



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

27 January 2016

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 3 February 2016

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 3 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, 3 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 - 2 DECEMBER 2015

MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 9 DECEMBER 2015

6. DECLARATION OF INTEREST

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

7. MAYORAL MINUTE

NATIONAL RADIOACTIVE WASTE MANAGEMENT FACILITY PROPOSAL: SALLY'S FLAT

8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS

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

9. REPORTS OF OTHER COMMITTEES

MINUTES - POLICY COMMITTEE MEETING - 2 DECEMBER 2015

10. NOTICES OF MOTION

11. RESCISSION MOTIONS

12. DELEGATES REPORTS

CENTROC BOARD MEETING 26 NOVEMBER 2015
MINUTES - AUSTRALIA DAY WORKING PARTY - 15 DECEMBER 2015

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

Recommendation: That:

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

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

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

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	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.

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, Westman.

MINUTE

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 Fetters – 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.

MINUTE

3 APOLOGIES

Nil.

MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 2 DECEMBER 2015 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 2 December 2015 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 2 December 2015, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 2 DECEMBER 2015 (11.00005)

MOVED: Cr I North 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.

2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 9 DECEMBER 2015 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 9 December 2015 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 9 December 2015, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

5 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 9 DECEMBER 2015 (11.00005)

MOVED: Cr G Westman SECONDED: Cr M Coote

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 9 December 2015 be adopted.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY
COMMITTEE
HELD ON 2 DECEMBER 2015**

MEETING COMMENCES

1 MEETING COMMENCES 6:15 PM

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

APOLOGIES

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

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

DECLARATION OF INTEREST

3 DECLARATION OF INTEREST 11.0002
MOVED Cr M Coote and **SECONDED** Cr B Bourke

RESOLVED: That the following Declaration of Interest be noted.

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

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

4 Item 1 SUBMISSIONS - FINANCIAL STATEMENTS 2014/2015 (16.00055, 16.00137)
MOVED Cr G Westman and **SECONDED** Cr M Coote

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

Reason: On the basis that there may be a perception that I would prefer my personal feelings over my public duty because of the complaints and allegations made against me, in the submission made to the Council by Mr Crisp, which allegation I reject. I declare a non-pecuniary conflict of interest. I make it clear there is no actual conflict of interest, but I make this declaration on the basis only of a possibility of a perception. I do not consider any

conflict of interest to be significant by reason of;

1. There is no substance behind the allegations,
2. Any rates that were payable, were the responsibility of another person,
3. I take my obligations on Council more seriously than to be deflected by such a complaint.

RESOLVED: That the submissions received from Mr G A Crisp be noted and that:

- (a) No action be taken in relation to the Council's Financial Statements.
- (b) This submissions be referred to Council's Auditor in accordance with Section 420(3) of the Local Government Act 1993.

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

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

MOVED Cr M Coote

and **SECONDED** Cr J Jennings

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

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 ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR ROOF REPLACEMENT AT BATHURST MEMORIAL ENTERTAINMENT CENTRE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of

	the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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Director Engineering Services' Report

- a** **Item 1 TENDER FOR ROOF REPLACEMENT AT BATHURST MEMORIAL ENTERTAINMENT CENTRE (36.00566)**
MOVED Cr B Bourke and **SECONDED** Cr M Coote

That Council accepts the tender of Shumack Engineering (NSW) Pty Ltd in the amount of \$87,478.60 inc. GST, subject to adjustments and provisional items.

RESOLVE INTO OPEN COUNCIL

- 6** **RESOLVE INTO OPEN COUNCIL**
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 7** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr M Morse and **SECONDED** Cr G Westman

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

MEETING CLOSE

- 8** **MEETING CLOSE**

The Meeting closed at 6.42 pm.

CHAIRMAN: _____

Date: _____ **(3 February 2016)**

MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 9 DECEMBER 2015

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

J Maher – resident, 256 Rocket Street - DEPBS Item #3 - Bulky Goods Premises at 291 Stewart Street and 215 Rocket Street - Spoke to development application and consultation undertaken. Has sent email to Councillors and has requested DA be deferred. Queried where does incursion of businesses into residential areas end?

R Rayner – Nuclear Waste Disposal Facility, Sally's Flat - Is the spokesperson for group against the proposal for Sally's Flat. Runs a farm next to the site. Community have completely rejected the proposal. Spoke to consultation process undertaken and questions that have been raised. Many questions remain unanswered. Need to see environmental reports etc. Referred to various community meetings held, concerns about proposed site. Seeks Council support in this matter. The dump is in Hill End not Sally's Flat.

D Harvey – resident, 258 Rocket Street - DEPBS Item #3 - Bulky Goods Premises at 291 Stewart Street and 215 Rocket Street - Spoke to DA being considered by Council. The DA was listed as warehouse, subdivision and demolition. Now says for Bulky Goods, this is a different use, why wasn't a different DA submitted? Referred to street frontage, access issues and traffic concerns, particularly access off Rocket Street. Heavy vehicle movements are a problem. Noted construction issues with creek and piped areas and proposed relocation of pipes. Why change what is working? No contact since July 2015 has occurred with Council or the developer. Need DA to be deferred until all parties have met to discuss issues.

I MacPherson – National Trust - DEPBS Item #3 - Bulky Goods Premises at 291 Stewart Street and 215 Rocket Street - Spoke to concerns the Trust has with the DA. Noted some concerns of the National Trust have been incorporated in the DA. Issue with building line. Feels there is an inadequate DCP to address matter of residences abutting a commercial zone. There needed to be better informing of the community in the rezoning process.

The Acting Director Environmental, Planning & Building Services referred to process for rezoning that was followed.

W Artis – BCCAN - Spoke to matters of:

1. Centennial Park
2. Increased street tree canopy cover in the CBD; and
3. Retaining of London Plane trees in Durham Street.
Requested Council retain an arborist to provide advice on these trees, cost will be around \$2,500. Tabled a submission with petition to Council.

B McArthur – Bathurst Youth Council - Thanked Council for opportunity to be on the Committee. Spoke to projects undertaken during the year by the Youth Council. A report will be prepared for Council.

J Page – Napoleon Reef Resident - Spoke to approval of the quarry at the last meeting. Residents were bewildered by the decision and the behaviour of Councillors and staff. What is the purpose of Question Time at the start of the Ordinary Meeting?

The Mayor provided advice of the session intentions.

Ms Page felt that no items from the last Question Time were answered, noted there were 20 questions.

The DA concerns included the issue of suitability of Napoleon Reef Road. Why was no report on these issues included in the report to Council. The problems will be exacerbated by the development. The report did not deal with items such as the bends.

The Acting Director Environmental, Planning & Building Services spoke to traffic matters dealt with in the report.

Ms Page requested Council meet with residents to discuss issues of the road at an on site meeting.

T Carpenter – BCCAN - Treated Effluent Diversion Proposal - BCCAN, at its last meeting, requested the community consultation period be extended, to ensure procedural fairness. Spoke to impact on people downstream of the sewer works. Only two Councillors attended the consultation session. Concern at approval being requested for sale of treated effluent prior to any DA approval, data being inadequate, content of studies provided, fish habitat and numbers. Requests Council extend the consultation period. Referred to legal implications with respect to procedural fairness. It is irresponsible to sell the water, noted health of Macquarie River and Climate Change issues. Council should reject the offer and protect the water resource. Will Council move a Mayoral Minute to consider deferral, queried whether submission received.

The Mayor noted submission received and spoke to prior resolution of Council and processes put in place for consultation. Also spoke to the WRI consultation sessions put in place and the content thereof. Noted Councillors have had various presentations. Requested of General Manager, what is the process for preparing the report?

The General Manager advised of timelines for preparing the report and this would allow for inclusion of items received up to the 15 January 2016.

The Mayor spoke to procedural fairness matters, timelines for consultation, ability to

contact Councillors. The development would require a DA which would go through a State Government process and further community consultation.

F White – Heritage Matters - Delegates Report's Item #1 - CMWCG - 11 November
- Noted recommendation is to note the report. What are the opportunities for Heritage Reference Group to be involved in various planning matters and provide advice to Council?

The Mayor referred to Charter of the Reference Group and Council will consider input of that group.

B Bailey – 41 Ridgeway Napoleon Reef - Extractive Industry at Napoleon Reef - Spoke to matter of Napoleon Reef Quarry. Section 15 of Application requires disclosure of political donations. Hotham's said no disclosure was required, is Council satisfied with this response?

The Acting Director Environmental, Planning & Building Services noted this is a matter for developer to fill out the form.

The Mayor spoke to role of Council in matters of political donations.

Mr Bailey noted Mr Hotham made a statement at Question Time that he spoke to staff about the development and said land use was acceptable and was okay with respect to existing land uses. Requested Acting Director Environmental, Planning & Building Services to provide a comment on this.

The Acting Director Environmental, Planning & Building Services spoke to role of Council and processes undertaken when dealing with proposed developments.

Mr Bailey wondered where information came from concerning statement by Cr Aubin that Eleven Mile Drive was a more dangerous road than Napoleon Reef Road? Comments made were insulting.

The Mayor noted basis of Councillors providing their opinion at Council meetings.

B Andrews – 68 Dempsey Street, Peel - Proposed Nuclear Waste Disposal Facility at Sally's Flat - The community meeting at Hill End today unanimously endorsed the rejection of the proposed Nuclear Waste facility at Sally's Flat.

P Mandalidis – 72 Gilmour Street - Treated Effluent Diversion Proposal - Asked what is the penalty clause about provision of treated effluent to Regis? Queried levels of river flows that would lead to "cease to transfer" implementation and other matters. Closing down of mine if water is not available.

The General Manager referred to SKM report, DA process to occur if proposal proceeds. Noted no contract has been finalised with Regis as Council is currently seeking feedback prior to any decision being made.

G Crisp – ratepayer - Spoke to the process of giving notice and the following of due process. Referred to Council meeting held on 25 November 2015.

The Mayor noted no meeting was held on 25 November 2015.

Mr Crisp then spoke to submission made on the Annual Statements, was this presented to Council (referred to article in Western Advocate)?

The General Manager noted submission was presented to Council at meeting held on 2 December 2015.

Mr Crisp spoke of his efforts to get information about his submission and that he hasn't had a response.

The Mayor referred to process being undertaken to respond to Mr Crisp's questions.

