



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

9 April 2014

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 16 April 2014

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 16 April 2014 commencing at 6.00 pm.

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

A handwritten signature in blue ink, appearing to read 'D J Sherley'.

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 16 APRIL 2014

1. 6:00 PM - MEETING COMMENCES

2. PUBLIC QUESTION TIME

3. PRAYER

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

4. APOLOGIES

5. MINUTES

* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 19 MARCH 2014

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 APRIL 2014

* MINUTES - TRAFFIC COMMITTEE MEETING - 1 APRIL 2014

10. NOTICES OF MOTION - Nil

11. RESCISSION MOTIONS - Nil

12. DELEGATES REPORTS

* CENTROC BOARD MEETING - 27 FEBRUARY 2013

* CR JENNINGS REPORT - LOCAL GOVERNMENT NSW TOURISM CONFERENCE

* MINUTES - AUSTRALIA DAY WORKING PARTY - 18 MARCH 2014

* MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 11 MARCH 2014

* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 12 MARCH 2014

* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 26

MARCH 2014

* 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 1 APRIL 2014

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	CAR PARKING LICENCE AGREEMENT WITH CHARTER HALL (BATHURST CHASE)	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	PROPOSED PURCHASE OF PROPERTY, LOTS 4, 5, 8 AND 9 DP232111 KNOWN AS 98 MOUNTAIN STRAIGHT MT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	NRL GAME SATURDAY 26 JULY 2014	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	2015 BATHURST 12 HOUR	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	NAMING OF COUNCIL'S ASSETS	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	VARIATION FOR DESIGN AND INSTALLATION OF TELEMETRY SYSTEM	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER FOR DESIGN CONSTRUCT AND COMMISSIONING OF ON SITE SODIUM HYPOCHLORITE GENERATING SYSTEM.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TENDER - REPAIR WORKS - MACHATTIE PARK FERNERY ROOF	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 - 19 MARCH 2014 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 19 March 2014 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 19 March 2014, 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 19 MARCH 2014

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

B Trimming – ratepayer - congratulated Cr North on being named citizen of the month. Also spoke to matter of loud speakers in the Council Chambers which are there to help people hear conversations occurring. Noted Lithgow Chambers are good. Could Council review the microphones for Councillors?

P Dowling – ratepayer -

- requests that Council does not hand over total pricing control to Norwood Park.
- advised that intersection of Stewart & Howick Streets, to hospital restricted to one way turn only. If come from other side can turn left or right. Could this be reviewed to allow straight through traffic. There does not seem to be a safety issue, as motorists have a clear view.

H Gould – Secretary, Greening Bathurst - spoke to concerns of the group:

- pleased with stay on removal of Plane trees - Durham Street. Spoke to issue of root protection and delays in planting proposals.
- concern regarding trees removed from Macquarie River at end of Rankin Street. Removal was ok but expressed concern that budget did not allow for revegetation/rehabilitation.
- Greening Bathurst has spoken to RMS regarding avenue of trees from View Street, initially RMS gave a positive response, now RMS appear to be retracting from this position. It is safe to plant trees in this area.

The Director Engineering Services advised status on these matters. Durham Street will be reported back to Council. Funding is available for revegetation of the riverbank area at the end of Rankin Street. Noted progress with RMS on tree planting.

M Hollis – ratepayer - asked for progress on Dairy Farmers site.

The Director Environmental, Planning & Building Services advised a DA has been lodged and approved. No further progression to date.

B Manning – ratepayer - asked how much money will be invested before General

Manager is sacked. Referred to a number of court cases which Council has been involved in, also ICAC matters. There has been total failure, where is review of procedures?

The Mayor noted Councillors have asked for a review of actions undertaken and corrective actions to be put in place.

G Crisp – ratepayer -

- spoke to submissions under S:420 of the Local Government Act and actions taken by Council.
- asked does the Mayor expect senior staff to have read carefully the submissions?
- asked does the Mayor expect Councillors to have read the November 2013 submission?
- spoke to use of the words "note" and "noted" and meaning thereof.
- referred to Council insurances and wording on disclosure.
- spoke to disclosure requirement and expert advice.
- spoke to Trackcorp court case issues.

APOLOGIES

3

APOLOGIES

MOVED Cr B Bourke

and **SECONDED** Cr W Aubin

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 - 19 FEBRUARY 2014 (11.00005)

MOVED Cr W Aubin

and **SECONDED** Cr I North

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 19 February 2014 be adopted.

DECLARATION OF INTEREST

5

DECLARATION OF INTEREST 11.00002

MOVED Cr B Bourke

and **SECONDED** Cr I North

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

- 6** **Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)**
MOVED Cr I North and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

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

RESOLVED: That the information be noted.

- 8** **Item 3 CHANGES TO THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATIONS (02.00018)**
MOVED Cr M Morse and **SECONDED** Cr M Coote

RESOLVED: That Council note the changes in relation to the Complying Development Certificate process as detailed in the report

- 9** **Item 4 DEVELOPMENT APPLICATION NO. 2014/0027 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 188 LAGOON ROAD & 190 LAGOON ROAD, PERTHVILLE. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS OWNER: MRS L BROWNING AND MR G & MRS N BRYAN (DA/2014/0027)**
MOVED Cr I North and **SECONDED** Cr B Bourke

RESOLVED: That Council:

- (a) support the variation to the 1(b) Market Garden zone 20 hectare minimum lot size as prescribed in Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 12;
- (b) support the variation to the 1(b) Market Garden zone 20 hectare minimum lot size as prescribed in Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 12;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2014/0027, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

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

The result of the division was:

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr M Coote, Cr G Hanger, Cr J

Jennings, Cr M Morse, Cr I North, Cr G Rush,
Against the motion - Nil
Absent - Cr G Westman,
Abstain - Nil

10 **Item 5 DEVELOPMENT APPLICATION NO. 2014/0057 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 192 PINE RIDGE ROAD, ROCK FOREST AND 218 PINE RIDGE ROAD, ROCK FOREST. APPLICANT: VOERMAN AND RATSEP. OWNER: MR C ROBINSON , MRS V ROBINSON & MS D STEWART (DA/2014/0057)**

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

RESOLVED: That Council:

- (a) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 111 and lot 112;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 111 and lot 112;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2014/0057, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

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

The result of the division was:

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

11 **Item 6 CENTRAL WEST SALINITY AND WATER QUALITY ALLIANCE (07.00047)**

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

RESOLVED: That Council note the updated rolling five year plan for the Central West Salinity and Water Quality Alliance.

Director Corporate Services & Finance's Report

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

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

RESOLVED: That the information be noted.

13 **Item 2 YEAR TO DATE MONTHLY REVIEW - 2013-2017 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2013-2014 (16.00135)**

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

RESOLVED: That the information be noted.

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

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

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

15 **Item 4 POWER OF ATTORNEY (11.00007)**

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

RESOLVED: That the information be noted.

16 **Item 5 SPORTING ASSOCIATION GRANTS PROGRAM YEAR ENDING 30 JUNE 2014 (18.00279)**

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

RESOLVED: That Council approve the following sporting grants totalling \$14,380 for the 2013 / 2014 financial year as follows:

Eglington District Tennis Club	\$1,180
Bathurst Pan Dragons	\$5,000
Bathurst Netball Association	\$3,000
Eglington Eels Junior Rugby League Club	\$3,000
Bathurst Panthers Rugby League Football Club	\$2,200

17 **Item 6 DEVELOPMENT APPLICATION. 2014/0039 – ADDITIONS AND ALTERATIONS TO COMMUNITY BUILDING AT 140 HAVANNAH STREET, BATHURST. APPLICANT: BATHURST MENS SHED INCORPORATED C/- STEVE ANDERSON. OWNER: CROWN LAND (DA/2014/0039)**

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

RESOLVED: That Council not waive the Development Application and Construction Certificate fees for the Bathurst Mens Shed.

18 Item 7 CENTROC MEMBERS- REGIONAL PROCUREMENT OF ELECTIONS (12.00010-08)

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

RESOLVED: That Council advise CENTROC that it will participate in the regional procurement of elections tender for a provider of election services.

19 Item 8 REQUEST FOR FINANCIAL ASSISTANCE - SPIRIT OF BATHURST (18.00004)

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

RESOLVED: That Council

- (a) sponsor the Spirit of Bathurst team to promote the 'Bathurst 200' for the next 12 months, to a value of \$500 to be funded from Mount Panorama Section 356 Subsidy.
- (b) give Public notice of the proposed sponsorship in accordance with Section 356 of the Local Government Act.

Director Engineering Services' Report**20 Item 1 CENTRAL TABLELANDS ROWING CLUB - ROWING STORAGE AREA (11.00019)**

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

That Central Tablelands Rowing Club be invited to attend a Councillor Meeting with Community Groups session to discuss the Club's proposal for a change to the Rowing Storage area.

21 Item 1.01 CENTRAL TABLELANDS ROWING CLUB - ROWING STORAGE AREA (11.00019)

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

The following AMENDMENT was MOVED.

That Council make a determination concerning the size of the rowing storage area site and invite representatives of the Central Tablelands Rowing Club to meet with Council to further discuss their proposal in relation to the location of the storage area.

The AMENDMENT was WITHDRAWN.

22 Item 1.02 CENTRAL TABLELANDS ROWING CLUB - ROWING STORAGE

AREA (11.00019)**MOVED** Cr M Cooteand **SECONDED** Cr J Jennings

RESOLVED: That Central Tablelands Rowing Club be invited to attend a Councillor Meeting with Community Groups session to discuss the Club's proposal for a change to the Rowing Storage area.

23 **Item 2 CLEAN-UP AUSTRALIA DAY 2014 (14.00007)****MOVED** Cr M Cooteand **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

24 **Item 3 LANDSCAPE DESIGN MID WESTERN HIGHWAY & MITCHELL HIGHWAY, BATHURST (36.00393)****MOVED** Cr W Aubinand **SECONDED** Cr M Morse

RESOLVED: That Council endorse the landscape design for the Mid Western Highway and Mitchell Highway entrances to Bathurst.

Director Cultural & Community Services' Report**25** **Item 1 ANNUAL REVIEW - BATHURST SOCIAL AND COMMUNITY PLAN 2011-2016 (20.00056)****MOVED** Cr B Bourkeand **SECONDED** Cr M Coote

RESOLVED: That the annual review of the Bathurst Social & Community Plan 2011-2016 be noted.

26 **Item 2 KELSO COMMUNITY CENTRE - PLAYGROUP (09.00026)****MOVED** Cr I Northand **SECONDED** Cr M Morse

RESOLVED: That Council continues to support the Kelso Community Centre Playgroup through providing financial assistance for the hire of the Kelso Community Centre and that this amount be funded from Section 356 Donations.

27 **Item 3 BATHURST LIBRARY - AUSTRALIA'S FAVOURITE LIBRARY (21.00029)****MOVED** Cr J Jenningsand **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

28 **Item 4 BATHURST REGIONAL ART GALLERY - GRANT FROM MUSEUMS & GALLERIES NSW - CAMBODIAN ARTIST RESIDENCY AT HILL END (21.00039)**

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

RESOLVED: That Council note that the Bathurst Regional Art Gallery (BRAG) has been awarded a grant of \$11,250 (excluding GST) by Museums and Galleries of NSW (MGNSW) for Cambodian artist Amy Lee Sanford to undertake a residency in October 2014 at Haefligers Cottage, Hill End.

29 **Item 5 BATHURST MEMORIAL ENTERTAINMENT CENTRE - LOCAL STAGES - THE CENTRAL WEST SHORT PLAY FESTIVAL (21.00060)**

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

RESOLVED: That the information be noted.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

30 **Item 1 MINUTES - POLICY COMMITTEE MEETING - 5 MARCH 2014 (07.00064)**

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

RESOLVED: That the recommendations of the Policy Committee Meeting held on 5 March 2014 be adopted.

Traffic Committee Meeting

31 **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING 4 MARCH 2014 (07.00006)**

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

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 4 March 2014 be adopted.

DELEGATES REPORTS

32 **Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 12 FEBRUARY 2014 (11.00019)**

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

RESOLVED: That the information be noted.

33 **Item 2 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 4 MARCH 2014 (20.00153)**

MOVED Cr M Morse and **SECONDED** Cr M Coote

RESOLVED: That the recommendations of the 2015 Bicentenary Celebrations

Committee held on 4 March 2014 be adopted.

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

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

MOVED Cr W Aubin

and **SECONDED** Cr I North

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

There were no representations from the public.

