



ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL

13 June 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, 20 June 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, 20 JUNE 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 - 16 May 2012
  - \* Minutes - Ordinary Meeting of Council Following Policy - 6 June 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 - 6 June 2012
  - \* Minutes - Traffic Committee Meeting - 5 June 2012
10. NOTICES OF MOTION - Nil.
11. RESCISSION MOTIONS - Nil
12. DELEGATES REPORTS

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

**Recommendation:** That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	MOUNT PANORAMA EVENT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TRACKCORP ADRENALIN PTY LTD	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	BATHURST BASKETBALL STADIUM CHANGE OF OWNERSHIP	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	RENEWAL OF ELECTRICITY CONTRACT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	RENEWAL OF LICENCE AGREEMENT - AVIS AUSTRALIA, BUDGET RENT A CAR AUSTRALIA PTY LTD AND THRIFTY CAR RENTAL - COUNTER SPACE, BATHURST AIRPORT	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	RENEWAL OF LICENCE AGREEMENT - CENTRAL TABLELANDS WOODCRAFT INC. - LEARMONTH PARK, KELSO.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PARTIAL ROAD CLOSURE AND TRANSFER OF LAND, GREEN GULLY ROAD, MOUNT RANKIN	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 ROAD DEDICATION, PARTIAL ROAD CLOSURE AND TRANSFER, OPHIR ROAD, ROCK FOREST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS 2012/13	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	TENDER FOR CONSTRUCTION OF OFF-LINE WASTEWATER STORAGE – GILMOUR STREET PUMPING STATION (NSW PUBLIC WORKS CONTRACT NUMBER 1200373)	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would

		prejudice the commercial position of the person who supplied it.
5	TENDER FOR CONSTRUCTION OF AMENITIES BLOCK AT STEVENS PARK, ROCKLEY	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	PROPOSED COMPULSORY ACQUISITION OF SUNNY CORNER WASTE MANAGEMENT CENTRE, LOT 78 DP1079915, WEST MITCHELL ROAD, SUNNY CORNER	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	PROPOSED ACQUISITION FOR STORMWATER RETENTION BASIN, LOT 11 DP1176294, 38A GILMOUR STREET, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	TENDER FOR PREFERRED CONTRACTORS LIST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

		position of the person who supplied it.
9	PROPOSED SUBDIVISION, LOT 201 DP1074567 - 27 HAMPDEN PARK ROAD, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
10	PROPOSED ALTERNATE ACCESS FOR RESIDENTS, RIGHT OF CARRIAGEWAY, LOT 16 DP860878, 160 MOUNTAIN STRAIGHT, MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

## MINUTE

### 1 MEETING COMMENCES

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



## MINUTE

### 2 PUBLIC QUESTION TIME

**J Hollis** – Rail Action Bathurst - Thanked Council for its assistance in getting a daily rail service to Bathurst. Councillors and staff have been of great assistance, as well as the community and the Western Advocate. Asked people to support the service.

**A Edwards** - Bathurst Business Chamber - Spoke to rail service put in place and congratulated all. Also spoke to Management Plan on exhibition and water and sewer charges. Businesses are experiencing hard times and the cost of water and sewer is an expense to business, asks Council to bear this in mind.

**G Crisp** - Ratepayer - Spoke to DCSF Item #1. Noted prior report on legal expenses incurred, in particular LGFS matter and did it relate to the Rembrandt matter? Referred to investments, the subject of the court action and the results Blayney Council experienced. Then referred to the purchasing fraud experienced by Council and the reported loss. Why has action not been taken against Council Officers?

**R Collins** - Ratepayer - Walmer Park - Spoke to his presentation at last Council meeting about graffiti. Noted works undertaken on the site and issues with contractors tearing fences out. Could Council install access gates on the north and south side of the park to stop fences being broken. Thanked Council for replying to his letter.

**M Knockles** - McKibbon Place - Walmer Park - Thanked Council for removing graffiti and putting back goal posts. Asked is Council working with Vodafone on location of their tower.

**The Director Environmental, Planning & Building Services** noted Vodafone have not contacted Council to discuss this matter further.

**L Burden** - Ratepayer - Walmer Park - Thanked Council for removal of graffiti at the Park. Asked when are the other towers going to be removed.

**The General Manager** spoke to DA and leasing processes and that these are different operations. At this time, no towers are to be removed.

#### **B Trimming** - Ratepayer

- 1 **BMEC Handrails**: advised rails have been replaced with rails that do not meet design specifications. Who will pay for new rails?

**The Director Engineering Services** advised discussions are being held with the contractor over costs.

2. **Small Business Access Fund** - understands funds are not being rolled over each year, first he has heard of this. Who determined this? Is very disappointed.

**The Director Corporate Services & Finance** spoke to this matter.

**P Dowling** - Ratepayer - Water - asked why can't land sales money be put to the water fund to offset increases. Can construction of off-line wastewater storage (Gilmour Street) be done cheaper by Council staff?

**The Director Engineering Services** spoke to expertise needed to do works.

**MINUTE**

**3     APOLOGIES**

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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
MINUTES

**MINUTES TO THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**  
**MEETING HELD ON 20 JUNE 2012**

General Manager  
Bathurst Regional Council

**1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 16 MAY 2012 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 16 May 2012 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held 16 May 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**  
**- 16 MAY 2012 (11.00005)**

**MOVED: T Carpenter SECONDED: M Morse**

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 16 May 2012 be adopted.

