



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

14 May 2014

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 21 May 2014

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 21 May 2014 commencing at 6.00 pm.

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

A handwritten signature in blue ink, appearing to read 'D J Sherley', is positioned above the printed name.

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 21 MAY 2014

1. 6:00 PM - MEETING COMMENCES

2. PUBLIC QUESTION TIME

3. PRAYER

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

4. APOLOGIES

5. MINUTES

* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 16 APRIL 2014

6. DECLARATION OF INTEREST

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

7. MAYORAL MINUTE - Nil

8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS

* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

* DIRECTOR ENGINEERING SERVICES' REPORT

* DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

9. REPORTS OF OTHER COMMITTEES

* MINUTES - POLICY COMMITTEE MEETING - 7 MAY 2014

* MINUTES - TRAFFIC COMMITTEE MEETING - 6 MAY 2014

10. NOTICES OF MOTION - Nil

11. RESCISSION MOTIONS - Nil

12. DELEGATES REPORTS

* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 9 APRIL 2014

* 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 6 MAY 2014

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

Recommendation: That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED SALE OF LOT 705 DP1103109 IRVING PLACE, BATHURST TRADE CENTRE	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	BATHURST CEMETERY FEES - NORWOOD 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.
3	PROPOSED NEW TELECOMMUNICATION LEASE AGREEMENT - PART LOT 5 DP DP792990 LOCATED ON WINDEMERE ROAD WATER RESERVOIR ROBIN HILL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	VARIATION TO CURRENT RECYCLING CONTRACT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	WINBURNDALE DAM - FLOOD SECURITY UPGRADE – DETAILED DESIGN	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in

		open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TENDER FOR PREFERRED CONTRACTORS 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.
4	TENDER FOR PROVISION OF SECURITY TO COUNCIL 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.

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, Morse, North, Westman.

MINUTE

2 PUBLIC QUESTION TIME

P Field – Water Supply - asked does Council substantially comply with State Best Practice Guidelines and various other matters.

The General Manager requested Mr Field to forward his questions in writing to Council and a reply will be prepared.

P Oxenbridge – Rockley - spoke to purchase of farm in Rockley that is on East Street (Crown Road). The DA has been refused as road is not up to specifications. Noted another DA in East Street has been approved since amalgamation. Requests Council review the refusal.

The Director Environmental, Planning & Building Services advised the matter will come to Council if Mrs Oxenbridge requests a review.

B Manning - Ratepayer - spoke to letters received from Mayor and General Manager. Referred to advice from the General Manager and stated the General Manager has not reported to Council on the processes that went wrong. Raised issues concerning costs and the Judges decision.

G Crisp - Ratepayer - DCSF Item #2 - Quarterly Budget Review - spoke to attachment 2_2, page 11 and legal expenses. Noted expenditure and budget levels. Queried variance in legal costs to what he expects. Feels document is misleading.

Spoke to the submission he has made to Council. Referred to Manning and Trackcorp cases. How long has Trackcorp matter been going for? Further he queried amount to be paid.

The General Manager noted the matter has been going for around three years.

M Hollis - Stanley Street resident - raised concerns about parking and safety in this area. Last weekend people were parking in the No Parking zone near their house. Additional signage may help. Pedestrian safety is an issue with people crossing to the park. Could Council continue to monitor this area?

M Burns - Consultant - DA Telecommunication Base Station - DEPBS Item #4 - spoke to DA before Council. This is for part of the NBN Network. Spoke to benefits of the network. Have undertaken consultation, feel majority of the community are supportive of the proposal. This proposal is an important part of the network and asks Council to approve the DA.

J Grinter - Resident at Clear Creek - DA Telecommunication Base Station - DEPBS Item #4 - noted address is wrong in the report. Has some safety concerns; road (speed issues) need signage warning of trucks turning, two driveways on property (Point 5.2). Request use driveway not near the crest. Do not want the tower in this location.

Resident - DA Telecommunication Base Station - DEPBS Item #4 - asked has Council considered the proximity to the airport and possible extensions to the runway.

MINUTE

- 3 **APOLOGIES**
MOVED: Cr I North SECONDED: Cr W Aubin

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

MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 16 APRIL 2014 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 16 April 2014 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 16 April 2014, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 16 APRIL 2014 (11.00005)

MOVED: Cr W Aubin SECONDED: Cr B Bourke

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 16 April 2014 be adopted.

MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 16 APRIL 2014

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

B Johan

- CBD Parking - suggested painted lines would allow more efficient use of parking spaces.
- Centennial Park - uses this park often with her grandchildren, to place new Council Chambers here would be a waste of valuable green space.
- Newspaper Headlines - suggested that recent headlines in Western Advocate did not reflect well on Councillors.

B Trimming

- Stated the fridge magnet issued by the Bathurst Regional Community Safety Committee on safety was an excellent idea.
- Thanked Council for adjusting the speaker system in the Council Chambers.

B Wood - Centennial Park - spoke of concern of residents in the vicinity at the potential loss of this recreation area. Residents want to see park improved. Spoke of increased dwellings in the area. Asked what is the process for future use of Centennial Park. Also referred to submissions made as part of the Community Strategic Plan process. Advised is undertaking an online survey of residents and will provide results to Council.

The Mayor advised that all submissions were still held on Council file and gave an outline of the process for further consideration of use of Centennial Park.

P Dowling

- Centennial Park - park would be better if there were more trees.
- CBD Parking - raised the issue of painted lines previously. Considers this may not be the answer to the problem.
- Mount Panorama sign - believes need Bathurst placed under this sign as Bathurst is missing out on potential world wide exposure.

M Hollis - Car Parking, Stanley Street - Spoke of parking concerns and safety for residents, particularly leading up to 2015 Celebrations. Parking signs are ignored by public most weekends and during events held at Bicentennial Park. Asked who

is responsible for policing parking, has a carpark been included in the 2014/15 Budget and whether 'no parking' signs could be painted on the road surface.

The Director Engineering Services advised traffic concerns and painted road signs could be considered as part of the 2014/15 Budget, however there was no plans for a carpark.

The Director Environmental Planning Building Services advised that Council and the police were responsible for policing car parking throughout the city.

T Carpenter - Centennial Park - advised Bathurst Community Climate Action Network members support retention of green spaces. Suggested Council needs to heed its own reports on climate change and consider more shaded areas, better storm water collection, and energy saving/generation ideas in future planning of the city.

C Fox - Bathurst Chamber Orchestra - spoke in support of the late submission from the Chamber Orchestra under the Section 356 funding program. Advised Council support allows the employment of a musical director. This gives the opportunity for community members to participate in a musical ensemble which would otherwise not be available.

APOLOGIES

3 **APOLOGIES**

Nil

MINUTES

4 **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 19 MARCH 2014 (11.00005)**

MOVED Cr M Coote

and **SECONDED** Cr I North

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

DECLARATION OF INTEREST

5 **DECLARATION OF INTEREST 11.00002**

MOVED Cr I North

and **SECONDED** Cr B Bourke

RESOLVED: That the following Declaration of Interest be noted.

Cr Morse

Item #6 of the Director Corporate Service and Finance's report.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS**Director Environmental Planning & Building Services' Report****6 Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)****MOVED** Cr J Jennings and **SECONDED** Cr M Coote**RESOLVED:** That the information be noted.**7 Item 2 GENERAL REPORT (03.00053)****MOVED** Cr B Bourke and **SECONDED** Cr W Aubin**RESOLVED:** That the information be noted.**8 Item 3 DEVELOPMENT APPLICATION NO. 2014/0092 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 821 OPHIR ROAD, ROCK FOREST AND 1152 MITCHELL HIGHWAY DUNKELD. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS. OWNER: MR N & MRS G SWEETNAM AND MRS L FARRAWAY (DA/2014/0092)****MOVED** Cr M Coote and **SECONDED** Cr B Bourke**RESOLVED:** That Council:

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

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED****The result of the division was:**

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

Absent - Nil
Abstain - Nil

- 9** **Item 4 BATHURST REGIONAL (INTERIM) DEVELOPMENT CONTROL PLAN 2011 (AMENDMENT NO. 6) (20.00276)**
MOVED Cr I North and **SECONDED** Cr W Aubin

RESOLVED: That Council:

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

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

The result of the division was:

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

- 10** **Item 5 SMALL BIZ BUS (20.00071)**
MOVED Cr B Bourke and **SECONDED** Cr M Coote

RESOLVED: That Council:

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

Director Corporate Services & Finance's Report

- 11** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED Cr W Aubin and **SECONDED** Cr M Morse

RESOLVED: That the information be noted.

- 12** **Item 2 YEAR TO DATE MONTHLY REVIEW - 2013-2017 DELIVERY PLAN AND**

ANNUAL OPERATING PLAN 2013-2014 (16.00135)**MOVED** Cr B Bourke and **SECONDED** Cr J Jennings**RESOLVED:** That the information be noted.**13 Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)****MOVED** Cr M Coote and **SECONDED** Cr J Jennings**RESOLVED:** That the information be noted and any additional expenditure be voted.**14 Item 4 POWER OF ATTORNEY (11.00007)****MOVED** Cr W Aubin and **SECONDED** Cr B Bourke**RESOLVED:** That the information be noted.**15 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST CITY & RSL BAND ASSOCIATION (18.00004)****MOVED** Cr M Coote and **SECONDED** Cr B Bourke**RESOLVED:** That Council provide a section 356 donation of \$2000 to the Bathurst City & RSL Band Association Incorporated.**16 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST CHAMBER ORCHESTRA (18.00004)****MOVED** Cr J Jennings and **SECONDED** Cr G Hanger**Cr Morse declared a non-pecuniary interest in this item and remained in the Chamber.****Reason: Member of the Chamber Orchestra.****RESOLVED:** That Council approve the application by Bathurst Chamber Orchestra for funding under Section 356 Donations in the amount of \$2500 to be funded from the 2013/2014 budget.**17 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - PDHPE TEACHERS ASSOCIATION STATE CONFERENCE - USE OF BATHURST MEMORIAL**

ENTERTAINMENT CENTRE (BMEC) (21.00012)**MOVED** Cr G Westman and **SECONDED** Cr B Bourke**RESOLVED:** That Council;

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

18 Item 8 BATHURST DISTRICT HISTORICAL SOCIETY - QUEEN CHARLOTTE'S VALE (PERTHVILLE) BOOK (18.00183-02)**MOVED** Cr B Bourke and **SECONDED** Cr I North**RESOLVED:** That:

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

19 Item 9 DRAFT BATHURST DELIVERY PLAN 2014- 2018 & ANNUAL OPERATING PLAN 2014/2015 (16.00137)**MOVED** Cr J Jennings and **SECONDED** Cr I North**RESOLVED:** That Council place the draft Bathurst Delivery Plan 2014-2018 and Annual Operating Plan 2014/2015 including the Revenue Policy for 2014/2015, on public exhibition for the statutory 28 day period and receive submissions until 20 May 2014.**Director Engineering Services' Report****20 Item 1 CENTROC CONTRACT FOR SUPPLY & DELIVERY OF BITUMEN EMULSION (07.00017)****MOVED** Cr M Coote and **SECONDED** Cr I North**RESOLVED:** That Council extend the contract with Boral Asphalt for the supply and delivery of Bitumen Emulsion until 28 February 2015.**21 Item 2 ROAD SAFETY OFFICER PROGRAM UPDATE (16.00018)**

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

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

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

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

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

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

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

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

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

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

RESOLVED: That Council:

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

25 **Item 6 PROPOSED ACQUISITION AND ROAD DEDICATION AS PUBLIC ROAD, EGLINTON (2013/0476)**
MOVED Cr B Bourke and **SECONDED** Cr I North

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

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

26 **Item 7 PROPOSED COMPULSORY ACQUISITION FOR ROAD WIDENING, PROPOSED LOTS 300 AND 301, PANORAMA AVENUE, MOUNT PANORAMA (25.00105-02)**
MOVED Cr W Aubin and **SECONDED** Cr M Coote

RESOLVED: That:

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

Director Cultural & Community Services' Report

27 **Item 1 2014 INTERNATIONAL WOMEN'S DAY EVENT - FRIDAY, 7 MARCH 2014 (23.00026)**
MOVED Cr J Jennings and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

28 **Item 2 HARMONY DAY EVENT - SATURDAY, 22 MARCH 2014 (09.00032)**
MOVED Cr M Morse and **SECONDED** Cr G Hanger

RESOLVED: That the information be noted.

