

10 February 2016

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday,
17 February 2016**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 17 February 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.



D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 17 FEBRUARY 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 - 3 FEBRUARY 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

GENERAL MANAGER'S REPORT
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT
DIRECTOR ENGINEERING SERVICES' REPORT
DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

9. REPORTS OF OTHER COMMITTEES

MINUTES - TRAFFIC COMMITTEE MEETING - 2 FEBRUARY 2016

10. NOTICES OF MOTION - Nil

11. RESCISSION MOTIONS - Nil

12. DELEGATES REPORTS

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	PROPOSED NEW EVENT AT MOUNT PANORAMA	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
2	PROPOSED PURCHASE OF PROPERTY, 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.
3	PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3, 4, 7, 8, 9 AND 10 IN SECTION 16 DP758840 - CATHOLIC DIOCESE OF BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

DIRECTOR ENGINEERING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR DESIGN AND CONSTRUCTION OF BMX TRACK LIGHTING	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER FOR CONSTRUCTION OF FIRE CONTROL CENTRE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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, Jennings, Morse, North.

MINUTE

2 PUBLIC QUESTION TIME

Dinawan Dyrribang – Wiradyuri Elder - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Requests no water be taken out of the river. If take something out then must give something back. The proposal does not add up. Town will not prosper if there is no water for the town. We need to give back to the environment and the planet. How much more gold do we need? Is Regis Resources looking at the benefits for this town?

R Smith – Regis Resources - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Spoke to letter forwarded to Council, 17 February 2016 concerning the proposal to purchase treated effluent. Noted proposed recommendation and the requirement to get more information, respects this requirement of Council. Noted benefits to community and will complete additional studies.

T Shirt – RFS - DCSF Item # 6 - Contribution to Rural Fire Fighting Fund

Spoke to age of fleet in the area and funding of new Fire Control Centre. Requested Council fund new fleet.

J Larsen – RFS - DCSF Item #6 - Contribution to Rural Fire Fighting Fund

Asked is Council aware it has taken over 5 years to replace Fire Control Centre, when will Council pay its share? Need funding.

S Whittaker – President, Bathurst Business Chamber - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Supportive of Regis Resources proposal to purchase treated effluent. Noted process that Regis Resources will have to follow which is very detailed. Spoke to economic benefits. Why are irrigators not metered for what they use?

K Sargeant Jones – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Spoke to what Macquarie River means to her. It is a special and significant place. It is adults responsibility to look after after young people. Put downstream users needs before a large mining company. Save our precious water source, do not sell out Bathurst. Has Council spoken to Wiradyuri people?

S Neaves – Rahamim - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Spoke to submission forwarded 19 December 2015 from Sr Gabriella, it was not included in WRI report. Acknowledges apology from Council staff in this matter. Spoke to entirety of planet and need to care for our common home. Referred to Pope Francis' encyclical. Water is scarce resource, it is a basic human right. Noted concerns with supply needs. How many other submissions have been lost?

T Sorenson – BCCAN - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Spoke to weighting of submissions and the number who submitted for and against. Need to view group submissions with more weight than pro-forma letters. BCCAN has operated with a water subcommittee and noted prior proposals e.g. Cadia and the Chifley water.

A McLennan – WRI - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Noted the issue of submissions being received and missed. The facilitation and reporting was done without any interference from Council. Referred to petitions and other submissions. Spoke to process of collating submissions. The WRI issue should be decided on merits, not as a straw pole.

R Byrnes – Hill End resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Noted 10 Meg/day is needed to keep the river flowing in summer and in droughts. A lifetime of river flows needs to be considered. Referred to water problems going all the way to Adelaide. Bathurst has a responsibility to the river system.

M Hargans – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Spoke to last meeting and discussions that were held. Has property at Sunny Corner and noted pollution problems at the village. The mine closed at Sunny Corner 100 years ago and the water is still polluted. Need to care for future generations. Need to look at pollution.

T Jones – O'Connell resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Enthusiastic for development of Bathurst. This matter is creating a divide amongst the community. Spoke to contract matters and not removing water during dry periods. How will Regis Resources deal with dry periods? There is volatility with the supply of water. There is insufficient safe guards. Noted Federal Government has been buying back licences. Concerns at cyanide being used by the mine. Need to take a broader view of the river.

M Van Heekeren – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Pro Bathurst development, but has looked at economics of the proposal. Noted not all money in development will be spend in the region, the portion to be spent in Bathurst is only 1.8% of the Bathurst economy during construction. Referred to employment jobs during construction and operation, many will not live in Bathurst, rather in Blayney and Orange. Queried economic worth to Bathurst during operations. The mine will be only one third of Cadia. Noted much greater contribution from tourism.

B Bolam – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Has no direct or indirect association with Regis Resources. There is a great deal of pressure on Council. Many people buy water from Councils. This is the sale of excess water which Council pays to put back into the river. The development is a State significant development. The State will make the decision on this proposal. Referred to capital to be invested in the region by Regis Resources. What regional city would refuse the offer before researching the decision. Bathurst unemployment rate is 6.6% and is above the State average. Spoke to manufacturing jobs that have recently been lost. New industry is required for the region. Sale of water will improve Council finances and the finances for the region e.g. shops, tradespersons etc. Don't throw the submission out tonight, undertake further investigation.

W Alexander – Hunter Valley resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Has seen damage mining does to the environment. Noted domestic supply is 6695 ML per annum. The Regis Resources proposal uses a large portion of this water (56% +) if approval is given. This is a gross imbalance. Concerned at suggestion to get an EIS, this is not sufficient and is a cop out. As EIS does not have an end impact.

P Simmons – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Committed to a strong economy. Noted value of Regis Resources to economy as against all the other drivers in the area. Find a better way to generate growth.

M Hogan – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Being asked to trust Regis Resources, the process has been flawed. Spoke to concerns at how discussion forums were held, consultation period was short. Referred to proposal by Regis Resources with the golf club and noted report says no. Expressed concerns at submission process that occurred, and noted documents that have and haven't been presented. The timeline to respond to the report has been too short. Expressed concerns at the WRI report. Queried concerns with Regis Resources and how process with them has developed. The process has been unfair. Need a recount of submissions. A more environmentally sustainable business will step into the breach.

T Carpenter – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Spoke to length of time in negotiations with Regis Resources and prior proposal from Cadia. Spoke to economy in the region and the diverse economy of Bathurst. Council has been negotiating behind the community's back. The process has been very unfair. Submissions were suppressed by Council. The community has been ignored. The process needs to be fairer. Council introduced this project as a foregone conclusion. There should be no more discussions in this matter. Expressed concerns with WRI report. Presented a petition to Council. The company's figures are overinflated, queried benefit to Bathurst. This cost to the environment needs to be calculated. Noted Council is now requiring more information. There are risks Council is exposing itself to, if it adopts the recommendation proposed. The motion must clearly say the decision is not "in principle" agreement. Council should vote no on this matter. Spoke to pecuniary interest breaches that may have occurred and legal ambiguities. Stop spending Council money and time on this proposal.

M Larsen – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Spoke to legal issues and Councillor disclosure requirements. Need to be very careful of signing an "in principle" agreement, noted comments of page 64 and 69 of report. Referred to phases of the process and problems that occurred with Orange Council. Raised concern as to whether Council can sell water, suggested Council get legal advice. Council also need to look at water sharing plans for the area. The Cease to Transfer rules need to be reflected in contract and in water sharing plans. Council needs to get DPI Water to provide advice on extra water being released from Chifley Dam. Cumulative impact of actions in region need to be assessed. Asks Council if it will not refuse, to return to a more consultative approach.

S Semmens – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Spoke to opportunities for jobs. Need to replace jobs being lost in the manufacturing sector. Regis Resources provides an opportunity for the region. What other companies take water out of the river, what are irrigators taking out? Many businesses are looking at this process.

B Crystal – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Asked why have newsletters not mentioned this proposal?

The Mayor spoke to communication process in place and discussion that will occur.

C Love – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Spoke to process in place, worked as a contractor on first Q&A. If Regis doesn't go ahead, the economic void will be filled by something else.

J Page – resident - Napoleon Reef Quarry

Spoke to concern at Quarry DA that was approved. Many questions have not been answered. Files have been examined with a solicitor and it appears concerns were not followed up. Spoke to life of quarry, this issue was never answered. Other facets include wind issues and local data should have been collated. The development should have been a designated development. The Council has assisted the developer. Council needs to change its processes. Requests responses from Council and tabled a document for Council's information.

S Lew – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Spoke to quality of life phenomenon. Quality of lifestyle will be lost with gold mine.

L Lucano – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Requested Council vote no to the sale of water to Regis Resources. Referred to prior Cadia mine proposal. Without water there is no river. Spoke to prior positions of Councillors with Cadia and at elections.

B Trimming – resident - Access Issues

Congratulations to Council on the new lift. The recent 12 Hour race saw the event accessible to all and this was really good.

Also noted person cut flowers unauthorised in Machattie Park - this is miserable.

C McGirr – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Concerned at the proposal. When do Councillors make declarations of conflict in this matter? Used example of working for employment consultant, gold club links and corporate suite operations at the car races.

The Mayor spoke to role of Councillors, works undertaken at car races and that Councillors work very hard for the community.

R Zopf – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Spoke to tourism and visitors. Bring money to Hill End and Bathurst. Concern if mine goes ahead and water reduced in the river, then activities will reduce e.g. gold panning, camping, fishing etc. If visitors don't come then jobs will be lost. Benefits from mine will not come to Bathurst.

G Crisp – ratepayer

Was a forensic accountant/fraud investigator. If proposal looks too good to be true it probably is. Last meeting raised concerns at quality of advice being given by two senior officers and letter he sent to Council; referred to reply he received from the Mayor. Allegations made were very serious. Spoke to Local Government Act and requirements to carry out provisions of the Act and possibility of being dismissed. Referred to conflicts of interest. Repeated offer to work for Council for \$1/day if two senior officers are dismissed.

R Mjadwesch – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Noted Burrendong Dam is now down to 12.7%, when making decision give consideration to downstream environments.

S Panayi – Hill End resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Property abuts Macquarie River. The river has deteriorated. It is a concern to take water that has been consigned to go down the river. Moved here for the lifestyle. Should preserve wisdom of maintaining the area, taking water would be a mistake. The area offers something unique, you can make a life here.

J Panain – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Lives in Sydney, come to the area as loves it. Implores Council to make the right decision. Do not be a sell out nation, take responsibilities seriously. Concerns at selling water, nuclear waste proposal, consider the area.

S Rutherford – relationship - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Lives next door to proposed mine. It will be ragged hole which will destroy agricultural land. Spoke to concerns with Macquarie and Belubula Rivers. Against the proposal. Think about beauty of region above money, a gold mine is an unnecessary blight.

N Tremain – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Spoke to discussion held, listen to people do not hurry into a decision. Council is voted in by the people, please respect.

C Gordon – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Member of fish stocking groups. Spoke of Macquarie River and number of people who access it to enjoy e.g. Bridle Track. Noted, Orange pipeline data and flow (low) is at 92 Meg. Regis Resources proposal is to have a CTT of 4.2 meg. DPI and other government adopts have said 80th percentile in respect to 92 meg is the level to be set. Will Council advise of timing for EIS?

C McBee – resident - General Manager's Item # 1 - Proposed Sale of Treated Effluent

Here to see how Council and community interact. People are watching how Council acts.

L Singh – Jobs

Asked how can we save our coming generations? Spoke to need for jobs and helping other nations and the creation of jobs.

MINUTE

3 APOLOGIES

MOVED: Cr M Morse SECONDED: Cr B Bourke

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

MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 3 FEBRUARY 2016 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 3 February 2016 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 3 February 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
- 3 FEBRUARY 2016 (11.00005)

MOVED: Cr B Bourke SECONDED: Cr M Coote

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 3 February 2016 be adopted.

MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 3 FEBRUARY 2016

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

T Carpenter – BCANN

- 1 National Radioactive Waste Management Facility Proposal - Hill End (Mayoral Minute #1)- requests Council declare Bathurst a nuclear free zone and oppose the Nuclear Waste Facility proposed for Hill End.
2. Proposal for the Sale of treated Waste Water - opposes the proposed sale of effluent. There is a petition of over 2,000 signatures. Will make petition available to Council and the NSW Government. The 'Don't Mine the Macquarie Group' includes over 700 members. Many submissions have been posted on the site. Many of these have been provided to Council. Spoke to issues such as; climate change, downstream users, economic worth of the mine. Look beyond the short term advantage of the proposal. Requests Councillors read the submissions in full, not just the WRI summary. What steps have been taken to address limitations and ambiguities of SKM and GHD reports. What of ownership and legal issues raised. When will Council receive the WRI report and what will Council be voting on.

The Mayor spoke to submission process which commenced 19 November 2015. Councillors will receive all submissions made, the report will go to 17 February 2016 Council Meeting. The pipeline is to be constructed and funded by Regis who will own the pipeline. Council's position is that it considers it can sell the treated effluent. The DA for the proposal will be assessed by the State Government as it is State Significant Development. The Government will set conditions through this process.

B Manning – ratepayer - Developments and conditions placed on them - asked when a development is approved are people obliged to comply with these? Spoke to pool located next to her and is not complying with conditions of the DA. For four years neighbours and Council have ignored noise issues, Further, raised concerns as to the quality of reports from noise consultants. Advised private certifier said noise had to be ceased, yet the pool pump was allowed to be used. Raised various issues.

The General Manager spoke to processes in place, noted staff attendance at Mrs

Manning's property and a review is occurring.

The Mayor spoke to site visits undertaken by himself and Deputy Mayor to Mrs Manning's property and staff visits.

M Hogan – ratepayer - Proposal for the Sale of treated Waste Water - is opposed to the sale. Referred to Bhutan and sustainable ways forward. Expressed concerns in Australia with mining and pollution. This is a very important decision. Bathurst is one of the top growth areas in NSW, mines come and go, pristine areas are long term and important. Have courage and say no to the proposal.

M Hargans – ratepayer - Proposal for the Sale of treated Waste Water - water is a very important item. The country dies without water, look at the Bylong Valley. Will there be a declaration by Councillors and staff of pecuniary interest concerning this proposal by Regis Resources?

In regard to item raised by Mrs Manning, expressed concern at situation.

K Burns – Hill End resident - National Radioactive Waste Management Facility Proposal - Hill End (Mayoral Minute #1) - asked Council to be very careful about the decision. There has been a lot of support for the community position. Expressed concern at process undertaken to date, there has only been a desktop study. There is no benefit to Bathurst Regional Council in this proposal. Urge Council to look after the environment. Community do not want a nuclear waste facility.

M Knight – Proposed Recycling Centre - Stewart's Mount - asked Council to be vigilant. There is a lot of concern about the development, is it linked to Council's waste management strategy? Is aware the Joint Regional Planning Panel (JRPP) will determine the matter, queried how this works. Asks Councillors to take an active interest in the proposal. Meetings with the developers have not been successful.

The Acting Director of Environmental, Planning & Building Services spoke to submissions received and JRPP process. Council prepares a report to the JRPP, timeline will be subject to the timing requirements of JRPP.

The Mayor spoke to JRPP process to be actioned and Councillor involvement in the process.

L Petford – resident - Proposal for the Sale of treated Waste Water - stated 2015 was the driest year on record. One day last November was the hottest day since the 19th century. Water is needed for fire fighting. There has been a lot of rain and now with dry weather, could be very bad wild fires. Asked Council to consider fire fighting issues when considering the proposal.

C Hale – resident - Proposal for the Sale of treated Waste Water - spoke to factors such as impacts on flora and fauna amongst others. Concern at contaminated water possibilities, is against the sale. Water is precious, do not waste it on mining activities. Currently developing a local growers network, need to look after food security.

