

9 March 2016

His Worship the Mayor & Councillors

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

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 16 March 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, 16 MARCH 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 - 17 FEBRUARY 2016

6. DECLARATION OF INTEREST

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

7. MAYORAL MINUTE - Nil

8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS

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

9. REPORTS OF OTHER COMMITTEES

MINUTES - POLICY COMMITTEE MEETING - 2 MARCH 2016
MINUTES - TRAFFIC COMMITTEE MEETING - 1 MARCH 2016

10. NOTICES OF MOTION - Nil

11. RESCISSION MOTIONS - Nil

12. DELEGATES REPORTS

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

Recommendation: That:

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

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

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

DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	WASTEWATER TREATMENT WORKS 100KW SOLAR ARRAY	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

ITEM	SUBJECT	REASON FOR
------	---------	------------

		CONFIDENTIALITY
1	TRANSFER OF HANGAR LEASE - BAILEY TO DRUMMOND AND WILKINS- LOT 12 IN DP1041715 KNOWN AS 16 WINDSOCK WAY 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.
2	TRANSFER OF LEASE - ARCAV AIR PTY LTD T/A AERO REFUELLERS TO K&S GROUP - LOT 12 IN DP1024590 - 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	RENEWAL OF RESIDENTIAL LEASE - LOT C IN DP158611 KNOWN AS 519 MITCHELL HIGHWAY - FOSTER	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	RENEWAL OF LICENCE AGREEMENT - PART LOT 72 IN DP1136842 PARK STREET EGLINTON - BATHURST STAMP, COIN, COLLECTABLES AND LAPIDARY CLUB INC.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	PROPOSED SUBDIVISION	10A (2) (d) (ii) – contains

	AND SALE OF LAND - WATT DRIVE, BATHURST TRADE CENTRE	commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
6	MOTORSPORT EVENT AT MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	CLAIM FOR DAMAGES - JOUBERT DRIVE	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
8	PURCHASE OF LAND, WEST 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.
9	POST OFFICE BUILDING LEASE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would

		prejudice the commercial position of the person who supplied it.
--	--	--

DIRECTOR ENGINEERING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR CONSTRUCTION OF UPGRADE TO WATER SUPPLY FOR EGLINTON – HAMILTON STREET	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 NEW WATER RESERVOIR AND ASSOCIATED INFRASTRUCTURE FOR NEW KELSO RESIDENTIAL AREA	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	PROVISION OF LABOUR & EQUIPMENT - MOWING MAINTENANCE 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 POST OFFICE BUILDING - SECOND FLOOR 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.
5	TENDER FOR CONSTRUCTION OF STORMWATER DRAINAGE - LEE STREET, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

GENERAL MANAGER'S REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	HONORARY CITIZENSHIP OF BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 17 FEBRUARY 2016 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 17 February 2016 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 17 February 2016, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 17 FEBRUARY 2016

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Enthusiastic for development of Bathurst. This matter is creating a divide amongst the community. Spoke to contract matters and not removing water during dry periods. How will Regis Resources deal with dry periods? There is volatility with the supply of water. There is insufficient safe guards. Noted Federal Government

has been buying back licences. Concerns at cyanide being used by the mine. Need to take a broader view of the river.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Asked why have newsletters not mentioned this proposal?

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

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

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

J Page – resident - Napoleon Reef Quarry

Spoke to concern at Quarry DA that was approved. Many questions have not been

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

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

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

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

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

B Trimming – resident - Access Issues

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

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

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

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

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

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

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

G Crisp – ratepayer

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

L Singh – Jobs

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

APOLOGIES

- 3** **APOLOGIES**
MOVED Cr M Morse and **SECONDED** Cr B Bourke

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

MINUTES

- 4** **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 3 FEBRUARY 2016 (11.00005)**
MOVED Cr B Bourke and **SECONDED** Cr M Coote

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

DECLARATION OF INTEREST

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

RESOLVED: That the following Declarations of Interest be noted.

Cr Hanger

Item #1 of the General Manager's report

Cr Westman

Item #1 of the General Manager's report

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

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

Manager Corporate Governance

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

- 6** **SUSPENSION OF STANDING ORDERS 11.00005**
MOVED Cr I North and **SECONDED** Cr W Aubin

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

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

General Manager's Report

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

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

Reason: Family member has lodged a submission.

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

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

That Council:

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

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

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

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

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

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

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

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

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

- 12** **Item 1.05 PROPOSED SALE OF TREATED EFFLUENT TO LFB RESOURCES (REGIS RESOURCES PTY LTD) (37.00410 & 21.00137)**
MOVED Cr I North and **SECONDED** Cr B Bourke

RESOLVED: That Council:

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

The MOTION was PUT and CARRIED.

Cr Morse asked that her negative vote be recorded.

- 13** **RESUMPTION OF STANDING ORDERS (11.00005)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That Council resume Standing Orders.

Director Environmental Planning & Building Services' Report**14 Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)****MOVED** Cr I North and **SECONDED** Cr M Coote**RESOLVED:** That the information be noted.**15 Item 2 GENERAL REPORT (03.00053)****MOVED** Cr I North and **SECONDED** Cr M Morse**RESOLVED:** That the information be noted.**16 Item 3 DEVELOPMENT APPLICATION NO. 2015/0412 – PARTIAL DEMOLITION AND TWO STOREY ADDITIONS AND ALTERATIONS TO SHOP AND DWELLING AT 216 WILLIAM STREET, BATHURST. APPLICANT: MR LABH SINGH. OWNER: MR L SINGH (DA/2015/0412)****MOVED** Cr M Morse and **SECONDED** Cr M Coote**RESOLVED:** That Council:

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

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED****The result of the division was:****In favour of the motion** - Cr W Aubin, Cr B Bourke, Cr M Coote, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr G Rush,**Against the motion** - Nil**Absent** - Cr G Westman,**Abstain** - Nil**17 Item 4 EVOCITIES DEVELOPMENTS (20.00071)****MOVED** Cr M Coote and **SECONDED** Cr I North**RESOLVED:** That the information be noted.**Director Corporate Services & Finance's Report****18 Item 1 STATEMENT OF INVESTMENTS (16.00001)****MOVED** Cr W Aubin and **SECONDED** Cr I North

RESOLVED: That the information be noted.

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

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

RESOLVED: That the information be noted.

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

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

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

21 Item 4 POWER OF ATTORNEY (11.00007)

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

RESOLVED: That the information be noted.

22 Item 5 BATHURST SPORTS GROUND REDEVELOPMENT (04.00007)

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

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

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

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

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

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

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

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

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

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

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

- 26** **Item 9 RECONSTRUCTION OF GREAT WESTERN HIGHWAY AT KELSO (14.00007-21/009)**
MOVED Cr I North and **SECONDED** Cr M Coote

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

- 27** **Item 10 SPORTING ASSOCIATION GRANTS PROGRAM YEAR ENDING 30 JUNE 2016 (18.00279-03)**
MOVED Cr I North and **SECONDED** Cr M Coote

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

Reason: President of Eglinton District Tennis Club.

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

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

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

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

- 29** **Item 12 REQUEST FOR FINANCIAL ASSISTANCE - WATTLE FLAT HERITAGE LAND TRUST (18.00214)**
MOVED Cr M Morse and **SECONDED** Cr W Aubin

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

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

MOVED Cr B Bourke

and **SECONDED** Cr I North

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

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

MOVED Cr J Jennings

and **SECONDED** Cr B Bourke

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

Reason: Track co-ordinator for BMX Club.

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

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

MOVED Cr M Morse

and **SECONDED** Cr I North

RESOLVED: That Council

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

Director Engineering Services' Report

33 **Item 1 CROWN ROADS AT SOFALA (25.00115)**

MOVED Cr I North

and **SECONDED** Cr M Coote

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

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

MOVED Cr M Coote

and **SECONDED** Cr M Morse

RESOLVED: That Council:

and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.

- (c) Correspondence and reports relevant to the subject business be withheld from access.

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

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

supplied it.

DIRECTOR ENGINEERING SERVICES' REPORT

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

Director Corporate Services & Finance's Report

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

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

- b** **Item 2 PROPOSED PURCHASE OF PROPERTY, MOUNT PANORAMA (22.00588)**
MOVED Cr I North and **SECONDED** Cr W Aubin

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

- c** **Item 3 PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3, 4, 7, 8, 9 AND 10 IN SECTION 16 DP758840 - CATHOLIC DIOCESE OF BATHURST (22.13487)**
MOVED Cr B Bourke and **SECONDED** Cr I North

That Council acts in accordance with the report.

Director Engineering Services' Report

- d** **Item 1 TENDER FOR DESIGN AND CONSTRUCTION OF BMX TRACK LIGHTING (36.00582)**
MOVED Cr I North and **SECONDED** Cr B Bourke

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

Reason: Track co-ordinator for BMX Club.

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

- e** **Item 2 TENDER FOR CONSTRUCTION OF FIRE CONTROL CENTRE (36.00560)**
MOVED Cr I North and **SECONDED** Cr M Coote

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

RESOLVE INTO OPEN COUNCIL

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

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 44** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr G Hanger and **SECONDED** Cr M Coote

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

MEETING CLOSE

45 **MEETING CLOSE**

The Meeting closed at 9.12 pm.

CHAIRMAN: _____

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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 MARCH 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

2 GENERAL REPORT (03.00053)

Recommendation: That the information be noted.

