



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

11 April 2012

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, 18 April 2012 commencing at 6.00 pm.

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

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

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 18 APRIL 2012

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 - 21 March 2012
 - * Minutes - Ordinary Meeting Of Council Following Policy - 4 April 2012
6. DECLARATION OF INTEREST
To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Section 451 of the Local Government Act, in relation to Declaration of Interest at meetings.
7. MAYORAL MINUTE - Nil
8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS
 - * Director Environmental Planning & Building Services' Report
 - * Director Corporate Services & Finance's Report
 - * Director Engineering Services' Report
 - * Director Cultural & Community Services' Report
9. REPORTS OF OTHER COMMITTEES
 - * Minutes - Policy Committee Meeting - 4 April 2012
 - * Minutes - Traffic Committee Meeting 3 April 2012
10. NOTICES OF MOTION - Nil
11. RESCISSION MOTIONS - Nil
12. DELEGATES REPORTS

- * Councillors Meeting with Community Groups/representatives - 14 March 2012
- * Minutes of The Bathurst Regional Youth Council Meeting held on 13 March 2012

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 Environmental Planning & Building Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	DEVELOPMENT APPLICATION NO. 2010/0607, 148 LOT RESIDENTIAL SUBDIVISION, OPHIR ROAD, ABERCROMBIE. OWNER: B, D & G LENEHAN. APPLICANT: LLANDCO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
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1	MOUNT PANORAMA - ADVANCED DRIVING COURSE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF RURAL LICENCE AGREEMENT - 519 MITCHELL HIGHWAY, 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	REQUEST FOR FINANCIAL ASSISTANCE - CATHOLIC DIOCESE OF BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED RIGHT OF CARRIAGEWAY 6 METRES WIDE - 51 BATHURST STREET PERTHVILLE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the

		public interest as it would prejudice the commercial position of the person who supplied it.
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- 14. RESOLVE INTO OPEN COUNCIL

- 15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 16. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

2 PUBLIC QUESTION TIME

P Hennessy – DA 2011/0481 - 168 Seymour Street - DEPBS Item #4 - here on behalf of residents (Betts). Interested in the proposed development. Spoke to letter circulated today for Councillors information. Referred to Betts purchase of the unit in Seymour Street and the impact on it by the development. Issue of sunlight raised and overshadowing. Feels overshadowing diagrams do not show all relevant impacts. The development eliminates sunlight from the Betts unit. The application fails the minimum test and so must be denied

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

RESOLVED: That an extension of time be granted to allow Mr Hennessy to continue his presentation.

Mr Hennessy noted construction proposal issues, such as a 3 metre wall and a two storey development. Mrs Betts will only have a wall to look at. Also spoke to driveway matter.

G Johnson - (Barnsons Pty Ltd) – DA 2011/0481 - 168 Seymour Street - DEPBS Item #4 - on behalf of applicant. Feels DA meets all requirements except minor issue on driveway. The Development has been altered to ensure meets overshadowing guidelines.

M Reeks - (170 Seymour Street) – DA 2011/0481 - 168 Seymour Street - DEPBS Item #4 - neighbour to proposed development. Concern at number of delivery vehicles which will use the narrow driveway and damage concerns to property. Worried driveway will be blocked as it is a shared driveway. Questioned if property will be broken up and then a corporate body could be put in place, will this mean they have to pay corporate fees?

The Director Environmental, Planning & Building Services spoke to right of way access rights.

K Miller - Raglan Creek - asked is the local member on side to clean out the Creek? There is a lot of silt and debris in the creek that needs clearing out. Will Council do this? The flooding causes major damage to farming areas.

The Mayor spoke to plans re diversion channel. Will talk to Fisheries NSW and NSW Office of Water to see if clearance can occur. Council must comply with statutory requirements.

R Sullivan - (166 Seymour Street) – DA 2011/0481 - 168 Seymour Street - DEPBS Item #4 - spoke to attendance by Council at the site. Was the raised slab taken into account in the shadow diagrams?

The Director Environmental, Planning & Building Services advised the diagrams take this into account and reflect the proposal of the developer.

T Hickson - (Lambert Street resident) – DA 2011/0481 - 168 Seymour Street - DEPBS Item #4 - spoke to proposed development and feels intrudes on neighbours. Feels development should be moved back.

W Reeks - (177 Seymour Street) – DA 2011/0481 - 168 Seymour Street - DEPBS Item #4 -
spoke to rules he had to comply with and if he has to comply so should the developers.

MINUTE

3 APOLOGIES

MOVED: B Bourke SECONDED: I North

RESOLVED: That the apology from Cr Thompson be accepted and leave of absence granted. Cr Thompson advised that he will be arriving late to the meeting. Cr Thompson arrived at 7.02 pm

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MINUTES

MINUTES TO THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MEETING HELD ON 18 APRIL 2012

General Manager
Bathurst Regional Council

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 21 MARCH 2012 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 March 2012 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 March 2012, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 21 MARCH 2012 (11.00005)

MOVED: P Toole SECONDED: I North

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 March 2012 be adopted.

2 MINUTES - ORDINARY MEETING OF COUNCIL FOLLOWING POLICY - 4 APRIL 2012 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Council following Policy Committee held on 4 April 2012 be adopted.

Report: The Minutes of the Ordinary Meeting of Council following Policy Committee held on 4 April 2012, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

5 Item 2 MINUTES - ORDINARY MEETING OF COUNCIL FOLLOWING POLICY -
4 APRIL 2012 (11.00005)

MOVED: W Aubin SECONDED: I North

RESOLVED: That the Minutes of the Ordinary Meeting of Council following Policy Committee held on 4 April 2012 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 21 MARCH 2012**

MEETING COMMENCES

1 MEETING COMMENCES

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

J Byrne - Ratepayer - Expressed concern at continual flooding of the highway and blocking of traffic. Feels Council needs to say where it stands on this matter. Referred to email he forwarded to General Manager on this matter and read to this document. Matters such as; construction design, costs of traffic control, what is proposed to be put in place to address the problems, use of control vehicles in flood periods, who pays for traffic control were raised. Expressed concerns at what will be done to alleviate traffic problems when highway upgrade occurs. Council needs to push opening Lee Street rail crossing and also need Ashmore Crescent to be opened.

The **Director Engineering Services** responded to questions raised including; costs incurred are funded by Roads & Maritime Services, current proposal for flood channel, traffic control matters actioned.

R Brien - Ratepayer - Raised concerns about flooding in the Hope Street area. Referred to letter she forwarded to Council and the response received from Council. Raised concerns about details in response including; areas such as operation of flood pumps, level of water that was incurred, maintenance and service of pumps, when the pumps were turned on, electrical issues with pump, stormwater issues, fire brigade costs and operations. Tabled a letter of issues raised.

The **Director Engineering Services** will meet with residents on this matter if required. Noted Ms Brien requested a report go to next Council meeting.

A Crane - Morrisett Street - Spoke to flooding concerns and new buildings going up in this area. These buildings are being raised up and so are damming existing residences in. Can Council take into account in the future that new buildings are built on stilts rather than slabs.

I McPherson - National Trust - DEPBS #4 Heritage Management - Met with Mayor and Deputy Mayor and noted Heritage Strategy on website is an old document. What is status? Spoke of establishment of a Heritage committee and community participation.

The **Manager Strategic Planning** spoke of new strategy which was adopted last year by Council. Version on the website is unfortunately the old version.

The **Director Environmental Planning & Building Services** spoke to process of

heritage strategy and endorsement by the heritage council of the strategy. General manager noted the heritage strategy was adopted by Council and spoke to Council meeting 15 June 2011. The **Director Environmental Planning & Building Services** noted development of the Council's heritage strategies and processes followed.

B Triming - Ratepayer - Thanked Council for setting up of extra screen in the room to assist residents. Asked if speakers can be activated at back of room so people can hear. Could spare microphone be used by Council officers at the side of the room.

P Dowling - Ratepayer - Raised issue of speed sign near Hereford Street and Gilmour Street intersection roundabout where it is 60kmh and signage that is in place. Can Councillor Aubin raise concerns with the Traffic Committee, have raised this a number of occasions and doesn't appear to be going anywhere.

The **Director Engineering Services** advised of Roads & Maritime Services actions and that State Government priority (speed limits) locations are being dealt with first then the Roads & Maritime Services will address issues such as Gilmour Street. This matter has been regularly raised with Roads & Maritime Services.

APOLOGIES

3 APOLOGIES

Nil

MINUTES

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15 FEBRUARY 2012 (11.00005)

MOVED Cr Paul Toole and **SECONDED** Cr R Thompson

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 15 February 2012 be adopted.

DECLARATION OF INTEREST

5 DECLARATION OF INTEREST 11.00002

MOVED Cr Tracey Carpenter and **SECONDED** Cr G Hanger

RESOLVED: That the following Declarations of Interest be noted.

Cr North

Item #9 of the Director Environment Planning & Building Service's report

Cr Toole

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

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

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

MOVED Cr Paul Toole and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

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

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

RESOLVED: That the information be noted.

8 **Item 3 CULTURAL HERITAGE GARDEN - THE PILLARS OF BATHURST (20.00160)**

MOVED Cr Monica Morse and **SECONDED** Cr T Carpenter

RESOLVED: That Council:

- (a) Endorse the project.
- (b) A further report be prepared on alternative locations for the pillars.

9 **Item 4 HERITAGE MANAGEMENT (20.00162)**

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

RESOLVED: That Council note the report and refer the issue of heritage management to a Council working party.

10 **Item 5 NSW ENERGY SAVER PROGRAM – ENERGY AUDITS (13.00065)**

MOVED Cr P Toole and **SECONDED** Cr I North

RESOLVED: That the information be noted.

11 **Item 6 CENTRAL WEST SALINITY AND WATER QUALITY ALLIANCE (07.00047)**

MOVED Cr P Toole and **SECONDED** Cr T Carpenter

RESOLVED: That Council:

- (a) Note the new five year plan for the Central West Salinity and Water Quality Alliance; and
- (b) Continue to support the Alliance financially by providing \$5000 funding per annum to support the ongoing activities of the Alliance in the 2012/13 and 2013/2014 Management Plans.

12 **Item 7 PRODUCTION OF THE BATHURST REGION 'BACKYARDS FOR WILDLIFE BOOKLET' (13.00053)**

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

RESOLVED: That the information be noted.

13 **Item 8 DEVELOPMENT APPLICATION NO. 2012/0022 – DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF NEW SHOP PREMISES AT LOT 13 DP 1087390 132 & 140 DURHAM STREET. APPLICANT: REG MORRIS. OWNER: APSLEY HOLDINGS PTY LTD & S JORDAN (DA/2012/0022)**

MOVED Cr B Bourke and **SECONDED** Cr R Thompson

RESOLVED: That Council direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0022, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:

- (a) During the carrying out of any proposed works, if any archaeological remains are discovered, the developer is to stop work immediately and notify the Heritage Branch, Office of Environment and Heritage 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.
- (b) The submission of a letter or report, rendered drawings, manufacturer's brochures and/or samples sufficient to detail the types and colours of the external materials to be used in the construction.
- (c) A further development Application will be required for any signage used on the site unless such signage is exempt under clause 16 of the Bathurst Regional (Interim) Local Environmental Plan 2005.
- (d) Prior to the issue of a construction certificate the developer is to submit to Council a Construction Management Plan which includes (but is not limited to) the following:
 1. Traffic management, including:
 - i) Loading, unloading area and material storage areas
 - ii) Access to adjoining properties; and
 - iii) Parking areas (for construction workers and surrounding properties)
 2. Noise
 3. Dust
 4. Stabilisation and monitoring of adjoining property owners
 5. Communication with the general public; and
 6. Complaints management
- (e) call a division.

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

The result of the division was:

In favour of the motion - Cr Warren Aubin, Cr Bobby Bourke, Cr Graeme Hanger, Cr Monica Morse, Cr Ian North, Cr Ross Thompson, Cr Paul Toole, Cr Greg Westman,

Against the motion - Cr Tracey Carpenter,

Absent - NIL

Abstain - NIL

14

Item 9 DEVELOPMENT APPLICATION NO. 2012/0050 – TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT LOTS 447 & 449 CONROD STRAIGHT, MOUNT PANORAMA. APPLICANT: BATHURST REGIONAL COUNCIL. OWNER: BATHURST REGIONAL COUNCIL AND H & P METCALF (DA/2012/0050)

MOVED Cr R Thompson

and **SECONDED** Cr M Morse

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

Reason: Employer leases 449 Conrod Straight

RESOLVED: That Council:

- (a) support the variation to the 1(d) Rural Special Purposes 200 hectare minimum lot size as prescribed in Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 1 and 2;
- (b) support the variation to the 1(d) Rural Special Purposes 200 hectare minimum lot size as prescribed in Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 1 and 2;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0050, 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 Warren Aubin, Cr Bobby Bourke, Cr Tracey Carpenter, Cr Graeme Hanger, Cr Monica Morse, Cr Ian North, Cr Ross Thompson, Cr Paul Toole, Cr Greg Westman,

Against the motion - NIL

Absent - NIL

Abstain - NIL

15 Item 10 NSW PLANNING SYSTEM REVIEW (02.00018)

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

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report

16 Item 1 STATEMENT OF INVESTMENTS (16.00001)

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

RESOLVED: That the information be noted.

17 Item 2 YEAR TO DATE REVIEW - 2011/2012 MANAGEMENT PLAN AND BUDGET - 29 FEBRUARY 2012 (16.00126)

MOVED Cr R Thompson and **SECONDED** Cr T Carpenter

RESOLVED: That the information be noted.

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

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

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

- 19** **Item 4 POWER OF ATTORNEY (11.00007)**
MOVED Cr G Hanger and **SECONDED** Cr P Toole

RESOLVED: That the information be noted.

- 20** **Item 5 REQUEST FOR FINANCIAL ASSISTANCE - CENTRAL WEST NSW CHAPTER HARLEY OWNERS GROUP (18.00004, 23.00015-07/002)**
MOVED Cr P Toole and **SECONDED** Cr B Bourke

RESOLVED: That Council

- (a) Agree to the closing of Russell Street on Sunday 25 March 2012 to allow for the Show and Shine and waive the fees of approximately \$1000 as a Section 356 Donation.
- (b) Provide a 20% discount for tickets to the National Motor Racing Museum for up to 500 guests. Approximately \$1,000.