**2 MINUTES - ORDINARY MEETING OF COUNCIL FOLLOWING POLICY - 6 JUNE 2012 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 6 June 2012 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held 6 June 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 -**  
**6 JUNE 2012 (11.00005)**

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

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 6 June 2012 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
HELD ON 16 MAY 2012**

**MEETING COMMENCES**

**1 MEETING COMMENCES**

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

**PUBLIC QUESTION TIME**

**2 PUBLIC QUESTION TIME**

**G Crisp** – ratepayer - DCSF Item #1 and #9 - Spoke to Rembrandt Trust Investment and what is the expected return. Further spoke to Lehman Brothers Investment and returns Council were getting on its investments. Made allegations (various) about comments made by staff and Councillors. Spoke to fraud perpetrated on Council and that Council officers were negligent and when will Council sack these officers.

**R McAlary** - Rotary Daybreak and B2B - Thanked Council for their support of the B2B which has gone from 28 participants to 3,000 over 7 years. Spoke to economic return to the community and donations made. Numbers are expected to continue to grow. Would like to have more detailed discussions with Council on next years event. Special thanks to Cr Warren Aubin and Mayor Greg Westman who gave significant support. Presented Rotary Hero Award to Mayor Greg Westman.

**A Robin** - Price Parade, Abercrombie - Communication Tower, Abercrombie - Spoke to proposed communication tower and queried whether a Development Application has been received. What can the community do as they object to this?

**The Director Environmental, Planning & Building Services** advised a DA for original location has been received and is awaiting an amendment to be received and then residents will be notified.

**The Mayor** spoke of letter submissions, approaching Councillors etc.

**A Bland** - Raglan Creek - DES Item #3 - Speaking on behalf of Greening Bathurst - Spoke to flooding of highway and issues effecting flora and fauna. Spoke against dredging of the creek. Supports the diversion channel, however, need to be aware of environmental impacts. Do not just work for simplistic solutions.

**B Trimming** - resident - Support proposal for public toilets at crematorium. Understands:

- Cycle Path Eglinton Bridge to Ohir Road - recently built and spoke of lay backs needed at Peace Park.
- Bicentennial Park - no path leading to disability toilet, can this be looked at?

**R Collins** - Walmer Park Communication Towers - Spoke of concerns that towers have reduced available space at Walmer Park. Has written to Councillors about his concerns and feels over one and a quarter acres will be lost. Expressed concern at deterioration of facilities in the park and problems with trees. Council has not



responded to his concerns, requests response from Council.

**L Burton** - Vodafone Tower, Walmer Park - Thanked Council for the refusal of the prior Development Application. Spoke to possible structures that may be proposed by TCI for the site. Concerned other sites have not been adequately examined. Noted proposal for Abercrombie for a tower. These are unsightly and a better solution needs to be found. Asks Council to refuse a third tower at Walmer Park.

**Abbey** - Walmer Park 3rd Tower - Thanked Council for refusing the tower. Spoke against future proposals. Asked for playground and swing set.

**P Dowling** - Ratepayer - Asked who owns the Denison Bridge, it has dry rot, when will it be inspected?

**The Director Engineering Services** Council owns the bridge it is inspected every 2 years, not aware of dry rot.

### **APOLOGIES**

#### **3** **APOLOGIES**

Nil

### **MINUTES**

#### **4** **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 18 APRIL 2012 (11.00005)**

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

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 April 2012 be adopted.

#### **5** **Item 2 MINUTES - ORDINARY MEETING OF COUNCIL FOLLOWING POLICY - 2 MAY 2012 (11.00005)**

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

**RESOLVED:** That the Minutes of the Ordinary Meeting of Council following Policy Committee held on 2 May 2012 be adopted.

### **DECLARATION OF INTEREST**

#### **6** **DECLARATION OF INTEREST 11.00002**

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

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

Cr North

Item #7 of the Director Corporate Services & Finance's report

Cr Toole

Item #3 Confidential of the Director Engineering Service's report

### **RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

Director Environmental Planning & Building Services' Report

- 7 **Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)**  
MOVED Cr B Bourke and SECONDED Cr W Aubin

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

- 8 **Item 2 GENERAL REPORT (03.00053)**  
MOVED Cr I North and SECONDED Cr M Morse

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

- 9 **Item 3 BATHURST REGIONAL (INTERIM) DEVELOPMENT CONTROL PLAN 2011 (AMENDMENT NO. 3) (20.00238)**  
MOVED Cr I North and SECONDED Cr R Thompson

**RESOLVED:** That Council:

- (a) adopt the Bathurst Regional (Interim) Development Control Plan 2011 (Amendment No. 3);
- (b) give notice of the adoption of the Bathurst Regional (Interim) Development Control Plan 2011 (Amendment No.3) in accordance with the requirements of the Environmental Planning and Assessment Act (1979), and note that the DCP does not become effective until notice is given in the Western Advocate; and
- (c) call a division.