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

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during February 2016 (**attachment 1**).
- (b) Applications refused during February 2016 (**attachment 2**).
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**).
- (d) Applications pending approval for greater than 40 days as at the date of compilation of this report (**attachment 4**).
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 or Clause 4.6 of Bathurst Regional LEP 2014 approved in February 2016 (**attachment 5**).
- (f) No political disclosure statements have been received in relation to any "planning applications" being considered at this meeting.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

3 DEVELOPMENT APPLICATION NO. 2015/0450 – DEMOLITION OF EXISTING GARAGE, CARPORT, GARDEN SHED AND SUNROOM; CONSTRUCTION OF REPLACEMENT GARAGE AND GARDEN SHED; REPLACEMENT OF EXISTING SLATE ROOFING WITH SHEET METAL ROOFING AND RETAINING WALLS AT 219 WILLIAM STREET, BATHURST. APPLICANT: MR F & MRS M O’CONNOR. OWNER: MR F & MRS M O’CONNOR (DA/2015/0450)

Recommendation: That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2015/0450, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- i. During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Division, NSW Office of Environment & Heritage. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works.
 - ii. No demolition shall cause damage to, or adversely affect, the structural integrity of a building or those portions that are to be retained (clause 1.7.3.1 – AS2001-2001). The applicant is to ensure that when undertaking the proposed partial demolition every precaution is taken to protect the structural integrity of the remaining walls and roof. This may necessitate the removal of materials by hand, particularly where materials are bonded in or ‘toothed’ in (such as brickwork) or have a shared foundation or shared timber plate.
 - iii. The existing slate is to be removed in a careful manner so that it may be reused where possible for another purpose in the future.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

Report: The Site

Council has received a Development Application (DA) for demolition of the existing garage, carport, garden shed and sunroom; construction of replacement garage and garden shed; replacement of existing slate roofing with sheet metal roofing and retaining walls at 219 William Street, Bathurst, described as Lot 1, DP 509777. A location plan is provided at **attachment 1**.

The site currently contains a single storey dwelling and a detached garage/carport/garden shed.

The proposal

The proposal includes the following elements:

- demolition of the existing garage, carport, garden shed and sunroom;
- construction of a replacement garage and garden shed;

- replacement of the existing roof inclusive of the slate roofing with sheet metal roofing; and
- construction of retaining walls.

Plans of the proposed development are at **attachment 2**. Additional information provided by the applicant is at **attachment 3**.

The building is currently clad in a combination of both slate and corrugated iron roofing. The applicant is proposing to re-clad the entire roof with a modern galvanised corrugated iron product (Fielders S-Rib Corrugated).

Planning Context

Bathurst Regional Local Environmental Plan 2014

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

The subject site is within the Bathurst Heritage Conservation Area.

The subject site is listed as an individual Heritage Item under the Bathurst Regional Local Environmental Plan 2014. Specifically the subject site contains the dwelling formerly known as "Morven".

The dwelling is listed on the National Trust Register.

Clause 5.10 Heritage conservation

The subject site is within the Bathurst Conservation Area and contains a Heritage Item.

Demolition of the existing garage, carport, garden shed and sunroom and construction of a replacement garage and garden shed and the construction of retaining walls are considered to be acceptable.

Whilst the overall preference of Council is for the retention of the slate roof, it is acknowledged that the slate roof is nearing the end of its life and its replacement would prolong the overall lifespan and health of the original building.

The applicant's rationale for removal of the slate roof and replacement with sheet metal is detailed in their submission to Council at **attachment 3**. In summary the applicant's position is as follows:

- The roof of the dwelling is currently a mixture of corrugated galvanised iron (140 sqm) and slate (150 sqm). The proposal is for replacement of the entire roof material in a single consistent material.
- The slate is nearing the end of its lifespan. It is brittle and cracked and therefore no longer provides a watertight skin for the building.
- To replace the existing slate with new slate would be cost prohibitive. The applicant has been quoted a figure of at least \$143,000 and this figure does not include transport and accommodation for tradesman coming out of Sydney for a 4-5 week project. Qualified and experienced slate tradesmen are rare. The applicant has been quoted a figure of approximately \$43,000 for the replacement of the roof with new galvanised corrugated iron.
- The existing roof structure may not support the weight of a new thicker and higher quality replacement slate and if not, the entire roof structure would need to be replaced at

considerable additional expense.

- The existing slate roof and the existing corrugated iron roof integrate poorly which means the roof is not watertight. Replacement of the entire roof with one material will ensure a watertight skin for the building.
- Slate roofing provides a poor level of insulation.
- It will be difficult and more expensive to install a rooftop solar system on a slate roof.
- There is some evidence from the adjoining owners that the current slate roof is not original having been replaced in the 1970's using second hand slate. This would explain the different types of slate currently on the roof. The applicant and Council have not been able to determine if the building had a slate roof originally or why the roof is currently a combination of both slate and corrugated iron roofing.

The proposed use of the S Rib Corrugated product would be a suitable replacement as it is close to traditional galvanised iron which could have originally been the roofing material.

The application will remove several unsympathetic additions and alterations to this historically significant building. The building has a strong association with The Hudson Timber Industries, being built by timber merchant William Hudson. Its significance, restoration and long term integrity will be maintained with the use of the proposed roofing material.

It is recommended that a condition be imposed that the slate be removed in a careful manner that may if possible allow it to be reused for another purpose.

Submissions

As the proposal includes the construction of a garage/shed in excess of 45 square metre in the Bathurst Conservation Area the development application was notified to adjoining property owners from 5 January 2016 to 15 January 2016. Following the notification period no submissions were received.

As the dwelling is listed on the National Trust Register, the proposal was referred to the local branch of the National Trust.

The Chairperson of the local branch of the National Trust lodged a submission in relation to the proposal (**attachment 4**). The National Trust raised an objection to the replacement of the existing slate roof with sheet metal roofing. The National Trust did not raise any objection to the other components of the proposal (i.e. the demolition of existing garage, carport, garden shed and sunroom; construction of replacement garage and garden shed; construction of retaining walls).

A discussion forum was convened by the Acting Director Environmental, Planning & Building Services on Wednesday 3 February 2016. The minutes of this discussion forum are at **attachment 5**. The sole issue considered at the Discussion Forum was the replacement of the existing slate roof with sheet metal roofing.

Conclusion

Council has received a Development Application (DA) for demolition of the existing garage, carport, garden shed and sunroom; construction of a replacement garage and garden shed; replacement of the existing slate roofing with sheet metal roofing and construction of retaining walls at 219 William Street, Bathurst. The proposal was notified to adjoining property owners and to the local branch of the National Trust. An objection was received from the National Trust in relation to the replacement of the existing slate roofing with sheet metal roofing. Whilst there is a preference that the slate roof be retained the slate roof is

nearing the end of its life and its replacement would prolong the overall lifespan and health of the original building. Based on quotes received from the applicant the roofs replacement with new slate is not considered a financially reasonable solution in this instance. Replacement with modern galvanised iron is considered a suitable replacement material.

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

4 DEVELOPMENT APPLICATION NO. 2015/0393 – CONSTRUCTION OF DUAL OCCUPANCY (SECOND DWELLING) AND TWO LOT SUBDIVISION AT 18 ALBERT STREET, BATHURST. APPLICANT: FEARNLEY BUILDING. OWNER: M & VL CAMPIAO (DA/2015/0393)

Recommendation: That Council:

- (a) as the consent authority, grant consent pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2015/0393, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - i. The side fence between 16 Albert Street and 18 Albert Street is to be extended to be a height of 1.8 metres for the full length of the fence. This fence is to be installed prior to the issuing of an Occupation Certificate.
- (b) notify those who made a submission of its decision; and
- (c) call a division.

Report: The Site

Council has received a Development Application (DA) for the construction of a dual occupancy (second dwelling) and two lot subdivision at 18 Albert Street, Bathurst, described as Lot 1, DP 742413. A location plan is provided at **attachment 1**.

The site is currently 607m² and contains an existing dwelling.

The site slopes from Harris Street towards the rear of the site (16 Albert Street) .

The proposal

The proposal involves:

- the construction of a single storey dwelling with attached garage (dual occupancy), fronting Harris Street;
- a fence and courtyard will be constructed on the corner of Harris and Albert Street to serve the existing dwelling; and
- a two lot subdivision.

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

Planning Context

Bathurst Regional Local Environmental Plan 2014

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

Clause 4.1B Minimum Lot Sizes for Dual Occupancy

The minimum lot size to erect a dual occupancy on the subject site is 600m². The site has an area of 607m² and therefore complies with this standard.

Clause 4.3 Height of buildings

The height of buildings map shows the maximum height for a building on the subject land is 9 metres. The height of the new dwelling is approximately 5.5 metres (measured from the existing ground level to the highest part of the dwelling). The proposed development complies with the standard.

Clause 5.9 preservation of trees or vegetation

Council's Tree Preservation and Management Policy applies to the site.

The development involves the removal of some trees and shrubs however none of the vegetation is subject to the Tree Preservation and Management Policy (ie. higher than 9 metres).

Clause 5.10 Heritage Conservation

The site is located within the Bathurst Heritage Conservation area.

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

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

On the whole it is considered that the infill will not have a significant negative impact on the heritage conservation area.

Bathurst Regional Development Control Plan 2014

Chapter 2 – Exhibition and Notification of Development Applications

The Development Application was notified to adjoining property owners in accordance with Chapter 2 of Council's DCP between 15 December 2015 and 8 January 2016. One submission was received (**attachment 3**).

