

30 January 2019

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 6 February 2019**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 6 February 2019 commencing at 6.00 pm.

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



D J Sherley  
**GENERAL MANAGER**

# **BUSINESS AGENDA**

## **ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**

**TO BE HELD ON WEDNESDAY, 6 FEBRUARY 2019**

**1. 6:00 PM - MEETING COMMENCES**

**2. PUBLIC FORUM**

**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 - 12 DECEMBER 2018

\* MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 19 DECEMBER 2018

**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 GENERAL MANAGER'S AND 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 - 5 DECEMBER 2018

**10. NOTICES OF MOTION - Nil**

**11. RESCISSION MOTIONS - Nil**

**12. COUNCILLORS/ DELEGATES REPORTS**

\* MINUTES - BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE - 29 NOVEMBER 2018

\* MINUTES - AUSTRALIA DAY WORKING PARTY - 15 JANUARY 2019

### 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 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 ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	SECOND CIRCUIT, MOUNT PANORAMA, ABORIGINAL CULTURAL HERITAGE ASSESSMENT	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	RENEWAL OF COMMERCIAL LEASE - LOT 19 DP849271	10A (2) (d) (i) – contains commercial information of a confidential nature that would,

	KNOWN AS 57 SEYMOUR STREET, BATHURST	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 COMMERCIAL LEASE - PART LOT 1 DP774489 KNOWN AS SHOP 2, 230 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.
3	RENEWAL OF RURAL LICENCE AGREEMENT AT LOTS 134,137,138,144,145 DP750357 AND LOT 1 DP784476 AND LOT 100 DP1108903 KNOWN AS VALE ROAD, SOUTH BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	RAILWAY INSTITUTE LEASE - FROM TRANSPORT FOR NSW	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	HANGAR LEASE FEES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR HYDRANT MAINTENANCE	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	KELSO COMMUNITY HUB LANDSCAPE PROJECT	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	HOWARDS BRIDGE WINBURNDALE RIVULET - EMERGENCY REPLACEMENT	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 - 12 DECEMBER 2018 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 12 December 2018 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 12 December 2018, are **attached**.

**Financial Implications:** N/A

### **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.

## **2 MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 19 DECEMBER 2018 (11.00005)**

**Recommendation:** That the Minutes of the Extraordinary Meeting of Bathurst Regional Council held on 19 December 2018 be adopted.

**Report:** The Minutes of the Extraordinary Meeting of Bathurst Regional Council held on 19 December 2018, are **attached**.

**Financial Implications:** N/A

### **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.



**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
HELD ON 12 DECEMBER 2018**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

**Present:** Councillors Hanger (Chair), Bourke, Christian, Fry, Jennings, Morse, North, Rudge.

**PUBLIC FORUM**

**2 PUBLIC FORUM**

**T Kessey – Youth Council** - Spoke to Director Cultural & Community Services Report #1 and Youth Council Minutes, Councillors/Delegates Reports #2. Noted actions of the "How to Adult" workshops and other events held. Youth Council will next meet in February 2019.

**M Griffiths** – resident 70 Havannah Street - DA 48 Havannah Street - still awaiting copies of reports used to amend the Development Application. Feels have right of access to documentation and so has been denied procedural fairness. Then spoke to toxins alleged to be on the site and further asbestos works that have occurred. Referred to health implications, the consideration of toxins appears to have been removed from the review process. Alleged criminal fraud. Requests access to the documents sought.

**B Hennessy** - applicant - Item # 6 DEPBS - DA 3397 O'Connell Road, O'Connell - spoke to problems of dealing with Bathurst Regional Council in terms of heritage. If Council takes the private road to their property then adjoining owners could apply to utilise the access. This would mean up to 50 B-Doubles utilising the road, there are safety issues. Spoke to possible vehicle conflict and a tragic accident. All blocks sold have a section 88b requirement for the maintaining of the road. Have sought independent advice from RoadS and Maritime Services, T Renshaw amongst others. The 9 issues raised by Council are false. Gave as an example the Rural Fire Service road needs. Have support of all the owners of the subdivision who utilise the access road. The Hasselhorfs do not use this road. Noted issues concerning Mrs Kelly such as fencing, wash-ways, fencing alignment, Suggests core samples be taken of road, sealing of a form occur and the road remains as a private road.

**EXTENSION OF TIME**

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

**RESOLVED:** That an extension of time be granted for B Hennessy.

**A Dunshea** – applicant - Item # 4 - DA 449 Conrod Straight, Mount Panorama - spoke to DA, not trying to circumvent disability laws, they do not apply as is

acknowledged in the report. Spoke to site restrictions and footprint needed to do the work.

The conditions are being imposed by Council under the National Construction Code (NCC) classification 1(b) and spoke to correspondence received from Council, obtained specialist legal advice and certifier/planner advice separate from Council. They said classification is 1(a), which is different to Council's position. Council got legal advice which agreed with his advice, but still are imposing the access requirements.

The proposal is lawful, pursuant to current planning laws and seeks Council approve the development. The disability standards do not apply to a 1(a) building.

Unit to be used for friends and relatives and some little level of renting out for commercial opportunity. The public interest was noted and the issue of reasonableness. Please approve the Development Application.

### **EXTENSION OF TIME**

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

**RESOLVED:** That an extension of time be granted for A Dunshea.

### **B Trimming – resident**

The news says that the Acting General Manager at Dubbo gets three times the pay of the Bathurst Regional Council General Manager.

**B Trimming - Item # 4 - DA 449 Conrod Straight, Mount Panorama** In regards to development, feels common sense to provide disability access should occur. Has spoken to other members of Bathurst Regional Access Committee. Referred to disability guidelines in existence for buildings. Spoke to what is a guest house and this is one of these. Agrees with Council's determination on this proposal, the paragraph re 4 rooms of the classification has "or" not that both requirements are to be met. Referred to possible breaches of the Disability Discrimination Act.

Then discussed issues of tourism rebuilds and new developments and accessibility requirements. If this is allowed as requested, this sets a precedent for non-accessible development. Commonsense is to make the development accessible, please support the recommendation in the report.

### **EXTENSION OF TIME**

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

**RESOLVED:** That an extension of time be granted for B Trimming.

**G Dunshea – applicant - Item # 4 - DA 449 Conrod Straight, Mount Panorama** - Council has agreed the development is 1(a) not 1(b), so the development is not under the auspices of the Disability Discrimination Act.

**D O'Keefe – nearby resident - Item #5 - DA 261 Lambert Street** - spoke to concerns with the development, possible impacts on trees on Ms O'Keefe's property and the requirements of the Tree Preservation Order (TPO). Queried what processes occur when TPO is applied. The developer is only concerned with how much money they

can make, no concern for the community or future impacts. Raised concerns about mental health issues and burden that may come on Council. The proposal is unreasonable

**M Pollard** – resident, 22 Park Street - DEPBS #3 - Child Care Centre at 23 Park Street, Eglinton

spoke to proposed development, it does not comply with DCP in regards to car parking, noted specific requirements. Feels if get rid of pick up and drop off point then more car parking spaces need to be provided. Noted staff/children ratios which would mean a minimum level of 7 staff are required, spaces need to be provided on site for staff. The Traffic Study uses figures in a study from 2002 and feel the DA does not adequately address issues in the 2002 report, feels this indicates around 17 spaces (staff/client) are needed. Concern street will be blocked up and spoke to his access problems. Also has safety concerns with the proposal given how busy Park Street is. Need to potentially look at 40 km/h zone and pedestrian crossing.

**C Hazel** - DEPBS #3 - Child Care Centre at 23 Park Street, Eglinton

Supports recommendation of Council. Mr Hazel is the author of the Traffic Study. The proposed parking complies with Council's DCP, there is enough on street parking. Noted safety concerns, this is a matter for drivers, the road is safe, Park Street is a low density roadway.

**T Williams** – resident, 37 Park Street - DEPBS #3 - Child Care Centre at 23 Park Street, Eglinton - Park Street is used by a lot of children including with bikes, scooters, etc. Spoke to safety issues, footpath layout and restrictions in Alexander Street to use this as a drop-off zone. Many people driving to public school have to utilise Park Street. There are not enough car spaces for the pre-school and it also needs a drop-off zone. Then raised noise issues with adjoining properties and existing car issues with the General Store. A lot more consideration needs to given to parking with this centre.

**C O'Rourke** – resident - DEPBS #3 - Child Care Centre at 23 Park Street, Eglinton - spoke to traffic issues in Eglinton around the public school. It is very busy and supports previous speakers.

**P Dowling** – ratepayer - intersection Durham and Peel Streets - has previously asked Council to look at this road which gets blocked up. This matter was to go to the Traffic Committee, what has happened, referred to other intersections and their treatment, such as corner George and Durham Street at Dan Murphys.

**The Director Engineering Services** noted queuing is against the law, will look at a community education program. Advised difference in road treatments where the issue is queuing across driveways, rather than road intersections.

**D McNab** – ratepayer - Mitre/Lambert/Suttor Street roundabout - queried where the progress on this matter is at? Has design work been completed? Wished everyone well for Christmas. Will be back in 2019 and hope roundabout can be completed by end of 2019.

**The Director Engineering Services** advised still liaising with Department of Crown Lands to have access through Crown Land, when this occurs will then complete the design.

**APOLOGIES**

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

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

**MINUTES**

- 4** **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 21 NOVEMBER 2018 (11.00005)**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 November 2018 be adopted.

**DECLARATION OF INTEREST**

- 5** **DECLARATION OF INTEREST 11.00002**  
**MOVED** Cr J Rudge and **SECONDED** Cr B Bourke

**RESOLVED:** That the following Declarations of Interest be noted.

General Manager  
 Item #1 of the Confidential Mayoral Minute

Cr Bourke  
 Item #6 of the Director Environmental, Planning and Building Services Report

Cr North  
 Item #4 of the Director Environmental, Planning and Building Services Report

Acting Director Corporate Services & Finance  
 Item #1 of the Director Engineering Services Report

**MAYORAL MINUTE**

- 6** **Item 1 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 35.01136)**  
**MOVED** Cr G Hanger and **SECONDED** Cr J Rudge

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

**RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS****Director Environmental Planning & Building Services' Report****7 Item 1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)****MOVED** Cr I North and **SECONDED** Cr J Rudge**RESOLVED:** That the information be noted.**8 Item 2 GENERAL REPORT (03.00053)****MOVED** Cr B Bourke and **SECONDED** Cr A Christian**RESOLVED:** That the information be noted.**9 Item 3 DEVELOPMENT APPLICATION NO. 2018/290 – DEMOLITION OF EXISTING DWELLING, GARAGE & OUTBUILDING AND CONSTRUCTION OF CHILD CARE CENTRE AT 23 PARK STREET, EGLINTON. APPLICANT: HANNAS CHILDCARE DEVELOPMENTS. OWNER: MR O & MRS J GENC (DA/2018/290)****MOVED** Cr B Bourke and **SECONDED** Cr A Christian

That Council:

- (a) as the consent authority, refuse to grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/290.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

The following **AMENDMENT** was **MOVED**.**10 Item 3.01 DEVELOPMENT APPLICATION NO. 2018/290 – DEMOLITION OF EXISTING DWELLING, GARAGE & OUTBUILDING AND CONSTRUCTION OF CHILD CARE CENTRE AT 23 PARK STREET, EGLINTON. APPLICANT: HANNAS CHILDCARE DEVELOPMENTS. OWNER: MR O & MRS J GENC (DA/2018/290)****MOVED** Cr J Jennings and **SECONDED** Cr I North

That Council:

- (a) Defer consideration of DA 2018/290, for further discussion with the proponent on traffic, parking and noise issues.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

The AMENDMENT was PUT and CARRIED

The AMENDMENT then became the MOTION

The MOTION was then PUT and CARRIED

The result of the division was:

In favour of the motion - Cr B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr J Rudge,

Against the motion - Nil

Absent - Cr W Aubin,

Abstain - Nil

- 11** Item 4 DEVELOPMENT APPLICATION NO. 2018/37 – ALTERATIONS AND ADDITIONS TO EXISTING DWELLING, ERECTION OF A SEPARATE DETACHED GARAGE AND THE ERECTION OF A DETACHED TWO STOREY SELF-CONTAINED UNIT FOR USE AS TOURIST AND VISITOR ACCOMMODATION AT 449 CONROD STRAIGHT, MOUNT PANORAMA. APPLICANT: ANDREW DUNSHEA. OWNER: MRS G L DUNSHEA (2018/37)  
MOVED Cr J Jennings and SECONDED Cr B Bourke

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

Reason: Applicant is family solicitor

**RESOLVED:** That Council

- (a) as the consent authority, approve Development Application No. 2018/37 and grant consent pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, as amended, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act, as amended and including conditions to the effect that:
- (1) The property is not to be used for commercial motor race hosting. Commercial motor race hosting means the use of land to provide viewing areas for motor racing for fee or reward for 13 or more persons. This may or may not include the provision of accommodation, food or drink;
  - (2) The proposed tourist and visitor accommodation must not be used as a dwelling or by the same person or persons for more than 42 days (whether consecutive or not) in any calendar year;
- (b) support with the variation to the boundary setback development standards prescribed in the Bathurst Regional Development Control Plan 2014; and
- (c) 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 B Bourke, Cr A Christian, Cr J Fry, Cr J Jennings, Cr J Rudge,

Against the motion - Cr G Hanger, Cr M Morse,  
Absent - Cr W Aubin, Cr I North,  
Abstain - Nil

