

31 October 2018

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 7 November 2018**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 7 November 2018 commencing at approximately 6.15 pm (or immediately following the conclusion of the Policy Committee).



D J Sherley  
**GENERAL MANAGER**

## **BUSINESS AGENDA**

### **ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE**

**TO BE HELD ON WEDNESDAY, 7 NOVEMBER 2018**

**1. 6:15 PM - MEETING COMMENCES**

**2. APOLOGIES**

**3. 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.

**4. RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS**

- \* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT
- \* DIRECTOR ENGINEERING SERVICES' REPORT
- \* DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

**5. 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 10B(1) it is considered that discussion of the matter in open meeting, would on balance, be contrary to the public interest.

3. 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 ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	CONTAINER DEPOSIT SCHEME - REFUND SHARING AGREEMENT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER FOR CONSTRUCTION OF NEW AMENITIES BUILDING AT PROCTOR PARK - PORTION B	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**6. RESOLVE INTO OPEN COUNCIL**

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

**8. MEETING CLOSE**

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

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

7 NOVEMBER 2018

# **1 CODE OF CONDUCT COMPLAINTS - 1 SEPTEMBER 2017 TO 31 AUGUST 2018 (07.00088)**

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

**Report:** Council is required to prepare an annual report on the number and type of Code of Conduct complaints received for the 12 months to 31 August each year. The report detail is outlined in the Council's Code of Conduct Procedures Manual as follows:-

*Council's Code of Conduct - Procedures for the Administration of the Code of Conduct, requires at part 12, Clause 12.1 and 12.2 the following:*

*"12.1 The complaints coordinator must arrange for the following statistics to be reported to the Council within 3 months of the end of September each year:*

- (a) the total number of Code of Conduct complaints made about Councillors and the General Manager under the Code of Conduct in the year to September;*
- (b) the number of Code of Conduct complaints referred to a conduct reviewer;*
- (c) the number of Code of Conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints;*
- (d) the number of Code of Conduct complaints investigated by a conduct reviewer;*
- (e) the number of Code of Conduct complaints investigated by a conduct review committee;*
- (f) without identifying particular matters, the outcome of Code of Conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures;*
- (g) the number of matters reviewed by the Division and, without identifying particular matters, the outcome of the reviews; and,*
- (h) the total cost of dealing with Code of Conduct complaints made about Councillors and the General Manager in the year to September, including staff costs.*

*12.2 The Council is to provide the Division with a report containing the statistics referred to in Clause 12.1 within 3 months of the end of September of each year."*

*Code of Conduct Complaints - 1 September 2016 to 31 August 2017 present the following profile, as referred to in Clause 12.1 of the Code of Conduct - Procedures for the Administration of the Code of Conduct:*

## *12.1*

<i>(a) Number of complaints</i>	<i>16</i>	
<i>(b) Referred to Reviewer</i>	<i>Nil</i>	
<i>(c) Number finalised by Reviewer and nature of those complaints:</i>	<i>Nil</i>	<i>Complaints relating to breaches of various clauses of the Code of Conduct</i>
<i>(d) Number investigated by Reviewer</i>	<i>Nil</i>	

(e) Number investigated by Conduct Review Committee	Nil	
(f) Outcome of reviews under 2.1(d) & (e)	No action was required	
(g) Number investigated by OLG & nature of those complaints	Nil	16 complaints were referred to the Office of Local Government. - the Office of Local Government has entered into a special complaints management arrangement with Council for complaints being received from one particular individual.
(h) Cost of dealing with complaints	Conduct Reviewer \$Nil	Staff time was spent on preparation of correspondence to Office of Local Government and recording and copying of material for council records. Approximately \$2,000.

**Financial Implications:** The cost of dealing with the complaints received for the 2017/2018 reporting period is an estimated cost of \$2,000 for Council staff time.

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

- Objective 6: Community leadership and collaboration Strategy 6.4

**Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Yours faithfully



A Jones  
**DIRECTOR**  
**CORPORATE SERVICES & FINANCE**

## **DIRECTOR ENGINEERING SERVICES' REPORT**

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

7 NOVEMBER 2018

## **1 NATIVE TITLE MANAGER NOTICE TO THE MINISTER FOR LANDS AND FORESTRY (22.00270, 20.00039 & 41.00088)**

**Recommendation:** That Council give notice to the Minister of Lands and Forestry, stating the name and contact details of Council's Land Development Officer, who has been appointed as Council's Native Title Manager.

