

14 September 2016

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday,
21 September 2016**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 21 September 2016 commencing at 6.00 pm.

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



D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 21 SEPTEMBER 2016

1. 6:00 PM - MEETING COMMENCES

* GENERAL MANAGER'S REPORT

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 - 17 AUGUST 2016

* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 7 SEPTEMBER 2016

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 SEPTEMBER 2016

* MINUTES - TRAFFIC COMMITTEE MEETING - 6 SEPTEMBER 2016

10. NOTICES OF MOTION - Nil

11. RESCISSION MOTIONS - Nil

12. DELEGATES REPORTS

* CENTROC BOARD MEETING 25 AUGUST 2016 (COWRA)

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	PURCHASE OF LAND (BRICK PITS) - EDGELLS LANE, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	REQUEST FOR USE OF MOUNT PANORAMA - MOTOR RACING EVENT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	EXPRESSION OF INTEREST - LEASE - LOT 1 IN DP995205 AND LOT 1 IN DP1007963 - PATNA COMMONWEALTH AND	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

	MORRISSET STREETS	prejudice the commercial position of the person who supplied it.
4	NEW COMMERCIAL LEASE AGREEMENT - PART LOT 1 IN DP234893 KNOWN AS BOUNDARY ROAD WATER RESERVOIR BATHURST - OPTUS MOBILE PTY LTD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	KELSO FLOODPLAIN VOLUNTARY ACQUISITION - PROPOSED PURCHASE OF LOT 1 IN DP986867 KNOWN AS 22 CHURCH LANE, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	SALE OF PART LOT 1 IN DP772047 KNOWN AS 186 LIMEKILNS ROAD KELSO	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
7	LICENCE AGREEMENT - BATHURST BUSHRANGERS - AFL CLUBHOUSE - GEORGE PARK BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR THE ACCEPTANCE, REPROCESSING AND REUSE OF BIOSOLIDS	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 THE DESIGN AND CONSTRUCTION OF A SYNTHETIC SOCCER FIELD, PROCTOR 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	TENDER FOR THE DESIGN AND CONSTRUCTION OF A SYNTHETIC SOCCER FIELD, PROCTOR PARK - SUPPLEMENTARY	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

|REPORT |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 MINUTE SILENCE

The Mayor observed a minute silence to honour the passing of former Mayor, Bruce Bolam.

MINUTE

3 SUSPENSION OF STANDING ORDERS (11.00005)
MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That Standing Orders be suspended to allow Council to deal with the General Manager's Report's.

GENERAL MANAGER'S REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 SEPTEMBER 2016

1 ELECTION OF MAYOR AND DEPUTY MAYOR (12.00004)

Recommendation: That the information be noted.

Report: In accordance with the provisions of the Local Government Act 1993, the election of Mayor by the Councillors is to be held during the month of September (Section 290). Bathurst Regional Council will therefore be required to elect both the Mayor and Deputy Mayor.

The Local Government (General) Regulation 2005, Schedule 7, prescribes how a Mayor and Deputy Mayor are to be elected.

Nomination forms are at **attachment 1** and **attachment 2** for Councillors and may be returned to me, or handed to me at the commencement of the Council meeting.

The procedure for both Elections will be:

- (i) The General Manager will be the Returning Officer;
- (ii) The General Manager will call for further nominations;
- (iii) Nominations will be closed;
- (iv) The Returning Officer will announce the names of the nominees at the Council meeting at which the election is to be held;
- (v) If more than one nomination is received, an election will be held;
- (vi) Council will be asked to resolve the form of election, if required, i.e. ordinary ballot, preferential ballot or open voting.
- (vii) The election is to be held at the Council meeting at which the Council resolves on the method of voting.

The following process for nomination applies, as per Clause 2 of Schedule 7:

1. A Councillor may be nominated without notice for election as Mayor or Deputy Mayor;
2. The nomination is to be made in writing by 2 or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing;
3. The nomination is to be delivered or sent to the Returning Officer;
4. The Returning officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 33: To be and develop good leaders. Strategy 33.7

MINUTE

4 Item 1 ELECTION OF MAYOR AND DEPUTY MAYOR (12.00004) MOVED: SECONDED:

ELECTION OF MAYOR - One nomination for the position of Mayor was received for Cr Rush.

There being only one nomination, Cr Rush was declared elected as Mayor for the period to September 2017.

ELECTION OF DEPUTY MAYOR - One nomination for the position of Deputy Mayor was received for Cr North.

There being only one nomination, Cr North was declared elected as Deputy Mayor for the period to September 2017.

Councillor Rush took the Chair.

2 VACANCY IN CIVIC OFFICE - COUNCILLOR JESS JENNINGS (12.00010-08)

Recommendation: That the information be noted.

Report: Council considered a report at the Ordinary Meeting 15 June 2016, concerning the resignation of Cr Jess Jennings from Civic Office, refer to General Managers Report 1.

Council resolved that,

"Council

- (a) note that the Civic Office held by Councillor Jess Jennings is vacant.*
- (b) apply to the Minister to make an Order under Section 294 of the Local Government Act that the vacancy not be filled".*

A response has now been received from the Minister, refer **attachment 1** advising inter alia;

"This means Council can dispense with the need to conduct a by-election to fill this casual vacancy. I will be advising the Acting NSW Electoral Commissioner of my decision"

Financial Implications: With the Minister dispensing with a by-election, Council will not incur costs associated with a by-election. Council's 2012 elections cost \$212,000.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 33: To be and develop good leaders. Strategy 33.4
- Objective 33: To be and develop good leaders. Strategy 33.7

MINUTE

5 Item 2 VACANCY IN CIVIC OFFICE - COUNCILLOR JESS JENNINGS
(12.00010-08)

MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

A short recess at 6.04 pm was declared to allow the Mayor to speak with the media.

The Mayor, Councillor Rush resumed the meeting at 6.14 pm.

MINUTE

6 **Item 2.01 RESUMPTION OF STANDING ORDERS (11.00005)**
MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That Council resume Standing Orders.

Yours faithfully



D J Sherley
GENERAL MANAGER

MINUTE

7 PUBLIC QUESTION TIME

B Trimming - Condition of Roads

Congratulated Mayor and Deputy Mayor on being reappointed. Spoke to achievements in the last year.

Noted current weather conditions. In the report tonight road infrastructure is mentioned, feels Durham and Peel Streets intersection needs some treatment as it is very busy, please review. Congratulated Engineers on works done in Hope Street with the current inclement weather. Could corner MacKenzie Place and Commonwealth Street be looked at?

G Crisp – ratepayer - Code of Conduct Complaints

Spoke to minutes of 17 August 2016 and feels has been misrepresented. Referred to complaints to Office of Local Government and the recording of numbers. The minutes need to make sense. Does the Mayor deny that Mr Crisp appropriately followed the advise of Prime Minister with Office of Local Government trying to blackmail him and noted over 2,000 complaints have been submitted. Feels costs of dealing with complaints will be over \$3 million. Further stated has tried to resolve the complaints with Council. Questioned whether Council has received confidential legal advice which supports about 421 of Mr Crisp's complaints. Have the Councillors sighted the legal advice that Mr Crisp refers to? Then spoke to Oberon case and delay in the decision and reason for it.

The Mayor responded to items raised by Mr Crisp.

R Monday - Subdivision lot sizes, Windradyne 1000

Purchased a lot in last years ballot, understood there was limit for duplexes of 850m². Now there is a request to put a duplex on a smaller sized block.

The Mayor noted matter is up for discussion tonight.

H Guilfoyle - Application to subdivide 2 lots - Item #4 & 5 ADEPBS

Notes recommendation is to approve the subdivision. What is the allowance for variation? What is the Councillors position with this?

The Acting Director Environmental, Planning & Building Services advised there is no set allowance, it is a matter for Council to consider.

What is Council's commitment to supporting the LEP?

The Mayor referred to the process of the development of the LEP, flexibility that may occur. The LEP guides Council in its decision.

In future subdivisions how will people know what the potential is for lot subdivision?

The Mayor advised these are relevant questions which Councillors will consider.

L Costello - Item #4 & 5 ADEPBS

Spoke in favour of the subdivision. The LEP is being followed, obtained three independent opinions on the proposal. Didn't seek Council's approval prior to buying the blocks, did it independently. This is a permitted use in the zone and fits in with targets of the zone. This is a better result than some complying developments. The proposal meets the objectives of the LEP and DCP's. The land size is not an absolute criteria in the LEP. If look at area it fits within the streetscape.

MINUTE

8 APOLOGIES

Nil.

MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 17 AUGUST 2016 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 17 August 2016 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 17 August 2016, 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

9 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 17 AUGUST 2016 (11.00005)

MOVED: Cr M Coote SECONDED: Cr B Bourke

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 17 August 2016 be adopted.

2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 7 SEPTEMBER 2016 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 7 September 2016 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 7 September 2016, 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

10 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 7 SEPTEMBER 2016 (11.00005)

MOVED: Cr I North SECONDED: Cr G Westman

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 7 September 2016 be adopted.

MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 17 AUGUST 2016

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

G Crisp – Ratepayer

DCSF Item #4 - Spoke to objectives and strategies and how the proposal fits within these items in the Community Strategic Plan?

Is the Council subject to investigation by the insurance fraud council?

Raised matter of amalgamations and why is the court decision delayed? Were there systematic problems with the information provided?

Why has the Office of Local Government provided a letter referring to 1,004 complaints and then Mr Crisp referred to Western Advocate article saying only 300 complaints. He considers over 900 valid.

The General Manager and Mayor provided responses to the issues raised.

J Slattery – Condition of Eglinton Road and other matters

Spoke to meeting with Council officers on 16 August 2016 and a petition provided to Councillors concerning the condition of the Eglinton Road from Ersom Street through to Eglinton and other issues. Received 543 signatures. Also spoke to Questions and Suggestions document he provided, asks if responses could go to a future meeting of Council. Referred to purpose of petition and quote attributed to the Mayor.

The Mayor spoke to reason for petitions, usually for purpose for a body to undertake tasks or activities. Response to questions will be made before next Council meeting to Mr Slattery.

R Hood – Laneway at rear of 203-223 George Street

Represents owners who wish to seal laneway. All but one owner wants the works to be undertaken, can this matter come back to Council?

The Mayor advised the matter will come back to Council for consideration. Council sought advice from adjacent owners, as to their thoughts on the proposal.

H Guilfoyle – resident - Item #7 ADEPBS - Development Application No. 2016/240

Lives at 38 Governors Parade, concern at proposal before Council including size of the block, fencing proposed and other matters. Referred to LEP intentions and standards in place. Feels Council should adhere to its standards. The design and proximity of the proposal impacts on adjoining blocks including privacy etc. This will set a precedent, which may not be the vision for the city.

APOLOGIES

- 3** **APOLOGIES**
MOVED Cr I North and **SECONDED** Cr G Westman

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

MINUTES

- 4** **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 JULY 2016 (11.00005)**
MOVED Cr I North and **SECONDED** Cr M Coote

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 July 2016 be adopted.

- 5** **Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 3 AUGUST 2016 (11.00005)**
MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 3 August 2016 be adopted.

DECLARATION OF INTEREST

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

RESOLVED: That the following Declarations of Interest be noted.

Cr Coote

Item #11 of the Director Environmental, Planning & Building Service's report.

Cr Bourke

Item #6 of the Director Corporate Services & Finance's report.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report7 Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)MOVED Cr B Bourke and SECONDED Cr M Coote**RESOLVED:** That the information be noted8 Item 2 GENERAL REPORT (03.00053)MOVED Cr B Bourke and SECONDED Cr G Hanger**RESOLVED:** That the information be noted.9 Item 3 DEVELOPMENT APPLICATION NO. 2016/148 – TWO STOREY DWELLING WITH ATTACHED GARAGE AND SECONDARY DWELLING AT 7 & 9 BARR STREET, BATHURST. APPLICANT: JW BEATTIE. OWNER: MRS CG BEATTIE (DA/2016/148)MOVED Cr I North and SECONDED Cr B Bourke**RESOLVED:** That Council:

- (a) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No.2016/148 subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

On being PUT to the VOTE the MOTION was CARRIED**The result of the division was:**In favour of the motion - Cr W Aubin, Cr B Bourke, Cr M Coote, Cr G Hanger, Cr I North, Cr G Rush, Cr G Westman.Against the motion - NilAbsent - Cr M Morse.Abstain - Nil10 Item 4 DEVELOPMENT APPLICATION NO. 2016/237 – DUAL OCCUPANCY AND TWO LOT RESIDENTIAL SUBDIVISION AT 1 POATE STREET, WINDRADYNE. APPLICANT: MR L COSTELLO. OWNER: BATHURST REGIONAL COUNCIL (DA/2016/237)MOVED Cr M Coote and SECONDED Cr I North**RESOLVED:** That Council:

- (a) defer consideration of Development Application No. 2016/237 - Dual occupancy and two lot residential subdivision at 1 Poate Street, Windradyne;
- (b) refer the matter to a Working Party for further consideration; and

(c) call a division.

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

The result of the division was:

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr M Coote, Cr G Hanger, Cr I North, Cr G Rush, Cr G Westman.

Against the motion - Nil

Absent - Cr M Morse.

Abstain - Nil

- 11** **Item 5 DEVELOPMENT APPLICATION NO. 2016/0118 – SEVEN LOT RURAL SUBDIVISION AND ASSOCIATED ROAD AND INTERSECTION CONSTRUCTION AT HOUSES LANE, THE ROCKS. APPLICANT: VOERMAN & RATSEP LAND SURVEYORS. OWNER: MR D & MRS J WHITE AND ROCKING W PASTORAL COMPANY PTY LTD (DA/2016/0118)**
MOVED Cr G Hanger and **SECONDED** Cr B Bourke

RESOLVED: That Council:

- (a) defer consideration of Development Application No. 2016/0118 - seven lot rural subdivision and associated road and intersection construction at Houses Lane, The Rocks;
- (b) refer the matter to a Working Party for further consideration; and
- (c) call a division.

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

The result of the division was:

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr M Coote, Cr G Hanger, Cr I North, Cr G Rush, Cr G Westman.

Against the motion - Nil

Absent - Cr M Morse.

Abstain - Nil

- 12** **Item 6 DEVELOPMENT APPLICATION NO. 2015/0388– SHED AND USE OF PART OF SHED AS A TWO STOREY DWELLING AT LOT 25 DP1077673, 314 EUSDALE ROAD, YETHOLME. APPLICANT: MR K WHEELER. OWNER: MR K WHEELER (DA/2015/0388)**
MOVED Cr M Coote and **SECONDED** Cr I North

RESOLVED: That Council:

- (a) not support the variation to the boundary setback development standard prescribed in the Bathurst Regional Development Control Plan 2014; and
- (b) as the consent authority, approve consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2015/0388 subject to:

1. The proposed shed and the use of part of shed as a dwelling is to be located 20m from the side boundary of 274 Eusdale Road;

(c) notify those that made submissions of its decision; 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 I North, Cr G Rush, Cr G Westman.

Against the motion - Nil

Absent - Cr M Morse.

Abstain - Nil

- 13** **Item 7 DEVELOPMENT APPLICATION NO. 2016/240 – DUAL OCCUPANCY AND TWO LOT RESIDENTIAL SUBDIVISION AND RETAINING WALLS AT 40 GOVERNORS PARADE, WINDRADYNE. APPLICANT: MR L COSTELLO. OWNER: BATHURST REGIONAL COUNCIL (DA2016/240)**
MOVED Cr M Coote and **SECONDED** Cr B Bourke

RESOLVED: That Council:

- (a) defer consideration of Development Application No. 2016/240 - Dual occupancy and two lot residential subdivision and retaining wall at 40 Governors Parade, Windradyne;
- (b) refer the matter to a Working Party for further consideration; and
- (c) call a division.

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

The result of the division was:

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr M Coote, Cr G Hanger, Cr I North, Cr G Rush, Cr G Westman.

Against the motion - Nil

Absent - Cr M Morse.

Abstain - Nil

- 14** **Item 8 DEVELOPMENT APPLICATION NO. 2016/131- ADDITIONS AND ALTERATIONS TO EXISTING FUNCTION CENTRE AND CHANGE OF USE TO A DWELLING, SIX NEW RESIDENTIAL UNITS (ONE SINGLE STOREY AND FIVE TWO STOREY UNITS), ADDITIONS AND ALTERATIONS TO OUTBUILDINGS AND CONVERSION TO TWO, TWO STOREY DWELLINGS, NINE LOT RESIDENTIAL SUBDIVISION, REMOVAL OF TREES AND RETAINING WALLS AT 136 PEEL STREET. APPLICANT: TABLELANDS BUILDERS. OWNER: R & J BARLOW (DA2016/131)**
MOVED Cr G Westman and **SECONDED** Cr B Bourke

RESOLVED: That Council:

- (a) support the variation to Clause 4.2.2 Population Density development standards prescribed in Bathurst Regional Development Control Plan 2014;
- (b) support the variation to Clause 4.4.2 Side and Rear Building Line Setbacks development standards prescribed in Bathurst Regional Development Control Plan 2014;
- (c) support the variation to Clause 4.7 Private Open Space and Landscaping development standards prescribed in Bathurst Regional Development Control Plan 2014;
- (d) support the variation to Clause 4.9 Parking, Access and Manoeuvring Areas and Clause 14.3 Car Parking development standards prescribed in Bathurst Regional Development Control Plan 2014;
- (e) support the variation to Clause 13.3.6 Design Principles for Residential Units development standards prescribed in Bathurst Regional Development Control Plan 2014;
- (f) support the variation to Clause 16.3 Changing of level of land (preparation to building, during or post construction) development standards prescribed in Bathurst Regional Development Control Plan 2014;
- (g) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No 2016/131 subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (h) 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 I North, Cr G Rush, Cr G Westman.

Against the motion - Nil

Absent - Cr M Morse.

Abstain - Nil

15 **Item 9 2016 BATHURST JOBS EXPO UPDATE (20.00071)**
MOVED Cr I North and **SECONDED** Cr G Westman

RESOLVED: That the information be noted.

16 **Item 10 SMALL BIZ BUS (20.00071)**
MOVED Cr G Westman and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

RESOLVED: That:

- (a) the information be noted; and
- (b) Council review the allocation of vouchers including the mix of these vouchers, as part of the 2017/18 Budget process.

23 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST CITY MEN'S BOWLING CLUB (18.00004-32/100)
MOVED Cr I North and **SECONDED** Cr M Coote

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

Reason: Member of Bowling Club (past president and past secretary).

RESOLVED: That Council sponsor the Bathurst City Men's Bowling Club Carillon Fours Tournament in December 2016 by donating an amount of \$1,000 to be funded from Section 356 Donations.

24 Item 7 USE OF MOUNT PANORAMA - BATHURST WORLD CUP (04.00107)
MOVED Cr W Aubin and **SECONDED** Cr M Coote

RESOLVED: That the proposal for the International Downhill Skateboarding Championships to be held at Mount Panorama from 17-19 February 2017, be referred to a Working Party for further consideration.

25 Item 8 REQUEST FOR SPONSORSHIP OF THE 2017 NSW MEN'S SENIOR GOLF CHAMPIONSHIP (22.00126)
MOVED Cr B Bourke and **SECONDED** Cr I North

RESOLVED: That Council sponsor the 2017 NSW Men's Senior Golf Championships to be held in Bathurst during March 2017 over a five day period at a cost of \$15,000 to be funded from Water Fund.

26 Item 9 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST EDGELL JOG (18.00195-30/103)
MOVED Cr I North and **SECONDED** Cr B Bourke

RESOLVED: That Council provide an amount of \$6,000 to assist the Bathurst Edgell Jog in 2016, to be funded from Section 356 donations.

27 Item 10 REQUEST FOR FINANCIAL ASSISTANCE - CENTRAL TABLELANDS WOODCRAFT (18.00282)
MOVED Cr B Bourke and **SECONDED** Cr M Coote

RESOLVED: That Council donate \$500 to the Central Tablelands Woodcraft Inc

towards the cost of holding their "Craft & Art on Show" (CAOS) to be held on 5 and 6 November 2016, to be funded from Section 356 Donations.

