



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

10 June 2015

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 17 June 2015

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 17 June 2015 commencing at 6.00 pm.

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

A handwritten signature in black ink, appearing to read "D J Sherley".

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 17 JUNE 2015

1. 6:00 PM - MEETING COMMENCES

2. PUBLIC QUESTION TIME

3. PRAYER

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

4. APOLOGIES

5. MINUTES

- * MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 MAY 2015
- * MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 3 JUNE 2015

6. DECLARATION OF INTEREST

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

7. MAYORAL MINUTE - Nil

8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS

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

9. REPORTS OF OTHER COMMITTEES

- * MINUTES - POLICY COMMITTEE MEETING - 3 JUNE 2015
- * MINUTES - TRAFFIC COMMITTEE MEETING - 2 JUNE 2015

10. NOTICES OF MOTION - Nil

11. RESCISSION MOTIONS - Nil

12. DELEGATES REPORTS

* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 13 MAY 2015

* MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 12 MAY 2015

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

Recommendation: That:

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

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

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

* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	MOUNT PANORAMA LAND	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF RURAL LICENCE AGREEMENT - PART LOT 221 DP1147157 LOCATED ON STEPHENS LANE KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the

		<p>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.</p>
3	<p>RENEWAL OF LICENCE AGREEMENT - W.T.H. PTY LTD T/AS AVIS AUSTRALIA AND BUDGET RENT A CAR AUSTRALIA PTY LTD - COUNTER SPACE, TERMINAL BUILDING, BATHURST AERODROME</p>	<p>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.</p>
4	<p>PROPOSED SALE OF LOT 300 IN DP1099537 KNOWN AS 23 ZAGREB STREET, KELSO INDUSTRIAL PARK</p>	<p>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.</p>
5	<p>PROPOSED PURCHASE OF PART LOT 220 IN DP1147157 LOCATED ON HEREFORD STREET KELSO AND SUBSEQUENT SUBDIVISION OF RESIDENTIAL LOT KNOWN AS 150 GILMOUR STREET KELSO.</p>	<p>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.</p>
6	<p>PROPOSED SALE AND SUBDIVISION OF PART LOT 162 IN DP 1125026 LOCATED ON WHITE ROCK ROAD, WHITE ROCK</p>	<p>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</p>

		<p>conduct) business.</p> <p>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.</p>
7	<p>LAND RELEASE - WINDRADYNE 1000 - STAGE 2 RESIDENTIAL SUBDIVISION</p>	<p>10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council.</p> <p>Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.</p>
8	<p>WASTEWATER TREATMENT PLANT OPERATIONS</p>	<p>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.</p> <p>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.</p>
9	<p>RENEWAL OF COMMERCIAL PREMISE LEASE AGREEMENT - PART LOT 4 IN DP112509 - STORAGE SHED MT PANORAMA - SIGN EVENT PTY LTD</p>	<p>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.</p> <p>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.</p>
10	<p>FINANCIAL STATEMENT - 2015 BATHURST 12 HOUR</p>	<p>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.</p> <p>Discussion of the matter in open council would, on</p>

		balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
11	2015 BATHURST MOTOR FESTIVAL	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	PROPOSED SALE OF LOT 6 DP 559886, 48 GILMOUR STREET, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PROPOSED ACQUISITION, PART OF LOT 1 IN DP811656, 212 MOUNTAIN STRAIGHT MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED ACQUISITION OF LAND, PART OF LOT 107 IN DP1189576, EGLINTON ROAD AND CLOSURE OF OPHIR ROAD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

		Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	TENDER FOR PROVISION OF SANITARY 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.
5	TENDER FOR THE SUPPLY, DELIVERY AND PLACEMENT OF SPRAYED BITUMINOUS SURFACING	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 CLEANING OF PUBLIC TOILETS	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	TENDER FOR ROAD STABILISING WORKS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on

		balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	TENDER FOR THE PROVISION OF TRAFFIC CONTROL 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.
9	TENDER FOR PREFERRED CONTRACTOR LIST	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.
10	CENTROC TENDER FOR THE SUPPLY AND DELIVERY OF ROAD SIGNS	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.
11	CENTROC TENDER FOR THE SUPPLY OF FUEL	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.
12	TENDER FOR CLEANING OF PUBLIC BUILDINGS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** GENERAL MANAGER'S REPORT**

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

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

2 PUBLIC QUESTION TIME

G Smith – Bathurst Heritage Action Network - DCSF Item #12 (l) - Heritage Funding

Spoke to economic heritage study for tourism, would like to see this funded. Noted economic benefits of heritage tourism to a region. Referred to studies in Western Australia and the USA. There is enormous potential for Bathurst in this area, and would like to signal to Council the benefits of the study.

P Dowling - resident

- Thanks to Staff - Employees Craig, Bob, and Kyle - praised efforts they put into clearing drain in Peel Street. Asked that a thank you be given to these employees.
- Mount Panorama sign - Requested Council put the word Bathurst permanently on the Mount. This would generate great benefits. Perhaps some of the unspent Mount Panorama Section 356 funds could be put towards a permanent sign.

The Mayor spoke to Destination Management Plan process and the branding of the city, could be considered as an item in this process.

I MacPherson – National Trust - DEPBS Item #3 - DA 2014/0506

Spoke to mix up in not attending the Discussion Forum and the submission by the National Trust. The DA, whilst not perfect is a high point, as it reinforces the type of development we want in our town; e.g. building requirements, design elements, as proposed. The sign is still too high, could it be 5 metres? The DA works on ensuring the development fits in.

K Waldron – St Pats Junior Rugby League Club - DCSF Item #12 (j) - Hereford Street Sporting Fields

Supports the proposed development of extra fields on Hereford Street. The fields will be of benefit to many sports, not just League.

MINUTE

- 3** **APOLOGIES**
 MOVED: Cr B Bourke SECONDED: Cr W Aubin

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

MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 MAY 2015 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 May 2015 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 20 May 2015, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 20 MAY 2015 (11.00005)

MOVED: Cr W Aubin SECONDED: Cr M Coote

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 May 2015 be adopted.

2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 3 JUNE 2015 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Council following Policy held on 3 June 2015 be adopted.

Report: The Minutes of the Ordinary Meeting of Council following Policy held on 3 June 2015, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

5 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 3 JUNE 2015 (11.00005)

MOVED: Cr G Westman SECONDED: Cr M Coote

RESOLVED: That the Minutes of the Ordinary Meeting of Council following Policy held on 3 June 2015 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 20 MAY 2015**

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

P Dowling – resident -

- Front Parking - believes has more flaws than positives. Reverse parking is a better option.
- Mount Panorama Sign on Mount - feels Council should put "Bathurst" under the Mount Panorama sign on the Mount.
- Trees side of roadways - these are becoming more of a problem with kangaroos. Feels need to be addressed for safety reasons. Noted people used to be able to take old branches from roadsides. Should look at opportunity to use the branches, problem is not an overnight fix. Removal of roadside timber will help to reduce problems with kangaroos, as they will be more easily seen.

G Crisp – ratepayer - raised a number of issues including, Laws of State should be enforced equally. 26 March at 4 pm lodged a written complaint about Mr P Toole concerning signage for the state election. He then spoke to his experiences with signage and discussions he had held with Mr Shaw.

The General Manager provided advice on actions taken with respect to the sign put up by Mr Toole at the election. Noted signage approved is a matter for State Electoral Office and that the sign was removed by Mr Toole when requested.

L Thompson – resident -

- Bathurst heritage - feels Council's commitment to heritage is being challenged by the carport built at the corner of Mitre and Keppel Streets.
- Daly Street - there are two shipping containers now on the site. Have any attempts been made to contact owners solicitors.

The Acting Director Environmental, Planning & Building Services gave details of contact made and use for temporary storage.

- Donations from public - spoke to proposed railway museum and cost of over \$1 million in the budget and cost of gift. Was due diligence undertaken in this matter?

The Mayor spoke to process undertaken in assessing the proposal.

B Triming – resident -

- Bathurst 200 Events - congratulated Councillors and staff on the events conducted for the bicentenary celebrations. Noted excellent access arrangements in place. This has all been well done. Portraits in time was excellent, with great access available.

The Mayor spoke to the events held and that staff did a great job.

- Mr Triming thanked the Director Engineering Services for new layback at Hope and Russell Streets, a well designed access way.

APOLOGIES

- 3** **APOLOGIES**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That the apologies from Crs Bourke & North be accepted and leave of absence granted.

MINUTES

- 4** **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15 APRIL 2015 (11.00005)**
MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 15 April 2015 be adopted.

- 5** **Item 2 MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 5 MAY 2015 (11.00005)**
MOVED Cr M Coote and **SECONDED** Cr G Westman

RESOLVED: That the Minutes of the Extraordinary Meeting of Bathurst Regional Council held on 5 May 2015 be adopted.

DECLARATION OF INTEREST

- 6** **DECLARATION OF INTEREST 11.00002**
MOVED Cr W Aubin and **SECONDED** Cr J Jennings

RESOLVED: That the following Declarations of Interest be noted.

Cr Coote

Item #9 of the Director Environmental Planning & Building Services report

Cr Rush

Item #1 of the Director Engineering Services Confidential report

Cr Westman

Item #1 of the Director Engineering Services Confidential report

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

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

MOVED Cr G Westman

and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

8 **Item 2 GENERAL REPORT (03.00053)**

MOVED Cr M Coote

and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

9 **Item 3 DEVELOPMENT APPLICATION NO. 2015/0077 – DEMOLITION OF EXISTING DWELLING, CONSTRUCTION OF SINGLE STOREY REPLACEMENT DWELLING AND ATTACHED CARPORT AT 72 ROCKET STREET, BATHURST. APPLICANT: MR JC SHERMAN. OWNER: MR JC AND MRS JL SHERMAN (DA/2015/077)**

MOVED Cr M Coote

and **SECONDED** Cr G Westman

RESOLVED: That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the EP&A Act to Development Application 2015/0077, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- i. Demolition is not to commence until a photographic record has been created of the existing building and submitted to Council;
 - ii. The applicant is to submit to Council for approval a schedule of materials, colours and finishes (including details of original materials being reused); and
- (b) call a division.

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

The result of the division was:

In favour of the motion - Cr W Aubin, Cr M Coote, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Cr B Bourke, Cr I North,

Abstain - Nil

10 **Item 4 DEVELOPMENT APPLICATION NO. 2015/0145 – ERECTION OF SHED AND USE AS TEMPORARY DWELLING AT 342 GORMANS HILL ROAD, GORMANS HILL. APPLICANT: MS M MILLER. OWNER: MS M MILLER (DA/2015/0145)**

MOVED Cr G Westman

and **SECONDED** Cr J Jennings

RESOLVED: That Council:

- (a) support the variation to the 200 hectare minimum lot size development standard for the erection of a dwelling house as prescribed in the Bathurst Regional Local Environmental Plan 2014 and the corresponding Lot Size Map; and
- (b) seek concurrence from the NSW Department of Planning and Environment for the variation to the 200 hectare minimum lot size development standard for the erection of a dwelling house as prescribed in the Bathurst Regional Local Environmental Plan 2014 and the corresponding Lot Size Map; and
- (c) subject to the NSW Department of Planning and Environment granting concurrence, grant consent pursuant to section 80 of the EP&A Act to Development Application No. 2015/0145, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - i. The shed building may be used for temporary residential occupation for a period of 24 months from the date of the consent.

NOTE: The applicant is to remove the kitchen and laundry facilities at the end of the 24 month period. The applicant is also required to cap off all redundant plumbing in accordance with AS/NZS 3500 and NSW Code of Practice, Plumbing and Drainage; and

- (d) call a division.

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

The result of the division was:

In favour of the motion - Cr W Aubin, Cr M Coote, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Cr B Bourke, Cr I North,

Abstain - Nil

11 **Item 5 STATE LISTING OF COX'S ROAD AND EARLY DEVIATIONS (20.00047)**

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

RESOLVED: That the information be noted.

12 **Item 6 BATHURST REGION HERITAGE REFERENCE GROUP (20.00123)**

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

RESOLVED: That the report be noted.

13 **Item 7 DESTINATION MANAGEMENT PLAN (37.00421)**

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

RESOLVED: That Council adopt the Bathurst Region Destination Management Plan.

14 **Item 8 2015 LOCAL GOVERNMENT NSW TOURISM CONFERENCE (18.00074)**

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

RESOLVED: That the information be noted.

15 **Item 9 BATHURST BUY LOCAL GIFT CARD (20.00071)**

MOVED Cr W Aubin and **SECONDED** Cr J Jennings

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

Reason: Business is participating in Buy Local Program

RESOLVED: That the information be noted.

16 **Item 10 MAYORAL BUSINESS LEADERS LUNCH (20.00071)**

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

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report

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

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

RESOLVED: That the information be noted.

- 18** **Item 2 YEAR TO DATE REVIEW - QUARTERLY BUDGET REVIEW STATEMENT 2014-2015 (16.00137)**
MOVED Cr M Coote and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted and any variations to income and expenditure be voted.

- 19** **Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)**
MOVED Cr W Aubin and **SECONDED** Cr M Coote

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

- 20** **Item 4 POWER OF ATTORNEY (11.00007)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

- 21** **Item 5 2016 LOCAL GOVERNMENT NSW WATER MANAGEMENT CONFERENCE (29.00009)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That Council submit an Expression of Interest to host the 2016 Local Government NSW Water Management Conference.

- 22** **Item 6 COUNCIL'S SPORTING ASSOCIATION GRANTS PROGRAM (18.00279)**
MOVED Cr G Westman and **SECONDED** Cr M Coote

RESOLVED: That:

- (a) Council maintain its previous grant funding arrangements of providing only one yearly application process for its \$20,000 Sporting Grants Program.
- (b) Advertising for Council's annual sporting grants commence in July.

- 23** **Item 7 REQUEST FOR FINANCIAL ASSISTANCE - RANKIN COTTAGE CRAFTS INC (22.12110)**
MOVED Cr M Morse and **SECONDED** Cr G Hanger

RESOLVED: That Council support Rankin Cottage Crafts Inc. by waiving the fee of \$110, to be funded from Section 356 donations.

- 24** **Item 8 REQUEST FOR FINANCIAL ASSISTANCE - AUSTRALIAN DENTAL ASSOCIATION WESTERN DIVISION (21.00012-07/099, 04.00041-10)**
MOVED Cr G Hanger and **SECONDED** Cr J Jennings

RESOLVED: That Council make available the Windradyne Room and kitchen, Mount Panorama Pit Complex, to the Australian Dental Association (NSW Branch) Western Division to host the Convention dinner to be held on 20 November 2016 with the estimated cost of \$983 to be funded from the Mount Panorama Fee Subsidy for the 2016/2017 financial year.

- 25** **Item 9 REQUEST FOR FINANCIAL ASSISTANCE - SOCIETY OF BATHURST BELL RINGERS (18.00195)**
MOVED Cr M Morse and **SECONDED** Cr G Hanger

RESOLVED: That Council provide an amount of \$1,000 to assist The Society of Bathurst Bell Ringers in hosting a ringing festival in March 2016, to be funded from the Mount Panorama Fee Subsidy 2014/2015.

- 26** **Item 10 REQUEST FOR FINANCIAL ASSISTANCE - CATHEDRAL RESTORATION APPEAL ART UNION - PARKING PERMIT (28.00006)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That Council refund the parking permit fee of \$331.20 to the Cathedral of St Michael & St John Restoration Committee, to be funded from Revenue Fees and Charges account.

Director Engineering Services' Report

- 27** **Item 1 LOVE FOOD HATE WASTE COMMUNITY WORKSHOPS - HEALTHY MEALS THAT DON'T COST THE EARTH (14.00007)**
MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

- 28** **Item 2 ADVENTURE PLAYGROUND STAGE 2 (04.00121)**
MOVED Cr J Jennings and **SECONDED** Cr M Coote

RESOLVED: For Council's information.

- 29** **Item 3 CLASSIFICATION OF LAND - WINBURNDALE DAM ROAD (32.00014)**
MOVED Cr M Coote and **SECONDED** Cr G Westman

RESOLVED: That Council approve the classification of Lots 1, 2 and 3 DP1206557

RESOLVED: That the information be noted.

36 Item 7 VACATION CARE PROGRAM - APRIL SCHOOL HOLIDAY ACTIVITIES (09.00005)

MOVED Cr G Westman and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

General Manager's Report

37 Item 1 RECONCILIATION ACTION PLAN 2015-2017 (09.00031)

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

RESOLVED: That Council adopt the Reconciliation Action Plan 2015-2017

REPORTS OF OTHER COMMITTEES

Traffic Committee Meeting

38 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 5 MAY 2015 (07.00006)

MOVED Cr W Aubin and **SECONDED** Cr G Westman

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 5 May 2015 be adopted.

DELEGATES REPORTS

39 Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 8 APRIL 2015 (11.00019)

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

RESOLVED: That the information be noted.

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

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

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

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

There were no representations from the public.

RESOLVED: That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	DEED OF ASSIGNMENT OF DEED OF COVENANT FOR CAR PARKING	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. 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	CAR PARKING LICENCE AGREEMENT WITH NOVION RE LIMITED	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of

	the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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*** DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED PURCHASE OF PROPERTY - LOT 2 DP532310 KNOWN AS 180 COLLEGE ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PROPOSED PURCHASE OF PROPERTY - LOT 15 DP744672 LOCATED AT 21 GORMANS HILL ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it. 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	EXPRESSION OF	10A (2) (d) (i) – contains

	INTEREST - PART LOT 2 IN DP749758 LOCATED AT 200 COLLEGE ROAD, BATHURST	commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PURCHASE OF COMMERCIAL SITE IN HOWICK STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	EXPRESSION OF INTEREST - LOT 231 IN DP1177478 LOCATED AT 151 LAFFING WATERS LANE, 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.
6	NEW RESIDENTIAL TENANCY AGREEMENT FOR THE WINBURNDALE DAM RANGER'S COTTAGE LOCATED ON LOT 1 DP914785	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	RECLASSIFICATION OF COUNCIL LAND - LOT 7 DP620655 ALEC LAMBERTON PARK, LEE STREET, KELSO	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 ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR THE CONSTRUCTION OF A BMX TRACK AT BATHURST BIKE PARK	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 Environmental Planning & Building Services' Report

a Item 1 DEED OF ASSIGNMENT OF DEED OF COVENANT FOR CAR PARKING (22.00553)

MOVED Cr M Coote

and **SECONDED** Cr G Westman

That Council:

- (a) agree to enter into the Deed of Assignment of Deed of Covenant for Car Parking with Perpetual Limited; and
- (b) delegate authority to the General Manager to sign the deed of agreement on behalf of Bathurst Regional Council.

b Item 2 CAR PARKING LICENCE AGREEMENT WITH NOVION RE LIMITED (22.01006)

MOVED Cr M Coote

and **SECONDED** Cr G Westman

That Council:

- (a) agree to enter into a Car Parking License Agreement with Novion RE Limited for a period of two (2) years; and
- (b) delegate authority to the General Manager to sign the agreement on behalf of Bathurst Regional Council.

Director Corporate Services & Finance's Report

c Item 1 PROPOSED PURCHASE OF PROPERTY - LOT 2 DP532310 KNOWN AS 180 COLLEGE ROAD, BATHURST (22.02563)

MOVED Cr G Westman

and **SECONDED** Cr M Coote

That Council approves the purchase of Lot 2 DP532310 known as 180 College Road, Bathurst as detailed in the report.

d Item 2 PROPOSED PURCHASE OF PROPERTY - LOT 15 DP744672 LOCATED AT 21 GORMANS HILL ROAD, BATHURST (22.09834)

MOVED Cr W Aubin

and **SECONDED** Cr M Coote

That Council approves the purchase of Lot 15 DP744672 located at 21 Gormans Hill Road, Bathurst as detailed in the report.

e Item 3 EXPRESSION OF INTEREST - PART LOT 2 IN DP749758 LOCATED AT 200 COLLEGE ROAD, BATHURST (22.05258)

MOVED Cr J Jennings

and **SECONDED** Cr W Aubin

That Council approves entering into a new Rural Licence agreement with Ms Crystal Guntley for part Lot 2 in DP749758 located at 200 College Road, Bathurst for a period of one (1) year with an option period of one (1) year as detailed in the report.

f Item 4 PURCHASE OF COMMERCIAL SITE IN HOWICK STREET BATHURST (22.04853)

MOVED Cr M Coote

and **SECONDED** Cr G Westman

That Council not proceed to make an offer at the present time.

- g** **Item 5 EXPRESSION OF INTEREST - LOT 231 IN DP1177478 LOCATED AT 151 LAFFING WATERS LANE, KELSO (22.00677)**
MOVED Cr G Westman and **SECONDED** Cr M Coote

That Council approves entering into a new Rural Licence Agreement with Mr Matt Press for Lot 231 in DP1177478 located at 151 Laffing Waters Lane, Kelso for a period of three (3) years as detailed in the report.

- h** **Item 6 NEW RESIDENTIAL TENANCY AGREEMENT FOR THE WINBURNDALE DAM RANGER'S COTTAGE LOCATED ON LOT 1 DP914785 (21.00124)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

That Council approves entering into a new Residential Tenancy Agreement for the Winburndale Dam Ranger's Cottage located on Lot 1 DP914785 at Winburndale Dam for a period of five (5) years as detailed in the report.

- i** **Item 7 RECLASSIFICATION OF COUNCIL LAND - LOT 7 DP620655 ALEC LAMBERTON PARK, LEE STREET, KELSO (04.00018)**
MOVED Cr G Westman and **SECONDED** Cr W Aubin

That Council reclassify Lot 7 DP620655 located on Lee Street Kelso known as the Alec Lamberton Park as detailed in the report.

Director Engineering Services' Report

- i** **Item 1 TENDER FOR THE CONSTRUCTION OF A BMX TRACK AT BATHURST BIKE PARK (36.00547)**
MOVED Cr M Coote and **SECONDED** Cr M Morse

Cr Rush declared a pecuniary interest in this item, left the Chamber, vacated the Chair and took no part in discussion or voting.