On being PUT to the VOTE the MOTION was CARRIED

**The result of the division was:**

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

- 10 **Item 4 NAMING OF PUBLIC ROADS – COATES DRIVE, DILLON DRIVE, GIBSONE DRIVE, KEANE DRIVE, MCGILLAN DRIVE, MENDEL DRIVE, REDDING DRIVE (20.00024)**  
MOVED Cr I North and SECONDED Cr G Hanger

**RESOLVED:** That Council:

- (a) adopt the names Coates Drive, Dillon Drive, Gibsone Drive, Keane Drive, McGillan Drive, Mendel Drive and Redding Drive for the new subdivision off Eltham Drive and Graham Drive in the suburb of Kelso; and
- (b) direct the Director Environmental Planning and Building Services Department to undertake procedures pursuant to the requirements of the Roads Act 1993, to

have the name gazetted, should no objections be received.

- 11** **Item 5 DEVELOPMENT APPLICATION NO. 2012/0163 – TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT LOTS 2 & 3 DP 758840, 43 BATHURST STREET, PERTHVILLE. OWNER: P ETCCELL (DA/2012/0163)**  
**MOVED** Cr P Toole and **SECONDED** Cr R Thompson

**RESOLVED:** That Council:

- (a) support the variation to the 1(a) Inner Rural 200 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 7 and 8;
- (b) support the variation to the 1(a) Inner Rural 200 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 7 only;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0163 subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

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

**The result of the division was:**

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

Against the motion - NIL

Absent - NIL

Abstain - NIL

- 12** **Item 6 FORMER BATHURST SALEYARDS: UPDATE ON REMEDIATION ACTIVITIES (37.00347)**  
**MOVED** Cr M Morse and **SECONDED** Cr I North

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

- 13** **Item 7 LAND IMPROVEMENT AWARDS (13.00064)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr R Thompson

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

- 14** **Item 8 PROPOSED CHANGES TO HEALTH INSPECTION OF MOBILE VENDORS AND TEMPORARY EVENTS (14.00065)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

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

**Director Corporate Services & Finance's Report****15 Item 1 STATEMENT OF INVESTMENTS (16.00001)****MOVED** Cr W Aubin and **SECONDED** Cr P Toole**RESOLVED:** That the information be noted.**16 Item 2 YEAR TO DATE REVIEW - 2011/2012 MANAGEMENT PLAN AND BUDGET - APRIL 2012 (16.00126)****MOVED** Cr I North and **SECONDED** Cr R Thompson**RESOLVED:** That the information be noted and any variations to income and expenditure be voted.**17 Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)****MOVED** Cr B Bourke and **SECONDED** Cr W Aubin**RESOLVED:** That the information be noted and any additional expenditure be voted.**18 Item 4 POWER OF ATTORNEY (11.00007)****MOVED** Cr T Carpenter and **SECONDED** Cr P Toole**RESOLVED:** That the information be noted.**19 Item 5 ENTERPRISE RISK MANAGEMENT PLAN (03.00162)****MOVED** Cr I North and **SECONDED** Cr T Carpenter**RESOLVED:** That Council adopt the Enterprise Risk Management Plan.**20 Item 6 BEN CHIFLEY STEAM TRAIN CARRIAGES (23.00022-10/061)****MOVED** Cr G Hanger and **SECONDED** Cr M Morse**RESOLVED:** That the information be noted.**21 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - THE LIONS CLUB OF BATHURST INC (18.00004, 23.00013-03/081)****MOVED** Cr B Bourke and **SECONDED** Cr R Thompson**Cr North declared a non pecuniary interest in this item and took part in discussions and voting.****Reason: Member of The Lions Club of Bathurst Inc.****RESOLVED:** That Council:

- a) advise The Lions Club of Bathurst Inc that the banner space in William Street is booked out.
- b) provide a Civic Reception for officials and delegates, which could be funded from Council's Section 356 Donations.

- c) advise The Lions Club of Bathurst Inc that it is their responsibility to invite State and Federal members to the Civic Reception.

**22 Item 8 REQUEST FOR FINANCIAL ASSISTANCE - CENTRAL TABLELANDS WOODCRAFT INC (18.00004, 18.0004-25/102)**

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

**RESOLVED:** That Council donate \$500 to Central Tablelands Woodcraft Inc towards the cost of promoting their club through media outlets from Section 356 Donations.

**23 Item 9 LEHMAN BROTHERS HOLDINGS INC (34.00061-04/014)**

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

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

**24 Item 10 REQUEST FOR FINANCIAL ASSISTANCE - LOCAL GOVERNMENT & SHIRES ASSOCIATION OF NSW (03.00025/061)**

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

**RESOLVED:** That Council approve the request for assistance with the funding of legal costs incurred by Blacktown City Council amounting to \$160.49 from Council's Legal Costs.

**Director Engineering Services' Report**

**25 Item 1 ROCKLEY WASTE TRANSFER STATION (14.00007)**

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

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

**26 Item 2 NSW LONG TERM TRANSPORT MASTER PLAN (18.00194)**

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

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

**27 Item 3 RAGLAN CREEK (31.00006)**

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

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

**Director Cultural & Community Services' Report**

**28 Item 1 AUSTRALIAN FOSSIL & MINERAL MUSEUM - SOMERVILLE LECTURE (TUESDAY, 17 APRIL 2012) (20.00060)**

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

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

**29 Item 2 CHIFLEY HOME AND EDUCATION CENTRE & CHARLES STURT UNIVERSITY - LEARNING AND TEACHING IN PUBLIC SPACES (21.00112)**

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

**RESOLVED:** Council receive and note Chifley Home and Education Centre's participation in the Learning and Teaching in Public Spaces 2011-13 research project; in collaboration with Charles Sturt University.