B Trimming – ratepayer

Burnt out house in Commonwealth Street - Concerned at safety matters with this building. Have Council officers attended the site for inspection?

The Acting Director Environmental, Planning & Building Services noted the site has been inspected this week and Council has written to owners.

Disability Matters - Thanked Council for increased attention given to disability matters. Referred to raising of matters with Council by members of the public.

Howick Street Garden Ben - Could someone look at the garden between Stocklands and Bathurst Central?

Ratepayer – Treated Effluent Diversion Proposal - Stated this is clearly a mining proposal, it does nothing for the environment, it is purely economic. The Waste Water has always (since 1914) been returned to the river. Spoke to content and recommendations of SKM report including; measuring, monitoring and frog survey. Is there any guarantee that if subsequent monitoring shows there are problems, that there would be a cessation to mining? Also noted content of GHD report and concerns that are raised, including dry period issues, responses on ecology of the river and modelling matters. Are there any socio-economic risks with the proposal? Noted agriculture, environmental, recreational control site choice concerns. SKM's biodiversity review only looks at threatened fauna species and not others such as the platypus.

C Smith – Orange Resident - Treated Effluent Diversion Proposal - Advised had a lot to do with Orange Pipeline matter. Council needs to give due consideration to concerns raised by local knowledgeable people. The SKM report is not factual and most of the information cannot be substantiated. Should not take into account, volume of annual river flows or percentage of river flows. Needs to address dry weather matters. The DA process can be flawed. Look at years when river has not flowed. The SKM figures do not reflect the actual conditions that exist. To implement "cease to transfer" at 4 ML is a concern, given the long term river flow levels. Council should look at more ways of putting water into the river during dry times.

Bathurst District Football Representatives - DES Item #4 - Proctor Park Master Plan - Spoke to submission made to Council. Looking forward to proposal, only concern is time frame and remediation needed on other fields. This is needed before major works occur. Could major works occur after season of 2016?

APOLOGIES

- 3** **APOLOGIES**
MOVED Cr I North and **SECONDED** Cr W Aubin

Nil.

MINUTES

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

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

DECLARATION OF INTEREST

- 5** **DECLARATION OF INTEREST 11.00002**
MOVED Cr M Morse and **SECONDED** Cr B Bourke

RESOLVED: That the following Declaration of Interest be noted.

General Manager
 Item # 1 of the Confidential Mayoral Minute

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

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

RESOLVED: That the information be noted.

- 7** **Item 2 GENERAL REPORT (03.00053)**
MOVED Cr I North and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

- 8** **Item 3 DEVELOPMENT APPLICATION NO. 2015/0210 – DEMOLITION OF**

**EXISTING DWELLING AND CONSTRUCTION OF A BULKY GOODS PREMISES
AT 291 STEWART STREET AND 215 ROCKET STREET. APPLICANT: BAR
CONSTRUCTIONS. OWNER: MABRODA PTY LTD (DA/2015/0210)
MOVED** Cr B Bourke and **SECONDED** Cr I North

That Council:

- (a) as the consent authority, not grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2015/0210.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

The following AMENDMENT was MOVED.

**9 Item 3.01 DEVELOPMENT APPLICATION NO. 2015/0210 – DEMOLITION OF
EXISTING DWELLING AND CONSTRUCTION OF A BULKY GOODS PREMISES
AT 291 STEWART STREET AND 215 ROCKET STREET. APPLICANT: BAR
CONSTRUCTIONS. OWNER: MABRODA PTY LTD (DA/2015/0210)
MOVED** Cr M Morse and **SECONDED** Cr G Hanger

That Council:

- (a) defer consideration of Development Application No 2015/0210, to allow further consultation to occur between Council, the developer and residents.
- (b) notify those that made a submission of its decision; and
- (c) call a division.

The AMENDMENT was PUT and 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

The AMENDMENT then became the MOTION.

The MOTION was then PUT to the VOTE and 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

10 Item 4 HERITAGE SEMINAR AND TAFE CONSERVATION MANAGEMENT PLAN (18.00096)

MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

11 Item 5 NAMING OF PUBLIC ROADS – BASALT WAY, GRANITE RISE, CROKE CLOSE, QUIGLEY CLOSE, IGNATIUS STREET, FENNELLS CLOSE AND ABLETT COURT (20.00024)

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

RESOLVED: That Council:

- (a) adopt the name Basalt Way, Granite Rise, Croke Close, Quigley Close, Ignatius Street, Fennell Close and Ablett Court; and
- (b) direct the Acting Director Environmental, Planning & Building Services to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

12 Item 6 BATHURST REGIONAL LEP 2014 AMENDMENT - ADDITIONAL CLAUSES (20.00290)

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

RESOLVED: That Council:

- (a) adopt the Bathurst Regional LEP amendment to insert the three additional clauses as outlined in this report;
- (b) forward the Bathurst Regional LEP - Additional Clauses Planning Proposal to the NSW Department of Planning and Environment for gazettal;
- (c) notify those that made submissions or attended the discussion forum of its decision; and
- (d) call a division.

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

The result of the division was:

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

Against the motion - Cr J Jennings,

Absent - Nil

Abstain - Nil

13 Item 7 DRAFT BATHURST REGIONAL SECTION 94 PLAN FOR ROADWORKS – NEW RESIDENTIAL SUBDIVISION (AMENDMENT NO. 3) (20.00036)

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

RESOLVED: That Council:

- (a) adopt the Bathurst Regional Section 94 Development Contributions Plan - Roadworks – New Residential Subdivision (Amendment No. 3), and
- (b) amend Council's 2015/2016 Revenue Policy to reflect changes to the amended Section 94 Development Contributions Plan – Roadworks – New Residential Subdivision; and
- (c) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act, and
- (d) call a division.

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

14 Item 8 CONTAMINATION CENTRAL PROJECT (16.00141)

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

RESOLVED: That Council note the progress of the Contamination Central Project and that a further report will be presented to Council's Policy Committee in early 2016.

15 Item 9 PEST BIRD MANAGEMENT STRATEGY – AN UPDATE ON ACTIVITIES (14.00627)

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

RESOLVED: That the information be noted.

16 Item 10 BATHURST BACKYARD BIRD COUNT (13.00081)

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

RESOLVED: That the information be noted.

- 17** **Item 11 2016 LAND IMPROVEMENT AWARDS PROGRAM (13.00064)**
MOVED Cr M Morse and **SECONDED** Cr G Hanger

RESOLVED: That Council:

- (a) note that the 2016 Land Improvement Awards Program will be launched in January 2016; and
- (b) nominate Cr Jennings to be a part of the assessment panel for the 2016 program.

Director Corporate Services & Finance's Report

- 18** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED Cr M Morse and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

- 19** **Item 2 YEAR TO DATE MONTHLY REVIEW - 2015-2019 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2015-2016 (16.00140)**
MOVED Cr W Aubin and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

- 20** **Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)**
MOVED Cr G Westman and **SECONDED** Cr I North

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

- 21** **Item 4 POWER OF ATTORNEY (11.00007)**
MOVED Cr G Westman and **SECONDED** Cr M Morse

RESOLVED: That the information be noted.

- 22** **Item 5 REVENUE POLICY - NEW CHARGE - HIRE OF POLICE PADDOCK (04.00057, 04.00014, 16.00140)**

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

RESOLVED: That Council introduce a new charge for the hire of Council sporting grounds for camping, as follows:

- (a) Base fee of \$2,000 per event;
- (b) \$10 for each campsite located on the Council owned ground; and
- (c) Council advertise the proposed new charge to the Revenue Policy for a period of 28 days, and submissions be invited from members of the public. If submissions are received report back to Council. If no submissions are received adopt the new fees and incorporate into the Revenue Policy.

23 **Item 6 DYE HARD FUN RUN 2016 (04.00065, 23.00026)**
MOVED Cr I North and **SECONDED** Cr G Westman

RESOLVED: That Council:

- (a) Support the Dye Hard Fun Run Event to be conducted on 30 October 2016.
- (b) Provide Berry Park and river footways between Evans Bridge and Gordon Edgell Bridge at no cost to the organisers.

24 **Item 7 REQUEST FOR FINANCIAL ASSISTANCE - INTERNATIONAL WOMEN'S DAY (23.00026)**
MOVED Cr M Morse and **SECONDED** Cr J Jennings

RESOLVED: That Council make available the use of Bathurst Memorial Entertainment Centre (BMEC) for the conduct of an event to celebrate International Women's Day in 2016 at a cost of \$607 to be funded from Section 356 Donations.

Director Engineering Services' Report

25 **Item 1 SUTOR STREET TREES (25.00072)**
MOVED Cr G Hanger and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

26 **Item 2 2015 ROAD SAFETY AWARDS - RACING ROAD SAFETY TO THE MOUNT (28.00002)**
MOVED Cr W Aubin and **SECONDED** Cr B Bourke

- (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.

Director Cultural & Community Services' Report

31 Item 1 BATHURST REGION TOURISM REFERENCE GROUP MEMBERSHIP (07.00116)
MOVED Cr B Bourke and **SECONDED** Cr I North

RESOLVED: That Council endorse the membership of the Bathurst Region Tourism Reference Group as outlined in the report.

32 Item 2 BATHURST REGIONAL YOUTH COUNCIL - "YOU'VE GOT THIS" PROJECT PILOT (11.00020)
MOVED Cr M Coote and **SECONDED** Cr I North

RESOLVED: That the information be noted.

33 Item 3 BATHURST REGIONAL ART GALLERY WINS TWO HIGHLY COMMENDED AWARDS AT THE 2015 IMAGINE AWARDS (21.00039)
MOVED Cr M Morse and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

34 Item 4 ARTS NSW TRIENNIAL FUNDING - BATHURST REGIONAL ART GALLERY AND BATHURST MEMORIAL ENTERTAINMENT CENTRE (16.00017, 16.00049)
MOVED Cr I North and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

35 Item 5 PROPOSED FIRST HOUSE PUBLIC ART PROJECT (21.00015)
MOVED Cr J Jennings and **SECONDED** Cr B Bourke

RESOLVED: That Council:

- (a) support, in principle, the investigation of the feasibility of a public art work that

40 **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**
MOVED Cr I North and **SECONDED** Cr M Coote

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

The following representation was made

M Nicholls, Western Advocate - made representations on Item #4 of the Director Corporate Services & Finance Report, Mount Panorama Fauna and Item #1 of the Director Corporate Services & Finance Report, Purchase or Commercial Site in Howick Street.