- 12** **Item 5 DEVELOPMENT APPLICATION NO. 2018/303 – DEMOLITION OF EXISTING SHED, DUAL OCCUPANCY (TWO STOREY SECOND DWELLING WITH ATTACHED GARAGE), CARPORT AND TWO LOT RESIDENTIAL SUBDIVISION AT 261 LAMBERT STREET, BATHURST. APPLICANT: MR B MOULDS. OWNER: MODERNIZATION PTY LTD (DA/2018/303)**  
**MOVED** Cr B Bourke and **SECONDED** Cr J Rudge

**RESOLVED:** That Council:

- (a) as the consent authority, refuse consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/303, for the following reasons:
- (i) No on-site visitor car parking has been provided and insufficient justification has been provided for the variation to this Development Standard;
  - (ii) The development will have an adverse impact on the amenity on the adjoining properties in Stewart Street in terms of visual impact, overshadowing and privacy;
- (b) notify those that made submissions of its decision; and
- (c) 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 B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr J Rudge,  
Against the motion - Nil  
Absent - Cr W Aubin,  
Abstain - Nil

- 13** **Item 6 REQUEST TO VARY GUIDELINES FOR ENGINEERING WORKS FOR ACCESS TO RURAL SUBDIVISION APPROVED BY OBERON COUNCIL, 3397 O'CONNELL ROAD, O'CONNELL (20.00099)**  
**MOVED** Cr J Jennings and **SECONDED** Cr I North

**Cr Bourke declared a non-pecuniary interest in this item and remained in the Chamber.**

**Reason: Proponent has donated to Op Shop of which Cr Bourke is a Volunteer Manager.**

That Council:

- (a) support the variation to the Guidelines for Engineering works to allow nine (9) lots to gain access off a right of carriageway and advise Oberon Shire Council

accordingly, subject to the applicant

- (i) undertaking core sampling to assess the suitability of the road
  - (ii) sealing of the road, with reinforced seal
  - (iii) establishment of Management Committee to oversee the maintenance of the road.
- (b) notify those that made submissions of its decision
  - (c) call a division.

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

**The result of the division was:**

In favour of the motion - Cr B Bourke, Cr J Fry, Cr J Jennings,

Against the motion - Cr A Christian, Cr G Hanger, Cr M Morse, Cr I North, Cr J Rudge,

Absent - Cr W Aubin,

Abstain - Nil

- 14** **Item 6.01 REQUEST TO VARY GUIDELINES FOR ENGINEERING WORKS FOR ACCESS TO RURAL SUBDIVISION APPROVED BY OBERON COUNCIL, 3397 O'CONNELL ROAD, O'CONNELL (20.00099)**  
**MOVED** Cr M Morse and **SECONDED** Cr A Christian

**RESOLVED:** That Council:

- (a) reaffirm its position of 21 June 2017 in relation to public road access and construction standard to service the subdivision of Lot 3 DP 1228411, 3397 O'Connell Road, Lagoon, Oberon Shire Council application 10.2015.86.1
- (b) notify those that made submissions of its decision
- (c) 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 A Christian, Cr J Fry, Cr G Hanger, Cr M Morse, Cr I North, Cr J Rudge,

Against the motion - Cr B Bourke, Cr J Jennings,

Absent - Cr W Aubin,

Abstain - Nil

- 15** **Item 7 BATHURST – EMERGING INNOVATION PRECINCT STATUS (20.00315)**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

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



- 16** **Item 8 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 28.00014)**  
**MOVED** Cr M Morse and **SECONDED** Cr I North

**RESOLVED:** That the information be note

**Director Corporate Services & Finance's Report**

- 17** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**  
**MOVED** Cr J Rudge and **SECONDED** Cr I North

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

- 18** **Item 2 MONTHLY REVIEW - 2018/2022 DELIVERY PLAN AND OPERATIONAL PLAN 2018-2019 (16.00155)**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

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

- 19** **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 J Fry

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

- 20** **Item 4 POWER OF ATTORNEY (11.00007)**  
**MOVED** Cr J Rudge and **SECONDED** Cr I North

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

- 21** **Item 5 FREE WATER FOR VERIFIED PRIMARY PRODUCERS (16.00155)**  
**MOVED** Cr J Jennings and **SECONDED** Cr J Fry

**RESOLVED:** That Council provides free water for verified primary producers until Ben Chifley Dam reaches 40% or lower; the drought declaration for the Bathurst Local Government Area has been removed; or 5 May 2019.

- 22** **Item 6 2019 HI-TEC OILS BATHURST 6 HOUR EVENT (04.00097)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

**RESOLVED:** That Council act in accordance with the Director of Corporate Services and Finance report and provide one three (3) day entry pass per permanent employee to attend the 2019 Hi-Tec Oils Bathurst 6 Hour held at Easter.

**23 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - LIFELINE CENTRAL WEST (18.00195)****MOVED** Cr I North and **SECONDED** Cr B Bourke

**RESOLVED:** That Council refer consideration of a funding allocation of \$15,000 per annum for three (3) years for Lifeline Central West to the 2019/2020 Operational Plan process.

**24 Item 8 REQUEST FOR FINANCIAL ASSISTANCE - EGLINTON COUNTRY FAIR (18.00004)****MOVED** Cr I North and **SECONDED** Cr B Bourke

**RESOLVED:** That Council purchase a Gold Sponsorship Package, valued at \$500, for the Eglinton Country Fair to be held on Saturday, 23 February 2019

**25 Item 9 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 20.00329, 22.02055, 22.00041, 22.13109, 16.00007, 22.00771)****MOVED** Cr I North and **SECONDED** Cr J Jennings

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

**Director Engineering Services' Report****26 Item 1 COUNCIL SPORTING ASSOCIATION GRANTS PROGRAM YEAR ENDING JUNE 2019 (18.00279)****MOVED** Cr I North and **SECONDED** Cr A Christian

**The Acting Director, Corporate Services & Finances declared a non-pecuniary interest in this item, left the Chamber.**

**Reason: Member and Past President of Eglinton Tennis Club.**

**RESOLVED:** That Council approve the following sporting grants totalling \$16,990 for the 2018/2019 financial year, in accordance with the recommendations contained within the Director Engineering Services' Report;

**ORGANISATION PROPOSED GRANT**

Eglinton District Tennis Club	\$4,400
Bathurst City Amateur Swimming Club	\$3,490
Bathurst Carillon Tennis Club	\$4,800
Bathurst Giants ARFC	\$1,800
Bathurst BMX Club	\$2,500

**27 Item 2 SCOPING STUDY - DEVELOPMENT OF AN ENTRANCE STATEMENT SYDNEY ROAD BATHURST (37.00555)****MOVED** Cr B Bourke and **SECONDED** Cr J Jennings

**RESOLVED:** That:

- (a) the information be noted and,
- (b) a working party be held to discuss possible entrance statement options to be further investigated, as well as future funding provision.

**28 Item 3 REQUEST FOR ACCESS FOR ROADSIDE TESTING BY FORTESCUE METALS – TRUNKEY CREEK AREA (20.00237)**

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

**RESOLVED:** That Council approve the use of Council roads in accordance with the conditions outlined in the Director Engineering Services report.

**29 Item 4 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 36.00687, 36.00690, 36.00688, 2017/205, 36.00683, 36.00685, 36.00616, 36.00686, 07.00017)**

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

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

**Director Cultural & Community Services' Report**

**30 Item 1 BATHURST REGIONAL YOUTH COUNCIL - 'HOW TO ADULT' WORKSHOPS, 2 AND 9 NOVEMBER 2018 (11.00020)**

**MOVED** Cr I North and **SECONDED** Cr J Rudge

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

**31 Item 2 DRAFT BATHURST PUBLIC ART POLICY (11.00038)**

**MOVED** Cr J Jennings and **SECONDED** Cr J Rudge

**RESOLVED:** That Council:

- (a) Endorse the placement of the draft Bathurst Public Art Policy on public exhibition for 28 days and receive submissions.
- (b) If no submission/s are received during the public exhibition period, adopt the Bathurst Public Art Policy.
- (c) If submission/s received during public exhibition, prepare a further report to Council.

**32 Item 3 BATHURST REGIONAL ART GALLERY - AWARD WIN AT 2018 MUSEUMS & GALLERIES NSW IMAGINE AWARDS (21.0002)**

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

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

- 33** **Item 4 BATHURST DESTINATION BRAND STRATEGY IMPLEMENTATION - PROGRESS REPORT (20.00299)**  
**MOVED** Cr J Rudge and **SECONDED** Cr M Morse

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

- 34** **Item 5 BATHURST MEMORIAL ENTERTAINMENT CENTRE - 2018 SEASON REVIEW, 2019 SEASON LAUNCH AND 20 YEAR CELEBRATIONS (20.00060)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

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

- 35** **Item 6 BATHURST VISITOR INFORMATION CENTRE - NSW TOURISM AWARDS 2019 (21.00041)**  
**MOVED** Cr B Bourke and **SECONDED** Cr J Rudge

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

## **REPORTS OF OTHER COMMITTEES**

### **Traffic Committee Meeting**

- 36** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 4 DECEMBER 2018 (07.00006)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 4 December 2018 be adopted.

## **COUNCILLORS/ DELEGATES REPORTS**

- 37** **Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 14 NOVEMBER 2018 (11.00019)**  
**MOVED** Cr M Morse and **SECONDED** Cr I North

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

- 38** **Item 2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL 13 NOVEMBER 2018 (11.00020)**  
**MOVED** Cr J Fry and **SECONDED** Cr J Rudge

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

- 39** **Item 3 MINUTES - AUSTRALIA DAY WORKING PARTY - 20 NOVEMBER 2018 (23.00033)**  
**MOVED** Cr I North and **SECONDED** Cr A Christian

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

- 40** **Item 4 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 28 NOVEMBER 2018 (11.00019)**  
**MOVED** Cr J Jennings and **SECONDED** Cr J Rudge

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

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

- 41** **Item 1 SUSPENSION OF STANDING ORDERS**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

**RESOLVED:** That Standing Orders be suspended to allow Council to move Mayoral Minute, General Manager's Appraisal to last item in Confidential Committee.

- 42** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**  
**MOVED** Cr I North and **SECONDED** Cr J Jennings

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

**There were no representations from the public.**

**RESOLVED:** That:

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

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

**\* MAYORAL MINUTE**

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	STREET LIGHTING - UPGRADE TO LED LIGHTING WITH SMART CONTROLS	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.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	LAND RELEASE - LIMEKILNS ROAD, KELSO - SUNNYBRIGHT ESTATE STAGE "A" RELEASE SUBDIVISION	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
2	RURAL LICENCE AGREEMENT - LOTS 2 & 3 IN DP786760 KNOWN AS 44 FREEMANTLE ROAD, EGLINTON.	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 TELECOMMUNICATIONS LEASE AGREEMENT - PART LOT 1 DP774489 KNOWN AS 230 HOWICK STREET - VODAFONE	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	PURCHASE OF PROPERTY AT LOT 2	10A (2) (d) (i) – contains commercial information of a confidential nature that would,

	SECTION 15 DP758840 KNOWN AS 22 ROCKLEY STREET, PERTHVILLE	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	ELECTRICITY PROCUREMENT	10A (2) (d) (iii) – contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.
6	INTEREST ON OUTSTANDING RATES – ASSESS 207604	10A (2) (b) – contains advice concerning hardship of a resident or ratepayer, disclosure of which would not be in the public interest as it would prejudice the personal position of the individual concerned.

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR STORMWATER DRAINAGE PIPES	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 BATHURST CENTRAL BUSINESS DISTRICT CCTV - STAGE 1	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 FOR READY MIX CONCRETE	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 TRANSFER OF LAND TO COUNCIL FOR A SEWER PUMPING STATION - LOT 1025 DP1245197 LIMEKILNS ROAD KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	TENDER FOR HIRE OF PLANT	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	TENDER FOR HIRE OF TRUCKS/WATERCARTS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	CONTRACT FOR CONSTRUCTION OF TAXIWAYS AND APRONS EXTENSION WORKS - BATHURST AERODROME	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	TENDER FOR SUPPLY AND DELIVERY OF ROADBASE MATERIAL	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	CENTROC TENDER FOR LINEMARKING SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

### Mayoral Minute

- a** **Item 1 GENERAL MANAGER'S APPRAISAL (35.01136)**  
**MOVED** Cr G Hanger and **SECONDED** Cr J Rudge

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

Reason: concerns his employment.

That Council note:

- (a) the performance review of the General Manager, which was rated as more than satisfactory;



- (b) that the General Manager's employment package has been set at \$358,346.

**Director Environmental Planning & Building Services' Report**

- b** **Item 1 STREET LIGHTING - UPGRADE TO LED LIGHTING WITH SMART CONTROLS (28.00014)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

That Council authorise the General Manager to act in accordance with the report.

**Director Corporate Services & Finance's Report**

- c** **Item 1 LAND RELEASE - LIMEKILNS ROAD, KELSO - SUNNYBRIGHT ESTATE STAGE "A" RELEASE SUBDIVISION (20.00329)**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

That Council approves:

- (a) the release for sale of 95 Lots, namely Lot 20 to Lot 115, in the new residential subdivision to be known as Sunnybright Estate stage "A" release, located at Limekilns Road, Kelso under the ballot system.
- (b) grant approval for the General Manager to finalise lot sale prices once registration has occurred, as detailed in the report.