B Sykes – resident - Disabled Parking Spots - stated the spots outside the Bathurst City Community Club do not comply. When will these be brought up to standard. No signage, lines are not in place and motif not in place.

The Mayor advised that Director Engineering Services will take concerns on board.

B Sykes - asked why does Council have variations in width for parking spots for disabled locations?

The Director Engineering Services advised depends when put in, standards vary. Council will review.

M Larson – resident - Proposal for the Sale of treated Waste Water - asked what legislation allows Council to sell the treated waste water. Referred to public trust and precautionary principle that operates in environmental matters.

T Sorrenson – BCANN- Proposal for the Sale of treated Waste Water - asked how does sale of treated effluent fit within Council's water wise strategy. Don't we want maximum amount of sewerage to be returned.

The Director Engineering Services advised strategy is to reduce use of water in the City.

S Feters – resident -

1. National Radioactive Waste Management Facility Proposal - Hill End (Mayoral Minute #1) - advised has moved to Bathurst from Sydney. Dismayed about Hill End proposal. Requests Council not to do it.
2. Tree Planting - expressed concern at Council's proposal to remove trees in Durham Street.

The Mayor spoke to Mayoral Minute concerning nuclear waste proposal and replacement program for Durham Street.

P Powell – Rahamm- Proposal for the Sale of treated Waste Water - spoke to mining processes and scale occurring in Australia. This matter needs to be considered in terms of the planet. Environment is a major issue and there is a lot of knowledge across the world. We need to harness our natural resources in an environmentally friendly manner. When will Bathurst have a Council that will join with groups to provide leadership in an environmentally aware climate?

G Crisp – Ratepayer- Minutes, Ordinary Meeting, 2 December 2015 - referred to Item 4 of the Ordinary Minutes of 2 December 2015 and comments made about his submission on the annual statement. Spoke to law on pecuniary interest. Also referred to when he was dumped from the Chamber. Said having declaration in bold type in the minutes was not in accordance with normal practice. Referred to his request to seek information from Council and the difficulties he has experienced. The General Manager is a menace, nothing will change for the better. Stated his comments have been removed from the internet. The two Council officers should be sacked. Tabled a letter to Council.

M Von Beckaren – Water Wise Program - stated the reason we have such a strategy is to reduce the amount we take from the river. So we need to retain as much water as possible in the River.

J Carter – Hill End resident - National Radioactive Waste Management Facility Proposal - Hill End (Mayoral Minute #1) - advised have over 3,000 online signatures. Concern at the intermediate waste proposed to be stored. Noted

problem in France with repository. Requests Council support the community on this matter.

B Andrews – Peel resident -

1. National Radioactive Waste Management Facility Proposal - Hill End (Mayoral Minute #1) - objects to imposition of the facility. Have we moved from an imperfect world to a perfect world? Queried whether we have learnt from history?
2. Proposal for the Sale of treated Waste Water - raised concern at Regis proposal - referred to the history behind Brewongle proposal to remove water from the Fish River.

R Mjadwesch – Proposal for the Sale of treated Waste Water - advised during last drought, Wellington got down to 2% water supply. Removal of 10 ML from river will cause issues. Consider what this means to the river and the downstream environment.

S Lew – resident- Proposal for the Sale of treated Waste Water - advised lived in South Australia and spoke to problems they had with the Murray River. Came here for lifestyle - library, Aquatic Centre and no water restrictions. Now looking a bit like South Australia.

C Smith – Orange resident- Proposal for the Sale of treated Waste Water -spoke to SKM report and volumes of water flowing down the river referred to. The levels are not true and vary to figures in Orange pipeline report. In 1986 the river stopped on occasions, one flood event distorted the flow figures. Thanked staff for providing figures, they have been very helpful. Spoke to river height and volumes, the proposal will impact water flows. The figures given to Councillors are erroneous. Asks Council to answer the questions raised in the GHD report, before a decision is made. Cannot see the economic value of using this water. The 'cease to transfer' on the Regis proposal is 4.1 ML per day, at Orange it is 108 ML per day.

C Gordon – resident - Proposal for the Sale of treated Waste Water - spoke to flows at Turon junction. The proposal to take out 8.6 ML per day would remove a high level of the base flow. Do not need to take more water out of the river. The Macquarie River has had Trout/Cod releases by the State Government, need to preserve the habitat, the proposed water extraction will place the program in jeopardy.

L Lucarno – resident- Proposal for the Sale of treated Waste Water - advised has put in an objection. We want the best for Bathurst, the Macquarie River is a Jewel in the Crown. Do not sell the water.

APOLOGIES

3 APOLOGIES

Nil.

MINUTES**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 2 DECEMBER 2015 (11.00005)****MOVED** Cr I Northand **SECONDED** Cr B Bourke**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 2 December 2015 be adopted.**5 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 9 DECEMBER 2015 (11.00005)****MOVED** Cr G Westmanand **SECONDED** Cr M Coote**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 9 December 2015 be adopted.**DECLARATION OF INTEREST****6 DECLARATION OF INTEREST 11.00002****MOVED** Cr M Cooteand **SECONDED** Cr W Aubin**RESOLVED:** That the Declaration of Interest be noted.**MAYORAL MINUTE****7 Item 1 NATIONAL RADIOACTIVE WASTE MANAGEMENT FACILITY PROPOSAL: SALLY'S FLAT (13.00024-02)****MOVED** Cr G Rush**RESOLVED:** That Bathurst Regional Council advise The Hon Josh Frydenberg MP, Minister for Resources, Energy and Northern Australia, that Council

1. does not support the proposal to establish a National Radioactive Waste Management Facility at Hill End in New South Wales, and
2. request the Minister to remove the Hill End site immediately from the selection process.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS**Director Environmental Planning & Building Services' Report****8 Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)****MOVED** Cr B Bourkeand **SECONDED** Cr I North

RESOLVED: That the information be noted.

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

RESOLVED: That the information be noted.

- 10** **Item 3 BATHURST REGION HERITAGE REFERENCE GROUP (20.00123)**
MOVED Cr M Coote and **SECONDED** Cr M Morse

RESOLVED: That the information be noted.

- 11** **Item 4 MAIN STREET IMPROVEMENTS AND SIGNAGE COMPLIANCE (20.00123)**
MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That Council:

- (a) refer this report for main street and signage improvements to the Bathurst Region Heritage Reference Group and the Bathurst Business Chamber for consideration; and
- (b) note that a further report will be submitted to Council following consultation with the Bathurst Region Heritage Reference Group and the Bathurst Business Chamber.

- 12** **Item 5 PLANNING PROPOSAL – SCHEDULE 5 ENVIRONMENTAL HERITAGE (20.00298)**
MOVED Cr G Westman and **SECONDED** Cr M Coote

RESOLVED: That Council:

- (a) prepare a Planning Proposal in accordance with the NSW Department of Planning and Environment Guidelines to update Schedule 5 Environmental Heritage of Bathurst Regional Local Environmental Plan 2014.
- (b) forward the Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway Determination;
- (c) accept any delegations from the NSW Department of Planning and Environment in relation to this Planning Proposal;
- (d) call a division.

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

The result of the division was:

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

Against the motion - Nil
Absent - Nil
Abstain - Nil

- 13** **Item 6 BATHURST BUY LOCAL GIFT CARD: 2015 RESULTS (20.00071)**
MOVED Cr M Coote and **SECONDED** Cr I North

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report

- 14** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED Cr I North and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

- 15** **Item 2 YEAR TO DATE MONTHLY REVIEW - 2015-2019 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2015-2016 (16.00140)**
MOVED Cr I North and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

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

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

- 17** **Item 4 POWER OF ATTORNEY (11.00007)**
MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

- 18** **Item 5 REQUEST FOR FINANCIAL ASSISTANCE - NAPOLEON REEF, WALANG AND GLANMIRE RESIDENTS ASSOCIATION (18.00004-31/120)**
MOVED Cr M Morse and **SECONDED** Cr B Bourke

RESOLVED: That Council provide an amount of \$200 towards the cost of incorporation for the Napoleon Reef, Walang & Glanmire Residents Association, to be funded from the Community Project budget.

- 19** **Item 6 REQUEST FOR FINANCIAL ASSISTANCE - INTERCHANGE BATHURST INC (21.00012, 18.00004)**
MOVED Cr I North and **SECONDED** Cr M Morse

RESOLVED: That Council reduce the fees for the use of Bathurst Memorial Entertainment Centre (BMEC) foyer for the opening of a photographic exhibition sponsored by Interchange Bathurst at a cost of \$263 to be funded from Section 356 Donations.

- 20** **Item 7 SISTER CITY DELEGATION TO OHKUMA - 2016 (23.00011)**
MOVED Cr M Morse and **SECONDED** Cr B Bourke

That Council:

- (a) send a delegation to Aizuwakamatsu to visit Ohkuma residents in the first half of 2016 subject to further discussion with the Ohkuma Town Council.
- (b) authorise the Mayor and the General Manager (or his authorised delegate) to attend as Council delegates.
- (c) authorise the General Manager to appoint a travel agent and commence preparations.

The following AMENDMENT was MOVED.

- 21** **Item 7.01 SISTER CITY DELEGATION TO OHKUMA - 2016 (23.00011)**
MOVED Cr I North and **SECONDED** Cr B Bourke

That Council:

- (a) send a delegation to Aizuwakamatsu to visit Ohkuma residents in the first half of 2016 subject to further discussion with the Ohkuma Town Council.
- (b) authorise the Mayor, Cr Morse and the General Manager (or his authorised delegate) to attend as Council delegates.
- (c) authorise the General Manager to appoint a travel agent and commence preparations.

The AMENDMENT was PUT and CARRIED

The AMENDMENT then became the MOTION

The MOTION was then PUT and CARRIED.

- 22** **Item 8 ABOLITION OF NSW EMERGENCY SERVICES LEVY (18.00233, 07.00018, 18.00043)**
MOVED Cr I North and **SECONDED** Cr M Coote

28 Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 DECEMBER 2015 (07.00064)**MOVED** Cr W Aubin and **SECONDED** Cr I North**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 2 December 2015 be adopted.**DELEGATES REPORTS****29 Item 1 CENTROC BOARD MEETING 26 NOVEMBER 2015 (07.00017)****MOVED** Cr I North and **SECONDED** Cr J Jennings**RESOLVED:** That the report on the CENTROC Board Meeting held 26 November 2015 at the Molong RSL Club be noted.**30 Item 2 MINUTES - AUSTRALIA DAY WORKING PARTY - 15 DECEMBER 2015 (23.00033)****MOVED** Cr M Coote and **SECONDED** Cr G Westman**RESOLVED:** That the information be noted.**RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS****31 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS****MOVED** Cr W Aubin and **SECONDED** Cr M Coote

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

There 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	REQUEST FOR VARIATION - SOLID WASTE CHARGES	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 REQUEST FOR VARIATION - SOLID WASTE CHARGES (22.00635)
MOVED Cr I North and SECONDED Cr W Aubin

That Council not vary its waste charges in respect to the request from Devro Australia.

RESOLVE INTO OPEN COUNCIL

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

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 33** ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
MOVED Cr I North and SECONDED Cr G Westman

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

MEETING CLOSE

- 34** MEETING CLOSE

The Meeting closed at 8.06 pm.

CHAIRMAN: _____

Date: _____ **(17 February 2016)**

MINUTE

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

RESOLVED: That the following Declarations of Interest be noted.

Cr Hanger

Item #1 of the General Manager's report

Cr Westman

Item #1 of the General Manager's report

Item #14 of the Director Corporate Services & Finance's report

Item #1 of the Director Corporate Services & Finance's Confidential report

Manager Corporate Governance

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

MINUTE

6 SUSPENSION OF STANDING ORDERS 11.00005
MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That Standing Orders be suspended to allow Council to deal with General Manager's Report #1: Proposed Sale of Treated Effluent to LFB Resources (Regis Resources Pty Ltd).

GENERAL MANAGER'S REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 FEBRUARY 2016

1 PROPOSED SALE OF TREATED EFFLUENT TO LFB RESOURCES (REGIS RESOURCES PTY LTD) (37.00410 & 21.00137)

Recommendation: That Council:

- (a) Advise LFB Resources (Regis Resources Pty Ltd) that Council requires;
 - (i) An EIS for the development be prepared.
 - (ii) Cease to Transfer (CTT) levels need determining.
- (b) Seek further details on the proposal including;
 - (i) Ability to release more water from Chifley Dam, including modelling of extra flows into the river e.g. 4ML and 8ML per day, so as to assess the impact on dam and water security.
 - (ii) Advice from Department of Primary Industries (DPI) on CTT levels.
- (c) Continue to hold discussions with LFB Resources (Regis Resources Pty Ltd) on the proposal, including pricing levels for the treated effluent.

Report: INTRODUCTION

Bathurst Regional Council has received a request from Regis Resources to sell its treated wastewater, for a proposed gold mine, the McPhillamy's Gold Project at Kings Plains, approximately 8km north east of Blayney, 27km south west of Bathurst, in the Blayney Council local government area.

At the November 2015 Council meeting, Council resolved to *invite community feedback on the request from Regis Resources to purchase treated effluent from Council's Waste Water Treatment Works, during the period 19 November till close of business 21 December 2015* .

The proposal has received extensive public interest, with numerous submissions received. Research has been undertaken to provide councillors with information to assist in their consideration of this matter. A number of the environmental issues would be subject to consideration in the EIS process, that would form part of the DA for the mine proposal. The approval process would be through the State Government.

Issues that need further consideration include:

1. More detail, if possible, on the CTT rules
2. Ability to release more water from Chifley Dam, including modelling of extra flows in the river eg 4ML and 8ML per day to assess impact on the dam and water security
3. Obtaining further advice from DPI – Water that may assist in the decision making process
4. Further work in possible pricing, to provide additional information in the economic impact assessment

REPORT

Regis' intention, should agreement be reached with BRC, is to use this water (through its wholly owned subsidiary LFB Resources) for the purpose of supplying the process water required for the operation of a proposed open cut gold mining project should the project prove economically viable.

To progress the project to a development phase, the Regis Board needs to approve the undertaking of a Definitive Feasibility Study (“DFS”) and an Environmental Impact Statement (“EIS”). Such approval would be reliant on a number of factors, the most important of which are a suitable gold price and the approval in principle to source an environmentally sustainable water supply for the project. The completed DFS and EIS would then need to be approved by the Regis Board and the NSW Department of Planning and Infrastructure (“NSW DPI”) respectively. The full approval process is outlined in Section 2 of this report, Approval Processes.

The water requirement for McPhillamy’s is approximately 9 megalitres per day (“ML/day”).

The proposed agreement with Council to supply treated effluent to McPhillamy’s would include three periods:

1. An initial set up phase of up to five years, which is an option period to enable the viability of the project to be established and to construct the pumping and pipeline infrastructure. Council would receive an annual option fee during the term of the set up phase.
2. An operational phase which covers the first ten years of use of treated effluent by Regis. Council would receive a fee per megalitre of treated waste water supplied to Regis.
3. Prior to the end of the operational phase Regis may exercise its option to renew its operational phase for a further 10 years.

Following consideration of this report, if Council agrees to sell treated effluent to Regis, Council will look to finalise contract negotiations with Regis regarding the supply of treated effluent. At the same time, Regis would look to determine the feasibility of the project and pursue additional environmental studies as required. Council will continue to provide information to the community as and when it becomes available on progress regarding the project.