A discussion forum was held on 19 January 2016. The minutes of the discussion forum are at **attachment 4**.

The issues raised in the submissions include:

- *Overshadowing/Restriction of natural light:*

The proposed dwelling is single storey. Due to the fall of the site to the rear, the floor level will be elevated slightly but only to a maximum height of 5.5 metres from the existing natural ground level. Shadow diagrams are not required to be submitted for single storey dwellings nor are they considered warranted. The dwelling will be located on the north western site of 16 Albert Street and will adjoin an area used for passive recreation. Whilst there would be some overshadowing of 16 Albert Street in the afternoon period the development would not significantly impact solar access to this area.

- *Privacy:*

The proposed windows adjoining 16 Albert Street are bedroom, toilet and bathroom windows. The wall will be approximately 1.35 metres from the common boundary. Presently the boundary fence between the 2 properties is 1.2 metres. It is proposed to replace the boundary fence with a new 1.8 metre boundary fence.

- *Drainage:*

The applicant has submitted a proposed stormwater drainage plan which involves the construction of a piped drainage system through to Albert Street. This is considered appropriate to deal with the drainage on site.

Chapter 10 Urban Design & Heritage Conservation

The proposed infill dwelling is orientated towards Harris Street. The area surrounding the site is characterised by a mixture of mid to late 20th century houses with a mixture of brick and fibro houses. The design, scale and bulk of the proposed new building complements the adjoining dwellings. The proposed dwelling is designed to match the height of eaves of the adjoining dwelling, which is in keeping with the streetscape.

The existing dwelling on 18 Albert Street is sited higher than 16 Albert Street due to the slope of the land. The infill dwelling has been designed to relate to the natural topography of the site. The proposed infill dwelling at the rear/side of the site will have a similar bulk and scale to the existing dwelling.

Chapter 4 Residential Development

Bathurst Regional Development Control Plan 2014 – Chapter 4 Residential Development

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

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	607m ²	600m ²	Yes
Height	Single-storey	Two-storey maximum	Yes
Setbacks			
Front	2.35 metres	complement existing	Yes
Rear	BCA	In accordance with BCA	Yes
Side	BCA	In accordance with BCA	Yes
Car parking (Resident)	1	1	Yes
Open space area			
Proposed Dwelling	>40m ²	40m ²	Yes
Existing Dwelling	>40m ²	40 m ²	Yes
Open space width	>4m	4m wide	Yes*

* The design of the development is such that the floor level of the dwelling is elevated above the ground level by approximately 0.6 metres. Both dwellings have a deck directly adjoining the living/kitchen rooms at floor level. The remainder of the required open space is provided at ground level.

Conclusion

Council has received a Development Application (DA) for the construction of a second dwelling (dual occupancy) and two lot subdivision at 18 Albert Street, Bathurst.

The issues raised in the submissions have been dealt with in the body of the report. Whilst it is acknowledged that there will be impacts on the adjoining properties these are within those expected as residential densities increase throughout the City.

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

5 ECONOMIC DEVELOPMENT END-OF-YEAR REPORT 2015 (20.00071)

Recommendation: That the information be noted.

Report: In 2015 Bathurst Regional Council introduced a range of new programs that have satisfied major components of the 2011 – 2016 Economic Development Strategy.

Approximately 600 businesses have participated in Council's Economic Development initiatives in 2015. Many more have been assisted through the Business eNewsletter, Bathurst Region website and general enquiries.

The Regional Australia Institute, a respected and independent research body, recently completed Australia's first "Competitiveness Index" study which ranks LGAs against ten key themes to track performance, challenges and growth potential.

Bathurst was ranked 15th nationally out of 563 LGAs for "Local Economic Development Support" and 4th in New South Wales from 152 LGAs.

This result places Bathurst as a leader in the Central West, NSW and nationally in the provision of support for local economic development and also ranks Bathurst as the leading Evocity for this key indicator.

Activities include:

- The completion of three highly successful Business Management Workshops collectively attracting more than 200 small businesses.
- Launch of the Bathurst Buy Local Campaign, incorporating the Bathurst Buy Local Gift Card and BizWeek projects.
- The development of the new Bathurst Business Hub website.
- Council's second Bathurst Jobs Expo held to promote local employment, with approximately 1,400 attendees.
- Council's continued commitment to the successful Evocities campaign.
- Hosting of a Mayoral Business Leaders Lunch to present Council's current and future Economic Development projects, and the launch of the Bathurst Buy Local Gift Card.
- Completion of a Manufacturing Study to determine the current and forecasted position of manufacturing in our region.
- Commencement of the rollout of NBN technologies and Council's active role in the process.
- New businesses resulting from the activities of the Economic Development section.

These activities have resulted in the following outcomes:

- The development of Council's reputation as a strong supporter of local business growth, business start-ups and business relocation.
- Promotion of Bathurst as a great place to live, work and invest.
- Growth of local employment and job generation through:
 - The attraction of 8 new businesses resulting in the creation of approximately 40 new jobs.
 - Second Bathurst Jobs Expo held with high levels of attendance.
 - Growth of the Evojobs platform for jobseekers.
- 47 relocations to Bathurst through Evocities in 2015, resulting in a total contribution of approximately \$4.4M to the local economy.
- Improved business practices, innovation and entrepreneurial activities including the

- growth of community business groups (e.g. Business Chamber).
- Fostering of economic prosperity and local sales through such initiatives as the Bathurst Buy Local Campaign, Gift Card and BizWeek.
- Continued engagement and communication with local business through the growth of the Business Database and Business eNewsletters.
- Forecasts for the future of the Manufacturing Sector to ensure that Council is prepared for changed economic conditions.
- Organisation of 2 Mayoral Welcome Wagon Receptions to officially welcome 60 new residents to Bathurst.
- Development of new online business resources to support local business, encourage innovation and continued growth.
- Facilitation of essential infrastructure to foster continued business growth and attraction, such as the NBN.
- Stronger relationships with the Bathurst Business Chamber, Regional Development Australia (RDA), Screen Central, NSW Trade & Investment, Charles Sturt University, AusIndustry, Business Enterprise Centre (BEC) and the 6 other Evocities.
- Assistance and facilitation of 9 filming projects across the Bathurst LGA.
- Contribution to the development of an inclusive and collaborative business community through such initiatives as the Mayoral Business Leaders Lunch.

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

Attachment 1 is the Economic Development End-of-Year 2015 report detailing the projects, their linkages to the Economic Development Strategy 2011 - 2016 and their contribution to the continued economic prosperity of the Bathurst Region.

Conclusion:

The number of activities completed in 2015 demonstrates the extensive range of Economic Development initiatives that Bathurst Regional Council leads to encourage and support economic prosperity in the Bathurst Region.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.1
- Objective 33: To be and develop good leaders. Strategy 33.6

6 NAMING OF ROADS – HOUGH LANE, BATHURST (20.00024)

Recommendation: That Council:

- (a) adopt the name Hough Lane; 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.

Report: An existing laneway is accessed off Banks Street and is located between Rocket Street and Blandford Street. A location map is provided at **attachment 1**.

To date, the laneway has no formal identification or naming. In March 2013, a member of the public and nearby resident suggested the public road be named “Hough Lane” after the late Mr Barry Hough. Mr Hough operated a car mechanics business from this lane for over 50 years and was a respected local identity. Mr Hough passed away in 2011.

The laneway provides rear access for No. 2 Banks Street (owned by Mrs Hough), 14 Blandford Street and 18 Blandford Street.

Mr Hough was survived by his wife, Aileen Hough, who wrote to Council indicating approval and support for the proposed road name.

The name complies with Bathurst Regional Council's *Guidelines for Naming of Roads*.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 24: To provide and support the provision of accessible, affordable and well planned transport systems. Strategy 24.2
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

7 TOWN SQUARE - WISH UPON A SQUARE CAMPAIGN (20.00107)

Recommendation: That the information be noted.

Report: Council, at its meeting held 19 August 2015 resolved to:

- (a) adopt the Conservation Management Plan for the former Bathurst TAFE site as a strategic document;
- (b) release the Plan to the public and seek feedback on it and the future of the Town Square as part of the Town Square exhibition being held by the Bathurst Town Square Group; and
- (c) note that a report on the feedback received will be provided to Council.

Council subsequently released the document as part of the "Wish Upon A Square" campaign held in conjunction with the Town Square exhibition held at the Australian Fossil and Mineral Museum.

The 'Wish Upon a Square' campaign for the Bathurst TAFE CMP and The Bathurst Town Square generally ran from 3 September 2015 to 30 November 2015. A total of 99 submissions were received as part of the campaign. A summary of the submissions is provided at **attachment 1**. A full copy of all 99 submissions is available from Council's Environmental Planning & Building Services department.

The aim of the campaign was to provide an opportunity to share information about the TAFE CMP as adopted by Council and for the community to share their vision for the future of the Bathurst Town Square.

The strongest theme of the submissions was for the Town Square to be retained as public open space, where picnic areas and shelters are available, play equipment and markets draw people into the Square and interactive technology or science parks continue the history of learning on the Square. People would like to see open space dotted with public art, history interpretation, native plants and community gardens.

For the TAFE Buildings, the submissions reflected peoples desire for the buildings to be retained as history and education spaces such as museums, display areas and the like. The Australian Fossil and Mineral Museum identified the opportunity for the Headmaster's Cottage to be used as an extension of their existing operations either as additional facilities, catering, storage or further space for exhibits.