Reason: one of the tenderers is a relative of partner

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

Reason: BMX Club Secretary

That Cr Aubin take the Chair for this item in accordance with Section 369 of the Local Government Act.

- k** **Item 1.01 TENDER FOR THE CONSTRUCTION OF A BMX TRACK AT BATHURST BIKE PARK (36.00547)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

That Council accept Central West Civil's total tendered project price of

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE
HELD ON 3 JUNE 2015**

MEETING COMMENCES

1 MEETING COMMENCES 6:30 PM

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

APOLOGIES

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

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

DECLARATION OF INTEREST

3 DECLARATION OF INTEREST 11.00002
MOVED Cr I North and **SECONDED** Cr J Jennings

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

4 Item 1 MODIFICATION TO DEVELOPMENT APPLICATION NO 2013/0445 - ALTERATIONS FOR USE AS A RESPITE COTTAGE (10 WILLIAM STREET), PARTIAL DEMOLITION AND ADDITIONS AND ALTERATIONS FOR USE AS RESPITE COTTAGE (12 WILLIAM STREET), DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF INCLUSION CENTRE AND ADMINISTRATION (16 WILLIAM STREET, BATHURST. APPLICANT: HINES CONSTRUCTIONS PTY LTD OWNER: MR S & MRS T BENNETT (DA/2013/0445)
MOVED Cr I North and **SECONDED** Cr M Morse

RESOLVED: That Council:

- (a) as the consent authority, grant consent to the modification of Development Application No. 2013/0445 made under Section 96(2) of the Environmental

Planning and Assessment Act 1979, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:

- i) Prior to the issue of the Construction Certificate the applicant is to submit to Council for approval amended plans for the front façade and visible side returns of the proposed building showing ashlar rendering below the window line and face brickwork above the window line;
 - ii) Prior to the issue of the Construction Certificate the applicant is to submit to Council for approval a schedule of materials, colours and finishes (including details of original materials being reused);
- (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 M Coote, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Cr W Aubin,

Abstain - Nil

Director Corporate Services & Finance's Report

- 5** **Item 1 REQUEST FOR FINANCIAL ASSISTANCE - SHINE FOR KIDS (18.00004)**
MOVED Cr B Bourke and **SECONDED** Cr G Westman

RESOLVED: That Council:

- (a) Provide space for Shine for Kids at the Hector Park precinct, Bathurst (area near the playground, adjacent the gaol complex) to allow the building of the "Welcome Walk" pathway, (consisting of 150 bricks).
- (b) Provide sponsorship, at paver sponsorship level, of \$1,000 towards the project, to be funded from Equity.

Director Engineering Services' Report

- 6** **Item 1 NETWASTE CONTRACT FOR COLLECTION AND RECYCLING SCRAP METAL - EXTENSION (14.00007)**
MOVED Cr G Westman and **SECONDED** Cr I North

RESOLVED: That Council authorise the General Manager to extend the contract

for the collection and recycling of scrap metal for the period of 12 months from 25 July 2015, for a maximum of two periods.

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

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

MOVED Cr B Bourke

and **SECONDED** Cr I North

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

There we no representations from the public.

RESOLVED: That:

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

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	VARIATION TO MANGANESE REMOVAL 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.

Director Engineering Services' Report

a Item 1 VARIATION TO MANGANESE REMOVAL PROJECT (16.00103)

This is page 3 of Minutes (Minute Book Folio 12015) of the Ordinary Meeting of Council held on 3 June 2015.

Page 36

General Manager

Mayor

MOVED Cr M Coote

and **SECONDED** Cr I North

RESOLVED: That Council

- (a) determine that in the case of the Manganese Removal Project, a satisfactory result would not be achieved by inviting tenders for the Backwash Filter Water Pipe due to the relatively short period involved, the number and scale of risks involved in having multiple contractors in a complex and congested area, and the knowledge that there is already an existing contractor on site prepared and able to safely complete the work for a reasonable price and,
- (b) approve a variation to the existing Manganese Removal contract, number 1301334 with EODO Pty Ltd, for \$231,335.25 (including GST), for the Backwash Filter Water Pipe.

RESOLVE INTO OPEN COUNCIL

8

RESOLVE INTO OPEN COUNCIL

MOVED Cr M Coote

and **SECONDED** Cr G Westman

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

9

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MOVED Cr I North

and **SECONDED** Cr J Jennings

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

MEETING CLOSE

10

MEETING CLOSE

The Meeting closed at 6.33 pm.

CHAIRMAN: _____

Date: _____ **(17 June 2015)**

MINUTE

6 DECLARATION OF INTEREST 11.00002
MOVED: Cr J Jennings SECONDED: Cr M Morse

RESOLVED: That the following Declarations of Interest be noted.

Cr Coote

Item #12 (e) of the Director Corporate Services & Finance's report.

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

Cr Westman

Item #12 (h) of the Director Corporate Services & Finance's report.

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 JUNE 2015

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

Recommendation: That the information be noted.

Report: A copy of Section 79C of the Environmental Planning and Assessment Act 1979 is provided at **attachment 1** to assist Council in the assessment of Development Applications.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: Cr G Westman SECONDED: Cr M Coote

RESOLVED: That the information be noted.

2 GENERAL REPORT (03.00053)

Recommendation: That the information be noted.

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

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

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

RESOLVED: That the information be noted.

3 DEVELOPMENT APPLICATION NO 2014/0506 – DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF SERVICE STATION WITH CONVENIENCE STORE AND ADVERTISING SIGNAGE AT 267 & 269 STEWART STREET, BATHURST. APPLICANT: ISAAC PROPERTY DEVELOPMENTS BATHURST PTY LTD. OWNER: ISAAC PROPERTY DEVELOPMENTS BATHURST PTY LTD (DA/2014/0506)

Recommendation: That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No 2014/0506, subject to conditions able to be imposed pursuant to section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- (i) Deliveries and waste collection are only to occur during the following timeframes:
- Waste Collection – only between the hours of 7:00am and 10:00pm.
 - Fuel delivery and large truck deliveries – only between the hours of 7:00am and 10:00pm.
 - Small truck deliveries – only between the hours of 7:00am and 10:00pm.
- (ii) The proposed building is to be redesigned so that the external appearance will be compatible with the heritage significance and streetscape qualities of the site and the Heritage Conservation Area and in particular:
- a) Create a faux parapet to replicate the parapet detailing (including the insert panels) from the eastern elevation on the northern elevation.
 - b) Detail the panels on the eastern and northern façades to include some recessing and trim.
 - c) Provide details (dimensions and materials) of the proposed verandah posts.
 - d) Provide detailing to the eastern elevation either side of the parcel lockers in the form of windows or recessed banding.
 - e) Centre the parcel lockers.
 - f) Include a picket or open metal panel within the front boundary fence treatment and increase the height of the fence pillars to 1.5m.
 - g) Proposed pylon sign is to be redesigned to match the height of the proposed canopy.
 - h) Extend the redesigned brick fence along the eastern elevation to include the section in front of the proposed building.
 - i) Extend the brick retaining wall/fence along the northern elevation through to the front boundary
- (iii) Prior to the commencement of demolition, the developer is to submit to Council

at least two printed photographs and either photographic negatives or a CD containing high quality digital copies of the church in accordance with the guidelines for photographic recording of sites for which approval has been granted for demolition.

- (iv) During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Division, NSW Office of Environment & Heritage. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works.
 - (v) As much as possible, the original materials are to be salvaged from the demolition of the building. Prior to the issue of Construction Certificate, a schedule of materials that will be reused is to be provided to Council. Materials to be reused are to be stored on site where possible, or in an off site location where these materials are readily accessible for re-use on the building/s. The Director of Environmental, Planning & Building Services is to be notified of the location, should the materials be stored off site.
- (b) notify those that made submissions of its decision
- (c) call a division.

Report: The site

Council has received a Development Application (DA) for demolition of existing buildings, construction of service station with convenience store and advertising signage at 267 & 269 Stewart Street, Bathurst, described as Lot 78 DP 1137733 and Lot 11 in DP 857932 (see location plan at **attachment 1**)

The site is currently used partly as a car yard and partly as a place of public worship although the latter use has ceased. Existing improvements on this part of the site comprise former church, motor showroom, retaining walls, vehicle parking and manoeuvring areas and fencing.

The site itself is 1320m² in total.

Access to the site is currently available from two access driveways to Stewart Street and one to Blandford Street.

The proposal

The proposal involves:

- demolition of all buildings and existing site improvements;
- construction of a service station with convenience store and installation of all associated fuel infrastructure; and
- installation of associated advertising signs and structures.

The service station will operate 24 hours per day, 7 days per week.

Access to the development is proposed by way a new access from Blandford Street and a single entrance driveway from Stewart Street. The proposal will not impact on the Crown

road located between the site and 9 Blandford Street.

See plan of proposed development at **attachment 2** and Statement of Environmental Effects at **attachment 3**.

Planning context

Bathurst Regional Local Environmental Plan 2014

Under the Bathurst Regional Local Environmental Plan 2014 the subject site is zoned B3 Commercial Core. The proposal is defined as a service station under the Bathurst Regional Local Environmental Plan 2014 and is permissible with consent in the B3 Commercial Core zone.

4.3 Height of buildings

The maximum permitted height of a building on the subject land is 12m. The highest point of the development will be the canopy at approximately 6.5 metres and the pylon sign at 7.0m.

4.4 Floor space ratio

The maximum allowable floor space ratio for the subject land is 1:1. The proposal is significantly less than the maximum allowable FSR at 1:0.3.

5.10 Heritage Conservation

The proposal is located within the Bathurst heritage conservation area. The existing buildings are not listed as heritage items in the Bathurst Regional Local Environmental Plan 2014.

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

The applicant has submitted a heritage impact statement to support the demolition of the existing buildings.

The original significant internal church fabric has been removed and only the externally visible components of the church currently remain.

The building has been unused for 12 months and has recently been vandalised.

The site has been inspected by Council's Heritage Advisor on 2 June 2015. The applicant has been requested on several occasions to amend the proposed plans particularly in relation to the eastern façade of the shop building addressing Stewart Street. The site lends itself to being a landmark location within the CBD and any development should provide a positive contribution to the city's architectural streetscape and preserve identified heritage features.

The current amended plans indicate an awning along the Stewart Street elevation. However, additional detail should be provided to ensure that the development sits well within the streetscape and is compatible with the character of the Heritage Conservation Area. Should the application be approved in its current form the following conditions should be imposed on the consent:

- *The proposed building is to be redesigned so that the external appearance will*

be compatible with the heritage significance and streetscape qualities of the site and the Heritage Conservation Area and in particular:

- a) *Create a faux parapet to replicate the parapet detailing (including the insert panels) from the eastern elevation on the northern elevation.*
 - b) *Detail the panels on the eastern and northern façades to include some recessing and trim.*
 - c) *Provide details on the proposed verandah posts.*
 - d) *Provide detailing to the eastern elevation either side of the parcel lockers in the form of windows or recessed banding.*
 - e) *Centre the parcel lockers.*
 - f) *Include a picket or open metal panel within the front boundary fence treatment and increase the height of the fence pillars to 1.5m.*
 - g) *Proposed pylon sign is to be redesigned to match the height of the proposed canopy.*
 - h) *Extend the redesigned brick fence along the eastern elevation to include the section in front of the proposed building.*
 - i) *Extend the brick retaining wall/fence along the northern elevation through to the front boundary.*
- *Prior to the commencement of demolition, the developer is to submit to Council at least two printed photographs and either photographic negatives or a CD containing high quality digital copies of the Church in accordance with the guidelines for photographic recording of sites for which approval has been granted for demolition.*
 - *During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Division, NSW Office of Environment & Heritage. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works.*

The existing church on the site was constructed in the 1960s and holds some cultural significance.

Given the elevation of the existing church relative to the surrounding land, it is difficult to reuse and adapt the church building in this instance. Providing access from the lower section of the site to the existing church building would require extensive ramps.

Bathurst Regional Development Control Plan 2014

Bathurst Regional Development Control Plan 2014 – Chapter 5 Business and Industrial Development

Development Standard	Proposed	Permissible	Compliance

Floor area	178 m2	NA	NA
Setbacks			
Front	Complement existing	Complement existing	Yes
Rear	As per BCA	As per BCA	Yes
Side	As per BCA	As per BCA	Yes
Floor space ratio	<1:1	1:1	Yes
Car parking	9 provided	9 required	Yes
Access way width	Separate	6m	Yes
	Ingress/egress		
12.5m vehicle manoeuvring	Yes, 19m	Yes	Yes
	Articulated		
Landscaping	Yes	Yes	Yes
Appropriate signage	Yes	Yes	Yes

Conditions have been imposed to restrict the height of the pylon sign to match the proposed fuel canopy. See discussion of signage in the submission section of the report.

Conditions will be imposed in relation to the submission of a landscape plan prior to the issue of a Construction Certificate.

Chapter 10 Urban Design & Heritage Conservation

- Bathurst Conservation Area Management Strategy (BCAMS)

In order to assess the conservation significance of the church proposed for demolition an assessment under the Bathurst Conservation Area Management Strategy (BCAMS) was undertaken.

The following table provides a summary of the assessment.

Date of construction	1960s
BCAMS results:	
• Integrity	Substantially intact
• Streetscape rating	Neutral
• Heritage significance	Significant in the local context
• Overall rating (out of 10)	6

- Heritage Impact Statement

A detailed Heritage Impact Statement has been prepared in accordance with Section 10.2.3 of the Bathurst Regional Development Control Plan 2014 (see copy of Heritage Impact Statement at **attachment 4**).

- Historical Assessment

The Statement of Heritage Impact submitted with the application states the church was constructed over a long period of time in the early 1960's by voluntary labour following fund raising efforts by parishioners from the 1920's to the 1960's with a fall off during the Great Depression (1929-1933) and WW2 (1939-1945). St Paul's was unusual as it included brick and steelwork with an unusual design that appears to have been carefully thought out.

The Historical Assessment has been included in the Heritage Impact Statement (see **attachment 4**).

General Assessment

Noise impact

An Environmental Noise Assessment has been submitted with the Development Application (see **attachment 5**).

The development includes the construction of a brick retaining wall and fence structure on the north western boundary which will act as part of the noise mitigation strategies.

Hours of operation

The service station and convenience store will operate 24 hours a day, 7 days a week.

Existing noise environment

The area contains a mixture of commercial and residential uses and is greatly influenced by traffic noise associated with the Stewart Street.

The nearest residential receivers are located opposite the site in Blandford Street and directly adjoining the site to the west (9 Blandford Street).

Background noise readings within the vicinity of the site have been undertaken as part of the noise assessment.

- **Intrusive noise criterion**

In accordance with the Industrial Noise Policy intrusive noise assessment is based on the background noise level (defined as the Rating Background Noise Level of RBL) at the nearest noise sensitive receiver. The Intrusive criteria is the RBL at the nearest noise sensitive receiver location plus 5dB.

Noise emissions from the premises are considered to be intrusive if the equivalent A-weighted source noise level (LAeq, 15mins) is greater than the background noise level (LA90) plus 5dB, when measured at the nearest noise sensitive receiver.

The intrusive criteria for 9 Blandford Street is illustrated in the table below

Period	RBL, dB LA90	Intrusiveness Criteria (RBL + 5dB) dB LAeq, 15 min
Day (7am to 6pm)	40	45
Evening (6pm to 10pm)	39	44
Night (10pm to 7am)	30	35

The intrusive criteria for 279 Stewart Street is illustrated in the table below

Period	RBL, dB LA90	Intrusiveness Criteria (RBL + 5dB) dB LAeq, 15 min
Day (7am to 6pm)	48	53
Evening (6pm to 10pm)	42	47
Night (10pm to 7am)	33	38

Amenity Criteria

The amenity criteria is designed to prevent industrial noise continually increasing above an acceptable level.

The site is located in an area which is considered to be suburban.

The acceptable and maximum noise levels in a suburban area are as follows:

	Recommended Noise Level Laeq DB
Period	Maximum
Day	60
Evening	50
Night	45

Noise Sources

The generally accepted practice is to use the lower of the intrusive noise level and the amenity level as a basis for assessment.

The main sources of noise from the site are from:

- vehicles and customers entering and exiting the site for refuelling and accessing the convenience store, and
- from service vehicles (garbage, fuel deliveries and grocery deliveries).

The predicted noise levels have been calculated at the nearest residential receivers being 279 Stewart Street and 9 Blandford Street.

Noise from customer activities

The predicted noise level from customer vehicle activity is illustrated in the table below. It is noted that the intrusive criteria and amenity criteria is not exceeded at any time.

Time period	Predicted noise level	Intrusive-ness Criterion dB LAeq, 15 mins	Compliance?	Predicted noise level	Amenity Criterion, dB LAeq period	Compliance?
9 Blandford Street						
Day	42	45	Yes	42	60	Yes
Evening	42	44	Yes	42	50	Yes
Night	35	35	Yes	35	45	Yes
279 Stewart Street						
Day	39	53	Yes	39	60	Yes
Evening	39	47	Yes	39	50	Yes
Night	33	38	Yes	33	45	Yes

The following table outlines the predicted noise levels of all noise (customers plus service vehicles) during the day, evening and night against the intrusive and amenity levels taking into account all noise sources.

In assessing the intrusive criteria the predicted noise level is measured over a 15 minute

period. For amenity assessment, the predicted noise level is measured over the whole day, evening or night time period. Accordingly the predicted noise levels used for assessment against these 2 criteria are different.

	Predicted noise level	Intrusiveness Criterion dB LAeq, 15 mins daytime	Compliance?	Predicted noise level	Amenity Criterion, dB LAeq, period	Compliance?
9 Blandford Street						
Tanker	41	45	Yes	41	50	Yes
Small Delivery Truck	38	45	Yes	38	50	Yes
279 Stewart Street						
Fuel Tanker	38	38	Yes	38	45	Yes
Small Delivery Truck	29	38	Yes	29	45	Yes

The development therefore complies with the INP intrusive criteria at both nearest affected residences with the exception of truck deliveries at night where the predicted noise levels will exceed the night time criteria (10:00pm to 7:00am) at 9 Blandford. It is therefore proposed to limit waste collection, fuel delivery and general deliveries during this period.

The service station will not attract heavy vehicle customers as it will not be equipped with a high-flow diesel pump. Further, customer vehicles will be restricted, with appropriate signage, to those not exceeding 12.5 metres.

Sleep disturbance

Noise from the site associated with night time vehicular and customer activities has the potential to cause sleep disturbance to residents of nearby dwellings.

Night-time noise associated with the use of the proposed service station site may comprise:

- car movements in the car parking, and petrol filling areas;
- cars braking, doors closing, and accelerating away from a stationary position;
- patron voices in the parking areas.

The Industrial Noise Policy itself does not contain specific criteria for sleep disturbance but instead refers to other documents such as the NSW Road Noise Policy. The general criteria for assessment of sleep disturbance is background plus 15 dBA. Where the criterion is met, sleep disturbance is not likely, but where it is not met, a more detailed analysis is required.

In this instance, the night time criteria for more detailed assessment of sleep disturbance is 49dB L_{Amax} measure outside of the nearest affected residential receivers. This is based on the background night time noise level of 34 dBA plus 15 dBA.

The NSW Road Noise Policy also examines various other studies undertaken in relation to sleep disturbance. These studies conclude that:

- Maximum **internal** noise levels below 50-55 dB L_{Amax} are unlikely to cause awakening reactions.

- One or two noise events per night, with maximum **internal** noise levels of 65-70 dB Lamax are not likely to affect health and wellbeing significantly.

The noise report identifies that the proposed development will not exceed the night time sleep disturbance criteria (60-65dBa) at either nearest affected receiver.

Traffic

The Development Application was referred to Roads and Maritime Services (RMS) under State Environmental Planning Policy (Infrastructure) 2007 as the development involves a service station with access to a classified road.

Approval is also required under Section 138 of the Roads Act 1993 as the development involves undertaking road works on the classified road.

A copy of the RMS advice is provided at **attachment 6**.

The RMS have granted its concurrence to the proposal. All works associated with the proposed entrances driveway off Stewart Street and Blandford Street will need to be undertaken by the applicant. The conditions imposed by the RMS will be included in the notice of determination.

Crime Prevention Through Environmental Design

In accordance with Council's agreed protocol the Development Application was referred to Bathurst Police for consideration against the Crime Prevention Through Environmental Design criteria.

The development has been supported by a Plan of Management and Crime Risk Assessment which are provided at **attachment 7** and **attachment 8** respectively.

The development has been assessed by NSW Police as being "medium – high crime risk". The Police have advised that due to the location of the premises and trading hours, there is the likelihood of an increase in criminal activity such as stealing, armed robbery and fraud (fail to pay for fuel).

The NSW Police have also advised that all of the principals of CPTED have been addressed by the applicant which will assist greatly in reducing the opportunity for criminal activity. There were no other issues identified that have not been covered under the CPTED Principles.

Submissions

The Development Application was advertised and notified to adjoining property owners between 12 January and 27 January 2015. During the notification period a total of two (2) submissions were received (see submissions at **attachment 9**).

The National Trust raised the following issues

- Pylon Sign – reduce the sign to approximately 5m and remove the 7/11 logo

The pylon sign has been conditioned to be the same height as the canopy in accordance with section 12.2.5 of the Bathurst Regional DCP. The proposed pylon sign is consistent with the advertising pylon signs located within the B3 zoned section of Stewart Street.

- Retail Building branding - only have advertising on the southern elevation

The applicant has amended the plans to only include the 7/11 signage and striping on the southern elevation.

- Fuel Canopy – remove all 7/11 striping and only include the 7/11 logo on a neutral colour.

The striping on the fuel canopy has been removed from the western elevation and the remaining striping is consistent with the fuel canopies located within the B3 zoned section of Stewart Street. There are no specific DCP controls for fascia signage on a fuel canopy.

It should be noted that no objection was made by the National Trust in relation to the demolition of the Church.