This report is set out as follows:

1. Community Consultation
2. Approval Processes
3. Reports
4. Community feedback – Issues raised & how they will be addressed
5. Price & contractual arrangements
6. Conclusions

1. Community Consultation

Following the decision of Council on Wednesday 18 November 2015 to seek community comment Council commenced the roll out of a community engagement strategy.

Based on Council’s adopted Community Engagement Strategy framework Council adopted a level of “consult” on the IAP2 (International Association for Public Participation) spectrum for community engagement activities, which is to obtain public feedback on analysis, alternatives and/or decisions.

As a result, Council made available a range of information in relation to the proposed sale of treated effluent, on its website on 19 November 2015, including:

- Environmental Impact of Diverting Bathurst Effluent Water to McPhillamys, SKM, May 2014 (**Attachment 1**)

- Bathurst Waste Water Works Diversion of Treated Effluent EIA Review, GHD, September 2014 (**Attachment 2**)
- NSW Public Works Report, Bathurst Sewage Treatment Plant Effluent Reuse Study, June 2015 (**Attachment 3**)
- Environmental Protection Licence for the operation of the Bathurst Sewage Treatment Plant (**Attachment 4**)
- Regis Resources Project Summary, October 2015 (**Attachment 5**)
- Frequently Asked Questions document for the Treated Effluent Diversion Proposal, November 2015 (**Attachment 6**)

The community consultation process also included:

- Letters to stakeholders, including Councils, Aboriginal organisations, landowners, environmental groups, fishing clubs and government departments.
- Notification of community information sessions via newspaper advertisements in the Western Advocate (Saturday 21 November and Saturday 28 November 2015), The Land (Thursday 26 November 2015) and the Central Western Daily (Saturday 28 November 2015)
- A Council media release regarding the information sessions and community consultation was issued on Thursday 26 November 2015
- Radio advertising to promote the information sessions on 2BS/B Rock FM from Friday 27 November 2015 until Thursday 3 December 2015, with a total of around 80 spots airing on both stations.
- Promotion of the information sessions via Council's Facebook and Twitter pages
- Western Research Institute (WRI) were commissioned to run two community information sessions on Wednesday 2 December 2015 at Bathurst RSL and Thursday 3 December 2015 at Panthers Bathurst, and to provide an independent analysis of the submissions received from the community and to provide a report back to Council.
- The Information Sessions were attended by approximately 100 people in total. Additional information was provided on the Council website on 4 December to include:
 - The presentation by WRI to the community information sessions (**Attachment 7**)
 - The presentation by Regis to the community information sessions (**Attachment 8**)
- Responses to a number of the questions raised by community members at the community information sessions were collated and detailed in a second Frequently Asked Questions document. (**Attachment 9**)
- A number of media interviews and media coverage occurred during the community consultation period. A summary of media coverage from Council's media monitoring service Meltwater is included as **Attachment 10**.
- At the December 2015 meeting community members were advised that while the exhibition period would not be extended, any late submissions received over the Christmas-New Year period would continue to be included in the report compiled by WRI.
- The online submission form remained available on the BRC website and the feedback@council email address was kept operational with final submissions accepted on Monday 18 January 2016. Council has received a small number of submissions after this date which have not been collated into the WRI report, but have been provided to Councillors for their consideration. (**Attachment 11**)

2. **Approval Processes**

At the December 2 and 3 information sessions, WRI presented a diagram to illustrate where BRC's decision regarding the sale of treated effluent to Regis fits into the overall regulatory regime. This process is as follows (and is detailed in **Attachment 7**):

Process (for Regis) to develop McPhillamy's Gold Mine

- **Water Source:** Seek in principle approval from BRC to source an environmentally sustainable water supply for the project (treated effluent from Bathurst Waste Water Treatment Works)
- **DFS:** Seek approval from the Regis Board to undertake a Definitive Feasibility Study (DFS) and an Environmental Impact Statement (EIS)
- **CPDP:** Submit a Conceptual Project Development Plan (CPDP) to the NSW Department of Industry, Resources and Energy - Mineral Resources
- **DPE notified:** If approved, NSW Department of Planning and Environment (DPE) notified, and inter-agency planning focus meeting may be held (to enable all relevant Government Departments to get involved)
- **SSD:** Lodge State Significant Development (SSD) Application with DPE

State Significant Development Approval Process

- **DGRs:** An application for an SSD must be accompanied by an Environmental Impact Statement (EIS). Before preparing an EIS, an applicant must request Director General's environmental assessment requirements (DGRs) for the proposed development
- **EIS:** An applicant must prepare and submit an EIS for the proposed project. In preparing an EIS, applicants are required to consult with relevant State and local authorities, and engage with the local community
- **Public Exhibition:** Public exhibition of an EIS in which submissions are invited from agencies, community and any interested parties
- **Application Assessment:** Matters considered in the determination of a development application for a SSD include: likely impacts of the development (environmental, social and economic impacts), site suitability, submissions received, public interest
- **Determination:** Minister for Planning (or Minister's delegate) determines application and if approved, a Development Approval with conditions is granted

3. Reports

WRI has also provided a summary of the main points from the SKM, GHD and Public Works reports as follows (as detailed in **Attachment 7**)

SKM Report - main points

- Identification and assessment of impacts from the potential diversion of treated effluent from the Bathurst WWTW
- As a basis for impact modelling, SKM determined the contributions of returned effluent to overall River flow volumes
- Town Water supply extractions - 11 - 40 ML/day over the year
- Treated effluent returns in dry weather range from 6 - 10 ML/day (average dry weather discharge of 8.3 ML/day). This is the figure the SKM report has used for modelling
- Proposed diversion of treated effluent represents 0.8% of the total average annual extractions from the Macquarie River
- The report found that for around 20% of the time the treated effluent makes up the

major (> 50%) portion of the river flow immediately downstream of Bathurst

Importantly, the SKM report included cease to transfer rules

- During low flow conditions in the Macquarie River and without any mitigation, high and medium level impacts were identified to irrigation and stock and domestic water users downstream to Burrendong Dam, as well as medium level impacts to the City of Orange
- It was recommended that these impacts could be successfully mitigated through the use of Cease to Transfer (CTT) rules, and the possible relaxation of Cease to Pump (CTP) requirements for the Orange emergency pipeline (the CTP requirements are a consideration for DPI Water and Orange City Council)
-

Overall SKM recommended allowing the diversion of treated effluent with CTT rules in place. If the proposal proceeds then the report also recommended:

- undertaking annual 'rapid appraisal of riparian condition' (RARC) assessments to monitor change in conditions when effluent discharges are diverted, in order to understand the magnitude and extent of potential impacts on riparian vegetation
- establishing a monitoring plan to determine the response (if any) of the aquatic environment to the diversion of treated wastewater
- undertaking a targeted frog survey for the endangered Booroolong Frog within the ecological zone of influence

GHD Report - main points

- Overall, GHD concluded that: "based on the level of detail in the IA (sic SKM) report, the proposed flow diversion appears a reasonable proposition"
- However, it did identify matters for further investigation: "further consideration of the development of any flow diversion rules and consideration of the appropriate level of assessment to determine the significance of impacts during low flows should be undertaken to support the proposal"
- This further investigation would be undertaken through an EIS, required as part of the development approval process.

NSW Public Works Report – main points

- Advice to Council around regulatory requirements and guidelines, reuse activities and effluent quality requirements, concept design, mine site controls, risk assessment process, and discussed operational and management risks and issues.
- Preliminary capital cost estimates for construction of the proposed additional facilities for the effluent reuse scheme.
- At the Waste Water Treatment Works, the total capital cost (noting additional items requiring further specialist design) was in the order of \$3.4M (GST incl) and the transfer pipeline would be in the order of \$16.8M (GST incl).
- These capital costs of over \$20M would be entirely the responsibility of Regis, and if the proposal is approved, the contract would include clauses to that effect.

WRI Report

WRI were engaged by Council to undertake the community consultation regarding the effluent diversion project and to run two community information sessions. WRI has collated the community feedback from the information sessions and from the submissions lodged during the consultation period to provide an independent review of the feedback received and the issues raised.

Community views gathered from the forums and written submissions were summarised at a high level to understand the major community issues. These views and submissions were then analysed thematically to understand the most commonly reported issues for reporting.

At the time submissions closed on 18 January 2016, to enable WRI to prepare their report, 414 written submissions were received. Of these 133 submissions opposed the project and 281 submissions were received in support of the project.

A full copy of the WRI report is provided at **Attachment 12**. All of the submissions received and considered as part of the report are provided as **Attachment 13**.

4. Community feedback - Issues raised & how will they be addressed

A review of all issues and concerns raised as part of the community feedback has been undertaken. Whilst a number of matters are comments for noting, there are concerns and issues raised which have been compiled into the following list, as detailed by WRI in their report. The summary of concerns raised in the WRI report is provided below in italics and each of these high level themes is addressed below to provide a response as to each of these items.

Environmental impacts

The principle issue highlighted in submissions opposed to the proposed diversion related to perceived negative environmental impacts. In many of these submissions environmental impacts were discussed in general terms, rather than specific environmental impacts. These concerns speak to a general feeling that lower water flows have significant negative environmental impacts.

A smaller subset of submissions were specifically concerned over the impacts of the proposed diversion on native flora and fauna. Impacts on native fish species and habitats were raised in numerous submissions, including impacts on rare native fish stock, such as the Trout Cod. There were also a number of references to other native fauna, including the Booroolong Frog and local populations of platypus. Further issues such as increased algal growth, stagnant water and spread of pests and disease were also raised as impacts of lower water flows.

A different aspect of submissions opposed to the proposed diversion relates to the negative environmental impact of the McPhillamys mine. A number of submissions were opposed to the diversion of treated effluent as it will be utilised in a mining project, which they view as having significant negative environmental impacts. These impacts were mostly discussed in general terms.

A smaller number of submissions discussed that the mine should source water from sources other than the Macquarie River.

It is a clear expectation of Council, Regis and the relevant NSW State Government agencies that further investigation of the environmental impacts on the river and downstream users will be undertaken and that the regulatory process will involve a greater level of detail than currently available.

If Council agrees to the sale, Regis would be required to go through a range of other regulatory approval processes as part of their application to develop the McPhillamy's Gold Project. This process includes consultation with Government Departments as to the environmental matters to be considered in detail, the preparation of an Environmental

Impact Statement and assessment of the EIS by the Department of Planning in conjunction with other Government Departments. This process is also the subject of further public consultation. Council for its part is not an ultimate decision maker in relation to this aspect of the proposal.

Project Documentation

A good deal of submissions opposed to the proposed effluent diversion focussed on the perceived shortcomings of the project documentation. Concerns include the deficiencies and shortcomings in the information included in the technical review, the issues highlighted in the peer review, that the conclusions of the peer review do not match with its own findings, that the project documentation misused technical terms, that conclusions were unjustified and suggestions that the project documentation was biased in favour of the proposed diversion.

The SKM report and the GHD Peer Review were commissioned by Bathurst Regional Council to inform their decision making and to provide information on issues associated with the potential sale, including whether legal or environmental matters associated with the proposal are such that the sale could not proceed. These reports were provided to the community to inform debate and to provide an overview of the proposal and its potential impacts and possible mitigations.

It is a clear expectation of Council and Regis that further investigation of the environmental impact on the river and downstream users will be undertaken and that the regulatory process will involve a greater level of detail than currently available.

The reports currently publicly available are preliminary studies to ascertain the feasibility of the sale of treated effluent to Regis Resources. Further detailed studies, by appropriate state regulatory authorities including but not limited to NSW Department of Primary Industries - Water and Department of Planning and Environment will be required if Council agrees in principle to the sale of the treated effluent. As Regis is the proponent, they are responsible for arranging studies and gaining NSW Government approvals. Should an approval be granted, it will contain conditions with which Regis must comply.

Climate Change and Water Stress

Two common and related themes in submissions against the proposed diversion were climate change and water stress issues. The view was put forward that climate change would reduce future water flows in the Macquarie River, through dryer and hotter weather. This idea was often accompanied by observations that future burdens on the river system would only increase, through greater population and industry. Some submissions questioned the wisdom of committing to the sale of water when the number of future water users were likely to grow at the same time as rainfall reduced.

As part of normal operations and annual compliance reporting, Council staff identify the overall water consumption for Bathurst each year along with the peak day demand.

These figures are then checked against the current and trending storage volumes in Chifley Dam to identify any trends, or show up a possible lack of supply. In recent years the yearly consumption of water in Bathurst has been consistent and averages 6,070ML. The total maximum amount which can be stored in Chifley Dam during non-flood periods is 30,100ML, as at December 2015 the level was 28,000ML.

In addition the peak day demand is checked against the treatment capacity of the Water Filtration Plant. The peak day has been around 41 ML, well below the treatment plant capacity of 60 ML/d.

Council's practices in regards to ensuring water supply is available at the weir adjacent to the Water Filtration Plant includes usage of available flows from the Fish River and then switching to releasing water from Chifley Dam. The Fish River generally flows from April to October inclusive and as this is not during the irrigation season, adequate flows are available from this source alone to provide for the city of Bathurst. When summer arrives, irrigation commences, and demands increase in Bathurst. The outflow from Chifley Dam is increased to meet these demands. This normally coincides with the time that the flow in the Fish River decreases or stops. In addition to these two sources, Council utilises water stored in the Windurndale Dam (capacity 1,700 ML) to provide raw water for use on parks, gardens and some sporting fields around Bathurst.

From the census data available through *.id the population experts*, staff identify population figures, household composition, and growth rates to ensure they are also tracking in line with forecast growth.

From data collated by *.id the population experts*, it is advised that between 2011 and 2036 the population for Bathurst Regional Council is forecast to increase by 12,846 persons (32.11% growth), at an average annual change of 1.12%. For the area serviced by Council's Water Filtration Plant the estimated population in Bathurst in 2011 was 34,418 and is anticipated to increase to 46,486 in 2036.

Even though population is increasing steadily in Bathurst, greater use of water efficient fittings and appliances, along with strong pricing signals, BASIX, waterwise information and advertising are all contributing to keeping the overall water consumption for Bathurst relatively steady, and well within the capacity of both Chifley Dam and the Water Filtration Plant.

From Council's Demand Management Plan, prepared by HydroScience, October 2014, the anticipated annual demand has been forecast out to 2043 and this shows a change in demand from approximately 6,100ML per annum in 2015 to 8,385 ML per annum in 2043. The peak day demand in 2043 is projected to be 46.6ML per day. Both of these figures are within the range of capacity and capability of both the Water Filtration Plant and Chifley Dam.

As part of the plans and studies required by DPI Water for compliance with the best practice guidelines, Council's consultants also review the current and forecast demand against the storage and treatment capacity to check that Council's assessments remain valid.

Council engaged Sinclair Knight Mertz to develop a Bathurst Climate Change and Water Security Plan. This was finalised in May 2011. The over-arching theme of the Plan is to establish Bathurst as a water-wise community. The Plan discussed a large number of issues and aspects around Climate Change and water security and includes an action plan detailing seven key elements.

1. Engaging with the community
2. Water conservation
3. Water sensitive urban design
4. Improving water security
5. Actively supporting improved rural land and water management
6. Contingency planning – emergency supply
7. Water information

Action has been taken in most of these areas. In terms of improving water security the plan identified the options to be implemented, in order of priority are:

1. Improving supply reliability from Winburndale
Council continues to replace lengths of wood stave pipeline each year and has now

- completed the detailed design for the flood security upgrading of Winburndale Dam.
2. Wider use of recycled water
This was initially considered by Council during 2006 however the costs of providing the infrastructure and operating the system were too great for both Council and customers and the project did not proceed past feasibility stage.
 3. Piping water from Chifley Dam
Studies have been completed into the feasibility and preliminary assessment of flora and fauna impacts and whilst the feasibility study was assessed by Council it recognised the need for a larger population base to make the project cost-benefit positive.