- 29 Item 3 SENIORS WEEK 2014 - 15-23 MARCH 2014 (07.00016)**
MOVED Cr B Bourke and **SECONDED** Cr M Morse

RESOLVED: That the information be noted.

- 30 Item 4 SCALLYWAGS CHILD CARE CENTRE - PLAYGROUND UPGRADE**
(09.00007)
MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

- 31 Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 APRIL 2014 (07.00064)**
MOVED Cr B Bourke and **SECONDED** Cr J Jennings

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

Traffic Committee Meeting

- 32 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 1 APRIL 2014 (07.00006)**
MOVED Cr G Westman and **SECONDED** Cr W Aubin

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

DELEGATES REPORTS

- 33 Item 1 CENTROC BOARD MEETING - 27 FEBRUARY 2013 (07.00017)**
MOVED Cr I North and **SECONDED** Cr J Jennings

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

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

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

RESOLVED: That the information be noted.

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

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

RESOLVED: That the information be noted.

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

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

RESOLVED: That Council:

- (a) Note the information and that Crs Coote and Aubin were in attendance at this meeting.
- (b) Adopt the membership for the Bathurst Regional Youth Council for 2014.

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

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

RESOLVED: That the information be noted.

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

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

RESOLVED: That the information be noted.

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

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

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

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 I North and **SECONDED** Cr M Coote

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

The following representation was made.

M Nicholls, Western Advocate - spoke against DCSF Item #2, NRL Game going into Confidential.

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	CAR PARKING LICENCE AGREEMENT WITH CHARTER HALL (BATHURST CHASE)	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED PURCHASE OF PROPERTY, LOTS 4, 5, 8 AND 9 DP232111 KNOWN AS 98 MOUNTAIN STRAIGHT MT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	NRL GAME SATURDAY 26 JULY 2014	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	2015 BATHURST 12 HOUR	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	NAMING OF COUNCIL'S ASSETS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council

	would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	VARIATION FOR DESIGN AND INSTALLATION OF TELEMETRY SYSTEM	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER FOR DESIGN CONSTRUCT AND COMMISSIONING OF ON SITE SODIUM HYPOCHLORITE GENERATING SYSTEM.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TENDER - REPAIR WORKS - MACHATTIE PARK FERNERY ROOF	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Director Environmental Planning & Building Services' Report

- a** **Item 1 CAR PARKING LICENCE AGREEMENT WITH CHARTER HALL (BATHURST CHASE) (22.00053)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

That Council:

- (a) agree to enter into a Car Parking License Agreement with Charter Hall Limited for a period of five (5) 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

- b** **Item 1 PROPOSED PURCHASE OF PROPERTY, LOTS 4, 5, 8 AND 9 DP232111 KNOWN AS 98 MOUNTAIN STRAIGHT MT PANORAMA (22.03772)**
MOVED Cr W Aubin and **SECONDED** Cr M Coote

That Council authorise the General Manager

- (a) to enter into negotiations with the real estate agent acting on behalf of Dr Noel Lucas, owner of Lots 4, 5, 8 and 9 DP232111 known as 98 Mountain Straight, Mt Panorama in accordance with the report.
- (b) The property is to be classified as operational under the provisions of Section 31(2) of the Local Government Act 1993.

- c** **Item 2 NRL GAME SATURDAY 26 JULY 2014 (04.00008-10)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

That information be noted.

- d** **Item 3 2015 BATHURST 12 HOUR (04.000097)**
MOVED Cr W Aubin and **SECONDED** Cr M Coote

That Council act in accordance with the recommendations in the report.

- e** **Item 4 NAMING OF COUNCIL'S ASSETS (20.00038)**
MOVED Cr I North and **SECONDED** Cr B Bourke

That Council act in accordance with the recommendations in the report.

Director Engineering Services' Report

- f** **Item 1 VARIATION FOR DESIGN AND INSTALLATION OF TELEMETRY SYSTEM (36.00499)**
MOVED Cr M Coote and **SECONDED** Cr W Aubin

That Council approve a variation of the scope of work for the completion of the Design and Installation of the Telemetry System Tender.

- g** **Item 2 TENDER FOR DESIGN CONSTRUCT AND COMMISSIONING OF ON SITE SODIUM HYPOCHLORITE GENERATING SYSTEM. (36.00508)**
MOVED Cr M Coote and **SECONDED** Cr B Bourke

That Council accept the tender of Continental Water Systems Pty Ltd, in the amount of \$364,402.50 (inclusive of GST) for the design, construction and commissioning of on site Sodium Hypochlorite generating system for the reuse water at the Waste Water Treatment Works subject to variations and provisional amounts.

- h** **Item 3 TENDER - REPAIR WORKS - MACHATTIE PARK FERNERY ROOF (36.00510)**
MOVED Cr M Coote and **SECONDED** Cr B Bourke

That Council accept the tender of Tablelands Builders for the amount of \$125,466.80 (inc GST), subject to adjustments and provisional items.

RESOLVE INTO OPEN COUNCIL

- 41** **RESOLVE INTO OPEN COUNCIL**
MOVED Cr M Coote and **SECONDED** Cr I North

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 42** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr M Coote and **SECONDED** Cr W Aubin

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

MEETING CLOSE

43 MEETING CLOSE

The Meeting closed at 7.18 pm.

CHAIRMAN: _____

Date: _____ **(21 May 2014)**

MINUTE

- 5 **DECLARATION OF INTEREST 11.00002**
 MOVED: Cr I North SECONDED: Cr G Hanger

RESOLVED: That the following Declarations of Interest be noted.

Cr Coote

Item #4 of the Director Environmental, Planning & Building Services' report

Cr Westman

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

Item #3 of the Director Corporate Services & Finance's Confidential report

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 MAY 2014

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

Recommendation: That the information be noted.

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

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: Cr M Morse SECONDED: Cr I North

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 April 2014 (**attachment 1**).
- (b) Applications refused during April 2014 (**attachment 2**).
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**).
- (d) Applications pending approval for greater than 40 days as at the date of compilation of this report (**attachment 4**).
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 approved in April 2014 (**attachment 5**).
- (f) No political disclosure statements have been received in relation to any "planning applications" being considered at this meeting.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

- 7 **Item 2 GENERAL REPORT (03.00053)**
MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

3 BATHURST REGION HERITAGE STRATEGY 2014-2017 (20.00123)

Recommendation: That Council:

- (a) adopt the Bathurst Region Heritage Strategy 2014-2017, and
- (b) forward the Bathurst Region Heritage Strategy 2014-2017 to the NSW Office of Environment and Heritage.

Report: As part of Council's ongoing commitment to the management of the region's heritage assets and to meet its obligations to the NSW Office of Environment and Heritage, Bathurst Regional Council has now completed the draft Bathurst Region Heritage Strategy 2014-2017 (BRHS). A copy of the draft strategy is at **attachment 1**.

The aim of this Heritage Strategy is to continue to guide heritage management within the Bathurst LGA by setting the priorities and actions required for managing heritage assets over the next 3 years. Setting the Strategy within a 3 year period allows the document to remain relevant and adaptable to a dynamic community. Heritage is not a static concept, but is shaped by the values and collective knowledge of the community.

In developing the draft Strategy, Council engaged with the Bathurst community using various methods including direct mail and public workshops. The community assisted Council to identify the challenges and opportunities for managing heritage assets. Council received input from key heritage organisations together with the general Bathurst public. Their input forms part of the draft BRHS 2014-2017.

The implementation plan (Part 4 of the strategy) lists the projects/programs which should be commenced during 2014-2017. The actions listed in the strategy include the feedback received from the community, a review of existing programs and projects and the objectives and strategies of the Bathurst 2036 Community Strategic Plan. The actions have been grouped under 4 key themes:

1. Knowing our Heritage
2. Protecting our Unique Heritage Assets
3. Supporting Heritage Management
4. Information and Promotion

The final draft of the heritage strategy was placed on public exhibition from Monday 17 March 2014 to Friday 4 April 2014. Copies of the final draft were also emailed directly to the workshop attendees. Comment to the draft heritage strategy was also sought in the form of an online survey. Council received 4 written responses during the exhibition process and 6 responses to the survey. The NSW Office of Environment and Heritage also commented on the draft strategy. Copies of the submissions received are at **attachment 2**. Council's response to the comments made is at **attachment 3**. A presentation of the Heritage Strategy held on 9 April 2014 offered those who attended the chance to discuss their concerns and comments on the actions proposed in the Strategy.

As a result of the community consultation process, Council has finalised the draft Bathurst Region Heritage Strategy 2014-2017. Included in the draft Heritage Strategy are:

New initiatives:

- Investigate establishing a heritage reference group.
- Use Council's Facebook page as a way to inform the community about what Council is

- doing about heritage management and upcoming events.
- Develop a primary schools' visitation program to promote the region's heritage and history leading up to 2015.
- Uploading all heritage studies, planning reports and conservation management plans completed by Council on Council's website.

Key strategic studies to be investigated:

- Complete the update of the conservation management plan for the TAFE building.
- An Aboriginal Study for the region.
- An archaeological investigation on the privately owned land at Hill End.
- A study to investigate the economic value of the region's built heritage to the Bathurst region.

Existing programs which will continue are:

- Local Heritage Fund.
- Conservation and Interpretation Fund.
- Heritage Advisory Service.

The draft Bathurst Region Heritage Strategy acknowledges that Council is not the only organisation that works to protect, manage and promote the region's heritage. The draft Heritage Strategy identifies a number of organisations which have volunteered to complete aspects of the Heritage Strategy. Council will also rely on the support and input from other government departments, community groups and property owners' to implement a number of actions over the life of this Strategy.

Conclusion:

Council undertook an extensive public consultation process in developing the draft BRHS 2014-2017. The draft Heritage Strategy identifies a number of projects for completion during 2014-2017 in order to protect, manage and promote the region's heritage.

Financial Implications: Nil.

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
- 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, 28.8
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.6, 30.7, 30.8

MINUTE

8 Item 3 BATHURST REGION HERITAGE STRATEGY 2014-2017 (20.00123)
MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council:

- (a) adopt the Bathurst Region Heritage Strategy 2014-2017
- (b) establish a Heritage Reference Group (action item 4.3.13) in 2014
- (c) forward the Bathurst Region Heritage Strategy 2014-2017 to the NSW Office of Environment and Heritage.

4 DEVELOPMENT APPLICATION NO. 2014/0022 – TELECOMMUNICATION BASE STATION AT LOT: 12 DP: 1000407, 982 LIMEKILNS ROAD, YARRAS. APPLICANT: COMPLAN PTY LTD. OWNER: BEZIDA PTY LTD (DA/2014/0022)

Recommendation: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2014/0022, 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:
 - (1) The applicant is responsible for:
 - (a) The maintenance and upgrading of infrastructure and maintenance of the site.
 - (b) Notifying Council and the Department of Environment, Climate Change and Water should any emissions other than electromagnetic radiation arise from the installation and operation of the infrastructure and recommend a preferred strategy of amelioration.
 - (c) Removing infrastructure within 3 months of decommissioning;
 - (d) Ensuring each facility has a permanent and legible weatherproof sign that must be visible in the immediate proximity of the facility to identify the name and contact details of the operator and site manager.
 - (2) The applicant is to provide Council with the measurement of EME levels at the nearest residence to the proposed site within thirty (30) days of commissioning of the facility and provide the results to Council along with a statement that the EME emission levels from the proposed base station would not differ significantly from that measured, and will at all times comply with the standard specified in the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) 2002, 'Radiation Protection Standard: Maximum Exposure levels to Radiofrequency Fields – 3khz to 300Ghz', Radiation Protection Series No. 3.
 - (a) The installation is to comply at all times with the RF emission standards specified in AS/NZS 2778.1.
 - (b) Compliance with any requirements of Civil Aviation Safety Authority (CASA).

(b) call a division.

Report: The Site

Council has received a Development Application (DA) for installation of a new fixed wireless broadband facility at 982 Limekilns Road, Yarras, described as lot 12 DP 1000407. A location plan is provided at **attachment 1**.

The tower is to be operated by NBN Co.

The site currently contains a dwelling, associated rural outbuildings and self-contained tourist accommodation.

The proposal

The proposal involves the erection of a 12 m x 8 m equipment shelter and a 40 m tall

monopole. Attached to the top of the pole will be 3 panel antennas. The plans and accompanying Statement of Environmental Effects are at **attachment 2**.

Access is via an existing track on the property. It is not proposed to construct an additional access to Limekilns Road.

