

8 March 2017

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday,  
15 March 2017**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 15 March 2017 commencing at 6.00 pm.

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



D J Sherley  
**GENERAL MANAGER**

## **BUSINESS AGENDA**

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

**TO BE HELD ON WEDNESDAY, 15 MARCH 2017**

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

**2. PUBLIC QUESTION TIME**

**3. PRAYER**

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

**4. APOLOGIES**

**5. MINUTES**

\* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15 FEBRUARY 2017

\* MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 1 MARCH 2017

**6. DECLARATION OF INTEREST**

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

**7. MAYORAL MINUTE - Nil**

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

\* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

\* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

\* DIRECTOR ENGINEERING SERVICES' REPORT

\* DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

**9. REPORTS OF OTHER COMMITTEES**

\* MINUTES - POLICY COMMITTEE MEETING - 1 MARCH 2017

\* MINUTES - TRAFFIC COMMITTEE MEETING - 7 MARCH 2017

**10. NOTICES OF MOTION - Nil**

**11. RESCISSION MOTIONS - Nil**

## 12. DELEGATES REPORTS

\* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 8 FEBRUARY 2017

## 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	VARIATION TO CONTRACT - SUPERCARS AUSTRALIA PTY LTD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	EXPRESSION OF INTEREST - RURAL LICENCE AGREEMENT - LOT 6 IN DP1142438 LOCATED ON CHURCH 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	NEW RESIDENTIAL TENANCY AGREEMENT - LOT 2 IN DP1179272	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,

	LOCATED AT 447 CONROD STRAIGHT, MT PANORAMA	be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	EXPRESSION OF INTEREST - COMMERCIAL LEASE - BATHURST VISITOR INFORMATION CENTRE CAFE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	PROPOSED SALE OF LAND - LOT 10 IN DP716663 LOCATED AT 6 COMMONWEALTH STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	RENEWAL OF RURAL LICENCE AGREEMENT - PART LOT 304 IN DP1187714 LOCATED AT THE 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.
7	RENEWAL OF COMMUNICATIONS LICENCE AGREEMENT - PART LOT 40 IN DP1056379 LOCATED AT SBS TOWER, REID PARK, MT PANORAMA - COMMUNITY RADIO STATION 2MCE	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	PURCHASE OF PROPERTY - LOT 6 AND LOT 7 IN DP998383 LOCATED AT THE REAR OF 80 KEPPEL STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED ACQUISITION OF PART LOT 8 DP795012 COXS LANE, EGLINTON - RESIDUE LAND EGLINTON STAGE 100 SUBDIVISION	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 Hanger (Chair), Aubin, Bourke, Coote, Morse, North, Westman.

**PUBLIC QUESTION TIME**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## MINUTE

### 2 Item 1 PUBLIC QUESTION TIME

#### K McNab – ratepayer - Mitre/Lambert/Suttor Streets intersection.

Tabled a letter from Bob Triming. Spoke to Mitre/Lambert/Suttor Street intersection. Raised concern with proximity to schools and student interaction in this area. Noted funeral processions create issues as well as taxis and buses. Referred to prior traffic studies which gave recommendations for this intersection. Noted prior expenditure request history and that no funding allocated. Council has delayed the matter for 18 years. Intersection may be eligible for blackspot funding and referred to prior accident history of the intersection. Requests Council take the initiative to undertake works at the intersection and put in a roundabout.

**The Acting Director Engineering Services** advised the matter has been included for consideration in the 2017/2018 budget. An application will be made for blackspot funding.

#### M Perry – ratepayer - Railway Museum (DEPBS#4)

Spoke to submission provided to Council on the proposal. Noted prior use of Railway Institute and it is the sole remaining Railway Institute in public ownership. There is a close linkage between Ben Chifley and the railway institute and his Prime Ministership. Has concern the proposed alterations will not allow the heritage story of the building to be told. Asks Council to retain the Institute as much as possible and concern at the building being overwhelmed. Letter tabled.

#### P Stait – resident - Speed Limit

Asked who does he refer a request for change in speed limit to.

**The Acting Director Engineering Services** advised that the Roads & Maritime Services sets these, either contact RMS direct or send a letter to Council.

#### S Ryan – resident - 264 Piper Street (DEPBS#3)

Concern at building application which is recommended for approval. Noted "Hillcrest" designed by Copeland is next to the proposal.

Spoke to heritage of the City, the charm of the City and the views. Referred to LEP and sections on heritage conservation provisions. The proposed building shows no respect for heritage. Noted contrast between proposal and the buildings on either side of the site. Building is over 6.2m but cannot exactly note this, as not shown in plans. Will lose views from her property. Also privacy concerns raised. The development is too big for the block. Considers there are possible concerns with fire safety. The development is inappropriate. Requests Council to not approve the development.

#### M Hayes – ratepayer - Mitre/Lambert/Suttor Streets intersection.

Concerned parent whose children attend Assumption School. Strongly supports realignment of the Mitre/Lambert/Suttor Streets intersection as proposed. Spoke to safety issues, and the growth of Bathurst in the Windradyne area. Requests works on the intersection.



**G Crisp – ratepayer**

Noted that the Mayor quoted in Western Advocate will rely on professionalism of Senior Officers. Spoke to correspondence on professionalism of Senior Officers sent to Council. Raised issues concerning water rate comments on documents sent out by Council. Does the Director Corporate Services and Finance support these comments?

Mr Crisp spoke to letters that he has submitted - Bullying complaints, Code of Conduct Complaints.

**The General Manager** noted responses have been sent to Mr Crisp on the issues raised. Further it was noted that Mr Crisp's numerous Code of Conduct complaints received had been processed.

**M Lynn – neighbour - 264 Piper Street (DEPBS#3)**

Raised objection to the proposal. Spoke to heritage of the area and the need to preserve the character. The development will impact her property. Has concern work will possibly cause damage to her property. The building will be imposing over her home. If Development Application is approved a precedent will be set. The proposed compromise process requested she identify what levels of amenity she is willing to lose. The subdivision should never have been approved. Requests matter be deferred. Tabled a list of people who have signed to preserve heritage.

**J Abrego-Sanz – resident - 264 Piper Street (DEPBS#3)**

Neighbour of Ms Ryan and Lynn. The original proposal overlooked his backyard. It has now been moved forward, but it is still an aberration to the streetscape. Moved to Bathurst from Spain and particularly wished to be in a heritage area. The proposal does not fit in with the area, it is imposing and appalling. Please do not allow the development which does not fit into the area. Concern at precedent to town planning and impact on the community.

**T McBurney – Director, Integrated Design Group - 264 Piper Street (DEPBS#3)**

Spoke to the proposal in front of Council. The 9m wide site has existed since the 1930's. The LEP allows a two story building to be constructed. The design takes into account the adjoining properties. Changes have been made in areas such as windows, height, floor level, where major excavation will occur. The building has been softened by way of stepping walls in. The proposal fits within and understands the heritage nature of the area.

**J Hollis – Rail Action Bathurst - Railway Museum (DEPBS#4)**

Complements Council on Development Application for the Railway Museum and M Perry on her submission. The area is the gateway to Bathurst for railway. Questioned what is happening with the old stationmasters residence and the old small cottage? The concept of Bathurst as an old railway town is on the up and up.

**The Acting Director Environmental, Planning & Building Services** advised the cottage and stationmasters residence are under the control of John Holland. Not aware of any adopted future use.

**P Dowling – ratepayer**

Raised safety issue last meeting re George & Howick Street and Russell and George

Streets intersection plantings. Requests for safety reasons that these be looked at and trimmed.

**D McNab – ratepayer - Mitre/Lambert/Suttor Streets intersection**

Thanked Council that works are on the radar. Spoke to petition that is being signed and the offer to meet with Councillors at the intersection to see the concerns. Asks Councillors to take up her invitation to view the intersection at a busy time - 9am or 3 pm. Requests Council vote the funds to undertake work at the intersection. Parents who are teaching new drivers do not know how to instruct their children as to how to travel through this area. Spoke to 1997 traffic study. Has a traffic flow (recording) been undertaken in recent times.

**C Fox– owner - 264 Piper Street (DEPBS#3)**

Spoke to proposed development for the site they own. Are determined to do the best they can for their neighbours. Wanted a building that was unique and environmentally sensitive. Have looked at numerous design options to fit into the area. Concerns have been taken on board. eg, car parking. Looking at a proposal that is liveable for everyone.

## MINUTE

### 3 APOLOGIES

Nil

## MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15 FEBRUARY 2017 (11.00005)**

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

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 15 February 2017, are attached.

**Financial Implications:** N/A

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

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

**MINUTE**

**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**  
**- 15 FEBRUARY 2017 (11.00005)**

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

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

## **2 MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 1 MARCH 2017 (11.00005)**

**Recommendation:** That the Minutes of the Extraordinary Meeting of Bathurst Regional Council held on 1 March 2017 be adopted.

**Report:** The Minutes of the Extraordinary Meeting held on 1 March 2017, are attached.

**Financial Implications:** N/A

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

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

**MINUTE**

**5 Item 2 MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 1 MARCH 2017 (11.00005)**

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

**RESOLVED:** That the Minutes of the Extraordinary Meeting of Bathurst Regional Council held on 1 March 2017 be adopted.



**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
HELD ON 15 FEBRUARY 2017**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**PUBLIC QUESTION TIME**

**2 PUBLIC QUESTION TIME**

**G Crisp – resident**

**Minutes - 1 February 2017**

Referred to prior minutes and Council letter of 24 January 2017 to him and an Office of Local Government letter. Feels there is a conflict between the letters and there is a difference of opinion.

**Claim against Council**

Noted has gone to make a claim against Council and now has found out the Council is insolvent and will not get his money back. A Senior Officer at Council has known for 12 years that there has been an overcharge. Asserts his case will possibly cost Council \$112 million.

**K McNab – Mitre/Lambert/Suttor Streets intersection**

Spoke to his concerns with this intersection. Referred to Director Engineering Services report to Council in December 2012, which gave a history of this intersection and possible works that could be done. The intersection is unsafe. Noted recent developments that have occurred in the area e.g. fire station. Spoke to accident history of the intersection, funding availability and options such as traffic signals, round-a-bout, amongst others. Noted the intersection will meet the requirements of black spot funding. Requests funds be provided in the 2017/2018 budget to make a much safer intersection.

**J Hodges – Mitre/Lambert/Suttor Streets intersection**

Had lived in the area for many years and spoke to history of intersection. Noted she has had many close calls. The intersection needs to be fixed, noted proximity of school to the intersection.

**V Miller – West Bathurst Pre-School - DEBPS Item #5 - DA 2016/434**

Spoke to proposed development of West Bathurst shopping centre. Referred to consultation process undertaken and that the letter to the school arrived while on holidays. Requests that Council defer the matter so they can talk to the developer.

Issues such as visual impact, design of the building, impact on views on the pre-school, the rural-suburban nature of the area, access issues, road changes proposed, additional traffic flows and safety matters. Noted the number of heavy vehicles coming to the site and utilising Wark Parade will greatly increase congestion and create safety issues. The development will effect residential amenity such as increased noise. The development is out of scale for the area. Referred to commercial viability of the pre-school and that this matter should be considered as a planning matter.

**A McLeish – Mitre/Lambert/Suttor Streets intersection**

Has been involved in an accident outside of Assumption School and went to hospital. There was no reason the car just came at her. If the timing of the accident had been when school children were around, there could have been a death. Noted the impact to herself from the accident, the site is a black spot and money needs to be spent.

**D Stapleton – Mitre/Lambert/Suttor Streets intersection**

Resident of Suttor Street, has seen many problems. The intersection is an absolute nightmare. Raised concerns about children in the area. Needs the intersection to be upgraded.

**K Hamer – Perthville resident - Perthville Levee**

It would be a big mistake to go ahead with the levee. Spoke to flood mitigation plan and issues/stages such as clearance of creek - debris and silt. Need for two box culverts that were proposed prior to the levee being built, these have not been constructed. Do not build the levee before stages I and II are completed. The levee is not fair to the people on the western side and the levee will restrict water flow. Thanked Councillors and staff for their help in this matter.

**P Dowling – ratepayer**

**George & Howick and Russell & George Streets intersections**

The shrubbery needs to be cut back, as there is a lack of vision causing a danger to small children. Please cut back.

**Mount Panorama - Bathurst sign**

Has been pushing for "Bathurst" to be put under the Mount Panorama sign. Will Council be putting this in place?

**The Mayor** spoke to temporary installation of the sign, consideration will be given to a permanent sign in this years budget.

**Mitre/Lambert/Suttor Streets intersection**

Requests that works be undertaken to this intersection.

**D McNab – Mitre/Lambert/Suttor Streets intersection**

Spoke to 1997 traffic study and prior Council reports and resolutions on this matter and accident history. Noted, Mayor Rush, raised this in 2012 with Council and said he would do something about this intersection. Are staff, Councillors convinced of necessity for improvements to the intersection? If not, will they accompany Mrs McNab to observe the intersection? Will ratepayers and school children have to

await a fatality before something is done?

**The Mayor** spoke to history of funding requirements including the black spot program and hope of Council to be successful this time around. Council is concerned about safety of the community.

**I MacPherson – National Trust - DEPBS Item #6 - DA 2016/418**

This is a significant site and proposal. The DA is for 49 village units, do we really need this? It is an under development of the site, do not want more of the same. Noted some issues raised by the National Trust have been addressed satisfactorily. Whilst the proposal complies with planning controls, can we do something better on this site, perhaps could be staged. For example, two storey developments on site may give more green space. If DA deferred would give more time to explore options in achieving greater densities without damaging heritage or the environment. Give the city more time on this to assess options.

**APOLOGIES**

**3 APOLOGIES**

Nil.