Water Security

A related but different issue of water security was also raised in submissions. Many submissions raised concerns over the potential for the local community to lose control over its future water supply. Individuals were reluctant to agree to the sale of water to a corporation when the details of the proposed contract were unknown, with some fearing that the community would be beholden to a poor contract.

Some submissions raised the concern that the community may be left short of water at some point in the future as water would be diverted to the McPhillamys mine. A further and related issue was that Council would sign an agreement with Regis before the mine had received approval. This left some submitters unsure and worried that, in the event that the mine did not go ahead, Regis would control water rights and could then on-sell water at a profit.

A number of submissions made negative comparisons to water shortage and security experiences in Orange, relating to the Orange pipeline and the Cadia mine. Some individuals were also concerned that future demands on the Macquarie River may also leave the Bathurst community short of water.

Since 2001 when work was completed on the Chifley Dam Flood Security Upgrading & Raising Project there has been no water restrictions imposed in Bathurst. In December 1997 Council imposed restrictions (no fixed sprinklers) over summer into 1998. Prior to that the drought of 1982/3 was the last time extensive water restrictions were imposed.

To address future water security issues, Bathurst Regional Council has completed the Chifley Dam to Bathurst pipeline feasibility study (October 2008) and commenced ancillary studies on heritage and flora/fauna.

Council has also commenced consideration of further water security improvements including raising the Chifley Dam wall, and detailed design work has been completed in relation to dam safety work that is required at Winburndale Dam.

Any contract for the sale of treated effluent to Regis Resources will contain a condition that the effluent is purely for use at the proposed McPhillamy Gold Mine and cannot be used for any other other purpose, or at any other location.

Impacts on downstream users

A significant number of submissions highlighted concerns over the impacts on downstream users. The majority of the feedback relating to downstream users focussed on the farming / irrigating water users. The impacts discussed in relation to these users were, again, often a general concern, although some submissions did allude to detrimental economic impacts of water of the proposed water diversion on this cohort. There was also significant concern over the impacts on recreational water users, such as fishers, campers, sightseers and other tourist and recreational users.

On 20 January 2016 representatives of the irrigators along the Macquarie River had the opportunity to brief Council on their concerns. The consensus from the irrigators was that they have a neutral position on the proposal provided that the Cease to Transfer provisions ensure that sufficient water remains available for downstream users. The Bathurst Irrigators Association submission (**Attachment 11**) summarises their concerns including the following issues:

1. Irrigators have a neutral position as to whether Council sells waste water to Regis
2. Any revenue Council receives to be used for water security in the future
3. Will there be discharge into the river when flows are very low, or cease to pump trigger applies?

The Irrigators Association suggests that the issues could be managed through the installation of flow gauges downstream of the last irrigator.

The EIS process would require Regis to undertake studies and investigations as to the most suitable location for the flow meters with those studies and reports considered by the relevant state government authorities, and provided as conditions of approval for any infrastructure works.

Regis Resources would be responsible for investigating, installation and operation of suitable flow gauges with at least one upstream of the Waste Water Treatment Works and another to be located past the last irrigator downstream from the Waste Water Treatment Works.

As noted above further investigation of the environmental impact on the river and downstream users, and the concerns raised in submissions by these user groups, including but not limited to fishing groups and landowners will be undertaken and the regulatory process will involve a far greater level of detail than currently available.

It is anticipated that the impacts relating to the quantity of river flow can be mitigated through cease to transfer (CTT) processes and rules, so that in very low flow periods the treated effluent is fully returned to the Macquarie River. This would require the installation of river flow gauges as close as practicable to the Bathurst Waste Water Treatment Works so that data is available continuously online. The gauges would be installed at Regis' cost. Regis would accommodate CTT periods by incorporating additional storage into their water systems.

CTT rules

A further issue highlighted in some submissions was a concern over the operation of the Cease to Transfer (CTT) rules. One concern raised in this context was the accurate measurement of water flow, whilst another issue was that the proposed flow levels were seen as inadequate. Submissions suggested that the CTT low flow levels resulted in very little running water in the river. Whilst it is difficult to identify, there also appeared to be a measure of distrust that the CTT rules would work as suggested in project documentation.

If Council agrees to the sale of treated effluent to Regis Resources, Cease to Transfer rules, and the implementation of CTT rules, would be ultimately determined through the approval process. The SKM report has recommended a level of flow in the Macquarie River at which the CTT rules would apply.

As further environmental studies are undertaken by Regis, the CTT would be one of the matters investigated further. The level proposed by SKM would be a minimum requirement, but Council, State and Federal environmental approval bodies may recommend a higher

level.

In the case of the Macquarie River to Orange Pipeline project, approved by the NSW Department of Planning and Infrastructure on 17 June 2013, and the Federal environmental authorities on 20 August 2013, the approval process resulted in a change of the pumping trigger from 38 megalitres per day to 108 megalitres per day in the Macquarie River upstream of the offtake structure.

Council has sought the advice of the Department of Primary Industries Water as to the appropriateness of the proposed CTT level included in the SKM report. Verbal advice has been provided by DPI – Water that the treated effluent from Bathurst's Waste Water Treatment Works was not included in the available water to be shared in the development of the *Water Sharing Plan for the Macquarie Bogan Unregulated and Alluvial Water Sources 2012*.

Water sharing plans are developed under the *Water Management Act, 2000*, which required the plans to:

- Share water between all water users and the environment
- Improve the health of our rivers
- Provide security of access for water users
- Meet the social and economic needs of regional communities
- Facilitate water trading

As such, the daily output from the Waste Water Treatment Plant is not considered in determining environmental flows in the Macquarie River.

Any written advice received from DPI – Water will be forwarded under separate cover and made available at the meeting.

The EIS process will determine the final Cease to Transfer rules, should approval for the project be granted by the State Government.

Consultation Process

A common theme in submissions was perceived shortcomings of the submission process. The process was discussed as being too short (given the importance of the subject) and initiated too close to Christmas. A smaller group of submissions also expressed an opinion that the process was biased or was a sham process, with Council unlikely to listen to community opinion.

Council considered a motion regarding the submission period at the 18 November 2015 meeting and voted to retain the exhibition period as originally proposed, from Thursday 19 November 2015 through until close of business on Monday 21 December 2015.

A summary of the Community Engagement Strategy process is outlined in the Community Consultation section of this report. Council has attempted to reach as broad a cross section of the community and provide as much information as possible.

Financial Burden

The potential for the proposed diversion to place a financial burden on Council and the Bathurst community was highlighted as an issue in some submissions. This was discussed in terms of the potential cost to Council for water infrastructure and the potential legal liability of entering into an agreement for the sale of water. Matters of legal liability appear to speak to an element of community distrust of mining companies to be good corporate citizens. For example, the Transpacific Partnership Agreement (TPP) was perceived by some as a potential area for legal liability for Council.

Regis Resources Ltd has advised that they would be responsible for any necessary infrastructure at the WWTW, including the pipeline for the water to get it to the proposed mine site, and any other related infrastructure. Regis Resources would also be responsible for all ongoing operational costs of the pipeline from the WWTP to the McPhillamy's mine site.

The water that Regis has requested to purchase from the WWTW would be supplied to Regis at the same standard that it is currently discharged back into the Macquarie River. Any additional treatment that may be required by Regis in seeking the necessary approvals for the transfer of treated effluent will be at Regis' cost, for both construction and operation.

Regis will also be responsible for the costs associated with any further studies required as part of the regulatory approval process if Council agrees to the sale of treated effluent. Any sale of treated effluent to Regis Resources will also provide an ongoing income stream to Council for the anticipated duration of the operation of the mine.

Economic impact questioned

A number of submissions also questioned the future positive economic benefits for the Bathurst community of the McPhillamy's gold mine. This included concerns that mine expenditures and jobs would not benefit Bathurst to the extent suggested in project documentation. It was also suggested that reduced water flow could negatively impact on current tourism and recreational expenditure of visitors who come to Bathurst for camping and fishing.

Regis Resources have provided background information to Bathurst Regional Council on the socio-economic value of the proposed McPhillamy's Gold Project (**Attachment 5**) which includes:

- Estimated \$150 million of expenditure during project construction, 50% of which is estimated to be in the local region;
- 200 direct jobs during the 12 to 18 months of project construction;
- 150 direct jobs and 400 indirect jobs during the ten years of operation; and
- Approximately \$800 million of annual expenditure in the local region during the operations.

Regis has estimated that the project would provide an estimated \$80 million per annum of expenditure in the region during the ten years of operation of the mine. Economic benefits from the McPhillamy's Gold Project beyond this time, if the option to extend the mine for a further 10 years is taken up, have not been calculated as part of this report, but similar benefits are anticipated as in the initial 10 years of operation.

The figures provided by Regis Resources are based on economic modelling undertaken by the NSW Minerals Council. Further information on the expenditure undertaken by exploration and mining companies operating in NSW can be found at <http://www.nswmining.com.au/industry/economic-impact-2013-14>

In response to questions regarding the economic impact of the proposed McPhillamy's Mine, Council commissioned *.id the population experts* to undertake economic modelling on the value-added economic contribution during the construction and operational phases of the mine. Using employment figures from Regis *.id the population experts*, have determined that the value-added economic contribution during the construction phase of the mine would be worth \$91million to the regional area economy and during the operational phase the value-added economic contribution would be \$120 million. (**Attachment 14**)

In addition, Council would obtain income from the sale of the treated effluent.

Encouraging Sustainable Businesses

A number of submissions suggested that Council should be encouraging more sustainable businesses locally, rather than mining operations. These submissions appear to reflect beliefs that mining is an environmentally unsustainable business model, and that the McPhillamys project will only have a limited life, therefore more sustainable businesses should be prioritised as they will be of longer term benefit to the community. A number of other business suggestions were raised, including nature tourism activities and clean energy.

A strong and diverse economy underpins the Bathurst Community with retail, manufacturing and education being the main employment industries. Bathurst has over 3,240 GST registered businesses (2013) and as the hub of central New South Wales, provides access to a market of more than 8 million people, fostering and attracting new business for the Region's competitive strengths.

Council acts as an advocate, facilitator, coordinator and service provider to lead and enable continued economic prosperity, infrastructure, innovation, investment, job generation, business/residential relocation and new business development.

Council achieves these outcomes through partnerships with key community stakeholders, including the Bathurst Business Chamber, Business Enterprise Centre (BEC), NSW Department of Industry, the Office of the Small Business Commissioner, Regional Development Australia (RDA) and AusIndustry.

5. Pricing & Contractual arrangements

Council will consider possible contractual arrangements with Regis in a confidential session of Council.

Investigations have been undertaken to inform Council of possible pricing arrangements for the sale of treated effluent.

The proposed agreement between Council and Regis will include three periods:

1. An initial set up phase of up to five years, which is an option period to enable the viability of the project to be established and to construct the pumping and piping infrastructure. Council would receive an annual option fee during the term of the set up phase.
2. An operational phase which covers the first ten years of use of treated effluent by Regis. Council would receive a fee per megalitre of treated waste water supplied to Regis.
3. Prior to the end of the operational phase Regis may exercise its option to renew its operational phase for a further 10 years.

In addition, Regis Resources will be responsible for costs associated with infrastructure required for the development and operation of the transfer of treated effluent from the WWTW to the McPhillamy's Gold mine.

6. Conclusions

The proposal from Regis to purchase Council's treated effluent from the WWTP for use at the McPhillamy's Gold Project, is in essence diverting treated effluent from being returned to the Macquarie River, water that Council has previously extracted under its water licence for the purpose of providing a water supply for the city under the *Water Management Act 2000*. Both the SKM and GHD reports review this legislation and assess any potential impediments to the sale of the effluent.

Both conclude that once Council removes the water from the river for the town supply there are no stipulations as to how the water should be used or subsequently disposed of through either returned flows or effluent reuse. Accordingly, Council has the right to deal with this resource, such as selling it.

It is noted that there are currently more than 20 local government authorities in NSW that sell their treated effluent, and others that do not charge for effluent reuse by a third party.

At this stage, there are a number of questions regarding the potential environment impacts on downstream users, and the riverine environment that require further investigation by Regis Resources, as the proponent of the project. Among these is the appropriate Cease to Transfer rules that should apply for the project. These issues will be further investigated and appropriate levels recommended by the relevant state government authorities through the Environmental Impact Statement (EIS) that would accompany any application to the State Government by Regis Resources for the McPhillamy's Gold Project.

The proposed mine would result in economic benefit for the region, from direct and indirect jobs and increased spending during the construction and mining phases. The commercial use of the treated effluent would also result in an income stream from Council. At this stage the environmental questions that remain need to be addressed first before Council makes a final decision on the request to sell treated effluent to Regis Resources. The EIS for this development will answer many of these questions with further detailed assessment by the appropriate regulatory authorities including but not limited to NSW Department of Primary Industries - Water and Department of Planning and Environment.

Financial Implications: There are nil financial implications at this time.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.4
- Objective 12: To protect and enhance water quality and riparian ecology. Strategy 12.1
- Objective 13: To minimise the City's environmental footprint. Strategy 13.4
- Objective 16: To encourage sustainable waste management practices, incorporating opportunities for energy generation. Strategy 16.3
- 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

7 Item 1 PROPOSED SALE OF TREATED EFFLUENT TO LFB RESOURCES (REGIS RESOURCES PTY LTD) (37.00410 & 21.00137)
MOVED: Cr I North SECONDED: Cr B Bourke

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

Reason: Family member has lodged a submission.

It was noted that Cr Westman declared a pecuniary interest in this item, but is an apology for this meeting.

Reason: Employer sells product to a contractor of Regis Resources.

That Council:

- (a) Advise LFB Resources (Regis Resources Pty Ltd) that Council requires;
 - (i) An EIS for the development be prepared.
 - (ii) Cease to Transfer (CTT) levels need determining.
- (b) Seek further details on the proposal including;
 - (i) Ability to release more water from Chifley Dam, including modelling of extra flows into the river e.g. 4ML and 8ML per day, so as to assess the impact on dam and water security.
 - (ii) Advice from Department of Primary Industries (DPI) on CTT levels.
- (c) Continue to hold discussions with LFB Resources (Regis Resources Pty Ltd) on the proposal, including pricing levels for the treated effluent.
- (d) Advise LFB Resources (Regis Resources Pty Ltd) that at this time, Council has made no determination with respect to the potential sale of effluent/water.
- (e) Upon receipt of the additional information as requested, that Council hold further public consultation on the proposal.

MINUTE

8 **Item 1.01 EXTENSION OF TIME (11.00005)**
MOVED: Cr M Coote SECONDED: Cr J Jennings

RESOLVED: That an extension of time be granted to Cr North for Item #1 of the General Manager's Report in accordance with Clause 250 (3) of the Local Government (General) Regulation 2005.

MINUTE

9 **Item 1.02 EXTENSION OF TIME (11.00005)**
MOVED: Cr I North SECONDED: Cr M Morse

RESOLVED: That an extension of time be granted to Cr Jennings for Item #1 of the General Manager's Report in accordance with Clause 250 (3) of the Local Government (General) Regulation 2005.

MINUTE

10 **Item 1.03 EXTENSION OF TIME (11.00005)**
MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That an extension of time be granted to Cr Morse for Item #1 of the General Manager's Report in accordance with Clause 250 (3) of the Local Government (General) Regulation 2005.

MINUTE

11 **Item 1.04 EXTENSION OF TIME (11.00005)**
MOVED: Cr M Coote SECONDED: Cr J Jennings

RESOLVED: That an extension of time be granted to Cr Morse for Item #1 of the General Manager's Report in accordance with Clause 250 (3) of the Local Government (General) Regulation 2005.

