



ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL

8 September 2010

His Worship the Mayor & Councillors

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 15 September 2010 commencing at 6.00 pm.

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

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

D J Sherley  
**GENERAL MANAGER**

# **BUSINESS AGENDA**

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

**TO BE HELD ON WEDNESDAY, 15 SEPTEMBER 2010**

1. 6.00 PM - MEETING COMMENCES
2. PUBLIC QUESTION TIME
3. PRAYER  
Almighty God, Give wisdom to those in authority and guide all peoples in the way of righteousness and peace, so that we may share with justice the resources of the earth, work together in trust and seek the common good. Amen.
4. APOLOGIES
5. MINUTES  
  - \* Minutes - Ordinary Meeting Of Bathurst Regional Council - 18 August 2010
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  
  - \* General Manager's Report
  - \* Director Environmental Planning & Building Services' Report
  - \* Director Corporate Services & Finance's Report
  - \* Director Engineering Services' Report
9. REPORTS OF OTHER COMMITTEES  
  - \* Minutes - Policy Committee Meeting - 1 September 2010
  - \* Minutes - Traffic Committee Meeting - 7 September 2010
10. NOTICES OF MOTION - Nil
11. RESCISSION MOTIONS - Nil
12. DELEGATES REPORTS

\* Councillors Meeting With Community Groups/representatives Held 11 August 2010

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 the opinion of the General Manager, 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	RENEWAL OF RESIDENTIAL LEASE - 57 SEYMOUR STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF RESIDENTIAL LEASE - 22 RUSSELL STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

		Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	RENEWAL OF RESIDENTIAL LEASE - 310 BROCK SKYLINE, MT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED LEASE TO OPTUS MOBILE PTY LTD - TELECOMMUNICATION BASE STATION	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	PROPOSED LEASE OF RIVER BANK LAND - EGLINTON BRIDGE	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	REMOVAL OF CAVEAT - 116 KEPPEL STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in

		open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	SUBDIVISION AND SALE OF LAND IN MILLER AND SWANBROOKE STREETS, BATHURST.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.5
8	PROPOSED SALE OF LOT 901 MILLER STREET, WINDRADYNE	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.
9	PRICING OF PROPOSED LOT 905 MICHIGAN ROAD, KELSO INDUSTRIAL PARK	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council’s position in negotiating commercial and or financial arrangements.

**\* Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY

1	TENDER FOR PURCHASE OF TWO 6X4 TIPPING TRUCKS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
---	---	---

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

## MINUTE

### 1 MEETING COMMENCES

**Present:** Councillors Toole (Chair), Aubin, Bourke, Carpenter, Hanger, Morse, North, Thompson, Westman

## MINUTE

### 2 PUBLIC QUESTION TIME

**G Crisp – Rate Payer** - Asked do the traffic regulations apply to senior staff? There appears to be a black 4WD parking contrary to a No Stopping sign. Could the Director re-park his car?

Raised a number of other issues/questions:

1. Does General Manager deny the fact that the Director Corporate Services and Finance wrongfully alleged issues concerning superannuation?
2. Staff unlawfully accessed superannuation.

**The Mayor** noted replies have previously been given.

3. Actions of Director Corporate Services and Finance were contrary to the Local Government Act and ICAC Act.
4. Under S.12 ICAC Act there is a duty to report such conduct to the ICAC.
5. Spoke to OH&S Act and safe workplace requirements - did Council fail in its obligations?

**The Mayor** replied no.

6. Councillors have an obligation to act where the General Manager has not complied with the Local Government Act.

**B Trimming – Rate Payer** - Raised the following questions:

1. Business Paper has item on re-election of the Mayor - has previously spoken on issue of full-time Mayor.
2. Noted PM Julia Gillard will be opening Chifley Home this weekend. The access ramp at front does not have access to the roadway. Could a lay-back be put in, in Busby Street? Spoke to signage required to say where access is available, if not usual entrance. Further, spoke to variation in access fees that could be implemented if a person cannot access all of the facility, perhaps it should be no charge.

**K O'Donnell – Howick Street** - Spoke to issues recently championed by Councillors, such as Crs Bourke, Carpenter and Westman. Used as an example, the recent Telstra tower and then raised criticisms of Councillors, such as Cr Morse.

**The Mayor** raised concerns that this was an act of disorder and that the comments were inappropriate.



**MINUTE**

**3     APOLOGIES**

Nil

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
MINUTES

**MINUTES TO THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**  
**MEETING HELD ON 15 SEPTEMBER 2010**

General Manager  
Bathurst Regional Council

**1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 18**  
**AUGUST 2010 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 August 2010 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 August 2010, are attached.

**Financial Implications:** N/A

**MINUTE**

**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**  
**- 18 AUGUST 2010**

**MOVED: M Morse SECONDED: G Westman**

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 August 2010 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**  
**HELD ON 18 AUGUST 2010**

**6.00 PM - MEETING COMMENCES**

**1 MEETING COMMENCES**

**Present:** Councillors Toole (Chair), Aubin, Bourke, Carpenter, Hanger, Morse, North, Thompson, Westman.

**PUBLIC QUESTION TIME**

**2 PUBLIC QUESTION TIME**

**Keith Sheehan – Telstra Tower (DEPBS #5)**

Stated the tower is too close to schools, residents and aged care facilities, and will impact on property values.

**Michelle Gooley (57 Miriyan Drive) - Telstra Tower (DEPBS #5)**

Stated the tower is too close to residences, Ilumba Gardens and Kelso High School. Perhaps another tower at Mount Panorama would ease the pressure. Why does it need to be in Kelso, should go in an area where residences are not located. Noted petition of over 400 signatures received. Tower will impact on property valuations and health.

**Peter Dowling – Telstra Tower (DEPBS #5)**

Stated has family in the area near the proposed tower. A study has been done on emissions and the impact such as Leukemia and Cancer that may occur. The results are substantive. Spoke to rents charged and costs of towers. Medical issues are a problem and low radiation can play havoc with cells and DNA. Doctors believe towers are radiation hazards.

**Lou Lucarno (46 Miriyan Drive) – Telstra Tower (DEPBS #5)**

Objects on visual and health aspects. Health has not been proven either way and so should err on side of caution. Telstra has other options, appears cost is the only issue for Telstra. Asks Councillors to back residents.

**Peter O'Hara (14 Ilumba Way) – Telstra Tower (DEPBS #5)**

Spoke of Telstra presentation to residents. Felt health issues are a problem, science does not tell us all problems. Would Council with clear conscience subject school students to the unknown.

**Gordon Crisp (Ratepayer and resident)**

1. Parking arrangements Bathurst city - when restrictions enforced are these

under delegated authority of Police?

**The Director Environmental Planning & Building Services** took this on notice.

2. Does Council have a current authority to enforce?

**The Mayor** took this on notice.

3. If no authority held, on what basis can enforcement action be taken.

**The Mayor** took this on notice.

4. If senior officers knew no authority held, would they be breaching the law?
5. Raised a query about Council's ability to order residents to clear plants back from pathways.

**Bob Trimming (resident)**

1. Sound System in Chambers - requested in 2008 this be fixed up. There are still problems. Can this be attended to, cannot hear at the back. Lithgow has same system, but speakers are not in the ceiling and works well.
2. Security Lighting - Broken Blade Memorial - thanked Director Engineering Services for this being installed. Area is also being kept a lot cleaner.
3. Bathurst & District Vietnam Veterans Association - Thanked Mayor and General Manager for attending commemoration service on 18 August. Noted Carillon was partially wheelchair accessible, can this be further looked at. Thanked Director Engineering Services for roadworks at the Memorial Park recently undertaken on behalf of the Association.

**APOLOGIES**

**3 APOLOGIES**

Nil.

**MINUTES**

**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 21 JULY 2010 (11.00005)**  
**MOVED** Cr R Thompson and **SECONDED** Cr I North

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 July, 2010 be adopted.

**5 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL FOLLOWING POLICY - 4 AUGUST 2010 (11.00005)**

MOVED Cr I North

and SECONDED Cr G Westman

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council Following Policy held on 4 August 2010 be adopted.

## DECLARATION OF INTEREST

### 6 DECLARATION OF INTEREST

MOVED Cr I North

and SECONDED Cr W Aubin

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

Cr Bourke

Items #5, #6, #8 of the Director Corporate Services & Finance report

Cr Hanger

Items #5, Director Environmental, Planning & Building Services report

## RECEIVE AND DEAL WITH DIRECTORS' REPORTS

### Director Environmental Planning & Building Services' Report

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

MOVED Cr B Bourke

and SECONDED Cr W Aubin

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

### 8 Item 2 GENERAL REPORT (03.00053)

MOVED Cr I North

and SECONDED Cr R Thompson

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

### 9 Item 3 UNIVERSAL HOUSING DESIGN STANDARD (20.00010)

MOVED Cr T Carpenter

and SECONDED Cr G Westman

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

### 10 Item 4 A FRAME SIGNS & FOOTPATH DINING ON COUNCIL CONTROLLED LAND (23.00045)

MOVED Cr T Carpenter

and SECONDED Cr M Morse

**RESOLVED:** That Council:

- (a) take no action for "A" Frame Signs and Footpath Dining on Council controlled land outside of the city area covered by Bathurst, Kelso, Perthville, Raglan and Eglinton;
- (b) advise the complainant of Council's decision.

- 11** **Item 5 DEVELOPMENT APPLICATION NO. 2010/0629 – TELECOMMUNICATION BASE STATION AT LOT: 1 DP 620110, 9 ILUMBA WAY KELSO. APPLICANT: TCI LTD. OWNER: BATHURST MASONIC TEMPLE SOCIETY INC. (2010/0629)**  
**MOVED** Cr G Westman and **SECONDED** Cr B Bourke

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

**Reason: Teacher at Kelso High School.**

**RESOLVED:** That Council:

- (a) direct the Director Environmental, Planning & Building Services to refuse Development Applicant No. 2010/0629, due to:
- 1 the adverse visual impact caused by the height of the tower, relative to the surrounding residential development,
  2. The development being in a community sensitive environment area, i.e. near an aged care facility, Kelso High School & residential areas.
- (b) notify those that made submissions of its decision
- (c) call a division.

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

**The result of the division was:**

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr T Carpenter, Cr M Morse, Cr I North, Cr R Thompson, Cr P Toole, Cr G Westman,

Against the motion - NIL

Absent - Cr G Hanger,

Abstain - NIL

- 12** **Item 5 EXTENSION OF TIME (2010/0629)**  
**MOVED** Cr B Bourke and **SECONDED** Cr R Thompson

**RESOLVED:** That an extension of time of 2 minutes be granted to Cr North to talk on the matter dealt with in Minute #11 in accordance with Clause 250(3) of the Local Government (General) Regulation 2005.

- 13** **Item 6 RIGHT OF CARRIAGEWAY, BOUNDARY ROAD (04.00108)**  
**MOVED** Cr I North and **SECONDED** Cr G Hanger

**RESOLVED:** That Council resolve to permit the creation of a right of carriageway over the subject land for the benefit of 97a Boundary Road, Robin Hill.

- 14** **Item 7 CENTRAL WEST HERITAGE NETWORK (CWHN) SEMINAR (18.00096)**  
**MOVED** Cr I North and **SECONDED** Cr R Thompson

**RESOLVED:** That Council note that a Central West Heritage Network, (CWHN), Seminar on Salt Attack and Rising Damp, will be held at Bathurst, on Thursday 21



October 2010.

**15 Item 8 SUNNY CORNER - CONTAMINATED LAND POLICY (13.00008 & 41.00089)**

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

**RESOLVED:** That Council adopt the “Sunny Corner – Contaminated Land Policy”

**16 Item 9 BATHURST REGION LOCAL HERITAGE FUND 2010-11 (16.00122)**

**MOVED** Cr I North and **SECONDED** Cr T Carpenter

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

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

**17 Item 1 STATEMENT OF INVESTMENTS - JULY 2010 (16.00001)**

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

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

**18 Item 2 YEAR TO DATE REVIEW - 2009/2010 MANAGEMENT PLAN AND BUDGET (16.00116)**

**MOVED** Cr R Thompson and **SECONDED** Cr M Morse

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

**19 Item 3 SUNDRY SECTION 356 DONATIONS AND BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY (18.00004)**

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

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

**20 Item 4 POWER OF ATTORNEY (11.00007)**

**MOVED** Cr G Hanger and **SECONDED** Cr G Westman

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

**21 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST MENS SHED INC (18.00195-19)**

**MOVED** Cr G Westman and **SECONDED** Cr R Thompson

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

**Reason: Member of Board**

**RESOLVED:** That Council not agree to fund an honorarium payment of \$7,800 to the Secretary/Manager of the Men's Shed Inc from Section 356 donations.

- 22** **Item 6 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST HUT INCORPORATED (18.00195-19)**  
**MOVED** Cr I North and **SECONDED** Cr G Westman

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

**Reason: Member of Board**

**RESOLVED:** That Council not agree to provide financial assistance to the establishment of the Bathurst Hut Incorporated from Section 356 Donations.

- 23** **Item 7 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST DISTRICT PROSTATE CANCER SUPPORT GROUP - USE OF BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) (23.00007-12)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

**RESOLVED:** That Council make available the use of the City Hall at the Bathurst Memorial Entertainment Centre on 25 September 2010 to the Bathurst District Prostate Cancer Support Group from BMEC Community use Subsidy to the value of \$284.

- 24** **Item 8 REQUEST FOR FINANCIAL ASSISTANCE - DISABILITY INFORMATION ADVOCACY SERVICE (DIAS) - USE OF BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) (21.00012)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr I North

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

**Reason: Member of Board**

**RESOLVED:** That:

- (a) Council make available the use of the Bathurst Memorial Entertainment Centre on 3 December 2010 as requested to Disability Information Advocacy Service (DIAS).
- (b) the cost of \$700 be funded from the BMEC Community Use Subsidy.

### **Director Engineering Services' Report**

- 25** **Item 1 EASEMENT FOR OVERHEAD POWERLINES WHITE ROCK ROAD TO WHYALLA CIRCUIT (25.00388)**  
**MOVED** Cr R Thompson and **SECONDED** Cr W Aubin





- 32** **Item 2 CHIFLEY HOME INTERPRETATIVE CENTRE - ORAL HISTORY SOUND-STATION (21.00112)**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Hanger

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

- 33** **Item 3 BATHURST LIBRARY STATISTICS (18.00115)**  
**MOVED** Cr M Morse and **SECONDED** Cr I North

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

- 34** **Item 4 BATHURST REGIONAL ART GALLERY'S PERMANENT COLLECTION - GROWTH SINCE 2004 (21.00039)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr I North

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

- 35** **Item 5 USE OF NATIONAL MOTOR RACING MUSEUM - ROTARY INTERNATIONAL CONFERENCE 2011 (18.00112)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

**RESOLVED:** That Council confirm its previous offer to utilise the National Motor Racing Museum as:

- (a) Entrance to the Museum at a 20% discount per visitor.
- (b) Tour of Circuit - \$25.00 per lap with final numbers to be provided to the Museum Manager two weeks prior to the Conference.
- (c) Presentation of 30 minutes - \$4.00 per person, note this will need to be done in groups of twenty five.

## **REPORTS OF OTHER COMMITTEES**

### **Policy Committee Meeting**

- 36** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 AUGUST 2010 (07.00064)**  
**MOVED** Cr G Westman and **SECONDED** Cr B Bourke

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 4 August 2010 be adopted.