**30** **Item 3 CULTURALLY DIVERSE WORKING GROUP (09.00032)**

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

**RESOLVED:** That Council accedes to the request of the Culturally Diverse Working Group to move into recess for a 12 month period.

**General Manager's Report**

**31** **Item 1 POPULARLY ELECTED MAYOR (12.00005)**

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

**RESOLVED:** The information be noted and no further action be taken.

**32** **Item 2 LOCAL GOVERNMENT & SHIRES ASSOCIATION - ONE ASSOCIATION PROPOSAL - LIST OF DELEGATES (18.00105)**

A **MOTION** was **MOVED** Cr T Carpenter **SECONDED** Cr G Hanger

That:

- a) Bathurst Regional Council support the One Association proposal.
- b) The Mayor, Deputy Mayor and Cr North be nominated as Council's voting delegates to take part in the forthcoming secret postal ballot to deal with the matter of One Association, and that their names and personal postal addresses be forwarded to the Associations to form the roll of voters.
- c) Council write to advise Fair Work Australia (FWA) and the Local Government Association that in regard to the ballot regarding the current proposal to form One Association, Bathurst Regional Council believes that both a yes and no case should be prepared and submitted.

**33** **Item 2 LOCAL GOVERNMENT & SHIRES ASSOCIATION - ONE ASSOCIATION PROPOSAL - LIST OF DELEGATES (18.00105)**

The following **AMENDMENT** was **MOVED** Cr P Toole **SECONDED** Cr I North.

That:

- a) Bathurst Regional Council support the One Association proposal.
- b) The Mayor, Deputy Mayor and Cr North be nominated as Council's voting delegates to take part in the forthcoming secret postal ballot to deal with the matter of One Association, and that their names and personal postal addresses be forwarded to the Associations to form the roll of voters.

On being **PUT** to the **VOTE** the **AMENDMENT** was **CARRIED** and **BECAME** the

**MOTION**

The **MOTION** was then **PUT** and **CARRIED**

Cr Morse left the meeting at 7.41pm.

**REPORTS OF OTHER COMMITTEES****Policy Committee Meeting**

- 34** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 MAY 2012 (07.00064)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 2 May 2012 be adopted.

**Traffic Committee Meeting**

- 35** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING 1 MAY 2012 (07.00006)**  
**MOVED** Cr W Aubin and **SECONDED** Cr R Thompson

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 1 May 2012 be adopted.

**Mount Panorama Racing Committee**

- 36** **Item 1 MINUTES - MOUNT PANORAMA RACING COMMITTEE MEETING - 2 MAY 2012 (04.00001)**  
**MOVED** Cr B Bourke and **SECONDED** Cr T Carpenter

**RESOLVED:** That the Minutes of the Mount Panorama Racing Committee Meeting held on 2 May 2012 be adopted.

**DELEGATES REPORTS**

- 37** **Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 11 APRIL 2012 (11.00019)**  
**MOVED** Cr W Aubin and **SECONDED** Cr I North

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

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

- 38** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**  
**MOVED** Cr T Carpenter and **SECONDED** Cr P Toole

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

There were no representations from the public.

**RESOLVED:** That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TRACKCORP ADRENALIN PTY LTD	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.
2	RENEWAL OF LICENCE AGREEMENT - 193 MORRISSET STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	RENEWAL OF LICENCE AGREEMENT - BATHURST REGIONAL COUNCIL CHILDREN'S SERVICES - LEE STREET, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial



		position of the person who supplied it.
4	SALE AND SUBDIVISION OF PROPOSED LOT 807, BRADWARDINE ROAD, BATHURST TRADE CENTRE.	10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
5	PROPOSED RENEWAL OF EXISTING TELECOMMUNICATION LEASE - WALMER PARK, BRADWARDINE ROAD, BATHURST - TELSTRA CORPORATION LIMITED	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED BOUNDARY ADJUSTMENT BETWEEN LOT 3 DP951 AND LOT 15 DP1173379 - 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.
2	PROPOSED ACQUISITION FOR STORM WATER RETENTION BASIN,	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed,

	PART LOT 102 DP 748062, 38A GILMOUR STREET, KELSO	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	FINAL ACQUISITION COSTS FOR PERTHVILLE 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.

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

- a** **Item 1 TRACKCORP ADRENALIN PTY LTD (34.00065-08/009)**  
**MOVED** Cr I North and **SECONDED** Cr P Toole

That the information be noted.

- b** **Item 2 RENEWAL OF LICENCE AGREEMENT - 193 MORRISSET STREET, BATHURST (22.01199)**  
**MOVED** Cr R Thompson and **SECONDED** Cr W Aubin

That Council approves entering into a new licence agreement with Ms Michelle Miles for Lot 14 and 15 DP1089380 located at 193 Morrisset Street, Bathurst for a period of two (2) years as detailed in the report.

- c** **Item 3 RENEWAL OF LICENCE AGREEMENT - BATHURST REGIONAL COUNCIL CHILDREN'S SERVICES - LEE STREET, KELSO (22.02268)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr I North

That Council approves entering into a new licence agreement with Bathurst Regional Council Children's Services incorporating Family Day Care, Vacation Care and In Home Care for 7 Lee Street, Kelso (part Lot 1 DP1001027) for a period of two (2) years as detailed in the report.