The locality

The site is located within a rural landscape with low density residential dwellings surrounding the site.

The nearest dwelling is 94 Limekilns Road which is approximately 540 metres from the tower.

Background

The proposed facility is necessary to provide NBN Co fixed wireless broadband coverage to the Yarras, Glanmire and surrounding areas.

The information on the operations and process of Commplan in relation to the National Broadband Network is found at **attachment 3**.

Planning Context

Bathurst Regional (Interim) Local Environmental Plan 2005

The subject site is zoned 1 (e) Outer Rural under the provisions of the *Bathurst Regional (Interim) Local Environmental Plan 2005* (BRILEP). Telecommunication facilities are not defined under BRILEP 2005 and are accordingly permissible with consent in the 1 (e) Outer Rural zone as an innominate use. The proposal is consistent with the objectives of the zone.

Clause 15 Bathurst Airport Environs

Clause 15 of BRILEP is as follows:

- (1) *A person must not, without the consent of the consent authority, erect a structure (such as a building) of a height exceeding the obstacle limitation surface height shown on the Obstacle Limitation Surface Plan.*
- (2) *The consent authority must not grant a consent required by subclause (1) unless it has given notice of the proposal to the Civil Aviation Safety Authority and taken into consideration any comments received from that Authority within 28 days after the notice was sent.*

The site is located approximately 5.62 Kilometres south west of the Bathurst Airport.

The Bathurst Airport has adopted an Obstacle Limitation Surface map which provides for a height limit in the vicinity of this property of 884.5 m AHD

The finished height of the tower will be approximately 910 m AHD. The tower will therefore breach the OLS by approximately 25.5 metres.

It is noted that the exceedence of the OLS is not a prohibition but rather triggers consideration of the impact upon airport safety.

Council has twice referred the proposed development to the Civil Aviation Safety Authority (CASA) on 11 September 2013 and 5 March 2014. Council has received no correspondence back from CASA.

It is noted that the Civil Aviation Safety Authority has issued an Advisory Circular in relation to the reporting of tall structures. The Circular (AC139-08 Reporting of Tall Structures) requires the notification and recording of tall structures located within the vicinity of an aerodrome so that they can be registered. This can be dealt with via conditions of consent.

Telecommunication Facilities Guideline including Broadband 2010

It is acknowledged that telecommunication towers continue to create a significant amount of debate within the community in relation to electromagnetic emissions and visual impact.

As a result there has been a significant amount of work done by Council, the government most recently through the Department of Planning and through the Australian Radiation Protection and Nuclear Safety Authority (ARPANSA) to address these issues in a policy format. In addition the Land and Environment Court has handed down many decisions dealing with issues of emission levels and the application of the "precautionary principle", most notably Telstra Corporation v Hornsby Shire Council 2006 and from Council's perspective Telstra Corporation Limited v Bathurst Regional Council 2011.

Whilst the policy framework and decisions through the Courts may not satisfy the whole community they do represent the planning and statutory regime which currently exists. Council has the responsibility to determine every Development Application in accordance with this regime.

The NSW Department of Planning released its Telecommunication Facilities Guideline including Broadband in July 2010. The Guidelines aim to provide an explanation of the existing Telecommunications legislation and provided guidance for the erection of Telecommunication facilities within NSW (**attachment 4**).

The Guideline provides principles for the location of telecommunications facilities. These principles are as follows:

- Principle 1: A telecommunications facility is to be designed and sited to minimise visual impact.
- Principle 2: Telecommunications facilities should be co-located wherever practical.
- Principle 3: Health Standards for exposure to radio emissions will be met.
- Principle 4: Minimise disturbance and risk, and maximise compliance.

PRINCIPLE 1 - VISUAL IMPACT

The applicable principles relating to visual impact of the proposal are as follows:

1. *As far as practical, a telecommunications facility that is to be mounted on an existing building or structure should be integrated with the design and appearance of the building or structure.*
2. *The visual impact should be minimised, visual clutter is to be reduced particularly on tops of buildings, and their physical dimensions should be sympathetic to the scale and height of the building to which it is to be attached, and sympathetic to adjacent buildings.*
3. *Where telecommunications facilities protrude from a building or structure and are predominantly backgrounded against the sky, the facility and their support mounts*

- should be either the same as the prevailing colour of the host building or structure, or a neutral colour such as grey should be used.*
4. *Ancillary facilities associated with the telecommunications facility should be screened or housed, using the same colour as the prevailing background to reduce its visibility, including the use of existing vegetation where available, or new landscaping where possible and practical.*
 5. *A telecommunications facility should be located so as to minimise or avoid the obstruction of a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land.*

The proposal is for a free standing structure in a rural environment. Opportunities for locating the facility on a building are therefore limited.

The pole chosen is a slimline structure and is to be grey steel colour. The tower, whilst it will be visible, is not likely to be an obtrusive element within the landscape and will assimilate with the background of the rolling hills and the sky.

The tower will have a non-reflective finish.

The site is surrounded by fairly dense vegetated hillside, which provides partial screening for the facilities lower section.

PRINCIPLE 2 - CO-LOCATION

The applicable principles relating to co-location are as follows:

1. *If a facility is proposed not to be co-located the proponent must demonstrate that co-location is not practicable.*

Co-location is "not practicable" where there is no existing tower or other suitable telecommunications facility that can provide equivalent site.

There are currently no existing telecommunication facilities or other buildings in the locality with the required position and/or height and/or structural suitability that are potentially capable of providing the wireless radio services.

PRINCIPLE 3 - EMISSION LEVELS

The applicable principles relating to emission levels are as follows:

1. *A telecommunications facility must be designed, installed and operated so that the maximum human exposure levels to radiofrequency emissions comply with the Radiation Protection Standard.*
2. *An EME Environmental Report shall be produced by the proponent of development to which the Mobile Phone Network Code applies in terms of design, siting of facilities and notifications. The Report is to be in the format required by the Australian Radiation Protection and Nuclear Safety Agency. It is to show the predicted levels of electromagnetic energy surrounding the development comply with the safety limits imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard, and demonstrate compliance with the Mobile Phone Networks Code.*

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is the Commonwealth body charged with the responsibility for establishing standards that protect

the health and safety of the community, including the Radiation Protection Standard.

The current Australian Standard is the Australian Radiation Protection Standard "Maximum Exposure Levels to Radiofrequency Fields 3kHz to 300GHz: Radiation Protection Series No. 3 (Australian Standard RPS3) formulated by the Australian Radiation Protection and Nuclear Safety Authority (ARPANSA).

ARPANSA states that the standards which protect people from EME exposures do not set any distances between mobile base station locations and areas which may be considered to be sensitive. ARPANSA similarly highlights that the Australian Communications Industry Forum (ACIF) Code does not specify arbitrary distances at which infrastructure must be sited from community sensitive locations, because arbitrary distances do not necessarily reflect a precautionary approach. In fact, infrastructure sited further from a sensitive area may need to operate at a higher power and may result in higher EME exposures in that sensitive area.

ARPANSA states that "public concern has also been expressed regarding the possibility of adverse health effects from mobile phone base stations that are sited on or near places where children spend large amounts of time, for example, in or outside their home, kindergartens, schools, playgrounds etc."

The balance of evidence does not indicate a risk to the health of people, including children, living in the vicinity of base stations where exposure levels are only small fractions of the ARPANSA standard.

Applicability of the Australian Standard

The applicability of ARPANSA Australian Standard RPS3 has been dealt with on numerous occasions by the Land & Environment Court.

In terms of the standing of RPS3 the following principles would apply (*Telstra Corporation vs Hornsby Shire Council 2006*).

1. His Honour (Preston CJ) found that it is not appropriate for the Court to set aside or disregard such an authoritative and scientifically credible standard as the Australian Standard RPS3.
2. Nor is it appropriate for the Court to pioneer standards of its own. The creation of new standards is the responsibility of other authorities with special expertise, such as ARPANSA.
3. The Court should accept and apply the Australian Standard.
4. His Honour (Preston CJ) found that the levels of RF EME emitted from the proposed base station would easily comply with the Australian Standard RPS3 and the risk of any harm to the health and safety of people or the environment caused by exposure to such extremely low levels of RF EME was negligible. Accordingly, there was no basis on which the precautionary principle could be applied to the proposal.
5. Preston CJ stated that the conclusion was a direct consequence of the fact that a precautionary approach has already been adopted in the standard setting process, the terms of the Australian Standard RPS3, the design and location of the proposed base station, the equipment to be provided, the operation of the equipment, the application of the Standard to the RF EME generated from the base station, and the likelihood of

actual RF EME being significantly less than predicted RF EME.

The findings of Preston CJ in *Telstra v Hornsby* have been adopted into the NSW Department of Planning's Telecommunication Facilities Guideline including Broadband July 2010.

From Council's own experience these principles were likewise upheld in the proposed mobile phone tower in Ilumba Way, Kelso (*Telstra v Bathurst Regional Council*). That decision noted:

For the matter before me in terms of the resident's perceptions of an adverse effect on the safety of residents and the environment by exposure to emissions. In this regard I acknowledge that some people do have concerns, but the role of the Council is to assess the development application in terms of the factual evidence and in terms of the appropriate Australian Standards. And it is acknowledged that while some people may not choose to live near a telecommunications tower, that in itself is not reason to refuse the application.

In this case the proposed telecommunications facility is located approximately 540 metres from the nearest non-associated residential dwelling and the Radio Frequency Electromagnetic Energy (RF EME) emission levels are significantly lower than the maximum mandated exposure limits. The proposal complies with Council's Telecommunication policy as the EME emissions are well within the Australian Standard RSP3

It is intended that the proposed telecommunications facilities at 982 Limekilns Road will emit a maximum cumulative RF EME level of 0.012% (at a distance of 300 – 400m) of the ARPANSA mandated exposure limits.

The maximum cumulative RF EME level was calculated 1.5m from ground level at specific distance intervals from the proposed location of the development, in accordance with Radiation Protection Series Publication No.3 ARPANSA.

The proposed emission levels are therefore well within the standards established in RPS3. It is therefore not appropriate to refuse the application on the grounds of emission levels.

PRINCIPLE 4 – MINIMISE DISTURBANCE & MAXIMISE COMPLIANCE

The applicable principles are as follows:

1. *The siting and height of any telecommunications facility must comply with any relevant and height requirements specified by the Civil Aviation Regulations and the Airports (Protection of Airspace) Regulations 1996 of the Commonwealth. It must not penetrate any obstacle limitation surface shown on any relevant Obstacle Limitation Surface Plan that has been prepared by the operator of an aerodrome or airport within 30 kilometres of the proposed development and reported to the Civil Aviation Safety Authority Australia.*

As noted above Council has referred the proposed development to the Civil Aviation Safety Authority (CASA) on 11 September 2013 and 5 March 2014 but has not received any correspondence.

It is noted that the Civil Aviation Safety Authority has issued an Advisory Circular in relation to the reporting of tall structures. The Circular (AC139-08 Reporting of Tall Structures) requires the notification and recording of tall structures located within the vicinity of an

aerodrome so that they can be registered. This can be dealt with via conditions of consent.

Bathurst Telecommunications Policy 2008 (as amended)

It should be noted that Council has adopted its own Policy in relation to the siting of Telecommunications Facilities.

Council's Policy requires that emission levels be in accordance with the ARPANSA standard. The development is to have a Cumulative RF EME of 0.011% of Australian Communications and Media Authority (ACMA) Mandated Exposure Limit.

The development therefore complies with Council's existing Telecommunications Policy.

Alternate Sites

As part of the site assessment process CommPlan examined 2 alternate sites within the vicinity. These sites, along with reasons why the proposed site was ultimately chosen are described below.

Proposed Site	Proposed Facility	Suitability of site/ reasons for refusal.
968 Limekilns Road, Yarras, NSW 2795. Lot 12 on Deposited Plan 1000407	Proposed 40 metre high monopole, and associated infrastructure	Preferred Option : The site offered superior coverage over the surrounding area and is able to achieve a line of site with the transmission hub facility at Bathurst CBD. The terrain is suitable with existing vehicle access, limited clearing, no significant environmental impacts and a land owner that is supportive.
92 Clear Creek Road Clear Creek NSW 2795 Lot 12 DP 749704	Proposed 40 metre high monopole, and associated infrastructure	NBN Co. Investigated establishing a facility on the hill top located at the subject address. Whilst the solution met coverage and transmission objectives similar to the selected site, this site was not chosen by NBN Co. as the preferred solution due to the requirements for getting power and vehicle access to the top of the hill and the steep sloping of the land.
Trig Reserve Limekilns Road Yarras NSW 2795 Lot 7007 DP 1019905	Proposed 40 metre high monopole, and associated infrastructure	NBN Co. Investigated establishing a facility on the hill top located at the subject address. Whilst the solution met coverage and transmission objectives similar to the selected site, this site was not chosen by NBN Co. due to the restricted access to the property, there being no electricity available on the property, the use of the property as a public reserve as well as other factors.