28 Item 11 REQUEST FOR FINANCIAL SUPPORT - MITCHELL CONSERVATORIUM OF MUSIC (18.00023)

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

RESOLVED: That Council not make available a financial contribution as requested in the amount of \$50,000 per annum over a three year period to the Mitchell Conservatorium of Music Bathurst Region Initiative in Music (BRliM) program.

29 Item 12 PROPOSED CARAVAN PARK - COLLEGE ROAD (22.64165)

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

RESOLVED: That Council refer the allocation of funds for the proposed caravan park located on College Road, to the 2017/2018 Delivery Plan for consideration.

30 Item 13 BATHURST GOLF CLUB - WATER TARIFF (22.00126)

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

RESOLVED: That Council:

- (a) Maintain the status quo on water tariff for the Bathurst Golf Club,
- (b) Contribute \$15,000 per year to the Bathurst Golf Club for three years which is to be used for water conservation management infrastructure, and
- (c) The Golf Club to have discussions with Council to assist with and provide direction with regard to waterwise management of water at the Bathurst Golf Club

31 Item 14 RECLASSIFICATION OF LAND LOT 25 IN DP214037 KNOWN AS 9 MCKELL STREET BATHURST (22.07480)

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

RESOLVED: That Council classifies the land located at Lot 25 in DP214037 and known as 9 McKell Street Bathurst under section 31 of the Local Government Act 1993 as Operational land.

32 Item 15 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 22.00041, 22.00891, 22.15963, 22.11530, 22.04491, 22.10657, 22.13487, 22.02141)

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

RESOLVED: That the information be noted.

Director Engineering Services' Report**33 Item 1 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (36.00595, 36.00584 & 11.00005)****MOVED** Cr I North and **SECONDED** Cr W Aubin**RESOLVED:** That the information be noted.**Director Cultural & Community Services' Report****34 Item 1 KELSO COMMUNITY CENTRE - UPDATE (09.00026)****MOVED** Cr I North and **SECONDED** Cr G Westman**RESOLVED:** That Council:

- (a) Notes the growth in the use of the Kelso Community Centre from January 2016 through to June 2016.
- (b) Endorse staff to seek funding to support the growth and positive change of the Kelso Community Centre as outlined in the report under the heading "Future Business Direction".
- (c) Approve the name change from Kelso Community Centre to Kelso Community Hub to better reflect the current operations and future direction.
- (d) Be provided with a further report regarding updates on the outcomes and future direction of the Kelso Community Centre.

35 Item 2 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD 4 JULY 2016 (07.00016)**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin**RESOLVED:** That the information be noted.**36 Item 3 BATHURST LIBRARY ACTIVITIES - JULY 2016 (21.00054)****MOVED** Cr W Aubin and **SECONDED** Cr B Bourke**RESOLVED:** That the information be noted.**37 Item 4 VACATION CARE PROGRAM - JULY 2016 (09.00005)****MOVED** Cr G Westman and **SECONDED** Cr M Coote**RESOLVED:** That the information be noted.

REPORTS OF OTHER COMMITTEES**Policy Committee Meeting**

- 38** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 3 AUGUST 2016 (07.00064)**
MOVED Cr I North and **SECONDED** Cr M Coote

RESOLVED: That the recommendations of the Policy Committee Meeting held on 3 August 2016 be adopted.

Traffic Committee Meeting

- 39** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 2 AUGUST 2016 (07.00006)**
MOVED Cr W Aubin and **SECONDED** Cr B Bourke

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 2 August 2016 be adopted.

DELEGATES REPORTS

- 40** **Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 13 JULY 2016 (11.00019)**
MOVED Cr I North and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

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

- 41** **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.

M Nicholls – Western Advocate

Thanked the General Manager for items in Directors reports providing extra details on the content of Confidential Items.

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	NEW COMMERCIAL LEASE AGREEMENT - PART LOT 1 IN DP7744589 KNOWN AS 230 HOWICK STREET BATHURST - OPTUS MOBILE PTY LTD	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements. 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	PURCHASE OF LOT 1 IN DP772047 KNOWN AS 186 LIMEKILNS ROAD KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it. 10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
3	BOUNDARY ADJUSTMENT AND SUBSEQUENT SALE OF LAND ADJOINING LOT 59 KNOWN AS 1 FRASER DRIVE EGLINTON	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. 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	RENEWAL OF RURAL LICENCE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice

	AGREEMENT - LOT 1 IN DP749758 LOCATED ON CONROD STRAIGHT MT PANORAMA AND LOT 117 IN DP750357 LOCATED ON COLLEGE ROAD BATHURST - IRELAND	the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it. 10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
5	EXPRESSION OF INTEREST - RURAL LICENCE AGREEMENT - PART LOT 17 IN DP1099208 KNOWN AS 1 ROCKLEY STREET GEORGES PLAINS - PETERSON	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it. 10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
6	PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3, 4, 7, 8, 9 AND 10 IN SECTION 16 DP758840 - CATHOLIC DIOCESE OF BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it. 10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
7	PURCHASE OF COMMERCIAL SITE IN HOWICK STREET	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it. 10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.

* DIRECTOR ENGINEERING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR PROGRAMMED MAINTENANCE OF POST OFFICE BUILDING	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 BATHURST ADVENTURE PLAYGROUND STAGE 2	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

- a** Item 1 NEW COMMERCIAL LEASE AGREEMENT - PART LOT 1 IN DP7744589 KNOWN AS 230 HOWICK STREET BATHURST - OPTUS MOBILE PTY LTD (22.00041)
MOVED Cr M Coote and SECONDED Cr W Aubin

That Council approves entering into a new Commercial Lease agreement with Optus Mobile Pty Ltd for part of the roof top area located at Lot 1 in DP774489 known as 230 Howick Street Bathurst for a period of five (5) years with four (4) x five (5) year option periods as detailed in the report.

- b** Item 2 PURCHASE OF LOT 1 IN DP772047 KNOWN AS 186 LIMEKILNS ROAD KELSO (22.00891)
MOVED Cr I North and SECONDED Cr G Westman

That Council approves the strategic purchase of Lot 1 in DP772047 known as 186 Limekilns Road Kelso, as detailed in the report.

- c** Item 3 BOUNDARY ADJUSTMENT AND SUBSEQUENT SALE OF LAND ADJOINING LOT 59 KNOWN AS 1 FRASER DRIVE EGLINTON (22.15963)
MOVED Cr M Coote and SECONDED Cr I North

That Council approves the boundary adjustment (subsequent to the registration of the Eglinton 100 subdivision) and subsequent sale of land adjoining Lot 59 known

as 1 Fraser Drive Eglinton as detailed in the report.

- d** **Item 4 RENEWAL OF RURAL LICENCE AGREEMENT - LOT 1 IN DP749758 LOCATED ON CONROD STRAIGHT MT PANORAMA AND LOT 117 IN DP750357 LOCATED ON COLLEGE ROAD BATHURST - IRELAND (22.11530 and 22.04491)**
MOVED Cr M Coote and **SECONDED** Cr W Aubin

That Council approves entering into a new Rural Licence agreement with Graham and Maria Ireland for Lot 1 in DP749758 located on Conrod Straight Mt Panorama and Lot 117 in DP750357 located on College Road Bathurst for a period of one (1) year with two (2) x one(1) year option periods, as detailed in the report.

- e** **Item 5 EXPRESSION OF INTEREST - RURAL LICENCE AGREEMENT - PART LOT 17 IN DP1099208 KNOWN AS 1 ROCKLEY STREET GEORGES PLAINS - PETERSON (22.10657)**
MOVED Cr I North and **SECONDED** Cr W Aubin

That Council approves entering into a new Rural Licence agreement with Mr Jordan and Mrs Amanda Peterson for part Lot 17 in DP1099208 located at 1 Rockley Street, Georges Plains for a period of one (1) year, as detailed in the report.

- f** **Item 6 PROPOSED PURCHASE OF LAND AT PERTHVILLE - LOTS 1, 2, 3, 4, 7, 8, 9 AND 10 IN SECTION 16 DP758840 - CATHOLIC DIOCESE OF BATHURST (22.13487)**
MOVED Cr I North and **SECONDED** Cr B Bourke

That Council:

- (a) delegate to the General Manager the responsibility to negotiate the purchase of Lots 1, 2, 3, 4, 7, 8, 9 and 10 in Section 16 DP758840; and
- (b) prepare a further report to comeback to Council for the formal approval of the purchase.

- g** **Item 7 PURCHASE OF COMMERCIAL SITE IN HOWICK STREET (22.02141)**
MOVED Cr M Coote and **SECONDED** Cr I North

That Council delegate to the General Manager the responsibility to negotiate the purchase of the land as detailed within the report.

Director Engineering Services' Report

- h** Item 1 TENDER FOR PROGRAMMED MAINTENANCE OF POST OFFICE BUILDING (36.00595)
MOVED Cr I North and SECONDED Cr G Westman

That Council accepts the tender of Programmed Property Services in the amount of \$205,399.30 (inc GST) for the programmed maintenance of the Post Office Building, subject to adjustments and provisional items.

- i** Item 2 TENDER FOR BATHURST ADVENTURE PLAYGROUND STAGE 2 (36.00584)
MOVED Cr B Bourke and SECONDED Cr I North

The following **MOTION** was **MOVED**.

That Council:

- (a) accepts the tender of Ken Brown Landscapes in the amount of \$2,166,892.00 (GST inclusive), subject to adjustments and provisional sums as indicated within the report, for the construction of Stage 2 of the Bathurst Adventure Playground.
- (b) allocate additional funds to the value of \$676,330 to cover the shortfall of the entire project costs and to provide sufficient funding to cover potential variation requirements with the contract to ensure that Stage 2 of the Bathurst Adventure Playground can be successfully completed. The additional \$676,330 will need to be met by way of loan funds which Council will need to obtain from new borrowings.

The following **AMENDMENT** was **MOVED**.

- i** Item 2.01 TENDER FOR BATHURST ADVENTURE PLAYGROUND STAGE 2 (36.00584)
MOVED Cr G Westman and SECONDED Cr W Aubin

That Council:

- a) in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005, decline to accept any tenders; and
- b) postpone the proposed tender for Bathurst Adventure Playground Stage 2.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY
COMMITTEE
HELD ON 7 SEPTEMBER 2016**

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

Present: Councillors North (Chair), Aubin, Bourke, Morse, Westman.

APOLOGIES

2 APOLOGIES
MOVED Cr G Westman and **SECONDED** Cr B Bourke

RESOLVED: That the apologies from Crs Coote, Hanger and Rush be accepted and leave of absence granted.

DECLARATION OF INTEREST

3 DECLARATION OF INTEREST 11.00002
MOVED Cr G Westman and **SECONDED** Cr B Bourke

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

**4 Item 1 DEVELOPMENT APPLICATION NO. 2016/0118 – SEVEN LOT RURAL
SUBDIVISION AND ASSOCIATED ROAD AND INTERSECTION
CONSTRUCTION AT HOUSES LANE, THE ROCKS. APPLICANT: VOERMAN &
RATSEP LAND SURVEYORS. OWNER: MR D & MRS J WHITE AND ROCKING
W PASTORAL COMPANY PTY LTD (DA/2016/0118)**
MOVED Cr G Westman and **SECONDED** Cr B Bourke

RESOLVED: That Council:

- (a) support the variation to the 100 hectare minimum lot size development standard pursuant to Clause 4.1 of the Bathurst Regional Local Environmental Plan 2014 and the associated Lot Size Map for the subject land for the creation of proposed Lot 3;
- (b) support the variation to the 100 hectare minimum lot size development standard

pursuant to Clause 4.2B of the Bathurst Regional Local Environmental Plan 2014 for the erection of a future dwelling on proposed Lot 3; and

(c) call a division.

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

The result of the division was:

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr M Morse, Cr I North, Cr G Westman.

Against the motion - Nil

Absent - Cr M Coote, Cr G Hanger, Cr G Rush.

Abstain - Nil

Director Engineering Services' Report

- 5** **Item 1 PROPOSED TRANSFER OF UNNAMED LANEWAY OFF KEPPEL STREET AT REAR 203-223 GEORGE STREET BATHURST (25.00587)**
MOVED Cr B Bourke and **SECONDED** Cr M Morse

RESOLVED: That Council approve the transfer of the unnamed laneway off Keppel Street at the rear of 203-223 George Street, Bathurst to its ownership, in accordance with the Director Engineering Services' report to the meeting of Council held 20 July 2016.

- 6** **Item 2 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (36.00599, 36.00600 & 11.00005)**
MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

General Manager's Report

- 7** **Item 1 LOCAL GOVERNMENT CONFERENCE - NOTICE OF MOTION - CONTRACTUAL POWERS OF COUNCIL (18.00105)**
MOVED Cr G Westman and **SECONDED** Cr M Morse

RESOLVED: That Council forward a Notice of Motion to the LGNSW Annual Conference as follows:

That LGNSW lobbies the NSW State Government to

1. give urgent consideration to the effect of the judgement in the case, Bathurst Regional Council - ats - Adrenaline Pty Ltd (Formerly Trackcorp Adrenalin Pty Ltd) by the Supreme Court of NSW, Court of Appeal No 2014/162776.
2. draft legislation to ensure councils have the general power to contract.

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

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

MOVED Cr G Westman

and **SECONDED** Cr W Aubin

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

There were no representations from the public.

RESOLVED: That:

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

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR DESIGN, SUPPLY AND INSTALLATION OF LED DISPLAY SCREEN - CARRINGTON 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.
2	TENDER FOR DESIGN AND CONSTRUCTION OF FIELD FLOODLIGHTING AT CARRINGTON PARK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Director Engineering Services' Report

a Item 1 TENDER FOR DESIGN, SUPPLY AND INSTALLATION OF LED DISPLAY SCREEN - CARRINGTON PARK (36.00599)

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

That Council accept the tender of LED Screens Australia in the amount of \$153,593 (GST inclusive), subject to adjustments and provisional sums as indicated within the report, for the design and construction of a LED display screen at Carrington Park

b **Item 2 TENDER FOR DESIGN AND CONSTRUCTION OF FIELD FLOODLIGHTING AT CARRINGTON PARK (36.00600)**

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

That Council accept the tender from Bathurst Electrical Pty Ltd of \$398,096.00 (GST incl.) subject to provisional items and variations.

RESOLVE INTO OPEN COUNCIL

9 **RESOLVE INTO OPEN COUNCIL**

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

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

10 **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**

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

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

MEETING CLOSE

11 **MEETING CLOSE**

The Meeting closed at 6.25 pm.

CHAIRMAN: _____

MINUTE

11 DECLARATION OF INTEREST 11.00002
MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That the following Declarations of Interest be noted.

Cr Hanger

Item #9 of the Director Corporate Services & Finance's report.

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 SEPTEMBER 2016

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

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

MOVED: Cr G Westman SECONDED: Cr B Bourke

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 August 2016 (**attachment 1**).
- (b) Applications refused during August 2016 (**attachment 2**).
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**).
- (d) Applications pending approval for greater than 40 days as at the date of compilation of this report (**attachment 4**).
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 or Clause 4.6 of Bathurst Regional LEP 2014 approved in August 2016 (**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

- 13 Item 2 GENERAL REPORT (03.00053)
MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That the information be noted.

3 DEVELOPMENT APPLICATION NO. 2016/229 – FOUR LOT SUBDIVISION AT 3786 LIMEKILNS ROAD, WATTLE FLAT. APPLICANT: SMART ECO GROUP PTY LTD. OWNER: INYAN HOLDINGS PTY LTD (DA/2016/229)

Recommendation: That Council:

- (a) support the variation to the 100 hectare minimum lot size development standard pursuant to Clause 4.1 of the Bathurst Regional Local Environmental Plan 2014 and the associated Lot Size Map for the subject land for the creation of proposed Lot 10;
- (b) support the variation to the 100 hectare minimum lot size development standard pursuant to Clause 4.2B of the Bathurst Regional Local Environmental Plan 2014 for the erection of a future dwelling on proposed Lot 10;
- (c) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/229, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (d) call a division.

Report: The Site

Council has received a Development Application (DA) for a four lot subdivision at 3786 Limekilns Road, Wattle Flat, described as Lot 1, DP 1045404. A location plan is provided at **attachment 1**.

The subject site currently contains a number of outbuildings.

Council has recently approved a dwelling on the subject site however construction has not yet commenced.

The subject lot has a total area of 102 hectares. Approximately 11 hectares of the subject lot is zoned R5 Large Lot Residential and the remainder is zoned RU1 Primary Production.

The proposal

The proposal is for the creation of three rural residential lots and one residual rural lot.

Each of the proposed rural residential lots will be 1 hectare.

The proposed residual rural lot will be 99 hectares. A plan of the proposed development is located at **attachment 2** and Statement of Environmental Effects at **attachment 3**.

The dwelling previously approved on the property will be located on the 99 hectare allotment.

Planning Context

Bathurst Regional Local Environmental Plan 2014

The subject lot is zoned RU1 Primary Production and R5 Large Lot Residential under the provisions of the Bathurst Regional Local Environmental Plan 2014.

The proposal while not specifically defined, is being assessed as a subdivision and is permissible with consent in the RU1 Primary Production and R5 Large Lot Residential zones. The proposal is not inconsistent with the objectives of the zone.

Clause 4.1 Minimum subdivision lot size

The Lot Size Map indicates that the minimum lot size is 100 hectares for the part of the land zoned RU1 Primary Production and 1 hectare for the part of the land zoned R5 Large Lot Residential.

The proposal involves the creation of four lots as follows:

Proposed Lot No.	Area (approx.)	Minimum Lot Size	Zone
10	99 ha	100 ha	RU1 & R5
11	1 ha	1 ha	R5
12	1 ha	1 ha	R5
13	1 ha	1 ha	R5

As noted in the above table, the proposed lots within the R5 Large Lot Residential zone (Lots 11-13) comply with the minimum lot size. Proposed Lot 10 will have a total area of 99 hectares. Proposed Lot 10 does however have multiples zones, with 8.25 hectares zoned R5 Large Lot Residential and the remaining 90.75 hectares being zoned RU1 Primary Production. The applicant has lodged a Clause 4.6 Variation to justify the creation of Proposed Lot 10 (see below).

Clause 4.6 Exceptions to development standards

- (1) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
- (2) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

The applicant has made the following case as to why the development standard is unreasonable or unnecessary in the circumstances of the case:

- Three of the four proposed lots meet the applicable minimum lot size;
- The variation relates only to the land zoned RU1 Primary Production and no variation is sought to the creation of lots within the R5 Large Lot Residential zone.
- The variation is only 1%;
- The variation will not be discernible.

The applicant has made the following case as to what the environmental planning grounds are to justify contravening the standard:

- The variation is only 1%;
- There are no obvious adverse environmental impacts created by the variation;
- The proposed configuration is consistent with the surrounding pattern of subdivision;
- The proposal is not inconsistent with the objectives of the RU1 Primary Production zone and the R5 Large Lot Residential zone.

(3) *Development consent must not be granted for development that contravenes a development standard unless:*

(a) *the consent authority is satisfied that:*

- (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
- (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

The applicant's written request adequately outlines why the development standard is unreasonable or unnecessary and what the environmental planning grounds are to justify the contravention.

It is considered that the creation of a lot of 99 hectares is in the public interest because it is not inconsistent with the objectives of the development standard and not inconsistent with the objectives of the RU1 Primary Production zone. The applicant's 4.6 variation is provided at **attachment 4**.

Clause 7.2 Bush fire prone land

The subject site is identified as being bushfire prone land. A Bush Fire Assessment Report was submitted with the Development Application and the Development Application was referred to the Rural Fire Service as Integrated Development. The Rural Fire Service has issued a Bush Fire Safety Authority. The Bush Fire Assessment Report is provided at **attachment 5**.