Around 15% of the submissions wanted to see commercial uses of the buildings to encourage people on the Square on a more regular basis and many put forward the idea of residential apartments or a hotel. The idea of a pedestrian friendly outdoor entertainment and dining area with cafés, restaurants and retail was a strong theme throughout the submissions with people wanting to make the Square a social focal point and tourist draw card for Bathurst.

Concern was raised in some of the submissions about the bulk, scale and location of the building envelopes indicated for the TAFE site in the CMP. It must be noted that the CMP outlines development scenarios considered suitable in heritage terms. Ultimately the development of vacant parts of the site (or parts thereof) versus their retention as public open space will be a discussion for the Council to make in the future as it considers reuse options.

The CMP was well received, with Council commended on the effort and initiative to develop

the CMP and formalise a vision for the Town Square.

The submissions will continue to inform the ongoing master planning of the Town Square precinct. In this regards the following actions are currently underway or will commence shortly:

1. Main Street review of buildings in The Bathurst Town Square.
2. Review and expand the recommendations for the Bathurst Town Square Master Plan in the CMP in light of the submissions received. The Bathurst Town Square Master Plan will develop and evolve over time and should not be viewed as a static plan in terms of the future of the Bathurst Town Square.

The submission summary will also be referred to Council's consultants preparing the Cultural Plan and will be placed on Council's website.

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

8 BATHURST BACKYARD BIRD COUNT – RESULTS OF 2015 PROGRAM (13.00081)

Recommendation:

That the information be noted and Council support ongoing participation in the Aussie Backyard Bird count.

Report:

In 2014, as part of Birdlife Australia's National Bird Week celebrations, Birdlife Australia ran the first ever Aussie Backyard Bird Count (ABBC). This project enabled everyone from school children, senior citizens, families and community groups to participate in capturing a snapshot of Australia's birds. In doing so, these participants played a vital role in providing important information to Birdlife Australia to help increase our understanding of the bird species that utilise backyards and gardens.

Results from the 2014 program confirmed that Australian backyards – in all their shapes and sizes – continue to attract a range of birds, giving us hope that even as the iconic Aussie backyard shrinks, many birds remain. The national focus on birds is extremely important with data showing Australian backyards have been shrinking since the 1990s, and populations of some of our most familiar birds, such as Australian Magpies and Laughing Kookaburras, have also declined. With growing national and international concern for the welfare of these iconic birds, citizen science projects such as the ABBC can help provide an insight into how Aussie birds are faring and results can help formulate subsequent management decisions.

As surveying native and introduced bird populations are listed as priority actions in the Biodiversity Management and Pest Bird Management Plan, Council decided to participate in the 2015 program which ran from 19 to 25 October. Council opted to purchase a data package from BirdLife Australia which meant that more meaningful results could be obtained.

The full report is included as **attachment 1**. The following presents a snapshot of participation and the results:

- A total of 4,852 individual birds were observed and recorded during the week.
- 136 bird species were recorded.
- 3 of the top 5 most common species observed were feral or introduced birds.
- 71 participants registered and submitted checklists, with 120 observers taking part in the surveys.
- 191 checklists were submitted with an average of 2.7 per registered participant.
- An average of 68 birds were recorded per participant.
- A total of 60 hours and 6 minutes was spent surveying birds.
- Most of the birds recorded were in the central parts of the Council area, indicating that those in the most southern and northern areas did not participate.
- Observations in the Bathurst Region are similar to that seen nationwide with evidence of a gradual replacement of important and iconic native species with feral birds or aggressive native species.
- Decline in native birds is being blamed on continued loss of native vegetation in the urban, suburban and rural landscape and an increase in simplified plantings of exotic species.

Activities

Council actively promoted the 'Bathurst Backyard Bird Count' through the distribution of supplied posters, flyers, bookmarks and stickers and a media release. A Facebook page facebook/bathurstbirdcount and Instagram account @bathurstbirdcount were created to help promote the event and build involvement. A guided bird walk led by local naturalist, Chris Marshall, attracted 20 locals and resulted in hundreds of birds from 38 species being observed in the Boundary Road Reserve. Seventy-one (71) participants submitted 191 reports with nearly 5,000 birds observed during the week-long event.

Most common species

The most common species surveyed was the introduced House Sparrow* followed by the Common Blackbird*, Australian Magpie and Common Starling* (*feral species). The majority of the 20 most commonly observed bird species are considered to be species that have adapted to the modified urban, suburban and rural landscapes. The three feral species prefer European vegetation, indicating that the predominantly non-native plantings within the Bathurst urban and suburban landscape is favouring these species over native birds. Twenty (20) feral or introduced species of bird were identified. Surprisingly, the feral pigeon was not recorded in high numbers. This may be because it is referred to as its native name in the survey (Rock Dove) and so may not have been recorded, or its preference for urban environment meant that it was not recorded in observer's suburban backyards. The recently arrived Indian Myna is now found across a considerable part of the Bathurst Region.

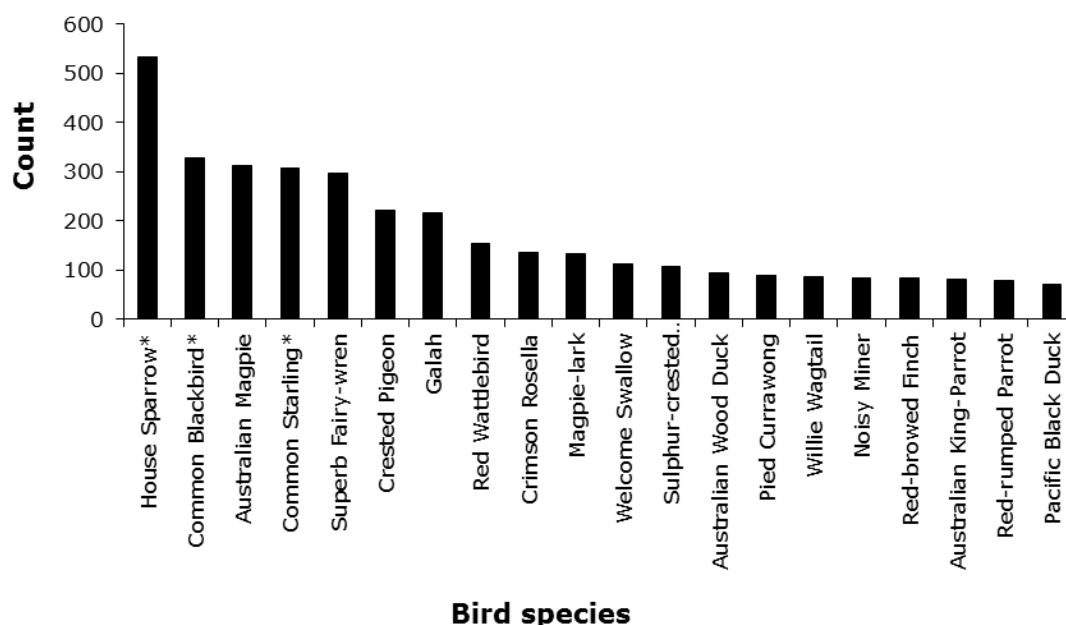


Figure 1: The 20 most commonly observed bird species within the Bathurst Regional Council boundaries during the 2015 Aussie Backyard Bird Count. * indicates introduced species.

Importantly, several threatened species were identified during the survey. These species are considered to be declining for a variety of reasons but mostly due to clearing of woodland habitat, loss of nesting hollows due to development and firewood collection and declining food resources. The threatened species recorded were:

- Regent Honeyeater (Critically Endangered)
- Black-chinned Honeyeater (Vulnerable)
- Gang-gang Cockatoo (Vulnerable)
- Glossy Black Cockatoo (Vulnerable)
- Specked Warbler (Vulnerable)

- Brown Treecreeper (Vulnerable)
- Diamond Firetail (Vulnerable)
- Little Eagle (Vulnerable)
- Barking Owl (Vulnerable)
- Freckled Duck (Vulnerable)

Of particular importance was the sighting of the critically endangered Regent Honeyeater which has been the subject of intense NSW breeding programs and local and regional habitat restoration activities.

Council requested that particular attention be placed on 10 species of birds to provide insights into how small and large, common and rare, or native and introduced birds are faring. As this is the first survey that Council has participated in, there is not enough data to provide information about distribution or population health of these species.

A review of long-term population trends by BirdLife Australia infers that Bathurst bird populations are on similar trajectories: native species are being replaced by feral species and smaller natives are being replaced by larger more aggressive native species. This has been blamed upon the replacement of native vegetation and a move towards a 'simplified' backyard without a diversity of grass, shrub and tree species.

The way forward

As the project builds, local resident involvement in citizen science builds awareness about local bird species and helps Council to achieve actions identified in the Biodiversity Management Plan and Pest Bird Management Plan. It is intended to continue official participation in the program for 2016 and beyond. For each year of participation, the data will grow and help to provide more detailed information about local bird populations.

As the results of this bird count mirror national results of increasing feral bird or aggressive native birds, it is suggested that Council consider opportunities to increase the proportion of native plantings within the urban and suburban environment, not just in Council reserves but in street tree plantings and new developments where possible. Such plantings provide key corridors, food resources and refuges for native species and are less likely to attract and support feral species. Council should also continue to promote appropriate backyard and private property plantings through existing resources such as the Rural Living Handbook and the Backyard for Wildlife booklet.