- d** **Item 2 RURAL LICENCE AGREEMENT - LOTS 2 & 3 IN DP786760 KNOWN AS 44 FREEMANTLE ROAD, EGLINTON. (22.02055)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

That Council approves entering into a rural licence agreement for Lots 2 & 3 in DP786760 known as 44 Freemantle Road, Eglinton for a period of 12 (twelve) months with a 12 (twelve) month option period at Council's discretion, as detailed in the report and subject to Council's Land Management Guidelines and insurance requirements.

- e** **Item 3 RENEWAL OF TELECOMMUNICATIONS LEASE AGREEMENT - PART LOT 1 DP774489 KNOWN AS 230 HOWICK STREET - VODAFONE (22.00041)**  
**MOVED** Cr I North and **SECONDED** Cr J Jennings

That Council approve the renewal of the Telecommunications lease agreement for part Lot 1 in DP774489 known as 230 Howick Street, Bathurst, with Vodafone for a period of 5 years with an additional 3 consecutive leases being 5 years each as detailed in the report.

- f** **Item 4 PURCHASE OF PROPERTY AT LOT 2 SECTION 15 DP758840 KNOWN AS 22 ROCKLEY STREET, PERTHVILLE (22.13109)**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

**That Council:**

- (a) authorise the General Manager to negotiate the purchase of the property at Lot 2 Section 15 DP758840 known as 22 Rockley Street, Perthville as detailed in the report.
- (b) classify the land as operational under the provisions of Section 31(2) of the Local Government Act 1993.

- g** **Item 5 ELECTRICITY PROCUREMENT (16.00007)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

**That Council:**

- a) Endorse Council's involvement in the Request for Tender for the management of Aggregated Electricity Procurement being coordinated through CENTROC.
- b) Acknowledge that there are extenuating circumstances surrounding the procurement of electricity and as such Council should be excused from the tendering requirements under Section 55 of the Local Government Act. The extenuating circumstances being
  - 1. the time constraints involved in the process between obtaining and accepting a price
  - 2. the Aggregated Electricity Procurement process will involve an adequate and practical testing of the pricing existing within the marketplace at the time
- c) Delegate to the General Manager and Mayor the authority to execute the contracts for:
  - (i) The Management of Aggregated Electricity Procurement
  - (ii) The supply of electricity.

- h** **Item 6 INTEREST ON OUTSTANDING RATES – ASSESS 207604 (22.00771)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

**That Council** write off the accrued interest on rates and charges for assessment number 207604, amounting to \$5,495.37.

**Director Engineering Services' Report**

**i Item 1 TENDER FOR STORMWATER DRAINAGE PIPES (36.00687)**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

That Council accept the tender from Rocla Pipeline Products for supply of stormwater drainage pipes, headwalls and lintels, from 1 January 2019 to 31 December 2020.

**i Item 2 TENDER FOR CONSTRUCTION OF BATHURST CENTRAL BUSINESS DISTRICT CCTV - STAGE 1 (36.00690)**  
**MOVED** Cr I North and **SECONDED** Cr A Christian

That Council accepts the tender of ECS Services Pty Ltd for the construction of Bathurst Central Business District CCTV – Stage 1 in the amount pf \$142,230.84 (GST incl.) subject to provisional items and variations.

**k Item 3 TENDER FOR READY MIX CONCRETE (36.00688)**  
**MOVED** Cr J Jennings and **SECONDED** Cr J Fry

That Council accept the tender from Ever-Ready Concrete for the supply of ready-mix concrete from 1 January 2019 to 31 December 2020.

**l Item 4 PROPOSED TRANSFER OF LAND TO COUNCIL FOR A SEWER PUMPING STATION - LOT 1025 DP1245197 LIMEKILNS ROAD KELSO (2017/205)**  
**MOVED** Cr I North and **SECONDED** Cr J Fry

That Council:

(a) approve the transfer of Lot 1025 in DP1245197 located at Limekilns Road Kelso, from Eodo Pty Ltd to Bathurst Regional Council.

(b) classify the land as Operational under Section 31 of the Local Government Act 1993.

**m Item 5 TENDER FOR HIRE OF PLANT (36.00683)**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

That Council accept the tenders for the Hire of Plant for 2019 and 2020, as listed in the Director Engineering Services' report, subject to submission of complete

information being supplied for casual hire, and in accordance with the General Conditions for the Hire of Plant.

- n** **Item 6 TENDER FOR HIRE OF TRUCKS/WATERCARTS (36.00685)**  
**MOVED** Cr A Christian and **SECONDED** Cr M Morse

**That** Council accept the tenders for the Hire of Trucks/Watercarts for 2019 and 2020, as listed in the Director Engineering Services' report, subject to submission of complete information being supplied for casual hire, and in accordance with the General Conditions for the Hire of Trucks/Watercarts.

- o** **Item 7 CONTRACT FOR CONSTRUCTION OF TAXIWAYS AND APRONS EXTENSION WORKS - BATHURST AERODROME (36.00616)**  
**MOVED** Cr I North and **SECONDED** Cr J Rudge

**That** Council accepts the variation to Contract 36.00616 in the amount of \$142,976.06 (GST incl.) subject to provisional items and variations.

- p** **Item 8 TENDER FOR SUPPLY AND DELIVERY OF ROADBASE MATERIAL (36.00686)**  
**MOVED** Cr I North and **SECONDED** Cr J Fry

**That** Council accept tenders from

- (a) Oberon Quarries for the Supply and Delivery of Roadbase
- (b) Hynash Haulage Pty Ltd, Hothams Sand Soil and Gravel Pty Ltd and Bennett's Earthworks and Machinery Hire for the supply of "Natural Gravel" and "Other" materials

for the period from 1 January 2019 to 31 December 2020, as and when required, as listed in the Director Engineering Services' report.

- q** **Item 9 CENTROC TENDER FOR LINEMARKING SERVICES (07.00017)**  
**MOVED** Cr M Morse and **SECONDED** Cr J Rudge

**That** Council accept tenders for linemarking services from the following contractors

-

- Central West Linemarking



**MINUTES OF THE EXTRAORDINARY MEETING OF BATHURST REGIONAL  
COUNCIL  
HELD ON 19 DECEMBER 2018**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

**Present:** Councillors Hanger (Chair), Aubin, Bourke, Christian, Fry, Jennings, Morse, North, Rudge.

**PUBLIC FORUM**

**2 PUBLIC FORUM**

**D Pennells**

Supports the Go Kart Track. It completes the circle of motorsport for the number one racing city. It will support the development of world champions, many have started in Go Karts. The track will have great patronage and exceed many of Council's facilities. Motorsport is a network of people caring and sharing. Let us ensure the city remains the pinnacle of all sports.

**I MacPherson**

In favour of a Go Kart Track in Bathurst and there is widespread support for international standard, but it needs to be built in the right place. The top of Mount Panorama is not the right place. We need to embrace the story of Wahluu and its cultural ties. The Council needs to consider scenarios of what will happen, subject to the decision made. Referred to conflict and damage to Mount Panorama reputation, funding problems that may occur, news media stories and various disruptions that may occur.

The alternative scenario is bring Go-Karters, Wiradyuri and Heritage groups together to discuss the way forward. Requests DA be deferred to allow discussions to occur.

**M Dunbar – President, Bathurst Kart Club**

Wish to nurture local talent. Three years ago Councillors unanimously supported the track, seeks only a small modification. Noted positives, aligned to strategic plan, create economic development, investing in young persons, the track will be a resource to hold corporate and community events. Have done consultation and this is the right place. The second circuit is not the right place. For 20 years the Club has been trying to get a home. The Council has responded appropriately to indigenous concerns, now is the time to move forward. Spoke to grant applications, requests Council approve the modification. Noted Council has undertaken cultural, environmental and noise studies.

**T Sorenson – BCCAN and River Yarners**

The groups have discussed the issue, there can be a win-win, but the top of Mount Panorama needs to be available for the community as a whole. Spoke to opposition of the Wiradyuri Elders. The top of the Mountain should be viewed as available to all persons and noted the profound significance to Wiradyuri Elders. Referred to the story of Wahluu. Should not build a Go Kart Track in opposition to the community elders. We should get behind the cultural stories, it is important how we think for the future of Bathurst.

**S Scott – Bathurst Local Aboriginal Lands Council**

In 2015, the Bathurst Local Aboriginal Lands Council did a survey at the top of Mount Panorama and nothing was found. Referred to archaeologist reports. The track will be great for youth of Bathurst and referred to Wiradyuri request for money at the top of the Mountain.

**Sister P Powell – Sisters of Mercy**

Spoke to role of the Sisters in Bathurst and the quality of life, also speaking on behalf of Rahamin Centre. Referred to connectivity with Wiradyuri. The Go Kart Track on top of Mount Panorama is completely incompatible. Reducing Mount Panorama to a 'mono-culture- is not right. There are many other things to embrace in Bathurst and we need to recognise Wiradyuri culture, it will become an attraction. The top of the Mountain is a sacred 'women's business' place, we need to respect this. Spoke to noise concerns with the track and the giving of the space to one group is not appropriate. Then discussed green house gas issues, soil problems etc.

**A Dunshea – Resident, Mount Panorama**

Lives near the proposed track and is in support of the modified DA. The track will fill a void, Orange and Lithgow have tracks. There is great potential for Karting in Bathurst. There is spirit amongst the members of the Club, referred to community roles they play. Putting the Karts with the second circuit will delay this matter and is not an appropriate management model. The decision should be based on the application, not veiled threats.

**A Bland – Greening Bathurst**

Referring back to 2015 and the Mrs Macquarie garden discussion and the pros and cons of that discussion. Has done artefact site investigations and understands how these matters have developed, the presence or not, is null and void. Mountains are places of sanctity and reflection, putting infrastructure up there will change the nature of the place. People support a track, but not at this location. The Wiradyuri are proud to be part of the community, when their culture is respected.

**I Schumack**

The decision is an amendment, the DA has already been approved. Referred to negatives of relocating to the second circuit and the financial losses it will cause to community groups. The Go Kart Track needs to be stand-alone. This will be good for young people, noted costs for it to be affordable, should be at a grass roots level. It is a small area.

**Sharon**

Did not like attack against Bill Allen. Spoke to drug problems with young people, many do not know about the track. Against putting something on sacred Wiradyuri land, many in Kelso do not agree with it.

**S Taylor – Mount Panorama Second Circuit Action Group**

In 2015, Councillors unanimously voted for the Go Kart Track. The track is to go on previously privately owned land since the 1820's. The site is not expanded from the original DA, the track extension is within the original circuit design. Spoke to design process undertaken and the professionals involved, it will be the best designed track in the southern hemisphere.

**V Tourle**

Loves Wahluu, and has read the Council report. Why did the acoustic testing only deal with residential zones and not the impact it will have on the top of Mount Panorama? There will be 100dB noises, which will destroy quiet enjoyment of people being on Mount Panorama. This matter will spilt the community, this is a concern. Need to be respectful of the wishes of the Wiradyuri.

**B Morgan – Mount Panorama Second Circuit Action Group and President, Panorama Motor Cycle Club**

The Panorama Motor Cycle Club has been at Mount Panorama for 40-50 years and will neighbour to the Go Karts. In this time, no complaints about noise have been received. Noted age spread of members and welcomes everyone to come and try. Bathurst is a sporting town and we need to provide facilities for the community. Council should support the track.

**S Neaves – Rahamin**

Have met with the Wiradyuri Elders and engaged in a immersion program with them. How many Councillors have done this? Want a Go Kart Track, but not at this sacred site.

**R Noyan – Bathurst Kart Club**

Spoke to timelines in place and restrictions on usage levels by Karting NSW and imposed in the DA. 40 weeks a year there will be no racing at the circuit.

**APOLOGIES****3 APOLOGIES**

Nil.



**DECLARATION OF INTEREST**

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

**RESOLVED:** That the Declaration of Interest be noted.

**RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS****Director Environmental Planning & Building Services' Report**

- 5** **Item 1 DEVELOPMENT APPLICATION 2015/196 MODIFICATION – RECREATION FACILITY (GO KART TRACK) AT MCPHILLAMY PARK, BROCKS SKYLINE, MOUNT PANORAMA. APPLICANT AND OWNER: BATHURST REGIONAL COUNCIL (DA2015/196)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

**RESOLVED:** That Council:

- (a) as the consent authority, modify the existing consent pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979, subject to the following conditions:

- (i) The development shall be undertaken in accordance with the Statement of Environmental Effects and stamped approved plans detailed as follows except where modified by any of the following conditions:

Title/Plan: Preliminary Site Layout Plan  
 Drawing/Sheet No: EN1697/2  
 Dated: 18/10/2018  
 Revision: A

Title/Plan: Preliminary Track Layout Layout Plan  
 Drawing/Sheet No: EN1697/1  
 Dated: 18/10/2018  
 Revision: A

- (ii) In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.

- (iii) Prior to the release of any Construction Certificate or the commencement of any works the applicant shall prepare and submit a Construction Environmental Management Plan (CEMP) to Council for assessment and approval. The CEMP shall detail acceptable methods for the adequate control and management of the following:

- Habitat Management measures – Detailing the implementation of habitat management measures to minimise the potential for adverse impacts on

adjoining habitats, in accordance with the Flora and Fauna Assessment dated 3 December 2018 was prepared by The Environmental Factor.