Development Control Plan

Bathurst Regional Development Control Plan 2014 – Chapter 3 - Subdivision of Land

Roads

Each of the proposed lots will have direct access to Limekilns Road. No roadworks will be necessary to cater for this development.

Soil & Water Management

Conditions can be imposed to ensure that the provisions of Council's Environmental Management Guidelines for Land Development are observed.

Land Contamination

Council is not aware of any past land uses that could have potentially contaminated the subject site.

Bathurst Regional Development Control Plan 2014 – Chapter 6 - Rural and Rural Lifestyle Development

Access, Entrances and Fencing

Each of the proposed lots will have direct access to Limekilns Road. A condition will be imposed to ensure that the proposed accesses and entrances are constructed in accordance with Council's Guidelines for Engineering Works and with Planning for Bushfire Protection.

Onsite Effluent Disposal

The submitted plans indicate effluent disposal areas can be located on each lot taking into account appropriate buffers from water courses etc.

Bathurst Regional Development Control Plan 2014 – Chapter 9 - Environmental

Considerations

Sensitive Land Areas – DCP Map No. 29 Land Resources		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
Land Capability Class 7	NO	*Plans and documentation submitted with the Development Application indicate that the proposed development will not result in significant disruption to sensitive land areas. No development will occur in the area identified as being subject to Severe or Extreme Sheet or Rill Erosion.
Land Capability Class 8	NO	
Karst Extent	NO	
Salting	NO	
Severe or Extreme Sheet or Rill Erosion	YES*	
Sensitive Waterways – DCP Map No. 30 Riparian Land & Waterways		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
Sensitive Waterways	YES*	*Plans and documentation submitted with the Development Application indicate that the proposed development will not result in significant disruption to sensitive waterways. No development will occur in the area identified as being a riparian corridor.
High or Moderate Biodiversity – DCP Map No. 31 Biodiversity		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
DECC Estate	NO	*Plans and documentation submitted with the Development Application indicate that the proposed development will not result in significant disruption to areas of high or moderate biodiversity sensitivity. The creation of new boundaries will not necessitate the removal of a significant amount of existing vegetation.
High Biodiversity Sensitivity	YES*	
Moderate Biodiversity Sensitivity	YES*	

Submissions

The criteria in Chapter 2 - *Exhibition & Notification of Development Applications* of Bathurst Regional Development Control Plan 2014 has been considered and a determination has been made that the Development Application not be notified to adjoining property owners in accordance with Chapter 2 in the Bathurst Regional Development Control Plan 2014.

Conclusion

Council has received a Development Application (DA) for a four lot subdivision at 3786 Limekilns Road, Wattle Flat, described as Lot 1, DP 1045404. The subject lot has a total area of 102 hectares. Approximately 11 hectares of the subject lot is zoned R5 Large Lot Residential and the remainder is zoned RU1 Primary Production. The proposal is for the creation of three rural residential lots and one residual rural lot. The proposed lots within the R5 Large Lot Residential zone (Lots 11-13) comply with the minimum lot size. Proposed Lot 10 will have a total area of 99 hectares. Proposed Lot 10 has multiples zones, with 8.25 hectares zoned R5 Large Lot Residential and the remaining 90.75 hectares being zoned RU1 Primary Production. The applicant has lodged a Clause 4.6 Variation to justify the creation of Proposed Lot 10. It is recommended that the variation to the minimum lot size be supported in this instance for the reasons outlined in this report.

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

14 Item 3 DEVELOPMENT APPLICATION NO. 2016/229 – FOUR LOT SUBDIVISION AT 3786 LIMEKILNS ROAD, WATTLE FLAT. APPLICANT: SMART ECO GROUP PTY LTD. OWNER: INYAN HOLDINGS PTY LTD (DA/2016/229)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council:

- (a) support the variation to the 100 hectare minimum lot size development standard pursuant to Clause 4.1 of the Bathurst Regional Local Environmental Plan 2014 and the associated Lot Size Map for the subject land for the creation of proposed Lot 10;
- (b) support the variation to the 100 hectare minimum lot size development standard pursuant to Clause 4.2B of the Bathurst Regional Local Environmental Plan 2014 for the erection of a future dwelling on proposed Lot 10;
- (c) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/229, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; 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 M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Nil

Abstain - Nil

4 DEVELOPMENT APPLICATION NO. 2016/237 – DUAL OCCUPANCY AND TWO LOT RESIDENTIAL SUBDIVISION AT 1 POATE STREET, WINDRADYNE. APPLICANT: MR L COSTELLO. OWNER: BATHURST REGIONAL COUNCIL (DA/2016/237)

Recommendation: That Council:

- (a) support the variation to the development standard prescribed in Clause 4.1B Minimum lot sizes for dual occupancies, multi dwelling houses and residential flat buildings in Bathurst Regional Local Environmental Plan 2014 and the variation to the development standard prescribed in Section 4.3 Minimum lot size in Bathurst Regional Development Control Plan 2014;
- (b) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/237 subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (c) notify those who made a submission; and
- (d) call a division.

Report: The Site

Council has received a Development Application (DA) for a dual occupancy (two detached dwellings) and a two lot residential subdivision at 1 Poate Street, Windradyne, described as Lot 1095, DP 1215618. A location plan is provided at **attachment 1**.

The site is located on the corner of Poate Street and Twynam Avenue.

The subject site is currently vacant.

The proposal

The proposal is for the construction of a dual occupancy comprising of two single storey four-bedroom dwellings and also includes a two lot subdivision of the subject lot. Plans of the proposed development are at **attachment 2**.

Planning Context

Bathurst Regional Local Environmental Plan 2014

The subject site is zoned R1 General Residential under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. Dual occupancies and subdivisions are permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

Clause 4.1B Minimum lot sizes for dual occupancy, multi dwelling housing and residential flat buildings

- (1) *The objectives of this clause are as follows:*
 - (a) *to achieve planned residential density,*

- (b) *to ensure that the area and dimensions of a lot are able to accommodate development that is consistent with the objectives and development controls for dual occupancies, multi dwelling houses or residential flat buildings,*
 - (c) *to minimise any likely adverse impact of such development on the amenity of adjoining neighbourhoods.*
- (2) *Development consent must not be granted to development for the purposes of a dual occupancy on a lot unless the lot is at least the minimum lot size shown on the Minimum Lot Size—Dual Occupancy Map for that lot.*

The Minimum Lot Size—Dual Occupancy Map indicates the minimum lot size for a dual occupancy is 850m² in this locality. The subject lot is 782.5m².

The proposed development is seeking consent to vary Clause 4.1B of Bathurst Regional LEP 2014 for a dual occupancy on a lot that is less than the minimum lot size. See discussion on Clause 4.6 variation below.

Clause 4.6 Exceptions to development Standards

- (1) *The objectives of this clause are as follows:*
- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
- (2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
- (3) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
- (4) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
- (i) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (ii) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

A Clause 4.6 Variation was submitted with the Development Application provided at **attachment 3**. The applicant has made the following case as to why the development standard is considered unreasonable or unnecessary in the circumstances of the case:

- The objectives of the Clause 4.1B, including ensuring there is sufficient land to undertake the development and ensuring there is no adverse impact on the adjoining neighbourhood, are still achieved notwithstanding the non-compliance; and
- The development is consistent with the objectives of the R1 General Residential Zone.

The applicant has made the following case as to what the environmental planning grounds are to justify contravening the standard:

- The objectives of the Clause 4.1B are still achieved notwithstanding the non-compliance.
- The development is consistent with the objectives of the R1 General Residential Zone.
- The variation is considered of a minor nature, an 8% variation to the required lot size.
- The development has been designed such that it meets or exceeds all other applicable development standards relating to dual occupancies including private open space, setbacks, site coverage and car parking.
- Being a corner lot, the subject site is suited to a dual occupancy and is consistent with the prevailing pattern of development in the new release areas.

(4) *Development consent must not be granted for development that contravenes a development standard unless:*

(a) *the consent authority is satisfied that:*

- (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
- (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

The applicant's written request adequately outlines why the development standard is unreasonable or unnecessary in this instance and what the environmental planning grounds are to justify the contravention.

Bathurst Regional Development Control Plan 2014 – Chapter 4 Residential Development

The site is located within Precinct 2 pursuant to the *Bathurst Regional Development Control Plan 2014* (DCP). Dual occupancies are permissible with consent in the precinct. The proposal complies with the objectives of the Precinct and the development standards for dual occupancies (with the exception of the minimum lot size):

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	782.5m ²	850m ²	No*
Setbacks			
Front	3.442m + 4.609m	Combined total 8m	Yes
Dwelling 1			
Rear	900mm	As per BCA	Yes
Side	900mm	As per BCA	Yes
Dwelling 2			
Rear	900mm	As per BCA	Yes
Side	900mm	As per BCA	Yes
Height	Single storey	Two-storey maximum	Yes
Site coverage	44%	50%	Yes
Car parking			
Resident	2 per dwelling	1	Yes
Visitor	2 (stacked)	1	Yes
Access way width	3.0m	3-6m	Yes
Open space area			

Dwelling 1	60m ²	50m ²	Yes
Dwelling 2	70m ²	50m ²	Yes
Open space width	>4m	4m wide	Yes

- * The proposed development does not comply with the minimum lot size for dual occupancies within Residential Precinct 2. Notwithstanding the non-compliance the development is considered acceptable for the reasons noted above.

Submissions

In accordance with Chapter 2 of the Bathurst Regional Development Control Plan 2014 single storey dual occupancies and subdivisions are not exhibited or notified development. Council has, however, received one submission from an adjoining property owner, refer **attachment 4**.

Council's land

It is noted that the land is currently owned by Council. The land is contracted for sale to the applicant under "builders terms" with settlement due in May 2017. Council has no direct financial interest in the development beyond the sale of this land. The sale of the land is not contingent upon the outcome of this development.

Conclusion

Council has received a Development Application (DA) for a dual occupancy (two detached dwellings) and two lot residential subdivision at 1 Poate Street, Windradyne. The Minimum Lot Size—Dual Occupancy Map indicates a minimum lot size for a dual occupancy is 850m² in this locality. The subject lot is 782.5m².

The proposed development is seeking consent to vary Clause 4.1B of Bathurst Regional LEP 2014 for a dual occupancy on a lot that is less than the minimum lot size. Notwithstanding the non-compliance the development is considered acceptable for the reasons outlined within the report.

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

15 Item 4 DEVELOPMENT APPLICATION NO. 2016/237 – DUAL OCCUPANCY AND TWO LOT RESIDENTIAL SUBDIVISION AT 1 POATE STREET, WINDRADYNE. APPLICANT: MR L COSTELLO. OWNER: BATHURST REGIONAL COUNCIL (DA/2016/237)

MOVED: Cr M Coote SECONDED: Cr B Bourke

RESOLVED: That Council:

- (a) not support the variation to the development standard prescribed in Clause 4.1B Minimum lot sizes for dual occupancies, multi dwelling houses and residential flat buildings in Bathurst Regional Local Environmental Plan 2014 and the variation to the development standard prescribed in Section 4.3 Minimum lot size in Bathurst Regional Development Control Plan 2014;
- (b) as the consent authority, refuse consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/237 for the following reason:
 - (i) that it is in the public interest to maintain the integrity of the development standards in Clause 4.1 B of Bathurst Regional LEP 2014 and Section 4.3 of Bathurst Regional DCP 2014 in relation to the minimum lot size for the erection of a dual occupancy development.
- (c) notify those who made a submission; 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 M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Nil

Abstain - Nil

5 DEVELOPMENT APPLICATION NO. 2016/240 – DUAL OCCUPANCY AND TWO LOT RESIDENTIAL SUBDIVISION AND RETAINING WALLS AT 40 GOVERNORS PARADE, WINDRADYNE. APPLICANT: MR L COSTELLO. OWNER: BATHURST REGIONAL COUNCIL (DA2016/240)

Recommendation: That Council:

- (a) support the variation to the development standard prescribed in Clause 4.1B Minimum lot sizes for dual occupancies, multi dwelling houses and residential flat buildings of Bathurst Regional Local Environmental Plan 2014 and the variation to the development standard prescribed in Section 4.3 Minimum lot size of Bathurst Regional DCP 2014;
- (b) as the consent authority, grant consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/240 subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (c) notify those who made a submission; and
- (d) call a division.

Report: The Site

Council has received a Development Application for a dual occupancy (two detached dwellings), a two lot residential subdivision and retaining walls at 40 Governors Parade, Windradyne, described as Lot 1124, DP 1215618. A location plan is provided at **attachment 1**.

The site is located on the corner of Governors Parade and Colville Street.

The subject site is currently vacant.

The proposal

The proposal is for the construction of a dual occupancy comprising two single storey four bedroom dwellings and also includes a two lot subdivision of the subject lot and construction of retaining walls. A plan of the proposed development is at **attachment 2**.

Planning Context

Bathurst Regional Local Environmental Plan 2014

The subject site is zoned R1 General Residential under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. Dual occupancies and subdivisions are permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

Clause 4.1B Minimum lot sizes for dual occupancy, multi dwelling housing and residential flat buildings

(1) *The objectives of this clause are as follows:*

- (a) *to achieve planned residential density*

- (b) *to ensure that the area and dimensions of a lot are able to accommodate development that is consistent with the objectives and development controls for dual occupancies, multi dwelling houses or residential flat buildings,*
 - (c) *to minimise any likely adverse impact of such development on the amenity of adjoining neighbourhoods.*
- (2) *Development consent must not be granted to development for the purposes of a dual occupancy on a lot unless the lot is at least the minimum lot size shown on the Minimum Lot Size - Dual Occupancy Map for that lot.*

The Minimum Lot Size—Dual Occupancy Map indicates a minimum lot size for a dual occupancy is 850m² in this locality. The subject lot is 789.4m².

The proposed development is seeking consent to vary Clause 4.1B of Bathurst Regional LEP 2014 for a dual occupancy on a lot that is less than the minimum lot size. See discussion on Clause 4.6 variation below.

Clause 4.6 Exceptions to development Standards

- (1) *The objectives of this clause are as follows:*
- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
- (2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
- (3) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
- (4) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
- (i) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (ii) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

A Clause 4.6 Variation was submitted with the Development Application (**attachment 3**). The applicant has made the following case as to why compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:

- The objectives of Clause 4.1B, including ensuring there is sufficient land to undertake the development and ensuring there is no adverse impact on the adjoining neighbourhood, are still achieved notwithstanding the non-compliance; and

- The development is consistent with the objectives of the R1 General Residential Zone.

The applicant has made the following case as to what the environmental planning grounds are to justify contravening the standard:

- The objectives of Clause 4.1B are still achieved notwithstanding the non-compliance.
- The development is consistent with the objectives of the R1 General Residential Zone.
- The variation is considered of a minor nature, a 7% variation to the required lot size.
- The development has been designed such that it meets or exceeds all other applicable development standards relating to dual occupancies including private open space, setbacks, site coverage and car parking.
- Being a corner lot, the subject site is suited to a dual occupancy and is consistent with the prevailing pattern of development in the new release areas.

(4) *Development consent must not be granted for development that contravenes a development standard unless:*

(a) *the consent authority is satisfied that:*

- (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
- (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

The applicant's written request adequately outlines why the development standard is unreasonable or unnecessary in this instance and what the environmental planning grounds are to justify the contravention.

Bathurst Regional Development Control Plan 2014

Chapter 4 Residential Development

Bathurst Regional Development Control Plan 2014 – Chapter 4 Residential Development

The site is contained within Precinct 2 pursuant to the *Bathurst Regional Development Control Plan 2014* (DCP). Dual Occupancies are permissible with consent in this precinct. The proposal complies with the objectives of the Precinct and the development standards for dual occupancies (with the exception of the minimum lot size):

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	789.4m ²	850m ²	No*
Setbacks			
Front	2.66m + 5.34m	Combined total 8m	Yes
Dwelling 1			
Rear	900mm	As per BCA	Yes
Side	900mm	As per BCA	Yes
Dwelling 2			
Rear	900mm	As per BCA	Yes
Side	900mm	As per BCA	Yes
Height	Single storey	Two-storey maximum	Yes

Site coverage	47.8%	50%	Yes
Car parking Resident Visitor	2 per dwelling 2 (stacked)	1 1	Yes Yes
Accessway width	3.0m	3-6m	Yes
Open space area Dwelling 1 Dwelling 2	120m ² 88m ²	50m ² 50m ²	Yes Yes
Open space width	>4m	4m wide	Yes

- * The proposed development does not comply with the minimum lot size for dual occupancies within Residential Precinct 2. Notwithstanding the development is considered acceptable for the reasons noted above.

Chapter 16 Earthworks

The subject site has natural fall of approximately 3.25m towards Governors Parade.

Building works including earthworks has commenced on the adjoining property at 38 Governors Parade. These works include a cut on the boundary adjoining the subject site of approximately 900mm. The applicant had initially proposed a cut of 1500mm from the natural ground level, however, taking into account the earthworks on the boundary of 38 Governors Parade the final retaining walls are in the order of 972mm.

Whilst the cut on the boundary exceeds Council's DCP requirement of 1 metre the finished grounds levels will be in accordance with Council's standards.

Submissions

In accordance with Chapter 2 of the Bathurst Regional Development Control Plan 2014 single storey dual occupancies and subdivisions and retaining walls less than 1.2m in height are not exhibited or notified development. Council has however received one submission from an adjoining property owner, refer **attachment 4**.

Council's land

It is noted that the land is currently owned by Council. The land is contracted for sale to the applicant under "builders terms" with settlement due in May 2017. Council has no direct financial interest in the development beyond the sale of this land. The sale of the land is not contingent upon the outcome of this development.

Conclusion

Council has received a Development Application (DA) for a dual occupancy (two detached dwellings) a two lot residential subdivision and retaining walls at 40 Governors Parade, Windradyne. The Minimum Lot Size—Dual Occupancy Map indicates a minimum lot size for a dual occupancy is 850m² in this locality. The subject lot is 789.4m².

The proposed development is seeking consent to vary Clause 4.1B of Bathurst Regional LEP 2014 for a dual occupancy on a lot that is less than the minimum lot size. Notwithstanding the non-compliance the development is considered acceptable for the reasons within the report.

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

16 Item 5 DEVELOPMENT APPLICATION NO. 2016/240 – DUAL OCCUPANCY AND TWO LOT RESIDENTIAL SUBDIVISION AND RETAINING WALLS AT 40 GOVERNORS PARADE, WINDRADYNE. APPLICANT: MR L COSTELLO. OWNER: BATHURST REGIONAL COUNCIL (DA2016/240)

MOVED: Cr M Coote SECONDED: Cr B Bourke

RESOLVED: That Council:

- (a) not support the variation to the development standard prescribed in Clause 4.1B Minimum lot sizes for dual occupancies, multi dwelling houses and residential flat buildings of Bathurst Regional Local Environmental Plan 2014 and the variation to the development standard prescribed in Section 4.3 Minimum lot size of Bathurst Regional DCP 2014;
- (b) as the consent authority, refuse consent pursuant to section 80 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2016/240 for the following reason:
 - (i) that it is in the public interest to maintain the integrity of the development standards in Clause 4.1B of the Bathurst Regional LEP 2014 and Section 4.3 of the Bathurst Regional DCP 2014 in relation to the minimum lot size for the erection of a dual occupancy development;
- (c) notify those who made a submission; 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 M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Nil

Abstain - Nil

6 VILLAGE OF HILL END (PRIVATELY OWNED LANDS) - ARCHAEOLOGICAL MANAGEMENT PLAN (20.00287) (20.00287)

Recommendation: That Council adopt the Village of Hill End (Privately Owned Lands) Archaeological Management Plan as a strategic document to inform planning and development decisions.

Report: Council engaged the services of Andrew Long and Associates to prepare an Archaeological Management Plan (AMP) for the privately owned lands in the village of Hill End. The aim of this study is to identify and assess the relative likelihood and significance of archaeological resources on privately owned land at Hill End.