The other submission received raised concerns with the location of the boundary fence and the removal of a magnolia tree within the footpath.

These matters were discussed in the internal discussion forum and have been resolved.

An internal Discussion Forum was held on 1 June 2015 with the developer and the neighbouring objector in attendance. See minutes of Discussion Forum at **attachment 10**).

Issues raised in the submissions and at the Discussion Forum centred on the dividing fence.

Conclusion

Council has received a Development Application (DA) for demolition of existing buildings, construction of service station with convenience store and advertising signage at 275-277 Stewart Street, Bathurst. The Development Application was assessed against the provisions of the *Bathurst Regional Local Environmental Plan 2014*. The subject site is zoned B3 Commercial Core under the provisions of the Bathurst Regional Local Environmental Plan 2014. The proposal is defined as a service station under this instrument and was permissible with consent in the B3 Commercial Core zone. Site noise levels comply with the amenity criteria and intrusive noise criteria at both 279 Stewart Street and 9 Blandford Street.

Financial Implications: Nil

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

9 Item 3 DEVELOPMENT APPLICATION NO 2014/0506 – DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF SERVICE STATION WITH CONVENIENCE STORE AND ADVERTISING SIGNAGE AT 267 & 269 STEWART STREET, BATHURST. APPLICANT: ISAAC PROPERTY DEVELOPMENTS BATHURST PTY LTD. OWNER: ISAAC PROPERTY DEVELOPMENTS BATHURST PTY LTD (DA/2014/0506) MOVED: Cr B Bourke SECONDED: Cr M Coote

RESOLVED: That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No 2014/0506, subject to conditions able to be imposed pursuant to section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- (i) Deliveries and waste collection are only to occur during the following timeframes:
- Waste Collection – only between the hours of 7:00am and 10:00pm.
 - Fuel delivery and large truck deliveries – only between the hours of 7:00am and 10:00pm.
 - Small truck deliveries – only between the hours of 7:00am and 10:00pm.
- (ii) The proposed building is to be redesigned so that the external appearance will be compatible with the heritage significance and streetscape qualities of the site and the Heritage Conservation Area and in particular:
- a) Create a faux parapet to replicate the parapet detailing (including the insert panels) from the eastern elevation on the northern elevation.
 - b) Detail the panels on the eastern and northern façades to include some recessing and trim.
 - c) Provide details (dimensions and materials) of the proposed verandah posts.
 - d) Provide detailing to the eastern elevation either side of the parcel lockers in the form of windows or recessed banding.
 - e) Centre the parcel lockers.
 - f) Include a picket or open metal panel within the front boundary fence treatment and increase the height of the fence pillars to 1.5m.
 - g) Proposed pylon sign is to be redesigned to match the height of the proposed canopy.
 - h) Extend the redesigned brick fence along the eastern elevation to include the section in front of the proposed building.
 - i) Extend the brick retaining wall/fence along the northern elevation through

to the front boundary

- (iii) Prior to the commencement of demolition, the developer is to submit to Council at least two printed photographs and either photographic negatives or a CD containing high quality digital copies of the church in accordance with the guidelines for photographic recording of sites for which approval has been granted for demolition.
 - (iv) During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Division, NSW Office of Environment & Heritage. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works.
 - (v) As much as possible, the original materials are to be salvaged from the demolition of the building. Prior to the issue of Construction Certificate, a schedule of materials that will be reused is to be provided to Council. Materials to be reused are to be stored on site where possible, or in an off site location where these materials are readily accessible for re-use on the building/s. The Director of Environmental, Planning & Building Services is to be notified of the location, should the materials be stored off site.
- (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 W Aubin, Cr B Bourke, Cr M Coote, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Cr I North,

Abstain - Nil

**4 BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2014 AMENDMENT NO 5
– REZONING AND RECLASSIFICATION OF ALEC LAMBERTON FIELD, LOT 7, DP
620655, LEE STREET KELSO AND BATHURST REGIONAL DEVELOPMENT CONTROL
PLAN 2014 AMENDMENT NO 5 (20.00291)**

Recommendation: That Council:

- (a) prepare a Planning Proposal in accordance with the NSW Department of Planning and Environment Guidelines to rezone Lot 7, DP 620655 from RE1 Public Recreation to IN1 General Industrial and reclassify it from Community to Operational;
- (b) forward the Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway Determination;
- (c) accept any delegations from the NSW Department of Planning and Environment in relation to this Planning Proposal;
- (d) prepare an amendment to the Bathurst Regional Development Control Plan 2014 to support the rezoning of the land to an industrial use; and
- (e) call a division.

Report: Council's Property Section has requested that Alec Lamberton Field, known as Lot 7, DP 620655, Lee Street Kelso, be rezoned from RE1 Public Recreation to IN1 General Industrial and reclassified from Community Land to Operational Land.

A location plan is provided at **attachment 1**.

The Alec Lamberton Field Rezoning and Reclassification Planning Proposal involves an amendment to the Bathurst Regional Local Environmental Plan 2014 ("the LEP"), to:

- (a) Rezone the land from RE1 Public Recreation to IN1 General Industrial; and
- (b) Reclassify the land from Community to Operational (pursuant to Sections 27 & 28 of the Local Government Act 1993).

This is to be achieved by:

- (a) Amending the Land Zoning Map (tile LZN_011F) under Bathurst Regional Local Environmental Plan 2014.
- (b) Amending the Floor Space Ratio Map (tile FSR_011F) under Bathurst Regional Local Environmental Plan 2014.
- (c) Amending Bathurst Regional Local Environmental Plan 2014 to include Lot 7 DP 263393 in the table under Part 1 of Schedule 4 of the Bathurst Regional Local Environmental Plan 2014.

Concurrently, Council will prepare an amendment to the Bathurst Regional Development Control Plan 2014 to introduce development controls to the subject site similar to those that apply to the adjacent Hampden Park Road (East) precinct to address matters of noise, visual amenity and access (including prohibiting direct access to Littlebourne Street).

The amendment to the Bathurst Regional Local Environmental Plan 2014 and the amendment to the Bathurst Regional Development Control Plan 2014 will be placed on public exhibition for 28 days and all adjoining and adjacent properties will be notified of the amendments. This will include the Scots School.

Following the reclassification and rezoning, it is intended to sell the land on the open market.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

10 Item 4 BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2014 AMENDMENT NO 5 – REZONING AND RECLASSIFICATION OF ALEC LAMBERTON FIELD, LOT 7, DP 620655, LEE STREET KELSO AND BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 AMENDMENT NO 5 (20.00291)

MOVED: Cr W Aubin SECONDED: Cr M Coote

RESOLVED: That Council:

- (a) prepare a Planning Proposal in accordance with the NSW Department of Planning and Environment Guidelines to rezone Lot 7, DP 620655 from RE1 Public Recreation to IN1 General Industrial and reclassify it from Community to Operational;
- (b) forward the Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway Determination;
- (c) accept any delegations from the NSW Department of Planning and Environment in relation to this Planning Proposal;
- (d) prepare an amendment to the Bathurst Regional Development Control Plan 2014 to support the rezoning of the land to an industrial use; and
- (e) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Cr I North,

Abstain - Nil

5 BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2014 URBAN RELEASE AREAS (20.00143)

Recommendation: That the information be noted.

Report: The Bathurst Regional Local Environmental Plan 2014 was gazetted on 19 November 2014. As Council may recall, the LEP introduced a number of new Urban Release Areas including the additional Zone R1 Residential land at Kelso, additional Zone B5 Service Business land at Sydney Road and the Service Trade Centre and the additional Zone R5 large lot residential land at Mount Rankin, The Lagoon, Trunkey Creek and Warabindi Orchard (Mitchell Highway). Clauses in the LEP prevent Council from granting consent to applications for subdivision in those areas without the concurrence of the Director General that certification has been made relating to arrangements for any required State Public Infrastructure.

Council received notification on 22 May 2015 that the Director General has certified the urban release areas of:

- Zone B5 Service Business land at Sydney Road and the Service Trade Centre,
- The additional Zone R5 large lot residential land at Mount Rankin, The Lagoon, Trunkey Creek and Warabindi Orchard.

For these areas listed above for which certification has been received, no contribution is required for State Public Infrastructure.

It should be noted that certification for the Kelso Urban Release Area remains outstanding and Council staff are in continual contact with the NSW Department of Planning and Environment to receive the certification as a matter of priority.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.1

MINUTE

**11 Item 5 BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2014 URBAN
RELEASE AREAS (20.00143)**

MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

6 BATHURST REGION HERITAGE STRATEGY - ANNUAL REPORT 2014/15 **(20.00123)**

Recommendation: That the information be noted.

Report: Council, at its meeting held 21 May 2014, adopted the Bathurst Region Heritage Strategy 2014-2017. The Strategy is an action plan that sets out the aims and actions that Council and the community can undertake to protect and promote our region's heritage. It is a tool the Council developed with the community to help manage our heritage places and heritage stories.

The Strategy is also required by the Office of Environment and Heritage (OEH) under Council's funding agreements. The OEH require Council to report on the Strategy each year in their standard format report. The 2014/15 report as required by OEH is provided at **attachment 1**.

The following information provides a summary of the key achievements of Council under the themes of the Bathurst Region Heritage Strategy for 2014/15. There were also other achievements made by the community, many of which are included in the report to the OEH.

Theme 1: Knowing Our Heritage

The key objectives under this theme are:

1. Identifying our heritage
2. Resourcing our community
3. Educating our community

The key Council achievements for 2014/15 included:

- Near completion of age and significance mapping of all buildings in the Bathurst Heritage Conservation Area.
- Linking of the data sheets from the 1994 William and George Street Main Street Study to Council's GIS and the commencement of a program to rephotograph each building to provide a 2015 photo record.
- Preparation of a consultants brief, engagement of consultants and the commencement of an Aboriginal Heritage Study for the Bathurst Regional Local Government Area. The key aim of this study is to provide a thematic history and identify key aboriginal cultural heritage sites. The study is expected to be completed by early 2016.
- Preparation of a consultants brief, engagement of consultants and the commencement of archaeological investigations on privately owned land at Hill End. The key aim of this study is to identify the sensitivity of land to potential archaeology and complement earlier work completed by the National Parks & Wildlife Service for lands under their care and control. The study is expected to be completed by the end of 2015.
- Preparation of a Conservation Management Plan for the former TAFE site, including the Town Square curtilage. This plan will guide the rehabilitation/redevelopment of this site in heritage terms. The CMP will be presented to Council at its July Working Party.
- Updating of Council's website to ensure all heritage studies and heritage related material is available. The visit Bathurst website is also continuously updated.
- Preparation of a heritage assessment and impact statement for the adaptive reuse of the former Railway Institute Building as a community museum.
- Continue to update the Bathurst Region entries on the State Heritage Inventory database which includes information on some 900 heritage properties in the Bathurst Region.

- Council staff participated in the Central West Heritage Network Seminar held in Wellington and at the NSW Heritage Network Seminar held in Sydney.

Theme 2: Protecting our Unique Heritage Assets

The key objectives under this theme are:

1. Statutory protection
2. Heritage assessment

The key Council achievements for 2014/15 included:

- Gazettal of the Bathurst Regional LEP 2014 on 19 November 2014 which included the listing of 331 heritage items and 11 heritage conservation areas.
- The inclusion in the LEP of heritage incentive provisions for buildings of significance in heritage conservation areas outside of the standard LEP template provisions.
- Adoption of the Bathurst Regional DCP 2014 with updated provisions for heritage management.
- An amendment to the Bathurst Regional DCP 2014 to implement new provisions for the protection of potential archaeological resources related to the early settlement area of the City of Bathurst.
- Continuation of the Heritage Advisory Service with fortnightly visits from Council's advisor, Ms Barbara Hickson.
- Council support to OEH for the listing of Cox's Road (in other LGAs) and the Bathurst Showground (decision pending).

Theme 3: Supporting Heritage Management

The key objectives under this theme are:

1. Heritage Advice
2. Heritage funding and incentives

The key Council achievements for 2014/15 included:

- 123 site visits undertaken by Council's Heritage Advisor and input from Council's Heritage Advisor on 49 development applications for the period May 2014 to May 2015.
- Funding provided in Council's management plan and from OEH for the continuation of the Heritage Advisory Service.
- Continuation of a designated planning position in the Environmental, Planning and Building Services Department with responsibility for implementing Council's Heritage Strategy. This position was vacated in late 2014 and filled with a new incumbent in early 2015.
- Provision of the 2014/15 Local Heritage Fund which attracted 75 applications. 67 projects were offered funding. As at May 2015, 47 projects were completed at a total value of \$376,363.40. A final report on the fund will be presented to Council in the near future.
- Provision of the 2014/15 Conservation and Interpretation Fund. In the bicentennial year, this fund supported many community bicentennial events such as "Reflections - 200 years of Women's Fashion" and "Snapshots in Time". The fund also supported new publications such as the "Golden Diggers of Hill End Tambaroora and District World War 1 Soldiers and Nurses". A final report on the fund will be presented to Council in the near future.
- Funding was expended on urgent repairs required to the William Street TAFE building and the Howick Street Headmasters Cottage.

- Council continued to waive DA fees for the repainting of buildings and the reinstatement of verandahs in the CBD.
- Council was successful in attracting \$25,000 from the Commonwealth Department of Environment for the Delightful Spot Heritage Study.
- Council applied to the OEH for funding for the Aboriginal Heritage Trail. The application was not successful.
- Clause 5.10(3) of the LEP is used to exempt the need for development consent for minor development that would not impact on the heritage significance of a property or its locality.

Theme 4: Information and promotion

The key objectives under this theme are:

1. Marketing our heritage
2. Interpreting our heritage
3. Connecting with our partners

The key Council achievements for 2014/15 included:

- Completion of the Delightful Spot - Early Government Settlement Heritage Trail including 16 interpretative signs, peer through photo board, permanent exhibition of maps/images at the Bathurst City Community Club, and a brochure. Public Art coordinated by the Bathurst Arts Council will also be installed in the near future.
- Completion of the Pillars of Bathurst Cultural Heritage Garden celebrating and interpreting the lives of past Bathurstians.
- Completion and adoption of the Bathurst Destination Management Plan that, amongst other things, incorporates a consideration of heritage tourism opportunities.
- Various other interpretative signage including a review of the Vale Road circuit signage, renewal of Bathurst and Kelso Heritage Trail (yet to be installed), former Mayors, Permanent Survey Mark sign (yet to be installed), and Domain Carpark sign.
- Hosted the NSW Local Government Tourism Conference.
- Extensive Bicentenary events and activities (Council and Community) - some highlights include the reinstatement of Macquarie's Flagstaff, Illuminate Bathurst, Reflections - 200 years of Women's Fashion, Peoplescape, Snapshot in time and the Bathurst Macquarie Heritage Medal..
- Bathurst 200 website - promoting the bicentenary.
- 2015 Autumn Colours Program.
- Support to the National Trust for the running of the 2015 Heritage Awards to be held in August 2015.
- Establishment of the Bathurst Region Heritage Reference Group.
- Ongoing consultation with key community groups and individuals, e.g. Council staff worked with Rotary Daybreak and the Bathurst Arts Council in relation to aspects of the Delightful Spot Heritage Trail.
- Staff participation on community committees, e.g. Bathurst Town Square Group.

Financial Implications: The implementation of the Bathurst Region Heritage Strategy 2014-2017 is funded in Council's Management Plan.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 11.10

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

Strategy 30.6

- Objective 33: To be and develop good leaders.

Strategy 33.4, 33.5, 33.6

MINUTE

12 Item 6 BATHURST REGION HERITAGE STRATEGY - ANNUAL REPORT
2014/15 (20.00123)

MOVED: Cr B Bourke SECONDED: Cr J Jennings

RESOLVED: That the information be noted.

7 EVOCITIES MTB (MOUNTAIN BIKE) SERIES (20.00071)

Recommendation: That the information be noted.

Report: The Bathurst Cycling Club partnered with Bathurst Regional Council to host the third round of the inaugural Evocities MTB Series on the 30 & 31 May, 2015. The Evocities MTB Series is the most lucrative mountain biking series in Australia, with the combined prize money totalling more than \$80,000. The Bathurst leg of the event was branded as the Al Dente Winter's Edge XC.

The event was held at the recently completed mountain bike track at the Bathurst Bike Park and attracted 156 competitors, including five-time world solo MTB champion Jason English. The event attracted riders from Port Macquarie, Canberra, Blue Mountains, the South Coast, Wollongong, Tamworth and Dubbo.

Canberra rider Shaun Lewis won the solo event, while local team Al Dente Racing won the team event. Category winners were presented with a local gift pack which included the Bathurst Buy Local Gift Card.

The Bathurst MTB event was extensively promoted through the Western Advocate, television and social media.

The next round of the Evocities MTB Series will be held in Albury on June 21.

Conclusion:

The third round of the inaugural Evocities MTB Series, hosted in Bathurst, was a highly successful event. The event attracted 156 competitors from across NSW and contributed to the continued development of the Evocities brand and the Bathurst economy.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.2, 1.3
- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1, 4.7

MINUTE

- 13 **Item 7 EVOCITIES MTB (MOUNTAIN BIKE) SERIES (20.00071)**
MOVED: Cr B Bourke SECONDED: Cr G Westman

RESOLVED: That the information be noted.

8 SMALL BIZ BUS (20.00071)

Recommendation: That the information be noted.

Report: Council recently partnered with the Office of the Small Business Commissioner to bring the Small Biz Bus to Bathurst on 27 & 28 May 2015. Bathurst was the only regional centre in NSW to be selected to host the Bus for a two-day period due to the prior success of the program and support from local business.

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

Council coordinated the visit of the Small Biz Bus and promoted the visit through its business database. The Bus was also promoted through social media and the Western Advocate.

The Office of the Small Business Commissioner has advised that nineteen businesses visited the Bus over the two days. Fifteen of these businesses had not engaged with the Bus before, including six business start-ups.

Conclusion:

Overall, the Small Biz Bus:

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

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies


- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.3
- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.2
- Objective 33: To be and develop good leaders. Strategy 33.4, 33.6

MINUTE

- 14 **Item 8 SMALL BIZ BUS (20.00071)**
MOVED: Cr W Aubin SECONDED: Cr M Morse

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'D R Shaw', with a large, stylized flourish at the end.

D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 JUNE 2015

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$72,800,000 was invested at 31 May 2015 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<u>Rating</u>	<u>Balance</u>	<u>Average Return</u>
<u>Short Term 1 – 365 Days</u> (comprising Commercial Bills, Term Deposit Debentures and Certificates of Deposit):			
Bank of Queensland	A2	\$7,000,000.00	3.66%
Bendigo and Adelaide Bank	A2	\$2,000,000.00	3.53%
IMB Limited	A2	\$2,000,000.00	3.50%
ING	A2	\$1,500,000.00	3.62%
CBA	A1+	\$500,000.00	3.07%
Bankwest	A1+	\$2,000,000.00	3.39%
National Australia Bank Limited	A1+	\$15,500,000.00	3.60%
Westpac Banking Corporation	A1+	\$2,000,000.00	3.64%
Maritime, Mining & Power Credit Union	ADI	\$1,000,000.00	3.44%
People's Choice Credit Union	ADI	\$1,000,000.00	3.52%
Railways Credit Union Limited	ADI	\$2,000,000.00	3.63%
SGE Credit Union Limited	ADI	<u>\$1,500,000.00</u>	<u>3.45%</u>
		\$38,000,000.00	3.58%
<u>Long Term > 365 Days</u> (comprising Commercial Bills, Term Deposits and Bonds):			
<u>Committed Rolling Investments</u>			
Westpac	AA-	\$2,000,000.00	3.26%
Westpac	AA-	\$2,000,000.00	3.57%
Westpac	AA-	\$2,000,000.00	3.44%
Westpac	AA-	\$2,000,000.00	3.45%
National Australia Bank Limited	AA-	\$2,000,000.00	2.98%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$2,800,000.00</u>	<u>2.45%</u>
		\$12,800,000.00	3.14%
<u>Fixed, Negotiable & Tradeable Certificates of Deposits</u>			
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>3.34%</u>
		\$2,000,000.00	3.34%
<u>Floating Rate Notes</u>			
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	3.89%
Macquarie Bank	A	\$1,000,000.00	3.39%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	3.34%
Bank of Queensland	A-	\$1,000,000.00	3.33%

Bank of Queensland	A-	\$2,000,000.00	3.36%
Bendigo & Adelaide Bank	A-	\$1,000,000.00	3.25%
Bank of Queensland 2	A-	\$1,000,000.00	3.22%
Credit Union Australia	BBB+	\$3,000,000.00	3.58%
Police Bank Ltd	BBB+	\$1,000,000.00	3.23%
Credit Union Australia	BBB+	\$1,000,000.00	3.47%
Newcastle Permanent	BBB+	\$1,000,000.00	3.50%
Members Equity Bank 2	BBB+	\$1,000,000.00	3.14%
Members Equity Bank	BBB	\$3,000,000.00	3.53%
Greater Building Society	BBB	<u>\$1,000,000.00</u>	<u>3.43%</u>
		\$20,000,000.00	3.46%

Total Investments **\$72,800,000.00** **3.46%**

These funds were held as follows:

Reserves Total (includes unexpended loan funds)		\$32,613,400.00
Grants held for specific purposes		\$1,925,139.00
Section 94 Funds held for specific purposes		<u>\$30,755,189.00</u>
Unrestricted Investments – All Funds		\$7,506,272.00
General Fund	\$92,729.00	
Water Fund	\$4,410,000.00	
Sewer Fund	\$2,097,822.00	
Waste Fund	<u>\$ 905,721.00</u>	

Total Investments **\$72,800,000.00**

Total Interest Revenue to 31 May 2015 **\$2,746,690.01** **3.46%**

Year to Date Averages

(as per the CBA & RBA for comparison purposes)

Reserve Bank of Australia - Cash Rate	2.00%
AFMA - 90 day Bank Bill Swap Rate (BBSW) Avg Mid	2.53%
Three Year Swap Rate - Commonwealth	2.48%
Five Year Swap Rate - Commonwealth	2.81%
Modified Deitz Calculation	3.35%

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

R Roach
Responsible Accounting Officer

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

Strategy 28.6

MINUTE

- 15 **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED: Cr B Bourke SECONDED: Cr J Jennings

RESOLVED: That the information be noted.