**MINUTES**

**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 1 FEBRUARY 2017 (11.00005)**

**MOVED** Cr B Bourke

and **SECONDED** Cr M Coote

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 1 February 2017 be adopted.

**DECLARATION OF INTEREST**

**5 DECLARATION OF INTEREST 11.00002**

**MOVED** Cr B Bourke

and **SECONDED** Cr I North

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

Cr Coote

Item #8 of the Director Corporate Services & Finance's confidential 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 I North and **SECONDED** Cr G Westman

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

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

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

- 8** **Item 3 DEVELOPMENT APPLICATION NO. 2016/0015 – LIMESTONE MINE AT 942 CURRAGH ROAD, COPPERHANNIA AND UPGRADING OF THE INTERSECTION OF CURRAGH ROAD AND GOULBURN ROAD. APPLICANT: RANGOTT MINERAL EXPLORATION PTY LTD. OWNER: ALBARK PTY LTD (DA/2016/0015)**  
**MOVED** Cr G Westman and **SECONDED** Cr I North

**RESOLVED:** That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/0015, 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) Prior to any work on site the applicant is to submit to Council for approval an Operational Management Plan that includes the following components:
    - i. A detailed rehabilitation plan;
    - ii. A detailed erosion and sediment control plan;
    - iii. A complaints management procedure;
    - iv. A road transport code of conduct;
    - v. Protocols for dealing with any fuel spills or leaks; and
    - vi. A traffic management plan to deal with temporary road closures during blasting and/or loading (at the northern pit) including procedures for notifying affected landowners.
  - (ii) All works associated with the upgrade of the intersection of Curragh Road and Goulburn Road, including the removal of vegetation are to be undertaken prior to any works occurring at the extraction site.
  - (iii) The payment to Council of an annual contribution for the maintenance of roads in the vicinity of the proposed development in accordance with Council's Section 94 Contributions Plan "Bathurst Regional Traffic Generating Development"; and
- (b) call a division.

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

- 9** Item 4 DEVELOPMENT APPLICATION NO. 2016/334 – SECONDARY DWELLING (GRANNY FLAT) AT 438 MID WESTERN HIGHWAY, ROBIN HILL. APPLICANT: MR M GRAF. OWNER: MR M GRAF (DA/2016/334)  
MOVED Cr I North and SECONDED Cr W Aubin

**RESOLVED:** That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/334, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

On being PUT to the VOTE the MOTION was CARRIED

**The result of the division was:**

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

- 10** Item 5 DEVELOPMENT APPLICATION NO. 2016/434 – ADDITIONS AND ALTERATIONS TO SHOPPING CENTRE INCLUDING EXTENSION TO SUPERMARKET, CHILDCARE CENTRE, SIGNAGE AND CAR PARK AT 1 WARK PARADE, 105 SUTTOR STREET AND 107 SUTTOR STREET, WINDRADYNE. APPLICANT: INLAND DEVELOPMENTS PTY LTD. OWNER: INLAND DEVELOPMENTS PTY LTD (DA/2016/434)  
MOVED Cr B Bourke and SECONDED Cr G Hanger

That Council:

- (a) defer consideration of Development Application No. 2016/434; and
- (b) call a division.

On being PUT to the VOTE the MOTION was LOST

**The result of the division was:**

In favour of the motion - Cr B Bourke, Cr G Hanger, Cr I North,

Against the motion - Cr W Aubin, Cr M Coote, Cr M Morse, Cr G Rush, Cr G Westman.

Absent - Nil

Abstain - Nil

- 11** **Item 5.01 DEVELOPMENT APPLICATION NO. 2016/434 – ADDITIONS AND ALTERATIONS TO SHOPPING CENTRE INCLUDING EXTENSION TO SUPERMARKET, CHILDCARE CENTRE, SIGNAGE AND CAR PARK AT 1 WARK PARADE, 105 SUTTOR STREET AND 107 SUTTOR STREET, WINDRADYNE. APPLICANT: INLAND DEVELOPMENTS PTY LTD. OWNER: INLAND DEVELOPMENTS PTY LTD (DA/2016/434)**  
**MOVED** Cr M Coote and **SECONDED** Cr M Morse

That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/434, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- (i) The existing service road access to the subject land from Suttor Street is to be closed and access to the property is only to occur via Wark Parade.
  - (ii) Upon closure of Wark Parade, the construction of a 1.2 metre wide, 100 mm thick concrete footpath within the footway on Suttor Street to restore the pedestrian access for the full frontage of the site, in accordance with Bathurst Regional Council's Guidelines for Engineering Works.
  - (iii) The pylon sign is to be reduced to a maximum height of 6m;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

The following AMENDMENT was **MOVED**.

- 12** **Item 5.02 DEVELOPMENT APPLICATION NO. 2016/434 – ADDITIONS AND ALTERATIONS TO SHOPPING CENTRE INCLUDING EXTENSION TO SUPERMARKET, CHILDCARE CENTRE, SIGNAGE AND CAR PARK AT 1 WARK PARADE, 105 SUTTOR STREET AND 107 SUTTOR STREET, WINDRADYNE. APPLICANT: INLAND DEVELOPMENTS PTY LTD. OWNER: INLAND DEVELOPMENTS PTY LTD (DA/2016/434)**  
**MOVED** Cr I North and **SECONDED** Cr M Coote

That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/434, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- (i) The existing service road access (former Wark Parade) be modified to allow left out movements only;
  - (ii) The pylon sign is to be reduced to a maximum height of 6m;

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

The AMENDMENT was PUT and CARRIED.

The AMENDMENT then became the MOTION.

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 G Hanger, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman.

Against the motion - Nil

Absent - Nil

Abstain - Nil

- 13** **Item 6 DEVELOPMENT APPLICATION NO. 2016/418 – DEMOLITION OF THREE DWELLINGS & OUTBUILDINGS (21 DURHAM STREET, 23 DURHAM STREET & 48 HAVANNAH STREET), CONSTRUCTION OF 49 RESIDENTIAL UNITS (8X2 BEDROOM & 41X3 BEDROOM) AND COMMUNITY BUILDING AND 49 LOT STRATA SUBDIVISION AT 48 HAVANNAH STREET, 21 DURHAM STREET AND 19 DURHAM STREET . APPLICANT: HILLSIDE PROPERTIES AUSTRALIA PTY LTD. OWNER:MORGAN BANKS DEVELOPMENTS, P L WEIR, JS & RJ MCKAY (DA/2016/418)**

**MOVED** Cr G Hanger

That Council defer consideration of Development Application No. 2016.418.

The MOTION LAPSED for want of a SECONDER.

- 14** **Item 6.01 DEVELOPMENT APPLICATION NO. 2016/418 – DEMOLITION OF THREE DWELLINGS & OUTBUILDINGS (21 DURHAM STREET, 23 DURHAM STREET & 48 HAVANNAH STREET), CONSTRUCTION OF 49 RESIDENTIAL UNITS (8X2 BEDROOM & 41X3 BEDROOM) AND COMMUNITY BUILDING AND 49 LOT STRATA SUBDIVISION AT 48 HAVANNAH STREET, 21 DURHAM STREET AND 19 DURHAM STREET . APPLICANT: HILLSIDE PROPERTIES AUSTRALIA PTY LTD. OWNER:MORGAN BANKS DEVELOPMENTS, P L WEIR, JS & RJ MCKAY (DA/2016/418)**

**MOVED** Cr I North

and **SECONDED** Cr M Coote

**RESOLVED:** That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016.418, 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 replacement buildings.

- (ii) Demolition is not to commence until a photographic record of the dwelling at 48 Havannah Street has been completed and submitted to Council.
  - (iii) Development Application 2004/955 is to be complied with completely which includes a site audit statement prior to the issuing of a Construction Certificate for any building within the area subject to this Development Application;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

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

**The result of the division was:**

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

**Against the motion** - Cr G Hanger, Cr G Rush,

**Absent** - Nil

**Abstain** - Nil

- 15** **Item 7 ECONOMIC DEVELOPMENT END-OF-YEAR REPORT 2016 (20.00071)**  
**MOVED** Cr I North and **SECONDED** Cr G Westman

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

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

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

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

- 17** **Item 2 MONTHLY 2016-2020 DELIVERY PLAN REVIEW AND QUARTERLY BUDGET REVIEW STATEMENT 2016-2017 (16.00144)**  
**MOVED** Cr M Coote and **SECONDED** Cr I North

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

- 18** **Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)**  
**MOVED** Cr B Bourke and **SECONDED** Cr M Coote

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



- 19** **Item 4 POWER OF ATTORNEY (11.00007)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

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

- 20** **Item 5 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 22.16095, 22.05258, 22.00830, 22.00185, 22.11776, 22.00654, 22.01415)**  
**MOVED** Cr I North and **SECONDED** Cr G Westman

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

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

- 21** **Item 1 DEREGULATION OF LICENCED AERODROME ROUTE (21.00008)**  
**MOVED** Cr W Aubin and **SECONDED** Cr G Westman

**RESOLVED:** That Council support the continued licencing of the Bathurst – Sydney Regular Passenger Transport route.

- 22** **Item 2 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 36.00619, 36.00618, 22.04305 )**  
**MOVED** Cr I North and **SECONDED** Cr G Westman

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

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

- 23** **Item 1 RECONCILIATION ACTION PLAN (RAP) - PROGRESS AND ACHIEVEMENT REPORT (09.00031)**  
**MOVED** Cr G Westman and **SECONDED** Cr I North

**RESOLVED:** That Council:

- (a) note the summary of achievements for 2015-2017.
- (b) endorse the development of a further Innovate Reconciliation Action Plan (RAP) for 2017-2019, and
- (c) note the timeline for the delivery of Council's Innovate Reconciliation Action Plan 2017-2019.

- 24** **Item 2 BATHURST REGIONAL ART GALLERY - BRETT WHITELEY AND LEGO MOUNT PANORAMA-WAHLUU EXHIBITION, ATTENDANCE (21.00002)**  
**MOVED** Cr M Coote and **SECONDED** Cr B Bourke

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

- 25** **Item 3 BATHURST REGIONAL ART GALLERY - 2017 HILL END ARTIST IN RESIDENCE PROGRAM (21.00092)**  
**MOVED** Cr M Morse and **SECONDED** Cr I North

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

- 26** **Item 4 INTERNATIONAL MUSEUM SELFIE DAY, WEDNESDAY 18 JANUARY 2017 (21.00107, 21.00050, 21.00112)**  
**MOVED** Cr G Hanger and **SECONDED** Cr W Aubin

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

- 27** **Item 5 SUMMER SCHOOL HOLIDAY ACTIVITIES (21.00039, 21.00054, 21.00060, 21.00106)**  
**MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

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

## **REPORTS OF OTHER COMMITTEES**

### **Traffic Committee Meeting**

- 28** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 FEBRUARY 2017 (07.00006)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Coote

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 7 February 2017 be adopted.

## **DELEGATES REPORTS**

- 29** **Item 1 MINUTES - AUSTRALIA DAY WORKING PARTY - 17 JANUARY 2017 (23.00033)**  
**MOVED** Cr I North and **SECONDED** Cr G Westman

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

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

**CONFIDENTIAL REPORTS****30 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS****MOVED** Cr I Northand **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 were no representations from the public.**

**RESOLVED:** That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	EXPRESSION OF INTEREST - RURAL LEASE - LOT 1 IN DP1223252 LOCATED ON HEREFORD STREET KELSO FOR LUCERNE HAY PRODUCTION	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	EXPRESSION OF INTEREST - RURAL LEASE - PART LOT 2 IN DP749758 LOCATED AT 200 COLLEGE ROAD, BATHURST - AGISTMENT ONLY	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 - VACANT LAND LEASE - LOT 1 IN DP1076086 LOCATED AT 112 BENTINCK STREET BATHURST - SECURE PARKING	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	NEW COMMUNITY LEASE - PART LOT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed,

	180 IN DP862410 LOCATED AT UNIT 1/55 SEYMOUR STREET, BATHURST - AUSTRALIAN UNITY HOME CARE SERVICE PTY LTD	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	NEW TELECOMMUNICATIO N LEASE - PART LOT 41 IN DP755772 LOCATED AT WINBURNDALE DAM	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	EXPRESSION OF INTEREST - RURAL LEASE - LOT 1 IN DP995205 AND LOT 1 IN DP1007962 LOCATED AT COMMONWEALTH, PATNA AND MORRISSET STREETS BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	PROPOSED PURCHASE OF PROPERTY AT MOUNT PANORAMA	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
8	SALE OF LAND KELSO INDUSTRIAL ESTATE	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 THE CONSTRUCTION OF SEWER CARRIER MAIN WEST EGLINTON	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER FOR THE CONSTRUCTION OF SEWER CARRIER	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person

	MAIN EAST EGLINTON STAGE 3	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 ACQUISITION AND TRANSFER OF LAND - MOUNTAIN STRAIGHT, MOUNT PANORAMA FOR BOUNDARY ADJUSTMENT	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 EXPRESSION OF INTEREST - RURAL LEASE - LOT 1 IN DP1223252 LOCATED ON HEREFORD STREET KELSO FOR LUCERNE HAY PRODUCTION (22.16095)**

**MOVED** Cr G Westman

and **SECONDED** Cr M Coote

**That** Council approves entering into a new Rural Licence Agreement with Mr Barry Morris for part Lot 1 in DP1223252 located on Hereford Street, Kelso for a period of one (1) year with a one (1) year option period, at Council's discretion as detailed in the report.

**b** **Item 2 EXPRESSION OF INTEREST - RURAL LEASE - PART LOT 2 IN DP749758 LOCATED AT 200 COLLEGE ROAD, BATHURST - AGISTMENT ONLY (22.05258)**

**MOVED** Cr B Bourke

and **SECONDED** Cr I North

**That** Council approves entering into a new Rural Licence agreement with Mr Paul Melham for part Lot 2 in DP749758 located at 200 College Road, Bathurst for a period of one (1) year at a yearly licence fee of \$1,300 per annum (GST inclusive) as detailed in the report.