As part of the investigation, non-mandatory site inspections were undertaken to carry out a brief visual survey of the properties identified in the AMP study area. The aim of the site inspections was to share information between the consultant and the residents so that both parties have a richer understanding of the history of Hill End. Where property access was not provided, the study relied on secondary sources of information (e.g. historical data).

The AMP will guide future planning controls and specific provisions within Council's Development Control Plan (DCP) relating to Hill End. It is intended to publicly exhibit the AMP concurrently with an amendment to the DCP, which is not yet underway.

The full copy of the Study is available from the Environmental, Planning & Building Services Department. The executive summary is included at **attachment 1**.

Council staff are also investigating opportunities to develop an interpretive strategy in relation to the Study.

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 28.5

MINUTE

**17 Item 6 VILLAGE OF HILL END (PRIVATELY OWNED LANDS) -
ARCHAEOLOGICAL MANAGEMENT PLAN (20.00287) (20.00287)**
MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That Council adopt the Village of Hill End (Privately Owned Lands) Archaeological Management Plan as a strategic document to inform planning and development decisions.

7 MAJOR ROAD INFRASTRUCTURE PLANNING (20.00036)

Recommendation: That the information be noted.

Report: Councillors at the August 2016 Policy meeting requested a report be presented relating to the forward planning for road infrastructure.

Kelso

Council's Strategic Planning Section in 2011 commissioned the Kelso Traffic Study. The study was undertaken in conjunction with the RMS due to the potential impact on the RMS controlled roads in the area. The study identified a suite of infrastructure that is, or will be, required to support the ongoing growth of the Kelso Residential Expansion Area. The study also identified a broad timeframe, (ie short, medium or long) for the provision of the infrastructure.

Council incorporated the recommendations of the Kelso Traffic Study into the Roadworks - New Residential Subdivision Section 94 Development Contributions Plan. The Section 94 Plan collects funds when land is subdivided, or intensified with dual occupancies or residential units, to contribute towards the cost of Council providing the required infrastructure.

It should be noted that some aspects of the Kelso Traffic Study have not been adopted by Council, particularly the realignment of Gilmour Street foreshadowed by the RMS.

The Section 94 Plan identifies a number of projects for the Kelso catchment including:

- Duplication of Hereford Street between Gilmour Street and the low level bridge.
- Widening of George Street between Stanley Street and Durham Street.
- Signalising of Marsden Lane/ Gilmour Street / Hereford Street intersection.
- Several local roundabouts or intersection treatments.
- Duplication of the low level bridge.

The New Residential Subdivision Section 94 Plan identifies the cost of the works for Kelso at approximately \$19 Million (CPI adjusted).

Windradyne / Llanarth /Eglinton

Council, since the mid-1990's, has identified a number of required road upgrades to cater for the continued growth of the city towards the west. The infrastructure requirements are contained in the Roadworks - New Residential Subdivision Section 94 Development Contributions Plan. There have been some recent refinements, however the plan has largely remained unchanged since its adoption in 2005.

The Section 94 Plan identifies a number of projects including:

- Widening (4 lanes) of Durham Street and Eglinton Road from Stewart Street to Rankens Bridge.
- Widening (4 lanes) of Bradwardine Road between Eglinton Road and Mitchell Highway.

- Construction (4 lanes) of Ophir Road from Rankens Bridge to Ophir Road.
- A number of intersection treatments along Eglinton Road, Bradwardine Road and within Eglinton village.

The Section 94 Plan identifies the cost of the works for Windradyne, Llanarth and Eglinton at approximately \$23.5 Million (CPI adjusted).

Raglan Creek diversion channel

Council, at its Ordinary meeting held 26 September 2012, resolved to acquire land for the purposes of the Raglan Creek diversion channel. The Roads and Maritime Service constructed the channel during 2013 and the project was completed in 2014. The diversion channel was transferred into Council's ownership in July 2016.

The diversion channel was designed to divert excess flows into the Macquarie River prior to those waters impacting on the Great Western Highway. Since the construction of the diversion channel, the traffic congestion associated with flooding has been significantly improved.

Eleven Mile Drive – Alternative Kelso access

Access to Kelso can also be achieved via Eleven Mile Drive at Eglinton when the low level bridge is inundated. The road crossing at Saltram Creek is largely unaffected by minor flooding, however it will be inundated during 1:10 and above ARI flood events.

Section 94 Plans generally

The collection of funds under a Section 94 Contributions Fund are to be expended on specific projects identified within the Plan. The Plan requires Council to identify a nexus relating to the demand for the infrastructure and the development. **It is important to note that Section 94 funds cannot be expended to cover the cost of the maintenance of the road.**

Council's Section 94 Plans allow for a Works In Kind arrangement where infrastructure identified within the Plan can be constructed by a developer and paid from the Section 94 Plan.

Future planning challenges

Alternative flood free route from Kelso

The Kelso Traffic Study did not make any specific recommendations about whether the duplication of the Hereford Street low level bridge should be flood free or not. The RMS, as part of their review of the draft study, recommended that the Hereford Street low level bridge should be made flood free.

The existing Hereford Street low level bridge has been constructed to cater for a rainfall event of up to 1:5 ARI. The construction of the Raglan Creek overland diversion channel has assisted in maintaining access along Hereford Street during rainfall events. The current Roadworks - New Residential Subdivision Section 94 Plan allows for the duplication of the low level bridge.

An alternative to the duplication of the low level bridge would be to construct a higher level bridge and approaches to cater for a larger flood, say 1:20 ARI. However, this would need

to be the subject of further studies and investigations to determine whether a higher bridge can be accommodated and whether it is the best option, particularly if Hereford Street itself remains inundated.

Future growth of the City

The Bathurst Urban Strategy 2007 identified that the land north of Eleven Mile Drive between Sofala Road and Eglinton may be suitable for the long term residential growth of the City. To support the growth of the City to the north, a range of infrastructure will be required. The construction of a further river crossing, capable of withstanding a 1:100 ARI flood event may be required, linking Eleven Mile Drive and Eglinton Road. The route, cost and timing of the bridge construction would need to be the subject of further studies. It is likely that this scenario would require a significant investment from Council and would be a long term (20+ year) solution. It should also be noted that this option is also likely to require significant upgrades to the Durham / Stewart Street intersection and Durham Street / Eglinton Road.

Durham / Stewart Street Intersection

The RMS have, for a number of years, identified that the Durham / Stewart Street intersection will require significant upgrades, particularly with the growth of residential development to the West of Bathurst. The RMS has advised Council that the intersection efficiency and safety will be routinely monitored. It is likely that significant alterations will be required to the intersection as the City continues to grow.

Council has met significant resistance from the RMS as Council has referred several developments to the RMS for their comment. The RMS have consistently advised Council that the intersection is nearing capacity and will require upgrading at some point in the future.

Conclusion

Council has in place a Section 94 Plan for future road and intersection works to cater for the City's growth to the east (Kelso) and west (Windradyne, Llanarth, Abercrombie and Eglinton). Council will need to commission the relevant works as growth occurs and funding is collected. This may require works to be undertaken prior to all Section 94 funds being collected as was the case with the Hereford Street upgrade some years ago.

Council needs to consider and fund longer term road infrastructure investigations including:

- The need for another river crossing should the City expand to the north, and
- Upgrades to critical intersections such as Durham / Stewart Street.

Financial Implications: Council is currently collecting Section 94 funds under the Roadworks – New Residential Subdivisions Section 94 Development Contributions Plan. No funding has been allocated for the future infrastructure planning should the city expand to the north.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.1, 28.2

- 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 29.2, 29.4

MINUTE

- 18 Item 7 MAJOR ROAD INFRASTRUCTURE PLANNING (20.00036)
MOVED: Cr W Aubin SECONDED: Cr M Coote

RESOLVED: That the information be noted.

8 BATHURST REGIONAL DCP 2014 AMENDMENT– WINDRADYNE AND LLANARTH (20.00292)

Recommendation: That Council:

- (a) adopt the Bathurst Regional Development Control Plan 2014 amendment to amend Map No 5 – Windradyne, Llanarth & Abercrombie and Schedule 6 Residential Precincts;
- (b) give public notice in accordance with the Environmental Planning and Assessment Act, and
- (c) call a division.

Report: Council at its Ordinary meeting held 18 May 2016, adopted a rezoning application to amend the recreation and residential zone boundary within Windradyne and Llanarth. The proposed DCP amendment is as a direct result of that rezoning. The Development Control Plan is proposed to be amended as follows:

	Matter	Details
1	DCP Map No. 5 – Windradyne, Llanarth and Abercrombie	The amendment of the open space corridor on the eastern side of Sawpit Creek to match the new zone boundaries.
2	Schedule 6 – Residential Precincts	Amend the Residential Precinct boundary to match the residential zone boundary.

The draft DCP maps recommended for adoption are included at **attachment 1**.

Public exhibition

Council exhibited the draft Development Control Plan Amendment from 4 June 2016 until 1 August 2016.

Council did **not** receive any submissions in relation to the proposed amendment.

Conclusion

Council at its Ordinary meeting held 18 May 2016, adopted a rezoning application to amend the recreation and residential zone boundary within Windradyne and Llanarth. The LEP amendment needs to be supported by a DCP amendment to Map No 5 – Windradyne, Llanarth & Abercrombie and Schedule 6 – Residential Precincts Maps. Council exhibited the draft DCP amendment and did not receive any submissions. Adoption of the amendment to the DCP is recommended. It should be noted that the DCP amendment will not become effective until the rezoning is gazetted (expected in the near future).

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

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

Strategy 30.3, 30.7

MINUTE

19 Item 8 BATHURST REGIONAL DCP 2014 AMENDMENT- WINDRADYNE AND LLANARTH (20.00292)

MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That Council:

- (a) adopt the Bathurst Regional Development Control Plan 2014 amendment to amend Map No 5 – Windradyne, Llanarth & Abercrombie and Schedule 6 Residential Precincts;
- (b) give public notice in accordance with the Environmental Planning and Assessment Act, and
- (c) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

9 2016 BATHURST JOBS EXPO (20.00071)

Recommendation: That the information be noted.

Report: Council successfully ran the Bathurst Jobs Expo on the 23 August, 2016 at the Bathurst Memorial Entertainment Centre. Now in its third year, the Expo attracted 2,148 people, a significant increase on the 1,400 from 2015 and the 350 attendees in 2014. Job seekers travelled from Lithgow, Oberon, Mudgee, Rylstone, Blayney, Orange, Millthorpe, Canowindra, Portland, Nelson Bay and Wentworth Falls to attend the event. Of the 2,148 attendees, 900 were high school students from All Saints College, Bathurst High School, Blayney High School, Canobolas Rural Technology High School, Canowindra High School, Cowra High School, Dubbo School of Distance Education, Kandos High School, Kelso High School, Lithgow High School, Mackillop College, Oberon High School, Portland Central School, Skillset College, St. Stanislaus' College and Yeoval Central School. The Expo was sponsored by TAFE Western and 2BS/B-Rock.

The Bathurst Jobs Expo attracted 49 exhibitors in total including Defence Force Recruiting, TAFE Western, Skillset, Charles Sturt University, Paramedical Services, Department of Human Services, McDonald's and Woolworths. Job seekers and students were also able to access information on more than 80 available positions in the Bathurst Region and surrounding areas as well as attend presentations by the Department of Employment, Kate Southam, an experienced career specialist, and Greg Mumm from Career HQ. Two driving simulators provided by TAFE Western and a full sized Ambulance provided by Paramedical Services were also on site for attendees to gain some hands on practical experience.

The Bathurst Jobs Expo has become the leading jobs and career development event in the Central West, attracting exhibitors and job seekers from across the state. Council partnered with the Central Western Careers Advisors (CWCA) to organise the event again in 2016.

Council has received very positive feedback from the event to date:

"Congratulations on a wonderful Jobs Expo!...I arrived at 8.35am and left at 3.25pm and didn't draw breath in between!" – Lifeline Central West

"I just wanted to thank you for all your hard work in coordinating the Bathurst Jobs Expo. We were really impressed by the size and attendance on the day and for our service, Skillset Youth Connect – we secured 5 registrations from the day plus a number of other enquiries to follow up that may convert to registrations within the next few months. This is an awesome result and so valuable for us. Thanks so much for the opportunity to participate and we look forward to joining again next year. Well done on your efforts!" – Skillset Youth Connect

Council is also currently conducting a survey with exhibitors to evaluate the Expo this year and identify new opportunities for future years.

Conclusion:

The 2016 Bathurst Jobs Expo far exceeded all expectations and attracted a much larger audience than anticipated, with 2,148 attendees. Council is currently conducting a survey with exhibitors to evaluate the Expo and ensure it continues to grow year on year.

Financial Implications: The 2016 Bathurst Jobs Expo was funded from existing allocations.

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

MINUTE

- 20 Item 9 2016 BATHURST JOBS EXPO (20.00071)
MOVED: Cr M Coote SECONDED: Cr B Bourke

RESOLVED: That the information be noted.

10 2016 EVOCITIES RESEARCH SUMMARY (18.00208)

Recommendation: That the information be noted.

Report: Every two years, Evocities conducts an online survey of individuals and families who have relocated to an Evocity in order to gain further insight into how their lives have changed since they made the move.

In July 2016 a survey was conducted over three weeks with Evocities residents aged 18 and over who had made the move in either 2015 or 2016. Of the respondents, 62 per cent were female and 38 per cent were male.

A snapshot of the survey findings is provided below.

A combination of factors contributed to relocators making the move with the top three reasons being quality of life, traffic congestion and the cost of housing.

- 59 per cent of relocators wanted a better quality of life than what was currently available in their metropolitan city.
- 54 per cent of relocators were tired of the traffic congestion in their capital city.
- 49 per cent of relocators were looking for more affordable housing.

The majority (77%) of relocators looking for a job had secured employment prior to moving or shortly after arriving.

- 55 per cent of those who were looking for work were able to find employment before moving to an Evocity.
- 22 per cent of those who were looking for work were able to find employment within less than three months of moving to an Evocity.

Commuting to work every day took its toll on people prior to moving to an Evocity.

- Before moving to an Evocity, over half (51%) spent more than 31 minutes travelling just to get to work, and for 20 per cent it took more an hour.
- After making the move to an Evocity, nearly two thirds (63%) made it to work in less than ten minutes and 88 per cent in fewer than 30 minutes.

While the number of relocators owning their home, paying a mortgage or renting remained at similar levels since the move, many had decreased their mortgage or rental payments.

- 55 per cent of relocators who were renting had decreased their rental payments since relocating.
- 48 per cent of relocators who were paying a mortgage had decreased their payments since relocating.

When asked how their lifestyle had improved since making the move to an Evocity, the three big winners were cost of housing, access to the outdoors and free time.

- 69 per cent of relocators said their cost of housing was improved or much improved since making the move.
- 63 per cent of relocators said their access to the outdoors was improved or much improved since making the move.

- 65 per cent of relocators said the amount of free time they had was improved or much improved since making the move.

Based on expectations of life in an Evocity, our relocators shared the following feedback:

- 71 per cent of relocators were surprised by the quality of lifestyle in their new City.
- 71 per cent of relocators were surprised by the facilities on offer in their new City.
- 77 per cent of relocators said the decision to make the move to an Evocity was a good one.
- 79 per cent of relocators would recommend the move to other people.

Conclusion:

The 2016 Evocities Relocator Survey conducted with residents who had made the move to an Evocity in 2015 or 2016 received very positive results, indicating people are generally happy with their decision to move to an Evocity. The cost of housing, access to the outdoors and more free time were the three most popular responses to how their lifestyle had improved since making the move to an Evocity.

Financial Implications: The costs of the survey were funded from existing allocations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.2
- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1, 4.4

MINUTE

- 21 Item 10 2016 EVOCITIES RESEARCH SUMMARY (18.00208)
MOVED: Cr W Aubin SECONDED: Cr M Coote

RESOLVED: That the information be noted.

11 JUBILEE & OPHIR ROAD RESERVES PLAN OF MANAGEMENT (04.00061)

Recommendation: That Council:

- (a) place the draft Jubilee & Ophir Road Reserves Plan of Management on public exhibition for a period of 28 days;
- (b) if there are no submissions received adopt the draft Jubilee & Ophir Road Reserves Plan of Management as a working document; and
- (c) call a division.

Report: Jubilee and Ophir Road Reserves are Council owned land zoned for Public Recreation (RE1). They are adjoining reserves situated along the Macquarie River in Abercrombie with a total land area of 3.18 and 6.97ha respectively. The Reserves are a significant conservation and public open space asset, being located along the riparian corridor of the Macquarie River on the north western outskirts of Bathurst city. The Reserves meet where Sawpit Creek enters the Macquarie River – a reach of Sawpit Creek which is highly incised and degraded. The Kath Knowles Memorial Pathway is located within Ophir Road Reserve and is well utilised as a passive recreation space by the public.

The Bathurst Biodiversity Management Plan (BMP), which was adopted by Council in 2012, identifies Jubilee Reserve and Ophir Road Reserve as having moderate biodiversity conservation value. The ecosystem services supplied by the river, habitat connectivity and past vegetation rehabilitation contribute to its conservation value while past clearing and invasion by weed species (willows and exotic grasses) detract from its conservation value. The BMP also rates the sites as being in poor biodiversity condition due to changes in vegetation structure and species composition and a lack of habitat features.

The BMP recommends that plans of management be developed for Council managed sites which form part of the Macquarie River riparian zone (Action AM2 of the BMP) and that the recommendations of these plans be implemented (Action AM12 of the BMP). The BMP also recommends that where the ecosystem condition rating of a Council managed site (the Reserves are rated as being in poor biodiversity condition) is lower than its conservation rating (in this case moderate conservation rating) that the site(s) be targeted for rehabilitation.

In 2015 Council was awarded a NSW Environmental Trust Grant to assist with the rehabilitation of the lower reach of Sawpit Creek and the Macquarie River riparian vegetation in this vicinity. Preparation of a plan of management (POM) for the sites was committed to as one of the project activities provided at **attachment 1**. The Reserves have been divided into three management areas based upon the vegetation type and condition, land use, access and funded restoration work. The POM will guide future management and environmental restoration activities at the Reserves. It is important to note that this POM relates to the natural and environmental condition of the parks and does not deal in detail with infrastructure such as seating, walkways and buried infrastructure such as any pipe networks. For information pertaining to general park maintenance and asset management within these parks, Council's relevant asset management plan should be referred to.

Because these Reserves are important community public open space it is recommended that the Draft Plan of Management for Jubilee and Ophir Road Reserves be placed on public exhibition for a period of 28 days prior to it being adopted by Council.

Financial Implications: The preparation of the Plan of Management was funded from

existing allocations. The on-ground works in Management Area 2 has been funded with assistance from the NSW Government through its Environmental Trust.

Some future management activities will be funded from existing allocations, while other management actions are likely to require grant funding to complete.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.4, 10.6, 10.10
- Objective 12: To protect and enhance water quality and riparian ecology. Strategy 12.7, 12.10

MINUTE

22 Item 11 JUBILEE & OPHIR ROAD RESERVES PLAN OF MANAGEMENT **(04.00061)**

MOVED: Cr M Morse SECONDED: Cr G Westman

RESOLVED: That Council:

- (a) place the draft Jubilee & Ophir Road Reserves Plan of Management on public exhibition for a period of 28 days;
- (b) if there are no submissions received adopt the draft Jubilee & Ophir Road Reserves Plan of Management as a working document; and
- (c) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

12 HERITAGE NETWORK SEMINAR (20.00123)

Recommendation: That the report be noted.

Report: On 1 and 2 September 2016, Council's Heritage Advisor and Senior Heritage Planner attended the NSW Office of Environment and Heritage (OEH) – Heritage Network Seminar in Redfern. The seminar hosted several notable speakers, including Greater Sydney Commission – Chief Commissioner Lucy Turnbull.

The event focussed on legislation surrounding heritage such as planning and archaeology and investigated opportunities to balance the protection of heritage in the context of development.