2 YEAR TO DATE MONTHLY REVIEW - 2014-2018 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2014-2015 (16.00137)

Recommendation: That the information be noted.

Report: Bathurst Regional Council has in place the Bathurst 2036 Community Strategic Plan which aims to inform the community about the major directions and programs Council is undertaking in shaping the future of the Bathurst Region. These directions are summarised as objectives and strategies in Part VI of the Community Strategic Plan which was adopted by Council on 20 February 2013. The Plan is available for viewing at the council offices at 158 Russell Street or can be downloaded from the Public Documents section of Council's website, www.bathurst.nsw.gov.au. Shown at **attachment 1** is a listing of the Objectives and Strategies from the Bathurst 2036 Community Strategic Plan.

At **attachment 2** is an update of Council's progress towards achieving the Strategies and Objectives for the 2014-2018 Delivery Plan and the Annual Operating Plan 2014-2015.

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

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

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

16 Item 2 YEAR TO DATE MONTHLY REVIEW - 2014-2018 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2014-2015 (16.00137)

MOVED: Cr M Coote SECONDED: Cr G Westman

RESOLVED: That the information be noted.

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

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

Report: At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 31 May 2015.

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

Section 356:	\$	369.17
BMEC Community use:		Nil
Mount Panorama:		\$14,299.32

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.6
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

MINUTE

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

MOVED: Cr M Coote SECONDED: Cr W Aubin

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

4 POWER OF ATTORNEY (11.00007)

Recommendation: That the information be noted.

Report: That the General Manager's action in affixing the Power of Attorney to the following be noted.

Nil.

Linen Plan Release

Nil.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

- 18 **Item 4 POWER OF ATTORNEY (11.00007)**
MOVED: Cr G Westman SECONDED: Cr J Jennings

RESOLVED: That the information be noted.

5 REQUEST FOR FINANCIAL ASSISTANCE - ANGLICAN PARISH OF KELSO (18.00004-31)

Recommendation: That Council not contribute \$2,000 towards the cost of a street sign in Gilmour Street, Kelso and advise the Anglican Parish of Kelso of Council's decision.

Report: Council has received a request from the Anglican Parish of Kelso at **attachment 1** for financial support for the placement of additional signage in Gilmour Street, Kelso showing the location of the Holy Trinity Parish and Community Centre.

A copy of the group's financial statements have been requested and forwarded to Councillors under separate cover.

Council has been involved with Holy Trinity Parish and Community centre since the construction of the facility in 2001. Council made a contribution of \$100,000 as a capital grant towards the cost of this building at this time and is now being requested to provide a sign in Gilmour Street showing the location of the Community Centre. The proposed cost of the sign is \$2,000.

Financial Implications: Should Council support the recommendation, then there are no financial implications to Council.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

MINUTE

19 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - ANGLICAN PARISH OF KELSO (18.00004-31)

MOVED: Cr M Coote SECONDED: Cr M Morse

RESOLVED: That Council not contribute \$2,000 towards the cost of a street sign in Gilmour Street, Kelso and advise the Anglican Parish of Kelso of Council's decision.

6 REBELLION ON THE TURON - PROPOSED CLOSURE OF DENISON STREET, SOFALA (18.00004-31)

Recommendation: That Council:

- (a) support the closure of Denison and Davis Streets, Sofala during the celebration of the Rebellion on the Turon in Sofala on Saturday, 12 and Sunday, 13 March 2016 subject to the necessary approvals being obtained.
- (b) provide \$400 for advertising and the supply of traffic barriers, to be funded from the 2015/2016 Section 356 donations.

Report: Council has received advice that the Rebellion on the Turon Festival will be held on 12 and 13 March 2016 at **attachment 1**.

The Committee has asked for the closure of Denison and Davis Streets, Sofala which will allow them to conduct their event within the Village. There will be a minor cost involved for these street closures, including advertising costs and the supply of traffic barriers, estimated to cost \$400.

Councillors have been provided, under separate cover, a copy of the group's financial statements.

Financial Implications: This request can be funded from the 2015/2016 Section 356 donations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.6

MINUTE

20 Item 6 REBELLION ON THE TURON - PROPOSED CLOSURE OF DENISON STREET, SOFALA (18.00004-31)

MOVED: Cr W Aubin SECONDED: Cr M Morse

RESOLVED: That Council:

- (a) support the closure of Denison and Davis Streets, Sofala during the celebration of the Rebellion on the Turon in Sofala on Saturday, 12 and Sunday, 13 March 2016 subject to the necessary approvals being obtained.
- (b) provide \$400 for advertising and the supply of traffic barriers, to be funded from the 2015/2016 Section 356 donations.

7 REQUEST FOR FINANCIAL ASSISTANCE - 2016 BATHURST STREET AND CUSTOM MOTORCYCLE SHOW (18.00004)

Recommendation: That Council donate the cost of the road closures to a maximum of \$800 for the 2016 Bathurst Street and Custom Motorcycle Show to be held Saturday, 6 February 2016, to be funded from the 2015/2016 Section 356 donations.

Report: The Bathurst Street and Custom Motorcycle Show will be held on Saturday, 6 February 2016 on Russell Street adjacent to the Civic Centre and will require closure of Russell Street between William and George Streets from 8 am to 5 pm. The promoter has requested Council to cover the cost of the road closure for this event which is estimated at approximately \$800. A copy of the request is provided at **attachment 1**.

In 2015, 225 motorcycles and thousands of locals turned up to view the show, demonstrating this has become a significant event in Bathurst.

Should Council wish to enter into a contra sponsorship arrangement for a road closure of Russell Street, Greg Hirst Enterprises will, in return have the Council logo placed on all advertising, acknowledgement of Council in all press releases and on the website as well as participate in a public announcement of the event in Bathurst in early December.

Financial Implications: This request could be funded from Council's 2015/2016 Section 356 Donations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

21 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - 2016 BATHURST STREET AND CUSTOM MOTORCYCLE SHOW (18.00004)

MOVED: Cr B Bourke SECONDED: Cr M Coote

RESOLVED: That Council donate the cost of the road closures to a maximum of \$800 for the 2016 Bathurst Street and Custom Motorcycle Show to be held Saturday, 6 February 2016, to be funded from the 2015/2016 Mount Panorama Section 356 donations.

8 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PRIMARY SCHOOLS' SPORTS ASSOCIATION (18.00004)

Recommendation: That Council waive the fee of \$214 for the use of the Police Compound and toilets at McPhillamy Park by the Bathurst District Primary School Sports Association for the District Cross Country Carnival held at Mount Panorama, to be funded from Council's Mount Panorama Fee Subsidy.

Report: Council has received a request from the Bathurst District Primary School Sports Association at **attachment 1** for the subsidised use of the Police Compound and McPhillamy Park Toilets at Mount Panorama to conduct their district Cross Country Carnival which was held on 22 May 2015.

The cost of hiring these facilities is \$214 for the day.

This group is a local schools organisation that conduct this event at the Mount Panorama complex each year.

Financial Implications: This request could be funded from Council's Mount Panorama Fee Subsidy which has a balance of \$14,299.32.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.5, 23.7
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2

MINUTE

22 Item 8 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PRIMARY SCHOOLS' SPORTS ASSOCIATION (18.00004)

MOVED: Cr B Bourke SECONDED: Cr G Westman

RESOLVED: That Council waive the fee of \$214 for the use of the Police Compound and toilets at McPhillamy Park by the Bathurst District Primary School Sports Association for the District Cross Country Carnival held at Mount Panorama, to be funded from Council's Mount Panorama Fee Subsidy.

9 REQUEST FOR FINANCIAL ASSISTANCE - MACKILLOP COLLEGE (18.00195)

Recommendation: That Council waive the fee of \$536 to MacKillop College to cover the cost of hanging the banner across William Street, to be funded from Section 356 Donations for 2015/2016.

Report: Council has received a request from the MacKillop College P&F Committee at **attachment 1** seeking financial assistance to waive the cost to hang a banner across William Street from 9-14 February 2016. The following year (2017) the School's fete will coincide with MacKillop College's 50th Anniversary. The fee applicable for the 2015/2016 budget to hang a banner across William Street is \$536.

Financial Implications: Should Council wish to waive this fee, the request could be funded from Council's Section 356 Donations for 2015/2016.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.6

MINUTE

23 Item 9 REQUEST FOR FINANCIAL ASSISTANCE - MACKILLOP COLLEGE
(18.00195)

MOVED: Cr B Bourke SECONDED: Cr W Aubin

RESOLVED: That Council waive the fee of \$536 to MacKillop College to cover the cost of hanging the banner across William Street, to be funded from Section 356 Donations for 2015/2016.

10 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST CITY COMMUNITY CLUB (18.00303)

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

Report: Council has received a letter from the Bathurst City Community Club regarding its operations, see **attachment 1**.

On 13 May 2015 Council met with a delegation from the Bathurst City Community Club who made a presentation of financial statements to the Working Party to show the financial position of the Group. These financial statements have been provided to Councillors under separate cover.

Currently Council supports the Club financially in two ways:

- (a) Council pays the General Rates for the Bathurst City Community Club land each year. In the 2014/2015 financial year Council paid an amount of \$8090.11.
- (b) Council also subsidises the value of the water used on the bowling greens by providing water at the following rates:

First 18 KL - 71c
Next 32 KL - 94c
Balance at \$1.40.

Should the Club be paying normal unsubsidised rates, they would pay \$1.71 for the first 250 KL and \$2.57 per KL thereafter. It is difficult to work out the subsidy until the end of the year when the total consumption is known, but it would be a substantial figure. However, for the period 1/7/14 - 31/3/15 a subsidy of \$4,790 has been given.

The Bathurst City Community Club continues to provide a much needed event and sporting centre for the City.

It is recommended that for the 2015/2016 year, Council provide the following subsidy to the Bathurst City Community Club:

- (a) Payment of the General Rates which will amount to approximately \$8,300.
- (b) Provide water at the subsidised rate as shown in Council's Revenue Policy on water charges, approximate value of \$6500.

Financial Implications: Council will forego rating income of \$8,300 and water income of \$6,500.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.4
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1

MINUTE

24 Item 10 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST CITY COMMUNITY CLUB (18.00303)

MOVED: Cr M Morse SECONDED: Cr B Bourke

RESOLVED: That for the 2015/2016 year, Council provide the following subsidy to the Bathurst City Community Club:

- (a) Payment of the General Rates which will amount to approximately \$8,300.
- (b) Provide water at the subsidised rate as shown in Council's Revenue Policy on water charges, approximate value of \$6,500.

11 SUBMISSION TO NSW STATE GOVERNMENT - FIT FOR THE FUTURE (18.00300)

Recommendation: That Council adopt the Bathurst Regional Council Fit for the Future Submission and forward the submission to IPART.

Report: Councillors would be aware that in recent years the NSW State Government has been reviewing the Local Government Sector.

The Independent Local Government Review report, TCorp analysis report and Local Government Infrastructure report are some of the documents developed during this period.

The NSW Government Fit for the Future website states:-

To have a strong future, we need strong councils providing the services and infrastructure communities need.

The NSW Government has been working with local councils since 2011 to achieve our shared vision of strengthening local communities. Now it is time to take the next step on the reform journey.

Our reform package of up to \$1 billion will provide support and incentives to help each council become Fit For the Future.

Fit For the Future is the most significant investment the State has ever made in the local government sector. The package is the Government's response to the findings of a comprehensive three-year independent review of local government.

The NSW State Government is now requiring Councils to make submissions under the *Fit for the Future* initiative by 30 June 2015.

There are three types of proposals which can be submitted, being:

- Council Merger Proposal (Template 1)
- Council Improvement Proposal (Template 2)
- Rural Council Proposal (Template 3)

Council will submit a Council Improvement Proposal which confirms that Council has the scale and capacity to stand alone (that is no merger with other Council areas).

A copy of the Draft Bathurst Regional Council Fit for the Future Submission is shown at **attachment 1**.

Financial Implications: Nil, at this stage.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.5, 28.6
- Objective 33: To be and develop good leaders. Strategy 33.4, 33.5

MINUTE

25 Item 11 SUBMISSION TO NSW STATE GOVERNMENT - FIT FOR THE FUTURE (18.00300)

MOVED: Cr W Aubin SECONDED: Cr B Bourke

RESOLVED: That Council adopt the Bathurst Regional Council Fit for the Future Submission and forward the submission to IPART.

12 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

Recommendation: That Council consider the submissions individually.

Report: Council has had the Draft Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 (DP/AOP) on exhibition for the required period of 28 days.

Council has received a number of submissions in relation to the DP/AOP. Submissions were made on various matters and are detailed below for Councillors information.

(a) Pricing structure for locally based aircraft in 2-5T MTOW category and Avdata Landing Fees

Recommendation: That Council:

- (a) Determine its pricing structure for locally based aircraft in the 2-5T MTOW category.
- (b) Not vary the Avdata charge as requested.

Report: Council is in receipt of a submission at **attachment 1** from Panair-Panorama Airways requesting firstly, that the annual fee option for 2-5T MTOW locally based aircraft be reinstated. Further, that the level of charge be set at the same amount as the O-2T MTOW group. Secondly, that Council review the Avdata level of charges.

The annual charge proposal relates to 11 locally based aircraft at the aerodrome, of which Panair or associates operate seven. Council has previously received extensive data on this matter, refer confidential report to Council, General Manager Confidential #1, 19 November 2014.

The submission generally raises concerns at the financial sustainability of the business. Please note, despite requests by Bathurst Regional Council for the company to provide supporting data, this has not been forthcoming. The submission also raises a concern that charges being raised are a disincentive for people using the aerodrome.

The current landing profile of the aircraft in the locally based 2-5T MTOW category for the period 2009/2010 to (March) 2014/2015 is as follows:

AIRCRAFT		2009-10	2010-11	2011-12	2012-13	2013-14	2014-5 March 2015
REGISTRATION	TYPE	LANDINGS	LANDINGS	LANDINGS	LANDINGS	LANDINGS	LANDINGS
VH-LCJ	L-39 - jet adventure ride	23	20	27	17	8	2
VH-LYB	PIPER AIRCRAFT CORP PA-34-200T(Twin Engine Charter "Seneca")	45	47	63	42	13	11
VH-PEH (Purchased 2010/11)	CESSNA 402 (Lidar - does LPI Work- twin engine)	0	53	56	51	54	32
VH-NSW (operated from approx 2/8/12)	CESSNA 421 (LPI owned twin engine)	64	75	80	90	98	30
	PIPER AIRCRAFT CORP						

VH-CCL (Purchased 2011/12)	PA-31-350 (Twin engine Charter "Navajo")	0	0	11	24	2	1
VH-ADN	DE HAVILLAND DHA-3 MK 2 (Tri engine small transport "Drover") Charged by AVDATA	0	1	0	2	0	0
VH-VSS (Purchased 2012/13, sold 2014/15)	PIPER AIRCRAFT CORP PA-34-200T (Twin Engine Charter "Seneca")	0	0	0	7	16	4
VH-NLD	L-39 - jet adventure ride	4	23	7	1	1	0
VH-EKI	MIG - 15	0	0	0	0	0	0
VH-REH	MIG - 15	0	0	0	0	0	0
VH-PVT	PIPER AIRCRAFT CORP PA-34-200T	7	24	37	40	25	9
VH-KSF	AIRPARTS - FLETCHER	4	4	7	10	16	5.00
Total revenue for year		\$3,503.98	\$4,072.47	\$5,163.48	\$8,567.03	\$10,962.98	\$4,277.72
<p>Note</p> <p>1. All charges GST inclusive</p> <p>2. From 2013/14 Annual fee for aircraft larger than 2 Tonnes MTOW removed and charged via AVDATA.</p> <p>3. VH-NLD Adventure Joyflight aircraft operated at Bathurst Aerodrome through Mr Camilleri</p>							

The movement in annual charges for locally based aircraft at the Aerodrome is as follows:

	<i>2T-5T MTOW Annual Charge (1)</i>	<i>0-2T MTOW Annual Charge (1)</i>
2009/10	624.50	313.00
2010/11	649.50	326.00
2011/12	682.00	343.00
2012/13	716.50	361.00
2013/14	N/A (2)	(3) 400.00
		(3) 800.00
2014/15	N/A (2)	440.00
		880.00

(1) GST Inclusive

(2) In 2013/14 for aircraft over 2000kg MTOW, Council removed the option for an annual charge and introduced an (AVDATA) charge per 1,000kg MTOW, for locally based planes.

(3) Council introduced an annual charge for commercial aircraft under 2T of \$800.00. Non-commercial was set at \$400.00.

The current AVDATA charge is \$16 per 1,000kg of MTOW per landing. This charge is invoiced by AVDATA on owners/operators of planes, based on call signs recorded at the aerodrome when landings are being made.

With respect to Advata charges at other aerodromes, the following profile exists per tonne, cognisance must be given to the proximity of Bathurst to Sydney and the competitive advantage this creates for Bathurst Aerodrome in the market place. It is recommended no

changes are made to the current Avdata pricing regime. The fee is proposed to remain at the rate set in 2013/2014 of \$16.00/T.

Airport	Landing Charge	%Variance
Bathurst	\$16.00	100%
Bankstown	\$16.51	103%
Wagga Wagga	\$8.90	56%
Albury	\$12.30	77%
Orange	\$11.95	75%
Cowra	-	0%
Dubbo	\$11.45	72%
ie Wagga Wagga charges 56% that of Bathurst Aerodrome		

The pricing structures at the Aerodrome have been the subject of significant management and asset plan review over recent years. The subsequent directions chosen have been based on ensuring that the costs of operations will be funded into the future. It is noted Council, in recent years, has injected significant funding into the aerodrome infrastructure.

There are generally two options available to Council, that is, either maintain the status quo or reintroduce an annual landing fee. Panair suggest an annual charge option will have a significant increase on their usage of the aerodrome and their financial viability.

- Option 1 Maintain status quo of the per tonne charge as provided for in the Revenue Policy.
- Option 2 Introduce an annual charge for locally based aircraft. This fee could be set at the O-2T commercial rate of \$900 proposed for 2015/2016 or at whatever level Council adopted.

Councillors should be aware that it is the intention of the users that they will pick either the annual charge option (if available) or the Avdata charge, depending on which option suits them best financially.

Financial implications: If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 for Avdata charges. If an annual charge is implemented for 2T- 5T MTOW locally based aircraft it is anticipated revenue will reduce by around \$4,000 - \$5,000.

(b) Rural Fire Service

Recommendation: That Council not accept the increased charges for the Rural Fire Fighting Fund Allocation for 2015/2016.

Report: Contained within Council's budget is an allowance of \$559,715 which represents the estimated Rural Fire Fighting Fund charges for 2015/2016. Council has received advice as per **attachment 2** requiring Council to make a contribution of \$724,897. Council is required to contribute a one off amount of \$292,500 in 2014/2015 for the construction of the new \$2.5 million Fire Control Centre at Hampden Park Road (this amount is included in the \$559,715). Adjusting the levy of \$724,897 by this amount leaves a balance of \$432,397. This represents an increase of \$165,182 over the previous year's contribution with no justification. Council has advised the NSW Rural Fire Service (shown at **attachment 3**) that it will not be making payment of this large increase and that only a 2.4% increase will be paid.

Financial implications: If the recommendation is adopted, there will be no change to the

Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016.

(c) Roads to Recovery

Recommendation: That Council amend the DP/AOP to include the proposed works that have been funded through additional Roads to Recovery grants.

Report: Further to development of the 2015/2016 Draft Budget, Council has confirmation of additional Roads to Recovery (R2R) funding for the next financial year only.

The budget for the R2R 2015/2016 financial year will be \$1,761,975 and the adjusted proposed program is as follows:

Job	Original 15/16	Proposed 15/16
Freemantle Rd 0 - 1.3 km	\$200,000	\$200,000
Limekilns Rd - Sofala Rd – Batterham Ln	\$150,000	\$300,000
O'Regans Rd	\$100,000	\$361,975
Lagoon Road 2 – 4 km (Stage 1)	\$200,000	\$200,000
Dunkeld Rd	\$207,443	\$207,443
Eleven Mile Drive (Funded \$150,000 under Urban Roads Sealed)		\$150,000
Gormans Hill Rd (Funded \$150,000 under Unsealed Rural Roads)		\$150,000
College Road – Rural Section		\$192,557
Total		\$1,761,975

Financial implications: The proposed works will be completed with funding from Roads to Recovery funding and therefore there will be no change to the overall budget surplus.

(d) Objection to Increased Rates

Recommendation: That Council not amend the DP/AOP to remove rate increases.

Report: Council has received a submission from Mr James Ogden objecting to the increase in rates. The submission is shown at **attachment 4**. Council has proposed to lift rates by no more than the amount allowed under the NSW Government rate peg (2.4%) and has incorporated that amount into the budget to maintain existing service levels.

Financial Implications: If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016.

(e) Bathurst Aquatic Centre - spectator fee

Recommendation: That Council not amend the DP/AOP in relation to the Bathurst Aquatic Centre spectator fee and the Family Annual Swimming Pass in the Revenue Policy.

Report: Council has received a submission from Mr Len Grout at **attachment 5** requesting Council to remove spectator fees for Club parents attending club nights and training sessions and provide a 20% discount in family annual membership.

Financial Implications: If the recommendation is adopted, there will be no change to the

Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016.

(f) Inland Sea of Sound

Recommendation: That Council amend the DP/AOP to include expenditure for the Inland Sea of Sound in the sum of \$30,000.

Report: Council has received a request that the Inland Sea of Sound be moved from "below the line" and be included in the DP/AOP.