- Dust Suppression and Mitigation – Detailing dust suppression and mitigation measures to be employed during works on the site to ensure dust is not emitted from the site at all times including when no activities are taking place on the site.
- Erosion and Sedimentation Control Plan – Detailing the methods to be employed to ensure the adequate management of the surface and stormwater associated with subdivision activities.
- Waste Management Plan – Detailing the reuse or relocation of spoil and disposal of solid and liquid wastes.
- Noise impacts – Detailing the implementation of noise mitigation measures to minimise noise and to limit the impact on adjoining development, in accordance with the Acoustic Assessment dated February 2018 and prepared by PKA Acoustic Consulting.
- proposed tree plantings should be done using box-gum woodland species and densities to form a habitat linkage and amenity buffer around the site. This should extend along the western, southern and eastern development boundaries at least 20m wide. This should be permanently protected and maintained (fenced, watered, mulched, weeded etc) for at least 5 years or until the plants establish if greater than 5 years.
- All trees with hollows should be retained as standing habitat and placed in the new environmental buffer.
- Other felled timber is to be retained and placed as ground habitat. Foliage and smaller branches can be mulched and reused on the site.
- The mitigation measures should be overseen/conducted by a suitably qualified ecologist or similar and a report provided to Council prior to Occupation Certificate.
- Tree removal should be done in accordance with the RMS Biodiversity Guidelines.

The CEMP shall be approved by Council prior to any works being commenced and shall be implemented at all times during the operation of this consent.

- (iv) No work should be undertaken until 2 of the sites (those assessed and determined not to be Aboriginal sites) have been delisted on the AHIMS Registrar.

(b) notify those that made submissions of its decision; and

(c) 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 A Christian, Cr G Hanger, Cr J Jennings, Cr I North, Cr J Rudge

Against the motion - Cr J Fry, Cr M Morse

Absent - Nil

Abstain - Nil

**MEETING CLOSE**

**6**      **MEETING CLOSE**

The Meeting closed at 7.40 pm.

**CHAIRMAN:** \_\_\_\_\_

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

6 FEBRUARY 2019

## **1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)**

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

**Report:** Section 4.15 of the Environmental Planning and Assessment Act 1979 is provided below to assist Council in the assessment of Development Applications.

### **4.15 Evaluation (cf previous s 79C)**

#### **(1) Matters for consideration—general**

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the provisions of:
  - (i) any environmental planning instrument, and
  - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
  - (iii) any development control plan, and
  - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
  - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),
  - (v) (Repealed)that apply to the land to which the development application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

#### **(2) Compliance with non-discretionary development standards—development other than complying development**

If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:

- (a) is not entitled to take those standards into further consideration in determining the development application, and
- (b) must not refuse the application on the ground that the development does not comply with those standards, and
- (c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards,

and the discretion of the consent authority under this section and section 4.16 is limited accordingly.

- (3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:
- (a) subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and
  - (b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.

**Note.** The application of non-discretionary development standards to complying development is dealt with in section 4.28 (3) and (4).

(3A) **Development control plans**

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

- (a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and
- (b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and
- (c) may consider those provisions only in connection with the assessment of that development application.

In this subsection, **standards** include performance criteria.

(4) **Consent where an accreditation is in force**

A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the *Building Code of Australia* if the building product or system is accredited in respect of that requirement in accordance with the regulations.

- (5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).

(6) **Definitions**

In this section:

- (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and
- (b) **non-discretionary development standards** means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.

**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.

## **2 GENERAL REPORT (03.00053)**

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

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

- (a) Applications approved using authority delegated to the Director Environmental Planning & Building Services during December 2018 (**attachment 1**).
- (b) Applications refused during December 2018 (**attachment 2**).
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**).
- (d) Applications pending determination for greater than 40 days as at the date of compilation of this report (**attachment 4**).
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 or Clause 4.6 of Bathurst Regional LEP 2014 approved in December 2018 (**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 Community Strategic Plan - Objectives and Strategies**

- Objective 4: Enabling sustainable growth Strategy 4.6
- 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 BATHURST REGION COMMUNITY PARTICIPATION PLAN (20.00331)**

**Recommendation:** That Council place the draft Bathurst Region Community Participation Plan on public exhibition for a minimum of 28 days.

**Report:** In March 2018, changes to the Environmental Planning and Assessment (EPA) Act 1979 set out new requirements for Councils to prepare a Community Participation Plan (CPP). All Planning Authorities, including the Department of Planning and Environment and Councils, will be required to have in place a Community Participation Plan by 1 December 2019.

The CPP sets out when and how Council will engage with its communities across all the planning functions it performs (strategic and development assessment) under the EPA Act 1979. The CPP also summarises those circumstances where planning decisions are made outside Council's jurisdiction, and development which is exempt from a development application. Both of those scenarios place limitations on the ability of the community to participate. The CPP must meet the minimum requirements for community participation as set out in the EPA Act. The CPP is distinct from Council's Community Engagement Strategy which remains in place as adopted by Council and applies to Council's functions outside those under the EPA Act.

Council staff have prepared a draft CPP and this is provided at **attachment 1**.

The CPP seeks to enhance the opportunities for all members of the community to participate in planning decisions (under the EPA Act) to achieve better planning outcomes, at an appropriate level, relative to the project. It also acknowledges the aspirations of, and provides guidance to, the development sector to avoid growth and development becoming unreasonably frustrated.

The Bathurst Regional community is made up of a range of individuals and stakeholder groups that may, at some stage, be interested in participating in planning decisions under the EPA Act (refer **attachment 2**).

Key individuals include, but are not limited to:

- Applicants
- Landowners
- Neighbours
- Property developers
- Business owners
- Real estate agents
- Planning specialists or consultants
- Members of Parliament

Key stakeholder groups include (but are not limited to):

- Community and Village Progress associations
- Industry and community organisations including, for example:
  - Bathurst Business Chamber
  - Sports Council
  - National Trust
  - Greening Bathurst
  - Bathurst Region Access Committee
- Council reference groups including:

- Natural Resource Advisory Group
- Bathurst Region Heritage Reference Group
- Tourism Reference Group
- Government agencies

The draft CPP seeks to:

- a) enhance opportunities for all members of the community to participate in planning decisions to achieve better planning outcomes, in an open and transparent process;
- b) ensure the community understands how they can participate in planning decisions;
- c) ensure that the needs and concerns of the community are identified and addressed wherever possible;
- d) ensure Council's strategic planning reflects the aspirations of our community and partners; and
- e) ensure Council meets its legislative requirements in regards to community engagement.

The Bathurst Regional Community Participation Plan will apply to all land within the Bathurst Regional Local Government Area (LGA).

Council's planning functions under the EPA Act 1979, are divided into two streams: development assessment, and strategic planning.

#### Development Assessment

At present, Chapter 2 of the Bathurst Regional Development Control Plan (DCP) 2014 outlines when Council will consult with respect to the development assessment process. This chapter has been transferred into the draft CPP unchanged with the following proposed exception:

- it is proposed to include, as local exhibited development, the development of landmark sites within the Bathurst CBD (that is, development on CBD sites that are corner sites, are a heritage item or are sites that, in the opinion of Council, contribute to the heritage significance and special character of the heritage conservation area).

When the CPP is adopted by Council chapter 2 of the Bathurst Regional DCP 2014 will be repealed.

#### Strategic Planning

In terms of the Strategic Planning process, the CPP outlines Council's consultation and engagement goals for the different types of plans/strategies prepared by Council and the different consultation/engagement tools that Council might use. The draft CPP generally reflects Council's current practices of consultation and engagement in recent years and also reflects relevant legislative requirements (e.g. minimum public exhibition periods).

#### Dealing with Submissions

The draft CPP formalises how Council will deal with written submissions with respect to the development assessment and strategic planning processes.

1. Submissions to a Development Application will be referred to:
  - (a) a Discussion Meeting with Council officers, where the Director of Environmental Planning and Building Services is of the opinion that the matters raised in a

- submission are of a type that may achieve better explanation or negotiation of an intended outcome), or
- (b) a Submission Hearing to enable those who lodged the submission to address Councillors, where Council's Director, Environmental Planning and Building Services is of the opinion that the matters raised in a submission is unlikely to be resolved by a Discussion Meeting.

2. Submissions to a Strategic Planning consultation will:

- (a) for visioning consultation, be considered in the development of the draft Plan or Strategy,
- (b) in relation to the public exhibition of a draft Plan/Strategy, be referred to a Submission Hearing with Councillors to enable those who lodged the submission to address Councillors.

Council will hold a Public Hearing (as defined under the Local Government Act) for Local Environmental Plans, and amendments to those Plans, that involve the reclassification of the land from Community to Operational.

The draft CPP also identifies how Council will deal with late submissions.

#### Public Exhibition

It is proposed that the draft CPP be placed on public exhibition for a minimum 28 days. The draft Plan will be available for comment from Council's offices and on Council's Yoursay website. Social media will be used to advertise the exhibition process. The draft Plan will be referred to Council's reference groups and it is proposed that the draft plan be displayed at Council's stand at the Eglinton Country Fair at the end of February.

#### Conclusion

Council is required to prepare a Community Participation Plan under amendments to the Environmental Planning and Assessment Act 1979. It is proposed that the draft CPP be placed on public exhibition to enable community feedback prior to a consideration of its adoption by Council.

**Financial Implications:** The draft Community Participation Plan has been prepared within existing budgets.

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

- Objective 4: Enabling sustainable growth Strategy 4.1, 4.6
- Objective 6: Community leadership and collaboration Strategy 6.1, 6.4, 6.5, 6.8

#### **Community Engagement**

- Consult To obtain public feedback on alternatives and/or decisions

#### **4 BOARDWALK – MOUNT PANORAMA – OPPORTUNITIES FOR INTERPRETATION (37.00660)**

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

**Report:** Council has received grant funding for the construction of a boardwalk to be installed along part of Mountain Straight and Brocks Skyline. The boardwalk is being constructed to facilitate pedestrian access across the top of the Mountain and it is anticipated that the boardwalk will be popular with both the local community and visitors to Bathurst.

The boardwalk will largely be constructed at ground level as a concrete path with some raised platforms. Approximately 200m of the path will be elevated.

It is proposed that the track will incorporate the marshalling points for race events. The boardwalk provides an opportunity to interpret stories relevant to motor racing and the Mountain. It is anticipated that the pathway will be able to be widened or shaped as required to suit proposed interpretation opportunities. In this regard it is considered that Council should at least seek to interpret:

- The motor racing history, particularly that which is relevant to the top of the Mountain
- The Wahluu story

In preparing for construction of the boardwalk, Council engaged Extent Heritage to complete an Aboriginal Due Diligence for the project. The due diligence report concluded that the proposed development may proceed and that there is a low risk of Aboriginal objects being present within the study area.

At the time of engaging Extent Heritage to complete the due diligence report, Council extended the consultancy to include consultation with the Bathurst Local Aboriginal Lands Council and the Bathurst Wiradjuri Elders to:

1. Seek endorsement from both groups for the Wahluu interpretation content of the draft Bathurst Aboriginal Interpretation Strategy.
2. Seek advice from both groups on the preferred form for interpreting the Wahluu story as part of the boardwalk project.
3. Prepare a brief report to Council outlining the results of the consultation and the final form of the Wahluu interpretation content.

This report has been received and provides Council with the finalised content for the story and highlights the enthusiasm of the local Aboriginal groups to include this story as part of the Boardwalk project.

Council is now seeking quotations to develop final strategies to:

- Identify the motor racing history content and its interpretation form.
- Finalise the interpretation form for the Wahluu story, including ongoing consultation with the local Aboriginal Groups.

**Financial Implications:** The project will be funded by the Boardwalk project costs.

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

- Objective 1: Our sense of place and identity Strategy 1.1, 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.

## **5 NAMING OF PUBLIC ROADS – BATHURST REGIONAL AIRPORT SUBDIVISION, RAGLAN (20.00024)**

**Recommendation:** That Council:

- (a) give notice of its intention to adopt the following names for the new roads created by the subdivision of Lot 404, DP 1241250:
- Hercules Close; and
  - Spartan Place.
- (b) direct the General Manager to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the names gazetted, should no objections be received.

**Report:** A Development Application has been lodged with Council for a 45 Lot Subdivision. A total of four roads will be constructed. Two of the roads are being considered for naming in this report.

See location map at **attachment 1** and plan of subdivision at **attachment 2**.

### **Hercules Close**

The name “Hercules” acknowledges the name of the aircraft that regularly visits Bathurst.

C130J Super Hercules aircraft is part of a fleet of 12 operated from the RAAF Base Richmond. The RAAF and Bathurst Aerodrome have a long history including:

- Air Force Cadet facilities are located in this part of the aerodrome;
- Current Air Force Cadet program trains school age children in gliding;
- The original construction of the airport was by the government for the use of the Air Force in 1942; and
- The airfield is currently used regularly by the Air Force for training purposes with large military transports.

The C130J Super Hercules aircraft regularly visits Bathurst and is a very popular tourist attraction.

### **Spartan Close**

The name “Spartan” acknowledges the name of the aircraft that regularly visits Bathurst.

C27J Spartan is based at RAAF Richmond and is involved in airdrop cargo in flight and evacuations of sick or wounded personnel. The C27J Spartan is also used for training. The recommendation for this name signifies the relationship between Bathurst aerodrome and the RAAF.

The proposed names comply with Bathurst Regional Council's *Guidelines for the Naming of Roads*.