RESOLVED: That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL AND EXTENSION OF BATHURST 12 HOUR 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.
2	RENEWAL OF RESIDENTIAL LEASE - LOT C DP158611 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.
3	RENEWAL OF LEASE AGREEMENT - LOT 11 DP864769 KNOWN AS 96 RUSSELL STREET, BATHURST - BATHURST INFORMATION AND NEIGHBOURHOOD 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.
4	PROPOSED NEW LEASE AGREEMENT - PART LOT 180 DP862410 KNOWN AS UNIT 4 55 SEYMOUR STREET, BATHURST - BATHURST SEYMOUR CENTRE 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 SALE OF LOT 712 DP1103109 IRVING PLACE BATHURST TRADE CENTRE TO KENWOOD HOMES PTY LTD.	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.
6	PROPOSED LEASE AND	10A (2) (d) (i) – contains

	SALE OF LOT 1002 DP1129907 HAMPDEN PARK ROAD, KELSO INDUSTRIAL PARK	commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	PROPOSED NEW LICENCE AGREEMENT - LOT 26 DP253818 NAPOLEON STREET RAGLAN	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	PURCHASE OF COMMERCIAL SITE IN HOWICK STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	RESIDENTIAL LEASE - 200 COLLEGE ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

	position of the person who supplied it.
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Director Corporate Services & Finance's Report

a Item 1 RENEWAL AND EXTENSION OF BATHURST 12 HOUR CONTRACT (04.000097)

MOVED Cr M Coote and SECONDED Cr W Aubin

That Council act in accordance in the recommendation of the report.

b Item 2 RENEWAL OF RESIDENTIAL LEASE - LOT C DP158611 519 MITCHELL HIGHWAY - FOSTER (22.05345)

MOVED Cr B Bourke and SECONDED Cr J Jennings

That Council approves entering into a new residential tenancy agreement for part Lot C DP158611 known as 519 Mitchell Highway, Bathurst with Mr Rick Foster for a period of one (1) year with a one (1) year option period as detailed in the report.

c Item 3 RENEWAL OF LEASE AGREEMENT - LOT 11 DP864769 KNOWN AS 96 RUSSELL STREET, BATHURST - BATHURST INFORMATION AND NEIGHBOURHOOD CENTRE (22.00653)

MOVED Cr B Bourke and SECONDED Cr M Coote

That Council approves entering into a new Lease agreement for Lot 11 DP864769 known as 96 Russell Street, Bathurst with the Bathurst Information and Neighbourhood Centre for a period of five (5) years with an option period of five (5) years as detailed in the report.

d Item 4 PROPOSED NEW LEASE AGREEMENT - PART LOT 180 DP862410 KNOWN AS UNIT 4/55 SEYMOUR STREET, BATHURST - BATHURST SEYMOUR CENTRE INC. (22.00185)

MOVED Cr B Bourke and SECONDED Cr I North

That Council approves entering into a new Commercial Lease agreement for part Lot 180 DP862410 known as Unit 4/55 Seymour Street, Bathurst with the Bathurst Seymour Centre Inc. for a period of thirty one (31) months as detailed in the report.

e Item 5 PROPOSED SALE OF LOT 712 DP1103109 IRVING PLACE BATHURST TRADE CENTRE TO KENWOOD HOMES PTY LTD. (22.15093)

MOVED Cr I North and SECONDED Cr W Aubin

That Council approves the sale of Lot 712 DP1103109 Irving Place, Bathurst Trade

Centre to Kenwood Homes Pty Ltd as detailed in the report.

- f** **Item 6 PROPOSED LEASE AND SALE OF LOT 1002 DP1129907 HAMPDEN PARK ROAD, KELSO INDUSTRIAL PARK (22.11870)**
MOVED Cr B Bourke and **SECONDED** Cr M Coote

That Council

- (a) enters into a new lease agreement for Lot 1002 DP1129907 Hampden Park Road with Mr Allan Barnes for a maximum period of five (5) years at a weekly lease payment of \$110.00 per week (GST inclusive) and
- (b) approves the sale of Lot 1002 DP1129907 Hampden Park Road to Mr Allan Barnes at the end of the lease period in accordance with the terms set out in the report.

- g** **Item 7 PROPOSED NEW LICENCE AGREEMENT - LOT 26 DP253818 NAPOLEON STREET RAGLAN (22.15102)**
MOVED Cr I North and **SECONDED** Cr B Bourke

That Council approve entering into a new Licence Agreement with Mr and Mrs Fulthorpe for Lot 26 DP253818 as detailed in the report.

- h** **Item 8 PURCHASE OF COMMERCIAL SITE IN HOWICK STREET BATHURST (22.02141)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

That the information be noted

- i** **Item 9 RESIDENTIAL LEASE - 200 COLLEGE ROAD, BATHURST (22.05258)**
MOVED Cr I North and **SECONDED** Cr M Coote

That Council approves entering into a new Residential Tenancy Agreement with Mr Glenn Dennis for Lot 2 DP749758 known as 200 College Road, Bathurst for a period of twelve (12) months with an option period of twelve (12) months as detailed in the report.

RESOLVE INTO OPEN COUNCIL

- 35** **RESOLVE INTO OPEN COUNCIL**
MOVED Cr B Bourke and **SECONDED** Cr M Coote

RESOLVED: That Council resume Open Council.

DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 APRIL 2014

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 March 2014 (**attachment 1**).
- (b) Applications refused during March 2014 (**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 approved in March 2014 (**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. 2014/0092 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 821 OPHIR ROAD, ROCK FOREST AND 1152 MITCHELL HIGHWAY DUNKELD. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS. OWNER: MR N & MRS G SWEETNAM AND MRS L FARRAWAY (DA/2014/0092)

Recommendation: That Council:

- (a) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 311;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 311;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2014/0092, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

Report: The Site

Council has received a Development Application (DA) for a two lot rural subdivision (boundary adjustment) at Lot 31 DP 734679 known as 821 Ophir Road, Rock Forest and, Lot 2 DP 805320 known as 1152 Mitchell Highway, Dunkeld. A location plan is provided at **attachment 1**.

Lot 2 is currently 234.3 hectares and currently contains a dwelling and rural outbuildings.

Lot 31 is currently 50.05 hectares and currently contains a dwelling and rural outbuildings.

The proposal

The proposal is for the resubdivision of the two existing lots to increase the area of Lot 31 by 41.45 hectares and subsequently reduce the area of Lot 2. The plan of proposed subdivision is at **attachment 2**.

The proposal will result in:

- Lot 31 increasing in size to 91.5 ha (proposed Lot 311); and
- Lot 2 decreasing in size to 192.8 ha (proposed Lot 312).

The existing dwellings and outbuildings on each respective lot will be wholly contained within the proposed boundaries.

The proposed boundary follows an existing fence.

Planning Context

Bathurst Regional (Interim) Local Environmental Plan 2005

The subject site is zoned 1(e) Outer Rural under the provisions of the Bathurst Regional (Interim) Local Environmental Plan 2005. Under Clause 27 of the Bathurst Regional (Interim) Local Environmental Plan 2005, the minimum area for an allotment created for the purposes of agriculture or a dwelling-house in the 1(e) Outer Rural zone is 100 hectares. Likewise Clause 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005 requires a minimum area of 100 hectares for the erection of a dwelling-house.

Proposed Lot 311 is therefore below the minimum areas specified by Clause 27 and 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005, in that it will have an area of 91.5 hectares.

The applicant has submitted a SEPP 1 Objection (see SEPP 1 Objection at [attachment 3](#)) in relation to the creation of proposed Lot 311 which indicates the nature of the subdivision and their objection to the current standards because:

1. Existing Lot 31 is already below the minimum lot size of 100 hectares and already contains a dwelling;
2. The proposed lot sizes are consistent with the surrounding pattern of subdivision;
3. No new lots or dwelling entitlements are created;
4. No new fence lines are created; and
5. The agricultural use of the lots will not be compromised.

The intention behind the development standards is to limit new dwelling entitlements on allotments less than the minimum area. Proposed Lot 311, with an area of 91.5 hectares will contain an existing dwelling and proposed Lot 312 with an area of 192.8 hectares will also contain an existing dwelling. The agricultural potential of the land is unlikely to be compromised by the proposed boundary adjustment.

Draft Bathurst Regional Local Environmental Plan 2014

The land will be zoned RU1 Primary Production under the Draft Bathurst Regional Local Environmental Plan 2014. The minimum lot size standards remain the same under the draft LEP.

Concurrence

The variation to the development standard does not require concurrence of the Department of Planning as it does not seek any additional entitlement.

Need for Council Concurrence

In accordance with the Department of Planning's circular PS08-014 "Reporting Variations to Development Standards", all Development Applications where there is a variation to a development standard of greater than 10% must be determined by Council.

Accordingly this is not a matter that may be dealt with under delegated authority.

Conclusion

Council has received a Development Application (DA) for a two lot rural subdivision (boundary adjustment) at 821 Ophir Road Rock Forest and 1152 Mitchell Highway, Dunkeld. The resubdivision of the two existing lots does create any new dwelling entitlements as each of the proposed lots will contain existing dwellings. Further the resubdivision will not compromise the agricultural potential of the land. Accordingly the SEPP 1 Objection is

supportable.

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 BATHURST REGIONAL (INTERIM) DEVELOPMENT CONTROL PLAN 2011 (AMENDMENT NO. 6) (20.00276)

Recommendation: That Council:

- (a) adopt the Bathurst Regional (Interim) Development Control Plan 2011 (Amendment No. 6);
- (b) give notice of the adoption of the Bathurst Regional (Interim) Development Control Plan 2011 (Amendment No.6) in accordance with the requirements of the Environmental Planning and Assessment Act (1979), and note that the DCP does not become effective until notice is given in the Western Advocate;
- (c) call a division.

Report: As Council would be aware, the Carlingford Street levee was recently commissioned. As a result Council must now amend the Bathurst Regional (Interim) Development Control Plan (DCP) 2011 to formally identify this area as being flood protected land.

Development controls relating to flood prone land and flood protected land, previously contained in Council's Floodplain Management Policy are now contained in the Bathurst Regional (Interim) Development Control Plan 2011. Section 9.6 of the DCP identifies all flood protected areas with corresponding maps.

The purpose of this amendment is to:

Amend Section 9.6 *Flooding* in the Bathurst Regional (Interim) Development Control Plan 2011 to include land now protected by the recently completed Carlingford Street levee and to insert the corresponding map (Map No. 37).

The Development Control Plan (DCP) amendment will:

Remove the requirement for a flood impact assessment and finished floor levels 500mm above the 1% AEP flood level that previously applied to the subject land.

Council placed the draft DCP Amendment No. 6 on public exhibition for 28 days from Monday, 3 March 2014 to Monday, 31 March 2014. During the public exhibition period no submissions were received.

Council should note that DCP Amendment No. 6 will become effective from the date of notification of Council's adoption in the Western Advocate.

Conclusion

The DCP amendment No. 6 will remove any development controls that previously applied to land now protected by the recently completed Carlingford Street levee including requirements for flood impact assessments and finished floor levels 500mm above the 1% AEP flood level. The amendment will also insert the corresponding map identifying the flood protected land (Map No. 37).

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.3
- Objective 22: To improve community safety. Strategy 22.10
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.1

5 SMALL BIZ BUS (20.00071)

Recommendation: That Council:

- (a) note the information; and
- (b) continues to partner with the Office of the Small Business Commissioner for future visits of the Small Biz Bus.

Report:

Council's Economic Development section recently partnered with the Office of the Small Business Commissioner to bring the Small Biz Bus to Bathurst on the 26 March 2014. This was the second year that the Small Biz Bus, which is currently touring around the Central West, has visited Bathurst.

The Small Biz Bus is a free advisory service where small business owners and business start-ups are invited to book an appointment on the bus to meet with local business experts. In these consultations, the business owners are able to seek free advice on a range of topics from cash flow and employment issues through to effective marketing strategies and taxation.

Council's Economic Development section coordinated the visit of the Small Biz Bus and promoted the visit through its business database.

The Office of the Small Business Commissioner has advised that the bus was fully booked for the Bathurst visit with 20 appointments. It was also mentioned that the Bathurst visit was very popular with a number of additional enquiries on the day. The overall number of visits was an increase on 2013 which had 15 in total.

Conclusion:

Overall, the Small Biz Bus:

- Provided expert advice to more than 20 small businesses, including a number of business start-ups.
- Supports the growth of local business.
- Successfully strengthened the relationship between Council and the Office of the Small Business Commissioner.

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 1.3
- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.2

- Objective 33: To be and develop good leaders.

Strategy 33.4, 33.6

Yours faithfully

A handwritten signature in black ink, appearing to read 'D R Shaw'. The signature is fluid and cursive, with a large loop at the end of the last name.

D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 APRIL 2014

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$79,000,000 was invested at 31 March 2014 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, Debentures and Certificates of Deposit):			
Bank of Queensland	A2	\$17,500,000.00	4.09%
Bendigo and Adelaide Bank	A2	\$8,500,000.00	3.90%
IMB	A3	\$7,000,000.00	3.81%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	3.90%
National Australia Bank	A1+	\$14,500,000.00	3.87%
People's Choice Credit Union	ADI	\$1,500,000.00	4.07%
Railways Credit Union	ADI	\$2,000,000.00	4.10%
SGE Credit Union	ADI	\$1,000,000.00	3.96%
Westpac Banking Corporation	A1+	\$1,000,000.00	3.71%
Greater Building Society	A2	<u>\$1,000,000.00</u>	<u>3.70%</u>
		\$57,000,000.00	3.94%
<u>Long Term > 365 Days</u>			
(comprising Commercial Bills, Term Deposits and Bonds):			
<u>Committed Rolling Investments</u>			
Westpac	AA-	\$2,000,000.00	3.73%
Westpac	AA-	\$2,000,000.00	3.92%
Westpac	AA-	\$2,000,000.00	3.92%
Westpac	AA-	\$2,000,000.00	3.82%
Westpac	AA-	<u>\$2,000,000.00</u>	<u>3.80%</u>
		\$10,000,000.00	3.84%
<u>Fixed, Negotiable & Tradeable Certificates of Deposits</u>			
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>3.78%</u>
		\$2,000,000.00	3.78%
<u>Floating Rate Notes</u>			
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	4.38%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	3.83%
Members Equity Bank	BBB	\$3,000,000.00	3.83%
Greater Building Society	BBB	\$1,000,000.00	3.93%
Credit Union Australia	BBB+	<u>\$3,000,000.00</u>	<u>3.96%</u>
		\$10,000,000.00	3.99%

Total Investments	<u>\$79,000,000.00</u>	<u>3.93%</u>
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These funds were held as follows:

Reserves Total (includes unexpended loan funds)	\$32,563,758.00
Grants held for specific purposes	\$1,327,950.00
Section 94 Funds held for specific purposes	\$28,366,360.00
Unrestricted Investments – All Funds	\$16,741,932.00
General Fund	\$3,051,725.00
Water Fund	\$3,439,588.00
Sewer Fund	\$7,157,977.00
Waste Fund	<u>\$3,092,642.00</u>

Total Investments	<u>\$79,000,000.00</u>
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<u>Total Interest Revenue to 31 March 2014</u>	<u>\$2,182,174.91</u>	<u>3.93%</u>
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Year to Date Averages

(as per the CBA & RBA for comparison purposes)

Reserve Bank of Australia - Cash Rate	2.50%
AFMA - 90 day Bank Bill Swap Rate (BBSW)	2.63%
Three Year Swap Rate - Commonwealth	3.06%

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 - 2013-2017 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2013-2014 (16.00135)

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 2013-2017 Delivery Plan and the Annual Operating Plan 2013-2014.

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 - Nil.

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 31 March 2014.