Bathurst Regional Council was commended several times throughout the two day seminar, attended by industry professionals and Councils throughout NSW, for its progressive and pro-active approaches to heritage protection. In particular, David Scobie of David Scobie Architects, Sydney and also Heritage Advisor to Orange, Blayney and Cabonne Councils, in his presentation specifically outlined that Bathurst Council has set the benchmark for all things heritage.

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 28.5, 28.8

MINUTE

- 23** Item 12 HERITAGE NETWORK SEMINAR (20.00123)
MOVED: Cr G Westman SECONDED: Cr I North

RESOLVED: That the report be noted.

13 MAIN STREET IMPROVEMENTS AND SIGNAGE COMPLIANCE IMPLEMENTATION PLAN (20.00123)

Recommendation: That the report be noted.

Report: In light of the report presented to Council on 3 February 2016, Council, at its meeting held 18 May 2016, resolved to adopt an Implementation Plan to achieve main street improvements and signage compliance within the CBD. Part of that Implementation Plan included the completion of the Bathurst Main Street Review and establishing a Main Street Improvement Fund.

Stage 1 of the Bathurst Main Street Review has been completed. This stage included William and George Streets, Church Street and part of Howick Street within the CBD and identifies specific opportunities for building improvements. It is intended to promote the recommendations of the updated Main Street Review to both property owners and tenants.

As part of the 2016/17 Management Plan, \$50,000 was allocated to establish a Main Street Improvement Fund to encourage owners to undertake the works recommended by the Bathurst Main Street Review. Applications for this fund will be called as part of the promotion of the Bathurst Main Street Review. A copy of the application form and fund guidelines are provided at **attachment 1**. It is proposed that grants of between \$300 and \$5000 be offered (but not to exceed 50% of the total cost of the approved works).

Stage 2 of the Bathurst Main Street Review, which includes Keppel Street, is currently being undertaken. These works will take priority in the 2017/18 Main Street Improvement Fund.

The remaining CBD blocks including parts of Howick and Russell Street will form Stage 3. These areas were not assessed as part of the earlier 1994 study so further investigation will be required to ascertain historical information.

Financial Implications: The Main Street Improvement Fund has been provided for in the 2016/17 Management Plan.

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
- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.1

MINUTE

24 Item 13 MAIN STREET IMPROVEMENTS AND SIGNAGE COMPLIANCE IMPLEMENTATION PLAN (20.00123)

MOVED: Cr M Morse SECONDED: Cr W Aubin

RESOLVED: That the report be noted.

Yours faithfully

A handwritten signature in black ink, appearing to be 'R Denyer', written in a cursive style.

R Denyer
ACTING DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 SEPTEMBER 2016

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$73,100,000 was invested at 31 August 2016 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<u>Rating</u>	<u>Balance</u>	<u>Average Return</u>
<u>Short Term 1 – 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits):			
Bank of Queensland Limited	A2	\$4,500,000.00	3.05%
Bendigo and Adelaide Bank Limited	A2	\$500,000.00	2.80%
Bankwest	A1+	\$1,500,000.00	2.80%
National Australia Bank Limited	A1+	\$23,000,000.00	3.03%
St George	A1+	\$3,000,000.00	2.94%
Maritime, Mining & Power Credit Union Ltd	ADI	\$500,000.00	2.93%
People's Choice Credit Union	ADI	\$1,500,000.00	2.70%
Railways Credit Union Limited	ADI	\$2,000,000.00	2.99%
SGE Credit Union Limited	ADI	<u>\$1,500,000.00</u>	<u>2.83%</u>
		\$38,000,000.00	2.99%
<u>Long Term > 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Bonds):			
<u>Committed Rolling Investments</u>			
CBA Deposit Plus	AA-	\$1,500,000.00	2.81%
CBA Deposit Plus 1	AA-	\$1,500,000.00	3.32%
CBA Deposit Plus 2	AA-	\$1,500,000.00	4.00%
WBC Coupon Select	AA-	\$2,000,000.00	3.00%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$2,800,000.00</u>	<u>2.20%</u>
		\$9,300,000.00	2.94%
<u>Fixed, Negotiable & Tradeable Certificates of Deposits</u>			
Greater Bank Ltd	BBB+	<u>\$2,000,000.00</u>	<u>3.28%</u>
		\$2,000,000.00	3.28%
<u>Floating Rate Notes</u>			
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	2.85%
AMP	AA-	\$800,000.00	3.12%
AMP	AA-	\$1,000,000.00	3.08%
Suncorp Metway	A+	\$1,000,000.00	3.18%
Rabobank	A+	\$1,000,000.00	3.49%
Macquarie Bank	A	\$1,000,000.00	3.10%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	2.96%
Bank of Queensland	A-	\$1,000,000.00	3.02%

Bank of Queensland 1	A-	\$2,000,000.00	3.10%
Bendigo & Adelaide Bank 2	A-	\$1,000,000.00	2.93%
Bendigo & Adelaide Bank 3	A-	\$1,000,000.00	2.85%
Bank of Queensland 2	A-	\$1,000,000.00	2.86%
Credit Union Australia	BBB+	\$3,000,000.00	3.30%
Police Bank Ltd	BBB+	\$1,000,000.00	2.83%
Police Bank Ltd 2	BBB+	\$1,000,000.00	2.86%
Credit Union Australia 2	BBB+	\$1,000,000.00	3.20%
Credit Union Australia 3	BBB+	\$1,000,000.00	3.55%
Newcastle Permanent	BBB+	\$1,000,000.00	3.32%
Newcastle Permanent 2	BBB+	\$1,000,000.00	3.60%
Members Equity Bank 2	BBB+	\$1,000,000.00	2.76%
Greater Building Society	BBB	<u>\$1,000,000.00</u>	<u>3.03%</u>
		\$23,800,000.00	3.11%

Total Investments **\$73,100,000.00** **3.03 %**

These funds were held as follows:

Reserves Total (includes unexpended loan funds)	\$37,116,372.00
Grants held for specific purposes	\$2,773,031.00
Section 94 Funds held for specific purposes	\$32,931,328.00
Unrestricted Investments – All Funds	\$279,269.00

Total Investments **\$73,100,000.00**

Total Interest Revenue to 31 August 2016 **\$361,890.56** **3.03%**

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

- 25 **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED: Cr B Bourke SECONDED: Cr M Coote

RESOLVED: That the information be noted.

2 YEAR TO DATE MONTHLY REVIEW - 2016-2020 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2016-2017 (16.00144)

Recommendation: That the information be noted.

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

At **attachment 2** is an update of Council's progress towards achieving the Strategies and Objectives for the 2016-2020 Delivery Plan and the Annual Operating Plan 2016-2017.

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

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

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

26 Item 2 YEAR TO DATE MONTHLY REVIEW - 2016-2020 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2016-2017 (16.00144)

MOVED: Cr I North SECONDED: Cr G Westman

RESOLVED: That the information be noted.

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

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

Report: At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 31 August 2016.

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:	\$10,740
BMEC Community use:	\$9,171
Mount Panorama:	\$18,500

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

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

MOVED: Cr G Westman SECONDED: Cr M Coote

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.

- Hibbards Pty Ltd - 85 Colville Street - Lot 1094, DP 1215618 - Transfer
- IM Burnett - 5 Twynam Avenue - Lot 1067, DP 1215618 - Transfer
- Cutler Constructions Pty Ltd - 10 Twynam Avenue - Lot 1112, DP 1215618 - Transfer
- PJ Fitzsimmons and SA Elliott - 14 Governors Parade - Lot 1027, DP 1212670 - Transfer
- TB Meek and MJ Edmondson - 11 Matthews Street - Lot 1117, DP 1215618 - Transfer

Linen Plan Release

- RG Morris - 16 lot rural residential subdivision - Lot 8, DP 1046017, 1 Samuel Way, The Lagoon; Lot 2290, DP 1075085, Glazebrooks Road, The Lagoon; Lot 21, DP 1100726, Glazebrooks Road, The Lagoon.

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

28 **Item 4 POWER OF ATTORNEY (11.00007)**
MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That the information be noted.

5 REQUEST FOR USE OF MOUNT PANORAMA POLICE COMPOUND - MEMORIAL MUSTER COMMITTEE (04.00026-02/025)

Recommendation: That Council:

- (a) Make available the use of the Police Compound at Mount Panorama for the Memorial Muster event on 29 and 30 October 2016.
- (b) Waive the fees of \$600 (\$300 per day);
- (c) Advise the organisation it will be responsible for pre and post cleaning, at its cost, of the area following the event.
- (d) Be provided a copy of the organisation's public liability policy of \$20 million.

Report: Council has received a request from the Memorial Muster organising committee for the use of the Police Compound and surrounding park land area at Sulman park, Mount Panorama on 29 and 30 October 2016 see **attachment 1**. (Please note original letter requested date of 23 and 24 October but this date clashed with another event). The committee will also require access until midday on Monday, 31 October 2016 to clean up and remove items from the area.

The Memorial Muster is an awareness and fundraising event dedicated to the identification and preservation of grave sites of NSW police officers killed in the line of duty and generally NSW policing history. The concept of the event is that participants will visit NSW police officers' grave sites across the State and then meet at Mount Panorama Bathurst for a barbecue and meeting in support of the event's objectives.

Council has been advised that around 100 participants and support staff will attend the event. The committee has requested Council to waive the fees of \$300 per day for the hire of the Police Compound.

There is no financial information supplied for this request as this is a one-off request to conduct an event at Mount Panorama. This body is not incorporated.

It is recommended that the organisation be advised that they will be responsible for the pre and post cleaning of the event at its cost together with supplying Council a copy of its public liability policy of \$20 million.

Financial Implications: Council will forego estimated income of \$600

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.7
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

MINUTE

**29 Item 5 REQUEST FOR USE OF MOUNT PANORAMA POLICE COMPOUND -
MEMORIAL MUSTER COMMITTEE (04.00026-02/025)**
MOVED: Cr M Morse SECONDED: Cr B Bourke

RESOLVED: That Council:

- (a) Make available the use of the Police Compound at Mount Panorama for the Memorial Muster event on 29 and 30 October 2016.
- (b) Waive the fees of \$600 (\$300 per day);
- (c) Advise the organisation it will be responsible for pre and post cleaning, at its cost, of the area following the event.
- (d) Be provided a copy of the organisation's public liability policy of \$20 million.

6 EMERGENCY SERVICES PROPERTY LEVY - NEW SOUTH WALES GOVERNMENT (18.00145-05/050)

Recommendation: That Council:

- (a) the information be noted; and
- (b) the General Manager be authorised to sign the Memorandum of Understanding between NSW State Government and Bathurst Regional Council dealing with the Engineering Services Property Levy.

Report: Council has received advice from the New South Wales Government Treasury Office that as from 1 July 2017 the insurance-based Emergency Services Levy (ESL) will be replaced by an Emergency Services Property Levy (ESPL). This change will bring New South Wales in line with all other mainland states in the raising of revenue for emergency services.

The purpose of this change is that all individual properties will have their emergency services property levy based on land value. Each Council will need to classify all land within their boundaries against one of the ESPL property sectors by 31 December 2016.

Council has been advised that the New South Wales Government will advance Council \$46,231 to meet costs associated with land classification. The allocation of these funds has been estimated to reflect the fixed and variable costs associated with the classification task.

The New South Wales Treasury has further advised that in addition to this one-off grant Council will be reimbursed for all reasonable start-up and ongoing costs associated with the ESPL levy.

Councillors should note that this is another shift of responsibility from the New South Wales Government to the various local government organisations to collect funds previously collected by the New South Wales Government.

Council will be expected to report all costs against various cost centres and this will be subject to an audit. There is no doubt Council will need to sign the appropriate acquittal certificates to ensure that Council is not overcharging in relation to this service provided by the New South Wales Government.

Council is further requested to give authority to the General Manager to sign the proposed memorandum of understanding at **attachment 1** between the New South Wales State Government and Bathurst Regional Council.

Under **attachment 2** are details about the proposed changes under the Emergency Services Property Levy (ESPL). This information will assist Councillors in further understanding the transfer of responsibilities from the State Government to Council.

Financial Implications: According to the NSW Government Treasury Office this should be a cost neutral effect on Council.

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

MINUTE

30 Item 6 EMERGENCY SERVICES PROPERTY LEVY - NEW SOUTH WALES GOVERNMENT (18.00145-05/050)

MOVED: Cr M Morse SECONDED: Cr G Westman

RESOLVED: That Council:

- (a) the information be noted; and
- (b) the General Manager be authorised to sign the Memorandum of Understanding between NSW State Government and Bathurst Regional Council dealing with the Emergency Services Property Levy.

7 GO KART CIRCUIT - MOUNT PANORAMA (21.00135)

Recommendation: That Council advance the Bathurst Kart Club an amount of \$100,000 at the current interest rate plus 1% repayable over 20 years.

Report: Council has been working with the Bathurst Kart Club on the design of a new Go Kart Circuit at McPhillamy Park, Mount Panorama.

Council's Engineering Department is nearing completion of the design of the circuit. Once completed, Council will go out to tender for this project. In accordance with normal Council process, a report will be prepared for Council setting out the tender details.

In order to assist Council in financing this project, the Bathurst Kart Club will take out a Council loan of \$100,000 and will make a cash contribution of \$50,000 towards this project. Council has included funds in this year's budget for this project.

It is requested that Councillors approve this loan of \$100,000 at the current Council interest rate plus 1% repayable over 20 years.

Financial Implications: Council will advance a loan of \$100,000 repayable over 20 years.

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 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.4
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.2

MINUTE

- 31 Item 7 GO KART CIRCUIT - MOUNT PANORAMA (21.00135)
MOVED: Cr B Bourke SECONDED: Cr M Coote

RESOLVED: That Council advance the Bathurst Kart Club an amount of \$100,000 at the current interest rate plus 1% repayable over 20 years.

8 REQUEST FOR FINANCIAL ASSISTANCE - 2017 SOAR, RIDE AND SHINE EVENT - LIFELINE CENTRAL WEST (21.00008)

Recommendation: That Council provide in-kind funding support to Lifeline Central West to the value of \$10,000 and \$300 cash award for the best car displayed on the day prize for the 2017 Soar, Ride and Shine event to be held at the Bathurst Regional Airport from 25-26 March 2017. The cash component to be funded from Section 356 donations.

Report: Lifeline Central West conducted an event at the Bathurst Regional Airport during May 2016 known as the Soar, Ride and Shine event. Council has been advised that it proposes to host a similar event over two days in 2017 and thereafter on a biennial basis, see **attachment 1**.

In 2016 Council supported the event with in-kind funding support of \$10,000 worth of services and a further \$300 cash grant for an award for the best car displayed on the day.

Lifeline Central West have now requested Council to again become involved in the 2017 event by providing the following support:

1. Perimeter crowd fencing.
2. Waste bin services.
3. Waiver of landing fees.
4. Council staff support for the event.
5. Provision of \$300 for the Bathurst Regional Council best at show prize.

The organisation has further requested some additional support in the form of earth rolling equipment on some reclaimed agricultural land at the airport and the hiring of a mini bus to facilitate airport movement.

Lifeline Central West have advised that the 2016 show was a great success with estimated visitor numbers of approximately 8,000 attending the event.

Council has requested a set of financial documents from this year's event which will be sent to Councillors under separate cover.

It is recommended that Council support Lifeline Central West as indicated in items 1-5 above and that Lifeline be advised that Council will not provide the earth rolling equipment or mini bus as this will add an additional contribution to Council's \$10,000 in-kind contribution and cash prize grant.

Financial Implications: Council will provide in-kind support up to the value of \$10,000 and cash grant of \$300 to be funded from Section 356 donations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

32 Item 8 REQUEST FOR FINANCIAL ASSISTANCE - 2017 SOAR, RIDE AND SHINE EVENT - LIFELINE CENTRAL WEST (21.00008)
MOVED: Cr M Coote SECONDED: Cr B Bourke

RESOLVED: That Council provide in-kind funding support to Lifeline Central West to the value of \$10,000 and \$300 cash award for the best car displayed on the day prize for the 2017 Soar, Ride and Shine event to be held at the Bathurst Regional Airport from 25-26 March 2017. The cash component to be funded from Section 356 donations.

9 REQUEST FOR FINANCIAL ASSISTANCE - SUPPORT FOR CANCER COUNCIL RELAY FOR LIFE (18.00004)

Recommendation: That Council provide one 2017 season pass for two adults to attend the Bathurst Memorial Entertainment Centre for the 2017 Theatre Season, at a cost of \$400, to be funded from the BMEC Community Use Subsidy.

Report: Council has received a request from the Cancer Council Bathurst Relay for Life organisation for financial support for the Bathurst Relay for Life event to be held at All Saints College on 11 and 12 March 2017 see **attachment 1**.

The organisation intends to run a raffle and has requested Council to supply a 2017 Season Pass for two adults at the Bathurst Memorial Entertainment Centre which will cost approximately \$400. For providing such assistance, Council will receive exposure and recognition through placement of the BMEC logo on Bathurst and District Relay for Life marketing collateral, including posters, raffle book covers, flyers, etc.

This organisation has been in operation for many years and has raised considerable funds for the Cancer Council to be used in its research to fight against cancer.

It is therefore recommended that Council support this request for one season pass for two adults for the 2017 BMEC Theatre Season, at a cost of \$400.

Financial Implications: This request could be funded from Council's BMEC Section 356 Donations which currently has a balance of \$9,171.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1

MINUTE

33 Item 9 REQUEST FOR FINANCIAL ASSISTANCE - SUPPORT FOR CANCER COUNCIL RELAY FOR LIFE (18.00004)

MOVED: Cr I North SECONDED: Cr M Morse

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

Reason: On Relay for Life Committee

RESOLVED: That Council provide one 2017 season pass for two adults to attend the Bathurst Memorial Entertainment Centre for the 2017 Theatre Season, at a cost of \$400, to be funded from the BMEC Community Use Subsidy.

10 REQUEST FOR FINANCIAL ASSISTANCE - V8 UTE SERIES (04.00001)

Recommendation: For Council's consideration.

Report: Council has received a request from Terry Nightingale Racing for the National Motor Racing Museum (NMRM) to become a sponsor partner of one of the leading teams competing in the Australian V8 Utes Racing Series event at this year's 2016 Supercheap Auto Bathurst

Mr Nightingale has requested Council to become sponsor partner of the #30 Sieders Racing Ute driven by Terry Nightingale and which will be competing at the Bathurst 1000 meeting.

He has advised an amount of \$1,500 is being sought as a sponsor partner. Benefits of sponsorship include:

1. Media announcement of sponsorship, with the NMRM name used on all publicity/promotion.
2. NMRM logo to be displayed on ute.
3. Acknowledgement in media releases, national and local level, as well as television, websites, motor magazines, radio stations, newspaper and copies to all sponsors.

A detailed report is at **attachment 1** for Councillors' information.

Financial Implications: Council currently has funds available in General Promotions for the NMRM should Council decide to become involved in this sponsorship.

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

34 Item 10 REQUEST FOR FINANCIAL ASSISTANCE - V8 UTE SERIES
(04.00001)

MOVED: Cr B Bourke SECONDED: Cr I North

RESOLVED: That Council provide sponsorship of \$1,500 to Terry Nightingale Racing, to be funded from Mount Panorama Section 356 Donations.

11 STATEMENT BY COUNCIL ON FINANCIAL REPORTS (16.00137, 41.00089)

Recommendation: That Council:

- (a) refer the draft Financial Statements to Council's auditors, Intentus Chartered Accountants, for audit;
- (b) sign the Certificates with respect to the General Purpose Financial Statements and the Special Purpose Statements for the year ended 30 June 2016;
- (c) adopt the Accounting Policies shown in the financial reports.

Report: Council is required, under section 413 (1) of the Local Government Act 1993, to prepare financial reports for each year, and refer them for audit. For Council's information the draft Financial Reports for the year ended 30 June 2016 are provided as the General Purpose Financial Statements (**attachment 1**) and Special Purpose Financial Statements (**attachment 2**). Note that the draft Financial Reports may be subject to change during the audit process.