**c** **Item 3 EXPRESSION OF INTEREST - VACANT LAND LEASE - LOT 1 IN DP1076086 LOCATED AT 112 BENTINCK STREET BATHURST - SECURE PARKING (22.00830)**

**MOVED** Cr M Coote

and **SECONDED** Cr B Bourke

**That** Council approves entering into a new Commercial lease agreement with Secure Parking Pty Ltd for Lot 1 in DP1076086 located at 112 Bentinck Street, Bathurst for a period of one (1) year with a one (1) year option period, at Council's discretion, as detailed in the report.

**d** **Item 4 NEW COMMUNITY LEASE - PART LOT 180 IN DP862410 LOCATED AT UNIT 1/55 SEYMOUR STREET, BATHURST - AUSTRALIAN UNITY HOME CARE SERVICE PTY LTD (22.00185)**

**MOVED** Cr I North

and **SECONDED** Cr G Westman

That Council approves entering into a new Community lease for part Lot 180 in DP862410 located at Unit 1/55 Seymour Street, Bathurst with Australian Unity Home Care Service Pty Ltd for a period of two (2) years with an option period of two (2) years as detailed in the report.

- e** **Item 5 NEW TELECOMMUNICATION LEASE - PART LOT 41 IN DP755772 LOCATED AT WINBURNDALE DAM (22.11776)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Coote

That

- (a) Council authorises the General Manger to enter into negotiations with the owner of Lot 41 in DP755772 to lease a section of land for the purpose of erecting a microwave relay tower
- (b) a further report be provided in relation to costing and design of the communication site

as detailed in the report.

- f** **Item 6 EXPRESSION OF INTEREST - RURAL LEASE - LOT 1 IN DP995205 AND LOT 1 IN DP1007962 LOCATED AT COMMONWEALTH, PATNA AND MORRISSET STREETS BATHURST (22.00654)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Coote

That Council approves entering into a new Rural Licence agreement with Mr Paul Melham for Lot 1 in DP995205 and Lot 1 in DP1007962 located at Commonwealth, Patna and Morrisset Streets, Bathurst for a period of one (1) year with a one (1) year option period, at Council's discretion, as detailed in the report.

- g** **Item 7 PROPOSED PURCHASE OF PROPERTY AT MOUNT PANORAMA (22.01415)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Coote

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

- h** **Item 8 SALE OF LAND KELSO INDUSTRIAL ESTATE (20.00010)**  
**MOVED** Cr M Morse and **SECONDED** Cr W Aubin

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

Reason: Recruits for Cranstons Transport, Bathurst

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

**Director Engineering Services' Report**

- i** **Item 1 TENDER FOR THE CONSTRUCTION OF SEWER CARRIER MAIN WEST EGLINTON (36.00619)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Coote

That Council accepts the tender of Hynash Pty Ltd, for the construction of the Sewer Carrier Main for West Eglinton in the amount of \$317,476.00 inclusive GST, subject to adjustments and provisional items.

- i** **Item 2 TENDER FOR THE CONSTRUCTION OF SEWER CARRIER MAIN EAST EGLINTON STAGE 3 (36.00618)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

That Council accepts the tender of Hynash Pty Ltd, for the construction of the Sewer Carrier Main for East Eglinton in the amount of \$86,100.00 inclusive GST, subject to adjustments and provisional items

- k** **Item 3 PROPOSED ACQUISITION AND TRANSFER OF LAND - MOUNTAIN STRAIGHT, MOUNT PANORAMA FOR BOUNDARY ADJUSTMENT (22.04305)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

That Council:

- (a) Approve the preparation of a Plan of Subdivision for the:
- (i) acquisition of part of Lot 18 DP1011780 situated at 162 Mountain Straight, Mount Panorama,
  - (ii) transfer of part of Lot 11 DP1215971 situated at 110 Mountain Straight, Mount Panorama;
- (b) Approve the acquisition of land, and classify the acquired land as Operational Land under the provisions of section 31(2) of the Local Government Act 1993; and
- (c) Approve the transfer of land to the adjoining landowner,

subject to the information contained in the Acting Director Engineering Services' report.

**RESOLVE INTO OPEN COUNCIL**

- 31** **RESOLVE INTO OPEN COUNCIL**  
**MOVED** Cr M Coote and **SECONDED** Cr W Aubin

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





**MINUTES OF THE EXTRAORDINARY MEETING OF BATHURST REGIONAL  
COUNCIL  
HELD ON 1 MARCH 2017**

**MEETING COMMENCES**

**1 MEETING COMMENCES 5:50 PM**

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

**APOLOGIES**

**2 APOLOGIES**

Nil.

**DECLARATION OF INTEREST**

**3 DECLARATION OF INTEREST 11.00002**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**General Manager's Report**

**4 Item 1 ELECTION OF MAYOR (12.00004)**

One nomination for the position of **MAYOR** was received for Cr Hanger.

There being only one nomination, Cr Hanger was declared elected as **MAYOR** for the period to September 2017.

As the current Deputy Mayor, Cr Hanger was elected as Mayor, a vacancy in the position of Deputy Mayor existed.

**5 Item 1.01 ELECTION OF DEPUTY MAYOR (12.00004)**

Two nominations for the position of **DEPUTY MAYOR** were received - Cr Coote and

Cr Morse.

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

**RESOLVED:** That the Election for Deputy Mayor proceed by Open Voting.

The result of the ballot was:

Cr Coote - 5 votes

Cr Morse - 2 votes

Cr Coote was declared elected as **DEPUTY MAYOR** for the period to September 2017.

**Cr Hanger** took the Chair.

**6** **Item 1.02 EXEMPTION FROM BY-ELECTION (12.00004)**

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

**RESOLVED:** That Council:

- (a) Note that the Civic Office held by Cr Gary Rush is vacant.
- (b) Apply to the Minister to make an Order under Section 294 of the Local Government Act that the vacancy not be filled.

**MEETING CLOSE**

**7** **MEETING CLOSE**

The Meeting closed at 5.55 pm.

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

**MINUTE**

**6     DECLARATION OF INTEREST 11.00002**  
**MOVED: Cr M Coote SECONDED: Cr I North**

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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 MARCH 2017

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

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

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

**Financial Implications:** Nil.

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

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

**MINUTE**

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

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

**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 February 2017 (**attachment 1**).
- (b) Applications refused during February 2017 (**attachment 2**).
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**).
- (d) Applications pending approval for greater than 40 days as at the date of compilation of this report (**attachment 4**).
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 or Clause 4.6 of Bathurst Regional LEP 2014 approved in February 2017 (**attachment 5**).
- (f) No political disclosure statements have been received in relation to any "planning applications" being considered at this meeting.

**Financial Implications:** Nil.

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

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

## MINUTE

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

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



**3 DEVELOPMENT APPLICATION NO. 2016/385 – SINGLE STOREY DWELLING AND CARPORT AT 264 PIPER STREET, BATHURST. APPLICANT AND OWNER: D & C FOX (DA2016/385)**

**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. 2016/385, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

**Report:** The Site

Council has received a Development Application (DA) for a single storey dwelling and carport at 264 Piper Street, described as Lot 1 DP998878. A location plan is provided at **attachment 1**.

The site is currently vacant and accessed off Piper Street. There are no changes to existing access arrangements.

The site has an area of 808.3 sqm and is approximately 9 metres wide.

The site slopes generally to the rear by approximately 4 metres.

**History of the Site**

The site was originally part of allotment 20 within the original lot layout Survey (107-824) for the Town of Bathurst, Parish of Bathurst in 1854 (**attachment 2**). The allotment layout was unmodified until 1932 where a Deed (Number 121, Book 1644) (**attachment 3**) was prepared to create the lots as they exist today. The Deed, prepared in 1932 was transferred to a Survey Plan (DP 998878) in 1996.

Council has no record of development on this subject site since that subdivision in 1932.

Whilst the land has been a separate allotment since 1932, it was owned in conjunction with the adjoining 266 Piper Street. The former owners of 266 Piper Street subsequently sold the vacant land to the current owners in 2014.

Whilst the lot has a substantially smaller frontage than many of the adjoining lots, it does not preclude it from having a dwelling constructed on it. Indeed a mixture of frontage widths is a common trait within the Heritage Conservation Area.

**The proposal**

The proposal involves a single storey, three bedroom, dwelling and carport. A plan of the proposed development is at **attachment 4**.

The proposal is wholly within the property boundary and has been designed to utilise the long narrow block as well as the fall to the rear of the site.

The building will take the form of a series of 3 fan shaped sections moving down the site. The roof line will alternate in angle over each section. At its highest the apex of the roof will be 6.136 metres.

Walls will typically be 900mm from the common boundary with the adjoining properties.

The windows have been designed to face indirectly, on an angle, into the adjoining properties.

A carport and canopy is proposed at the front of the property.

The proposed materials include brick, timber louvres and iron roof sheeting.

The swimming pool is not subject to this application.

It is noted that the applicant has, during the assessment process, amended the submitted plans to address issues raised by adjoining owners. These amendments include moving the development forward on the site and removing parking and storage under the original dwelling i.e. reducing the dwelling from two storey to single storey.

### 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 single storey dwelling with carport is permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

#### *4.3 Height of buildings*

The maximum height of buildings as shown on the Height of Buildings Map is 9m. The dwelling is 6.136m at the greatest extent. The proposed development has been designed to relate to the slope of the land. The proposal complies with the maximum height of buildings specified.

#### *5.10 Heritage Conservation*

The site is located within the Bathurst Heritage Conservation Area. The adjoining property at 266 Piper Street is listed as an individual Heritage Item.

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

The proposed dwelling, whilst of a modern design, is setback well from the street and will have minimal impact on the streetscape, particularly given the existing front fence and vegetation are to remain.

Setbacks within the street vary. The setbacks of the closest properties are approximately 3.7m (262 Piper) and 9.5m (266 Piper). The proposal involves an open carport with a front setback of 4.766 m. The main wall of the dwelling is setback 17.247 m. This effectively puts the carport element generally in line with 262 Piper however the main dwelling would sit behind both 262 and 266 Piper Street.

The proposed dwelling sits well below the adjoining heritage item at 266 Piper Street. 266 Piper Street will remain the dominate feature of the streetscape.

There are a number of Land and Environment Court planning principles governing the design of buildings including contemporary designs in heritage conservation area. Those decisions highlight that:

- *Good architectural design does not exempt a building from being assessed for its impact on neighbours and its compliance with the objectives and requirements of any relevant local environmental plan and development control plan (Totem Queens Park v Waverley 2004).*
- *The weight given by the Court to expert opinion on architectural style, form or character should be tested against two main criteria, ie:*
  - *whether the opinion is mandated by a design code, such as the Residential Flat Design Code or the Burra Charter, or alternatively reflects the subjective preferences of a local community expressed in a local policy, such as a development control plan, and/or*
  - *whether the opinion is a widely accepted professional view, or at least a view held by a sizable group of professionals, rather than one individual opinion (Architects Marshall v Lake Macquarie City Council 2005).*

The proposed development whilst of non-traditional design is consistent with the planning standards adopted by Council in its DCP notably those contained in Chapter 10.4 Infill Development whilst being consistent with the development standards relating to residential development contained in Chapter 4 Residential Development. This consistency is achieved as follows:

- The design achieves a level of harmony and unity with the area by using similar materials to other dwellings occurring in the locality.
- The dwelling is single storey consistent with the predominant dwelling type in the locality.
- The building does not seek to replicate adjoining development however has taken a generally recessive place in the streetscape, almost suggesting that the building belongs to one of its neighbours.

#### *Lot size*

The minimum lot size for the erection of a dwelling shown on the Lot Size Map is 550m<sup>2</sup>. The subject site is 808.3m<sup>2</sup> and complies with the minimum lot size.

#### Bathurst Regional Development Control Plan 2014

#### *Setbacks*

The subject site is within the heritage conservation area where the front setback must complement the existing setback in the street. The main wall of the dwelling is setback 17.247m from the street so as to limit impact on the streetscape. Other building elements, eg canopy and carport, are forward of the front wall consistent with neighbouring properties. Importantly, given the narrow width of the property, the proposed setback ensures the new building does not dominate but sits recessive to its neighbours. It's setback is therefore considered appropriate.

#### *Carport*

The carport is to be located in front of the dwelling but generally in line with 262 Piper. The proposed development does not comply with the DCP which requires carports to be located

at or behind the building line. Nonetheless the carport location is consistent with the building line of 262 Piper Street. Further, given the long narrow block, it is unlikely the carport could be relocated elsewhere on site. The design can be supported in this instance as the carport setback almost suggests the building belongs to one of its neighbours rather than trying to intrude as a new building in the street.

### *Urban design and heritage*

Section 10.5.3 of the Bathurst Regional DCP 2014 provides development standards for building design. The proposed development incorporates red brick and metal roof sheeting. Whilst a modern design, the proposed development incorporates historical elements familiar to Bathurst.

### Submissions

The development application was originally notified to adjoining property owners from 7 November 2016 to 16 November 2016. Following the advertising and notification period a total of four (4) submissions were received (see submissions at **attachment 5**).

A discussion forum was held on 28 November 2016 (see minutes of discussion forum at **attachment 6**). Issues raised in the submissions and at the discussion forum included:

- Impact on views.
- Privacy and potential overlooking into neighbouring properties.
- Heritage and streetscape. There were concerns that the dwelling was out of character with the Heritage Conservation Area and the heritage significance of the local heritage item at 266 Piper Street.
- Overshadowing on neighbouring properties and gardens.

Following the Discussion Forum the applicant resolved to amend the plans to reflect the concerns raised in the submissions and undertook to have further on site discussions with adjoining landowners.