- 21** **Item 6 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST DOMESTIC VIOLENCE LIAISON COMMITTEE (18.00004, 22.00185-06/090)**
MOVED Cr I North and **SECONDED** Cr B Bourke

RESOLVED: That Council waive the fee for utilising the Home and Community Care (HACC) Meeting Room for 1 hour per month, from Section 356 Donations.

- 22** **Item 7 REQUEST FOR FINANCIAL ASSISTANCE - CARILLON THEATRICAL SOCIETY INC (21.00012-07/045)**
MOVED Cr R Thompson and **SECONDED** Cr P Toole

RESOLVED: That Council make available Bathurst Memorial Entertainment Centre on 4th and 7th May 2012 and that the venue hire charge of \$970 be funded from Section 356 Donations.

- 23** **Item 8 FORD THUNDERBIRD OWNERS NATIONAL CONCOURS (04.00009)**
MOVED Cr B Bourke and **SECONDED** Cr M Morse

RESOLVED: That Council:

- (a) Agree to the closing of Russell Street on Saturday 27 October 2012 to allow for the judging and shows of the Thunderbird cars and waive the fees of approximately \$1000 as a Mount Panorama Section 356 Donation.
- (b) That Council host a Mayoral Reception on 26 October 2012.

- 24** **Item 9 REQUEST FOR FINANCIAL ASSISTANCE - ASSUMPTION SCHOOL (18.00004, 04.00026/047)**
MOVED Cr I North and **SECONDED** Cr B Bourke

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

MOVED Cr T Carpenter and **SECONDED** Cr G Hanger

RESOLVED: That the information be noted.

32 **Item 4 BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) FUNDING - 2012/2013 (21.00060)**

MOVED Cr P Toole and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

33 **Item 5 BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) - 2012 SEASON LAUNCH AND SUPPORTER NUMBERS (20.00060)**

MOVED Cr T Carpenter and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

34 **Item 6 2012 INTERNATIONAL WOMEN'S DAY - THURSDAY, 8 MARCH 2012 (23.00026)**

MOVED Cr P Toole and **SECONDED** Cr R Thompson

RESOLVED: That the information be noted.

35 **Item 7 KELSO COMMUNITY CENTRE - INDIGENOUS HEALTH CLINIC LAUNCH - THURSDAY, 1 MARCH 2012 (09.00026)**

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

RESOLVED: That the information be noted.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

36 **Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 MARCH 2012 (07.00064)**

MOVED Cr I North and **SECONDED** Cr W Aubin

RESOLVED: That the recommendations of the Policy Committee Meeting held on 7 March 2012 be adopted.

Traffic Committee Meeting

37 **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING 6 MARCH 2012 (07.00006)**

MOVED Cr W Aubin and **SECONDED** Cr P Toole

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 6 March 2012 be adopted.

DELEGATES REPORTS

38 **Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 8 FEBRUARY 2012 (11.00019)**

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

RESOLVED: That the information be noted.

- 39** Item 2 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 7 FEBRUARY 2012 MINUTES (20.00153)
MOVED Cr G Hanger and SECONDED Cr M Morse

RESOLVED: That the information be noted.

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

- 40** RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS
MOVED Cr T Carpenter and SECONDED Cr M Morse

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

There we no representations from the public.

RESOLVED: That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	CULTURAL HERITAGE GARDEN - THE PILLARS OF BATHURST	10A (2) (a) – Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	NEWTONS NATION	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	LOCAL GOVERNMENT FINANCIAL SERVICES	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
3	TRACKCORP ADRENALIN PTY LTD - REQUEST FOR USE OF MOUNT PANORAMA CIRCUIT	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	2015 BICENTENARY CELEBRATIONS PROJECT - GRAHAM LUPP	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	LAND RELEASE - WINDRADYNE STAGE 900 RESIDENTIAL SUBDIVISION - MILLER AND SWANBROOKE STREETS, 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.
6	RENEWAL OF RESIDENTIAL LEASE - 519 MITCHELL HIGHWAY, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOT 1 DP246890, 3 BRIDGE STREET, PERTHVILLE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PROPOSED ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOT 40 DP594451, 8 BRIDGE STREET, PERTHVILLE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

3	PROPOSED ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOTS 5 AND 7 SECTION 19 DP758840 AND PART B DP399094, 51 BATHURST STREET, PERTHVILLE	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 ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOTS 297 AND 298 DP750354, 62 NORTH STREET, PERTHVILLE	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 ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOTS 2 AND 3 SECTION 19 DP758840, 43 BATHURST STREET, PERTHVILLE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	TENDER FOR CONSTRUCTION OF CHANGE ROOMS AT PROCTOR PARK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would

		prejudice the commercial position of the person who supplied it.
7	CENTROC TENDER FOR SUPPLY & DELIVERY OF BITUMEN EMULSION TO CENTRAL NSW COUNCILS	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	BATHURST INDOOR SPORTS STADIUM OPERATIONS	10A (2) (a) – Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned. 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 Environmental Planning & Building Services' Report

- a** **Item 1 CULTURAL HERITAGE GARDEN - THE PILLARS OF BATHURST (20.00160)**
MOVED Cr M Morse and **SECONDED** Cr T Carpenter

That the Report be noted.

Director Corporate Services & Finance's Report

- b** **Item 1 NEWTONS NATION (04.00122)**
MOVED Cr P Toole and **SECONDED** Cr W Aubin

That Council act in accordance with the report.

- c** **Item 2 LOCAL GOVERNMENT FINANCIAL SERVICES (34.00057-06/013)**
MOVED Cr B Bourke and **SECONDED** Cr R Thompson

That the information be noted.

- d** **Item 3 TRACKCORP ADRENALIN PTY LTD - REQUEST FOR USE OF MOUNT PANORAMA CIRCUIT (04.00110)**
MOVED Cr W Aubin and **SECONDED** Cr I North

That Council act in accordance with the report.

- e** **Item 4 2015 BICENTENARY CELEBRATIONS PROJECT - GRAHAM LUPP (20.00153)**
MOVED Cr Monica Morse and **SECONDED** Cr I North

That Council refer this matter back to the 2015 Bicentenary Committee for the project to be included in their prioritised list of projects to be referred to Council.

- f** **Item 5 LAND RELEASE - WINDRADYNE STAGE 900 RESIDENTIAL SUBDIVISION - MILLER AND SWANBROOKE STREETS, WINDRADYNE (20.00119)**
MOVED Cr R Thompson and **SECONDED** Cr W Aubin

That Council approves:

- (a) the release for sale of thirty-eight (38) lots, namely Lots 902 - 939 in a subdivision of Lot 900 DP1166656 located on Miller and Swanbrooke Streets in the new residential subdivision to be known as Windradyne Stage 900, under the ballot system.
- (b) the sale prices as detailed in the report.

- g** **Item 6 RENEWAL OF RESIDENTIAL LEASE - 519 MITCHELL HIGHWAY, BATHURST (22.05345)**
MOVED Cr R Thompson and **SECONDED** Cr G Hanger

That Council approves entering into a new residential tenancy agreement for part Lot C DP158611 known as 519 Mitchell Highway, Bathurst with Mr Rick Foster for a period of twelve (12) months with an option period of twelve (12) months, as detailed in the report.

Director Engineering Services' Report

- h** **Item 1 PROPOSED ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOT 1 DP246890, 3 BRIDGE STREET, PERTHVILLE (22.05521 and**

31.00001-11)**MOVED** Cr P Tooleand **SECONDED** Cr R Thompson

That Council approve the proposed acquisition of land for construction of the Perthville Levee located at Lot 1 DP246890 being 3 Bridge Street Perthville, subject to the conditions outlined in the Director Engineering Services' report. The acquired land is to be classified as Operational land under the provisions of Section 31(2) of the Local Government Act 1993.

i **Item 2 PROPOSED ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOT 40 DP594451, 8 BRIDGE STREET, PERTHVILLE (22.02358 AND 31.00001-11)**

MOVED Cr Tracey Carpenterand **SECONDED** Cr G Hanger

That Council approve the proposed acquisition of land for construction of the Perthville Levee located at part Lot 40 DP594451 being 8 Bridge Street, Perthville, subject to the conditions outlined in the Director Engineering Services' report. The acquired land is to be classified as Operational land under the provisions of Section 31(2) of the Local Government Act 1993.

i **Item 3 PROPOSED ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOTS 5 AND 7 SECTION 19 DP758840 AND PART B DP399094, 51 BATHURST STREET, PERTHVILLE (22.11177 AND 31.00001-11)**

MOVED Cr B Bourkeand **SECONDED** Cr I North

That Council approve the proposed acquisition of land for construction of the Perthville Levee located at part Lots 5 and 7 Section 19 DP758840 and Lot B DP399094 being 51 Bathurst Street Perthville, subject to the conditions outlined in the Director Engineering Services' report. The acquired land is to be classified as Operational land under the provisions of Section 31(2) of the Local Government Act 1993.

k **Item 4 PROPOSED ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOTS 297 AND 298 DP750354, 62 NORTH STREET, PERTHVILLE (31.00001-11)**

MOVED Cr R Thompsonand **SECONDED** Cr P Toole

That Council approve the proposed acquisition of land for construction of the Perthville Levee located at part Lots 297 and 298 DP750354 being 62 North Street, Perthville, subject to the conditions outlined in the Director Engineering Services' report. The acquired land is to be classified as Operational land under the provisions of Section 31(2) of the Local Government Act 1993.

l **Item 5 PROPOSED ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOTS 2 AND 3 SECTION 19 DP758840, 43 BATHURST STREET, PERTHVILLE (22.02922 AND 31.00001-11)**

MOVED Cr I Northand **SECONDED** Cr W Aubin

That Council approve the proposed acquisition of land for construction of the Perthville Levee located at parts Lots 2 and 3 Section 19 DP758840 being 43 Bathurst Street, Perthville, subject to the conditions outlined in the Director Engineering Services' report. The acquired land is to be classified as Operational land under the provisions of Section 31(2) of the Local Government Act 1993.

- m** **Item 6 TENDER FOR CONSTRUCTION OF CHANGE ROOMS AT PROCTOR PARK (36.00447)**
MOVED Cr Ian North and **SECONDED** Cr B Bourke

That Council accepts the tender of Tablelands Builders Pty Ltd for the construction of Change Rooms at Proctor Park Bathurst in the amount of \$225,408.70 (incl. GST) subject to adjustments and provisional items.

- n** **Item 7 CENTROC TENDER FOR SUPPLY & DELIVERY OF BITUMEN EMULSION TO CENTRAL NSW COUNCILS (07.00017)**
MOVED Cr I North and **SECONDED** Cr B Bourke

That Council accept the tender from Boral Asphalt for the supply and delivery of Bitumen Emulsion until 28 February 2014.

General Manager's Report

- o** **Item 1 BATHURST INDOOR SPORTS STADIUM OPERATIONS (21.00037 & 18.00021)**
MOVED Cr I North and **SECONDED** Cr T Carpenter

That Council authorise the General Manager to negotiate an agreement with the Bathurst Basketball Association as detailed in the report.

RESOLVE INTO OPEN COUNCIL

- 41** **RESOLVE INTO OPEN COUNCIL**
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 42** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr W Aubin and **SECONDED** Cr R Thompson

That the Report of the Committee of the Whole, Items (a) to (o) be adopted.

MEETING CLOSE

- 43** **MEETING CLOSE**

The Meeting closed at 7.38 pm.

CHAIRMAN: _____

Date: _____ **(18 April 2012)**

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE
HELD ON 4 APRIL 2012**

MEETING COMMENCES

1 MEETING COMMENCES

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

APOLOGIES

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

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

DECLARATION OF INTEREST

3 DECLARATION OF INTEREST 11.00002
MOVED Cr I North and **SECONDED** Cr M Morse

RESOLVED: That the Declaration of Interest be noted.

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

**4 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH
CONFIDENTIAL REPORTS**
MOVED Cr M Morse and **SECONDED** Cr W Aubin

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

There we no representations from the public.

RESOLVED: That:

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

* Director Corporate Services & Finance's Report

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	HIRE OF MOUNT PANORAMA CIRCUIT	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	CONSTRUCTION OF THE CARLINGFORD LEVEE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PROPOSED ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOT 14 DP246890, 11 BRIDGE STREET, PERTHVILLE	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 EASEMENT TO DRAIN WATER	10A (2) (d) (i) – contains commercial information of a

	VARIABLE WIDTH - LOT 303 DP1072293, 7 QUINN COURT, LLANARTH	confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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Director Corporate Services & Finance's Report

- a** Item 1 HIRE OF MOUNT PANORAMA CIRCUIT (04.00009-16/024)
MOVED Cr W Aubin and SECONDED Cr R Thompson

That Council act in accordance with the report.

Director Engineering Services' Report

- b** Item 1 CONSTRUCTION OF THE CARLINGFORD LEVEE (36.00445)
MOVED Cr W Aubin and SECONDED Cr B Bourke

That Council accept the tender of Hynash Pty Ltd in the amount of \$1,404,163.20 (incl GST) for construction of the Carlingford Levee subject to adjustments and provisional items.

- c** Item 2 PROPOSED ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOT 14 DP246890, 11 BRIDGE STREET, PERTHVILLE (22.00528 and 31.00001-11)
MOVED Cr I North and SECONDED Cr M Morse

That Council approve the proposed acquisition of land for construction of the Perthville Levee located at Lot 14 DP246890 being 11 Bridge Street, Perthville, subject to the conditions outlined in the Director Engineering Services report. The acquired land is to be classified as Operational land under the provisions of Section 31(2) of the Local Government Act 1993.

- d** Item 3 PROPOSED EASEMENT TO DRAIN WATER VARIABLE WIDTH - LOT 303 DP1072293, 7 QUINN COURT, LLANARTH (22.10726)
MOVED Cr G Hanger and SECONDED Cr R Thompson

That Council approve the creation of a proposed easement to drain water variable width located at Lot 303 DP1072293 being 7 Quinn Court Llanarth, as detailed in the Director Engineering Services' report.