Submissions

The Development Application was notified to adjoining properties in accordance with Bathurst Regional (Interim) DCP 2011.

One written submission was lodged with an accompanying petition against the proposed development. (A copy of the submission is at **attachment 5**).

A Council discussion forum for the proposed development was held on 2 April 2014. Invited to attend this discussion forum was the applicant and principle petitioner.

A copy of the minutes of the discussion forum is at **attachment 6**.

The applicant has provided a response to all the issues raised in the submission (a copy of the response is at **attachment 7**).

Conclusion

Council has received a Development Application (DA) for construction of a 40 metre monopole and associated infrastructure for a fixed wireless telecommunication facility at 982 Limekilns Road Yarras. A telecommunication facility is permissible with consent in the 1(e) Outer Rural Zone. While the proposed telecommunications facility is located within approximately 540 metres of the nearest non-associated residential dwelling, the Radio Frequency Electromagnetic Energy (RF EME) emission levels are significantly lower than the maximum mandated exposure limits. As there are no planning or environmental reasons to refuse the application, approval is recommended.

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 4 DEVELOPMENT APPLICATION NO. 2014/0022 – TELECOMMUNICATION BASE STATION AT LOT: 12 DP: 1000407, 982 LIMEKILNS ROAD, YARRAS. APPLICANT: COMPLAN PTY LTD. OWNER: BEZIDA PTY LTD (DA/2014/0022)

MOVED: Cr G Westman SECONDED: Cr W Aubin

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

Reason: two Brother-in-laws live on Limekilns Road and will use service if it becomes available

RESOLVED: That Council:

(a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2014/0022, 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:

(1) The applicant is responsible for:

- (a) The maintenance and upgrading of infrastructure and maintenance of the site.
- (b) Notifying Council and the Department of Environment, Climate Change and Water should any emissions other than electromagnetic radiation arise from the installation and operation of the infrastructure and recommend a preferred strategy of amelioration.
- (c) Removing infrastructure within 3 months of decommissioning;
- (d) Ensuring each facility has a permanent and legible weatherproof sign that must be visible in the immediate proximity of the facility to identify the name and contact details of the operator and site manager.

(2) The applicant is to provide Council with the measurement of EME levels at the nearest residence to the proposed site within thirty (30) days of commissioning of the facility and provide the results to Council along with a statement that the EME emission levels from the proposed base station would not differ significantly from that measured, and will at all times comply with the standard specified in the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) 2002, 'Radiation Protection Standard: Maximum Exposure levels to Radiofrequency Fields – 3khz to 300Ghz', Radiation Protection Series No. 3.

- (a) The installation is to comply at all times with the RF emission standards specified in AS/NZS 2778.1.
- (b) Compliance with any requirements of Civil Aviation Safety Authority (CASA).

(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 G Hanger, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Cr B Bourke,

Absent - Cr M Coote, Cr J Jennings,

Abstain - Nil

5 NAMING OF PUBLIC ROADS – COOPER CRESCENT, RISING LIGHT LANE & DARNEY WAY (20.00024)

Recommendation: That Council:

- (a) adopt the names Cooper Crescent, Rising Light Lane and Darney Way; and
- (b) direct the Director Environmental, Planning & Building Services Department to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the names gazetted, should no objections be received.

Report: Cooper Crescent

Cooper Crescent has been nominated for a newly constructed public road off Upfold Street (opposite Kennerson Park).

The proposed road name has been chosen from Council's Road Naming database. Mr Bill Cooper of Bathurst was a New South Wales track sprint and time trial champion in the 1930's and 1940's. His achievements include being a rider in the winning teams in the 1000 metre time trial in 1938, 1949 and 1950.

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

Rising Light Lane

Located at Wattle Flat is a previously unnamed road under Council's control. The road has been known informally for many years as Rising Light Lane after the property located on the road.

It should be noted that Rising Light Lane is proposed to service the one existing dwelling located on the end of this lane.

See location map at **attachment 3**.

Darney Way

Darney Place has been nominated for the new road linking Graham Drive and Wentworth Drive in Kelso.

The road is named after Mr John Lantaff Darney who was a school teacher and school master in the Kelso area for 20 years in the early 1800's. He is believed to have died in 1860 at the age of 51.

See location map at **attachment 4** and plan of subdivision at **attachment 5**.

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

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

systems.

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

Strategy 32.2

MINUTE

10 Item 5 NAMING OF PUBLIC ROADS – COOPER CRESCENT, RISING LIGHT LANE & DARNEY WAY (20.00024)

MOVED: Cr B Bourke SECONDED: Cr M Morse

RESOLVED: That Council:

- (a) adopt the names Cooper Crescent, Rising Light Lane and Darney Way; and
- (b) direct the Director Environmental, Planning & Building Services Department to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the names gazetted, should no objections be received.

6 2014 SUSTAINABLE LIVING EXPO (23.00124)

Recommendation: That the information be noted.

Report: The 2014 Sustainable Living Expo (SLE) was conducted on 22 March 2014 in conjunction with the Farmers Markets. This is the fifth year that Council has worked with the Lions Club to host the event. Last year Council changed the structure of the SLE by including workshops (composting with Angus Stewart and 'Zoo to You' with Shoalhaven Zoo) and more interaction with the community (cooking demonstration with chef Paul Coopes). This was very successful and the feedback suggested that Council was delivering the event to community expectations.

In 2014 Council decided to build on last year's success and continue to build on the interactivity and deeper linkages into the Farmers Markets. This year the theme of the Expo was 'In your backyard' and presentations focused on permaculture, composting and wildlife. The Shoalhaven Zoo 'Zoo to You' program returned and this year saw the introduction of local presenters for workshops – Karen Granger from the Grange Permaculture for Backyard Permaculture and Sue Clarke from NetWaste ran the composting workshop. This year also saw Paul Coopes return and provide another demonstration of how to cook with ingredients sourced from the Farmers Markets.

The local presenters were very popular and numbers attending the workshops and demonstrations exceeded Council expectations.

This year's special exhibit was a solar and electric car display. The University of NSW Sunswift team bought up their latest solar car which raced in the World Solar Challenge. The National Motor Racing Museum also bought along the solar car from the collection and Mars Petcare provided their Nissan Leaf, a fully electric car for the display. The display of cars raised a huge amount of interest and the UNSW team of students were busy throughout the day answering questions and letting excited children and adults sit in the SunSwift solar car.

The feedback from exhibitors and visitors alike for this year has been very positive to date with a broad range of exhibitors attending. The Lions Club estimated that 2000 people attended (the average attendance at the farmers markets is 1500 people). The SLE was staffed by Council Environment, Water and Waste and Parks and Recreation staff.

Council sought to obtain written feedback from all stallholders in late March 2014 as part of an adaptive management and improvement process, and has received an overall positive response. Almost all responses received indicated stallholders would be interested in participating in future Sustainable Living Expos. A number of responses indicated that the community exposure and association with an established event like the Bathurst Farmers Markets meant their business received increased positive publicity, and that combining the two "...strengthens both events [as] many people are attracted to both".

This is the second year that Council has permitted stallholders to sell products on the day (Council does not permit the sale of food or other items that may compete with the Farmers Markets). Whilst the take up of this option has not been widespread, those that have had products for sale have reported good sales on the day.

In summary, the written feedback from stallholders, combined with the verbal feedback on the day indicated the following:

- The SLE was very successful and an excellent opportunity for local businesses and community groups to showcase their sustainable ideas, products, services and volunteer

- opportunities;
- The SLE and the Bathurst Farmers work well together and the association should continue; and
- Direct business generated from the event is limited, but community exposure and association with sustainability is excellent and very worthwhile.
- There was a lot of interest in the solar cars and sustainable home design.

Financial Implications: The Sustainable Living Expo is funded through existing allocations. Council did not receive any sponsorship for the 2014 event.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.1, 8.2
- Objective 13: To minimise the City's environmental footprint. Strategy 13.5
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.4

MINUTE

- 11 **Item 6 2014 SUSTAINABLE LIVING EXPO (23.00124)**
MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That the information be noted.

7 BIZSTART PROGRAM – MICRO BUSINESS OPERATIONS (20.00071)

Recommendation: That Council:

- (a) note the information, and
- (b) continue to partner with the Business Enterprise Centre (BEC) to offer additional certificate programs under BizStart.

Report: Council's Economic Development section has created a new initiative called the BizStart Program. Council has secured a partnership with the Business Enterprise Centre, a not-for-profit Registered Training Organisation (RTO), to offer the training component of the course. The BizStart Program targets individuals who would like to start their own small business and are searching for training and support. The course is also open to existing small business owners who would like to upskill.

The program runs over approximately 12 weeks and aims to:

- a) Encourage individuals who have an undeveloped business idea to launch a new startup with confidence and reduced risk;
- b) To encourage local innovation and the growth of new business; and
- c) Support existing business.

At the end of the course participants will receive a Certificate III in Micro Business Operations. The program also provides:

- Thorough investigation and risk assessment of the participants proposed business idea;
- The development of a Business Plan;
- Training in key business management principles including financial management, marketing, taxation and regulatory compliance;
- One-on-one mentoring; and
- Business Insight Workshops that provide the opportunity to learn from successful local business startups.

The program is limited to 15 participants to encourage interaction and more effective individual advice.

Conclusion:

The BizStart Program has reached capacity with 15 participants and the course was officially launched on the 13 May. The program allows Council to nurture and identify local business talent and provide them with the knowledge to launch their business with an increased chance of success. Participants who own an existing business will be provided with new skills and the opportunity to explore new product and service ideas.

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 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.1, 5.2
- Objective 33: To be and develop good leaders. Strategy 33.6

MINUTE

- 12 Item 7 BIZSTART PROGRAM – MICRO BUSINESS OPERATIONS (20.00071)
MOVED: Cr G Westman SECONDED: Cr I North

RESOLVED: That Council:

- (a) note the information, and
- (b) continue to partner with the Business Enterprise Centre (BEC) to offer additional certificate programs under BizStart.

8 BUSINESS MANAGEMENT WORKSHOPS (20.00071)

Recommendation: That the information be noted.

Report: The Economic Development section recently scheduled a series of three Business Management Workshops in May.

Workshop 1:

Social Media Strategy – A “How To” Guide

Thursday 8 May

9am – 11am

Council Chamber

Workshop 2:

Effective Marketing on a Shoestring Budget

Thursday 15 May

9am – 11am

Council Chamber

Workshop 3:

Mobile Apps for your Business

Tuesday 20 May

9am – 11am

Council Chamber

Workshops one and two have received a very strong response and have reached full capacity. Each session has attracted approximately 60 registrations consisting of local small business professionals.

Workshop three, which has been scheduled later in May, is also expected to reach full capacity.

This series of workshops is the second series offered by Council. The last series was held in October 2013 and was also well attended. Council will continue to provide Business Management Workshops into the future to assist local businesses improve their capacity and growth.

Conclusion:

The popularity of Council's Business Management Workshops continues to grow indicating significant demand for continued training within the Bathurst business community. The workshops reinforce Council's status as a leader in the provision of programs to assist local business growth.

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 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.1, 5.6

MINUTE

- 13 **Item 8 BUSINESS MANAGEMENT WORKSHOPS (20.00071)**
MOVED: Cr G Westman SECONDED: Cr I North

RESOLVED: That the information be noted.

9 AGRICULTURE AUDIT (07.00017)

Recommendation: That Council:

- (a) note the information, and
- (b) note the Regional Development Australia (RDA) Import/Export Study will be released shortly which will also contain relevant agricultural data.

Report: At the Policy Committee meeting held 2 April 2014 discussion took place on the need for an agriculture audit to be undertaken.

The Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) released a report in March 2013 relating to Agriculture and Forestry in the Central West Region of New South Wales which is available on the ABARES website (**attachment 1**).

The ABARES report provides an overview of the Central West region's agricultural sector including data pertaining to the total value of agricultural production, number and type of farms, farm financial performance (NSW) and information on the forestry sector.