### **Traffic Committee Meeting**

- 37** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 3 AUGUST 2010 (07.00006)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin



## \* Director Corporate Services &amp; Finance's Report

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST 12 HOUR EVENT 2010 - STATEMENT OF INCOME AND EXPENDITURE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PROPOSED AFL CLUBROOMS - BATHURST BUSHRANGERS ARFC INC	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED REDEVELOPMENT OF 88 LEE STREET, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED TRANSFER OF LICENCE AGREEMENT, COUNTER SPACE, BATHURST AERODROME TERMINAL	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	RENEWAL OF RESIDENTIAL LEASE - 159 EGLINTON ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	TRANSFER OF LEASE - 193 MORRISSET STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	EXPRESSION OF INTEREST - BATHURST TENNIS CENTRE - JOHN MATTHEWS SPORTING COMPLEX	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	PROPOSED NEW LEASE OF 8 STANLEY STREET,	10A (2) (a) – Deals with personnel matters



	BATHURST	concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned. 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 CONSTRUCTION OF SUSTAINABLE LIFESTYLE HOUSE	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	NATIONAL WATER SECURITY PLAN FOR CITIES AND TOWNS – COMPETITIVE GRANTS ELEMENT BATHURST WATER FILTRATION PLANT – SUPERNATANT RECYCLING PROJECT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

		position of the person who supplied it.
3	CHIFLEY ENGINE SHED	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	DEED OF DEDICATION, BANKS AND BLANDFORD STREETS, 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.

**\* General Manager's Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	STAFF UNIFORMS	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 BATHURST 12 HOUR EVENT 2010 - STATEMENT OF INCOME AND EXPENDITURE (04.00097-08)

MOVED Cr W Aubin

and SECONDED Cr B Bourke

That the information be noted.

**b** Item 2 PROPOSED AFL CLUBROOMS - BATHURST BUSHRANGERS ARFC INC (04.00042-02)

MOVED Cr I North

and SECONDED Cr B Bourke

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

**c** Item 3 PROPOSED REDEVELOPMENT OF 88 LEE STREET, KELSO (22.00574)

MOVED Cr G Westman

and SECONDED Cr I North

That Council approves the proposed redevelopment of Lot 1 DP500552 and Lot 3 DP529516 known as 88 Lee Street Kelso as detailed in the report.

**d** Item 4 PROPOSED TRANSFER OF LICENCE AGREEMENT, COUNTER SPACE, BATHURST AERODROME TERMINAL (21.00044)

MOVED Cr G Westman

and SECONDED Cr T Carpenter

That Council approves the transfer of the licence agreement from Carway Enterprises (VIC) Pty Ltd trading as Thrifty Bathurst/Orange to Kingmill Pty Ltd trading as Thrifty Car Rental as detailed in the report.

**e** Item 5 RENEWAL OF RESIDENTIAL LEASE - 159 EGLINTON ROAD, BATHURST (22.12696)

MOVED Cr G Hanger

and SECONDED Cr R Thompson

That Council approve entering into a new residential lease for Lot 1 DP786946 known as 159 Eglinton Road, Bathurst to Jennifer Cummings and Michael Woolley for a period of twelve (12) months with a twelve (12) month option as detailed in the report.

**f** Item 6 TRANSFER OF LEASE - 193 MORRISSET STREET, BATHURST (22.01199)

MOVED Cr I North

and SECONDED Cr M Morse

That Council approves the transfer of Mr Danny Miles half interest in the current licence agreement for Lots 14 and 15 DP1089380 known as 193 Morrisset Street, Bathurst to Mrs Michelle Miles as detailed in the report, subject to receipt from Mr Miles of written approval to the lease transfer.

**g** Item 7 EXPRESSION OF INTEREST - BATHURST TENNIS CENTRE - JOHN MATTHEWS SPORTING COMPLEX (36.00388 and 04.00013)

MOVED Cr B Bourke

and SECONDED Cr T Carpenter

That Council approves entering into a new five (5) year lease agreement with Fran and Andrew Mitton for the Bathurst Tennis Centre located at the John Matthews

Sporting Complex, Durham Street, Bathurst as detailed in the report.

- h** **Item 8 PROPOSED NEW LEASE OF 8 STANLEY STREET, BATHURST (22.05803)**  
**MOVED** Cr G Hanger and **SECONDED** Cr W Aubin

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

### **Director Engineering Services' Report**

- i** **Item 1 TENDER FOR CONSTRUCTION OF SUSTAINABLE LIFESTYLE HOUSE (36.00383)**  
**MOVED** Cr I North and **SECONDED** Cr T Carpenter

That Council

- (a) Accept the tender of Warren Harvey Homes Pty Ltd for construction of a Sustainable Lifestyle House in the amount of \$364,221 (incl. GST) subject to alterations and provisional items.
- (b) Provide additional funding of the amount of \$30,000, sourced from the Land Reserve.

- i** **Item 2 NATIONAL WATER SECURITY PLAN FOR CITIES AND TOWNS – COMPETITIVE GRANTS ELEMENT BATHURST WATER FILTRATION PLANT – SUPERNATANT RECYCLING PROJECT (16.00103)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr W Aubin

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

- k** **Item 3 CHIFLEY ENGINE SHED (36.00373)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

That Council:

- (a) decline to accept any of the tenders
- (b) defer the matter for further consideration.

The **MOTION** was **PUT** and **LOST**

- l** **Item 3 CHIFLEY ENGINE SHED (36.00373)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr R Thompson

That Council accept the tender of Webber Concrete Construction Pty Ltd for the

construction of the Chifley Engine Shed, in the amount of \$186,445 (inc. GST), subject to variations and provisional items.

**Cr Bourke & Cr North asked for their negative vote to be recorded.**

**m Item 4 DEED OF DEDICATION, BANKS AND BLANDFORD STREETS, BATHURST (25.00520)**

**MOVED** Cr G Hanger and **SECONDED** Cr I North

That Council approve:

- (a) the registration of the Deed of Dedication concerning the transfer of Banks and Blandford Streets and associated laneways from Mr W Roberts to Council,
- (b) to dedicate the roads to the public under the Roads Act 1993,
- (c) to notify adjoining owners of the change in the laneways status, and
- (d) to approach the owners of the laneway between Blandford and Lambert Streets regarding the proposed closure of the laneway, as stated in the Director Engineering Services' report.

**General Manager's Report**

**n Item 1 STAFF UNIFORMS (19.00024 & 36.00378-02)**

**MOVED** Cr I North and **SECONDED** Cr G Westman

That Council:

- (a) award the contract for the supply of non-compulsory corporate staff uniforms to Totally Corporate Pty Ltd;
- (b) award the contract for the supply of non-compulsory casual staff uniforms to Prestige Embroidery Bathurst.

**RESOLVE INTO OPEN COUNCIL**

**42 RESOLVE INTO OPEN COUNCIL**

**MOVED** Cr I North and **SECONDED** Cr R Thompson

**RESOLVED:** That Council resume Open Council.

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

**43 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**

**MOVED** Cr R Thompson and **SECONDED** Cr W Aubin

**RESOLVED:** That the Report of the Committee of the Whole, Items (a) to (n) be

adopted.

**MEETING CLOSE**

**44      MEETING CLOSE**

The Meeting closed at 8.12 pm.

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

**Date:** \_\_\_\_\_ **(15 September 2010)**

**MINUTE**

**5     DECLARATION OF INTEREST**  
**MOVED: B Bourke SECONDED: W Aubin**

That the following Declaration of Interest be noted.

Cr Westman

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

GENERAL MANAGER'S REPORT

15 SEPTEMBER 2010



**GENERAL MANAGER'S REPORT TO THE ORDINARY MEETING OF BATHURST  
REGIONAL COUNCIL MEETING HELD ON 15 SEPTEMBER 2010**

General Manager  
Bathurst Regional Council

**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 **Attachments 1 and 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, ie 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.

## **MINUTE**

### **7     Item 1   ELECTION OF MAYOR AND DEPUTY MAYOR**

#### **ELECTION OF MAYOR**

One nomination for the position of Mayor was received: Cr Toole.

Cr Toole was declared elected as Mayor for the period to September 2011.

**MINUTE**

**6 Item 1 ELECTION OF MAYOR AND DEPUTY MAYOR**

**MOVED: P Toole SECONDED: B Bourke**

**ELECTION OF DEPUTY MAYOR**

Two nominations for the position for Deputy Mayor were received: Cr Morse and Cr North.

**RESOLVED:** That the election proceed by Open Voting.

The result of the Ballot was:

Cr Morse	3 Votes
Cr North	6 Votes

Cr North was declared elected as Deputy Mayor for the period to September 2011.

**2 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS**  
**(11.00002)**

**Recommendation:** That the completed Disclosure of Interest of Councillors and Designated Persons Returns for Councillors and relevant staff be noted.

**Report:** In accordance with the provisions of Section 450(A) of the Local Government Act, the Disclosure of Interest of Councillors and Designated Persons Returns for Councillors and relevant staff, will be tabled at the meeting.

**Financial Implications:** Nil.

**MINUTE**

**8 Item 2 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS**

**MOVED: W Aubin SECONDED: T Carpenter**

**RESOLVED:** That the completed Disclosure of Interest of Councillors and Designated Persons Returns for Councillors and relevant staff be noted.

Yours faithfully



D J Sherley  
**GENERAL MANAGER**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT  
15 SEPTEMBER 2010

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE  
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 15  
SEPTEMBER 2010**

General Manager  
Bathurst Regional Council

**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.

**MINUTE**

**9 Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**MOVED: G Hanger SECONDED: I North**

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



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

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

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

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during August 2010 (**attachment 1**)
- (b) Applications refused during August 2010 (**attachment 2**)
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**)
- (d) Applications pending approval for greater than 40 days as at the date of compilation of this report (**attachment 4**)
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 approved in August 2010 (**attachment 5**).

**Financial Implications:** Nil.

**MINUTE**

**10    Item 2    GENERAL REPORT**

**MOVED: R Thompson SECONDED: G Westman**

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

### **3 DRAFT BATHURST REGIONAL (INTERIM) DEVELOPMENT CONTROL PLAN 2010 (20.00163)**

**Recommendation:** That Council:

- (a) place the draft Bathurst Regional (Interim) Development Control Plan 2010 on public exhibition for a period of 6 weeks; and
- (b) call a division.

**Report:** Council, at its meeting held 19 August 2009, resolved to prepare an interim Comprehensive Development Control Plan (DCP) to control development under the Bathurst Regional (Interim) LEP 2005 which implements the recommendations of the Bathurst Regional Urban & Rural Strategies and the Bathurst Region Heritage Study in so far as is possible under the current LEP arrangements.

A draft plan has now been prepared and is entitled "Draft Bathurst Regional (Interim) Development Control Plan 2010." A full copy has already been provided to Councillors.

The draft Development Control Plan enables key aspects of the Urban & Rural Strategies and the Heritage Study to be implemented. The tables below summarise the key new changes or standards included in the draft plan as they relate to each of the Plan's chapter headings.

#### **1. Subdivision of Land**

<b>Where</b>	<b>Key Changes/New Standards</b>
2(v) Village Zone	New effluent disposal criteria that determines minimum lot size.
Eglington, Raglan & Perthville	Require underground electricity services instead of aboveground.
DAs involving open space, environmental protection areas, arterial and sub-arterial roads.	Require landscape plan to be submitted with DA for subdivision (where appropriate).
2(a) Residential Zone 2(v) Village Zone	Require traditional or modified grid pattern with limited use of cul-de-sacs.
Heritage Conservation areas and heritage items	New requirements to identify appropriate curtilages around historic buildings and established landscaping.

#### **2. Residential Development**

<b>Where</b>	<b>Key Changes/New Standards</b>
2(a) Residential Zone	New residential density precincts. Precinct 1 – inner city area. Precinct 2 – old and newer suburban areas. Precinct 3 – Eglington, Raglan and Perthville. Precinct 4 – Land near sewage treatment plant and within 50dBA noise contour.
Precinct 1 – Inner City Area	Minimum lot size for dual occupancy increases to 600m <sup>2</sup> (800m <sup>2</sup> battleaxe lot)
Precinct 2 – old and new suburban areas	No longer have 75m separation of dual occupancy developments. Minimum lot size for dual occupancy increases to 850m <sup>2</sup> . Dual occupancies and residential units not

	permitted on battleaxe allotments or within cul-de-sacs except corner lots. Residential units permitted on lots greater than 1300m <sup>2</sup> at density of 60 persons per site hectare.
Precinct 3 – Eglinton, Raglan and Perthville	Minimum lot size for dual occupancy increases to 900m <sup>2</sup> . Dual occupancies not permitted on battleaxe allotments or within cul-de-sacs except corner lots.
Precinct 4 – land near sewage treatment plant & within 50dBA noise contour	Dual occupancies no longer permitted in south Bathurst within 50dBA contour.
2(a) Residential Zone – outside heritage conservation area	Front building line setback reduced to 6m unless streetscape already established at 8m.
2(a) Residential Zone	Height of buildings restricted to 2 storeys plus attic and basement.
Housing attached to shops	New standards in relation to building setbacks, private open space and carparking.

### 3. Business and Industrial Development

Where	Key Changes/New Standards
3(a) General Business, 3(b) Service Business and 4(a) Industrial	Require submission of air quality impact assessment or noise impact assessment where development may impact on air quality or existing noise levels.
Neighbourhood shopping centres	New general design guidelines.
Service Trade Centre	New road link to land to west. Fencing along McDiarmid to be timber, masonry or wire (not steel).
Sydney Road Precinct (North)	Deleted all service roads originally proposed.
Stockland Road	Included new "Area 4" facing Lee St and Stockland Drive.

### 4. Rural and Rural Lifestyle Development

Where	Key Changes/New Standards
1(a) Inner Rural and 1(e) Outer Rural Zones	Environmental assessment required for development affected by sensitive land areas, sensitive waterways and biodiversity.
1(a) Inner Rural, 1(b) Market Garden, 1(d) Rural Special Purposes and 1(e) Outer Rural	Range of new setback requirements for different types of activities.
Mt Haven Estate	Allow Council to approve on-site effluent disposal systems if considered appropriate.
Land adjoining State Forests	No new dwellings can rely on State Forest roads. Electrical infrastructure plans required for DAs adjoining forestry lands.
In vicinity of Yetholme	Development required to locate away from Purple Copper Butterfly habitat and re-vegetation required to DECC guidelines.

### 5. Rural Village Development

Where	Key Changes/New Standards
2(v) Village Zone	Merit based lot size dependant upon effluent disposal instead of 1ha minimum.
Hill End	New archaeological map for Hill End. Properties

	listed as being of high or medium significance will be required to lodge archaeological report with DA. New archaeological condition of consent for all other properties.
Hill End, Sofala, Rockley, Trunkey Creek, Georges Plains and Wattle Flat	New requirement to consider statement of significance.
2(v) Village Zone	Height of buildings restricted to 2 storeys plus attic and basement.
2(v) Village Zone	New building design guidelines relating to built form (new buildings, extensions & additions, garages/carports, outbuildings), roof and verandahs, materials and colours, fencing, moveable dwellings and utility services.

## 6. Mount Panorama

Where	Key Changes/New Standards
Part of 372 Panorama Ave (Lot 1 DP864379) owned by Dept of Education and Training	Land use was previously restricted to open space. Land has been excluded from DCP map restrictions to allow future use for educational purposes.