MINUTE

12 Item 1.05 PROPOSED SALE OF TREATED EFFLUENT TO LFB RESOURCES (REGIS RESOURCES PTY LTD) (37.00410 & 21.00137)

MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That Council:

- (a) Advise LFB Resources (Regis Resources Pty Ltd) that Council requires;
 - (i) An EIS for the development be prepared.
 - (ii) Cease to Transfer (CTT) levels need determining.
- (b) Seek further details on the proposal including;
 - (i) Ability to release more water from Chifley Dam, including modelling of extra flows into the river e.g. 4ML and 8ML per day, so as to assess the impact on dam and water security.
 - (ii) Advice from Department of Primary Industries (DPI) on CTT levels.
- (c) Continue to hold discussions with LFB Resources (Regis Resources Pty Ltd) on the proposal, including pricing levels for the treated effluent.
- (d) Advise LFB Resources (Regis Resources Pty Ltd) that at this time, Council has made no determination with respect to the potential sale of effluent/water.
- (e) Upon receipt of the additional information as requested, that Council hold further public consultation on the proposal.

The MOTION was PUT and CARRIED.

Cr Morse asked that her negative vote be recorded.

Yours faithfully



D J Sherley
GENERAL MANAGER

MINUTE

13 **Item 1.06 RESUMPTION OF STANDING ORDERS (11.00005)**
MOVED: Cr M Coote SECONDED: Cr J Jennings

RESOLVED: That Council resume Standing Orders.

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 FEBRUARY 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

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

MOVED: Cr I North SECONDED: Cr M Coote

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 January 2016 (**attachment 1**).
- (b) Applications refused during January 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 January 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

- 15 Item 2 GENERAL REPORT (03.00053)
MOVED: Cr I North SECONDED: Cr M Morse

RESOLVED: That the information be noted.

3 DEVELOPMENT APPLICATION NO. 2015/0412 – PARTIAL DEMOLITION AND TWO STOREY ADDITIONS AND ALTERATIONS TO SHOP AND DWELLING AT 216 WILLIAM STREET, BATHURST. APPLICANT: MR LABH SINGH. OWNER: MR L SINGH (DA/2015/0412)

Recommendation: That Council:

- (a) as the consent authority, grant consent pursuant to Section 80 of the Environmental Planning and Assessment Act, to Development Application No. 2015/0412, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (b) call a division.

Report: The Site

Council has received a Development Application (DA) for partial demolition and two storey additions and alterations to a dwelling and shop at 216 William Street, Bathurst, described as Lot 1 DP 737817. A location plan is provided at **attachment 1**.

The site currently contains a single storey shop and two bedroom dwelling.

The proposal

The proposal involves:

- The partial demolition of the rear section of the building, carport and garage; and
- Additions and alterations to the existing building on site including the construction of a second storey.

It is noted that the building will include the construction of a verandah over the Council road reserve/footpath.

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

Planning Context

Bathurst Regional Local Environmental Plan 2014

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

Clause 4.3 Height of buildings

The height of buildings map shows the maximum height for a building on the subject land is 9 metres. The height of the additions is 8.6 metres (measured from the existing ground level to the highest part of the dwelling). The proposed development complies with the standard.

Clause 5.9 preservation of trees or vegetation

Council's Tree Preservation and Management Policy is applicable to this site. The site

contains no trees to which this Policy applies.

No street trees will be removed as part of the proposal.

Clause 5.10 Heritage Conservation

The site is located within the Bathurst Heritage Conservation area and, along with terraces at 208-214 William Street is a local heritage item identified in the LEP. The shop, along with the adjoining terraces, are also listed by the National Trust.

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

The application has been supported by a Heritage Impact Statement (HIS) prepared by the applicant (refer **attachment 3**). The HIS indicates that the existing shop/dwelling was constructed during the 1870's.

The proposed development will remove the unsympathetic additions (lean to additions) to the rear of the building and provide an addition that is architecturally varied and presents well to Lambert Street.

The proposal involves the demolition of a portion of the original 1860's building. The remaining core of the building will remain substantially intact.

The corner store is listed as a locally significant heritage item and it will not be adversely impacted by the proposal. The second storey addition is setback from the William Street frontage with limited visibility from the William Street Streetscape.

The proposed development maintains the majority of the original fabric of the building and historical elements of the building corner store and overall will have a minimal impact.

Bathurst Regional Development Control Plan 2014

Chapter 2 – Exhibition and Notification of Development Applications

The Development Application was advertised and notified to adjoining property owners in accordance with Chapter 2 of Council's DCP between 7 December 2015 and 5 January 2016. The application was also referred directly to the National Trust as the building is listed on its register. One submission was received from the National Trust (**attachment 4**).

The National Trust was invited to attend a discussion forum but the invitation was declined. The issues raised in the submission are detailed later in the report.

Chapter 10 Urban Design & Heritage Conservation

Heritage Impact Statement

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

Chapter 4 Residential Development

Bathurst Regional Development Control Plan 2014 – Chapter 4 Residential Development

The site is contained within Precinct 1 pursuant to the *Bathurst Regional Development Control Plan 2014* (DCP). Dwellings are permissible with consent in the precinct. The proposal generally complies with the objectives of the Precinct and the development standards for dwellings:

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	278.2m ²	550m ²	No*
Height	Two-storey	Two- storey maximum	Yes
Setbacks Front Rear Side	0m BCA BCA	Complement existing In accordance with BCA In accordance with BCA	Yes Yes Yes
Car parking Resident Shop	1 1	1 1	Yes Yes**

* The site contained an existing two bedroom dwelling on site therefore the proposed development represents an extension and continuation of that use.

** The proposed alterations to the shop and dwelling is not creating any additional floor area. It is considered acceptable that one car parking space is provided for the dwelling and one space for the existing shop.

Submissions

The Development Application was advertised and notified to adjoining property owners in accordance with Chapter 2 between 7 December 2015 and 5 January 2016. One submission was received from the National Trust (**attachment 4**). The National Trust declined to attend a discussion forum.

The issues raised in the submission are:

- The proposal is a "creative solution" to the design issues and has the potential to be a useful infill development within the Heritage Conservation Area.
- Consideration should be given to using materials such as face brick on the addition to differentiate it from the shop building.

Comment: The existing building has a rendered finish. A rendered and painted finish on the new addition is considered appropriate.

- The National Trust is surprised that verandahs over the footpath are allowed under the DCP but recognise their inclusion will require construction of gables which will reduce the mass of the building to Lambert Street.

Comment: Council's DCP does not preclude the construction of verandahs or awnings over public footpaths. There are similar historic locations in residential areas where verandahs are located over the footpath within the Bathurst Heritage Conservation Area.

- It is noted that the plans include two advertising elements. Such signage must be consistent with Council's DCP and must be limited to business identification not product advertising.

Comment: The two advertising panels on the Lambert Street facade are of a similar size and shape to the existing windows on this side of the building and are therefore considered appropriate in this instance and consistent with Council's DCP provisions.

Conclusion

Council has received a Development Application (DA) for the partial demolition and two storey additions and alterations to the shop and dwelling at 216 William Street, Bathurst. A Heritage Impact Statement has been submitted with the Development Application. The development is considered appropriate to the heritage qualities of the street and the Bathurst Heritage Conservation Area generally. 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

16 Item 3 DEVELOPMENT APPLICATION NO. 2015/0412 – PARTIAL DEMOLITION AND TWO STOREY ADDITIONS AND ALTERATIONS TO SHOP AND DWELLING AT 216 WILLIAM STREET, BATHURST. APPLICANT: MR LABH SINGH. OWNER: MR L SINGH (DA/2015/0412)

MOVED: Cr M Morse SECONDED: Cr M Coote

RESOLVED: That Council:

- (a) as the consent authority, grant consent pursuant to Section 80 of the Environmental Planning and Assessment Act, to Development Application No. 2015/0412, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (b) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Cr G Westman,

Abstain - Nil

4 EVOCITIES DEVELOPMENTS (20.00071)

Recommendation: That the information be noted.

Report: Bathurst has been a partner to the Evocities project since its inception in September 2010. Evocities is about changing the perceptions of metropolitan residents, in particular Sydney, to help them understand the value and benefits of living, working and investing in regional NSW cities.

Evocities is one of the most successful regional marketing campaigns undertaken in Australia to date. It has attracted significant market penetration and delivered some excellent key outcomes for all cities involved.

Council's participation ensures we have the opportunity to continue to promote Bathurst, its jobs, lifestyle and investment opportunities. It also allows Council to leverage off the indirect benefits that arise from involvement in this program, which includes improving the credibility of NSW inland regional cities, and enhancing our relationships with State and Federal Government and partner Councils, to assist us in pursuing our community strategic priorities.

With the implementation of the new Evocities Business Plan and Marketing Communications Strategy 2015-2019, the Evocities Steering Committee will produce new branding and creative designs to ensure the continued success of the campaign. The campaign has reached a mature stage, where the Evocities have developed confidence in our offer to Sydney residents and expertise in key messages that resonate with the target audience. Please note the following changes:

- A new Evocities theme, inclusive of a new tagline "Regional City Living", which replaces "The Art of Living".
- Redesign of the Evocities website.
- New Evocities billboards.
- New city imagery – photos and videos.
- Marketing spend to be directed to online campaigns – digital remarketing and social media rather than traditional hard copy marketing .

Since launching in September 2010, the Evocities have collectively welcomed 2,519 new households (as at September 2015) generating over \$200 million in additional annual direct spending for the participating regional cities, as well as other benefits including lifting median incomes, encouraging business growth, increasing tourism and growing participation in community groups.

As of September 2015, key outcomes for Bathurst specifically include:

- 302 trackable relocations (families counted as one relocation).
- Annual contribution of approximately \$28M to the Bathurst economy.
- 1,271 total enquiries, more than any other Evocity.
- Approximately 6,000 views per month for Bathurst Evojobs, one of the most viewed job search portals in the Bathurst Region.

Conclusion:

The Evocities campaign is one of the most successful regional relocation campaigns in Australia to date. With the implementation of the new Evocities Business Plan and Marketing Communications Strategy 2015-2019, new branding and creative designs will be used to refresh the campaign.

Council is able to track 302 relocations to Bathurst through the Evocities campaign since its inception, which has resulted in an annual economic contribution of \$28M to the local economy. Bathurst has also received more relocation enquiries compared to all other Evocities.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.2, 1.3, 1.4
- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1, 4.2

MINUTE

- 17 **Item 4 EVOCITIES DEVELOPMENTS (20.00071)**
MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That the information be noted.

Yours faithfully



J Bingham
ACTING DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 FEBRUARY 2016

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$70,100,000 was invested at 31 January 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:

	<u>Rating</u>	<u>Balance</u>	<u>Average Return</u>
<u>Short Term 1 – 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits):			
Bank of Queensland	A2	\$1,500,000.00	2.99%
Bendigo and Adelaide Bank Limited	A2	\$500,000.00	2.84%
Commonwealth Bank	A1+	\$1,500,000.00	2.97%
Bankwest	A1+	\$3,000,000.00	2.98%
National Australia Bank Limited	A1+	\$23,000,000.00	3.01%
St George	A1+	\$3,500,000.00	2.95%
Maritime, Mining & Power Credit Union Ltd	ADI	\$500,000.00	2.86%
People's Choice Credit Union	ADI	\$1,500,000.00	2.91%
Railways Credit Union Limited	ADI	\$1,000,000.00	3.07%
SGE Credit Union Limited	ADI	<u>\$1,500,000.00</u>	<u>2.87%</u>
		\$37,500,000.00	2.99%
<u>Long Term > 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Bonds):			
<u>Committed Rolling Investments</u>			
Westpac	AA-	\$2,000,000.00	3.47%
National Australia Bank Limited	AA-	\$2,000,000.00	2.98%
CBA Deposit Plus	AA-	\$1,500,000.00	3.30%
CBA Deposit Plus 1	AA-	\$1,500,000.00	3.32%
WBC Coupon Select	AA-	\$2,000,000.00	2.98%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$2,800,000.00</u>	<u>2.20%</u>
		\$11,800,000.00	2.96%
<u>Fixed, Negotiable & Tradeable</u> <u>Certificates of Deposits</u>			
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>3.27%</u>
		\$2,000,000.00	3.27%
<u>Floating Rate Notes</u>			
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	3.19%
AMP	AA-	\$800,000.00	3.45%
Suncorp Metway	A+	\$1,000,000.00	3.53%
Macquarie Bank	A	\$1,000,000.00	3.40%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	3.43%

Bank of Queensland	A-	\$1,000,000.00	3.35%
Bank of Queensland 1	A-	\$2,000,000.00	3.47%
Bendigo & Adelaide Bank	A-	\$1,000,000.00	3.28%
Bank of Queensland 2	A-	\$1,000,000.00	3.26%
Credit Union Australia	BBB+	\$3,000,000.00	3.67%
Police Bank Ltd	BBB+	\$1,000,000.00	3.35%
Police Bank Ltd 2	BBB+	\$1,000,000.00	3.34%
Credit Union Australia	BBB+	\$1,000,000.00	3.57%
Newcastle Permanent	BBB+	\$1,000,000.00	3.67%
Members Equity Bank 2	BBB+	\$1,000,000.00	3.23%
Greater Building Society	BBB	<u>\$1,000,000.00</u>	<u>3.56%</u>
		\$18,800,000.00	3.45%
Total Investments		<u>\$70,100,000.00</u>	<u>3.11%</u>

These funds were held as follows:

Reserves Total (includes unexpended loan funds)	\$34,157,425.00
Grants held for specific purposes	\$2,494,304.00
Section 94 Funds held for specific purposes	\$32,881,697.00
Unrestricted Investments – All Funds	\$566,574.00

Total Investments **\$70,100,000.00**

Total Interest Revenue to 31 January 2016 **\$1,294,769.91** **3.11%**

Year to Date Averages

(as per the CBA & RBA for comparison purposes)

Reserve Bank of Australia - Cash Rate	2.00%
AFMA - 90 day Bank Bill Swap Rate (BBSW) Avg Mid	2.21%
Three Year Swap Rate - Commonwealth	2.10%
Five Year Swap Rate - Commonwealth	2.45%
Modified Deitz Calculation	3.01%

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

- 18 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 2015-2016 (16.00140)

Recommendation: That the information be noted.

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

19 Item 2 YEAR TO DATE REVIEW - QUARTERLY BUDGET REVIEW STATEMENT 2015-2016 (16.00140)

MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

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

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

Report: At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 31 January 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:	\$2,734.91
BMEC Community use:	\$Nil
Mount Panorama:	\$8,760.63

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

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

MOVED: Cr M Coote SECONDED: Cr W Aubin

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.

- MJ Costello & PA Marshall - 2 Matthews Street - Lot 1101, DP 1215618 - Transfer

Linen Plan Release

- Nil

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

- 21 Item 4 POWER OF ATTORNEY (11.00007)
MOVED: Cr B Bourke SECONDED: Cr M Coote

RESOLVED: That the information be noted.

5 BATHURST SPORTS GROUND REDEVELOPMENT (04.00007)

Recommendation: That Council defer consideration of the project to the 2016/17 and 2017/18 Management Plans.

Report: The Bathurst Sports Ground is a multi-use sporting facility located adjacent to Carrington Park, bordered by Havannah, Russell and Durham streets. A map showing the Sports Ground location is provided at **attachment 1**. The Sports Ground is a grass field approximately 133 metres in diameter with a 6 metre wide asphalt track surrounding the field. This track is used for cycling and athletic races (refer to **attachment 1**). A turf cricket pitch is located in the centre of the field. The field surface is level at best. The Sports Ground is home to the Bathurst District Cricket Association, Panthers Junior Rugby League and St Pats Rugby League. The Bathurst Sportsground also hosts Little Athletics and local schools hold their sports carnivals at the ground. The ground is home to both summer and winter sports.