The Central West region has a diverse agricultural sector, with considerable cereal crop and livestock production and also significant horticultural outputs. In 2010–11 the Gross Value of Agricultural Production (GVAP) in the Central West region was \$1.6 billion, which was 13 per cent of the total gross value of agricultural production in New South Wales (\$11.7 billion). In 2010–11, the Central West region accounted for around 40 per cent of the total value of oats production in New South Wales, 26 per cent of the total value of barley, and 21 per cent of the total value of wheat. It also accounted for 32 per cent of egg production, 36 per cent of apple production and over 40 per cent of New South Wales cauliflower, sweet corn and green pea production.

The most important commodity in the Central West region based on agricultural output value was wheat, which contributed 33 per cent (\$516 million) to the total gross value of agricultural production in the region. In 2010–11, wool accounted for 12 per cent (\$187 million) of total regional output, cattle and calves 11 per cent (\$170 million), barley 8 per cent (\$124 million) and sheep and lambs 8 per cent (\$123 million).

The ABARES report indicates that in 2010–11 there were 6,424 farms in the Central West region. The region contains 15 per cent of all farm businesses in New South Wales.

Farms are classified according to the activities that generate most of their value of production. Beef cattle (1,478 farms) were the most common, accounting for 23 per cent of all farms in the Central West, and 11 per cent of all beef cattle farms in New South Wales.

A large proportion of farms in the region are small in terms of their business size. Estimated Value of Agricultural Operations (EVAO) is a measure of the value of production from farms and a measure of their business size, and is somewhat similar to turnover. Around 41 per cent of farms in the Central West region had an EVAO of less than \$50 000. These farms accounted for only 5 per cent of the total value of agricultural operations in 2010–11. In comparison, 14 per cent of farms in the region had an EVAO of more than \$350 000 and accounted for an estimated 61 per cent of the total value of agricultural operations in the region in 2010–11.

At a local level, ID Consulting has compiled detailed demographics and economic data using a variety of sources including the National Institute of Economic and Industry Research

(NIEIR) and the ABS. The ID profile for the Bathurst Regional LGA includes the Agricultural Sector as a custom industry and allows for more detailed data on this sector. The profile provides LGA level data on the value of agricultural production, shifts in productivity of specific commodities, employment, and exports and imports (international and domestic). The Agriculture Sector report is at **attachment 2**.

Regional Development Australia (RDA) is currently preparing an Import/Export Study for the Central West region. This study will provide more detailed figures on agricultural commodities that flow in and out of our region and the impact on the broader Central West region and beyond.

Conclusion:

Council is able to build a comprehensive and reliable overview of the current state of the agricultural sector in the Bathurst region. Council has access to a number of publicly available sources such as the Bathurst ID profile (ID Consultancy), ABARES and ABS to build the overview. The RDA Import/Export study will also provide valuable information on the Agricultural Sector. If Council requires data from beyond these sources, it may be necessary to engage with CENTROC and potentially a research agency.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 2: To encourage the dynamic and innovative development and growth of the region's primary resources. Strategy 2.2, 2.3, 2.4
- Objective 7: To support Integrated Transport Infrastructure Development. Strategy 7.2

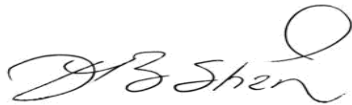
MINUTE

- 14 **Item 9 AGRICULTURE AUDIT (07.00017)**
MOVED: Cr G Westman SECONDED: Cr M Morse

RESOLVED: That Council:

- (a) note the information, and
- (b) note the Regional Development Australia (RDA) Import/Export Study will be released shortly which will also contain relevant agricultural data.

Yours faithfully



D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 MAY 2014

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$80,000,000 was invested at 30 April 2014 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<u>Rating</u>	<u>Balance</u>	<u>Average Return</u>
<u>Short Term 1 – 365 Days</u>			
(comprising Commercial Bills, Debentures and Certificates of Deposit):			
Bank of Queensland	A2	\$17,000,000.00	4.07%
Bendigo and Adelaide Bank	A2	\$7,500,000.00	3.87%
IMB	A2	\$6,500,000.00	3.78%
Maritime, Mining & Power Credit Union	ADI	\$1,000,000.00	3.87%
National Australia Bank	A1+	\$14,500,000.00	3.86%
People's Choice Credit Union	ADI	\$1,500,000.00	4.01%
Railways Credit Union	ADI	\$3,500,000.00	4.03%
SGE Credit Union	ADI	\$1,000,000.00	3.92%
Westpac Banking Corporation	A1+	\$1,000,000.00	3.71%
Greater Building Society	A2	\$1,000,000.00	3.70%
Bankwest	A1+	\$500,000.00	3.40%
		\$55,000,000.00	3.92%
<u>Long Term > 365 Days</u>			
(comprising Commercial Bills, Term Deposits and Bonds):			
<u>Committed Rolling Investments</u>			
Westpac	AA-	\$2,000,000.00	3.80%
Westpac	AA-	\$2,000,000.00	3.92%
Westpac	AA-	\$2,000,000.00	3.92%
Westpac	AA-	\$2,000,000.00	3.88%
Westpac	AA-	\$2,000,000.00	3.80%
Maritime Mining & Power Credit Union	ADI	\$3,000,000.00	2.70%
		\$13,000,000.00	3.59%
<u>Fixed, Negotiable & Tradeable Certificates of Deposits</u>			
Commonwealth Bank	AA-	\$2,000,000.00	3.78%
		\$2,000,000.00	3.78%
<u>Floating Rate Notes</u>			
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	4.38%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	3.83%
Members Equity Bank	BBB	\$3,000,000.00	3.83%
Greater Building Society	BBB	\$1,000,000.00	3.93%
Credit Union Australia	BBB+	\$3,000,000.00	3.96%
		\$10,000,000.00	3.99%

Total Investments	<u>\$80,000,000.00</u>	<u>3.87%</u>
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These funds were held as follows:

Reserves Total (includes unexpended loan funds)	\$36,492,258.05
Grants held for specific purposes	\$1,327,950.00
Section 94 Funds held for specific purposes	\$28,366,360.00
Unrestricted Investments – All Funds	\$13,813,431.95
General Fund	\$123,224.95
Water Fund	\$3,439,588.00
Sewer Fund	\$7,157,977.00
Waste Fund	<u>\$3,092,642.00</u>

Total Investments	<u>\$80,000,000.00</u>
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<u>Total Interest Revenue to 30 April 2014</u>	<u>\$2,426,866.99</u>	<u>3.87%</u>
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Year to Date Averages

(as per the CBA & RBA for comparison purposes)

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

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

R Roach
Responsible Accounting Officer

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

- 15 **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED: Cr M Coote SECONDED: Cr G Westman

RESOLVED: That the information be noted.

2 YEAR TO DATE REVIEW - QUARTERLY BUDGET REVIEW STATEMENT 2013-2014 (16.00135)

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

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.

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

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

At **attachment 3** is an update of the strategies for the 2012/2013 Community Strategic Plan.

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

Fines or penalty notices this month - Nil.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

16 Item 2 YEAR TO DATE REVIEW - QUARTERLY BUDGET REVIEW
STATEMENT 2013-2014 (16.00135)

MOVED: Cr B Bourke SECONDED: Cr M Coote

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

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 30 April 2014.

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

Section 356:	\$ 1,895.68
BMEC Community use:	\$20,542.94
Mount Panorama :	\$ 1,500.16

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

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 G Hanger

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.

- Fulthorpe, B & A - Napoleon Street, Raglan - Lot 26, DP 253818 - In-house Licence Agreement
- Maritime Mining Power Credit Union- Trading as Reliance Credit Union- Loan Contract
- Anderson, KJ & P - 51 Freeman Circuit - Lots 902, DP 1191778, Transfer

Linen Plan Release

- BRC - Plan of acquisition - Lot 5, DP847225, 197 Limekilns Road, Kelso
- Trustees of the Roman Catholic Church - Residential subdivision - Release of 27 lots, Lot 44, DP1172067, Wentworth Drive, Kelso

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 W Aubin SECONDED: Cr M Morse

RESOLVED: That the information be noted.

5 BATHURST 200 BICENTENNIAL CELEBRATIONS UPDATE (20.00153)

Recommendation: That the information be noted.

Report: The 2015 Bicentenary Celebrations Committee is now well advanced with planning events and activities for Bathurst 200. This report has been prepared to inform the Council of planned Bathurst Regional Council (BRC) run events together with a summary of endorsed events.

While the entire year will be a celebration, activities will spike throughout Proclamation Week, being Sunday 3 May to Saturday 9 May.

Thursday 7 May, Proclamation Day, will include the official unveiling of the Flag Staff on the banks of the Macquarie River together with the official Proclamation Day functions. Invited guests for these formalities include The Prime Minister, NSW Premier and NSW Governor. It is also proposed to officially 'flick the switch' on the 'Illumination Project' on Proclamation Day evening, most likely at an event to be held in Kings Parade.

It is proposed to commence the week with an inter-faith gathering/ceremony, also to be held in Kings Parade. Coinciding with this gathering will be the official launch of another BRC initiative, the 'Peoplescape – People in Time' project, which will most likely be exhibited in the forecourt of the Bathurst Local Courthouse.

Confirmed Council activities for 2015 include:

Opening Event

New Year's Eve - 31 December 2014

Feature Week - Proclamation Week

Sunday 3 May 2015 – Interfaith Ceremony

Sunday 3 May 2015 – Peoplescape Community Art Installation opens

Thursday 7 May 2015 – Flag Staff unveiled at Macquarie River

Thursday 7 May 2015 – Illuminating Bathurst

Saturday 9 May 2015 – Community night festival and Illumination Tours

Flagship Event - Illumination

Community Night Festivals - May/July/October

Council will involve schools, families and potentially local businesses in the week with themes covering history and heritage, innovation and technology, education and the arts, to name a few, throughout this week.

Other Council initiatives that are currently works in progress include a multi pass for BRC venues (Sommerville, NMRM & Chifley Home), 200 Legends project, 200 tree planting project together with media and marketing opportunities both within the region and in other centres to promote Bathurst 200 activities.

A major component in Bathurst 200 celebrations is Council's Endorsement Program. Endorsed events are activities and events organised by groups or individuals as part of the official calendar of celebrations. Groups and individuals are encouraged to develop ideas or activities for submission to Council for approval and inclusion in the calendar. These events are carried out by the individuals or groups who nominate them.

More information about creating your own endorsed event is available at

The endorsed events to date:

January	February	March
	14 Feb Macquarie Philharmonia – Symphony of Australia	29 March Old Government Cottage Garden Open Day & Pioneer’s picnic
April	May	June
18-19, 25-26 Central West Bushwalking Club - Retrace The Steps Walk	2-3 May Central West Bushwalking Club - Retrace The Steps Walk 2 - 9 May Reflections – 200 Years of Women’s Fashion 1815-2015 11-17 May Snapshots in Time Bathurst Historical Society Exhibition 11-17 May Bathurst Colour In Your Life Artist Exhibition • Flagship Illumination Event	Flagship Illumination Event Bathurst Bicentenary Spring Spectacular Open Gardens
July	August	September
Flagship Illumination Event	Flagship Illumination Event	Flagship Illumination Event 21-27 Australian Institute of Architects NSW Division annual conference
October	November	December
Flagship Illumination Event	Flagship Illumination Event	Flagship Illumination Event

In addition, some organisations have identified activities that will be carried out throughout the entire year to mark the Bicentenary and not on a specific date. These activities are as follows:

Event	Organisation
Flagpoles for private homes	Bathurst District Historical Society
Pictorial history of Bathurst	Bathurst District Historical Society
Website linking	Bathurst Community website
Bathurst Arts Council	100 mile meetings
Bicentenary Carillon City Fours	Bathurst City Men’s Bowling Club

Financial Implications: A draft budget has been set for BRC activities, which is currently on public display as part of the Draft Bathurst Delivery Plan 2014-2018 and Annual

Operation Plan 2014-2015. The Endorsement Program incurs no cost to Council.

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

MINUTE

- 19 **Item 5 BATHURST 200 BICENTENNIAL CELEBRATIONS UPDATE (20.00153)**
MOVED: Cr M Morse SECONDED: Cr I North

RESOLVED: That the information be noted.

6 REQUEST FOR FINANCIAL ASSISTANCE - WOMEN OF AVIATION WEEK (18.00004)

Recommendation: That Council support the Women With Wings event, as part of the Women of Aviation Week, to be held at Bathurst Aerodrome as follows:

- (a) provision of crowd control fencing (estimated cost \$500).
- (b) provision of groundsman for security (estimated cost \$800).