- d** **Item 4 SALE AND SUBDIVISION OF PROPOSED LOT 807, BRADWARDINE ROAD, BATHURST TRADE CENTRE. (22.13775)**

**MOVED** Cr P Toole

and **SECONDED** Cr B Bourke

That Council approves the subdivision and subsequent sale of proposed Lot 807 in Lot 806 DP1169443 Bradwardine Road, Bathurst Trade Centre as detailed in the report.

**e** **Item 5 PROPOSED RENEWAL OF EXISTING TELECOMMUNICATION LEASE - WALMER PARK, BRADWARDINE ROAD, BATHURST - TELSTRA CORPORATION LIMITED (04.00068))**

A **MOTION** was **MOVED** Cr R Thompson **SECONDED** Cr T Carpenter

**That:** Council approves entering into a new lease agreement with Telstra Corporation Limited (through their agent United Group Services Pty Ltd.) for part Lot 2 DP1140980 known as Walmer Park for a period of five (5) years at a yearly lease fee of \$16,000 (GST inclusive) as detailed in the report.

The **MOTION** was **WITHDRAWN**

**f** **Item 5 PROPOSED RENEWAL OF EXISTING TELECOMMUNICATION LEASE - WALMER PARK, BRADWARDINE ROAD, BATHURST - TELSTRA CORPORATION LIMITED (04.00068))**

A **MOTION** was **MOVED** Cr I North **SECONDED** Cr T Carpenter

**That** Council defer the matter to the next Policy Committee session for further consideration.

**Director Engineering Services' Report**

**g** **Item 1 PROPOSED BOUNDARY ADJUSTMENT BETWEEN LOT 3 DP951 AND LOT 15 DP1173379 - 8 BRIDGE STREET PERTHVILLE (31.00001-12)**  
**MOVED** Cr R Thompson and **SECONDED** Cr P Toole

**That** Council approve the proposed boundary adjustment of Lot 3 DP951 and Lot 15 DP1173379 at 8 Bridge Street Perthville, in accordance with the Director Engineering Services' report.

**h** **Item 2 PROPOSED ACQUISITION FOR STORM WATER RETENTION BASIN, PART LOT 102 DP 748062, 38A GILMOUR STREET, KELSO (31.00001-12 AND 22.02632)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

**That** Council act in accordance with the Director Engineering Services' report.

**i** **Item 3 FINAL ACQUISITION COSTS FOR PERTHVILLE LEVEE (31.00001)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

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

**Reason: Related to land owner involved in acquisition process.**

That Council act in accordance with the Director Engineering Services' report.

**RESOLVE INTO OPEN COUNCIL**

**39**      **RESOLVE INTO OPEN COUNCIL**  
**MOVED** Cr I North                                      and **SECONDED** Cr W Aubin

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

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

**40**      **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED** Cr T Carpenter                                      and **SECONDED** Cr R Thompson

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

**MEETING CLOSE**

**41**      **MEETING CLOSE**

The Meeting closed at 8.12pm.

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

**Date:** \_\_\_\_\_ **(20 June 2012)**

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE  
HELD ON 6 JUNE 2012**

**MEETING COMMENCES**

**1 MEETING COMMENCES**

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

**APOLOGIES**

**2 APOLOGIES**

Nil.

**DECLARATION OF INTEREST**

**3 DECLARATION OF INTEREST 11.00002**

**MOVED** Cr M Morse and **SECONDED** Cr P Toole

**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 R Thompson 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	PROPOSED RENEWAL OF EXISTING TELECOMMUNICATION LEASE - WALMER PARK, BRADWARDINE ROAD, BATHURST - TELSTRA CORPORATION LIMITED	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

### Director Corporate Services & Finance's Report

- a** Item 1 PROPOSED RENEWAL OF EXISTING TELECOMMUNICATION LEASE - WALMER PARK, BRADWARDINE ROAD, BATHURST - TELSTRA CORPORATION LIMITED (04.00068)  
**MOVED** Cr R Thompson and **SECONDED** Cr P Toole

That Council approves entering into a new lease agreement with Telstra Corporation Limited (through their agent United Group Services Pty Ltd.) for part Lot 2 DP1140980 known as Walmer Park for a period of five (5) years as detailed in the report.

Crs Bourke & North asked that their negative vote be recorded.

### RESOLVE INTO OPEN COUNCIL

- 5** RESOLVE INTO OPEN COUNCIL  
**MOVED** Cr M Morse and **SECONDED** Cr P Toole

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

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

### MEETING CLOSE

**7**      **MEETING CLOSE**

The Meeting closed at 6.29 pm.

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

**Date:** \_\_\_\_\_ **(20 June 2012)**

**MINUTE**

**6     DECLARATION OF INTEREST 11.00002**

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

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

Cr Westman

Minute #7, Item #3 of the Traffic Committee 5 June 2012.



ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT AND MINUTES  
20 JUNE 2012

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE  
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 20  
JUNE 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: T Carpenter SECONDED: I North**

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

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

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

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

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during May 2012 (**attachment 1**)
- (b) Applications refused during May 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 May 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: T Carpenter**

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

### **3 2012 SUSTAINABLE LIVING EXPO (23.00124)**

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

**Report:** The 2012 Sustainable Living Expo (SLE) was conducted on 24 March 2012 in conjunction with the monthly Farmers Markets. Council 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 broad range of exhibitors attending. The Lions Club estimated 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 were many and varied. Those present on the day are listed below in alphabetical order:

- BCCAN
- Boundary Road Landcare Group
- Central Design and Engineering
- Clark Tanks
- Climate King Pty Ltd & Solarco Central West
- ENJO Consultant
- Envirocom
- Greening Bathurst
- Hybrid Power Solutions
- Integrated Design Group
- L&H Electrical
- Land for Wildlife
- Netwaste
- Skillset
- Solar West
- Tupperware and
- WIRES Central West

Council sought to obtain written feedback from all stallholders in April 2012 as part of an adaptive management and improvement process, and has received an overall positive response. The questionnaire sent out to stallholders contained 10 pointed questions regarding business promotion, event expectations, preparation time availability, the combination of the event with the Bathurst Farmers Markets, the location of the event, a comparison with previous years, an appraisal of the facilities and Council support, an indication of desire to participate in future events and an opportunity to make suggestions and provide additional feedback.

Almost all responses received indicated stallholders would be interested in participating in future Sustainable Living Expos. A number of responses indicated that the community exposure and association with an established event like the Bathurst Farmers Markets meant their business received increased positive publicity, and by combining the two "...strengthens both events [as] many people are attracted to both".

Stallholders were pleased with the level of "Good exposure of [their company] name in association with sustainability/environment issues", with one stallholder, who has participated in several Expos, indicating that "...the event (including promotion and organisation) is evolving as the coordinators adapt to community interest and knowledge needs".

Things for Council to consider for future years may be retaining the alliance with the Lions Club and the Bathurst Farmers Markets, as “with the current number of visitors to the Expo [alone] the event would struggle to have enough visitors to warrant [holding the event] without the flow on from the markets”. One stallholder also suggested that while exposure at the SLE was worthwhile for raising awareness “...of [their] organisation and objectives, it has limited impact on creation of new work”. As such Council might consider allowing stallholders to sell items at the SLE in line with the spirit of the Farmers Markets of buying direct from the source.

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

- The SLE was very successful and an excellent opportunity for local businesses, non-government organisations, community groups and others to showcase their sustainable ideas, products, services and volunteer opportunities;
- The SLE and the Bathurst Farmers Market work well together and the association should continue; and
- Direct business generated from the event is limited, but community exposure and association with sustainability is excellent and very worthwhile.

**Financial Implications:** The Sustainable Living Expo is funded through existing allocations. Council did not receive any sponsorship for the 2012 event.

#### **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- |   |                   |
|---|-------------------|
| ● Objective 8: To promote sustainable and energy efficient growth.  | Strategy 8.1, 8.2 |
| ● Objective 13: To minimise the City’s environmental footprint.   | Strategy 13.5     |
| ● Objective 15: To secure a sustainable water supply and raise awareness on water issues.   | Strategy 15.6     |
| ● Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. | Strategy 30.7     |

**MINUTE**

**9     Item 3   2012 SUSTAINABLE LIVING EXPO (23.00124)**

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

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



#### **4 CULTURAL HERITAGE GARDEN - THE PILLARS OF BATHURST (20.00160)**

**Recommendation:** That Council endorse the Bicentennial Park as the site for the Cultural Heritage Garden - The Pillars of Bathurst.

**Report:** Council, at its meeting held 21 March 2012, resolved to endorse the Pillars of Bathurst project but sought an additional report in respect of where the project should be located.

In developing the project, the project team (including the Manager Tourism and Manager Bathurst Recreation) considered 12 sites. The evaluation of the suitability of these 12 sites as determined by the project team is presented below.

##### **1. Centennial Park**

Whilst providing sufficient space and good accessibility (subject to construction of additional footpaths), this site was deemed unsuitable because of the parks current underdevelopment. The lack of other activities, public art, and landscaping would reduce the potential level of visitation.

Council is preparing a master plan that would include Centennial Park. It would be pre-emptive to assign this use prior to the plan being completed.

This location was not supported by the Manager Tourism in particular as a locality which would be able to attract visitors to the City at this time.

##### **2. Along the Macquarie River footpath (between Denison and Gordan Edgell bridges)**

This land is flood prone. The Pillars would be subject to damage from future flood events.

The project team considered a number of sites where the Pillars could be scattered rather than placed together. The project team ultimately determined that scattering the Pillars would dilute the intent of the garden space and reduce visitation levels to all Pillars. It was felt particularly that a scattered approach would not produce a good visitors experience.

##### **3. Art Gallery/Library Forecourt**

This site offers good visibility and the potential for high visitation. It also offers good accessibility.

There is limited land available for the project and if the Pillars proceeded here there would be no opportunity for other permanent/temporary art works. The Pillars would also mean that the forecourt area would be less able to support other community activities (e.g. fairs, book sales etc).

##### **4. Mount Panorama**

Mount Panorama was considered too remote a location for this type of cultural heritage activity.

##### **5. Pillars scattered throughout various parks/public spaces around the City**

As outlined in 2. above, it was ultimately considered that a scattered approach would not produce a good visitors experience.

**6. Along the Eglinton bike path (or other bike path)**

As outlined in 2. above, it was ultimately considered that a scattered approach would not produce a good visitors experience.

**7. Visitor Information Centre Forecourt**

This site offers the potential for high visitation. It also offers good accessibility.