With the opening of the new Bathurst Cycle Park, the asphalt track bordering the Sports Ground is now superfluous.

This report is designed to provide Council with information regarding the works that would be required to redevelop the Sports Ground.

The redevelopment of the ground would begin with the removal of the asphalt track. Removal of just the asphalt track actually creates issues as the bottom of the existing boundary fencing is currently at the height of the top of the asphalt track, which sits approximately 300 - 400 mm above the ground. The removal of the track would create the need to significantly redevelop the field.

The Bathurst Sports Ground is not correctly profiled. A profiled field would be raised in the middle tapering down to the boundary. This profile allows for optimum drainage and playability and for the various sports that are held at this facility. The current profile of the Bathurst Sports Ground, being relatively flat, contributes to 'pooling' of water in heavy periods of rain. Removing the asphalt track only with no further redevelopment works will enhance this pooling effect. The field will act as a bowl and create significant ongoing issues.

Therefore, once the asphalt track was removed, civil works would need to be undertaken, by way of contouring, to the required profile. Turf would then be laid or grass seed sown. During these works the drainage and irrigation would also be upgraded.

Reconfiguration of the lighting would be undertaken in conjunction with the above works. The current field lighting is only directed onto the asphalt track. This lighting would need adjusting to encompass the entire playing area of the field.

Once redeveloped, the Bathurst Sports Ground would have the ability to continue to be the premier cricket field in the Central West and be suitable and capable of supporting the many other uses and events that are held at this venue, including athletics, sports carnivals and rugby league.

The above mentioned works would take approximately 3 months to complete however the field would require a period of time, say approximately 6 months for new turf/seed to properly settle. In order to meet timeframes it is estimated that tenders would be called in advance of the end of the cricket season so an appointed contractor can commence works

as soon as the cricket season finishes.

An early estimate of project cost is approximately \$600,000, however further detailed investigation is required by Council's Engineering Department to determine a more accurate figure. By way of comparison, the recent upgrade to drainage at Carrington Park totalled \$110,000. Should Council deem the project acceptable, \$300,000 could be allocated each year for the next 2 years in the annual budget process.

The timing of any proposed redevelopment of the Bathurst Sports Ground, will be critical to the facility users. The Bathurst Sportsground will continue to be home to St Pats Rugby League until such time as a new complex, located on Hereford St, is developed. This development is expected to take place in approximately 2 years.

When St Pats have relocated to the new Hereford St complex and the subsequent cricket season concluded, usually in March, would be the ideal time to start the redevelopment of the Bathurst Sports Ground. This may allow time for the works to be completed before the commencement of the following cricket season, in approximately October.

It is therefore recommended that Council;

- (a) note the current state of the Bathurst Sports Ground
- (b) note that the Bathurst Sports Ground requires redeveloping
- (c) note the timeframe involved for the potential redevelopment , and
- (d) allocate funds in each of the next 2 years annual budgets to cover the redevelopment costs.

Financial Implications: There are no current allocations for the above mentioned redevelopment. Council will need to allocate funding in the coming years annual budgets for the proposed redevelopment of the Bathurst Sportsground.

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
- 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 29.7

MINUTE

- 22 Item 5 BATHURST SPORTS GROUND REDEVELOPMENT (04.00007)
MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council defer consideration of the project to the 2016/17 and 2017/18 Management Plans.

6 CONTRIBUTION TO RURAL FIRE FIGHTING FUND 2016/17 (18.00233)

Recommendation: That Council;

- (a) not agree to a further \$500,000 contribution to the construction of the Fire Control Centre (FCC)
- (b) not agree to another \$500,000 towards the cost of additional fire truck for the region
- (c) submit an estimates bid for maintenance and repairs in line with previous years allocations
- (d) express Council's concern to the Rural Fire Service (RFS) at the methodology used to calculate the Volunteer and Support Services (VASS) charges.

Report: Council has received a draft of the Chifley Zone estimates bid to be provided to RFS Headquarters for the 2016/17 financial year.

This is part of a normal process involving Council however the request this year entails the acquisition of significant capital items which require Council consideration.

In 2012 (refer to DCSF Confidential #6, 1 February 2012) Council agreed to fund the construction of a new FCC at Hampden Park Road, Kelso. Initially this project was budgeted at \$2 million and now Council has received allocation from the Rural Fire Fighting Fund (RFFF) of \$3 million in total.

Council's contribution on \$2 million is \$234,000 and this increased by a further \$117,000 as a result of the increase to \$3 million. The new estimates bid includes an additional amount of \$500,000 to allow completion of the FCC and the accompanying vehicle shed. This will result in another \$58,500 being required to be contributed to this facility.

Councillors will recall that Bathurst Regional Council is currently in dispute with the RFS over the 2014/15 contribution which was \$165,000 higher than Council expected. This allegedly is due to the formula used to calculate the VASS charges, which is based on the capital allocation (\$3 million for the FCC) received from the RFFF.

This additional amount was not advised to Council by RFS officers when calculating the Council contribution to the RFFF. This advice may have affected Council's original decision to invest in the construction of the FCC.

In the 2016/17 draft estimates provided, Chifley Zone Team Manager, Superintendent, Greg Wardle, has included an amount of \$500,000 for completion of the FCC and also \$500,000 for the purchase of new vehicles. It is suggested that this amount would be intended to be used for the purchase of a Category 1 tanker for O'Connell and a Category 7 tanker for Hill End.

Council's contribution based on a capital amount of \$1 million would be \$117,000 and it is also expected that the additional VASS charges, as a result of this capital amount, would be in the vicinity of an additional \$65,000. Council does not believe that the formula used to calculate the VASS charges should be based on the capital allocation. It is not a rational basis and can lead to significant cost that can not readily be calculated for budget purposes.

The estimates bid for 2016/17 will still include the normal maintenance and repair items in line with previous years plus CPI adjustments.

It is recommended that Council;

- (a) not agree to a further \$500,000 contribution to the construction of the Fire Control Centre (FCC)
- (b) not agree to another \$500,000 towards the cost of additional fire trucks for the region
- (c) submit an estimates bid for maintenance and repairs in line with previous years allocations
- (d) express Council's concern at the methodology used to calculate the Volunteer and Support Services (VASS) charges.

Financial Implications: If Council adopts the recommendation the contribution to the RFFF for 2016/17 would be \$182,000 less than requested.

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 28.2
- 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

- 23 Item 6 CONTRIBUTION TO RURAL FIRE FIGHTING FUND 2016/17 (18.00233)
MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council defer consideration of this matter until after the meeting between Council and RFS representatives to be held on 9 March 2016.

7 REQUEST FOR FINANCIAL ASSISTANCE - WATTLE FLAT PROGRESS ASSOCIATION - 2016 BRONZE THONG (18.00004)

Recommendation: That Council donate \$1,000 to the Wattle Flat Progress Association towards the cost of the 2016 Wattle Flat Bronze Thong event, subject to the organisation securing appropriate insurance.

Report: Council has received a request from the Wattle Flat Progress Association for financial assistance for their fundraising event '2016 Bronze Thong'. A copy of the request is provided at **attachment 1**.

They have requested Council;

- (1) assist with either providing or funding the costs associated with securing event insurance for the day.
- (2) provide a cash donation to cover other establishment costs for the day such as band hire and kitchen/food supplies
- (3) provide a machine and operator to clean up the regrowth in the camping areas in the vicinity of the toilet block and remove the heavy fallen timber in those areas.

It should be noted that the Wattle Flat Progress Association has contacted Council in relation to Public Liability Insurance, and have now advised Council that the insurance company contacted was unable to supply adequate cover for this event. They are currently pursuing other insurance companies.

The donation of \$1,000 would include funds for the Wattle Flat Progress Association to engage a machine and operator to remove the growth around the toilet block in the racecourse area.

In the event of no insurance being obtained, Council should not support this event.

Financial Implications: This request could be funded from Council's Section 356 Donations which currently has a balance of \$2,734.91.

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

24 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - WATTLE FLAT PROGRESS ASSOCIATION - 2016 BRONZE THONG (18.00004)
MOVED: Cr M Morse SECONDED: Cr J Jennings

RESOLVED: That Council donate \$1,500 to the Wattle Flat Progress Association towards the cost of the 2016 Wattle Flat Bronze Thong event, subject to the organisation securing appropriate insurance.

8 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST SHEEP DOG CLUB (18.00004-31/125)

Recommendation: That Council donate \$500 to the Bathurst Sheep Dog Club for the use of the campground at Rockley from Section 356 donations.

Report: Council has received a request from the Bathurst Sheep Dog Club which has conducted Sheep Dog trials at the Rockley Showground for the last 19 years, see **attachment 1**. This annual event attracts a substantial number of visitors to the area and allows the community to promote tourism in Rockley as well as helping local businesses financially by attracting large numbers to the Village over the weekend.

It is recommended that Council support the Bathurst Sheep Dog Club in running the sheep dog trials at Rockley from 8 April - 10 April 2016 by donating \$500 to cover the use of the campground.

Financial Implications: The \$500 could be funded from Council's Section 356 Donations which currently has a balance of \$2,734.91.

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

25 Item 8 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST SHEEP DOG CLUB (18.00004-31/125)

MOVED: Cr B Bourke SECONDED: Cr I North

RESOLVED: That Council donate \$500 to the Bathurst Sheep Dog Club for the use of the campground at Rockley from Section 356 donations.

9 RECONSTRUCTION OF GREAT WESTERN HIGHWAY AT KELSO (14.00007-21/009)

Recommendation: That Council agree to the placement of an additional 1,557.12 tonnes of material at the Waste Management Centre which represents a contribution of \$196,711.

Report: Council at its meeting held on 19 August 2015 received a report in relation to the placement of road overburden at the Bathurst Waste Management Centre. On this occasion Council resolved:

- "1. Council allow Roads & Maritime Services to dispose of the remaining 2,600 tonnes of contaminated material at the Waste Management Centre at a fee of \$135 per tonne, which represents a subsidy by Council of \$351,000.
2. As the Roads & Maritime Services are working in conjunction with Council in improving both a Council owned facility and a local waterway, it is recommended that Council agree to the subsidy of \$351,000 for Waste Management charges for the placement of this material at Council's Waste Management Centre.
3. Contaminated material must be buried in accordance with EPA Licence."

Council has received a request from Roads and Maritime Services see **attachment 1** for further assistance in the placement of a further 1457.12 tonnes at the Bathurst Waste Management Centre which is in excess of Council's resolution.

As outlined previously, this material is used by Council as a cover for waste placed at the Bathurst Waste Management Centre and accordingly it is recommended that Council extend its previous agreement to allow for an additional 1457.12 tonnes to be disposed at the Waste Management Centre at a fee of \$135 per tonne, which represents an additional subsidy of \$196,711.

Financial Implications: Council will forego an additional \$196,711 in Waste income.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 16: To encourage sustainable waste management practices, incorporating opportunities for energy generation. Strategy 16.1
- 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

MINUTE

26 Item 9 RECONSTRUCTION OF GREAT WESTERN HIGHWAY AT KELSO
(14.00007-21/009)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council agree to the placement of an additional 1,557.12 tonnes of material at the Waste Management Centre which represents a contribution of \$196,711.

10 SPORTING ASSOCIATION GRANTS PROGRAM YEAR ENDING 30 JUNE 2016 (18.00279-03)

Recommendation: That Council approve the following sporting grants totalling \$20,000 for the 2015/2016 financial year as follows;

Bathurst Netball Association	\$3,500.00
Denison Dog Training Club	\$750.00
Bathurst Pan Dragons	\$505.00
Bathurst City Croquet Club	\$415.00
Bathurst Clay Target Club	\$1,400.00
Eglinton District Tennis Club	\$1,700.00
Central Tablelands Rowing Club	\$2,600.00
Bathurst Bushrangers AFLC Inc	\$2,630.00
Panorama Motorcycle Club	\$1,500.00
Bathurst Basketball Association	\$4,000.00
Bathurst Touch Football Association	\$1,000.00

Report: Council would be aware this grant scheme has been developed to assist local sporting organisations in undertaking specific works or purchasing equipment for the advancement of sport in the region. A total of \$20,000 was allocated to fund this program for the 2015/16 financial year with sporting organisations that are affiliated with the Bathurst District Sport and Recreation Council being eligible to apply.

A total of eleven applications from local sporting groups were received with a combined total amount requested of \$44,635. Applications received were submitted by the following organisations:

- Bathurst Netball Association
- Denison Dog Training Club
- Bathurst Pan Dragons, Dragon Boat Club
- Bathurst City Croquet Club
- Bathurst Clay Target Club
- Eglinton District Tennis Club Inc.
- Central Tablelands Rowing Club
- Bathurst Bushrangers ARFC Inc.
- Panorama Motorcycle Club
- Bathurst Basketball Association
- Bathurst Touch Football Association

All applications were forwarded on to the Bathurst District Sport & Recreation Council (BDSRC) for their comment and consideration. The BDSRC have reviewed the applications and have made recommendations for the allocation of funding. A copy of their letter and deliberations is shown at **Attachment 1**.

It is recommended that Council approve the following sporting grants for the 2015/2016 season totalling \$20,000 as follows:

Sporting Group	Project Description	Amount Requested	Amount Recommended
Bathurst Netball	Purchase outdoor	\$4,000	\$3,500.00

Association	tables and seating		
Denison Dog Training Club	Purchase equipment for training & trials	\$1,000	\$750.00
Bathurst Pan Dragons	Purchase and install rainwater tank	\$1,170.00	\$505.00
Bathurst City Croquet Club	Purchase portable signs	\$830.00	\$415.00
Bathurst Clay Target Club	Purchase new clay target trap	\$14,000.00	\$1,400.00
Eglinton District Tennis Club	Install lights courts 3 & 4	\$3,300.00	\$1,700.00
Central Tablelands Rowing Club	Stage 1 roof over rowing compound	\$2,600.00	\$2,600.00
Bathurst Bushrangers ARFC Inc.	Purchase and install players shelters	\$5,000.00	\$2,630.00
Panorama Motorcycle Club	BBQ Trailer construction	\$3,000.00	\$1,500.00
Bathurst Basketball Association	Air conditioning for stadium	\$6,935.00	\$4,000.00
Bathurst Touch Football Association	Install air conditioning in club rooms	\$2,800.00	\$1,000.00
Total		\$44,635	\$20,000

Financial Implications: Council has included \$20,000 in its 2015/2016 Management Plan for the Sporting Grants program.

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 21.2
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

MINUTE

27 Item 10 SPORTING ASSOCIATION GRANTS PROGRAM YEAR ENDING 30 JUNE 2016 (18.00279-03)

MOVED: Cr I North SECONDED: Cr M Coote

The Manager Corporate Governance declared a non-pecuniary interest in this item and left the Chamber.

Reason: President of Eglinton District Tennis Club.

RESOLVED: That Council approve the following sporting grants totalling \$20,000 for the 2015/2016 financial year as follows;

Bathurst Netball Association	\$3,500.00
Denison Dog Training Club	\$750.00
Bathurst Pan Dragons	\$505.00
Bathurst City Croquet Club	\$415.00
Bathurst Clay Target Club	\$1,400.00
Eglinton District Tennis Club	\$1,700.00
Central Tablelands Rowing Club	\$2,600.00
Bathurst Bushrangers AFLC Inc	\$2,630.00
Panorama Motorcycle Club	\$1,500.00
Bathurst Basketball Association	\$4,000.00
Bathurst Touch Football Association	\$1,000.00

11 2016 BATHURST MOTOR FESTIVAL SIX HOUR EVENT (04.00097)

Recommendation: That Council act in accordance with the Director Corporate Services and Finance report and provide one x three (3) day entry pass per permanent employee to attend the 2016 Bathurst Motor Festival Six Hour Event at Easter.