## 7. Environmental Considerations

Where	Key Changes/New Standards
1(a) Inner Rural and 1(e) Outer Rural Zones	Environmental assessment required for development affected by sensitive land areas, sensitive waterways and biodiversity.
Certain types of development (e.g on-site effluent disposal systems)	Environmental assessment required for lands identified as high or moderately high groundwater vulnerability.
Flood Prone Lands	Majority of Flood Plain Management Policy transferred into DCP unchanged.
All lands	New sustainable building design and energy efficiency guidelines relating to solar passive design, landscaping, colours, lighting, water saving, rainwater tanks, grey water reuse, renewable energy, hot water systems and waste. Statements of environmental effects lodged with DAs will be required to address these principles.

## 8. Urban Design and Heritage Management

Where	Key Changes/New Standards
Heritage conservation areas and heritage items	Guidelines provided for preparation of Conservation Management Plans, Strategies and Heritage Impact Statements.
Demolition of buildings in heritage conservation areas and heritage items	Structural and Historical Assessment Policy transferred into the DCP unchanged. Within Bathurst Conservation Area also require BCAMs assessment.
Infill Development	Infill Development Policy transferred into DCP unchanged.
Bathurst and Kelso Heritage Conservation areas	New residential development standards related to building design, garages and outbuildings, front

	fences and utility services. New commercial/industrial development standards related to building design, landmark sites and utility services.
Perthville Conservation Area	This section is subject to the current heritage planning proposal with Dept of Planning to amend LEP. New development standards for buildings.
Chifley Memorial Housing Estate – West Bathurst	New infill development standards.
Archaeological sites	New conditions of consent where relics or remains are likely to be found.
Aboriginal site	New requirements for Aboriginal Site and Foot Survey.

## 9. Outdoor Lighting

Where	Key Changes/New Standards
All lands	New development standards to protect the dark night sky in the Bathurst Region.

## 10. Signage and Colour Schemes

Where	Key Changes/New Standards
All lands	New detailed locational requirements for certain types of signs. New development standards relating to the size and design and façade area that can be used for signage. New specific design standards for certain types of signs.
Heritage Conservation Areas	New development standards for signage relating to design, size, shape, façade area and colours.
Hill End and Sofala	New development standards for signage relating to design, size, shape, façade area and colours.
Heritage Conservation Areas and Heritage Items	New development standards for the painting and rendering of buildings and use of corporate colours.

## 11. Landscaping and Greening

Where	Key Changes/New Standards
All lands	Landscaping Code transferred into DCP largely unchanged. Require landscape plans to be submitted with DA not after consent is issued. New types of developments required to lodge landscape plans (e.g. subdivisions adjacent to arterial roads) New maintenance conditions for landscaping 2 years after occupation.

## 12. Parking

Where	Key Changes/New Standards
All lands	Carparking Code transferred into DCP with some standards upgraded.

All lands – certain types of development (e.g shops)	New bicycle parking standards.
All lands – recreation facilities, hospitals, hotels and clubs, tourist accommodation, refreshment rooms, service stations and medium density housing	New car parking standards.

### 13. Crime Prevention

Where	Key Changes/New Standards
All lands – certain types of development	Reiterates Councils existing Crime Prevention Through Environmental Design (CPTED) protocol with NSW Police Service.

### 14. Maps

Where	Key Changes/New Standards
Eglington & Raglan	Proposed new roads in the centre of blocks have been removed as their construction is unlikely to ever be possible.

Aspects of the Urban & Rural Strategies **not** able to be implemented include:

- expansion of the existing rural villages;
- creation of new village zonings at Peel and Yetholme;
- new rural lifestyle living opportunities at Mt Rankin, The Lagoon, Trunkey Creek, Wattle Flat and Robin Hill;
- Urban expansion at Eglington, East of Kelso, Hope Street and Sydney Road – south (business/industrial).

These matters rely on either the comprehensive LEP or an LEP amendment (see previous separate reports to Council on the progress of the comprehensive LEP).

Being such a significant plan, it is proposed to place the plan on public exhibition for 6 weeks. A number of public meetings/workshops will be held with respect to plan. Over 500 individuals, who are on Council's mailing list with respect to the comprehensive LEP, will be notified of the plan and exhibition.

A further report will be presented to Council following exhibition of the draft plan.

**Financial Implications:** Nil.

**MINUTE**

**11 Item 3 DRAFT BATHURST REGIONAL (INTERIM) DEVELOPMENT CONTROL PLAN 2010**

**MOVED: T Carpenter SECONDED: G Westman**

**RESOLVED:** That Council:

- (a) place the draft Bathurst Regional (Interim) Development Control Plan 2010 on public exhibition for a period of 6 weeks; and
- (b) call a division.

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

**The result of the division was:**

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr T Carpenter, Cr G Hanger, Cr M Morse, Cr I North, Cr R Thompson, Cr P Toole, Cr G Westman.

Against the motion - Nil

Absent - Nil

Abstain - Nil



**4 DEVELOPMENT APPLICATION NO. 2010/0719 - TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT 40 & 42 ROSE STREET, SOUTH BATHURST. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS. OWNER: MR B MURRAY & MS E MASON (DA 2010/0719)**

**Recommendation:** That Council:

- (a) support the variation to the minimum lot size development standard prescribed in the Development Control Plan – Residential Subdivision;
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0719, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (c) call a division.

**Report:** The Site

Council has received a Development Application (DA) for a two lot subdivision (boundary adjustment) at 40 and 42 Rose Street, South Bathurst, described as Lot 165 and Lot 166 in DP 978692. A location plan is provided at **attachment 1**.

Each existing lot currently contains a single storey dwelling and associated outbuildings.

**The proposal**

The proposal involves a subdivision (boundary adjustment) which will see approximately 221m<sup>2</sup> of land transferred from 40 Rose Street to 42 Rose Street. Plans of the proposed development are at **attachment 2**.

**Planning Context**

*Bathurst Regional (Interim) Local Environmental Plan 2005*

The subject site is zoned 2(a) Residential under the provisions of the *Bathurst Regional (Interim) Local Environmental Plan 2005*. A subdivision (boundary adjustment) is permissible with consent in the 2(a) Residential zone. The proposal is consistent with the objectives of the zone.

*Development Control Plan*

The Development Control Plan – Residential Subdivision prescribes a minimum lot size of 550m<sup>2</sup> for regular allotments (being those with direct street frontage). Proposed Lot 66 will have an area of 905.2m<sup>2</sup> and therefore complies with the prescribed standard. Proposed Lot 65 however will have an area of 488.3m<sup>2</sup> which is 11.2% less than the prescribed standard.

The applicant has submitted a *Request for Variation of Development Control Plan Standard* (**attachment 3**).

The proposed variation is supported for the following reasons:

- Proposed Lot 66 exceeds the prescribed minimum lot size standard;
- Proposed Lot 65 represents a variation of 11.2% to the prescribed minimum lot size

standard;

- Proposed Lot 65 containing the dwelling at 40 Rose Street provides an open space area in excess of 220m<sup>2</sup> for the existing dwelling;
- Lot sizes similar to and often smaller than that proposed occur in all residential areas when carried out as part of a dual occupancy development; and
- The streetscape of Rose Street will remain unaffected.

### Conclusion

Council has received a Development Application for a two lot subdivision (boundary adjustment) at 40 and 42 Rose Street, South Bathurst. The subject site is zoned 2(a) Residential and is subject to the provisions of the Development Control Plan - Residential Subdivision which prescribes a minimum lot size of 550m<sup>2</sup>. Proposed Lot 65 will have an area of 488.3m<sup>2</sup> which is 11.2% less than the prescribed standard. The proposed variation is supported for the reasons outlined in this report.

**Financial Implications:** Nil

## MINUTE

**12 Item 4 DEVELOPMENT APPLICATION NO. 2010/0719 - TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT 40 & 42 ROSE STREET, SOUTH BATHURST. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS. OWNER: MR B MURRAY & MS E MASON**

**MOVED: B Bourke SECONDED: R Thompson**

**RESOLVED:** That Council:

- (a) support the variation to the minimum lot size development standard prescribed in the Development Control Plan – Residential Subdivision;
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0719, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; 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 T Carpenter, Cr G Hanger, Cr M Morse, Cr I North, Cr R Thompson, Cr P Toole, Cr G Westman.

Against the motion - Nil

Absent - Nil

Abstain - Nil

**5 DEVELOPMENT APPLICATION NO. 2010/0761- TWO LOT SUBDIVISION  
(BOUNDARY ADJUSTMENT) AT 409 FREEMANTLE ROAD, MOUNT RANKIN.  
APPLICANT: MRS S PAPPAS. OWNER: MR C & MRS S PAPPAS & MRS F BAKER  
(2010/0761)**

**Recommendation:** That Council:

- (a) support the variation to the 1(e) – Outer Rural Zone 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 11;
- (b) support the variation to the 1(e) – Outer Rural Zone 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 11;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0761, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

**Report:** The Site

Council has received a Development Application (DA) for a two lot subdivision (boundary adjustment) at 409 Freemantle Road, Mount Rankin, described as Lot 11 and Lot 12, DP 869054 (see location plan at **attachment 1**).

Each of the existing lots contains a dwelling and associated outbuildings.

The proposal

The proposal is for a boundary adjustment resulting in the transfer of approximately 2.428 hectares, from Lot 12 (currently 111.2 hectares) to Lot 11 (currently 2.296 hectares). See plan of proposed development at **attachment 2**.

Following the boundary adjustment Lot 11 will have an estimated area of 4.724 hectares, while Lot 12 will have an estimated area of 108.772 hectares.

Planning Context

*Bathurst Regional (Interim) Local Environmental Plan 2005*

The subject site is zoned 1(e) Outer Rural under the provisions of the Bathurst Regional (Interim) Local Environmental Plan 2005. Under Clause 27 of the Bathurst Regional (Interim) Local Environmental Plan 2005 the minimum area for each allotment is 100 hectares. Likewise Clause 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005 requires a minimum area of 100 hectares for a dwelling. The development as it relates to Lot 11 is therefore contrary to Clause 27 and 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005.

The applicant has submitted a SEPP 1 objection (see **attachment 3**) which indicates the nature of the subdivision and their objection to the current standards which include:

1. The area of Lot 11 is currently less than the 100 hectare minimum area;
2. The area of Lot 12 will remain greater than 100 hectare minimum area after the subdivision;
3. No new lots or dwelling entitlements will be created;
4. Consistency with the surrounding pattern of subdivision;
5. The existing or potential agricultural use of the land will not be compromised.

The intention behind the development standards is to limit new dwelling entitlements on allotments less than the minimum area. Both lots already have dwellings on them. The subdivision will not compromise the agricultural potential of the land.

#### Concurrence

The variation to the development standard does not require concurrence of the Department of Planning as it does not seek any additional dwelling entitlements.

#### Need for Council Concurrence

In accordance with the Department of Planning's circular PS08-014 "Reporting Variations to Development Standards", all Development Applications where there is a variation to a development standard of greater than 10% must be determined by Council.

Accordingly this is not a matter that may be dealt with under delegated authority.

#### Conclusion

Council has received a Development Application (DA) for a two lot subdivision (boundary adjustment) at 409 Freemantle Road, Mount Rankin. The proposal is for a boundary adjustment resulting in the exchange of 2.428 hectares, from Lot 12 to Lot 11. The subdivision of Lot 11 and Lot 12, DP 869054 will not create any additional dwelling entitlements nor compromise the agricultural potential of the land. Accordingly the SEPP 1 objection is supported.

**Financial Implications:** Nil.

## MINUTE

**13 Item 5 DEVELOPMENT APPLICATION NO. 2010/0761- TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT 409 FREEMANTLE ROAD, MOUNT RANKIN. APPLICANT: MRS S PAPPAS. OWNER: MR C & MRS S PAPPAS & MRS F BAKER**

**MOVED: I North SECONDED: G Westman**

**RESOLVED:** That Council:

- (a) support the variation to the 1(e) – Outer Rural Zone 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 11;
- (b) support the variation to the 1(e) – Outer Rural Zone 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 11;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0761, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

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

**The result of the division was:**

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr T Carpenter, Cr G Hanger, Cr M Morse, Cr I North, Cr R Thompson, Cr P Toole, Cr G Westman.

Against the motion - Nil

Absent - Nil

Abstain - Nil

**6 DEVELOPMENT APPLICATION NO. 2010/0691- DEMOLITION OF DWELLING, CONSTRUCTION OF THREE RESIDENTIAL UNITS AND THREE LOT RESIDENTIAL SUBDIVISION AT 11 BAILLIE STREET, BATHURST. APPLICANT: MR P & MRS J LE BRETON. OWNER: MR P & MRS J LE BRETON (DA2010/0691)**

**Recommendation:** That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0691, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- (i) The developer is to submit amended plans showing the garage door for proposed Residence 1 relocated to the side elevation of the proposed building and therefore away from the front elevation.
  - (ii) The developer is to submit a photographic record of the existing cottage on the site prior to the commencement of demolition.
- (b) call a division.

**Report:** The Site

Council has received a Development Application (DA) for demolition of the existing dwelling, construction of three new residential units and three lot subdivision of the resulting units at 11 Baillie Street, Bathurst, described as Lots 3 and 4, DP 998657 (see location plan at **attachment 1**).

The subject site currently contains a small timber clad cottage. The site contains a number of introduced trees and shrubs.

The proposal

The proposal involves the demolition of the existing cottage on the site, the construction of three three-bedroom units and a three lot subdivision (see plan of proposed development at **attachment 2**).

Planning Context

*Bathurst Regional (Interim) Local Environmental Plan 2005*

The subject site is zoned 2(a) Residential under the provisions of the *Bathurst Regional (Interim) Local Environmental Plan 2005*. Residential units are permissible with consent in the 2(a) Residential zone. The proposal is consistent with the objectives of the zone.

*Clause 11 Tree preservation order*

An application has been lodged for the removal of all existing trees on the subject site. While the tree removal application has not yet been determined, Council's Parks and Gardens Section have made the following comments:

- Most of the large dominant trees located at the site are mature Radiata Pines (*Pinus radiata*), approx 10 in number and averaging in excess of 25 metres in height. Some of these trees are in decline, most probably due to their age. The other main tree species

are English Elms (*Ulmus Sp*), approx 10 parent trees in number, and some of these trees are reaching the same height as the radiata pines.

- Other vegetation at this site consists of a number of Privet, (a noxious weed species), a large number of elm suckers, bamboo, a small fig bush and a number of small exotic shrubs.
- Due to the competition for growing space between the radiata pines, the elm trees at this site have grown very tall and spindly. It is believed that the majority of the elms have developed from suckers and none of them have grown in a manner representative of significant, well balanced trees, mainly due to the competition between the large number of trees growing in close proximity to one another. Because they have grown as a grove of trees, it would be considered dangerous to have any of them remain at the site as single specimens. They would not be strong enough as individuals to cope with climatic factors such as winds etc.
- A number of trees are very close to or encroaching upon the boundary lines of adjacent properties. Should they remain, potential issues effecting neighbouring property owners may be created in future as these trees start to decline or drop branches.
- It is believed that if some trees were required to remain on site, it would be extremely difficult to avoid significant damage to tree roots during the construction of the proposed dwellings.
- It is considered that should the unit development proceed, these trees would not be of a suitable species to remain within close proximity to medium density residential buildings. It would therefore be recommended that if the unit development were to proceed as per existing plans, these trees would need to be removed.