Financial Implications:

Funding for this item is contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.4
- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.4, 10.11

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

Strategy 30.4

- Objective 33: To be and develop good leaders.

Strategy 33.6

Yours faithfully

A handwritten signature in black ink, appearing to read 'J. Bingham', with a long horizontal flourish extending to the right.

J Bingham

ACTING DIRECTOR

ENVIRONMENTAL, PLANNING & BUILDING SERVICES

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 MARCH 2016

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$70,600,000.00 was invested at 29/2/2016 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<u>Rating</u>	<u>Balance</u>	<u>Average Return</u>
<u>Short Term 1 – 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits):			
Bank of Queensland	A2	\$1,500,000.00	2.98%
Bendigo and Adelaide Bank Limited	A2	\$500,000.00	2.85%
Commonwealth Bank	A1+	\$1,500,000.00	2.97%
Bankwest	A1+	\$3,000,000.00	2.98%
National Australia Bank Limited	A1+	\$23,000,000.00	3.00%
St George	A1+	\$3,000,000.00	2.95%
Maritime, Mining & Power Credit Union Ltd	ADI	\$500,000.00	2.85%
People's Choice Credit Union	ADI	\$1,500,000.00	2.93%
Railways Credit Union Limited	ADI	\$1,000,000.00	3.07%
SGE Credit Union Limited	ADI	<u>\$1,500,000.00</u>	<u>2.88%</u>
		\$37,000,000.00	2.99%
<u>Long Term > 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Bonds):			
<u>Committed Rolling Investments</u>			
Westpac	AA-	\$2,000,000.00	3.47%
National Australia Bank Limited	AA-	\$2,000,000.00	2.99%
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	2.96%
<u>Fixed, Negotiable & Tradeable</u> <u>Certificates of Deposits</u>			
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>3.45%</u>
		\$2,000,000.00	3.45%
<u>Floating Rate Notes</u>			
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	3.19%
AMP	AA-	\$800,000.00	3.45%
Suncorp Metway	A+	\$1,000,000.00	3.53%
Macquarie Bank	A	\$1,000,000.00	3.40%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	3.49%

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%
Bendigo & Adelaide Bank	A-	\$1,000,000.00	3.39%
Bank of Queensland 2	A-	\$1,000,000.00	3.35%
Credit Union Australia	BBB+	\$3,000,000.00	3.67%
Police Bank Ltd	BBB+	\$1,000,000.00	3.38%
Police Bank Ltd 2	BBB+	\$1,000,000.00	3.39%
Credit Union Australia	BBB+	\$1,000,000.00	3.57%
Newcastle Permanent	BBB+	\$1,000,000.00	3.67%
Members Equity Bank 2	BBB+	\$1,000,000.00	3.29%
Greater Building Society	BBB	<u>\$1,000,000.00</u>	<u>3.58%</u>
		\$19,800,000.00	3.46%

Total Investments **\$70,600,000.00** **3.13%**

These funds were held as follows:

Reserves Total (includes unexpended loan funds)	\$34,157,425.00
Grants held for specific purposes	\$2,494,303.00
Section 94 Funds held for specific purposes	\$32,881,696.00
Unrestricted Investments – All Funds	\$1,066,576.00

Total Investments **\$70,600,000.00**

Total Interest Revenue to 29 February 2016 **\$1,476,491.91** **3.13%**

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

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

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 29 February 2016.

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

Section 356:	Nil
BMEC Community use:	Nil
Mount Panorama:	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 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

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.

- Bathurst Pigeon Club - Boundary Road - Part Lot 7310, DP 1139638 - In-house Licence Agreement
- M A Anderson - 22 Barr Street - Lot 1072, DP 1215618 - Transfer
- Roughley Investments Pty Ltd - 21 Barr Street - Lot 1081, DP 1215618 - Transfer
- B Gnanendran - 1 Twynam Avenue - Lot 1069, DP 1215618 - Transfer
- Roughley Family Trust - 20 Twynam Avenue - Lot 1107, DP 1215618 - Transfer
- Harvey Homes Investments Pty Ltd - 3 Poate Street - Lot 1096, DP 1215618 - Transfer
- Hearnese' Blue Ribbon Holdings Pty Ltd - 112 Bentinck Street - Lot 1, DP 1076086 - Lease
- D & W Stanford - 6 Poate Street - Lot 1090, DP 1215618 - Transfer
- W J Davis - 36 Barr Street - Lot 1079, DP 1215618 - Transfer
- E T Roughley - 11 Poate Street - Lot 1100, DP 1215618 - Transfer
- G C Hewitt - 5 Matthews Street - Lot 1114, DP 1215618 - Transfer
- D Drummond - 9 Windsock Way - Lot 270, DP 1162107 - Deed of Assignment of Lease
- M Renshaw - 4 Windsock Way Lot 21, DP 1104105 - Lease
- TR & JM Rich - 10 Poate Street - Lot 1092, DP 1215618 - Transfer
- CI & LK Marple - 10 Matthews Street - Lot 1105, DP 1215618 - Transfer
- B J Edwards & H J Provest - 29 Barr Street - Lot 1085, DP1215618 - Transfer
- M J Negus - 2 Poate Street - Lot 1088, DP 1215618 - Transfer
- GJ & S Craft - 4 Poate Street - Lot 1089, DP 1215618 - Transfer
- WJ & AS Smith - 8 Matthews Street - Lot 1104, DP 1215618 - Transfer
- C Y Stephen - 4 Matthews Street - Lot 1102, DP 1215618 - Transfer
- H G Guilfoyle - 38 Governors Parade - Lot 1123, DP 1215618 - Transfer
- M Ahmed & M Begum - 12 Poate Street - Lot 1093, DP 1215618 - Transfer
- N J Packham - 6 Matthews Street - Lot 1103, DP 1215618 - Transfer
- A D White - 30 Governors Parade - Lot 1119, DP 1215618 - Transfer
- MJ & JF Tener - 8 Poate Street - Lot 1091, DP 1215618 - Transfer
- Warren Harvey Homes Pty Ltd - Cnr Governors Parade & McLean Streets - Lot 1025, DP 1212670 - Transfer
- Warren Harvey Homes Pty Ltd - Cnr Adams & McLean Streets - Lot 1030, DP 1212670 - Transfer
- H Li - 28 Barr Street - Lot 1075, DP 1215618 - Transfer
- DJ & EA Fulton - Eleven Mile Drive - Lot 2, DP 1215901 - Transfer
- Scott Build Pty Ltd & K Larsen - Cnr Barr & Colville Streets - Lot 1087, DP 1215618 - Transfer
- Roughley Property Pty Ltd & Harvey Homes Investments Pty Ltd - Cnr Adams & McLean Streets - Lot 1031, DP 1212670 - Transfer

Linen Plan Release

- C & TS Idiaghe - Acquisition of land and closure of Ophir Road - Lot 107, DP 1189576 - 18 Parer Road, Abercrombie

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

5 REQUEST FOR FINANCIAL ASSISTANCE - RENAULT 4CV REGISTER OF AUSTRALIA EVENT (18.00004, 23.00026-19)

Recommendation: That Council donate the cost of the closure of Russell Street (between William and George Streets) to a maximum of \$800, for the Renault 4CV Register of Australia event to be held Saturday 17 September 2016, to be funded from Council's 2016/17 Section 356 Donations.

Report: Council has received a request from Renault 4CV Register of Australia, advising of an event they wish to hold in Bathurst from 15 - 19 September 2016. A copy of the request is provided at **attachment 1**.

4CV Register Australia have chosen Bathurst to celebrate the 70th Anniversary of the Renault 4CV and 60th Anniversary of Renault Dauphine models.

The National Coordinator is requesting the closure of Russell Street, between William and George Street, on Saturday 17 September from 8 am to 12 pm so approximately 30 cars can be displayed in front of the Court House.

The road closure for this event will cost approximately \$800 and could be funded from Council's 2016/17 Section 356 Donations.

Financial Implications: This request could be funded from Council's 2016/17 Section 356 Donations budget.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.1

6 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST & DISTRICT VIETNAM VETERAN'S ASSOCIATION INC (04.00031)

Recommendation: That Council donate the amount of \$500 to the Bathurst & District Vietnam Veteran's Association Inc to assist with the payment of their yearly rental of the Bathurst and District Vietnam Veterans Memorial Park at the corner of Boundary Road and the Mid Western Highway, Bathurst to be funded from leasing income.

Report: Council has received a request at **attachment 1** from the Bathurst & District Vietnam Veteran's Association for financial assistance to allow the Association to pay the yearly rent for the use of the Bathurst and District Vietnam Veterans Memorial Park at the corner of Boundary Road and Mid Western Highway, Bathurst.

Vietnam Veterans Park is on a Crown Land Reserve which is managed by Council. The Department of Land - Crown Lands has advised that Council must charge lessees of Crown Land a minimal rental which is approximately \$500 per annum. As the Trustee of the Reserve, Council receives this rental into its lease income. Council may then donate by way of Section 356 the cost of this rental back to the Vietnam Veteran's Association.

This organisation is self-funded and provides facilities at the Park at little or no cost to the Council. The organisation has constructed various buildings including weather shelters and recently a canteen area which they use to supply food during car race periods.

Financial Implications: This request could be funded from Council's lease income.

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 30.1

7 BATHURST REGIONAL COUNCIL PICNIC DAY (07.00046)

Recommendation: That Council designate Friday, 4 November 2016 as the Picnic Day holiday.

