



ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL

9 November 2016

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday,  
16 November 2016**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 16 November 2016 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.

A handwritten signature in black ink, appearing to read 'D J Sherley', is positioned above the printed name.

D J Sherley  
**GENERAL MANAGER**

# **BUSINESS AGENDA**

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

**TO BE HELD ON WEDNESDAY, 16 NOVEMBER 2016**

**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 - 19 OCTOBER 2016

\* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 2 NOVEMBER 2016

**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 - 2 NOVEMBER 2016

\* MINUTES - TRAFFIC COMMITTEE MEETING - 1 NOVEMBER 2016

**10. NOTICES OF MOTION - Nil**

**11. RESCISSION MOTIONS - Nil**

## 12. DELEGATES REPORTS

\* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 12 OCTOBER 2016

## 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 REQUEST - RENEWAL OF LEASE AGREEMENT - LOT 300 IN DP1099537 LOCATED AT 23 ZAGREB STREET KELSO - DOWNER EDI WORKS 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	PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3,4,7,8,9 AND 10 IN SECTION C DP758840 - CATHOLIC DIOCESE OF BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR THE SUPPLY, DELIVERY & LAYING OF ASPHALTIC CONCRETE SURFACING	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 RESTORATION OF NETBALL COURTS – JOHN MATTHEWS NETBALL COMPLEX	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	CENTROC TENDER FOR THE SUPPLY & DELIVERY OF BULK FUEL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	TENDER FOR DESIGN AND CONSTRUCTION OF RUGBY LEAGUE CLUBHOUSE SEWERAGE SYSTEM	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	TENDER - READY-MIX CONCRETE	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	TENDER - STORMWATER DRAINAGE PIPES	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	TENDER - NATURAL GRAVEL QUARRY ACCESS & EXTRACTION	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	TENDER - SUPPLY & DELIVERY OF ROADBASE MATERIAL	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.
9	DESIGN & CONSTRUCTION OF	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the

	RUGBY LEAGUE CLUBHOUSE	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.
10	TENDER - HIRE OF TRUCKS/WATERCARTS	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.
11	TENDER FOR CONSTRUCTION OF GABION WALL, FOOTPATH & HANDRAIL - BICENTENNIAL PARK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
12	TENDER - HIRE OF PLANT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**14. RESOLVE INTO OPEN COUNCIL**

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

**16. MEETING CLOSE**

## MINUTE

### 1 MEETING COMMENCES

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

## MINUTE

### 2 PUBLIC QUESTION TIME

#### G Goldsmith – Bathurst St Patricks Rugby League Football Club - Items #4 and #9 DES Confidential

Thanked Council for the efforts in constructing the fields on Hereford Street. St Patrick's Juniors have 200 players, and around 120 players in the seniors. Spoke of the tradition of the Club. See the fields as an asset for the community, particularly with the current growth rates in the population, spoke to various demographics. Noted linkage with tourism investment and the benefits this creates for the city. There will be an ability to host events with the infrastructure that is being built.

#### B Manning – ratepayer

Queried for what reason did Council buy the land at 9 McKell Street? Spoke to various actions in purchasing land, returns on investment expected, level of purchasing of residential land by the Council. Issues between landowners and correspondence received from Council. Spoke to prior court matters concerning DA issues. Also concerns at Council not responding to Mrs Manning's representatives, spoke to Council bringing in contractors to do works at the location and level of works undertaken.

**The General Manager** spoke to the matters raised by Mrs Manning; property ownership, maintenance of assets, responses to representatives, noise measurements, health safety etc.

#### L Smith and C Stephens – Bathurst Youth Council - Item #4 DCCS report

Spoke to the recent Youth Events and the success of these and the future direction of the Youth Council.

**The Mayor** thanked the Youth Councillors for their efforts on the Youth Council.

## MINUTE

### 3 APOLOGIES

Nil



## MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 19 OCTOBER 2016 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 19 October 2016 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 19 October 2016, 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 - 19 OCTOBER 2016 (11.00005)**

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

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 19 October 2016 be adopted.

## **2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 2 NOVEMBER 2016 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Council following Policy held on 2 November 2016 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Council following Policy held on 2 November 2016, are attached.

**Financial Implications:** N/A

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

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

**MINUTE**

**5 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**  
**- 2 NOVEMBER 2016 (11.00005)**

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

**RESOLVED:** That the Minutes of the Ordinary Meeting of Council following Policy held on 2 November 2016 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
HELD ON 19 OCTOBER 2016**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**PUBLIC QUESTION TIME**

**2 PUBLIC QUESTION TIME**

**P Dowling – ratepayer - "Bathurst" sign on Mount Panorama**

Spoke to placing "Bathurst" sign under Mount Panorama sign as a permanent fixture, this has previously been requested. The item was also raised at last policy meeting. Spoke to prior discussions that have occurred in regard to this matter, including discussions with former Councillor Chifley.

**The Mayor** spoke to placement of the word "Bathurst" and referral to the 2017/2018 Budget.

**J Thompson – Item #6 DCSF - Bathurst World Cup**

Spoke to the holding of the event, credibility of the organisation and the successful events that have been run. The event will be a World Cup event and this will give the town great exposure. It is expected 200 skaters will attend with a multiplier of three for numbers accompanying. Noted the quality of Australian skaters in long boarding events. Skateboarding has been named for the next Olympics, the final variants are to be determined. This is a non-offensive sport and processes can be put in place to alleviate resident concerns. The group are happy to put a bond down.

**B Trimming – Chair/Secretary, Bathurst Regional Access Committee**

Thanked Council for kind comments about the Access Committee at the Hill End Village meeting. The Committee has handled over 50 items in the last 12 months. The cash grants program funded by Council is excellent, and there does not appear to be any comparable programs.

Supports the proposal to put "Bathurst" under the Mount Panorama sign. It makes business sense.

It is great Bathurst Memorial Entertainment Centre has the Scottish Dragoon guards. Congratulated Council on the pricing put in place.

**G Crisp – ratepayer**

Raised a number of issues;

1. General Manager denied existence of confidential legal information about staff appointment and matters concerning Cr Aubin.

**The General Manager** spoke to complaints Mr Crisp has lodged.

**The Mayor** asked Mr Crisp to desist from accusing people of matters which have not been proven.

2. Spoke to Item #7 DCSF Code of Conduct Complaints report. Does this comply with statutory requirements, spoke to arrangement with Office of Local Government, cost of complaints etc.

**The General Manager** spoke to procedures in place and Code provisions.

**P Chappell – 44 McBrien Drive - DA 2016/304 - Item #4 ADEPBS**

The resident at 25 Lister Avenue wants to put up a large garage. Spoke to concern at loss of views, and objects to the proposal before Council. Referred to original agreement of the owner (adjoining) where lived in a shed on the block, when the house was built the shed was to return to usage as a garage.

**APOLOGIES**

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

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

**MINUTES**

**4** **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 21 SEPTEMBER 2016 (11.00005)**  
**MOVED** Cr I North and **SECONDED** Cr G Westman

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 September 2016 be adopted.

**DECLARATION OF INTEREST**

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

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

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

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

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

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

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

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

**8 Item 3 DEVELOPMENT APPLICATION NO. 2016/192 – DEMOLITION OF EXISTING COMMERCIAL PREMISES, CONSTRUCT TWO STOREY COMMERCIAL PREMISES, 3 X 3 BEDROOM, TWO STOREY RESIDENTIAL UNITS AND 3 X 2 BEDROOM TWO STOREY RESIDENTIAL UNITS, 2 LOT TORRENS SUBDIVISION AND 6 LOT STRATA SUBDIVISION AT 65 GEORGE STREET. APPLICANT: ADAM HART CONSTRUCTIONS PTY LTD. OWNER: SITECAR PTY LTD (2016/192)**

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

**RESOLVED:** That Council:

- (a) support the variation to the open space development standards prescribed in the Bathurst Regional Development Control Plan 2014;
- (b) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/192, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended;
- (c) notify those that made submissions of its decision; and
- (d) call a division.

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

**The result of the division was:**

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

**Against the motion** - Nil

**Absent** - Cr M Coote,

**Abstain** - Nil



- 9** **Item 4 DEVELOPMENT APPLICATION NO. 2016/304 – GARAGE AT LOT 2008, DP1049561, 25 LISTER CRESENT, KELSO APPLICANT: BATHURST SHEDS. OWNER: N & K MURPHY (2016/304)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

That Council defer consideration of the Development Application 2016/304 for referral to a Working Party.

**Cr Bourke WITHDREW the MOTION.**

- 10** **Item 4.01 DEVELOPMENT APPLICATION NO. 2016/304 – GARAGE AT LOT 2008, DP1049561, 25 LISTER CRESENT, KELSO APPLICANT: BATHURST SHEDS. OWNER: N & K MURPHY (2016/304)**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

**RESOLVED:** That Council:

- (a) as the consent authority, refuse consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/304 for the following reasons:
- (i) the development does not meet the setback guidelines for garage development standards as prescribed in the Bathurst Regional Development Control Plan 2014;
  - (ii) the development will have an adverse impact on the amenity of the locality;
- (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 G Hanger, Cr I North, Cr G Westman,  
**Against the motion** - Cr M Morse, Cr G Rush,  
**Absent** - Cr M Coote,  
**Abstain** - Nil

- 11** **Item 5 DEVELOPMENT APPLICATION NO. 2016/219–USE OF EXISTING SHED AS A HOME INDUSTRY FOR THE MANUFACTURING OF TANKS AT 379 BILLYWILLINGA ROAD, BILLWILLINGA. APPLICANT: MR A GITTANY. OWNER: PS AND BJ GITTANY PTY LTD (2016/219)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

**RESOLVED:** That Council:

- (a) as the consent authority, refuse consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/219, for the following reasons:
- i. The development does not meet the definition of the home industry as defined by the Bathurst Regional Local Environment Plan 2014 and accordingly is prohibited development,

- ii. The floor area utilised for the manufacturing and operation of the development exceeds 60m<sup>2</sup> as per *Clause 5.4 Controls relating to miscellaneous permissible uses – Home Industries* of the Bathurst Regional Local Environmental Plan 2014,
- iii. The Development will have an adverse impact on the amenity of the neighbourhood;

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

Against the motion - Nil

Absent - Cr M Coote,

Abstain - Nil

**12**

**Item 6 DEVELOPMENT APPLICATION NO. 2016/293 – USE OF EXISTING BUILDING AS TOURIST AND VISITOR ACCOMMODATION AT 158 EUSDALE ROAD, YETHOLME. APPLICANT: C MCCARTHY & M MOFFITT. OWNER: MS CP MCCARTHY & MR M V MOFFITT (2016/293)**

**MOVED** Cr G Westman

and **SECONDED** Cr B Bourke

**RESOLVED:** That Council:

- (a) support the variation to the minimum front setback development standards prescribed in the Bathurst Regional DCP 2014;
- (b) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/293, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including a condition to the effect that:
  - (i) Relevant directional signage be erected in appropriate locations to prevent tourists and visitors entering incorrect properties and disturbing neighbours. Signage is to be respective of traffic sight lines, views and vistas;
- (c) notify those that made submissions of its decision; and
- (d) call a division.

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Cr M Coote,

Abstain - Nil

**13** **Item 7 DEVELOPMENT APPLICATION NO. 2016/0104– DUAL OCCUPANCY AND TWO LOT SUBDIVISION AT 27 MARRIOTT AVENUE, KELSO. APPLICANT: BATHURST BUILDING SOLUTIONS . OWNER: MR A BENNETT. (2016/104)**

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

**RESOLVED:** That Council:

- (a) support the variation of the Bathurst Regional Development Control Plan 2014 to a 7.5 metre front building setback;
- (b) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/0104, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including a condition to the effect that:
  - (i) The privacy screen shown on the plans is required to be installed prior to the issuing of the Occupation Certificate for dwelling one;
- (c) notify those that made submissions of its decision; and
- (d) call a division.