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:	\$6,395.68
BMEC Community use:	\$22,438.17
Mount Panorama:	\$1,500.16

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.

- Renshaw, T - 2 North Street, Perthville - Lot 279 & Lot 299, DP 750354 - In-house Licence Agreement
- Hotham, C - Vale & Lloyds Roads - Lots 134, 137, 138, 144 and 145, DP 750357, Part Lot 1 DP 784476- In-house Licence Agreement

Linen Plan Release

- BRC - Plan of acquisition - Lot 13, DP755798, 181 The Bridle Track
- BRC - First title creation - Lot 13, DP755798, 181 The Bridle Track

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 - BATHURST CITY & RSL BAND ASSOCIATION (18.00004)

Recommendation: That Council consider a section 356 donation to the Bathurst City & RSL Band Association Incorporated.

Report: During the Budget Working Party held 12 March 2014, to discuss Section 356 applications, Council considered a late application from Bathurst City & RSL Band Association.

In submitting their late application, Bathurst City RSL Band failed to include Financial Statements for Council to consider. Council contacted the Band and have now obtained their 2013 Financial Statements.

Council has each year supported the Bathurst City RSL Band with a financial contribution of \$2,500 per annum. Council uses this band at many of its functions, including Australia Day and Proclamation Week celebrations. The Band is always available to Council.

A copy of the Financial Statement and application form has been sent to Councillors under separate cover.

Financial Implications: This request could be funded from Council's current 13/14 Section 356 Donations which currently has a balance of \$6,395.68.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

6 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST CHAMBER ORCHESTRA (18.00004)

Recommendation: That Council consider the late application by Bathurst Chamber Orchestra for funding under Section 356 Donations.

Report: Council has received a late application from the Bathurst Chamber Orchestra for funding under Section 356, to assist them in maintaining their orchestra.

This organisation is currently requesting a donation of \$3,000 towards their operations of 2014/15. A copy of the Financial Statement and application form has been sent to Councillors under separate cover.

In previous years Council has always supported this organisation with a Section 356 donation, and in 2013/14 donated an amount of \$2,500 towards their operations.

Council uses this orchestra at several of our functions throughout the year. This group has played at Mayoral functions in the past.

The late receipt of this application was due to the Treasurer being on leave and failing to put the application in on time.

Financial Implications: Council has \$13,150 remaining in the 2014/15 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 30.5

7 REQUEST FOR FINANCIAL ASSISTANCE - PDHPE TEACHERS ASSOCIATION STATE CONFERENCE - USE OF BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) (21.00012)

Recommendation: That Council;

- (a) offer a 40% discount on the use of the Bathurst Memorial Entertainment Centre (BMEC) on 17-18 October 2014 for the PDHPE Teachers Association State Conference.
- (b) donate an amount of \$800 towards the cost of providing refreshments (tea & coffee) for the 200 guests attending the PDHPE Teachers Association State Conference, held 17-18 October 2014.

Report: Council has received a request for the use of BMEC on 17-18 October 2014, to host the PDHPE Teachers State Conference. Shown at **attachment 1** is a copy of this request.

Council has been advised that there will be approximately 200 delegates in Bathurst for the 2 day conference.

Local teacher, Darren Hamilton of Denison College, is the local convenor of this conference.

The costs associated with this conference are as follows;

Item	Cost
City Hall and Theatre Hire 2.5 days	\$6,713.50
Technical Support Staff	\$531.00
Equipment Hire	\$629.00
Refreshment Charges (tea & coffee)	\$1,600.00
Total	\$9,473.50
Less 40% Educational Facility Hire	\$2,685.40
Total Hire	\$6,788.10

Included in the above charges is an amount of \$1,600 for tea & coffee facilities. It is recommended that Council allow this organisation a further donation of \$800 towards the cost of refreshments being provided.

The total amount payable would then be \$5,988.10, which includes the 40% discount of \$2,685.10 and a BMEC Community Use Subsidy contribution of \$800.

Financial Implications: The Bathurst Memorial Entertainment Centre Community Use Subsidy Vote currently has a balance of \$22,438.17.

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

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

Strategy 23.2

8 BATHURST DISTRICT HISTORICAL SOCIETY - QUEEN'S CHARLOTTE VALE (PERTHVILLE) BOOK (18.00183-02)

Recommendation: That:

- (a) Council advance Bathurst District Historical Society \$5,390 to cover the cost of producing 300 copies of the Queen's Charlotte Vale History book;
- (b) The funding to be repaid back to Council as the sales take place.

Report: Council has received a request from the Bathurst District Historical Society for financial assistance in producing the Queen's Charlotte Vale Road history book. The book has been written by Clive Hamer; copyright will rest with the Historical Society.

The Society has asked for Council to fund the production of 300 copies of the book at a cost of \$5,390. The Society would sell the books, so as to fund future production costs of subsequent editions.

Council has not provided for this within its Management Plan. Further, a funding source has to be identified, or Council could request that any sale monies received, be forwarded to Council until the cost of production is paid for.

The estimated selling cost is \$29 per book; the total sale value of the 300 books would equate to \$8,700. This would leave the Society with \$3,310 to fund future editions. These costs should be substantially less than the initial print run, as all the layout work has previously been completed. If additional funds are required, the Society could either approach Council for funding or obtain monies from other sources.

Council has supported the development of local history books over the years by various methodologies, ranging from a profit return (to Council), partial cost recovery, full cost recovery or full subsidy by Bathurst Regional Council. Examples include:

- History of Bathurst, Volumes I and II
- Going, Going, Gone: A History of the Bathurst Saleyards from 1857 to 2008
- The Story of Kings Parade: From Market Place to City Centre
- The Fred Smith Collection: A Photographic Record of Bathurst
- The Dare - Ben Hall's Raid on Bathurst in 1863

The Society advises the following about the book:

"This book is needed to fill a void in local histories and in particular the Perthville - Vale Road region. To date, no other book on the subject exists and this book with its careful research, is a much needed addition to Bathurst's early history and information collection.

The quality and content of the information, much of which has not appeared in print before, certainly supports its need to be printed."

It is recommended that Council fund the cost of production of the book.

Financial Implications: Council would need to provide the \$5,390 to the Bathurst District Historical Society and recover the money over a period of time as the books are sold.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.5
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.4

9 DRAFT BATHURST DELIVERY PLAN 2014- 2018 & ANNUAL OPERATING PLAN 2014/2015 (16.00137)

Recommendation: That Council place the draft Bathurst Delivery Plan 2014-2018 and Annual Operating Plan 2014/2015 including the Revenue Policy for 2014/2015, on public exhibition for the statutory 28 day period and receive submissions until 20 May 2014.

Report: Council adopted the Bathurst 2036 – Community Strategic Plan in February 2013. The Integrated Planning and Reporting Guidelines from the Office of Local Government then require a four year and one year subset of that plan, called the Delivery Plan and an Annual Operating Plan respectively. The Draft Bathurst Delivery Plan 2014-2018 and Annual Operating Plan 2014/2015 has been prepared to detail how Council will deliver the objectives identified through the community engagement process. The draft plan includes a detailed financial budget for the next four years and the Revenue Policy for 2014/2015 and has made provision for existing services provided by Bathurst Regional Council. The plan has been previously distributed to Councillors for the Working Party on 9 April 2014.

The Local Government Act 1993 requires that the plans are exhibited for a period of 28 days during which submissions may be made by the public. Adoption of the final plan will occur in June 2014 after consideration of all submissions received.

Assumptions

The following assumptions have been incorporated in the plan:

Consumer Price Index

Anticipated for 2014/2015 2.3%

Rate Increases

General purpose rate increased by	2.3%
Water rates and charges increased by	5.0%
Sewerage rates and charges increased by	5.0%
Domestic waste charges at reasonable cost, all other waste	5.0%

Salaries and Wages

Includes award increases, regrades, and wage increases 5.0%

Superannuation

An allowance of 9.25% generally has been made in accordance with legislative requirements. Council currently has 79 staff in the Local Government Superannuation Scheme Retirement Fund. Employees choose to contribute between 1 and 9 percent of their salary. The fund then requires Council to match staff-elected contributions multiplied by a factor of 1.9 times plus a “basic benefit” of 2.5% of salary. Council is also required to contribute \$390,325 per annum surcharge due to losses incurred by the Superannuation Fund during the global financial crisis.

Revenue Policy

Council fees and charges have generally been increased by 5.0%. Some fees have been restructured to better meet market pricing and also to recognise Council’s marginal return on investment. Reference to the Revenue Policy needs to be made to assess individual revenue proposals.

Statutory charges are set by the State Government and therefore increase only when advised by the Office of Local Government or other Government Departments.

GST

GST has been included in Council fees and charges (Revenue Policy) where Council has received legislative determination.

Best Practice Water and Sewer Charges

Council complies with the NSW Government's Best Practice Water and Sewer Pricing Principles.

Best practice water supply pricing requires:

- Water usage charge per kilolitre based on the long term cost of the supply
- Residential water usage charges set to recover at least 75% of residential revenue
- An access charge relative to a customer's capacity requirements – based on the size of the meter connected to Council's network.

Best practice sewerage pricing requires:

- A uniform annual sewerage bill for residential customers.
- For non-residential customers;
 - an appropriate sewer usage charge is required for the estimated volume discharged to the sewerage system; and
 - an access charge reflective of the customer's peak load on the system.Council has the option to adopt either of two methods in relation to sewer access charges. The first method is the sewer discharge factor method based on the size of the water meter supplying the property, consistent with the water supply pricing system, which Council has adopted. Council has been charging its ratepayers using this method since 2004 as the preferred charge for access to the sewer system. The second method is the Equivalent Tenement method (ET method) which uses a nominal size of water meter to arrive at a charge for access to the sewer system.

Functions and Services

Charter

Council has the following Charter enshrined in the Local Government Act:

"8(1)[The charter] A council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- to exercise community leadership
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism
- to promote and to provide and plan for the needs of children
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- to have regard to the long term and cumulative effects of its decisions
- to bear in mind that it is the custodian and trustee of public assets and to effectively plan for, account for and manage the assets for which it is responsible
- to engage in long-term strategic planning on behalf of the local community
- to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by

- income earned from investments and, when appropriate, by borrowings and grants
- to keep the local community and the State government (and through it, the wider community) informed about its activities
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected
- to be a responsible employer.

The Vision and Directions of Bathurst Regional Council are contained in Council's adopted Bathurst 2036 Community Strategic Plan (CSP), and are as follows:

Council's Vision

A vibrant regional centre that enjoys a rural lifestyle, the Bathurst Region achieves health and well-being through strengthening economic opportunities, planning for sustainable growth, protecting and enhancing our assets, and encouraging a supportive and inclusive community. A Region full of community spirit and shared prosperity.

Directions

The directions to achieve this vision are the objectives outlined below:

Economic Prosperity

- To attract employment, generate investment, strengthen and attract new economic development opportunities.
- To encourage the dynamic and innovative development and growth of the region's primary resources.
- To protect a vibrant CBD and support and grow retail diversity.
- To market Bathurst as a great place to live, work, study, invest and play.
- To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research.
- To support infrastructure development necessary to enhance Bathurst's lifestyle and industry development.
- To support integrated transport infrastructure development.

Environmental Sustainability

- To promote sustainable and energy efficient growth.
- To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River.
- To protect and enhance the region's biodiversity.
- To protect the region's unique heritage and history.
- To protect a unique identity.
- To protect and enhance water quality and riparian ecology.
- To minimise the City's environmental footprint.
- To encourage less car dependency.
- To secure a sustainable water supply and raise awareness on water issues.
- To encourage sustainable waste management practices, including opportunities for energy generation.

Liveable Communities

- To encourage living, vibrant and growing villages and rural settlements.
- To encourage sustainable housing choice and quality design that engenders a sense of place.
- To improve equity of access to all members of the community in public and private domains.
- To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community.

- To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole.
- To improve community safety.
- To encourage a supportive and inclusive community.
- To provide and support the provision of accessible, affordable and well planned transport systems.
- To support the provision of high quality medical care that meets the needs of the Bathurst community.
- To encourage and support the provision of a range of opportunities for life long education across the Bathurst community.
- To encourage youth engagement, participation and achievement across all areas of the Bathurst community.

Sound Leadership

- To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets.
- To guide the construction of new infrastructure, facilities and services and the management and upgrading of existing assets and services levels.
- To identify the needs of the community and encourage and support communication, interaction and support within the community.
- To maintain local public ownership of water and sewer assets.
- To ensure Council is supported by an adequate workforce and appropriate governance procedures.
- To be and develop good leaders.

These directions were developed through the community engagement process as detailed in the Bathurst 2036 CSP.

Summary

As Councillors are aware this budget has been prepared having regard to tight financial circumstances. Factors such as:

- Rate pegging
- Cost shifting
- Take-up of additional services
- Increasing costs such as electricity
- Imposition of tasks on councils with no corresponding revenue have continued to place extra pressures on the budget.

For example, Council collects State fees under NSW Plan first and the Builders Long Service Leave schemes, but receives no recompense for this. Other examples include the Companion Animals Act Obligations and Child Care Services.

In regards to transfer of cost, examples include Rural Fire Service charges, in 2009/2010 council paid \$314,016 and in 2011/2012 the levy was \$400,541, a 27% increase. In 2009, 34.7km of regional roads were transferred back to Council, this resulted in a loss of \$165,000 in road maintenance grants which then had to be funded by Council, a turn-a-round of \$330,000.

Take-up of additional services includes the agreement by Council to transfer to a 24 hour fire station operation. The first year (2011/2012) of operations added to the Fire & Rescue NSW (State) Levy of \$157,621 and this is expected to exceed \$200,000 per annum into the future, no corresponding revenue increases were granted.

The budget process is becoming more difficult every year as the effects of large cost

increases outside Council's control are having a detrimental effect on Council's ability to operate within the confined income levels.

