been completed in accordance with Bathurst Regional Council's Guidelines for Engineering Works and that the levels are in accordance with those issued by Council.

NOTE 1: If other hard standing, dust free and weather proof surfaces are proposed instead of concrete, written approval is to be obtained from Council that the proposed alternative is acceptable.

32. The paving (in concrete) and permanent line marking of all vehicular manoeuvring and parking areas, in accordance with Bathurst Regional Council's Guidelines for Engineering Works.

NOTE 1: If other hard standing, dust free and weather proof surfaces are proposed instead of concrete, written approval is to be obtained from Council that the proposed alternative is acceptable.

33. The construction of a concrete footpath 1.2 metres wide and 100 mm thick and for the full frontage of the subject land to the public road in accordance with Bathurst Regional Council's Guidelines for Engineering Works.
34. A building number shall be displayed in a position clearly visible from the street in letters having a height of not less than 75 mm (3 inches). The number must be in a contrasting colour to the background on which it is placed. The correct building number is stated on the Notice of Determination.
35. The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, from either Council or an accredited certifying authority prior to occupation of the building.

NOTE 1: The issuing of an Occupation Certificate does not necessarily indicate that all conditions of development consent have been complied with. The applicant is still responsible for ensuring that all conditions of development consent have been complied with.

36. The applicant is to submit to Council one set of electronic files in both Portable Document Format (.pdf) and in CAD Drawing (.dwg) format (MGA co-ordinates, with each of the services on a separate layer eg separate out water, sewer, storm water to their own layers) and one set of paper copies of the works as executed plans for the relocation of house drainage and sewer connection, water and drainage.

Each sheet is to include a bar scale or scales adjacent to the title block showing the scale (the works as executed plan is to be scaled at 1:500) and each sheet is to be properly signed and dated by the person responsible for the carrying out of those works. Further, the works are to comply with Bathurst Regional Council's Guidelines for Engineering Works.

37. Landscaping (including installation of an adequate watering system) is to be

carried out and maintained in accordance with the certified landscape plan.

NOTE 1: The landscaping is to be completed prior to the occupation of the building.

38. All landscaping areas are to be separated from adjoining driveways, manoeuvring areas and parking areas to prevent damage by vehicles in accordance with Chapter 13 of the Bathurst Regional Development Control Plan 2014.
39. During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Division, NSW Office of Environment & Heritage. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works.

NOTE 1: A Section 140 Permit will need to be obtained to disturb archaeological relics. This permit is to be obtained from the Heritage Division, NSW Office of Environment & Heritage, prior to the disturbance of the archaeological relics.

40. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property.

NOTE 1: Compliance with Australian Standard AS4282 "Control of the Obtrusive Effects of Outdoor Lighting" will satisfy this condition.

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

**Report:** Council has received a Development Application for four x two bedroom residential units, and the demolition of an existing laundry and the construction of a replacement laundry at the existing boarding house at 10 Daly Street, West Bathurst, described as Lot 1, DP 510158. A location plan is provided at **attachment 1**.

#### The site

The site is currently 2,883 sq m.

Located on the site is a large 2 storey residential building which was built in 1874. The building is currently divided into 12 one bedroom units. The building is used as a boarding house and is currently leased by GWAHS and is used by medical professionals during their stays in Bathurst.

The boarding house has operated on the site since 1951 when it received Council approval to operate as a guest house.

#### The proposal

The proposal as it currently stands is to erect 4 new 2 bedroom residential units on the property. The units will be located to the rear of the property and behind the existing boarding house. Access will be by way of the current access to the property from Daly Street.

The development includes alterations to the existing carpark at the front of the property to



formalise this area.

The existing boarding house will continue to operate in its current fashion although it will have access to the new laundry building following its completion.

The plans of the proposed development are at **attachment 2**.

A copy of the Statement of Environmental Effects (including Heritage Impact Statement) is provided at **attachment 3**.

It is noted that the proposal was originally lodged as five x two bedroom residential units and new carports, however following concerns raised in the initial assessment and in the public submissions, one unit on the North Eastern side of the existing building has been removed and the carports have been removed from the proposal.

### Previous Consideration

The Development Application was previously considered by Council at its meeting held 18 February 2015 where Council resolved to defer the matter for further consideration.

This resolution was the result of a late submission received by Councillors and representations made to Council at its meeting.

This report includes matters previously considered in the report to the 18 February 2015 meeting as well as addressing those issues raised within the late public submission.

### Planning provisions

#### ***Bathurst Regional (Interim) Local Environmental Plan 2005***

BRILEP 2005 was the Plan in force when the Development Application was lodged and therefore the application must be dealt with under the planning standards that applied at that time.

The subject site is zoned 2(a) Residential under the provisions of the *Bathurst Regional (Interim) Local Environmental Plan 2005*.

Boarding houses and residential units are permissible with consent.

The proposal is consistent with the objectives of the zone.

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

The subject site is proposed to be zoned R1 General Residential under the provisions of the *Draft Bathurst Regional Local Environmental Plan 2014*.

Boarding houses and residential units are permissible with consent.

The proposal is consistent with the objectives of the zone.

#### ***Clause 23 - Protection of Environmental Heritage, Bathurst Regional (Interim) Local Environmental Plan 2005***

The subject land is located within the Heritage Conservation Area but is not individually listed as a Heritage Item.

Clause 23(4) of BRILEP 2005 provides that Council must not grant consent within the Heritage Conservation Area unless it is satisfied that the impact of the proposed development on the heritage significance of the heritage conservation area is acceptable to the consent authority.

The applicant submitted a Heritage Impact Statement in accordance with Clause 23(6) of BRILEP 2005.

The site is located within the Bathurst Heritage Conservation Area which includes more traditional heritage areas to the east of the site and the Chifley Memorial Estate to the west of the site.

The existing building on the site is a contributory building within the heritage conservation area.

The location of the new buildings behind the existing building seeks to preserve what remains of the setting of The Grange and does not significantly impact upon the curtilage or the streetscape.

Whilst the design of the new buildings is not traditional they complement the modesty of the Chifley Memorial Estate and some of the existing dwellings facing Daly Street. Therefore they are not out of character with other buildings in this locality.

Further, because the new buildings are located behind The Grange they do not impact on the streetscape presence of the building.

The construction method proposed, demountable, minimises the potential for any archaeological relics to be disturbed on site if such relics exist in relation to the original Grange building.

On the whole the development will **not** have a significant adverse impact on the heritage conservation area and is considered acceptable.

### ***Bathurst Regional (Interim) Development Control Plan 2011***

#### **Chapter 4 Residential Development**

The site is within Residential Precinct 2 pursuant to the *Bathurst Regional (Interim) Development Control Plan 2011* (DCP). The proposal complies with the objectives of the Precinct and the development standards for residential units.

<b>Development Standard</b>	<b>Proposed</b>	<b>Permissible</b>	<b>Compliance</b>
Minimum lot size	2883 sqm	1300 sqm	Yes
Distance to open space	250m (Victoria Park)	Min 500m	Yes
Density (persons/ha)	30.52	60	Yes*
Height	Single storey	Two storey	Yes
Setbacks Front Rear Side	N/A 1.5 m 0.90m	N/A As per BCA As per BCA	Yes Yes Yes
Carparking Resident Visitor	12 spaces total onsite	4 1	Yes**

Boarding House		4	
Access way width	4-6 m	3-6 m	Yes
Open space			
Unit 1	35+ sqm	30 sqm	Yes***
Unit 2	47+ sqm	30 sqm	Yes***
Unit 3	43+ sqm	30 sqm	Yes***
Unit 4	30+ sqm	30 sqm	Yes***
Boarding House	No requirement	No requirement	Yes***

- \* The existing boarding house is not classified as residential units and is therefore excluded from the density calculation.
- \*\* The deletion of the carports over the proposed carparks is considered appropriate as it will ensure that the views of the existing building on the site will not be compromised.
- \*\*\* The amount of open space is in accordance with the numerical standards in the DCP. The open space is, however, separated into a deck area of approximately 12 sqm which is provided at floor level as opposed to ground level. The remainder of the open space is at ground level. This is considered reasonable and is addressed in further detail below.

The applicant has lodged a request to vary the development standards contained in Council's DCP in relation to the location of the open space (Clause 4.7.3 (d)), the absence of covered parking spaces (Clause 4.9.2(a)) and the location of parking spaces (4.9.2 (c) & (d)). A copy of the request for variation is provided at **attachment 4**.

The variations are considered reasonable under the circumstances and should be supported. This is discussed further later in the report.

## Chapter 10 Urban Design and Heritage Conservation

The property is located within the Bathurst Heritage Conservation Area although it is not individually listed as a heritage item.

The Grange was originally built in 1874/75 for Solicitor Alexander West. The building is a rare example of Victorian Gothic Architecture.

In 1875 the building was used as a consulting room by Dr Flatau, Surgeon for the Great Western Railway.

In 1951 an application was made to Council to convert the dwelling to a guest house and this use has remained until today.

The proposal is supported by a historical report contained within the Statement of Environmental Effects (**attachment 3**).

The Council's initial assessment of the application raised concerns with the location of one of the residential units and the proposed carports in front of and beside the boarding house. The applicant has subsequently amended the plans to address these concerns.

The proposed development will have a minimal impact on the heritage significance of the site and the existing building as it is located at the rear, does not involve any alterations to the existing heritage building and its removable design means it can be removed in the future without leaving a damaging footprint on the site or any irreversible change to the heritage building.

It is considered the development is a suitable adaptive use of the site.

It is noted that there has been some community concerns regarding the materials and overall design of the buildings. The design, whilst contemporary and not masonry, is considered to be satisfactory given its location behind the main boarding house. Further the materials are not inconsistent with the type of materials used in the neighbouring Chifley memorial estate and on other houses facing Daly Street. The new units will sit low in the landscape and will not detract from the dominance of the existing historic brick building.

### Submissions

The Development Application was advertised and notified to all 10 of the adjoining and adjacent property owners from 27 October to 10 November 2014.

At the closure of the notification period a total of five submissions had been received. A late submission was tabled at the Council discussion forum held 4 February 2015. A number of late submissions were also received in the lead up to Council's consideration of the application at its February meeting. All submissions are provided at **attachment 5**.

A Council discussion forum was held on 4 February 2015.

It is noted that the report to the Discussion Forum referred to the notification of 4 properties and the receipt of 6 submissions as a result of the public exhibition.

Issues raised in the submissions included:

- Compatibility of the materials proposed in relation to the surrounding area.

**Comment:** The proposed building materials are considered appropriate for a residential area. Conditions will be imposed in relation to the colour scheme of the new buildings.

- Proposed location of unit 5

**Comment:** This Unit has been removed.

- Traffic Impacts

**Comment:** The proposal will not have a significant traffic impact. RMS figures indicate that 2 bedroom units typically generate 4 -5 vehicle trips per day and 0.5 – 0.65 peak hour trips. An additional 20 vehicle trips per day and 2 vehicle trips in peak hour is not considered significant. It is noted that the design of the development minimises traffic movements to the rear of the site.

- Privacy

**Comment:** The proposal is located at the rear of the existing property. The development will not have a significant impact on privacy as it sits below adjoining properties and does not overlook adjoining properties.

- Impacts on property values

**Comment:** The devaluation of property is not a matter prescribed by Section 79 of the Environmental Planning and Assessment Act 1979 and is therefore generally not considered during the assessment process.

- Impacts on Heritage significance of the existing building

**Comment:** The proposed development will have a minimal impact on the heritage significance of the site and the existing building as it is located at the rear, does not involve any alterations to the existing heritage building and its removable design means it can be removed in the future without leaving a damaging footprint on the site or any irreversible change to the heritage building. The development does not alter the existing built character of the Daly Street streetscape.

- Development is out of character with the existing area

**Comment:** The proposed use is for residential units, which is consistent with the surrounding residential uses and consistent with the planning provisions relating to development in the area.

- Overshadowing

**Comment:** The proposed units are set well below adjoining properties. Overshadowing will not be an issue.

- Noise

**Comment:** The proposed residential use is considered appropriate for a residential area.

- Density

**Comment:** The development proposal is below the permissible density allowed under Council's DCP.

- Location of driveway

**Comment:** The existing driveway to Daly Street is to be retained. The property has the benefit of a Right of Carriageway to Mitre Street. It is not proposed to use this access as part of this development.

- Plant types along fences

**Comment:** A landscape plan that complies with the DCP will be required prior to the issue of a construction certificate.

- Location and suitability of existing sewer connection

**Comment:** Engineering and drainage plans will be required to be submitted and approved by Council to ensure that sewer, drainage and water infrastructure is suitable. Any required upgrades will be at the developers full cost.

- Significance and potential impacts on Bunya Tree

**Comment:** The applicant is retaining the Bunya Tree. New structures have been kept clear of the trees canopy and the lightweight construction method is likely to have less impact on the trees existing root system.

- Potential for Over Crowding of the site

**Comment:** The Boarding House and four residential units will not result in a significant overcrowding. The residential units comply with the requirements of the DCP.

- Impacts on views from adjoining properties

**Comment:** The proposal is located at the rear of the existing property. The site is set lower than the surrounding properties fronting Mitre Street and as a result the development will not have a significant impact on the views or privacy of neighbouring properties as it sits below the adjoining properties.