RESOLVE INTO OPEN COUNCIL

- 5** RESOLVE INTO OPEN COUNCIL

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

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

6 **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr W Aubin and **SECONDED** Cr I North

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

MEETING CLOSE

7 **MEETING CLOSE**

The Meeting closed at 5.48 pm.

CHAIRMAN: _____

Date: _____ **(18 April 2012)**

MINUTE

6 DECLARATION OF INTEREST 11.00002

MOVED: I North SECONDED: P Toole

RESOLVED: That the following Declarations of Interest be noted.

Cr Thompson

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

Cr Morse

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

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

Cr Aubin

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

Cr Toole

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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT & MINUTES
18 APRIL 2012

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 18
APRIL 2012**

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.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: P Toole SECONDED: B Bourke

RESOLVED: That the information be noted.

2 GENERAL REPORT (03.00053)

Recommendation: That the information be noted.

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

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during March 2012 (**attachment 1**)
- (b) Applications refused during March 2012 (**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 March 2012 (**attachment 5**).

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

8 Item 2 GENERAL REPORT (03.00053)

MOVED: W Aubin SECONDED: I North

RESOLVED: That the information be noted.

3 DEVELOPMENT APPLICATION NO. DA 2012/0102 – TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT 1423 ROCKLEY ROAD. APPLICANT: MARK BUTTSWORTH. OWNER: YVONNE TODD (DA/2012/0102)

Recommendation: That Council:

- (a) support the variation to the 1 (e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 27 (1) of the *Bathurst Regional (Interim) Local Environmental Plan 2005* ;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 1 and 2, noting that proposed lot 2 will retain the capacity for the erection of a dwelling house;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0102, 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 1423 Rockley Road, described as Lot 191 DP 661271, Lot A DP 384772 and Lots 10 & 11 DP 750403. A location plan is provided at **attachment 1**.

Lot A, known as 1423 Rockley Road, has an area of 4047m² and currently has a dwelling on it.

Lot 191 has an area of 7.19ha and lots 10 and 11 each have an area of 17.81ha and 17ha respectively. These three lots are currently vacant. The 3 lots, whilst currently vacant, have the capacity for the erection of a dwelling house under the existing holding provisions of the LEP.

The proposal

The proposal involves the resubdivision of the four lots into two allotments. The subdivision will transfer 7,953m² from the vacant land (existing holding) to the dwelling lot. Plans of the proposed development are at **attachment 2**.

The intention of this subdivision and boundary adjustment is to enlarge the area around the existing dwelling and associated outbuildings of proposed lot 1 and to consolidate the remaining 3 allotments (the existing holding) into a single allotment (proposed lot 2), and retain the dwelling entitlement on proposed lot 2.

Under the current LEP provisions Lot 191 in DP 661271 and Lots 10 & 11 in DP 750403 are cumulatively an existing holding. An existing holding as defined under clause 28 (4) of the LEP enables a dwelling house to be erected on the combined area of these lots despite the minimum area set out in Clause 28 (1).

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 any allotment created for the purposes of agriculture or a dwelling-house in the 1(e) Outer Rural zone is 100 hectares. Similarly Clause 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005 requires a minimum area of 100 hectares for the erection of a dwelling-house.

Each of the proposed lots are therefore contrary to Clause 27 and 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005 as they are below the minimum area of 100ha that is needed to subdivide land or to erect a dwelling in the 1(e) Outer Rural Zone.

The intent of the subdivision is to retain the capacity to erect a dwelling house on the vacant residue i.e the remainder of the "existing holding" notwithstanding it being below the minimum area. This land, in its current form, has the capacity for the erection of a dwelling house under the existing holding provisions of the LEP.

The proposed subdivision (boundary adjustment) is considered to be consistent with the aims and objectives of the 1 (e) Outer Rural zone as:

1. The productive agricultural land will not be altered as a result of the proposal.
2. Broad acre production, grazing and cropping will not be impacted upon by the subdivision.
3. There will be minimal impact upon the scenic environment.
4. There are no known mineral extractive industries in the general locality.

The applicant has submitted a SEPP 1 Objection (see SEPP 1 Objection at **attachment 3**) in relation to the creation of the proposed lots 1 and 2 which indicates the nature of the proposed subdivision and their objection to the current standards because:

1. Both lots are substantially less than the development standard of 100ha.
2. No additional dwelling entitlements are proposed (Council has previously advised that Lot 191, Lot 10 and Lot 11 comprise an existing holding and the proposed subdivision and creation of Lot 2 would not alter this entitlement in any way).
3. The land is primarily used for agricultural purposes and no conflicts have been identified with surrounding land uses (and ancillary dwelling).
4. The proposal will increase the buffer around the existing dwelling and the surrounding agricultural land.

Concurrence

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

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 greater than 10% to the standard are to be determined by Council rather than a nominated staff member under delegated authority.

Conclusion

Council has received a Development Application for the resubdivision of four lots to form 2 allotments at 1423 Rockley Road. The boundary adjustment and subsequent consolidation of 3 of the 4 lots will not create any new dwelling entitlements, or compromise the agricultural potential of the land. Given this, the SEPP 1 Objection is supportable.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

9 Item 3 DEVELOPMENT APPLICATION NO. 2012/0102 – TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT 1423 ROCKLEY ROAD. APPLICANT: MARK BUTTSWORTH. OWNER: YVONNE TODD (DA/2012/0102)

MOVED: I North SECONDED: P Toole

RESOLVED: That Council:

- (a) support the variation to the 1 (e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 27 (1) of the *Bathurst Regional (Interim) Local Environmental Plan 2005* ;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 1 and 2, noting that proposed lot 2 will retain the capacity for the erection of a dwelling house;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0102, 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 P Toole, Cr G Westman,

Against the motion - NIL

Absent - Cr R Thompson,

Abstain - NIL

4 DEVELOPMENT APPLICATION NO. 2011/0481 – DEMOLITION OF EXISTING GARAGE, CONSTRUCTION OF TWO (2) X DOUBLE STOREY TWO BEDROOM UNITS, REPLACEMENT GARAGE AND THREE LOT SUBDIVISION AT 168 SEYMOUR STREET, BATHURST. APPLICANT: EKP HOLDINGS PTY LTD & SAGE MOTELS PTY LTD. OWNER: EKP HOLDINGS PTY LTD & SAGE MOTELS PTY LTD (DA/2011/0481)

Recommendation: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2011/0481, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended;
- (b) notify those that made submissions of its decision: and
- (c) call a division.

Report: The Site

Council has received a Development Application (DA) for demolition of an existing garage, construction of two (2) x double storey two bedroom units, replacement garage and three lot subdivision at 168 Seymour Street, described as Lot A DP 156080. A location plan is provided at **attachment 1**.

The site contains an existing dwelling at the front of the property and a free standing garage/shed at the rear of the site.

The proposal

The proposal involves;

- Demolition of the existing garage
- Construction of two (2) x double storey two bedroom units
- Replacement garage
- Three lot subdivision

The proposed units are largely of ground floor construction in nature with the exception of the second bedroom which is to be located in a second storey component.

A plan of the proposed development is 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.

Development Control Plan

Bathurst Regional (Interim) Development Control Plan 2011 – Chapter 4 Residential Development

The site is contained within Precinct 1 pursuant to the Bathurst Regional (Interim) Development Control Plan 2011. 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:

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	925.7m ²	900m ²	Yes
Density/Site Coverage	83.18 persons ha	88 persons ha	Yes
Height	Two-Storey	Two-Storey	Yes
Setbacks			
Rear	1.175m	In accordance with BCA	Yes
Side	0.95m	In accordance with BCA	Yes
Car parking			
Resident	3	3	Yes
Visitor	1	1	Yes
Accessway Width	2.951-3m	3-6m wide	No*
Open space area	30m ²	30m ²	Yes
Open space width	5m wide	4m wide	Yes

* The majority of the driveway is 3m wide or greater. The driveway narrows marginally where it passes the existing dwelling however it is only below the minimum by 49mm at one point. The access width is therefore seen as suitable for the proposed development.

Overshadowing

The issue of overshadowing of the adjoining residential units to the rear of the property at 56 Lambert Street was raised through the notification process. In particular Units 3 & 4 of 56 Lambert Street have a common boundary with the proposed units.

Council's Interim DCP contains the following provisions relating to side and rear setbacks and overshadowing of adjoining properties.

Side and Rear Building Line Setbacks

- a) *Any part of the building must comply with the side and rear building line setbacks specified in the table below.*

Development Type and Wall Height	Continuous walls of less than 10 metres	Continuous walls of more than 10 metres
Residential Units - Single Storey	<i>In accordance with the Building Code of Australia (BCA).</i>	<i>Staggered to include setbacks exceeding the minimum set by the BCA or broken into lengths of 10 metres or less and interspersed with open space.</i>
Residential Units - Two Storey	1.5m	<i>Staggered to include setbacks exceeding 1.5 metres, or broken into lengths of 10 metres and interspersed with open space.</i>
Dual occupancy, dwelling houses and granny flats – Single or two storey	<i>In accordance with the BCA.</i>	<i>In accordance with the BCA.</i>

Note: a continuous wall means a wall without windows or doors.

- b) *Notwithstanding the table above, where Council is of the opinion that such a setback will:*

- i) *significantly overshadow neighbouring properties and/or,*
- ii) *adversely impact upon the privacy of neighbouring properties,*

then such a setback must be increased to the extent necessary to reduce the overshadowing or maintain the privacy of adjoining owners.

- c) *All applications for development (except single storey dwelling houses) must show the location of neighbouring buildings, neighbouring windows, balconies and outdoor living areas in relation to the proposed development.*
- d) *Applications for two storey development (including 2 storey additions) are to provide an assessment of overshadowing to all adjoining properties on the winter solstice in June.*

The wall directly adjoining the properties at 56 Lambert is 10.69 metres in length and is 1.175 metres off the common boundary. The wall contains a number of windows and accordingly is sufficiently broken up into sections to satisfy the underlying objective.

The second storey component is located 3.095 metres off the common boundary and therefore complies with the development standard relating to two storey units. It is noted that the two storey component is only 4.07 metres wide.

Overshadowing – Residential Unit and Dual Occupancy Developments

- a) *New development should not significantly affect access to sunlight of existing or likely future development on other property between 9.00am and 3.00pm, particularly living areas and usable open space. At least two hours sunlight to indoor and outdoor living areas of adjoining properties is to be maintained between 9.00am and 3.00pm on June 21.*

The applicant has during the consultation phase increased the setback of the two storey component of the development from the common boundary.

The amended plans and shadow diagrams demonstrate that overshadowing of the open space of unit 4, 56 Lambert Street commences from 11am and will be fully over shadowed by 2pm on 21 June. Unit 3, 56 Lambert St is not affected between 9.00 am and 3.00 pm. A copy of the shadow diagrams are at **attachment 3**.

The proposal itself will not significantly overshadow the units at 56 Lambert Street between 9am and 11am. Therefore compliance with Councils DCP is achieved.

The adjoining units to the rear of the property at 56 Lambert Street are, as a result of the overall orientation of the land, orientated to the north west with the open space and living area windows being located on the north west side. Overall they have not been designed in terms of making maximum use of solar access (i.e. carports located on the northern orientation and living areas and open space windows facing west). In this case the two storey development on the adjoining land has the potential to overshadow north west facing, open space, walls and windows of 56 Lambert Street.

Council's Standards (in particular the retention of at least two hours sunlight between 9.00am and 3.00pm) would be difficult to achieve given the orientation of the north west facing windows of Units 3 & 4 at 56 Lambert Street. Indeed the orientation of the windows means that access to sunlight during 9.00am and 3pm would at present be limited

regardless of the development taking place as the building overshadows itself for the majority of the morning period.

The applicant has also submitted shadow diagrams demonstrating that a single storey development in the same location will also generate overshadowing of the open space of unit 4, 56 Lambert. A single storey dwelling on the subject land will commence overshadowing of the open space at 11am with it being fully in shade by 2.00pm. A copy of the single storey shadow diagrams are at **attachment 4**.

Notwithstanding that the proposed development will overshadow the properties at 56 Lambert Street, the two storey component of the development will only have an additional impact between 12pm and 1pm. It is therefore concluded the proposed development is unlikely to have a significant detrimental impact on the existing units.

Submissions

The development application was advertised and notified to adjoining property owners from 9 January to 23 January 2012. Following the advertising and notification period a total of 4 submissions were received (see submissions at **attachment 5**).

A discussion forum was convened by the Director Environmental, Planning & Building Services on 21 February (see minutes of discussion forum at **attachment 6**). Issues raised in the submissions and at the discussion forum included:

Stormwater issues

The applicant will be required to provide engineering plans, including storm water management as a condition of consent.

Loss of on street parking

The development complies with Councils requirements for off street parking. Residents concerns that they will lose access to the parking spaces in front of their dwellings can not be considered as part of the application as the spaces on the public street are not dedicated for use by any particular dwelling.

Overshadowing

The overshadowing issues have been discussed above.

Privacy

The second storey windows are for a bathroom and bedroom. As the rooms are not principle living areas and are located some way from the open space of the adjoining properties it is considered that privacy will not be a significant issue.

Proximity to boundary

The building setbacks comply with the requirements of the BR(I)DCP 2011 and the Building Code of Australia.

Blocking of right of carriage way

At present there is a right of carriageway over 168 Seymour Street in favour of 170

Seymour. Blockage of the right of carriage way is a civil matter beyond the scope of the development consent. The applicant has indicated that they will notify those who benefit from the right of carriage way, when works will be undertaken that will impact on the access.

The development application was renotified to adjoining property owners from 15 March to 16 March 2012. Following the notification period a total of 5 submissions were received (see submissions at **attachment 7**). The issues raised have not changed from the discussion above.

Conclusion

Council has received a Development Application (DA) for demolition of an existing garage, construction of two (2) x double storey two bedroom units, replacement garage and three lot subdivision at 168 Seymour Street, described as Lot A DP 156080, The development can be supported as it complies with the requirements of the Bathurst Regional (Interim) Development Control Plan 2011 as detailed in the report.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

10 Item 4 DEVELOPMENT APPLICATION NO. 2011/0481 – DEMOLITION OF EXISTING GARAGE, CONSTRUCTION OF TWO (2) X DOUBLE STOREY TWO BEDROOM UNITS, REPLACEMENT GARAGE AND THREE LOT SUBDIVISION AT 168 SEYMOUR STREET, BATHURST. APPLICANT: EKP HOLDINGS PTY LTD & SAGE MOTELS PTY LTD. OWNER: EKP HOLDINGS PTY LTD & SAGE MOTELS PTY LTD (DA/2011/0481)

MOVED: P Toole SECONDED: T Carpenter

Cr Thompson had advised of a non-pecuniary interest in this item. However, Cr Thompson was not in attendance at the meeting for this item.