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Cr M Coote,

Abstain - Nil

**14** **Item 8 BATHURST REGIONAL LEP 2014 PLANNING PROPOSAL – BLUE RIDGE EXTENSION AND BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 AMENDMENT (20.00289) (20.00289)**

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

**RESOLVED:** That Council:

- (a) adopt the Bathurst Regional Local Environmental Plan amendment to rezone the subject land from RU1 Primary Production to R5 Large Lot Residential as outlined in this report;
- (b) forward the Bathurst Regional Local Environmental Plan – Blue Ridge Extension Planning Proposal to the NSW Department of Planning and Environment for gazettal;
- (c) adopt the Bathurst Regional Development Control Plan amendment to alter Map No. 14 – White Rock and insert new provisions in Chapter 3 Subdivision of Land and Chapter 6 Rural Residential Land as outlined in this report;

- (d) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act; and
- (e) call a division.

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

**The result of the division was:**

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

**Against the motion** - Nil

**Absent** - Cr M Coote,

**Abstain** - Nil

**15 Item 9 BATHURST BUY LOCAL GIFT CARD UPDATE (20.00071)**

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

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

**16 Item 10 BIZWEEK 2016 (20.00306)**

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

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

**17 Item 11 BATHURST REGION HERITAGE REFERENCE GROUP (20.00123)**

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

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

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

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

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

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

**19 Item 2 YEAR TO DATE MONTHLY REVIEW - 2016-2020 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2016-2017 (16.00144)**

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

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

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

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

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

- 21** **Item 4 POWER OF ATTORNEY (11.00007)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

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

- 22** **Item 5 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST ARTS COUNCIL (21.00012-08/015)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

**RESOLVED:** That Council make available the Bathurst Memorial Entertainment Centre at a cost of approximately \$1,500 for use by the Bathurst Arts Council to host the annual Showcase Concert of the Youth Arts Awards to be held in late November/early December to be funded from Section 356 Donations (BMEC).

- 23** **Item 6 USE OF MOUNT PANORAMA BATHURST - WORLD CUP (04.00107)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Morse

**RESOLVED:** That Council

- (a) make available the Mount Panorama Motor Racing Circuit for use by the Australian Skateboard Racing Association for the World Cup in February 2017;
- (b) require a bond of \$10,000 be paid by the Australian Skateboard Racing Association.

- 24** **Item 7 CODE OF CONDUCT COMPLAINTS - 1 OCTOBER 2015 TO 31 SEPTEMBER 2016 (07.00088)**  
**MOVED** Cr G Westman and **SECONDED** Cr B Bourke

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

- 25** **Item 8 SPORTSMARKETING AUSTRALIA PTY LTD (10.00001)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

**RESOLVED:** That the information.

- 26** **Item 9 NOTIFICATION TO RESIDENTS RESIDING AT WOODSIDE DRIVE, MT RANKIN (22.09031)**  
**MOVED** Cr I North and **SECONDED** Cr G Hanger

**RESOLVED:** that Council

- (a) notifies the immediate land owners that Lot 7 in DP263393 located at 67 Woodside Drive, Mt Rankin is to be marketed 'for sale'.

- (b) requests the land owners and community groups to provide feedback to Council in relation to the pending sale within twenty-eight (28) days.
- (c) prepare a further report to be submitted to Council following the close of the submission period.

**27** **Item 10 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 22.13258, 22.01218, 22.00185, 22.12696, 22.00545, 22.00862, 22.00862, 04.00009-18, 22.01046, )**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

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

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

**28** **Item 1 PROPOSED EXTINGUISHMENT OF COVENANT OVER LOTS 11 AND 12 DP717098 - EUSDALE ROAD YETHOLME (25.00286)**  
**MOVED** Cr I North and **SECONDED** Cr G Westman

**RESOLVED:** That Council:

- (a) approve extinguishment of the Deed of Covenant under Section 88E of the Conveyancing Act 1919 contained in Registered Book 3638 No. 76 at the Registrar General's Office, and
- (b) authorise the General Manager to sign the form of Release as authorised officer in accordance with the information contained in the Director Engineering Services' report.

**29** **Item 2 PROPOSED UPGRADE OF ELECTRICITY SUBSTATION AND CREATION OF EASEMENT FOR ELECTRICAL SERVICES BATHURST POST OFFICE BUILDING SITE (22.00041)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

**RESOLVED:** That Council approve:

- (a) the proposed upgrade of the existing electricity substation located at the Bathurst Post Office site, and
- (b) the creation of a new Easement for Electrical Services to Howick Street, as detailed in the Director Engineering Services' Report.

**30** **Item 3 PROPOSED DEDICATION OF LANE AS PUBLIC ROAD UNDER THE ROADS ACT - UNNAMED LANE AT REAR 203-223 GEORGE STREET BATHURST (25.00587)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

**RESOLVED:** That Council:

- (a) approve the serving of a notice of its intention to dedicate the laneway off Keppel Street at the rear of 203-223 George Street Bathurst ("the Laneway") as a Public Road;
- (b) following the required legislative 28 day notice period, and construction of the laneway improvement works as required, approve a Notice being published in the NSW Government Gazette declaring the Laneway a Public Road.

**31 Item 4 PROPOSED CREATION OF MULTI-PURPOSE EASEMENT FOR INSTALLATION OF AN ELECTRICAL SUBSTATION AT LOT 2 DP1185929 HAMPDEN PARK ROAD KELSO: SITE OF NEW RURAL FIRE SERVICE CENTRE (22.03832)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

**RESOLVED:** That Council:

- (a) approve the creation of a multi-purpose easement for an electrical substation to be installed on Lot 2 DP1185929 located at 27 Hampden Park Road, 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.

**32 Item 5 DENISON COLLEGE (KELSO CAMPUS) BUS BAY UPGRADE (22.02067-02)**  
**MOVED** Cr W Aubin and **SECONDED** Cr I North

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

**33 Item 6 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (36.00561 & 11.00005)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

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

**Director Cultural & Community Services' Report**

**34 Item 1 KELSO COMMUNITY HUB - UPDATE (09.00026)**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Hanger

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

**35 Item 2 BATHURST SMALL BUSINESS ACCESS IMPROVEMENT GRANTS 2016/2017 (16.00107)**

**MOVED** Cr M Morse

and **SECONDED** Cr G Westman

**RESOLVED:** That Council:

- (a) Provide \$10,000 under the 2016/2017 Bathurst Small Business Access Improvement Grants for the following applicants:

<b>Business/Organisation</b>	<b>Amount of Funding</b>
Bathurst & District Riding for the Disabled	\$4,400 which is 50% of the project cost.
Bathurst Seymour Centre	\$2,134 which is 50% of the project cost.
Arthur Cheers (Western Advocate Building)	\$3,466 which is approximately 10% of the project cost.

- (b) Provide an additional \$1,534 towards Mr Cheers' project to increase the funding of the project to the amount requested of \$5,000, therefore extending the 2016/2017 budget to \$11,534; funded from Council's equity.

**36** **Item 3 BATHURST LIBRARY - MOBILE LIBRARY VAN SERVICE - ONE YEAR ON (21.00063)**

**MOVED** Cr B Bourke

and **SECONDED** Cr I North

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

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

**MOVED** Cr G Westman

and **SECONDED** Cr W Aubin

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

**General Manager's Report**

**38** **Item 1 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS (11.00002)**

**MOVED** Cr I North

and **SECONDED** Cr G Westman

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

**REPORTS OF OTHER COMMITTEES**

**Policy Committee Meeting**

**39** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 28 SEPTEMBER 2016 (07.00064)**

**MOVED** Cr B Bourke

and **SECONDED** Cr W Aubin

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on



28 September 2016 be adopted.

### Traffic Committee Meeting

- 40** Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 4 OCTOBER 2016 (07.00006)  
MOVED Cr W Aubin and SECONDED Cr I North

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on Tuesday 4 October 2016 be adopted.

### DELEGATES REPORTS

- 41** Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 14 SEPTEMBER 2016 (11.00019)  
MOVED Cr B Bourke and SECONDED Cr I North

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

- 42** Item 2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 6 SEPTEMBER 2016 (11.00020)  
MOVED Cr M Morse and SECONDED Cr I North

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

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

- 43** RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS  
MOVED Cr B Bourke and SECONDED Cr I North

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	PROPOSED PURCHASE OF LOT 1 IN DP197420 AND LOT B IN DP197498 KNOWN AS 128 BENTINCK 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.
2	PROPOSED NEW RESIDENTIAL TENANCY AGREEMENT - PART LOT A IN DP158048 KNOWN AS 215 DURHAM 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.
3	PROPOSED NEW COMMERCIAL LEASE AGREEMENT - PART LOT 180 IN DP862410 KNOWN AS UNIT 4, 55 SEYMOUR 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.
4	NEW RESIDENTIAL TENANCY AGREEMENT - LOT 1 IN DP786946 KNOWN AS 159 EGLINTON ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	SALE OF RESIDUE LAND, LOT 824, DP 1185390 AT LLANARTH	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 LICENCE AGREEMENT - BATHURST DISTRICT HISTORICAL SOCIETY INC, PART LOT 1 IN DP613544 KNOWN AS	inc10A (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,

	47 MITRE STREET BATHURST	be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	RENEWAL OF LICENCE AGREEMENT - BATHURST DISTRICT HISTORICAL SOCIETY INC - OLD GOVERNMENT COTTAGE, LOT 1 IN DP788005 KNOWN AS 16 STANLEY 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.
8	PROPOSED NEW EVENT AT MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	NEW COMMERCIAL LEASE - COFFEE VAN, PART LOT 10 IN DP1157553 AT DURHAM STREET CARPARK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS	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 PROPOSED PURCHASE OF LOT 1 IN DP197420 AND LOT B IN DP197498 KNOWN AS 128 BENTINCK STREET, BATHURST (22.13258) MOVED** Cr G Westman and **SECONDED** Cr G Hanger

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

- b** **Item 2 PROPOSED NEW RESIDENTIAL TENANCY AGREEMENT - PART LOT A**

**IN DP158048 KNOWN AS 215 DURHAM STREET BATHURST (22.01218)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

**RESOLVED:** That Council approves entering into a new Residential Tenancy Agreement for part Lot A in DP158048 known as 215 Durham Street Bathurst for a period of twelve (12) months as detailed in the report.

**c** **Item 3 PROPOSED NEW COMMERCIAL LEASE AGREEMENT - PART LOT 180**  
**IN DP862410 KNOWN AS UNIT 4, 55 SEYMOUR STREET, BATHURST**  
**(22.00185)**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

**RESOLVED:** That Council approves entering into a new Commercial Lease agreement for part Lot 180 in DP862410 known as Unit 4, 55 Seymour Street Bathurst for a period of five (5) years with an option period of five (5) years as detailed in the report.

**d** **Item 4 NEW RESIDENTIAL TENANCY AGREEMENT - LOT 1 IN DP786946**  
**KNOWN AS 159 EGLINTON ROAD, BATHURST (22.12696)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

**RESOLVED:** That Council approves entering into a new Residential Tenancy Agreement for Lot 1 in DP786946 known as 159 Eglinton Road Bathurst for a period of twelve (12) months as detailed in the report.

**e** **Item 5 SALE OF RESIDUE LAND, LOT 824, DP 1185390 AT LLANARTH**  
**(22.00545)**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

**RESOLVED:** That Council approve the sale of the residue land in Westbourne Drive, to the The Trustees of the Roman Catholic Church for the Diocese of Bathurst as detailed in the report.

**f** **Item 6 RENEWAL OF LICENCE AGREEMENT - BATHURST DISTRICT**  
**HISTORICAL SOCIETY INC, PART LOT 1 IN DP613544 KNOWN AS 47 MITRE**  
**STREET BATHURST (22.00862)**  
**MOVED** Cr B Bourke and **SECONDED** Cr M Morse

**RESOLVED:** That Council approves entering into a new Licence agreement for part Lot 1 in DP613544 known as 47 Mitre Street Bathurst for a period of five (5) years as detailed in the report.

**g** **Item 7 RENEWAL OF LICENCE AGREEMENT - BATHURST DISTRICT**  
**HISTORICAL SOCIETY INC - OLD GOVERNMENT COTTAGE, LOT 1 IN**  
**DP788005 KNOWN AS 16 STANLEY STREET BATHURST (22.00862)**  
**MOVED** Cr M Morse and **SECONDED** Cr G Westman

**RESOLVED:** That Council approves entering into a new Licence agreement for Lot 1 in DP788005 located at 16 Stanley Street Bathurst and known as Old Government Cottage for a period of five (5) years as detailed in the report.