- Registration under the Boarding Houses Act

**Comment:** Whilst the property currently acts as a boarding house it is not registered under the NSW Boarding Houses Act. The Boarding Houses Act does not apply to premises that *“are used to provide accommodation for workers or employees in connection with their work or employment”*.

Given that the premises are currently leased to GWAHS and provides accommodation to workers in connection with their employment then it is considered that the Boarding Houses Act would not apply at the present time.

In the event that the leasing arrangements were to change then the property may require registration under the Boarding Houses Act and would be subject to the inspection regime and standards that apply in those circumstances.

The registration and inspection regime under the Boarding Houses Act is independent of the planning system and can occur at any time in the future.

- Applicability of SEPP 36 Manufactured Home Estates and Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

**Comment:** The applicant is seeking consent for the erection of four residential units.

Under SEPP 36 and the Local Government Act 1993 *“manufactured home estate* means land on which manufactured homes are, or are to be, erected”.

The Department of Planning has produced a “Fact Sheet” concerning the approval and operation of caravan parks, camping grounds and manufactured home estates. The fact sheet describes a manufactured home estate as “a contemporary form of medium housing development comprising land leased communities in which the residents own or rent manufactured homes on dwelling sites leased from the estate”.

Whilst the development itself involves a manufactured or relocatable home it does not seek consent to operate as a Manufactured Home Estate in that there is no leasing of land to residents who would own their respective dwellings or rent the dwellings from the estate.

SEPP 36 and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 as it relates to manufactured homes within a manufactured home estate are not relevant to this proposal.

That said the installation of the relocatable or moveable dwelling will require approval under Section 68 of the Local Government Act from Council. In order to secure that

approval the applicant will be required to lodge an application which they have yet to do. When that application is lodged it will be required to be lodged in accordance with Council's Local Approvals Policy and will need to be assessed against the relevant provisions of the Regulation.

A copy of the Department of Planning Fact Sheet is provided at **attachment 6** for Councillors information.

- At the Discussion Forum, the issue was raised that an approval is required for the development under Section 68 of the Local Government Act and not under the Environmental Planning and Assessment Act.

**Comment:** Development consent under the Environmental Planning and Assessment Act **is** required for a residential unit development in a residential zone.

As noted above given the "transportable nature of the buildings" a Section 68 application will then be required to be lodged in relation to their construction as opposed to a construction certificate application which is required for a permanent building.

- Crime Prevention Through Environmental Design

**Comment:** Chapter 15 of Council's DCP outlines development types that will be referred to the NSW Police Service under Council's Crime Prevention Through Environmental Design (CPTED) protocol.

Residential units comprising 8 or more dwellings are listed as requiring referral.

The development application is for 4 new dwellings.

The development does not require referral to NSW Police in accordance with Chapter 15 of Council's DCP.

**Late submission**

It is noted that Council also received a further submission from a resident on the day of the Council meeting. That submission is provided at **attachment 5** and is addressed below in detail.

It is noted that this submission makes a number of assertions in relation to further non-compliance with matters contained within BRIDCP 2011.

The issues raised and the response to that issue is provided below:

ISSUE	RESPONSE
Absence of written request for variation to the DCP (Section 1.7)	<p>The applicant has submitted a written request to vary parts 4.7.3 (d) relating to the location of private open space, 4.9.2 (a) relating to the absence of covers over parking spaces and 4.9.2 (c) &amp; (d) relating to the location of the parking spaces.</p> <p>A copy of the written request is provided at <b>attachment 4</b>.</p> <p>For the reasons outlined within the report</p>

	<p>below these variations are considered acceptable.</p>
<p>Whether all adjoining properties were notified (Section 2.2.2)</p>	<p>The development is “<b>advertised development</b>” pursuant to Clause 10 of BRILEP 2005.</p> <p>The administrative provisions relating to advertised development are contained in Part 2.2 of the DCP.</p> <p>Part 2.2.2 of the DCP requires that for advertised development Council should give notice to “<i>adjoining land owners of the application</i>”.</p> <p>All 10 adjoining property owners were provided with notice of the Development Application.</p>
<p>Form of notification – proposed use and applicants name (Section 2.3.3)</p>	<p>The DCP provides administrative provisions for the public consultation process for Development Applications. There are 2 different types of public consultation contemplated in the DCP. These are “<b>advertised development</b>” and “<b>notified development</b>”</p> <p>As noted above the Development Application is “<b>advertised development</b>” and the administrative provisions under Part 2.2 of the DCP apply.</p> <p>The administrative provisions relating to “<b>notified development</b>” are contained in Part 2.3 of Council’s DCP.</p> <p>Part 2.3.3 of Council’s DCP requires that notification will contain amongst other matters a “<i>description of the building work and its proposed use</i>” and the “<i>name of the applicant</i>”</p> <p>Part 2.3.3 of the DCP relates to Development Applications that are “<b>notified development</b>”.</p> <p>Part 2.3.3 of the DCP <b>does not</b> apply to “advertised development”.</p> <p>The form of the notification was in accordance with Part 2.2 of the DCP as it is required to be for advertised development.</p>
<p>Classes of housing (4.2.2)</p>	<p>The zoning control table allows for a range of residential uses which are predominantly used as a place of residence. These include</p>



	<p>dwelling houses, medium density developments and boarding houses.</p> <p>The DCP contains development standards relative to those types of housing listed in Section 4.2.2. In assessing the Development Application the development standards relevant to residential units have been considered.</p>
<p>Number of persons on site (4.2.2)</p>	<p>The density of development for residential units is calculated in accordance with Part 4.2.2 of the DCP.</p> <p>For the purposes of establishing population densities, occupancy rates will be as follows:</p> <ul style="list-style-type: none"> <li>● 1 BR dwelling = 1.5 persons</li> <li>● 2 BR dwelling = 2.2 persons</li> <li>● 3 BR dwelling = 3.3 persons</li> <li>● 4 BR dwelling = 3.6 persons</li> </ul> <p>The objector's submission considers that the existing boarding house should form part of the calculation for the density.</p> <p>The DCP only attributes occupancy rates to "dwellings" not rooms within a boarding house.</p> <p>Accordingly the DCP does not factor the boarding house into the density calculation.</p>
<p>Setbacks (Clause 138 of the LG (MHE, CP, CG &amp; MD) Regulation)</p>	<p>Clause 138 of the Regulation provides that a <i>"relocatable home and any associated structure must not be located ....closer than 2 metres to the boundary of the caravan park"</i>.</p> <p>The development is not located within a caravan park and accordingly Clause 138 does not apply.</p> <p>The appropriate setbacks to apply to the side boundaries are those contained in the Council DCP as they relate to residential units.</p>
<p>Privacy – side and rear building line setbacks (4.4.2)</p>	<p>The DCP states that <i>"all applications for development (except single storey dwelling houses) must show the location of neighbouring buildings, neighbouring windows, balconies and outdoor living areas in relation to the proposed development"</i>.</p> <p>The location of the buildings inclusive of windows and balconies on the adjoining</p>

	<p>properties are illustrated on the site plan that accompany the application.</p>
<p>Privacy – Residential Units and Dual Occupancy Developments (4.4.2)</p>	<p>Part 4.4.2 of the DCP states that “<i>windows and balconies at <b>first floor level</b> are generally to be screened by boundary landscaping” or “be screened by permanently fixed structures” .</i></p> <p>The provision therefore relates to windows and balconies at <b>first floor level</b>.</p> <p>The proposed residential units are single storey.</p> <p>Reference to the first floor level is typically taken to be those on the second storey.</p> <p>The provision does not apply in this case.</p>
<p>Quantum of open space (4.7.3)</p>	<p>Part 4.7.3 of the DCP requires that 2 bedroom residential units provide 30 sqm of private open space.</p> <p>The applicant’s calculation of the amount of open space for each unit is shown on the current landscape plan provided at <b><u>attachment 7</u></b>.</p> <p>Each unit has in excess of 30 sqm of open space of greater than 4 metres in width.</p>
<p>Location of private open space (4.7.3)</p>	<p>The DCP requires that private open space is “<i>required to be located behind the front building line.</i>”</p> <p>The building line is taken to be front wall of the property. In this case that would be the main building on the site.</p> <p>In this respect the open space is provided behind the front building line as required by the DCP.</p>
<p>Location of open space (4.7.3)</p>	<p>The DCP requires that “<i>at least 20 sqm of the private open space required ...is to be located so as to adjoin a habitable living room at ground level</i>”.</p> <p>The design of the development is such that the floor level of each unit is elevated above ground level by approximately 600 mm. Each unit is provided with a deck of approximately 12 sqm directly adjoining the living room at floor level. The remainder of the required open space is provided at ground level and is accessed by stairs from the deck.</p>

	<p>The location of the open space is therefore not strictly in accordance with the DCP but is nonetheless considered acceptable as the deck is essentially a structure within the ground level open space of 20 sqm.</p>
Width and gradient of open space (4.7.3)	<p>The DCP requires <i>that "open space of less than 4 metres in width is excluded from the calculation of the required open space"</i>.</p> <p>As noted above each unit has in excess of 30 sqm as required.</p> <p>The existing ground levels are shown on the submitted plans. The gradient is not considered excessive.</p>
Delineation of private open space (4.7.3)	<p>The DCP requires that <i>"private open space should be clearly defined by walls, fence or landscaping so as to provide a self contained space adjacent to each dwelling"</i>.</p> <p>The submitted plans indicate the location of fencing surrounding each unit in accordance with this requirement,</p>
Landscape Plan (4.7.3)	<p>The DCP provision requires that <i>"for residential unit developments, Council will require a landscape plan to be submitted in accordance with Section 13 – Landscaping and Greening of this Plan at the time of lodgement with the Development Application"</i> .</p> <p>The applicant has submitted a landscape plan as required by this provision which is provided at <b>attachment 7</b>.</p> <p>The landscape plan has been reviewed by Council's Parks Section and with the exception of some amendments is in accordance with Section 13 of the DCP.</p>
Covered car parking spaces (4.9.2)	<p>As noted above the DCP requires the provision of 1 covered car parking space per dwelling.</p> <p>The carpark for the complex is currently provided in front of the main historic building.</p> <p>It is considered inappropriate to provide covered carparking spaces in the current location as it would impact on the views to the heritage building on the site.</p> <p>The variation is considered reasonable on heritage grounds noting that the car parking spaces are still provided, just <u>not</u> covered.</p>

<p>Location of carparking spaces (4.9.2)</p>	<p>The DCP requires that <i>“all car parking spaces are to be provided at or behind the building line”</i> .</p> <p>The current carparking for the site is provided informally in front of the building line.</p> <p>The application therefore maintains the status quo in this respect.</p> <p>Locating carparking spaces behind the building line would in this case mean that vehicles would have to travel further into the site and therefore lead to a greater impact on the surrounding properties.</p> <p>The variation is considered acceptable.</p>
<p>Proximity of carparking spaces to units (4.9.2)</p>	<p>The DCP requires that car parking spaces must be sited as <i>“close as possible to the dwelling they are going to serve”</i> .</p> <p>It is proposed that a pathway connecting the carpark to the units will be provided along the northern side of the dwelling.</p> <p>The path is approximately 30 metres to the closest unit and 50 metres to the furthest unit.</p> <p>This is considered acceptable.</p>

Council’s attention is also drawn to the requirements of Section 79C (3A) of the Environmental Planning and Assessment Act which provides restrictions and advice on the appropriate interpretation of DCP’s. The relevant section is repeated below:

**(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.*

Council, in its deliberations, needs to be mindful of ensuring the DCP is not applied in a more onerous fashion than required and allow for reasonable alternative solutions that achieve the objects of the standards. That is what has occurred with this Development

Application.

#### Legal advice

It is to be noted that Council has sought advice from its solicitors in respect of a number of the issues raised in the public submissions notably in respect to the appropriate characterisation of the development (residential units vs manufactured home estate) and the need to include the applicant's details within the notification letters.

A copy of the advice is provided at **attachment 8**.

In terms of the appropriate characterisation of the development Council's solicitor concurs with the approach adopted by the Council's officers. From an assessment perspective the development proposed is for residential units as opposed to a manufactured home estate. It follows that the rules governing residential units should be applied to the assessment of the development. This is the approach adopted for assessment purposes.

The second issue of a procedural nature relates to the absence of the applicants details from the notification letters (clause 2.3.3). This provision stems from the provisions relating to "notified development". This Development Application is for "advertised development". Clause 2.3.3 provision does not apply to this application.

#### Conclusion:

Council has received a Development Application (DA) for construction of four x two (2) bedroom units at 10 Daly Street, West Bathurst. The subject site is zoned 2(a) Residential under the provisions of the Bathurst Regional (Interim) Local Environmental Plan 2005. Residential units are permissible. The proposal is supported in this instance as the application will retain the existing 1874 Boarding House, which contributes to the streetscape and the heritage conservation area with the new development located to the rear of this building as outlined in this report. The proposal achieves all other requirements of the Bathurst Regional (Interim) Development Control Plan 2011. Approval is therefore recommended.