Financial Implications: If the recommendation is adopted, this item will be included in the DP/AOP with funding to come from BMEC General Operations.

(g) Sports Marketing Study

Recommendation: That Council not amend the DP/AOP in relation to the Sports Marketing Study.

Report: Council has received a request to carry out a Sports Marketing Study for 2015/2016. This matter is currently below the line and is unfunded at the present time.

Financial Implications: If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016.

(h) Objection to budget - BMX track

Recommendation: That Council not amend the DP/AOP in relation to the allocation of funding.

Report: Council has received a letter from Nigel Swan at **attachment 6** objecting to funding allocated for the BMX track at Mount Panorama.

Financial Implications: If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016.

(i) Destination Marketing Plan

Recommendation: That Council amend its DP/AOP to include an amount of \$150,000 for a Destination Marketing Plan.

Report: To enable Council to implement the actions required under the Destination Marketing Plan, it will be necessary to allocate \$150,000 to the project. Council has an amount in its budget of \$150,000 for road reconstruction at Wembley Place, Kelso Industrial Estate, which after discussions with the Engineering Department will be able to be deferred for 12 months.

Financial Implication: If the recommendation is adopted, there will be no change to the overall Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 budget surplus.

(j) Hereford Street Sporting fields

Recommendation: That the information be noted.

Report: Council has received two submissions and a petition of support at **attachment 7** for the inclusion of funds for the development of playing fields in Hereford Street.

Financial Implication: For notation.

(k) Items raised by Crs Morse, North and Jennings

Recommendation: That \$5,000 be allocated from the Parks Improvement Reserve to fund a report into a feasibility study regarding Central Business District (CBD) bench seating.

Report: A memo has been received at **attachment 8** from Crs Morse, North and Jennings regarding several items for inclusion in the DP/AOP.

The following comments are provided for each of the items raised:

Item	Cost	Comment
Bathurst Region Marketing Plan	\$50,000	<i>Funds have been allocated for the Destination Marketing Plan see item (i) above.</i>
Bathurst Heritage Fund	\$50,000	<i>No funds available.</i>
2015 Inland Sea of Sound	\$30,000	<i>Addressed in item (f) above.</i>
Small animal pound upgrade	\$50,000	<i>No funds available. Any upgrades to this infrastructure will require a feasibility study prior to capital works commencing. The facility has had \$45,000 spent on capital works in the last four years.</i>
Feasibility study CBD bench seating	\$5,000	<i>Funds can be sourced from the Parks Improvement Reserve for this item</i>

The items above have been proposed to be funded by postponing the construction of the Rugby sporting fields in Hereford Street.

Financial Implication:

If the recommendation is adopted, the Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 will be amended to include an amount of \$5,000 for a feasibility study regarding CBD bench seating which will be funded from the Parks Improvement Reserve. This will not affect the overall budget surplus.

(l) Heritage Funding

Recommendation: That Council not amend the DP/AOP in relation to the submission from the Bathurst 2036 Heritage Action Network.

Report: The Bathurst 2036 Heritage Action Network has made a submission regarding the study into the Economic Benefits of Heritage in Bathurst. This item is included for an amount of \$50,000, but is currently below the line as funding is not available to complete the study. The submission is shown at **attachment 9**.

Financial Implications:

If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016.

(m) **Bridle Track**

Recommendation: That Council not amend the DP/AOP to fund Bridle Track works.

Report: Council has received a submission in relation to repair and maintenance of the Bridle Track from Mr & Mrs S Alexander. This submission is shown at **attachment 10**. This road has not been included in the DP/AOP for this year as other urgent works have been prioritised above this one.

For Councillors information the following funds have been spent in recent years on the Bridle Track and other access roads to Hill End. Figures include capital works and reseals.

	Bridle Track	Hill End Rd	Turondale Rd
2004 - 2005	\$7,842.00	\$325,838.00	\$97,619.00
2005 - 2006	\$6,042.00	\$165,000.00	\$54,554.00
2006 - 2007	\$280,391.00	\$643,531.00	\$213,104.00
2007 - 2008	\$30,059.00	\$1,412,753.00	\$62,640.00
2008 - 2009	\$162,612.00	\$850,339.00	\$0.00
2009 - 2010	\$192,256.00	\$995,351.00	\$73,064.00
2010 - 2011	\$196,658.00	\$1,597,946.00	\$149,381.00
2011 - 2012	\$150,000.00	\$1,201,457.00	\$100,772.00
2012 - 2013	\$150,000.00	\$884,566.00	\$36,084.00
2013 - 2014	\$212,461.00	\$914,911.00	\$311,886.00
2014 - 2015	\$300,000.00	\$990,466.00	\$38,893.00
	\$1,688,321.00	\$9,982,158.00	\$1,137,997.00

Financial Implications:

If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016.

(n) **Bathurst Regional Access Committee**

Recommendation: That Council not amend the DP/AOP in respect of the submission received.

Report: Council has received a submission from the Bathurst Regional Access Committee at **attachment 11** regarding a variety of issues, but particularly the Disability Access Grant Scheme. This submission appreciates Council's investment of \$10,000 into the program, but would like the amount reviewed and increased to \$20,000 for the 2016/2017 year.

Other areas of concern include accessibility issues to new facilities encompassed within the plan and Council's use of people with disabilities within the organisation.

Financial Implications:

The increase will be referred to the 2016/2017 AOP considerations.

(o) **Sewerage Access Charge**

Recommendation: That Council not amend the DP/AOP in respect of the submission

received.

Report: Council has received two submissions by Mr Ray Carter, with supporting data from Heath Consulting Engineers in relation to service access charges at Mr Carter's properties. These submissions are shown at **attachment 12**. Mr Carter has requested Council to review each of the access charges that relate to his properties. Council has reviewed these access charges and has found that they reflect a cost recovery on each of the services. Council's Sewer Fund is based on Council recovering its operation costs by way of income received from sewerage access charges together with income from usage charges.

Mr Carter's main contention is the access charge. Council uses the method shown in NSW Government's Best Practice Management of Water Supply and Sewerage Guidelines at *Section 4.2.2 Non- Residential* and *Section 4.4.1 Sewerage Pricing Structure*.

Council's calculation of the sewerage access charge has been reviewed by the Minister for Water and Utilities in 2004 and the Minister for Water in 2009. Both Ministers have supported Council's approach as "responsible" and "appropriate".

Financial Implications:

If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016.

(p) Submission from Mr G A Crisp

Recommendation: That Council not amend the DP/AOP in respect of the submission received from Mr G A Crisp.

Report: Council has received a submission from Mr G A Crisp which is shown at **attachment 13**.

Financial Implications:

If the recommendation is adopted, there will be no change to the Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016.

(q) Revenue Policy amendments

Recommendation: That Council amend the DP/AOP in respect of the submission received from the Director, Cultural & Community Services.

Report: The Director, Cultural & Community Services has reviewed admission fees to various cultural and community facilities under Council's control and the following fees are to be amended in the Revenue Policy:

Australian Fossil and Mineral Museum (Somerville Collection)

Increase fees as follows:

	Exhibited Fee	Proposed Fee
Adults	\$12.00	\$14.00
Concession	\$8.00	\$10.00
Children	\$6.00	\$7.00
Family	\$28.00	\$30.00

Little Scallywags

Remove:
Attendance record late fee \$33.50
Uses Harmony Lite \$24.00

Family Day Care

Family Day Care insert underneath "Playgroup charges per child/per sessions – with transport and without transport".

Attendance record late fee \$33.50
Uses Harmony Light \$24.00

Family Day Care Meeting room Hire

Amend "Commercial Users Half day – 4 hours" to \$100.00

National Motor Racing Museum

Increase fees as follows:

	Exhibited Fee	Proposed Fee
400 Adults	\$13.50	\$15.00
401 Primary School Student	\$6.00	\$7.00
402 Concessions (Pensioners & Students)	\$9.00	\$10.00

Cultural Pass

Amend fees under the National Motor Racing Museum Section to be in line with other facilities:

	Exhibited Fee	Proposed Fee
Adult	\$30.00	\$32.00
Concession	\$21.00	\$23.00
Family	\$75.00	\$79.00

Financial Implications: Amendment of these fees and charges will assist Council in continuing the operations of the various cultural and community services facilities. Revenue could be increased by around \$10,000 at the Australian Fossil and Mineral Museum and the National Motor Racing Museum with the introduction of the new fees.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.3

- Objective 33: To be and develop good leaders. Strategy 33.5

MINUTE

26 Item 12 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr G Westman SECONDED: Cr J Jennings

RESOLVED: That Council consider the submissions individually.

MINUTE

27 Item 12.01 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr M Coote SECONDED: Cr W Aubin

(a) Pricing structure for locally based aircraft in 2-5T MTOW category and Avdata Landing Fees

RESOLVED: That Council:

- (a) In relation to its pricing structure for locally based aircraft in the 2-5T MTOW category, maintain status quo of the per tonne charge as provided for in the Revenue Policy.
- (b) Not vary the Avdata charge as requested.

MINUTE

28 Item 12.02 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr B Bourke SECONDED: Cr J Jennings

(b) Rural Fire Service

RESOLVED: That Council not accept the increased charges for the Rural Fire Fighting Fund Allocation for 2015/2016.

MINUTE

29 Item 12.03 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr B Bourke SECONDED: Cr W Aubin

(c) Roads to Recovery

RESOLVED: That Council amend the DP/AOP to include the proposed works that have been funded through additional Roads to Recovery grants.

MINUTE

30 Item 12.04 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr M Coote SECONDED: Cr W Aubin

(d) Objection to Increased Rates

RESOLVED: That Council not amend the DP/AOP to remove rate increases.

MINUTE

31 Item 12.05 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr W Aubin SECONDED: Cr G Westman

(e) Bathurst Aquatic Centre - spectator fee

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

Reason: Brother-in-law Vice President and Registrar of Swimming Club.

RESOLVED: That Council not amend the DP/AOP in relation to the Bathurst Aquatic Centre spectator fee and the Family Annual Swimming Pass in the Revenue Policy.

MINUTE

32 Item 12.06 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr J Jennings SECONDED: Cr M Coote

(f) Inland Sea of Sound

RESOLVED: That Council amend the DP/AOP to include expenditure for the Inland Sea of Sound in the sum of \$30,000.

MINUTE

33 Item 12.07 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr G Westman SECONDED: Cr B Bourke

(g) Sports Marketing Study

RESOLVED: That Council amend the DP/AOP in relation to the Sports Marketing Study, to include funding of \$30,000 to be funded from the Parks & Gardens Reserve.

MINUTE

34 Item 12.08 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr W Aubin SECONDED: Cr M Coote

(h) Objection to budget - BMX track

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

Reason: BMX Club Secretary.

RESOLVED: That Council not amend the DP/AOP in relation to the allocation of funding.

MINUTE

35 Item 12.09 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr M Coote SECONDED: Cr B Bourke

(i) Destination Management Plan

RESOLVED: That Council amend its DP/AOP to include an amount of \$150,000 for the implementation of the Destination Management Plan.

MINUTE

36 Item 12.1 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr B Bourke SECONDED: Cr W Aubin

(j) Hereford Street Sporting fields

RESOLVED: That the information be noted.

MINUTE

37 Item 12.11 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr M Morse SECONDED: Cr J Jennings

(k) Items raised by Crs Morse, North and Jennings

RESOLVED: That \$5,000 be allocated from the Parks Improvement Reserve to fund a report into a feasibility study regarding Central Business District (CBD) bench seating.

MINUTE

38 Item 12.12 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr M Coote SECONDED: Cr W Aubin

(l) Heritage Funding

RESOLVED: That Council not amend the DP/AOP in relation to the submission from the Bathurst 2036 Heritage Action Network.

MINUTE

39 Item 12.13 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr M Coote SECONDED: Cr W Aubin

(m) Bridle Track

RESOLVED: That Council not amend the DP/AOP to fund Bridle Track works.

MINUTE

40 Item 12.14 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr M Coote SECONDED: Cr W Aubin

(n) **Bathurst Regional Access Committee**

RESOLVED: That Council not amend the DP/AOP in respect of the submission received.

MINUTE

41 Item 12.15 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr M Coote SECONDED: Cr G Westman

(o) Sewerage Access Charge

RESOLVED: That Council not amend the DP/AOP in respect of the submission received.

MINUTE

42 Item 12.16 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr M Coote SECONDED: Cr B Bourke

(p) Submission from Mr G A Crisp

RESOLVED: That Council not amend the DP/AOP in respect of the submission received from Mr G A Crisp.

MINUTE

43 Item 12.17 SUBMISSIONS - DRAFT DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr M Coote SECONDED: Cr W Aubin

(q) Revenue Policy amendments

RESOLVED: That Council amend the DP/AOP in respect of the submission received from the Director, Cultural & Community Services.

13 DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

Recommendation: That, following consideration of the submissions received by Council, the Draft Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 be adopted as the Bathurst Regional Council Delivery Plan and Annual Operating Plan, subject to the inclusion of any amendment adopted as a result of the submissions received, and all expenditure and income items incorporated in the Annual Operating Plan 2015/2016 be voted.

Further, that Councillors remuneration be set at the maximum level for the category Regional Rural as published by the Local Government Remuneration Tribunal.

Report: The Draft Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 has been advertised for the statutory 28 days and submissions were received during the exhibition period.

Council considered these submissions in the previous report (DCSF #9 of 17 June 2015) and any adjustment to the Draft Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 adopted at that item will now have to be included in the formal adoption of the Plan.

The adopted budget contains an allowance for Councillors to be paid in accordance with the maximum level allowed by the Local Government Remuneration Tribunal under the category, Regional Rural, as shown at **attachment 1**.

Financial Implications: The Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 is the budget of the Bathurst Regional Council for the 2015/2016 financial year.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

44 Item 13 DELIVERY PLAN 2015-2019 AND ANNUAL OPERATING PLAN 2015/2016 (16.00140)

MOVED: Cr M Coote SECONDED: Cr B Bourke

RESOLVED: That, following consideration of the submissions received by Council, the Draft Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 be adopted as the Bathurst Regional Council Delivery Plan and Annual Operating Plan, subject to the inclusion of any amendment adopted as a result of the submissions received, and all expenditure and income items incorporated in the Annual Operating Plan 2015/2016 be voted.

Further, that Councillors remuneration be set at the maximum level for the category Regional Rural as published by the Local Government Remuneration Tribunal.

14 2015/2016 REVENUE POLICY (16.00140)

Recommendation: That, following consideration of the submissions received by Council, the Revenue Policy for 2015/2016, as presented to Council, be adopted as the Bathurst Regional Council 2015/2016 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

Report: Council's Revenue Policy for 2015/2016 has been advertised for the statutory 28 days and submissions considered by Council.

Included in this year's Plan is the provision of eight waste management vouchers consisting of:

- two (2) x Mixed Refuse Vouchers of 200kg each
- two (2) x Mixed Refuse Vouchers of 100kg each
- two (2) x Green Waste Vouchers of 200kg each, and
- two (2) x Green Waste Vouchers of 100kg each.

Vouchers have been issued to ratepayers for a number of years on the basis of three (3) vouchers of 200kg for each of Mixed Waste and Green Waste. The number of vouchers has been amended this year to assist ratepayers in getting better value from the issued vouchers. The change will be monitored during 2015/2016 for review and modification, if required, during next year's budget process.

Financial Implications: The 2015/2016 Revenue Policy sets out the fees and charges for Council services for the 2015/2016 financial year. These fees and charges assist Council to achieve its budgeted income for the year.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

45 **Item 14 2015/2016 REVENUE POLICY (16.00140)**
MOVED: Cr M Coote SECONDED: Cr G Westman

RESOLVED: That, following consideration of the submissions received by Council, the Revenue Policy for 2015/2016, as presented to Council, be adopted as the Bathurst Regional Council 2015/2016 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

15 2015/2016 RATE LEVY (16.00140)

Recommendation: That Council formally resolve to make the following rates and charges in relation to the 2015/2016 Rating Year.

- (a) ORDINARY RATES FOR 2015/2016 - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 for the twelve months to 30 June 2016 was adopted by the Council on 17 June 2015 it is hereby recommended that:
1. a **Residential Rate** of zero point two eight three four seven nine (0.283479) cents in the dollar on the land value of all rateable land categorised as Residential in accordance with Section 516 of the Local Government Act, 1993 excepting those parcels of land sub-categorised as "Residential Town/Villages", AND THAT
 2. a **Residential Town/Villages Rate** of zero point nine two four two seven seven (0.924277) cents in the dollar on the land value of all rateable land sub-categorised as Residential – Town/Villages, in accordance with Section 529(2) (b) of the Local Government Act, 1993, AND THAT
 3. a **Farmland Rate** of zero point two one five eight seven zero (0.215870) cents in the dollar on the land value of all rateable land categorised as Farmland in accordance with Section 515 of the Local Government Act, 1993, AND THAT
 4. a **Business Rate** of zero point four three six five two eight (0.436528) cents in the dollar on the land value of all rateable land categorised as Business in accordance with Section 518 of the Local Government Act, 1993, excepting those parcels of land sub-categorised as "Business Bathurst City", "Business Forest Grove", "Business Ceramic Avenue", "Business Eglinton Non-Urban", "Business Orton Park", "Business Stewarts Mount", "Business Evans Plains" AND THAT
 5. a **Business Bathurst City Rate** of one point eight zero nine six three seven (1.809637) cents in the dollar on the land value of all rateable land sub-categorised as Business Bathurst City in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 6. a **Business Forest Grove Rate** of one point five six six three three three (1.566333) cents in the dollar on the land value of all rateable land sub-categorised as Business Forest Grove in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 7. a **Business Ceramic Avenue Rate** of one point five six six three three three (1.566333) cents in the dollar on the land value of all rateable land sub-categorised as Business Ceramic Avenue in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 8. a **Business Eglinton Non-Urban Rate** of one point five six six three three three (1.566333)cents in the dollar on the land value of all rateable land sub-categorised as Business Eglinton Non-Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 9. a **Business Orton Park Rate** of one point five six six three three three

(1.566333)cents in the dollar on the land value of all rateable land sub-categorised as Business Orton Park in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT

10. a **Business Stewarts Mount Rate** of one point five six six three three three (1.566333) cents in the dollar on the land value of all rateable land sub-categorised as Business Stewarts Mount in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
11. a **Business Evans Plains Rate** of one point five six six three three three (1.566333) cents in the dollar on the land value of all rateable land sub-categorised as Business Evans Plains in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
12. a **Mining Rate** of zero point three four four four four nine (0.344449) cents in the dollar on the land value of all rateable land categorised as Mining in accordance with Section 517 of the Local Government Act, 1993,

BE NOW MADE for the 2015/2016 Rating Year subject to the following Minimum and Base Amounts in accordance with Section 548 and Section 499 of the Local Government Act, 1993, AND THAT aggregation of values of certain parcels of land subject to a minimum or base amount in accordance with Section 548A of the Local Government Act, 1993, be permitted.

	Category	Minimum Amount	Base Amount	%Yield Base Amount
1	Residential		\$249.00	33
2	Residential/Town Village	\$354.00		
3	Farmland		\$336.00	25
4	Business	\$275.00		
5	Business Bathurst City	\$378.00		
6	Business Forest Grove	\$378.00		
7	Business Ceramic Avenue	\$378.00		
8	Business Eglinton Non-Urban	\$378.00		
9	Business Orton Park	\$378.00		
10	Business Stewarts Mount	\$378.00		
11	Business Evans Plains	\$378.00		
12	Mining		\$220.00	47

- (b) DOMESTIC WASTE MANAGEMENT CHARGES FOR 2015/2016 - That the annual charge for each parcel of rateable land where the service is available under Section 496 of the Local Government Act, 1993, for the weekly removal of garbage and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2015 being two hundred and fifty six dollars (\$256.00) for the provision of one waste mobile bin and one recycle mobile bin be made by the Council, and that the annual charge to be made for each parcel of rateable vacant land where the service is available under Section 496 of the Local Government Act, 1993, for the twelve months commencing 1 July 2015 being five dollars (\$5.00) be made by the Council and further that a charge where the service is provided under Section 496 of the Local Government Act, 1993, for each additional domestic waste collection service of one hundred and seventy seven dollars (\$177.00) per mobile bin and for each additional fortnightly recycling collection service of seventy eight dollars (\$78.00) per mobile bin

be made by the Council.

- (c) **WASTE MANAGEMENT SERVICE CHARGES FOR 2015/2016 (NON DOMESTIC)** – That the annual charge where the service is provided under Section 501/502 of the Local Government Act, 1993, for the weekly removal of garbage being one hundred and ninety four dollars and seventy cents (\$194.70) including GST per mobile bin and the fortnightly collection of material for recycling being eighty five dollars and eighty cents (\$85.80) including GST per mobile bin for the twelve months commencing 1 July 2015 be made by the Council.

As a result of changes to GST Legislation, Waste Management Service Charges levied under Section 501 of the Local Government Act, became a taxable supply from 1 July 2013.

- (d) **WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2015/2016** That the annual waste charge be levied for each rural rateable property that is outside of the waste collection area, Council provides access to rural transfers stations, under Section 501 of the Local Government Act, 1993, for the twelve months commencing 1 July 2015 being eighty two dollars and forty cents (\$82.40) including GST be made by the Council.

As a result of changes to GST Legislation, Waste Management Service Charges levied under Section 501 of the Local Government Act, became a taxable supply from 1 July 2013.

- (e) **WASTE MANAGEMENT VOUCHERS** – That the Council provide to all rateable properties eight waste management vouchers, consisting of 4 Mixed Refuse Vouchers consisting of two by 200kg and two by 100kg each and 4 Green Waste Vouchers consisting of two by 200 kg and two by 100kg each, at no charge.
- (f) **SEWERAGE CHARGES FOR 2015/2016** – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2015.

1. That the annual charge for single residential (including residential strata) and un-metered properties, be five hundred and three dollars and zero cents (\$503.00).
2. That the annual charge for vacant land be three hundred and twenty dollars and zero cents (\$320.00).
3. That the annual access charges for non-residential and multiple residential properties are to be the total of the metered charges applicable to the property as shown in the table below multiplied by a sewerage discharge factor.