Pursuant to Section 413 (2)(c) Council is required to make a statement in the approved form (**attachment 3** and **attachment 4**) in respect of its General Purpose Financial Statements and Special Purpose Financial Statements.

Each year, Council determines its significant Accounting Policies to be incorporated as Note 1 to the Financial Statements. Those policies deal with how the Council implements the International Financial Reporting Standards (IFRS), the Australian Accounting Standards (AASB), the Local Government Code of Accounting Practice (the Code) and the specific principles, bases, conventions, rules and practices that are applied in preparing and presenting the Financial Statements. The accounting policies are included in the Financial Statements for Council's adoption.

Following completion of the audit the Financial Statements will be placed on public exhibition prior to the formal presentation to Council.

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
- Objective 33: To be and develop good leaders. Strategy 33.6

MINUTE

35 Item 11 STATEMENT BY COUNCIL ON FINANCIAL REPORTS (16.00137, 41.00089)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council:

- (a) refer the draft Financial Statements to Council's auditors, Intentus Chartered Accountants, for audit;
- (b) sign the Certificates with respect to the General Purpose Financial Statements and the Special Purpose Statements for the year ended 30 June 2016;
- (c) adopt the Accounting Policies shown in the financial reports.

12 CARRYOVER WORKS (16.00137)

Recommendation: That the items as identified on the list of carry-over works as at 30 June 2016 be carried over and added to the Management Plan for 2016/2017.

Report: As Council would be aware, for logistical or resource management purposes, various works for which funding was provided in 2015/2016 remained incomplete or in progress as at 30 June 2016.

At **attachment 1** is a list of such works for which funding, as indicated, will need to be carried over to the 2016/2017 financial year to enable their completion.

Financial Implications: Funds voted in the 2015/2016 Management Plan will be carried over to cover the votes required to complete this work.

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

- 36 Item 12 CARRYOVER WORKS (16.00137)
MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That the items as identified on the list of carry-over works as at 30 June 2016 be carried over and added to the Management Plan for 2016/2017.

13 FINANCIAL ASSISTANCE GRANT 2016/2017 (16.00031)

Recommendation: That the information be noted.

Report: Council receives the Financial Assistance Grant each year consisting of a general purpose component and a local roads component. The 2016/2017 grant amount for Council is less than the previous year's allocation by \$260,931 or a reduction of 4.2%:

	2015/2016 \$	2016/2017 \$	Variance \$	Variance %
General Purpose	4,329,786	4,114,049	-215,737	-5.0%
Local Roads	1,862,733	1,817,539	-45,194	-2.4%
Total	6,192,519	5,931,588	-260,931	-4.2%

Council prepared its budget for Financial Assistance Grants based on the 2015/2016 allocation plus an increase equivalent to the NSW Government's Rate Peg of 1.8%. Consequently, Council's budget for the Financial Assistance Grants will not be achieved:

	2016/2017 Budget \$	2016/2017 Actual \$	Variance \$	Variance %
General Purpose	4,446,188	4,114,049	-332,139	-7.5%
Local Roads	1,867,700	1,817,539	-50,161	-2.7%
Total	6,313,888	5,931,588	-382,300	-6.0%

The circular from the Local Government Grants Commission explaining the general changes is at **attachment 1** and changes specific to Council at **attachment 2**.

Financial Implications: The reduction of the Financial Assistance Grant will reduce Council's income budget by an amount of \$382,300. This reduction will be included in budget adjustments shown in Council's first Quarterly Budget Review for September 2016 which will be submitted to the 16 November 2016 Council meeting.

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

- 37 Item 13 FINANCIAL ASSISTANCE GRANT 2016/2017 (16.00031)
MOVED: Cr M Coote SECONDED: Cr B Bourke

RESOLVED: That the information be noted.

**14 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 22.01560, 04.00009, 22.00654, 22.00041, 22.01402, 22.00891)**

Recommendation: That the information be noted.

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

1. PURCHASE OF LAND (BRICK PITS) - EDGELLS LANE, KELSO

The report concerns the possible purchase or environmentally sensitive land on the flood plain.

2. REQUEST FOR USE OF MOUNT PANORAMA - MOTOR RACING EVENT

The report concerns a request about the possible conduct of a motor racing event at Mount Panorama..

3. EXPRESSION OF INTEREST - LEASE - LOT 1 IN DP995205 AND LOT 1 IN DP1007963 - PATNA COMMONWEALTH AND MORISSET STREETS

The report concerns the granting of a Rural Licence Agreement for the use of Council land located on Patna, Commonwealth and Morisett Streets.

4. NEW COMMERCIAL LEASE AGREEMENT - PART LOT 1 IN DP234893 KNOWN AS BOUNDARY ROAD WATER RESERVOIR BATHURST - OPTUS MOBILE PTY LTD

Concerns the granting of a lease for a telecommunications facility at the Boundary Road Water Reservoir.

5. KELSO FLOOD PLAIN VOLUNTARY ACQUISITION - PROPOSED PURCHASE OF LOT 1 IN DP986867 KNOWN AS 22 CHURCH LANE, KELSO

The report concerns the purchase of land on the Kelso Flood plain as part of the Voluntary Acquisitions Scheme which is funded by Council and the State and Federal governments.

6. SALE OF PART LOT 1 IN DP772047 KNOWN AS 186 LIMEKILNS ROAD KELSO

The report concerns the sale of land at 186 Limekilns Road, Kelso which is surplus to Councils requirements.

7. LICENCE AGREEMENT - BATHURST BUSHRANGERS - AFL CLUBHOUSE - GEORGE PARK BATHURST

The report concerns the granting of a licence agreement for a clubhouse.

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

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

38 Item 14 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 22.01560, 04.00009, 22.00654, 22.00041, 22.01402, 22.00891)
MOVED: Cr W Aubin SECONDED: Cr M Coote

RESOLVED: That the information be noted.

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 SEPTEMBER 2016

1 BATHURST REGION NATURAL RESOURCE ADVISORY GROUP (13.00001)

Recommendation: That the information be noted.

Report: The Bathurst Region Natural Resource Advisory Group met on the 16 August 2016. The minutes of the meeting are provided at **attachment 1**.

The next meeting of the group will be held in December 2016 or early 2017.

Attachment 2 provides an update of Council's achievements since the last meeting in April 2016 in respect to the implementation of the Bathurst Vegetation Management Plan, Bathurst Urban Waterways Management Plan and the Bathurst Biodiversity Management Plan documents. Key outcomes contained within the report include:

- Two of the NSW Environmental Trust grant funded projects "Racing to Save the Mount Panorama Woodlands" and "Headcut to Stability- Hawthornden Creek Rehabilitation" are now complete.
- The instream works component of the Rehabilitation of Sawpit Creek project is scheduled for Spring 2016 following on from the willow removal that was completed in April. A Plan of Management for Jubilee Park and Ophir Road Reserve has been drafted.
- Riparian revegetation will commence in Spring 2016 along the Macquarie River in Jubilee Park and Ophir Road Reserve.
- Weed control and infill planting of approximately 300 native riparian trees and shrubs was carried out along the riverbank adjacent to Macquarie Park and off Hereford Street.
- The Green Army Project – Protecting, Restoring and Connecting Bathurst Woodlands commenced in February 2016.
- Council's Community Engagement Officer continues to engage volunteers to carry out tree planting and revegetation maintenance in Council's parks and reserves.

Financial Implications: Administrative costs of the meeting are met within Council's existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 12: To protect and enhance water quality and riparian ecology. Strategy 12.4, 12.6, 12.7, 12.10
- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.2, 9.4, 9.5, 9.7
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.3, 30.5, 30.6

MINUTE

39 Item 1 BATHURST REGION NATURAL RESOURCE ADVISORY GROUP
(13.00001)

MOVED: Cr I North SECONDED: Cr G Westman

RESOLVED: That the information be noted.

2 NSW GOVERNMENT - CONTAINER DEPOSIT SCHEME (14.00007)

Recommendation: That the information be noted.

Report: In December 2015 the NSW State Government released a NSW Container Deposit Scheme: Discussion Paper for public consultation. The discussion paper set out the draft details of a proposed Container Deposit Scheme (CDS) designed to reduce the level of litter in NSW by 40% by 2020. The CDS is modelled on the system already in place in South Australia and the Northern Territory with some differences.

Under the proposed scheme, anyone who returns an empty eligible beverage container to an approved NSW collection depot or reverse vending machine would be eligible for a 10-cent refund. A network of depots and reverse vending machines would open to receive the empty containers.

In February 2016 Council staff reviewed the Discussion Paper, participated in the consultation process and made a submission to the NSW Environmental Protection Authority (EPA) on behalf of Bathurst Regional Council addressing concerns with the logistics of the scheme and the potential impact on Council

In May 2016 the NSW State Government then proposed a regulatory framework for the scheme which once finalised would enable a CDS to operate across NSW. This framework has since been further developed in collaboration with numerous advisory groups.

In August 2016 the NSW State Government released a draft Bill and Regulatory Framework Discussion Paper for the CDS and Council staff will again participate in the consultative process and are considering a second submission to the NSW EPA.

The CDS is due to commence in July 2017 and there will be future implications for Council, our customers, and the community but the details and extent of these remain unknown at this time. Council staff will continue to actively participate in consultation around the CDS, and provide a further report to Council once more details are known about the regulatory framework for the CDS and how it is proposed to operate.

Financial Implications: Nil, at this stage.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 13: To minimise the City's environmental footprint. Strategy 13.3
- Objective 16: To encourage sustainable waste management practices, incorporating opportunities for energy generation. Strategy 16.1, 16.2

MINUTE

- 40 Item 2 NSW GOVERNMENT - CONTAINER DEPOSIT SCHEME (14.00007)
MOVED: Cr M Morse SECONDED: Cr G Westman

RESOLVED: That the information be noted.

3 PROCTOR PARK MASTER PLAN (04.00044)

Recommendation: For Council's determination.

Report: Background

In 2008, in conjunction with various stakeholders of Proctor Park, Council began preliminary investigations for the future development of the precinct as a central football complex in Bathurst.

At its ordinary meeting held 1 April 2015, Council resolved to:

- (a) *Endorse the Draft Master Plan proposal for the development of the Proctor Park Football (Soccer) precinct, Bathurst and;*
- (b) *Commence with the consultation process with all the relevant stakeholders in order to finalise the draft plan and prepare the final document for Council's endorsement.*

Subsequently a report came back to Council (DES #4, 9 December 2015) detailing submissions received and proposed actions to be taken, refer **attachment 1**. The report included;

"...it is proposed that the construction of the synthetic field be undertaken as part of the first stage of the redevelopment works."

The Council resolved;

That Council endorse the Draft Master Plan proposal for the development of the Proctor Park Football (Soccer) Precinct, Bathurst, with priority being given to remediation works.

(Please note that the Master Plan has been mentioned in attachments 1, 2 and 5 but has only been reproduced in this business paper as part of **attachment 1**.)

Report

Since adoption of the Master Plan a number of meetings and actions have occurred, these include;

1. 10 December 2015, Bathurst Regional Council (BRC) and Bathurst District Football Inc (BDF) representatives met to discuss the extent of remediation works proposed.
2. Correspondence from BRC to BDF 23 December 2015, copy at **attachment 2**. The main items being;
 - (i) Advising that the Master Plan has been adopted by Council and providing a copy thereof,
 - (ii) The scope of remediation works as discussed 10 December 2015,
 - (iii) Council is pursuing grant funding for the synthetic field which is in Stage 1 of the Master Plan project.

3. Meeting with BDF and BRC representations 15 February 2016, **attachment 3** concerning Proctor Park Upgrade Program. The meeting provided an update on:
 - (i) Purchase of adjoining lands,
 - (ii) Synthetic field update, and
 - (iii) Financing
4. Tenders were called for construction of Synthetic field on 13 August 2016 and closed 6 September 2016. This was in accordance with Funding provided in the 2015/16 budget and Council's adopted Master Plan Stage 1 works schedule.
5. On-site meeting at Proctor Park with BDF 16 August 2016 with Mayor and Council Senior Officers. The BDF were seeking a change to the priority order of works and provided correspondence to this effect at the meeting, refer **attachment 4**.

This matter was discussed by Councillors on the 17 August 2016; Councillors requested that a letter be sent to BDF, with a copy to the Clubs seeking;

- (i) Whether BDF is in support of the Master Plan: Proctor Park Football Precinct,
- (ii) Confirmation that the Clubs were seeking to have the following amendment made to the schedule of work;

"Alteration of the section of stage 1 of the Plan for the construction of a Synthetic Field on Field 1 at a cost of \$1,100,000 to the immediate redevelopment of three Fields (Fields 1, 2 and 3) as per costs provided by Turf Drain Pty Ltd to totally excavate, re-drain, re-soil, shape and re-turf three fields at around \$145,000 per field, plus incidental costs, as well as upgrading and finalising 200 lux lighting on field 2, as well as re-fencing both fields 1 and 2. We understand additional drainage work may be required by Council but this could also be included in this revised Stage."

- (iii) Agreement to a financial contribution to the project. Correspondence to this effect was sent 19 August 2016, refer **attachment 5**.

6. BDF Inc held a meeting with the Clubs and interested parties on 23 August 2016 and advised as follows;

"Please be advised that BDF had a meeting of Clubs and interested parties tonight to discuss matters arising from your email, dated August 19th."

We note that the meeting was also attended by Councillors North and Hanger.

We can advise that very detailed and intense discussion was held.

At the meeting the following was decided:

- (i) *Unanimously that BDF convey its complete support for the Proctor Park Redevelopment Master Plan.*
- (ii) *Unanimously that the proposal of amendment of works suggested by BDF*

was 100% endorsed, in that the Stage 1 funds allocation of \$1million be directed to upgrading as many of the existing grass fields with new drainage, shaping and turfing as per the quotes by Turf Drain Pty Ltd as possible, including Upgraded lighting on Field 2 and fencing for Fields 1 & 2. In effect BDF is asking that Stage 2 of the project replace the Synthetic Field Construction of Stage 1 and that the Synthetic Pitch be moved to a later Stage pending funds and location.

- (iii) *By close majority that the preferred order of works be Fields 1, 2, 3, 14, 15, 4, 5 with emphasis on both Junior (SSF) and senior fields.*
- (iv) *That BDF affirms its commitment to assist in funding of \$100,000 for the project but asks that the term of repayment be longer than the stated five years.*

BDF thanks Council for its ongoing support, and for the opportunity to present our requests.”

7. A meeting was held with BDF Inc and Council representations on 31 August 2016, where the schedule of works were discussed. The BDF was advised Council would consider their request, having regard to the current adopted position, which is the inclusion of the synthetic field in Stage 1.

This report provides the opportunity for Council to consider the Schedule of works for the implementation of the Master Plan: Proctor Park Football Precinct (Dec 2015).

Council has a number of options:

1. Confirm the current schedule of works as proposed.
2. Alter the schedule of works as requested by BDF Inc in their email of the 23 August 2016 as follows;
 - (i) *“Unanimously that the proposal of amendment of works suggested by BDF was 100% endorsed, in that the Stage 1 funds allocation of \$1million be directed to upgrading as many of the existing grass fields with new drainage, shaping and turfing as per the quotes by Turf Drain Pty Ltd as possible, including Upgraded lighting on Field 2 and fencing for Fields 1 & 2. In effect BDF is asking that Stage 2 of the project replace the Synthetic Field Construction of Stage 1 and that the Synthetic Pitch be moved to a later Stage pending funds and location.*
 - (ii) *By close majority that the preferred order of works be Fields 1, 2, 3, 14, 15, 4, 5 with emphasis on both Junior (SSF) and senior fields.*
3. Develop an alternative schedule of works to those contained in options 1 and 2.
4. Undertake no works as listed in the Precinct Master Plan during 2016/17.

Financial Implications: Funds have been provided in the Budget to undertake Stage 1 works at Proctor Park.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 21: To support the provision of community Strategy 21.4

services and facilities to meet the needs of specific community sectors and the community as a whole.

- 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 21.6

MINUTE

41 **Item 3 PROCTOR PARK MASTER PLAN (04.00044)**
MOVED: Cr M Coote SECONDED: Cr B Bourke

RESOLVED: That Council alter the schedule of works as requested by Bathurst District Football Inc. in their email of 23 August 2016 as follows:

- (a) *Unanimously that the proposal of amendment of works suggested by Bathurst District Football was 100% endorsed, in that the Stage 1 funds allocation of \$1 million be directed to upgrading as many of the existing grass fields with new drainage, shaping and turfing as per the quotes by Turf Drain Pty Ltd as possible, including upgraded lighting on Field 2 and fencing for fields 1 and 2. In effect Bathurst District Football is asking that Stage 2 of the project replace the Synthetic Field Construction of Stage 1 and the Synthetic Pitch be moved to a later Stage pending funds and location.*
- (b) *By close majority that the preferred order of works be fields 1, 2, 3, 14, 15, 4, 5 with emphasis on both junior (SSF) and senior fields.*

**4 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(36.00601, 36.00602 & 11.00005)**

Recommendation: That the information be noted.

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

1. TENDER FOR THE ACCEPTANCE, REPROCESSING AND REUSE OF BIOSOLIDS

The report considers the tender for the reuse and/or reprocessing of Bathurst Regional Council Wastewater Treatment Works Biosolids for a four (4) year period.

2. TENDER FOR THE DESIGN AND CONSTRUCTION OF A SYNTHETIC SOCCER FIELD

The report considers the tender for the design and construction of a new synthetic playing field at Proctor Park.

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

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

42 Item 4 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(36.00601, 36.00602 & 11.00005)

MOVED: Cr G Westman SECONDED: Cr I North

RESOLVED: That the information be noted.

Yours faithfully



Doug Patterson
DIRECTOR
ENGINEERING SERVICES

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT AND
MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 SEPTEMBER 2016

1 BATHURST REGIONAL ART GALLERY - INSULATION AND LINING OF FACILITY WALLS AND CEILING (21.00039)

Recommendation: That Council:

- (a) Allocate \$250,000 in the 2017/2018 Operating Plan from loans, to insulate and line the walls and ceiling of the Art Gallery.
- (b) Continue to look for grants that may be available to assist with the project.
- (c) Utilise the savings in utility consumption gained, through the upgraded air conditioning equipment, lighting and improved thermal properties of the external walls, to service the loan costs.

Report: The Bathurst Regional Art Gallery/Library complex was officially opened 25 years ago on the 8 December 1990. At that time, the building was only equipped with air conditioning (temperature only) as that was the best industry practice for regional galleries. Subsequently best industry practice necessitated that a climate control system inclusive of relative humidity be installed and that was retro-fitted at a later date. The inadequacy of that system and its ability to achieve best industry practice i.e., an acceptable temperature and humidity range, was brought into focus in early 2004 when the State Library of NSW refused to lend the Bathurst Regional Art Gallery (BRAG) a number of colonial paintings for an exhibition.

Since 2004 BRAG has continued to be refused exhibitions and loans from major art museums such as the National Gallery of Australia and the Museum of Victoria because the gallery does not meet best industry practice in regard to an acceptable industry standard relating to variance in temperature and humidity.

In 2015 Council agreed to upgrade the air conditioning and climate control systems and replace the outmoded lighting system with a state of the art low energy LED lighting system to remedy this problem and thus allow BRAG to attract major popular exhibitions that had been previously refused.

In April 2016 the Art Gallery/Library upgrade was completed and the commissioning of the new system began. While the new system is working effectively, it has however highlighted serious limitations in the original 1990 structure of the Art Gallery building. This has resulted in severe condensation issues in sections of the Gallery. In fact so serious has the condensation been that the whole of the Nicole Welch exhibition and two works from the Mandy Martin exhibition currently on display were removed for ten days to protect them from water damage. Particularly challenged are those gallery walls that are not insulated and directly exposed to the outside. Previously when there was sub-zero temperatures and heavy frosts there had been some condensation on the gallery walls, now with the new system this has become a serious issue, effectively rendering, during very cold periods, the building not fit for purpose.