Space is limited particularly given existing vegetation at the site. For this reason this site was not shortlisted.

**8. Morse Park**

This site offers very good visibility and potential for high visitation. The location of the pillars however are limited by the other activities in the park. A scattered approach around the periphery of the park was not generally supported (see 2. above).

**9. Within the footpaths of the CBD**

A scattered approach was not supported (see 2. above). Within the CBD the Pillars would potentially compete visually with the lamp standards. Also there are limited areas within the existing footpath to locate the bases proposed for the Pillars.

The following 3 sites were the sites shortlisted as the best locations for the Pillars.

**10. Victoria Park - South east corner diagonally opposite the Adventure Playground**

This site offered the opportunity to run a path through the trees with Pillars on either side eventually linking to the Adventure Playground.

The site was not preferred by the Manager Bathurst Recreation given the steepness of the site and possible expansion of the Adventure Playground.

The Manager Tourism also felt the site was remote to most visitors seeking cultural heritage experiences.

The site will pose significant access issues. Footpath construction would be a high cost.

**11. Japanese Garden - land to the west of the existing garden**

This site offers sufficient land with reasonable proximity to the Japanese Garden.

Considerable expense would be required to construct footpaths to the garden to ensure adequate accessibility.

Care would need to be taken to ensure possible expansion of the Japanese Garden could occur.

This site offers potential for greater visitation than most others. In the short term the existing budget might not cover the extent of footpath construction required up front. Access linkages may need to be provided at a later date.

## 12. **Bicentennial Park**

This site (refer **attachment 1**), as described to Council at its previous meeting, offers the very best location for the Pillars in terms of:

- attracting the highest level of visitation;
- accessibility to an existing footpath/cycleway system; and
- reducing project costs in terms of new footpath construction.

This locality already has complimentary activities and public art that would enhance the Pillars project and which the Pillars project in itself would add value to including the "Conversation" and Heritage Wall.

Only minor additional footpath construction is necessary to create this project and this will ensure good accessibility. Other localities may suffer accessibility issues if adequate footpath construction can not be funded (the budget for the project is limited and cannot support extensive footpath construction).

The design approach proposed seeks to provide a complimentary backdrop to the "Conversation", not to compete with it. The Pillars have been located behind the "Conversation" (on the river side). Their layout has been purposely designed to focus attention on the "Conversation" as the visitor walks into the Pillars Garden.

It would also be proposed that the interpretative signage erected incorporate information about the "Conversation" to raise awareness of this significant existing public art feature.

Concern was raised, at the March Council meeting, that the Pillars would distract from the "Conversation". In light of this Council has sought the views of BRAGS, Fay Baker (involved in fund raising for the "Conversation") and Stephen Hart (artist of the "Conversation").

Fay Baker has provided written advice to Council (refer to **attachment 2**). She is concerned that the Pillars will dominate and distract from the "Conversation". Her preferred site for the Pillars is option 11 above.

Mr Hart contacted Council's Manager Strategic Planning on 28 May 2012 and advised as follows:

- He indicated his appreciation for how Council had cared for his sculpture.
- Whilst he enjoyed the space provided around the "Conversation" he recognised that other uses would want/need to use some of that space.
- On this basis he did not object to the Pillars project being located in Bicentennial Park as proposed by Council provided the project was handled sensitively.

The issue was raised by Council's Art Gallery Director, Richard Perram, at a recent BRAGS Committee meeting. No objection was raised by the Committee in relation to locating the Pillars project near to the "Conversation".

### Conclusion

The project team has considered a wide range of sites for this project. Three sites were shortlisted and design concepts for each of those sites (10., 11. and 12. above) were discussed.

In the opinion of the project team, site 12 (Bicentennial Park) will attract the highest level of visitation and accessibility can be assured as new footpath construction is minimal and can be funded within the project budget.

Site 11 (vacant land to the west of the Japanese Gardens) offers a location in reasonable proximity to the other cultural attractions within Bicentennial Park. If this site is ultimately preferred it should be noted that footpath linkages to the existing footpath/cycleway system may not be able to be provided in the short term as part of the Pillars project budget. Thus the site may face short term accessibility issues that may necessitate footpath/cycleway construction in this locality being reprioritised under Council's annual construction program.

**Financial Implications:** This project has been funded in the 2011/12 Management Plan. Final site selection may require additional footpath construction to ensure accessibility to the garden, outside of that foreseen in the existing budget.

### **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.1, 11.5, 11.6

**MINUTE**

**10 Item 4 CULTURAL HERITAGE GARDEN - THE PILLARS OF BATHURST**  
**(20.00160)**

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

That Council endorse the Bicentennial Park as the site for the Cultural Heritage Garden - The Pillars of Bathurst.

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

**MINUTE**

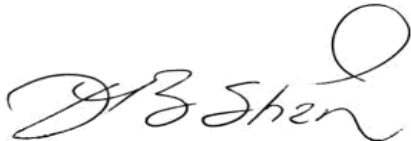
**11 Item 4 CULTURAL HERITAGE GARDEN - THE PILLARS OF BATHURST**  
**(20.00160)**

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

**RESOLVED:** That Council:

- (a) endorse the Japanese Garden as the site for the Cultural Heritage Garden - The Pillars of Bathurst.
- (b) allow for the placement of a Windradyne Memorial in this area when designing the location for the Pillars project.