Report: Council has received notification from the Council's United Services Union Delegate proposing several dates for the 2016 Union Picnic Day; it is recommended that Friday 4 November be designated as the Picnic Day. Clause 19 of the Local Government (State) Award state:

b. UNION PICNIC DAY

(i) Union Picnic Day shall for the purposes of this Award be regarded as a holiday for employees who are financial members of the union(s). The Union Picnic Day shall be on such day as is agreed between the council and the union(s).

Whilst a number of Council services may be closed, emergency services will still remain available in accordance with normal on-call arrangements.

As all council employees are not eligible for the Picnic Day, Council will maintain operations on 4 November 2016.

Financial Implications: Council has allowed for a Picnic Day within its Management Plan Process.

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

8 REQUEST FOR FINANCIAL ASSISTANCE - WATTLE TREE HOUSE (18.00004)

Recommendation: That Council not provide general refuse vouchers to Wattle Tree House for their clients to place material at the Bathurst Waste Management Centre and they be advised to contact Housing Plus.

Report: Council has received a request from Wattle Tree House at **attachment 1** for financial assistance for members of their organisation to assist clients to place material at the Waste Management Centre.

Councillors are advised that Council sends all waste vouchers for people residing in rental properties to Housing Plus to distribute. Accordingly, it is recommended that Wattle Tree House be advised vouchers can be obtained for their clients through Housing Plus.

Financial Implications: Nil

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 30.1

9 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST ROTARY YOUTH DRIVER AWARENESS ROAD SAFETY EDUCATION PROGRAM (23.00012)

Recommendation:

That Council support the 2017-2019 Bathurst Rotary Youth Driver Awareness, Road Safety Education Program (RYDA) at an estimated cost of \$6,500 per annum by waiving relevant fees; the waived fees to be funded from Mount Panorama Fee Subsidy - Section 356).

Report:

At Council's meeting held on 5 February 2014, Council resolved to enter into a three year agreement with the Rotary Club of Bathurst East Inc to waive the relevant fees for the hire of the Mount Panorama Pit Complex for a period of three years. The estimated subsidy Council makes to the Rotary Club of Bathurst East Inc is \$6,500 per annum.

Council has received a request from the Co-ordinator of this Program, Mr Brian Burke from Rotary Club of Bathurst East Inc, for Council to again consider further financial support for another three years.

Rotary Club of Bathurst Inc are co-ordinators of the program which is conducted at Mount Panorama for year 11 students each year.

At **attachment 1** is a copy of the request and documentation outlining the program.

Council is advised the Rotary Club of Bathurst East Inc is a not-for-profit organisation and can only survive with the help of the Bathurst community. Councillors are requested to consider the request from the Rotary Club of Bathurst East Inc for a further extension of three years to conduct the Bathurst Rotary Youth Driver Awareness Road Safety Education Program.

Financial Implications:

Estimated fees for the program are \$6,500. It is proposed the subsidy will be funded through the Mount Panorama Fee Subsidy - Section 356 Vote in the 2016/17, 2017/18 and 2018/19 budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.7
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.9

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

Strategy 30.4

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 MARCH 2016

1 26M B-DOUBLE ROUTE BETWEEN ROCKET STREET AND UPFOLD STREET (28.00012-08)

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

Report: A local Transport Company, Spardini Pty Ltd (the Company), is seeking approval for a 26m B-Double route between Rocket Street and Upfold Street (using Rocket Street, Alpha Street, Russell Street, Lyal Street and Upfold Street) to reduce the number of trucks it is currently using.

Approvals for B-Double vehicles were previously assessed by Council under the Roads and Maritime Services (RMS) Route Assessment Guidelines for Restricted Access Vehicles document dated May 2002.

The Heavy Vehicle National Law (HVNL) commenced on 10/02/2014 establishing the National Heavy Vehicle Regulator (the Regulator) and a single national system of laws for heavy vehicles over 4.5 tonnes Gross Vehicle Mass. From commencement, the Regulator assumed responsibility for regulating the heavy vehicle industry under the HVNL.

As well as this, changes to the assessment of B-Double Vehicles by RMS has occurred, with the introduction of the document 'NSW ROUTE ASSESSMENT GUIDE – Freight Route Investigation Levels 2012' (the Guide). This provides new and more detailed guidelines on heavy vehicle access assessment and includes greater consideration of the interaction of all road users.

The Guide notes that The Regulation of Traffic Guideline 12, which establishes the Local Traffic Committee (LTC), stipulates that B-Double and other route approvals are not part of its delegation.

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

The result of the trial was that the vehicle did not meet the Austroads Guide to Road Design Part 4 2009 criteria for swept paths, as it did not maintain a swept path with a minimum offset of 0.5m from the extremities of the vehicle path to a kerb, pavement edge, or centre line to a significant degree, for significant sections of the route.

It is recommended that the 26m B-Double route not be approved.

The minimum sealed lane width and overall carriageway width was identified as deficient for the proposed vehicle on Alpha Street at the reverse curve near Carlingford Street. It is considered for the combination vehicle to traverse the curves safely; additional lane width is required in order to accommodate the greater tracked path of the vehicle. Council believes it is essential to provide sufficient carriageway for heavy vehicles to operate without imposing a risk to other road users by impinging on adjacent lanes or encroaching on limited or no road shoulders. Please refer to Image A at **attachment 1**.

A low speed swept path assessment of the vehicle turning right from Alpha Street onto Rocket Street, under trial conditions, showed the vehicle impacted with existing road infrastructure (mounted kerb and pedestrian facility of the bridge). Please refer to Image B at **attachment 1**.

The driver of a vehicle approaching the intersection must have sufficient visibility to observe another vehicle at or within the intersection and have sufficient time to stop if necessary. It is considered that the length and associated swept path of the proposed vehicle when conducting a turn at this location may give rise to a safety risk/hazard. It is considered, the safe sight and stopping distance for an approaching vehicle to the potential hazard point (proposed longer vehicle turning across a traffic lane) is insufficient or hindered to allow the operator to react appropriately including the willingness of all drivers to adjust trajectory or entry onto a bridge to accommodate the width needs of the proposed vehicle. Please refer to Image C at **attachment 1**.

An on site trial indicated that the proposed vehicle is required to operate in the opposing lane of travel to an unacceptable level when conducting a left turn from Russell Street into Alpha Street. Vehicles on Alpha Street by law are required to give way to all traffic on Russell Street and must not proceed until it is clear and safe to do so. However, due to the size of the proposed vehicle and its associated swept path, the operator is placed in a position unable to commence its left turn from Russell Street if there are vehicles already occupying that road space on Alpha Street. The proposed granting of access poses significant risk to both the public and road infrastructure. Please refer to Image D at **attachment 1**.

The width of the carriageway over the Rocket Street Bridge was identified as deficient. A principal cycling route as suggested in the Guide requires a carriageway 8.8m wide. The required width is not available on the Rocket Street Bridge which has a seal width of 6.15m between kerbs.

While there are concerns over the existing bridge suitability for 26m B-Doubles, this is not primarily a Council concern as the existing 26m B-Double route consists of Vale Road and Rocket Street both of which are under the care and control of the Roads and Maritime Services; and the bridge over the railway which is under the care and control of John Holland Rail.

As the trial identified limited intersection sight distance on the eastern side of the bridge, it is recommended that RMS be requested to consider a speed zone review on this bridge. Further to this RMS should be made aware of the need to consider 'narrow bridge' signage; width markers; and edge lines per AS1742.2.

Prior to this report, Council at its meeting held 6 December 2011 approved B-Double access to Delaware Crescent for a 25m B-Double.

In this instance it was reported sufficient lane width was available to safely accommodate the swept path of the vehicle and a trial was observed by a Council Officer who noted the vehicle safely completed manoeuvres, stayed in its lane and did not cross centre line markings.

As evaluation procedures have changed, it is possible had this route been subject the current procedures it may not have been recommended. Please refer to Swept Path images of a 25m B Double on Delaware Crescent at **attachment 2**.

Bathurst Regional Council is satisfied that the proposed granting of access will pose significant risk to public safety and the vehicle has been found to be incompatible with existing road infrastructure and traffic conditions.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

2 CROWN ROADS AT HILL END (25.00440)

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

- (a) Warrys Road – From Clarke Street to existing Council owned section of Warrys Road
- (b) German Town Road – From Warrys Road to end of sealed section
- (c) Lees Lane – From Hill End Road to Andersons Road
- (d) Andersons Road – From Lees Lane to Hill End Common.

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

The criteria that were considered when looking at each road in Hill End was:

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

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

- (a) Warrys Road – From Clarke Street to existing Council owned section of Warrys Road.
- (b) German Town Road – From Warrys Road to end of sealed section.
- (c) Lees Lane – From Hill End Road to Andersons Road.
- (d) Andersons Road – From Lees Lane to Hill End Common.

A map showing the location of Andersons Road and Lees Lane is at page 1 of **attachment 1**

A map showing the location of Warrys Road and German Town Road is at page 3 of **attachment 1**.

The following **roads do not** satisfy the criteria and therefore will remain as Crown road:

- 1 Fletcher Street – Lee Street to English Lane

Reason: The road is not constructed to a sufficient standard.

- 2 English Lane – From Hill End Road

Reason: The road is not constructed to a sufficient standard.

3 Thompson Lane – From Hill End Road

Reason: The road is not constructed to a sufficient standard.

4 High Street – Belmore Street to Hill End Road

Reason: The road is not constructed to a sufficient standard and it is off the road alignment.