The budget has a surplus as follows:

Section Summary	2014/2015 Budget (14/15)
Engineering	
Engineering Works	7,304,564
Recreation	4,931,798
Technical Services	475,467
Water	0
Wastewater	0
Waste Management	0
Engineering Office	2,651,140
Mount Panorama	1,316,324
Engineering	16,679,293
Corporate Services and Finance	
Governance	785,312
Administration	5,340,917
Contribution to Other Organisations	1,082,894
Land & Buildings	(3,673,606)
Funding Operations	(28,623,368)
Corporate Services and Finance	(25,087,851)
Cultural & Community Services	
Community & Children Services	618,364
Cultural & Community Services Office	802,251
Library Services	1,352,613
Art Galleries	983,666
Entertainment Centres	908,445
Museums	635,670
Cultural & Community Services	5,301,009
Development and Environmental Services	
Environmental Services	470,157
Planning Services	1,221,214
Building Services	288,306
Economic Development	379,697
Tourism	744,838
Development and Environmental Services	3,104,212
Council Surplus	(3,337)
Fund Summary	

General Fund	(3,337)
Water Services	0
Wastewater Fund	0
Waste Management	0
Council Surplus	(3,337)
Total Income & Expenditure	
Income	(131,456,444)
Expenditure	131,453,107
Council Surplus	(3,337)

Generally the budget covers the directions of Council and includes continued operation of Council's services at current service levels.

In earlier budget workshops the Council provided direction that it wished to pursue potential savings in the budget such as:

- Efficiency savings
- Different styles of service provision to reduce costs
- Revenue options
- Alterations to work practices.

Paramount to this review was firstly Council's direction not to increase the general rate above the approved rate pegging limit and secondly, the requirement to have nil or limited impact on the service levels provision to the community.

Capital Works greater than \$100,000 included in the plan for 2014/2015:

	\$
Water Treatment Works - Manganese Removal Project	1,000,000
Water Mains - Eglinton Village Expansion	1,000,000
Art Gallery Air Conditioner Capital Works	750,000
2015 Celebration - Flag Pole	700,000
Hockey Fields - Replace Water Base	400,000
Regional Road - MR216 - Sofala to Turondale Rd	400,000
Sewer Services Mains Capital - Eglinton Village Expansion	350,000
Winburndale Cottage New Building	300,000
Water Main Road Reinstatements	280,000
Bathurst Cycle Complex - Construction of BMX Track	270,000
Rural Roads Gravel Resheeting	250,000
Roads to Recovery - Ophir Road	207,443
Major Pavement Rehabilitation (Various locations)	200,000
Roads to Recovery - Dunkeld Road	200,000
Roads to Recovery - Sofala to Turondale Road	200,000
Stormwater Drainage - Rural Drainage Improvements	200,000
Waste Management Centre Roadworks Upgrade	200,000
Sewerage Treatment Works - Extended Aeration Tanks	159,598
Library Book Purchases	159,232

Road Construction - Bridle Track	150,000
Road Construction - Bridle Track Shoulder Widening	150,000
Road Construction - George Street - Piper/Lambert Rehab	150,000
Road Construction -Lachlan Road Sealing	150,000
Road Construction - Landseer - Locke/Nile K&G South Side	150,000
Road Construction - Rocket - William/Bentinck Rehab	150,000
Road Construction - Roundabout AC - Russell/Havannah	150,000
Road Construction - Roundabout AC - William/Rocket	150,000
Road Construction - Toronto Street - Rehab	150,000
Road Construction - Whiterock Road Widening	150,000
Roads to Recovery - Limekilns Road Stabilising (Forrest Grove)	150,000
Stormwater Drainage - Rankin/Rocket Upgrade	150,000
Water Mains - George Steet from Russell to Keppel to Piper	140,000
Water Mains - Mt Panorama Improvements	125,000
Water Replace Aged Mains	125,000
Winburndale Pipeline Renewal	120,000
Netball Courts Restoration of courts 9 & 10	115,000
Aquatic Centre - Major Building Works	110,000
Sewerage Pump Stations - Replace Pumps	106,399
Sewerage Treatment Works - Replace Aerator Component	106,399
Mt Panorama Capital - Operations Building Redevelopment	100,000
Road Construction - AC Reconstruction	100,000
Road Construction - Ethelton Ave Sealing	100,000
Road Construction - Evans Plains Road	100,000
Road Construction - Gormans Hill Road	100,000
Road Construction - Hen & Chicken Lane	100,000
Road Construction - Major Heavy Patching Rural Roads	100,000
Road Construction -Footway Renewals	100,000
Roads to Recovery - Abercombie Cave Road Guardrail	100,000
Stormwater Drainage - Whiterock Road Culvert Extensions	100,000

Asset Maintenance Backlog

The current infrastructure asset maintenance backlog identified by Council's asset plans includes:

Classification	\$
Drainage	105,000
Urban Roads	10,079,000
Rural Roads	11,873,000
Bridges & Culverts	4,183,000
Footpaths & Cycleways	252,000
Bathurst Aerodrome	1,531,000
Water	16,526,000
Sewer	17,623,000
Total:	62,172,000

Asset Management Plans are available on Council's website.

The magnitude of the backlog shown above is of concern to Council, which may look to an

increase in the rate peg in future years. A special rate variation needs to be considered in the detailed budget to occur in the 2015/2016 year. Any such decision will be subject to future discussions with the community regarding service levels and a review of Council's operations over the next twelve months.

Rate Pegging

Council has prepared its estimates based on the rate pegging limit imposed by the State Government of 2.3%. Commercial organisations are not restricted by rate pegging legislation and are subject to market rate increases.

General Purpose Rates & Charges	2.3%
Water Rates & Charges	5.0%
Sewer Rate & Charges	5.0%
Waste Charges	5.0%
Domestic Waste Collection	Reasonable Cost Method

Council should be mindful of the continual squeeze on the Council in its ability to raise revenue through rates as compared to pricing policies of State Government and commercial organisations. Consideration needs to be given to increasing general rates above the 'pegged' limit into the future, or the reduction of current service levels into the future.

Staffing Levels

The Plan has been prepared based on staffing levels of 350 (EFT). It is proposed that in 2014/2015 Council will reduce staffing levels. The level of reduction will be approximately 5 -10 positions. This will be through a process of natural attrition, having regard to the nature of the positions that become vacant.

Councillors should be aware that as the city grows and the need for staff resources increases, additional staff may be needed in future years. This will place pressure on future budgets.

Service Levels

Council's services to the community will generally remain constant through 2014/2015. However, Councillors will generally be mindful that as further work is taken on it will become increasingly difficult for the required service levels to be met.

Councillors should also be mindful that Council is continually being requested to increase service levels in rural areas and at present there is no corresponding rate increase available to offset these increased costs.

Section 356 Donations

	\$
Bathurst AH & P Association	6,000
Monkey Hill UHF Repeater Assoc	800
2BS Sports Awards	5,000
Macquarie Philharmonia	2,500
Sofala & District A&HP	350
Sofala Progress Association	600
Bathurst City Colts Sporting Club Inc	3,878
Catholic Diocese of Bathurst	15,000
CSU Foundation	3,000

Sporting Association Grants	30,000
Cultural Grants	5,000
WRAS	2,000
Mt Panorama Fees Waived	5,000
Mt Panorama Fees Waived - Internal	30,000
BMEC Community Use Subsidy- Bathurst Eisteddfod	30,000
BMEC Community Use Subsidy- Others applications	15,000
BMEC Community Use Subsidy- Combined Pensioners and Superannuants- Hire of BMEC for meetings- funded from BMEC	10,800
Home Modification Tip Fees	1,000
Bathurst Seymour Centre	4,000
CSU Foundation	5,000
Triumph Sport Owners Assoc of NSW	1,000
NAB Blayney To Bathurst (B2B) Cyclo Sportif	8,500
Rotary Club of Bathurst East Inc	6,500
Miss Trail's House & Garden	2,500
Evans Art Council Inc	2,550
Bathurst Gardeners Club Inc	1,500
Bathurst Edgell Jog Committee Inc	4,500
Quota International of Bathurst Inc	500
Bathurst Refugee Group Inc	1,800
Bathurst Remembers Project	3,500
Stop'n'Rock Performance Scholarship Inc	1,000
Bathurst Surf Life Saving Club	500
Bathurst Information and Neighbourhood Centre	800
Miscellaneous throughout the year	15,000
	\$225,078

Other community support included in the budget:

Boundary Road Nature Corridor	\$ 9,738
Arts Out West contribution	\$21,209

Village Improvement Program	\$20,000
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In total, Council will be providing more than \$275,000 to outside organisations beyond its own operating requirements.

Mayor and Councillor Remuneration

Council is currently awaiting the Local Government Remuneration Tribunal's Report in respect to fees payable to Council's Mayor and Councillors. Council has resolved that in accordance with Section 241 of the Act, Council will fix the annual fee paid to Councillors to the maximum determination made by the Remuneration Tribunal for the category Regional Rural area.

Organisation Structure

The organisation structure is based on:

1. Facilitating an organisation structure that will meet the future needs of Council and the community;
2. Ensuring stability and certainty within the organisation;
3. Delivering an efficient, sustainable ongoing structure;
4. Providing improved outcomes for the citizens of the area ensuring properly delivered services.

The existing organisation structure has been reviewed during the planning process and consists of the General Manager and the following Department structure:

- Corporate Services & Finance
- Engineering Services
- Environmental, Planning & Building Services
- Cultural & Community Services

The organisation structure and associated functions are as follows:

Each of the Departments has a Director appointed who is "senior staff" in accordance with Section 332 of the Local Government Act.

General Manager			
Director Corporate Services & Finance	Director Engineering Services	Director Environmental, Planning & Building Services	Director Cultural & Community Services
Payroll	Water	Land Use Planning	Art Gallery
Administration	Sewer	Corporate Planning	Library
Governance	Waste & Recycling	Environmental	Chifley Cottage
Stores/Purchasing	Collection	Planning Control	Somerville Collection
Information Services	Waste Management	Building Control	Bathurst Memorial
Geographic	Centre	Health	Entertainment Centre
Information System	Parks & Gardens	Pollution Control	Sallywags Childcare
Records	Aquatic Centre	Development Control	Family Day Care
Human Resources	Depot	& Applications	Vacation Care
Risk Management/	Plant (Workshop)	Traffic Inspectors	Community Services
Insurance	Floodplain	(parking control)	Cultural Planning
Rates	Management	Rangers	Community Social
Creditors/debtors	Mount Panorama	Stock Impounding	Planning
Business Papers	Operations	Heritage &	Community
Government	Maintenance (roads,	Conservation	Development
Information (Public	bridges, kerb &	Regulatory Functions	Historical Society
Access)	guttering)	Animal Control	Youth Council
Public Interest	Construction (roads,	Companion Animals	Crime Prevention
Disclosures	bridges)	Food/Health	Community Facilities
Work, Health & Safety	Contract Management	Inspections	Community
Internal Audit	Design Works	Immunisation	Halls/Groups
Annual Report	Disaster Planning	State of Environment	- Eglinton
Delivery & Operating	Aerodrome	Tree Preservation	- Raglan
Plan	Asset Management	Order	- Perthville
Financial Management	Project Management	Septic Tanks	Community

Committee Secretariat Switchboard Customer Request Management System Customer Service State Emergency Service Rural Fire Service Emergency Management Marketing/ Communications Property Development & Management Mount Panorama Business/Conferencin g & Events Sister City	Forward Planning: * Environment * Recreation * Infrastructure Rural Works Indoor Sports Stadium Tennis Courts Traffic Management Buildings Maintenance Subdivision Design & Construction Vegetation Management Plan Cemeteries Drainage/ Stormwater Private Works	Strategic Planning Land Use Planning Subdivision Planning Ordinance Control Licence Monitoring Section 94 Contributions Plumbing & Drainage Environmental Management Contamination Tourism Economic Development	Organisations - Rockley - Hill End - Sofala - Eglinton - Wattle Flat - Trunkey Creek - Bathurst Information & Neighbourhood Centre - Home & Community Care Centre - Kelso Community Centre Club Grants Community Interagencies Senior Citizen Centre National Motor Racing Museum
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Financial Implications: Adoption of this report will place the Council's Draft Bathurst Delivery Plan 2014-2018 and Annual Operating Plan 2014/2015 on public display for 28 days. Following the end of the public display period and consideration of any submissions received Council will formally adopt its budget for the 2014/2015 year.

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

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 APRIL 2014

1 CENTROC CONTRACT FOR SUPPLY & DELIVERY OF BITUMEN EMULSION (07.00017)

Recommendation: That Council extend the contract with Boral Asphalt for the supply and delivery of Bitumen Emulsion until 28 February 2015.

Report: Council has had a contract with Boral Asphalt initiated through Centroc for the Supply and Delivery of bulk Bitumen Emulsion.

The period of the contract has now been completed with the contractor having applied for an extension of 12 months in accordance with Schedule conditions within the contract.

The service provided and the quality of the Bitumen Emulsion provided has been good and met Council's expectations.

It is therefore recommended that Council extend the contract for the prescribed period of twelve months as per Schedule 2 Item 4.

Financial Implications: Existing operating budgets cater for expenditure on this item.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1, 6.2
- Objective 17: To encourage living, vibrant and growing villages and rural settlements. Strategy 17.8
- 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

2 ROAD SAFETY OFFICER PROGRAM UPDATE (16.00018)

Recommendation: That Council continues its commitment to the Road Safety Officer Program and commences a new RSO employment contract to 30 June 2017, subject to the ongoing support of the Blayney Shire Council and Roads and Maritime Services.

Report: A report was presented to the 20 March 2013 meeting of Council which outlined the then status of the Road Safety Program and the position of Road Safety Officer.

At that meeting Council resolved:

"That Council continues its commitment to the Road Safety Officer Program and extends the current RSO employment contract to 30 June 2014, subject to the ongoing support of Blayney Shire Council and the Roads and Maritime Services."

The current contract term for the RSO position expires on 30 June 2014 and it is therefore opportune that Council considers its ongoing commitment to the program.

Roads and Maritime Services (RMS) has proposed to change the format of the program, whereby a Local Road Safety Three Year Action Plan setting out proposed projects over the three years will be prepared. The previous RSO program has involved planning over a 12 month period only.

A three year planning cycle allows for the longer term pursuit of a strategy, and provides ongoing funding where progress and program performance are satisfactory and requirements outlined in the Program Funding Agreement are met.