The amended plans reduced the dwelling from two storey to single storey, reduced the setback to limit overshadowing of properties on Peel Street and the studio at 262 Peel Street. The amended plans resulted in the removal of a garage and replaced it with a carport, forward of the building line due to lack of any other available option.

The development application was re-notified to adjoining property owners from 25 January 2017 to 6 February 2017. Following the advertising and notification period a total of five (5) submissions were received (see submissions at **attachment 7**). Issues raised in the submissions included:

- Impact on views.
- Privacy and potential overlooking into neighbouring properties.
- Heritage and streetscape. There were concerns that the dwelling was out of character with the immediate vicinity, the Heritage Conservation Area and the heritage significance of the local heritage item at 266 Piper Street.
- Overshadowing on neighbouring properties and gardens.

After the applicant amended the plans to reflect the initial concerns of impact, the submissions raised very similar concerns to those of the original design.

### **Views**

It is acknowledged that there will be impacts on views as would be expected from any significant form of infill development occurring on the land or other lands within the inner areas of the City. Properties in the area generally have views to the south east through to the south west. The development will impact on these views to various extents however that level of impact is consistent with expectations for the residential use of the land and new infill development. The use of alternating roof structures allows for retention of parts of views from the adjoining properties to the north.

### **Privacy**

The most notable impacts are associated with the adjoining property to the south (262 Piper Street). 262 Piper Street sits generally below the subject land. The development will extend beyond the dwelling at 262 Piper and the majority of living areas are located on this side of the proposed dwelling. The applicant's response to this issue has been to angle the windows on the southern side of the dwelling to avoid direct views into 262 Piper. The development includes a mixture of narrow window widths and high level windows along the majority of the southern façade. The principal living areas and windows are setback from the common boundary with 264 Piper.

### **Overshadowing**

Shadow diagrams have been submitted with the application with and without vegetation on the adjoining site. The development will cast shadows onto 264 Piper Street at various parts of the day although that impact will be limited taking into consideration the vegetation on site. Notwithstanding the proposal maintains a minimum 2 hours of sunlight to the majority of 264 Piper Street consistent with Council's DCP requirements.

### **Noise**

Some submissions raised a concern for noise transmission, however given that the development is residential, it is unlikely excessive noise will result from the development.

### **Excavation near 262 Piper Street**

There was a concern raised for construction undermining the dwelling at 262 Piper Street. Conditions can be imposed to ensure construction will not destabilise or result in a demise of the structural integrity of 262 Piper Street.

### Conclusion

A dwelling is permissible with consent and complies with the minimum area provisions that exist in Council's planning schemes. It is not an unreasonable expectation that the land be developed as a single dwelling. The applicants have made a conscious effort to address the concerns of the adjoining property owners.

The proposal, whilst not a traditional approach to design, is nonetheless supportable in the heritage conservation area. It is not considered to have an adverse impact on the Heritage Item at 266 Piper Street, nor the Heritage Conservation Area. 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

**9 Item 3 DEVELOPMENT APPLICATION NO. 2016/385 – SINGLE STOREY DWELLING AND CARPORT AT 264 PIPER STREET, BATHURST. APPLICANT AND OWNER: D & C FOX (DA2016/385)**

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

That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/385, 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: The applicant is to submit a dilapidation report for the adjoining properties at 262 and 266 Piper Street.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

**MINUTE**

**10**     **Item 3.01    EXTENSION OF TIME (DA2016/385)**  
**MOVED: Cr I North SECONDED: Cr M Coote**

**RESOLVED:** That an extension of time be granted to Cr Morse for Item #3 of the Acting Director Environmental, Planning & Building Services' Report in accordance with Clause 250 (3) of the Local Government (General) Regulation 2005.



## **MINUTE**

**11**     **Item 3.02    EXTENSION OF TIME (DA2016/385)**  
**MOVED: Cr W Aubin SECONDED: Cr M Coote**

**RESOLVED:** That an extension of time be granted to Cr North for Item #3 of the Acting Director Environmental, Planning & Building Services' Report in accordance with Clause 250 (3) of the Local Government (General) Regulation 2005.

**MINUTE**

**12**    **Item 3.03    EXTENSION OF TIME (DA2016/385)**  
**MOVED: Cr G Westman SECONDED: Cr B Bourke**

**RESOLVED:** That an extension of time be granted to Cr North for Item #3 of the Acting Director Environmental, Planning & Building Services' Report in accordance with Clause 250 (3) of the Local Government (General) Regulation 2005.

## **MINUTE**

### **13 Item 3.04 DEVELOPMENT APPLICATION NO. 2016/385 – SINGLE STOREY DWELLING AND CARPORT AT 264 PIPER STREET, BATHURST. APPLICANT AND OWNER: D & C FOX (DA2016/385)**

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

**RESOLVED:** That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/385, 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: The applicant is to submit a dilapidation report for the adjoining properties at 262 and 266 Piper Street.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

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

#### **The result of the division was:**

**In favour of the motion** - Cr W Aubin, Cr M Coote, Cr G Hanger, Cr M Morse,

**Against the motion** - Cr B Bourke, Cr I North, Cr G Westman,

**Absent** - Nil

**Abstain** - Nil

**4 DEVELOPMENT APPLICATION NO. 2016/184 – ADDITIONS AND ALTERATIONS TO RAILWAY INSTITUTE BUILDING FOR PURPOSES OF MUSEUM, REMOVAL OF FOUR TREES, REMOVE AND REPLACE PART OF THE TENNIS COURT FENCING AND TEMPORARILY LOCATING A TRAIN CARRIAGE ON THE TENNIS COURTS AT LOT 301 DP 1194865, HAVANNAH STREET. APPLICANT: BATHURST REGIONAL COUNCIL. OWNER: STATE RAIL AUTHORITY (DA/2016/184)**

**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. 2016/184, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

**Report:** The Site

Council has received a Development Application (DA) for the following works:

- Additions and alterations to the Railway Institute Building for the purposes of a Museum;
- Removal of four trees;
- Removal of part of the tennis court fencing and replacement fencing including a gate;
- Temporarily locating the train carriage on the tennis courts until the development of the museum is completed; and
- Construction of indented parking spaces in Havannah Street.

The site is located on the same parcel of land as the Bathurst Railway Station which is fronting Havannah Street, described as Lot 301 DP 1194865. A location plan is provided at **attachment 1**.

The site has a total area of 8.178 Ha. Only part of this site (approximately 2,100m<sup>2</sup>) is subject to this development (this includes the Railway Institute Building and the tennis courts).

**History of the Site**

The site contains the following historical buildings which demonstrate the significance of the development of railway within the Bathurst Region. These buildings are known as:

- Bathurst Railway Station;
- Station Masters Residence;
- Cottage;
- Railway Institute Building; and
- Warehouse.

**The proposal**

The proposal involves the following works to the Railway Institute Building:

- Additions and alterations to the Railway Institute Building for the purposes of a Museum;
- Removal of four trees;
- Removal of part of the tennis court fencing and replacement fencing including a gate;
- Temporarily locating the train carriage on the tennis courts until the development of the museum is completed; and
- Construction of indented parking spaces in Havannah Street.

Plans of the proposed development are at **attachment 2** and the Statement of Environmental Effect at **attachment 3**.

### Planning Context

#### *Environmental Planning and Assessment Act 1979 (EPA Act 1979)*

The Bathurst Railway Precinct is listed as a State Heritage Item under the Heritage Act. Accordingly approval is required under the Heritage Act from the NSW Office of Environment and Heritage.

The development is integrated development under Section 91 of the EPA Act 1979.

The development has been exhibited and notified for a period of 30 days in accordance with Clause 5 of the EP&A Regulation 2000.

At the conclusion of this advertising one submission was received (see **attachment 4**). The issues raised in the submission are discussed in the submissions part of the report.

The development was initially referred to the Office of Environment and Heritage (OEH) on the 28 June 2016. Additional information was requested by OEH including a more detailed heritage impact statement and an archaeological assessment. These were subsequently provided to OEH in September 2016. In further discussions with OEH issues relating to the scale of the building and connections between the new and old buildings have been canvassed.

Council has recently been granted conditional General Terms of Approval from OEH relating to the project. The GTA's require redesign of certain aspects of the design which can be incorporated into amended designs. These are discussed below.

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

The subject site is zoned IN1 General Industrial under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. An "information and education facility" is permissible with consent in the IN1 General Industrial zone. The proposal is consistent with the objectives of the zone.

#### *Clause 5.10 Heritage Conservation*

The site forms part of the state and locally listed 'Bathurst Railway Station, Yard Group and Moveable Relics' heritage item. The site is also located within the Bathurst Heritage Conservation Area.

The site is strongly defined by a curtilage of trees, shrubs, railway fence lines and the original 1924 tennis courts. The wider setting includes a highly significant railway group including the Bathurst Railway Station, locomotive 5112 and the Station Masters House with early railway period terrace houses opposite.

A Conservation Management Strategy and Heritage Impact Assessment have been prepared for the proposed development (see **attachment 5**).

The adaptive re-use of the Railway Institute building as a proposed Model Railway Museum ensures the building retains its significance and connection to the railway.

The building still contains some minor items such as the score board for the billiard table. These items will be displayed in the museum to help visitors interpret the previous use of the building.

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

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

A Conservation Management Strategy has been submitted (**attachment 5**). The site is listed on the State Heritage Register (SHR) under the Heritage Act 1977.

The proposed development is an adaptive reuse of a socially significant heritage building in relation to the development of railway within the central west region.

The additions to the building are setback from Havannah Street. They are setback to reduce the scale and bulk of the additions from the street.

The additions are generally in keeping with the design and character of the existing building. The facades of the existing building are a corrugated tin profile. The exterior of the additions and treatments are proposed to replicate and sympathise with the exterior building fabric of the existing building.

The shape and form of the existing building is not being significantly altered. The additions are removing a wall of the old building where the additions (new building) will be connected/linked to the building. The material to be removed is of low significance.

As part of this development, repairs and maintenance will occur on the building to reinstate the building and make it functional for its proposed use. The development is proposing to reinstate where possible and make good the existing building fabric. It should be noted that the building is in very poor condition at the present time.

#### *Chapter 14 – Car Parking*

A specific car parking rate for an 'information and education facility' is not contained in the Development Control Plan. The most closely related use would be a 'public facility or building' which requires 1 space per 50m<sup>2</sup>. The proposed museum has a floor area of approximately 700m<sup>2</sup> and therefore requires 14 car parking spaces.

Fourteen (14) car parking spaces are to be constructed within the Havannah Street road reserve. This use of Council's road reserve for car parking spaces is consistent with the existing car parking along Havannah Street.

Whilst developments are usually required to provide car parking on-site, the provision of car parking on site is not supported in this instance for the following reasons:

- The tennis courts form an important element within the historical use of the Institute's site. The tennis courts should therefore not be used for parking.
- The car parking for the museum needs to be within close proximity to the entrance and exit of the building.

Therefore the on street parking in Havannah Street is considered the best solution to maintain the heritage curtilage of the building, provide functionality for users and ensure the building can be reused.

### Submissions

The development application was advertised and notified to adjoining property owners from 27 June 2016 to 27 July 2016. Following the advertising and notification period a total of 1 submission was received (see **attachment 4**).

A discussion forum was convened by the Acting Director, Environmental, Planning & Building Services on 9 August 2016 (see minutes of discussion forum at **attachment 6**). Issues raised in the submissions and at the discussion forum included:

- Ask the general public and other organisations to see if they have rail memorabilia they would like to donate to be displayed in the museum. This would ensure that the building is large enough for the displays.

Response – The operation of the museum and ensuring that there is adequate area for displays is not a planning consideration.

- Only minor alterations to the building should occur and as much as possible the original fabric of the building should remain.

Response – A Conservation Management Strategy and Heritage Impact Statement have been prepared to identify significant fabric and ensure the adaptive reuse minimises impact on that fabric.

- The tennis courts should be retained and kept in good order.

Response – The tennis courts are being maintained as open space in their current form. The fencing is going to be replaced to ensure the site is secure. The Tennis Courts are not proposed to be reinstated into working order. The space will be used for purposes associated with the museum.

- The development should maintain the original elements of the building to show the previous uses for example; the Billiard room should have a billiard table in it. The use of the room should not be altered it should be used to interpret the previous use of the building as the railway institute building.

Response - The museum display material is not a planning consideration. The Applicant has proposed to include some minor items, such as the score board from the billiard table, to be displayed in the museum to help visitors interpret the previous use of the building. As an adaptive reuse proposal it is not possible to maintain or reinstate past moveable objects into the building.

- The entrance to the building should be maintained and a new direct entrance from Havannah Street should not be constructed.

Response – As part of the adaptive reuse of the building minor elements of the building are required to be changed to fit the new use and functionality of the use. The building currently has a roller door fronting Havannah Street. Changing the location of the door will not alter the structure of the building. The building currently has a side entrance and a direct entrance from Havannah Street.

- The museum should include a display of old railway books especially from Ben Chifley era.

Response – The operation of the museum and the items that are displayed in it are not a planning consideration.

- The museum should include the display of the Ben Chifley Engine.

Response – The operation of the museum and the items that are displayed in it are not a planning consideration.

- The proposed extension to this building should be attached and used with the railway cottage on the corner of Keppel and Havannah Street and not used within the Institute building.

The adaptive reuse of historical buildings such as the railway institute building is important to maintain these buildings to ensure their preservation into the future. It is noted that the Railway Institute building is currently in a very poor state of repair. Adaptive reuse is essential to ensure the building's future. Its use as a railway museum is perhaps the best possible use for the building given its past history.

- Relocating car parking areas on site.

Response – The area of car parking in front of the building on Havannah Street is considered to have a minor environmental impact as it is located out of the Heritage Curtilage of the building. On-site parking would have an adverse impact on the heritage curtilage of the building.