5 Hospital Lane – Beyers Avenue to High Street

Reason: The road is not constructed to a sufficient standard.

Financial Implications: The Crown Lands application fee is \$200.00 per road (total of \$800.00). Ongoing road maintenance costs to be funded from road maintenance budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1
- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.6
- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.1

Yours faithfully



Doug Patterson
DIRECTOR
ENGINEERING SERVICES

DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 MARCH 2016

1 PROPOSED FIRST HOUSE PUBLIC ART PROJECT (21.00015)

Recommendation: That Council:

- (a) note the Bathurst and District Branch of the National Trust of Australia (NSW) financial commitment to support the First House Public Art Project to an amount of \$100,000 of a total budget of \$250,000.
- (b) refers funding of \$150,000 to the 2016/2017 budget process towards the First House Public Art Project.

Report: On 9 December Council agreed to:

- (a) support, in principle, the investigation of the feasibility of a public art work that celebrates the first public house in Bathurst, to be sited in Elizabeth Park, corner of William and Elizabeth Streets, Bathurst.
- (b) prepare a report, including results of the investigation of a public art work, for further consideration.
- (c) refer the funding for the project to the 2016/2017 budget process for consideration.

Following that decision on Wednesday, 3 February Council staff organised for Richard Brecknock, Cultural Planner and Public Art Consultant, who Council has engaged to undertake the Cultural Plan for Bathurst, to meet with members of the Bathurst and District Branch of the National Trust of Australia (New South Wales) to discuss the feasibility and budget for this proposed public art project.

Richard Brecknock who has many years of experience in public arts projects, detailed to the National Trust the proper tender process that must accompany a major public art commission including the development of a detailed project brief and an appropriate budget. He advised the National Trust that the minimum budget for such a project was \$250,000.

On 9 February 2016 Iain McPherson, Chairperson of the Bathurst and District Branch of the National Trust of Australia (NSW) wrote to the Director, Cultural and Community Services confirming that the National Trust has financial commitments from members of \$50,000 to contribute towards the project and expects to be able to raise an additional \$50,000 from the community in association with other heritage and arts groups who have indicated support for the project.

This commitment of \$100,000 by the National Trust to a total budget of \$250,000 would reduce Council's potential financial support for the project to \$150,000 should Council agree to commit funds in the 2016/2017 Operating Plan.

Financial Implications: Based on the advice of the public art consultant Richard Brecknock and in view of the National Trust's commitment of \$100,000 to the project that Council refer funding of \$150,000 to the 2016/2017 budget process.

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 11.6, 11.9
- Objective 20: To provide a range of cultural facilities, Strategy 20.6

programs, activities and events and to support and enhance cultural and social activities across the community.

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

Strategy 23.5

2 BATHURST VISITOR INFORMATION CENTRE - NEWCASTLE CARAVAN, CAMPING & HOLIDAY EXPO - 5-7 FEBRUARY 2016 (21.00041)

Recommendation: That the information be noted.

Report: Bathurst Visitor Information Centre hosted a stand at the Newcastle Caravan, Camping and Holiday Expo held at Newcastle Entertainment Centre & Showground 5-7 February 2016.

The theme of the stand was the Bathurst Region with all the wonderful camping spots, historic sites, events and outdoor activities the region is home to. The public response to the stand was very positive with many making reference to the large wall map and either talking of past exploits or planning their next adventure.

Over the three days the show welcomed 24,154 visitors. Adult entry represented 60% of visitation with 27% attendance of pensioners and the rest children.

Information distributed from the stand included: Bathurst Region destination guides (qty 225), A3 attraction sheets (qty 183), Bathurst fact and itinerary sheets (qty 117), notepads (qty 164) and Making Tracks outdoor activities and camping map (qty 330), Bathurst Region maps (qty 182). To attract the children fun promotional items were available with 60 Bathurst frisbee's and 180 of the Bathurst activity books being snapped up by the younger market and enthusiastic grandparents.

It had been a few years since Bathurst was allocated a stand at this show and the feedback and interest shown by those attending the show once again proved that the Bathurst Region is a very popular destination for camping and outdoor activities.

Financial Implications: Costs were covered within the existing tourism promotion and marketing budget.

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, 4.7

Yours faithfully



Alan Cattermole
DIRECTOR
CULTURAL & COMMUNITY SERVICES

POLICY COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - POLICY COMMITTEE MEETING - 2 MARCH 2016 (07.00064)

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

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

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTES OF THE POLICY COMMITTEE
HELD ON 2 MARCH 2016

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

APOLOGIES

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

RESOLVED: That the apologies from Crs Morse and Westman be accepted and leave of absence granted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 DECEMBER 2015 (07.00064)
MOVED Cr I North and **SECONDED** Cr W Aubin

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

DECLARATION OF INTEREST

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

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

5 Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 25 NOVEMBER 2015 (07.00096)
MOVED Cr B Bourke and **SECONDED** Cr I North

RESOLVED: That the recommendations of the Audit & Risk Management Committee Meeting held on 25 November 2015 be adopted.

6 **Item 2 LIVING LEGENDS (20.00282)** **MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

RESOLVED: That Council:

- (a) Establish a Living Legends Working Party consisting of the:
- (i) Mayor
 - (ii) Deputy Mayor; and
 - (iii) Bathurst Region Citizen of the Year.
- (b) The new Living Legends are to be announced as part of the Proclamation Day ceremonies.
- (c) Continue with the avenue of trees along Bradwardine Road for each new Living Legend.

GENERAL BUSINESS

7 **BMX CHAMPIONSHIPS (23.00148)**

Cr Hanger - complemented staff and Cr Westman on the BMX National Championships. It is spectacular.

8 **Item 2 AUTUMN COLOURS PROGRAM (23.00060)**

Cr Hanger - congratulated all involved in the Autumn Colours Program for 2016.

9 **Item 3 RAGLAN HALL PLAY EQUIPMENT - SHADE STRUCTURE (22.01340)**

Cr Jennings - asked can this structure be replaced? If shade sail not suitable, could we look at a hard cover surface?

The Director Engineering Services will enquire as to vandalism incidents and respond to Cr Jennings. Hardtops can also be damaged so may be an issue.

10 **Item 4 KANGAROOS - MOUNT PANORAMA (14.00665)**

Cr Jennings - spoke to control techniques and asked if automatic electric gates have been considered.

The Director Engineering Services spoke to controls with respect to residences already in place and residents requirements. Currently concentrating on getting fencing in place.

11 **Item 5 BATHURST AQUATIC CENTRE (04.00119)**

Cr Jennings - asked can some shade be set up over the grassed areas?

The Director Engineering Services advised this has been considered previously, no final decision was made. The matter can be revisited.

12 **Item 6 KINGS PARADE - EVANS STATUE (04.00039)**

Cr Jennings - queried why is this monument not in a museum? Does not convey necessarily what this City wants to say. Could consultation occur with various stakeholders as to whether it should be changed.

13 **Item 7 ABORIGINAL IDENTITY (07.00097)**

Cr Jennings - spoke to signs across the Wiradyuri area which refer to Welcome to Wiradyuri Country - are there any in Bathurst?

The General Manager noted that City entrance signs have Welcome to Wiradyuri Country on them.

14 **Item 8 NEWTONS NATION (04.00122)**

Cr Jennings - asked has there been any contact from this group?

The Director Corporate Services advised there has been no contact for several years.

15 **Item 9 LAND AND PROPERTY INFORMATION - PROPOSED CHANGES (18.00135)**

Cr Jennings - asked have we received any advice on issues such as privatisation?

The General Manager will investigate and provide information to Councillors.

16 **Item 10 12 HOUR VICTORS WALK (04.00097)**

Cr Jennings - asked can we look at establishing a green field site for the 12 Hour Victors walk?

17 **Item 11 SOFALA SHOW (22.02574)**

25 Item 16 PERTHVILLE PUBLIC SCHOOL (20.00117)

Cr North - Perthville School have asked Council to consider establishing a toilet on the site that Council is looking to buy. The land is near the school and community hall. Tabled a letter from the school.

26 Item 17 RURAL SEALING - TRAFFIC CONTROL (36.00549)

Cr North - congratulated the work being undertaken by the Traffic Control Group - they have been very courteous.

27 Item 18 GREAT WESTERN HIGHWAY (25.00018)

Cr North - excellent how progressing. Need to have the Highway expansion to be continued out past the aerodrome. Can we talk to the government? Further, we need to look at how we can keep Lee Street open.

28 Item 19 CCTV FUNDING (FEDERAL) (16.00145)

Cr North - disappointed we did not take up federal funding. Requests Council be provided with a report on CCTV and that Council put funds away into the future for CCTV.

The General Manager provided advice on Council's current position with respect to CCTV.

MEETING CLOSE

29 MEETING CLOSE

The Meeting closed at 6.51 pm.

CHAIRMAN: _____

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

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING - 1 MARCH 2016 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 1 March 2016 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 1 March 2016, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 1 MARCH 2016

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

Members: Cr Warren Aubin (Chair), Sergeant Peter Foran (Police), David Veness (MP Representative), David Vant and Deanne Freeman (Roads & Maritime Services).

Present: Bernard Drum (Civil Design & Project Engineer), Paul Kendrick (Traffic & Design Engineer), Iris Dorsett (Tablelands Area Road Safety Officer).

APOLOGIES

2 APOLOGIES

Nil.