**Financial Implications:** Nil.

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

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8

## MINUTE

**10 Item 4 DEVELOPMENT APPLICATION NO. 2014/0429 - FOUR X TWO BEDROOM RESIDENTIAL UNITS; DEMOLITION OF EXISTING LAUNDRY AND CONSTRUCTION OF REPLACEMENT LAUNDRY AT LOT 1 DP 510158, 10 DALY STREET, WEST BATHURST. APPLICANT: MR & MRS BURKE. OWNER: MR & MRS BURKE (DA/2014/0429)**

**MOVED: Cr M Morse SECONDED: Cr B Bourke**

**RESOLVED:** That Council:

- (a) as the consent authority, not grant consent pursuant to section 80 of the Environmental Planning & Assessment Act 1979 to Development Application No. 2014/0429, due to:

Council is not satisfied that the impact of the proposed development on the heritage significance of the Bathurst Heritage Conservation Area is acceptable.

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

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

**The result of the division was:**

In favour of the motion - Cr B Bourke, Cr G Hanger, Cr M Morse, Cr G Rush.

Against the motion - Cr M Coote, Cr J Jennings, Cr G Westman.

Absent - Cr W Aubin, Cr I North.

Abstain - Nil

## **5 NAMING OF PUBLIC ROADS – CUSICK STREET, DARLING STREET, MAXWELL DRIVE, POOLE STREET (20.00024)**

**Recommendation:** That Council:

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

**Report:** Council recently approved a 52 lot residential subdivision of Lot 1, DP 1047811 (now Lot 2, DP 1200045), adjoining Hobson Close and accessed from Hamilton Street in the village of Eglinton.

This subdivision, currently under construction, creates four new roads (see location map at **attachment 1** and plan of subdivision at **attachment 2**).

The developer has nominated the following names for the four new roads.

### **Cusick Street**

Cusick is the surname of a long standing Eglinton family. This name was originally nominated by the Eglinton Hall & Park Committee in 2003.

### **Darling Street**

General Sir Ralph Darling (Governor of NSW between 1825 and 1831) visited the area and stayed at Government House, Bathurst, in 1829.

The developer selected this name from Council's list of Early Settlement period names.

### **Maxwell Drive**

John Maxwell was superintendent of stock in Bathurst in the 1820s and 1830s.

The developer selected this name from Council's list of Early Settlement period names.

### **Poole Street**

In 1831 Major Thomas Poole replaced Major Donald Macpherson as commander of the Bathurst Military District.

The developer selected this name from Council's list of Early Settlement period names.

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 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 24: To provide and support the provision of accessible, affordable and well planned transport Strategy 24.2

systems.

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

Strategy 32.2



**MINUTE**

**11 Item 5 NAMING OF PUBLIC ROADS – CUSICK STREET, DARLING STREET, MAXWELL DRIVE, POOLE STREET (20.00024)**

**MOVED: Cr M Coote SECONDED: Cr B Bourke**

**RESOLVED:** That Council:

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

## **6 EVOCITIES 2015-2019 MEMORANDUM OF UNDERSTANDING (18.00208)**

**Recommendation:** That:

- (a) Council continues to participate in the Evocities program until 30 June 2019; and
- (b) the Mayor and General Manager negotiate and sign the Memorandum of Understanding between the Evocities for the period 2015 - 2019; and
- (c) Council continue the existing allocation of \$60,000 in the 2015/16 Management Plan and note the subsequent years increases.

**Report:** Bathurst has been a partner to the Evocities project since its inception in September 2010. The existing Memorandum of Understanding (MOU) between the partner Councils of Albury, Armidale, Bathurst, Dubbo, Orange, Tamworth and Wagga Wagga is due to expire on 30 June 2015.

The primary purpose of the campaign is to combat the general lack of awareness about the existence of regional cities amongst metropolitan residents as affordable and attractive places to live, work and invest. This is achieved by promoting the Evocities as vibrant and thriving locations offering fantastic employment and lifestyle opportunities. In order to achieve this objective, the campaign utilises a strategic mix of advertising, marketing and public relations (PR).

Following a planning workshop of the Evocities Steering Committee in August 2014, a clear way forward was devised in order to continue the joint marketing campaign into Sydney and other identified markets of the Evocities. As a result, a revised MOU has been drafted reflecting the objectives of the campaign which include:

1. To build on the historical investment and success of the Evocities campaign by continuing to raise awareness of the Evocities as vibrant, progressive regional cities with excellent job prospects, affordable housing and a great lifestyle offer.
2. To enable surrounding towns and villages to leverage off the success of the campaign through platforms such as Evojobs.
3. To attract people and businesses to live, work and/or invest in one of the Evocities by:
  - i. Continuing to undertake integrated marketing and PR campaigns into Sydney and other identified markets designed to present the Evocities as a more attractive alternative to capital city living; and
  - ii. Maintain, refine and/or enhance the Evocities websites as the main call to action for interested parties.
4. To attract skilled labour to the Evocities in support of business growth and development.
5. To provide advocacy for regional NSW in influencing regional and state economic development plans and strategies.
6. To provide a successful example of regional collaboration based on common interests and objectives, rather than geographic proximity.
7. To counter the negative perceptions of lifestyle opportunities outside metropolitan Sydney.

The proposed term of the MOU is a 4 year period from 1 July 2015 to 30 June 2019, to align with the Integrated Planning and Reporting Framework that guides Local Government operations.

Since launching in September 2010, the Evocities have collectively welcomed 2,115 new

households (as at end December 2014 ) generating over \$200 million in additional annual direct spending for the participating regional cities. Other benefits of the campaign have included lifting median incomes, encouraging business growth, increasing tourism and growing participation in community groups.

Since its launch, additional key outcomes collectively from the campaign include:

- 283,212 visits to Evocities.com.au;
- Over 1.16 Million visits to Evojobs.com.au;
- Over 20,000 jobs promoted;
- 2,684 enquires lodged via Evocentral; and
- 2,238 media placements (both traditional and online).

While it is challenging for each of the Evocities to accurately track relocators to their city, the processes put in place by each Evocity Council to monitor and interact with the new residents, provides anecdotal evidence of the success of the campaign. Future opportunities exist to analyse ABS migration data changes from the 2011 census results, when the 2016 census is conducted. This data is expected to be available in 2017 and will provide the Evocities with quantitative data in relation to the influx of residents to the cities, prior to the expiry of the proposed MOU.

With the expiry of both the Evocities Business Plan and the Marketing and Public Relations Strategy on 30 June 2015, the revised MOU provides guidance for the future planning of the campaign. In order to enable effective implementation of these directions, it is important that each Council confirm its continued commitment to the project, including financial contributions and in-kind support of staff.

Council's financial contribution has remained at \$60,000 per annum for the last five financial years. In light of increasing costs faced in relation to third party contractors and marketing/PR services, it has been deemed appropriate to include a stepped increase to each Council's financial contribution to ensure the same high level of service delivery and market penetration can be maintained.

An 8.3% annual increase is proposed to cover the cost of inflation, as well as ensure a self-sustaining model for the Evocities campaign, with a more aggressive advertising schedule. An ongoing focus will be placed on resource efficiency, including minimising administration expenses and maximising advertising and PR spend.

Continued membership of Evocities will require provision of funding in stepped increases (\$60,000 - \$75,000 per annum) for the next four years. It will also require continued investment of existing human resources on an in-kind basis to ensure that Bathurst maximises the benefits from the campaign.

Year 1 2015/2016	\$60,000
Year 2 2016/2017	\$65,000
Year 3 2017/2018	\$70,000
Year 4 2018/2019	\$75,000

In the event Council did not continue its participation in the Evocities campaign it is unlikely that any subsequent marketing efforts to attract relocators would achieve the same return on investment. By leveraging off the combined resources of the Evocities collective, market penetration will invariably be more successful. Furthermore, withdrawal of support for Evocities would have a significant negative impact on the Bathurst brand and its position in the Sydney market, and would reduce Council's capacity to attract the interest of potential capital city relocators, with the outcome likely to be a decrease in the number of skilled

relocators to the Bathurst region.

Additional considerations:

- The Bathurst Evojobs website is considered to be the most viewed jobs portal in the Bathurst Region, with more than 6,000 views per month. The importance and contribution of the Bathurst Evojobs platform to local employment and the economy cannot be understated, especially to negate increasing unemployment figures in the Region. The site is actively promoted through the collective marketing budget of the Evocities to the Sydney market, allowing for the attraction of skilled workers to Bathurst. A non-continuance of support for Evocities would result in the closure of this site.
- Evocities engages with SenateSHJ, a Sydney based media agency, that actively promotes the campaign. As part of the Evocities collective, Bathurst case studies are regularly featured in mainstream print media in Sydney and nationally, including the Sydney Morning Herald, Australian Financial Review, Daily/Sunday Telegraph and specialised industry publications. It is unlikely that Bathurst alone could achieve the same media penetration in the Sydney market at an affordable level.

#### Conclusion:

Evocities is about changing the perceptions of metropolitan residents, in particular those in Sydney, to help them understand the value and benefits of living, working and investing in regional NSW cities. In order to fully capitalise on the significant public investment in this program to date, it would be prudent to continue until 30 June 2019. The withdrawal of any of the Evocities during the MOU period will result in Council revisiting continued support.

Evocities is one of the most successful regional marketing campaigns undertaken in Australia to date. It has attracted significant market penetration and delivered quality key outcomes for all cities involved, including an estimated \$174 million additional economic activity across the seven cities.

Council's ongoing participation will ensure the continued promotion of Bathurst, its jobs, lifestyle and investment opportunities. It also allows Council to leverage off the indirect benefits that arise from involvement in this program, which includes improving the credibility of NSW inland regional cities, enhancing our relationships with State and Federal Government and partner councils, and assisting in the pursuit of Council's community strategic priorities.

#### Financial Implications:

Year 1 - 2015/2016:	\$60,000
Year 2 - 2016/2017:	\$65,000
Year 3 - 2017/2018:	\$70,000
Year 4 - 2018/2019:	\$75,000

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

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.1
- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1
- Objective 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.1

**MINUTE**

**12 Item 6 EVOCITIES 2015-2019 MEMORANDUM OF UNDERSTANDING**  
**(18.00208)**

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

**RESOLVED:** That:

- (a) Council continues to participate in the Evocities program until 30 June 2019; and
- (b) the Mayor and General Manager negotiate and sign the Memorandum of Understanding between the Evocities for the period 2015 - 2019; and
- (c) Council continue the existing allocation of \$60,000 in the 2015/16 Management Plan and note the subsequent years increases.

## **7 GREEN ARMY ROUND 3 APPLICATION (13.00053)**

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

**Report:** Council recently submitted an application to Round 3 of the Federal Government's Green Army Program for four sequential Green Army projects commencing in July 2015. The proposed project, entitled 'Protecting, restoring and connecting Bathurst Woodlands' is a partnership between Council, Skillset, Peel Flora and Fauna Reserve Trust, Wattle Flat Heritage Lands Trust, National Parks, TAFE NSW, Forestry Corporation and the Bathurst Local Aboriginal Land Council. The main focus of the project will be to protect and enhance biodiversity by managing and linking remnant native vegetation at 17 sites across the local government area.

As the lead organisation for the project Council is the official project sponsor. If the application is successful Council will be required to sign a project agreement with the nominated provider on behalf of the other project partners. Council will receive one third of the Green Army team time to work on Council projects (8 weeks out of 22 weeks for each of the four sequential Green Army projects). Skillset will be responsible for coordinating work at the project sites of the other participating organisations.

Council was a recipient of a Green Army Project in Round 1 of the program. The project was entitled 'Hilltops to Waterways' and achieved many good environmental outcomes. Skillset/Campbell Page was the provider for Council's Round one project and the partnership worked well.

The proposed project fits well with the Bathurst Biodiversity Management Plan which includes a number of objectives relating to Council's role as a leader and facilitator of community action and in providing opportunities for biodiversity management through local and regional partnerships.

Applications to Round 3 of the Green Army Program closed on 17 March 2015. It is expected that successful projects will be notified in May 2015.

**Financial Implications:** The Green Army Program is funded by the Federal Government. If successful each project is eligible for up to \$10,000 additional funding for project materials. Council has offered in kind support in the form of project advice and management and assistance with site monitoring.

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


- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.4, 10.6, 10.7
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.5
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.6
- Objective 33: To be and develop good leaders. Strategy 33.1

**MINUTE**

- 13 **Item 7 GREEN ARMY ROUND 3 APPLICATION (13.00053)**  
**MOVED: Cr G Westman SECONDED: Cr M Coote**

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'D R Shaw', with a large, stylized flourish at the end.