Reason: Employee's wife's family owns adjoining building and are objectors to the DA.

RESOLVED: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2011/0481, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended;
- (b) notify those that made submissions of its decision: and
- (c) call a division.

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

The result of the division was:

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

Against the motion - NIL

Absent - Cr R Thompson,

Abstain - NIL

5 2012 SUSTAINABLE LIVING EXPO (23.00124)

Recommendation: That the information be noted.

Report: The 2012 Sustainable Living Expo was conducted on 24 March 2012 in conjunction with the monthly Farmers Markets. Council has again worked with the Lions Club to host the event. The feedback from exhibitors and visitors alike has been very positive to date with a total of 20 exhibitors attending. The Lions Club estimates that 2500 people attended (the average attendance at the farmers markets is 2000 people) despite the cool windy conditions. The expo was staffed by Council Environment, Water and Waste and Parks and Recreation staff.

The stallholders participating in this year's event included local businesses supplying products including rainwater tanks, solar photovoltaic systems, energy auditing, energy efficient lighting, water saving devices and environmentally friendly cleaning products. Numerous local non-government environmental groups including Land for Wildlife and Greening Bathurst were also represented. Council and Netwaste had stalls providing information and advice for interested community members. Council also conducted a survey asking "What is (their) number one sustainable living tip?" with all entries going into the draw to win sustainable prizes including compost bins, a backyard wildlife kit, sustainable house books, low waste cooking guides and a bicycle.

Council will now seek formal feedback from all of the stallholders with a report to be presented to Council's ordinary meeting in May with a detailed overview of the event.

Financial Implications: The Sustainable Living Expo is funded through existing allocations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- | | |
|---|-------------------|
| ● Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. | Strategy 30.4 |
| ● Objective 8: To promote sustainable and energy efficient growth. | Strategy 8.1, 8.2 |
| ● Objective 10: To protect and enhance the region's biodiversity. | Strategy 10.8 |
| ● Objective 12: To protect and enhance water quality and riparian ecology. | Strategy 12.8 |
| ● Objective 13: To minimise the City's environmental footprint. | Strategy 13.5 |

MINUTE

11 **Item 5 2012 SUSTAINABLE LIVING EXPO (23.00124)**

MOVED: P Toole SECONDED: B Bourke

RESOLVED: That the information be noted.

6 BACKYARDS FOR WILDLIFE BOOKLET (13.00053)

Recommendation: That the information be noted.

Report: Council has completed the Backyards for Wildlife Booklet following two community surveys and with input from leading local naturalists. The booklet is intended as a guide for Bathurst Region residents to create habitats for wildlife in their yards.

The booklet is now available for sale to the general public at \$3.00 through the Civic Centre, Library, Visitor Information Centre and Information and Neighbourhood Centre. Copies will also be provided to Bathurst Region schools for inclusion in their libraries. An electronic copy is also available for free download through Council's website.

Council will promote the booklet alongside current biodiversity enhancement programs.

Financial Implications: The Backyards for Wildlife booklet was funded through existing allocations with \$1,000 in funding assistance from the NSW Environmental Trust.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.2
- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.6, 10.11, 10.8
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.4

MINUTE

12 **Item 6 BACKYARDS FOR WILDLIFE BOOKLET (13.00053)**

MOVED: I North **SECONDED:** T Carpenter

RESOLVED: That the information be noted.

7 BATHURST URBAN DRAINAGE RESERVE REVEGETATION LINK (20.00174)

Recommendation: That the information be noted.

Report: Council, as part of the Bathurst Orange Dubbo (BOD) Alliance program “Inspiring & Integrating Change”, received funding from the NSW State Government through its Environmental Trust to design an Urban Drainage Reserve Vegetation Link across eleven urban waterways in Bathurst. A revegetation plan was designed for the eleven sites with sufficient funding remaining to conduct planting at five priority sites.

Australian Wetlands was contracted to prepare the sites and to conduct the vast majority of planting, which commenced in December 2011. The works component is now complete which has resulted in the planting of approximately 25,000 native seedlings. Sites included:

- **Sandy Creek** reserve, parallel to Marsden Lane, Kelso
- **Sandy Creek** reserve, parallel to Rosemont Ave, Kelso
- **Raglan Creek** tributary originating in Laffing Waters, and running along Wentworth Dr, Eltham Dr and Gilmour St, Kelso
- **Darwin Drive** reserve, adjoining Eglinton Rd, Endurance Crt, Quinn Crt, and Evernden Rd, Llanarth
- **Sawpit Creek** tributary from Richardson St basin and past Lavelle St and Ussher Cres, Windradyne.

Revegetation of these areas is intended to result in improved water quality, increased habitat connectivity, reduced soil erosion and greater community involvement in local environmental programs. The local community was invited to attend six community tree planting days, which resulted in around 40 people attending and over 1,600 native seedlings being planted. Some of the local community members continue to be involved in maintaining the sites.

The contractor will continue to maintain the seedlings until December 2012 by which time it is expected that the majority of the plants will be established and will need little additional care.

Financial Implications: This project was mostly funded as part of the BOD Alliance program, Inspiring & Integrating Change with some in-kind funding provided by Council through existing allocations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- | | |
|--|---------------------------------|
| ● Objective 8: To promote sustainable and energy efficient growth. | Strategy 8.4 |
| ● Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. | Strategy 9.5, 9.7 |
| ● Objective 10: To protect and enhance the region's biodiversity. | Strategy 10.2, 10.6, 10.7, 10.5 |

- Objective 12: To protect and enhance water quality and riparian ecology. Strategy 12.1, 12.6
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.4

MINUTE

13 Item 7 BATHURST URBAN DRAINAGE RESERVE REVEGETATION LINK
(20.00174)

MOVED: T Carpenter SECONDED: I North

RESOLVED: That the information be noted.

8 COMMUNITY ENERGY EFFICIENCY PROGRAM (13.00065)

Recommendation: That the information be noted.

Report: The Community Energy Efficiency Program is a merit-based grant program established by the Commonwealth Government to provide matched funding to local councils and non-profit community organisations to undertake energy efficiency upgrades and retrofits to council and community-use buildings, facilities and lighting. The program is part of the government's Clean Energy Future plan. Round one of the program closed on Friday 23 March 2012.

Council submitted two applications to the program as follows:

1. **Energy Efficiency improvement program for the Bathurst Library and Art Gallery**

If successful this project will implement a number of key recommendations from the recently completed energy audit at the Library and Art Gallery. The overall objectives for this project are:

- To achieve a reduction in consumption of energy at the facility
- To achieve an improved internal environment within the Art Gallery
- To achieve a reduction in associated greenhouse gas emissions from the facility
- To achieve a reduction in overall operating and running costs of the facility
- To enhance energy data management for proactive operating and maintenance practices.

The project deliverables and outcomes include:

- Replace current Art Gallery display lighting with an LED lighting system with a Dali Control System
- Replacement of Library & Art Gallery Chillers with higher efficiency units
- Replacement of Library & Art Gallery Gas boiler with high efficiency units
- Installation of CO2 sensors Library & Art Gallery (L&AG), with variable fresh air intake
- Upgrade of the Building Management System which will allow for better energy control, management and transparency.

The project will result in an estimated 20% reduction in energy consumption at the Library and Art Gallery, saving 122 MWh of electricity, 517 GJ gas and 136 tonnes of greenhouse gas emissions per annum.

The overall cost of the project is \$581,562 with a requested CEEP grant contribution of \$290,133 and a contribution from Council of \$291,429. The project has an overall simple pay back period of 12.7 years (6.3 years to Council) and an ongoing net annual return of \$44,816. (This payback does not allow for Energy Savings Certificates for the installation of LED lighting in the Art Gallery, which if they can be created will reduce

the payback period of the project).

2. Aquatic Centre Cogeneration Project

This project proposes to reduce energy consumption and associated costs at the Bathurst Aquatic Centre through the installation of an onsite cogeneration plant. The gas powered cogeneration plant will generate electricity on site, reducing electricity demand from the network. Waste heat will be converted to hot water and used to reduce the site's power demand for pool heating.

A feasibility study conducted by Central Design and Engineering found that a 142kW (e) Cogeneration plant will:

- Reduce energy consumption at the Bathurst Aquatic Centre by 22%;
- Result in annual net energy cost savings of \$71,985 pa in the first year (NOTE: CEEP application claimed \$52,364, but this has since been revised upwards);
- Supply 85% of electricity demand during operation, which is projected to be 446,048 kWh pa;
- Require a net investment of approximately \$412,167 (NOTE: CEEP application included an additional \$2,000 for educational activities);
- Save 386 tonnes of CO₂e a year;
- Have an estimated internal rate of return of 39%.
- Have a payback period of approximately 5.7 years (2.9 years to Council) (NOTE: CEEP application claimed 7.66 year payback based on lower estimated annual savings).

The overall project cost is \$414,167, with a requested CEEP grant contribution of \$207,084 and a contribution from Council of \$207,083. Low Carbon Australia has offered Council pre-approved finance up to \$201,601 to cover the majority of Council's contribution to the project. This finance is in the form of a low interest loan. The loan terms have been set so that the repayments will be similar to the savings made as a result of the installation of the project.

Both projects have received community endorsement with letters of support from Bathurst Community Climate Action Network, Skillset, Bathurst Regional Art Gallery Society and the Volunteer Art Gallery Guides Group.

Please note the Aquatic Centre Cogeneration Feasibility Study provides detailed analysis of a cogeneration plant at the Aquatic Centre. While it recommends energy efficiency actions be undertaken at the site, it does not consider other alternate energy generation options in detail. At the present time, the most cost-effective technology to reduce costs and reliance of the Aquatic Centre on grid electricity is cogeneration. Other technologies such as solar, wind or geothermal would require a much higher capital investment to produce a comparable amount of energy and would have much longer payback periods than the proposed cogeneration plant. Council staff will continue to keep a watching brief on advances in energy generation technology which may be applicable to Council infrastructure including the Aquatic Centre.

Successful grant applicants will be notified in May, with projects to be started within two to three months of the grant being awarded.

Financial Implications: As a matching funds grant Council is required to contribute a minimum of 50% of the project costs. For the Library and Art Gallery this is equivalent to \$291,429.

Council's contribution to the Aquatic Centre Cogeneration Project is \$207,083. Of this, \$201,601 will be in the form of a low interest loan from Low Carbon Australia, with an additional \$5,482 cash contribution required from Council.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 13: To minimise the City's environmental footprint. Strategy 13.9

MINUTE

14 Item 8 COMMUNITY ENERGY EFFICIENCY PROGRAM (13.00065)

MOVED: T Carpenter SECONDED: M Morse

RESOLVED: That the information be noted.

9 PEST BIRD MANAGEMENT PLAN: SURVEY RESULTS (37.00350)

Recommendation: That the information be noted.

Report: Council engaged NGH Environmental to develop a Pest Bird Management Plan which will guide Council management actions, and provide information to the community and businesses on appropriate actions for their property. NGH conducted a business (CBD) and community (landholders) survey in early 2012 asking about the impacts from pigeons, starlings, mynas, sparrows and blackbirds. A copy of the report is provided at **attachment 1**. The following is a brief overview of the results.

- 94 CBD premises completed the survey of which 74.5% had an issue with pest birds
- 75 landholders completed the community survey of which 88% had an issue with pest birds
- Pigeons had the highest impact on the businesses and were found to visit buildings nearly every day
- Starlings and sparrows had the highest impact on landholders and were found to visit buildings nearly every day
- Defecating on buildings and nesting in buildings were the main impacts for businesses whilst keeping native birds away was also of concern for landholders
- Identification of hot spot areas including less acknowledged areas such as the Telstra business centre and the Old Bathurst Hospital.
- 72% of businesses don't have any infrastructure to keep pest birds away. Of those that do, netting is the most effective followed by bird spikes.
- 54% of landholders surveyed conduct activities to keep pest birds away of which nest removal, fake predators and scarecrows being the most effective.
- 72% of businesses and 91% of landholders would be willing to participate in pest management programs.

The draft plan will be completed by the consultants in mid April with the final plan expected to be delivered in May 2012.

Financial Implications: The Pest Bird Management Plan was funded through existing allocations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.1
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.1, 30.4, 30.6

MINUTE

15 **Item 9 PEST BIRD MANAGEMENT PLAN: SURVEY RESULTS (37.00350)**

MOVED: P Toole **SECONDED:** M Morse

RESOLVED: That the information be noted.

10 JAPANESE TOUR - 2013 (20.00020)

Recommendation: That the information be noted.

Report: Bathurst Visitor Information Centre has received confirmation of a visit of 250 students from Toyo High School, Japan. The visit will take place from the 8 to 10 March 2013, with various activities held over the 4 days. An official welcome function will be held at Bathurst Panthers on Friday evening with all students to be home hosted with local residents.

A tentative booking has been made to bring a similar sized group in March 2014 & 2015.

Financial Implications: Council to receive a positive financial return from the visit.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1, 4.7
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1

MINUTE

16 **Item 10 JAPANESE TOUR - 2013 (20.00020)**

MOVED: I North **SECONDED:** T Carpenter

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'D R Shaw'. The signature is fluid and cursive, with a large loop at the end.

D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT & MINUTES
18 APRIL 2012

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 18 APRIL 2012**

General Manager
Bathurst Regional Council

1 STATEMENT OF INVESTMENTS (16.00116)

Recommendation: That the information be noted.