- h** **Item 8 PROPOSED NEW EVENT AT MOUNT PANORAMA (04.00009-18)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

**RESOLVED:** That Council act in accordance with the report.

- i** **Item 9 NEW COMMERCIAL LEASE - COFFEE VAN, PART LOT 10 IN DP1157553 AT DURHAM STREET CARPARK (22.01046)**  
**MOVED** Cr I North and **SECONDED** Cr G Westman

**RESOLVED:** That Council approves entering into a new Commercial Lease for part Lot 10 in DP1157553 located on Durham Street Bathurst and known as the John Matthews Sporting Complex carpark for a period of twelve (12) months with an option period of twelve (12) months, as detailed in the report.

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

- i** **Item 1 TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS (36.00561)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

**RESOLVED:** That Council accept the following tenders for the supply and delivery of Water Treatment Chemicals:

- (a) Part A for Liquid Aluminium Sulphate – Chemprod Nominees Pty Ltd trading as Omega Chemicals,
- (b) Part B for Sodium Hypochlorite – Ixom Operations Pty Ltd, and
- (c) Part C for Sodium Hydroxide – Chemprod Nominees Pty Ltd trading as Omega Chemicals.

### **RESOLVE INTO OPEN COUNCIL**

- 44** **RESOLVE INTO OPEN COUNCIL**  
**MOVED** Cr W Aubin and **SECONDED** Cr G Westman

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

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

- 45** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

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

adopted.

**MEETING CLOSE**

**46      **MEETING CLOSE****

The Meeting closed at 7.21 pm.

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

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY  
COMMITTEE  
HELD ON 2 NOVEMBER 2016**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:30 PM**

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

**APOLOGIES**

**2 APOLOGIES**

Nil.

**DECLARATION OF INTEREST**

**3 DECLARATION OF INTEREST 11.00002**

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

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**4 Item 1 AUDITED FINANCIAL REPORTS (16.00055)**

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

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

**MEETING CLOSE**

**5 MEETING CLOSE**

The Meeting closed at 7.03 pm.

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

## MINUTE

### 6 DECLARATION OF INTEREST 11.00002 MOVED: Cr I North SECONDED: Cr B Bourke

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

Cr Coote

Item #11 of the Director Corporate Services & Finance's report.



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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 NOVEMBER 2016

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

**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 October 2016 (**attachment 1**).
- (b) Applications refused during October 2016 (**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 October 2016 (**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 G Westman SECONDED: Cr B Bourke

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

**3 DEVELOPMENT APPLICATION NO. 2016/348 CARPORT AT 16 FROME STREET RAGLAN. APPLICANT: CR & CW HOLDING. OWNER: CR & CW HOLDING (DA/2016/348)**

**Recommendation:** That Council:

- (a) support the variation to clause 4.4.2 setbacks for garages/carports development standard prescribed in the Bathurst Regional Development Control Plan 2014;
- (b) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/348 subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including a condition to the effect that:
  - (i) The consent given by Council's Notice of Determination of Development Application No 2012/0091 and dated 15 May 2012 is to be surrendered by the submission to Council of a document in accordance with the Environmental Planning and Assessment Regulation, properly executed by the owner of the subject land;
- (c) notify those that made submissions of its decision; and
- (d) call a division.

**Report:** The Site

Council has received a Development Application (DA) for a carport at 16 Frome Street, Raglan described as Lot 191 DP1222471. A location plan is provided at **attachment 1**.

The site is 953m<sup>2</sup> and contains an existing dwelling.

The dwelling is setback approximately 13.2 metres from the property boundary with Frome Street. The proposed carport will be setback 5.2 metres from the property boundary with Frome Street

The area in front of the dwelling was, until recently, used for parking of vehicles and contained a hardstand area. Recent works on the property have removed the hardstand area and all vegetation from the front of the dwelling.

**History of the Site**

It is noted that in 2012 Council granted consent to a carport in front of the dwelling albeit in a different location and of a different design (Development Application 2012/0091). No action has been taken to commence the previous carport. The consent remains active until 15 May 2017 being 5 years from the date of consent. It would be a requirement that this previous consent be surrendered by the owners as part of any further consents.

**The proposal**

The proposal involves the erection of a 6m x 6m carport over the former hardstand area in front of the dwelling.

The carport is proposed to be 2 metres in front of the dwelling and 5.2 metres from the

Frome Street boundary.

The carport will be open on all four sides and has a low roof pitch of 10 degrees. The carport will be 2.85m high at the apex of the roof.

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

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

Chapter 4 of Council's DCP provides standards in relation to building setbacks as follows:

<b>Location</b>	<b>Minimum Building Line</b>	<b>Garage/Carport Location</b>
Outside the Bathurst Heritage Conservation Area	6 metres, unless the existing streetscape is already established at 8 metres.	At or behind the building line.

Council's Development Control Plan provides that Council may consider a variation to reduce the building lines but must consider the existing setbacks in the street.

The proposal is forward of the building line set by the dwelling currently on the site.

The applicant has applied for a variation to reduce the building line (**attachment 2**), principally on the basis that a carport is unable to be built behind the building line.

It is noted that the site shares a common driveway with a vacant lot at the rear (14A Frome Street). Access to the rear of the property would be available via this common driveway.

Based on aerial photographs the setbacks within the street vary from approximately 6.4 metres (12 Frome Street) to approximately 22.5 metres (14 Frome Street). The properties adjoining the site are setback 22.5 metres (14 Frome) and 8.4 metres (18 Frome) respectively.

It is noted that the property immediately to the east (18 Frome Street) has recently erected a carport in front of part of the dwelling albeit in line with the forward most part of the dwelling. 12 Frome Street has a carport in front of the building line setback 6.4 metres from the street.

Vegetation within the street is generally well established although works to the property have removed all significant vegetation from in front of the dwelling.

It is noted that the property immediately to the west (14 Frome Street) contains an advanced Eucalypt in the front yard. This coupled with the boundary fence between the properties would limit the visibility of the carport from the west.

### Submissions

The development application was notified to adjoining properties. Following the notification period Council received one submission from an adjoining owner citing streetscape concerns. This submission was however later withdrawn by the adjoining owner (see submissions at **attachment 3**).

## Conclusion

The proposal involves a variation of the building line setback standard within the Bathurst Regional Development Control Plan 2014. The Development Control Plan provides that Council may consider a variation to reduce the building lines but must consider the existing setbacks in the street.

The setbacks within the street vary greatly. The carport whilst being forward of the dwelling is an open structure of minimal height. Its impact on the streetscape is therefore limited having regard to other features in the street including established landscape and carports on the adjoining property. There are other carports in the street that are at the building line (14 Frome Street) or in front of the building line (12 Frome Street). On this basis the variation can be supported and approval is 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. 2016/348 CARPORT AT 16 FROME STREET RAGLAN. APPLICANT: CR & CW HOLDING. OWNER: CR & CW HOLDING (DA/2016/348)**

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

**RESOLVED:** That Council:

- (a) support the variation to clause 4.4.2 setbacks for garages/carports development standard prescribed in the Bathurst Regional Development Control Plan 2014;
- (b) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/348 subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including a condition to the effect that:
  - (i) The consent given by Council's Notice of Determination of Development Application No 2012/0091 and dated 15 May 2012 is to be surrendered by the submission to Council of a document in accordance with the Environmental Planning and Assessment Regulation, properly executed by the owner of the subject land;
  - (ii) A landscaping plan is to be provided to include hedge planting on the eastern boundary of the property (forward of the building line) and the planting of at least 1 medium size tree within the front yard of the property that will achieve an effective height of at least 5-6 metres when established. The new trees are to be advanced mature trees with a minimum pot size of 45 litres. The trees are to be planted prior to the issuing of an Occupation Certificate.
- (c) notify those that made submissions of its decision; and
- (d) call a division.

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

**The result of the division was:**

**In favour of the motion** - Cr B Bourke, Cr M Coote, Cr G Hanger, Cr M Morse, Cr I North, Cr G Rush,

**Against the motion** - Cr W Aubin, Cr G Westman,

**Absent** - Nil

**Abstain** - Nil

#### **4 BUSINESS COMMUNITY CONSULTATION – ECONOMIC DEVELOPMENT STRATEGY 2017-2020 (20.00168)**

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

**Report:** Council recently held 4 business community forums to gather input from local business owners to inform the development of the new Economic Development Strategy 2017-2020. The forums were facilitated by the Western Research Institute (WRI) who have been appointed by Council to lead the community consultation process.

Approximately 100 local business professionals attended the forums from a broad cross-section of industries. The different forums were established to target both the broader business community and also specific groups (senior business leaders, government and not-for-profit):

##### **Business Community Forum 1**

Thursday 13 October, 12pm - 1pm, BMEC  
30 attendees

##### **Business Leaders Forum**

Thursday 20th October, 12pm - 1pm, Rydges Mount Panorama  
30 attendees

##### **Business Community Forum 2**

Friday 21 October, 7.30am - 8.30am, BMEC  
30 attendees

##### **Government/Not-for-Profit Forum**

Friday 21 October, 1pm - 2pm, Council Chamber  
10 attendees

WRI are also conducting a survey to gather additional information from the local business community.

Following the abovementioned activities, WRI will provide Council with a detailed report of their findings. The report will include the identification of recurring themes in the consultation process, emerging trends, local business challenges and summaries of reviewed literature.

The Economic Development Strategy will be developed around both Council's priorities and business community feedback, and will in particular recognise Council's vision to become the most prosperous regional centre in Australia.

Following the submission of WRI's report, Council's Economic Development section will develop the new Strategy in consultation with key internal and external stakeholders.

##### **Conclusion**

Approximately 100 local business professionals recently attended Council's business community forums to gather input to inform the development of the new Economic Development Strategy 2017-2020. The forums were facilitated by the Western Research Institute (WRI) who were appointed by Council to lead the community consultation process.

WRI are also conducting a survey to gather additional information from the local business community.

WRI will provide Council with a detailed report of their findings in due course.

**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 1.1, 1.3, 1.4

**MINUTE**

**10 Item 4 BUSINESS COMMUNITY CONSULTATION – ECONOMIC DEVELOPMENT STRATEGY 2017-2020 (20.00168)**

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

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

## **5 STATE OF THE ENVIRONMENT REPORT – BATHURST REGIONAL COUNCIL (13.00062)**

**Recommendation:** That Council:

- (a) note that the 2016 Bathurst Region State of the Environment Report has been completed; and
- (b) make electronic copies of the 2016 Bathurst Region State of the Environment Report available on Bathurst Regional Council's Website.

**Report:** The IP&R Framework requires that councils prepare annual reports which include reporting on the environmental objectives of their Community Strategic Plans, but it is only in the year in which a council election is held that the annual report must include a State of the Environment Report (SoE). Previously councils were required to produce an annual SoE. However Council staff continue to collect data and report on an annual basis so that they can produce a comprehensive SoE Report every four years that covers the intervening years. Furthermore producing a report on an annual basis makes information on Council's environmental programs available to the public in a timely and readily accessible format.

Note that the Council elections due in 2016 have been delayed due to the proposed merger with Oberon Council. Nevertheless a State of the Environment Report covering the previous four years has been prepared for the Bathurst Regional Council local government area. **This SoE covers the period 2012 to 2016.**

This Bathurst Region SoE (**attachment 1**) describes how Council, its' partners and the community are working together to achieve the environmental objectives of the Community Strategic Plan. The report examines trends in key environmental indicators under the themes of Atmosphere and Climate, Land, Water, Biodiversity, Towards Sustainability and People and Communities. At the start of each theme, the CSP objectives relevant to that theme and the key indicators used to measure the condition of the environment are highlighted. Improving environmental trends are shown as a green upward pointing arrow, while declining trends are shown as a red downward pointing arrow.

The report draws attention to actions Bathurst Regional Council (BRC) is undertaking to respond to environmental pressures which may degrade the natural environment within the Local Government Area (LGA).

Key areas which have been identified as placing pressure on the natural environment during the reporting period include:

- A population that continues to grow. The Bathurst Region population grew by 1.39% between June 2014 and June 2015 to 42,231 people. A growing population can place additional pressures on limited land, water and resources.
- A hotter than average year combined with a drier than average spring and autumn, saw water use in Bathurst City at its highest level since 2007 despite many water saving initiatives which have been implemented by Council over recent years.
- Increased greenhouse gas emissions from Council operations as a result of higher electricity from increased water pumping and higher fugitive methane emissions from the Bathurst Waste Management Centre due to problems with the methane flare.