Transport for NSW (TfNSW) and Roads and Maritime Services (RMS) work in partnership with local Councils to fund Local Government Road Safety Program (LGRSP) projects targeting road safety issues at a local level.

The objectives of the LGRSP are to:

- Adopt the Safe System approach to plan, develop and implement evidence-based projects aimed at improving road user safety in local communities.
- Raise the profile of road safety within local government areas (LGAs).
- Facilitate the involvement of local businesses, government agencies and community groups/clubs in road safety project development.
- Improve the coordination of local government road safety initiatives with regional, state and national road safety initiatives.
- Review and evaluate the effectiveness of community-based road safety projects.

Roads and Maritime Services (RMS) has recently sent correspondence to council providing an opportunity to commence a new Road Safety Program contract, for a period of 3 years, commencing on 1 July 2014.

Council has been a part of the Roads and Maritime Services RSO Program since 1999 when it joined Oberon, Evans, Rylstone, Blayney and the RMS to form the Tablelands Road Safety Group. The program and Council's participation continues today, although due to amalgamations and the withdrawal of Oberon Shire Council the membership has been reduced to Blayney, Bathurst and the RMS.

The program arrangements are defined by the Program Funding Agreement on the basis

that 50% of employment costs are borne by the RMS, while the remainder is provided by the member Councils. Bathurst's current share is 33% plus the provision of office space. The cost of individual projects conducted within any year, is subject to approval from and is fully funded by the RMS.

Blayney Shire Council is also considering its future membership in the Tablelands RSO Group. However, it is expected that it will continue to support the program.

This financial year to date, the Roads Safety Officer has carried out the following road safety programs and other initiatives:

RMS/RSO Funded Program Work

- **Speed Blitz** – a speed intervention and prevention project
- **Plan B – Call a Taxi !** – a locally focused education and awareness project aimed at highlighting the negative impacts of drinking and driving, while offering alternative suggestions on safe transport options
- **Motorised Scooter Education Forum** - an education forum re the correct use of motorised scooters in a shared road environment
- **Graduated Licensing Scheme** – free workshops for parents and carers of learner drivers

Additional Work

- Present road safety discussion paper at Institute Public Works Engineering Australia Annual Conference (IPWEA) – Coffs Harbour
- Present road safety discussion paper at Institute Public Works Engineering Australia Central West Regional Forum (IPWEA) – Carcoar
- Kindy Kits – kindergarten road safety education program delivered face to face to kindergarten classes in Bathurst Schools
- Bathurst V8 Races – alternative transport and road safety management, working collaboratively with Council, Liquor Accord, Office of Liquor, Gaming and Racing, Licensing Police, General Duties Police, transport providers and other stakeholders to ensure safe travel and transport options during V8 Race week
- Safety Around Schools – working collaboratively with Council, schools and RMS to improve safety around schools, e.g. parking, pedestrian safety, speeding, safe drop off/pick up zones, signage, bus zones, etc.
- Stakeholder Engagement with IPWEA re Road Safety Audit course development work
- Provided advice and information for inclusion in submissions to Staysafe Committee re Parliamentary Enquiry
- Sign Audits
- B2B – assisted with the development of safety and traffic management plans for the Blayney to Bathurst bike ride
- Snow and Ice – RMS campaign
- Headlights on (for safety) – RMS campaign
- Plan B – RMS campaign
- Don't Trust Your Tired Self (fatigue) – RMS campaign
- Motorcycle Awareness Week – RMS campaign
- Speed Zone Reviews – as required
- School Bus Route Reviews – as required
- Youth Week events

- Senior's Week events
- Top 10 Misunderstood Road Rules – community education and workplace presentations
- Guest speaking roles for community groups, clubs and workplaces
- Fatality Free Friday – local community support work
- Bike Forums (RMS) and provision of community education re cycling and shared road environment

Given the benefits of the Road Safety Program in implementing road safety behavioural projects and increasing road safety awareness at a local level, it is recommended that Council continue to participate in the Program until 30 June 2017. Should Blayney withdraw from the program then a further report will be presented to Council.

Financial Implications: The annual funding for the position is 33% of employment costs, estimated to be \$35,000.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 22: To improve community safety. Strategy 22.3

3 PIN OAK STREET TREE ADJACENT TO 49 HILL STREET, BATHURST (13.00019-07)

Recommendation: That Council endorse the actions of the Director Engineering Services in relation to the preservation of a *Quercus palustris* (Pin Oak Tree) located within the verge adjacent to 49 Hill Street, Bathurst.

Report: Council has received numerous requests and complaints from the owner of 49 Hill Street advising of various concerns with a Pin Oak tree growing within the verge adjacent to the property. The concerns have ranged from possible damage this tree is causing to the property, stormwater blockages, power and phone line issues, fence damage and a potential new driveway installation within the location of the tree.

On each occasion that the owner has advised of various concerns and requested that the tree be removed, Council staff have assessed each issue and determined that the issues raised did not warrant its removal. For information, a photo of the tree of concern is shown at **attachment 1**.

In the most recent letter submitted to Council on 13 March 2014, the owner has again requested that Council remove the tree and has provided a report from a local arborist. A copy of this letter is provided at **attachment 2**.

The tree in question forms part of the avenue streetscape of this area, providing an aesthetic benefit to Hill Street and its surrounds. It should be noted that the particular tree of concern is currently in a healthy condition, showing no signs of decline or structural concerns and is considered to be a significant feature of the streetscape within the area.

For information, the following is a brief history to date concerning the Pin Oak tree and the various concerns of the owner of 49 Hill Street:

- CRMS raised 3 April 2012 – A report from the previous owner of the property requesting the removal of the tree. Council was unable to contact the owner and no reasons were provided for why the owner wanted the tree to be removed.
- CRMS raised 27 February 2013 – The current owner advised that Council had promised to remove the street tree and raised concerns that the tree moved a lot in the wind and that power & phone lines are in close proximity to the tree trunk.
- CRMS raised 10 December 2013 – Report that the tree had a branch snap out of it and requested an inspection of the roots as it was believed damage was occurring to the storm water pipe leading to the kerb.
- Letter sent by the owner to Councillor Ian North on 15 January 2014 advising of a number of issues relating to the street tree and requesting that the tree be removed. A copy of the letter advising of the various issues is shown at **attachment 3**. The owner raised the following issues:
 - Believes that Council promised the removal of the tree when purchasing 49 Hill Street
 - Stormwater drainage issues
 - Kerb and gutter disrepair
 - Powerline and Telstra line issues to two properties
 - Damage to property

On each occasion that the owner of 49 Hill Street has raised an issue with the street tree, Council has undertaken an inspection and determined that the issues raised could easily be resolved through general maintenance practices or minor repairs to Council's infrastructure and as such, the owners concerns could be alleviated without the necessity to have the tree removed.

In a recent letter to the owner of 49 Hill Street, Council addressed the many concerns that the owner has raised over the years in relation to this tree. A copy of this reply is shown at **attachment 4**. Specifically, the following responses have been provided to the property owner addressing the issues that have been raised on a number of occasions:

- Council has liaised with Essential Energy and has been informed that they will undertake any necessary pruning / clearance works to power lines as deemed necessary. They have advised that service lines do not have the same clearance requirements as main supply lines and that residential service lines passing through street trees are a common occurrence. Similarly, Telstra also has the ability to relocate phone lines to enable sufficient clearance from main branches.
- The road pavement has had some minor repairs in the past, however it is still in a usable, acceptable and safe condition for all road users. Given that this street does not have extensive infrastructure or high volume traffic, it is believed that general maintenance works undertaken from time to time, if required, could easily be undertaken within this street to remedy any concerns that may be caused in the future by the tree. The most recent inspection by Council's Staff identified no blockages in respect to storm water.
- Council has sighted no damage to the property that has been caused by the tree. There does however appear to be slight movement in the brickwork of the property boundary fence, however this could easily be caused as a result of reactive soils, which is a common occurrence within Bathurst. The verge adjacent to this property is wide enough and clear of services to permit a linear root barrier to be installed along the front of the property, which would alleviate any potential root damage in the future. It is suggested that the tree be monitored and a root barrier installed if deemed necessary to do so.
- Inspection of the kerb and gutter has been conducted on a number of occasions. Any maintenance or repairs to this infrastructure will be undertaken should it be necessary to do so. In contrast to other areas within Bathurst where street trees have lifted and broken away kerbing, this tree has not caused significant damage to the kerb and the current situation does not warrant any works to be undertaken.
- Council has never advised that it would be removing this street tree. The current owner may be confusing a Tree Preservation Permit that was issued to the previous owner of 49 Hill Street in May 2007 granting permission for the removal of a Cedrus deodar tree within the back yard of the property.

The Arborist that the property owner has consulted advises that Pin Oaks are more suited for larger open spaces such as parks and reserves, rather than being used as street trees. This is considered to be a realistic general statement; however it does not mean that this type of tree should not be planted as a street tree. Due to their adaptability within harsh growing conditions, Pin Oaks are known to be used as street trees in many cool climate areas of Australia. In fact, a majestic avenue of Pin Oak street trees exist within Kabbera Boulevard in Kelso, which provides a dominant tree lined streetscape within the area. The issues that the arborist raises in relation to service lines causing problems with this tree can easily be resolved by their relocation to the other side of the main trunk.

It is believed that where it is feasible and realistic to do so, Council should be responsible for the protection of its assets and its street trees are just as valuable an asset as hard scape infrastructure such as roads, gutters and services.

There are areas of Bathurst where the impact of trees to the surrounding infrastructure cannot be reasonably addressed due to the specific growing conditions of the particular tree/s or the extent or location of services that physically restrict the ability to undertake remediation works. On these occasions the removal of trees would be considered as the most reasonable choice. However it is believed that the issues that the owner of 49 Hill Street has with this street tree can, at this stage, be easily resolved without the necessity of having it removed.

It is without doubt that trees, including those planted in streetscapes, parks or in private residential properties, do pose certain risks to infrastructure and personal safety from time to time and it is not realistic to prevent all incidents or damage that trees can sometimes inflict, even when undertaking all of the standard precautions possible. However, such risks are accepted by the general community and are highlighted by the fact that trees often provide more benefits to the community than any of the negatives that they cause from time to time.

This particular tree is currently in a sound condition, is a large well balanced tree and is considered to be a significant part of the surrounding treescape, being part of an avenue of mature trees within this section of Hill Street. Should this street tree be removed, it would create a negative impact within the avenue and would drastically change the amenity and microclimate of the surrounding area.

As such, it is recommended that this tree not be removed and that the owner be advised that Council's previous stance remain unchanged, being that Council does not intend to remove the tree.

Financial Implications: It is perceived that there will be nil financial implications to Council, except for the general maintenance works as deemed necessary from time to time, should Council's position remain as recommended in the report.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.4

4 PROPOSED CREATION OF EASEMENT, EASEMENT TO DRAIN SEWER, GREAT WESTERN HIGHWAY, KELSO (22.00031, 22.00484 and 22.15131)

Recommendation: That Council approve the creation of an easement to drain sewer within Lot 5 DP714297 and Lot D DP155836 in favour of Lot C DP155836 and Council located at the Great Western Highway, Kelso, as detailed in the Director Engineering Services report.

Report: Council has constructed a sewer line from Lot D DP155836 across Lot 5 DP714297 for connection to the main sewer system located in Littlebourne Street (see **attachment 1**).

The sewer line is required to service Lot C DP155836 and Lot 5 DP714297. Lot D DP155836 is in Council's ownership and will also be encumbered by the easement.

For protection of its infrastructure below the surface, Council requires the creation of an easement to drain sewer (possibly variable width) to be created for registration at Land and Property Information. For this to occur, Council will be required to:

- (a) Pay reasonable legal, survey and valuation fees associated with the registration of the easement;
- (b) Authorise the General Manager to endorse the transfer forms.

Council will not pay any compensation to acquire the easement rights from the land owners. However, it is proposed to offer Lot D DP155836 (63 square metres) to the land owners to purchase, and to be included into their holding.

Lot D is an unnecessary isolated Council property not required by Council and adjoins the subject parcels. Lot D has a State Valuation Office assessed value of \$3,730. Should the land owners agree to purchase Lot D DP155836, Council will be notified in a future report.

It is recommended that Council approve the creation of an easement to drain sewer within Lot 5 DP714297 and Lot D DP155836 located at the Great Western Highway, Kelso.

Financial Implications: An estimated total cost of the creation and acquisition of the easement rights is subject to the unknown cost of the compensation and is estimated to be \$20,000.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.7
- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1

5 COMPULSORY ACQUISITION OF LOT 299 DP1192298, AND LOTS 7034 AND 7035 DP1114692, PANORAMA AVENUE, MOUNT PANORAMA (25.00105-02)

Recommendation: That Council:

- (a) make application to the Minister and/or the Governor for the compulsory acquisition of Crown land located at Lot 299 DP1192298, and the whole of Lots 7034 and 7035 DP1114692 Panorama Avenue, Mount Panorama for road widening purposes,
- (b) acquire the road widening land through the provisions of the Roads Act 1993 Section 178 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991 under agreement with the Crown,
- (c) approve the application be minerals exempt and the acquired parcel of land to be classified as Operational land, and
- (d) make application to the Minister to approve the shortened period, as detailed in the Director Engineering Services' report.

Report: At Council's meeting held 1 February 2012, Council approved the application to the Department of Primary Industries Crown Lands Division to compulsory acquire Lot 7034 and Lot 7035 DP1114692, and parts of Lot 7032 and Lot 7033 DP1114692 at Panorama Avenue Mount Panorama, for construction of a roundabout. The application to follow the provisions of the Roads Act 1993 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991, and do not include mineral rights. The acquired land is to be classified as operational land.

Since that time, Council has:

- 1 Received consent from Trade and Investment Crown Lands to proceed with the compulsory acquisition; and
- 2 Prepared an acquisition plan being DP1192298 which was registered on 15 January 2014 (see **attachment 1**) which was formerly part Lot 7032 DP1114692. Lot 299 represents the land required for the safety of drivers at the time when staging Race Events at the Mount Panorama Racing Circuit.