Report: Council in 2008 introduced a system where each permanent member of staff received a three day pass to the 12 Hour Event which is held in February each year. During late 2015, the ownership structure of the 12 Hour Event changed in that Yeehah Events sold their share of the event to V8 Supercars Australia Pty Ltd. This event has now reached maturity where the event can support itself without Council injecting additional funds by providing tickets to staff members.

Council has also in recent years, in conjunction with Yeehah Events, run the Bathurst Motor Festival to be held at Easter.

It is intended that for the 2016 Bathurst Motor Festival Event, an entrance charge will occur to cover the costs of upgrading the event. 2016 will see the introduction of a six hour event for production cars. To assist the event in attracting spectators, Council is requested to introduce the provision of a three day entry pass to permanent employees to attend the Bathurst Motor Festival at Easter in 2016. The cost of an admission pass is \$30 to cover the three days of the event.

For the information of Councillors, the following number of tickets have previously been supplied for the 12 Hour event:

2012 - 220
2013 - 225
2014 - 216
2015 - 239

Financial Implications: The cost of the ticketing can be financed from the profit received from the operation of this event.

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 23: To encourage a supportive and inclusive community. Strategy 23.5

MINUTE

- 28 Item 11 2016 BATHURST MOTOR FESTIVAL SIX HOUR EVENT (04.00097)
MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED: That Council act in accordance with the Director Corporate Services and Finance report and provide one x three (3) day entry pass per permanent employee to attend the 2016 Bathurst Motor Festival Six Hour Event at Easter.

12 REQUEST FOR FINANCIAL ASSISTANCE - WATTLE FLAT HERITAGE LAND TRUST (18.00214)

Recommendation: That Council not agree to a reduction in charges for the supply of road base material to the Wattle Flat Heritage Land Trust.

Report: Council has received a request from the Wattle Flat Heritage Land Trust, at **attachment 1**, for Council to review the charges for the supply of road base material to work carried out by the Public Reserve Management Committee for the upgrading of fire trails through the heritage lands at the northern end of their land Trust area.

Council has been advised that the Wattle Flat Heritage Land Trust received some funding from the Government (the amount of funding is unknown to Council) to repair and renew the access road CAT 7 fire trail through the northern area of the Heritage Lands Trust site.

Council was contacted by the Wattle Flat Heritage Land Trust contractor to arrange for road base material to be supplied. Council agreed it would supply the material from its stock pile held at Sofala for a price of \$6 per tonne. Council had stockpiled this material for future jobs to have on hand.

Council has been advised that the contractor used an estimated 345 tonnes at a value of \$2070.

Given that Council has already paid for the material to be stockpiled and that the Wattle Flat Heritage Land Trust has received funding for this project, it is recommended that on this occasion Council not agree to the waiving or varying of the charge for the supply of this material.

Financial Implications: There are no financial implications if the recommendation is adopted.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.7
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

MINUTE

29 Item 12 REQUEST FOR FINANCIAL ASSISTANCE - WATTLE FLAT HERITAGE LAND TRUST (18.00214)

MOVED: Cr M Morse SECONDED: Cr W Aubin

RESOLVED: That Council not agree to a reduction in charges for the supply of road base material to the Wattle Flat Heritage Land Trust.

13 REQUEST FOR FINANCIAL ASSISTANCE - LIFELINE CENTRAL WEST (18.00004)

Recommendation: That Council provide in-kind support, up to \$10,000, for the staging of the Lifeline air and motorbike/car show and shine known as Soar, Ride and Shine to be held at the Bathurst Airport over the weekend of 14 and 15 May 2016, to be funded by a Section 356 donation.

Report: Council has received a request from Lifeline Central West NSW at **attachment 1** for Council to become involved in an event known as "Soar, Ride and Shine" to be held at the Bathurst Airport over the weekend of 14 and 15 May 2016 by providing in-kind support up to \$10,000.

Lifeline Central West have requested the following:

- (a) The supply, erection and dismantling of a crowd control plastic safety fence.
- (b) Management time to assist in the overall planning.
- (c) Lawn mowing and general preparation of the site to be used.
- (d) Some facilitation in the placement of access gates to the site. This would be part of the new airport perimeter fence design.
- (e) Sundry wages for airport staff who would need to be on-site over the duration of the event.

In relation to item (b) "management time to assist in the overall planning", this will not be possible to be undertaken by Council staff due to the very heavy workload by the Event staff in the early part of 2016. Staff are heavily involved with the following events:

- BMX Championships
- Bathurst Motor Festival
- Campervan Motorhome Club of Australia
- Blayney to Bathurst (B2B) Cycling Festival
- NRL Fixture

In relation to the remaining requests, Council can assist this event by providing (a), (c), (d) and (e) above as these requests do not involve a great deal of staff time.

Financial Implications: Council will provide in-kind support up to the value of \$10,000 to be funded from Section 356 donations. Council's 2015/2016 Section 356 budget has been fully expended. Council will need to find the funds from the General Fund.

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

30 Item 13 REQUEST FOR FINANCIAL ASSISTANCE - LIFELINE CENTRAL WEST (18.00004)

MOVED: Cr B Bourke SECONDED: Cr I North

RESOLVED: That Council provide in-kind support, up to \$10,000, for the staging of the Lifeline air and motorbike/car show and shine known as Soar, Ride and Shine to be held at the Bathurst Airport over the weekend of 14 and 15 May 2016, to be funded by a Section 356 donation.

14 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST & DISTRICT BMX CLUB (04.00083, 18.00004)

Recommendation: That Council provide a loan of \$35,000 to the Bathurst & District BMX Club to be repaid over 10 years at the current interest rate plus 1%.

Report: Council has been approached by the Bathurst & District BMX Club for a loan of \$35,000 to be used at the new BMX facility at Vale Road, to construct a security fence around the circuit.

BMX have decided to carry out this construction to assist Council in completing this project to the correct standards.

The construction of the fencing will help the Club with crowd control and assist in collecting admissions to their facility.

At **attachment 1** is a copy the repayment schedule, which the Club officials have agreed would be suitable to their needs.

Councillors will be provided, under separate cover, a copy of the Bathurst & District BMX Club's financial statements, which shows the club would be financially able to repay this loan.

It is recommended that Council provide a loan of \$35,000 at the current interest rate, plus 1%, repayable over 10 years.

Financial Implications: The loan could be funded from the Parks Improvement Reserve.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.3
- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.4
- 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

31 Item 14 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST & DISTRICT BMX CLUB (04.00083, 18.00004)

MOVED: Cr J Jennings SECONDED: Cr B Bourke

It was noted that Cr Westman declared a pecuniary interest in this item, but is an apology for this meeting.

Reason: Track co-ordinator for BMX Club.

RESOLVED: That Council provide a loan of \$35,000 to the Bathurst & District BMX Club to be repaid over 10 years at the current interest rate plus 1%.

15 REQUEST FOR FINANCIAL ASSISTANCE - WOMEN OF AVIATION WORLDWIDE WEEK (18.00004)

Recommendation: That Council donate from Section 356 Donations the cost of supporting the Women of Aviation Worldwide Week 'Women With Wings' Bathurst event to be held at Bathurst Aerodrome on 12 March 2016 as follows:

- (a) Provision of groundsman for security (estimated cost \$400).
- (b) Provision of landing charges for participating aircraft, up to a total of \$850.

Report: Council received a request from Central West Flying School for financial assistance for the 'Women With Wings' Bathurst event (the event) to be held at the Bathurst Aerodrome on 12 March 2016. A copy of the request is provided at **attachment 1**.

Council has supported the event in the last 2 years. Each year there were approximately 200 spectators and 100 female participants. The event is designed to encourage women that have an interest in aviation that have never flown in a light aircraft before, to take a joy flight at no cost to them.

The event organiser advises this is a volunteer event where no money is exchanged and therefore no financial records are created.

Groundsman for Security

To enable the event to proceed, Council has applied to the Office of Transport and Security, which is the organisation that regulates airside security, for a Special Event Zone. This allows for a modification to the airside boundary, by way of temporary fencing, to allow participants to gain access to aircraft. The temporary fencing boundary will be much smaller in size than in previous 2 events, and will be installed by Council's Aerodrome Groundsman utilising existing temporary fencing available on site. In previous years, this fencing has been installed and removed by Council's Works Staff at an approximate cost of \$500.

A requirement for the Special Event Zone is that Council's Aerodrome Groundsman is required to provide security monitoring of the temporary airside boundary. Due to the reduced size of the boundary, only 1 staff member is required, at an anticipated cost of \$400. At the prior events, 2 Groundsmen were required for security, at a cost of \$800.

Aircraft Landing Charges

The event is expected to include aircraft that are not locally based and as such are subject to landing charges. The event organiser has requested that these aircraft be exempt from landing charges due to the not for profit basis of the event. It is anticipated that up to 5 aircraft will make up to 15 landings each (each of these aircraft will be under 2 tonnes Maximum Take Off Weight (MTOW)).

In addition, 1 aircraft over 2 tonnes MTOW will participate in the event, with up to 10 landings. No locally based annual fee is available for aircraft over 2 tonnes MTOW, so a landing charge for this aircraft would apply. The total value of these landing charges would be a maximum of \$850.

It is recommended that Council support the 2016 event by providing temporary fencing, 1 member of staff and aircraft landing charges as above.

Financial Implications: This request could be funded from Council's 2015/16 Section 356 Donations which currently has a balance of \$2,734.91.

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

32 Item 15 REQUEST FOR FINANCIAL ASSISTANCE - WOMEN OF AVIATION WORLDWIDE WEEK (18.00004)

MOVED: Cr M Morse SECONDED: Cr I North

RESOLVED: That Council

1. donate from Section 356 Donations the cost of supporting the Women of Aviation Worldwide Week 'Women With Wings' Bathurst event to be held at Bathurst Aerodrome on 12 March 2016 as follows:
 - (a) Provision of groundsman for security (estimated cost \$400).
 - (b) Provision of landing charges for participating aircraft, up to a total of \$850.
- 2 the Event be included in Council's promotion of International Women's Day activities.

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 FEBRUARY 2016

1 CROWN ROADS AT SOFALA (25.00115)

Recommendation: That Council approve the transfer of Crown public roads located at the Village of Sofala, as detailed in the Director Engineering Services' report.

Report: There are a number of Crown roads within the Villages surrounding Bathurst that have been constructed and maintained by Council. Due to the fact that the road is owned by the Crown and is not a Council asset, the level of construction and maintenance may not always be up to the same standard as a Council owned road. In order to overcome this problem, Council Engineers have investigated the Crown roads within the village of Sofala and have found it necessary to transfer some Crown public roads to its ownership for improved maintenance and access within Sofala.

The criteria that were considered when looking at each road in Sofala are:

- Is the road improved (e.g. sealed or formed to a suitable standard)?
- Is the road on its correct alignment?
- Does it provide continuity with other Council owned roads?
- Does the road serve 3 or more residents?
- Does it offer too great a liability to Council if transferred?

Following this investigation, there are a number of roads that meet these criteria. It is recommended that Council make application to the Crown for the transfer of the following roads to Councils ownership:

- (a) Bowen Street – From Denison Street to Davis Street.
- (b) Barkly Street – From Bowen Street to Davis Street.
- (c) Upper Turon Road – From Davis Street to Hargraves Street.

The remaining Crown Roads in the village of Sofala do not satisfy any of the criteria.

Please refer to the plan of road ownership in the village of Sofala at **attachment 1**.

Financial Implications: The Crown Lands application fee is \$200.00 per road (total of \$600.00). Ongoing road maintenance costs to be funded from road maintenance budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1, 6.6
- 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 29.1

MINUTE

- 33 Item 1 CROWN ROADS AT SOFALA (25.00115)
MOVED: Cr I North SECONDED: Cr M Coote

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

2 PROPOSED ROAD CLOSURE AND TRANSFER TO ADJOINING LANDOWNERS – COUNCIL PUBLIC ROAD (25.00161)

Recommendation: That Council:

- (a) Approve the road closure of part of the old Sofala Road located between Lot 285 DP755790, Lot 292 DP755790 and Lot 1 DP1091774; and
- (b) Resolve to offer to the owners of Lot 285 DP755790, Lot 292 DP755790 and Lot 1 DP1091774 the purchase of the section of the old Sofala Road located between Lot 285 DP755790, Lot 292 DP755790 and Lot 1 DP1091774 for consolidation into their land holding.

Report: Council has received correspondence from the owners of Lot 285 DP755790, Lot 292 DP755790 and Lot 1 DP1091774 seeking to purchase a section of Council public road that adjoins their property.

Investigation by Council has revealed that the subject road reserve is no longer in use by the public and the only landowners that utilise the road are those that own Lot 285 DP755790, Lot 292 DP755790 and Lot 1 DP1091774. An aerial photograph showing the road reserve that will be the subject of the landowner's application to Council to close is found at **attachment 1**.

As there are no other landowners adjoining the subject road reserve there is no requirement or interest in Council offering the subject road reserve to any other party. Compensation will be required to be paid to the Council by the landowner based on the Valuer-General valuation of the adjoining properties, to be determined once the road closure plan is finalised.

Following the payment of compensation to the Council, Council intends on transferring the closed road reserve to the landowners who will be required to consolidate the closed road reserve with their existing land holding. It will be a requirement of the agreement entered into with the landowner that all valuation, survey and associated costs are to be paid by the landowner.

It is recommended that Council approve the road closure of part of old Sofala Road located between Lot 285 DP755790, Lot 292 DP755790 and Lot 1 DP1091774 and resolve to offer to the adjoining landowners the purchase of the section of old Sofala Road located between their Lots for consolidation into their land holding.

Financial Implications: Nil costs payable by Council as all costs are to be payable by the interested landowners.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1

MINUTE

**34 Item 2 PROPOSED ROAD CLOSURE AND TRANSFER TO ADJOINING
LANDOWNERS – COUNCIL PUBLIC ROAD (25.00161)**
MOVED: Cr M Coote SECONDED: Cr M Morse

RESOLVED: That Council:

- (a) Approve the road closure of part of the old Sofala Road located between Lot 285 DP755790, Lot 292 DP755790 and Lot 1 DP1091774; and
- (b) Resolve to offer to the owners of Lot 285 DP755790, Lot 292 DP755790 and Lot 1 DP1091774 the purchase of the section of the old Sofala Road located between Lot 285 DP755790, Lot 292 DP755790 and Lot 1 DP1091774 for consolidation into their land holding.

3 PROPOSED COMPULSORY ACQUISITION FOR COUNCIL SERVICE FUNCTIONS LOTS 1 AND 2 DP856918 AND LOT 5 DP1191425 WILLIAM AND HOWICK STREETS BATHURST (22.01387)

Recommendation: That Council:

On application to the Governor and/or Minister for compulsory acquisition of Lots 1 and 2 DP856918 and Lot 5 DP1191425 preserve the following Easement burdening 1/856918 and benefitting 1/1155530:

- (a) Right of Carriageway Variable Width.