REPORT OF PREVIOUS MEETING

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

That the Minutes of the Traffic Committee Meeting held on 2 February 2016 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 2 FEBRUARY 2016 (07.00006)

That the information be noted and necessary actions be taken.

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

That the information be noted.

7 Item 3 THE 2016 ROYAL BATHURST SHOW (18.00108)

That Council endorse the traffic management plan for the 2016 Royal Bathurst Show to be held Friday 8 April to Sunday 10 April 2016. The event is to be classified as a Class 1 event and approved subject to conditions detailed in the Director Engineering Services' report.

8 Item 4 ROCKLEY ANZAC DAY SERVICE AND MARCH 2016 - TEMPORARY ROAD CLOSURES (23.00076)

That Council endorse the traffic management for the Anzac Day Service and March within Rockley on Monday, 25 April 2016. The Commemorative Service road closure and the Anzac Day March are to be classified as a Class 2 Event, as detailed in the Director Engineering Services' report.

9 Item 5 CAIRN ANZAC DAY SERVICE 2016 - TEMPORARY SPEED RESTRICTION ON LIMEKILNS ROAD (23.00076)

That Council endorse the traffic management for the Anzac Day Service at the Memorial Cairn with a temporary speed restriction of 40km/hr on Limekilns Road on Monday 25 April 2016. The Commemorative Service and temporary speed restriction to 40km/hr are to be classified as a Class 2 Event, as detailed in the Director Engineering Services' report.

10 Item 6 BATHURST ANZAC DAY SERVICE AND MARCH - 2016, TEMPORARY ROAD CLOSURES WITHIN CBD (23.00076)

That Council endorse the traffic management for the 2016 Anzac Day Service and March within the Bathurst central business district on Monday 25 April 2016. The Dawn Service road closure and the Anzac Day March are to be classified as a Class 2 Event, as detailed in the Director Engineering Services' report.

11 Item 7 CAMPERVAN AND MOTORHOME CLUB OF AUSTRALIA - 30TH ANNIVERSARY RALLY, BATHURST (23.00015-08/020)

That:

- (a) Council approve the proposed temporary bus zone and the extension of existing bus zone times subject to conditions as detailed in the Director Engineering Services' report.
- (b) The Traffic Management of the Campervan and Motorhome Club of Australia 30th Anniversary Rally be noted.

12 Item 8 BATHURST EDGELL JOG 2016 (23.00130/079)

That Council endorse the traffic management for the Bathurst Edgell Jog to be held on Sunday 18 September 2016. The event is to be classified as a Class 1 event and approved subject to conditions decided by the Traffic Committee.

13 Item 9 PROPOSED EXTENSION OF NO STOPPING ZONE - INTERSECTION OF

VALE ROAD AND BRIDGE STREET, PERTHVILLE (25.00033)

That Council approve an extension of the 'No Stopping' zone outside the Bridge Hotel on Vale Road at the intersection with Bridge Street, Perthville.

14 **Item 10 NO STOPPING SIGNS – KELSO PUBLIC SCHOOL CAR PARK ACCESS ONTO GILMOUR STREET (28.00007-05)**

That Council approve the placement of a "No Stopping" zone between the driveways of the Kelso Public School Car Park in Gilmour Street Kelso.

TRAFFIC REGISTER

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

That the information be noted.

MEETING CLOSE

16 **MEETING CLOSE**

The Meeting closed at 2.20 pm.

DELEGATES REPORTS

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 MARCH 2016

1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 10 FEBRUARY 2016 (11.00019)

Recommendation: That the information be noted.

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

Apologies: Crs Bourke and Jennings

1. BATHURST AGRICULTURAL HORTICULTURAL & PASTORAL ASSOC (AH&P) - 2016 ROYAL BATHURST SHOW (18.00108)

Representatives from the Bathurst AH&P Association (Brett Kenworthy, Sam Farroway and Paula Elbourne) met with Council and gave a presentation on the current and future direction of the Association and discussion on the 2016 Royal Bathurst Show.

Discussion included

- Thanked Council for continued support.
- Four out of five Shows since 2010 have seen weather affected shows.
- Aim for Bathurst to be best Show west of mountains.
- Spoke of 3 year assistance program which for 2015 included \$1,000 prize money - Supreme Exhibit; \$5,000 - Community Stage; plus street banner and other traffic assistance.
- Show also runs Young Rural Achiever Program for youth participating in agriculture.
- Miss Showgirl Competition sees approximately 10 entrants per year.

Assistance requested:

- additional financial assistance to ensure long term viability of the Show.
- asked could Miss Showgirl be utilised as an Ambassador and invited to attend appropriate Council functions
- asked about utilising Council Events Team to assist with the running of events at the Show.

Tabled their presentation and financial statements to June 2015.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 30: To identify the needs of the community and Strategy 30.5

encourage and support communication, interaction and support within the community.

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

Strategy 20.2

**2 MINUTES - AUSTRALIA DAY WORKING PARTY - 16 FEBRUARY 2016
(23.00033)**

Recommendation: That the information be noted.

Report: The minutes of the Australia Day Working Party held on 16 February 2016 are shown at **attachment 1**.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

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

3 CENTROC BOARD MEETING - 25 FEBRUARY 2016 (07.00017)

Recommendation: That the report on the CENTROC Board Meeting held 25 February 2016 in Blayney be noted.

Report: The Centroc Board meeting was held at the Blayney Shire Community Centre 25 February 2016. The meeting was hosted by Central Tableland's Water. In attendance were representatives from Central West RDA and Mayors and General Managers from across the region.

Discussions were held on various matters including:

Transport Infrastructure

The Advocacy Plan for transport was adopted by the Board where the summary is;

As part of its role as a potential Joint Organisation, Centroc is keen to work more collaboratively with relevant State, Federal and other agencies to improve transport infrastructure outcomes for the region. Reviewing the electoral cycle, the key event for this year is the Federal election... most important will be seeking to optimise opportunities for member Councils and their communities.

The Board provided the Centroc Roads Technical Group in principle support for its business plan and awaits advice to the next meeting on resourcing this group.

A meeting with RMS seeking an update on their development of corridor strategies in the region and the role of Councils in that process has been scheduled.

Advocacy will be ramped up for further upgrade to the Bells Line of Expressway.

Water Security

The Centroc Water Utilities Alliance continues to work on delivering cost savings to its members, training has had high numbers for the Water sampling courses and Drinking water guidelines.

A revised Advocacy Plan for water was also adopted by the Board.

Given the expected changes in the Department Primary Industries functional review, the Board resolved to maintain a watching brief on the reform of DPI Water to determine an appropriate strategic approach. The CWUA is seeking engagement to provide input into the review.

A Submission to IPART on the regulatory burden was lodged on Centroc's behalf including challenging the suggestion that structural reform of NSW's LWUs is required to resolve issues relating to capacity to meet regulatory objectives.

The Chair advised that he met with the Hon John Cobb 15 February 2016 the main discussion was the feasibility work on a proposed new storage on the Belubula. Further advocacy will be undertaken in support of this new storage.

Health

The Centroc Health Workforce Group meeting is being scheduled for the first quarter of the year. Each council has been asked to give updates to their current Health workforce issues.

Members were given advice on marketing the Beyond the Range program including its

significant results in social media particularly facebook metrics. A series of Beyond the range videos have been posted over the last few months each gaining over 5600 views. To see the last video click on the link below;

<http://on.fb.me/21QwIGz>

Regional Development

The Board resolved to progress the development of an Options Paper on Local Government's Role in supporting agriculture building on the recommendations of the report from the Workshop 11 November 2015 in Forbes. The next step will be arranging a Government Stakeholder meeting.

Members were updated on the Community Infrastructure Priorities across the region, the ranked order of priority is near completion.

The EOI for Restart funding of mining affected communities is due April 7 and in line with the guidelines Centroc will be providing support to member applications though the total pool is only \$32m.

Mr Alan MacCormack, the Chair of RDA Central West provided an update on his organisation.

Planning

A report to the Minister for Local Government on the Joint Organisation was approved by the Board, for presentation to the Minister.

Centroc lodged a submission to the State Standing Committee on Regional Planning, this included detailed advice from the Planners and Sponsoring General Manager across the region. The submission can be viewed on the website.

http://www.centroc.com.au/wp-content/uploads/05216_Submission_Regional-Planning.pdf

A submission on the Phase One Local Government Act Amendments that is informed by member feedback, existing policy is being prepared.

Advocacy Report

The Board discussed policy and procedure on advocacy going forward. Work continues with the State on bringing Joint Organisation and State Departments together in regards to working together.

Management Plan

Only minor changes to the Management Plan for 2016-2017 until the reform period is over.

Operation report JO Pilot

Total net savings for Centroc Members on Regional Procurement since inception of the program in December 2009 is \$2.8 million dollars.

Matters raised by members

Weddin Shire Council raised the idea of shared services in the context of the Fit for the Future proposals and the potential to access innovation funding. There was robust discussion noting that there were a variety of responses expected back from Councils to the Office of Local Government on their fitness where the guidance for this process is yet to be provided.

Cr P Miller, Mayor of Forbes was interested in feedback on election timing so she could provide it to the LGNSW Board.

Cr K Keith, Mayor of Parkes raised concerns from the Executive with the recent Infrastructure Australia report, particularly metro-centricity and the Board resolved to advocate in this regard. The link to the report is at <http://infrastructureaustralia.gov.au/policy-publications/publications/Australian-Infrastructure-Plan.aspx>

The next Centroc Board meeting will be in Parliament House on 12 May.

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