To be funded from Section 356 Donations.

Report: Council supported the 2014 Women with Wings event held at the Bathurst Aerodrome 8 March 2014. Council has since received a request from this organisation for financial assistance for the 2015 Women With Wings event to be held 2 - 8 March 2015. A copy of the request is provided at **attachment 1**.

During 2014, the Women in Wings event hosted 9 events across 5 states, with 430 women taking a flight in an aircraft for the first time and over 1,000 people attended these various events. The event held in Bathurst had over 300 people in attendance.

The organiser of this event has advised that this is a volunteer event where no money is exchanged and therefore no financial records are created. A copy of this statement is provided at **attachment 2**.

It is recommended that Council support the 2015 event by providing fencing and staff similar to the 2014 event.

Financial Implications: This request could be funded from Council's 2014/15 Section 356 Donations which currently has a balance of \$25,000.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

20 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - WOMEN OF AVIATION WEEK (18.00004)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council support the Women With Wings event, as part of the Women of Aviation Week, to be held at Bathurst Aerodrome as follows:

- (a) provision of crowd control fencing (estimated cost \$500).
- (b) provision of groundsman for security (estimated cost \$800).

To be funded from Section 356 Donations.

7 APPOINTMENT OF STATE EMERGENCY SERVICE CONTROLLERS - BATHURST UNIT (18.00043)

Recommendation: That Council support the appointment of Mr Gavan Ellis as Volunteer Local Controller and Ms Jessie Davidson as Volunteer Deputy Local Controller for the Bathurst State Emergency Service (SES) Unit effective to 31 July 2014.

Report: Section 17 (1) of the State Emergency Service Act, 1989 states:

- (1) *The Commissioner may, on the recommendation of the council of a local government area, appoint one or more persons as the local controller for the area.*

Council has received correspondence from the Office of the Commissioner, SES advising of the appointment of Mr Gavan Ellis as Volunteer Local Controller and Ms Jessie Davidson as Volunteer Deputy Local Controller for the Bathurst State Emergency Service (SES) unit effective to 31 July 2014.

It is recommended that Council support the appointment of Mr Gavan Ellis as Volunteer Local Controller and Ms Jessie Davidson as Volunteer Deputy Local Controller for the Bathurst SES Unit.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.6
- Objective 22: To improve community safety. Strategy 22.8

MINUTE

21 Item 7 APPOINTMENT OF STATE EMERGENCY SERVICE CONTROLLERS - BATHURST UNIT (18.00043)

MOVED: Cr M Coote SECONDED: Cr B Bourke

RESOLVED: That Council support the appointment of Mr Gavan Ellis as Volunteer Local Controller and Ms Jessie Davidson as Volunteer Deputy Local Controller for the Bathurst State Emergency Service (SES) Unit effective to 31 July 2014.

8 AUGUST 2014 POLICY COMMITTEE MEETING (07.00064)

Recommendation: That Council change the Policy Committee Meeting date from Wednesday 6 August 2014 at 6.00pm, to occur on Tuesday 5 August at 6.00pm.

Report: Councillors are advised that due to a Mayoral function being scheduled for the 6 August 2014, it is necessary to bring forward the August Policy Meeting from Wednesday 6 August to Tuesday 5 August.

It is recommended that Council's Policy Committee Meeting be conducted at 6.00 pm on Tuesday 5 August 2014.

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

22 Item 8 AUGUST 2014 POLICY COMMITTEE MEETING (07.00064)
MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED: That Council change the Policy Committee Meeting date from Wednesday 6 August 2014 at 6.00pm, to occur on Tuesday 5 August at 6.00pm.

9 SPORTING GRANTS- BATHURST NETBALL ASSOCIATION INC (18.00279)

Recommendation: That Council agree to the Bathurst Netball Association Inc changing their sporting application grant of \$3,000, that allowed for the erection of shade sails over the grandstands, to instead be used for the purchase of four adjustable goalposts and a re-fit of their old toilet block.

Report: Each year Council makes available Sporting Club Grants to various organisations to improve sporting facilities for their members.

Recently Council awarded a \$3,000 grant to the Bathurst Netball Association to allow them to construct a shade structure over their grandstand.

The association has recently spoken to Council's staff regarding this structure, only to find it is not technically feasible to construct the sails over the grandstand.

They have written to Council, asking Council to reallocate the \$3,000 grant, to other works required by the Netball Association. A copy of this request is shown at **attachment 1**,

Council has been advised that they wish to purchase four adjustable posts, to the value of \$1,500, plus a re-fit of the old toilet block.

It is recommended that this reallocation be permitted, as the \$3,000 has already been presented to the Netball Association and the new proposed works meet the Sporting Club Grants criteria.

Financial Implications: There will be no financial implications to Council.

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 21.2
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

MINUTE

23 Item 9 SPORTING GRANTS- BATHURST NETBALL ASSOCIATION INC
(18.00279)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council agree to the Bathurst Netball Association Inc changing their sporting application grant of \$3,000, that allowed for the erection of shade sails over the grandstands, to instead be used for the purchase of four adjustable goalposts and a re-fit of their old toilet block.

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 MAY 2014

1 CLASSIFICATION OF LAND, LOTS 1 AND 2 DP914784, AND LOT 1 DP914785, WINBURNDALE DAM (32.00014-02)

Recommendation: That Council approve the classification of Lots 1 and 2 DP914784, and Lot 1 DP914785 being property containing the Winburndale Dam as Operational land, subject to the information contained in the Director Engineering Services' report.

Report: Following the completion of the construction of the Winburndale Dam in 1954, by advertisement in the Government Gazette dated 16 July 1954 (see **attachment 1**), the Governor vested the land in the name of Bathurst City Council:

- a) Lots 1 and 2 DP914784, and Lot 1 DP914785 (see **attachment 2**) being the land containing the Dam water; and
- b) All right, title or interest of the Minister for Public Works to or in such works regarding the Bathurst water supply and the Winburndale Scheme.

Following the continual upgrade of Council's information, Council carried out the necessary procedures to have the Minister of Public Works name removed from the properties' titles and transferred the land to the ownership of the Bathurst Regional Council.

It is recommended that Council approve the classification of Lots 1 and 2 DP914784, and Lot 1 DP914785 located at the Winburndale Dam 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

24 Item 1 CLASSIFICATION OF LAND, LOTS 1 AND 2 DP914784, AND LOT 1 DP914785, WINBURNDALE DAM (32.00014-02)

MOVED: Cr G Westman SECONDED: Cr I North

RESOLVED: That Council approve the classification of Lots 1 and 2 DP914784, and Lot 1 DP914785 being property containing the Winburndale Dam 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

21 MAY 2014

1 VACATION CARE PROGRAM, APRIL 2014 (09.00005)

Recommendation: That the information be noted.

Report: The autumn holiday program for April 2014 ran from Monday 14 April through to Thursday 24 April 2014. Forty seven (47) children were booked in over the holiday period, with an average of 29.75 children attending per day during the first week and an average of 18.6 children per day during the second week. The lower numbers in the second week were due to it being a shorter week and public holidays. The service continues to enrol new families each holiday period. With approximately five new families starting this April, requiring full time and part time care.

The Vacation Care education program is reflective of the 'My Time, Our place – Framework for School Age Care in Australia'. The program included activities and excursions to Metro Cinema where the children enjoyed watching the Lego Movie, and a Mad Hatters tea party. Other activities included Easter craft and sports games at Learmonth Park. A representative from St John Ambulance came to the service providing the children the opportunity to learn about first aid procedures and bandaging.

The service is fortunate to retain consistent Educators for an extended period and their involvement in the development of the program has been an asset for the service. One staff member brought along his medieval armour for display and another introduced croquet to the children.

The Program continues to provide a valuable service for Children and their Families of the broader Bathurst Community operating within the principles of creating a play based learning environment that is fun and stimulating.

Vacation Care is scheduled to again be operational in the June/July 2014 School Holiday Period.

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

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 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 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.5, 27.9

MINUTE

- 25 **Item 1 VACATION CARE PROGRAM, APRIL 2014 (09.00005)**
MOVED: Cr M Coote SECONDED: Cr G Westman

RESOLVED: That the information be noted.

2 2014 CATAPULT FESTIVAL (21.00069)

Recommendation: That the information be noted.

Report: The fifth biennial Catapult Festival took place from 8-13 April 2014. The festival continues to grow in stature and is now recognised not only as a youth circus and physical theatre festival but as an important event for professional circus and physical theatre practitioners across Australia. Bathurst is recognised nationally as a centre for circus and physical theatre.

150 youth circus delegates attended Catapult including representatives from NSW, VIC, SA, QLD, ACT and for the first time NT. Delegates from TAS and WA had to reluctantly withdraw at the last minute but have attended in the past and intend to attend in the future. Delegates were from regional, remote and metropolitan locations. 20 professional performers attended the Festival including members of Circa, Casus and Stalker Stilt Theatre.

Funding for the festival came from Bathurst Regional Council, the BMEC Smashed Arts Program (funded by the Federal Department of Health and Ageing), the BMEC Local Stages Program (funding from the Theatre Board of the Australia Council for the Arts), Festivals Australia (managed by the Australia Council) and Arts OutWest. Income was generated from ticket sales and delegate registrations. Considerable in kind support was provided by Charles Sturt University in the form of venues, equipment, and staff and student time. There were 23 student interns and 25 volunteers working on the festival from the School of Communication and Creative industries.

Over the course of the festival there were eight performances attended by a total audience of 2,309, ten industry forums and 22 workshops, a copy of the Festival program is at **Attachment 1**.

Highlights of the festival included:

- The opening Welcome to Country by the Wambool (Macquarie) River featured a smoking ceremony, dance, music, stilt walking and storytelling. Over 50 Aboriginal Community members were involved including representatives from Bathurst, Cowra, Dubbo and the Blue Mountains
- Performance troupe Casus mentored four emerging young artists from across the country including Jordan Wong from Orange
- Nationally and internationally acclaimed performers inspired and shared their skills with aspiring young people from across the country
- Gala performances exhibited the skills of the young delegates and their sense of camaraderie
- Performances by the world acclaimed troupe Circa of *S* and *46 Circus Acts in 45 Minutes*

Members of Casus commented that Catapult is the best festival they have attended anywhere in the world.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.2
- 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 23.3
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.2
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.4

MINUTE

26 Item 2 2014 CATAPULT FESTIVAL (21.00069)
MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That the information be noted.

3 BATHURST MEMORIAL ENTERTAINMENT CENTRE - PATCH THEATRE CREATIVE LEARNING PROJECT (21.00069)

Recommendation: That the information be noted.

Report: The Bathurst Memorial Entertainment Centre (BMEC) has been working with Patch Theatre Company for the past two years developing a model of deep community engagement. The goal is to define a model of best practice in audience development through community engagement and artistic exchange that results in the performing arts being embedded into the lives of 4-8 year old children within our community. The project has been called the Creative Learning Project.

To achieve this goal BMEC and Patch are working closely with local Primary schools, staff and students of the School of Communication and Creative Industries at Charles Sturt University (CSU) and staff and students from the School of Teacher Education at the same institution.

In 2014 it is planned to continue the association with schools and CSU staff and students in association with the tour of the production *Mr McGee and the Biting Flea* which will be presented at BMEC in August. Within the national tour of McGee a week has been set aside for the cast and crew to visit Bathurst from 15 – 18 July to conduct a series of community engagement activities.

There are three strands to the scheduled engagement:

1. Engagement with three Primary schools. The selected schools are country schools which form part of the “Small Schools” network. These schools have a biennial Creative Arts Festival which is presented at BMEC. This year the Festival will take place in the week that McGee is performed at BMEC and it seemed an ideal opportunity for integration of the two events. The Patch production of McGee utilises object manipulation to tell the stories drawn from Pamela Allen books. In July the cast will conduct a series of object manipulation workshops in the schools culminating in a showing. The schools will then hone these performances leading up their inclusion in the Festival showcase performance in August.
2. Engagement with CSU Theatre Media staff and students from the School of Communication and Creative Industries. These students are currently studying Theatre for Young People as part of their course. They will assist with the school workshops but the Patch Company members will also conduct separate masterclasses for these students in devising work for young audiences. In August the students will take part in the bump in for McGee.
3. Engagement with CSU staff and students from the School of Teacher Education. Staff and students will attend the small schools workshops and the Patch Masterclass. They will also conduct a formal University sanctioned research project to analyse the outcomes of the Creative Learning Project for all parties involved.