The Director Corporate Services advised Item #4 contains information on the operations of Mount Panorama and details on 12 Hour Contract and V8 Contract.

The General Manager advised that the potential purchase of the commercial site in Howick Street would remain confidential until negotiations are complete.

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.

*** MAYORAL MINUTE**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	GENERAL MANAGER'S APPRAISAL	10A (2) (a) – Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PURCHASE OF	10A (2) (d) (i) – contains

	COMMERCIAL SITE IN HOWICK STREET, BATHURST	commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PROPOSED NEW 'MARKET REVIEW' LEASE FEE INCREASE AT THE BATHURST AERODROME	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED NEW LICENCE AGREEMENT - LOT 291 IN DP863083 KNOWN AS 8 STANLEY STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	MOUNT PANORAMA FAUNA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who

		supplied it.
5	MISS TRAILL'S HOUSE - WATER CONSUMPTION	10A (2) (b) – contains advice concerning hardship of a resident or ratepayer, disclosure of which would not be in the public interest as it would prejudice the personal position of the individual concerned.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	NETWASTE TENDER FOR COLLECTION AND RECYCLING OF WASTE TYRES	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 MANAGEMENT OF THE BATHURST AQUATIC CENTRE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	FLUSHING OF WATER MAINS CONTRACT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would

		prejudice the commercial position of the person who supplied it.
4	TENDER FOR BATHURST REGIONAL ART GALLERY REFURBISHMENT WORKS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Mayoral Minute

- a** Item 1 GENERAL MANAGER'S APPRAISAL (35.01136)
MOVED Cr B Bourke and SECONDED Cr G Westman

The General Manager declared a pecuniary interest in this item, and left the Chamber.

Reason: Concerns Contract of Employment.

That Council note:

- (a) the performance review of the General Manager, which was rated as more than satisfactory;
- (b) that the General Manager's employment package has been set at \$320,153.

Director Corporate Services & Finance's Report

- b** Item 1 PURCHASE OF COMMERCIAL SITE IN HOWICK STREET, BATHURST (22.02141)
MOVED Cr M Coote and SECONDED Cr W Aubin

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

- c** Item 2 PROPOSED NEW 'MARKET REVIEW' LEASE FEE INCREASE AT THE BATHURST AERODROME (21.00131)
MOVED Cr M Coote and SECONDED Cr I North

That Council approves the new lease fee from 'market review' process for Lot 35 in

DP1159302 located on Windsack Way at the Bathurst Aerodrome, as detailed in the report.

- d** **Item 3 PROPOSED NEW LICENCE AGREEMENT - LOT 291 IN DP863083 KNOWN AS 8 STANLEY STREET BATHURST (22.05803)**
MOVED Cr I North and **SECONDED** Cr M Coote

That Council approves entering into a new Licence agreement with the Macquarie Lions Club of Bathurst for part Lot 291 in DP863083 located at 8 Stanley Street Bathurst and known as the Stanley Street Sporting Complex and provide assistance with the construction of a slab for a storage shed, as detailed in the report.

- e** **Item 4 MOUNT PANORAMA FAUNA (14.00665)**
MOVED Cr M Coote and **SECONDED** Cr G Westman

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

- f** **Item 5 MISS TRAILL'S HOUSE - WATER CONSUMPTION (22.00507)**
MOVED Cr G Hanger and **SECONDED** Cr M Morse

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

Director Engineering Services' Report

- g** **Item 1 NETWASTE TENDER FOR COLLECTION AND RECYCLING OF WASTE TYRES (14.00007)**
MOVED Cr I North and **SECONDED** Cr B Bourke

That Council accept the NetWaste evaluation panel recommended tenderer for the collection and recycling of tyres as detailed in the Director Engineering Services' Report.

- h** **Item 2 TENDER FOR MANAGEMENT OF THE BATHURST AQUATIC CENTRE (36.00570)**
MOVED Cr I North and **SECONDED** Cr W Aubin

That Council accept the tender of Belgravia Leisure in the amount of \$3,280,060 (incl GST) for the management of the Bathurst Aquatic Centre, for a period of 5 years, subject to adjustments and provisional items.

- i** **Item 3 FLUSHING OF WATER MAINS CONTRACT (21.00119)**
MOVED Cr I North and **SECONDED** Cr B Bourke

That Council:

- (a) determine that in the case of a contract for ice-pigging of water mains, that a satisfactory result would not be achieved by inviting companies to tender due to the lack of companies in the market place, and
- (b) approve the engagement of Degremont Pty Ltd to carry out 15 days of ice-pigging as detailed in the report.

- j** **Item 4 TENDER FOR BATHURST REGIONAL ART GALLERY REFURBISHMENT WORKS (36.00578)**
MOVED Cr W Aubin and **SECONDED** Cr I North

That:

- (a) Council decline to accept any of the tenders
- (b) Council enter into negotiations with Inscape Projects Group with a view to entering into a contract in relation to the Art Gallery Refurbishment Works
- (c) the reasons for declining to invite fresh tenders are due to funding limitations, construction timing and coordination restrictions
- (d) the reason for determining to enter into negotiations with Inscape Projects Group is that they are the preferred tenderer in accordance with the Selection Criteria for the tendered works.

RESOLVE INTO OPEN COUNCIL

- 41** **RESOLVE INTO OPEN COUNCIL**
MOVED Cr M Morse and **SECONDED** Cr M Coote

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 42** **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, Items (a) to (j) be adopted.

MEETING CLOSE

43 **MEETING CLOSE**

The Meeting closed at 9.26 pm.

CHAIRMAN: _____

Date: _____ **(3 February 2016)**

MINUTE

- 6** DECLARATION OF INTEREST 11.00002
 MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That the Declaration of Interest be noted.

MAYORAL MINUTE AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 NATIONAL RADIOACTIVE WASTE MANAGEMENT FACILITY PROPOSAL: SALLY'S FLAT (13.00024-02)

Recommendation: That Bathurst Regional Council advise The Hon Josh Frydenberg MP, Minister for Resources, Energy and Northern Australia, that Council does not support the proposal to establish a National Radioactive Waste Management Facility at Sally's Flat in New South Wales.

Report: Councillors will be aware that the Federal Government on the 13 November 2015 announced a shortlist of six voluntarily nominated sites for further evaluation and public consultation for a permanent National Radioactive Waste Management Facility.

One of the sites nominated was in a locality described as Sally's Flat, on the Hill End Road.

The Government, as part of its Community Engagement Strategy entered into a consultation process over 120 days, from 13 November 2015 with local stakeholders having an interest in the site. Any written submissions are to be provided to the Government in writing by 11 March 2016.

For Councillors information a background brief provided by the Australian Government, Department of Industry, Innovation and Science is shown at **attachment 1**.

At **attachment 2** is correspondence received from The Hon Josh Frydenberg MP, Minister for Resources, Energy and Northern Australia, which provides further detail on the proposal.

Councillors also received a briefing, 24 & 26 November 2015, from representatives of the Federal Government on the proposed project.

There has also been extensive community interest in this matter and Councillors have been appraised of the major issues through; documents provided, briefing sessions with the Department, community representatives and individual research.

Given the possible;

- Environmental impacts,
- Social impacts,
- Economic impacts,
- Safety issues, and
- Community feedback

It is recommended that Bathurst Regional Council advise The Minister for Resources, Energy & Northern Australia, The Hon Josh Frydenberg MP, that Council does not support the proposal to establish a National Radioactive Waste Management Facility at Sally's Flat in New South Wales.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 13: To minimise the City's environmental footprint. Strategy 13.7
- Objective 16: To encourage sustainable waste management practices, incorporating opportunities for Strategy 16.1

energy generation.

- Objective 17: To encourage living, vibrant and growing villages and rural settlements. Strategy 17.2
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.3

MINUTE

7 Item 1 NATIONAL RADIOACTIVE WASTE MANAGEMENT FACILITY
PROPOSAL: SALLY'S FLAT (13.00024-02)
MOVED: Cr G Rush SECONDED: Nil

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.

Yours faithfully



Gary Rush
MAYOR OF BATHURST

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

3 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

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

MOVED: Cr B Bourke SECONDED: Cr I North

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

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

RESOLVED: That the information be noted.

3 BATHURST REGION HERITAGE REFERENCE GROUP (20.00123)

Recommendation: That the information be noted.

Report: The Bathurst Region Heritage Reference Group met on 15 December 2015. The minutes of that group's meeting are provided at **attachment 1**.

The group will meet next in early March 2016.

Attachment 2 provides an update of Council's achievements to date with respect to the implementation of its Heritage Strategy and includes:

- Ongoing management of the 2015-16 Bathurst Region Local Heritage Fund and the Bathurst Region Conservation and Interpretation Fund 2015-16.
- Ongoing Management of Council's Heritage Advisory Service – 63 site inspections undertaken to date this financial year.
- Site inspections and Kelso Urban Expansion foot survey undertaken for Aboriginal Heritage Study.
- Site inspections undertaken for the Hill End Archaeological investigations.
- Nominated for the State and local National Trust and Keep NSW Beautiful Awards for Delightful Spot Heritage Trail and Pillars of Bathurst Cultural Garden.
- Near completion of age and significance mapping of buildings in the Bathurst Heritage Conservation Area.
- Restoration and reuse – Practical Examples Heritage Seminar hosted by Bathurst Regional Council attended by over 60 people with resounding positive feedback.
- Public exhibition of the TAFE CMP as part of the Town Square Exhibition at the Australian Fossil and Mineral Museum commenced. Over 70 submissions received during the 'Wish Upon a Square' campaign.
- Commence history of 'Bathurst Government Settlement, Outlying Areas.'
- Liaise with NSW Institution of Surveyors in commencing Bathurst Surveyors History Heritage Trail.
- Signage for prominent architectural buildings commenced with sign prepared for Machattie Park Cottage.
- Rephotograph buildings included in the William and George Street Main Street Study completed, undertaking update of building recommendations.

Financial Implications: Administrative costs of the meeting are met within Council's existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.1
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.3, 30.5, 30.6

MINUTE

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

RESOLVED: That the information be noted.

4 MAIN STREET IMPROVEMENTS AND SIGNAGE COMPLIANCE (20.00123)

Recommendation: 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.