*Clause 23 Protection of environmental heritage*

The site in question is within the Bathurst Heritage Conservation Area and is therefore subject to the provisions of *Clause 23 Protection of environmental heritage*, of the Bathurst Regional (Interim) Local Environmental Plan 2005.

In order to assess the conservation significance of the dwelling proposed for demolition an assessment under the *Bathurst Conservation Area Management Strategy* (BCAMS) was undertaken in consultation with Council's Heritage Advisor (see full demolition report at **attachment 3**).

The following table provides a summary of the assessment.

Date of construction	1950s
BCAMS results: Integrity Streetscape rating Heritage significance Overall rating (out of 10)	Altered sympathetically Neutral Significant within a local context 5
Significant historical matters	It is likely that the building was prefabricated offsite and therefore its provenance is difficult to determine. The drainage diagram for the subject site indicates that the building was relocated to the site in 1951.
Cost of repairs	Structural assessment not considered necessary by Council's Heritage Advisor.
Value of the existing fabric	There is little to no value regarding the timber framed and clad building.
Compliance with infill policy	The proposed infill development complies with Council's Residential Infill Policy.
Impact of demolition on streetscape	Given the condition of the building and the



overgrown nature of the site, it is considered the impact of demolition and redevelopment on the streetscape will be positive.

It is considered the building has little to no heritage significance based on the following:

1. Relocation from a former site. This severs the ties of the building from its original location and original purpose.
2. No known history of the building prior to its current location.
3. The construction of the building is a simple timber framed construction with a single timber skin, suggesting either a make shift construction, or a construction intended to be easily relocated.
4. The simplistic design and construction are of no historical or aesthetic significance.
5. The building has little to no contributive qualities to the streetscape.

#### *Development Control Plan – Residential Housing*

The site is contained within Precinct 1 pursuant to the *Residential Housing Development Control Plan* (DCP). Residential units are permissible with consent in the precinct. The proposal complies with the objectives of the Precinct. The development standards for residential units are considered below:

<b>Development Standard</b>	<b>Proposed</b>	<b>Permissible</b>	<b>Compliance</b>
Min. lot size	1235.8m <sup>2</sup>	690m <sup>2</sup>	Yes
Density (persons/ha)	80 persons	88 persons	Yes
Height	Single storey	Two storey	Yes
Setbacks			
Front	1.5m	Consistent with existing	Yes
Rear	1.2m minimum	As per BCA	Yes
Side	0.9m minimum	As per BCA	Yes
Car parking			
Residence 1	2	1 per unit	Yes
Residence 2	1	1 per unit	Yes
Residence 3	1	1 per unit	Yes
Visitor	2	2	Yes
Access way Width	6m	3-6m	Yes
Open Space			
Residence 1	80m <sup>2</sup>	20m <sup>2</sup>	Yes
Residence 2	150m <sup>2</sup>	20m <sup>2</sup>	Yes
Residence 3	120m <sup>2</sup>	20m <sup>2</sup>	Yes
Subdivision (min. lot size)			
Lot 1	361m <sup>2</sup>	230m <sup>2</sup>	Yes
Lot 2	491m <sup>2</sup>	230m <sup>2</sup>	Yes
Lot 3	411m <sup>2</sup>	230m <sup>2</sup>	Yes

#### Submissions

The Development Application was advertised and notified to adjoining property owners from 9 August 2010 to 23 August 2010. During the advertising and notification period no submissions were received.

#### Conclusion

Council has received a Development Application (DA) for demolition of a dwelling,

construction of three residential units and three lot subdivision at 11 Baillie Street, Bathurst. Residential units are permissible with consent in the 2(a) Residential zone. It is considered the existing building has little to no heritage significance. The proposal complies with the development standards for residential units. Approval is therefore recommended.

**Financial Implications:** Nil.

## MINUTE

**14 Item 6 DEVELOPMENT APPLICATION NO. 2010/0691- DEMOLITION OF DWELLING, CONSTRUCTION OF THREE RESIDENTIAL UNITS AND THREE LOT RESIDENTIAL SUBDIVISION AT 11 BAILLIE STREET, BATHURST. APPLICANT: MR P & MRS J LE BRETON. OWNER: MR P & MRS J LE BRETON**

**MOVED: G Hanger SECONDED: T Carpenter**

**RESOLVED:** That:

- (a) Council defer the matter.
- (b) call a division.

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

**The result of the division was:**

In favour of the motion - Cr W Aubin, Cr T Carpenter, Cr G Hanger, Cr M Morse, Cr I North, Cr R Thompson, Cr P Toole.

Against the motion - Cr B Bourke, Cr G Westman.

Absent - Nil

Abstain - Nil

**7 DEVELOPMENT APPLICATION NO. 2010/0664 – DEMOLITION OF EXISTING BUILDINGS, ERECTION OF 6 SINGLE STORY DWELLINGS AND 6 LOT SUBDIVISION AT LOT 2 DP 150662 AND LOT C DP 159826, 34 ROCKET STREET, SOUTH BATHURST. APPLICANT: ES ENGINEERING & DRAFTING. OWNER: C & G NAKHEL (2010/0664)**

**Recommendation:** That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0664, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- i. Prior to the issue of the Construction Certificate, the developer is to submit to Council details of the colours of the external materials to be used in the construction;
  - ii. Prior to the issue of the Construction Certificate, the developer is to submit to Council a photographic record of the three dwellings in accordance with the Guidelines for photographic recording of sites;
  - iii. During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Branch, Department of Planning, and Council. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works; and
- (b) notify those that made submissions of its decision; and
- (c) call a division.

**Report:** The Site

Council has received a Development Application (DA) for the demolition of the existing dwelling and associated structures, construction of 6 single storey units and subsequent 6 lot subdivision at 34 Rocket Street, South Bathurst, described as Lot 2 DP 150662 and Lot C 159826. (see location plan at **attachment 1**).

The site currently contains a single storey dwelling and shed and 1 established eucalypt tree.

The proposal

The proposal involves:

- Demolition of existing single storey dwelling;
- Erection of 6 single storey dwellings; and
- 6 lot residential subdivision

(See plan of proposed development at **attachment 2**).

Planning Context

*Bathurst Regional (Interim) Local Environmental Plan 2005*

The subject site is zoned 2(a) Residential under the provisions of the *Bathurst Regional*

(Interim) Local Environmental Plan 2005. Residential Units are permissible with consent in the 2 (a) Residential zone. The proposal is consistent with the objectives of the zone.

The site is within the Bathurst Heritage Conservation Area and is therefore subject to the provisions of Clause 23 Protection of environmental heritage, of the Bathurst Regional (Interim) Local Environmental Plan 2005.

In order to assess the conservation significance of the dwelling proposed for demolition an assessment under the *Bathurst Conservation Area Management Strategy* (BCAMS) was undertaken in consultation with Council's Heritage Advisor (see full Demolition Report at **attachment 3**).

The following table provides a summary of the assessment.

Date of construction	1920's
BCAMS results: INtegrity Streetscape rating Heritage significant Overall rating (out of 10)	2 - Altered sympathetically 1 - Neutral 1 - Significant in a local context 5
Significant historical matters	After Councils Heritage Advisor inspected the site it was decided that a Historical assessment was not required as independently the building does not have any important significance.
Cost of repairs	Essential \$45 000, Desirable \$135 000
Compliance with infill policy	Achieved, appropriate design, scale, materials, detailing
Impact of demolition on streetscape	Positive

### Historical Assessment

Council's Heritage Advisor inspected the site and it was determined that a Historical Assessment was not required due to the relative age (approximately 80 years) and particularly the simple construction of the building. This suggests the building was potentially more so built for speculative reasons, rather than for someone important. It was therefore considered an Historical Assessment would not reveal any additional information.

### Building Integrity

As part of the assessment process Council requested an independent structural assessment of the building which was completed by Calare Civil (**attachment 4**). The report concluded essential works as including repairs to damaged external timber and eaves, make good drainage, connect downpipes to inground stormwater system, install damp course, install additional sub-floor vents, repair damaged flashing and secure roof iron.

### Key structural problems and their causes

Structural damage has been caused by inadequate roof drainage and seasonal movement due to reactive clays. Examples of damage caused due to building movement include loss of bearing in the floors resulting in differential floor movement.

The report also notes the lack of any damp course in the masonry walls which will lead to further structural degradation.

Minor alterations have been made to the building including replacement of timber windows with aluminium windows, part enclosure of the front verandah and a skillion roofed addition has been added to the rear of the dwelling.

The addition has created drainage issues for storm water which may have compounded the damaged caused by seasonal movement. Otherwise, the alterations have been relatively superficial.

The cost of essential works to stabilise the building were identified at \$45 000. Desirable works to make the dwelling more habitable were estimated at \$135,000.

### Infill Development

The existing dwelling is considered as being neutral in terms of its contribution to the overall streetscape. The proposed building demonstrates sympathy to the surrounding architectural styles . Conditions will be imposed to ensure that the materials used will complement the surrounding buildings.

Overall, it is considered that this proposal will have a positive impact on the streetscape.

The proposed dwelling will greatly enhance the streetscape in the area. The proposed scale, massing, setbacks, colours and materials better compliment the character of the adjoining Victorian cottages.

### ***Bathurst Regional Council Residential Housing Development Control Plan***

The site is located within Precinct 1 pursuant to the *Residential Housing Development Control Plan* (DCP). Residential units are permissible with consent in the precinct. The proposal complies with the objectives of the Precinct and the development standards for residential units as outlined below:

<b>Development Standard</b>	<b>Proposed</b>	<b>Permissible</b>	<b>Compliance</b>
Min. lot size	2264m <sup>2</sup>	690m <sup>2</sup>	Yes
Density (persons/ha)	87.46	88 persons	Yes
Height	Single storey	Two storey	Yes
Setbacks			
Front	5.5	N/A	Yes
Rear	1	0.9m	Yes
Side	1	0.9m	Yes
Car parking			
Resident	12	12	Yes
Visitor	3	3	Yes
Access way width	4	3-6	Yes
Open space	20+m <sup>2</sup>	20m <sup>2</sup>	Yes
Subdivision (min. lot size)	291m <sup>2</sup>	230m <sup>2</sup>	Yes

### Trees

The applicant has lodged a request to remove a Eucalypt form the boundary with 36 Rocket street and conditions will be imposed to ensure that no further trees are removed without further council consent.

Conditions will be imposed to ensure the proposal does not have an adverse impact on any

trees on adjoining properties.

### Submissions

The Development Application was advertised and notified to adjoining property owners from 5 July 2010 to 19 July 2010. Following the advertising and notification period a total of 3 submissions were received (see submissions at **attachment 5**).

A discussion forum was convened by the Director Environmental, Planning & Building Services on 31 August 2010 (see minutes of discussion forum at **attachment 6**). Issues raised in the submissions and at the discussion forum are outlined below:

#### **1. Damage to trees on adjoining properties**

Conditions can be imposed to ensure that trees on adjoining properties are not adversely impacted by the proposed development.

#### **2. Privacy concerns for adjoining neighbours**

The proposal is not expected to significantly detract from privacy expected in a residential area.

#### **3. Increase in noise**

The proposal is for residential use and therefore the noise from the development is expected to be suitable for a residential area.

#### **4. Increase in vehicle movements and parking on the street.**

The proposal has provided more than adequate parking on site. This will alleviate the requirement for visitors to park on the street. The proposal is designed for vehicles to enter and exit in a forward direction. The existing road is more than adequate to handle the minor increase in daily vehicle movements.

#### **5. Construction noise and dust**

It has been Council's long standing practice to limit noisy construction to between 7.00am and 8.00pm on weekdays and 8.00am and 8.00pm on weekends and public holidays. Conditions will be imposed to ensure that dust mitigation measures are in place during construction.

#### **6. Importance to heritage streetscape**

The proposed dwelling will greatly enhance the streetscape in the area. The proposed scale, massing, setbacks, colours and materials better compliment the character of the adjoining Victorian cottages.

### Conclusion

Council has received a Development Application (DA) for the demolition of a dwelling and shed, construction of six single storey dwellings and a 6 lot subdivision at 34 Rocket Street, Bathurst. The subject site is zoned 2(a) Residential under the provisions of the Bathurst Regional (Interim) Local Environmental Plan 2005. Units are permissible with consent in the 2(a) zone. The site is located within the Bathurst Heritage Conservation Area and the

dwelling to be demolished is not considered to hold any great heritage significance that would warrant its retention. It is considered that this proposal will have a neutral impact on the streetscape as the proposed building demonstrates sympathy to surrounding architectural styles and uses complimentary materials. Approval for the demolition of the dwelling at 34 Rocket Street can be supported in this instance because the proposed replacement dwelling will compliment the existing Victorian streetscape and the proposal will provide much needed residential housing within close proximity to the CBD.

**Financial Implications:** Nil.



## MINUTE

**15 Item 7 DEVELOPMENT APPLICATION NO. 2010/0664 – DEMOLITION OF EXISTING BUILDINGS, ERECTION OF 6 SINGLE STORY DWELLINGS AND 6 LOT SUBDIVISION AT LOT 2 DP 150662 AND LOT C DP 159826, 34 ROCKET STREET, SOUTH BATHURST. APPLICANT: ES ENGINEERING & DRAFTING. OWNER: C & G NAKHEL**

**MOVED: I North SECONDED: W Aubin**

**RESOLVED:** That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0664, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- i. Prior to the issue of the Construction Certificate, the developer is to submit to Council details of the colours of the external materials to be used in the construction;
  - ii. Prior to the issue of the Construction Certificate, the developer is to submit to Council a photographic record of the three dwellings in accordance with the Guidelines for photographic recording of sites;
  - iii. During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Branch, Department of Planning, and Council. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works; and
- (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 T Carpenter, Cr G Hanger, Cr I North, Cr R Thompson, Cr P Toole, Cr G Westman.

Against the motion - Cr M Morse.

Absent - Nil

Abstain - Nil

## **8 ACCREDITATION OF COUNCIL BUILDING SURVEYORS - CONFLICT OF INTEREST PROVISIONS (02.00005)**

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

**Report:** Council was advised at its 21 July 2010 meeting of concerns regarding the conflict of interest provisions associated with the accreditation of its Building Surveyors. Specifically legislation made it a conflict of interest for Council's Building Surveyors to act as the Principle Certifying Authority where:

- Council is the applicant.
- Council is the owner of the land.
- The applicant is a member of staff or Councillor or is "related to" a staff member or Councillor.

Since that time Council has prepared a submission for consideration by the Building Professionals Board. Council's Director Environmental, Planning & Building Services and Manager Development Assessment has also met with the Building Professionals Board Director, Mr Neil Cocks, to argue Council's position. In addition to that Council has also lobbied the Centroc Council's for support and met with the Local Member, Mr Gerard Martin and the Minister for Planning, Mr Tony Kelly to discuss this issue.

It is pleasing to advise that as a result of its efforts Council has recently received advice from the Building Professionals Board that it has resolved to seek legislative amendments which have the effect of excluding Councils from these provisions.

Whilst Council has yet to see the full details of these exemptions the progress on resolving the issues has to date been pleasing. Council has already sent letters to the Local Member and the Minister for Planning acknowledging their assistance.

**Financial Implications:** Nil.

**MINUTE**

**16 Item 8 ACCREDITATION OF COUNCIL BUILDING SURVEYORS - CONFLICT OF INTEREST PROVISIONS**

**MOVED: W Aubin SECONDED: B Bourke**

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

## **9 BACKYARDS FOR WILDLIFE BOOKLET COMMUNITY SURVEY (13.00053)**

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

**Report:** Council's Environment Section recently undertook a community survey to gauge Bathurst Region residents' opinions in regards to the suitability of the urban environment in creating suitable habitat for native wildlife. It is intended to use the information gained from this survey to help design a booklet that will be made available to the general public and provide information on how they can improve the habitat values of their urban and peri-urban properties.