To date funding of \$5,000 for the 2014 Creative Learning Project activities has been received from Arts NSW. A second application has been submitted to the Australia Council and a decision will be announced this month.

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

subject of grant applications.

Bathurst 2036 Community Strategic Plan - Objectives and Strategie

- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.4
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.7
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.7

MINUTE

**27 Item 3 BATHURST MEMORIAL ENTERTAINMENT CENTRE - PATCH
THEATRE CREATIVE LEARNING PROJECT (21.00069)**

MOVED: Cr M Coote SECONDED: Cr G Westman

RESOLVED: That the information be noted.

4 2014 YOUTH WEEK EVENT - CATAPULT MEETS YOUTH WEEK AT THE RIVER (23.00047)

Recommendation: That the information be noted.

Report: National Youth Week was held from 4-13 April. The theme for National Youth Week this year was “Our Voice - Our Impact.”

Youth Week celebrates the positive contributions young people aged 12-25 years make to our communities.

This year Bathurst celebrated Youth Week with a new event entitled “Catapult meets Youth Week at the River”. The event was a collaborative project between the Catapult Festival, Council, Bathurst Regional Youth Council, Youth Week, and the Bathurst Youth Network.

The event was held at Bicentennial Park on Saturday 12 April. The crowd was consistent throughout the day with an approximate of 300 people in attendance. There was a range of activities on the day including laser skirmish, sumo wrestling, face painting, and NRL football skills.

A highlight of the event was the Youth Week stage which saw ten performances by local young people. There was a range of acts from solo artists, acoustic duos to bands. There was some excellent talent on show and the performers enjoyed the opportunity to perform to the audience with professional staging and technical support provided.

Local Youth Services (through the Bathurst Youth Network) supported the event. Veritas House provided mocktails in conjunction with the Party Safe initiative and OCTEC - Youth Connections sponsored the ever popular photo booth.

The Catapult component of the event was successful with Flying Trapeze Australia putting on a performance which was a highlight of the event. There were also roving performers to add to the festival atmosphere. Other elements of the Catapult Festival had to be transferred to BMEC due to wet weather in the preceding days.

Local food vendors and Macquarie Lions Club provided food and beverages for purchase at the event.

Financial Implications: The event was funded through Youth Week and the Catapult Festival funding as well as funds allocated in Council’s budget for the event.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.1, 27.3, 27.9
- Objective 33: To be and develop good leaders. Strategy 33.2, 33.3

MINUTE

28 Item 4 2014 YOUTH WEEK EVENT - CATAPULT MEETS YOUTH WEEK AT THE RIVER (23.00047)

MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

5 KELSO COMMUNITY CENTRE - APRIL SCHOOL HOLIDAY ACTIVITIES (09.00026)

Recommendation: That the information be noted.

Report: Kelso Community Centre offered a range of activities for the April school holidays, which were funded as part of the 'Keeping Our Young People and Community Safe Grant'. In the first week of the holidays there were three events catering to children, young people, and families within the Kelso community.

These events included:

- 14 April – 'Footy & Athletics Day', featuring football clinics provided by NRL Western NSW, Games Development Officer, athletics races run by Believe Bootcamp, and pizza for lunch. Approximately 80 people attended this event.
- 15 April – 'The Great Easter Egg Hunt and Easter Hat Parade', featuring fantastic Easter themed chocolates as prizes, as well as prizes for the best Easter hats on display, a raffle, and hot cross buns for morning tea. Approximately 150 people attended this event.
- 16 April – 'Kelso Talent Show', opened by local hip hop dancers Zealous and featuring ten performances by local young people. The show was judged by Mayor of Bathurst Regional Council, Cr. Gary Rush, and local actor and acrobat Shem Purdy. The event was hosted by local performer Tom Griffiths. The show was followed by hotdogs and milkshakes for lunch. Approximately 60 people attended this event.

There was a strong attendance at all the events and positive feedback from the community about the range of activities available.

Financial Implications: The activities were funded through 'Keeping Our Young People and Community Safe' Grant.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

29 Item 5 KELSO COMMUNITY CENTRE - APRIL SCHOOL HOLIDAY ACTIVITIES
(09.00026)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That the information be noted.

6 KELSO COMMUNITY CENTRE - TUESDAY GROUP (09.00026)

Recommendation: That the information be noted.

Report: The Kelso Community Centre "Tuesday Group" is an initiative that was established in March 2013 that targets young people in the local area with a focus on developing their strengths, skill development, developing leadership and promoting participation. This group has maintained a steady attendance since its inception with an average of 15 young people attending each week. the latest project of the group was the development and coordination of an event at the Centre to mark National Youth Week.

The event was held on Tuesday, 8 April from 3.30pm until 5.00pm and featured a jumping castle, photo booth, a "decorate your own cupcake" stall and burgers and milkshakes for afternoon tea. Approximately 80 community members attended the event, including young people aged 5 to 16 and families. This event was funded as part of the "Keeping Our Young People and Community Safe" Grant.

Financial Implications: The activities were funded through "Keeping Our Young People and Community Safe" Grant.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.7

- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.9

MINUTE

30 Item 6 KELSO COMMUNITY CENTRE - TUESDAY GROUP (09.00026)
MOVED: Cr M Morse SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

Yours faithfully



Janelle Middleton
ACTING DIRECTOR
CULTURAL & COMMUNITY SERVICES

POLICY COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - POLICY COMMITTEE MEETING - 7 MAY 2014 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 7 May 2014 be adopted.

Report: The Minutes of the Policy Committee Meeting held 7 May 2014, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

31 **Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 MAY 2014 (07.00064)**
MOVED: Cr W Aubin SECONDED: Cr M Coote

RESOLVED: That the recommendations of the Policy Committee Meeting held on 7 May 2014 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 7 MAY 2014

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

APOLOGIES

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

That Council note the advice of late arrival to the meeting received from Cr Hanger and that leave of absence be granted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 APRIL 2014 (07.00064)
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That the Minutes of the Policy Committee Meeting held on 2 April 2014 be adopted.

DECLARATION OF INTEREST

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

RESOLVED: That the following Declaration of Interest be noted.

Cr Bourke
Item #2 of the Director Corporate Services & Finance's report

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

5 Item 1 GOVERNANCE - PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS (11.00008, 41.00089)
MOVED Cr M Coote and **SECONDED** Cr W Aubin

RESOLVED: That Council:

(a) Adopt the policy as outlined in the report.

(b) Note that as there is no changes proposed to the policy that Council does not need to place the policy on public display and seek submissions

6 **Item 2 COMMUNITY GARDEN LAND - LEASE, CHURCH LANE (22.02574)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

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

Reason: Volunteer Manager, Community Op Shop

RESOLVED: That Council provide the area known as Lot A DP157645 and Lot C DP157645 to be used as a Community Garden and that Council enter into a 1 year Lease with the Bathurst Opportunity Shop Inc.

Cr Hanger arrived at 6.04 pm.

GENERAL BUSINESS

7 **Item 1 COMMUNITY GARDENS (04.00034)**

Cr North - asked can we actively pursue more market gardens around the area? Spoke to recent development of a market garden in the area. Could a report be prepared for Council on land possibly available for this activity?

8 **Item 2 CAR PARKING (04.00008)**

Cr North - asked could a report be commissioned on establishing a multi-storey carpark at Carrington oval.

9 **Item 3 CCTV (07.00106)**

Cr North - asked could a report be prepared on the costing of CCTV cameras for Bathurst, to include; how could be structured, funding options, etc.

10 **Item 4 LOCAL NEWSPAPER ADVERTISING (16.00137)**

Cr North - requested report on what Council spends on advertising and what it would cost to produce council's own document,

11 **Item 5 STAFF STRUCTURE (11.00016)**

Cr North - asked when will we look at the structure of Council.

The General Manager advised will start reviewing the structure in late June, early July as part of the 2015/2016 Budget process.

12 **Item 6 WILLIAM STREET HERITAGE POLES (28.00014)**

Cr Aubin - asked could we look at painting and tidying up the heritage poles in William Street.

13 **Item 7 IPWEA - GRANT TO ROAD SAFETY OFFICER TO TRAVEL TO JAPAN (28.00002)**

Cr Aubin - requested a letter of thanks be sent to the Institute of Public Works Engineering Australasia for the grant they provided for the Road Safety Officer to travel to Japan.

14 **Item 8 HILL END ORGANIC FARM (13.00022)**

Cr Aubin - queried what was happening in this matter, understands there has been some issues.

15 **Item 9 CCTV (07.00106)**

Cr Coote - advised has his own CCTV for his business in William Street. Council does not need to spend masses of money in the city. Spoke of concerns in other areas of the city. Council could look at a partnership.

16 **Item 10 FOG LINE, LIMEKILNS ROAD (25.00066)**

Cr Coote - advised had concerns raised about needing a fog line out in this area. Could this be reviewed?

17 **Item 11 RESTROOM, ST PATS, CARRINGTON PARK (04.00008)**

Cr Coote - asked where is this matter up to.

The Director Corporate Services & Finance advised negotiations appear to have been finished, works will occur as soon as possible.

18 **Item 12 WINBURNDALE DAM HOUSE (33.00650)**

Cr Coote - asked was the Winburndale Dam house insured, if so how much received.

The Director Corporate Services & Finance gave details of the insurance coverage and vandalism re windstorm damage. Received around \$70,000 to \$90,000.

19 **Item 13 WAGES 2014/2015 BUDGET (16.00137)**

Cr Coote - queried why wages have gone up in budget, yet positions have been reduced.

20 **Item 14 MEETING WITH COMMUNITY GROUPS/WORKING PARTIES (11.00019)**

Cr Coote - disappointed Council did not take opportunity to utilise last couple of Wednesdays for working sessions.

21 **Item 15 LAND AVAILABLE IN PRESTIGIOUS ESTATES (20.00009)**

Cr Westman - advised people have expressed concern at lack of land in "prestigious estates". Could Council look at developing some land to meet this demand?

22 **Item 16 INFRASTRUCTURE - ESTATES (03.00170)**

Cr Westman - requested meeting to discuss infrastructure that is put into estates. Retro fitting is not the answer, eg, major arterial roads.

23 **Item 17 SOFALA - JEW'S CREEK AND OTHER MATTERS (20.00237)**

Cr Westman - advised water was previously run into a Cullen Bullen mine and now not used. Could we find out what is occurring? Queried markings out in the area, what are these for?

The Director Environmental, Planning & Building Services advised not sure, but there has been aerial mapping occurring in this area.

24 **Item 18 GEORGE STREET SCHOOL ZONE (25.00007)**

Cr Morse - spoke to traffic concerns in this area, with the childcare centre now going in. Is the Traffic Committee looking at this and where will the 40km/h zones be going in?

25 **Item 19 SECTION 356 DONATIONS (18.00195)**

Cr Morse - advised need to ensure tourism monies are kept out of donations and should be in the tourism budget. Could a report be prepared on how Council deals with tourism assistance packages.

26 **Item 20 HILL END (18.00199)**

Cr Morse - advised Hill End community are not happy, there are falling tourism numbers, particularly with the Bridle Track closed. Will Council respond to management plan currently on exhibition by National Parks & Wildlife Service (NPWS)? There appears to be conflict with NPWS.

The Director Environmental, Planning & Building Services advised Council will be putting in a submission on the Interpretation Plan.

27 **Item 21 STARLINGS (14.00627)**

Cr Jennings - advised saw an article on use of Falcons to eradicate starlings at Dubbo. Could this be examined for pigeons?

The Director Environmental, Planning & Building Services advised Council will investigate the matter.

28 **Item 22 LIVESTREAMING COUNCIL MEETINGS (11.00005)**

Cr Jennings - advised that Kiama Council will be actioning Livestreaming at their next meeting.

29 **Item 23 ABORIGINAL HERITAGE - CELEBRATION 2015 (20.00153)**

Cr Jennings - raised the following items for consideration for 2015:

1. Aboriginal Reconciliation Action Plan
2. Recognition Campaign
3. Racism stops with me campaign
4. Attraction of Adam Goodes to 2015 celebrations
5. Get Aboriginal author in to speak at 2015 celebrations.
6. Serving our Country program

Asked Council to look at these programs and see if Council can tap into these.

30 **Item 24 PENSIONER CENTRELINK DATA (16.00037)**

Cr Jennings - received a concern from a ratepayer about a letter she received from Council about provision of pension details. Also spoke of risk assessment on data processes.