Report: At its meeting held 21 September 2015, the Bathurst Region Heritage Reference Group recommended that reports be prepared to Council to consider:

1. The non-compliance of fascia and above awning signage within the Bathurst CBD and determine how compliance can be achieved for that signage
2. Opportunities to develop a beautification program for signage and colour scheme improvements on private buildings in the Bathurst CBD.

At the Policy Committee held 2 September 2015 it was requested that a report come back to Council on how Council can enforce maintenance of buildings in the CBD.

At the Councillors meeting held with community groups on 11 November 2015 a presentation was made to Councillors on the matter from representatives of the Bathurst Region Heritage Reference Group.

Staff outlined Council's current actions and opportunities in relation to these matters to the Council working party that followed the meeting with community groups. This included:

- Main Street study reviews
- policies relating to the waiving of DA fees
- the Local Heritage Fund
- the Heritage Advisory Service
- Council guidelines
- compliance and enforcement issues
- promotion and encouragement actions
- review of standards.

It is considered that the key issues and possible opportunities are as follows.

1. Buildings in poor state of repair/building beautification and improvement.

Council does not have the legislative powers to enforce repairs to buildings unless they are causing a danger to public safety. The most important action Council can undertake in relation to the appearance of buildings is to provide information and educate property owners to promote sound maintenance of the historic building stock and encourage improvements to be made.

Current actions:

Council's heritage advisory service provides site specific advice to property owners within the CBD when requested. Free advice is provided to property owners for matters such as colour schemes, building alterations and other improvements.

Council has in place a policy to waive the DA fees for applications for repainting of buildings and verandah reinstatement in the CBD. Both policies are aimed at supporting owner improvements to buildings and in the case of repainting to encourage owners to do the right thing and seek consent before starting works.

Council operates the Bathurst Regional local heritage fund where all owners of older buildings in the Bathurst Region can apply for small grants to assist with external maintenance of their buildings. Council operates the largest grant program of this kind in the State. Most of the funding is allocated to residential property improvements. Insufficient funds would be available to make a real difference in the commercial zone.

Council issues Orders to repair buildings identified as being in a poor state of repair where there is a potential risk to the public. In recent years Orders have been issued largely to ensure awning safety.

Opportunities:

In the late 1990s Council engaged consultants to complete Main Street studies for William and George Streets (which also included parts of Howick and Russell Streets) and Keppel Street. An important part of these studies was to identify/recommend improvements for each individual building. These recommendations included matters such as the removal of intrusive items such as signage and air conditioning units, the provision of new colour schemes, recommendations for the reinstatement of missing items or alterations to the built form of intrusive buildings.

In 2015 Council staff rephotographed all buildings in these studies. This photographic record shows that many building improvements have been made since the late 1990s. It also provides a record of the current appearance of all buildings.

Through Council's heritage advisor, Council has commenced a review of the building recommendations for the Bathurst Town Square as part of a wider master plan process for the Town Square. The aim is to provide updated building improvement recommendations which, when completed, will be promoted to individual property owners. The Main Street Review for the Town Square looks at both the front and backs of each building within the Square. The Town Square review has been funded by Council under the current 2015/16 budget.

Council could extend this work to cover the whole CBD – that is complete a Bathurst Main Street Review for all buildings within the Bathurst CBD. This could be done slowly through the existing heritage advisory service budget as time is available. It should be noted, however, that Council's heritage advisory budget is limited for major projects such as this as the advisor days are already very busy. More appropriately it could be completed within a financial year period through a specific budget allocation. It is estimated that a budget of up to \$50,000 would be required to complete the whole CBD.

Promotion of the updated building improvement recommendations could then be undertaken for each block within the CBD once completed. An incentive program could be initiated, similar to the Bathurst Local Heritage Fund, to promote the completion of works under the Main Street Review. At this stage it is suggested that a \$50,000 Main Street Improvement Fund could be established offering grants of up to \$5,000 on a minimum \$ for \$ basis for the completion of works outlined in the Bathurst Main Street Review.

Summary:

- Maintain Council's heritage advisory service.
- Maintain Council's policy to waive DA fees for repainting and verandah reinstatement in the CBD.
- Continue to issue orders to repair buildings when public safety is at risk.
- Undertake the Bathurst Main Street Review and give consideration to providing a specific budget (estimated at \$50,000) to complete this review in 2016/17.
- Promote the recommendations for building improvements from the Bathurst Main Street Review to property owners as each CBD block is completed.
- Give consideration to the establishment of a Main Street Improvement Fund in the 2017/18 budget to encourage owners to undertake works recommended by the Bathurst Main Street Review (suggest fund of \$50,000 per annum).

2. Fascia Signage

Of particular concern to the Heritage Reference Group members is the trend for businesses to install fascia signs that extend beyond the depth of the fascia of the buildings awning.

Council's current LEP standards provide that the erection of fascia signs that do not extend beyond the depth of the awning's fascia are exempt development and do not require consent. It is important to note that these provisions came into effect on 19 November 2014. Prior to this date fascia signs could be carried out as exempt development however there were no controls placed on the depth of the signs. Fascia signs erected before this date would have an element of continuing use rights.

Consent is required where the fascia sign extends beyond the depth of the fascia. Unfortunately sign companies and business owners are in many instances installing such signs without consent and Council's resources have not been allocated to take compliance action against such works.

Current Action:

Council has sought to undertake educational action through the production of guidelines on appropriate fascia signs and distributing those guidelines to owners, tenants, real estate agents and sign companies some time ago (**attachment 1**). Written and oral advice to those tenants and landowners has also been given through Council's Planning Department as part of planning enquiries. The results of such actions have been limited.

Opportunities:

If Council wishes to curb this trend it is suggested that the following action could be taken.

- Recirculate the fascia sign guidelines to owners, tenants, real estate agents and sign companies with additional information about compliance penalties.
- Meet with sign companies, real estate agents and the Bathurst Business Chamber to outline Council's requirements and compliance penalties.
- Take compliance action for any non-conforming fascia signs erected after the photographic record of buildings taken in 2015.
- Complete the Bathurst Main Street review to identify all inappropriate signage on existing buildings and encourage its removal.
- Waive the DA fees for the erection of signage in the CBD as a means to encourage owners/tenants to seek consent when such consent is required (same as current

policy for repainting).

Compliance action will take up considerable staff resources (and is subject to those resources being available under the current staff structure). Compliance action will only be effective if Council supports the issuing of orders for signage removal, penalty infringement notices and where necessary court action. Note that a penalty infringement notice would be in the order of \$3,000 to \$6,000. Note that there is also potential for Council to incur significant legal costs in the event that any enforcement action is challenged.

It is also noted under Council's adopted Enforcement Policy that issues of this scale would typically fall within the scale of offences where Council would provide prior warning before any enforcement action in the form of the service of an Order, Notice, Penalty Infringement Notice or court action. That means that enforcement outcomes can take significant time and resources to resolve the issue.

3. Other signage

The Heritage Reference Group has also raised issues in relation to the appropriateness of Council's current DCP standards in relation to signage, and in particular above awning signage and the lack of compliance action for unauthorised signage.

What must be noted is that some existing signs already located in the CBD, that Council and the community might consider as inappropriate signage may have existing use rights or have been approved under previous planning controls. Council has no legislative power to seek removal of these signs.

Current Action:

Council staff and its Heritage Advisor offer on-site advice to businesses in relation to signage opportunities for a building where asked prior to the lodgement of a development application and the erection of signage. It must be noted that Council can only offer advice where it is asked to do so.

Where Council identifies above awning signage that has been erected without consent it takes action to seek lodgement of a development application for that signage or its removal. Where the sign is considered inappropriate, Council offers advice to the business about what type of signage might be more appropriate. If development consent is ultimately not granted Council seeks removal of the sign. This process can take several months.

Council's DCP (Chapter 12) contains a variety of standards relating to the erection of advertising signage. In particular it should be noted that above awning projecting wall signage and signage that projects above the ridgeline of the roof are not supported by the DCP provisions within the Bathurst CBD. Notwithstanding the DCP provisions it must be noted that the Environmental Planning and Assessment Act requires that Council apply the DCP with flexibility and giving consideration to all reasonable alternatives. The DCP guides development decisions made by Council and outlines a "preferred approach". The DCP standards, including numerical non-compliance, are not a prohibition. What is considered to be "reasonable" will always be a matter for opinion and in that respect planning decisions are never "black and white".

If Council wanted to pursue an outright prohibition of above awning signage within the CBD, as suggested by members of the Bathurst Region Heritage Reference Group, it

would have to do this through the introduction of relevant provisions (if legally possible) within the Local Environmental Plan.

The former AMP building in William Street is an historic example of where signage above awning level forms an integral part of the building and its history. The Edinboro Castle Hotel signage is another example.

Interestingly a comparison of historic images of building signage against Council's current DCP standards indicates that most of that historic signage would not be the preferred approach under Council's DCP. The issue really is the modern form, colours and font styles of signage today and the fact that most signage is manufactured off site.

Opportunities:

The Bathurst Main Street Review as proposed above will consider the appropriateness of existing signage and opportunities for appropriate new/alternative signage and the retention of any historic signage (e.g. AMP building). This is seen as the best mechanism to provide each property with up front advice on Council's preferred approach to each building. Once completed it might also be appropriate to link the findings of the Bathurst Main Street Review to Chapter 12 – Signage and Colour Schemes of the DCP.

Consideration of the establishment of the Bathurst Main Street Improvement Fund might provide incentives for owners/businesses to remove inappropriate signage where Council does not have legislative powers to seek its removal. Communication and consultation with business owners will be the key to the success of any such a program and members of the Bathurst Region Heritage Reference Group will need to play a key role in convincing the business community that the general community seek change.

The introduction of a new policy to waive the DA fee for signage in the CBD is recommended to encourage business owners to do the right thing and seek consent before erecting signage. It might also encourage businesses to seek advice from Council on signage before plans are drawn up.

Summary:

- Maintain Council's heritage advisory service.
- Continue to take compliance action on unauthorised signage.
- Complete the Bathurst Main Street Review to identify all inappropriate signage on existing buildings and encourage its removal.
- Promote the recommendations for building improvements from the Bathurst Main Street Review to property owners as each CBD block is completed.
- Give consideration to the establishment of a Main Street Improvement Fund in the 2017/18 budget to encourage owners to undertake works recommended by the Bathurst Main Street Review (suggest fund of \$50,000 per annum).
- Waive the DA fees for the erection of signage in the CBD as a means to encourage owners/tenants to seek consent when such consent is required (same as current policy for repainting).