The survey was made available through Books Plus book store, the Bathurst Library, the Local Government Week Display and on-line via Council's website. A total of 100 Bathurst Region residents submitted eligible surveys. A summary report providing a graphical representation of results is provided at **attachment 1**.

The survey resulted in some very interesting results, in particular:

- 48.9% of respondents had a standard house block (<1000m<sup>2</sup>);
- Most backyards are made up of 25-50% of lawn and less than 25% of garden beds;
- 65.9% of respondents wanted to see an increase in native vegetation in the urban environment;
- 22% wanted to see more (any) vegetation in the urban environment;
- 68.1% felt that there was insufficient nesting sites (i.e. hollows) available;
- 49.5% felt that a diversity of plants was needed;
- 64.8% wanted to see more community education/awareness;
- 46.2% wanted better pet control;
- The vast majority of respondents would plant more native trees (56.2%), shrubs (74.2%) and ground covers (53.9) and create artificial habitat (42.7 - 50.6%) when trying to attract wildlife;
- 72% wanted to be kept up to date regarding the development of the Backyards for Wildlife booklet.

Sufficient information has now been gained to guide the future development of the booklet. It is intended for this booklet to be made available as a digital, on-line version at first, and for a hard copy to be printed should sufficient funds be made available and provided at a small cost to Bathurst Region residents.

It is hoped that a draft version of the Backyards for Wildlife booklet will be developed by the end of the 2010/11 financial year.

**Financial Implications:** Nil at this time. It is currently envisaged that a printed version of the booklet will be developed in 2011/12. Funding for the printing of the booklet will be included for Council's consideration in the 2011/12 Management Plan.

**MINUTE**

**17    Item 9    BACKYARDS FOR WILDLIFE BOOKLET COMMUNITY SURVEY**

**MOVED: I North SECONDED: R Thompson**

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

## **10 BATHURST URBAN DRAINAGE RESERVE VEGETATION LINK: REVEGETATION PLAN (37.00297)**

**Recommendation:** That Council:

- (a) place the "Bathurst Urban Drainage Reserve Vegetation Link: Revegetation Plan" on public exhibition for a period of 28 days;
- (b) if no submissions are received, adopt the plan; or
- (c) if submissions are received, note that a further report will be provided to Council.

**Report:** Council (as part of the Bathurst Orange Dubbo Alliance of Councils (BOD)), was successful in receiving a portion of \$2 million dollars in funding to implement the *Inspiring and Integrating Change* project. This project was funded under the NSW Environmental Trust's Urban Sustainability Programme. Bathurst has a biodiversity focus as part of this funding, with one of the projects being to undertake an Urban Drainage Reserve Vegetation Link. This will result in many of the modified drainage reserves being replanted with native seedlings as well as an increase in habitat linkages, reduced erosion and improved water quality. Further, the project aims to increase community awareness with regard to the urban environment, whilst still retaining current linkages and public use of open space.

To undertake this component, Council engaged Applied Ecology to develop a Revegetation Report and Plan that would design the planting layout and provide a report outlining the required tasks involved. This Draft report and plan (available on request from Council's Environmental, Planning & Building Services Department) was guided by the 2004 Bathurst City Council Vegetation Management Plan, which incorporated extensive public consultation, and included input from Planning, Recreation, Engineering and Environment Sections within Council. The Draft report has also been guided by discussions with the NSW Rural Fire Service and has been assessed by the Crime Prevention Unit within the Bathurst Police.

The Draft report indicates that the plan, in its current guise, would result in around 100,000 seedlings, most being wetland rushes and sedges, being planted across twelve sites in the Bathurst urban environment. It is envisaged that it will not be possible to include all the drainage reserves in the initial planting phase, with the rest being completed when funds become available.

As many of the reserves are utilised as public open space and are bordered by numerous private residences, the Draft report and plan is to be placed on public exhibition to allow further input from the community. If Council resolves to place the plan on public exhibition, it is intended to write to all of the residents who directly adjoin the reserves in the plan and advise that the plan is on exhibition and that feedback from the community is being sought.

When the plan has been adopted by Council, a tender will be released for the implementation of the project (ie planting, building of garden beds, etc). Where possible, the local community will be invited to be involved in the implementation of the project.

**Financial Implications:** The Urban Drainage Reserve Vegetation Link project has been funded by the NSW Government through its Environmental Trust for a total of \$225,000. Council has contributed \$25,000 in the 2010/11 Management Plan. This funding is for both the preparation of the plan and the associated on-ground works.

**MINUTE**

**18 Item 10 BATHURST URBAN DRAINAGE RESERVE VEGETATION LINK: REVEGETATION PLAN**

**MOVED: T Carpenter SECONDED: R Thompson**

**RESOLVED:** That Council:

- (a) place the “Bathurst Urban Drainage Reserve Vegetation Link: Revegetation Plan” on public exhibition for a period of 28 days;
- (b) if no submissions are received, adopt the plan; or
- (c) if submissions are received, note that a further report will be provided to Council.

## **11 HYDROGEOLOGICAL STUDY (13.00023)**

**Recommendation:** That Council fund the Hydrogeological Study from the:

- (a) Town Planning Consultancy reserve;
- (b) Water Fund Reserve; and
- (c) Salinity Hazard Mapping Reserve.

**Report:** Council staff have been in discussion with the Department of Environment, Climate Change and Water (DECCW) regarding a potential project assessing salinity in the Bathurst Region LGA. A proposal has been prepared for Council by DECCW and is based on a similar project which has been conducted in Dubbo and other centres.

The proposal breaks the project into three categories – urban, rural and Ben Chifley/Fish River catchments. Training for Council staff in both recognising and managing salinity impacted assets and land is an important component of the project.

It is believed that the project will have benefits relating to heritage maintenance, development controls, water quality and environmental management. A summary of the proposed project and outcomes can be found at **attachment 1**.

DECCW have estimated the total project cost as \$136,000. Council currently has \$50,000 in reserve for the purpose of a salinity hazard mapping study (ie a hydrogeological study). As is noted in the attachment, the study includes a specific focus on the Fish River and Ben Chifley Dam catchment, and therefore the water supply for the Bathurst City. It is considered appropriate that this portion of the project (\$36,000) is funded by the Water Fund.

The proposed project will assist Council in preparation of development control plans and will assist staff in heritage maintenance. Therefore it is proposed to fund the remaining portion of the project from the Town Planning consultancy reserve.

Council will recall that s55 of the Local Government Act 1993 - states:

*“a contract entered into by a council with the Crown (whether in right of the Commonwealth, New South Wales or any other State or a Territory), a Minister of the Crown or a statutory body representing the Crown”*

is exempt from the requirements of that section.

Therefore Council is not required by the Local Government Act 1993 to enter into a tender process in order to engage DECCW to undertake the work. It is noted that DECCW are the best placed organisation to undertake a project of this nature. Further, to engage a consultant to undertake a project of this scope and scale is estimated to cost considerably more than the \$136,000 which has been quoted by DECCW.

It is noted that salinity mapping forms a key milestone in the Bathurst-Orange-Dubbo Environmental Sustainability Action Plan, and that this project would meet that target.

**Financial Implications:** The project can be funded to the value of \$50,000 from the Town Planning Consultancy reserve, \$50,000 from the salinity hazard mapping study allocation and \$36,000 from the Water Fund.



**MINUTE**

**19     Item 11    HYDROGEOLOGICAL STUDY**

**MOVED: G Westman SECONDED: G Hanger**

**RESOLVED:** That Council fund the Hydrogeological Study from the:

- (a) Town Planning Consultancy reserve;
- (b) Water Fund Reserve; and
- (c) Salinity Hazard Mapping Reserve.

## **12 COMMON PIGEON POPULATION IN THE BATHURST CBD (14.00009)**

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

**Report:** Background

Councillors have previously discussed issues surrounding the perceived increase in the number of pigeons living within private and public buildings within the CBD. There are documented health issues associated with an unacceptable pigeon population. Should this be an accepted fact then the issue for consideration is "what control method can be adopted" and how can it be successfully implemented.

Council has operational control of five buildings in the CBD which are known to harbour pigeons:

- Civic Centre; Cnr of Russell and Williams Streets
- BMEC; William Street
- Post Office Building; Howick Street
- Fossil and Mineral Museum; Howick Street
- Library / Art Gallery; Keppel Street

There are also several other prominent buildings such as large office blocks, churches, banks, the Courthouse, TAFE building, showground, and numerous tall shops and shopping centres that harbour pigeons. Buildings near the city centre such as schools, the silos in Havannah St and the railway buildings may also provide harbourage.

Therefore, the responsibility to manage feral pigeon populations in the Bathurst CBD is shared by Council and the property owners involved.

### **About Pigeons**

Common Pigeons (*Columbia livia*) are descendant from Homing Pigeons, and as such, have been in Australia for around 200 years. They are normally a blue-grey colour, though other variations are known. They are prolific breeders with 3-4 clutches each year and 1-2 chicks hatched from each clutch. With a natural attrition rate of around 30%, this increase in young means populations can more than double in number each year, given the right conditions and good survival rates. The impact of displaced racing (homing) pigeons being added to feral pigeon populations are known but are likely to be negligible. Homing Pigeons are the only species for which release is permissible under section 109 of the *National Parks & Wildlife Act (1974)*.

Pigeons are highly adaptable and can roost or nest in a variety of situations, but appear to prefer artificial habitat such as buildings and bridges. Pigeons tend to congregate near sources of food (silos, parks, cafes, shopping centres) and it is this preference for urban areas that results in the impact on humans. The build up of faeces is unsightly, however, the health impacts of faecal deposition on buildings, park benches, tables and in water supplies is also known. Diseases such as Ornithosis Salmonellosis (salmonella) Cryptococcosis are of most concern. Faecal waste can also damage buildings and statues, block downpipes and gutters and foul air conditioners.

Due to their naturalisation, there may be considerable competition between pigeons and native bird species for food, water and roost and nest sites. However, they also form an important component of the diet of native raptors such as Sparrowhawks, Goshawks and the Peregrine Falcon.

## Legislative Obligations

Though the species is commonly recognised as a pest in most Australian cities, there are no specific requirements for property owners to control pigeons in relation to agriculture or wildlife conservation. The only authority where Council may be in a position to enforce the control of pigeons is through the *Local Government Act (1993)* Part 2, Division 1, Order 21 & 22A. These orders relate to maintaining premises in a safe or healthy condition and to refrain from keeping waste on premises. Although Council may have the legislative power to enforce control it is considered that a cooperative approach would be more effective and be more acceptable to the community involved.

## Management Options

There are numerous control options available in regards to pigeons and other pest birds. Of particular importance to note is that there are limitations to site specific methods, and long-term or city specific control measures require inter-owner cooperation and lethal control measures for birds. Total eradication is not possible due to the limits on effectiveness of all the control measures and the ability for new birds to return.

**Attachment 1** provides details about the various control options available and considered appropriate for the Bathurst environment. Other methods are available (i.e. nest removal, poisoning, sirens) but are not deemed appropriate or cost effective.

## Issues

Though there appears to be some pressure for a pigeon control programme, Council is yet to be provided with sufficient evidence to demonstrate that there is a problem (i.e. higher than normal densities / abundance; impact on humans, wildlife etc) across the city, and not just in key areas within the CBD. Council is yet to fully scope the issue with the community and whether there is support to undertake permanent (lethal) control options as part of an overall management programme. **Though Council is responsible for the management of its own buildings, including the control of pest species, Council is not obliged to control pigeons on other sites.**

If Council were to fund a single control action (i.e. trapping, shooting and installing deterrents or spikes) at key buildings, there is substantial evidence to indicate that the problem will return at different (or even the same) locations. In researching this report, other Councils and private organisations involved in pigeon control emphasise the need for an ongoing management programme, which may have significant cost involved.

Council also has not assessed the desired objective of any control programme in regards to pigeons, and therefore, has not investigated the potential pros and cons of such objectives (i.e. reducing pigeon population may result in an increase in other pest species such as myna birds which is an internationally recognised invasive species).

For Council to make a decision on the control methods, the final objective of such control methods should be determined. The following options are deemed appropriate for consideration:

1. Determine if Bathurst urban feral pigeon population is at a level requiring city-wide action, and/or;
2. Implement ongoing control methods on Council facilities only, in accordance with a management plan, and/or;

3. Provide general advice (Fact Sheet) to property owners in regards to the issue; and/or;
4. Depending upon (1), coordinate a city-wide control programme, in accordance with a management plan with cost for site specific actions born by property owners.

**Financial Implications:** Financial implications vary in accordance with the type of action undertaken.

**MINUTE**

**20    Item 12    COMMON PIGEON POPULATION IN THE BATHURST CBD**

**MOVED: B Bourke   SECONDED: I North**

**RESOLVED:** That discussions be held with the Bathurst Business Chamber with a view to finding a solution to the pigeon problem.

### **13 BATHURST URBAN WATERWAYS MANAGEMENT PLAN – AQUATIC MACROINVERTEBRATE STUDY (37.00259)**

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

**Report:** Council will recall that the Bathurst Urban Waterways Management Plan was prepared in 2009 and adopted by Council at its meeting on 17 February 2010.

The original proposal from CenWest Environmental Services to prepare the Bathurst Urban Waterways Management Plan (UWMP) did not include an assessment of aquatic fauna (macro-invertebrate, amphibian, fish, in-stream vertebrates and habitat) within the urban creek systems. Aquatic fauna species can be very useful indicators of ecosystem health. As one of the primary objectives of the project was to establish a baseline understanding of the present condition of the subject waterways, Cenwest Environmental Services were asked to undertake this additional study as a supplement to the UWMP.

The study area included the six main urban waterways of Bathurst which were the focus of the UWMP, namely; Sawpit, Jordan, Hawthorden, Raglan, Saltram and Queen Charlotte's Vale Creeks, and their tributaries. Eleven sites were sampled in autumn 2010 with at least two sites per creek representing an upper/mid section and a lower section of each creek. Saltram Creek was not sampled due to a lack of water at the time of the study.

Across all streams the study found:

- Low macroinvertebrate taxa diversity
- Low SIGNAL scores and EPT ratios
- High proportions of predator feeding groups in the macroinvertebrate assemblages; and
- Low frog diversity in the urban creeks

These results indicate that sub-optimal conditions for pollution sensitive species exist in the urban waterways, although there is spatial variability in species richness, species dominance and community composition both within and between creeks. This may be due to a range of factors including local water quality factors, surrounding land use, hydrological regimes and riparian characteristics.

The study is consistent with findings of the UWMP that the six urban streams have been significantly adversely impacted since European settlement. However in some reaches, signs of recovery are present and the staged implementation of the recommendations contained within the UWMP are likely to see gradual improvement in stream health and invertebrate instream diversity.

Copies of the full report are available from the Environmental, Planning & Building Services Department upon request.