The report also outlines a range of actions undertaken by Council and the community during the reporting period to address environmental pressures and highlights achievements in improving environmental performance including:

- Continued community uptake of small scale solar. A further 1.76 MW of small scale solar was installed during the reporting period across the LGA, bringing the total amount installed since 2001 to 9.36 MW.
- Installation of a 100kW solar system at Council's Waste Water Treatment Plant, bringing the total solar capacity installed at Council facilities to 225kW which will meet approximately 3% of Council's electricity needs.
- Total fuel consumption by Council has fallen for the fourth consecutive year.
- Installation of manganese removal process at the Water Filtration Plant has seen town water quality complaints fall from 534 in 2014-15 to 142 in 2015-16.
- The continued implementation of the recommendations of the Bathurst Urban Waterways Management Plan with design work commencing for the rehabilitation of the lower reaches of Sawpit Creek.
- The successful completion of the Racing to Save Mount Panorama Woodlands project.

The SoE has significant potential to both inform and direct Council in future initiatives and also to identify areas in which Council can improve its own operations. However, this depends on having access to accurate data to measure performance and on effectively integrating the SoE with Council's Delivery Plan process, to ensure adequate funds are made available to meet community expectations in relation to the environment. These are areas which Council continues to actively pursue in order to better utilise the SoE as a reporting tool and ultimately improve the condition of the local environment.

In addition to preparing this SoE, Council also participated in the 2016 Greater Central West Regional SoE. This enables BRC to compare its activities on a regional basis with other LGA's and cities of similar size and demographics. It also facilitates better understanding of trends in the condition of environmental assets which transcend political boundaries.

The 2016 SoE is a valuable instrument for both Council and the local community as it reports on the key environmental objectives identified in the Community Strategic Plan.

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

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

- Objective 33: To be and develop good leaders. Strategy 33.1, 33.5, 33.6
- 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 29.5
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.6

## MINUTE

### **11 Item 5 STATE OF THE ENVIRONMENT REPORT – BATHURST REGIONAL COUNCIL (13.00062)**

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

**RESOLVED:** That Council:

- (a) note that the 2016 Bathurst Region State of the Environment Report has been completed; and
- (b) make electronic copies of the 2016 Bathurst Region State of the Environment Report available on Bathurst Regional Council's Website.

Yours faithfully



R Denyer  
**ACTING DIRECTOR**  
**ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 NOVEMBER 2016



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

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

**Report:** \$73,100,000 was invested at 31/10/2016 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>			
Bank of Queensland Limited	A2	\$12,000,000.00	2.82%
Bendigo and Adelaide Bank Limited	A2	\$500,000.00	2.80%
National Australia Bank Limited	A1+	\$17,000,000.00	2.94%
St George	A1+	\$3,000,000.00	2.89%
Maritime, Mining & Power Credit Union Ltd	ADI	\$500,000.00	2.87%
People's Choice Credit Union	ADI	\$1,500,000.00	2.70%
Railways Credit Union Limited	ADI	\$2,000,000.00	2.99%
SGE Credit Union Limited	ADI	<u>\$1,500,000.00</u>	<u>2.79%</u>
		<b>\$38,000,000.00</b>	<b>2.88%</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	2.53%
CBA Deposit Plus 1	AA-	\$1,500,000.00	3.32%
CBA Deposit Plus 2	AA-	\$1,500,000.00	4.00%
WBC Coupon Select	AA-	\$2,000,000.00	3.00%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$2,800,000.00</u>	<u>2.10%</u>
		<b>\$9,300,000.00</b>	<b>2.87%</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	2.65%
AMP	AA-	\$800,000.00	2.83%
AMP	AA-	\$1,000,000.00	3.08%
Suncorp Metway	A+	\$1,000,000.00	3.00%
Rabobank	A+	\$1,000,000.00	3.22%
Macquarie Bank	A	\$1,000,000.00	2.82%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	2.96%
Bank of Queensland	A-	\$1,000,000.00	2.73%

Bank of Queensland 1	A-	\$2,000,000.00	2.84%
Bendigo & Adelaide Bank 2	A-	\$1,000,000.00	2.66%
Bendigo & Adelaide Bank 3	A-	\$1,000,000.00	2.85%
Bank of Queensland 2	A-	\$1,000,000.00	2.86%
Credit Union Australia	BBB+	\$3,000,000.00	3.04%
Police Bank Ltd	BBB+	\$1,000,000.00	2.83%
Police Bank Ltd 2	BBB+	\$1,000,000.00	2.86%
Credit Union Australia 2	BBB+	\$1,000,000.00	2.94%
Credit Union Australia 3	BBB+	\$1,000,000.00	3.33%
Newcastle Permanent	BBB+	\$1,000,000.00	3.08%
Newcastle Permanent 2	BBB+	\$1,000,000.00	3.34%
Members Equity Bank 2	BBB+	\$1,000,000.00	2.76%
Greater Building Society	BBB	<u>\$1,000,000.00</u>	<u>3.03%</u>
		<b>\$23,800,000.00</b>	<b>2.94%</b>

**Total Investments** **\$73,100,000.00** **2.91 %**

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

Reserves Total (includes unexpended loan funds)	\$37,116,372.00
Grants held for specific purposes	\$2,773,031.00
Section 94 Funds held for specific purposes	\$32,931,328.00
Unrestricted Investments – All Funds	\$279,269.00

**Total Investments** **\$73,100,000.00**

**Total Interest Revenue to 31 October 2016** **\$728,148.34** **2.91%**

**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

- 12 Item 1 STATEMENT OF INVESTMENTS (16.00001)  
MOVED: Cr W Aubin SECONDED: Cr I North

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

## **2 YEAR TO DATE REVIEW - QUARTERLY BUDGET REVIEW STATEMENT 2016-2017 (16.00144)**

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

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

Clause 203(1) of the *Local Government (General) Regulation 2005* (the Regulation) requires a council's responsible accounting officer to prepare and submit a quarterly budget review statement to the governing body of council. The quarterly budget review statement must show, by reference to the estimated income and expenditure that is set out in the management plan or operational plan adopted by council for the relevant year, a revised estimate of income and expenditure for that year. It also requires the budget review statement to include a report by the responsible accounting officer as to whether or not they consider the statement indicates council to be in a satisfactory financial position (with regard to its original budget) and if not, to include recommendations for remedial action.

The Division of Local Government has now set a prescribed format for the Quarterly Budget Review Statement (QBRs). The new statement is in the same format as the requirements for the new Annual Operational Plan that replaced the Management Plan from 1 July 2012. The Report shown at **attachment 2** is in the format of a commercial Income and Expenditure Statement as per the Division of Local Government Guidelines.

At **attachment 3** is an update of the strategies for the 2036 Community Strategic Plan.

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 3.

**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**

**13 Item 2 YEAR TO DATE REVIEW - QUARTERLY BUDGET REVIEW**  
**STATEMENT 2016-2017 (16.00144)**

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

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

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

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

**Report:** At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 31 October 2016.

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

Section 356:	\$Nil
BMEC Community use:	\$Nil
Mount Panorama:	\$1,077.36

#### **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**

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

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

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

#### **4 POWER OF ATTORNEY (11.00007)**

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

**Report:** That the General Manager's action in affixing the Power of Attorney to the following be noted.

- L & ET Deveney - 20 McLean Street - Lot 1018, DP 1212670 - Transfer
- Warren Smith Pty Ltd - 24 Governors Parade - Lot 1022, DP 1212670 - Transfer
- Warren Smith Pty Ltd - 22 Governors Parade - Lot 1023, DP 1212670 - Transfer
- Warren Smith Pty Ltd - 16 Governors Parade - Lot 1026, DP 1212670 - Transfer
- DR Hemming - 18 Twynam Avenue - Lot 1108, DP 1215618 - Transfer
- AG Dwyer - 7 Grimes Street - Lot 1043, DP 1212670 - Transfer
- DM Moore & CA Allen - 4 Hill End Road, Sofala - Lot 13, DP 1223551- Transfer
- Essential Energy - 27 Hampden Park Road, Kelso - Lot 2, DP 1185929 - Easement
- Essential Energy - 27 Hampden Park Road, Kelso - Lot 2, DP 1185929 - Easement

#### **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

- 15 Item 4 POWER OF ATTORNEY (11.00007)  
MOVED: Cr I North SECONDED: Cr W Aubin

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

## **5 REQUEST FOR FINANCIAL ASSISTANCE - HILL END & TAMBAROORA GATHERING GROUP (18.00004, 13.00068)**

**Recommendation:** That Council donate \$320 to assist the Hill End & Tambaroora Gathering Group with rental for the use of the Royal Hall for community markets held at Hill End on Easter and October long weekends.

**Report:** Council has received a request from the Hill End & Tambaroora Gathering Group for financial assistance to assist with the hiring of the Royal Hall for community markets held at Hill End on Easter and October long weekends during 2016. A copy of the request is provided at **attachment 1**.

National Parks and Wildlife Service (NP&WS) have recently introduced a charge of \$300 per day for the hire of the Royal Hall to conduct the markets. Prior to 2016 the NP&WS provided the hall free to the Group. Stall holders pay a stall fee which goes towards the hire of the Hall. In 2016 there was a shortfall of \$320.

As this is a community group conducting an event in one of Council's villages, Council should support this organisation.

Councillors should note that this is another example of a State Government Department passing on a fee to local government.

**Financial Implications:** As Council's Section 356 Donations currently has a nil balance, this request for \$320 would need to be funded from equity.

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

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

## MINUTE

**16 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - HILL END & TAMBAROORA GATHERING GROUP (18.00004, 13.00068)**  
**MOVED: Cr B Bourke SECONDED: Cr I North**

**RESOLVED:** That Council donate \$320 to assist the Hill End & Tambaroora Gathering Group with rental for the use of the Royal Hall for community markets held at Hill End on Easter and October long weekends.

## **6 EXPRESSION OF INTEREST TO LEASE ALEC LAMBERTON CLUB HOUSE (04.00018-02)**

**Recommendation:** That Council advise the Genorocity Church that Council will not enter into a lease at the present time as Council is currently engaged in developing a Master Plan for Alec Lamberton Fields and Club House in order to determine the future use of this area.

**Report:** Council has received a request from the Generocity Church for Council to consider a lease of the Alec Lamberton Club House for use as a community Church. The request is shown at **attachment 1**.

Council met with the White Rock Progress Association on 14 September 2016 to discuss the usage of this area. It was agreed that Council would prepare a Master Plan of the Alec Lamberton field and Club House so an organised use of this facility could be developed.

The request from the Genorocity Church for use of the Club House will form part of the consideration for this area.

**Financial Implications:** Nil, at this stage.

### **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 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

### **17 Item 6 EXPRESSION OF INTEREST TO LEASE ALEC LAMBERTON CLUB HOUSE (04.00018-02)**

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

**RESOLVED:** That Council advise the Genorocity Church that Council will not enter into a lease at the present time as Council is currently engaged in developing a Master Plan for Alec Lamberton Fields and Club House in order to determine the future use of this area .

## **7 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PANTHERS FOOTBALL CLUB (18.00004)**

**Recommendation:** That Council provide Bathurst Panthers Football Club with sponsorship for the conduct of the Bathurst Rugby League Knockout to be held in March 2017 by contributing a sponsorship package of \$3,000.

**Report:** Council has received a request from the Bathurst Panthers Football Club for financial assistance towards the Bathurst Rugby League Knockout to be held in March 2017. A copy of the request is shown at **attachment 1.**

The Bathurst Rugby League Knockout has a history of approximately 30 years and is an annual event on the Group 10 rugby league calendar.

The event attracts teams from Oberon, Blayney, Lithgow, Mudgee, Blackheath, Orange and Cowra as well as two local rugby league clubs (Bathurst St Pats and Bathurst Panthers).

The Knockout expects to bring in approximately 800 players and support staff, over the two day event, plus approximately 2,000 or more spectators. A renewed interest in rugby league is evident in Bathurst with Bathurst hosting the annual Penrith Panthers NRL game. Attendance figures are expected to increase well above those of 2016. Many visiting spectators will take advantage of shopping available in Bathurst as well as utilising restaurants and takeaway facilities.