4. Colour Schemes

The Heritage Reference Group has raised concerns in relation to the implementation and enforcement of Council's current DCP standards for colour schemes for buildings

in the CBD.

Painting of buildings is generally considered as exempt development unless it is located in the B3 Commercial Core zone.

Current Action:

Council's Heritage Advisor offers on-site advice to businesses in relation to colour schemes for a building prior to the submission of a development application. It must be noted that Council can only offer advice where it is asked to do so.

Council has long adopted a policy to waive the DA fee for the repainting of buildings within the CBD as a means to encourage business owners to seek consent prior to such works being completed. This also encourages businesses to seek advice from Council before a colour scheme is developed.

Where Council identifies that painting has occurred without consent (where it is not considered to be building maintenance) it takes action to seek lodgement of a development application for that painting. Where the colour scheme is considered inappropriate, Council offers advice to the business about a scheme that might be more appropriate. This process can take several months, often with a significant level of negotiation between Council and the business.

Council's DCP (Chapter 12) contains a variety of standards and advice relating to colour schemes. Notwithstanding the DCP provisions it must be noted that the Environmental Planning and Assessment Act requires that Council apply the DCP with flexibility and giving consideration to all reasonable alternatives. The DCP guides development decisions made by Council and outlines a "preferred approach". Not complying with DCP standards are not a prohibition. What is considered to be "reasonable" will always be a matter for opinion and in that respect planning decisions are never "black and white".

The key difficulty facing Council is the desire for businesses to use their corporate colours and their inflexibility to alter the tones of those colours (that inflexibility is understood in the current business world). Council's advice therefore seeks to provide businesses opportunities to incorporate their corporate colours in some way within their colour scheme and/or signage.

Opportunities:

Again the Bathurst Main Street Review as proposed above will provide site specific advice on appropriate colour choices for each building. This is seen as the best mechanism to provide each property with up front advice on Council's preferred approach to each building. Once completed it might also be appropriate to link the findings of the Bathurst Main Street Review to Chapter 12 of the DCP.

Consideration of the establishment of the Bathurst Main Street Improvement Fund might provide incentives for owners/businesses to repaint buildings. Again communication and consultation with business owners will be the key to the success of any such a program and members of the Bathurst Region Heritage Reference Group will need to play a key role in convincing the business community that the general community seek change.

Summary:

- Maintain Council's heritage advisory service.
- Continue to take compliance action on unauthorised repainting.
- Complete the Bathurst Main Street Review to identify opportunities for colour scheme improvements.
- Promote the recommendations for building improvements from the Bathurst Main Street Review to property owners as each CBD block is completed.
- Give consideration to the establishment of a Main Street Improvement Fund in the 2017/18 budget to encourage owners to undertake works recommended by the Bathurst Main Street Review (suggest fund of \$50,000 per annum).
- Maintain Council's current policy to waive the DA fees for the repainting of buildings in the CBD as a means to encourage owners/tenants to seek consent when such consent is required.

Conclusion:

Council has in place a number of programs and planning controls aimed at protecting and improving the visual appearance of the CBD streetscapes and encouraging owners to maintain their buildings.

The Bathurst Region Heritage Reference Group have requested that Council consider expanding its actions to improve the CBD streetscapes. Some new opportunities have been identified in this report.

A key opportunity is the preparation of the Bathurst Main Street Review and consideration of a new incentive (grants) program (the Bathurst Main Street Improvement Program) to encourage that review to be implemented. This would require a new and ongoing budget commitment from the Council.

Prior to Council considering these opportunities further it would be appropriate to refer this report to the Bathurst Region Heritage Reference group for consideration. As this matter relates to the commercial heart of the city it would also be pertinent to refer this report to the Bathurst Business Chamber for their feedback. A further report will then be presented to Council.

Financial Implications: Nil, at this stage.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.2
- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.4, 11.5
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.5
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2

MINUTE

11 Item 4 MAIN STREET IMPROVEMENTS AND SIGNAGE COMPLIANCE (20.00123)

MOVED: Cr G Westman 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.

5 PLANNING PROPOSAL – SCHEDULE 5 ENVIRONMENTAL HERITAGE (20.00298)

Recommendation: 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.

Report: Council's Strategic Planning section is preparing a Planning Proposal to the NSW Department of Planning and Environment to update Schedule 5 Environmental Heritage of Bathurst Regional Local Environmental Plan (LEP) 2014. The Planning Proposal aims to consider heritage listing several items within the following areas:

- Colonial Housing Stock within the Bathurst Region including 62 Seymour Street, Bathurst.
- Early Government sites such as the Agricultural Research Station and relics associated with Bathurst Railway Station.
- 13 natural landscapes as recommended by the Bathurst Region Heritage Study 2007 including:
 - Abercrombie Caves – Caves Road, Abercrombie River
 - Winburndale Nature Reserve – Winburndale Dam Road, Napoleon Reef
 - Copperhannia Nature Reserve – Colo Road, Trunkey Creek
 - Stevens Park and Weir – Budden Street and Peppers Creek, Rockley
 - Wattle Flat Heritage Lands - Wattle Flat
 - Trunkey Creek Memorial Park – Arthur Street, Trunkey Creek
 - Devil's Marbles – 2396 Ophir Road, Rock Forest
 - Macquarie Woods – Cashens Lane, Vittoria
 - Lions Club Drive Trees - Lions Club Drive, Kelso
 - Beyer's Avenue Trees - Beyer's Avenue, Hill End
 - Wallaby Rocks – 557 Hill End Road, Sofala
 - Victoria Park – Howick Street, Bathurst
 - Centennial Park – Bentinck Street, Bathurst.

The Planning Proposal will not involve a review of the existing heritage items currently under Schedule 5 of the LEP.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.1

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

Strategy 30.3, 30.5, 30.6

MINUTE

12 Item 5 PLANNING PROPOSAL – SCHEDULE 5 ENVIRONMENTAL HERITAGE (20.00298)

MOVED: Cr G Westman 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

6 BATHURST BUY LOCAL GIFT CARD: 2015 RESULTS (20.00071)

Recommendation: That the information be noted.

Report: On 29 April 2015, Bathurst Regional Council launched the Bathurst Buy Local Gift Card. The Gift Card encourages residents to shop locally and demonstrates Council's support for local business, economic prosperity and jobs growth. Currently there are 122 local businesses participating in the program.

The Gift Card program experienced an exceptional increase in the number of cards loaded over the Christmas period as outlined below:

November 2015

- **231** cards loaded
- Load value **\$11,228**

December 2015

- **513** cards loaded
- Load value **\$41,540**

The total number of cards loaded in the program to date is **1,036** to the value of **\$73,426**.

Compared to other regional centres with Gift Card programs, Bathurst was the most successful centre in terms of card sales and amount loaded within the first year of introduction. These results indicate that the marketing campaign conducted by Council has been highly successful and the Bathurst community is supporting the initiative.

Conclusion:

The Gift Card program experienced exceptional results over the Christmas period with a total of 513 cards loaded to the value of \$41,540 in December alone.

From April – December 2015, a total of 1,036 cards have been purchased to the value of \$73,426. Compared to other participating regional centres over an initial 8 month period, Bathurst is the most successful centre in terms of card sales and amount loaded.

Council will continue to track the success of the Bathurst Buy Local Gift Card and ultimately its contribution to the Bathurst economy.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.3
- Objective 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.2, 5.4
- Objective 33: To be and develop good leaders. Strategy 33.6

MINUTE

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

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink, appearing to be 'R Denyer', written in a cursive style.

R Denyer
ACTING DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

3 FEBRUARY 2016

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$70,100,000 was invested at 31 December 2015 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<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	\$2,500,000.00	3.00%
Bendigo and Adelaide Bank	A2	\$500,000.00	2.84%
IMB Limited	A2	\$500,000.00	2.82%
Commonwealth Bank	A1+	\$1,500,000.00	2.98%
Bankwest	A1+	\$3,000,000.00	2.98%
National Australia Bank Limited	A1+	\$21,500,000.00	3.01%
St George	A1+	\$3,500,000.00	2.95%
Maritime, Mining & Power Credit Union	ADI	\$500,000.00	2.87%
People's Choice Credit Union	ADI	\$1,500,000.00	2.89%
Railways Credit Union Limited	ADI	\$1,000,000.00	3.09%
SGE Credit Union Limited	ADI	<u>\$1,500,000.00</u>	<u>2.88%</u>
		\$37,500,000.00	2.98%
<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	3.35%
National Australia Bank Limited	AA-	\$2,000,000.00	2.99%
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	2.99%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$2,800,000.00</u>	<u>2.20%</u>
		\$11,800,000.00	2.94%
<u>Fixed, Negotiable & Tradeable 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	3.04%
AMP	AA-	\$800,000.00	3.45%
Suncorp Metway	A+	\$1,000,000.00	3.39%
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	3.52%
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	3.43%

Total Investments **\$70,100,000.00** **3.10%**

These funds were held as follows:

Reserves Total (includes unexpended loan funds)		\$32,357,425.00
Grants held for specific purposes		\$2,494,304.00
Section 94 Funds held for specific purposes		<u>\$32,881,697.00</u>
Unrestricted Investments – All Funds		\$2,366,574.00
General Fund	\$2,366,574.00	
Water Fund	\$0.00	
Sewer Fund	\$0.00	
Waste Fund	<u>\$0.00</u>	

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

Total Interest Revenue to 31 December 2015 **\$1,117,511.92** **3.10%**

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	2.20%
Three Year Swap Rate - Commonwealth	2.11%
Five Year Swap Rate - Commonwealth	2.47%
Modified Deitz Calculation	3.32%

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

R Roach
Responsible Accounting Officer

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

RESOLVED: That the information be noted.

2 YEAR TO DATE MONTHLY REVIEW - 2015-2019 DELIVERY PLAN AND ANNUAL OPERATING PLAN 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.

At **attachment 2** is an update of Council's progress towards achieving the Strategies and Objectives for the 2015-2019 Delivery Plan and the Annual Operating Plan 2015-2016.

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

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

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

15 Item 2 YEAR TO DATE MONTHLY REVIEW - 2015-2019 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2015-2016 (16.00140)

MOVED: Cr I North SECONDED: Cr J Jennings

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 December 2015.