Size of Water Connection (mm)	Charge for 2015/2016
20	\$454.00
25	\$706.00
32	\$1159.00
40	\$1813.00
50	\$2832.00
65	\$4555.00
80	\$7245.00

100	\$11321.00
150	\$25471.00
Strata Properties (Each non-residential lot)	\$454.00
Assumption School	\$1418.00

- That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be one dollar and forty five cents (\$1.45) per kilolitre of filtered water supplied multiplied by a sewerage discharge factor.

(g) SEWERAGE CHARGES -TRADE WASTE 2015/2016

That in accordance with Sections 501,503, 539, and 541 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2015.

- That the Annual Trade Waste Fee for individual businesses be one hundred and two dollars and seventy cents (\$102.70).
- That the Annual Trade Waste Fee (Large Discharger) for individual business be six hundred and eighty six dollars and zero cents (\$686.00).
- That the Trade Usage Charge for non-residential properties be two dollars and thirty cents (\$2.30) per kilolitre of filtered water supplied multiplied by a trade discharge factor.

(h) WATER CHARGES 2015/2016 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2015.

- That the annual water availability charges are to be the total of the metered charges applicable to the property as shown in the table below for:

Size of Water Connection (mm)	Charge for 2015/2016 \$
20	\$156.00
25	\$243.00
32	\$399.00
40	\$623.00
50	\$973.00
65	\$1644.00
80	\$2489.00
100	\$3888.00
150	\$8750.00
Hillview Water Supply	\$141.00

- That the minimum annual water availability charge for each unit within a Strata development be one hundred and fifty six dollars and zero cents (\$156.00).
- That the annual water availability charge for vacant unconnected land be one hundred and fifty six dollars and zero cents (\$156.00).
- That the annual water availability charge for unmetered or unconnected properties be six hundred and sixty five dollars and zero cents (\$665.00).

5. That if water pressure at a property is less than 120 kpa, then a larger service may attract a charge of one hundred and fifty six dollars and zero cents (\$156.00).
6. That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for 2015/2016
Hillview Estate Water Supply	First 250 kl	\$1.89
	> 250 kl	\$3.78
Residential Filtered	First 250 kl	\$1.80
	> 250 kl	\$2.70
Residential Raw	First 250 kl	\$0.79
	> 250 kl	\$1.19
Other Filtered	First 250 kl	\$1.80
	> 250 kl	\$2.70
Other Raw	First 250 kl	\$0.79
	> 250 kl	\$1.19
Large Industrial Filtered	>0 kl	\$1.54
Large Industrial Raw	>0 kl	\$0.99
Community Clubs:	First 18,000 kl	\$0.71
Golf, Majellan & Bathurst Community Club	>18,000kl, <31,999kl	\$0.94
	>32,000kl	\$1.40
Strata Unit property	First 250 kl (for each unit)	\$1.80
	>250 kl (for each unit)	\$2.70
Home Dialysis – subject to doctors certificate	First 200 kl	Free
	200kl-250 kl	\$1.80
	>250 kl	\$2.70
Hospital	1 st x patient average	Free
	Balance per KL	\$2.70

- (i) Included in this year's Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 in the Water Fund are amounts for Operational expenditure at the Aquatic Centre. This is to be financed from revenue raised from the Water Fund as detailed in the Plan.
- (j) INTEREST ON OVERDUE RATES AND CHARGES FOR 2015/2016 – That in accordance with Section 566 of the Local Government Act, 1993 Council charge interest on overdue rates at a rate of 8.5% per annum for the 12 month period commencing 1 July 2015 as advised by the Minister.
- (k) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 2.4%, a 5.0% increase in Sewer Charges, Waste Charges have been calculated on the basis of the reasonable cost of providing the service and Water Charges have been calculated on achieving a 25/75 basis (25% access charge and 75% usage charge) based on the Best Practice Guidelines introduced by the NSW Office of Water, August 2007.

Report: As per the recommendation.

Financial Implications: The 2015/2016 Rates and charges are for Council services for

the 2015/2016 financial year. These rates and charges assist Council to achieve its budgeted income for the year.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

46 Item 15 2015/2016 RATE LEVY (16.00140)
MOVED: Cr W Aubin SECONDED: Cr G Westman

RESOLVED: That Council formally resolve to make the following rates and charges in relation to the 2015/2016 Rating Year.

- (a) ORDINARY RATES FOR 2015/2016 - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 for the twelve months to 30 June 2016 was adopted by the Council on 17 June 2015 it is hereby recommended that:
1. a **Residential Rate** of zero point two eight three four seven nine (0.283479) cents in the dollar on the land value of all rateable land categorised as Residential in accordance with Section 516 of the Local Government Act, 1993 excepting those parcels of land sub-categorised as "Residential Town/Villages", AND THAT
 2. a **Residential Town/Villages Rate** of zero point nine two four two seven seven (0.924277) cents in the dollar on the land value of all rateable land sub-categorised as Residential – Town/Villages, in accordance with Section 529(2) (b) of the Local Government Act, 1993, AND THAT
 3. a **Farmland Rate** of zero point two one five eight seven zero (0.215870) cents in the dollar on the land value of all rateable land categorised as Farmland in accordance with Section 515 of the Local Government Act, 1993, AND THAT
 4. a **Business Rate** of zero point four three six five two eight (0.436528) cents in the dollar on the land value of all rateable land categorised as Business in accordance with Section 518 of the Local Government Act, 1993, excepting those parcels of land sub-categorised as "Business Bathurst City", "Business Forest Grove", "Business Ceramic Avenue", "Business Eglinton Non-Urban", "Business Orton Park", "Business Stewarts Mount", "Business Evans Plains" AND THAT
 5. a **Business Bathurst City Rate** of one point eight zero nine six three seven (1.809637) cents in the dollar on the land value of all rateable land sub-categorised as Business Bathurst City in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 6. a **Business Forest Grove Rate** of one point five six six three three three (1.566333) cents in the dollar on the land value of all rateable land sub-categorised as Business Forest Grove in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 7. a **Business Ceramic Avenue Rate** of one point five six six three three three (1.566333) cents in the dollar on the land value of all rateable land sub-categorised as Business Ceramic Avenue in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 8. a **Business Eglinton Non-Urban Rate** of one point five six six three three three (1.566333)cents in the dollar on the land value of all rateable land sub-categorised as Business Eglinton Non-Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT

9. a **Business Orton Park Rate** of one point five six six three three three (1.566333)cents in the dollar on the land value of all rateable land sub-categorised as Business Orton Park in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
10. a **Business Stewarts Mount Rate** of one point five six six three three three (1.566333) cents in the dollar on the land value of all rateable land sub-categorised as Business Stewarts Mount in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
11. a **Business Evans Plains Rate** of one point five six six three three three (1.566333) cents in the dollar on the land value of all rateable land sub-categorised as Business Evans Plains in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
12. a **Mining Rate** of zero point three four four four four nine (0.344449) cents in the dollar on the land value of all rateable land categorised as Mining in accordance with Section 517 of the Local Government Act, 1993,

BE NOW MADE for the 2015/2016 Rating Year subject to the following Minimum and Base Amounts in accordance with Section 548 and Section 499 of the Local Government Act, 1993, AND THAT aggregation of values of certain parcels of land subject to a minimum or base amount in accordance with Section 548A of the Local Government Act, 1993, be permitted.

	Category	Minimum Amount	Base Amount	%Yield Base Amount
1	Residential		\$249.00	33
2	Residential/Town Village	\$354.00		
3	Farmland		\$336.00	25
4	Business	\$275.00		
5	Business Bathurst City	\$378.00		
6	Business Forest Grove	\$378.00		
7	Business Ceramic Avenue	\$378.00		
8	Business Eglinton Non-Urban	\$378.00		
9	Business Orton Park	\$378.00		
10	Business Stewarts Mount	\$378.00		
11	Business Evans Plains	\$378.00		
12	Mining		\$220.00	47

- (b) DOMESTIC WASTE MANAGEMENT CHARGES FOR 2015/2016 - That the annual charge for each parcel of rateable land where the service is available under Section 496 of the Local Government Act, 1993, for the weekly removal of garbage and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2015 being two hundred and fifty six dollars (\$256.00) for the provision of one waste mobile bin and one recycle mobile bin be made by the Council, and that the annual charge to be made for each parcel of rateable vacant land where the service is available under Section 496 of the Local Government Act, 1993, for the twelve months commencing 1 July 2015 being five dollars (\$5.00) be made by the Council and further that a charge where the service is provided under Section 496 of the Local Government Act, 1993, for each additional domestic waste collection service of one hundred and seventy seven dollars (\$177.00) per mobile bin and for each additional fortnightly recycling collection service of seventy eight dollars (\$78.00) per mobile bin be made by the Council.

- (c) **WASTE MANAGEMENT SERVICE CHARGES FOR 2015/2016 (NON DOMESTIC)** – That the annual charge where the service is provided under Section 501/502 of the Local Government Act, 1993, for the weekly removal of garbage being one hundred and ninety four dollars and seventy cents (\$194.70) including GST per mobile bin and the fortnightly collection of material for recycling being eighty five dollars and eighty cents (\$85.80) including GST per mobile bin for the twelve months commencing 1 July 2015 be made by the Council.

As a result of changes to GST Legislation, Waste Management Service Charges levied under Section 501 of the Local Government Act, became a taxable supply from 1 July 2013.

- (d) **WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2015/2016** That the annual waste charge be levied for each rural rateable property that is outside of the waste collection area, Council provides access to rural transfers stations, under Section 501 of the Local Government Act, 1993, for the twelve months commencing 1 July 2015 being eighty two dollars and forty cents (\$82.40) including GST be made by the Council.

As a result of changes to GST Legislation, Waste Management Service Charges levied under Section 501 of the Local Government Act, became a taxable supply from 1 July 2013.

- (e) **WASTE MANAGEMENT VOUCHERS** – That the Council provide to all rateable properties eight waste management vouchers, consisting of 4 Mixed Refuse Vouchers consisting of two by 200kg and two by 100kg each and 4 Green Waste Vouchers consisting of two by 200 kg and two by 100kg each, at no charge.

- (f) **SEWERAGE CHARGES FOR 2015/2016** – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2015.

1. That the annual charge for single residential (including residential strata) and un-metered properties, be five hundred and three dollars and zero cents (\$503.00).
2. That the annual charge for vacant land be three hundred and twenty dollars and zero cents (\$320.00).
3. That the annual access charges for non-residential and multiple residential properties are to be the total of the metered charges applicable to the property as shown in the table below multiplied by a sewerage discharge factor.

Size of Water Connection (mm)	Charge for 2015/2016
20	\$454.00
25	\$706.00
32	\$1159.00
40	\$1813.00
50	\$2832.00
65	\$4555.00
80	\$7245.00
100	\$11321.00
150	\$25471.00
Strata Properties (Each non-residential lot)	\$454.00

- | | |
|-------------------|-----------|
| Assumption School | \$1418.00 |
|-------------------|-----------|
4. That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be one dollar and forty five cents (\$1.45) per kilolitre of filtered water supplied multiplied by a sewerage discharge factor.

(g) SEWERAGE CHARGES -TRADE WASTE 2015/2016

That in accordance with Sections 501,503, 539, and 541 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2015.

1. That the Annual Trade Waste Fee for individual businesses be one hundred and two dollars and seventy cents (\$102.70).
2. That the Annual Trade Waste Fee (Large Discharger) for individual business be six hundred and eighty six dollars and zero cents (\$686.00).
3. That the Trade Usage Charge for non-residential properties be two dollars and thirty cents (\$2.30) per kilolitre of filtered water supplied multiplied by a trade discharge factor.

(h) WATER CHARGES 2015/2016 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2015.

1. That the annual water availability charges are to be the total of the metered charges applicable to the property as shown in the table below for:

Size of Water Connection (mm)	Charge for 2015/2016 \$
20	\$156.00
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40	\$623.00
50	\$973.00
65	\$1644.00
80	\$2489.00
100	\$3888.00
150	\$8750.00
Hillview Water Supply	\$141.00

2. That the minimum annual water availability charge for each unit within a Strata development be one hundred and fifty six dollars and zero cents (\$156.00).
3. That the annual water availability charge for vacant unconnected land be one hundred and fifty six dollars and zero cents (\$156.00).
4. That the annual water availability charge for unmetered or unconnected properties be six hundred and sixty five dollars and zero cents (\$665.00).
5. That if water pressure at a property is less than 120 kpa, then a larger service may attract a charge of one hundred and fifty six dollars and zero cents (\$156.00).
6. That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for
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		2015/2016
Hillview Estate Water Supply	First 250 kl	\$1.89
	> 250 kl	\$3.78
Residential Filtered	First 250 kl	\$1.80
	> 250 kl	\$2.70
Residential Raw	First 250 kl	\$0.79
	> 250 kl	\$1.19
Other Filtered	First 250 kl	\$1.80
	> 250 kl	\$2.70
Other Raw	First 250 kl	\$0.79
	> 250 kl	\$1.19
Large Industrial Filtered	>0 kl	\$1.54
Large Industrial Raw	>0 kl	\$0.99
Community Clubs:	First 18,000 kl	\$0.71
Golf, Majellan & Bathurst Community Club	>18,000kl, <31,999kl	\$0.94
	>32,000kl	\$1.40
Strata Unit property	First 250 kl (for each unit)	\$1.80
	>250 kl (for each unit)	\$2.70
Home Dialysis – subject to doctors certificate	First 200 kl	Free
	200kl-250 kl	\$1.80
	>250 kl	\$2.70
Hospital	1 st x patient average	Free
	Balance per KL	\$2.70

- (i) Included in this year's Bathurst Delivery Plan 2015-2019 and Annual Operating Plan 2015/2016 in the Water Fund are amounts for Operational expenditure at the Aquatic Centre. This is to be financed from revenue raised from the Water Fund as detailed in the Plan.
- (j) INTEREST ON OVERDUE RATES AND CHARGES FOR 2015/2016 – That in accordance with Section 566 of the Local Government Act, 1993 Council charge interest on overdue rates at a rate of 8.5% per annum for the 12 month period commencing 1 July 2015 as advised by the Minister.
- (k) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 2.4%, a 5.0% increase in Sewer Charges, Waste Charges have been calculated on the basis of the reasonable cost of providing the service and Water Charges have been calculated on achieving a 25/75 basis (25% access charge and 75% usage charge) based on the Best Practice Guidelines introduced by the NSW Office of Water, August 2007.

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 JUNE 2015

1 PROPOSED COMPULSORY ACQUISITION FOR ROAD WIDENING LOT 14 DP1191218, 68 LEE STREET KELSO (25.00074-02)

Recommendation: That Council make application to the Minister and/or Governor for the compulsory acquisition of Lot 14 DP1191218 located at 68 Lee Street, Kelso, for the construction of a new water main. The application is to:

- (a) Follow the provisions of the Roads Act 1993;
- (b) The procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991.
- (c) Apply for a shorter period of 60 days for the acquisition; and
- (d) Not include mineral rights.

The acquired land is to be classified as operational land, as detailed in the Director Engineering Services' report.

Report: Council, at its meeting held 19 November 2014, resolved:

That Council make application to the Minister or Governor for the compulsory acquisition of Lot 12 DP1191218 located at 68 Lee Street, Kelso for the construction of a new water main. The application is to follow the provisions of the Roads Act 1993 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991. Council will apply for the shorter period, not include mineral rights and the acquired land is to be classified as operational land, as detailed in the Director Engineering Services report.

Council registered an acquisition plan as DP1191218 showing "Lots 13 and 14 are required for road and will be dedicated as public road under Section 10 of the Roads Act 1993" (see **attachment 1**) and acquired Lot 13 and dedicated it as a public road.

Following the Council meeting Council's legal representative attempted to contact the legal representatives of the landowner in an attempt to facilitate the acquisition of Lot 14 DP1191218 by agreement.

Council's legal representative has advised Council that the landowner's legal representatives advised them that the landowners have declined to provide them with instructions. Therefore Council's only remaining option is to acquire the land by compulsory acquisition.

It is recommended that Council approve the compulsory acquisition of Lot 14 DP1191218 located at 68 Lee Street, Kelso for the construction of a new water main. The application to the Minister and/or Governor is to follow the provisions of the Roads Act 1993 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991. The application is to include:

- 1 A reduction in the minimum period of 60 days for the acquisition should be made;
- 2 Not include mineral rights; and
- 3 The acquired land is to be classified as operational land.

Financial Implications: The cost of the application and acquisition is estimated to be \$3,000.00.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.5
- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1
- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.1

MINUTE

47 Item 1 PROPOSED COMPULSORY ACQUISITION FOR ROAD WIDENING LOT 14 DP1191218, 68 LEE STREET KELSO (25.00074-02)

MOVED: Cr B Bourke SECONDED: Cr W Aubin

RESOLVED: That Council make application to the Minister and/or Governor for the compulsory acquisition of Lot 14 DP1191218 located at 68 Lee Street, Kelso, for the construction of a new water main. The application is to:

- (a) Follow the provisions of the Roads Act 1993;
- (b) The procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991.
- (c) Apply for a shorter period of 60 days for the acquisition; and
- (d) Not include mineral rights.

The acquired land is to be classified as operational land, as detailed in the Director Engineering Services' report.

2 PROPOSED DEDICATION OF PATHWAY AT KELSO (28.00016-05)

Recommendation: That Council approve the dedication to Council of the pathway located at Lot 11 DP 1167037 in its present condition, subject to the information contained in the Director Engineering Services' report.

Report: Land and Housing Corporation recently undertook significant upgrade works on the Kelso Estate that provided improved linkages between existing roads, closure of redundant pathways and improved amenities. Kelso Estate contains Cripps Place, McMenamin Place, Oxley Place, Greville Place and Payne Close. Following on from the subdivisions and upgrade works, Land and Housing Corporation is required to dedicate to Council an existing pathway contained within Lot 11 DP 1167037. A plan of the pathway can be found at **attachment 1**.

The pathway is currently within the Council scope of works and was inspected in April 2015. Based on the Council condition inspection regime that rates pathways between 1 and 5, and in line with Council's Asset Management Policy, the pathway is rated at the mid-range at 3.

There are no works that are required to be done to the pathway to bring it up to Council's current standards and the pathway can be dedicated to Council in its present condition.

The dedication is proposed to be done by Land and Housing Corporation by way of publication in the Government Gazette.

It is recommended that Council approve the dedication to Council of the pathway in its present condition located at Lot 11 DP 1167037.

Financial Implications: Nil

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

- 48 **Item 2 PROPOSED DEDICATION OF PATHWAY AT KELSO (28.00016-05)**
MOVED: Cr B Bourke SECONDED: Cr G Westman

RESOLVED: That:

- (a) Council approve the dedication to Council of the pathway located at Lot 11 DP 1167037, and
- (b) the land be classified as operational land.

3 CLASSIFICATION OF LAND AT OPHIR ROAD ABERCROMBIE (22.15244)

Recommendation: That Council approve the classification of Lot 135 DP1189576 containing a sewer pump station and infrastructure located at Ophir Road, Abercrombie, as Operational Land, subject to the information contained in the Director Engineering Services' report.

Report: Lot 135 DP1189576 contains a sewer pumping station and infrastructure that forms part of Bathurst Regional Council's sewerage system. The sewer pump station was created to satisfy Council's Development Application Condition 25 in DA 2010/0607 for creation of the new subdivision at Abercrombie. Council's Engineering Guidelines for Engineering Works states, in part:

"All sewerage pumping stations are to be located entirely within the boundaries of a separate and distinct parcel of land (including all associated pipe work, electrical and telemetric cabling, access roadways and manoeuvring areas, dry water storage tank, etc), any such allotments are to be dedicated to Bathurst Regional Council under separate title."

The sewer pump station known as Lot 135 DP1189576 is now owned by Bathurst Regional Council. A plan of the land to be classified as operational is at **attachment 1**.

It is recommended that Council approve the classification of Lot 135 DP1189576 as Operational Land.

Financial Implications: Nil

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

49 Item 3 CLASSIFICATION OF LAND AT OPHIR ROAD ABERCROMBIE
(22.15244)

MOVED: Cr M Coote SECONDED: Cr J Jennings

RESOLVED: That Council approve the classification of Lot 135 DP1189576 containing a sewer pump station and infrastructure located at Ophir Road, Abercrombie, as Operational Land, subject to the information contained in the Director Engineering Services' report.

4 CLASSIFICATION OF LAND AT O'FARRELL PLACE, KELSO (04.00143)

Recommendation: That Council approve the classification of Lot 319 and Lot 320 DP1205931 located at O'Farrell Place, Kelso, as Operational Land, subject to the information contained in the Director Engineering Services' report.

Report: Council approved Development Application 2012/0297 for a 55 lot residential subdivision on 14 September 2012. It is a condition of the DA that Lot 319 and Lot 320 DP1205931 are to be transferred to the Council as drainage reserves.

Lot 319 and Lot 320 DP1205931 are now owned by Bathurst Regional Council. A plan of the land to be classified as operational is found at **attachment 1**.

It is recommended that Council approve the classification of Lot 319 and Lot 320 DP1205931 as Operational Land.

Financial Implications: Nil

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

50 Item 4 CLASSIFICATION OF LAND AT O'FARRELL PLACE, KELSO
(04.00143)

MOVED: Cr M Coote SECONDED: Cr B Bourke

RESOLVED: That Council approve the classification of Lot 319 and Lot 320 DP1205931 located at O'Farrell Place, Kelso, as Operational Land, subject to the information contained in the Director Engineering Services' report.

Yours faithfully



Doug Patterson

**DIRECTOR
ENGINEERING SERVICES**

DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 JUNE 2015

1 VACATION CARE - ASSESSMENT AND RATING PROCESS (09.00005)

Recommendation: That the information be noted.