An additional submission was submitted after the discussion forum (see **attachment 7**)

The issues raised in this submission are:

- Operational elements of the development are a major concern, such as how it will maintain staff, finance operations and attract tourism.

Response - The operation of the museum and functionality of space are consideration for the applicant and are not planning considerations.

- The railway institute should be kept intact and the model railway be displayed in a new separate building.

Response –The Development is for an adaptive reuse of a derelict heritage building. It is understood it is important to keep as much of the original fabric of the building as possible but change has to occur in the building to adapt it for a new use. The building remains empty and in a very poor state of repair. An extension to the building is considered acceptable to ensure the building is used before it deteriorates further.

#### Office of Environment and Heritage (OEH) Redesign

As part of the OEH General Terms of Approval (see **attachment 8**) certain aspects of the development require redesign including:

- *The ridge height of the proposed new addition must be reduced to match the ridge height of the 1934 section of the original building. The roof profile should also be*



*amended to reduce its visual separation from the original roof of the Railway Institute Building. Revised documentation is to be submitted for approval by the Heritage Council or its delegates as part of the s60 application.*

- *The proposed replica awning indicated on the northern elevation of the new addition must be modified to be simpler in design. The roof lantern must also be deleted. Revised documentation should be provided for approval by the Heritage Council or its delegates as part of the s60 application.*
- *The proposed finishes of the new addition shall be limited to a palette of darker tones. A revised finishes schedule should be provided for approval by the Heritage Council or its delegates as part of the s60 application.*
- *Existing walls (including associated doors and windows) noted for demolition must be retained, with the exception of the three 1949 external walls of the former female toilets. The new addition may be increased in length (to the east) to accommodate the scale model railway within the new addition. Revised documentation should be provided for approval by the Heritage Council or its delegates as part of the s60 application.*
- *The new awning proposed to be located over entry door (D5) is to be removed. Revised documentation is to be submitted for approval by the Heritage Council or its delegates prior to the commencement of works.*

These can be incorporated into amended plans.

#### Council's involvement in the project

Council is the proponent for this application. The land is owned by the State Rail Authority.

#### Conclusion

The Development is for an adaptive reuse of the railway institute building as a railway museum. The building has not been used for decades and is currently in a derelict state. The development will reinstate the Heritage building and ensure it is maintained into the future. The development involves an extension to the building which is setback from Havannah Street.

**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

**14 Item 4 DEVELOPMENT APPLICATION NO. 2016/184 – ADDITIONS AND ALTERATIONS TO RAILWAY INSTITUTE BUILDING FOR PURPOSES OF MUSEUM, REMOVAL OF FOUR TREES, REMOVE AND REPLACE PART OF THE TENNIS COURT FENCING AND TEMPORARILY LOCATING A TRAIN CARRIAGE ON THE TENNIS COURTS AT LOT 301 DP 1194865, HAVANNAH STREET. APPLICANT: BATHURST REGIONAL COUNCIL. OWNER: STATE RAIL AUTHORITY (DA/2016/184)**  
**MOVED: Cr B Bourke SECONDED: Cr I North**

**RESOLVED:** That Council:

- (a) Support Development Application No. 2016/184, pending further negotiations with the NSW Office of Environment and Heritage.

Note that subject to these negotiations that the Development Application will be determined under delegated authority.

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

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

## **5 BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 AMENDMENT (20.00296)**

**Recommendation:** That Council:

- (a) adopt the Bathurst Regional Development Control Plan amendment as outlined in this report;
- (b) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act;
- (c) advise all property owners of Council's decision; and
- (d) call a division.

**Report:** At its meeting held 14 December 2016, Council resolved to prepare an amendment to the Bathurst Regional Development Control Plan (DCP) 2014. The amendment proposes:

1. DCP Map 35 - Early Settlement Archaeology Map.

Extend the map to include an additional property as being of high archaeological significance based on a recent find on an adjoining property.

Council undertook a site inspection at 18 George Street, Bathurst on 3 November 2016. The owner had been carrying out plumbing works on the southern side of the dwelling on the site and encountered brickwork beneath the ground surface. Research undertaken by Council reveals that the bricks are very likely associated with a building from the Early Government Settlement.

As a result of this find and its proximity to the boundary, it is intended to amend Map 35 Early Government Settlement Archaeology Map to include number 20 George St to indicate potentially high significance, the same level currently mapped for 18 George Street, Bathurst. The property owner has been notified in writing. No objection was received.

2. Chapter 4 - Residential Precincts and residential unit developments.

To amend Clause 4.5 to apply to both Precincts 2 and 3. This amendment will fix an error with a heading to ensure it relates to the correct residential precincts.

3. Chapter 10 - Main Street Study Review

Council has completed the following Main Street Studies:

- William and George Street Study (1994),
- Keppel Street Main Street Study (1993),
- Bathurst CBD Main Street Study Review (2016) - nearing completion.

It is proposed to link the recommendations of these Main Street Studies to the DCP such that the recommendations of the studies must be considered in future developments.

4. Chapter 12 - Signage

Council at its Ordinary Meeting held 18 May 2016 resolved to adopt as policy that the Development Application fee be waived for development applications lodged for the erection of signage within the B3 Commercial Core Zone under Bathurst Regional LEP 2014.

It is proposed to insert a note into the DCP regarding the waiving of DA fees similar to that already in place for the repainting of buildings and verandah reinstatement in the CBD.

#### Public Exhibition

Council exhibited the Planning Proposal for a period of 28 days between 17 January 2017 and 14 February 2017. Council received no submissions during that exhibition period.

#### Conclusion

There are no environmental or planning grounds to prevent the DCP amendment from proceeding. It is recommended that Council adopt the amendment to the DCP.

**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 28.5
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2

## MINUTE

### **15 Item 5 BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 AMENDMENT (20.00296)**

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

**RESOLVED:** That Council:

- (a) adopt the Bathurst Regional Development Control Plan amendment as outlined in this report;
- (b) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act;
- (c) advise all property owners of Council's decision; and
- (d) call a division.

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

## **6 BATHURST OPERATION CAT (02.00006)**

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

**Report:** On 9 December 2016 Member for Bathurst, The Hon Paul Toole launched “The Good Neighbour Project”, which is an initiative of the Cat Protection Society of NSW. The project included a program known as “Bathurst Operation Cat”.

Bathurst Operation Cat was a partnership between the Cat Protection Society of NSW, Bathurst Regional Council and local veterinary hospitals. This was the first time the program was run outside of metropolitan Sydney. Council supported the program through payment of the microchipping costs for each cat (\$20 per cat) and in promotion of the program to the community.

Over the eight week period 77 cats were desexed and microchipped through the program. This is an excellent outcome, and the assistance of the local veterinary hospitals is greatly appreciated.

This project alone may have reduced the unwanted kitten population by 138 kittens in the first season if half of the cats desexed were female. This program will also reduce the number of kittens being euthanised by the same number.

Since 2004 Council has operated a subsidised desexing program for both dogs and cats in partnership with the RSPCA and local veterinary hospitals. Bathurst Operation Cat has complimented the ongoing efforts in supporting low income earners and pensioners in meeting their obligations as responsible pet owners.

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

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

- Objective 22: To improve community safety. Strategy 22.11

**MINUTE**

- 16** Item 6 BATHURST OPERATION CAT (02.00006)  
MOVED: Cr B Bourke SECONDED: Cr M Coote

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

Yours faithfully



J Bingham  
**ACTING DIRECTOR**  
**ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 MARCH 2017



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

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

**Report:** \$75,600,000 was invested at 28 February 2017 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<b><u>Rating</u></b>	<b><u>Balance</u></b>	<b><u>Average Return</u></b>
<b><u>Short Term 1 – 365 Days</u></b> <b>(comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits):</b>			
National Australia Bank Limited	A1+	\$12,500,000.00	2.86%
St George	A1+	\$3,000,000.00	2.81%
Bankwest	A1+	\$1,500,000.00	2.79%
Bank of Queensland Limited	A2	\$15,000,000.00	2.76%
Bendigo and Adelaide Bank Limited	A2	\$500,000.00	2.73%
Newcastle Permanent	A2	\$2,500,000.00	2.80%
Maritime, Mining & Power Credit Union Ltd	ADI	\$500,000.00	2.81%
People's Choice Credit Union	ADI	\$1,500,000.00	2.69%
Railways Credit Union Limited	ADI	\$2,000,000.00	2.90%
SGE Credit Union Limited	ADI	<u>\$1,500,000.00</u>	<u>2.76%</u>
		<b>\$40,500,000.00</b>	<b>2.80%</b>
<b><u>Long Term &gt; 365 Days</u></b> <b>(comprising Commercial Bills, Term Deposits, Debentures and Bonds):</b>			
<b><u>Committed Rolling Investments</u></b>			
CBA Deposit Plus	AA-	\$1,500,000.00	2.57%
CBA Deposit Plus 1	AA-	\$1,500,000.00	2.72%
CBA Deposit Plus 2	AA-	\$1,500,000.00	4.00%
WBC Coupon Select	AA-	\$2,000,000.00	2.78%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$2,800,000.00</u>	<u>2.10%</u>
		<b>\$9,300,000.00</b>	<b>2.73%</b>
<b><u>Fixed, Negotiable &amp; Tradeable Certificates of Deposits</u></b>			
Greater Bank Ltd	BBB+	<u>\$2,000,000.00</u>	<u>3.28%</u>
		<b>\$2,000,000.00</b>	<b>3.28%</b>
<b><u>Floating Rate Notes</u></b>			
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	2.68%
AMP	AA-	\$800,000.00	2.87%
AMP	AA-	\$1,000,000.00	3.13%
Suncorp Metway	A+	\$1,000,000.00	3.03%
Rabobank	A+	\$1,000,000.00	3.27%
Macquarie Bank	A	\$1,000,000.00	2.87%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	2.98%

Bank of Queensland	A-	\$1,000,000.00	2.77%
Bank of Queensland 1	A-	\$2,000,000.00	2.91%
Bendigo & Adelaide Bank 2	A-	\$1,000,000.00	2.72%
Bendigo & Adelaide Bank 3	A-	\$1,000,000.00	2.88%
Bank of Queensland 2	A-	\$1,000,000.00	2.84%
Credit Union Australia	BBB+	\$3,000,000.00	3.09%
Police Bank Ltd	BBB+	\$1,000,000.00	2.88%
Police Bank Ltd 2	BBB+	\$1,000,000.00	2.88%
Credit Union Australia 2	BBB+	\$1,000,000.00	3.00%
Credit Union Australia 3	BBB+	\$1,000,000.00	3.40%
Newcastle Permanent	BBB+	\$1,000,000.00	3.13%
Newcastle Permanent 2	BBB+	\$1,000,000.00	3.40%
Newcastle Permanent 3	BBB+	\$1,000,000.00	3.43%
Members Equity Bank 2	BBB+	\$1,000,000.00	2.78%
		<b>\$23,800,000.00</b>	<b>3.00%</b>

**Total Investments** **\$75,600,000.00** **2.87 %**

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

Reserves Total (includes unexpended loan funds)	\$39,516,372.00
Grants held for specific purposes	\$2,773,031.00
Section 94 Funds held for specific purposes	\$32,931,328.00
Unrestricted Investments – All Funds	\$379,269.00

**Total Investments** **\$75,600,000.00**

**Total Interest Revenue to 28 February 2017** **\$1,389,376.92** **2.87%**

**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

- 17 Item 1 STATEMENT OF INVESTMENTS (16.00001)  
MOVED: Cr W Aubin SECONDED: Cr M Morse

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

## **2 MONTHLY REVIEW - 2016-2020 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2016-2017 (16.00144)**

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

**Report:** Bathurst Regional Council has in place the Bathurst 2036 Community Strategic Plan which aims to inform the community about the major directions and programs Council is undertaking in shaping the future of the Bathurst Region. These directions are summarised as objectives and strategies in Part VI of the Community Strategic Plan which was adopted by Council on 20 February 2013. The Plan is available for viewing at the council offices at 158 Russell Street or can be downloaded from the Public Documents section of Council's website, [www.bathurst.nsw.gov.au/council/general-information/public-documents](http://www.bathurst.nsw.gov.au/council/general-information/public-documents). A listing of the Objectives and Strategies from the Bathurst 2036 Community Strategic Plan can be found within the Plan commencing from page 34.

At **attachment 1** is an update of Council's progress towards achieving the Strategies and Objectives for the 2016-2020 Delivery Plan and the Annual Operating Plan 2016-2017.

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

Fines or penalty notices this month - Refer to attachment 1.