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

Section 356:	\$2,997.94
BMEC Community use:	\$0
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

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 SECONDED: Cr M Morse

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.

- D J Stannard - 9 Adams Street - Lot 1029, DP 1212670, - Transfer
- E M Beachman - 5 Grimes Street - Lot 1042, DP 1212670 - Transfer
- E R Parkinson & A M Izod - 13 Barr Street - Lot 1009, DP 1212670 - Transfer
- K & P Anderson Superannuation Pty Ltd - 3 Barr Street - Lot 1053, DP 1212670 - Transfer
- B C Hill - 9 Grimes Street - Lot 1044, DP 1212670 - Transfer
- P Allman - 6 Barney Street - Lot 1041, DP 1212670 - Transfer
- SJ & HZ Eriksson - 11 Grimes Street - Lot 1045, DP 1212670 - Transfer
- BRC & PH & MS Mercieca - Part 4 Rankens Bridge Road, Eglinton - Lot 201, DP 1061137 - Agreement for Easement
- C G Beattie - 9 Barr Street - Lot 1056, DP 1212670 - Transfer
- C G Beattie - 7 Barr Street - Lot 1055, DP 1212670 - Transfer
- BAR Constructions Pty Ltd - Cnr Barr & McLean Streets - Lot 1057, DP 1212670 - Transfer
- JLO Group Pty Ltd - 18 McLean Street - Lot 1017, DP 1212670 - Transfer
- S & S Hamer - 6 McLean Street - Lot 1011, DP 1212670 - Transfer
- B Hobbs - 13 Grimes Street - Lot 1046 - DP 1212670
- Vodafone Network Pty Ltd - 230 Howick Street - Part Lot 1, DP 774489 - Variation of Lease
- A M Lemoine - 8 Barr Street - Lot 1003, DP 1212670 - Transfer

Linen Plan Release

- Oaktree Retirement Villages, Bathurst - Acquisition of land - Lot 6, DP 1089380 - 105 Stanley Street, Bathurst

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

RESOLVED: That the information be noted.

5 REQUEST FOR FINANCIAL ASSISTANCE - NAPOLEON REEF, WALANG AND GLANMIRE RESIDENTS ASSOCIATION (18.00004-31/120)

Recommendation: 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.

Report: Council has received a request at **attachment 1** for financial assistance for the establishment of a residents association called the "Napoleon Reef, Walang & Glanmire Residents Association".

Council has, in the past, assisted community organisations with a small contribution to help with the establishment of incorporation. It is beneficial for Council to have associations established where it can deal directly with one organisation that covers a specific area within the Bathurst region.

It is recommended that Council contribute \$200 towards the cost of incorporation of the "Napoleon Reef, Walang & Glanmire Residents Association".

Financial Implications: Council can fund this contribution from its Community Program cost centre.

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

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

6 REQUEST FOR FINANCIAL ASSISTANCE - INTERCHANGE BATHURST INC (21.00012, 18.00004)

Recommendation: 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.

Report: Interchange Bathurst have requested the waiving of fees for BMEC foyer for the opening of a photographic exhibition supported by Interchange held on 5 December 2015. The works were displayed in the foyer from 4 - 22 December 2015. A copy of the request is shown at **attachment 1**.

Interchange Bathurst is a non for profit organisation supporting members of the community with disability. Interchange advise that a Bathurst Cafe had been booked to exhibit the work, however the booking was cancelled by the cafe at short notice. Interchange then arranged with BMEC for the works to be hung in the foyer.

Interchange are asking for support toward the venue hire, set up and staffing totalling \$263.

Financial Implications: As there are no funds available in the BMEC Community Use Subsidy Vote, this request could be funded from Section 356 Donations which currently has a balance of \$2,997.94.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.6

MINUTE

19 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - INTERCHANGE
BATHURST INC (21.00012, 18.00004)

MOVED: Cr I North 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.

7 SISTER CITY DELEGATION TO OHKUMA - 2016 (23.00011)

Recommendation: 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.

Report: For many years as part of the ongoing development of the relationship between Ohkuma and Bathurst, it has been customary for a community delegation led by a Council representative to visit Ohkuma every second year. Council last sent a delegation in 2014, which was the first delegation sent since the March 2011 earthquake and tsunami, which damaged the nuclear power plant near Ohkuma. The earthquake, forced the evacuation of the area within a 20km radius of the plant. The residents of Ohkuma were relocated to various other townships with the main centre being Aizuwakamatsu (Aizu).

Since the tsunami Ohkuma have sent a number of delegations with a group of 20 students and two teachers visiting in August 2013. The Mayor Toshitsuna Watanabe led a delegation in May 2015 to help celebrate Bathurst's 200th Birthday. There was also a group who visited Bathurst in August 2015 consisting of 8 students and two teachers.

If Council should agree to the delegation going to meet with representatives of Ohkuma, then formal acceptance will be sought from the Ohkuma Town Council as to when they may be in a position to welcome a delegation in 2016.

The visits by Bathurst Council in 2014 and that of Ohkuma in 2015 reinforced how strong and important the relationship is to both communities.

It is proposed that the tour would occur in the first half of 2016 when the weather is warmer due to the climate in Aizu, which is much colder than Ohkuma.

The financial commitment from Council, should Council agree to a delegation, would be in covering the cost of its representative delegate(s). Members of the community who join in the delegation meet all their own travel expenses. The approximate cost to Council of previous tours has been around \$3,500 - \$4,500 per person with the following inclusions:

- Return airfares - Qantas
- Airport taxes
- Airport Limousine Bus Transfer from Airport to hotel
- 1 night hotel stay
- 5 days home hosting Aizu, this will involve hotel accommodation
- 7 day ordinary Japan rail pass
- 2 nights hotel stay
- Airport Limousine Bus Transfer from hotel to Airport

If Council should agree to the delegation, press releases will be prepared and a series of advertisements would be run calling for expressions of interest from people interested in joining the delegation. Further, a travel agent will be appointed to make preparations for the trip, and prepare pricing details (Council has recently used Travelworld to undertake this task).

The exact dates will be discussed and finalised with Mayor Watanabe's office in Aizu.

Financial Implications: The cost to Council for this delegation would be \$3,500 - \$4,500 per delegate which could be funded from the Sister City vote in the 2015/2016 budget.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.1

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

MINUTE

20 Item 7 SISTER CITY DELEGATION TO OHKUMA - 2016 (23.00011)
MOVED: Cr M Morse 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.

MINUTE

21 Item 7.01 SISTER CITY DELEGATION TO OHKUMA - 2016 (23.00011) **MOVED: Cr I North 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.

8 ABOLITION OF NSW EMERGENCY SERVICES LEVY (18.00233, 07.00018,18.00043)

Recommendation: That the information be noted.

Report: Council has received advice from the NSW Treasurer, Gladys Berejiklian, via a media release (provided at **attachment 1**), that the State Government intends to abolish the current NSW Emergency Services Levy. In its place the State Government will create a new Emergency Services Property Levy (ESPL).

The aim of this reform is to transfer the burden of funding emergency services from those people with property insurance to all landowners. The Government also hopes that removing this impost on insurance will reduce the high levels of under insurance across the state. Ms Berejiklian said "under the current funding model, NSW property owners who insure their properties are subsidising households who don't purchase contents or building insurance."

The media release states "modelling suggests property insurance premiums will fall by around \$200 on average every year under the charge while the average cost of the ESPL will be around \$160.00."

"The new levy will be based on unimproved land values and will be collected by local government on behalf of the State. Different property levy rates will be applied to different categories of land. The Government is considering appropriate land classifications such as residential, commercial, farmland and public benefit land."

"Legislation to enact the new reforms will be introduced in the first half of 2016. There will be discounts in place for pensioners and concession holders."

The Government is proposing to consult with local government and the insurance industry on the implementation of the reforms.

Financial Implications: There will be costs involved for Council in collecting this levy and remitting it to the State Government. At this point in time the cost is not known and it has not been mentioned whether council will receive compensation from the State Government for collecting of the levy.

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

MINUTE

22 Item 8 ABOLITION OF NSW EMERGENCY SERVICES LEVY (18.00233, 07.00018,18.00043)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That the information be noted.

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

3 FEBRUARY 2016

1 LIFELINE CENTRAL WEST NSW AIR SHOW (21.00008)

Recommendation: That Council approve the use of the Bathurst Aerodrome for the purposes of conducting an air show on 14 and 15 May 2016.

Report: Lifeline Central West NSW has approached Bathurst Regional Council for the purposes of running an air show at Bathurst Aerodrome on 14-15 May 2016.

The event is planned to include static and flying aircraft displays and a show and shine for motor vehicles. The purpose of the event is to operate as a fundraiser for Central West Lifeline. Included at **attachment 1** is a letter from Lifeline Central West dated 8 January 2016 regarding the event (originally proposed for 7 May 2016) and further, an email confirming the date for the event has been revised to 14-15 May 2016.

It is intended that the event will commence on Saturday 14 May from 1pm, with the majority of the air show event to take place on Sunday 15 May, concluding at 3pm. The event timing does not impact upon the scheduled Regular Passenger Transport service provided by Regional Express.

Lifeline Central West NSW are in negotiations with an organisation that run professional air show display events, which will as part of their engagement make application to the Civil Aviation Safety Authority for the required approvals to operate.

Due to the air display being conducted over the airfield, it is intended that the aerodrome will be closed to all aircraft, other than those directly involved with the event.

The event organiser is expecting between 5,000 to 10,000 spectators for the air show. Due to anticipated crowd numbers, Council will be required to make an application to the Office of Transport and Security, which is the Federal Government agency that regulates Aerodrome security for a Special Event Zone. The Special Event Zone will provide additional area required airside to allow for sufficient spectator areas for the event.

The event organiser will be responsible for providing the necessary infrastructure and services required to successfully run the event. Bathurst Aerodrome has limited all weather parking capacity, and the event organiser will make arrangements for off- site parking, with final arrangements to be determined.

It is understood that Lifeline Central West NSW will make further representation regarding financial support from Bathurst Regional Council, which will be subject to a later report to Council.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3

MINUTE

- 23 Item 1 LIFELINE CENTRAL WEST NSW AIR SHOW (21.00008)
MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That Council approve the use of the Bathurst Aerodrome for the purposes of conducting an air show on 14 and 15 May 2016.