As in previous years Bathurst Panthers RLFC will acknowledge Bathurst Regional Council's support for the event in the program, ground announcements and radio promotion of the event.

It is recommended that Council sponsor Bathurst Panthers Football Club for the conduct of the Bathurst Rugby League Knockout to be held in March 2017 by contributing a sponsorship package of \$3,000 to this organisation.

**Financial Implications:** The \$3,000 sponsorship package can be funded from Council's Promotional Vote.

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

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.4
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2

## MINUTE

### **18 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PANTHERS FOOTBALL CLUB (18.00004)**

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

**RESOLVED:** That Council provide Bathurst Panthers Football Club with sponsorship for the conduct of the Bathurst Rugby League Knockout to be held in March 2017 by contributing a sponsorship package of \$3,000.

## **8 REQUEST FOR FINANCIAL SUPPORT - HILL END FESTIVAL (23.00026)**

**Recommendation:** That Council:

- (a) Provide media support towards The End Festival in 2017; and
- (b) Provide a \$5,000 contribution towards an artistic project, to be funded from Council's Advertising and Promotions Budget.

**Report:** Council has received a request from the Office of Environment & Heritage, NSW National Parks and Wildlife Service (NPWS), for financial support of The End Festival 2017 to be staged at Hill End Historic Site on Saturday, 22 and Sunday, 23 April 2017, see **attachment 1**. This event promotes Hill End as a festival destination.

It is proposed that this festival will have core themes of arts and heritage and will promote the Bathurst region including Hill End as a destination for visitors. The 2016 event attracted approximately 5,000 people to the Village over the Easter weekend and was deemed a highly successful event. Hill End and Bathurst will benefit with increased visitation and exposure.

The NPWS has requested Council to provide a financial contribution of up to \$20,000 to increase the program content and marketing reach.

Discussions have been held with the National Parks Events Manager in relation to this project and has agreed that Council could become involved by providing access to its media networks and by making a small cash contribution of \$5,000 towards one of the specialised projects relating to the arts.

Council's Director Cultural & Community Services will meet with this organisation following Council's consideration and determine a specific program that supports the spending of \$5,000.

At **attachment 2** is a copy of the 2017 event overview and summary of The End Festival in 2016.

**Financial Implications:** The \$5,000 contribution can be funded from Council's Advertising and Promotions Budget.

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2



## MINUTE

### **19 Item 8 REQUEST FOR FINANCIAL SUPPORT - HILL END FESTIVAL** **(23.00026)**

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

**RESOLVED:** That Council:

- (a) Provide media support towards The End Festival in 2017; and
- (b) Provide a \$5,000 contribution towards an artistic project, to be funded from Council's Advertising and Promotions Budget.

## **9 REQUEST FOR FINANCIAL SUPPORT - BATHURST LITTLE ATHLETICS (18.00004-32/158)**

**Recommendation:** That Council support the request from Bathurst Little Athletics in hosting the Zone Carnival on the weekend of 12 and 13 November 2016, with a donation of \$500.

**Report:** Council has received a request from Bathurst Little Athletics for financial assistance, see **attachment 1**. The Club has been selected to host the Little Athletics Zone Carnival for Central Tablelands on the weekend of 12 and 13 November 2016 and is seeking Council's financial assistance to offset a portion of the costs associated with hosting the event.

The Zone Carnival is an entry point for athletes to gain selection into Western Region and State Representation - the Central Tablelands Zone covers Bathurst, Canowindra, Cumnock, Forbes, Grenfell, Molong, Orange, Parkes, Peak Hill and Young.

The Club last hosted the carnival in 2014 which accommodated over 300 athletes and their families during the two days of competition. The Sports Ground and Morse Park will be used for the carnival.

Financial assistance is sought as follows:

Security	\$1232.00
PA system hire	\$787.50
Portable Cool Room Hire	\$110.00
Official first aid personnel	<u>\$660.00</u>
	\$2,789.50

A copy of the organisation's financial statements have been forwarded to Councillors under separate cover.

**Financial Implications:** Council will need to vote an additional \$500 from Section 356 funds to allow this donation to occur.

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

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

## MINUTE

### **20 Item 9 REQUEST FOR FINANCIAL SUPPORT - BATHURST LITTLE ATHLETICS (18.00004-32/158)**

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

**RESOLVED:** That Council support the request from Bathurst Little Athletics in hosting the Zone Carnival on the weekend of 12 and 13 November 2016, with a donation of \$500.

The following **AMENDMENT** was moved.

## **MINUTE**

### **21 Item 9.01 REQUEST FOR FINANCIAL SUPPORT - BATHURST LITTLE ATHLETICS (18.00004-32/158)**

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

**RESOLVED:** That Council support the request from Bathurst Little Athletics in hosting the Zone Carnival on the weekend of 12 and 13 November 2016, with a donation of \$500 to be funded from Council's Advertising and Promotion Budget.

**The AMENDMENT was PUT and CARRIED.**

**The AMENDMENT then became the MOTION.**

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

## **10 PURCHASE OF LOT 1 IN DP197420 - 128 BENTINCK STREET BATHURST (22.13258)**

**Recommendation:** That Council classifies the land located at Lot 1 DP197420 and known as 128 Bentinck Street as Operational under Section 31 of the Local Government Act 1993.

**Report:** Council at its Ordinary meeting held on Wednesday 19 October 2016 (Conf section, DCSF, report #1) approved the purchase of Lot 1 in DP197420 and Lot B in DP197498 known as 128 Bentinck Street Bathurst. See map at **attachment 1**.

For Council's information, Council was successful in purchasing the property for \$231,000 and is due for settlement on 24 November 2016.

It is recommended that Council classifies the land as Operational under Section 31 of the Local Government Act 1993.

**Financial Implications:** The purchase price of \$231,000 will be funded from Land Development funds.

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

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.4
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.2

**MINUTE**

**22 Item 10 PURCHASE OF LOT 1 IN DP197420 - 128 BENTINCK STREET  
BATHURST (22.13258)**

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

**RESOLVED:** That Council classifies the land located at Lot 1 DP197420 and known as 128 Bentinck Street as Operational under Section 31 of the Local Government Act 1993.

## **11 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST COMMUNITY ALLIANCE PARTNERS (18.00004)**

**Recommendation:** That Council make available an amount of \$500 to assist the the Bathurst Community Alliance partners to celebrate International Day of People with a Disability on 3 December 2016.

**Report:** Council has received a request for funding assistance from the Bathurst Community Alliance partners - Accessible Living Options, Bathurst Meals on Wheels, Glenray, Bathurst Seymour Centre, Bathurst Community Transport and VivAbility, see **attachment 1**. The Alliance is hosting a fete on Saturday, 3 December 2016.

A number of fun activities and information stalls are planned including a guest speaker to highlight the importance of the day and to celebrate. This event will be an opportunity to showcase what Bathurst has to offer by both local businesses and the community sector.

The group is seeking Council's contribution of \$500 to assist with expenses which include printing, postage and advertising costs. In turn Council will be promoted in all advertising of the event.

**Financial Implications:** As Council's Section 356 Donations currently has a nil balance, this request for \$500 would need to be funded from equity.

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2

## MINUTE

### **23 Item 11 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST COMMUNITY ALLIANCE PARTNERS (18.00004)**

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

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

**Reason: Board Member of Accessible Living Options.**

**RESOLVED:** That Council make available an amount of \$500 to assist the Bathurst Community Alliance partners to celebrate International Day of People with a Disability on 3 December 2016.



**12 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(11.00005, 22.01342, 22.13487, 20.00138)**

**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 REQUEST - RENEWAL OF LEASE AGREEMENT - LOT 300 IN DP1099537 LOCATED AT 23 ZAGREB STREET KELSO - DOWNER EDI WORKS PTY LTD**

The report concerns a request by Downer EDI Works Pty Ltd for an extension of time to their lease from Council at 23 Zagrab Street, Kelso.

**2. PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3,4,7,8,9 AND 10 IN SECTION C DP758840 - CATHOLIC DIOCESE OF BATHURST**

The report concerns the possible purchase of land at Perthville by Council from the Catholic Diocese of Bathurst.

**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**

**24 Item 12 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE**  
**(11.00005, 22.01342, 22.13487, 20.00138)**

**MOVED: Cr I North 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

16 NOVEMBER 2016

## **1 CONSENT TO CLOSURE OF COUNCIL ROAD RESERVES - LOCATED AT MOUNT RANKIN (25.00301)**

**Recommendation:** That Council consent to the closure of sections of the Council Road Reserve on Howards Drive at Mount Rankin as proposed by The Crown, subject to the information contained in the Director Engineering Services' Report.

**Report:** Council has been notified by NSW Department of Industry - Lands of applications received for closure of 2 sections of the road reserve on the Council Road - Howards Drive located at Mount Rankin.

The applicants are owners of land adjoining the areas of road reserve.

The Council Road Reserve areas for which The Crown seeks Council's consent to close are:

	<b>Land</b>	<b>Council's Records</b>	<b>Location</b>
(a)	Road Reserve South West Corner of Boundary Lot 1 DP1066379	Council Road Constructed	Please refer to Plan at <b><u>attachment 1</u></b>
(b)	Road Reserve North West of Boundary Lot 221 DP1224805	Council Road Constructed	Please refer Plan at <b><u>attachment 2</u></b>

It is considered the 2 sections of Road Reserve on Howards Drive Mount Rankin are not required for Council infrastructure purposes. Upon closure, the sections of Road Reserve will vest in The Crown. The Crown will then deal directly with each applicant to complete the process for closure and sale of the 2 areas of Road Reserve adjoining the respective applicants' land.

It is considered that Council does not have any interests which may be affected by the closing of the areas of Council Road Reserve identified.

It is recommended that Council consent to the proposed closure of the 2 areas of Council Road Reserve on Howards Drive Mount Rankin listed in the table forming part of this report.

**Financial Implications:** Nil, as The Crown will undertake the procedure, upon receiving Council's consent.

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

- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.1

## MINUTE

### **25 Item 1 CONSENT TO CLOSURE OF COUNCIL ROAD RESERVES - LOCATED AT MOUNT RANKIN (25.00301)**

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

**RESOLVED:** That Council consent to the closure of sections of the Council Road Reserve on Howards Drive at Mount Rankin as proposed by The Crown, subject to the information contained in the Director Engineering Services' Report.

## **2 PERTHVILLE FLOOD MITIGATION (31.00008)**

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

**Report:** The Perthville flood mitigation works involve the construction of approximately 1.4 kilometres of earthen and reinforced concrete wall levee and the construction of two stormwater pump stations of 1,500l/s capacity each. In addition, the works include the widening and deepening of Queen Charlotte's Vale Creek for 600m upstream and 700m downstream of the Perthville bridge and the construction of a large box culvert to the eastern side of the bridge to increase the capacity of the creek through Perthville. The Perthville flood mitigation works is the last remaining capital works program as recommended by the Bathurst Floodplain Management Plan as adopted by Council in 1995.

Note that due to site constraints, the required bridge widening will be installed on the eastern side of the Perthville Bridge, which is listed on the NSW heritage register. The levee will be built between this culvert and the residential properties that require flood protection.

There are four *eucalyptus aggregata* (Black Gums) that are located on the eastern side of the Queen Charlotte's Vale Creek, on the downstream side of the bridge in the area where the culvert widening will occur. These trees are listed as a vulnerable species under the *NSW Threatened Species Conservation Act 1995*.

Council is required to obtain approval from State Government Authorities prior to the commencement of these works. Council made initial contact with NSW Fisheries and Office Environment and Heritage, with the subsequent advice that significant additional information was required prior to providing approval.

This additional documentation has been compiled and formal applications made in July 2016 to State Government Authorities as follows:-

### **NSW Department of Primary Industries – Fisheries.**

Council has made an application for a permit to carry out dredging or reclamation under Section 200 of the *Fisheries Management Act*. NSW Fisheries have requested further information prior to consideration of permit as follows:-

- a) An Environmental Compensation Plan, detailing how the creek will be revegetated as part of the works, and
- b) A Bank Stabilisation Plan, detailing the following:-
  - a. Controls required to prevent bank erosion and re-establish a riparian corridor through targeted planting of local native vegetation communities.
  - b. Protection and re-establishment of important fish habitat including overhanging vegetation, pools and riffles, submerged and riparian vegetation to a level which is the same or greater than the existing environment.
  - c. Planting quality standards for the vegetation community.
  - d. Monitoring and maintenance requirements for 3 years after the project is complete.