**Financial Implications:** Nil.

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

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

**MINUTE**

**18 Item 2 MONTHLY REVIEW - 2016-2020 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2016-2017 (16.00144)**

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

**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 28 February 2017.

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

Section 356:	\$0
BMEC Community use:	\$0
Mount Panorama:	\$6,213.08

#### **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**

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

**MOVED: Cr B Bourke 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.

- TA Gale - 29 Fraser Drive - Lot 45, DP 1226661 - Transfer
- RW & EV Locke - 11 Fraser Drive - Lot 54, DP 1226661 - Transfer
- BD Collins & KA Godfrey - 28 Fraser Drive - Lot 43, DP 1226661 - Transfer
- GB Farnell & RF Smith - 18 Fraser Drive - Lot 38, DP 1226661 - Transfer
- GW & LR Wheeler - 24 Fraser Drive - Lot 41, DP 1226661 - Transfer
- Hibbards Pty Ltd - 4 Lew Avenue - Lot 2, DP 1226661 - Transfer
- Hibbards Pty Ltd - 6 Lew Avenue - Lot 3, DP 1226661 - Transfer
- NT Turner - 26 Fraser Drive - Lot 42, DP 1226661 - Transfer
- Department of Finance, Service and Innovation - Hangar site at Bathurst Aerodrome - Lot 5, DP 847356 - Lease
- Warren Harvey Homes Pty Ltd - 23 Twynam Avenue - Lot 1052, DP 1215618 - Transfer
- Warren Harvey Homes Pty Ltd - 17 Twynam Avenue - Lot 1061, DP 1215618 - Transfer
- JM & M Maree - 26 Fraser Drive - Lot 40, DP 1226661 - Transfer
- DE Sealey - 3 Fraser Drive - Lot 58, DP 1226661 - Transfer
- Kenwood Homes Pty Ltd - 18 Barr Street - Lot 1070, DP 1215618 - Transfer
- AG Dwyer - 26 Cox Lane - Lot 30, DP 1226661 - Transfer
- Kenwood Homes Pty Ltd - 23 Barr Street - Lot 1082, DP 1215618 - Transfer
- Kenwood Homes Pty Ltd - 24 Barr Street - Lot 1073, DP 1215618 - Transfer
- Oaktree Retirement Village Bathurst Pty Ltd - Stanley Street - Lot 10, DP 1205690 - Transfer
- B Morris - 71 Hereford Street - Lot 1, DP 1223252 - In-House Rural Licence
- OP & RA Short - 9 Fraser Drive - Lot 55, DP 1226661 - Transfer

#### **Linen Plan Release**

Nil

**Financial Implications:** Nil.

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

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



## MINUTE

- 20 Item 4 POWER OF ATTORNEY (11.00007)  
MOVED: Cr I North SECONDED: Cr G Westman

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

## **5 REQUEST FOR FINANCIAL ASSISTANCE - CANCER COUNCIL "STARS OF BATHURST DANCE FOR CANCER" (18.00004-32/214)**

**Recommendation:** That Council sponsor the commission on ticket sales for the Stars of Bathurst Dance for the Cancer charity event to be held on 17 June 2017, with an approximate cost of \$1,000, to be funded from BMEC Section 356 Donations.

**Report:** Council has received a request from Cancer Council NSW for a charity event called Stars of Bathurst Dance for Cancer. The event will be held at the Bathurst Memorial Entertainment Centre on Saturday, 17 June 2017, see request at **attachment 1**.

Council has been advised that organisers expect an attendance of 500 guests and hope to raise \$50,000 for cancer research, support, prevention and advocacy. Council operates a ticketing system whereby the commission on the cost of providing the tickets ranges between \$1 and \$2 depending upon the price of the tickets.

It is recommended that Council provide the commission on the tickets as a donation to this organisation, with an approximate cost of no more than \$1,000. This donation to be funded from BMEC Section 356 donations vote.

**Financial Implications:** This request could be funded through Council's Section 356 Donations BMEC which currently has a Nil balance.

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

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1

## MINUTE

**21    Item 5    REQUEST FOR FINANCIAL ASSISTANCE - CANCER COUNCIL**  
**"STARS OF BATHURST DANCE FOR CANCER" (18.00004-32/214)**  
**MOVED: Cr M Morse SECONDED: Cr I North**

**RESOLVED:** That Council sponsor the commission on ticket sales for the Stars of Bathurst Dance for the Cancer charity event to be held on 17 June 2017, with an approximate cost of \$1,000, to be funded from BMEC Section 356 Donations.

## **6 REQUEST FOR FINANCIAL ASSISTANCE - 2018 AUSTIN HEALEY NATIONAL RALLY (23.00015)**

**Recommendation:** That:

- (a) Council close Russell Street between William Street and George Street between 8.30 am and 12.30 pm on Wednesday, 11 April 2018 to enable a display of Austin Healey vehicles.
- (b) The costs associated with the road closure, estimated to be \$1,500, be funded from Council's Section 356 Donations allocation.

**Report:** Council is in receipt of a request from the Secretary of the Austin Healey Owners Club (NSW) Incorporated, at **attachment 1** seeking to hold a "show and shine" style of event in Russell Street as part of the 2018 Austin Healey National Rally.

The National Rally will be held in Bathurst and is scheduled to occur from 9 to 12 April 2018. The event organisers are anticipating that over 100 vehicles will be attending this event.

In brief, the event will be based at Rydges with a welcome function at the National Motor Racing Museum; a tour and barbecue at the Mount Panorama Pit Complex; a show and shine display and a number of self-drive tours to the towns and villages surrounding Bathurst.

As part of this event the organisers are seeking financial support for the closure of Russell Street.

**Financial Implications:** The estimated cost of the closure of Russell Street will be approximately \$1,500, which could be funded through Council's Section 356 Donations allocation.

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

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2

## MINUTE

### **22 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - 2018 AUSTIN HEALEY NATIONAL RALLY (23.00015)**

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

**RESOLVED:** That:

- (a) Council close Russell Street between William Street and George Street between 8.30 am and 12.30 pm on Wednesday, 11 April 2018 to enable a display of Austin Healey vehicles.
- (b) The costs associated with the road closure, estimated to be \$1,500, be funded from Council's Section 356 Donations allocation.

**7 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(11.00005, 04.00001, 22.09614, 22.06279, 21.00095, 22.02208, 21.00093,  
08.00007, 22.02488)**

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

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

**1 VARIATION TO CONTRACT - SUPERCARS AUSTRALIA PTY LTD (04.00001)**

This report relates to the modification of a procedural requirement in the existing Contract with Supercars Australia.

**2 EXPRESSION OF INTEREST - RURAL LICENCE AGREEMENT - LOT 6 IN DP1142438  
LOCATED ON CHURCH LANE, KELSO (22.09614)**

The report concerns a proposal to enter into a new Rural Licence Agreement for Lot 6, DP1142438, Church Lane, Kelso.

**3 NEW RESIDENTIAL TENANCY AGREEMENT - LOT 2 IN DP1179272 LOCATED AT  
447 CONROD STRAIGHT, MT PANORAMA (22.06279)**

The report concerns a proposal to enter into a new Residential Tenancy Agreement for 447 Conrod Straight, Mount Panorama.

**4 EXPRESSION OF INTEREST - COMMERCIAL LEASE - BATHURST VISITOR  
INFORMATION CENTRE CAFE (21.00095)**

The report concerns entering into a new Commercial Lease Agreement for the Bathurst Visitor Information Centre Cafe at 1 Kendall Avenue.

**5 PROPOSED SALE OF LAND - LOT 10 IN DP716663 LOCATED AT 6  
COMMONWEALTH STREET BATHURST (22.02208)**

The report concerns the proposed sale of land at 6 Commonwealth Street.

**6 RENEWAL OF RURAL LICENCE AGREEMENT - PART LOT 304 IN DP1187714  
LOCATED AT THE BATHURST AERODROME (21.00093)**

The report concerns a proposal to enter into a new Rural Licence Agreement for various sections of land at Lot 304, DP1187714 located at Bathurst Aerodrome.

**7 RENEWAL OF COMMUNICATIONS LICENCE AGREEMENT - PART LOT 40 IN  
DP1056379 LOCATED AT SBS TOWER, REID PARK, MT PANORAMA - COMMUNITY  
RADIO STATION 2MCE (08.00007)**

The report concerns the renewal of a lease for the SBS Radio Tower with 2 MCE Radio.

**8 PURCHASE OF PROPERTY - LOT 6 AND LOT 7 IN DP998383 LOCATED AT THE REAR OF 80 KEPPEL STREET BATHURST (22.02468)**

The report concerns the proposed purchase of land at the rear of 80 Keppel Street to allow better access to the rear of the Bathurst Library.

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

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

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

**MINUTE**

**23 Item 7 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 04.00001, 22.09614, 22.06279, 21.00095, 22.02208, 21.00093, 08.00007, 22.02488)**

**MOVED: Cr M Coote SECONDED: Cr W Aubin**

**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 MARCH 2017

## **1 PROPOSED CREATION OF EASEMENT FOR UNDERGROUND LOW VOLTAGE CABLES AT LOT 5 DP1073621 HEREFORD STREET, KELSO: SITE OF NEW RUGBY LEAGUE CLUB HOUSE (36.00604)**

**Recommendation:** That Council:

- (a) approve the creation of an easement for underground low voltage cables to be installed on Lot 5 DP1073621 located at 67 Hereford Street, Kelso;
- (b) authorise the General Manager to sign Creation of Easement-Landowner Deed, Pioneer Scheme Application and Consent Form as Council's representative,

as detailed in the Director Engineering Services' report.

**Report:** As part of Council's development of a new Rugby League Clubhouse, to be located on Hereford Street, Kelso, adjacent to the Rugby Union Clubhouse and grounds developed by Council, a 315 kV Pole Mounted Substation; low voltage underground cable; and connection pillar, are required to service the new Clubhouse.

A 1m wide easement for underground low voltage cables is required by Essential Energy to protect its low voltage cables on Lot 5 DP1073621.

The final location of the easement will be determined by Essential Energy and will be located within the site at 67 Hereford Street, Kelso (see site plan at **attachment 1**).

As Council is the owner of the land, the costs associated with creation of the easement will be met by it.

### **Documentation - Lot 104 DP1073272 (Clubhouse land)**

The electrical works required are associated with DA 2015/0261. To apply for connection to Essential Energy's electricity supply certain documentation is required to be signed by Council as both the Landowner and the Customer. At **attachment 2** is Pioneer Scheme Application and Consent Form-Customer Funded Project.

### **Documentation - Lot 5 DP1073621 (future car park land)**

Essential Energy requires an easement to be created over this adjoining land for the purpose of protecting its underground low voltage cables. These cables will be installed between the Pole Mounted Substation to be erected in the road reserve, and the Connection Pillar to be installed on Lot 104 DP1073272, the land the Rugby League Clubhouse is to be built upon. Included in **attachment 2** is the body of the Creation of Easement: Landowner Deed.

It is recommended that Council:

- (a) approve the creation of an easement for underground low voltage cables on Lot 5 DP1073621.
- (b) authorise the General Manager to sign the documents contained in **attachment 2** as Council's representative.

**Financial Implications:** The cost to Council for the creation of the easement for underground low voltage cables is estimated to be \$1,500.00. Funding is available within Council's Budget for this work.

**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 6.1

## MINUTE

### **24 Item 1 PROPOSED CREATION OF EASEMENT FOR UNDERGROUND LOW VOLTAGE CABLES AT LOT 5 DP1073621 HEREFORD STREET, KELSO: SITE OF NEW RUGBY LEAGUE CLUB HOUSE (36.00604)**

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

**RESOLVED:** That Council:

- (a) approve the creation of an easement for underground low voltage cables to be installed on Lot 5 DP1073621 located at 67 Hereford Street, Kelso;
  - (b) authorise the General Manager to sign Creation of Easement-Landowner Deed, Pioneer Scheme Application and Consent Form as Council's representative,
- as detailed in the Director Engineering Services' report.

## **2 PROPOSED CREATION OF EASEMENT FOR ELECTRICAL SUBSTATION AT LOT 5 DP847225: SITE 197 LIMEKILNS ROAD, KELSO (22.00358)**

**Recommendation:** That Council:

- (a) approve the creation of an easement for a 500kVA Padmount Substation to be installed on Lot 5 DP847225 located at 197 Limekilns Road, Kelso;
- (b) authorise the General Manager to sign Creation of Easement-Landowner Deed as Council's representative,

as detailed in the Director Engineering Services' report.

**Report:** As part of Council's reservoir project at Kelso, a 500kVA Padmount Substation is required to be installed at 197 Limekilns Road to facilitate movement of water from an existing reservoir via a new Water Pumping Station, to the new Kelso reservoir currently under construction.

An easement over Council's land, 6m x 12m in area, is required by Essential Energy to protect the infrastructure to be installed on Lot 5 DP847225.

The final location of the easement will be determined by Essential Energy and will be located within the site at 197 Limekilns Road, Kelso (see site plan at **attachment 1**).

As Council is the owner of the land, the costs associated with creation of the easement will be met by it.

### **Documentation - Lot 5 DP847225**

In this instance, electricity is already in supply at this location. Accordingly, Essential Energy requires an easement to be created over this land for the purpose of protecting its infrastructure. Included in **attachment 2** is the body of the Creation of Easement: Landowner Deed.

It is recommended that Council:

- (a) approve the creation of an easement for a 500kVA Padmount Substation on Lot 5 DP847225.
- (b) authorise the General Manager to sign the document contained in **attachment 2** as Council's representative.

**Financial Implications:** The cost to Council for the creation of the easement for the Padmount Substation is estimated to be \$1,500.00. Funding is available within Council's Budget for this work.

### **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 6.1

## MINUTE

**25 Item 2 PROPOSED CREATION OF EASEMENT FOR ELECTRICAL  
SUBSTATION AT LOT 5 DP847225: SITE 197 LIMEKILNS ROAD, KELSO (22.00358)  
MOVED: Cr M Coote SECONDED: Cr M Morse**

**RESOLVED:** That Council:

- (a) approve the creation of an easement for a 500kVA Padmount Substation to be installed on Lot 5 DP847225 located at 197 Limekilns Road, Kelso;
- (b) authorise the General Manager to sign Creation of Easement-Landowner Deed as Council's representative,

as detailed in the Director Engineering Services' report.

### **3 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005)**

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

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

#### **1. PROPOSED ACQUISITION OF PART LOT 8 DP795012 COX LANE, EGLINTON - RESIDUE LAND EGLINTON STAGE 100 SUBDIVISION (25.00050)**

The report considers the proposed acquisition and transfer of a small parcel of residue land in Cox Lane, Eglinton.

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

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

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

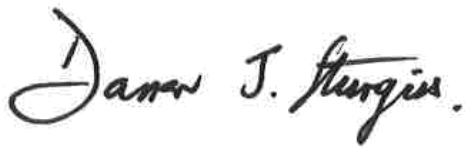
**MINUTE**

**26 Item 3 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE**  
**(11.00005)**

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

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

Yours faithfully

A handwritten signature in black ink that reads "Darren J. Sturgiss". The signature is written in a cursive, flowing style.