Report: The National Quality Standards and National Quality Assessment and Rating process were introduced in 2013 under the National Quality Framework in accordance with the *Education and Care Services National Law Act 2010* and the *Education and Care Services National Regulations 2011*. The National Quality Standard sets a new and higher benchmark for services. It describes the programs, practices and relationships that research tells us contribute to the best outcomes for children.

Bathurst Regional Council Vacation Care successfully completed the Assessment and Rating process for Education and Care services on 15 and 16 of April 2015. The visit was conducted by an authorised officer from the NSW Early Childhood Education and Care Directorate.

Bathurst Regional Council Vacation Care was assessed against the National Quality Standards. During the visit the service was assessed against seven quality areas. These areas are:

- Quality Area 1 - Educational Program and Practice
- Quality Area 2 – Children’s Health and Safety
- Quality Area 3 – Physical environment
- Quality Area 4 – Staffing arrangements
- Quality Area 5 – Relationships with Children
- Quality Area 6 – Collaborative partnerships with families and communities
- Quality Area 7 – Leadership and Management

Bathurst Regional Council Vacation Care received a rating for each quality area as well as an overall service rating - **Meeting National Quality Standard.**

By receiving the overall service rating Bathurst Vacation Care continues to demonstrate the provision of high quality care for families and children in the Bathurst community. The service rating will be published on the www.mychild.gov.au and www.acecqa.gov.au websites for public viewing. It is expected that the service will complete the assessment and rating process again within the next three years.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.7
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1, 26.4
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.3, 27.8

MINUTE

- 51 **Item 1 VACATION CARE - ASSESSMENT AND RATING PROCESS (09.00005)**
MOVED: Cr B Bourke SECONDED: Cr G Westman

RESOLVED: That the information be noted.

2 BATHURST CITY COMMUNITY CLUB - A DELIGHTFUL SPOT EXHIBITION (20.00242)

Recommendation: That the information be noted.

Report: On Sunday 29 March 2015 an interpretation project 'A Delightful Spot' was launched at Old Government cottage. Its purpose is to tell the story of the European settlement of Bathurst 200 years ago. It aims to bring to light the stories, and to share something of the buildings and the people that lived and worked in them to increase awareness about what life would have been in the early years of settlement.

While the primary element is a walking trail around the heritage precinct, a second component is an exhibition of maps and illustrations on display in the Bathurst City Community Club (BCCC).

The exhibition is comprised of 14 framed prints of maps, paintings and building plans from the first period of government settlement in Bathurst (1815-1844). It shows the development of not only these early administrative and military structures but also the town and surrounding areas.

Highlights include John Lewin's watercolour of Governor Macquarie's campsite flagstaff in 1815, the A C Cooke and G Collingridge aerial etching of 1898 and George Evans plan of the town from 1818.

The exhibition is on permanent display in the BCCC foyer and is free of charge.

The development and installation of this exhibition had multiple benefits;

- The project was a collaborative effort within both Council and the broader Bathurst Community. Council staff involvement included implementing and overseeing the project, preparing the works and installing, while research and text was developed by local Historian Dr Robin McLachlan. Printing and framing was able to be sourced locally while the venue was a community owned facility.
- The exhibition is able to promote Bathurst Heritage to a wider audience. By displaying the exhibition in the BCCC access is provided to local groups that might otherwise not venture into the recognised Cultural facilities in Bathurst. As host to many varied clubs, community groups and functions the BCCC allows different groups access to the stories of early Bathurst.
- The BCCC which is physically located on the site of the first military barracks, places the audience in central proximity to the first settlement area.
- Having a secure public venue means the exhibition can have a high level of presentation, be maintained with a higher degree of security and can be displayed for a great length in that location.

Financial Implications: Funding for this activity was provided by the Department of the Environment and Bathurst Regional Council.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.8
- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.6

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.6
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1

MINUTE

52 Item 2 BATHURST CITY COMMUNITY CLUB - A DELIGHTFUL SPOT EXHIBITION (20.00242)

MOVED: Cr J Jennings SECONDED: Cr M Morse

RESOLVED: That the information be noted.

3 BATHURST MEMORIAL ENTERTAINMENT CENTRE - THE FIRST SYDNEY / BATHURST WRITERS' FESTIVAL (21.00069)

Recommendation: That the information be noted.

Report: The Bathurst Memorial Entertainment Centre (BMEC) streamed live talks with national and international writers, which were part of the Sydney Writers' Festival from Friday 22 May to Sunday 24 May 2015. This was the first time this had occurred at an Australian literary festival and took four years of planning. BMEC had been involved from the outset. The live streamed events were used as leverage to create a local Bathurst Writers' Festival.

All sessions were presented for free as requested by the Sydney Writers' Festival who did not charge BMEC for the live streamed sessions. Attendees were asked to fill out an exit survey which has provided a wealth of useful feedback.

- A total of 1,095 people attended BMEC sessions at the three day event.
- 36 of the 80 people who filled out exit surveys indicated they had never been to BMEC before.
- Patron survey comments included - "fantastic turn out. Interesting presentations. Would love to attend next year " (first time to BMEC).
- Patrons who filled out the survey came from eight separate postcodes.

There was a diverse program with fifteen streamed talks and nine live local sessions. The local content was developed in association with the BMEC Local Stages program and in partnership with Jenny Barry and Katherine Bancroft from Books Plus. Sponsors included Reliance Credit Union (BMEC 2015 Season) and Pan MacMillan Australia while the live streaming was supported by the Australia Council for the Arts.

Writers from across the region gave freely of their time to sit on speaking panels and publishers Simon & Schuster and Harlequin Books sent three NSW Authors to Bathurst to speak. An edited festival program is included in this report.

With the streamed events local people were able to sms questions to the writers in Sydney. Questions from Bathurst were answered in all sessions but one and in some cases more than one question from Bathurst was posed. This is significantly more than for any other non-Sydney locations streaming the talks. Bathurst gained significant exposure in this way, an invaluable promotion of Bathurst completely free of charge.

Other towns/venues taking the live streamed events included: Write Around the Murray Festival, Albury; New England Writers' Centre, Armidale; Northern Rivers Writers' Centre, Byron Bay; Jetty Memorial Theatre, Coffs Harbour; The Glasshouse, Port Macquarie; Capitol Theatre, Tamworth; Manning Valley Libraries, Taree; Merrigong Theatre Company, Wollongong; Parramatta Library, Parramatta.

Program

Streamed Talks	Live Talks
Don Watson "The Bush"	Kim Kelly - writing the past
Writing Family – Panel with Barrie Cassidy, Kate Grenville and Romona Koval	Brett Kenworthy - Luke Slattery's "The First Dismissal"
Growing up and other disasters: Alan Cumming and Damian Barr	Local networking event

Anna Bligh "Through the Wall"	Invisible Body performance
Michael Frayn - on fiction	Multiple local authors – the path to publication
Imagined futures – multiple authors	Writing for Young People – several local authors
Ben Okri "The Age of Magic"	Graham Lupp "Building Bathurst"
Give me back my pre internet brain – Douglas Copeland, Richard Flanagan, Sally Andrews	The joy of blogging
The Great Portent – Davis Walliams	Australian voices in print
Mistakes we've made and other lessons in feminism – divers panel	
Anthony Horowitz "Moriarty"	
Douglas Copeland	
Evie Wyld "All the Birds Singing"	
The books that exploded	
Closing address – Helen Macdonald	

The intention is to repeat the Sydney / Bathurst Writers' Festival in 2016.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.6 20.6
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3

MINUTE

53 Item 3 BATHURST MEMORIAL ENTERTAINMENT CENTRE - THE FIRST SYDNEY / BATHURST WRITERS' FESTIVAL (21.00069)

MOVED: Cr G Westman SECONDED: Cr J Jennings

RESOLVED: That the information be noted.

4 BATHURST REGIONAL ART GALLERY - BRAG 200X200 EXHIBITION (21.00002)

Recommendation: That the information be noted.

Report: The exhibition *BRAG 200X200* has been programmed to coincide with the 200 year commemoration of the proclamation of Bathurst.

Spanning the colonial portraits of Joseph Backler to the cutting edge contemporary practices of artists such as Joan Ross and Jonathan Jones, *BRAG 200X200* features 200 paintings, drawings, prints, sculpture, ceramics, photographs, installations and new media works drawn from the permanent collection of Bathurst Regional Art Gallery.

BRAG 200X200 gives audiences a comprehensive overview of the collection, and is the first time that such an extensive exhibition of works from the collection has been shown. Each collection focus area is represented, along with colonial, post federation and contemporary themes to allow for an expansive overview of the collection.

The 200 works in *BRAG 200X200* represent 10% of the total permanent collection of some 2,000 works valued in excess of \$8.5 million. These works were selected by BRAG's Curator with assistance and research provided by the Art Gallery's Volunteer Guides.

At the time of preparing the report, the total attendance for *BRAG 200X200* exhibition was 5,044. This averages to an attendance of 504 per week, which is a 6.5% increase on visitation for the same period last year.

The *BRAG 200X200* exhibition closes on 14 June 2015.

The Weekend Australian newspaper has also reviewed works included in the *BRAG 200X200* exhibition. On Saturday 23 May 2015, journalist Kitty Hauser wrote about the painting *Showing the Nugget* (1951) by Matilda Lister featured in the *BRAG 200X200* exhibition. The article talked about Matilda Lister and her connection with Donald Friend. The article credited Bathurst Regional Art Gallery and the *BRAG200X200* exhibition. Kitty Hauser will be writing on three other works in the *BRAG200X200* exhibition: Joan Ross' digital media work *BBQ this Sunday, BYO* (2011), Greg Weight's photograph *Coat, Hands and Brushes No 1, Portrait of Lloyd Rees* (1983) and Tully Arnot's mixed media work *Jurassic Cup* (2013) in future editions.

A number of Bathurst 200 events were held in the Gallery during the period of the exhibition including the Council's Bicentenary Luncheon on Thursday 7 May 2015, which has been viewed and attended by many international, national, state and local dignitaries.

There has been wide-spread praise for the exhibition from visitors with some comments from the BRAG Visitor Book as follows:

"A wonderful, diverse collection."

"A great bonus for a city visitor."

"Great to see familiar works on display again."

"Stunning collection – definitely something to 'brag' about."

"A great, thought-provoking selection."

BRAG's permanent collection began 60 years ago in 1955 with the founding of the Carillon City Festival Art Prize and the acquisition of Jean Bellette's *Still Life*. The overarching theme of the collection is Post 1950s Australian Art into which fall a number of collection focus areas featuring works by Lloyd Rees, the Artists of Hill End, Australian Studio

Ceramics, and Small-scale Australian Sculpture.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.2, 20.5, 20.6
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.5

MINUTE

54 Item 4 BATHURST REGIONAL ART GALLERY - BRAG 200X200 EXHIBITION
(21.00002)

MOVED: Cr M Morse SECONDED: Cr J Jennings

RESOLVED: That the information be noted.

5 BATHURST REGIONAL ART GALLERY - MUSEUMS AND GALLERIES NATIONAL AWARD (MAGNA) FOR BATHURST POSSUM SKIN CLOAK HEALING WORKSHOP (21.00002)

Recommendation: That the information be noted.

Report: In October/November 2014 in the lead-up to Bathurst's bicentenary, Bathurst Regional Art Gallery worked with the Bathurst Wiradyuri and Community Elders, the local Aboriginal community and Banmirra Arts Victoria to host over three days a series of Possum Skin Cloak Healing Workshops.

The Director Cultural and Community Services' Report #5 to Council on 19 November 2014, provided detail on the workshops held and the workshops were an outstanding success with over 60 Indigenous community members working on the construction of the cloaks.

Possum skin cloaks are one of the most sacred cultural expressions of the Aboriginal people of south-eastern Australia. Cloaks were traditionally incised with designs significant to the wearer and their clan group.

The two cloaks made during the Workshops became part of the Bathurst 200 Proclamation Day Ceremony on 7 May 2015 when one of the cloaks was presented by Dinawan Dyrribang, a Wiradyuri Elder to the Mayor in a symbolic gesture of reconciliation.

The project recently won a Highly Commended in the May 2015 Museums Australia's MAGNA Awards (Museums and Galleries National Awards) in the Indigenous Project or Keeping Place Category.

The MAGNA Judges said: *This was an important and culturally significant extension of the ever-growing movement of revival of possum-skin cloak making. The project and outcomes would be bound to leave a long-term impact in Bathurst, especially through the intended use of the two cloaks produced. What an honour for present and future Bathurst Mayors to be offered a Possum Skin Cloak to wear on ceremonial occasions.*

Financial Implications: Funding of \$10,000 for the Possum Skin Cloak Healing Workshops in October/November 2014 was provided by Bathurst Regional Council B200 Projects.

Additionally, Bathurst Regional Art Gallery contributed \$5,000 to the project from its Arts NSW artistic program funding.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.6, 11.9
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.6
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.4, 23.5

MINUTE

**55 Item 5 BATHURST REGIONAL ART GALLERY - MUSEUMS AND GALLERIES
NATIONAL AWARD (MAGNA) FOR BATHURST POSSUM SKIN CLOAK HEALING
WORKSHOP (21.00002)**

MOVED: Cr B Bourke SECONDED: Cr M Morse

RESOLVED: That the information be noted.

6 AUSTRALIAN FOSSIL & MINERAL MUSEUM - DONATION BY FRIENDS OF THE AUSTRALIAN FOSSIL AND MINERAL MUSEUM (21.00107)

Recommendation: That Council acknowledge the donation from the Friends of the Australian Fossil and Mineral Museum.

Report: The Friends of the Australian Fossil and Mineral Museum group have donated to the Museum a magnificent specimen of an ammonite fossil, this fossil was originally installed as part of the collection but was only on temporary loan to the Museum and not part of the collection donated by Professor Somerville.

When the temporary loan arrangement ended the Friends group decided that this specimen would be a suitable one for purchase for the Museum and have raised the funds for its purchase.

The ammonite is 65million years old from the Jurassic period. the name "ammonite" originates from the Greek Ram-horned God called Ammon. Ammonites belong to a group of predators known as cephalopods, which includes their living relatives the octopus, squid, cuttlefish and nautilus.

The ammonite was presented to the Mayor in an informal ceremony with representatives of the Friends group including the President, Dr Bruce McGarity, Ms Amanda Paul, Mr Colin Ellis and Mr David Powter.

Financial Implications: Expenditure for this item was provided by the Friends of the Fossil and Mineral Museum.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2

MINUTE

56 Item 6 AUSTRALIAN FOSSIL & MINERAL MUSEUM - DONATION BY FRIENDS OF THE AUSTRALIAN FOSSIL AND MINERAL MUSEUM (21.00107)

MOVED: Cr W Aubin SECONDED: Cr M Coote

RESOLVED: That Council acknowledge the donation from the Friends of the Australian Fossil and Mineral Museum.

Yours faithfully



Alan Cattermole
DIRECTOR
CULTURAL & COMMUNITY SERVICES

POLICY COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - POLICY COMMITTEE MEETING - 3 JUNE 2015 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 3 June 2015 be adopted.

Report: The Minutes of the Policy Committee Meeting held 3 June 2015, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

57 **Item 1 MINUTES - POLICY COMMITTEE MEETING - 3 JUNE 2015 (07.00064)**
MOVED: Cr B Bourke SECONDED: Cr M Coote

RESOLVED: That the recommendations of the Policy Committee Meeting held on 3 June 2015 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 3 JUNE 2015

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

APOLOGIES

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

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

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 APRIL 2015 (07.00064)
MOVED Cr B Bourke and **SECONDED** Cr M Coote

RESOLVED: That the Minutes of the Policy Committee Meeting held on 1 April 2015 be adopted.

DECLARATION OF INTEREST

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

RESOLVED: That the Declaration of Interest be noted.

Cr Westman arrived at the meeting.

GENERAL BUSINESS

5 Item 1 SOLAR STREET RUBBISH BINS (COMPACTING) (14.00052)

Cr Jennings - asked have we enquired about the solar street rubbish bin facilities

This is page 1 of Minutes of the Policy Committee held on 3 June 2015.

which are now available.

The Director Engineering Services advised unaware of these, will follow up this matter.

6 **Item 2 MOP TOP TREES - DURHAM STREET (13.00019)**

Cr Jennings - asked could these plants be transplanted?

The Director Engineering Services advised this was unlikely, but can review possibilities.

7 **Item 3 DAIRY FARMERS SITE (2012/0518)**

Cr Jennings - seeking an update on the sites development.

The Director Environmental, Planning & Building Services advised no movement on this matter at this time.

8 **Item 4 SECOND TRACK (07.00084)**

Cr Jennings - asked when will a business plan be shaped up?

The Director Corporate Services & Finance advised this is on the program, at this stage working on land acquisition and then will go to business plan.

9 **Item 5 TESLA MOTOR VECHICLES (04.00009)**

Cr Jennings - noted predictions are cars will be electric, running on solar and driverless. Would Council contact TESLA motor to see if they would like to use Mount Panorama for promoting their vehicles. Also would like Council to see about putting in charging stations.

10 **Item 6 BICENTENARY COMMITTEE (20.00153)**

Cr Coote - congratulations to the Committee and all involved. It was a brilliant job by the Committee and all staff.

11 **Item 7 PARKING (BACK-IN & FRONT-IN) (28.00006)**

This is page 2 of Minutes of the Policy Committee held on 3 June 2015.

Cr North - asked could a report come back to Council on this matter?

12 **Item 8 FLOODPLAIN MANAGEMENT CONFERENCE (07.00007)**

Cr North - recently attended this conference in Brisbane. Council is well ahead in terms of a mitigation response.

13 **Item 9 BICENTENARY EVENTS (20.00153)**

Cr North - congratulations to all those involved.

14 **Item 10 GREEN ORGANICE WASTE BIN (14.00008)**

Cr North - asked how is this matter going?

The Director Engineering Services advised has been adopted by Council. Looking at implementation in 2016.

15 **Item 11 KELSO ROAD WORKS (25.00018)**

Cr North - enquired as to the status of road works at Kelso.

The Director Engineering Services advised Burton construction going well. Doing work on Lee Street bypass and this is scheduled to be open July 2015.

16 **Item 12 CARENNE SCHOOL PEDESTRIAN CROSSING (25.00062)**

Cr Bourke - encourages Councillors to talk to parents and teachers before the Working Party is held next Wednesday, 10 June.

DISCUSSION FORUM OTHER

17 **Item 1 DRAFT BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 - AMENDMENT NO 2 (20.00284)**

Discussion included:

I MacPherson National Trust - the National Trust didn't make a submission, however feels the development at 118 Mitre Street and its notification should be considered as to how it would be dealt with in terms of the new DCP. That is use it as a test. Feels 118 Mitre Street should have been advertised.

In regards to DA at 12 William Street, the National Trust is very supportive of the recommendation. Spoke to question of "demolition", "restoration", "rebuild". Perhaps we can redefine in the DCP.

S Bathgate - Bathurst 2036 Heritage Action Network (BHAN) - Spoke to BHAN submission on the DCP. Utilised 118 Mitre Street as an example and requested BHAN submission on 118 Mitre Street be distributed to Councillors. Spoke to recent planning court case - private and public duties of the Council. If Council in doubt, then should do wider notification. Narrowly drawn rules carry greater risk. Greater prescription is supported by BHAN. Immediate neighbours (adjacent) should be notified and consideration needs to be given to going out wider than this. In some Sydney Councils the proponent needs to put a notice on the front gate of the property, this is worth consideration as it is a low cost option.

The discretionary provisions in Council's DCP's, there are currently 36 of these, lead to subjective judgements, which may cause problems. Notification is one of these. Need to look at all of these.

Suggest Council consider getting an independent review of DCP provisions.

MEETING CLOSE

18 MEETING CLOSE

The Meeting closed at 6.26 pm.

CHAIRMAN: _____

Date: _____ **(17 June 2015)**

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING - 2 JUNE 2015 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 2 June 2015 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 2 June 2015, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

58 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 2 JUNE 2015 (07.00006)
MOVED: Cr W Aubin SECONDED: Cr M Coote

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 2 June 2015 be adopted.

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 2 JUNE 2015

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

Members: Cr Warren Aubin (Chair), Senior Constable Jason Marks (Police), David Veness (MP Representative), David Vant (Roads and Maritime Services), Deanne Freeman (Roads and Maritime Services).

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

APOLOGIES

2 APOLOGIES

Nil.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 5 MAY 2015 (07.00006)

That the Minutes of the Traffic Committee Meeting held on 5 May 2015 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 5 MAY 2015 (07.00006)

That the information be noted and necessary actions be taken.

This is page 1 of Minutes of the Traffic Committee held on 2 June 2015.

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

That the information be noted.

7 **Item 3 RE-ENACTMENT OF ENLISTMENT MARCH 2015 (COO-EE MARCH) (23.00076-02/003)**

That Council classify the Re-enactment of Enlistment March 2015 (Coo-ee March), Parade and Service as a Class 1 Event, and approve the March, Parade and Service subject to conditions as detailed in the Director Engineering Services' report.

8 **Item 4 MANILLA STREET BATHURST – “NO BUSES OVER 8M” SIGNS (25.00265-009)**

That Council approve the installation of 'NO BUSES OVER 8m' signs on the Keppel Street entrance to Manilla Street Bathurst.

9 **Item 5 PROPOSED BUS ROUTE EXTENSION/CHANGE TO RED HILL ROAD (28.00009-06/047)**

That Council approve the operation of the extension to the existing school bus service route to Red Hill Road via Limekilns Road and Palings Yards Road.

10 **Item 6 PROPOSED DIRECTIONAL SIGNAGE TO BATHURST SCOUT HALL (28.00007-05/125)**

That Council approve the installation of directional signage to the Bathurst Scout Group Hall.

11 **Item 7 ROLL ON BEN OAKLEY - BATHURST WALK (23.0026-18)**

That Council classify the Roll On Ben Oakley – Bathurst Walk on Tuesday 6 October 2015 as a Class 1 event, and approve the event subject to conditions as detailed in the Director Engineering Services' report.