Lots 7034 and 7035 DP1114692 (a section of closed road) (**attachment 2**) are vacant properties containing roads to the Rydges Motel, a vehicular parking area and the emergency access when staging Race Events on the Circuit.

For Council to acquire land from the Crown for road widening purposes, the only procedure available is by the compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991. It is intended to acquire the land from the Crown by agreement.

For the acquisitions to occur, it is recommended Council make application to the Governor and/or Minister to:

- (i) Compulsory acquire Lot 299 DP1192298, Lots 7034 and 7035 DP1114692 located at Panorama Avenue Mount Panorama for road widening purposes;
- (ii) The application is to be through the provisions of the Roads Act 1993 Section 178 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991 under agreement with the Crown;

- (iii) The application is to be mineral exempt;
- (iv) The acquired parcels of land are to be classified as Operational land;
- (v) Make the application for a shortened period; and
- (vi) Pay all reasonable legal, survey and compensation to transfer the property to Council's care and control.

State Valuation Office assessment of the property states that the whole of Harris Park is valued as \$201,500 for an area of 6.88 hectares which equates to \$2.93/square metre. The estimated area to be acquired is 5,345 square metres which equates to a value of \$15,564. The value is subject to the valuation report determined by Crown Lands Trade and Investment.

Financial Implications: To acquire the properties by compulsory acquisition it is estimated to cost \$30,000 and will be drawn from Mount Panorama road widening.

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 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

6 PROPOSED ACQUISITION AND ROAD DEDICATION AS PUBLIC ROAD, EGLINTON (2013/0476)

Recommendation: That Council approve the acquisition, transfer and dedication of a section of private road located between Cox Lane and Duramana Road, Eglinton. The acquired parcel is:

- (a) To be dedicated to the public as road;
- (b) The property transferred is to be classified as Operational land; and
- (c) Council to pay all reasonable legal and survey fees associated with the road's dedication under Division 2 Section 16 of the Roads Act 1993, as detailed in the Director Engineering Services' report.

Report: Following Council's recent purchase of land at Lots 10 and 11 DP1141570 at Cox Lane and Duramana Road at Eglinton, it has been found a road severing Council's two parcels together with two adjoining properties (Lot 2 DP795012 and Lot 12 DP1067214) is not a dedicated public road (see **attachment 1**). Old System property searches have revealed the private road is known as East Street.

In order to dedicate the section as public road, Council will need to acquire the property (15.085 metres x 666 metres). At this stage, Council's information indicates the property is Old System Title in the name of the Estate of the Rankin Family who was granted 2,000 acres at Eglinton in 1832.

To acquire the land, Council will make submission by survey plan to Land and Property Information and claim ownership through Division 2 Section 16 of the Roads Act 1993, which states in part:

"Division 2 Resolution of doubts concerning status of certain roads - 16 Council may dedicate certain land as a public road

1. *This section applies to land that is set aside for the purpose of a road left in a subdivision of land effected before 1 January 1907 (the date of the commencement of the Local Government Act 1906) or in a plan of subdivision that was registered by the Registrar-General before 1 January 1920 (the date of commencement of the Local Government Act 1919).*
2. *The council of the local government area within which such land is situated may, by notice published in the Gazette, dedicate the land as public road.*
3. *On publication of the notice in the Gazette:*
 - a) *The land described in the declaration becomes free of all trusts, restrictions, dedications, reservations, obligations and interests, and*
 - b) *The land is dedicated as a public road.*
4. *No compensation is payable to any person with respect to any loss or damage arising from the operation of this section."*

It is recommended that Council approve the acquisition of the private road East Street for dedication as Council public road, classify the acquired land as Operational and pay all

reasonable legal and survey fees associated with the road's dedication.

Financial Implications: The cost to finalise the transfer is estimated to be \$10,000 and is to be financed from the Land Development Fund.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

7 PROPOSED COMPULSORY ACQUISITION FOR ROAD WIDENING, PROPOSED LOTS 300 AND 301, PANORAMA AVENUE, MOUNT PANORAMA (25.00105-02)

Recommendation: That:

- (a) Council make application to the Department of Primary Industries Crown Lands Division to compulsorily acquire proposed Lots 300 and 301 at Panorama Avenue, Mount Panorama for the construction of a roundabout
- (b) the application to follow the provisions of the Roads Act 1993, the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991 and does not include mineral rights, and
- (c) the acquired land is to be classified as operational land.

Report: Council has investigated upgrading the existing roundabout at the intersection of Panorama Avenue, Havannah Street and the two alternate accesses used when staging events at the Mount Panorama Racing Circuit.

The roundabout is used:

- (a) for Public access to the Circuit and Local residents to gain access to their properties;
- (b) at times of staging Race Events by B-Double vehicles transporting the racing cars to the Track;
- (c) for Patrons using the Mount Panorama Rydges Hotel alternate access route Ray Bant Drive; and
- (d) for access to Harris Park via Peter Gannon Parade at race time.

It has been found necessary to enlarge the existing roundabout to cater for the increased traffic volume and to provide improved access at times of emergencies when staging Events at the Circuit (see **attachment 1**). Lots 300 and 301 will be acquired under the Roads Act 1993, as the road will include Council facilities such as water, sewerage, electricity and Telstra services.

Property searches have revealed the proposed roundabout will encroach onto adjoining Crown land, including:

1. Part Lot 7032 DP1114695 under Council's care and control shown as proposed Lot 300; and
2. Part Lot 280 DP853511 under the care and control of Charles Sturt University shown as Lot 301.

It is proposed to prepare an application to the Department of Primary Industries for their approval to acquire the Crown land and register an acquisition plan at Land and Property Information.

Through the presentation of a future report following registration of the plan, Council will make application to the Minister/Governor to compulsorily acquire by agreement Lots 300 and 301 by:

- (i) The provisions of the Roads Act 1993 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991;
- (ii) The application will not include mineral rights; and
- (iii) The acquired land is to be classified as operational land.

Financial Implications: The cost of the application and plan amendments is estimated to be \$5,000.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

Yours faithfully



Doug Patterson
**DIRECTOR
ENGINEERING SERVICES**

DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 APRIL 2014

1 2014 INTERNATIONAL WOMEN'S DAY EVENT - FRIDAY, 7 MARCH 2014 (23.00026)

Recommendation: That the information be noted.

Report: The International Women's Day Morning Tea was held on Friday, 7 March 2014 at the Walshaw Hall. The event featured a free morning tea, information stalls from local organisations with students from Mackillop College providing music. The celebrations provided an opportunity for members of the community to network and learn about services available to women, groups and organisations that operate in our local community supporting women and their families.

Guest speakers Margaret Revai Kanongovere, a representative from the Multicultural Women's Group, and Laura Cole, the Jack Aubin Young Citizen of the Year for 2014, provided insight into International Women's Day and its significance.

An estimated 100 members of the community attended the event representing a diverse range of cultures, ages and backgrounds.

Financial Implications: Costs were contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.5, 23.6, 23.8

2 HARMONY DAY EVENT - SATURDAY, 22 MARCH 2014 (09.00032)

Recommendation: That the information be noted.

Report: Harmony Day was celebrated with a free morning tea and entertainment on Saturday, 22 March 2014 at the Library Forecourt. Approximately 100 people from a range of cultural backgrounds celebrated the diversity of the Bathurst region and the importance of inclusiveness, respect and acceptance.

Participants were entertained by the Sounds Live Choir and a Filipino dance group. The Harmony Day theme was 'Many Stories, One Australia' with the event reflecting this theme by providing local and international foods and local talented performers.

Financial Implications: Costs were contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- 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 20.3
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.6

3 SENIORS WEEK 2014 - 15-23 MARCH 2014 (07.00016)

Recommendation: That the information be noted.

Report: Seniors Week 2014 ran from 15 to 23 March and offered over 15 diverse activities for seniors to enjoy. Events included recycling workshops, tenpin bowling, sing-a-longs, tours of Chifley Home, discounted movie days, and a wonderful display and morning tea at Miss Traill's House.

Council partnered with a number of community groups and organisations to provide activities throughout the week. Partnerships included the Seymour Centre, Home Care, Miss Traill's House, Uniting Church, Mitchell Conservatorium, RSL, and Bathurst Senior Citizens Centre. Council also provided workshops presented by Council's Road Safety Officer, Environmental Programs Officer and Environmental Officer.

The highlight event of the week was Dale Hooper's 'Complete Tribute to Johnny Cash' held at the Bathurst RSL Club, which was attended by approximately 250 people.

The launch of the Seniors Safety Tip Sheet was held at Chifley Home as part of Seniors Week celebrations. The Tip Sheet features a fridge magnet and notepad, that provides information on 'target hardening' properties.

Mayor Cr Gary Rush and Mr Paul Toole MP, State Member for Bathurst, formally closed Seniors Week at the 'Never Too Old Ball' at Bathurst RSL, Friday, 21 March 2014. The afternoon comprised of many old time dances, a delicious afternoon tea, and music provided by Phil Redenback.

It is estimated that over 400 people participating in the broad range of events offered throughout Seniors Week.

The activities received overwhelmingly positive feedback from participants and organisers. The Seniors Week Organising Committee has already been contacted by various organisations wanting to participate in Seniors Week 2015.

Financial Implications: Costs were contained within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1, 20.3
- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.2
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1, 23.3, 23.5, 23.6
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.3

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

Strategy 30.5, 30.6

4 SCALLYWAGS CHILD CARE CENTRE - PLAYGROUND UPGRADE (09.00007)

Recommendation: That the information be noted.

Report: Scallywags Child Care Centre playground upgrade was opened by Mayor Cr Gary Rush and Mr Paul Toole MP, State Member for Bathurst on Friday, 21 March 2014.

The opening was celebrated by the release of balloons into the sky or up to the astronauts as described by the children, who also participated in the celebrations.

The newly designed playground was made possible by years of fundraising by parents and a generous donation of \$25,000 from the New South Wales Government. Work on the upgrade commenced in January 2014 and was completed in February 2014.

The playground was designed by Tessa Rose Landscapes, who specialise in designing natural play spaces for children, with the construction completed by local landscaper Andrew Speed. The upgraded playground features include a wobbly bridge, snail maze, creek bed with running water, and a newly renovated sandpit.

The children have responded enthusiastically to the new environment and the different play spaces it has created. The creation of so many different places to play has encouraged the children to go further and explore.

The upgrade has created a learning environment that is vibrant and fun and it is hoped that it will be responsive to the interests and abilities of all the children who attend the Centre.

Financial Implications: Funding for the project was supplemented by a grant of \$25,000 from the NSW Government.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.7
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1, 26.4

Yours faithfully



Janelle Middleton
**ACTING DIRECTOR
CULTURAL & COMMUNITY SERVICES**

POLICY COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - POLICY COMMITTEE MEETING - 2 APRIL 2014 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 2 April 2014 be adopted.

Report: The Minutes of the Policy Committee Meeting held 2 April 2014, 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 APRIL 2014

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

APOLOGIES

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

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

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 5 MARCH 2014 (07.00064)
MOVED Cr M Coote and **SECONDED** Cr I North

RESOLVED: That the Minutes of the Policy Committee Meeting held on 5 March 2014 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 MEMORANDUM OF UNDERSTANDING WITH CHARLES STURT UNIVERSITY (18.00051)**
MOVED Cr M Coote and **SECONDED** Cr B Bourke

RESOLVED: That Council sign the updated Memorandum of Understanding with Charles Sturt University to explore areas of possible future cooperation.

- 6** **Item 2 COUNCILLOR DELEGATE BATHURST LIQUOR ACCORD (07.00036)**
MOVED Cr M Coote and **SECONDED** Cr G Hanger

RESOLVED: That Council nominate Cr Bourke as the delegate with Cr North as the alternate delegate to the Bathurst Liquor Accord.

- 7** **Item 3 UPDATE OF COUNCIL'S PURCHASING MANUAL (15.00008)**
MOVED Cr G Westman and **SECONDED** Cr J Jennings

RESOLVED: that Council:

- (a) adopt the revised Purchasing Manual
- (b) delegate authority to the General Manager to update Appendix 2 - Suppliers Exempt from Requirement to Obtain Quotations as required from time to time.

- 8** **Item 4 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 18 MARCH 2014 (07.00096)**
MOVED Cr I North and **SECONDED** Cr M Coote

RESOLVED: That the recommendations of the Audit & Risk Management Committee Meeting held on 18 March 2014 be adopted.

General Manager's Report

- 9** **Item 1 MANAGEMENT PLAN 2013-14 - ANNUAL OPERATING PLAN; SAVINGS INITIATIVES - INSURANCE (16.00135)**
MOVED Cr G Westman and **SECONDED** Cr M Coote

RESOLVED: That Council note the report on the Operational Review of Insurances carried out by Council.

GENERAL BUSINESS

10 NSW CRICKET KNOCKOUT FINALS (04.00045, 04.00007, 04.00014)

Cr Hanger - congratulated staff involved in setting up the wickets. The event has been fantastic with schools from all over the state represented. Spoke to Mayoral reception that was well received.

11 Item 2 BUY LOCAL CAMPAIGN (20.00020)

Cr Jennings - asked could Council look at hosting such a campaign. Referred to a document from Northern Rivers, suggested work with Bathurst Business Chamber. Spoke to how the program works. Orange Council is looking at this as well.

12 Item 3 AGRICULTURE AUDIT (07.00017)

Cr Jennings - agrees with Cr Westman's suggestion. Spoke to process needed to be put in place. Perhaps CENTROC is an appropriate forum for this review. Needs to cover more than a local council area.

13 Item 4 GREEN ARMY (13.00053)

Cr Jennings - asked will we be getting them. What will they do?

The Director Environmental, Planning and Building Services advised Council has made an application for three projects.

14 Item 5 TOURISM AND INVESTMENT PROSPECTS (20.00020)

Cr Jennings - asked do we have one for this region? Spoke to prospectus from the Hunter area.

The Director Environmental, Planning and Building Services spoke to documents currently available.

15 Item 6 COAL SEAM GAS (20.00237)

Cr Jennings - asked do we know the status of applications across this area?