Darren Sturgiss  
**ACTING DIRECTOR**  
**ENGINEERING SERVICES**



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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 MARCH 2017

## **1 BATHURST REGIONAL ART GALLERY - 2016/2017 AUDIENCE SURVEY (21.00002)**

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

**Report:** The third Bathurst Regional Art Gallery (BRAG) Audience Survey was undertaken during the gallery's summer blockbuster exhibitions; *Brett Whiteley: West of the Divide* and *LEGO Mt Panorama – Wahluu models* (3 December 2016 – 29 January 2017). BRAG had previously undertaken similar Audience Surveys in 2010 and 2013.

The 2016/2017 survey included 28 questions and was delivered by three trained Gallery staff members. A total of 339 surveys were collected; a statistically valid sample. Delivery of the survey and quality of the data collected was more successful this year due to the gallery's investment in paid casual staff.

Several key findings of the *Bathurst Regional Art Gallery (BRAG) Audience Survey 2016/2017 Report* stand out:

- There has been a significant growth in first-time visitors (70% of respondents were first-time visitors, a 46% rise on 2013 figures). This finding illustrates the success of programming popular high-quality 'blockbuster' exhibitions over summer.
- Tourists accounted for 43% of the surveyed audience indicating cultural tourism is an area of continuing growth for BRAG & Bathurst.
- Several key audiences had grown since 2013:
  - Of families who made up 26% of the total respondents, those in the 34-44 year old group grew 5% on 2013 figures;
  - Retirees who made up 28.1% of respondents, grew 3% on 2013 figures; and
  - Visitors to the gallery who came in groups and made up 79% of respondents, grew 19% on 2013 figures.
- Overall BRAG is performing very well with unanimous satisfaction (100%) amongst surveyed gallery-goers. This compares favourably with the separate Council Bathurst Community Survey (2016) that indicated a similar high level of satisfaction with the Gallery (76.4%)
- Two interesting findings which will assist the development of new and existing audiences were:
  - 67% of respondents, a 33% rise on 2013, expressed an interest in coming to the gallery for live music concerts; and
  - 62% of respondents (question was not asked in 2013) expressed an interest in attending Art Gallery opening events.

BRAG will take these and other findings of the Survey and will filter them back into the *Bathurst Regional Art Gallery Marketing Strategy 2017-19* to support data and action points in the Marketing Action Plan. BRAG plans to undertake the next Audience Survey in 2020.

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

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

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.2
- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1, 20.6
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1, 26.4
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.1, 30.2, 30.3, 30.4, 30.5, 30.6, 30.7, 30.8

**MINUTE**

**27 Item 1 BATHURST REGIONAL ART GALLERY - 2016/2017 AUDIENCE SURVEY (21.00002)**

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

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

## **2 BATHURST CCTV FUNDING PROGRAM 2016-2017 ROUND 2 (16.000145)**

**Recommendation:** That Council provide \$3,500 under the Bathurst CCTV Funding Program 2016/2017 Round 2 as detailed below;

<b>Item</b>	<b>Business</b>	<b>Amount of Funding</b>
(a)	Marathon Health	\$500 which is the maximum amount approved for funding.
(b)	Hines Constructions Pty Ltd	\$500 which is the maximum amount approved for funding.
(c)	The Green Dry Clean	\$500 which is the maximum amount approved for funding.
(d)	Brabhams Outdoor Power Centre	\$500 which is the maximum amount approved for funding.
(e)	Bathurst Aero Club Ltd	\$500 which is the maximum amount approved for funding
(f)	Central West Flying School Pty Ltd	\$500 which is the maximum amount approved for funding
(g)	Annie's Old Fashioned Ice Cream Parlour	\$500 which is the maximum amount approved for funding.
(h)	History Hill Museum	Not approved for funding.

**Report:** Council has provided \$10,000 in its 2016/2017 Delivery Plan and Annual Operating Plan up to a maximum amount of \$500 on a dollar for dollar basis for businesses who address the criteria under the Bathurst CCTV Funding Program. During the first Round, \$3,000 was approved for distribution to six businesses.

The applications were required to meet the following criteria:

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

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

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

**Advertising of the CCTV Funding Program** occurred, as follows:

- Council Section of Western Advocate: 21 January 2017, 28 January 2017, 4 February 2017 and 11 February 2017.

### **Social Media/Online:**

- Paid Facebook Campaign 17 January 2017 - 17 February 2-017, 13,777 views (Business Hub Facebook Page)
- Bathurst Regional Council Facebook page: Post: 17 January 2017.
- Promotion to Council's Business Database, reminder, 15 February 2017.

Applications were received up to Friday 17 February 2017. The Assessment Group met on Monday 27 February 2017 to assess the applications against the criteria and make recommendations to Council.

The Committee recommends to Council, that \$3,500 be provided under the 2016/2017 CCTV Funding Program Round 2 for the following applicants:

<b>Item</b>	<b>Business</b>	<b>Amount of Funding</b>
(a)	Marathon Health	\$500 which is the maximum amount approved for funding.
(b)	Hines Constructions Pty Ltd	\$500 which is the maximum amount approved for funding.
(c)	The Green Dry Clean	\$500 which is the maximum amount approved for funding.
(d)	Brabhams Outdoor Power Centre	\$500 which is the maximum amount approved for funding.
(e)	Bathurst Aero Club Ltd	\$500 which is the maximum amount approved for funding.
(f)	Central West Flying School Pty Ltd	\$500 which is the maximum amount approved for funding.
(g)	Annie's Old Fashioned Ice Cream Parlour	\$500 which is the maximum amount approved for funding.
(h)	History Hill Museum	Not approved for funding.

### **History Hill Museum**

An application was received from History Hill Museum, located in rural area near the village of Hill End. The application did not fulfil the requirements of Point 5 of the criteria (outlined above), to address the coverage of public space adjacent to the premises, due to the location on a rural property without coverage near the boundary.

In the 2015/2016 CCTV Funding Program 24 premises were provided \$10,967 to assist with the installation of CCTV at their business premises. A further 6 businesses were provided \$3,000 in the first round of the 2016/2017 CCTV Funding Program. Outlined above, the assessment committee have recommended a further 7 businesses for consideration of funding. This would thence total 37 businesses being assisted through the CCTV Funding Program.

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

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

- Objective 19: To improve equity of access to all members of the community in public and private domains. Strategy 19.2, 19.3, 19.4

## MINUTE

### 28 Item 2 BATHURST CCTV FUNDING PROGRAM 2016-2017 ROUND 2 (16.000145)

MOVED: Cr I North SECONDED: Cr M Coote

**RESOLVED:** That Council provide \$3,500 under the Bathurst CCTV Funding Program 2016/2017 Round 2 as detailed below;

<b>Item</b>	<b>Business</b>	<b>Amount of Funding</b>
(a)	Marathon Health	\$500 which is the maximum amount approved for funding.
(b)	Hines Constructions Pty Ltd	\$500 which is the maximum amount approved for funding.
(c)	The Green Dry Clean	\$500 which is the maximum amount approved for funding.
(d)	Brabhams Outdoor Power Centre	\$500 which is the maximum amount approved for funding.
(e)	Bathurst Aero Club Ltd	\$500 which is the maximum amount approved for funding.
(f)	Central West Flying School Pty Ltd	\$500 which is the maximum amount approved for funding.
(g)	Annie's Old Fashioned Ice Cream Parlour	\$500 which is the maximum amount approved for funding.
(h)	History Hill Museum	Not approved for funding.

### **3 BATHURST REGIONAL YOUTH COUNCIL - INDENT GRANT YJAM EVENT (11.00020)**

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

**Report:** Further information to come.

On 30 January 2017, the Bathurst Regional Youth Council received notification that it had been successful with an application through the INDENT/Music NSW Event Development Grants for the sum of \$2500.

This funding was awarded, to see the continuation of the YJAM youth music project, which utilises Council owned spaces and facilities, to promote local young talent, social inclusion for young people in the Bathurst region, and alternative safe entertainment in an alcohol free environment.

In 2016, the Bathurst Regional Youth Council staged two YJAM events, including one in conjunction with the Bathurst Winter Festival. The first YJAM for 2017 is to be held on the first day of Youth Week, 31 March, in the Forecourt of the Australian Fossil and Mineral Museum.

Each event aims to have 8 young local performers, who have the opportunity to showcase their talent to their peers and the broader community. YJAM events also feature limited free coffee, and free food including a BBQ run by the Youth Council.

The Forecourt of the Australian Fossil & Mineral Museum is to be transformed with special effect lighting, picnic rugs and the sounds of our local youth.

The YJAM project was highly successful in 2016, and with the support of INDENT through the Event Development Grants, is set to continue its success through 2017.

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

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.6
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.1, 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**

**29 Item 3 BATHURST REGIONAL YOUTH COUNCIL - INDENT GRANT YJAM  
EVENT (11.00020)**

**MOVED: Cr M Coote SECONDED: Cr W Aubin**

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

#### **4 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD 5 DECEMBER 2016 (07.00016)**

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

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

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

The tenth meeting of the Bathurst Region Tourism Reference Group was held on 5 December 2016. The Minutes of the Group's meeting are provided at **attachment 1.**

At the Meeting held on 5 December 2016, the group established the following actions, linked to the Destination Management Plan.

- Research project - summary of the brand positioning received & brief to develop a new destination brand developed.
- 2017 professional development program for industry confirmed with 3 workshops organised to complement Manager Economic Development program.
- Heritage Week 2017 – new initiative to extend the visitor stay (Bathurst Artisan Trades Trail) has been organised for 13 – 14 May in collaboration with a wide range of industry groups.
- Image library – a range of high quality images for promotional use has been completed.
- Funding application for \$20,000 for Bathurst Winter Festival submitted to Destination NSW.

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

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

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

**MINUTE**

**30 Item 4 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD**  
**5 DECEMBER 2016 (07.00016)**

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

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

Yours faithfully



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

**POLICY COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

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

**Recommendation:** That the recommendations of the Policy Committee Meeting held on 1 March 2017 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held on 1 March 2017, are attached.

**Financial Implications:** N/A

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

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

## MINUTE

- 31 Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 MARCH 2017 (07.00064)  
MOVED: Cr I North SECONDED: Cr B Bourke

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 1 March 2017 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 1 MARCH 2017**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:10 PM**

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

**APOLOGIES**

**2 APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 DECEMBER 2016 (07.00064)**

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

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 7 December 2016 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**

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

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**5 Item 1 ASBESTOS POLICY (18.00105, 41.00089)**

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

**RESOLVED:** That Council :

- (a) place the updated Asbestos Policy on public exhibition for a period of 28 days; and
- (b) if no submissions are received, adopt the Policy.





**Cr Westman** - asked can planning commence on Christmas decorations for the CBD this year as soon as possible.

**12**      **Item 6 ENGINEERING DEPARTMENT: INFRASTRUCTURE (23.00012)**

**Cr Westman** - thanked staff for the way facilities have been presented; eg, hockey facilities and BMX facilities and also noted the excellent work of the Events Team.

**13**      **Item 7 MAYORAL ELECTION (12.00005)**

**Cr Coote** - congratulated new Mayor on election and noted the job performed by the former Mayor, Cr Rush.

**14**      **Item 8 ELECTION OF MAYOR AND DEPUTY MAYOR (12.00005)**

**Cr Aubin** - congratulated the Mayor and the Deputy Mayor on their election

**15**      **Item 9 ROADS WORKING PARTY (16.00148)**

**Cr Aubin** - supports Working Party requested by Cr Westman and noted his request recently for an extra \$2 million to be included in the 2017/2018 budget.

**16**      **Item 10 KANGAROOS AT MOUNT PANORAMA - 12 HOUR (14.00665)**

**Cr Aubin** - asked if there had been any kangaroo activity during the recent 12 Hour event.

**The Acting Director Engineering Services** advised there were no reported activities.

**17**      **Item 11 RECENT NEWTONS NATION EVENT (04.00122)**

**Cr Aubin** - advised went really well. Council received a lot of positive feedback. Hopes event will continue into the future.

**18**      **Item 12 ELECTION OF MAYOR AND DEPUTY MAYOR (12.00005)**

**Cr North** - congratulated new Mayoral team.

**19**      **Item 13 STRATEGIC DIRECTION (11.00016)**

**Cr North** - need to start reviewing this, including Council structure and where to in the future.

**20**      **Item 14 PETITION - SUTTOR/MITRE/LAMBERT STREETS (25.00095)**

**Cr North** - has received a petition of over 2000 signatures presented by Mr and Mrs McNabb concerning the intersection and tabled the petition on their behalf.

**21**      **Item 15 LAGOON ROAD SPEED SIGNS (25.00128)**

**Cr North** - can speed signs be put back up and can press releases be issued on the speed requirements and asking people to notify if they see anyone knocking them down.

**22**      **Item 16 789-793 LAGOON ROAD (25.00128)**

**Cr North** - the road drops away where the bus operates. Could this be checked as it is dangerous.

**23**      **Item 17 GO-KART CLUB (21.00135)**

**Cr North** - Clubs advise of many Karting groups who would like to utilise these facilities. Where is this going?

**The General Manager** advised discussions are being held with interest groups to finalise the Development Application.

**24**      **Item 18 GASWORKS SITE (22.00052)**

**Cr Bourke** - noted Jemena are going to spend over \$100,000 on the fencing. Who is paying? Can Councillors get a report on this?

**25**      **Item 18.01 PIGEONS IN CBD (14.00627)**

**Cr Bourke** - advised this is still a problem. Requests report on how handled in Melbourne and what can be done in Bathurst.

**26**      **Item 19 POSITION OF MAYOR (12.00005)**

**Cr Bourke** - spoke to role of Mayor and that it is a full time role. Feels should consider having a publicly elected Mayor and seek community feedback on this matter.