Council's environmental consultant for this work, Ozark Pty Ltd has prepared the above documents which will be submitted to NSW Department of Primary Industries – Fisheries.

### **NSW Department of Primary Industries – Water**

Council has received written advice that no approval is required from their Department.

### **Office Environment and Heritage**

Application has been made to Office Environment and Heritage (OEH) for the removal of 4 *Eucalyptus Aggregata* or Black Gums located on the eastern side of the creek, immediately downstream from the Perthville Bridge.

Since these trees are listed as a vulnerable species, a Species Impact Statement (SIS) has been prepared as required by Section 110 of the *Threatened Species Conservation Act 1995*.

The purpose of the SIS is as follows:--

- fully describe the nature, extent, location, timing and layout of the proposed action.
- present a general description and assessment of the threatened species, populations or ecological communities known or likely to be found in the area affected by the activity – this description should include habitat requirements, conservation status, estimates of abundance, key threatening processes, whether there are threat abatement or recovery plans available.
- fully describe the location, type, size and condition of the habitats (including critical habitat) of threatened species, populations and ecological communities – this description should include details of the distribution and condition of similar habitats in the area likely to be affected.
- present any feasible alternatives to the action that are likely to have a lower impact. Reasons justifying the proposed implementation of the action must be outlined.
- contain a list of any approvals that must be obtained under any other Act or law before the action may be lawfully carried out, including any existing approvals.

For the Perthville flood mitigation plan to proceed there is no alternative other than the removal of the 4 Black Gums. It is recommended in the SIS that offset planting of 20 replacement Black Gums occur, which are to be propagated from the trees to be removed.

It is a requirement that Council, as the applicant for the work, must place the SIS on public exhibition for a period of 28 days. Accordingly, an advertisement has been placed in the Western Advocate on 5 November, with the SIS found in the Foyer of the Civic Centre, the Bathurst Library and on Council's website. At the end of the public exhibition period, any comments received must be reviewed and incorporated into the SIS as appropriate. Once completed, the SIS will be forwarded to the OEH for review.

Subject to satisfactory review by the OEH, the SIS will be approved by Council.

### **Construction of Flood Mitigation Works**

Tenders for the construction of the flood mitigation works at Perthville will be called immediately after the above approvals have been received, with tender documentation prepared in anticipation.

**Financial Implications:** Funding has been provided in Council's 2016/2017 Management Plan for this work.

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

- Objective 22: To improve community safety. Strategy 22.10



## MINUTE

- 26 Item 2 PERTHVILLE FLOOD MITIGATION (31.00008)  
MOVED: Cr B Bourke SECONDED: Cr G Westman

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

### **3 SOFALA FLOOD MITIGATION (31.00009)**

**Recommendation:** That Council:

- (a) Approve the implementation of the Sofala Vegetation Management Plan.
- (b) Refer the project to 2017/2018 Annual Operating Plan for consideration.

**Report:** Council will recall that in 2007 the Sofala Floodplain Risk Management Study was completed. This study investigated options to improve flood behaviour within the village of Sofala.

The investigation considered flood behaviour in a 1% Average Exceedance Probability (AEP) year flood event, where by it is estimated that 2 houses within Sofala will suffer over floor flooding. Note that in the 1986 flood, 21 houses suffered over floor flooding.

The recommendation of the Risk Management Study was that a Vegetation Management Plan be prepared to manage the growth of the casuarina trees that have grown within the Turon River. Since casuarina trees are defined as native vegetation, their removal is subject to the NSW Native Vegetation Act 2003. The Vegetation Management Plan has recommended a maximum stem density of casuarinas of 720 per hectare, with some areas currently well in excess of 1500 per hectare. In addition, the plan recommends removal of noxious weed, including willow trees.

The Vegetation Management Plan has been prepared in 2011 and Council applied for funding for the work through the Floodplain Grants Scheme administered through the Office of Environment and Heritage.

Council was advised that it was required to provide further documentation prior to approval for the work to proceed. This has included the following:

- Works Implementation Plan – which provides a contract specification as to how the work is to be completed
- Environmental Impact Assessment, including:
  - Ecological Impact Assessment
  - Aboriginal Heritage assessment
  - Geomorphology assessment
  - Hydraulic assessment.

This documentation has been completed with extensive consultation with the following stakeholders:-

- The Sofala Community.
- Department of Primary Industries - Fisheries
- Department of Primary Industries - Water
- NSW Environment Protection Authority
- Office of Environment and Heritage
- Department of Planning and Environment
- Local Land Services
- Essential Energy
- Mid-Western Regional Council
- Roads and Maritime Services
- Bathurst Local Aboriginal Land Council
- Telstra

The flood modelling that was completed by the engineering consultancy firm Cardo in 2003 as part of the Risk Management Study used the flood information available at the time to calibrate the model to best predict the anticipated flood levels in a 1% AEP event. However there is a degree of uncertainty in the prediction of likely flood levels, due to the lack of flood information. This includes a lack of pluviographs across the catchment of the Turon River, which provides data on the amount of rain and its intensity; and also stream gauges which record real time river heights. This real time data is then able to be entered into the computer flood model, to check the assumptions made to predict river heights for standardised events such as 1%, 5%, 20% AEP floods.

It should be noted that since the flood model was originally prepared, there has not been a significant flood event on the Turon River that would have been able to provide this calibration data.

The subsequent Geomorphology report that was requested in 2015 by OEH required a further flood model to be developed to predict scour velocity in the area of Crossleys Bridge.

This flood model has made different assumptions resulting in different flood levels in the area of the Turon River upstream of Crossleys Bridge, of approximately 400mm.

Upon submission of the full geomorphology report to OEH, concerns were raised over the increased water levels. Refer letter from OEH at [attachment 1](#), where OEH has deferred the approval of the works to Council. Note that both Department of Primary Industries – Water and Department of Primary Industries – Fisheries have not raised objections to the works proceeding.

However, the original flood model included design calculations for flood debris blocking the Turon River upstream and downstream of Crossleys Bridge. This indicates that the flood levels upstream of the bridge would increase by over 1m, which is well in excess of the potential increase of 400mm as indicated in the second flood model.

The whole intent of the Sofala Vegetation Management Plan is to reduce the amount of flood debris generated within the Sofala Village, for subsequent capture at Crossleys Bridge. Council would also be aware that the Turon River through Sofala during the mid-part of last century was almost devoid of casuarinas and other large trees due to mining activities.

Council has two options available. Firstly, Council may defer carrying out this work until such time that there is sufficient data to calibrate the computer flood model, to better predict flood levels. However this may take a period of years and would subject the Sofala Village to a further large flood event without any improvement works being undertaken. As Council would be aware, the Sofala Community have, for a number of years, supported the need for vegetation management of the Turon River, and clearly this approach would not be supported.

The second option that Council has, and the option recommended, is to proceed with the works, on the basis that the flood sensitivity modelling undertaken with the original Sofala Risk Study indicates a large improvement to flood behaviour due to reduced debris loading.

The Floodplain Risk Management Grant Scheme, administered by the OEH covers capital improvement projects. It is considered that the Sofala Vegetation Management Plan is maintenance work only and accordingly will not gain either Federal or State funding. It has been estimated by Council's environmental consultant that this work would cost in the order of \$200,000 to complete. It is further recommended that this be referred to the 2017/2018 Annual Operating Plan for funding consideration.

**Financial Implications:** Currently no funding is available in 2016/2017 Annual Operating Plan

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

- Objective 22: To improve community safety. Strategy 22.10

## MINUTE

- 27 **Item 3 SOFALA FLOOD MITIGATION (31.00009)**  
**MOVED: Cr G Westman SECONDED: Cr M Coote**

**RESOLVED:** That Council:

- (a) Approve the implementation of the Sofala Vegetation Management Plan.
- (b) Refer the project to 2017/2018 Annual Operating Plan for consideration.

**4 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(11.00005, 36.00610, 36.00606, 07.00017, 36.00605, 36.00612, 36.00613,  
36.00611, 36.00609, 36.00604, 36.00608, 36.00603, 36.00607 )**

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

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

**1. TENDER FOR THE SUPPLY, DELIVERY & LAYING OF ASPHALTIC CONCRETE SURFACING**

The report considers the tender for the supply, delivery and laying of Asphaltic Concrete Surfacing.

**2. TENDER FOR THE RESTORATION OF NETBALL COURTS - JOHN MATTHEWS NETBALL COMPLEX**

The report considers the tender for the restoration of three netball courts at the John Matthews Netball Complex.

**3. CENTROC TENDER FOR THE SUPPLY & DELIVERY OF BULK FUEL**

The report considers the tender for the supply and delivery of bulk fuel for Central NSW Councils.

**4. TENDER FOR DESIGN & CONSTRUCTION OF RUGBY LEAGUE CLUBHOUSE SEWERAGE SYSTEM**

The report considers the tender for the design and construction of a sewerage system at the Rugby League Clubhouse on Hereford Street.

**5. TENDER - READY-MIX CONCRETE**

The report considers the tender for the supply of ready-mix concrete from 1 January 2017 to 31 December 2018.

**6. TENDER - STORMWATER DRAINAGE PIPES**

The report considers the tender for the supply of stormwater drainage pipes, headwalls and inlets, from 1 January 2017 to 31 December 2018.

**7. TENDER - NATURAL GRAVEL QUARRY ACCESS & EXTRACTION**

The report considers the tender for natural gravel quarry access and extraction, from 1 January 2017 to 31 December 2018.

**8. TENDER - SUPPLY & DELIVERY OF ROADBASE MATERIAL**

The report considers the tender for the supply and delivery of roadbase, from 1 January 2017 to 31 December 2018.

**9. DESIGN & CONSTRUCTION OF RUGBY LEAGUE CLUBHOUSE**

The report considers the tender for the design and construction of a rugby league clubhouse on Hereford Street.

**10. TENDER - HIRE OF TRUCKS/WATERCARTS**

The report considers the tender for the hire of trucks/watercars for 2017 and 2018.

**11. TENDER FOR THE CONSTRUCTION OF GABION WALL, FOOTPATH & HANDRAIL**

The report considers the tender for the design and construction of a gabion retaining wall, footpath and handrail along the bank of the Macquarie River at Bicentennial Park.

**12. TENDER - HIRE OF PLANT**

The report considers the tender for the hire of plant for 2017 and 2018.

**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

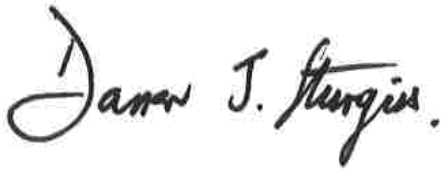
**MINUTE**

**28** Item 4 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 36.00610, 36.00606, 07.00017, 36.00605, 36.00612, 36.00613, 36.00611, 36.00609, 36.00604, 36.00608, 36.00603, 36.00607 )

MOVED: Cr I North SECONDED: Cr W Aubin

**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 style with a large initial 'D'.

Darren J Sturgiss  
**ACTING DIRECTOR  
ENGINEERING SERVICES**



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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 NOVEMBER 2016

## **1 VACATION CARE PROGRAM - SEPTEMBER/OCTOBER 2016 (09.00005)**

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

**Report:** The September/October Vacation Care program operated from Monday 26 September to Friday 7 October 2016.

Each day there were 34 places available, with an average of 25 children in attendance each day.

Over the holiday period, Vacation Care provided care for 55 individual children throughout the two week program with a total of 43 families utilising Vacation Care during this time.

Highlighted goals for the two week program included activities and events around Bathurst 1000 and Council's calendar of race events.

Children attended the Pantech Parade at Morse Park, followed by a picnic morning tea. To continue with race themed activities the children created their own box cars, recycling and reusing boxes acquired from local supermarkets.

Vacation Care received a donation from the National Motor Racing Museum of a Holden slot car set for the children to utilise during the program. This extended their interest in the race week activities.

The children also benefitted from monies received from Council's Sustainability Grant. A mud kitchen, digging pit and upgraded staged performance area provided the children with a number of varied outdoor activities.

Children again revisited the garden, planting seeds and seedlings which they hope to harvest in the Christmas and January holiday program.