D R Shaw  
**DIRECTOR**  
**ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 APRIL 2015



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

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

**Report:** \$77,300,000 was invested at 31 March 2015 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<b><u>Rating</u></b>	<b><u>Balance</u></b>	<b><u>Average Return</u></b>
<b><u>Short Term 1 – 365 Days</u></b>			
<b>(comprising Commercial Bills, Debentures and Certificates of Deposit):</b>			
Bank of Queensland	A2	\$8,500,000.00	3.70%
Bendigo and Adelaide Bank	A2	\$4,000,000.00	3.53%
IMB Limited	A2	\$2,000,000.00	3.50%
ING	A2	\$1,500,000.00	3.62%
CBA	A1+	\$500,000.00	3.07%
Bankwest	A1+	\$500,000.00	3.47%
National Australia Bank Limited	A1+	\$17,500,000.00	3.65%
Westpac Banking Corporation	A1+	\$3,500,000.00	3.64%
Maritime, Mining & Power Credit Union	ADI	\$1,000,000.00	3.54%
People's Choice Credit Union	ADI	\$1,000,000.00	3.52%
Railways Credit Union Limited	ADI	\$2,000,000.00	3.66%
SGE Credit Union Limited	ADI	<u>\$1,500,000.00</u>	<u>3.56%</u>
		<b>\$43,500,000.00</b>	<b>3.62%</b>
<b><u>Long Term &gt; 365 Days</u></b>			
<b>(comprising Commercial Bills, Term Deposits and Bonds):</b>			
<b><u>Committed Rolling Investments</u></b>			
Westpac	AA-	\$2,000,000.00	3.85%
Westpac	AA-	\$2,000,000.00	3.57%
Westpac	AA-	\$2,000,000.00	3.68%
Westpac	AA-	\$2,000,000.00	3.85%
National Australia Bank Limited	AA-	\$2,000,000.00	3.20%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$2,800,000.00</u>	<u>2.45%</u>
		<b>\$12,800,000.00</b>	<b>3.37%</b>
<b><u>Fixed, Negotiable &amp; Tradeable Certificates of Deposits</u></b>			
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>3.56%</u>
		<b>\$2,000,000.00</b>	<b>3.56%</b>
<b><u>Floating Rate Notes</u></b>			
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	4.07%
Macquarie Bank	A	\$1,000,000.00	3.39%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	3.52%
Bank of Queensland	A-	\$1,000,000.00	3.33%
Bank of Queensland	A-	\$2,000,000.00	3.36%

Bendigo & Adelaide Bank	A-	\$1,000,000.00	3.25%
Bank of Queensland 2	A-	\$1,000,000.00	3.46%
Credit Union Australia	BBB+	\$3,000,000.00	3.58%
Police Bank Ltd	BBB+	\$1,000,000.00	3.42%
Credit Union Australia	BBB+	\$1,000,000.00	3.47%
Members Equity Bank	BBB+	\$1,000,000.00	3.32%
Members Equity Bank	BBB	\$3,000,000.00	3.53%
Greater Building Society	BBB	<u>\$1,000,000.00</u>	<u>3.62%</u>
		<b>\$19,000,000.00</b>	<b>3.52%</b>

**Total Investments** **\$77,300,000.00** **3.55%**

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

Reserves Total (includes unexpended loan funds)		\$37,113,400.00
Grants held for specific purposes		\$1,925,139.00
Section 94 Funds held for specific purposes		<u>\$30,755,189.00</u>
Unrestricted Investments – All Funds		\$7,506,272.00
General Fund	\$92,729.00	
Water Fund	\$4,410,000.00	
Sewer Fund	\$2,097,822.00	
Waste Fund	<u>\$ 905,721.00</u>	

**Total Investments** **\$77,300,000.00**

**Total Interest Revenue to 28 February 2015** **\$2,319,684.62** **3.55%**

**Year to Date Averages**

*(as per the CBA & RBA for comparison purposes)*

Reserve Bank of Australia - Cash Rate	2.25%
AFMA - 90 day Bank Bill Swap Rate (BBSW) Avg Mid	2.61%
Three Year Swap Rate - Commonwealth	2.54%
Five Year Swap Rate - Commonwealth	2.86%
Mofidied Deitz Calculation	3.51%

**Attachment 1** shows Council's year to date performance against the benchmarks contained in Council's Investment Policy. Council has outperformed each of the benchmarks required and complied with the Ministers Investment Order.

**R Roach**  
**Responsible Accounting Officer**

**Financial Implications:** Interest received on investments has been included in the current budget.

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

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.6

**MINUTE**

- 14 **Item 1 STATEMENT OF INVESTMENTS (16.00001)**  
**MOVED: Cr B Bourke SECONDED: Cr G Westman**

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

## **2 YEAR TO DATE MONTHLY REVIEW - 2014-2018 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2014-2015 (16.00137)**

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

**Report:** Bathurst Regional Council has in place the Bathurst 2036 Community Strategic Plan which aims to inform the community about the major directions and programs Council is undertaking in shaping the future of the Bathurst Region. These directions are summarised as objectives and strategies in Part VI of the Community Strategic Plan which was adopted by Council on 20 February 2013. The Plan is available for viewing at the council offices at 158 Russell Street or can be downloaded from the Public Documents section of Council's website, [www.bathurst.nsw.gov.au](http://www.bathurst.nsw.gov.au). Shown at **attachment 1** is a listing of the Objectives and Strategies from the Bathurst 2036 Community Strategic Plan.

At **attachment 2** is an update of Council's progress towards achieving the Strategies and Objectives for the 2014-2018 Delivery Plan and the Annual Operating Plan 2014-2015.

The Local Government (General) Regulation 2005 has been amended by inserting clause 413A to make it the duty of the General Manager to give timely information to Councillors about any fines or penalty notices from agencies such as the Australian Taxation Office, the Roads and Maritime Services or the Environment Protection Authority, or where a court or tribunal makes a costs order against a council.

Fines or penalty notices this month - Refer to attachment 2.

**Financial Implications:** Nil.

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

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.6
- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.3
- Objective 33: To be and develop good leaders. Strategy 33.5

**MINUTE**

**15    Item 2    YEAR TO DATE MONTHLY REVIEW - 2014-2018 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2014-2015 (16.00137)**

**MOVED: Cr M Coote SECONDED: Cr M Morse**

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

**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 March 2015.

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

Section 356:	\$ 479.17
BMEC Community use:	\$ Nil
Mount Panorama:	\$ 19,743.83

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

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.6
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

**MINUTE**

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

**MOVED: Cr G Westman SECONDED: Cr M Coote**

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

#### **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.

- Schafer & Sons Pty Ltd t/a Bathurst & District Plumbing & Gas - 112 Bentinck Street - Lot 1, DP1076086 - Lease Agreement
- Bunnings Pty Ltd - 5-7 Lee Street, Kelso - Part folios 16/712197, 1/1090555, 1/1001027 now being lot 100/1204847 - Transfer
- Renmeul Pty Ltd & Ross Aviation Services Pty Ltd - Bathurst Aerodrome - Lot 303, DP1187714 - Lease
- Fulthorpe B & A - Napolean Street, Raglan - Lot 26, DP253818 - In-house Rural Licence

#### **Linen Plan Release**

- Carter RW, WE & IR - 4 Lot industrial subdivision, release of new plan - Lot 4, DP714297 - 10 Littlebourne Street, Kelso

**Financial Implications:** Nil.

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

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



**MINUTE**

- 17 **Item 4 POWER OF ATTORNEY (11.00007)**  
**MOVED: Cr G Westman SECONDED: Cr B Bourke**

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

## **5 BATHURST 200 BICENTENNIAL CELEBRATIONS UPDATE (20.00153)**

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

**Report:** Further to previous reports the information submitted here is designed to provide Council with a continuing summary of recent Bathurst 200 activities.

***Proclamation Day*** – It has now been confirmed that the Governor of NSW, His Excellency The Honourable David Hurley AC DSC (Ret'd) and The Honourable Warren Truss MP, Deputy Prime Minister and Minister for Infrastructure and Regional Affairs, officially representing the Honourable Tony Abbott MP, Prime Minister of Australia, will both be present for the unveiling of the Bicentennial Flag Staff on Thursday 7 May.

Planning is now well underway for Proclamation Day events with invitations being sent.

Proclamation Week will commence on Sunday 3 May with an opening ceremony which will feature the official opening of the Peoplescape – People in Time project. Various other activities including dancers, music, bell ringers etc. are planned for the opening ceremony.

***Bicentennial Flag Staff*** – The Flag Staff project is nearing completion with Council's contractors expected to hand over the site in mid April. The final piece of the project will be the installation of glass Wiradyuri artwork which will be positioned on the concourse level of the structure.

***Bicentennial Gala Ball*** – Preparations for the Gala Ball to be held on Friday 9 October are progressing well with Council's contractor working closely with Council staff to ensure a successful event. The Gala Ball will be a black tie function held in marquees on Russell St and feature the Illumination project as a backdrop on the Courthouse. One V8 Supercar diver will be seated at each table and the event will feature full catering together with entertainment. Tickets for tables of 10 will be released in due course.

***Macquarie Medal*** – The Bathurst Heritage Macquarie Medal event is also in the final stages of planning. The medal is currently being produced by a Sydney firm and will be presented to the inaugural winner at a dinner to be held at Carrington House on Proclamation Day evening.

***Illumination Festival*** – The Illumination Street Festival to be held on Saturday 9 May is in the final stages of planning. Council's contractors, ESEM Projects, continue to liaise with both Council staff and the local community to ensure the Illumination event is a success.

***Bathurst 200 Shop*** – The Bathurst 200 shop continues to be well supported. Additional stock has recently been ordered to keep up with demand.

***Endorsement Program*** – The official Bathurst 200 endorsement program continues to receive applications on a regular basis and is still proving to be a popular program.

**Financial Implications:** A budget has been set for Bathurst Regional Council activities. The Endorsement Program costs are contained within existing budgets.

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

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the Strategy 20.2

community.

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

Strategy 23.3

**MINUTE**

- 18 **Item 5 BATHURST 200 BICENTENNIAL CELEBRATIONS UPDATE (20.00153)**  
**MOVED: Cr M Morse SECONDED: Cr B Bourke**

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

## **6 REQUEST FOR FINANCIAL ASSISTANCE - AUSTRALIAN COUNTRY FESTIVAL OF FASHION (18.00195-20)**

**Recommendation:** That Council provide \$500 towards the 2015 Australian Country Festival of Fashion pageant to be held in Bathurst from 1 September 2015 - 5 September 2015, to be funded from 2015/2016 Section 356 donations.

**Report:** Council has received a request from Mr Tom Pratley, representing the Australian Country Festival of Fashion, at **attachment 1** for financial assistance for the pageant to be held in Bathurst from 1 - 5 September 2015.

Mr Pratley has requested financial assistance for the Festival of Fashion as the event has been established to:

- (a) Raise funds to support charity organisations.
- (b) Provide an opportunity for country youth to gain possible employment in the fashion/model industry.
- (c) Support retail business in the city by the promotion of events that attract visitors and entrants to the city.

This event is promoted and funded by the local branch of the Country Fashion Beauty Pageant. Mr Pratley advised that the Bathurst Branch need to raise funds to make this event operational. There are no financial statements available as this is a one-off event and all income is used and spent in the year of fund-raising. Council has supported this event in the past.

It is recommended that Council provide \$500 towards the operation costs of this event, to be funded from 2015/2016 Section 356 donations.

**Financial Implications:** To be funded from the 2015/2016 Section 356 donations.

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

**MINUTE**

**19 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - AUSTRALIAN COUNTRY FESTIVAL OF FASHION (18.00195-20)**

**MOVED: Cr G Westman SECONDED: Cr B Bourke**

**RESOLVED:** That Council provide \$500 towards the 2015 Australian Country Festival of Fashion pageant to be held in Bathurst from 1 September 2015 - 5 September 2015, to be funded from 2015/2016 Section 356 donations.

## **7 REQUEST FOR FINANCIAL ASSISTANCE - CENTRAL TABLELANDS WOODCRAFT (BATHURST WOODTURNER'S CLUB) (16.00119)**

**Recommendation:** That Council make a grant of \$10,000 available to the Central Tablelands Woodcraft Group to match the New South Wales Government grant of \$10,000.

**Report:** The Central Tablelands Woodcraft Group (Bathurst Woodturner's Club) made an application to the New South Wales Government for a grant to assist the Club in relocating their office from the first floor of their clubhouse at Learmonth Park to the ground floor.

The Bathurst Woodturner's Club have been successful in obtaining a grant of \$10,000 from the State Government. The grant is conditional upon matching funds from either a Local Government authority or from their own funds.

The cost of construction of the new room is a material cost of \$15,028, plus construction (building cost of \$5,000 plus a fit out of the office, including air conditioning, floor coverings, furnishings and shutters of \$5,000) making a total cost of \$25,000 for this project. The Bathurst Woodturner's Club have had a long association with Bathurst Regional Council and have, over a period of the last 12 years, borrowed funds from Council to construct their current facility at Learmonth and have repaid the funds.

The construction of the office has become necessary because many of the members are now unable to climb the stairs to the office to attend meetings. use the computer and other facilities provided within the office. Therefore it was decided to relocate the office to the ground floor to allow all members access to this area.

The Bathurst Woodturner's Club contacted the Local Member, The Hon. Paul Toole, MP who arranged for a grant of \$10,000. Contact was also made with Council in relation to the funding of this project.

The Bathurst Woodturner's Club now have in excess of 60 members, with 20 new members signing up in 2015.

It is recommended that Council make available a grant of \$10,000 to match the New South Wales Government funds of \$10,000, together with a \$5,000 cash input from the Bathurst Woodturner's Club to allow the \$25,000 project to be completed. This funding will assist the Central Tablelands Woodcraft group with the construction of a new office at their facility at Learmonth Park.