**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 1.2

- Objective 4: Enabling sustainable growth Strategy 4.1, 4.2, 4.3, 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4, 6.5

**Community Engagement**

- Consult To obtain public feedback on alternatives and/or decisions

**6 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(11.00005, 20.00311)**

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

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

**1 SECOND CIRCUIT, MOUNT PANORAMA, ABORIGINAL CULTURAL HERITAGE  
ASSESSMENT**

This report relates to the engagement of consultants for the completion of the next phase of Aboriginal Cultural Heritage Assessment at Mount Panorama - Wahluu. It contains commercially confidential information.

**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



N Southorn  
**DIRECTOR  
ENVIRONMENTAL, PLANNING & BUILDING SERVICES**



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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

6 FEBRUARY 2019

## **1 STATEMENT OF INVESTMENTS (16.00001)**

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

**Report:** \$83,780,000 was invested at 31 December 2018 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:

	<b><u>Rating</u></b>	<b><u>Balance</u></b>	<b><u>Average Return</u></b>
<b><u>Short Term 1 – 365 Days</u></b> <b>(comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits):</b>			
National Australia Bank Limited	A1+	\$15,000,000.00	2.69%
Bankwest	A1+	\$12,000,000.00	2.78%
CBA	A1+	\$6,000,000.00	2.70%
Westpac	A1+	\$1,500,000.00	2.81%
Bank of Queensland Limited	A2	\$3,000,000.00	2.64%
Bendigo & Adelaide	A2	\$1,500,000.00	2.80%
IMB	A2	\$1,500,000.00	2.68%
Auswide Bank	A2	\$1,500,000.00	2.71%
Maritime, Mining & Power Credit Union Ltd	ADI	<u>\$4,500,000.00</u>	<u>2.69%</u>
		<b>\$46,500,000.00</b>	<b>2.72%</b>
<b><u>Long Term &gt; 365 Days</u></b> <b>(comprising Commercial Bills, Term Deposits, Debentures and Bonds):</b>			
<b><u>Floating Rate Term Deposits</u></b>			
CBA Deposit Plus	AA-	\$1,500,000.00	2.79%
CBA Deposit Plus 1	AA-	\$1,500,000.00	2.91%
CBA Deposit Plus 2	AA-	\$1,500,000.00	3.02%
Westpac Coupon Select	AA-	\$2,000,000.00	2.96%
Westpac Coupon Select 1	AA-	\$3,000,000.00	3.00%
Westpac Coupon Select 2	AA-	\$1,500,000.00	2.95%
Westpac Coupon Select 3	AA-	\$1,500,000.00	2.75%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$1,630,000.00</u>	<u>1.70%</u>
		<b>\$14,130,000.00</b>	<b>2.78%</b>
<b><u>Fixed, Negotiable &amp; Tradeable Certificates of Deposits</u></b>			
AMP Fixed Rate	A	\$1,000,000.00	2.99%
Greater Bank Ltd	BBB	\$1,000,000.00	3.35%
Greater Bank Ltd	BBB	<u>\$2,000,000.00</u>	<u>3.50%</u>
		<b>\$4,000,000.00</b>	<b>3.34%</b>
<b><u>Floating Rate Notes</u></b>			
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	2.83%
CBA Climate Bond	AA-	\$1,000,000.00	3.01%
Commonwealth Bank of Australia 2	AA-	\$500,000.00	2.87%

Suncorp Metway	A+	\$1,000,000.00	3.18%
Rabobank	A+	\$1,000,000.00	3.47%
AMP	A	\$1,000,000.00	3.14%
AMP	A	\$800,000.00	3.09%
AMP	A	\$1,000,000.00	3.29%
AMP	A	\$1,100,000.00	3.07%
Macquarie Bank	A	\$1,000,000.00	3.06%
Bank of Queensland 1	BBB+	\$2,000,000.00	3.18%
Bank of Queensland 2	BBB+	\$1,000,000.00	3.01%
Bendigo & Adelaide Bank 2	BBB+	\$1,000,000.00	2.95%
Bendigo & Adelaide Bank 3	BBB+	\$1,000,000.00	3.04%
Members Equity 3	BBB	\$750,000.00	3.19%
Credit Union Australia 3	BBB	\$1,000,000.00	3.54%
Newcastle Permanent	BBB	\$1,000,000.00	3.28%
Newcastle Permanent 2	BBB	\$1,000,000.00	3.68%
Newcastle Permanent 3	BBB	\$1,000,000.00	3.57%
		<b>\$19,150,000.00</b>	<b>3.19%</b>

**Total Investments** **\$83,780,000.00** **2.87%**

***These funds were held as follows:***

Reserves Total (includes unexpended loan funds)	\$31,530,157.00
Grants held for specific purposes	\$11,072,220.00
Section 7.11 Funds held for specific purposes	\$40,713,723.00
Unrestricted Investments	\$ 463,900.00

**Total Investments** **\$83,780,000.00**

**Total Interest Revenue to 31 December 2018** **\$1,259,105.66** **2.87%**

**A Jones**  
**Responsible Accounting Officer**

**Financial Implications:** **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.

**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.

## **2 QUARTERLY BUDGET REVIEW - 2018/2022 DELIVERY PLAN AND OPERATIONAL PLAN 2018-2019 (16.00155)**

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

**Report:** Bathurst Regional Council has in place the Bathurst 2040 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 the Community Strategic Plan which was adopted by Council on 16 May 2018. 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/council/general-information/public-documents](http://www.bathurst.nsw.gov.au/council/general-information/public-documents). A listing of the Objectives and Strategies from the Bathurst 2040 Community Strategic Plan can be found within the Plan.

At **attachment 1** is an update of the strategies for the 2040 Community Strategic Plan.

Clause 203(1) of the *Local Government (General) Regulation 2005* (the Regulation) requires a council's responsible accounting officer to prepare and submit a quarterly budget review statement to the governing body of council. The quarterly budget review statement must show, by reference to the estimated income and expenditure that is set out in the management plan or operational plan adopted by council for the relevant year, a revised estimate of income and expenditure for that year. It also requires the budget review statement to include a report by the responsible accounting officer as to whether or not they consider the statement indicates council to be in a satisfactory financial position (with regard to its original budget) and if not, to include recommendations for remedial action.

The Division of Local Government has now set a prescribed format for the Quarterly Budget Review Statement (QBRs). The new statement is in the same format as the requirements for the new Annual Operational Plan that replaced the Management Plan from 1 July 2012. The Report shown at **attachment 2** is in the format of a commercial Income and Expenditure Statement as per the Office of Local Government Guidelines.

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

Fines or penalty notices this month - Refer to attachment 1.

**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.



## **Community Engagement**

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

#### **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.

- Department of Defence - Lot 405, PJ Moodie Drive, Raglan - Lot 405, DP 1241250 - Lease
- Vivability Ltd - 5 Wark Parade, Windradyne - Lot 7, DP 806109 - Lease

#### **Linen Plan Release**

- Bathurst Regional Council and M & T Hundy - two lot industrial subdivision boundary adjustment - Lot 1006, DP 1168702 & Lot 1007, DP 1168702 - Hampden Park Road, Kelso
- Gico Pty Ltd - Stage 3: 14 lot & 1 residual of a 106 lot residential subdivision - Lot 215, DP 1249293 -Wheatfield Drive, Kelso
- EODO Pty Ltd - Stage 3: 12 residential & 1 residual lots of a 55 lot residential subdivision - Lot 1024, DP 1245197 - Limekilns Road, Kelso
- EODO Pty Ltd - Stage 4: 9 residential & 1 residual lots of a 55 lot residential subdivision - Lot 1023, DP 1245197 - Limekilns Road, Kelso
- Gico Pty Ltd - Stage 4: 13 lot & 1 residual of a 106 lot residential subdivision - Lot 315, DP 1249295 - Wheatfield Drive, Kelso
- Mr P Burgess - 3 lot boundary adjustment - Lot 175, DP 587202, Lot 101 & 102, DP 1064378 - 11263, 1265 & 1267 Sofala Road, Peel
- Gico Pty Ltd - Stage 2: 15 residential & 1 residual of a 106 residential subdivision - Lot 110, DP 1248382 - Limekilns Road, Kelso

**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.

## **5 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST FAMILY FUN DAY (18.00004)**

**Recommendation:** That Council not provide financial assistance to the "Bathurst Family Fun Day" as Council's Section 356 Donations allocation is fully allocated.

**Report:** Council is in receipt of a request from representatives of the Bathurst Child and Family Network (BCFN) seeking financial assistance for their community event known as "Bathurst Family Fun Day" which is planned to be held during the National Families Week in May 2019.

As outlined in the proposal

"... the free events and activities on the day will include: games, painting, art/craft activities, face painting, jumping castle, entertainment, performances as well as food and drinks."

In addition to the request for financial assistance, BCFN are seeking Council's participation in the event by holding a stall to promote the services Council offers families in the region. Whilst not specified in the proposal, Council staff understand that BCFN are seeking \$500 from Council.

A copy of the request is provided at **attachment 1**.

**Financial Implications:** As Council's Section 356 Donations allocation has been fully allocated, there are no available funds to provide assistance to this request.

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

- Objective 6: Community leadership and collaboration Strategy 6.5, 6.6

### **Community Engagement**

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



## **6 REQUEST FOR SPONSORSHIP - MUSIC AND MIND FESTIVAL 2019 (18.00004)**

**Recommendation:** That Council not sponsor the Music and Mind Festival 2019 as Council's Section 356 Donations allocation is fully allocated.

**Report:** Council has been approached by Ms Victoria Roth from St Stanislaus' College seeking Council to be a joint sponsor of the Music and Mind Festival 2019 scheduled to be held on 4 to 6 April 2019.

In the proposal submitted to Council, the estimated cost of the event is \$10,000 and Ms Roth is pursuing four sponsors each providing \$2,500.

Whilst the event is being coordinated by St Stanislaus' College, the intent is to make the event available to the "general school community of Bathurst".

As outlined in the proposal,

"... the event aims to produce a music process of high calibre where students and teachers alike work together to enhance their skills and understanding of music and the brain".

A copy of the detailed proposal has been provided to Councillors under separate cover.

In a subsequent meeting with Ms Roth, Ms Roth has indicated that if the full \$10,000 sponsorship is not secured, then the event will not be proceeding. Accordingly, if Council was to resolve to sponsor this event, then this should be conditional on the event occurring.

**Financial Implications:** As Council's Section 356 Donations allocation has been fully allocated, there are no available funds to sponsor this event.

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

- Objective 6: Community leadership and collaboration Strategy 6.4, 6.6

### **Community Engagement**

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

**7 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE  
(11.00005, 22.00185, 22.00041, 22.12383, 21.00120, 16.00044, 20.00134)**

**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 RENEWAL OF COMMERCIAL LEASE - LOT 19 DP849271 KNOWN AS 57 SEYMOUR STREET, BATHURST (22.00185)**

This report relates to the proposed renewal of the commercial lease for Lot 19 in DP849271 known as 57 Seymour Street, Bathurst to the Bathurst Seymour Centre for a period of 2 years with a 2 year option period.

**2 RENEWAL OF COMMERCIAL LEASE - PART LOT 1 DP774489 KNOWN AS SHOP 2, 230 HOWICK STREET, BATHURST (22.00041)**

This report relates to the proposed renewal of the commercial lease for part Lot 1 in DP774489, known as Shop 2, 230 Howick Street, Bathurst to Property NSW for NSW Trustee & Guardian for a period of 5 years with a 3 year option.

**3 RENEWAL OF RURAL LICENCE AGREEMENT AT LOTS 134,137,138,144,145 DP750357 AND LOT 1 DP784476 AND LOT 100 DP1108903 KNOWN AS VALE ROAD, SOUTH BATHURST (22.12383)**

This report relates to the proposed renewal of the rural licence agreement for Lots 134,137,138,144 DP750357 and Lot 1 DP784476 and Lot 100 DP1108903 known as Vale Road, South Bathurst, for a period of 2 years.

**4 RAILWAY INSTITUTE LEASE - FROM TRANSPORT FOR NSW (21.00120)**

This report relates to the lease of the Railway Institute from Transport for NSW.

**5 HANGAR LEASE FEES (16.00044, 20.00134)**

This report relates to the proposed renewal of a lease for a hangar site at Bathurst Airport.

**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

A handwritten signature in black ink, appearing to read 'A Jones', written over a large, hand-drawn oval shape.

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

## **DIRECTOR ENGINEERING SERVICES' REPORT**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

6 FEBRUARY 2019

## **1 LOCAL GOVERNMENT NSW EXCELLENCE IN THE ENVIRONMENT AWARDS (12.00059, 13.00088)**

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

**Report:** Council was the winner of 2 awards at the Local Government NSW Excellence in the Environment Awards held in December 2018. The awards recognise outstanding achievements by NSW Councils in managing and protecting the environment.

Council's Bathurst Roadside Vegetation Management Plan won the Division B award (Councils with a population of 30,000 – 70,000) and the overall prize within the Roadside Environmental Management Category. These awards recognise excellence and innovation in roadside environmental management planning and implementation and were sponsored by the NSW Roadside Environment Committee.

The Bathurst Roadside Vegetation Management Plan was the culmination of 5 years of work to assess the conservation value of more than 1100 km of roadside vegetation and prepare a management framework. This plan aims to improve the management of roadside vegetation and integrate management of the roadside environment with other Council planning mechanisms.

Council also won the Division B award within the Natural Environment Protection and Enhance: Onground Works category for the "Recovery of the Mac" project. This award recognises outstanding initiatives to conserve, protect and enhance the local environment and was sponsored by NSW Office of Environment and Heritage.