**27**      **Item 20 CHRISTMAS LIGHTS/NEW YEARS EVE (23.00131)**

**Cr Bourke** - queried how much Council spends on these events and what do the Business Houses contribute to Christmas decorations?

**MEETING CLOSE**

**28**      **MEETING CLOSE**

The Meeting closed at 6.33 pm.

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

**TRAFFIC COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 MARCH 2017 (07.00006)**

**Recommendation:** That the recommendations of the Traffic Committee Meeting held on 7 March 2017 be adopted.

**Report:** The Minutes of the Traffic Committee Meeting held on 7 March 2017, are attached.

**Financial Implications:** N/A

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

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

**MINUTE**

**32 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 MARCH 2017**  
**(07.00006)**

**MOVED: Cr W Aubin SECONDED: Cr M Coote**

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 7 March 2017 be adopted.

**MINUTES OF THE TRAFFIC COMMITTEE**  
**HELD ON 7 MARCH 2017**

**MEETING COMMENCES**

**1 MEETING COMMENCES - 2.19pm**

**Members:** Mr David Veness (Local Member Office Representative), Ms Jackie Barry (Roads & Maritime Services Representative), Cr Warren Aubin (Bathurst Regional Council) and Mr Peter Foran (NSW Police Representative)

**Present:** Mr Bernard Drum (Acting Manager Technical Services) and Ms Iris Dorsett (Tablelands Area Road Safety Officer)

**APOLOGIES**

**2 APOLOGIES**

Nil

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 FEBRUARY 2017 (07.00006)**

That the Minutes of the Traffic Committee Meeting held on Tuesday 7 February 2017 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**

That the Declaration of Interest be noted.

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**Director Engineering Services' Report**

**5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 7 FEBRUARY 2017 (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 ANGLED PARKING – 94 HOWICK STREET (22.08930/012)**

That Council approve the installation of 6 'rear to kerb' angled parking spaces in Howick Street, subject to conditions as detailed in the Director Engineering Services' Report.

**8** **Item 4 SOUTH BATHURST PUBLIC SCHOOL DROP-OFF ZONE (25.00022-02/036)**

That Council approve the installation of a morning drop-off zone on Leena Street at South Bathurst Public School subject to conditions as detailed in the Director Engineering Services' report.

**9** **Item 5 BATHURST EDGELL JOG 2017 ( 23.00130)**

That Council endorse the traffic management for the Bathurst Edgell Jog to be held on Sunday 17 September 2017. The event is to be classified as a Class 1 event and approved subject to conditions as noted in the Director Engineering Services Report.

**10** **Item 6 2017 WINTER FESTIVAL (23.00152)**

That Council endorse the traffic management for the staging of the 2017 Winter Festival to be held in Kings Parade/Russell Street from July 1 - July 16 2017. The event is to be classified as a Class 2 event subject to conditions as detailed in the Director of Engineering Services Report.

**11** **Item 7 BATHURST LIGHT CAR CLUB - BATHURST & SUNNY CORNER RALLIES 2017 (23.00015-08/060)**

That Council classify the Bathurst and Sunny Corner Rallies, to be held on Saturday 6 May 2017 as Class 2 events, and the events be approved subject to conditions as detailed in the Director Engineering Services' Report.

**12** **Item 8 PROPOSED TEMPORARY ROAD CLOSURE DURHAM STREET BETWEEN KENDALL AVENUE AND HAVANNAH STREET - NATIONAL RUGBY LEAGUE EVENTS (04.00045-04)**

That Council endorse the traffic management for the temporary road closure of Durham Street between Kendall Avenue and Havannah Street, on Tuesday 23 May 2017 and Wednesday 24 May 2017. The event is to be classified as a Class 2 event as detailed in the Director Engineering Services' report.

**13** **Item 9 BATHURST FAMILY FUN DAY (04.00017-04/136)**

That Council endorse a drop-off/pick-up zone on William Street for the Bathurst Family Fun Day in Peace Park on Saturday 20 May 2017 from 11am to 2pm. The event is to be an unclassified event and approved subject to conditions as detailed in the Director Engineering Services' report.

**14** **Item 10 2018 AUSTIN HEALEY OWNERS NATIONAL RALLY - SHOW 'N' SHINE RUSSELL STREET ( (23.00015-08/058) )**

That Council approve the proposal to hold the 2018 Austin Healey Owners National Rally "Show and Shine" in Russell Street, adjacent to the Civic Centre and Courthouse on Wednesday 11 April 2018. The event is to be classified as a Class 2 event and approved subject to conditions as detailed in the Director Engineering Services' report.



**15      Item 11 PROPOSED NO STOPPING SIGNAGE OUTSIDE 22A GILMOUR STREET (22.14480/005)**

That Council make no changes to the signage outside 22a Gilmour Street, Kelso, at this time

**16      Item 12 REVIEW OF PROPOSED CHANGES OF CARRIAGEWAY & TURNING LANE KFC BATHURST (25.00007-05)**

That Council approve carriageway/left turn lane, widening and centreline lengthening to George Street, outside KFC, in accordance with the Director Engineering Services' report.

**TRAFFIC REGISTER**

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

That the information be noted.

**MEETING CLOSE**

**18      MEETING CLOSE**

The Meeting closed at 2.52pm

## DELEGATES REPORTS AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 MARCH 2017

## **1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 8 FEBRUARY 2017 (11.00019)**

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

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

**Apologies:** Nil

### **1. BATHURST COMMUNITY ALLIANCE (18.00323)**

Representatives of the Alliance, Terese Ashworth, Cheryl Keogh, Nick Packham and Linda Roszkiewicz met with Council to give an update on the purpose and activities of the group.

Spoke to National Disability Insurance Scheme (NDIS) - a new way of providing support for people living with disability.

- overarching scheme for people with disabilities
- Federal Government Responsibility
- roll-out has commenced
- Bathurst will be in scheme from 1 July 2017
- funding will be attached to individuals
- individuals will need to source their own resources
- transport is not funded
- current provider organisations will be impacted, as previously received funds in advance - now will be paid in arrears after the service has been provided
- turnover of the agencies in the Community Alliance is \$15 million
- Scheme covers Bathurst region, Central West, Lithgow, Mudgee, Rylstone/Kandos, Cowra, Oberon, Blayney, Molong, Upper Blue Mountains, Orana Far West, Nepean, Riverina and Southern Highlands
- Clients 1533, Staff 371 (casual, part time and full time), volunteers 260
- Federal Government has appointed Local area coordinators to assist people to link to services, CareWest is provider for this area, they are a service provider and this is a conflict.

### **2. DEPARTMENT OF JUSTICE/BATHURST CORRECTIONAL CENTRE (22.01047)**

Katrina Kiely, Department of Justice, Stephen Hollings, Project Manager and Mark Kennedy, General Manager Bathurst Correctional Centre met with Council to discuss the proposed expansion at the Bathurst Correctional Centre.

Discussion included:

- Bathurst Correctional Centre to be upgraded as part of State Government program of expanding gaols.
- Bathurst is 1880's construction, 659 maximum capacity, regional remand centre
- Bathurst is to have 250 bed expansion for maximum security within the boundary of the existing complex
- construction expected to be completed by January 2019
- entry to Bathurst Correctional Centre will be off Mitchell Highway - current entrance closed

- Girrawaa Arts Centre will be relocated
- Benefits to Bathurst
  - 60-70 additional employees during construction period
  - increased spending in Bathurst
  - Aboriginal employment opportunities
  - use local tradespeople long term
- tabled copy of final designs for Councillors information

**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
- 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

**MINUTE**

**33** Item 1 COUNCILLORS MEETING WITH COMMUNITY  
GROUPS/REPRESENTATIVES - 8 FEBRUARY 2017 (11.00019)  
MOVED: Cr M Coote SECONDED: Cr G Westman

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

## MINUTE

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

**MOVED: Cr M Coote SECONDED: Cr W Aubin**

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

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

**RESOLVED:** That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	VARIATION TO CONTRACT - SUPERCARS AUSTRALIA PTY LTD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	EXPRESSION OF INTEREST - RURAL LICENCE AGREEMENT - LOT 6 IN DP1142438 LOCATED ON CHURCH 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	NEW RESIDENTIAL TENANCY AGREEMENT - LOT 2 IN DP1179272 LOCATED AT 447 CONROD STRAIGHT, MT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	EXPRESSION OF INTEREST - COMMERCIAL LEASE - BATHURST VISITOR	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

	INFORMATION CENTRE CAFE	balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	PROPOSED SALE OF LAND - LOT 10 IN DP716663 LOCATED AT 6 COMMONWEALTH STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	RENEWAL OF RURAL LICENCE AGREEMENT - PART LOT 304 IN DP1187714 LOCATED AT THE 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.
7	RENEWAL OF COMMUNICATIONS LICENCE AGREEMENT - PART LOT 40 IN DP1056379 LOCATED AT SBS TOWER, REID PARK, MT PANORAMA - COMMUNITY RADIO STATION 2MCE	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	PURCHASE OF PROPERTY - LOT 6 AND LOT 7 IN DP998383 LOCATED AT THE REAR OF 80 KEPPEL STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED ACQUISITION OF PART LOT 8 DP795012 COXS LANE, EGLINTON - RESIDUE LAND EGLINTON STAGE 100 SUBDIVISION	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 MARCH 2017



**MINUTE**

**(a) Item 1 VARIATION TO CONTRACT - SUPERCARS AUSTRALIA PTY LTD (04.00001)**

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

**That** Council delegate to the General Manager the negotiation of the variation to the contract.

**MINUTE**

**(b) Item 2 EXPRESSION OF INTEREST - RURAL LICENCE AGREEMENT - LOT 6 IN DP1142438 LOCATED ON CHURCH LANE, KELSO (22.09614)**

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

**That** Council approves entering into a new Rural Licence agreement for Lot 6 in DP 1142438 located on Church Lane Kelso with Rebecca Howard, for a period of one (1) year with a one (1) year option period, as detailed in the report.

## **MINUTE**

### **(c) Item 3 NEW RESIDENTIAL TENANCY AGREEMENT - LOT 2 IN DP1179272 LOCATED AT 447 CONROD STRAIGHT, MT PANORAMA (22.06279) MOVED: Cr W Aubin SECONDED: Cr B Bourke**

**That** Council approves entering into a new Residential Tenancy Agreement for Lot 2 in DP1179272 located at 447 Conrod Straight, Mt Panorama with Aaron Thomas and Bonita Bassett for a period of twelve (12) months with a twelve (12) month option period, as detailed in the report.

**MINUTE**

**(d) Item 4 EXPRESSION OF INTEREST - COMMERCIAL LEASE -  
BATHURST VISITOR INFORMATION CENTRE CAFE (21.00095)**

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

**That** Council approves entering into a new Commercial Lease agreement for part Lot 90 in DP1026194 located at 1 Kendall Avenue, Bathurst known as the Bathurst Visitor Information Centre cafe site, as detailed in the report.

**MINUTE**

**(e) Item 5 PROPOSED SALE OF LAND - LOT 10 IN DP716663 LOCATED AT 6 COMMONWEALTH STREET BATHURST (22.02208)**

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

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

**MINUTE**

**(f) Item 6 RENEWAL OF RURAL LICENCE AGREEMENT - PART LOT 304  
IN DP1187714 LOCATED AT THE BATHURST AERODROME (21.00093)**

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

**That** Council approves entering into a new Rural Licence agreement for various sections of land at Lot 304 in DP1187714 located at the Bathurst Aerodrome with Rushlarah Agri Pty Ltd for a period of three (3) years as detailed in the report.

**MINUTE**

**(g) Item 7 RENEWAL OF COMMUNICATIONS LICENCE AGREEMENT -  
PART LOT 40 IN DP1056379 LOCATED AT SBS TOWER, REID PARK, MT  
PANORAMA - COMMUNITY RADIO STATION 2MCE (08.00007)  
MOVED: Cr M Coote SECONDED: Cr I North**

**That** Council approves the renewal of the Communications Licence agreement for part Lot 40 in DP1056379 known as the SBS Tower located at Reid Park, Mt Panorama with Community Radio Station 2MCE, for a period of four (4) years as detailed in the report.

## **MINUTE**

### **(h) Item 8 PURCHASE OF PROPERTY - LOT 6 AND LOT 7 IN DP998383 LOCATED AT THE REAR OF 80 KEPPEL STREET BATHURST (22.02468)**

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

**That Council**

- (a) authorise the General Manager to negotiate the successful purchase of part Lots 6 and 7 in DP998383 located at the rear of 80 Keppel Street Bathurst.
- (b) meets the Vendor's reasonable legal expenses, excluding any mortgage removal, associated with the purchase of land.
- (c) approves the subsequent subdivision and boundary adjustments of part Lots 6 and 7 in DP998383.
- (d) classifies the land as 'Operational' under the provisions of Section 31(2) of the Local Government Act 1993.
- (e) demolishes the sheds located on the land as soon as practical following settlement.



**DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

15 MARCH 2017

## MINUTE

**(i) Item 1 PROPOSED ACQUISITION OF PART LOT 8 DP795012 COXS LANE, EGLINTON - RESIDUE LAND EGLINTON STAGE 100 SUBDIVISION (25.00050-02)**

**MOVED: Cr I North SECONDED: Cr G Westman**

That Council:

- (a) approve the acquisition of part of Lot 8 DP795012 situated at Coxs Lane, Eglinton;
- (b) classify the acquired land as Operational Land under the provisions of section 31(2) of the Local Government Act 1993,

subject to the information contained in the Director Engineering Services' report.

## MINUTE

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

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

## MINUTE

**36 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED: Cr M Morse SECONDED: Cr M Coote**

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

## MINUTE

### 37 MEETING CLOSE

The Meeting closed at 8.02 pm.

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