Yours faithfully



Doug Patterson

**DIRECTOR
ENGINEERING SERVICES**

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

3 FEBRUARY 2016

1 2016 LGNSW TOURISM CONFERENCE, 9-11 MARCH 2016 (BYRON BAY)
(18.00074, 18.00289)

Recommendation: That the information be noted.

Report: Council has been advised that the Local Government NSW Tourism Conference will be held in Byron Bay from the period 9-11 March 2016, a copy of the draft program for the conference is provided at **attachment 1**.

The conference is staged by the Local Government NSW for local government to learn from senior industry executives and speakers. This year is themed "Embracing a Changing Tourism Landscape". The conference will provide an opportunity for networking with peers, industry and Destination NSW staff.

The 2016 event is presented in conjunction with official partner Destination NSW as well as LGNSW industry partners and sponsors.

The Mayor and key Council staff will be in attendance at the conference.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

24 Item 1 2016 LGNSW TOURISM CONFERENCE, 9-11 MARCH 2016 (BYRON BAY) (18.00074, 18.00289)

MOVED: Cr I North SECONDED: Cr M Morse

RESOLVED: That

- (a) the information be noted.
- (b) Cr Jennings be authorised to attend as a Council Delegate.

2 KELSO COMMUNITY CENTRE CHRISTMAS PARTY 2015 (09.00026)

Recommendation: That the information be noted.

Report: The annual Kelso Community Centre Christmas Party was held at the Centre on Thursday 17 December 2015 from 4.00pm until 7.00pm. The Christmas Party was organised in partnership with Bathurst Young Mob; a community group made up of Young Aboriginal People who aim to educate and support the youth of Bathurst, **attachment 1** includes images of the event.

The event featured a barbeque, jumping castle, and a range of activities for attendees at the event. Activities included touch football games, footy pass competition, and face painting. The event was also supported by a range of Government and Community Organisations who assisted in providing other activities at the event and resources to assist in running the event. Organisations include, but not limited to, the Bathurst Police, Department of Family and Community Services, Rural Fire Service, Centacare, Wattle Tree House Housing and Homelessness Service, and PCYC.

The event was attended by approximately 275 young people, families, and community members from the Kelso Community. The event has received positive feedback from the services involved in the event and community members who attended.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.7
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.9

MINUTE

- 25 Item 2 KELSO COMMUNITY CENTRE CHRISTMAS PARTY 2015 (09.00026)
MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That the information be noted.

3 BATHURST LIBRARY AND BATHURST REGIONAL ART GALLERY - 25TH ANNIVERSARY (21.00054)

Recommendation: That the information be noted.

Report: The Bathurst Library and Bathurst Regional Art Gallery complex celebrated 25 years of operations at the Keppel Street site on Tuesday 8 December 2015. The facility continues to offer award winning cultural and community services with plans to continue to improve service potential and delivery into the future.

A celebratory cake was provided and slices of cake were made available to visitors to the facility as well as a lucky door prize was presented on the day.

Art Gallery and Library staff served nearly 300 free BBQ sausage sandwiches to the community.

On the celebration day, 1,504 Library visits were recorded as compared to 988 the Tuesday before. A total issue of items for the day was 1,216.

Over the last 25 years the Art Gallery has continued to show exhibitions that highlight the artistic talent in the Bathurst region as well as exhibitions that focus on the history of the region.

During the anniversary celebrations the Art Gallery featured three exhibitions relating to Hill End. One of these exhibitions "From Old Ground" was a Bicentennial project funded by Museums & Galleries of NSW that allowed the Gallery to employ independent curator Joanna Bayndrian to coordinate an exhibition that looked at the Chinese history of the Bathurst region through the contemporary eyes of Australian artists of Chinese heritage.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1

MINUTE

26 Item 3 BATHURST LIBRARY AND BATHURST REGIONAL ART GALLERY - 25TH ANNIVERSARY (21.00054)

MOVED: Cr I North SECONDED: Cr M Morse

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Alan Cattermole', written in a cursive style.

Alan Cattermole
DIRECTOR
CULTURAL & COMMUNITY SERVICES

GENERAL MANAGER'S REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

3 FEBRUARY 2016

1 SISTER CITY RELATIONSHIP - CIRENCESTER (23.00150)

Recommendation: That Bathurst Regional Council work with Cirencester Town Council to develop a relationship between the two communities.

Report: Cirencester is a community in the Gloucestershire region of England. It is situated in the Cotswolds not far from Bath. It is the seat of the Earls Bathurst.

The passing of the Local Government Act in England in 1894 brought into existence Cirencester's first independent elected body, the Urban District Council. The reorganisation of the local government system in 1974 replaced this Council with a two-tier system of Cotswold District Council and Cirencester Town Council.

Under the patronage of the Bathurst family, the Cirencester area, notably Sapperton, became a major centre for the Arts and Crafts movement in the Cotswolds.

During the 2015 celebrations discussions were held with the Earl & Countess Bathurst about exploring the opportunity for developing a sister city relationship with Cirencester. As a result of these discussions, correspondence **attachment 1** was sent to the Mayor of Cirencester which reads;

16 November 2015

*His Worship the Mayor of Cirencester
Councillor Mark Harris
Cirencester Town Council
Bingham House
1 Dyer Street
Cirencester
Gloucestershire G17 2PP
ENGLAND, UNITED KINGDOM*

Mr Mayor

The City of Bathurst this year celebrated the 200th Anniversary of Governor Lachlan Macquarie's Proclamation of Bathurst as a settlement.

The celebrations conducted this year have been extensive and Bathurst was honoured to have Earl and Countess Bathurst join in these celebrations.

Whilst Earl and Countess Bathurst were visiting, discussions were held as to the possibility of developing a relationship between Bathurst Regional Council and Cirencester Town Council.

If your Council should be interested in developing a relationship, we would be pleased to work with you in exploring the possibilities that exist.

Trusting all is well in Cirencester.

Yours faithfully

*Cr Gary Rush
MAYOR OF BATHURST*

Subsequently a reply, **attachment 2**, has been received from Councillor Mark Harris, Mayor of Cirencester advising that;

*Councillor G Rush
Mayor of Bathurst
Civic Centre
158 Russell Street
Private Mail Bag 17
BATHURST NSW 2795
AUSTRALIA*

1 December 2015

Dear Councillor Rush

Thank you for your letter dated 16th November 2015.

I confirm that Cirencester Town Council would be delighted to develop a relationship with Bathurst Regional Council and look forward to further communications.

Yours sincerely

*Councillor Mark Harris
Mayor of Cirencester*

It is proposed that Council approves the development of a relationship between the two communities. If this should be agreed to, then further discussions will be held into the structure of any such relationship. Areas of benefit to be explored, include (but not limited to);

- Cultural exchanges,
- Tourism,
- Economic trade opportunities,
- Community exchanges (eg the model with Okhuma),
- Staff exchanges

There is a significant link between the two communities, with the area being the seat of the Earls Bathurst. This is an opportunity to further develop this link with benefits accruing to both communities.

Financial Implications: Nil at this time. If Council should agree to developing a relationship, funding costs will be the subject of further reports.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.1
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.6
- Objective 28: To plan for the growth of the region and the Strategy 28.5

protection of the region's environmental, economic, social and cultural assets.

MINUTE

- 27 Item 1 SISTER CITY RELATIONSHIP - CIRENCESTER (23.00150)
MOVED: Cr J Jennings SECONDED: Cr I North

RESOLVED: That Bathurst Regional Council work with Cirencester Town Council to develop a relationship between the two communities.

Yours faithfully



D J Sherley
GENERAL MANAGER

POLICY COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - POLICY COMMITTEE MEETING - 2 DECEMBER 2015 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 2 December 2015 be adopted.

Report: The Minutes of the Policy Committee Meeting held 2 December 2015, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

28 Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 DECEMBER 2015
(07.00064)

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED: That the recommendations of the Policy Committee Meeting held on 2 December 2015 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 2 DECEMBER 2015

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

APOLOGIES

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

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

REPORT OF PREVIOUS MEETING

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

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

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002
MOVED Cr W Aubin and **SECONDED** Cr M Coote

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

5 Item 1 DELEGATIONS REGISTER - CERTIFICATES RELATING TO THE CLASSIFICATION OF PUBLIC LAND (41.00088, 15.00008)
MOVED Cr M Coote and **SECONDED** Cr W Aubin

This is page 1 of Minutes of the Policy Committee held on 2 December 2015

RESOLVED: That Council delegate to the General Manager the following function and update the Delegations Register:

226 To sign certificates under Section 54 of the Local Government Act 1993 in relation to the classification of public land.

GENERAL BUSINESS

6 Item 1 COASTAL MANAGEMENT CONFERENCE (29.00010)

Cr Hanger - attended the Coastal Management Conference recently, went well.

7 Item 2 67 COMMONWEALTH STREET - ASBESTOS CONCERN (22.08391)

Cr Jennings - asked what is the status of this matter? This is location where fire recently occurred.

The Acting Director Environmental, Planning & Building Services advised the site has been fenced off. Council is awaiting further advice.

8 Item 3 USE OF DRONES IN PUBLIC SPACES (11.00003)

Cr Jennings - asked does Council have a policy on the use of drones in public spaces?

The General Manager advised that at this time Council does not have a policy.

9 Item 4 CIRENCESTER TOWNSHIP, UK (23.00150)

Cr Jennings - met with the Mayor of Cirencester when recently over in UK. Cr Jennings provided information from the visit to Council. Noted the Cirencester Council is keen to develop a relationship with Bathurst.

10 Item 5 COMMUNITY GARDEN (22.02574)

Cr Morse - congratulated Cr Bourke on this facility.

11 **Item 6 CENTENNIAL PARK (04.00047)**

Cr Morse - noted letters from friends have been received about possible funding, signage etc. Could we include funds in the 2016/2017 budget for consideration?

12 **Item 7 ORDINARY MEETING - 2 DECEMBER 2015 - DCSF #7: ANNUAL STATEMENTS (16.00137)**

Cr Morse - raised concern at letter that is attached to the report on the annual statements.

13 **Item 8 LIBRARY - CHARLES BEAN (21.00054)**

Cr Morse - asked where has this suggestion progressed to?

The Director Cultural & Community Services advised where the matter is currently at, and expects it to be resolved next year.

14 **Item 9 HILL END RESIDENTS - PROPOSED NUCLEAR WASTE DISPOSAL FACILITY - SALLY'S FLAT (13.00024)**

Cr Morse - tabled a document on behalf of Hill End residents for Council's consideration.