This project aimed to rehabilitate several sections of the Macquarie River to improve fish habitat in collaboration with the Sofala CAS Fishing Group, Department of Primary Industries (Fisheries) and the Local Land Services. As part of the project, 2 rock weirs within the Macquarie River were remediated to improve fish passage and invasive weeds such as crack willows were controlled. Local fisherman and community volunteers also planted native trees, shrubs and reeds to improve fish habitat and the health of the river.

The 2 winning projects have been jointly managed by Council's Engineering and Environmental Planning and Building Services Departments.

**Financial Implications:** Nil

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

- Objective 3: Environmental stewardship Strategy 3.1, 3.4

### **Community Engagement**

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

## **2 DESIGN OF AN EXTENSION TO THE BATHURST SKATE PARK (37.00629)**

**Recommendation:** That Council adopt the design for the extension of the Bathurst Skate Park.

**Report:** Funding has been made available within the 2018 / 19 Operational Plan to commence with a proposed extension to the Bathurst Skate Park in Kelso. Council would also be aware that it has been successful in receiving a grant of approximately \$300,000 from Round 2 of the Stronger Country Communities Fund to assist in the design and construction of the skate park upgrade.

In September 2018, specialist skate park design consultants Convic Pty Ltd were awarded the contract to design the extension of the Bathurst facility. The aim of the commission is to provide a detailed design for the extension of the Bathurst Skate Park, with works to include consultation with the Bathurst Youth Council, local primary schools and skate park users and to produce detailed design drawings and specification documents, for tender and subsequent construction purposes. The design is to involve the following design considerations:-

- The design is to incorporate best practice skate park design elements, ensuring that construction materials chosen are long lasting, have minimum ongoing maintenance requirements and meet any necessary design standards.
- The extension design must be contained within the existing Bathurst Skate Park site.
- Site access and flow taking into account existing infrastructure, shade shelter, BBQ and existing skate elements.
- Design is to be usable for skate boards, scooters and bicycles.
- Design is to favour a variety of skill levels, from beginners to intermediate.
- Site drainage. Consultant is to deal with the existing drainage swale and the existing skate park drainage system and ensure that all rain and irrigation water drains freely from site.

Consultants Convic Pty Ltd have completed a number of community consultation processes, including the holding of a workshop and have liaised with various stakeholders, school groups and the Youth Council to gauge the type of infrastructure and elements that skate park users would like to see within any proposed extension. Opportunity was also made available for the community to comment on the proposed concept plan that was developed as part of the initial consultation works.

Minor changes have been made to the original design that was presented to Councillors at a Working Party Meeting held 28 November 2018. The changes were made following feedback from the community on the concept design and relate to the provision of more shade and further refinement of a loop path surrounding the main skate park elements. A copy of the Final Concept Design Report for the Bathurst Skate Park extension works is shown at **attachment 1**.

Upon the adoption of the plan by Council, the consultant will proceed to finalise the design by preparing detailed design drawings and specification documents in preparation for the calling of Tenders in the new financial year.

It is recommended that the design for the extension of the Bathurst Skate Park, developed by consultants Convic Pty Ltd, be adopted.

**Financial Implications:** The extension works, as per the design presented, is estimated to cost in the order of \$597,000.00, inclusive of the additional shade shelter, the perimeter foot/skate path and a project contingency.

Council has been awarded a grant under the NSW State Government's Stronger Country Communities Fund scheme of \$300,000 to contribute towards the extension works.

Council will need to provide funding of \$297,000 within its 2019/20 Operational Plan to enable sufficient funding to proceed with this project.

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

- Objective 4: Enabling sustainable growth Strategy 4.1
- Objective 5: Community health, safety and well being Strategy 5.1

### **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, 36.00693, 25.00283, 37.00630)**

**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 TENDER FOR HYDRANT MAINTENANCE (36.00693)**

This report considers the tender for the maintenance of hydrants in Bathurst for 2019-2021.

**2 KELSO COMMUNITY HUB LANDSCAPE PROJECT (37.00630, 09.00026)**

This report considers appointment of contractors for landscaping works at the Kelso Community Hub.

**3 HOWARDS BRIDGE WINBURNDALE RIVULET - EMERGENCY REPLACEMENT  
(25.00283)**

This report considers the selection of a contractor for the emergency replacement of Howards Bridge.

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

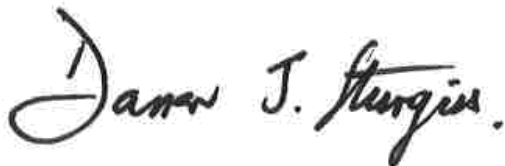
**Bathurst Community Strategic Plan - Objectives and Strategies**

- 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 BATHURST REGIONAL COUNCIL

6 FEBRUARY 2019

## **1 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD 3 DECEMBER 2018 (07.00116)**

**Recommendation:** That Council:

- (a) Note the information provided in the report.
- (b) Adopt the updated Terms of Reference as outlined in the report.

**Report:** Included in the Destination Management Plan, adopted by Council on 20 May 2015, the establishment of a Tourism Reference Group (TRG) has been undertaken, with the membership of the Group endorsed by Council on 9 December 2015.

The role of the Group is to provide strategic advice, review plans and provide recommendations to Council for the implementation of the Destination Management Plan.

The Bathurst Region Tourism Reference Group met at the Bathurst Visitor Information Centre on 3 December 2018. The minutes of the Group's meeting are provided at **attachment 1.**

Councillors should note that the minutes of each meeting of the TRG are formally adopted at the next meeting.

The following items were discussed at the meeting held on Monday 3 December 2018:

- NSW Tourism Awards
- 2019 Bathurst Region Destination Planner
- Update on the BVIC refurbishment.
- Future group direction and sector based reporting.
- Fine tuning the TRG Terms of Reference..

In order to ensure currency of Group priorities and improve the collaborative outcome of meetings, the Tourism Reference Group Terms of Reference have been reviewed and updated, in consultation with Group members, to include reference to sector based reporting requirements and the need for the Group to provide recommendations on the continuing implementation of the Bathurst region brand strategy. The updated Terms of Reference are provided at **attachment 2.**

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

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

- Objective 1: Our sense of place and identity Strategy 1.2
- Objective 2: A smart and vibrant economy Strategy 2.1
- Objective 5: Community health, safety and well being Strategy 5.2
- 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 BATHURST REGIONAL ART GALLERY AND MELBOURNE UNIVERSITY-PARTNERSHIP, RE-ORG STORAGE PROJECT (21.000002)**

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

**Report:** Bathurst Regional Council and the Grimwade Centre for Cultural Materials Conservation, Melbourne University, have established a unique partnership since its Director, Professor Robyn Sloggett, was awarded the Bathurst Macquarie Heritage Medal in 2016. Since that time, Professor Sloggett has worked with Bathurst's cultural facilities to provide internship opportunities for Grimwade students, and practical assistance with conservation projects.

Four post-graduate students from the University of Melbourne undertook Australia's first documented RE-ORG project at Bathurst Regional Art Gallery (BRAG) from 26 November to 1 December 2018.

RE-ORG is an ICCROM-UNESCO (International Centre for the Study of the Preservation and Restoration of Cultural Property - United Nations Educational, Scientific and Cultural Organization) and Canadian Conservation Institute global initiative that provides a framework for evaluation of storage space conditions in galleries and museums. The RE-ORG storage project aims to assist museum professionals in implementing meaningful changes in their storage areas by providing a systematic, step-by-step approach to improving the collection's potential for use and access, while ensuring its long-term preservation.

The initiative seeks to actualise ten key quality criteria in the collections:

1. There is at least one trained member of staff in charge,
2. Storage rooms contain only collection items,
3. Separate spaces for other functions (office, workroom, equipment storage, etc.) are specified,
4. No object is placed directly on the floor,
5. Every object has a designated location and can be retrieved within three minutes,
6. Every object can be moved without damaging another and without moving two others,
7. Objects are arranged in a categorical manner,
8. Key policies and procedures exist and are applied,
9. The building is designed or adapted for conservation,
10. Every object is free from active deterioration and ready to be used in museum activities.

Project leaders, Masters Student Dan Schwartz and Bathurst Regional Council Collections Manager Tim Pike, selected BRAG as an ideal location to implement the RE-ORG model due to the collection's size (over 2,000 objects), diversity, and the limitations of the gallery's current storage capacity.

Mr Schwartz and his team, comprising conservation students Elizabeth Gralton and Kate Ritchie, and Masters of Curatorship student Lisa Jacomos, worked with Council's Collections Manager Tim Pike, BRAG Curator Emma Collerton, and Museums Assistant Kate Bywater to assess, conserve and reorganise BRAG's extensive collection. This project included fabrication of trolleys, boxes and shelving to ensure works are housed to international museum standards, as well as a program to label BRAG's entire ceramic and small sculpture collection.

Through the implementation of the RE-ORG methodology, BRAG has opened up new avenues of access to its collection, with over 90% of the collection accessible in under three minutes. The process of completing the RE-ORG also highlighted other ways in which BRAG can improve access to the collection, as well as improve the care and long-term preservation of artworks moving forward.

**Financial Implications:** This project was supported by funds from the Willem Snoek Conservation Award, and the Student Services & Amenities Fund from the University of Melbourne. There were no financial implications for Council.

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

- Objective 1: Our sense of place and identity Strategy 1.1, 1.2, 1.3
- Objective 4: Enabling sustainable growth Strategy 4.3
- Objective 6: Community leadership and collaboration Strategy 6.2, 6.6

### **Community Engagement**

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

### **3 ARTSTATE MUSEUM ARTIST IN RESIDENCY PROGRAM, 1-4 NOVEMBER 2018 (21.00117)**

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

**Report:** Council museums were invited by Regional Arts NSW to host Bathurst's first museum's artist in residency program as part of the Regional Arts NSW Artstate Bathurst conference from 1-4 November 2018.

Regional Arts NSW commissioned three artists-in-residence projects in partnership with three of Bathurst's museums:

1. Australian Fossil & Mineral Museum - home of the Somerville Collection
2. Chifley Home and Education Centre
3. National Motor Racing Museum

The group of established and emerging artists working across sculpture, live immersive performance and digital media were asked to create new work in response to these museums and their collections and to run a workshop as well as a community engagement opportunity.

As part of Artstate Bathurst, all registered delegates were given free entry to participating museums on presentation of their delegate's lanyard. A flyer about the museums and residency program was distributed to delegates in their conference bags.

The artist in residency program was an opportunity to showcase the Bathurst museums to the arts community as well as providing local community workshops and community engagement opportunities. Over 1,955 people participated in a variety of activities either on-site at the museums or off-site in performances and installations.

As described by the artists, the following is a synopsis of the three works:

Australian Fossil & Mineral Museum - *lines: power of the landscape*. Harrie Fasher (29 October 2018 - 18 November 2018)

*Harrie Fasher's residency at the Australian Fossil & Mineral Museum (AFMM) created the space for her to explore the life force within the landscape and her connection to it. In response to the Somerville Collection her work draws on the inherent power of the earth and reflects the intimate relationship indigenous cultures have with this energy.*

Attendance:

Artstate Delegates	94
General Public	19 (paid museum for exhibition only)
Artist Floortalk	36
Total museum visitation during exhibition	1,411

National Motor Racing Museum - *The Beast*. Penelope Kentish and Ben Rodwel

*Directed by Penelope Kentish and Ben Rodwell, The Beast is a new immersive performance experience created by an ensemble of 15 to 17 year olds. Stimulated by the idea of rivals, this intimate and interactive show was a response to the idea of a museum. Created and performed by Mike Arrow, Abby Dinger, Jade Newham, Rory Peters, Ron Shead and Daniel Van Klooster. This performance included two National Motor Racing Museum (NMRM) vehicles, which were driven by Museum staff. Staff wages for two staff*

over four nights were covered by Artstate.

Attendance:

Artstate Delegates	2
Performances at Bathurst Senior Citizens Centre (four performances 30 Oct 18 - 3 Nov 18)	109
Workshops - NMRM (Sat 20 Oct 18)	10
Total reach	121

Chifley Home and Education Centre - *Homekeeper*, Johanna Williams and Jesse Alston

*Homekeeper was an interactive art installation that explored what it is that makes a home - the place where you were born, the place you chose to be, the place of family and friends, or just somewhere where you can kick off your shoes and take off your pants after a long day. Made in collaboration with members of the Bathurst community, the installation included a miniature town propped up by sentimental and unreliable memories, with recorded stories accessible by phones. People visiting the installation were encouraged to include their own stories and homes.*

Attendance:

Artstate Delegates	2
Visitors on an 'Artstate Tour'	11
Workshop - Chifley Home (Sun 14 Oct 18)	15
Installation in Machattie Park (1-3 Nov 18)	285
Workshop - Machattie Park (1-3 Nov 18)	80
Performance - Machattie Park	30
Total reach	423

**Financial Implications:** The artists were funded through the Artstate program. After hours staff expenses and hire of National Motor Racing Museum vehicles were funded by Artstate. All other 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 2.6
- Objective 5: Community health, safety and well being Strategy 5.2

**Community Engagement**

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

#### **4 INTERNATIONAL MUSEUM SELFIE DAY, WEDNESDAY 16 JANUARY 2019 (21.00107, 21.00050, 21.00112)**

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

**Report:** Bathurst Regional Council museums took part in International Museum Selfie Day held on Wednesday 16 January for the third time this year. With 1,505 individual museum visits occurring on the day across all venues.