Report: \$62,521,107.58 was invested at 31 March 2012 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

Year to Date Averages

(as per the CBA & RBA for comparison purposes)

Reserve Bank of Australia - Cash Rate	4.25%
AFMA - 90 day Bank Bill Swap Rate (BBSW)	4.70%
Three Year Swap Rate - Commonwealth	4.41%

Short Term 1 – 365 Days

(Comprising Commercial Bills,

Debentures and Certificates of

Deposit:

	<u>Rating</u>		<u>Average Return</u>
Bank of Western Australia	A1+	\$4,000,000.00	5.86%
Bank of Queensland	A2	\$6,500,000.00	6.00%
Bendigo and Adelaide Bank	A2	\$4,000,000.00	5.91%
IMB	A3	\$9,000,000.00	5.88%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	5.79%
National Australia Bank	A1+	\$6,500,000.00	5.97%
People's Choice Credit Union	ADI	\$2,000,000.00	5.92%
Railways Credit Union	ADI	\$2,000,000.00	6.15%
SGE Credit Union	ADI	\$1,000,000.00	5.86%
Westpac Banking Corporation	A1+	<u>\$1,500,000.00</u>	<u>5.87%</u>
		<u>\$39,500,000.00</u>	<u>5.93%</u>

Long Term

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

Committed Rolling Investments

Westpac	AA-	\$2,000,000.00	5.56%
Westpac	AA-	\$2,000,000.00	5.73%
Westpac	AA-	\$2,000,000.00	5.71%
Westpac	AA-	<u>\$2,000,000.00</u>	<u>5.55%</u>
		<u>\$8,000,000.00</u>	<u>5.64%</u>

Community Income Note

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

**Fixed, Negotiable & Tradeable
Certificates of Deposits**

Commonwealth Bank	AA	\$2,000,000.00	5.45%
Commonwealth Bank	AA	<u>\$2,000,000.00</u>	<u>5.48%</u>
		\$4,000,000.00	5.46%

Floating Rate Notes

ANZ	AA-	\$2,000,000.00	5.59%
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	6.11%
Bendigo Bank 2007	A-	\$2,000,000.00	5.63%
Bendigo & Adelaide Bank Retail Bond	A-	\$2,000,000.00	5.86%
Lehman Brothers Treasury Co		\$90,000.00	0.00%
The Royal Bank of Scotland – Australia	A+	<u>\$2,000,000.00</u>	<u>6.90%</u>
		<u>\$10,090,000.00</u>	<u>5.96%</u>

Total Investments **\$62,521,107.58** **5.78%**

These funds were held as follows:

Reserves Total (includes unexpended loan funds)		\$33,961,789.94
Grants held for specific purposes		\$3,865,705.90
Section 94 Funds held for specific purposes		\$21,650,921.98
Unrestricted Investments – All Funds		\$3,042,689.76
*General Fund	\$18,660.29	
*Water Fund	\$1,261,188.03	
*Sewer Fund	\$679,669.59	
*Waste Fund	<u>\$1,083,171.85</u>	

Total Investments **\$62,521,107.58**

**Total interest revenue to 31/03/2012
on investments** **\$2,813,646.97** **5.78%**

R Roach
Responsible Accounting Officer

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

17 Item 1 STATEMENT OF INVESTMENTS (16.00116)

MOVED: P Toole SECONDED: B Bourke

RESOLVED: That the information be noted.

2 YEAR TO DATE REVIEW - 2011/2012 MANAGEMENT PLAN AND BUDGET - 31 MARCH 2012 (16.00126)

Recommendation: That the information be noted.

Report: Bathurst Regional Council has in place the Bathurst 2036 Community Strategic Plan which aims to inform the community about the major directions and programs Council is undertaking in shaping the future of the Bathurst Region. These directions are summarised as objectives and strategies in Part VI of the Community Strategic Plan which was adopted by Council on 15 February 2012. The Plan is available for viewing at the council offices at 158 Russell Street or can be downloaded from the Public Documents section of Council's website, www.bathurst.nsw.gov.au. Shown at **attachment 1** is a listing of the Objectives and Strategies from the Bathurst 2036 Community Strategic Plan.

Due to the introduction of the quarterly budget review statement by the Division of Local Government, monthly reporting of financial information will, in the short term, be replaced by quarterly reporting. Quarterly reports will be provided to Council in the months of July, October, February and April.

At **attachment 2** is an update of Strategies for the 2011/2012 Management Plan

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

Fines or penalty notices this month - Nil.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

18 Item 2 YEAR TO DATE REVIEW - 2011/2012 MANAGEMENT PLAN AND BUDGET - 31 MARCH 2012 (16.00126)

MOVED: M Morse SECONDED: B Bourke

RESOLVED: That the information be noted.

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

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

Report: At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 31 March 2012.

Financial Implications: Council's Sundry Section 356 Donations, 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:	\$3,580.76
BMEC Community use:	\$0.00
Mount Panorama:	\$27,527.00

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.6
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2

MINUTE

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

MOVED: W Aubin SECONDED: G Hanger

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

4 POWER OF ATTORNEY (11.00007)

Recommendation: That the information be noted.

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

- BRC/All Saints College - Eglinton Road - Lot 13 & Lot 14, DP1049399 - Transfer.
- Wilson P - Windradyne, Residue Land - Lot 138 and Part Lot 136, DP1123180 - Licence Agreement.
- Bathurst Stamp, Coin and Collectables Club - Park Street - Part Lot 72, DP755779 - Licence Agreement.
- Hotham C - Vale Road - Part Lot 1, DP784476 and Lloyds Road - Lots 134, 137, 138, 144 & 145, DP750357 - Licence Agreement.
- Bathurst Bushrangers ARFC incorporated - Clubhouse George Park - Part Lot 7324 DP1157012 - Licence Agreement.
- Pigott, Harvey, Trevor-Jones Bailey - Bathurst Aerodrome Hanger - Lot 12, DP1041715 - Variation of Lease.
- Harvey K - Evernden Road - Lot 1104, DP1170286 - Transfer.
- Warren Harvey Homes P/L - Evernden Road - Lot 1124, DP1170286 - Transfer.
- Harvey Homes Investments P/L - Evernden Road - Lot 1110, DP1170286 - Transfer.
- Harvey Homes Investments P/L - Evernden Road - Lot 1116, DP1170286 - Transfer.
- Clarke L - Evernden Road - Lot 1125, DP1170286 - Transfer.
- Brennan K - Blaxland Drive - Lot 1119, DP1170286 - Transfer.
- McManus G - Westbourne Drive - Lot 1128, DP1170286 -Transfer.
- Beadman E & Bull L - Westbourne Drive - Lot 1122, DP1170286 -Transfer.
- Gore J & D - Westbourne Drive - Lot 1137, DP1170286 - Transfer.
- Anderson K & P - Westbourne Drive - Lot 1107, DP1170286 - Transfer.

Linen Plan Release

- Bayliss/BRC - 38 Lot Residential Subdivision - Swanbrooke Street, Windradyne.
- Ellis/BRC - Subdivision and Consolidation of Lots 1 & 2, Section 150 and Lot 2, Kendall Avenue.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

20 Item 4 POWER OF ATTORNEY (11.00007)

MOVED: G Hanger SECONDED: I North

RESOLVED: That the information be noted.

5 REQUEST FOR FINANCIAL ASSISTANCE - THE BATHURST SPRING SPECTACULAR (18.00004, 23.00081/071)

Recommendation: That Council donate \$300 to The Bathurst Spring Garden Spectacular towards the cost of the 2012 event from Section 356 Donations.

Report: Council has received a request from The Bathurst Spring Spectacular for financial assistance towards the 2012 event. A copy of the request is provided at **attachment 1**.

Council in the past has supported this event with an amount of \$300 being provided. Monies raised by the group in 2011 allowed them to provide \$14,000 to CanAssist, \$3,000 to Bathurst Independent Living Skills and \$800 to Conservatorium of Music (Bathurst) for the purchase of a musical instrument of choice.

This event allows the gardens of historical Bathurst homes to be shown to visitors and residents.

Financial Implications: This request could be funded from Council's Section 356 Donations which currently has a balance of \$3,580.76.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

21 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - THE BATHURST SPRING SPECTACULAR (18.00004, 23.00081/071)

MOVED: G Hanger SECONDED: T Carpenter

RESOLVED: That Council donate \$300 to The Bathurst Spring Garden Spectacular towards the cost of the 2012 event from Section 356 Donations.

6 REQUEST FOR FINANCIAL SUPPORT - INDUSTRY LINKS PROGRAM (18.00004-23)

Recommendation: That Council contribute \$500 to the Industry Links Program to be funded from Sundry Section 356 Donations.

Report: Council has received a request for financial support towards the operations of the Industry Links Program. The letter of request is shown at **attachment 1**.

This program is run in conjunction with the NSW Department of Education and Training and aims to link schools with businesses and give students the chance to experience a type of business without leaving school and giving students more involvement than just a week of work experience. Council has previously supported this program with a donation of \$500 being made.

Financial Implications: This request would need to be funded from Council's Section 356 Donations which currently has a balance of \$3,580.76

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2

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

MINUTE

22 Item 6 REQUEST FOR FINANCIAL SUPPORT - INDUSTRY LINKS PROGRAM
(18.00004-23)

MOVED: G Hanger SECONDED: T Carpenter

RESOLVED: That Council contribute \$500 to the Industry Links Program to be funded from Sundry Section 356 Donations.

7 REQUEST FOR DISCOUNT - GT NATIONAL CAR EVENT, MARCH 2012 (18.00004)

Recommendation: That Council support the GT National car event by offering a \$20 group pass to attend the National Motor Racing Museum, Australian Fossil and Mineral Museum and Chifley Home.

Report: Council has received a request from the GT National Organisation for a discount on the entry fees at the National Motor Racing Museum, Australian Fossil and Mineral Museum and Chifley Home during their visit to Bathurst in March 2012.

Council has been advised that approximately 1000 people will visit Bathurst during this motor vehicle rally event.

They have requested that Council give consideration to a group discount where tickets are pre purchased and pre paid for the attendees at this rally to attend the three Council attractions during their down time at this event.

The current entry price for one adult for each of the venues are as follows:

- National Motor Racing Museum - \$10.00
- Australian Fossil and Mineral Museum - \$9.00
- Chifley Home - \$8.50

Councillors are requested to give consideration to a discount in accordance with the request from the GT National Organisation.

Financial Implications: Should a group ticket be purchased it will have a positive effect on the income of these three organisations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

23 Item 7 REQUEST FOR DISCOUNT - GT NATIONAL CAR EVENT, MARCH 2012
(18.00004)

MOVED: I North SECONDED: M Morse

RESOLVED: That Council support the 2013 GT National car event by offering a \$20 group pass to attend the National Motor Racing Museum, Australian Fossil and Mineral Museum and Chifley Home.

8 BATHURST DISTRICT HISTORICAL SOCIETY (18.00183)

Recommendation: That Council advise the Bathurst District Historical Society:

- (a) that Council would consider allowing the construction of a storage shed behind the existing annex.
- (b) that Council currently has no funds to assist with the construction of the storage shed.
- (c) that Council will assist the Bathurst District Historical Society with grant fund applications

Report: At the Councillors Meeting with Community Groups session held on 14 March 2012, Bathurst District Historical Society requested assistance from Council in relation to additional storage facilities.

It was proposed that they construct a storage shed in the vicinity of the current annex in lower Mitre Street or, if that land is not available, at some other location.

Bathurst District Historical Society asked Council:

1. would Council fund such a project.
2. would Council assist Bathurst District Historical Society to secure grant funding.
3. could the storage facility be built behind the annex in Mitre Street.

The Bathurst District Historical Society have indicated that the size of the shed they would like to build is 24 x 10 metres. There is an area of approximately 1,000 square metres directly behind the existing annex of which approximately 500 square metres is cleared.

If Council were to approve construction of a shed behind the annex, access to the rear of the block would still be available from behind the Bridge Club.

Please find attached the following documents for your information.

- **attachment 1** - site plan
- **attachment 2** - aerial photo
- **attachment 3** - photo of existing annex

It is recommended that Council advise the Bathurst District Historical Society:

- (a) that Council would consider allowing the construction of a storage shed behind the existing annex.
- (b) that Council currently has no funds to assist with the construction of the storage shed.
- (c) that Council assist the Bathurst District Historical Society with grant fund applications

Financial Implications: Nil, at this stage.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.1, 21.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

MINUTE

24 Item 8 BATHURST DISTRICT HISTORICAL SOCIETY (18.00183)

MOVED: M Morse SECONDED: I North

RESOLVED: That Council advise the Bathurst District Historical Society:

- (a) that Council would consider allowing the construction of a storage shed behind the existing annex.
- (b) that Council currently has no funds to assist with the construction of the storage shed.
- (c) that Council will assist the Bathurst District Historical Society with grant fund applications
- (d) that Council consider funding for the project in the 2012/2013 Budget.

9 REQUEST FOR FINANCIAL ASSISTANCE - COUNTRY WOMEN'S ASSOCIATION OF NSW (18.00004, 14.00065-05/058)

Recommendation: That Council donate \$105 to Country Women's Association of NSW towards the cost of Health Inspection Fee for their Bathurst Show site from Section 356 Donations.

Report: Council has received a request from Country Women's Association of NSW for financial assistance towards the cost of the Health Inspection Fee for their Bathurst Show site. A copy of the request is provided at **attachment 1**.

Country Women's Association of NSW is a not for profit organisation.

Financial Implications: This request could be funded from Council's Section 356 Donations which currently has a balance of \$3,580.76.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

25 Item 9 REQUEST FOR FINANCIAL ASSISTANCE - COUNTRY WOMEN'S ASSOCIATION OF NSW (18.00004, 14.00065-05/058)

MOVED: B Bourke SECONDED: I North

RESOLVED: That Council donate \$105 to Country Women's Association of NSW towards the cost of Health Inspection Fee for their Bathurst Show site from Section 356 Donations.

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENGINEERING SERVICES' REPORT & MINUTES
18 APRIL 2012

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL MEETING HELD ON 18 APRIL 2012**

General Manager
Bathurst Regional Council

1 REQUEST TO NAME MACQUARIE RIVER WALKWAY/CYCLEWAY (04.00015)

Recommendation: That Council resolve to act in accordance with the recommendation contained within the body of the Report.

Report: Council has received a request from Greening Bathurst to consider naming a walkway/cycleway adjacent to the Macquarie River in memory of the late Nevil Barlow. A copy of the correspondence is at **attachment 1** for information.