**Financial Implications:** Nil. This project has been funded by the Central West Catchment Management Authority.

**MINUTE**

**21 Item 13 BATHURST URBAN WATERWAYS MANAGEMENT PLAN – AQUATIC  
MACROINVERTEBRATE STUDY**

**MOVED: M Morse SECONDED: R Thompson**

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

## **14 CIVIC CENTRE ENERGY AND WATER AUDIT REPORT (37.00278)**

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

**Report:** In August 2010, Council's Civic Centre building underwent a water retrofit to complement Council's current water conservation education and promotions. The basic water retrofit of the Civic Centre building has increased the Civic Centre's water efficiency through either the replacement or adjustment of the existing toilets, urinals and basin sets. Where facilities had already been upgraded or existing facilities were at a level whereby upgrading would not have made any significant water saving, these facilities remained.

The following changes were made

- Five (5) Kitchen Flick Mixers replaced with 5 Star WELS rating taps.
- Thirteen (13) Basin Sets were replaced with 5 Star WELS rating sets.
- Eleven (11) Toilet Suites were replaced with 4 Star WELS rating toilet suites.
- Where possible adjustments to the Urinals settings were made to reduce water usage whilst still maintaining efficiency.

All the replacement items used were Australian made.

This retrofit not only enables Council to save water on an ongoing basis but also provides Council with the opportunity to be a leader in the community as a water saving business.

Staff will continue to monitor water use and details of actual savings made will be reported to Council in the future.

**Financial Implications:** The Civic Centre Water Retrofit has been funded through existing allocations.



**MINUTE**

**22    Item 14    CIVIC CENTRE ENERGY AND WATER AUDIT REPORT**

**MOVED: G Westman   SECONDED: G Hanger**

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

## **15 KEEP AUSTRALIA BEAUTIFUL WASTE WATCHERS PRIMARY SCHOOL PROGRAM (18.00034)**

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

**Report:** Keep Australia Beautiful (KAB) has been delivering a range of environmental education services to primary schools since 1994 with the support of local government. The Waste Watchers Program was delivered by Keep Australia Beautiful staff to primary school students in the Bathurst region for the first time in 2007. During July and August 2010 KAB presented the popular “Mechanics of Organics” module again and a new module called “Sustainability Sleuths”.

Eleven primary schools throughout the Bathurst Region were visited over a 15 day period, with over 1150 students from kindergarten to year 6, learning about waste and sustainability issues. Both programs were equally popular with five schools choosing the “Mechanics of Organics” module, five schools choosing the “Sustainability Sleuths” module, and one school selecting both modules, choosing to have different modules for different years at their school.

The modules are described by KAB are as follows.

### **Mechanics of Organics**

Students investigate the differences between composting, worm farming and mulching, and the benefits they provide. Action based activities mean that participants learn while they are having fun. Sessions cover problems that occur if organic waste recycling is not conducted and the valuable resources that are produced if it is. Participants view a working worm farm which consolidates these concepts. The life size 3D cut-away models of a compost and worm farm are valuable components which allow students to study these systems further.

### **Sustainability Sleuths**

Students will discover the limited resources available on Earth and ways that they can help look after them. Renewable and non-renewable resources are explored before students consider the impact of their actions on the environment. A fun ‘footprint’ game and role plays allow participants to identify simple changes they can make at home and school to be more sustainable.

Council continues to receive positive feedback from both teachers and students regarding the Waste Watchers program. It is envisaged that Council will continue to offer the program in the future, subject to the availability of funding.

**Financial Implications:** The Waste Watchers program has been funded through an existing budget allocation for environmental education.

**MINUTE**

**23 Item 15 KEEP AUSTRALIA BEAUTIFUL WASTE WATCHERS PRIMARY SCHOOL PROGRAM**

**MOVED: W Aubin SECONDED: G Hanger**

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

Yours faithfully

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

D R Shaw  
**DIRECTOR**  
**ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT  
15 SEPTEMBER 2010

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY  
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 15 SEPTEMBER  
2010**

General Manager  
Bathurst Regional Council

**1 STATEMENT OF INVESTMENTS (16.00001)**

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

**Report:** \$58,023,737.83 was invested at 31 August 2010 in accordance with Council's investment policies, the Minister's Investment Order dated 31 July 2008, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

**Year to Date Averages** (as per the CBA & RBA for comparison purposes)

Reserve Bank of Aus Official Cash Rate	4.50%
90 day Bank Bill Swap Rate (BBSW)	4.38%
Three Year Treasury Bond Yield	4.91%

**Short Term 1 – 365 Days  
(comprising Commercial Bills,  
Term Deposits and Certificates  
of Deposits):**

	<b><u>Rating</u></b>		<b><u>Average Return</u></b>
Bankwest	A-1+	\$7,000,000.00	6.07%
Bank of Queensland	A-2	\$1,000,000.00	6.25%
Bendigo and Adelaide Bank Ltd	A-2	\$6,000,000.00	6.16%
IMB Ltd	A-3	\$9,000,000.00	6.14%
National Australia Bank	A-1+	\$3,000,000.00	6.08%
Railways Credit Union	ADI	\$6,000,000.00	6.21%
Reliance Credit Union	ADI	\$1,000,000.00	6.06%
Savings and Loans Credit Union	ADI	\$8,000,000.00	6.14%
SGE Credit Union	ADI	\$2,500,000.00	6.19%
Westpac Banking Corporation	A-1+	<u>\$1,000,000.00</u>	<u>6.17%</u>
		\$44,500,000.00	6.14%

**Long Term  
(comprising Commercial Bills,  
Term Deposits and Bonds):**

Railways Credit Union	ADI	\$2,000,000.00	6.25%
Government & Semi Government Bonds	AAA	<u>\$2,630.25</u>	<u>5.00%</u>
		\$2,002,630.25	6.25%

**Committed Rolling Investments**

Westpac	AA	<u>\$2,000,000.00</u>	<u>5.93%</u>
		\$2,000,000.00	5.93%

**Community Income Note**

*Rembrandt Australia Trust		<u>\$931,107.58</u>	<u>0.00%</u>
(refer to DCSF C#1 report of 19/3/2008)		\$931,107.58	0.00%

**Floating Rate Notes**

ANZ	AA	\$2,000,000.00	5.89%
Barclays Bank PLC – Australian Branch	AA-	\$2,000,000.00	6.49%
Bendigo Bank 2007	BBB	\$2,000,000.00	6.10%
Lehman Brothers Treasury Co		\$90,000.00	0.00%
Mackay Permanent building Society	BBB-	\$500,000.00	5.78%
The Royal Bank of Scotland – Australian Branch	A+	<u>\$2,000,000.00</u>	<u>7.20%</u>
		<u>\$8,590,000.00</u>	<u>7.83%</u>

**Total Investments** \$58,023,737.83 6.29%

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

Reserves Total (includes unexpended loan funds)		\$23,785,782.68
Grants held for specific purposes		\$3,463,629.94
Section 94 Funds held for specific purposes		\$16,390,851.52
Unrestricted Investments – All Funds		\$14,383,473.69
*General Fund	\$11,746.96	
*Water Fund	\$5,993,807.24	
*Sewer Fund	\$3,230,135.71	
*Waste Fund	<u>\$5,147,783.78</u>	

**Total Investments** \$58,023,737.83

**Total interest revenue to  
31/08/2010 on investments** \$529,430.46 6.29%

**R Roach**  
**Responsible Accounting Officer**

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

**MINUTE**

**24    Item 1    STATEMENT OF INVESTMENTS**

**MOVED: B Bourke   SECONDED: I North**

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

**2 YEAR TO DATE REVIEW - 2009/2010 MANAGEMENT PLAN AND BUDGET**  
**(16.00116)**

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

**Report:** At **attachment 1 and 2** is the revised summary and detail of the Management Plan and Budget for the period to 31 August 2010.

	<b>Original Estimate</b>	<b>Previously Revised Estimate</b>	<b>Revised Estimate</b>	<b>Variance for the Month</b>
Engineering Services	21,535,291	21,535,291	12,590,922	55,631
Corporate Services & Finance	(20,125,874)	(20,125,874)	(20,181,505)	(55,631)
Cultural & Community Services	4,437,528	4,437,528	4,437,528	0
Environmental Planning & Building Services	3,050,100	3,050,100	3,050,100	0
<b>TOTAL</b>	<b>(102,955)</b>	<b>(102,955)</b>	<b>(102,955)</b>	<b>0</b>

Variations for the Month of August 2010 -

Decrease Income - FAG Local Roads Component	\$85,586
Increase Income - FAG General Purpose Component	(\$185,027)
Decrease Expenditure - Urban Roads Maintenance	(\$17,117)
Decrease Expenditure - Rural Roads Maintenance	(\$12,838)
Decrease Income - Loan Funding	\$129,396
Increased Income - RMCC Ordered Works	(\$900,000)
Increased Expenditure - MR54 North RMCC Ordered Works	\$900,000
Increase Income - Regional Roads Block Grant	(\$49,000)
Increase Expenditure - Regional Roads Maintenance	\$49,000
Increased Expenditure - Chifley Engine Shed	\$186,445
Increased Income - Transfer From Reserve	(\$186,445)

At **attachment 3** is an update of Strategies for the 2009/2010 Management Plan to 31 August 2010.

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 Traffic Authority or the Environment Protection Authority, or where a court or tribunal makes a costs order against a council.

**Financial Implications:** Council's budget will be varied in accordance with the above table.



**MINUTE**

**25 Item 2 YEAR TO DATE REVIEW - 2009/2010 MANAGEMENT PLAN AND BUDGET**

**MOVED: M Morse SECONDED: W Aubin**

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

**3 SUNDRY SECTION 356 DONATIONS AND BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE 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 and Bathurst Memorial Entertainment Centre Community Use Subsidies granted by Council for the period ending 31 August 2010.

**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:	\$45,579.83
BMEC Community use:	\$60,000.00
Mount Panorama :	\$30,000.00

**MINUTE**

**26 Item 3 SUNDRY SECTION 356 DONATIONS AND BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY**

**MOVED: T Carpenter SECONDED: R Thompson**

**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.

- The Smash Repair Team - Part Lot 3 & 4 DP 112509 - Mount Panorama - Licence
- The Owners - Strata Plan 79080 - Part Lot 11, DP 1140781 - Mount Panorama Resort - Transfer reissued
- J Haertsch & M Tener - Lot 702 DP 1155783 - Freeman Circuit - Transfer
- Kenwood Homes - Lot 718 DP 1155783 - Freeman Circuit - Transfer
- Warren Harvey Homes - Lot 725 DP 1155783 - Freeman Circuit - Transfer
- C & S Sinclair - Lot 726 DP 1155783 - Cobb Avenue - Transfer
- A & M Bennett - Lot 723 DP 1155783 Freeman Circuit - Transfer
- M & J Hadley - Lot 725 DP 1155783 - Freeman Circuit - Transfer
- D O'Donoghue & R Matthews - Lot 720 DP 1155783 - Freeman Circuit - Transfer
- Kenny Spring - Conveyancing Agreement
- Gelin/Murdoch & Spinks - Conveyancing Agreement

#### **Linen Plan Release**

- Ratsep/Allcorn/BRC - 2 Lot Subdivision & Road Closure - 2013 Sofala Road, Peel
- Tooby/BRC - Consolidation - 101 Peel Street, Bathurst
- Ratsep/Glenfan - 2 Lots & 1 Residual Lot - 130 Mid Western Hwy, Robin Hill
- Ticor Company No 1 P/L - Consolidation of Land and Car Park - 79 -91 Bentinck Street, Bathurst

**Financial Implications:** Nil.

**MINUTE**

**27    Item 4    POWER OF ATTORNEY**

**MOVED: G Westman SECONDED: M Morse**

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

**5 REQUEST FOR FINANCIAL ASSISTANCE - ROTARY CLUB OF BATHURST DAYBREAK - USE OF BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) (23.00099)**

**Recommendation:** That Council donate the costs associated with the hire of the Bathurst Memorial Entertainment Centre on 24 September 2010 to Rotary Club of Bathurst Daybreak for the Carrillon Business Awards from BMEC Community use Subsidy for \$566.50

**Report:** Council has received a request from Rotary Club of Bathurst Daybreak for Council to provide the use of BMEC to hold the Carrillon Business Awards on 27 September 2010. A copy of the request is shown at **attachment 1**.

The awards seek to recognise and reinforce excellence in business in an effort to ensure Bathurst businesses are recognised in the region.

Proceeds of the Carrillon Business Awards night will go to Veritas House in Bathurst.

**Financial Implications:** The cost of \$566.50 could be funded from the Bathurst Memorial Entertainment Centre Community Use Subsidy Vote, which currently has a balance of \$60,000.

**MINUTE**

**28 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - ROTARY CLUB OF BATHURST DAYBREAK - USE OF BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC)**

**MOVED: B Bourke SECONDED: I North**

**RESOLVED:** That Council donate the costs associated with the hire of the Bathurst Memorial Entertainment Centre on 24 September 2010 to Rotary Club of Bathurst Daybreak for the Carillon Business Awards from BMEC Community use Subsidy for \$566.50

## **6 CYCLING CLASSIC MOUNT PANORAMA (04.00009)**

**Recommendation:** That Council proceed to conduct the Mount Panorama Cycling Classic from 12 April 2011 to 17 April 2011.

**Report:** Council at its meeting 4 August 2010 decided to proceed with a cycling event. The proposed event will now take place from 12 April 2011 to 17 April 2011 following discussions with the Bathurst Cycling Club Executive and Cycling NSW.

This event is to be conducted over five days at Mount Panorama using facilities available at the Mount. The event will include the proposed program as follows:

Tuesday	• Coaching of riders
Wednesday	• Social rides
Thursday	• One competitive event (type yet to be determined)
Friday	• Rest Day
Saturday	• Various criterion events
Sunday	• Men's and women's king of the mount event

Council has contacted Cycling NSW who have confirmed required dates.

The management of this event will be under the control of Bathurst Regional Council, who will be responsible for the day to day operations of the event. The technical expertise will be supplied by Bathurst Cycling Club and Cycling NSW.

Included in this Cycling Classic will also be a trade show on the weekend which will involve major bicycle manufactures, local bike retailers and other businesses associated with the cycling industry.

**Financial Implications:** Depending upon the entries to the event Council may have an exposure to a \$10,000 loss, this will be funded from equity.



**MINUTE**

**29     Item 6    CYCLING CLASSIC MOUNT PANORAMA**

**MOVED: R Thompson SECONDED: I North**

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

**Reason: Operates a Bicycle shop in Bathurst and is involved in the Event.**

**RESOLVED:** That Council proceed to conduct the Mount Panorama Cycling Classic from 12 April 2011 to 17 April 2011.

## **7 CARRYOVER WORKS (16.00108)**

**Recommendation:** That the items as identified on the list of carry-over works as at 30 June 2010 be carried over and added to the Management Plan for 2010/2011.

**Report:** As Council would be aware, for logistical or resource management purposes, various works for which funding was provided in 2009/2010 remain incomplete or in progress as at 30 June 2010.

At **attachment 1** is a list of such works for which funding, as indicated, will need to be carried over to the 2010/2011 financial year to enable their completion.

**Financial Implications:** Funds noted in the 2009/2010 Management Plan will be carried over to cover the votes required to complete this work

**MINUTE**

**30    Item 7    CARRYOVER WORKS**

**MOVED: I North SECONDED: W Aubin**

**RESOLVED:** That the items as identified on the list of carry-over works as at 30 June 2010 be carried over and added to the Management Plan for 2010/2011.

## **8 RURAL SCHOLARSHIP PROGRAM (23.00136)**

**Recommendation:** Council proceed to advertising the Rural Scholarship Program.

**Report:** Council during the Management Plan process voted to provide two (2) Rural Scholarships to the value of \$5000 each, for two (2) Bathurst Regional Council residents to attend a learning institution to obtain a degree or equivalent in a rural type qualification.