**Financial Implications:** The funding for this project will be from Land Development Reserves.

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

- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.3, 29.3

**MINUTE**

**20    Item 7    REQUEST FOR FINANCIAL ASSISTANCE - CENTRAL TABLELANDS  
WOODCRAFT (BATHURST WOODTURNER'S CLUB) (16.00119)**

**MOVED: Cr B Bourke    SECONDED: Cr M Coote**

**RESOLVED:** That Council make a grant of \$10,000 available to the Central Tablelands Woodcraft Group to match the New South Wales Government grant of \$10,000.



## **8 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PIGEON CLUB (18.00304)**

**Recommendation:** That Council

- (a) Enter into an agreement with the Bathurst Pigeon Club to provide a clubhouse facility at Blayney Road Reserve
- (b) Assist the Bathurst Pigeon Club in providing materials to the value of \$15,000;
- (c) Provide assistance for connection to the power supply to the value \$2,000, provided the Bathurst Pigeon Club supply the labour to erect the clubhouse and wire the building to the required standards.

**Report:** Bathurst Pigeon Club members met with a Council representative on 11 March 2015 to advise as follows:

The Bathurst Pigeon Club have been advised by members of Bathurst Showground Trust that their premises at the Showground will no longer be available to the Club. Accordingly, the Bathurst Pigeon Club have approached Council to determine if Council had any facilities suitable for the operations of their Club.

Following discussions it was determined that the group would approach Council to construct a new 6m x 10.5m garage type building in Boundary Road, adjacent to the Bathurst Pistol Club to house their operations.

Council contacted Bathurst Pistol Club representatives who have agreed that they would welcome the Bathurst Pigeon Club to the area and would make available the use of their facilities already constructed, including toilet facilities and clubhouse for meeting purposes.

Council's Engineering staff have drawn up a plan showing the location of the clubhouse facility see **attachment 1**.

Council staff met with Bathurst Pigeon Club representatives on 18 March 2015. The Bathurst Pigeon Club have requested Council to provide financial assistance as follows:

1. Council to provide materials to the value of \$15,000, which includes a slab and garage building.
2. Pigeon Club to provide labour to lay the slab and construct the building to the required specifications using members of the Club. It has been ascertained the cost of the in-kind labour to lay the slab and support would total \$10,000.
3. Located near the proposed building is a power supply for the Pistol Club and accordingly the Bathurst Pigeon Club have requested Council make available a separate power supply for their Club. The Bathurst Pigeon Club have advised that they have members who will wire the building and make electricity supply available to the occupiers of the building at their cost.

**Financial Implications:** Council would be committed to an expenditure of \$17,000 to be funded from the Parks Reserve.

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

- Objective 23: To encourage a supportive and inclusive Strategy 23.2

community.

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

Strategy 30.5

**MINUTE**

**21 Item 8 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PIGEON CLUB (18.00304)**

**MOVED: Cr G Westman SECONDED: Cr G Hanger**

**RESOLVED:** That Council

- (a) Enter into an agreement with the Bathurst Pigeon Club to provide a clubhouse facility at Blayney Road Reserve
- (b) Assist the Bathurst Pigeon Club in providing materials to the value of \$15,000;
- (c) Provide assistance for connection to the power supply to the value \$2,000, provided the Bathurst Pigeon Club supply the labour to erect the clubhouse and wire the building to the required standards.

## **9 MOUNT PANORAMA SIGNAGE - FALKEN TYRES (04.00028)**

**Recommendation:** That Council agree with the transfer of the Falken Tyres Naming Rights Agreement for the pedestrian bridge located at Hell's Corner, Mount Panorama to Sumitomo Rubber Australia Pty Ltd effective from 27 February 2015.

**Report:** Council has received advice that Sumitomo Rubber Australia Pty Ltd have purchased Falken Tyres. Currently located at Hell's Corner on Pit Straight Mount Panorama is a pedestrian bridge which has the Falken Tyres logos and name painted on the bridge.

Council currently has an agreement with Falken Tyres which will expire on 31 July 2015. Falken Tyres have had a very long association with Council and the Mount Panorama Racing Circuit and in accordance with Clause 10.1 of the Naming Rights Agreement, Council is required to give written consent to the assignment of the rights and obligations of Falken Tyres under the Naming Rights Agreement to Sumitomo Rubber Australia Pty Ltd.

It is recommended that Council agree to transfer the naming rights agreement to Sumitomo Rubber Australia Pty Ltd.

**Financial Implications:** Council will continue to receive annual rent (refer to DCSF Confidential Report #2 of 21 November 2012).

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.5
- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.3

**MINUTE**

**22     Item 9    MOUNT PANORAMA SIGNAGE - FALKEN TYRES (04.00028)**  
**MOVED: Cr M Coote SECONDED: Cr B Bourke**

**RESOLVED:** That Council agree with the transfer of the Falken Tyres Naming Rights Agreement for the pedestrian bridge located at Hell's Corner, Mount Panorama to Sumitomo Rubber Australia Pty Ltd effective from 27 February 2015.

## **10 BATHURST 200 EVENTS - ALCOHOL FREE AREA EXEMPTIONS (20.00126, 20.00153)**

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

**Report:** As Council would be aware many events are planned to celebrate Bathurst's Bicentenary throughout the year. A number of these events are scheduled to take place in the Russell Street/Kings Parade/Machattie Park precinct. These events include: -

- Sunday 3 May – Proclamation Week Opening Ceremony
- Saturday 9 May – Illumination Street Festival
- Saturday 4 July – Winter Festival including Illuminations and outdoor ice skating
- Friday 9 October – Bicentenary Gala Ball/Illumination

Council would also be aware that a number of areas throughout the Bathurst CBD are now classified as alcohol free zones (report to ordinary Council meeting dated 16/8/2011, Director Cultural & Community Services, item 2) and the above location falls within that category.

While the Sunday 3 May opening ceremony will be an alcohol free event the 3 x Illumination festivals will permit the consumption of alcohol as will the Bicentenary Gala Ball.

This report is to advise Council that, as per the Alcohol Free Area Exemption Policy, Council staff have completed the Alcohol Free Area Exemption Permit and paid the prescribed fee to gain exemption for the above mentioned events.

Council are working with the Bathurst Vignerons for the May and July festivals with the Vignerons coordinating the licencing of the area. Council's contractor for the Gala Ball will arrange the licencing requirements for the October event.

**Financial Implications:** There is a \$7.50 fee for each of these applications which can be funded from within existing budgets.

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

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.2
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3

**MINUTE**

**23    Item 10    BATHURST 200 EVENTS - ALCOHOL FREE AREA EXEMPTIONS**  
**(20.00126, 20.00153)**

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

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

Yours faithfully



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

**DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 APRIL 2015



## **1 STREET TREE REPLANTING PROGRAM - DURHAM STREET (13.00019)**

### **Recommendation:**

That Council:

- (a) endorse the proposed street tree planting plan for Durham Street, between Stewart and Bentinck Streets
- (b) provide available funding within the 2015/2016 and subsequent Management Plans to undertake the various stages of the proposed works as detailed within the report.

**Report:** Council would be aware that a number of reports have been presented and working party discussions held over the existing street tree planting theme located along the Great Western Highway of Durham Street between Stewart Street and Bentinck Street. In addition, issues relating to the existing London Plane trees located between William and George Street and a single London Plane tree located adjacent to the intersection of Durham and Rankin Street have also been discussed.

For information, matters relating to the existing street tree theme, the new street tree planting proposal and removal of London Plane trees within this section of the Highway to date is as follows:

- At its meeting held 20 November 2013, Council was provided with a report seeking permission to remove a specific London Plane tree adjacent to 113 Durham Street. As part of the report, and in accordance with Council's previous request, a proposed planting theme was also provided to Council for its endorsement. Council resolved to take no action in relation to both the removal of the London Plane Tree and the proposed planting theme.
- Following on from further discussions and deliberations on this matter at a Councillors Working Party meeting held 10 September 2014, a further report was presented to Council on 10 December 2014. Council resolved that the Street Tree Planting Program – Durham Street be referred to another Working Party.
- Following on from further discussions and deliberations on this matter at a Councillors Working Party meeting held 10 September 2014, a further report was presented to Council on 10 December 2014. Council resolved that the Street Tree Planting Program – Durham Street be referred to another Working Party.
- Following on from further discussions and deliberations on this matter at a Councillor's Working Party meeting held 11 March 2015, this matter is again presented to Council for resolution.

Various reasons were provided for the proposed removal of the London Plane Tree adjacent 113 Durham Street as well as the remaining London Plane Trees along Durham Street. The main reason being is that these trees have outgrown the limited space available and are now damaging surrounding infrastructure including the adjacent footpath, the kerb and gutter, road pavement and other areas within adjacent private property. Although not anywhere near reaching its potential height and spread, the existing trunk diameter of the trees have already taken up the available space within the verges' very narrow planting corridor.

The immediate safety concern for users of the verge footpath area adjacent to 113 Durham Street has been temporarily resolved by the removal of a section of concrete footpath

immediately adjacent to the tree and the installation of an asphalt strip. However, this work remains temporary in nature and ongoing damage to the surrounding infrastructure will continue to occur as the tree grows towards maturity. Unfortunately, given the extremely small amount of growing space that exists within this verge and the extent of services and hard works surrounding the small planting strip, the fact remains that the London Plane species has been a poor choice for planting, given that there is physically no room for the growth of what will become an extremely large tree. The same issue of narrow restrictive verge space exists throughout Durham Street where the remaining row of London Plane trees have been planted. These trees will also pose significant problems in future as they continue to grow.

It has been reported to Council by members of the community that root barriers could be installed to the existing London Plane trees along Durham Street between William and George Street which would negate further damage as these trees continued to grow. Unfortunately, this statement gives a false and misleading conception that such a proposal to install root barriers to these trees that have already spread their roots throughout the surrounding road pavement, kerbing, paths, private property etc. is feasible. Having root barriers installed to control root growth is best achieved, physically and financially, by installing such devices at the time of tree planting and before the roots have had time to establish and reach the areas that require protection. To install root barriers to the existing trees within the confines of the available planting space of the Durham Street verge would require the major severing of anchor roots as well as mass feeder roots. This would create a substantial potential liability to Council and a hazardous situation for the surrounding area as the trees would be left with limited structural support and, in addition, they would most probably die.

There have been previous occasions where Council has been provided with a recommendation by its qualified Staff to retain large growing trees within streetscapes, parks and reserves, even though trees were causing damage to surrounding infrastructure. In each situation, the specific location of the tree, the available space that is afforded for its continued growth, the extent of the services affected and the overall risk to the community is considered when reaching a recommendation. Public safety is always the first priority in deciding whether a tree should be removed. However, where risks to public, services and infrastructure are minimal, or such risks can be controlled in a practical and cost effective manner, then the preservation of trees should be at the forethought of any decision. In this instance, with the London Plane trees in Durham Street, it is not believed practical to recommend that these trees remain as there are many factors that are causing concern. For example, they are relatively young trees that will grow to a massive size within a very small and confined growing space on a major highway and in the vicinity of major services, adjacent private infrastructure and buildings.

As a result of the issues that will continue to persist as these trees grow, it is the view of Council's experienced engineering and qualified horticultural staff that all London Plane trees within Durham Street, between Bentinck and George Streets, be removed.

At its General Meeting held 20 November 2013, Council was also presented with a proposed landscape plan of Durham Street between Bentinck Street and Stewart Street for its consideration. The landscape theme consisted of Crepe Myrtle and Manchurian Pear trees. These tree species were proposed due to the fact that throughout this section of the Highway, a large number of these tree species already exist, are suited to the various site restrictions and climatic conditions of the area, amongst other reasons. However, it is believed that the general consensus of Council was to provide an opportunity for a more attractive landscape statement to be developed for this section of the highway, which is the main entrance to Bathurst's CBD area. As such, a proposed streetscape planting theme, shown at **attachment 1** is presented for Council's consideration.

In essence, the planting theme proposed would include the removal of all existing trees along Durham Street on both sides of the Highway, and the replanting of the following:

### **Bentinck Street to William Street**

The section of Highway between Bentinck Street and William Street is considered to be the entrance to the CBD area and is dominated by a grand landscape entrance statement, being Haymarket Reserve. Due to the existing exotic theme of the adjacent park plantings, it is proposed that this section of the highway be planted out on both sides of the road with *Acer rubrum* (Autumn Red), which is a Maple tree that develops dark pinkish-red leaves in early autumn and bright red foliage by late autumn. It is believed that this tree will compliment and enhance the entrance statement to the CBD. Due to existing services, the petrol station and other access driveways within this section of the Highway it is believed that only up to 7 trees could be planted on the eastern side of the highway between Bentinck and William Street. On the western side, it is anticipated that 13 trees be planted between the existing Robinia Mop Top plantings. It is proposed that the Mop Top's would be removed once the *Acer* trees had developed within the streetscape.

### **Western Side Of Highway - William Street to Stewart Street**

On the western side of Durham Street, the proposal is to replace all existing Crepe Myrtle trees with Ornamental Pistachio trees. Additional tree planting with Ornamental Pistachio trees will also be undertaken where suitable gaps have been identified. This plant species are well suited to the climatic conditions of Bathurst, are believed to be part of the planting theme for the recently commenced RMS Highway upgrade of Sydney Road, and provide an attractive show of seasonal colour change throughout the various seasons.