The Director Corporate Services & Finance spoke to process in place. Pension details must be provided otherwise rebate cannot be obtained. Letter is a standard document used by Council.

31 **Item 25 POLICY COMMITTEE PROCESSES (07.00064)**

Cr Jennings - spoke to operations of General Business and rights of reply at Policy meetings.

The Mayor spoke to relevant protocols in place and behaviours expected.

32 **Item 26 CCTV (07.00106)**

Cr Jennings - supports Cr North's suggestions on CCTV. We could look at setting up a meeting to discuss this and work with Police and businesses on camera types, placement, etc.

33 **Item 27 BUS SHELTER - EVANS PLAINS AREA (AROUND 1400 MID-WESTERN HIGHWAY) (28.00022)**

Cr Jennings - advised residents concerned about speed in this area and would like a bus shelter. Could we look at this? Will get residents to submit a letter.

The Director Engineering Services advised Council would liaise with RMS on this when letter is received. The Bus Shelter is a Council responsibility.

34 **Item 28 SECTION 356 DONATIONS (18.00195)**

Cr Jennings - asked could Council add to the Policy a requirement that organisations must provide details of why they have not provided financial details, where this occurs on donation applications.

35 **Item 29 GREAT WESTERN HIGHWAY TREES - RMS STRATEGY (25.00018)**

Cr Jennings - asked what is happening with the proposal for the tree plantings associated with the Highway upgrade?

The Mayor spoke to meeting with RMS and Greening Bathurst representatives last

week to discuss this matter. RMS endeavouring to get the best for the community. Discussions held included the View Street to Littlebourne Street section. The Mayor advised details of what RMS is proposing.

36 **Item 30 WHITE ROCK PROGRESS ASSOCIATION - GO KART TRACK**
(2014/0146)

Cr Bourke - enquired about concerns that have been raised by the Association. Could officers provide an update on this to Councillors.

37 **Item 31 VILLAGE MEETING RAGLAN AND ENGINEERING SUPPORT**
(20.00177)

Cr Aubin - congratulated staff on their assistance provided in resolving issues.

MEETING CLOSE

38 **MEETING CLOSE**

The Meeting closed at 7.02 pm.

CHAIRMAN: _____

Date: _____ **(21 May 2014)**

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING - 6 MAY 2014 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 6 May 2014 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 6 May 2014, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

32 **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 6 MAY 2014 (07.00006)**
MOVED: Cr W Aubin SECONDED: Cr G Hanger

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 6 May 2014 be adopted.

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 6 MAY 2014

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

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

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

APOLOGIES

2 APOLOGIES

Nil.

REPORT OF PREVIOUS MEETING

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

That the Minutes of the Traffic Committee Meeting held on 1 April 2014 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 1 APRIL 2014 (07.00006)

That the information be noted and necessary actions be taken.

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

That the information be noted.

7 Item 3 PROPOSED DIRECTIONAL SIGNAGE TO BATHURST CREMATORIUM (28.00007-05/063)

That Council approve the installation of a directional sign to the Bathurst Crematorium at the intersection of the Mitchell Highway and Bradwardine Road.

8 Item 4 DENISON COLLEGE KELSO HIGH CAMPUS - SCHOOL ZONE SIGN RELOCATION (22.02067)

That Council:-

- (a) Remove existing school zone signage and markings in Boyd Street near Morang Avenue,
- (b) Install new school zone signage markings and blisters at the western boundary of Denison College Kelso High Campus, Boyd Street, and
- (c) Relocate the existing school zone signage in Boyd Street near Hughes Street, onto the adjacent concrete blisters as identified in the Director of Engineering Services' report.

9 Item 5 EGLINTON PUBLIC SCHOOL PEDAL PUSH 2014 (23.00026-17/035)

That Council classify the Eglinton Public School Pedal Push to be held on Friday 19 September 2014 as a Class 4 event and approve it subject to conditions detailed in the Director Engineering Services' report.

10 Item 6 CAMP QUALITY - 1000K'S 4 KIDS BIKE RIDE 2014 (23.00026-17)

That Council classify the Camp Quality 1000k's 4 Kids 2014 Bike Ride to be held on Wednesday 10 September 2014 and Thursday 11 September 2014 as a Class 2 event and approve it subject to conditions detailed in the Director Engineering Services' report.

11 Item 7 PROPOSED TEMPORARY ROAD CLOSURE DURHAM STREET BETWEEN KENDALL AVENUE AND HAVANNAH STREET - NATIONAL RUGBY LEAGUE EVENTS (04.00045-04)

That Council approve the temporary road closure of Durham Street between Kendall Avenue and Havannah Street, on Tuesday 3 June 2014 and Thursday 12 June 2014. The event is to be classified as a Class 2 event and approved subject to conditions as detailed in the Director Engineering Services' report.

TRAFFIC REGISTER

12 Item 1 TRAFFIC REGISTER (07.00006)

That the information be noted.

MEETING CLOSE

13 MEETING CLOSE

The meeting closed at 2.38pm.

DELEGATES REPORTS AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 MAY 2014

1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 9 APRIL 2014 (11.00019)

Recommendation: That the information be noted.

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

Apologies: Crs Hanger, Westman

1. BATHURST COMMUNITY ALLIANCE (11.00019)

Terisa Ashworth, Manager of Bathurst Seymour Centre, met with Councillors to update them on the role and purpose of the newly formed Bathurst Community Alliance.

Discussion included:

- Members of the Alliance are:
 - . Bathurst Meals on Wheels
 - . Interchange Bathurst
 - . Bathurst Seymour Centre
 - . Bathurst Community Transport
 - . Bathurst Independent Living Skills
 - . Evans Community Options
- The Alliance's aim is to share resources and support each other to maximise their individual capacity to provide flexible, high quality care to eligible families in the Bathurst area.
- The Alliance operates under a Memorandum of Understanding to provide
 - support to managers and employees
 - networking, training, sharing of resources and administration, etc.
 - to maximise funds available for families seeking support.

2. ROYAL BATHURST SHOW (18.00108)

Brett Kenworthy and Paula Elbourne from the Bathurst Agricultural, Horticultural & Pastoral Association (BAH&PA) met with Council to discuss Council's ongoing support for the Royal Bathurst Show.

Discussion included:

- last few years focus has returned to promotion of local area.
- expect numbers to be back up to 22,000 patrons for the weekend.
- entries in horse area up 22% in 2013.
- Bathurst is a regional show, which is good for long term future.
- amenities in the past at the Showground have come from community contributions
- looking to secure ongoing long term support at current level or higher

- original agreement with Council for sponsorship is expiring shortly, looking to extend for a further 3 years.
- asked if it would be possible to increase the value of the supreme exhibit prizes.
- Traffic issues - need to put in fencing along highway at \$800 asked for Council's support.
- **Financial Implications:** Nil.
- **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**
 - Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
 - Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5
 - Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

MINUTE

**33 Item 1 COUNCILLORS MEETING WITH COMMUNITY
GROUPS/REPRESENTATIVES - 9 APRIL 2014 (11.00019)**

MOVED: Cr M Coote SECONDED: Cr G Westman

RESOLVED: That the information be noted.

2 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 6 MAY 2014 (20.00153)

Recommendation: That the recommendations of the 2015 Bicentenary Celebrations Committee held on 6 May 2014 be adopted.

Report: The Minutes of the 2015 Bicentenary Celebrations Committee held on 6 May 2014 are provided at **attachment 1**.

Please note that in relation to Minute 6 - Director Corporate Services & Finance Report - Item 3, Bicentennial Celebrations Committee - the 2015 Bicentenary Celebrations Committee does not have the authority to approve this resolution and accordingly the resolution has no binding effect on Council.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

MINUTE

34 Item 2 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 6 MAY 2014 (20.00153)

MOVED: Cr M Morse SECONDED: Cr I North

RESOLVED: That:

- (a) the recommendations of the 2015 Bicentenary Celebrations Committee held on 6 May 2014 be adopted.
- (b) the Charter of the 2015 Bicentenary Celebrations Committee be changed to:
- receive and deal with endorsement applications
 - receive operations reports
 - provide a mechanism for community engagement
 - raise general business items

MINUTE

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

MOVED: Cr I North SECONDED: Cr M Coote

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

The following representation was made.

M Nicholls, Western Advocate - queried why Item #2 of the Director Corporate Services & Finance Report was in Confidential.

The General Manager advised involves contractual matters and noted any changes to fees and charges will be shown in the publicly exhibited Revenue Policy.

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	PROPOSED SALE OF LOT 705 DP1103109 IRVING PLACE, BATHURST TRADE CENTRE	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	BATHURST CEMETERY FEES - NORWOOD 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.
3	PROPOSED NEW TELECOMMUNICATION LEASE AGREEMENT - PART LOT 5 DP DP792990 LOCATED ON WINDEMERE ROAD WATER RESERVOIR ROBIN HILL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	VARIATION TO CURRENT RECYCLING CONTRACT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	WINBURNDALE DAM - FLOOD SECURITY UPGRADE – DETAILED DESIGN	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who

		supplied it.
3	TENDER FOR PREFERRED CONTRACTOR'S 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.
4	TENDER FOR PROVISION OF SECURITY TO COUNCIL 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.

DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 MAY 2014

MINUTE

a Item 1 PROPOSED SALE OF LOT 705 DP1103109 IRVING PLACE,
BATHURST TRADE CENTRE (22.13931)

MOVED: Cr M Coote SECONDED: Cr M Morse

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

Reason: Employee of firm seeking to purchase the land.

That Council approves the sale of Lot 705 DP1103109 known as 16 Irving Place Bathurst Trade Centre to Tru Flo Industrial Pty Ltd atf JAMB Property Unit Trust in accordance with the report.

MINUTE

- b** **Item 2 BATHURST CEMETERY FEES - NORWOOD PARK (36.00246-02)**
MOVED: Cr M Coote SECONDED: Cr G Hanger

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

MINUTE

**c Item 3 PROPOSED NEW TELECOMMUNICATION LEASE AGREEMENT -
PART LOT 5 DP DP792990 LOCATED ON WINDEMERE ROAD WATER RESERVOIR
ROBIN HILL (32.00001)**

MOVED: Cr M Morse SECONDED: Cr I North

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

Reason: Employee of firm seeking to lease the property.

That Council approves entering into a new telecommunication lease agreement for part Lot 5 DP792990 known as Water Reservoir No. 14 located on Windemere Road Robin Hill with Tru-Flo Pumping Services Pty Ltd as detailed in the report.

DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 MAY 2014

MINUTE

- d **Item 1 VARIATION TO CURRENT RECYCLING CONTRACT (36.00276)**
MOVED: Cr M Coote SECONDED: Cr G Westman

That Council

- (a) determine that in the case of the Recycling Contract, a satisfactory result would not be achieved by inviting tenders due to the relatively short period involved, the number and scale of risks involved in tendering for such a short period, and the knowledge that there is already an open tender out for the subsequent ten year period, and
- (b) approve a variation by extension of the existing recycling contract with JR Richards & Sons from 1 October 2015 to 3 April 2016.

MINUTE

e Item 2 WINBURNDALE DAM - FLOOD SECURITY UPGRADE – DETAILED DESIGN (32.00019)

MOVED: Cr I North SECONDED: Cr M Morse

That Council:

- (a) approve the allocation of \$400,000 from water reserve funds for the production of a detailed design and tender documents for the safety upgrade to Winburndale Dam as detailed in the report.
- (b) approve the appointment of NSW Dams and Civil to carry out the detailed design, prepare contract documents and drawings

MINUTE

f Item 3 TENDER FOR PREFERRED CONTRACTORS LIST (36.00516)
MOVED: Cr B Bourke SECONDED: Cr W Aubin

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

g Item 4 TENDER FOR PROVISION OF SECURITY TO COUNCIL BUILDINGS
(36.00512)

MOVED: Cr M Coote SECONDED: Cr G Hanger

That Council accept the tender from Smith & Co Security Pty Ltd for the provision of security for Council buildings under Contract No. 36.00512 for the Tender Amount of \$279,448.20 plus adjustments and provisional items.

MINUTE

36 RESOLVE INTO OPEN COUNCIL
MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That Council resume Open Council.

MINUTE

37 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
MOVED: Cr M Coote SECONDED: Cr G Hanger

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

MINUTE

38 MEETING CLOSE

The Meeting closed at 7.07 pm.

CHAIRMAN: _____

Date: _____ **(18 June 2014)**