Selfie Day is celebrated by museums across the globe and was established in 2014 to raise awareness of and to encourage visitors to actively engage in their local museums by taking creative selfies and posting them on various social media platforms including Facebook, Instagram and Snapchat.

Free entry was provided to the Australian Fossil and Mineral Museum, National Motor Racing Museum, Chifley Home and Education Centre and the Bathurst and District Historical Society Museum for those participating in International Museum Selfie Day. This year, the Bathurst Regional Art Gallery also took the opportunity to launch their new Instagram page on the day. A social media campaign was developed that included a short film and static ads to promote the event. The total organic reach of this campaign was over 25,000.

The Bathurst community embraced the event with 75% of those surveyed stating that they visited more than one museum on the day. As a public awareness campaign, it was effective in cross promoting the strength of the Bathurst cultural services.

#### **Attendance at the Museums for Selfie Day**

<b>Venue</b>	<b>Selfie Day 2016 (Council did not promote)</b>	<b>Selfie Day 2017</b>	<b>Selfie Day 2018</b>	<b>Selfie Day 2019</b>
Australian Fossil and Mineral Museum	88	500	708	595
National Motor Racing Museum	67	319	677	486
Chifley Home	Chifley Home was not opened on this date in 2016	150	122	134
Bathurst District Historical Society	n/a	n/a	148	150
Bathurst Regional Art Gallery	68	233 (Lego/Whitely Exhibitions)	138	140

The event was held to encourage local residents to engage with Bathurst Regional Council's museums and encourage repeat visitation. Traditionally, the youth and young adult demographic have the lowest Museum attendance percentage, and this program was designed to target this group. A total of 230 surveys were conducted at each of the venues to evaluate the success of the day based on these goals. A total reduction in numbers from the last year's event was reflective of the heat wave conditions on the day that saw a decline in numbers in the afternoon.



Findings included;

- The survey data indicated that the number attending from the 13 to 18 demographic was 12% and the 19 to 30 demographic was 22%, which was a 2% increase compared to 2018 Selfie Day visitation. Average visitor age range from surveys conducted during other times of the year reflected 4% and 13% respectively.
- 97% of individuals that attended on the day were locals compared to 3% - 15% local average attendance across the museums.
- 59% of individuals that attended had never been to the museums before. This statistic was as high as 98% first time visitors for Chifley Home and 70% for the Historical Society Museum.
- 88% of visitors responded that they were there for Museum Selfie Day, and 88% of visitors also indicated they did not attend the event before.
- Individuals found out about the day through social media and web promotion (41%) word of mouth (21%), from other museums and BVIC (6%), newspaper/radio/TV (24%) and signage (8%)

Conclusions drawn from the survey, comments on the day as well as social media posts demonstrated the ongoing success in engaging the local community with the museums. Locals were enthusiastic about the cultural services on offer in Bathurst. It is hoped that through this and similar events into the future, that specifically target local audiences, there will be an increase in visitor numbers across the museums through the visiting friends and relative (VFR) market.

**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 2.6
- Objective 5: Community health, safety and well being Strategy 5.2

### **Community Engagement**

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

## **5 REGIONAL THEATRE PARTNERSHIP - BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) AND AUSTRALIAN THEATRE FOR YOUNG PEOPLE (AYTP) - THE CLIMBING TREE PLAY (21.00060)**

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

**Report:** The Bathurst Memorial Entertainment Centre (BMEC) is one of only a few centres that create performing arts material, not just a receiving house for touring shows. The Climbing Tree is a play wholly developed by BMEC staff over four years, in partnership with Australian Theatre for Young People (ATYP), with funding from State and Federal governments. This report details the journey of the development of the play, performers and how it was reviewed.

### **Development of the Play**

Early in 2015 the BMEC Manager initiated a Regional Theatre Partnership with the Australian Theatre for Young People (ATYP). ATYP artists had recently completed a four year regional project in Katherine in the Northern Territory, making connections with young people, immersing themselves in the community and gradually researching what was to become *Sugarland*, an award winning, professional production exploring what it is to be a young person growing up in regional Australia.

BMEC and ATYP agreed to take a long term view and to use similar processes to explore the situations and challenges faced by teenagers in Bathurst. The ATYP team included the writer of *Sugarland* Rachael Coopes, based in Sydney; composer Guy Webster, based in Brisbane; and ATYP Artistic Director Fraser Corfield who would act as Dramaturg.

BMEC and Local Stages staff:

- \* Directed the final production
- \* Produced the play
- \* Were responsible for all funding applications
- \* Structured research connections in Bathurst.

*The Climbing Tree* was fully funded through grant applications over a four year development period. The project had attracted \$186,493 in funding plus significant in kind support. Funding consisted of:

2015 - \$45,000 Regional Partnership funding from Create NSW  
2016 - \$22,497 Regional Arts Fund  
2016 - \$18,195 Project funding, Australia Council for the Arts  
2016 - \$10,000 Local Stages, from Australia Council triennial funding  
2018 - \$20,000 Regional Arts Fund  
2018 - \$19,801 Project funding, Australia Council for the Arts  
2018 - \$20,000 ATYP  
2018 - \$20,000 BRC via BMEC annual budget  
2018 - \$7,000 Regional Arts NSW – Artstate  
2018 - \$4,000 Riverside Theatres Parramatta

Late in 2015 initial connections with young people were instigated via theatre workshops in local high schools including Denison College (combined Bathurst and Kelso workshop), All Saints College, MacKillop College and Skillset Senior College (all high schools in Bathurst were approached). In January 2016 a holiday workshop program engaged young people 13-16 years. These workshops contributed to the content of *The Climbing Tree*, and a

regular youth theatre group was formed led by local artist Nel Kentish. This group developed a self devised theatre piece, assisted by local professionals and the BMEC Local Stages program, and which was performed on the BMEC stage and at the ATYP theatre in Sydney. The work was titled *17 Things The Government Doesn't Want You To Know About The Internet*. The project provided a significant skill development experience for local young people and forged important regional/urban connections.

Extensive research and regular visits to Bathurst by the ATYP team were undertaken to interview local people and deepen their immersion in the local milieu. By the end of 2016 it was clear that the final production would not just be a present day story but include stories of young people in Bathurst over more than 200 years. The cast included three local Aboriginal young people and three local non-Aboriginal young people. ATYP and the cast also delivered the Theo Barker Memorial history lecture with a reading of the play.

### Cast and Crew

In August 2017 Rachael had delivered the first draft of the script and a week of rehearsed readings were presented in Bathurst to elicit feedback. The cast included three local Aboriginal young people and three local non Aboriginal young people. Rachael and the cast also delivered the Theo Barker Memorial history lecture with a reading of the play:

Jessica Corse – local Wiradyuri woman, CSU Theatre Media graduate and former MacKillop student

Jami-Lee Bennett – CSU Theatre Media graduate

Natasha Bellamy – young local actor

Janda Nichols – Aboriginal young man from Walgett, CSU Theatre Media student and former student of St Stanislaus College

Paul Mongta-Cruse – Aboriginal young man from the NSW south coast and St Stanislaus College student

Joel Coyle – Theatre Media graduate and former student of St Stanislaus College

In January 2018 a week of rehearsed readings were conducted with ATYP actors in Sydney to gain feedback from a Sydney audience. There were two Aboriginal actors and two non Aboriginal Actors. In April 2018 auditions were held in Bathurst and Sydney to cast the professional, world premiere of *the Climbing Tree*. It had been the intention to cast from both the Central West and from the ATYP stable in Sydney to complete the regional partnership the project represented and to develop professional and networking opportunities for young local artists.

The final cast, crew and creative list is as follows:

Rachael Coopes - writer

Guy Webster – music and lyrics

Stephen Champion - director

Fraser Corfield – dramaturg (CSU Theatre Media graduate)

Karl Shead designer (Theatre Media Technical Officer CSU)

Bannon Rees – lighting designer (BMEC Venue Technician and CSU Theatre Media graduate)

Kylie Shead – producer (former CSU lecturer)

Heidi Annand – stage manager (BMEC associate producer and CSU Theatre Media graduate)

Greygryn Holgate-Gorton - intern (CSU) ASM & design assistant

### **Cast:**

Jayla-Shae Davey – Kylie et al (Aboriginal woman from the WA Kimberley region)

Madelaine Osborn – Rayleen (Bathurst raised and CSU Theatre Media graduate)  
Janda Nichols – Scott et al (Aboriginal man born in Walgett, current CSU student)  
Jack Walton – Will et al (Sydney based actor)  
Tim Hansen – Authority / Musician (raised in Orange, CSU graduate and former BMEC staff member).

The connection between BMEC, *The Climbing Tree* and Charles Sturt University is clearly significant. *The Climbing Tree* was strategically programmed to form part of BMEC's 2018 Annual Season and to have its world premiere at Artstate where it received a standing ovation at the opening performance in front of the NSW Minister for the Arts and numerous industry and funding body representatives.

*The Climbing Tree* was performed four times in Bathurst and a further four times in Parramatta to a total audience of 700 people. The overall response to the work has been extremely positive and BMEC staff are now working with tour coordinators in the hope of securing a return Bathurst season in 2020 followed by a national tour to take this universal story, set in Bathurst, to a far broader audience.

### Review Extracts

Selected extracts from reviews follow:

**Carol Wimmer, Stage Whispers** - "In *The Climbing Tree*, Rachael Coopes has documented four years of workshops and research into a play that gathers together what director Stephen Champion describes as "the thematic threads and heart" that tell the "essential stories of Bathurst". It is a moving history that tells of ancient legends and old tragedies alongside contemporary issues and protests. In the hands of four gifted performers, a multi-talented musician and an empathetic director, it is a story that reveals not only "the essence of Bathurst" but of Australia itself."

**Suzie Gibson, Arts Hub** - "Importantly the play features indigenous characters who are also first nation peoples — 'Scott' played by Janda Nichiols who is a Gamilaraay man, and the 'Kylie' played by Jayla-Shae Davey who is a Miriwoong actor. They bring a level of authenticity and gravity to a drama that grapples with the difficult relationship between white and indigenous Australians. Kylie and Rayleen often refer to this as the 'us and them' mentality." The play was rated five stars, meaning it was *Exceptional, unforgettable, a must see*.

**Brianna McCarthy, Playwave** - "Last night I was taken to the regional city of Bathurst for the first time while watching *The Climbing Tree* at Riverside Theatres. It's a place I haven't much connection to except through mutual friends. I knew it to be cold during winter, busy during racing season and not much more. I left the show feeling like I understood the social climate of the place from a young person's perspective, and in admiration of its rich history.

The Climbing Tree surprised me with its ability to make the voices that seem to be drowned out in and around Bathurst and give insight into the types of experiences a life there might lend. It shed light on the lives of young people in Bathurst not only in the present but also hundreds of years in the past, and touched on colonisation in an individualised way. By this I mean that I was able to hear unique stories of experiences from Aboriginal characters in a way that was not generalised. It spoke for the kids in need of help in a place where help is unavailable and showed me what it meant to be brave against authority. With a cast of committed performers who seemed to be passionate about making this story heard, this was a show that broadened my understanding of the many experiences of being Australian."

**Emma Caldwell, Weekend Notes** - "The cast are a strong, young ensemble who exhibit

talent that belies their years. Madelaine Osborn gives us glimpses of hard-as-nails Rayleen's exterior armour cracking. Jayla-Shae Davey's Kylie is beautifully rational and responsible with a fierce pride of her Aboriginal heritage. Janda Nichols' Scott is a mixed bag of uncertain identity and Jack Walton's Will is wonderfully endearing, especially as he begins to check his own prejudices.

*The Climbing Tree* is playing a far-too-limited season at Riverside Theatres in Parramatta, so you'd better be quick in getting out to this part of Sydney to see it before the 24th November. It's a truly unique and inherently Australian look at the fabric of our regional towns, the whitewashing of our places and our history and the challenges of growing up."



Image - Cast members on the set of *The Climbing Tree*

**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 2.2
- Objective 5: Community health, safety and well being Strategy 5.3

### **Community Engagement**

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

## **6 THE NEIGHBOURHOOD CENTRE - MIGRANT SUPPORT SERVICE, LOSS OF FEDERAL FUNDING (09.00032)**

**Recommendation:** That Council write to the Federal Member expressing concern in the reduction of funding to deliver migrant support services in the Bathurst Community, and to seek advice on alternative funding sources to reinstate the services as a matter of urgency.

**Report:** Council has been advised by The Neighbourhood Centre (TNC) that the Centre's Migrant Support Service is no longer receiving funding and therefore can no longer provide a service. This will result in the loss of one employee whose job was to respond to migrant issues in Bathurst. This is a front line direct service position providing practical support to people often in desperate and urgent need of assistance.

In summary, the changes in funding arrangements are as follows:

- \* Funding has continued to be allocated to Orange City Council (OCC) Migrant Support Worker but at a reduced level.
- \* In addition to a reduction in funds to OCC, the catchment of this service has nearly doubled in geographic area, and now includes Bathurst.
- \* Orange City Council have expressed, to Department of Social Services (DSS), the difficulties with this situation and that it was not their preferred option.
- \* Orange City Council Migrant Support Service will be able to provide minimal service for the Bathurst local migrant and refugee community members.

### **Background**

It is acknowledged that the overall numbers of individual services throughout the Central West are small particularly in comparison to metropolitan areas. However, individuals in regional areas will be further disproportionately impacted by the lack of adequate services. The Bathurst and Orange Migrant Support Services have been the only services in the region which support migrants and refugees in the Central West and now there will only be one service that has been significantly reduced.