Vacation Care is scheduled to again be operational in December 2016 and January 2017 school holiday period.

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

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

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.8
- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.7
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.5
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.9

**MINUTE**

**29 Item 1 VACATION CARE PROGRAM - SEPTEMBER/OCTOBER 2016**  
**(09.00005)**

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

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

## **2 BATHURST CHILD CARE - SCALLYWAGS ASSESSMENT AND RATING (19.00007)**

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

**Report:** Scallywags participated in the Assessment and Rating process during September. The process involved the lodgement of the Centre's Quality Improvement Plan to the Department of Education and Communities with a subsequent visit carried out by a Senior Field Officer over a two day period.

During the visit the officer assessed the Service's policies and procedures, practices and interactions against the National Quality Standards which incorporates seven quality areas with 18 standards.

The Quality Areas are;

1. Educational Program and Practice,
2. Children's Health and Safety
3. Physical Environment,
4. Staffing Arrangements,
5. Relationships with Children,
6. Collaborative Partnerships with Families and Communities
7. Leadership and Service Management.

The assessment is based on interactions and practices observed during the visit, documentation sighted by the officer and discussions with staff and educators, particularly the Director and Educational Leader.

The service was rated Exceeding National Quality Standards overall, with Exceeding in six quality areas and Meeting in one quality area.

Feedback from the Department of Education and Communities Assessor highlighted: *'Your service is commended on it's achievements in providing quality outcomes for children. In particular, the improvements made to your outdoor environment and the careful planning, reflective practice and willingness to explore different ways of documenting each child's program and progress.'*

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

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

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.8
- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.7

- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community.

Strategy 27.5

**MINUTE**

**30 Item 2 BATHURST CHILD CARE - SCALLYWAGS ASSESSMENT AND RATING (19.00007)**

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

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

### **3 BATHURST VISITOR INFORMATION CENTRE AND NATIONAL MOTOR RACING MUSEUM - BATHURST SUPERCHEAP 1000 VISITATION (04.00001)**

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

**Report:** This year's Bathurst 1000 proved to be a successful event for the National Motor Racing Museum and Bathurst Visitor Information Centre.

Bathurst Visitor Information Centre (BVIC) provides services to those who attend the Supercheap Auto Bathurst 1000 with this year's attendance at the race from Tuesday 4 October to Monday 10 October totalling 204,512. Visitor numbers to BVIC over the race period this year equalled that of 2015 with a total of 1994 people visiting the centre. However, shop sales this year saw a 5% increase on last year's sales, totalling \$5477 over the four days.

Due to the overflow of camping requirements, Council opens up the facilities at the Sportsground and Carrington Park. This service is greatly appreciated and used by the V8 patrons. The introduction of an online booking system in 2016 improved the efficiency of the service to customers offered by BVIC. In total the camping grounds hosted over 500 patrons, an 8% increase from 2015.

Other activities relating to the Museum over the race period included:

- The official launch and media event for the Red Bull Racing Team, Wednesday 5 October 2016.
- The Peter Brock display that included the 2006 HSV Brock Tribute Car, 1991 Brock VN Commodore and the 1983 Brock VH Commodore.
- Display in the museum's car park honouring the Mini 50<sup>th</sup> anniversary.

**Financial Implications:** Cost and revenues covered within the facilities' 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 4.2, 4.3, 4.7
- 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

**MINUTE**

**31 Item 3 BATHURST VISITOR INFORMATION CENTRE AND NATIONAL MOTOR RACING MUSEUM - BATHURST SUPERCHEAP 1000 VISITATION (04.00001)**  
**MOVED: Cr M Coote SECONDED: Cr W Aubin**

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



#### **4 BATHURST REGIONAL YOUTH COUNCIL - YJAM EVENT AT LIBRARY/ART GALLERY FORECOURT - FRIDAY 29 OCTOBER 2016 (11.00020)**

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

**Report:** The Bathurst Regional Youth Council held the second in a series of two events of the YJAM project, in the Library/Art Gallery Forecourt. The event was well attended by young people, and featured seven local young musical performers, including four performers from the Inland Sea of Sound – Local Emerging Artist Program.

Young people enjoyed the music provided by the local performers.

The Forecourt was lit with coloured up-lights, festoon lighting and fairy lights to provide an inviting atmosphere . The Event also included a free BBQ, soft drinks and coffee.

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

The Youth Council were pleased to provide the opportunity for young people to socialise in a safe environment.

**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**

**32 Item 4 BATHURST REGIONAL YOUTH COUNCIL - YJAM EVENT AT LIBRARY/ART GALLERY FORECOURT - FRIDAY 29 OCTOBER 2016 (11.00020)**  
**MOVED: Cr B Bourke SECONDED: Cr M Coote**

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

## **5 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD 10 OCTOBER 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 eighth meeting of the Bathurst Region Tourism Reference Group was held on 10 October 2016. The Minutes of the Group's meeting are provided at **attachment 1.**

At the Meeting held on 10 October 2016, the group established the following actions, linked to the Destination Management Plan.

- MyTravel Research Project - update.
- Events in Bathurst - Research and development of a regional events calendar.
- Inland Sea of Sound - event to occur at Mount Panorama/Wahluu.
- Boomerang Bikes - bikes now available for hire, map/guide developed.
- Bathurst 1000 - successful race period held in October 2016.
- National Cool Climate Wine Show - event 26-29 October 2016.

**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**

**33 Item 5 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD  
10 OCTOBER 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 - 2 NOVEMBER 2016 (07.00064)**

**Recommendation:** That the recommendations of the Policy Committee Meeting held on 2 November 2016 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held on 2 November 2016, are attached.

**Financial Implications:** N/A

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

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

## MINUTE

**34** Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 NOVEMBER 2016  
(07.00064)

MOVED: Cr B Bourke SECONDED: Cr I North

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 2 November 2016 be adopted.

**Cr Bourke** spoke to Flood Appeal and noted, his thanks to Mr Triming for his assistance.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 2 NOVEMBER 2016**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**APOLOGIES**

**2 APOLOGIES**

Nil

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 28 SEPTEMBER 2016 (07.00064)**

**MOVED** Cr I North

and **SECONDED** Cr W Aubin

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 28 September 2016 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**

**MOVED** Cr M Coote

and **SECONDED** Cr I North

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**5 Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 28 SEPTEMBER 2016 (07.00096)**

**MOVED** Cr G Westman

and **SECONDED** Cr I North

**RESOLVED:** That the recommendations of the Audit & Risk Management Committee Meeting held on 28 September 2016 be adopted.

**GENERAL BUSINESS**

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This is page 1 of Minutes of the Policy Committee held on 2 November 2016



**6**      **GARDEN SPRING SPECTACULAR (23.00081)**

**Cr Hanger** - The Garden Spring Spectacular was opened at Miss Trails House last weekend. Council was thanked for its support.

**7**      **Item 2 AGRICULTURAL RESEARCH STATION (22.03266)**

**Cr Hanger** - recently inspected the location, it is spectacular and should be treated as a treasure for the region.

**8**      **Item 3 LISTER CRESCENT DA - VIEWS (DA2016/304)**

**Cr Morse** - spoke to recent article about protecting views. Requested Council hold discussions on size of sheds, location, garages, etc and whether views can be protected.

**9**      **Item 4 REGIS RESOURCES UPDATE (21.00137-07)**

**Cr Morse** - requested an update on this matter.

**The Mayor** advised had met recently with Regis.

**The General Manager** noted Council is still awaiting documentation as requested from Regis.

**10**      **Item 5 TAFE BUILDING (22.01387-08, 13.00073)**

**Cr Morse** - asked what is the next stage in this matter?

**The General Manager** noted; Conservation Management Plan completed, site acquired, next stage is to develop a brief for the site on possible options.

**11**      **Item 6 SEPTEMBER 2017 ELECTIONS (12.00010-08)**

**Cr Morse** - will Elections be deferred next year due to the delay in the proposed merger?



Discussion included:

**L Smiles** – **Friends of Centennial Park** - commends Council on the proposal to include the park as part of the proposed environmental heritage of the Region.

**C Perrers** – **Natural Landscapes** - supports the proposed heritage listings. Raised concerns at the clearing of land. Important that Winburndale and Copperhania localities are protected. Supports the listing of all the town sites included and spoke to benefits these locations provide to the community. The sites listed are important for their cultural history. The geology of the area is the backbone of the landscape.

**P Barker** – **National Trust, Bathurst Branch** - spoke in regards to the Agricultural Research station curtilage. Supports proposal to increase the curtilage. This is a wonderful site for the Region. Need to ensure cannot be used for housing, it adjoins significant other locations, eg, Boundary Road Reserve. The site is a hidden gem. Requests Council extends proposed curtilage to the whole of the site and does this within six months.

**L Menzies** - worked at the Research Station for forty years. It is a wonderful resource for the City. Supports the proposal, there are a lot of partnerships that can be developed, eg, with CSU.

**18** **Item 1.01 RESUMPTION OF STANDING ORDERS (11.00005)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

**RESOLVED:** That Council resume Standing Orders.

### **GENERAL BUSINESS**

**19** **Item 10 ROADS (11.00023-14)**

**Cr Aubin - Cr Aubin** - asked has Council progressed any further on purchasing a road pot hole machine? Also asked if any information has been received on George and Howick Street intersection and proposed lights.

**The Acting Director of Engineering Services** advised:

1. There is an old road pothole machine. Engineering will review replacement options for this.
2. Results of Road & Maritime Services Study on the intersection has been received. It recommends at this time that a roundabout is the most appropriate treatment.

**20** **Item 11 KELSO ROADWORKS (25.00018-05)**

**Cr Aubin** - requested an update on the time frame for the works.

**The Acting Director Engineering Services** will investigate this matter.

**21**      **Item 12 ROAD WORKS EGLINTON ROAD, OUTSIDE ALL SAINTS COLLEGE (25.00045-02)**

**Cr Aubin** - asked when will work commence at this location?

**The Acting Director Engineering Services** advised that work is scheduled for end of this year, during school holidays.

**22**      **Item 13 BICENTENNIAL PARK WALKWAY (04.00017-02)**

**Cr North** - understands a report is being prepared on the works needed. Queried where at with fisheries permit. Noted fence to restrict walkers is open and people are walking around it.

**The Acting Director Engineering Services** advised:

1. spoke to actions in place and the recent calling of Tenders.
2. noted Council has repaired the fence several times, will review.

**23**      **Item 14 SIGNING IN VILLAGES (28.00007-06)**

**Cr North** - spoke to Rockley sign, it is barely readable. Can something be done as an interim measure?

**24**      **Item 15 LAGOON ROAD FROM VALE ROAD TO CHIFLEY DAM (28.00011-06)**

**Cr North** - noted speed limit has been reduced from 100 kph to 80 kph. Concern that residents were not provided with advice on this before it occurred. Perhaps a mail drop would have been appropriate.

**25**      **Item 16 MONOPOLY - AUSTRALIAN VERSION (04.00003-13)**

**Cr North** - asked can we request Bathurst or Mount Panorama be suggested for inclusion in the Australian version of Monopoly.

**The General Manager** will investigate this matter.

**26**      **Item 17 ROAD WORKS (16.00011-11)**

**Cr Bourke** - congratulated staff on the efforts being made to fix the pot holes, eg, River Road.

**27**      **Item 18 LIONS CLUB DRIVE - FENCING (25.00120)**

**Cr Bourke** - requests Council look at replacing the green fencing, suggest to refer to 2017/2018 Budget for consideration.

**28**      **Item 19 GAS WORKS SITE (22.00052-06)**

**Cr Bourke** - noted Jemena have said will put in new fencing around the site, this is a good result.

**29**      **Item 20 HEREFORD STREET FOOTBALL FIELDS (36.00586-02)**

**Cr Bourke** - could Council be provided with an update on this matter?

**30**      **Item 20.01 FLOOD APPEAL - FORBES (13.00031-06)**

**Cr Bourke** - advised the auction raised nearly \$3,000. Thanks to Council for its funding commitment and also thanks to Bob Triming for the good works he did to help in this matter.

**MEETING CLOSE**

**31**      **MEETING CLOSE**

The Meeting closed at 6.40 pm.

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

**TRAFFIC COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 MINUTES - TRAFFIC COMMITTEE MEETING - 1 NOVEMBER 2016 (07.00006)**

**Recommendation:** That the recommendations of the Traffic Committee Meeting held on Tuesday, 1 November 2016, be adopted.