An engineering review has recommended that the solution to this problem can best be achieved by insulating and lining those gallery walls directly exposed to the outside. It is also recommended that Art Gallery ceiling space be insulated. Additionally this insulation will improve the energy efficiency of the building.

These measures will ensure that the Art Gallery will meet best industry practice and be able to borrow major art works from national and state art museums for exhibitions for the

community to enjoy.

KMH Environmental, an external specialist consultant, and local engineering assessments have defined the scope of works and estimation of costs for the insulation as a remedy for the condensation issue and as a way to improve the environmental performance of the facility.

Operating Costs

The combined benefit of the new airconditioning, humidifiers, the new LED lighting and when installed, the new insulation, has the potential to reduce energy consumption by 40%. These savings can be used to contribute to the servicing of the loan required for the insulation works.

Financial Implications: Funding for these works can be provided from loan borrowing and/or seek external grants.

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 6.3
- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.3
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1

MINUTE

43 Item 1 BATHURST REGIONAL ART GALLERY - INSULATION AND LINING OF FACILITY WALLS AND CEILING (21.00039)

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED: That Council:

- (a) Allocate \$250,000 in the 2017/2018 Operating Plan from loans, to insulate and line the walls and ceiling of the Art Gallery.
- (b) Continue to look for grants that may be available to assist with the project.
- (c) Utilise the savings in utility consumption gained, through the upgraded air conditioning equipment, lighting and improved thermal properties of the external walls, to service the loan costs.

2 2016/2017 RURAL VILLAGE IMPROVEMENT PROGRAM (16.00104)

Recommendation: That Council distribute the 2016/2017 Rural Village Improvement Program funding as follows:

	APPLICANT ORGANISATION	PROJECT SUMMARY	APPLICATION AMOUNT
1	Hill End & District Volunteer Bushfire Brigade	Purchase and install picnic tables	\$2,850
2	Rockley & District Community Association	Repaint exterior doors, window frames and trims, paint new poly down pipes to match existing at Rockley School of Arts Hall	\$2,850
3	Sofala and District Agricultural & Horticultural Show Society Inc	No project identified for 2016/2017, provide funds to Sofala Progress Association Inc.	\$0
4	Sofala Progress Association Inc	Soldiers Walk, purchase plaques, plinths, tree guards and trees (including funds provided by Sofala and District Agricultural & Horticultural Show Society Inc.)	\$2,850
5	Sunny Corner & District Progress Association Inc	Part payment post and rail fence around the Community Hall	\$2,850
6	Trunkey Creek Progress Association	Purchase of new chairs for hall	\$2,850
7	Wattle Flat Heritage Lands Trust	Solitary Mine Site projects: <ul style="list-style-type: none"> • Picnic shelter roofing • Various signage and trail markers • Manufacture 11 interpretation signs and installation 	\$1,425
8	Wattle Flat Progress Association	<ul style="list-style-type: none"> • Purchase two heavy duty club quality tennis court nets at Recreation Ground. • Replace damaged south window with secure UV resistant glass at Recreation Hall. 	\$1,425
9	Yetholme Progress Association	<ul style="list-style-type: none"> • Removal of large tree overhanging hall. • Display cabinet to be fitted in hall to display community historical memorabilia. 	\$2,850
	TOTAL AMOUNT		\$19,950

Report: An amount of \$20,000 has been provided for in the 2016/2017 Annual Operating Plan and Budget for the Rural Village Improvement Program.

Bathurst Regional Council instituted a Rural Village Improvement Program in 2005/2006 to facilitate the long term viability of the villages in the Bathurst Regional Council area. The program is based on the premise of horizontal equity – “the provision of public facilities each of a similar grade” to villages across the local government area.

Since the program’s introduction, Council has made contributions to the villages of Hill End, Rockley, Sofala, Trunkey Creek, Wattle Flat, Sunny Corner and Yetholme in improving the infrastructure available to their residents. Over \$1,000,000 has been provided through this program during the last ten years.

Each village association is invited to provide submissions for funding for Council's consideration.

Council provided the following exclusions for the use of this funding:

- Insurance payments
- Operational costs of the organisation (ie utilities)
- Food and beverages

Upon approval of the project and proof of expenditure a reimbursement of costs is provided to each group. An acquittal form was introduced as part of the 2010/2011 process requiring all grant recipients to detail their projects and expenditure.

The \$20,000 was equitably split between villages with each village eligible to receive \$2,850. If a particular village had more than one organisation previously engaged in this process this amount was further split to provide funding. For example, as Sofala has two community organisations who have received funding in prior years, each group has been allocated \$1,425.

The current programs allocation in accordance with Bathurst Regional Council's 2016/2017 Annual Operating Plan and Budget is \$20,000.

The table below summarises the applications received from the Village community organisations for the 2016/2017 program:

	APPLICANT ORGANISATION	PROJECT SUMMARY	APPLICATION AMOUNT
1	Hill End & District Volunteer Bushfire Brigade	Purchase and install picnic tables	\$2,850
2	Rockley & District Community Association	Repaint exterior doors, window frames and trims, paint new poly down pipes to match existing at Rockley School of Arts Hall	\$2,850
3	Sofala and District Agricultural & Horticultural Show Society Inc	No project identified for 2016/2017, provide funds to Sofala Progress Association Inc.	\$0
4	Sofala Progress Association Inc	Soldiers Walk, purchase plaques, plinths, tree guards and trees (including funds provided by Sofala and District Agricultural & Horticultural Show Society Inc).	\$2,850
5	Sunny Corner & District Progress Association Inc	Part payment post and rail fence around the Community Hall	\$2,850
6	Trunkey Creek Progress Association	Purchase of new chairs for hall	\$2,850
7	Wattle Flat Heritage Lands Trust	Solitary Mine Site projects: <ul style="list-style-type: none"> ● Picnic shelter roofing ● Various signage and trail markers ● Manufacture 11 interpretation signs and installation 	\$1,425
8	Wattle Flat Progress Association	<ul style="list-style-type: none"> ● Purchase two heavy duty club quality tennis court nets at Recreation Ground. ● Replace damaged south window with secure UV resistant glass at Recreation Hall. 	\$1,425
9	Yetholme Progress Association	<ul style="list-style-type: none"> ● Removal of large tree overhanging hall. ● Display cabinet to be fitted in hall to display community historical memorabilia. 	\$2,850
	TOTAL AMOUNT		\$19,950

The Sofala and District Agricultural & Horticultural Show Society Inc have indicated they were not able to identify a project for 2016/2017, therefore have agreed to provide the funds that were allocated to them of \$1,425 to the Sofala Progress Association.

The Village Improvement Program, whilst an infrastructure program, has also built invaluable social capital and capacity in each village that is essential in maintaining a quality of life to attract residents and visitors alike. The level of pride and satisfaction that members of the community displayed is admirable. It is abundantly clear the residents in these villages are committed to ensuring they maintain a high level of social interaction and in doing so have developed an acute sense of place.

Council's return in regards to the social capacity, pride and respect this program has generated in each village far outstrips the dollar amount allocated over the life of the program.

Financial Implications: An amount of \$20,000 has been provided for in the 2016/2017 Annual Operating Plan and Budget for the Rural Village Improvement Program.

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 6.3

- Objective 17: To encourage living, vibrant and growing villages and rural settlements. Strategy 17.3

MINUTE

44 Item 2 2016/2017 RURAL VILLAGE IMPROVEMENT PROGRAM (16.00104) MOVED: Cr B Bourke SECONDED: Cr M Morse

RESOLVED: That Council distribute the 2016/2017 Rural Village Improvement Program funding as follows:

	APPLICANT ORGANISATION	PROJECT SUMMARY	APPLICATION AMOUNT
1	Hill End & District Volunteer Bushfire Brigade	Purchase and install picnic tables	\$2,850
2	Rockley & District Community Association	Repaint exterior doors, window frames and trims, paint new poly down pipes to match existing at Rockley School of Arts Hall	\$2,850
3	Sofala and District Agricultural & Horticultural Show Society Inc	No project identified for 2016/2017, provide funds to Sofala Progress Association Inc.	\$0
4	Sofala Progress Association Inc	Soldiers Walk, purchase plaques, plinths, tree guards and trees (including funds provided by Sofala and District Agricultural & Horticultural Show Society Inc.)	\$2,850
5	Sunny Corner & District Progress Association Inc	Part payment post and rail fence around the Community Hall	\$2,850
6	Trunkey Creek Progress Association	Purchase of new chairs for hall	\$2,850
7	Wattle Flat Heritage Lands Trust	Solitary Mine Site projects: <ul style="list-style-type: none">• Picnic shelter roofing• Various signage and trail markers• Manufacture 11 interpretation signs and installation	\$1,425
8	Wattle Flat Progress Association	<ul style="list-style-type: none">• Purchase two heavy duty club quality tennis court nets at Recreation Ground.• Replace damaged south window with secure UV resistant glass at Recreation Hall.	\$1,425
9	Yetholme Progress Association	<ul style="list-style-type: none">• Removal of large tree overhanging hall.• Display cabinet to be fitted in hall to display community historical memorabilia.	\$2,850
	TOTAL AMOUNT		\$19,950

3 BATHURST CCTV FUNDING PROGRAM 2016/2017 (16.00145)

Recommendation: That Council:

(a) Provide \$3,000 under the Bathurst CCTV Funding Program 2016/2017 as follows;

Business	Amount of Funding
Panorama Mini Mart & Takeaway	\$500 which is the maximum amount approved for funding.
Best Western Petroleum Services Pty Ltd	\$500 which is the maximum amount approved for funding.
Beard Brothers Motorcycles	\$500 which is the maximum amount approved for funding.
Truss & Frame Factory Pty Ltd	\$500 which is the maximum amount approved for funding.
Specialist Eye Centre	\$500 which is the maximum amount approved for funding.
A Settler's Cottage	\$500 which is the maximum amount approved for funding.

(b) Reopen the application process to offer the program to further businesses throughout the LGA, with a second round closing February 2017.

Report: Council has provided \$10,000 in its 2016/2017 Delivery Plan and Annual Operating Plan up to a maximum amount of \$500 on a dollar for dollar basis for businesses who address the criteria under the Bathurst CCTV Funding Program.

The applications were required to meet the following criteria:

1. Specifications, quality and source of equipment.
2. Surveillance equipment registered with Bathurst Police.
3. Completion of installation within 90 days of approval.
4. Information supporting and addressing the need for CCTV in the business location.
5. Potential for coverage of the public space adjacent to the premises.

The CCTV Funding Program Assessment Group included representatives from the following organisations:

- (a) Councillor Delegate - Councillor Ian North
- (b) Police Representative
- (c) Bathurst Business Chamber Representative
- (d) Council Staff Delegate

Advertising of the CCTV Funding Program occurred, as follows:

- Council Section of Western Advocate: 16 July 2016, 23 July 2016, 30 July 2016, 6 August 2016 and 13 August 2016
- Radio Advertisements on 2BS/B-Rock: Community Announcements 15-29 July 2016

Social Media/Online:

- Bathurst Business Hub Facebook page: Posts, 26 July 2016 & 11 August 2016
- Bathurst Regional Council Facebook page: Post: 26 July 2016
- Bathurst Business Hub website: Featured posts, published 26 July - 19 August 2016
- eNewsletter: Council's Business eNewsletter, Business Alert - 27 July 2016

Applications were received up to Friday 19 August 2016. The Assessment Group met on Tuesday 30 August 2016 to assess the applications against the criteria and make recommendations to Council.

The Committee recommends to Council, that \$3,000 be provided under the 2016/2017 CCTV Funding Program for the following applicants:

- | | | |
|-----|---|---|
| (a) | Panorama Mini Mart & Takeaway | \$500 which is the maximum amount approved for funding. |
| (b) | Best Western Petroleum Services Pty Ltd | \$500 which is the maximum amount approved for funding. |
| (c) | Beard Brothers Motorcycles | \$500 which is the maximum amount approved for funding. |
| (d) | Truss & Frame Factory Pty Ltd | \$500 which is the maximum amount approved for funding. |
| (e) | Specialist Eye Centre | \$500 which is the maximum amount approved for funding. |
| (f) | A Settler's Cottage | \$500 which is the maximum amount approved for funding. |

The panel has recommended that to further expand the CCTV network throughout the LGA and allow further businesses to take up the funding, a second round of applications be received by Council with a closing date Friday 17 February 2017. Further advertising of the program will occur at appropriate times.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 19: To improve equity of access to all members of the community in public and private domains. Strategy 19.2, 19.3, 19.4

MINUTE

45 Item 3 BATHURST CCTV FUNDING PROGRAM 2016/2017 (16.00145)
MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That Council:

- (a) Provide \$3,000 under the Bathurst CCTV Funding Program 2016/2017 as follows;

Business	Amount of Funding
Panorama Mini Mart & Takeaway	\$500 which is the maximum amount approved for funding.
Best Western Petroleum Services Pty Ltd	\$500 which is the maximum amount approved for funding.
Beard Brothers Motorcycles	\$500 which is the maximum amount approved for funding.
Truss & Frame Factory Pty Ltd	\$500 which is the maximum amount approved for funding.
Specialist Eye Centre	\$500 which is the maximum amount approved for funding.
A Settler's Cottage	\$500 which is the maximum amount approved for funding.

- (b) Reopen the application process to offer the program to further businesses throughout the LGA, with a second round closing February 2017.

4 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD 1 AUGUST 2016 (07.00016)

Recommendation: That the information be noted.

Report: As part of the Destination Management Plan, which was adopted by Council on 20 May 2015, the establishment of a Tourism Reference Group has been undertaken, with the membership of the Group endorsed by Council on 9 December 2015.

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

The sixth meeting of the Bathurst Region Tourism Reference Group was held on 1 August 2016. The Minutes of the Group's meeting are provided at **attachment 1.**

At the Meeting held on 1 August 2016, the group established the following actions, linked to the Destination Management Plan.

- Education Program - strategic review of how Bathurst can improve the excursion market.
- Taxi Driver Breakfast - to provide a relationship building and information forum for drivers regarding the Bathurst visitor experience.
- Winter Festival - review.
- Destination NSW change of boundaries - discuss implications and opportunities of the revised local tourism boundaries.
- Bathurst Visitor Information - discussion on salient facts and figures on the visitor economy.
- MyTravel Research Project - update.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1, 4.3, 4.4, 4.5, 4.6, 4.7, 4.9
- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.6

MINUTE

46 Item 4 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD
1 AUGUST 2016 (07.00016)

MOVED: Cr G Westman SECONDED: Cr I North

RESOLVED: That the information be noted.

5 KELSO COMMUNITY HUB - SCHOOL HOLIDAY ACTIVITIES - JULY 2016 (09.00032)

Recommendation: That the information be noted.

Report: Consistent with the new strategic positioning of the Kelso Community Hub, the school holiday program for July 2016 included a partnership with Bathurst Young Mob, NRL and Barnardos Australia.

Kelso Community Centre coordinated community school holiday events at the Kelso Community Centre from 4 July 2016 to 15 July 2016. Events included NAIDOC celebrations, sporting activities, along with drop in centre programs incorporating art, culture, food and entertainment.

There was a program of eight activities undertaken, with over 150 young people attending.

Featured events included an NRL workshop and a skateboard deck art workshop. These events allowed the young people to express themselves artistically on skate board decks which were placed on public display at Bobbies Clothing for everyone to see. Following the exhibition, the young people were able to keep their boards.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1, 20.3
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1, 23.3, 23.5, 23.6

MINUTE

47 Item 5 KELSO COMMUNITY HUB - SCHOOL HOLIDAY ACTIVITIES - JULY 2016 (09.00032)

MOVED: Cr G Westman SECONDED: Cr B Bourke

RESOLVED: That the information be noted.

6 NATIONAL MOTOR RACING MUSEUM - FATHER'S DAY EVENT - SUNDAY 4 SEPTEMBER 2016 (21.00005)

Recommendation: That the information be noted.

Report: This year the National Motor Racing Museum held its first Father's Day event on Sunday 6 September. The Museum offered free entry to fathers on the day encouraging families to bring their Dads to "The Biggest Man Cave in Bathurst."

Visitors took the opportunity to enjoy a sausage sizzle and a coffee from the AIDente van. They also got to have a look at the many displays offered by the Museum and reminisce on their childhood through the numerous historic cars.

A total of 415 people attended the Museum made up of 108 locals and 307 visitors generating a total income of \$4,098. These figures demonstrate a marked improvement on the same day in 2015 with 53 visitors and an income of \$1,091. Many visitors took the opportunity to purchase something for their Dads reflected in the shop income of \$1,684. Fifty eight individuals also showed interest in keeping in touch with the museum by signing up to receive the new electronic newsletter.

The Fathers Day event is directly linked to Action 7.2 in the 2015 Destination Management Plan (DMP) '**Think like a visitor: Increase the level of development of sustainable product that delivers the Bathurst (Region) destination experience**'.

The activity leverages the opportunity to harness the lucrative VFR (Visiting Friends & Relatives) market segment which is identified in the DMP as a primary target market. This segment currently counts for 42% of the total annual visitors to the region.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.7

MINUTE

48 Item 6 NATIONAL MOTOR RACING MUSEUM - FATHER'S DAY EVENT - SUNDAY 4 SEPTEMBER 2016 (21.00005)

MOVED: Cr M Coote SECONDED: Cr G Westman

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Alan Cattermole', with a stylized flourish at the end.

Alan Cattermole
DIRECTOR
CULTURAL & COMMUNITY SERVICES

POLICY COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - POLICY COMMITTEE MEETING - 7 SEPTEMBER 2016 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 7 September 2016 be adopted.

Report: The Minutes of the Policy Committee Meeting held on 7 September 2016, 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

49 Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 SEPTEMBER 2016
(07.00064)

MOVED: Cr G Westman SECONDED: Cr B Bourke

RESOLVED: That the recommendations of the Policy Committee Meeting held on 7 September 2016 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 7 SEPTEMBER 2016

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

Present: Councillors North (Chair), Aubin, Bourke, Morse, Westman.

APOLOGIES

2 APOLOGIES
MOVED Cr G Westman and **SECONDED** Cr B Bourke

RESOLVED: That the apologies from Crs Coote, Hanger and Rush be accepted and leave of absence granted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 3 AUGUST 2016 (07.00064)
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That the Minutes of the Policy Committee Meeting held on 3 August 2016 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That the Declaration of Interest be noted.

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 Morse and **SECONDED** Cr B Bourke

RESOLVED: That Council:

This is page 1 of Minutes of the Policy Committee held on 7 September 2016

- (a) Adopt the policy as outlined in the report, with the following changes:
- (i) Clause 9 (vii) (b) - Delete the words "for exclusive use"
 - (ii) Clause 19.2 - Delete the words "Shires Association Conference" and amend "Local Government Association (LGA)" to read "Local Government NSW"
 - (iii) Clause 19.5 (c) (ii) - Amend to read "telephone, facsimile and wi-fi costs".
- (b) Is of the opinion that the proposed amendments are not substantial in accordance with Section 253 of the Local Government Act and accordingly Council does not need to place the amendments on public notice.

GENERAL BUSINESS

6 Item 1 MOUNT PANORAMA SIGN (04.00028 & 04.00019)

Cr Aubin - asked what is happening with the sign. Can we put money in the 2017/18 Management Plan to make the Bathurst sign permanent.

The Director Engineering Services advised the sign will be painted for the Bathurst 1000 race.

7 Item 2 CONDITION OF ROADS (16.00011)

Cr Aubin - raised concerns about the condition of roads, asked can we get some funding to resheet roads and look at the way we do roads. Can we look at purchasing a pot hole fixing machine?

The General Manager noted reports are being prepared for Council.

The Director Engineering Services spoke to level of rain occurring and works being undertaken in the current climate. When weather is better, heavy patching will occur.