To honour the memory of Nevil Barlow and recognise his service to the Bathurst Community as a former Mayor and additionally his contribution to enhancement works on the Macquarie River as the founder and Chair of Macquarie Rivercare, the walkway/cycleway within the Macquarie River Bicentennial Park would be ideally suited to bearing his name.

Under Council's Procedures for Naming of Council Facilities, all the applicable criteria have been met, including the required public display period for these issues with nil responses being received. However, in this instance Council has not forwarded the request to name the walkway/cycleway to any other party as Macquarie Rivercare would be the most appropriate body but has now been absorbed by Greening Bathurst who made the request. Additionally, the Geographic Names Board has advised that provided that an area of reserve or park has been named, Council is able to name any facility within that named area. This situation would apply in this instance, if Council acceded to the request.

In this instance, it is recommended that Council accede to the request to name the walkway/cycleway which runs from Hereford Street to the Denison Bridge within the Macquarie River Bicentennial Park in recognition of the late Nevil Barlow. An appropriate wording could be "Nevil Barlow Pathway".

Financial Implications: If Council agrees to have the walkway/cycleway named, the cost of a simple aluminium sign 300mm x 200mm with the wording "Nevil Barlow Pathway" or wording to that effect at either end of the track will cost approximately \$500 to \$600. No funding source has been identified if Council takes this action.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5, 30.8

MINUTE

26 Item 1 REQUEST TO NAME MACQUARIE RIVER WALKWAY/CYCLEWAY
(04.00015)

MOVED: I North SECONDED: T Carpenter

RESOLVED: That Council resolve to act in accordance with the recommendation contained within the body of the Report.

2 ROAD RESEALING PROGRAM (16.00061)

Recommendation: That Council carry over unspent reseal funds as at 30 June 2012 to the 2012/2013 Management Plan.

Report: Council's annual Management Plan always includes allocations for the completion of Reseals of the Local Road network.

The budget for the current financial year included the following:

Urban Reseals:	\$461,100
Rural Reseals:	\$539,488

The general method of completion of the reseals is the utilisation of Council's sealing contractor commencing in November and completion preferably before the end of February each financial year. The timing of this is due to the specification requirements to obtain appropriate road pavement temperatures and to avoid cold night time temperatures typically experienced in the Central Tablelands. This is essential to prevent the stripping of the completed reseal works.

A number of the rural reseals have been completed but no urban reseals were carried out during the current sealing season. This is due to the extended period of wet weather that virtually eliminated the booked and allocated times of the contractor's availability and resulted in many Councils requiring the contractor's services and unable to complete their programs.

A road pavement actually has a deterioration curve similar to **attachment 1** which displays a sustained period of excellent condition from its construction date with an accelerating rate of deterioration to a point where in very poor condition it levels out.

The condition can be renewed at an initial warning level to near new condition and the deterioration curve recommences. The typical type of maintenance required at this warning level is generally minor defect repairs and resealing.

To leave the pavement to deteriorate further without intervention of resealing will result in the pavements accelerated degradation to a point where the pavement is not redeemable and requires rehabilitation and or reconstruction.

To fund and carry out timely and effective maintenance by resealing results in overall cost savings on the road network as work is carried out before the intervention level is reached.

The life of the road pavement can only be realised if it is adequately maintained. When building any asset it must be realised that funding is essential to maintain that asset.

Resealing a road pavement is the process of spraying bitumen and placing aggregate over the bitumen. The process rejuvenates the existing seal and prevents the ingress of water into the pavement by sealing off cracks. As seals and asphalt ages the bitumen becomes brittle and cracks. This is the main area that resealing

addresses.

Resealing frequency depends on the amount of cracking in the seal and this in turn is dependant on other factors including level of traffic and rainfall.

The correct resealing period for flush sealed roads is in the vicinity of 10 to 12 years. Resealing of asphalt surfaces, should initially be done between 15 to 18 years.

The purpose of this report is to highlight the importance and need for the resealing program and to ensure that in the current circumstances of being unable to complete the program due to ongoing weather conditions, the program is carried over to the next resealing season and not abandoned as to do so would be counterproductive and increase costs in the long run.

Financial Implications: Adoption of the recommendation will result in current allocated funding to be transferred to the 2012/2013 financial year.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

27 **Item 2 ROAD RESEALING PROGRAM (16.00061)**

MOVED: P Toole SECONDED: I North

RESOLVED: That the matter be deferred for consideration at a later date.

Yours faithfully



Doug Patterson
DIRECTOR
ENGINEERING SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT & MINUTES
18 APRIL 2012

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 18 APRIL 2012**

General Manager
Bathurst Regional Council

1 SENIORS' WEEK 2012 (18-25 MARCH 2012) (07.00016)

Recommendation: That the information be noted.

Report: In 2012, a full program of events took place in Bathurst during Senior's Week 2012, which ran from 18 to 25 March, offering over 15 diverse activities for seniors to enjoy. Events included mobility scooter workshops, recycling workshops, sing-a-longs, a Twitter and Facebook workshop, discounted movie days and a relaxing morning tea at Miss Traill's House.

The events involved partnerships between Council and the Seymour Centre, Home Care, Country Women's Association, Miss Traill's House, Uniting Church, Mitchell Conservatorium and Bathurst Senior Citizens Centre. Council's Road Safety Officer, Environmental Programs Officer and Environmental Officer each organised workshops during the week. The Bathurst Library hosted a Twitter and Facebook Workshop.

The musical highlight of the week was 'Side by Side by Sondheim', a tribute to acclaimed American composer and lyricist Stephen Sondheim. An audience of 260 people enjoyed the two hour long show.

The 25th year of Seniors Week Visits at the Bathurst Agricultural Research Station was celebrated on Tuesday, 20 March. Over 70 seniors enjoyed the Assumption School band performing Australian Classics at the opening of the BBQ. The band was followed by a talk on the history and future of the Primary Industries Centre by former employee, Roy Menzies. A delicious BBQ lunch cooked by Primary Industry staff was followed by the official proceedings of the day. Commemorative plaques, celebrating their long-term commitment to the event, were presented by Mayor Greg Westman to the Primary Industries Centre, Bathurst RSL Club and Seniors Week Committee member Betty McSpadden. The day came to a close with seniors filling their bags with fruit from the Station's trees.

Participation at all events was good, with over 100 people participating in the Seniors Citizens Concert, 350 attending the movies, 54 attending the Miss Traill's morning tea and the Twitter and Facebook Workshop filled to capacity.

Feedback about all activities, from both participants and organisers was overwhelmingly positive. The Seniors Week Organising Committee has already been contacted by various organisations wanting to participate in Seniors Week 2013.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and Strategy 20.1, 20.3

enhance cultural and social activities across the community.

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.2
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1, 23.3, 23.5, 23.6
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5, 30.6

MINUTE

28 Item 1 SENIORS' WEEK 2012 (18-25 MARCH 2012) (07.00016)

MOVED: P Toole SECONDED: T Carpenter

RESOLVED: That the information be noted.

2 HARMONY DAY EVENT (SUNDAY, 18 MARCH 2012) (09.00032)

Recommendation: That the information be noted.

Report: Harmony Day was celebrated with a picnic and festivities on Sunday, 18 March 2012 in Peace Park. Approximately 40 people of diverse cultural backgrounds celebrated the cultural diversity of the Bathurst region and the importance of inclusiveness, respect and acceptance.

Participants enjoyed a leisurely walk around the river before a relaxing lunch with friends and family.

As the 2012 theme for Harmony Day was 'Sport – play, engage and inspire' a range of outdoor games was arranged. Participants had the opportunity to join in games including potato races, thong throwing and five aside soccer. Bathurst's Mayor, Greg Westman, captained the 'Bubble and Squeaks', whilst Eric Mayhew, Bathurst's Youth Mayor, captained the 'Marshmallows' in an action packed game.

The Culturally Diverse Working Group was disappointed with the poor attendance, particularly in light of the extensive promotion of this event. A review the event will be undertaken prior to 2013.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1, 20.3
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1, 23.3, 23.5, 23.6
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5, 30.6

MINUTE

29 Item 2 HARMONY DAY EVENT (SUNDAY, 18 MARCH 2012) (09.00032)

MOVED: T Carpenter SECONDED: W Aubin

RESOLVED: That the information be noted.

3 BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE (07.00100)

Recommendation: That the information be noted.

Report: The Bathurst Regional Community Safety Committee met for the first time on Tuesday, 28 February 2012 at 10.00am at Bathurst Regional Council. The Mayor Cr Greg Westman and Cr Ian North are Council's delegates on the committee. The Mayor was nominated and accepted the position of Chair of the Committee. A short presentation was then given by the Director Cultural and Community Services on the development of the Bathurst Community Safety Plan 2011–2014 its aims and objectives. These included the need to work in partnership, in a proactive and preventative approach, to addressing targeted crimes within the Bathurst region.

A terms of reference was then finalised by the committee, a copy of which is at **Attachment 1**. The model of operation of the Bathurst Regional Safety Committee will involve quarterly meetings of the committee with working parties identified and meeting as required.

The following five actions from the Community Safety Plan were identified as priorities:

- 1.2.8 Investigate the effectiveness of Closed Circuit Television (CCTV) in preventing incidents of malicious damage and non-domestic related violence particularly at night in the hotspot areas of the CBD.

Workshop coordinator – Charles Sturt University

- 2.1.3 Develop a tip sheet that encourages business in the CBD to adopt target hardening principles – including increasing lighting, improving natural surveillance, removing loose items on the street front and installing safety glass.

Workshop coordinator – Bathurst Business Chamber

- 2.4.1 Develop an education campaign targeting local residential hotspots and public car parks, which increase awareness of methods which reduce the opportunity for stealing from their motor vehicle.

Workshop Coordinator – Bathurst Regional Council

- 3.2.1 Develop a Bathurst specific Party Safe Kit for hosts of private parties in the Bathurst area which provide advice on how to host safe social events in Bathurst. Kits will be accessible form various local organisations websites and in hard copy in numerous community organisations and schools.

Workshop Coordinators – Bathurst Police, NSW Health

- 3.3.1 Develop a Senior safety tip sheet that can be distributed through seniors' organisations, Council facilities and down loaded from Council's website. The tip sheet will provide ideas on how to target harden their properties in regards to malicious damage, break and enter dwelling and steal from motor vehicle. The tip sheet will also provide local contact numbers and provide information about existing programs that enable older people to live safely in their own home, such as the SABRE program conducted by the NSW Fire Brigade and Red Cross Telecross.

Workshop Coordinator – Bathurst Regional Council

Workshops will meet and progress the actions before the next meeting of the Committee.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 22: To improve community safety. Strategy 22.1, 22.2, 22.3
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1, 23.5, 23.7, 23.8
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5, 30.6

MINUTE

30 **Item 3 BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE (07.00100)**

MOVED: I North **SECONDED:** T Carpenter

RESOLVED: That the information be noted.

4 AUSTRALIAN FOSSIL & MINERAL MUSEUM - AUSTRALASIAN INSTITUTE OF MINING AND METALLURGY (AUSIMM) JOURNAL PAPER (21.00106)

Recommendation: That the information be noted.

Report: The Australasian Institute of Mining and Metallurgy (AusIMM) represents over 1,000 individuals working in the global minerals industry. The focus of AusIMM is on promoting excellence across all professional disciplines through advocacy and provision of continuing professional development opportunities.

The Australian Fossil and Mineral Museum has been approached by the AusIMM to present a paper for inclusion in the AusIMM Journal. This paper has been printed in the April issue. A broad range of mining industry professionals, boards, investors and workers will be exposed to the article on the Australian Fossil and Mineral Museum.

A copy of the paper is provided at **Attachment 1**.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.1
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.2, 20.4
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.4, 30.6

MINUTE

**31 Item 4 AUSTRALIAN FOSSIL & MINERAL MUSEUM - AUSTRALASIAN
INSTITUTE OF MINING AND METALLURGY (AUSIMM) JOURNAL PAPER (21.00106)**

MOVED: M Morse SECONDED: G Hanger

RESOLVED: That the information be noted.

Yours faithfully



Annabell Miller
**DIRECTOR
CULTURAL & COMMUNITY SERVICES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
POLICY COMMITTEE MEETING

**POLICY COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 18 APRIL 2012**

General Manager
Bathurst Regional Council

1 MINUTES - POLICY COMMITTEE MEETING - 4 APRIL 2012 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 4 April 2012 be adopted.

Report: The Minutes of the Policy Committee Meeting held 4 April 2012, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

32 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 APRIL 2012 (07.00064)

MOVED: I North SECONDED: B Bourke

RESOLVED: That the recommendations of the Policy Committee Meeting held on 4 April 2012 be adopted.

Cr Thompson arrived at the meeting at 7.02 pm.

MINUTES OF THE POLICY COMMITTEE
HELD ON 4 APRIL 2012

MEETING COMMENCES

1 MEETING COMMENCES

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

In attendance: General Manager, Director Corporate Services & Finance, Director Cultural & Community Services, Director Engineering Services, Acting Director Environmental Planning & Building Services, Manager Corporate Governance, Manager Recreation, Manager Technical Services, Manager Water & Waste, Acting Manager Environment.

APOLOGIES

2 APOLOGIES

MOVED Cr I North

and **SECONDED** Cr B Bourke

RESOLVED: That the apologies from Cr Toole & Carpenter be accepted and leave of absence granted. Cr Hangar advised that he will be arriving late to the meeting.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 MARCH 2012 (07.00064)

MOVED Cr B Bourke

and **SECONDED** Cr W Aubin

RESOLVED: That the Minutes of the Policy Committee Meeting held on 7 March 2012 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

MOVED Cr B Bourke

and **SECONDED** Cr W Aubin

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

5 Item 1 INTRODUCTION OF USER FEES: LIVESTOCK IMPOUNDING YARDS (22.00165)

MOVED Cr I North

and **SECONDED** Cr R Thompson

RESOLVED: That Council endorse the introduction of a deposit and hire fee

associated with the use of Council's Stock Impounding Yards and note that the proposed fee structure will be exhibited as part of the 2012/13 Revenue Policy.

Director Corporate Services & Finance's Report

- 6** **Item 1 THE IMPACT OF COST SHIFTING ON NSW LOCAL GOVERNMENT: A SURVEY OF COUNCILS - FINANCIAL YEAR 2009/2010 (03.00020)**
MOVED Cr W Aubin and **SECONDED** Cr M Morse

RESOLVED: That the information be noted.