The Director Environmental, Planning and Building Services advised there are no applications lodged with Council at this time.

16 **Item 7 SIMPLOT (22.01698)**

Cr Jennings - asked what is forum to meet with Simplot? Can we arrange a meeting to follow up the Council assistance program.

The General Manager advised Simplot would be invited to a Councillors Meeting with Community Groups session.

17 **Item 8 KEPPEL STREET PARKING (NEAR ELEPHANT & CASTLE HOTEL) (28.00006)**

Cr Jennings - asked could the limits on parking be reviewed and consultation be undertaken with businesses as they would like longer stays than currently allowed.

18 **Item 9 NEW YEARS EVE FIREWORKS (23.00131)**

Cr Jennings - asked can the contractor for the New Years Eve Fireworks display be asked to engage with the community to see if children/students can be involved in the design of the display.

19 **Item 10 REX - RUNWAY (21.00008)**

Cr Jennings - spoke of capital investment in the aerodrome and is there possible over capitalisation.

The General Manager advised on needs for rehabilitation to keep aerodrome open.

20 **Item 11 LAGOON ROAD SPEED LIMIT (28.00011)**

Cr Jennings - asked could the speed limit be reviewed from the turn-off out to Ben Chifley Dam? This is due to increased road usage and safety concerns.

At 6.15 pm, The Mayor advised that it was now the scheduled time to commence the Discussion Forums.

The Mayor advised General Business will resume immediately following the Discussion Forums.

DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS

21 **Item 1 DEVELOPMENT APPLICATION 2014/0022 – INSTALLATION OF A TELECOMMUNICATIONS TOWER AT 982 LIMEKILNS ROAD, YARRAS. APPLICANT – COMMLAN PTY LTD. OWNER – BEZIDA PTY LTD (DA/2014/0022)**

The Director Environmental, Planning and Building Services spoke to the DA received and the process to be followed.

Claudia Rajkovic - lives alongside the property and has made a written submission. Has organised a petition (which 26 residents signed), feels not enough communication has occurred on this proposal. Concerns included;

- Process adopted by NBN and lack of consultation by NBN
- Flight path conflict for Bathurst airport
- No complaints process in place
- No alternate sites considered
- Height of the pole and impact on environment and amenity
- Land value impacts
- Unknown health risks
- Haven't had response from Minister for Communications
- Heavy handed approach
- Technology changes and whether variations will need to occur in the short term, appears to be no limitations
- Traffic to and from the tower
- Less than 100 metres from their house.

Need Council to consider all aspects. This is not low impact, residents do count.

Jeanette Grinter - moved to Bathurst as didn't want to be near towers. These towers affect properties. Object to it being placed so close to houses.

Mark Byres- Consultant for NBN - gave a background on the NBN rollout and areas of coverage to occur. Proposal is for the fixed wireless network. NBN has been working in the area for three years, noted other services that have been put in place during this time.

The proposal at Yarras is part of a wider network. Spoke to communication engagement strategy put in place by NBN to advise residents. When building infrastructure cannot avoid it being visible as must be clear of any obstructions as covers 5-8 kilometres. This is the location where need to locate the tower to get an acceptable level of service. The hill identified is one of the highest in the locality and will facilitate the servicing of houses in the area. NBN strives to use existing structures e.g. Raglan and Mount Panorama, but in Yarras this opportunity was not available. This location is the best of the various sites investigated, radio

connectivity is directional, need to avoid obstructions, so high locations are ideal. This is a once in a lifetime investment in regional areas.

In regards to health issues, there has been an enormous amount of research in this area. Further, there is an Australian Communication standard, and the facility is 0.001% of the standard allowed.

Andrew Rajkovic - have brought these concerns to Council then spoke to the petition. there is no independent process to handle objections. Issues of concern included;

- Closeness to residences
- No consideration of alternatives
- Is there in fact a need to build new infrastructure
- Traffic concerns.

There is no guarantee all people will be reached by the NBN. Noted there is a benefit (financial) to the landowner.

22

Item 2 DEVELOPMENT APPLICATION 2014/0042 – USE OF EXISTING SWIMMING POOL, RETAINING WALLS, INTERNAL POOL SAFETY FENCE AND PAVING, DEMOLITION OF AN EXISTING MASONRY POOL FENCE, PUMP SHED AND PRIVACY SCREEN/FENCE AND CONSTRUCTION OF A NEW POOL FENCE AND BOUNDARY FENCE AT 9 MCKELL STREET, WEST BATHURST. APPLICANT AND OWNER – G & K LYNCH (DA/2014/0042)

The Mayor noted an Independent Planning Consultant has been appointed.

The Director Environmental, Planning and Building Services spoke to the DA received and the process to be followed.

Mrs B Manning - Owner, adjoining property - referred to letter from Calare Civil, said she has not received a copy of this. Matters referred to included;

- Existing structures
- Demolition order from court
- Timelines of the DA
- Concern about child access to the pool from her property.

DA should not have been passed onto Mr Fletcher, this is possible misfeasance. Calare Civil say have inspected the wall, yet never asked Mrs Manning to view the wall.

Questioned whether comments of Judge have been taken on board. DA is replacing one structure with another, with only a change of materials.

Grant Lynch - 9 McKell Street - this has been going on for a long while. Have acted on everything they have been asked to do. Will demolish existing fence and put in a fence that is safe and complies with legislation. Spoke to timelines of work undertaken. Referred to Calare Civil matter, this related to a drainage matter raised in 2012. Replaced the drainage on the engineers advice and it has been checked to be structurally sound. The DA is for the fence. There is a "mish mash" of

materials due to circumstances that occurred. Tried to get some consistency, unable to get agreement. The latest DA tries to get consistency of materials. Main overriding issue is to comply with pool safety. Noted need for privacy screen.

Gordon Crisp - ratepayer - spoke to matter going to the Land and Environment Court, concerned this new DA does not go again to the Court. The proposal needs to be looked at very carefully, concerned changes proposed are purely cosmetic, feels judge wanted something more substantial due to the effects on the objector.

Declares an interest, as he has lodged an objection himself to a DA which is to be considered by Council.

The Mayor advised that the meeting will now return to General Business.

GENERAL BUSINESS

23 **Item 12 DESTINATION MANAGEMENT PLAN (37.00421)**

Cr Morse - asked what is the next stage in the Destination Management Plan process.

The Director Environmental, Planning and Building Services spoke to communication processes to be put in place, will roll out in May 2014.

24 **Item 13 HOWICK STREET ROUNDABOUT (GEORGE STREET) (25.00006)**

Cr Coote - asked what is happening in this location.

The Director Engineering Services noted routine patching occurring in the short-term. Will need to close this area in the future for major works.

25 **Item 14 RELAY FOR LIFE (23.00026)**

Cr Coote - asked what were the final figures raised from Relay of Life.

Cr Hanger advised more than \$105,200 as at this morning with over 700 participants.

26 **Item 15 CRICKET NETS - HAVANNAH STREET (04.00045)**

Cr Coote - advised fencing over the nets needs to be repaired.

27 **Item 16 NEW PARKING SYSTEM (28.00006)**

Cr Coote - asked how is the new parking system going.

The Director Environmental, Planning and Building Services advised some teething problems have occurred. But overall very good.

28 **Item 17 STRATEGIC PLANNING - CENTENNIAL PARK (04.00047)**

Cr Coote - spoke to discussions on this matter and how concept had been developed.

29 **Item 18 LEP (20.00143)**

Cr North - asked where is the LEP at in terms of timeline.

The Director Environmental, Planning and Building Services advised the LEP is with Parliamentary Counsel. Hope to be gazetted by June 2014. Counsel is looking at one or two small changes, not changing intent of the instrument.

30 **Item 19 DEVONGLLEN ROAD/DARWIN DRIVE (25.00319)**

Cr North - matter was previously raised, what is happening?

The Director Engineering Services advised Council have liaised with resident who raised concerns. Some works have occurred and more will be done in the future.

31 **Item 20 RAIL MAINTENANCE FACILITY (22.00159)**

Cr North - understand State Government is looking at future of the Rail Maintenance facility. Has Council heard anything on this? Could we follow up please?

32 **Item 21 GILMOUR STREET (25.00031)**

Cr North - spoke to safety issues raised by community in this area, are we doing anything?

The Director Engineering Services advised that the request was only received this week. Will look at various options to address concerns raised.

33 **Item 22 RETENTION BASIN - GILMOUR STREET (20.00174)**

Cr North - congratulated staff on works undertaken in this area.

34 **Item 23 SHELTER BERRY PARK (04.00065)**

Cr Bourke - advised the misuse of the facility has partially settled down. Thanked Council staff for their assistance. Need to look at future of this building.

35 **Item 24 HOARDING ISSUES (30.00005)**

Cr Bourke - advised has received a complaint about a property where cars are being collected and stored. Can Council do anything about this?

The Director Environmental, Planning And Building Service advised it is very difficult area to police, need to prove a health risk and then can act.

36 **Item 25 DA MATTERS: KEPPEL STREET (OLD NEWSAGENT)/AUSSIE DISPOSAL STORE (2013/0290, 22.14962)**

Cr Bourke - where are these two matters at?

The Director Environmental, Planning and Building Services noted action on Keppel Street DA taken. Also Aussie Disposal Store, Council is chasing a DA on this matter.

MEETING CLOSE

37 **MEETING CLOSE**

The Meeting closed at 7.26 pm.

CHAIRMAN: _____

Date: _____ **(16 April 2014)**

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING - 1 APRIL 2014 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 1 April 2014 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 1 April 2014, 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 APRIL 2014

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

Members: Sargeant Peter Foran (Police), Jackie Barry (Roads and Maritime Services), David Veness (MP Representative).

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

APOLOGIES

2 APOLOGIES

That the apology of Councillor Warren Aubin be accepted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 4 MARCH 2014 (07.00006)

That the Minutes of the Traffic Committee Meeting held on 4 March 2014 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 4 MARCH 2014 (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 2014 ROYAL BATHURST SHOW (18.00108-03/042)

That Council raise no objection to implementation of the Traffic Management Plan for the 2014 Royal Bathurst Show to be held on Friday 2 May 2014, Saturday 3 May 2014 and Sunday 4 May 2014. The event is to be classified as a Class 1 event and approved subject to :

- (a) Roads and Maritime Services approval of the Traffic Management Plan, and
- (b) the conditions detailed in the Director Engineering Services' report.

8 Item 4 HOLY FAMILY PRIMARY SCHOOL – TRAFFIC ISSUES (28.00006-09)

That Council install edge lines and centre lines on Marsden Lane near French Smith Place between Lomas Close and Ilumba Way.

9 Item 5 FIRE & RESCUE NSW STATE FIREFIGHTER CHAMPIONSHIPS 2014 (18.00004-28/007)

That Council classify the Fire & Rescue NSW State Firefighter Championship 2014 Torchlight Procession to be held on Friday 24 October 2014 as a Class 1 event, and approve the event subject to conditions as detailed in the Director Engineering Services' report.

10 Item 6 BATHURST HALF MARATHON EVENT 2014 (23.00110/012)

That Council classify the Bathurst Half Marathon and 10 km Run to be staged on Sunday 4 May 2014 as a Class 2 event, and approve the event subject to conditions detailed in the Director Engineering Services' Report.

11 Item 7 BATHURST'S BIGGEST EXPO AND CHRISTMAS MARKETS (23.00026-044)

That Council classify Bathurst Biggest Expo to be staged on Saturday 15 November and Sunday 16 November 2014 at the Bathurst Showground as a Class 2 event, and approve the Traffic Management Plan for the event subject to conditions detailed in the Director Engineering Services' Report.

12 Item 8 BATHURST ARTISAN MARKETS (23.00026-16/102)

That approval be given for the Bathurst Artisan Markets to use a section of the Library/Art Gallery car park for market stalls to be held:

- (a) Saturday 24 May 2014 - 9am-1pm
- (b) Saturday 6 September 2014 - 9am-1pm

(c) Saturday 8 November 2014 Twilight Market - 5pm-9pm

as unclassified events, and the events be approved subject to conditions as detailed in the Director Engineering Services' report.

13 **Item 9 AUSTRALIAN AIR FORCE CADETS GLIDER TRAINING SUPPORT FACILITIES OPENING EVENT (22.14832)**

That approval be given for the Australian Air Force Cadets Glider Training Support Facilities Opening planned for 12 April 2014 to be classified as a class 3 event, and the event be approved subject to conditions as detailed in the Director Engineering Services' report.

14 **Item 10 PROPOSED ROAD SIGN ON THE BRIDLE TRACK PROHIBITING USE OF RECREATIONAL DEVICES (28.00007)**

That Council approve the placing of 2 'No Wheeled Recreational Devices or Toys' signs on the Bridle Track on either side of the steep descent between 4km and 6.3km from Duramana Road.

TRAFFIC REGISTER

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

That the information be noted.

MEETING CLOSE

16 **MEETING CLOSE**

The Meeting closed at 3.05pm.

DELEGATES REPORTS

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 APRIL 2014

1 CENTROC BOARD MEETING - 27 FEBRUARY 2013 (07.00017)

Recommendation: That the report on the CENTROC Board meeting held on 27 February 2014 in Bathurst be noted.

Report: The CENTROC Board meeting was recently held at Mt Panorama. The following report is provided for Council's information.

Speakers in attendance at the meeting were:

1. Mr Roger Stephan, CEO of Hunter Councils who provided advice on their model of collaboration between Councils; and,
2. Mr Norm Mann (Chair) and Ms Lucy White (CEO) who provided advice on the growing success of Central NSW Tourism.

There was significant discussion regarding water security in the region and Local Government reforms.

Water Security

Given the activity by State Water and The Hon John Cobb in the region, there is an opportunity to ensure that the water security of urban communities is reviewed and assured. The Board has resolved to ramp up its advocacy in this space and to seek advice on a review of the CENTROC Water Security Study.

Local Government Reforms

The draft response to the reports by the Independent Local Government Review Panel and the Local Government Acts Taskforce was discussed. In general, while the Board finds merit in a number of the initiatives for reform, the Board is not supportive of any mandatory structural reform, be it amalgamations, Rural Councils or Councils of Mayors. The Board is open to reform that leads to better regional procurement and an improved relation with the State such that Regional Actions Plans are more reflective of local priorities as reflected in Community Service Plans.