Council has now drafted a set of proposed guidelines for the Rural Scholarship Program to commence this process.

In order to attract appropriate applicants Council needs to advertise the scholarships late September early October for a selection process to occur.

Details of the proposed scholarship are shown in **attachment 1**.

**Financial Implications:** Contained within the Council's budget an allocation of \$10,000 has been made available.

## MINUTE

### 31 Item 8 RURAL SCHOLARSHIP PROGRAM

**MOVED:** R Thompson **SECONDED:** I North

**RESOLVED:** That Council:

(a) include the following in the Eligibility Criteria:

"Item #3 - current year 12's who have applied to be enrolled in a University, TAFE or other approved course in the agricultural field (scholarship confirmation will be subject to item #2 Eligibility Criteria).

(b) proceed to advertise the Rural Scholarship Program.

## **9 STATEMENT BY COUNCIL ON FINANCIAL REPORTS (16.00055)**

**Recommendation:** That Council sign the Certificates with respect to the General Purpose Financial Statements and the Special Purpose Statements for the year ended 30 June 2010.

**Report:** Council is required, pursuant to Section 413 (2)(c) of the Local Government Act 1993, to make a statement in the prescribed form in respect of its General Purpose Financial Statements and Special Purpose Financial Statements. These Statements are required pursuant to the National Competition Policy Guidelines imposed on all Councils. (See **attachment 1** and **attachment 2** for the prescribed forms.)

Council's draft Financial Statements are currently being completed for referral to Council's Auditors. A copy of the draft statements will be available from the Director Corporate Services & Finance.

**Financial Implications:** Nil.

**MINUTE**

**32     Item 9     STATEMENT BY COUNCIL ON FINANCIAL REPORTS**

**MOVED: I North SECONDED: G Westman**

**RESOLVED:** That Council sign the Certificates with respect to the General Purpose Financial Statements and the Special Purpose Statements for the year ended 30 June 2010.

## **10 CENTROC JOINT TENDER FOR SUPPLY AND DELIVERY OF FUEL (07.00017)**

**Recommendation:** That Council agree to CENTROC exercising its functions under S.355(d) of the Local Government Act with respect to the tender for fuel.

**Report:** Council has been approached to be involved in a joint tender for fuel by CENTROC.

The purchase will be by way of tender in accordance with S.55 of the Local Government Act. The Local Government Act then provides that the exercising of the tender function can be conducted by Council or a voluntary regional organisation of councils such as CENTROC in accordance with S.355(d) of the Local Government Act.

It is proposed that Council agree to participate in the tender process. Acceptance of the tender will be subject to the pricing details provided. The full Council will be able to determine whether it wishes to accept the tender or remain with the current process; this being a combination of state government contract and individual purchases.

**Financial Implications:** Nil at this stage.



**MINUTE**

**33     Item 10   CENTROC JOINT TENDER FOR SUPPLY AND DELIVERY OF FUEL**

**MOVED: G Westman SECONDED: T Carpenter**

**RESOLVED:** That Council agree to CENTROC exercising Council's functions under S.355(d) of the Local Government Act with respect to the tender for fuel.

Yours faithfully



R Roach  
**DIRECTOR  
CORPORATE SERVICES & FINANCE**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

DIRECTOR ENGINEERING SERVICES' REPORT

15 SEPTEMBER 2010

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL MEETING HELD ON 15 SEPTEMBER 2010**

General Manager  
Bathurst Regional Council

**1 PROPOSED DEDICATION OF PUBLIC RESERVE, LOT 93 DP243500, COLLEGE ROAD, BATHURST (22.13565)**

**Recommendation:** That Council approve the Dedication of Public Reserve of Lot 93 DP243500 located at College Road, Bathurst, and the transfer of the property into its care and control, and classify the property as community land, as per the Director Engineering Services' report.

**Report:** Lot 93 DP243500 is in the ownership of the Housing Commission of New South Wales which is now the NSW Government's Human Services Housing NSW. The property is parkland maintained by Council and contains playground equipment being located in College Road, Bathurst, between Lloyds Road and Currawong Street (refer **attachment 1**).

Housing NSW has approached Council (refer **attachment 2**) seeking approval to the Department transferring Lot 93 DP243500 to Council's care and control. All costs associated with the transfer will be met by the Department.

It is recommended that Council approve the transfer of Lot 93 DP243500 into its care and control and classify the property as community land.

**Financial Implications:** Nil.

**MINUTE**

**34 Item 1 PROPOSED DEDICATION OF PUBLIC RESERVE, LOT 93 DP243500, COLLEGE ROAD, BATHURST**

**MOVED: B Bourke SECONDED: M Morse**

**RESOLVED:** That Council approve the Dedication of Public Reserve of Lot 93 DP243500 located at College Road, Bathurst, and the transfer of the property into its care and control, and classify the property as community land, as per the Director Engineering Services' report.

**2 RESURFACING OF SYNTHETIC CRICKET WICKETS AT LEARMONTH PARK & RALPH CAMERON OVAL & SPORTS FIELD REJUVENATION AT CARRINGTON PARK & POLICE PADDOCK (04.00014,04.00008,04.00058,04.00033)**

**Recommendation:** That Council utilise part of the Oval Rejuvenation Reserve Funding to resurface two existing synthetic turf cricket wickets at Learmonth Park and two at Ralph Cameron Oval, and undertake renovation works to a number of sporting fields within Bathurst.

**Report:** During recent inspections of Learmonth Park and Ralph Cameron Oval it has been noted that the synthetic turf playing surfaces of a number of cricket wickets have deteriorated to a point which are no longer suitable for safe play. All of these wickets are used heavily throughout the summer season by junior and senior cricket associations as well as numerous competitions and matches held by school groups and other organisations. As a result, these wickets need to be of a suitable standard and safe to play on. Synthetic wicket coverings generally have a life span of approximately 8 – 10 years and the existing coverings have been in place well in excess of this time. The cost for the resurfacing of the four synthetic wickets is estimated to be \$12,500. A detailed costing sheet with the specific item of works is shown in **attachment 1**.

Towards the end of this year's winter sports season, it was noted that the heavily utilised sports fields at Carrington Park and Police Paddock have deteriorated to a level that calls for field rejuvenation works to be undertaken to ensure that they are brought back to a suitable playing condition for their intended use. Such works have not been undertaken to Carrington Park and Police Paddock for a number of years, which is testament to the high level of general maintenance activities performed by Council's Staff. However, unusually high wet weather periods this winter, combined with heavy use of the fields by sporting organisations and schools has caused excessive wear to playing surfaces, resulting in the need to undertake a rejuvenation program consisting of aeration, topdressing, seeding and fertilisation works. These types of activities are not able to be funded from Council's general maintenance vote. The cost to undertake the necessary rejuvenation works to Carrington Park and the Police Paddock is estimated to cost \$76,180. A detailed costing sheet with the specific item of works that is recommended is shown in **attachment 2**.

**Financial Implications:** The total cost of the works as recommended within the above report is as follows:

- 2 x synthetic cricket wicket replacements at Ralph Cameron Oval -	\$6,250
- 2 x synthetic cricket wicket replacements at Learmonth Park -	\$6,250
- Oval rejuvenation treatment at Carrington Park -	\$39,660
- Oval rejuvenation treatment at Police Paddock	\$36,520

TOTAL OF RECOMMENDED WORKS **\$88,680**

Council currently has \$184,077 within its Oval Rejuvenation Reserve that is set aside for undertaking these types of activities when required. Carrying out the proposed works would result in a balance of \$95,397.

**MINUTE**

**35 Item 2 RESURFACING OF SYNTHETIC CRICKET WICKETS AT LEARMONTH PARK & RALPH CAMERON OVAL & SPORTS FIELD REJUVENATION AT CARRINGTON PARK & POLICE PADDOCK**

**MOVED:** I North **SECONDED:** G Hanger

**RESOLVED:** That Council utilise part of the Oval Rejuvenation Reserve Funding to resurface two existing synthetic turf cricket wickets at Learmonth Park and two at Ralph Cameron Oval, and undertake renovation works to a number of sporting fields within Bathurst.

Yours faithfully



Doug Patterson  
**DIRECTOR**  
**ENGINEERING SERVICES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
POLICY COMMITTEE MEETING

**POLICY COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST  
REGIONAL COUNCIL MEETING HELD ON 15 SEPTEMBER 2010**

General Manager  
Bathurst Regional Council

**1 MINUTES - POLICY COMMITTEE MEETING - 1 SEPTEMBER 2010 (07.00064)**

**Recommendation:** That the recommendations of the Policy Committee Meeting held on 1 September 2010 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held on 1 September 2010, are attached.

**Financial Implications:** N/A



**MINUTE**

**36    Item 1    MINUTES - POLICY COMMITTEE MEETING - 1 SEPTEMBER 2010**

**MOVED: B Bourke SECONDED: M Morse**

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 1 September 2010 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 1 SEPTEMBER 2010**

**5PM MEETING COMMENCES**

**1 MEETING COMMENCES**

**Present:** Councillors Toole (Chair), Aubin, Bourke, Carpenter, Hanger, Morse, North, Thompson, Westman.

**In attendance:** General Manager, Director Corporate Services & Finance, Director Environmental Planning & Building Services, Director Engineering Services, Director Cultural & Community Services, Manager Recreation, Manager Water & Waste, Parks Operations Manager

**APOLOGIES**

**2 APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 AUGUST 2010 (07.00064)**  
**MOVED** Cr B Bourke and **SECONDED** Cr R Thompson

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 4 August 2010 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST**  
**MOVED** Cr G Hanger and **SECONDED** Cr I North

**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 G Westman and **SECONDED** Cr R Thompson

**RESOLVED:** That Council:

- (a) note that no changes have been made to the existing Policy.
- (b) Adopt the revised Policy, update the Policy Manual and place on Council's website.
- (c) Forward the revised Policy to the Division of Local Government.

### **Director Engineering Services' Report**

**6** **Item 1 PROCEDURES FOR NAMING OF COUNCIL FACILITIES (04.00008-08 & 41.00008)**

**MOVED** Cr I North

and **SECONDED** Cr B Bourke

**RESOLVED:** That Council adopt the Guidelines of Procedures for the Naming of Council Facilities.

**7** **Item 2 SUCCESSION PLANTING (04.00012 & 04.00039)**

**MOVED** Cr G Westman

and **SECONDED** Cr T Carpenter

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

### **GENERAL BUSINESS**

**8** **CHIFLEY DAM DEVELOPMENT APPLICATION 2010/0726**

**Cr Bourke** – asked for status of this matter.

**The Director Engineering Services** advised the Development Application has been approved. Reviewing fire requirement issues and water requirements.

**9** **CHURCH STREET LIGHT STANDARDS 28.00014-05**

**Cr Bourke** – asked who is responsible for knocking down lamp standards in Church Street. There are a number leaning over.

**The Director Engineering Services** will investigate.

**10** **AIRPORT 21.00008-09**

**Cr North**– asked when ambulance transferring patients to planes at Bathurst Airport, is there a cover/protection that can be provided to protect people from the elements.

**The Mayor** advised that the matter will be investigated.

**11** **COUNCIL SUBDIVISIONS 20.00018-04**

**Cr North** – advised width of roads is narrow, can we look at sizes provided, e.g. Darwin Drive.

**The Director Engineering Services** advised of projected level of vehicle use for Darwin Drive when rest of the estate is constructed.

**12 GREEN WASTE BINS 14.00053-04**

**Cr North**– asked for the status on this matter.

**The Manager Water & Waste** advised of project on use of compost that is occurring. We need to be sure if we collect the material that we can use it.

**13 PARaweena Street/LAMONT PLACE 28.00016-04**

**Cr North** – advised part of pathway is not concreted all the way through to Park Street. Can we look at a concrete path or better gravel walkway.

**14 WATER 32.00006-15**

**Cr North** – asked can a report be prepared for possible raising of the dam wall.

**The Mayor** advised will go for consideration to 2011/2012 Management Plan.

**15 LAFFING WATERS ESTATE - ACCESSIBILITY 25.00106**

**Cr Morse** – advised that recently there was an accident which blocked off access to Laffing Waters Estate for 4 hours.

**The Director Engineering Services** explained history of estate and that current access is temporary till the rest of the estate is opened. Private ownership of the land is an issue.

**16 RUBBISH - HOWICK STREET, BETWEEN WILLIAM & BENTINCK STREETS 13.00025-03**

**Cr Morse** – advised has received complaints about the amount of rubbish on the street, particularly near entry to Stocklands and also near the Acropole. Can we do something?

**17 ACCESSIBILITY FOR HEARING IMPAIRED - COUNCIL MEETINGS 11.00005-13**

**Cr Morse** – spoke to problem of hearing in Council Chambers. There are problems for people with hearing disabilities and the public, due to layout of the room. People are unable to lip read. Can we look at solutions.

**18 INFORMATION PROVISION BEFORE MEETING 11.00005-13**

**Cr Morse** – raised concern that sometimes information is given to Councillors at the last minute before the meeting. Councillors are unable to read this in time. Need a system put in place, have spoken to General Manager about this.

**19      TELSTRA COMMUNICATION TOWER DA**

**Cr Westman** – asked for the status of this matter.

**The Mayor** advised have spoken to Telstra. They are doing further investigations.

**20      CBD PARKING STUDY 20.00090**

**Cr Westman** – asked for status on this matter

**The Director Environmental Planning & Building Services** advised monitoring is currently occurring up to December of this year, then report will be prepared.

**21      WINDRADYNE MEMORIAL 23.00125**

**Cr Carpenter** – asked for the status of this matter. With a new working Party, can we ask this to be taken up.

**The Mayor** spoke of history of meetings and awaiting feedback.

**22      KEPPEL STREET INTERSECTION 25.00039-05**

**Cr Carpenter** – asked are there plantings to occur at this location where road has been narrowed.

**The Director Engineering Services** advised the RTA did these works. Council had little involvement. There is insufficient drainage and water supply in this area to do additional plantings. Without adequate watering system not practical to extend plantings.

**23      ONE LOCAL GOVERNMENT ASSOCIATION 18.00105-10**

**Cr Carpenter** – advised the Department will be holding a seminar into Modernising Local Government. If people have any issues please pass them onto Cr Carpenter for taking to the conference.

**24      GUIDING MOVEMENT 100 YEARS DINNER 23.00012-04**

**Cr Hanger** – represented Council at this function. Council was presented with a Certificate of Appreciation.

**25      BIKE CONFERENCE 29.00001-20**

**MOVED** Cr M Morse

and **SECONDED** Cr B Bourke

**RESOLVED:** That Cr North be approved to attend the Bike Futures Conference in Melbourne and that Council meet associated travel, accommodation and registration expenses.

**MEETING CLOSE**

**26**

**MEETING CLOSE**

The Meeting closed at 5.38 pm.