### **Eastern Side Of Highway - William Street to Stewart Street**

On the eastern side of Durham Street, it is proposed that all existing London Plane and Ornamental Pear trees be removed and replaced with a single species of tree suited to the area, which is able to provide a similar impact to the site in respect to a show of seasonal colour, and uniformity along that section of the Highway. *Acer Rubrum* "Autumn Red" has been proposed as the preferred tree species for this area, as it has a striking leaf colour change during autumn.

### **Timing**

Due to the extent of area involved and the amount of tree removal works that will need to be undertaken in order to implement the new planting theme, it is considered that the replacement project be implemented in stages. The following stages are proposed:

#### **Stage 1 Works**

- Removal of all Crepe Myrtle trees on the western side of Durham Street between Bentinck Street and Stewart Street and the removal of the London Plane Tree adjacent to 113 Durham Street due to the issues and concerns that this tree has already caused to the surrounding infrastructure.
- Planting of Ornamental Pistachio as per the planting plan throughout all areas as shown on the planting plan on the western side of Durham Street between William and Stewart Streets.
- Stage one works to be undertaken within the 2015 Winter Planting Season, subject to funding and plant availability.

#### **Stage 2 Works**

- Removal of all existing trees (including London Plane trees) located on the eastern side of Durham Street between Bentinck and George Streets.
- Planting of *Acer Rubrum* (or equivalent variety) to both sides of Durham Street

between Bentinck and William and on the eastern side of Durham between William and George Streets.

- Stage 2 works to be undertaken within the 2016 Winter Planting Season.

#### Stage 3 Works

- Removal of all existing trees (including Manchurian Pear Trees) located on the eastern side of Durham Street between George and Stewart Streets.
- Planting of Acer Rubrum (or equivalent variety) on the eastern side of Durham between George and Stewart Streets.
- Stage 3 works to be undertaken within the 2017 Winter Planting Season.

Note: It is proposed that 100L advanced trees would be utilised for all planting works within Durham Street,

It is recommended that sufficient funding be made available within future Management Plans, commencing in the 2015/2016 financial year, in order to instigate the staged works. It is recommended to have the works staged so as to lessen the impact on having all existing trees within the entire length of the proposed work site removed at the same time.

For information, as part of the Durham Street tree replacement program, necessary protection measures will be installed to ensure that the potential for future damage to services and infrastructure is minimised as the trees develop and mature. This will involve the installation of root barriers and watering tubes to be placed around the root system of each tree.

#### **Financial Implications:**

Stage One Works is expected to cost in the vicinity of \$73,300 to be funded within the 2015/2016 Management Plan.

Stage Two works is anticipated to cost in the vicinity of \$60,000 to be funded in the 2016/2017 Management Plan.

Stage Three Works is expected to cost in the vicinity of \$54,000 to be funded within the 2017/2018 Management Plan.

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

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.6

**MINUTE**

**24 Item 1 STREET TREE REPLANTING PROGRAM - DURHAM STREET**  
**(13.00019)**

**MOVED: Cr G Westman SECONDED: Cr B Bourke**

**MOVED:**

That Council:

- (a) endorse the proposed street tree planting plan for Durham Street, between Stewart and Bentinck Streets
- (b) provide available funding within the 2015/2016 and subsequent Management Plans to undertake the various stages of the proposed works as detailed within the report.

**MINUTE**

**25 Item 1.01 STREET TREE REPLANTING PROGRAM - DURHAM STREET  
(13.00019)**

**MOVED: Cr M Coote SECONDED: Cr B Bourke**

**The following AMENDMENT was MOVED.**

**That Council:**

- (a) endorse the proposed street tree planting plan for Durham Street, between Stewart and Bentinck Streets
- (b) provide available funding within the 2016/2017 and subsequent Management Plans to undertake the various stages of the proposed works as detailed within the report.

**The AMENDMENT was PUT and CARRIED.**

**The AMENDMENT then became the MOTION.**

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

## **2 INSTALLATION OF REMEMBRANCE PLAQUES ON CARILLON (04.00032-02)**

### **Recommendation:**

That Council approve:

- (a) the installation of a World War 1 commemoration plaque containing the names of 436 veterans enlisted in Bathurst who paid the supreme sacrifice.
- (b) the installation of a commemoration plaque honouring the only Victoria Cross recipient from Bathurst - Lt Col Blair Anderson Wark

### **Report:**

The Carillon was officially opened on Armistice Day, 11 November 1937 as a memorial to the men of Bathurst and District who served in World War 1. Remembrance has been extended to serviceman and woman who have served in other conflicts.

Council has received application from the Returned Services League (RSL) of Australia, Bathurst Sub-Branch to affix two plaques to the Carillon structure.

### **World War 1 Commemorative Plaque**

A bronze plaque 600mm x 500mm containing the names of 436 veterans who enlisted in Bathurst, for service in World War 1 and paid the ultimate sacrifice. The plaque will commemorate and honour the sacrifice of the Bathurst servicemen on the 100<sup>th</sup> anniversary of the landing of Gallipoli. The plaque is proposed to be affixed within a recess to the brickwork on the eastern side wall of the Carillon facing William Street.

### **Commemorative Plaque Lt Col Blair Anderson Wark**

A plaque honouring the only Victoria Cross recipient from Bathurst will commemorate the service of Lieutenant Colonel Blair Anderson Wark. The plaque will present a bronze finish 300mm x 250mm in size of similar appearance to the other installed plaques displaying a black background with raised bronze lettering. The plaque is proposed to be affixed within a recess on the brick wall to the right hand side of the concrete steps at the Russell Street side of the Carillon.

A meeting has been held with Council Staff and Bathurst RSL sub branch president, Mr David Mills to discuss the possible plaque installations and the most suitable locations for installation. The proposal submitted by the Bathurst RSL Sub Branch is attached as **attachment 1** which displays the locations where the plaques are proposed to be affixed.

### **Financial Implications:**

As with previous requests by the RSL to install plaques, Council would arrange for their installation due to the requirement to recess the brickwork.

The works involved with the plaque installations can be covered under existing resources in the 2015/16 Management Plan.

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

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.4, 21.6

**MINUTE**

**26 Item 2 INSTALLATION OF REMEMBERANCE PLAQUES ON CARILLON**  
**(04.00032-02)**

**MOVED: Cr M Coote SECONDED: Cr B Bourke**

**RESOLVED:** That Council approve:

- (a) the installation of a World War 1 commemoration plaque containing the names of 436 veterans enlisted in Bathurst who paid the supreme sacrifice.
- (b) the installation of a commemoration plaque honouring the only Victoria Cross recipient from Bathurst - Lt Col Blair Anderson Wark

Yours faithfully



Doug Patterson

**DIRECTOR**  
**ENGINEERING SERVICES**



**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT AND MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 APRIL 2015

## **1 BATHURST LIBRARY 2012/2013 PERFORMANCE (20.00106)**

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

**Report:** Under the Library Act 1939 the Library Council of NSW makes enquiry into the administration and management of every local library in NSW. In support of this duty the State library collects comprehensive statistics from Councils annually about their library services, the statistics facilitate benchmarking of services. The following statistics have just been released and are from the year 2012/2013.

Bathurst Library can be seen to be performing creditably when compared to any other NSW library in the annual Public Library statistics.

Circulation per capita shows Bathurst as being twentieth out of the 102 libraries participating. The per capita rating is a good indicator of community use of the library. Since the beginning of the century Bathurst library has increased circulation of Library materials by 45%, from 220,353 in 2000/2001 to 320,323 in 2012/2013. In the same period Bathurst has risen in the ranking of all NSW libraries from a position of 58 to a high ranking of 20 in terms of circulation per capita.

The circulation per staff member result places Bathurst staff as the third busiest out of 102 libraries.

Rankings of similar sized Local Government areas or close neighbour Councils is presented in the table below:

Location	Population	Circulation	Circulation per Capita	Library Visits	Circulation per Staff Member
<b>Bathurst</b>	<b>40,209</b>	<b>320,323</b>	<b>7.97</b>	<b>158,091</b>	<b>29,936</b>
Botany Bay	42,467	164,791	3.88	182,682	13,078
Eurobodalla	36,840	189,529	6.21	48,260	23,634
Strathfield	37,547	202,900	6.21	244,426	17,939
Orange *			4.20	159,753	18,911
Dubbo *			4.27	143,502	13,078

\* *Orange Library operates under the Central West Regional and Joint Library Service. Dubbo Library operates under the Macquarie Regional and Joint Library Service.*

Bathurst Library has become a hub of the community, with large groups or individuals all made to feel welcome.

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

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

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1

**MINUTE**

- 27 **Item 1 BATHURST LIBRARY 2012/2013 PERFORMANCE (20.00106)**  
**MOVED: Cr M Morse SECONDED: Cr J Jennings**

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

## **2 BANNER POLES, WILLIAM STREET, BATHURST (23.00006)**

**Recommendation:** That Council refer the proposal to the Draft 2015/2016 Annual Operating Plan for consideration.

**Report:** Council has received a request regarding the painting of the banner display poles in William Street, alongside the Civic Centre, utilising Aborigine pictorials and design unique to the Wiradyuri. A copy of the request is shown at **attachment 1**.

Council has reviewed the proposal and provides the following items for consideration:

1. A development application would be required to be prepared for the proposed works.
2. Should the poles be painted in situ then this would potentially require scaffolding and or an elevating platform or bucket truck if painting directly onto the pole. Anyone utilising such will be required to be appropriately trained and it would require closure of one lane with appropriate traffic control setup.
3. Alternatively, an approved design could be placed onto a vinyl skin and applied to the poles by sign specialists. Such signage is utilised extensively at Mount Panorama and is relatively quick to install. It is anticipated that the cost of producing a vinyl skin for the poles would be in the vicinity of \$25,000.
4. Commissioning the art and applying the "skin" to the poles is considered to be in the order of \$10,000.

Application of the vinyl skin is considered the preferred method.

Councillors should note that the poles will be removed during April 2015 to allow fabrication and footing adjustment work to be undertaken and the poles replaced.

### **Way Forward**

If Council endorses funding for the project a development application will be prepared in partnership with the Bathurst Wiradyuri and Aboriginal Community Elders. It is proposed that one of the poles be utilised to reflect the Wiradyuri people and their linkage to the Country, whilst the other pole could be used to reflect European history. The pole design will be managed by Council and the Bathurst Wiradyuri and Aboriginal Community Elders, with final approval of the design resting with Council. Following design and approval, Council will liaise with the production company to ensure the design can be commissioned onto the vinyl "skin" for the poles.

**Financial Implications:** Should Council support the application of a vinyl "skin", decorated in a local Aboriginal design, to the banner poles in William Street, it will need to include a line in the draft 2015/2016 budget for an amount of \$35,000 for this project.

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

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.5, 20.6

**MINUTE**

**28**     **Item 2 BANNER POLES, WILLIAM STREET, BATHURST (23.00006)**  
**MOVED: Cr B Bourke SECONDED: Cr M Morse**

**RESOLVED:** That Council refer the proposal for the Banner Poles in William Street to a Working Party of Council for consideration.

### **3 2015 INTERNATIONAL WOMEN'S DAY EVENT - FRIDAY 6 MARCH 2015 (23.00026)**

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

**Report:** International Women's Day was celebrated in Bathurst with a Morning Tea held on Friday 6 March 2015 at the Walshaw Hall. The free morning tea featured stalls from local organisations including The Neighbourhood Centre, YWCA, Relationships Australia, DIAS, Australian Breastfeeding Association, Women's Health Service, BreastScreen NSW and Lifeline. Sarah Harvey, a young local performer, provided entertainment for the event.

The International Women's Day Morning was well received, by stallholders and with approximately one hundred community members in attendance.

The key note speaker for the event was human rights activist Kerriane Cox, who highlighted the significance of the day for all people and the need to take care of our land for the generations to come. Kerriane also performed a musical piece of her own and convened a community gathering in a healing circle in Kings Parade after the event. Aunty Gloria Rogers, a local Wiradyuri Elder, presented the Warming to Country

International Women's Day provides an opportunity to acknowledge the struggles and celebrate the achievements of women through the world.

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

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.5, 23.6, 23.8

**MINUTE**

**29    Item 3    2015 INTERNATIONAL WOMEN'S DAY EVENT - FRIDAY 6 MARCH**  
**2015 (23.00026)**

**MOVED: Cr M Morse SECONDED: Cr J Jennings**

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

#### **4 SENIORS' WEEK 2015 - 14-22 MARCH 2015 (07.00016)**

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

**Report:** Council, in partnership with the Seniors' Week Organising Committee, coordinated a range of events to celebrate Seniors' Week 2015 in Bathurst.

Participation at all events was large, with over four hundred people enjoying the diverse range of activities offered throughout the week. The activities held received positive feedback from participants and organisers.

Seniors' Week 2015 was held from 14 to 22 March 2015. The week commenced with a performance by the Mitchell String Quartet on Saturday 14 March 2015, a concert and afternoon tea at the Senior Citizen's Centre on the Sunday 15 March 2015. The rest of the week included several concerts, morning teas, Bathurst Seymour Centre Open Day, a discounted movie day at Metro 5 Cinema, an exhibition of fashion at Miss Traill's House, 'Young at Heart' classic film screenings, Songs of Praise Church Service and finally a sing along afternoon at the Senior Citizen's Centre on Saturday 21 March 2015.