The Board was also very concerned that much of the reform is compliance based and resource hungry and will lead to local Councils being process rich and outcomes poor.

The Board meeting considered reports against its Management Plan including the following:

Transport Infrastructure - There will be a workshop in the region in the near future providing advice on the Office of Local Government's review of Special Schedule 7 - Condition of Public Works.

Health - Advice was provided regarding the progression of meetings around the region with the development of content to be used for marketing and promotional purposes to attract health workforce as part of the Beyond the Range campaign.

Member Council operational support - Noting the substantial amount of activity being undertaken collaboratively in support of member operations. This includes net savings to members under these programs since December 14, 2009 of \$2.29 million.

A CENTROC Management Plan report, providing direction to the next year's activities was approved. The Board resolved a steady approach to activities in the context of local

government reform. Existing resources are to be redirected to supporting Councils in energy, particularly electricity, management.

The Board was also advised that a meeting at Parliament House in Canberra will be held in August 2014. This is being co-ordinated through The Hon John Cobb's office.

The next Board meeting of CENTROC will be in State Parliament, Macquarie Street; this is being co-ordinated through Mr Andrew Gee, Member for Orange's office.

The Annual Report from CENTROC for 2012/2013 is available on the CENTROC website.

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
- Objective 33: To be and develop good leaders. Strategy 33.1
- Objective 31: To maintain local public ownership of water and sewer assets. Strategy 31.4
- Objective 25: To support the provision of high quality medical care that meets the needs of the Bathurst community. Strategy 25.4
- Objective 15: To secure a sustainable water supply and raise awareness on water issues. Strategy 15.7

2 CR JENNINGS REPORT - LOCAL GOVERNMENT NSW TOURISM CONFERENCE (18.00289)

Recommendation: That the information be noted.

Report: Cr Jennings attended the Local Government NSW Tourism Conference held 10-12 March 2014 and has provided the following report.

Monday 10 March 2014

Visitor Information Centres (VICs)

- Insights into Blue Mountains / Orange (has 80,000 visitors per year) / Tamworth / Coffs Harbour.
- VIC booking systems popular, merchandise sales in VIC including Wi-Fi at Blue Mountains Echo Point.
- Interested to know how the Wi-Fi sales work at Blue Mountains and can they track the site visits of customers? - would be useful to better target visitors interests/needs, and could encourage more local visitation if Wi-Fi offered throughout the town.

Tuesday 11 March 2014

Destination NSW and Destination Management Planning (DMPs)

- NSW leading Australia for tourism visitation and expenditure - need to ask how can Bathurst capture more of a good market? China and India are booming opportunities - Bathurst should seek out these opportunities. Trade and tourism missions to China and India are planned - can Bathurst get involved?
- I noticed Bathurst does not have a single event in the Destination NSW Regional Flagship Events Listing ... perhaps getting some things in for 2015 would be of value? See link:
<http://www.destinationnsw.com.au/tourism/business-development-resources/funding-and-grants/regional-flagship-events-program/regional-flagship-events-listing-2014>
- Several presentations on DMPs to date across NSW, but basically told it's too early to tell if they truly add value. Nevertheless they are critical to future management of tourism at local level and councils play a pivotal role in growing tourism.
- Case study on Broken Hill presented - they have a tourism plan for 10 years, 2010-20+ which cover short, medium and long term scales. Worth adopting it would seem. They reviewed existing documents extensively and consulted more than 200 local organisations / stakeholders.
- Kurri Kurri Mural project - works well for Kurri - the style and content would not be appropriate for Bathurst BUT the structure of the project is sound and does not cost Council anything. Worth investigating for Bathurst maybe in conjunction with local artist community.
- Dinner at Hope - want to get a "Day on the Green" event to Bathurst - Wattle Flat? Mount Panorama? Other?
- Glamification is the next wave of digital engagement - could do project for the race heritage circuits for Mount Panorama and Old Vale Circuit - BRC investigate CWTO funding opportunities.

Wednesday 12 March 2014

Events

- Vivid Sydney - great event to get to Bathurst in 2015. Need to try. Bathurst could be the first town to regionalise Vivid. See www.vividsydney.com

Financial Implications: Nil.

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

3 MINUTES - AUSTRALIA DAY WORKING PARTY - 18 MARCH 2014 (23.00033)

Recommendation: That the information be noted.

Report: The minutes of the Australia Day Working Party held on 1 March 2014 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

4 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 11 MARCH 2014 (11.00020)

Recommendation: That Council:

- (a) Note the information; and
- (b) Adopt the membership for the Bathurst Regional Youth Council for 2014.

Report: MINUTES OF BATHURST REGIONAL YOUTH COUNCIL MEETING HELD IN COUNCIL CHAMBERS ON TUESDAY, 11 MARCH 2014

PRESENT: Dom Mjadwesch, Brendan Thorpe, Cassandra Talbot, Zachery Baker, Jennifer Parsons, Ben McGrath, Geordie Mulholland, Cameron Jones, Sophie Ireland, Jayne Dwyer, Emily Behan, Emily O'Shea, Keegan Bringolf, Gerard O'Shea, Tom Nobes, Nicholas Forbutt, Cody Channing, Emma Farr.

IN ATTENDANCE: Megan Bargwanna (Community Development Officer- Youth), Tyler Graves (Trainee Cultural & Community Services).

1. APOLOGIES

RESOLVED that apologies from Cr Rush, Cr Westman, Laura Van Uum, Elaine Salouros, Marley Pearce be accepted.

2. ADOPTION OF PREVIOUS MINUTES

RESOLVED that the minutes of the meeting held 12 November 2013 be accepted with an amendment that Cassie Talbot was present at the meeting.

Moved: Keegan Bringolf
Seconded: Jayne Dwyer

3. YOUTH COUNCIL STRUCTURE

RESOLVED that the Youth Council structure be as follows:

- (a) That the following structure apply for 2014:
 - Youth Mayor (1 position)
 - Youth Deputy Mayor (1 position)
 - Youth Secretary (2 positions)
 - Public Relations (2 positions)
 - Web Master (1 position)
- (b) The positions at item (a) above will be elected by all youth councillors at the first meeting of the full Youth Council.

4. ELECTION OF YOUTH MAYOR AND YOUTH DEPUTY MAYOR

RESOLVED that, by process of secret ballot, Youth Councillor Jayne Dwyer be elected as Youth Mayor of Bathurst for 2014 **and further** that Youth Councillor Gerard O'Shea be elected as Youth Deputy Mayor of Bathurst for 2014.

5. NOMINATION AND APPOINTMENT OF YOUTH COUNCIL SECRETARIES, PUBLIC RELATIONS AND WEB MASTER

RESOLVED that, by process of determination through secret ballot, the following representatives hold the following positions on the Bathurst Regional Youth Council for 2014:

Youth Council Secretary	Emily Behan
Youth Council Secretary	Dominic Mjadwesch
Youth Council Public Relations	Keegan Bringolf
Youth Council Public Relations	Cassandra Talbot
Web Master	Sophie Ireland

6. YOUTH COUNCIL MEMBERSHIP

RESOLVED that the Youth Council request the Senior Council to adopt the membership for the Bathurst Regional Youth Council for 2014.

7. YOUTH COUNCIL MEETINGS FOR 2014

RESOLVED that the Youth Council note the following meeting schedule for 2014 and hold working party meetings as required:

<u>MONTH</u>	<u>MEETING DAY & DATE</u>	<u>AGENDA CLOSING DATE</u>
March	Tuesday 11 March	25 February
May	Tuesday 13 May	29 April
June	Tuesday 24 June	10 June
September	Tuesday 9 September	26 August
November	Tuesday 11 November	28 October

8. YOUTH COUNCIL WORKING PARTIES AND PROJECTS

RESOLVED that the Youth Council:

- (a) Establish a working party and consider the following project ideas during 2014;
- Similar event to Summersault Music Festival held last year
 - Dance Party: possibility of a separate junior/senior session
 - Possibility of All Schools concert discussed; similar to "Dio-Day"
 - Band competition, similar to Encore event held in 2012
 - Bathurst's Got Talent concept
 - Possibility of a Health/Safety Campaign
 - 24 Hour Film Festival
 - Interschool Sports Competition
 - Computer classes for seniors- similar to one currently running at Bathurst Information & Neighbourhood Centre
 - Young/Old 'speed dating', where young people have short conversations with

- seniors in a speed dating type manner.
- Mental health/LGBSI awareness with headspace campaign
- Flicks In The Sticks – outdoor movies

(b) Note that working party meetings be held on Mondays 3.45pm to 4.45pm or Wednesdays 3.45pm to 4.45pm to work on projects as required.

9. YOUTH WEEK 2014 – OUR VOICE OUR IMPACT , 4 -13 APRIL 2014

The Youth Council discussed the following in regards to Youth Week 2014:

- The theme for 2014 Youth Week is “Our Voice Our Impact”.
- Youth Week is occurring at the same time as the Catapult Festival.
- OCTEC- Youth Connections, Veritas House, TAFE, Bathurst Theatre Company and headspace are involved in the working party.
- The event will be held on Saturday, 12 April 2014 from 10am to 3pm at Bicentennial Park and is a joint event between Youth Week and Catapult Festival. There will be a range of activities, music and circus performances and workshops.
- **Action:** Youth Councillors to think about performers and musicians for the event.
- Youth councillors gave feedback on promotional poster.
- Idea to have a culinary challenge at the event on the BBQ was discussed.
- Possibility of having cake decoration, or judgement of food on aesthetics was also discussed.

10. GENERAL BUSINESS

10.1 Youth Council facebook group - Sophie Ireland to create Youth Council facebook group for communication. Information to be forwarded to Megan

10.2 French speaking group - A French speaking group has been established by Sophie Ireland called “Bonjour” to practice speaking French. The next meeting will be held on April 6th.

10.3 headspace Youth Reference Group - Sophie Ireland to invite the Youth Reference group to the next meeting.

10.4 Harmony Day Celebrations - Harmony Day Celebration will take place at the Library lawn on Saturday 22nd of March. All are invited to attend. Promotional flyers were distributed.

10.5 St Stanislaus Autumn Fair - St Stanislaus College Autumn Fair is on this Sunday 16th of March. All invited to attend.

10.6 Scots School Highland Gathering - The Scots School Highland gathering will be held on Sunday in two weeks. All invited to attend.

10.7 Next Working Party meeting - The next working party meeting will be held next Monday 17 March 2014 from 3:45pm to 4:45pm

11. NEXT MEETING

The next meeting will be held on Tuesday, 13 May 2014 at 11.15am.

12. MEETING CLOSURE

There being no further business, the meeting closed at 2.47pm.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.6
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.1, 27.3, 27.4, 27.5, 27.6, 27.9
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2, 30.5
- Objective 33: To be and develop good leaders. Strategy 33.2, 33.3

5 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 12 MARCH 2014 (11.00019)

Recommendation: That the information be noted.

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

Apologies: Nil

1. BATHURST REMEMBERS PROJECT (23.00042)

Bruce Ryan attended the meeting to provide an update on the Bathurst Remembers Project

Discussion included:

- new areas for expansion, eg internet. This would require funds to contract a web designer to develop internet and Youtube portals.
- in addition to library and internet, would like to see project available in shopping centres and linked to the proposed Bathurst100 snapshots display (this would require funds for purchase of a projector).
- spoke of potential projects for 2015, eg, official ceremonies/functions held early May
- identified some of the projects undertaken over the last two years, eg, launch of Bathurst Bullet, 75 years of Racing at Mount Panorama, Anzac Day, Australia Day 2013.
- would like a high definition camera to be available for use for this project.

2. BATHURST SEYMOUR CENTRE (22.00185)

Terisa Ashworth, Manager of Bathurst Seymour Centre attended the meeting to update Councillors on the services provided by the Bathurst Seymour Centre.

Discussion included:

- the service has been in operation for 34 years
- originally a voluntary Church based service, funded by the Government for the last 24 years
- staffed by about 40 volunteers
- clients live in local community, some by themselves, some with carers
- provide social interaction, respite care, and carer support.
- encourages people to be healthy and active
- many activities undertaken on a weekly basis, eg cooking club, arts and crafts, walks
- centre operates from 8.30 am to 5 pm Monday to Friday
- has a number of groups, eg Men's Shed, Kelso Outreach Service, evening group (people with disabilities) and vision impaired support group.
- invited Councillors to an Open Day on 19 March 2014.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

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

Strategy 30.5

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

Strategy 32.2

6 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 26 MARCH 2014 (11.00019)

Recommendation: That the information be noted.

Report: **Present:** Crs Rush (Chair), Aubin, Bourke, Coote, Hanger, Morse, Westman.

Apologies: Crs Jennings, North

1. ARTS OUTWEST & HEALTH PROGRAM (BATHURST HEALTH SERVICE) (21.00015)

Tracey Callinan and Peter Wilson attended the meeting to update Council on the Arts Outwest & Health Program.

Discussion included:

Tracey Callinan provided an overview of the operations of the Arts Outwest program.

Spoke to the Arts & Health Program at Bathurst Hospital

- conducted by Steering Committee including representatives from GWAHS, Arts and the community.
- began as a pilot program to integrate local art into the new hospital building to develop a hospital setting that saw creativity and the arts as a tool in the wellbeing for clients and staff.

2. NORWOOD PARK LTD - BATHURST CEMETERY (09.00009)

Clive Allison and Stephen Beer from Norwood Park Ltd attended the meeting to discuss the operations of the Crematorium/Cemetery.

Discussion included:

- Stephen Beer gave an update on the operations of the Cemetery.
- spoke about different pricing Policies of other Cemeteries in the area.
- Norwood want to set the Memorial Prices and also want to negotiate the right to set the prices for Burials.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

7 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 1 APRIL 2014 (20.00153)

Recommendation: That the recommendations of the 2015 Bicentenary Celebrations Committee held on 1 April 2014 be adopted.

Report: The Minutes of the 2015 Bicentenary Celebrations Committee held on 1 April 2014 are provided 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