8 Item 3 DEBATE ON FLOOR AT COUNCIL MEETINGS (11.00005)

Cr Westman - raised concerns about number of items being referred to working parties. Councillors seemed to have lost the art of debate. Councillors are provided with Business Papers one week in advance, if have questions, should do homework prior to meeting. Spoke to recent planning decisions, particularly duplexes. Perhaps shying away from debate on the floor, just do not defer.

9 Item 4 CONDITION OF ROADS (16.00011)

This is page 2 of Minutes of the Policy Committee held on 7 September 2016

Cr Morse - understands there are problems with the condition of roads, but this is also a PR issue. Need to publicise the problems such as unusual circumstances.

10 **Item 5 GEORGES PLAINS - QUEEN CHARLOTTE'S VALE (31.00011)**

Cr Morse - requests a report on concerns raised about clearing of the creek come back to Council.

MEETING CLOSE

11 **MEETING CLOSE**

The Meeting closed at 6.16 pm.

CHAIRMAN: _____

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING - 6 SEPTEMBER 2016
(07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 6 September 2016 be adopted.

Report: The Minutes of the Traffic Committee Meeting held on 6 September 2016, 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

50 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 6 SEPTEMBER 2016
(07.00006)

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 6 September 2016 be adopted.

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 6 SEPTEMBER 2016

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

Members: Councillor Warren Aubin (Chair), Sergeant Peter Foran (Police), David Veness (MP Representative).

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

APOLOGIES

2 APOLOGIES

That the apology of Jackie Barry (Roads & Maritime Services) be accepted.

DECLARATION OF INTEREST

3 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

4 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 2 AUGUST 2016 (07.00006)

That the information be noted and necessary actions be taken.

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

That the information be noted.

6 Item 3 WHITE ROCK COMMUNITY NOTICE BOARD AND HISTORICAL INFORMATION SIGNS WHITE ROCK ROAD (18.00292/035)

That Council approve the placement of a community notice board and 2 interpretive historical signs on the footpath area of White Rock Road approximately 75m back from the intersection of Lee Street.

7 **Item 4 NAIDOC WEEK 2016 WALK (23.00143/082)**

That Council classify the NAIDOC Week 2016 Walk, to be held on Monday 19 September 2016 as a Class 2 event, as detailed in the Director Engineering Services' report.

8 **Item 5 BATHURST CARILLON CITY TENNIS CLUB - CAR BOOT SALE (22.01046-03/021)**

That Council endorse the traffic control for the Bathurst Carillon City Tennis Club car boot sale and BBQ to be held Saturday 24 September 2016 from 8am until 1pm on a section of the Council's Durham Street car park near the Bathurst Tennis Centre. The event is an unclassified event, and approved subject to conditions as detailed in the Director Engineering Services' report.

9 **Item 6 BATHURST AREA TRANSPORT "BUSES ONLY" SIGNS – KEPPEL STREET LIBRARY BUS STOP (28.00007-05)**

That Council approve the placement of a "Bus Stop-Bathurst Area Transport Buses Only" zone across the already existing Bus Stop area outside the Bathurst Library.

10 **Item 7 BARRIER LINES FOR THE INTERSECTION OF MITRE STREET AND RUSSELL STREET (25.00095-02/029)**

That Council approve the placement of double centre barrier lines on Mitre Street at the intersection with Russell Street.

11 **Item 8 THE AUSTRALIAN LONG TRACK MASTERS (22.00053-09)**

That Council classify the Australian Long Track Masters to be staged on Saturday 12 November 2016 at the Bathurst Showground, as a Class 2 event as conditioned in the Director Engineering Services' Report.

12 **Item 9 FREEDOM OF ENTRY TO THE CITY HMAS BATHURST (23.00119)**

That Council classify the Freedom of Entry to the City March within the Bathurst central business district on Friday 9 September 2016, as a Class 2 event, as detailed in the Director Engineering Services' report.

13 **Item 10 TOUR DE RANGE CHARITY PUSH BIKE CHALLENGE (23.00026-19/219)**

That Council classify the Tour de Range Charity Push Bike Challenge to be held on Sunday 20 November 2016, as a Class 2 event, as detailed in the Director Engineering Services' report.

TRAFFIC REGISTER

Item 1 TRAFFIC REGISTER (07.00006)

That the information be noted.

MEETING CLOSE

14 MEETING CLOSE

The Meeting closed at 2.40pm.

DELEGATES REPORTS AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 SEPTEMBER 2016

1 CENTROC BOARD MEETING 25 AUGUST 2016 (COWRA) (07.00017)

Recommendation: That Delegate's Report from the Centroc Board Meeting 25 August 2016 at Cowra be noted and Council:

- (a) request Centroc include in its annual presentation to Council advice on the changing regional context and its opportunities and challenges for Council;
- (b) receive a report highlighting the changes with respect to operation of and contributions to RFS at both the zone and local level (ie approach to apportionment within the zone);
- (c) write to the relevant Ministers and the RFS requesting that
 - (i) future rises be limited to the rate cap and the cost of emergency services be included in the IPART consideration of the rate rises for Local Government;
 - (ii) clarification be provided on the standard to which the RFS is heading with respect to facilities, equipment and training and how this compares to the standard of fire cover which was the previous ambition;
 - (iii) the implementation of this year's higher costs be deferred 1 year to effectively take the increases through the IP&R process given that Council budgets are already in place;
 - (iv) feedback on concerns that Councils from those zones which have been historically proactive in lifting facilities, equipment and training will be financially penalised for their efforts with a risk of subsidising less proactive zones given the new formula for apportioning Council contributions within the change;
- (d) write to LGNSW and LGNSW representatives expressing concerns regarding the above and inquiring whether protections for significant rises were provided for in negotiations between RFS and LGNSW;
- (e) advocacy in this regard is to include reference to the Emergency Services Levy changes, particularly that:
 - (i) Council not be out of pocket regarding the administration of these monies including debt collection; and
 - (ii) rate payers do not have to pay twice and the existing 11% costs to Councils be removed; and concerns the volunteer base will be reduced as has been the case in Victoria.

Report: The Centroc Board meeting was held at the Cowra Service Club, on 25 August 2016. Discussions were held on various matters including;

Transport Infrastructure - The Centroc Transport Group have been advocating for best possible outcomes from the negotiation on the Road/Rail Interface Agreements, meetings will be held with LGNSW and other stakeholders.

A Regional Freight Movement Map has been developed in collaboration with the National Heavy Vehicle Regulator by the Centroc Road Transport Technical Committee. Further work on this map is underway.

Blayney-Demondrille Stage 1 funding was announced early in August, a significant milestone as it will be the first line re-opened in 20 years, follow up meetings are underway with State Ministers to progress the next stage.

Concern was expressed as to the status of the corridor for a future upgrade of the Bells Line, the Chair will be undertaking further advocacy in this regard.

Water Security – Correspondence was sent to the Minister regarding an update on the Centroc Water Security Study. Centroc will be writing to DPI Water seeking a targeted stakeholder session with Centroc representatives on the review of the Lachlan Water Sharing Plan.

Submissions to the IPART Review of Water NSW operating licences and the Inquiry into the argumentation of water supply for rural and regional NSW are being lodged.

The Board was saddened to learn of Sam Samra's passing given his substantive life work on data to demonstrate Councils' capability in water management.

Health – The Beyond the Range Program is gaining a strong response through Social media. Fee Jennings is employed to post and promote the region attracting health professionals. A recent post reached 34,125 people.

The General Manager of Weddin is the new sponsoring General Manager for Health.

Regional Development – There are a number of different State led initiatives underway that are changing the regional context that were reported to Centroc. They include:

- Phase One Amendments to the Local Government Act;
- Joint Organisation Reform including the potential "Planning Agreements" between the State and Local Government working regionally;
- Changes to the regional planning framework;
- Changes to regional governance from both DPC and Regional Development;
- Changes to how tourism is supported regionally; and
- Changes to State funding arrangement for Regional Development Australia.

With the announcement of changes to RTO's in July, a late report was tabled on structural arrangements. The report recommended taking a carefully considered pathway to build on the past successes of tourism in this region. The immediate priority for the Centroc Board is RVEF funding for the round opening in September of this year. The Board is giving consideration to optimal activities to build on the good work undertaken by Central NSW tourism, their corollary structure and resourcing.

The Board resolved to continue its advocacy and write to the Hon John Barilaro, Minister for Regional Development outlining its support for ongoing funding for the RDA network in New South Wales and that the Joint Organisations and RDA committees can, in combination and by working together, provide superior results for regional development outcomes in NSW.

Planning – Various Planning submissions were lodged this quarter, of particular interest is the Background on the Joint Organisation paper, a meeting is being organised with the Minister for Local Government to discuss this further. All submissions are available to view on the Centroc website www.centroc.com.au/submissions.

Of note is the concern expressed in the Centroc response to Joint Organisations that Councils will not in any material way own the future JOs.

The Centroc Advocacy Policy was endorsed, it was developed to direct all Board members and Staff members when they are acting in their professional capacity, advocating on behalf of the Board.

The Planners' Group are undertaking a project that will address the lack of resources, particularly around Heritage matters. This was identified as an action through the issues raised in preparing the Orana and Central West and Regional Plan.

Rural Fire Service – The Board is concerned with the changes to funding for the Rural Fire Service, especially in the context of the Emergency Services Property Levy. Members are encouraged to support this advocacy as follows:

- (a) Receive a report highlighting the changes with respect to operation of and contributions to RFS at both the zone and local level (ie approach to apportionment within the zone);
- (b) write to the relevant Ministers and the RFS requesting that
 - (i) future rises be limited to the rate cap and the cost of emergency services be included in the IPART consideration of the rate rises for Local Government;
 - (ii) clarification be provided on the standard to which the RFS is heading with respect to facilities, equipment and training and how this compares to the standard of fire cover which was the previous ambition;
 - (iii) the implementation of this year's higher costs be deferred 1 year to effectively take the increases through the IP&R process given that Council budgets are already in place;
 - (iv) feedback on concerns that Councils from those zones which have been historically proactive in lifting facilities, equipment and training will be financially penalised for their efforts with a risk of subsidising less proactive zones given the new formula for apportioning Council contributions within the change.
- (c) Write to LGNSW and LGNSW representatives expressing concerns regarding the above and inquiring whether protections for significant rises were provided for in negotiations between RFS and LGNSW.
- (d) Advocacy in this regard is to include reference to the Emergency Services Levy changes, particularly that:
 - (i) Councils not be out of pocket regarding the administration of these monies including debt collection
 - (ii) rate payers do not have to pay twice and the existing 11% costs to Councils be removed; and
 - (iii) concerns the volunteer base will be reduced as has been the case in Victoria.

Operational – A substantial amount of work has been undertaken in the Energy program, particularly in Street lighting, a group approach is currently underway with a consultant to seek the best value and to ensure EDC's Energy Saving Certificates are received for any street lighting upgrades completed in the Future.

Centroc staff continue to maintain savings for the Region. The calculated net savings since 2009 for Centroc Members is \$3.2 million dollars.

Over 5000 courses have been completed since the online training system began in 2012, and over 1500 employees have been trained in 2015/2016, with over \$180,000 in savings been achieved for this financial year.

Recommendations:

That Delegate's Report from the Centroc Board Meeting 25 August 2016 at Cowra be noted and Council:

- (a) request Centroc include in its annual presentation to Council advice on the changing regional context and its opportunities and challenges for Council;
- (b) receive a report highlighting the changes with respect to operation of and contributions to RFS at both the zone and local level (ie approach to apportionment within the zone);
- (c) write to the relevant Ministers and the RFS requesting that
 - (i) future rises be limited to the rate cap and the cost of emergency services be included in the IPART consideration of the rate rises for Local Government;
 - (ii) clarification be provided on the standard to which the RFS is heading with respect to facilities, equipment and training and how this compares to the standard of fire cover which was the previous ambition;
 - (iii) the implementation of this year's higher costs be deferred 1 year to effectively take the increases through the IP&R process given that Council budgets are already in place;
 - (iv) feedback on concerns that Councils from those zones which have been historically proactive in lifting facilities, equipment and training will be financially penalised for their efforts with a risk of subsidising less proactive zones given the new formula for apportioning Council contributions within the change;
- (d) write to LGNSW and LGNSW representatives expressing concerns regarding the above and inquiring whether protections for significant rises were provided for in negotiations between RFS and LGNSW;
- (e) advocacy in this regard is to include reference to the Emergency Services Levy changes, particularly that:
 - (i) Council not be out of pocket regarding the administration of these monies including debt collection; and
 - (ii) rate payers do not have to pay twice and the existing 11% costs to Councils be removed; and concerns the volunteer base will be reduced as has been the case in Victoria.

Financial Implications: Council's involvement in CENTROC is provided for within existing budget allocations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.1

MINUTE

51 Item 1 CENTROC BOARD MEETING 25 AUGUST 2016 (COWRA) (07.00017) MOVED: Cr B Bourke SECONDED: Cr I North

RESOLVED: That Delegate's Report from the Centroc Board Meeting 25 August 2016 at Cowra be noted and Council:

- (a) request Centroc include in its annual presentation to Council advice on the changing regional context and its opportunities and challenges for Council;
- (b) receive a report highlighting the changes with respect to operation of and contributions to RFS at both the zone and local level (ie approach to apportionment within the zone);
- (c) write to the relevant Ministers and the RFS requesting that
 - (i) future rises be limited to the rate cap and the cost of emergency services be included in the IPART consideration of the rate rises for Local Government;
 - (ii) clarification be provided on the standard to which the RFS is heading with respect to facilities, equipment and training and how this compares to the standard of fire cover which was the previous ambition;
 - (iii) the implementation of this year's higher costs be deferred 1 year to effectively take the increases through the IP&R process given that Council budgets are already in place;
 - (iv) feedback on concerns that Councils from those zones which have been historically proactive in lifting facilities, equipment and training will be financially penalised for their efforts with a risk of subsidising less proactive zones given the new formula for apportioning Council contributions within the change;
- (d) write to LGNSW and LGNSW representatives expressing concerns regarding the above and inquiring whether protections for significant rises were provided for in negotiations between RFS and LGNSW;
- (e) advocacy in this regard is to include reference to the Emergency Services Levy changes, particularly that:
 - (i) Council not be out of pocket regarding the administration of these monies including debt collection; and
 - (ii) rate payers do not have to pay twice and the existing 11% costs to Councils be removed; and concerns the volunteer base will be reduced as has been the case in Victoria.

MINUTE

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

MOVED: Cr W Aubin 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.

There were no representations from the public.

RESOLVED: That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PURCHASE OF LAND (BRICK PITS) - EDGELLS LANE, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	REQUEST FOR USE OF MOUNT PANORAMA - MOTOR RACING EVENT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	EXPRESSION OF INTEREST - LEASE - LOT 1 IN DP995205 AND LOT 1 IN DP1007963 - PATNA COMMONWEALTH AND MORRISSET STREETS	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	NEW COMMERCIAL LEASE AGREEMENT - PART LOT 1 IN DP234893 KNOWN AS BOUNDARY ROAD WATER RESERVOIR BATHURST - OPTUS MOBILE PTY LTD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	KELSO FLOODPLAIN VOLUNTARY ACQUISITION - PROPOSED PURCHASE	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 LOT 1 IN DP986867 KNOWN AS 22 CHURCH LANE, KELSO	of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	SALE OF PART LOT 1 IN DP772047 KNOWN AS 186 LIMEKILNS ROAD KELSO	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
7	LICENCE AGREEMENT - BATHURST BUSHRANGERS - AFL CLUBHOUSE - GEORGE PARK BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR THE ACCEPTANCE, REPROCESSING AND REUSE OF BIOSOLIDS	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 THE DESIGN AND CONSTRUCTION OF A SYNTHETIC SOCCER FIELD, PROCTOR 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	TENDER FOR THE DESIGN AND CONSTRUCTION OF A SYNTHETIC SOCCER FIELD, PROCTOR PARK - SUPPLEMENTARY REPORT	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 SEPTEMBER 2016

MINUTE

(a) Item 1 PURCHASE OF LAND (BRICK PITS) - EDGELLS LANE, KELSO
(22.01560)

MOVED: Cr I North SECONDED: Cr M Coote

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

MINUTE

**(b) Item 2 REQUEST FOR USE OF MOUNT PANORAMA - MOTOR RACING
EVENT (04.00009)**

MOVED: Cr W Aubin SECONDED: Cr M Coote

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

MINUTE

(c) Item 3 EXPRESSION OF INTEREST - LEASE - LOT 1 IN DP995205 AND LOT 1 IN DP1007963 - PATNA COMMONWEALTH AND MORRISSET STREETS (22.00654

MOVED: Cr M Coote SECONDED: Cr I North

That Council approves entering into a new Rural Licence agreement for Lot 1 in DP995205 and Lot 1 in DP1007963 located on Patna, Commonwealth and Morrisset Streets Bathurst for a period of three (3) years with Ms Candice Foskett as detailed in the report.

MINUTE

(d) Item 4 NEW COMMERCIAL LEASE AGREEMENT - PART LOT 1 IN DP234893 KNOWN AS BOUNDARY ROAD WATER RESERVOIR BATHURST - OPTUS MOBILE PTY LTD (22.00041

MOVED: Cr I North SECONDED: Cr M Coote

That Council approves entering into a new commercial lease agreement for part Lot 1 in DP234893 known as Boundary Road Water Reservoir Bathurst for a period of five (5) years with three (3) x five (5) year option periods as detailed in the report.

MINUTE

(e) Item 5 KELSO FLOODPLAIN VOLUNTARY ACQUISITION - PROPOSED PURCHASE OF LOT 1 IN DP986867 KNOWN AS 22 CHURCH LANE, KELSO (22.01402)

MOVED: Cr B Bourke SECONDED: Cr I North

That Council authorise the purchase of Lot 1 in DP6986867 known as 22 Church Lane, Kelso under the Government's Voluntary Acquisition Scheme as detailed in the report.

MINUTE

**(f) Item 6 SALE OF PART LOT 1 IN DP772047 KNOWN AS 186
LIMEKILNS ROAD KELSO (22.00891)**

MOVED: Cr I North SECONDED: Cr W Aubin

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

MINUTE

(g) Item 7 LICENCE AGREEMENT - BATHURST BUSHRANGERS - AFL CLUBHOUSE - GEORGE PARK BATHURST (04.00042)

MOVED: Cr I North SECONDED: Cr M Coote

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

DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

21 SEPTEMBER 2016

MINUTE

(h) Item 1 TENDER FOR THE ACCEPTANCE, REPROCESSING AND REUSE OF BIOSOLIDS (36.00601)

MOVED: Cr M Coote SECONDED: Cr G Westman

That Council accept the tender from CW and MR Townsend trading as Terra Farma for the reuse and/or reprocessing of Bathurst Regional Council Biosolids from 1 October 2016 to 31 September 2020, with the General Manager authorised to exercise the option to extend the contract period by twelve months if agreed by both parties.

MINUTE

(i) Item 2 TENDER FOR THE DESIGN AND CONSTRUCTION OF A SYNTHETIC SOCCER FIELD, PROCTOR PARK (36.00602)

MOVED: Cr M Coote SECONDED: Cr B Bourke

That Council

- (a) in accordance with Clause 178 (1) (b) of the Local Government (General) Regulation 2015, decline to accept any tender; and
- (b) cancel the proposal for the contact.

MINUTE

**Item 3 TENDER FOR THE DESIGN AND CONSTRUCTION OF A
SYNTHETIC SOCCER FIELD, PROCTOR PARK - SUPPLEMENTARY REPORT
(36.00602)**

This item was dealt with at Item 2.

MINUTE

53 **RESOLVE INTO OPEN COUNCIL**
MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That Council resume Open Council.

MINUTE

54 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
MOVED: Cr B Bourke SECONDED: Cr I North

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

Cr Bourke asked that his negative vote be recorded against Item #4 of the Director Corporate Services & Finance's Confidential Report.

MINUTE

55 MEETING CLOSE

The Meeting closed at 7.28 pm.

CHAIRMAN: _____