Report: Council will recall at its meeting held 9 December 2015 that it resolved to:

- (1) make application to the Minister and/or Governor for the compulsory acquisition of Lots 1 and 2 DP856918 and Lot 5 DP1191423 for service functions located at William and Howick Streets Bathurst. The application will not include mineral rights, is to follow the provisions of the Local Government Act 1993 and the Land Acquisition (Just Terms Compensation) Act 1991 and is to preserve the following Easements burdening 1/856918 benefitting 1/1155530:

- (a) Easement for concrete strip 1 wide
- (a) Easement to drain water 1 wide
- (a) Easement to permit encroaching structure to remain 1 wide
- (a) Easement for overhang 1 wide
- (a) Easement for services 1 wide
- (a) Easement for waterproofing 1 wide

- (b) Easement for handrails 0.25 wide
- (b) Easement for retaining wall 0.25 wide
- (b) Easement for waterproofing 0.25 wide

- (c) Easement for gas pipe over existing gas pipe (Approximate position)

- (2) The acquired land is to be classified as operational land.

Since this time Council has been liaising with the owners of Lot 1 DP1155530 regarding the various easements that are registered on the land. The owners have recently confirmed that they require the Right of Carriageway to remain as a registered easement burdening Lot 1 DP856918 for access from the first and second levels of the building down the fire escape and out to the street.

It is recommended that Council resolve that on application to the Governor and/or Minister for compulsory acquisition of Lots 1 and 2 DP856918 and Lot 5 DP1191425 preserve the "Right of Carriageway Variable Width" burdening 1/856918 and benefitting 1/1155530.

Financial Implications: Nil

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.5

- Objective 6: To support infrastructure development Strategy 6.1

necessary to enhance Bathurst's life-style and industry development.

- 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

35 Item 3 PROPOSED COMPULSORY ACQUISITION FOR COUNCIL SERVICE FUNCTIONS LOTS 1 AND 2 DP856918 AND LOT 5 DP1191425 WILLIAM AND HOWICK STREETS BATHURST (22.01387)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council:

On application to the Governor and/or Minister for compulsory acquisition of Lots 1 and 2 DP856918 and Lot 5 DP1191425 preserve the following Easement burdening 1/856918 and benefitting 1/1155530:

- (a) Right of Carriageway Variable Width.

4 BATHURST REGION NATURAL RESOURCE ADVISORY GROUP CHARTER (13.00001)

Recommendation: That Council:

- (a) adopt the name change from Bathurst Vegetation Management Plan Reference Group to the Bathurst Region Natural Resource Advisory Group, and
- (b) adopt the Bathurst Region Natural Resource Advisory Group Charter.

Report: Council would be aware that the Bathurst Vegetation Management Plan (VMP) is a working strategic document that was prepared in response to Council's desire to have best practice standards in place and to provide guidance on vegetation issues within the Bathurst City. As a result of interest generated towards environmental outcomes of Bathurst from various interest groups, the Bathurst Vegetation Management Plan Reference Group was established in July 2005, which has greatly assisted Council in developing priority projects based upon the strategies and objectives of the VMP.

Since the development of the VMP and the Reference Group, the Bathurst Urban Waterways Management Plan (2010) and the Bathurst Biodiversity Management Plan (2012) have been prepared to assist in the management of urban waterways and biodiversity respectively. In addition, the Bathurst City Council went through an amalgamation with Evans Shire, incorporating rural and regional aspects into the newly formed LGA.

Given the development of these additional environmental plans, as well as the inclusion of the large rural component into the local government area, the VMP Reference Group have been considering whether their Charter should encompass environmental issues as a whole, rather than being limited to vegetation within the City.

Following a number of VMP Reference Group meetings and discussions with key members including Greening Bathurst, a name change was proposed and new draft charter developed between Council and group members. It was considered that the VMP Reference Group be changed to the Bathurst Region Natural Resource Advisory Group to represent the broader focus of the group.

The aim of this Advisory Group is to be a representative voice of the community and in particular, the various environmentally-concerned groups within the Bathurst Region. The Bathurst Region Natural Resource Advisory Group Charter has been prepared to guide the roles and operation of this group and is provided as **attachment 1**.

The draft Charter was presented to the existing VMP Reference Group during a meeting held on the 17th December 2015 and a copy of the draft was provided to members for comment. The group were supportive of the Charter and provided several suggestions as outlined in the meeting minutes (**attachment 2**). The comments and suggestions have been considered and incorporated into the final version of the Charter.

The group will meet twice yearly with additional meetings to be held upon the request of the Advisory Group, as deemed necessary.

It is recommended that Council adopt the new Charter, which incorporates the name change to the Bathurst Region Natural Resource Advisory Group. Upon adoption by Council it is proposed that a meeting of the Group will be called as soon as practicable.

Financial Implications: Nil

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.5, 9.7
- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.4
- Objective 12: To protect and enhance water quality and riparian ecology. Strategy 12.10
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2, 30.3, 30.6

MINUTE

36 Item 4 BATHURST REGION NATURAL RESOURCE ADVISORY GROUP CHARTER (13.00001)

MOVED: Cr M Morse SECONDED: Cr B Bourke

RESOLVED: That Council:

- (a) adopt the name change from Bathurst Vegetation Management Plan Reference Group to the Bathurst Region Natural Resource Advisory Group, and
- (b) adopt the Bathurst Region Natural Resource Advisory Group Charter.

5 26M B-DOUBLE ROUTE BETWEEN ROCKET STREET AND UPFOLD STREET (28.00012-08)

Recommendation: That Council not approve the application for a 26m B-Double route between Rocket Street and Upfold Street.

Report: A Trucking Company, Spardini Pty Ltd, is seeking approval for a 26m B-Double route between Rocket Street and Upfold Street to reduce the number of trucks they are currently using.

Spardini Pty Ltd has requested the use of Rocket Street, Alpha Street, Russell Street, Lyal, Street and Upfold Street Bathurst.

Council's Traffic & Design Engineer and a Roads and Maritime Services (RMS) representative attended a field trial of the proposed vehicle on a section of the route on Thursday 3 December 2015.

The result of the trial was that the vehicle did not meet the Austroads Guide To Road Design Part 4 2009 criteria for swept paths, as it did not maintain a swept path with a minimum offset of 0.5m from the extremities of the vehicle path to a kerb, pavement edge or centreline to a significant degree, for significant sections of the route. It is recommended that the 26m B-Double route not be approved.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

37 Item 5 26M B-DOUBLE ROUTE BETWEEN ROCKET STREET AND UPFOLD STREET (28.00012-08)

MOVED: Cr B Bourke SECONDED: Cr I North

RESOLVED: That Council defer consideration of the application for a 26m B-Double route between Rocket Street and Upfold Street.

Yours faithfully



Doug Patterson
**DIRECTOR
ENGINEERING SERVICES**

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 FEBRUARY 2016

1 KELSO COMMUNITY CENTRE SCHOOL HOLIDAY ACTIVITY JANUARY 2016 (09.00026)

Recommendation: That the information be noted.

Report: Kelso Community Centre provided a cricket workshop on Wednesday 20 January 2016 for young people during their school holidays. The clinic was conducted by Cricket NSW and the workshop was organised in partnership with Wambigi Community Support Service.

The workshop provided the opportunity for young people to improve their cricket skills and to participate in a game. A barbeque lunch was also provided for the participants in the workshop.

There were 25 participants in the workshop. Participants provided positive feedback about the clinic.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.7
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.9

MINUTE

38 Item 1 KELSO COMMUNITY CENTRE SCHOOL HOLIDAY ACTIVITY
JANUARY 2016 (09.00026)

MOVED: Cr M Morse SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

2 VACATION CARE PROGRAM - DECEMBER 2015/JANUARY 2016 (09.00005)

Recommendation: That the information be noted.

Report: The December 2015 holiday program operated from Monday 21 December 2015 to Thursday 24 December 2015. The average number of children attending each day was 27, which is 80% of the service's capacity. As the service did not open prior to Christmas in December 2014, no comparison data is applicable.

The January 2016 holiday program operated from Monday 4 January 2016 to Friday 22 January 2016. The average number of children attending each day was 30, which is 90% of the service's capacity, an increase of 10% measured against the January 2015 School Holiday period.

During December 2015 and January 2016, Vacation Care accommodated 12 new families with 21 new children commencing care during this holiday period. A majority of the families had children commencing Kindergarten in 2016. It was noted that several new families enrolled with the service from other service providers in Bathurst.

There has been an increased demand placed on the service to accommodate children with additional needs. Vacation Care was approved to access Inclusion Support Subsidy during the December and January program. The funding allowed the services to provide additional support for the children through an increase in Educator to Child ratios.

Vacation Care continued to support local businesses within our community; children participated in excursions to Metro Cinema, Aspire Gymnastics and Annie's Ice Cream Parlour.

The Program continues to provide a sought after, valuable service for children and families of the Bathurst Community, operating within principals of creating a play-based learning environment that is both stimulating and fun.

These principles aim to develop a child's:

- Sense of identity;
- Opportunities to connect and contribute to their world;
- Understanding and awareness of well-being;
- Ability to become confident and involved learners;
- Use of effective and appropriate communication.

Vacation Care prides itself on the high quality, experienced staff employed to deliver a diverse and engaging program to children aged 5-12 years.

Vacation Care is scheduled to again be operational in the April 2016 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, 27.9

MINUTE

39 Item 2 VACATION CARE PROGRAM - DECEMBER 2015/JANUARY 2016
(09.00005)

MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Alan Cattermole', with a stylized flourish at the end.

Alan Cattermole
DIRECTOR
CULTURAL & COMMUNITY SERVICES

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING - 2 FEBRUARY 2016 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 2 February 2016 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 2 February 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

40 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 2 FEBRUARY 2016
(07.00006)

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 2 February 2016 be adopted.

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 2 FEBRUARY 2016

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

Members: Cr Warren Aubin (Chair), Senior Constable Daniel Cooper (Police), David Veness (MP Representative), David Vant and Chantelle Elsley (Roads & Maritime Services).

Present: Darren Sturgiss (Manager Technical Services), Paul Kendrick (Traffic & Design Engineer) and Iris Dorsett (Tablelands Area Road Safety Officer).

APOLOGIES

2 APOLOGIES

Nil.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 1 DECEMBER 2015 (07.00006)

That the Minutes of the Traffic Committee Meeting held on 1 December 2015 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

This is page 1 of Minutes of the Traffic Committee held on 2 February 2016

Director Engineering Services' Report

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 1 DECEMBER 2015 (07.00006)

That the information be noted and necessary actions be taken.

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

That the information be noted.

7 Item 3 26M B-DOUBLE ROUTE BETWEEN ROCKET STREET AND UPFOLD STREET (28.00012-08)

That this item be withdrawn from the Agenda, due to the Traffic Committee not having appropriate authority to deal with it.

8 Item 4 2016 NAB B2B CYCLING FESTIVAL - NSW SHORT COURSE HILL CLIMB CHAMPIONSHIP (23.00128-03/023)

That Council endorse the traffic management for the NAB B2B Cycling Festival, NSW Short Course Hill Climb Championship road racing event to be held on Saturday 9 April 2016. The event is to be classified as a Class 2 event and approved subject to conditions as detailed in the Director Engineering Services' Report.

9 Item 5 2016 PANTHERS VS RAIDERS NRL TELSTRA PREMIERSHIP GAME – ROAD CLOSURES AND TEMPORARY NO PARKING (18.00296)

That Council endorse the traffic management for the staging of the 2016 NRL Telstra Premiership Panthers vs Raiders Game to be held at Carrington Park Bathurst on 30 April 2016. The event is to be classified as a Class 2 event and

approved subject to conditions decided by the Traffic Committee.

10 **Item 6 REQUEST FOR 'NO STOPPING' ZONE IN MORRISSET STREET (25.00026-02)**

That a 'No Stopping' zone be installed on the corner of Morrisset Street at the intersection of Morrisset Street and Peel Street.

11 **Item 7 BATHURST HALF MARATHON EVENT 2016 (23.00110/020)**

That Council classify the Bathurst Half Marathon and 10 km Run to be staged on Sunday 1 May 2016 as a Class 2 event, and approve the event subject to conditions detailed in the Director Engineering Services' Report.

12 **Item 8 NO STOPPING SIGNS – WATTLE TREE HOUSE VEHICLE ACCESS ONTO PIPER STREET (25.00022-012)**

That Council:

(i) Approve the placement of a "No Stopping" zone extending across the driveways at numbers 27 and 29 Piper Street.

(ii) Not approve the installation a disabled parking space on the street outside 29 Piper Street.

TRAFFIC REGISTER

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

That the information be noted.

MEETING CLOSE

14 **MEETING CLOSE**

The Meeting closed at 2.25 pm.

DELEGATES REPORTS AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 FEBRUARY 2016

**1 MINUTES - AUSTRALIA DAY WORKING PARTY - 19 JANUARY 2016
(23.00033)**

Recommendation: That the information be noted.

Report: The minutes of the Australia Day Working Party held on 19 January 2016 are shown at **attachment 1**.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

MINUTE

41 Item 1 MINUTES - AUSTRALIA DAY WORKING PARTY - 19 JANUARY 2016
(23.00033)

MOVED: Cr I North SECONDED: Cr M Morse

RESOLVED: That the information be noted.

MINUTE

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

MOVED: Cr I North 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	PROPOSED NEW EVENT AT MOUNT PANORAMA	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
2	PROPOSED PURCHASE OF PROPERTY, 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.
3	PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3, 4, 7, 8, 9 AND 10 IN SECTION 16 DP758840 - CATHOLIC DIOCESE OF BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

DIRECTOR ENGINEERING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR DESIGN AND CONSTRUCTION OF BMX TRACK LIGHTING	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER FOR CONSTRUCTION OF FIRE CONTROL CENTRE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL
MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 FEBRUARY 2016

MINUTE

- (a) **Item 1 PROPOSED NEW EVENT AT MOUNT PANORAMA (04.00136)**
MOVED: Cr I North SECONDED: Cr B Bourke

That Council enter into an agreement with Yeehah Events for the 'Challenge Bathurst' event at Mount Panorama as detailed in the report.

MINUTE

**(b) Item 2 PROPOSED PURCHASE OF PROPERTY, MOUNT PANORAMA
(22.00588)**

MOVED: Cr I North SECONDED: Cr W Aubin

That Council authorise the General Manager to enter into negotiations with the owners concerning the purchase of land at Mt Panorama, as per the report.

MINUTE

(c) Item 3 PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3, 4, 7, 8, 9 AND 10 IN SECTION 16 DP758840 - CATHOLIC DIOCESE OF BATHURST (22.13487)

MOVED: Cr B Bourke SECONDED: Cr I North

That Council acts in accordance with the report.

DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 FEBRUARY 2016

MINUTE

(d) Item 1 TENDER FOR DESIGN AND CONSTRUCTION OF BMX TRACK LIGHTING (36.00582)

MOVED: Cr I North SECONDED: Cr B Bourke

It was noted that Cr Westman declared a pecuniary interest in this item, but is an apology for this meeting.

Reason: Track co-ordinator for BMX Club.

That Council accept the tender of Poonindie Pty Ltd t/as Laser Electrical Orange for the total tendered project price of \$145,800.60 (GST incl.) subject to provisional items and variations.

MINUTE

**(e) Item 2 TENDER FOR CONSTRUCTION OF FIRE CONTROL CENTRE
(36.00560)**

MOVED: Cr I North SECONDED: Cr M Coote

That Council accept the tender from Boulus Constructions Pty Ltd for \$1,933,075 (inc GST) subject to adjustments and provisional items.

MINUTE

- 43 **RESOLVE INTO OPEN COUNCIL**
MOVED: Cr I North SECONDED: Cr M Morse

RESOLVED: That Council resume Open Council.

MINUTE

44 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE MOVED: Cr G Hanger SECONDED: Cr M Coote

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

MINUTE

45 MEETING CLOSE

The Meeting closed at 9.12 pm.

CHAIRMAN: _____

Date: _____ **(16 March 2016)**