15 **Item 10 DRONES (11.00003)**

Cr Coote - referred to CASA requirements for operating drones that apply in Australia.

16 **Item 11 SECOND RACE CIRCUIT (20.00278)**

Cr Coote - asked where is this up to?

The Director Corporate Services & Finance noted advice will be provided to Councillors next week. At the moment focus is on the property acquisition process.

17 **Item 12 LINEMARKING IN STREETS (28.00006)**

Cr Bourke - advised he is against any further linemarking of parking spaces in the streets of Bathurst.

18 **Item 13 GREEN BINS 14.00053**

Cr Bourke - asked if 50% of people take it up, will the other 50% have to pay?

19 **Item 14 NUCLEAR WASTE - SALLY'S FLAT (13.00024)**

Cr Bourke - asked for an update on the nuclear waste at Sally's Flat matter.

The General Manager spoke to community meetings held, discussions between Council and the relevant government departments and authorities. Noted Council was not given any forewarning on this matter prior to its release.

MEETING CLOSE

20 **MEETING CLOSE**

The Meeting closed at 6.20 pm.

CHAIRMAN: _____

Date: _____ **(3 February 2016)**

DELEGATES REPORTS AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

3 FEBRUARY 2016

1 CENTROC BOARD MEETING 26 NOVEMBER 2015 (07.00017)

Recommendation: That the report on the CENTROC Board Meeting held 26 November 2015 at the Molong RSL Club be noted.

Report: The Centroc Board meeting and AGM were recently held at the Molong RSL Club 26 November 2015.

Discussion were held on various matters including;

A presentation was given by Ms Alison Morgan, Senior Co-ordinator for the Department of Premier and Cabinet. This provided advice about her role and its fit with Joint Organisations.

SEGRA Conference – In October the Chair attended the Sustainable Economic Growth for Regional Australia (SEGRA) Conference. Communities across Australia confront similar challenges to those in Central NSW but tackle them differently.

The speech by Warren Truss at the conference dinner was insightful in that it reflected his respect for SEGRA and understanding of the issues facing regional communities across Australia. His positive commentary regarding Inland Rail was received by the audience.

The Chair met Daniel Masters, responsible for the financial assessment of the dam on the Belubula. His presentation on the modelling his assessment team use for infrastructure projects is being followed up by Centroc staff.

Transport Infrastructure – On October 6 the Chair met with Fiona Simson, NRMA Board Member for Regional NSW and Wal Setkiewicz, Senior Economic Adviser NRMA Motoring + Services.

The NRMA provided advice that they are keen to see collaborative work on prioritisation across the State.

In an update from Transport for NSW on securing the corridor between the M7 and Kurrajong, it is anticipated that TfNSW will be in a position within the next few weeks to arrange a workshop with Centroc representatives to review the short-listing of corridor options.

The Transport for NSW Central Western JO region assessment of future cargo demand was received.

Directors of Infrastructure/Engineering as well as Council Roads Engineers, met on the Topic of Regional Road Freight Transport. A resolution of the meeting was to establish an ongoing team with a structure similar to that of REROC's successful Transport Group.

Water Security – A meeting was held in Blayney on 13 November with David Harris, CEO Water NSW, Andrew George, Executive Manager Strategic Engineering and Dan Berry, Manager Basin Planning. A tour of the proposed dam site also took place. State Members, Mr Andrew Gee and Ms Katrina Hodgkinson were notified of the meeting.

Health – Follow up continues in advocating to the Federal Government regarding the Funding for Beyond the Range, and for health and medical infrastructure for councils. Support is also being sought for Procedural General Practitioners and medical training positions in Central NSW. The Board will also undertake further advocacy for the (PGPPP) Prevocational General Practice Placements Program.

A formal Letter of thanks will be forwarded onto the Dean of Medicine for his advice to the Chair on the James Cook University and how it operates its medical school.

The Beyond the Range website was officially launched by the Hon Fiona Nash in Forbes 4 November.

Telecommunications - The determination of key telecommunications infrastructure priorities for the region (joint approach with Centroc) is in the RDACW Annual Business Plan for the 2015-2016 financial year. There is a level of commitment to undertake this work, subject to confirmation from the RDACW Board and development of a workable resource plan, work is expected to begin early next year. This will include work on the Mobile Blackspot program.

Given the relative inflexibility of NBN on amending its roll-out program to better suit Centroc members, the Board resolved to reprioritise Telecommunications as a subset of Regional Development.

Regional Development –An Agriculture scoping meeting with an industry expert was held in Forbes on 10 November. The objective of this work is to identify what role, if any, Local Government has in supporting agriculture. Attendance included representatives from Councils, the Department of Primary Industry, the Department of Premier and Cabinet and RDA Central West. From this advice further activity will be undertaken under the auspices of the Executive.

The Regional Round Table 12 November being co-ordinated through the Hon Sarah Mitchell's office was unfortunately cancelled due to the Royal visit and a date in February is currently being pursued. In its stead, meeting was held with the Hon John Barilaro and the Hon Sarah Mitchell with representatives from Centroc being Cr Bill West, Cr Gary Rush, Mr D Sherley, Ms J Bennett and Ms Meredith Macpherson. RDA Central West was represented by Mr Alan McCormack. Follow-up from this meeting is being undertaken on progressing the region's infrastructure priorities.

CENTROC is developing the "Invitation to Co-design," a project that identifies the data needs to inform investment in the region is a deliberative strategy to challenge notions of what "collaboration" is. It is hoped that this process will show key stakeholders the way Councils collaborate in their ROC with a view to informing future collaborative activities particularly with State partners where the experience throughout the JO Pilot is that there is poor shared understanding of what collaboration involves. This poor understanding carries with it the risk of poor outcomes for future JOs and their member Councils. This project will take place early in the new year.

Planning – Council's understanding is, everything has been done to optimise the Central West Regional Plan (the Plan). Centroc is working in collaboration with RDACW, which has had carriage of the Infrastructure Issues Paper.

It would also appear that the scope for the Plan has stepped towards a more land use focus rather than a more regional development focus. Changes in time frames, scope, outputs and ultimately its name suggest further iterations of the Regional Plan will require a revised approach.

JO Pilot – A meeting with Minister for Local Government, Paul Toole was held 2 November, with Deputy Chair Cr Gary Rush and Ms J Bennett and the Chair. Key messages from the meeting were:

- Extra resources for the Department of Premier and Cabinet will not be needed when legislation brings the State to the table on intergovernmental collaboration to do the

- requisite planning etc.
- JO will be able to procure on behalf of members and the Minister would like written follow up.
- JO and Rural Councils – the Minister indicated that at this time he is not interested in this model and will not revisit it for 12 months.

At the recent OLG workshop on the 8 October, there were three separate streams of activity. These were: supporting Rural Councils, JO entity considerations and potential tools to support collaboration and JOs in the future. All outcomes are published documents and can be found on the OLG Fit for the Future website
<http://www.fitforthefuture.nsw.gov.au/joint-organisations>

Development of an MoU with the Department of Premier and Cabinet will be progressed through the Executive.

Member Council operational support – In terms of new programming, Centroc and the Office of Environment and Heritage (OEH) have contributed funds to the scoping of regional renewable energy projects. The progress to date is a formal Request for Quotation (RFQ) process which was undertaken to find a suitably experience organisation to assist Centroc member councils (and Dubbo City Council) to progress a regional scale renewable energy project to realise cost savings, environmental and other community benefits. The objective of the work is to attract innovation into the region and access ARENA (or other) funding.

The project will initially consist of two workshops, aiming to identify regional renewable energy projects. The first workshop was held on Friday 13 November in Orange.

There has been a substantial amount of ongoing activity being undertaken collaboratively in support of member operations. This includes:

- net savings to members under these programs since December 14 2009 of \$2,9m;
- an insurance review;
- a review of the way we collaboratively procure electricity;
- a growing number of regional contracts eg fuel suppliers, telecommunications;
- demonstrating that Local Government delivers best practice in providing quality secure water supply and sewerage services;
- tailoring training needs to members including growing the number of courses that offer cost effective compliance through the award online training service;
- providing advice to the screen industry; and
- substantive grant funding.

There has been a high level of activity going on in the region. The year has been busy for the regional group with Local Government reform .

Centroc AGM

Cr Bill West, Mayor of Cowra was re-elected as Chair and Cr Gary Rush, Mayor of Bathurst was re-elected as Deputy Chair. Executive members are Cr M Statham, Mayor of Lithgow, Cr K Keith, Mayor of Parkes, Cr Phyllis Miller, Mayor of Forbes, Cr John Medcalf Mayor of Lachlan and Cr John Davis Mayor of Orange. Their respective General Managers form the General Manager Executive. Delegates were elected to various bodies such as the Bells Line Expressway Group and the Western Regional Sports Academy.

Cr West directed attention to the Annual Report which showed a growing amount of activity being undertaken by Centroc.

Financial Implications: Council's involvement in CENTROC is provided for within existing budget allocations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.1

MINUTE

- 29 Item 1 CENTROC BOARD MEETING 26 NOVEMBER 2015 (07.00017)
MOVED: Cr I North SECONDED: Cr J Jennings

RESOLVED: That the report on the CENTROC Board Meeting held 26 November 2015 at the Molong RSL Club be noted.

**2 MINUTES - AUSTRALIA DAY WORKING PARTY - 15 DECEMBER 2015
(23.00033)**

Recommendation: That the information be noted.

Report: The minutes of the Australia Day Working Party held on 15 December 2015 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

30 Item 2 MINUTES - AUSTRALIA DAY WORKING PARTY - 15 DECEMBER 2015
(23.00033)

MOVED: Cr M Coote SECONDED: Cr G Westman

RESOLVED: That the information be noted.

MINUTE

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

MOVED: Cr W Aubin 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 CONFIDENTIAL
MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

3 FEBRUARY 2016

MINUTE

(a) Item 1 REQUEST FOR VARIATION - SOLID WASTE CHARGES
(22.00635)

MOVED: Cr I North SECONDED: Cr W Aubin

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

MINUTE

32 RESOLVE INTO OPEN COUNCIL
MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That Council resume Open Council.

MINUTE

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

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

MINUTE

34 MEETING CLOSE

The Meeting closed at 8.06 pm.

CHAIRMAN: _____

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