- 7** **Item 2 DELEGATIONS REGISTER REVIEW (41.00088)**
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That Council adopt the Delegations Register as tabled.

GENERAL BUSINESS

- 8** **RAGLAN CREEK - GREAT WESTERN HIGHWAY (31.00006)**

Cr Bourke - expressed concern at overflowing and the closing of the Highway. Last drained creek 25 years ago, why can't we do it again? Asked Director Engineering Services to investigate how we can clear the creek. Can we please apply to clear the Creek?

The Director Engineering Services noted last time clearing occurred was in 1998, mainly Learmonth Park area. Referred to design work that has occurred for overflow channel and land purchases including Department of Lands re Crown owned property. Roads & Maritime Services have engaged GHD to do a statement of environmental effects. Main issue will now be provision of funding to undertake the works. Clearing out creek will not solve the problem, the best thing is to get the open channel, which will resolve the majority of the issues. Unlikely to get approval to clear the reeds

- 9** **SALEYARDS (22.12383)**

Cr Bourke - asked where are we up to with these, remediation, particularly mentioning site and the future use. Could advice be provided to next meeting.

- 10** **RAGLAN CREEK (31.00006)**

Cr North - asked could a report come to Council on possible application to clear Raglan Creek.

- 11** **FLOODING, MORRISSET STREET (25.00026)**

Cr North - asked can a report come back to Council on the issue of the flooding around Morrisset Street. Noted meeting held with residents yesterday on this

matter.

12 **FIFTY YEARS, MT PANORAMA - V8's (04.00001)**

Cr North - asked will a report be coming to Councillors on the events for this year that can be held.

The Director Corporate Services & Finance noted discussions have been held with V8's. Councillors have been provided with a memo on this. Councillors will continue to be kept informed.

13 **HERITAGE PLAN (20.00162)**

Cr North - noted latest version is on the website, well done by Council.

14 **AERODROME (21.00008)**

Cr North - queried whether Management Plan will allow for sewerage to be connected now that Development Application has been received for Airforce Cadets.

The Director Engineering Services spoke to use of a septic system and the cost of putting a sewerage line in.

15 **ROCKLEY TIP (14.00075)**

Cr North - advised residents have queried opening hours of the tip. Can Council look at this and have a report back to Council.

16 **AFL - LIQUOR LICENCE 04.00112)**

Cr North - advised appears to be change in what the Licensing Sergeant will allow. These are being limited to 9 pm. What involvement does Council have. Can Council check to see if this will impact other facilities, e.g. Rugby Union.

17 **JOINT TICKET FOR CULTURAL FACILITIES (20.00020)**

Cr North - thanked Council for response to request for multi-ticket option.

18 **ILLEGAL DUMPING OF WASTE (26.00004)**

Cr North - advised that apparently a local company has just been fined for illegal dumping of waste. Was Council aware of this?

The Environmental Officer advised Council was aware that EPA was taking action against a private company in the region.

19 **CARBON TAX 16.00130)**

Cr Aubin - asked do we know the impact of this on Council?

The General Manager spoke to NGRS audit undertaken and that a credit has been approved for the methane flare.

20 **CULTURAL POLICY - PUBLIC ART (11.00003)**

Cr Morse - asked could Council consider developing a Public Art Policy as a matter of urgency, independently of the Cultural Policy.

21 **STOCKLAND CARPARK - SAFETY ISSUES (22.00046)**

Cr Morse - advised there are problems at the entrance into Howick Street. Has a traffic study been done and has any actions been determined.

The Director Engineering Services advised matter was looked at by the Road Safety Officer, not aware of any recommendations/actions that have come out of this.

22 **2013 CELEBRATIONS (20.00153)**

Cr Morse - advised Council entered into a Memorandum of Understanding with Penrith, Lithgow and Blue Mountains Councils in November 2011. Celebrations start in May 2013 in those councils. Council need to look at some small events for 2013 and 2014 which are separate to Bathurst Regional Council's 2015 activities.

23 **WASTE BIN - LIBRARY/ART GALLERY (21.00021)**

Cr Morse - thanked Council for installing an extra bin at this area.

24 **LAND IMPROVEMENT AWARDS (13.00064)**

Cr Thompson - asked can we approach Bathurst Show Society to make relevant announcements at the Show.

The Acting Director Environmental Planning & Building Services advised will look into this.

25 **ARCHIBALD PRIZE - TIM STORRIER (23.00013)**

Cr Thompson - advised we need to recognise this at Council. This is a great thing. Perhaps a Mayoral Reception would be a good idea. Also, Council has no honour roll for the arts or environment, can we have a Working Party to discuss this.

26 **RAGLAN CREEK REPORT (31.00006)**

Cr Thompson - advised encourages a report be provided to Council, feel unlikely will be ready for the April meeting.

The Mayor confirmed report unlikely to be ready for April, more likely for the May 2012 meeting.

27 **NSW COMBINED HIGH SCHOOLS CRICKET (23.00026)**

Cr Hanger - advised competition has been held in Bathurst this week. Glowing reports about the City were received. Council was outstanding in the service provided.

MEETING CLOSE

28 **MEETING CLOSE**

The Meeting closed at 5.42 pm.

CHAIRMAN: _____

Date: _____ **(18 April 2012)**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
TRAFFIC COMMITTEE MEETING

**TRAFFIC COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 18 APRIL 2012**

General Manager
Bathurst Regional Council

1 MINUTES - TRAFFIC COMMITTEE MEETING 3 APRIL 2012 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 3 April 2012 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 3 April 2012, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

33 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING 3 APRIL 2012 (07.00006)

MOVED: W Aubin SECONDED: I North

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 3 April 2012 be adopted.

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 3 APRIL 2012

MEETING COMMENCES

1 MEETING COMMENCES

Members: Cr Warren Aubin (Chair), Sgt Luke Cole (Police), Trevor Hendry (Roads and Maritime Services), David Veness (MP Representative)

Present: Manager Technical Services, Road Safety Officer, Traffic Engineer/Senior Technical Officer, Manager Development Assessment, Acting Manager Environment

APOLOGIES

2 APOLOGIES

Nil

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 6 MARCH 2012 (07.00006)

That the Minutes of the Traffic Committee Meeting held on 6 March 2012 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 6 MARCH 2012 (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 ROCKLEY ANZAC DAY SERVICE AND MARCH 2012 - TEMPORARY ROAD CLOSURES (23.00076/59)

That Council approve the holding of the Anzac Day Service and March within Rockley on Wednesday, 25 April 2012. The Commemorative Service road closure

and the Anzac Day March are to be classified as a Class 2 Event, as detailed in the Director Engineering Services' report.

8 **Item 4 REQUEST FOR 2P PARKING OUTSIDE BATHURST LIQUIDATION CENTRE 124 KEPPEL STREET (28.00006-09)**

That 2P Parking outside 124 Keppel Street not be approved.

9 **Item 5 DRIVER ACCESS 166-170 RUSSELL STREET BATHURST (2010/0784)**

That Council approve the angled parking driver access option with conditions, as detailed in the Director Engineering Services' report.

10 **Item 6 CAIRN ANZAC DAY SERVICE 2012 – TEMPORARY SPEED RESTRICTION ON LIMEKILNS ROAD (23.00076/59)**

That Council approve the holding of the Anzac Day Service at the Memorial Cairn with a temporary speed restriction of 40km/hr on Limekilns Road on Wednesday 25 April 2012. The Commemorative Service and temporary speed restriction to 40km/hr is to be classified as a Class 2 Event, as detailed in the Director Engineering Services' report.

11 **Item 7 BATHURST HALF MARATHON EVENT 2012 (23.00110-01)**

That Council classify the Bathurst Half Marathon and 10 km Run to be staged on Sunday 6 May 2012 as a Class 2 event, and approve the event subject to conditions detailed in the Director Engineering Services' Report.

12 **Item 8 BATHURST ANZAC DAY SERVICE AND MARCH - 2012, TEMPORARY ROAD CLOSURES WITHIN CBD (23.00076/59)**

That Council approve the holding of the 2012 Anzac Day Service and March within the Bathurst Central Business District on Wednesday 25 April 2012. The Dawn Service road closure and the Anzac Day March are to be classified as a Class 2 Event, as detailed in the Director Engineering Services' report.

13 **Item 9 BATHURST'S BIGGEST EXPO (23.00026-044)**

That Council classify Bathurst Biggest Expo to be staged on Saturday 17 November and Sunday 18 November 2012 at the Bathurst Showground as a Class 2 event, and approve the event subject to conditions detailed in the Director Engineering Services' Report.

14 **Item 10 ALL SAINTS CATHEDRAL "NO PARKING, WEDDINGS AND FUNERALS ONLY" REMOVABLE SIGN (28.00006-09)**

That Council install "No Parking, Weddings and Funerals Only" signage in Church Street in front of All Saints Cathedral for the full length of the kiss and ride style bay.

15 **Item 11 NO PARKING REQUEST CUMMINGS STREET BATHURST (23.00026)**

That Council not approve the request for no parking signs in Cummings Street West Bathurst.

16 Item 12 PROPOSED DIRECTIONAL SIGNAGE TO BATHURST GOLF DRIVING RANGE (28.00007-04/065)

That Council approve the installation of directional signage to the Bathurst Golf Driving Range at 81 Eglinton Road, at the intersection of the Mitchell Highway and Bradwardine Road.

Director Environmental Planning & Building Services' Report

17 Item 1 CHANGES TO TRAFFIC SIGNS IN SIMPSONS LANE (25.00493)

That the Traffic Committee approve the following changes to signage in Simpsons Lane and Bathurst City Centre loading dock:

- (a) Install an additional 'No Stopping' sign on the south western side of Simpsons Lane
- (b) Replace the 'No Stopping' signs with 'No Parking' signs in front of the Bathurst City Centre loading docks

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 & MINUTES

**DELEGATES REPORTS TO THE ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL MEETING HELD ON 18 APRIL 2012**

General Manager
Bathurst Regional Council

**1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 14
MARCH 2012 (11.00019)**

Recommendation: That the information be noted.

Report: **Present:** Crs Westman (Chair), Aubin, Bourke, Carpenter, Morse, North, Thompson

In attendance: General Manager, Director Corporate Services & Finance, Director Engineering Services, Director Cultural & Community Services, Director Environmental Planning & Building Services, Manager Corporate Governance.

APOLOGIES: Cr Toole, Cr Hanger

1. BATHURST HISTORICAL SOCIETY (18.00183)

Chris Morgan, Marion Perry and Alan McRae attended the meeting and gave a background of the operations of the Bathurst Historical Society.

Discussion included:

Showed examples of objects and photos and advised that they currently hold:

- 5,000 objects
- 30,000 documents
- 250,000 photographs and textiles
- Oldest wedding dress in Australia
- Have hard copies of nearly all the Bathurst newspapers

Other points raised include:

- Society has 325 members
- Research team - deal with research requests
- Publish a calendar of events
- Publish newsletter, weekly newspaper column
- Group of volunteers who work in museum
- Volunteer based - no one gets paid
- Have one of the biggest collections of images in a regional city
- Operating 60 years - financial position strong. A lot of that strength is in assets, scanners etc

Storage:

- Currently have the Annex in Mitre Street
- Recently installed a new computer system
- Annex is full
- Have need for more storage

- Have museum - plans to increase display area
- Have to be selective in accepting new objects, particularly large ones
- Asking for advice - shed similar to Sofala (cost approximately \$50,000)
- Flat area behind Annex would be ideal for shed
- 200 year celebrations of Bathurst are coming up - may be an opportunity to seek grant funding

Request from Council:

1. Would Council fund such a project?
2. Seek Council help in securing grant funding
3. Would it be able to be built behind the Annex in Mitre Street

Over next 4 years expect a huge number of requests as 200 year celebrations are coming up.

A report will be prepared for the next Council Meeting on this project.

2. CATHOLIC CATHEDRAL RESTORATION PROJECT (11.00019)

Bishop Michael McKenna, Phillip Burgett and Hugh O'Reilly attended the meeting to discuss their project for the St Michaels and St Johns Cathedral Restoration.

Discussion included:

- Cathedral dedicated 1861
- 3 main extensions 1897, 1922, 1961
- Diocese established in 1865 - church became a cathedral in the same year
- Bicentenary of Bathurst and Sesqui Centenary of Diocese occur in 2015
- Substantial deterioration of external and internal sandstone and brick work
- Seeking registration in NSW Heritage Register

Major Works required:

- Major issues with salt attack and rising damp
- External and Internal sandstone and brick work damage
- Poor drainage around Cathedral

To Date

- Conservation Management Plan completed
- Study of issues and scope of works completed
- First stage to be the restoration of the Bell Tower

Timeline

- Public Launch 29 June 2012
- Commence work on the Bell Tower and drainage late 2012/early 2013
- Repair salt attack and rising damp in 2013 and 2014 - dependent on funding
- Intention to complete by 2015

Assistance sought from Council

Over 3 years

- Inclusion in Council's planning for Celebrations of Bicentenary in 2015
- Adoption of project as one of city's bench mark projects for Bicentenary year
- Cooperation in seeking State/Federal grants

Assistance in kind

- Consideration of waiving fees for planning and development consent
- Provision of equipment/labour for works on street scape
- Professional assistance of Council staff - heritage advice and Government Grant applications

Cash Assistance

- Annual financial contribution of \$15,000 pa over 3 years
- Financial support for recording history of the cathedral for 2015

A report will be prepared for the next Council Meeting on this project

3. CRUDINE RIDGE WIND FARM (20.00010)

Ed Mounsey, Siobham Isherwood, Brendan Cole, Malcolm Healey and Grant Christofferson attended the meeting.