**Report:** Changes to the management of Crown reserves under the Crown Land Management Act 2016 came into effect on 1 July 2018. Under the reforms, Councils will now be responsible for the management of Crown land for reserves where they had been appointed the Reserve Trust Manager as if it were public land under the Local Government Act 1993. The former structure of reserves, reserve trusts and reserve trust managers has been replaced with a single manager responsible for each Crown reserve, known as the Crown Land Manager.

A requirement of the Crown Land Management Act 2016 is for Councils to engage or employ a Native Title Manager to oversee and approve dealings and actions that may affect native title and to provide notification of the names and contact details of any person utilised in this capacity to the Minister for Lands and Forestry.

Section 377(1)(s) of the Local Government Act 1993 states that the making of an application, or giving of a notice, to the Governor or Minister requires a resolution of Council.

It is recommended that the name and contact details of Council's Land Development Officer, who has been acting as Council's Native Title Manager, be provided to the Minister of Lands and Forestry.

**Financial Implications:** Nil

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

- Objective 6: Community leadership and collaboration Strategy 6.1

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.



## **2 CATEGORISATION OF CROWN RESERVES (22.00270)**

**Recommendation:** That the categories proposed for each Crown reserve as detailed in the Director Engineering Services' report be assigned and that the Minister of Lands and Forestry be notified.

**Report:** Changes to the management of Crown reserves under the Crown Land Management Act 2016 came into effect on 1 July 2018. Under the reforms, Councils will now be responsible for the management of Crown land reserves where they had been appointed the Reserve Trust Manager as if it were public land under the Local Government Act 1993. Each Reserve under Council's management has by default been assigned a classification of community land as opposed to operational land.

All community land is required to have a plan of management adopted. However, prior to drafting plans of management it is a requirement of the Crown Land Management Act 2016 for Councils to assign an initial category for the land that they consider most closely relates to the purpose for which the land is reserved. The Minister for Lands and Forestry must then be notified of the assigned category for each reserve. The assigned category must be in accordance with section 36 of the Local Government Act 1993. The form used to provide notice to the Minister is shown at **attachment 1**.

Details of all the reserves to be managed by Council within the Bathurst Regional Council local government area, including the proposed categories are shown at **attachment 2**.

It is recommended that the categories proposed for each Crown reserve as detailed in the Director Engineering Services' report be assigned and that the Minister of Lands and Forestry be notified.

**Financial Implications:** Nil

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

- Objective 6: Community leadership and collaboration Strategy 6.4

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

**3 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(11.00005, 14.00007 & 36.00681)**

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

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

**1 CONTAINER DEPOSIT SCHEME - REFUND SHARING AGREEMENT (14.00007)**

This report considers a refund sharing agreement for the container deposit scheme.

**2 TENDER FOR CONSTRUCTION OF NEW AMENITIES BUILDING AT PROCTOR  
PARK - PORTION B (36.00681)**

This report considers a variation to the tender for the construction of new amenities building at Proctor Park.

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

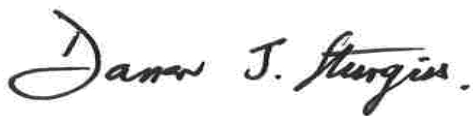
**Bathurst Community Strategic Plan - Objectives and Strategies**

- Objective 6: Community leadership and collaboration Strategy 6.4

**Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Yours faithfully



Darren Sturgiss  
**DIRECTOR  
ENGINEERING SERVICES**

## **DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT**

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

7 NOVEMBER 2018

# **1 NATIONAL MOTOR RACING MUSEUM - 2018 BATHURST SUPERCHEAP AUTO 1000, ACTIVITY REPORT (21.00005)**

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

## **Report: MUSEUM PERFORMANCE**

The 2018 Supercheap Auto Bathurst 1000 was a very successful event for the National Motor Racing Museum (NMRM).

In keeping with excellent attendance figures for the overall event, the NMRM saw an 11% increase in museum visitation over 2017 figures from 30 September 2018 to 8 October 2018, with a total of 5458 visitors. Retail sales during this period were also up over the same time in 2017, with a 20% increase.

The following table outlines the two-year trend of museum visitation and total income over the equivalent nine-day period:

	<b>2018</b>	<b>2017</b>	<b>2016</b>
Visitors	5,458	4,902	4,024
Total Income	\$ 102,104.35	\$ 88,461.15	\$ 89,721.90

This shows a 35% increase in visitor numbers since 2016, and an increase of 14% in total museum income (admissions and retail sales).

## **Social Media Engagement**

NMRM Facebook posts had a reach of 42,621 during the race week period, with 310 new page likes gained, and a reach of 94,709 and 1,098 new page likes during the 28-day period to 8 October 2018.