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

**Date:** \_\_\_\_\_ **(15 September 2010)**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
TRAFFIC COMMITTEE MEETING

**TRAFFIC COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST  
REGIONAL COUNCIL MEETING HELD ON 15 SEPTEMBER 2010**

General Manager  
Bathurst Regional Council

**1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 SEPTEMBER 2010 (07.00006)**

**Recommendation:** That the recommendations of the Traffic Committee Meeting held on 7 September 2010 be adopted.

**Report:** The Minutes of the Traffic Committee Meeting held on 7 September 2010, are attached.

**Financial Implications:** N/A



## MINUTE

### 37 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 SEPTEMBER 2010

**MOVED: W Aubin SECONDED: M Morse**

**RESOLVED:** That:

- (a) The recommendations of the Traffic Committee meeting held on 7 September 2010 be adopted (excepting Minute 9, Item #5 - Proposed Public Gate to Lee Street, Kelso).
- (b) Council note Minute #9, Item #5 - Proposed Public Gate to Lee Street, Kelso should read:  
  
'That Council approve the leasing of the public road reserve in Lee street, from Raglan Creek to the Railway Crossing to Grainforce Commodities Pty Ltd'.
- (c) Council not adopt Minute #9, Item #5 - Proposal Public Gate to Lee Street, Kelso.
- (d) A further report on the leasing of the Public Road Reserve in Lee Street, from Raglan Creek to the Railway Crossing be prepared for Council.

**MINUTES OF THE TRAFFIC COMMITTEE**  
**HELD ON 7 SEPTEMBER 2010**

**2 PM MEETING COMMENCES**

**1 PRESENT**

**Members:** Cr Warren Aubin (BRC) - Chair, Warren Bow (Police), Robert Walker (RTA), Jeff Crompton (MP Representative)

**Present:** Manager Technical Services, Tablelands Road Safety Officer, Senior Technical Officer

**APOLOGIES**

**2 APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING HELD 3 AUGUST 2010 (07.00006)**

That the Minutes of the Traffic Committee Meeting held on 3 August 2010 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST**

That the Declaration of Interest be noted.

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**Director Engineering Services' Report**

**5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 3 AUGUST 2010 (07.00006)**

That the information be noted and necessary actions be taken

**6 Item 2 MONTHLY REPORT FOR LOCAL GOVERNMENT ROAD SAFETY**

**PROGRAM (28.00002)**

That the information be noted.

**7 Item 3 2010 SUPER CHEAP AUTO BATHURST 1000 - OFF TRACK EVENT ROAD CLOSURES, TEMPORARY NO PARKING, AND TEMPORARY RELOCATION OF RUSSELL STREET TAXI RANK (04.00073-04)**

That Council approve the staging of the 2010 Super Cheap Auto Bathurst 1000 off-track events as follows:-

- (a) Pantech Parade and B-Double Permit routes;
- (b) Super Wednesday;
- (c) Saturday Street Fair;
- (d) Temporary Bus Zone in Rankin Street at the RSL Club and in Piper Street at Bathurst Panthers Club.

The event is to be classified as a Class 2 event and approved subject to conditions decided by the Traffic Committee.

**8 Item 4 BATHURST HISTORIC CAR CLUB SWAP MEET 2011 (22.00053-07/029)**

That Council approve the staging of the Bathurst Historic Car Club 2011 Swap Meet at the Bathurst Show Ground on Sunday 6 February 2011. The event is to be classified as Class 2 and approved subject to conditions decided by the Traffic Committee.

**9 Item 5 PROPOSED PUBLIC GATE TO LEE STREET KELSO (28.00007-04)**

That Council defer the installation of a public gate across Lee Steet Kelso on the southern side of the bridge over Raglan Creek, in accordance with the Director Engineering Services' report.

**10 Item 6 ST LUKE'S ANGLICARE RIDE FOR YOUTH - BENDIGO TO BATHURST (23.00026-13)**

That Council classify the St Luke's Ride for Youth as a Class 2 event, and approve the event subject to conditions detailed in the Director Engineering Services' report.

**11 Item 7 PROPOSED PARALLEL PARKING SIGN AT 73 BENTINCK STREET (22.02694/002)**

That Council approve the replacement of the current 45° Angle Parking Rear to Kerb sign with 1 Parallel Parking (R5-10) sign and associated linemarking. This sign is situated on the left hand side of Bentinck Street travelling North East, adjacent to 73 Bentinck Street.

**12 Item 8 PROPOSED NO PARKING SIGNS - CHURCH STREET, PERTHVILLE (25.00225/002)**

That Council approve the placement of 4 No Parking (R5-40) Signs at the South West end of Church Street in Perthville. Two signs are to be situated approximately 40 metres from the end of the cul-de-sac in Church Street, with the remaining two signs to be installed at the end of Church Street.

**13 Item 9 BATHURST WALLABIES TRIATHLON CLUB EVENTS 2010/2011 SERIES (23.00026-13/057)**

That Council approve the staging of the Bathurst Wallabies Triathlon Club 2010/2011 Series of events. The events are to be classified as a Class 2 event and approved subject to conditions decided by the Traffic Committee.

**14 Item 10 PROPOSED NEW SCHOOL BUS SERVICE ON CALOOLA ROAD OFF TRUNKEY ROAD (25.00204)**

That Council approve the operation of the proposed new School Bus Service on Thompsons Hill Retreat.

**15 Item 11 BREAK THE CYCLE 2010 CYCLING EVENT - BRISBANE TO CANBERRA (23.00026-13/060)**

That Council classify the Break the Cycle 2010 Cycling Event as a Class 2 event, and approve the event subject to conditions detailed in the Director Engineering Services' report.

**16 Item 12 LATE REPORT (04.00001)**

**MOVED** Cr Aubin, **SECONDED** Bob Walker

That the Committee accept and deal with the late report on the 2010 Supercheap Auto Bathurst 1000 Traffic Management Plan at the Traffic Committee Meeting held on 7 September 2010.

**17 Item 12 2010 SUPERCHEAP AUTO BATHURST 1000 TRAFFIC MANAGEMENT PLAN (04.00001)**

That Council install No Stopping zones on Havannah Street between College Road and Rocket Street on the North Western Side on Friday 8 October 2010 and remove on Monday 11 October 2010.

**TRAFFIC REGISTER**

**18 Item 1 TRAFFIC REGISTER (07.00006)**

That the information be noted.

**MEETING CLOSE**

**19**      **MEETING CLOSE**

The meeting closed at 2.50 pm .

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DELEGATES REPORTS

**DELEGATES REPORTS TO THE ORDINARY MEETING OF BATHURST REGIONAL  
COUNCIL MEETING HELD ON 15 SEPTEMBER 2010**

General Manager  
Bathurst Regional Council

**1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES HELD  
11 AUGUST 2010 (11.00019)**

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

**Report: PRESENT:**

Crs Toole (Chair), Aubin, Bourke, Hangar, North, Thompson, Westman.

General Manager, Director Corporate Services & Finance, Director Environmental Planning & Building Services, Director Cultural & Community Services, Manager Corporate Governance, Manager Community Services, Parks Operations Manager.

**APOLOGIES:** Crs Carpenter, Morse.

**1. BATHURST CRICKET ASSOCIATION (18.00104)**

Richard Newell, Paul Carver, Peter Cosgrove from the Bathurst Cricket Association attended the meeting and raised several issues with Council in relation to the possible construction of an indoor cricket facility.

Discussion included:

- Bathurst currently has no indoor cricket training facilities.
- Mitchell District teams uses the facility at Kinross College, Orange.
- Bathurst has numerous top grade coaches who would utilise an indoor training facility.
- The cricket association is proposing a fully enclosed indoor training facility that would allow bowling, batting and fielding practise.
- A facility such as this would draw players to Bathurst to use the training facility which would have a beneficial effect on the economy.
- The facility would allow training during winter and on wet days.
- Bathurst has great turf wickets and attracts a lot of carnivals because of this.
- The proposed facility is something along the line of a 40 metre x 20 metre shed and meeting room, estimated cost is \$300,000 to \$500,000.
- Discussed suggested location - sites mentioned included, the Sports Ground and Brooke

Moore Oval.

- It would be good if the location would be able to cater for outdoor nets and a field.
- There are currently approximately 1100 players involved in Junior and Senior cricket at Bathurst.

## **2. BATHURST REMEMBERS PROJECT (23.00004)**

Bruce Ryan and Craig Johnston attended the meeting and updated Council on the Bathurst Remembers Project.

Discussion included:

- Over a period a time they have edited over 90 programmes, 80 of which are currently located at the library and a further 10 awaiting release. Projects such as the Ties around Mount Panorama Project; Carols by Candlelight; and Messiah in the Cathedral, are recent examples.
- Mr Ryan advised that he has joined the Bathurst Community Website with an intention to create a portal of information on the web relating to various Bathurst issues but specifically tourism.
- The portal would allow access to a series of videos on various tourist facilities and attractions in the area, limited to 6 minutes per item.
- Advised he may need to request Councils' assistance in relation to provision of legal advice on occasions.
- Asked if Council would be prepared to approve the project to proceed to going live on the Web.
- Asked Council if they would be able to promote to the Minister and the Tourism Department, what this project is aiming to do for tourism in the area, in the event that any funding is available.

## **3. BATHURST BUSINESS CHAMBER (18.00027)**

Tammy Middleton, Geoff Fry and Stacey Whittaker from the Bathurst Business Chamber attended the meeting to discuss the proposed second circuit and updated Council on the following matters:

Items raised include:

- The Chamber would like to have an opportunity of having input into the second track study.
- They would like Council to take a positive approach to the provision of the second track.



- The Mount Panorama Pit Complex is currently under utilised, would like to see it used more. Feasibility study is a great opportunity to provide information on the economic benefits to Bathurst. There are currently not enough motor racing circuits available in NSW to meet the demand, as interest in car events is increasing.
- There are enormous benefits to a local economy should there be an increase in the number of motor events held.
- There are areas which need to be considered, particularly the residents and the noise levels in the proximity of the Mount Panorama Motor Racing Circuit.
- Would like the Chamber to be a stake holder in the process.

**Financial Implications:** Nil

**MINUTE**

**38 Item 1 COUNCILLORS MEETING WITH COMMUNITY  
GROUPS/REPRESENTATIVES HELD 11 AUGUST 2010**

**MOVED: R Thompson SECONDED: G Westman**

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

## MINUTE

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

**MOVED: B Bourke SECONDED: I North**

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

**There 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	RENEWAL OF RESIDENTIAL LEASE - 57 SEYMOUR STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF RESIDENTIAL LEASE - 22 RUSSELL STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

		position of the person who supplied it.
3	RENEWAL OF RESIDENTIAL LEASE - 310 BROCK SKYLINE, MT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED LEASE TO OPTUS MOBILE PTY LTD - TELECOMMUNICATION BASE STATION	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	PROPOSED LEASE OF RIVER BANK LAND - EGLINTON BRIDGE	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	REMOVAL OF CAVEAT - 116 KEPPEL STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who

		supplied it.
7	SUBDIVISION AND SALE OF LAND IN MILLER AND SWANBROOKE STREETS, BATHURST.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.5
8	PROPOSED SALE OF LOT 901 MILLER STREET, WINDRADYNE	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.
9	PRICING OF PROPOSED LOT 905 MICHIGAN ROAD, KELSO INDUSTRIAL PARK	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.

**\* Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR PURCHASE OF TWO 6X4 TIPPING TRUCKS	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.
--	--

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT  
15 SEPTEMBER 2010

**MINUTE**

**a Item 1 RENEWAL OF RESIDENTIAL LEASE - 57 SEYMOUR STREET, BATHURST**

**MOVED: B Bourke SECONDED: I North**

That Council approves entering into a new residential lease for Lot 19 DP849271 known as 57 Seymour Street, Bathurst with Mr Brett Nancarrow for a period of twelve (12) months with a twelve (12) month option as detailed in the report.



**MINUTE**

**b Item 2 RENEWAL OF RESIDENTIAL LEASE - 22 RUSSELL STREET, BATHURST**

**MOVED: W Aubin SECONDED: M Morse**

That Council approves entering into a new residential lease for Lot 3 DP1076805 known as 22 Russell Street, Bathurst to Mr Paul Mulholland for a period of twelve (12) months with a twelve (12) month option as detailed in the report.

**MINUTE**

**c Item 3 RENEWAL OF RESIDENTIAL LEASE - 310 BROCK SKYLINE, MT PANORAMA**

**MOVED: B Bourke SECONDED: G Westman**

That Council approves entering into a new residential lease for Lot 9 DP1047248 known as 310 Brock Skyline, Mt Panorama to Ms Elizabeth Wood for a period of twelve (12) months with a twelve (12) month option as detailed in the report.

**MINUTE**

**d Item 4 PROPOSED LEASE TO OPTUS MOBILE PTY LTD - TELECOMMUNICATION BASE STATION**

**MOVED: B Bourke SECONDED: W Aubin**

That Council approves entering into a new lease agreement for Lot 211 DP748686 on the Council Water Reservoir, on land off the Great Western Highway at Raglan 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 PROPOSED LEASE OF RIVER BANK LAND - EGLINTON BRIDGE**

**MOVED: T Carpenter SECONDED: R Thompson**

That Council approves entering into a new licence agreement with Paul and Michelle Mercieca for part Lot 103 DP1006130 located on river bank land near the Eglinton Bridge for a period of one (1) year with two (2) x one (1) year option periods at a yearly lease fee of \$260 per annum as detailed in the report.

**MINUTE**

**f     Item 6   REMOVAL OF CAVEAT - 116 KEPPEL STREET, BATHURST**

**MOVED: R Thompson SECONDED: I North**

That Council approves the removal of the Caveat number V864077 on Lot 22 DP634259 at 166 Keppel Street, Bathurst.

## MINUTE

### **g Item 7 SUBDIVISION AND SALE OF LAND IN MILLER AND SWANBROOKE STREETS, BATHURST.**

**MOVED: R Thompson SECONDED: W Aubin**

That Council:

- (a) approve the forty (40) lot residential subdivision known as Windradyne 900 (Lot 137 DP1123180) located at Miller and Swanbrooke Streets, Windradyne at an estimated cost as detailed in the report including civil and electrical works to be funded from Council's Land Development Reserves.
- (b) approve the commencement of construction to start as soon as possible subject to a satisfactory Development Application approval.
- (c) seek a further report regarding a release date and appropriate lot prices once construction works have commenced.

## MINUTE

h Item 8 PROPOSED SALE OF LOT 901 MILLER STREET, WINDRADYNE

MOVED: G Hanger SECONDED: I North

That Council approves the creation and sale of proposed Lot 901 DP1123180 Miller Street, Windradyne as detailed in the report.

**MINUTE**

**i Item 9 PRICING OF PROPOSED LOT 905 MICHIGAN ROAD, KELSO INDUSTRIAL PARK**

**MOVED: G Westman SECONDED: B Bourke**

That Council price and release Lot 905 DP1110004 Michigan Road, Kelso Industrial Park as detailed in the report.



ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

DIRECTOR ENGINEERING SERVICES' REPORT

15 SEPTEMBER 2010

**MINUTE**

**j     Item 1   TENDER FOR PURCHASE OF TWO 6X4 TIPPING TRUCKS**

**MOVED: W Aubin SECONDED: G Westman**

That Council -

- (a) purchase two (2) Scania P320 LM6x4MS2 for a purchase price of \$202,400.00 each, giving a total \$404,800.00 for both, from Scania Australia, and
- (b) dispose of the trade vehicles F634 and F635 Ford Louisvilles LT8501 via auction.

**MINUTE**

**40**    **RESOLVE INTO OPEN COUNCIL**  
**MOVED: R Thompson SECONDED: I North**

**RESOLVED:** That Council resume Open Council.

**MINUTE**

**41**     **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED: M Morse SECONDED: W Aubin**

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

**MINUTE**

**42    MEETING CLOSE**

The Meeting closed at 7.38 pm.

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

**Date:** \_\_\_\_\_ **(20 October 2010)**