Discussion included:

- Joint Venture - Wind Prospect Group and Continental Wind Partners
- 20% of electricity supply to be renewable by 2020 - State Government requirement
- Responsibility of big energy retailers to achieve target
- Need 10,000 mega watts to comply Australian wide
- NSW will contribute approximately 3,000 mega watts

Crudine Ridge Wind Farm close to DA submission

- 2 potential layouts - 77 turbines or 106 turbines
- Approximately 165 mega watts installed capacity
- 17 land owners involved
- 15km transmission line from site to connect to main power line
- 1/5 of turbines in BRC area
- Project assessments complete
- Extensive public consultation - 2 open days at Pyramul
- Submission of DA in April
- 60 days exhibition - response to submissions - if approved, finance then construction (18 months)
- only one residence not involved in project within 2km
- planting and screening will be done where appropriate
- associated infrastructure is located in low visibility areas

Noise

- No exceedance at any surrounding residences

Road Access

- Two main access - North end (Mid Western) and South end (off Hill End Road - Turondale)
- North end will be the main transport access during construction

Traffic Volumes - Southern access route

- Light vehicles - 80 vehicles per day and 40 vehicles per hour
- Standard Heavy - 99 vehicles per day and 20 vehicles per hour
- Over size vehicles - 0

Road Usage

- Develop construction Traffic Management Plan
- Dilapidation surveys prior to commencement

4. BATHURST MENS SHED INC - WORKSHOP PROJECT 2012 (18.00260/019)

Brian Burke and David Buckby attended the meeting to discuss the Bathurst Mens Shed Inc Workshop Project 2012.

Discussion included:

- Aims of the Mens Shed are improving the health and well being of men
- Don't have funds or location to build a big shed
- Last ditch attempt to save Mens Shed
- Asking Council to provide a block of land for a shed
- Need is growing (10% of population is retired)
- As a community have a problem we need to address
- Have access to a shed kit at reasonable price
- Labour to construct is available
- Could do it over 3 year period
- needs to be located reasonably central
- DCSF to prepare report on alternative locations

A Councillor Working Party will be held in relation to this project.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- | | |
|---|---------------|
| ● Objective 23: To encourage a supportive and inclusive community. | Strategy 23.3 |
| ● Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. | Strategy 30.5 |
| ● Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. | Strategy 32.2 |

MINUTE

**34 Item 1 COUNCILLORS MEETING WITH COMMUNITY
GROUPS/REPRESENTATIVES - 14 MARCH 2012 (11.00019)**

MOVED: B Bourke SECONDED: W Aubin

RESOLVED: That the information be noted.

2 MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING HELD ON 13 MARCH 2012 (11.00020)

Recommendation: That Council:

- (a) Note the information; and
- (b) Adopt the membership for the Bathurst Regional Youth Council for 2012.

Report: MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING HELD ON 13 MARCH 2012

PRESENT: Keira Germech, Trent Ramsay, Gulliver Newell, Peter Deacon, Hayden Callan, Anne Murray, Caitlyn Barton, Geordie Mulholland, Sarah Harvey, Eric Mayhew, Laura Cole, Khaitlyn Nott, Meghan Daymond, Miko Marquez, Kenneth Turner, Erin Brouff, Lily Douglas, Samantha Lloyd, Emma Pullinen

IN ATTENDANCE: Megan Bargwanna (Youth Development Officer), Janelle Middleton (Manager Community Services), Lyndal Tuckey (Trainee Cultural & Community Services), Mayor Greg Westman, Angela Maynard (headspace), Nathan Inwood, Mitchell Dwyer

1. APOLOGIES

RESOLVED that apologies from Leilani Vakaahi and Kanja le Roux be accepted.

2. ADOPTION OF PREVIOUS MINUTES

RESOLVED that the minutes of the meeting held 10 November 2011 be accepted.

Moved: Laura Cole

Seconded: Hayden Callan

3. YOUTH COUNCIL STRUCTURE

RESOLVED that the Youth Council structure be as follows:

- (a) That the following structure apply for 2012:

- Youth Mayor (1 position)
- Youth Deputy Mayor (1 position)
- Youth Secretary (2 positions)
- Public Relations (2 positions)
- Web Master (1 position)

- (b) The positions at item (a) above will be elected by all youth councillors at the first meeting of the full Youth Council.

4. ELECTION OF YOUTH MAYOR AND YOUTH DEPUTY MAYOR

RESOLVED that, by process of secret ballot, Youth Councillor Eric Mayhew be elected as

Youth Mayor of Bathurst for 2012 **and further** that Youth Councillor Laura Cole be elected as Youth Deputy Mayor of Bathurst for 2012.

5. NOMINATION AND APPOINTMENT OF YOUTH COUNCIL SECRETARIES, PUBLIC RELATIONS AND WEB MASTER

RESOLVED that, by process of determination through secret ballot, the following representatives hold the following positions on the Bathurst Regional Youth Council for 2012:

Youth Council Secretary - Lily Douglas
Youth Council Secretary - Peter Deacon
Youth Council Public Relations - Caitlyn Barton
Youth Council Public Relations - Khaitlyn Nott
Web Master – Emma Pullinen

6. YOUTH COUNCIL MEMBERSHIP

RESOLVED that the Youth Council request the Senior Council to adopt the membership for the Bathurst Regional Youth Council for 2012.

7. YOUTH COUNCIL MEETINGS FOR 2012

RESOLVED that the Youth Council note the following meeting schedule for 2012 and hold working party meetings as required:

<u>MONTH</u>	<u>MEETING DAY & DATE</u>		<u>AGENDA CLOSES</u>
March	Tuesday	13 March	28 February
May	Tuesday	8 May	24 April
July	Tuesday	24 July	10 July
September	Tuesday	11 September	28 August
November	Tuesday	13 November	30 October

8. YOUTH COUNCIL WORKING PARTIES (3) AND PROJECTS

RESOLVED that the Youth Council:

- (a) Establish the following working parties and consider the following project ideas during 2012;
- (i) **Cultural/health:** youth space/relaxing area, street art wall/mural around community, promoting services available for young people including headspace
 - (ii) **Environmental:** environmental competition day, bushwalk or outdoor education
 - (iii) **Social/Events:** high school sports competition, disco/social
- (b) Note the following teams be selected for each working party.
- (i) **Cultural/health:** Trent, Peter, Sarah, Khaitlyn, Lily, Erin, Keira
 - (ii) **Environmental:** Anne, Eric, Geordie, Meghan, Caitlyn, Gulliver
 - (iii) **Social/events:** Peter, Hayden, Caitlyn, Geordie, Sarah, Laura, Khaitlyn,

Meghan, Miko, Kenneth, Erin, Lily, Samantha, Emma

- (c) Note that meeting dates be set and emailed to the teams by the Youth Development Officer, after Youth Week is held.

9. NATHAN INWOOD- NEW SOUTH WALES YOUTH WEEK YOUNG PEOPLE'S ADVISORY COMMITTEE MEMBER (YPAC)

- Nathan was on the Youth Council from 2009 to 2010 inclusive, and held the position as trainee, Cultural & Community Services in 2011.
- Nathan sits on two state committees:
 - (1) NSW YAC (Youth Advisory Council) which provides advice to the Minister on issues and in turn receives information from the state office and
 - (2) NSW Youth Week Young People's Advisory Committee (YPAC) which was responsible for choosing the poster design, and website input for Youth Week.
- The launch for Youth Week this year is limited to a Youth Week Workplace Safety Issues forum at Parliament House on Wednesday, 11 April 2012.
- Merchandise will be sent out soon and will include: temporary tattoos, calico bags, festival bands.
- The committee is also responsible for judging local government Youth Week awards and participating in a debrief.
- Nathan also addressed the group regarding a lomography exhibition coming to the Bathurst Regional Art Gallery. There will be two workshops held during Youth Week and the exhibition will be opened on 11 May 2012. The Youth Mayor was requested to open the exhibition.
Action: Youth Mayor to contact Emma Hill (Art Gallery) to find out the details of the exhibition opening and also the possibility of other Youth Councillors participating in the event.

10. YOUTH WEEK 2012 - IMAGINE, CREATE, INSPIRE - 13-22 APRIL 2012. ENCORE 2012 - YOUTH WEEK BAND COMPETITION

- Important event, framework already organised.
- Youth Council requested to promote the event.
- Encore 2012 is the name of the event, which is a band competition to be held during Youth Week.
- Budget is limited to approximately \$8,000 (Youth Week grant \$1,500, Council matches this amount, Indent grant \$2,500, Council matches this amount also).
- Major costs include BMEC hire and security.
- Event will be held on Saturday, 14 April, 6.30pm-10.00pm at BMEC, drug and alcohol free.
- Bands are asked to submit an application plus a demo CD with three songs (two of which must be originals) by Friday, 23 March 2012.
- Poster (distributed) will need to be changed by the group once the five (5) bands are chosen to compete, to promote the event.
- No solo artists, three is the minimum number of band members, must have instrumental accompaniment.
- Indent is a major sponsor of the event as well as Youth Week NSW, Youth Council and Bathurst Regional Council.
- Professional judges have been organised for the event and the Youth Council will be responsible for selecting the five final bands to compete at the event.
- A DJ will play in between sets and to conclude the event from 9.00pm-10.00pm.

- Entrants can compete in more than one band.
- There will also be youth services at the event with information and activities, including possibly a photo booth.
- Working Party meeting next Monday, 19 March 2012 at 3.45pm-4.45pm in Council Committee Room.

11. GENERAL BUSINESS

- (a) **Bathurst Regional Art Gallery facebook page** - Request for Youth Councillors to have a look at the Gallery facebook page and “like” it.
- (b) **Short Film showcase** - Part of Youth Week in Sydney- calling for under 25’s to create a short film with the theme: “Imagine, create, inspire”. Event is Sunday 15th April
- (c) **Harmony Day Celebrations** - Invitation extended for all to attend the Harmony Day event this Sunday, 18 March 2012 from 11.00am -1.00pm at Peace Park. Harmony Day celebrates cultural diversity. It is a family event, bring your own picnic.
- (d) **headspace facebook page** - Youth Council encouraged to have a look at headspace’s facebook page and “like” it.

12. NEXT MEETING

The next meeting will be held on Thursday, 8 May 2012 at 11.15am.

13. MEETING CLOSURE

There being no further business, the meeting closed at 2.15pm.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- | | |
|---|---------------------------------|
| • Objective 23: To encourage a supportive and inclusive community. | Strategy 23.1, 23.6 |
| • Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. | Strategy 27.1, 27.3, 27.4, 27.6 |
| • Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. | Strategy 30.2, 30.5 |
| • Objective 33: To be and develop good leaders. | Strategy 33.2, 33.3, 33.6 |

MINUTE

35 Item 2 MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING HELD ON 13 MARCH 2012 (11.00020)

MOVED: R Thompson SECONDED: T Carpenter

RESOLVED: That Council:

- (a) Note the information; and
- (b) Adopt the membership for the Bathurst Regional Youth Council for 2012.
- (c) note attendance by Councillors Carpenter, Hanger & North at the induction day

MINUTE

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

MOVED: R Thompson SECONDED: T Carpenter

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

There were no representations from the public.

RESOLVED: That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	DEVELOPMENT APPLICATION NO. 2010/0607, 148 LOT RESIDENTIAL SUBDIVISION, OPHIR ROAD, ABERCROMBIE. OWNER: B, D & G LENEHAN. APPLICANT: LLANDCO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	MOUNT PANORAMA - ADVANCED DRIVING COURSE	10A (2) (d) (i) – contains commercial information of a confidential nature that would,

		if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF RURAL LICENCE AGREEMENT - 519 MITCHELL HIGHWAY, 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	REQUEST FOR FINANCIAL ASSISTANCE - CATHOLIC DIOCESE OF BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED RIGHT OF CARRIAGEWAY 6 METRES WIDE - 51 BATHURST STREET PERTHVILLE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

	position of the person who supplied it.
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ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' CONFIDENTIAL MINUTE
18 APRIL 2012

MINUTE

a Item 1 DEVELOPMENT APPLICATION NO. 2010/0607, 148 LOT RESIDENTIAL SUBDIVISION, OPHIR ROAD, ABERCROMBIE. OWNER: B, D & G LENEHAN. APPLICANT: LLANDCO (DA/2010/0607)

MOVED: R Thompson SECONDED: M Morse

That Council act in accordance with the Director Environmental, Planning & Building Services report.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL MINUTES
18 APRIL 2012

MINUTE

b Item 1 MOUNT PANORAMA - ADVANCED DRIVING COURSE (04.00009)

MOVED: R Thompson SECONDED: B Bourke

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

Reason: Owner of Survive the Drive business.

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

Reason: Related to the applicant.

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

Reason: Survive the Drive is a client of the Councillor's business - Belinda's Business Centre.

That Council:

- (a) set an additional fee of \$5 per participant for those using the skid pan at the Paddock, Mount Panorama.
- (b) review charges for skid pan usage as part of the 2012/2013 Management Plan

MINUTE

c Item 2 RENEWAL OF RURAL LICENCE AGREEMENT - 519 MITCHELL HIGHWAY, BATHURST (22.05345)

MOVED: I North SECONDED: T Carpenter

That Council approves entering into a new licence agreement with Ms Nicole Treanor for part Lot C DP158611 located on 519 Mitchell Highway, Bathurst for a period of twelve (12) months with a twelve (12) month option period.

MINUTE

d Item 3 REQUEST FOR FINANCIAL ASSISTANCE - CATHOLIC DIOCESE OF BATHURST (22.01209/010)

MOVED: B Bourke SECONDED: T Carpenter

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

Reason: Patron of the Cathedral Appeal Committee.

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

Reason: Member of Cathedral Appeal Committee.

That Council act in accordance with the report.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTE
18 APRIL 2012

MINUTE

e Item 1 PROPOSED RIGHT OF CARRIAGEWAY 6 METRES WIDE - 51 BATHURST STREET PERTHVILLE (31.00001-12)

MOVED: B Bourke SECONDED: R Thompson

That Council approve the creation of a Proposed Right of Carriageway 6 metres wide within Lot 3 DP1173379 in favour of Lot D DP399095 and Lot 1 DP1173379 at 51 Bathurst Street Perthville, as per the Director Engineering Services' report.

MINUTE

37 RESOLVE INTO OPEN COUNCIL

MOVED: R Thompson SECONDED: P Toole

RESOLVED: That Council resume Open Council.

MINUTE

38 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MOVED: B Bourke SECONDED: M Morse

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

MINUTE

39 MEETING CLOSE

The Meeting closed at 7.46 pm.

CHAIRMAN: _____

Date: _____ **(16 May 2012)**