Orange City Council (OCC) have indicated that they are aware of the impact that the reduced funding and increased area will have on Bathurst, Central Tablelands and Lachlan communities as well as the areas that they have previously serviced. OCC have discussed this impact with DSS.

Council is in discussion with OCC to understand how the service might be provided under the new regime.

The Neighbourhood Centre has been supporting the multicultural members of the community for almost thirty years. The Migrant Support Service has been delivered for almost twenty years to the Bathurst, Central Tablelands and Lachlan areas.

The other impact of the DSS decision is on the viability of The Neighbourhood Centre itself as each program change, such as implementation of NDIS, impacts on the organisations viability. The loss of eighty thousand dollars is a significant amount for The Neighbourhood Centre.

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

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

- Objective 1: Our sense of place and identity Strategy 1.2, 1.3
- Objective 2: A smart and vibrant economy Strategy 2.2
- Objective 5: Community health, safety and well being Strategy 5.5
- Objective 6: Community leadership and collaboration Strategy 6.1, 6.3, 6.2

## **Community Engagement**

- Involve To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

Yours faithfully



Alan Cattermole  
**DIRECTOR**  
**CULTURAL & COMMUNITY SERVICES**

**POLICY COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL



## **1 MINUTES - POLICY COMMITTEE MEETING - 5 DECEMBER 2018 (07.00064)**

**Recommendation:** That the recommendations of the Policy Committee Meeting held on 5 December 2018 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held on 5 December 2018, are **attached.**

**Financial Implications:** N/A

### **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.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 5 DECEMBER 2018**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

**Present:** Councillors Hanger (Chair), Bourke, Christian, Fry, Jennings, Morse, North, Rudge.

**APOLOGIES**

**2 APOLOGIES**

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

**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 - 7 NOVEMBER 2018 (07.00064)**

**MOVED** Cr I North and **SECONDED** Cr J Rudge

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 7 November be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**

**MOVED** Cr I North and **SECONDED** Cr J Fry

**RESOLVED:** That the Declaration of Interest be noted.

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

**General Manager's Report**

**5 Item 1 SENIOR STAFF CONTRACTS (19.00030)**

**MOVED** Cr J Rudge and **SECONDED** Cr A Christian

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



**RESOLVED:** That Council:

- (a) Note the submission received during the public exhibition period.
- (b) Provide a letter to the individual who provided a submission thanking them for their contribution to the Central Business District (CBD) Closed Circuit Television (CCTV) Policy.
- (c) Adopt the Central Business District (CBD) Closed Circuit Television (CCTV) Policy.
- (d) Provide a copy of the endorsed Central Business District (CBD) Closed Circuit Television (CCTV) Policy to Chifley District Police Command.

## **GENERAL BUSINESS**

### **10      Go Kart Development Application 2015/196**

**Cr Bourke** - Is the Development Application that was approved in 2015 still valid? Noted current Development Application is a modification.

**General Manager** advised that the 2015 Development Application is still valid.

### **11      Item 2 Water Restrictions 32.00017**

**Cr Bourke** asked whether a letter box drop was occurring? He spoke to representations being received.

**Director Engineering Services** advised that a letter box drop was commencing on 6 December 2018.

### **12      Item 3 Water Restrictions 32.00017**

**Cr Rudge** has sought clarification on this matter and notes a review of the Drought Management Plan is being proposed for 2019/2020 budget. Spoke to current plan and existing conditions that are in place and considerations given in adopting water restrictions. Noted pool usage issue that has been raised and also information on Council's website.

### **13      Item 4 Design Exhibition Chifley Home 21.00113**

**Cr Rudge** - spoke to Kim Bagot exhibition being held and connection to Chifley Home which was very successful. The exhibition will then tour to other areas.

**14**      **Item 5 Bathurst Arts Council Youth Awards 18.00063**

**Cr Rudge** - talent was outstanding with the top three talents performing at future functions.

**15**      **Item 6 Inland Sea of Sound 23.00154**

**Cr Jennings** - congratulated staff on the presentation of the Inland Sea of Sound event. The challenge is to grow the festival. Spoke to sister relationships with sister councils in Sydney to promote the event.

**16**      **Item 7 Carillon 04.00021**

**Cr Morse** - thanked Council's Engineering and Finance staff for their assistance for getting the new bells installed. Noted project is now a beneficiary of the "Return and Earn" scheme.

**Meeting was suspended at 6.15 pm for the commencement of the Discussion Forum.**

**General Business resumed at 7.02 pm following the conclusion of the Discussion Forum**

**17**      **Item 8 Inland Sea of Sound 23.00154**

**Cr Christian** - Heard it was a massive success, but numbers were very low which was a very disappointing result. Let's see how next year goes. Cannot do much more than what was done.

The **General Manager** noted a detailed analysis on this and other major events will be provided to Councillors in the New Year.

**18      Item 9 Farming Futures Conference 18.00157**

**Cr Fry on behalf of Greening Bathurst/Flannery Centre** - thanked Council for the support provided for the "Farming Futures Conference". Numbers were excellent. Spoke to discussions held and issues of agriculture. The speakers provided invaluable information and video packages were made.

**19      Item 10 Weeds - Stewart Street/Suttor Street/Great Western Highway 13.00022**

**Cr Christian** - can this problem be looked into.

**20      Item 11 Perthville Works 36.00624**

**Cr North** - are there any timelines for when work will be finished? Spoke to contractor issues.

**Director Engineering Services** advised work has recommenced and will review timelines and get back to Council. Contracts do have measures to take action and Engineering Department is working with the contractor.

**21      Item 12 Water Restrictions 32.00017**

**Cr North** - our communication is not good, flyers should have been ready to go when restrictions were implemented. Not everyone reads the newspaper or listens to the radio.

**22      Item 13 People in the Gallery 21.00039**

**Cr North** - thanked them for being in attendance during the year.

**23      Item 14 George/Howick Street 25.00006**

**Cr North** - what is the timeline expected for these works?

**Director Engineering Services** - works have commenced with water infrastructure.

Rest of works to start in January 2019 and then spoke to timetable.

**24**      **Item 15 Mitre/Suttor/Lambert Streets 25.00095**

**Cr North** - raised timeline and concerns when will be completed.

**Director Engineering Services** advised still working on opportunity to divert water works through Scout hall land, will make job much faster. Awaiting Crown Land response on access.

**25**      **Item 16 Upper Macquarie County Council 18.00172**

**Cr North** - Oberon Council has agreed to extra support. Blayney and Lithgow Councils are yet to advise.

**26**      **Item 17 George/Howick Streets pedestrian crossings 25.00006 & 25.00007**

**Cr North** - before crossings are changed, can Council get information and flyers out to residents concerning road safety issues.

**Director Engineering Services** advised an education campaign will occur.

**27**      **Item 18 Staff thank you 23.00012**

**Cr North** - thanked staff and Councillors for the efforts undertaken over the last 12 months. It has been a busy and hectic year.

**DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS**

**28**      **Item 1 DEVELOPMENT APPLICATION 2015/196 – RECREATION FACILITY (GO KART TRACK) AT MCPHILLAMY PARK, BROCKS SKYLINE, MOUNT PANORAMA. APPLICANT: BATHURST REGIONAL COUNCIL. OWNER: BATHURST REGIONAL COUNCIL (DA/2015/196)**

Discussion included:

### **Steve Angelucci - Secretary Kart Club**

- Has 250 members. Started seven years ago.
- Spoke to objectives of the group.
- Noted policy of Council to build large self-sustaining facilities. There is interest from all around the world. They have had to refuse requests at this time as track is not in place.
- Noted visitor spend that will occur.
- The Kart Club is focused on junior development and spoke to opportunities that will be presented if circuit is developed, particularly if built to FIA standard. This is a visionary project.
- The Kart Club is here to run sports not make a profit.

### **Ian McPherson - citizen of Bathurst**

- Not here to talk whether we need a kart club but where facility should be placed.
- Concern at community division. The debate is becoming distorted and has led to arguments about rights.
- Need to look at best place to put it, don't trample Mount Panorama/Wahluu. This is not just an Aboriginal issue. Need to be aware of cultural heritage that is important to the community.
- Asks Councillors not to just make an easy decision; harvest our better selves.
- Spoke to positive role of Aboriginal community in 2015 celebrations. If Council powers ahead and approves development application, this is not productive - find a better solution.

### **M Laybutt - Karting Australia**

- Spoke of involvement in Condobolin in karting and also Cherry Tree Hill track in this region and noted support that existed for it.
- Why Mount Panorama? People know Mount Panorama and to give people the opportunity to stand on the Mount and to compete would be the greatest. The site is in the motor racing precinct. Top level racing in Australia has diminished with less circuits, eg Oran Park.
- Need a place for our juniors to train. Bathurst will give an opportunity to get back to top level racing.
- Oceania's were last held in Australia in 1996. The circuit proposed will attract high level drivers and many people from overseas.

### **B Allen - Wiradyuri Elder**

- Understands what is being said about kart racing. The Elders are not against kart racing but do not believe it should be located on the Mount. The ACHA says that there are artefacts there. The report should be publicly released. Percy Gresser found 2,000 artefacts, the bluestone cottage is an artefact - the Council is lying about artefacts.
- Spoke to significance of Mount Panorama/Wahluu and lack of available land for Wiradyuri to practice their culture. The track should be built down at the proposed second circuit.
- Noted the programs the Wiradyuri people are running and the need for respect. Wiradyuri are sharing, but are not getting anything in return. 2015 is "deja vu". The community is not being respected. Need area to teach their young.

### **R Taylor - Kart Club and second circuit action group**

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**This is page 7 of Minutes of the Policy Committee held on 5 December 2018**



- Spoke to purpose of modification and congratulated Council on its vision to ensure higher level events can be held.
  - Gave examples of the many facilities (sporting) that are first class in Bathurst.
  - Noted volunteer assistance, economic value, etc. Concerned at how long this process has taken.
  - The proposal to put with second circuit is not supported; needs to be separate.
  - A development application for a 950 metre circuit was previously approved and this was on privately owned land; if modification not approved will action prior development application.
- **B Sugden - Forest Grove**

Attended Inland Sea of Sound last weekend and noted Wahluu Mount Panorama is a special place and needs to be protected. Then spoke to late 1950's/1960's when heritage was destroyed in a frenzy of modernisation. We need to preserve heritage including Wahluu. Urged Council to think forward 65 years and consider what is Council's vision; we don't want people to think Council had a lack of foresight. Wahluu is not to be treated as a place to be exploited. Spoke to existing facilities at the top of the Mount which are ugly.

**P Dowling** - Mr Allen said artefacts have been found, could this be clarified.

**General Manager** spoke to findings of Go-Kart ACHA concerning artefacts and noted the ACHA found that there were no Aboriginal objects, as defined, in the Go Kart area.

**A Gerard - CSU - Law and Justice and Resident**

- There is common ground for a Go-Kart track, the issue is where to locate it on Mount Panorama/Wahluu. Do not locate it on top of Mount Panorama.
- Further, spoke to role of Elders in regard to culture, law and history in the community. They are to be respected and noted linkages with Charles Sturt University.
- Then noted huge opportunity to work together eg Suttor/Windradyne. Go-Kart track should not be placed on an area of great cultural heritage, need to be aware of intangible cultural heritage. Bathurst needs to be in step with other areas. Let's move forward on a positive basis.

**G Dixon - Bathurst resident**

- Relocated to Bathurst in 1976 with the Central Mapping Authority (CMA). May be the CMA was built on the wrong place; it is a dilemma we face everyday. Previously the Kart Club was offered the old drive-in theatre site. Sons drove go karts, people come to Bathurst and are in awe of our facilities.
- Have been waiting four and a half years, concern at how long must further wait.
- Spoke to views of all around the area. Club has been very patient and deserve a resolution.

**A Gainsford - representative of Bathurst community of Elders**

- Has gone to Wahluu over many years as part of her cultural heritage. Would like to pass this cultural understanding to children and grand-children, particularly at Mount Panorama. Works at Charles Sturt University and spoke

to law/justice degrees being offered.

- Wahluu is a special place; it is spiritual and doesn't want these places taken away.
- Noted recent role at Inland Sea of Sound of the Wiradyuri community.
- Feels cultural connection is rolled in and out when it suits people. The Go-Kart track is needed but it should not be at Wahluu. If we know better we can do better. Councillors should attend a cultural immersion course.

## **MEETING CLOSE**

### **29**      **MEETING CLOSE**

The Meeting closed at 7.18 pm.

**CHAIRMAN:** \_\_\_\_\_

## COUNCILLORS/ DELEGATES REPORTS

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

6 FEBRUARY 2019

## **1 MINUTES - BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE - 29 NOVEMBER 2018 (07.00107)**

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

**Report:** The Bathurst Regional Community Safety Committee considered the following item at their November meeting:

- DRAFT Bathurst Community Safety Plan 2019 – 2023

A copy of the minutes from the meeting is provided at **attachment 1**.

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

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

- Objective 2: A smart and vibrant economy Strategy 2.3
- Objective 4: Enabling sustainable growth Strategy 4.1
- Objective 5: Community health, safety and well being Strategy 5.2
- 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 MINUTES - AUSTRALIA DAY WORKING PARTY - 15 JANUARY 2019  
(23.00033)**

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

**Report:** The minutes of the Australia Day Working Party held on 15 January 2019 are shown at **attachment 1**.

**Financial Implications:** N/A

**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.