The range of activities held throughout the week were made possible through partnerships with Bathurst Regional Council, Seymour Centre, Miss Traill's House, Uniting Church, Mitchell Conservatorium, Bathurst Senior Citizen's Centre and Metro 5 Cinema.

One of the highlights of the week, was an event organised by Council, featuring the Begonia House in Machattie Park. This event showcased the amazing flowers on display in the Begonia House with Mayor Gary Rush formally welcoming all to the event. An informative presentation of the history of the Begonia House and a tour of the Begonia House was conducted by Council's Horticultural Services Supervisor. The event concluded with delicious refreshments at Sweet Caramel Café, in George Street.

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

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

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1, 20.3
- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.2
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1, 23.3, 23.5, 23.6
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5, 30.6



**MINUTE**

**30** Item 4 SENIORS' WEEK 2015 - 14-22 MARCH 2015 (07.00016)  
MOVED: Cr B Bourke SECONDED: Cr M Coote

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

## **5 HARMONY DAY EVENT - SATURDAY 21 MARCH 2015 (09.00032)**

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

**Report:** Council coordinated a free community event at the Bathurst Art Gallery/Library forecourt on Saturday 21 March to celebrate Harmony Day 2015. The event featured food, live acts and entertainment. Over 120 people from a range of cultural backgrounds attended the morning, and celebrated the rich diversity of different cultures in the Bathurst region and the importance of inclusiveness, respect and acceptance.

Participants were entertained by the live band Ignatia Amara, singer/songwriter Gabi Bolt, Enigma Breakdancing crew, Bashira Bellydancers and Filipino Dancers, whilst enjoying a free multicultural barbecue. A Warming to Country was provided by Aunty Gloria Rogers, a local Wiradyuri Elder.

The Harmony Day Theme for 2015 'Everyone Belongs', was reflected in the celebrations by providing local and international foods at the event and diverse local performers.

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

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

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.3
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.6

**MINUTE**

- 31 **Item 5 HARMONY DAY EVENT - SATURDAY 21 MARCH 2015 (09.00032)**  
**MOVED: Cr M Morse SECONDED: Cr B Bourke**

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

## **6 AUSTRALIAN FOSSIL AND MINERAL MUSEUM - CAMERA ON GALLIPOLI EXHIBITION (21.00107)**

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

**Report:** The Australian Fossil and Mineral Museum (AFMM) has opened an exciting new exhibition in the temporary exhibition room, entitled Camera on Gallipoli. The exhibition consists of photographs of the ANZACS, taken during the Gallipoli campaign one hundred years ago and are the work of one man Sir Charles Ryan.

The exhibit was developed by the Australian War Memorial and provided to Council in a digital format from which Council printed the pictures and then framed them for display.

In 1915 soldier and surgeon Sir Charles Ryan captured the Australians' experience on Gallipoli via this series of candid photographs. Ryan's sensitivity, his empathy with those on both sides, and his eye for the remarkable – and the remarkable in the everyday – are apparent in his photographic work.

These images take us behind the stirring accounts of battle being reported at home to reveal the dry, forbidding landscape, tired troops in the trenches, squalid dug-outs, and the horrendous task of burying the dead. Here, in Ryan's display of mateship, stoicism and dogged endurance, is the spirit of Anzac.

The photographs are evidence of a keen mind and are real snapshots of life and death on Gallipoli. Well-known events such as the truce to bury the dead feature, as well as the more mundane like the photograph of two Diggers standing near a mountain of cans of corned beef.

Beyond the photographs in the exhibition is the story of Charles Ryan's remarkable life, encompassing his service as a doctor with the Turkish army in 1877–78, his close encounter with Ned Kelly, whom he treated at Glenrowan, his time as a leading Melbourne surgeon, his long service as a senior military officer, and the high civil and military recognition extended to him by his peers.

The exhibition was opened on Thursday 12 March by the Mayor of Bathurst Councillor Gary Rush. The President of the Bathurst RSL Sub Branch Mr David Mills spoke on the spirit of ANZAC. Some 70 people attended the opening with a large proportion of them coming from the RSL sub Branch and representing service in conflicts from World War II through to Afghanistan.

The exhibition will run until 1 June 2015.

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

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

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2

**MINUTE**

**32 Item 6 AUSTRALIAN FOSSIL AND MINERAL MUSEUM - CAMERA ON GALLIPOLI EXHIBITION (21.00107)**

**MOVED: Cr G Westman SECONDED: Cr M Coote**

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

## **7 HILL END & TAMBAROORA PROGRESS ASSOCIATION - VILLAGE IMPROVEMENT PROGRAM 2014/2015 (16.00104)**

**Recommendation:** That Council approve a variation to the funding of \$2,850, allocated under the 2014/2015 Village Improvement Program for Hill End & Tambaroora Association, for the repair of the theatre screen with the remainder funds to be used to purchase outdoor seating for the village.

**Report:** Under the 2014/2015 Village Improvement Program (Council meeting held 19 November 2014, Director Cultural & Community Services Report #4) the Hill End & Tambaroora Progress Association requested funding to repair the theatre screen, electrical work for spotlight controller panel and noticeboard at the Royal Hall using the funds of \$2,850.

Council has received advice from the Progress Association that, following a recent production held at the hall, it was found that the stage lighting controls were adequate. The Progress Association also advised that the NPWS would be installing a noticeboard. Therefore, the Progress Association has requested that the funding still be used to repair the theatre screen and to use the remainder of the funding for some outdoor seating for the village.

A copy of the correspondence is at **attachment 1**.

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

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

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.3
- Objective 17: To encourage living, vibrant and growing villages and rural settlements. Strategy 17.3, 17.4, 17.9

**MINUTE**

**33 Item 7 HILL END & TAMBAROORA PROGRESS ASSOCIATION - VILLAGE IMPROVEMENT PROGRAM 2014/2015 (16.00104)**

**MOVED: Cr B Bourke SECONDED: Cr M Coote**

**RESOLVED:** That Council approve a variation to the funding of \$2,850, allocated under the 2014/2015 Village Improvement Program for Hill End & Tambaroora Association, for the repair of the theatre screen with the remainder funds to be used to purchase outdoor seating for the village.

Yours faithfully



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

**POLICY COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL



## **1 MINUTES - POLICY COMMITTEE MEETING - 1 APRIL 2015 (07.00064)**

**Recommendation:** That the recommendations of the Policy Committee Meeting held on 1 April 2015 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held 1 April 2015, are attached.

**Financial Implications:** N/A

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

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.5

**MINUTE**

- 34** Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 APRIL 2015 (07.00064)  
MOVED: Cr M Coote SECONDED: Cr G Westman

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 1 April 2015 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 1 APRIL 2015**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**APOLOGIES**

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

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

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 MARCH 2015 (07.00064)**  
**MOVED** Cr M Coote and **SECONDED** Cr G Westman

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 4 March 2015 be adopted.

**DECLARATION OF INTEREST**

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

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**5 Item 1 REVIEW OF SWIMMING POOL INSPECTION POLICY (41.00089, 02.00009)**  
**MOVED** Cr M Coote and **SECONDED** Cr W Aubin

**RESOLVED:** That Council adopt the amended Swimming Pool Inspection Policy.

## Director Corporate Services & Finance's Report

- 6** **Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 11 MARCH 2015 (07.00096)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

**RESOLVED:** That the recommendations of the Audit & Risk Management Committee Meeting held on 11 March 2015 be adopted.

- 7** **Item 2 ICAC INVESTIGATION REPORT - OPERATION JAREK (46.00075, 46.00117)**  
**MOVED** Cr G Westman and **SECONDED** Cr I North

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

## Director Engineering Services' Report

- 8** **Item 1 POLICY ON VEGETATION AND SIGNAGE FOR ROUNDABOUTS (28.00004, 41.00089)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Morse

**RESOLVED:** That Council adopt the Director Engineering Services' recommendations for the maintenance of vegetation and signage on roundabouts within the Bathurst area.

## GENERAL BUSINESS

- 9** **TAFE BUILDING (22.01387)**

**Cr Bourke** - noted building is still sitting there, no further action appears to have occurred. Would like process sped up. Has spoken to the Minister about time being taken. Asks Council to take further action.

**The Mayor** spoke to actions currently occurring.

- 10** **Item 2 CARENNE SCHOOL CROSSING (25.00062)**

**Cr Bourke** - has received a petition for a crossing to be placed at the school. Spoke to correspondence received from concerned citizens. The petition has 1300 signatures and there have been many more comments on facebook. Asks Councillors to take up this fight, there are over 200 persons at the school. It is an RMS matter, but Council needs to agitate for this. Noted refuge outside school does not allow for wheelchairs to fit through. Need to cut red-tape and get message

to RMS.

**Cr Bourke** tabled the petition.

**Cr Aubin** noted suggestion to school had been made about car parking out the back of the school, with access from Research Station Drive.

**The Mayor** will speak to RMS and encourage their review, which will come to Council through the Traffic Committee.

**11**      **Item 3 CARENNE SCHOOL CROSSING (25.00062)**

**Cr North** - asked could a report come to Council on the requirements for a crossing, so matter could be considered by Council as soon as possible.

**12**      **Item 4 PIPER STREET RESIDENTS (28.00012)**

**Cr North** - raised concerns that a lot of B-Double trucks go through the lights at Stewart/Lambert intersection and do not stop when lights are red. Could this be followed up please.

**13**      **Item 5 NEIGHBOUR DAY CELEBRATIONS (23.00026)**

**Cr North** - attended this function on behalf of Council. This was a very good event, and great to see how neighbours have been recognised.

**14**      **Item 6 LOCAL MEMBER RE-ELECTION (18.00040)**

**Cr North** - could a letter of congratulations be sent to the Local State Member on his re-election.

**The Mayor** noted correspondence has been sent.

**15**      **Item 7 AQUATIC CENTRE (04.00105)**

**Cr North** - thanked staff for action taken on access issues that had recently been raised by the community.

**16**      **Item 8 UPPER MACQUARIE COUNTY COUNCIL (18.00172)**

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**This is page 3 of Minutes of the Policy Committee held on 1 April 2015.**

**Cr North** - spoke to strategic report requested from the County Council, not forthcoming at this time.

**17**      **Item 9 CARENNE SCHOOL CROSSING (25.00062)**

**Cr Aubin** - advised report going to next Traffic Committee which notes "numerical warrant" has not been reached. Noted other factors to be considered, e.g. pedestrian refuge access width is currently being addressed.

**18**      **Item 10 McHUGH COURT CASE (20.00027)**

**Cr Westman** - asked while case is going on, could Council look at policy creation for this type of development into the future. Requests a Working Party be held to discuss a framework.

**19**      **Item 11 PARKS DEPARTMENT (04.00045)**

**Cr Hanger** - congratulated staff on efforts over last couple of days for the NSW Combined High School cricket tournament. The effort after the heavy rain was spectacular.

**MEETING CLOSE**

**20**      **MEETING CLOSE**

The Meeting closed at 6.28 pm.

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

**Date:** \_\_\_\_\_ **(15 April 2015)**

**TRAFFIC COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 APRIL 2015 (07.00006)**

**Recommendation:** That the recommendations of the Traffic Committee Meeting held on 7 April 2015 be adopted.

**Report:** The Minutes of the Traffic Committee Meeting held 7 April 2015, are attached.

**Financial Implications:** N/A

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

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.5



**MINUTE**

**35** Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 APRIL 2015 (07.00006)  
MOVED: Cr B Bourke SECONDED: Cr M Morse

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 7 April 2015 be adopted excepting minute number 10 (Item 6) - Proposed Pedestrian Crossing at Browning Street, which is to be referred to a Working Party of Council for further consideration.

**MINUTES OF THE TRAFFIC COMMITTEE**  
**HELD ON 7 APRIL 2015**

**MEETING COMMENCES**

**1 MEETING COMMENCES 2:07 PM**

Members: Cr Warren Aubin (Chair), Sergeant Peter Foran (Police), David Vant (Roads and Maritime Services), Deanne Freeman (Roads and Maritime Services), David Veness (MP Representative).

Present: Bernard Drum (Civil Design & Project Engineer), Iris Dorsett (Tablelands Area Road Safety Officer).

**APOLOGIES**

**2 APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING**

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

That the Minutes of the Traffic Committee Meeting held on 3 March 2015 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**

That the Declaration of Interest be noted.

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**Director Engineering Services' Report**

**5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 3 MARCH 2015 (07.00006)**

That the information be noted and necessary actions be taken.

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

That the information be noted.

**7 Item 3 PROPOSED TEMPORARY ROAD CLOSURE DURHAM STREET BETWEEN KENDALL AVENUE AND HAVANNAH STREET - NATIONAL RUGBY LEAGUE EVENTS (04.00045-04)**

That Council approve the temporary road closure of Durham Street between Kendall Avenue and Havannah Street, on Tuesday 26 May 2015 and Tuesday 2 June 2015. The event is to be classified as a Class 2 event and approved subject to conditions as detailed in the Director Engineering Services' report

**8 Item 4 PROPOSED MERGE LANES ON RUSSELL STREET BETWEEN WILLIAM STREET AND BENTINCK STREET (25.00011)**

That Council approve the installation of merge lanes; and edge line markings on Russell Street between William Street and Bentinck Street.