## **MUSEUM ACTIVITY**

For the 2018 event, a special exhibition focusing on the 50<sup>th</sup> Anniversary of Holden's first Bathurst win in 1968 was assembled, and this project was intended to complement the Supercars 'Falcon Farewell' display in the paddock area during the race weekend. Significant promotion of the Holden exhibition through various social media channels was complemented by specialist media coverage, with great response to the exhibition content. This exhibition will be ongoing until mid-November 2018, and further direct marketing will aim to continue to grow Museum visitation in response to this content.

Other activities relating to the NMRM during the race period included:

- Two cars on display during the Super Wednesday event in the Bathurst CBD.
- NMRM branding on the Legendary Moments Dinner held at Rydges on 4 October 2018.
- NMRM hosted a sell-out evening with V8 Sleuth – 200 guests for a Q & A format evening with Glenn Seton on 4 October 2018.
- Holden PR photoshoot with NMRM 1968 Monaro replica and Preston Hire Supercar.
- NMRM Falcon GT in Channel Ten pit studio.
- NMRM Mini Cooper in Bathurst Library during lead up period and race weekend.
- NMRM participation in Drivers' Parade Lap (Monaro) and Bob Jane Tribute (Cortina) on race morning.
- NMRM 1977 Falcon coupe on display in paddock 'Falcon Farewell' exhibition.

The cars in this exhibition are as follows:

- 1968 HK Monaro (replica) – NMRM Collection
- 1976 L34 Torana – NMRM Collection
- 1978 A9X Torana – loan
- 1984 HDT Commodore – NMRM Collection
- 1986 VK Commodore – loan
- 1995 VR Commodore – loan
- 2003 VY Commodore – loan
- 2009 VE Commodore – loan
- 2015 VF Commodore - loan

Additionally, the NMRM Museum Coordinator was able to utilise the event period to develop relationships with teams, media and other organisations with a view to future collaborations for museum development and exhibition content. Organisations and individuals included Supercars, Erebus Motorsport, Tickford Racing, Brad Jones Racing, Chevron Publishing, V8 Sleuth, Authentic Collectables, Biante Model Cars, Team Preston Hire, AME Management, Channel Ten, Speedcafe, SupercarXtra and several collectors and vehicle owners.

#### Media Engagements

- Excellent coverage of Holden exhibition content via Supercars media, Speedcafe.com, V8Sleuth.com.au, Unique Cars and Motor Magazine online and Bathurst Life magazine.
- Radio interviews on 2BS and B-Rock during race week
- Holden PR filming with Craig Lowndes, Steve Richards, Greg Murphy and Larry Perkins which was circulated via Holden Motorsport social media channels, and made available to NMRM
- Channel Ten feature story during telecast showing Holden exhibition plus general museum content – this footage will also be supplied to the NMRM for Social Media use.
- Supercars Media filming with 1977 Falcon from NMRM collection broadcast on trackside and Fox Sports coverage.

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

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

- Objective 1: Our sense of place and identity Strategy 1.3
- Objective 2: A smart and vibrant economy Strategy 2.5, 2.6

#### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

## **2 BATHURST MEMORIAL ENTERTAINMENT CENTRE - 14TH LATIN AMERICAN FILM FESTIVAL IN AUSTRALIA (13-17 OCTOBER 2018) (21.00060)**

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

**Report:** The Latin American Film Festival was held at the Bathurst Memorial Entertainment Centre (BMEC) from Saturday 13 October to Wednesday 17 October.

The Latin American Embassies in Australia host this event at various locations in Australia each year. Every year the event is hosted by a different Embassy – this year it was Mexico and a representative of the Embassy attended the opening function on Saturday evening.

This opening event was attended by 42 members of the Bathurst community.

14 films were shown over the five days. The event is a free event for the community. Total attendance was 170 (a number of these people attended more than one session). This small audience was appreciative of the opportunity to see these films that otherwise would not be shown in Bathurst.

17 Kelso High School Spanish language students attended one session.

The Local Stages program at BMEC supported the event with access to venue and some technical support. Charles Sturt University sponsored the event providing funding for catering and decorations.

There is potential to increase audiences for this event over time and the organisers hope for continued support from BMEC. The Mexican Embassy representatives were pleased with the event held in Bathurst and the Latin American Embassies in Australia have indicated a willingness to attend Bathurst in 2019.

**Financial Implications:** There are no financial implications resulting from this report as support for the venue and staff comes from the Local Stages funding support.

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

- Objective 1: Our sense of place and identity Strategy 1.3
- Objective 5: Community health, safety and well being Strategy 5.

### **Community Engagement**

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Yours faithfully



Alan Cattermole

**DIRECTOR  
CULTURAL & COMMUNITY SERVICES**