**Report:** The Minutes of the Traffic Committee Meeting held on Tuesday, 1 November 2016, are attached.

**Financial Implications:** N/A

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

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

**MINUTE**

**35** Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 1 NOVEMBER 2016  
(07.00006)

MOVED: Cr W Aubin SECONDED: Cr M Coote

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on Tuesday, 1 November 2016, be adopted.



**MINUTES OF THE TRAFFIC COMMITTEE**  
**HELD ON 1 NOVEMBER 2016**

**MEETING COMMENCES**

**1 MEETING COMMENCES 2:03 PM**

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

**Present:** Ms Iris Dorsett (Tablelands Area Roads Safety), Mr Paul Kendrick (Traffic & Design Engineer), Mr Bernard Drum (Acting Manager Technical Services) and Mr Darren Sturgis (Acting Director Engineering Services)

**APOLOGIES**

**2 APOLOGIES**

Nil

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 4 OCTOBER 2016 (07.00006)**

That the Minutes of the Traffic Committee Meeting held on Tuesday, 4 October 2016, 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 4 OCTOBER 2016 (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 SPECIAL OLYMPICS DREAM RIDE (18.00004-32/099)**

That Council endorse the Traffic Management Plan for the Special Olympics Dream Ride Bathurst event at Mount Panorama Racing Circuit on Sunday 4 December 2016. The event is to be classified as Class 2 and approved subject to the conditions detailed in the Director Engineering Services' Report.

**8**      **Item 4 KELSO PUBLIC SCHOOL – REMOVE GILMOUR STREET CHILDREN'S CROSSING (25.00022-02/036)**

That Council approve

- 1) The removal of the Kelso Public School's children's crossing on Gilmour Street including:
  - (I) The removal of the "No Stopping" signs on the western side of Gilmour Street
  - (II) The relocation of the left "No Stopping" sign on the eastern side of Gilmour Street back to 6m south of the nearest Kelso Public School car park driveway.
  - (III) Replacement of the children's crossings "Crossing Ahead" signs with a "School" sign on both sides of Gilmour Street
  - (IV) Removal of the red and white banded children's crossing posts on Gilmour Street, and
- 2) The installation of a "No Stopping-Service Vehicles Excepted" Zone to the lane extension of Barina Parkway near the school.
- 3) The extension of the bus zone to the lane extension of Barina Parkway near the school.

subject to conditions as detailed in the Director Engineering Services' report.

**9**      **Item 5 CHILDREN'S TUMOUR FOUNDATION CUPID'S UNDIE RUN 2017 (04.00012-07/128)**

That Council approve the staging of the Children's Tumour Foundation Cupid's Undie Run 2017. The event is to be classified as a Class 2 event and approved subject to conditions as detailed in the Director Engineering Services' report.

**10**      **Item 6 PANORAMA AVENUE MOUNT PANORAMA SIGN MODIFICATION (25.00105-03/062)**

That Council cover the "60km/h" sign on the Mount Panorama information sign on Panorama Avenue with a "Speed Limits Enforced" Sign plate.

**TRAFFIC REGISTER**

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

That the information be noted.

**MEETING CLOSE**

**12**      **MEETING CLOSE**

The Meeting closed at 2.24pm.

## DELEGATES REPORTS AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 NOVEMBER 2016

## **1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 12 OCTOBER 2016 (11.00019)**

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

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

**Apologies:** Cr Hanger.

### **1. WESTERN REGION ACADEMY OF SPORT (WRAS) (18.00020)**

Candice Boggs, the new Executive Officer, Western Regional Academy of Sport met with Council.

Discussion included:

- Gave a background into her career
- WRAS is part of Regional Academies of Sport Incorporated (RASI) - 11 Regional Academies, 2,000 identified talented athletes across 128 development programs.
- Bulk of WRAS athletes come from Bathurst - sports running in 2017 - Basketball, Cycling, Golf, Netball, Hockey, Tenpin Bowling.
- looking to expand programs in 2018
- Areas for improvement in the future - financial base, increase sponsorship of academy and individual sports.
- Academy Games - held annually between all academies around April. 800 - 1000 athletes plus coaches, families etc. - Expressions of Interest now open - close 20 January 2017.

**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**

**36** Item 1 COUNCILLORS MEETING WITH COMMUNITY  
GROUPS/REPRESENTATIVES - 12 OCTOBER 2016 (11.00019)  
MOVED: Cr I North SECONDED: Cr M Coote

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

## MINUTE

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

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

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 REQUEST - RENEWAL OF LEASE AGREEMENT - LOT 300 IN DP1099537 LOCATED AT 23 ZAGREB STREET KELSO - DOWNER EDI WORKS 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	PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3,4,7,8,9 AND 10 IN SECTION C DP758840 - CATHOLIC DIOCESE OF BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

#### **\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR THE SUPPLY, DELIVERY & LAYING OF ASPHALTIC CONCRETE SURFACING	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 RESTORATION OF NETBALL COURTS – JOHN MATTHEWS NETBALL COMPLEX	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	CENTROC TENDER FOR THE SUPPLY & DELIVERY OF BULK FUEL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	TENDER FOR DESIGN AND CONSTRUCTION OF RUGBY LEAGUE CLUBHOUSE SEWERAGE SYSTEM	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	TENDER - READY-MIX CONCRETE	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	TENDER - STORMWATER DRAINAGE PIPES	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	TENDER - NATURAL GRAVEL QUARRY ACCESS & EXTRACTION	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	TENDER - SUPPLY & DELIVERY OF ROADBASE MATERIAL	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.
9	TENDER - DESIGN & CONSTRUCTION OF RUGBY LEAGUE	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.

	CLUBHOUSE	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.
10	TENDER - HIRE OF TRUCKS/WATERCARTS	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.
11	TENDER FOR CONSTRUCTION OF GABION WALL, FOOTPATH & HANDRAIL - BICENTENNIAL PARK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
12	TENDER - HIRE OF PLANT	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

16 NOVEMBER 2016

## MINUTE

**(a) Item 1 VARIATION REQUEST - RENEWAL OF LEASE AGREEMENT - LOT 300 IN DP1099537 LOCATED AT 23 ZAGREB STREET KELSO - DOWNER EDI WORKS PTY LTD (22.01342)**

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

**RESOLVED:** That Council approves the variation to the lease terms for Lot 300 in DP1099537 located at 23 Zagreb Street Kelso with Downer EDI Works Pty Ltd for a period of ten (10) years with four (4) x five (5) year option periods as detailed in the report.

## **MINUTE**

### **(b) Item 2 PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3,4,7,8,9 AND 10 IN SECTION C DP758840 - CATHOLIC DIOCESE OF BATHURST (22.13487)**

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

**RESOLVED:** That Council:

- (a) approve the purchase of Lots 1, 2,3,4,7,8,9 and 10 in Section 16 DP758840 located on Bathurst Street, Prince Street and Rockley Street and Tenison-Woods Drive Perthville from the Catholic Diocese of Bathurst
- (b) approve the sale price of the land of \$170,000 (excluding GST)
- (c) classify the land as Operational under Section 31 of the Local Government Act 1993.
- (d) not agree to a variation to the recommendation of the meeting held on 19 October 2016 in relation to the sale of residue land in Westbourne Drive. Should the Trustees of the Roman Catholic Diocese not wish to proceed with accepting this recommendation, then the offer to purchase the land at Perthville and the transfer of land at Westbourne Drive be withdrawn.

**DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 NOVEMBER 2016

**MINUTE**

**(c) Item 1 TENDER FOR THE SUPPLY, DELIVERY & LAYING OF ASPHALTIC CONCRETE SURFACING (36.00610)**

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

**That** Council accept the tender from Downer EDI Works for the Supply, Delivery and Laying of Asphaltic Concrete Surfacing for Contract No. 36.00610.

**MINUTE**

**(d) Item 2 TENDER FOR THE RESTORATION OF NETBALL COURTS –  
JOHN MATTHEWS NETBALL COMPLEX (36.00606)**

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

**That** Council accept the tender of L-Don Sporting Areas Pty Ltd in the amount of \$141,592 (GST Inclusive), subject to adjustments and provisional sums as indicated within the report, for the restoration of three netball courts at the John Matthews Netball Complex, Bathurst.

## **MINUTE**

### **(e) Item 3 CENTROC TENDER FOR THE SUPPLY & DELIVERY OF BULK FUEL (07.00017)**

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

**That** Council accept and sign contracts with the following providers for the Supply and Delivery of Bulk Fuel:

- Ocwen Energy t/a Lowes Petroleum
- Oilspplus Holdings Australia
- Park Pty Ltd
- United Petroleum

**MINUTE**

**(f) Item 4 TENDER FOR DESIGN AND CONSTRUCTION OF RUGBY LEAGUE CLUBHOUSE SEWERAGE SYSTEM (36.00605)**

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

**That** Council accept the tender of Chiverton Estate Pty Ltd trading as Thompson's Irrifab Pty Ltd in the amount of \$171,556.00 (incl. GST) for the design and construction of a rugby league clubhouse sewerage system, subject to adjustments and provisional items.



**MINUTE**

**(g) Item 5 TENDER - READY-MIX CONCRETE (36.00612)**  
**MOVED: Cr G Westman SECONDED: Cr M Coote**

**That** Council accept the tender from Ever-Ready Concrete for the supply of ready-mix concrete from 1 January 2017 to 31 December 2018.

**MINUTE**

**(h) Item 6 TENDER - STORMWATER DRAINAGE PIPES (36.00613)**  
**MOVED: Cr I North SECONDED: Cr B Bourke**

**That** Council accept the tender from Rocla Pipeline Products for supply of stormwater drainage pipes, headwalls and lintels, from 1 January 2017 to 31 December 2018.

**MINUTE**

**(i) Item 7 TENDER - NATURAL GRAVEL QUARRY ACCESS & EXTRACTION (36.00611)**

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

**That** Council accept the tender from Macquarie Vale Pty Ltd for Natural Gravel Quarry Access and Extraction, from 1 January 2017 to 31 December 2018.

**MINUTE**

**(j) Item 8 TENDER - SUPPLY & DELIVERY OF ROADBASE MATERIAL  
(36.00609)**

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

**That** Council accept the tender from Hynash Constructions Pty Ltd for the Supply and Delivery of Roadbase, from 1 January 2017 to 31 December 2018.

**MINUTE**

**(k) Item 9 TENDER - DESIGN & CONSTRUCTION OF RUGBY LEAGUE CLUBHOUSE (36.00604)**

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

**That** Council accept the tender of Nick Harvey Constructions Pty Ltd in the amount of \$1,016,592 (incl GST) for the design and construction of a rugby league clubhouse, subject to adjustments and provisional items.

## **MINUTE**

### **(I) Item 10 TENDER - HIRE OF TRUCKS/WATERCARTS (36.00608)** **MOVED: Cr M Coote SECONDED: Cr B Bourke**

**That** Council accept the tenders for the Hire of Trucks/Watercarts for 2017 & 2018, as listed in the Director Engineering Services' report, subject to submission of complete information being supplied for casual hire, and in accordance with the General Conditions for the Hire of Trucks/Watercarts.

**MINUTE**

**(m) Item 11 TENDER FOR CONSTRUCTION OF GABION WALL,  
FOOTPATH & HANDRAIL - BICENTENNIAL PARK (36.00603)**

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

**That** Council accept Central West Civil Pty Ltd's total tendered project price of \$128,958.50 (GST incl.), subject to adjustments and provisional items.

**MINUTE**

**(n) Item 12 TENDER - HIRE OF PLANT (36.00607)**  
**MOVED: Cr G Westman SECONDED: Cr M Coote**

**That** Council accept the tenders for the Hire of Plant for 2017 and 2018, as listed in the Director Engineering Services' report, subject to submission of complete information being supplied for casual hire, and in accordance with the General Conditions for the Hire of Plant.



## MINUTE

- 38 **RESOLVE INTO OPEN COUNCIL**  
**MOVED: Cr I North SECONDED: Cr M Coote**

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

## MINUTE

**39 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED: Cr M Coote SECONDED: Cr B Bourke**

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

## MINUTE

### 40 MEETING CLOSE

The Meeting closed at 7.18 pm.

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