**9 Item 5 BATHURST EDGELL JOG 2015 (23.00130/079)**

That Council classifies the Bathurst Edgell Jog to be held on Sunday 6 September 2015 as a Class 1 event, and approve the event subject to conditions as detailed in the Director Engineering Services' Report.

**10 Item 6 PROPOSED PEDESTRIAN CROSSING AT BROWNING STREET (25.00062)**

That Council:

- (a) not approve the installation of a pedestrian crossing at Browning Street Bathurst at the location of Carene Public School, and
- (b) review other options available and prepare a further report to the May meeting.

**11 Item 7 "NO PARKING" SIGNS PROPOSED FOR THE WESTERN SIDE ON PACIFIC WAY (25.00412)**

That Council leave parking arrangements in their current state on the western side of Pacific Way.

**12 Item 8 TEMPORARY CLOSURE OF KISS AND RIDE LANE FRONTING BATHURST MEMORIAL ENTERTAINMENT CENTRE (25.00002-07)**



**DELEGATES REPORTS AND MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 APRIL 2015

## **1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 11 MARCH 2015 (11.00019)**

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

**Report:** **Present:** Councillors Aubin, Bourke, Coote, Hanger, Jennings, Morse, North, Westman.

**Apologies:** Cr Rush

### **1. HARRY SABAN - PROPOSED 4 WHEEL DRIVE FACILITY (11.00019)**

Harry Saban presented a proposal to establish a 4 wheel drive facility at College Road.

Discussion included:

- requests permission to conduct a feasibility study for the land in College Road to be used as a 4 wheel drive training facility.
- Income would be derived from entry fee and the training facility.
- would seek to use land on a Commercial Lease.

Mr Saban to submit a formal request seeking a Commercial Lease for use of the land and permission to conduct a feasibility study to use the land as a 4 wheel drive training facility.

**Financial Implications:** Nil.

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

**MINUTE**

**36    Item 1    COUNCILLORS MEETING WITH COMMUNITY  
GROUPS/REPRESENTATIVES - 11 MARCH 2015 (11.00019)**

**MOVED: Cr G Westman SECONDED: Cr M Coote**

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

## **2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 10 MARCH 2015 (11.00020)**

**Recommendation:** That Council:

- (a) Note the information: and
- (b) Adopt the membership for the Bathurst Regional Youth Council for 2015.

### **Report: MINUTES OF BATHURST REGIONAL YOUTH COUNCIL MEETING HELD IN COUNCIL CHAMBERS ON TUESDAY 10 MARCH 2015**

**PRESENT:** Anthony Hanrahan, Bronte Cooke, Casey Mutton, Ben Clayton, David Muter, Bryce McArthur, Holly Davis, Tyson Mendham, Oliver O'Toole, Nathan Germech, Dominic McCrossin, Jonah Tuineau, Laura Van Uum, Lily Bennett, Lewis Wilde, Sarah Driver, Marinelle Crisologo, Niamh Hirekodi, Chelsea Stephens, Emily O'Shea.

**IN ATTENDANCE:** Megan Bargwanna (Community Development Officer- Youth), Inti Paez (Trainee Cultural & Community Services).

**Following the Youth Council Training Morning, attended by Cr Michael Coote, the official meeting commenced at 12.30pm.**

#### **1. APOLOGIES**

**RESOLVED** that apologies from Cr Rush, Cr Westmann, Cr Aubin, Cr Coote, Maddie George and Liam Higham be accepted.

#### **2. ADOPTION OF PREVIOUS MINUTES**

**RESOLVED** that the minutes of the meeting held 11 November 2014 be accepted.

Moved: Laura Van Uum  
Seconded: Emily O'Shea

#### **3. YOUTH COUNCIL STRUCTURE**

**RESOLVED** that the Youth Council structure be as follows:

- (a) That the following structure apply for 2015:
  - Youth Mayor (1 position)
  - Youth Deputy Mayor (1 position)
  - Youth Secretary (2 positions)
  - Web Master (1 position)
- (b) The positions at item (a) above will be elected by all youth councillors at the first meeting of the full Youth Council.

#### **4. ELECTION OF YOUTH MAYOR AND YOUTH DEPUTY MAYOR**

**RESOLVED** that, by process of secret ballot, Youth Councillor Laura Van Uum be elected as Youth Mayor of Bathurst for 2015 **and further** that Youth Councillor Emily O'Shea be



elected as Youth Deputy Mayor of Bathurst for 2015.

#### **5. NOMINATION AND APPOINTMENT OF YOUTH COUNCIL SECRETARIES, AND WEB MASTER**

**RESOLVED** that, by process of determination through secret ballot, the following representatives hold the following positions on the Bathurst Regional Youth Council for 2015:

**Youth Council Secretary** Chelsea Stephens

**Youth Council Secretary** Holly Davis

**Web Master** Nathan Germech

#### **6. YOUTH COUNCIL MEMBERSHIP**

**RESOLVED** that the Youth Council request the Senior Council to adopt the membership for the Bathurst Regional Youth Council for 2015.

#### **7. YOUTH COUNCIL MEETINGS FOR 2015**

**RESOLVED** that the Youth Council note the following meeting schedule for 2015 and hold working party meetings as required:

<b><u>MONTH</u></b>	<b><u>MEETING DAY &amp; DATE</u></b>	<b><u>AGENDA CLOSING DATE</u></b>
March	Tuesday 10 March	24 February
May	Tuesday 12 May	28 April
June	Tuesday 23 June	9 June
September	Tuesday 8 September	25 August
November	Tuesday 10 November	27 October

#### **8. YOUTH COUNCIL WORKING PARTIES AND PROJECTS**

**RESOLVED** that the Youth Council:

- (a) Aim to work on 3-4 projects during the year, with ideas to be discussed at the first working party meeting to be held on Monday 16 March, 3.45-4.45
- (b) Hold working party meetings on Mondays 3.45pm to 4.45pm or Tuesdays 3.45pm to 4.45pm to work on projects as required, with the possibility of holding these meetings on alternate Mondays and Tuesdays.

#### **9. YOUTH WEEK 2014 – IT STARTS WITH US , 10-19 APRIL 2015**

The Youth Council discussed the following in regards to Youth Week 2015:

- The theme for 2015 Youth Week is “It Starts with Us”.
- Youth Week falls in the school holidays this year. Also the first Sunday (12 April) is the B2B event and the second weekend is the Bathurst Show. Proclamation Day celebrations will get underway at the beginning of May.
- There will be the following events to celebrate Youth Week:
- Monday 13 April 3.00-5.30pm- Bicentenary Illuminate Bathurst Paper Lantern

- workshop on the lawn in front of the Bathurst Library and Art Gallery
- Wednesday 15 April 3.00-5.30pm- Kooky Talents and Wicked Trivia at the Bathurst Library meeting room and
- Thursday 16 April 10.00-6.00pm- Chill Tunes at Time 4 Kids at the Bathurst City Centre
- Youth Council will assist with the promotion of the events
- Discussion about a “kit” of ideas for schools to incorporate for Youth Week next year. Suggestion to discuss this at the September meeting, so that the information can go to the schools before the end of the year.

## **10. GENERAL BUSINESS**

There was no general business

## **11. NEXT MEETING**

The next meeting will be held on Tuesday, 12 May 2015 at 11.15am.

## **12. MEETING CLOSURE**

There being no further business, the meeting closed at 2.11pm.

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

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.6
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.1, 27.3, 27.4, 27.5, 27.6, 27.9
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2, 30.5
- Objective 33: To be and develop good leaders. Strategy 33.2, 33.3

**MINUTE**

**37 Item 2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 10 MARCH 2015 (11.00020)**

**MOVED: Cr B Bourke SECONDED: Cr M Coote**

**RESOLVED:** That Council:

- (a) Note the information: and
- (b) Adopt the membership for the Bathurst Regional Youth Council for 2015.

**MINUTE**

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

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

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

**The following representations were made.**

M Nicholls, Western Advocate - See no reason why DCSF Item #4 - Mount Panorama Land - cannot be partly discussed in open Council, in the public interest.

**The Mayor** spoke to confidentiality requirements of the matter.

**RESOLVED:** That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF RURAL LICENCE AGREEMENT - SECTION 5 PART LOT 304 DP1187714 - 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. 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.
2	RENEWAL OF LICENCE AGREEMENT - PART LOT 101 AND PART LOT 103 DP1204847 KNOWN AS 5-7 LEE STREET KELSO - UPPER MACQUARIE COUNTY COUNCIL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3, 4, 7, 8, 9 AND 10 IN SECTION 16 DP758840 - CATHOLIC DIOCESE OF BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	MOUNT PANORAMA LAND	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	SALE OF LOT 402 DP1150519 LOCATED AT 17 MCGIRR STREET, BATHURST AND KNOWN AS THE BATHURST SUSTAINABLE LIFESTYLE HOUSE PROJECT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	SIGNAGE AT MOUNT	10A (2) (d) (i) – contains

Resolve Into Confidential Committee Of The Whole To Deal With Confidential Reports to the Council Meeting 15/04/2015

	PANORAMA - LEASE TO MARS PETCARE	commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	PROPOSED NEW LEASE - LOT 193 DP821845 CHRISTIE STREET RAGLAN - KNOWN AS THE OLD RAGLAN SCHOOL HALL	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 CONFIDENTIAL MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 APRIL 2015

**MINUTE**

**a Item 1 RENEWAL OF RURAL LICENCE AGREEMENT - SECTION 5 PART LOT 304 DP1187714 - BATHURST AERODROME (21.00093)**

**MOVED: Cr M Morse SECONDED: Cr M Coote**

**That** Council approves entering into a new Rural Licence Agreement with Mr Graeme and Mrs Constance Burke for Section 5 Part Lot 304 in DP1187714 located at the Bathurst Aerodrome for a period of one (1) year with an option period of one (1) year as detailed in the report.



**MINUTE**

**b Item 2 RENEWAL OF LICENCE AGREEMENT - PART LOT 101 AND PART LOT 103 DP1204847 KNOWN AS 5-7 LEE STREET KELSO - UPPER MACQUARIE COUNTY COUNCIL (22.02268)**

**MOVED: Cr B Bourke SECONDED: Cr M Coote**

**That** Council approves entering into a new Licence agreement for Part Lot 101 and Part Lot 103 DP1204847 known as 5-7 Lee Street Kelso with Upper Macquarie County Council for a period of three (3) years with an option period of three (3) years as detailed in the report.

**MINUTE**

**c Item 3 PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3, 4, 7, 8, 9 AND 10 IN SECTION 16 DP758840 - CATHOLIC DIOCESE OF BATHURST (22.13487)**

**MOVED: Cr B Bourke SECONDED: Cr M Coote**

**That Council acts in accordance with the report.**

## **MINUTE**

**d** **Item 4 MOUNT PANORAMA LAND (22.07536, 20.00278)**  
**MOVED: Cr B Bourke SECONDED: Cr M Morse**

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

**Reason: Mother dating Mr Rayner.**

**That Council:**

- (a) act in accordance with the recommendations in the report.
- (b) all lots purchased be classified as Operational Land under Section 31(2) of the Local Government Act 1993.

**MINUTE**

**e Item 5 SALE OF LOT 402 DP1150519 LOCATED AT 17 MCGIRR STREET, BATHURST AND KNOWN AS THE BATHURST SUSTAINABLE LIFESTYLE HOUSE PROJECT (22.14003, 21.00109)**

**MOVED: Cr M Coote SECONDED: Cr M Morse**

**That** Council authorise the sale of Lot 402 DP1150519 located at 17 McGirr Street Bathurst known as The Bathurst Sustainable Lifestyle House Project as detailed in the report.

**MINUTE**

**f Item 6 SIGNAGE AT MOUNT PANORAMA - LEASE TO MARS PETCARE  
(04.00028)**

**MOVED: Cr G Westman SECONDED: Cr M Coote**

**That** Council authorise the General Manager to execute the Lease Agreement as detailed in this report.

**MINUTE**

**g Item 7 PROPOSED NEW LEASE - LOT 193 DP821845 CHRISTIE STREET  
RAGLAN - KNOWN AS THE OLD RAGLAN SCHOOL HALL (22.00876)  
MOVED: Cr M Morse SECONDED: Cr J Jennings**

**That** Council approves entering into a new Residential Tenancy Agreement for Lot 193 DP821845 known as the Old Raglan School Hall, Christie Street, Raglan with the Bathurst Wiradyuri and Aboriginal Community Elders for a period of twelve (12) months with a twelve (12) month option period at a payment of \$20.00 per annum (GST inclusive), as detailed in the report.

**MINUTE**

**39**     **RESOLVE INTO OPEN COUNCIL**  
**MOVED: Cr G Westman SECONDED: Cr J Jennings**

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

**MINUTE**

**40**     **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED: Cr B Bourke SECONDED: Cr G Westman**

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



**MINUTE**

**41     MEETING CLOSE**

The Meeting closed at 7.22 pm.

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

**Date:** \_\_\_\_\_ **(20 May 2015)**