12 **Item 8 REBELLION ON THE TURON – DENISON STREET SOFALA (25.00280)**

That Council classify the Rebellion on the Turon event to be held on Saturday 12

and Sunday 13 March 2016 as a Class 2 event, and approve the event subject to conditions as detailed in the Director Engineering Services' report.

13 **Item 9 ILLUMINATE BATHURST WINTER FESTIVAL (20.00153)**

That Council approve the Illuminate Bathurst Winter Festival to be held Saturday 4 July 2015 as a Class 2 event, subject to conditions as detailed in the Director Engineering Services' Report.

TRAFFIC REGISTER

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

That the information be noted.

MEETING CLOSE

15 **MEETING CLOSE**

The Meeting closed at 2.20 pm.

DELEGATES REPORTS AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 JUNE 2015

1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 13 MAY 2015 (11.00019)

Recommendation: That the information be noted.

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

1. BATHURST CITY COMMUNITY CLUB (18.00303)

Representatives of the Club; Lisa Pierce, Tonilee Scott, Norm Hayes & Rebecca Mathie met with Council to give an update on the Club's progress. Tabled Annual Report.

Discussion included:

- expect to return a profit this financial year
- community gaining understanding of diversity of Club - not just a Bowling Club
- no gaming/poker machines
- diverse activities including Zorb Soccer and Futsal
- Club needs various renovations
- connection of Trade Waste system would cost \$22,000
- Looking at installing Solar Power to reduce electricity charges
- extending out towards Green 4 to allow parties to be held next to the bowling green
- works to be carried out over next 12 months; floor in function room needs new piers (\$20,000 - \$30,000); connect new Trade Waste System; plumbing problems causing flooding in main bar.
- requested Council continue to charge reduced water tariff
- requested letters of support for grants (Club grants, access grants, heritage grants)

2. ARTS OUTWEST (18.00036)

Tracey Callinan, Executive Officer met with council to give an update on the Arts OutWest Program and their future directions.

The three main areas of discussion were:

- Consultation about the new Strategic Plan
- Discussion about new MOU's between Arts OutWest and Councils
- Proposed new Constitution for Arts OutWest

Gave presentation which included:

- funding arrangements
- projects undertaken during the year
- staff numbers
- aim to keep contribution rate same for next three years
- MOU's expire 30 June 2015 and will be seeking a review with the 12 Councils in the Arts OutWest area

3. AIRPORT HANGER LEASING (BURKE) (21.00083)

Mr Burke met with Council to discuss concerns regarding lease charges for Hangers at Bathurst Airport.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

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

MINUTE

**59 Item 1 COUNCILLORS MEETING WITH COMMUNITY
GROUPS/REPRESENTATIVES - 13 MAY 2015 (11.00019)**

MOVED: Cr B Bourke SECONDED: Cr J Jennings

RESOLVED: That the information be noted.

2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 12 MAY 2015 (11.00020)

Recommendation: That the information be noted.

Report: MINUTES OF BATHURST REGIONAL YOUTH COUNCIL MEETING HELD IN COUNCIL CHAMBERS ON TUESDAY 12 MAY 2015

PRESENT: Cr Michael Coote, Sarah Driver, Rebecca Cole, Niamh Hirekodi, Marinelle Crisologo, Lily Bennett, Casey Mutton, Bronte Cooke, Jonah Tuineau, Nathan Germech, Dominic McCrossin, Ben Clayton, Bryce McArthur, Lewis Wilde, Tyson Mendham, Lachlan Smith, Riley Single, Damian Mays, Anthony Hanrahan, Holly Davis, Chelsea Stephens, Emily O'Shea, Laura Van Uum

IN ATTENDANCE: Megan Bargwanna (Community Development Officer- Youth), Karen Golland (headspace), Anthony Nougher, Monique Evans-Jones and Liam Higham (headspace Youth Reference Group)

1. APOLOGIES

There were no apologies received for the meeting.

2. ADOPTION OF PREVIOUS MINUTES

RESOLVED that the minutes of the meeting held 10 March 2015 be accepted.

Moved: Lewis Wilde

Seconded: Bryce McArthur

3. BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from the previous minutes.

4. DE BRIEF YOUTH WEEK 2015

- Trivia went well for teens, with a good turnout.
- Attendance was low for the lantern making workshop, mainly appealing to younger children.
- Chill-tunes at Time 4 Kids event went well. There were however a number of younger children and parents in attendance. The musicians were excellent and the service participation was good.
- Generally Youth Council members reported either being away, working or just forgetting about events.
- The Youth Council generally felt that the idea of Youth Week is not really appealing to the majority of young people.
- Suggestion for next year included: not having events during holidays, possibility of a multi sports events at the river, trivia into schools or other events.
- Cr Coote raised the idea of perhaps collaborating with the Royal Bathurst Show, given Youth Week falls in April each year. The Youth Council felt this was an excellent idea to pursue.

5. YOUTH COUNCIL NEXT PROJECT

- Dance Party to be held on 24 July at BMEC.
- Venue is booked.
- Discussion about how the event should look- ideas were discussed including a formal type ball, glow in the dark theme with black lights, coloured arm bands given out and use during the event to have dance competitions, themes including flouro, cartoon characters.
- Chillout area with tables and chairs also scattered around the venue.
- Age 12-18 years.
- Need to rename event not as dance party.
- May include “dress up or dress down” so people do not feel obligated to dress in theme.
- Photobooth would be popular again.
- Have services like headspace again in the foyer.
- Youth Councillors to ask friends and peers about what type of music.
- Next working party meeting to be held on Tuesday 19 May at 3.45pm.

6. HEADSPACE YOUTH REFERENCE GROUP COLLABORATIVE PROJECT

- Karen Golland provided an overview of headspace services.
- The service is primarily an early intervention service.
- The Look Up campaign went well last year.
- Currently the headspace Youth Reference Group are working on a project around inclusive and diverse communities and are using the young people to share information in support of IDAHO day.
- The group discussed this year’s project and ideas that they would like to base the project around, including bully buddies, bullying generally and not realising bullying, stress of exams particularly Year 12, what happens after school, relationships.
- Are You OK day was discussed and the possibility of doing something around this concept and in particular how people respond to people when they ask are they ok and the response is not positive.
- Simple concept is ideal.
- Possibility of messages on mirrors in public places, schools, etc “self-love”
- Could utilise removable stickers.
- A simple message about “It does get better”/ hope could be the focus.
- Karen and Megan to meet regarding proceeding with the project.

7. ZOE RODWELL- ARTS OUTWEST CONSULTATION

- Zoe is based at CSU.
- The organisation is artistic based and works from Lithgow to Lake Cargelligo.
- Currently Arts Out West is undertaking their strategic planning process.
- Zoe will be applying for grants and is requesting young people’s ideas and input regarding types of projects young people would be interested in- drama, music, art workshops etc.
- Zoe will forward a short survey to Megan for distribution to the Youth Councillors.
- Zoe’s role currently is the Youth Development Officer, but will be changing to more cross generational work.

8. GENERAL BUSINESS

8.1 Laura Van Uum - Bicentennial Flagstaff Opening Speech

Megan extended congratulations to Laura on her speech and involvement with this event.

8.2 Bathurst Regional Access Committee

- Laura reported that the Youth Council have been invited to have some input into the committee. Meetings are held on the 3rd Monday of the month.
- Megan to follow up and email details to the group.

9. NEXT MEETING

The next meeting will be held on Tuesday 23 June 2015 at 11.15am.

10. MEETING CLOSURE

There being no further business, the meeting closed at 1.13pm.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

60 Item 2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 12 MAY 2015
(11.00020)

MOVED: Cr M Coote SECONDED: Cr G Westman

RESOLVED: That the information be noted.

MINUTE

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

MOVED: Cr M Coote SECONDED: Cr G Westman

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

There were no representations from the public.

RESOLVED: That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	MOUNT PANORAMA LAND	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF RURAL LICENCE AGREEMENT - PART LOT 221 DP1147157 LOCATED ON STEPHENS LANE 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.
3	RENEWAL OF LICENCE AGREEMENT - W.T.H. PTY LTD T/AS AVIS AUSTRALIA AND BUDGET RENT A CAR AUSTRALIA PTY LTD - COUNTER SPACE, TERMINAL BUILDING, 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.
4	PROPOSED SALE OF LOT 300 IN DP1099537 KNOWN AS 23 ZAGREB STREET, KELSO INDUSTRIAL PARK	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.
5	PROPOSED PURCHASE OF PART LOT 220 IN DP1147157 LOCATED ON HEREFORD STREET KELSO AND SUBSEQUENT SUBDIVISION OF RESIDENTIAL LOT KNOWN AS 150 GILMOUR STREET KELSO.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	PROPOSED SALE AND SUBDIVISION OF PART LOT 162 IN DP 1125026 LOCATED ON WHITE ROCK ROAD, WHITE ROCK	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.
7	LAND RELEASE - WINDRADYNE 1000 - STAGE 2 RESIDENTIAL SUBDIVISION	10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
8	WASTEWATER TREATMENT PLANT OPERATIONS	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	RENEWAL OF COMMERCIAL PREMISE LEASE AGREEMENT - PART LOT 4 IN DP112509 - STORAGE SHED MT PANORAMA - SIGN EVENT PTY LTD	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.
10	FINANCIAL STATEMENT - 2015 BATHURST 12 HOUR	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
11	2015 BATHURST MOTOR FESTIVAL	10A (2) (d) (i) – contains commercial information of a

		confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED SALE OF LOT 6 DP 559886, 48 GILMOUR STREET, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PROPOSED ACQUISITION, PART OF LOT 1 IN DP811656, 212 MOUNTAIN STRAIGHT MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED ACQUISITION OF LAND, PART OF LOT 107 IN DP1189576, EGLINTON ROAD AND CLOSURE OF OPHIR ROAD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who

		supplied it.
4	TENDER FOR PROVISION OF SANITARY 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.
5	TENDER FOR THE SUPPLY, DELIVERY AND PLACEMENT OF SPRAYED BITUMINOUS SURFACING	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 CLEANING OF PUBLIC TOILETS	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	TENDER FOR ROAD STABILISING WORKS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	TENDER FOR THE	10A (2) (d) (i) – contains

	PROVISION OF TRAFFIC CONTROL SERVICES	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	TENDER FOR PREFERRED CONTRACTOR LIST	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.
10	CENTROC TENDER FOR THE SUPPLY AND DELIVERY OF ROAD SIGNS	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.
11	CENTROC TENDER FOR THE SUPPLY OF FUEL	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.
12	TENDER FOR CLEANING OF PUBLIC BUILDINGS	10A (2) (d) (i) – contains commercial information of a confidential nature that would,

		if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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*** GENERAL MANAGER'S REPORT**

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

DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 JUNE 2015

MINUTE

- a **Item 1 MOUNT PANORAMA LAND (22.07536, 20.00278)**
MOVED: Cr W Aubin SECONDED: Cr B Bourke

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

Reason: Mother-in-law dating Mr Rayner.

That, in accordance with Section 31 of the Local Government Act 1993, the Council resolve to classify the land known as Lot 12 DP631593, Lot 5 DP586023, Lot 119 DP750357, Lot 55 DP750357, Lot 12 DP717095, Lot 3 DP749758, Lot 123 DP750357, Lot 11 DP717095, Lot 4 DP532310 and Lot 116 DP 750357 as Operational Land for the purpose of Part 2 of Chapter 6 of the Local Government Act 1993 on the date that Council becomes the owner of the land.

MINUTE

**b Item 2 RENEWAL OF RURAL LICENCE AGREEMENT - PART LOT 221
DP1147157 LOCATED ON STEPHENS LANE KELSO (21.00022)
MOVED: Cr M Coote SECONDED: Cr G Westman**

That Council approves entering into a new Rural Licence agreement with Ms Nicole Schryver for part Lot 221 in DP1147157 located on Stephens Lane, Kelso for a period of one (1) year with a one (1) year option period as detailed in the report.

MINUTE

c Item 3 RENEWAL OF LICENCE AGREEMENT - W.T.H. PTY LTD T/AS AVIS AUSTRALIA AND BUDGET RENT A CAR AUSTRALIA PTY LTD - COUNTER SPACE, TERMINAL BUILDING, BATHURST AERODROME (21.00044)
MOVED: Cr M Coote SECONDED: Cr J Jennings

That Council approves entering into a new Licence agreement with W.T.H. Pty Ltd (t/as Avis Australia) and Budget Rent a Car Australia Pty Ltd for counter space, lockable cabinet and signage together with a return key facility located in the terminal building (part Lot 37 in DP1159302) at the Bathurst Aerodrome for a period of three (3) years as detailed in the report.

MINUTE

d Item 4 PROPOSED SALE OF LOT 300 IN DP1099537 KNOWN AS 23 ZAGREB STREET, KELSO INDUSTRIAL PARK (22.01343)

MOVED: Cr G Westman SECONDED: Cr M Coote

That Council approves the sale of Lot 300 in DP1099537 known as 23 Zagreb Street, Kelso Industrial Park, as detailed in the report.

MINUTE

e Item 5 PROPOSED PURCHASE OF PART LOT 220 IN DP1147157 LOCATED ON HEREFORD STREET KELSO AND SUBSEQUENT SUBDIVISION OF RESIDENTIAL LOT KNOWN AS 150 GILMOUR STREET KELSO. (22.02705)

MOVED: Cr G Westman SECONDED: Cr B Bourke

That Council enters into negotiations with the owners of Lot 220 in DP1147157 Hereford Street Kelso to purchase the flood prone land on Hereford Street and subdivide the residential portion of the land known as 150 Gilmour Street, Kelso as detailed in the report.

MINUTE

**f Item 6 PROPOSED SALE AND SUBDIVISION OF PART LOT 162 IN DP
1125026 LOCATED ON WHITE ROCK ROAD, WHITE ROCK (22.02213)
MOVED: Cr G Westman SECONDED: Cr M Coote**

That Council approves the sale and subdivision of part Lot 162 in DP1125026 located within the flood zone along White Rock Road as detailed in the report.

MINUTE

**g Item 7 LAND RELEASE - WINDRADYNE 1000 - STAGE 2 RESIDENTIAL
SUBDIVISION (20.00119)**

MOVED: Cr W Aubin SECONDED: Cr M Morse

That Council approves:

- (a) the release for sale of sixty-seven (67) lots, namely Lots 1058 to 1124 in current Lot 136 in DP1123180 in the new residential subdivision located on Barr Street, Twynam Avenue, Poate Street, Matthews Street, Governors Parade and Colville Street to be known as Windradyne 1000 - Stage 2, under the ballot system.
- (b) the sale prices as detailed in the report.

MINUTE

- h Item 8 WASTEWATER TREATMENT PLANT OPERATIONS (37.00410)**
MOVED: Cr B Bourke SECONDED: Cr M Coote

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

MINUTE

**i Item 9 RENEWAL OF COMMERCIAL PREMISE LEASE AGREEMENT - PART
LOT 4 IN DP112509 - STORAGE SHED MT PANORAMA - SIGN EVENT PTY LTD
(04.00041)**

MOVED: Cr B Bourke SECONDED: Cr M Coote

That Council approves entering into a new Commercial Premise Lease Agreement with Sign Event Pty Ltd for the use of a storage shed located on part Lot 4 in DP112509 at Mt Panorama for a period of twelve (12) months with an option period of twelve (12) months as detailed in the report.

MINUTE

- i** **Item 10 FINANCIAL STATEMENT - 2015 BATHURST 12 HOUR (04.00097)**
MOVED: Cr W Aubin SECONDED: Cr J Jennings

That the information be noted.

MINUTE

k Item 11 2015 BATHURST MOTOR FESTIVAL (04.00125)
MOVED: Cr W Aubin SECONDED: Cr B Bourke

That the information be noted.

DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 JUNE 2015

MINUTE

I Item 1 PROPOSED SALE OF LOT 6 DP 559886, 48 GILMOUR STREET, KELSO (04.00033-06)

MOVED: Cr B Bourke SECONDED: Cr G Westman

That Council resolve to accept the offer from the owners of No 48 Gilmour Street, Kelso, for the purchase of the whole of Lot 6 DP559886, and authorise the General Manager to finalise the sale, subject to the information contained in the Director Engineering Services' report.

MINUTE

m Item 2 PROPOSED ACQUISITION, PART OF LOT 1 IN DP811656, 212 MOUNTAIN STRAIGHT MOUNT PANORAMA (22.01415)

MOVED: Cr W Aubin SECONDED: Cr J Jennings

That:

- (a) Council approve the preparation of a Plan of Acquisition of part of Lot 1 DP 811656 being 212 Mountain Straight, Mount Panorama, as detailed in the Director Engineering Services' report;
- (b) Council approve the acquisition;
- (c) The acquired land is to be classified as Operational Land.

MINUTE

**n Item 3 PROPOSED ACQUISITION OF LAND, PART OF LOT 107 IN
DP1189576, EGLINTON ROAD AND CLOSURE OF OPHIR ROAD (22.15121)
MOVED: Cr G Westman SECONDED: Cr M Coote**

That Council:

- (a) approve the preparation of a Plan of Acquisition of part of Lot 107 DP 1189576 being 18 Parer Road, Bathurst, for road widening purposes as detailed in the Director Engineering Services' report;
- (b) approve the acquisition;
- (c) approve the road closure of part of Eglinton Road and the transfer of this part to the adjoining landowner; and
- (d) the acquired land is to be classified as Operational Land.

MINUTE

o Item 4 TENDER FOR PROVISION OF SANITARY SERVICES (36.00552)
MOVED: Cr G Westman SECONDED: Cr M Coote

That Council accept the tender of San Serve Pty Ltd for the amount of \$25,401.20 (inc. GST), for the provision of sanitary services, subject to alterations and provisional items.

MINUTE

**p Item 5 TENDER FOR THE SUPPLY, DELIVERY AND PLACEMENT OF
SPRAYED BITUMINOUS SURFACING (36.00550)**

MOVED: Cr M Morse SECONDED: Cr W Aubin

That Council accept the tender from SRS Roads Pty Ltd for the provision of Sprayed Bituminous Surfacing for Contract No. 36.00550.

MINUTE

g Item 6 TENDER FOR CLEANING OF PUBLIC TOILETS (36.00528)
MOVED: Cr G Westman SECONDED: Cr B Bourke

That Council accept the tender of Nimdor Pty Ltd for the amount of \$136,408 (inc. GST), for the cleaning of Council public toilets, subject to alterations and provisional items.

MINUTE

r **Item 7 TENDER FOR ROAD STABILISING WORKS (36.00551)**
MOVED: Cr G Westman SECONDED: Cr W Aubin

That Council accept the tender from Downer EDI Works for Road Stabilising Work for Contract No. 36.00551.

MINUTE

**s Item 8 TENDER FOR THE PROVISION OF TRAFFIC CONTROL SERVICES
(36.00549)**

MOVED: Cr W Aubin SECONDED: Cr G Westman

That Council accept the tender from Work Control for the Provision of Traffic Control Services for Contract No. 36.00549.

MINUTE

t Item 9 TENDER FOR PREFERRED CONTRACTOR LIST (36.00490)
MOVED: Cr G Westman SECONDED: Cr M Morse

That Council accepts the Preferred Contractor List for the engagement of contractors for minor building works up to the value of \$20,000 (incl. GST) 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 of Tender.

MINUTE

u Item 10 CENTROC TENDER FOR THE SUPPLY AND DELIVERY OF ROAD SIGNS (07.00017)

MOVED: Cr G Westman SECONDED: Cr M Coote

That Council:

- (a) endorse the selection of Artcraft Pty Ltd, Barrier Signs Pty Ltd and De Neefe Pty Ltd as members of Council's panel for supply of road signs;
- (b) advise Centroc of its decision.

MINUTE

v Item 11 CENTROC TENDER FOR THE SUPPLY OF FUEL (15.00017 & 07.00017)

MOVED: Cr G Westman SECONDED: Cr W Aubin

That Council take up the option to extend the current contract (S1_2013D) for fuel supply for a further 12 months to 30 June 2016.

MINUTE

w Item 12 TENDER FOR CLEANING OF PUBLIC BUILDINGS (36.00553)
MOVED: Cr G Westman SECONDED: Cr B Bourke

That Council accept the tenders of (incl GST):

- (a) Nimdor Cleaning Services for \$87,600.00 [for Separable Portion (i)]
- (b) Northern Contract Cleaning for \$120,120.00 [for Separable Portion (ii)]
- (c) Northern Contract Cleaning for \$61,490.00 [for Separable Portion (iii)]
- (d) SKG Pty Ltd for \$62,918.00 [for Separable Portion (iv)]
- (e) Northern Contract Cleaning for \$101,908.00 [for Separable Portion (v)]
- (f) Northern Contract Cleaning for \$71,960.00 [for Separable Portion (vi)]
- (g) Northern Contract Cleaning for \$36,343.00 [for Separable Portion (vii)]
- (h) TJS Services Group for \$5,510.77 [for Separable Portion (viii)]
- (i) Northern Contract Cleaning for \$38,438.00 [for Separable Portion (ix)]
- (j) Nimdor Cleaning Services for \$28,890.00 [for Separable Portion (x)]

GENERAL MANAGER'S CONFIDENTIAL MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 JUNE 2015

MINUTE

x Item 1 LEASE OF HANGAR - BATHURST AERODROME TO BURKES
TRANSPORT PTY LTD (21.00083)

MOVED: Cr M Coote SECONDED: Cr G Hanger

That Council confirm the lease conditions for Lot 4 DP847356 located at Bathurst Aerodrome with Burkes Transport Bathurst as approved by Council on 21 November 2012.

MINUTE

62 RESOLVE INTO OPEN COUNCIL
MOVED: Cr M Coote SECONDED: Cr G Westman

RESOLVED: That Council resume Open Council.

MINUTE

63 **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED: Cr M Coote SECONDED: Cr W Aubin

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

MINUTE

64 MEETING CLOSE

The Meeting closed at 7.48 pm.

CHAIRMAN: _____.

Date: _____ **(15 July 2015)**