Yours faithfully

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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND MINUTES  
20 JUNE 2012

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 20 JUNE 2012**

General Manager  
Bathurst Regional Council

**1 STATEMENT OF INVESTMENTS (16.00001)**

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

**Report:** \$65,431,107.58 was invested at 31 May 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)	4.52%
Three Year Swap Rate - Commonwealth	4.11%

**Short Term 1 – 365 Days**

**(Comprising Commercial Bills,**

**Debentures and Certificates of**

**Deposit:**

	<b><u>Rating</u></b>		<b><u>Average Return</u></b>
Bank of Western Australia	A1+	\$5,500,000.00	5.84%
Bank of Queensland	A2	\$7,500,000.00	5.96%
Bendigo and Adelaide Bank	A2	\$5,500,000.00	5.88%
IMB	A3	\$9,000,000.00	5.85%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	5.73%
National Australia Bank	A1+	\$7,000,000.00	5.93%
People's Choice Credit Union	ADI	\$2,000,000.00	5.85%
Railways Credit Union	ADI	\$2,000,000.00	6.09%
SGE Credit Union	ADI	\$1,000,000.00	5.83%
		<b>\$42,500,000.00</b>	<b>5.89%</b>

**Long Term**

**(comprising Commercial Bills, Term**

**Deposits and Bonds):**

**Committed Rolling Investments**

Westpac	AA-	\$2,000,000.00	5.37%
Westpac	AA-	\$2,000,000.00	5.73%
Westpac	AA-	\$2,000,000.00	5.05%
Westpac	AA-	\$2,000,000.00	5.33%
		<b>\$8,000,000.00</b>	<b>5.53%</b>

**Community Income Note**

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



**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>5.06%</u>
		<b>\$4,000,000.00</b>	<b>5.25%</b>

**Floating Rate Notes**

ANZ	AA-	\$2,000,000.00	5.59%
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	5.47%
Bendigo Bank 2007	A-	\$2,000,000.00	5.63%
Bendigo & Adelaide Bank Retail Bond	A-	\$2,000,000.00	5.86%
The Royal Bank of Scotland – Australia	A+	<u>\$2,000,000.00</u>	<u>5.98%</u>
		<b>\$10,000,000.00</b>	<b>5.71%</b>

**Total Investments** **\$65,431,107.58** **5.67%**

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

Reserves Total (includes unexpended loan funds)		\$33,977,186.04
Grants held for specific purposes		\$3,865,705.90
Section 94 Funds held for specific purposes		\$21,411,229.70
Unrestricted Investments – All Funds		\$6,176,985.94
*General Fund	\$14,846.37	
*Water Fund	\$2,569,954.01	
*Sewer Fund	\$1,384,979.51	
*Waste Fund	<u>\$2,207,206.05</u>	

**Total Investments** **\$65,431,107.58**

**Total interest revenue to 31/05/2012  
on investments** **\$3,456,792.17** **5.67%**

**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**

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

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

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

## **2 YEAR TO DATE REVIEW - 2011/2012 MANAGEMENT PLAN AND BUDGET - 31 MAY 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](http://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 August, 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**

**13 Item 2 YEAR TO DATE REVIEW - 2011/2012 MANAGEMENT PLAN AND BUDGET - 31 MAY 2012 (16.00126)**

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

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

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

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

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

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

Section 356 Donations:	\$	0.00
BMEC Community Use Subsidy:	\$	0.00
Mount Panorama Fee Subsidy	:	\$27,796.35

**Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

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

**MINUTE**

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

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

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

#### **4 POWER OF ATTORNEY (11.00007)**

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

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

- Simons M & R - Bradwardine Road, Lot 804, DP1164298 - Transfer
- Larsen K - Blaxland Drive, Lot 1123 DP1170286 - Transfer
- Dare A & Dixon G - Westbourne Drive, Lot 1129 DP1170286 - Transfer.
- AMG Property Investments - Irving Place, Lots 706, 707, 709 DP1103109 - Transfer
- Ison H, Tobin C, Tobin R - Chesterman Close, Lot 934 DP1170287 - Transfer
- BRC/Mills M N & K M - Part 3 Bridge Street, Perthville, Lot 14 DP1173379 - Transfer
- BRC/Renshaw T N & A P - Part 4 North Street, Perthville, Lot 279 & 299 DP750354 - Transfer
- BRC/Renshaw M J - Part North Street, Perthville, Lot 17 & 19 DP1173379 - Transfer
- BRC/Etcell P L - Part 43 Bathurst Street, Perthville, Lot 9 & 10 DP1173379 - Transfer
- BRC/Seaman R J - Part 11 Bridge Street, Perthville, Lot 12 DP1173379 - Transfer
- BRC/Rowland D J & R A - Part 8 Bridge Street, Perthville, Lot 16, DP1173379 - Transfer
- Wallace R, Bugeja K - Meehan Street, Lot 913 DP1170287 - Transfer
- Treanor N - 519 Mitchell Highway, Part Lot C DP158611 - Licence Agreement
- Sjollem J - Blaxland Drive, Lot 1118 DP1170286 - Transfer
- Cantrill S & M - Everden Road, Lot 1113 DP1170286 - Transfer

#### **Linen Plan Release**

- Nil

**Financial Implications:** Nil.

#### **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

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

**MINUTE**

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

**MOVED:** I North **SECONDED:** M Morse

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



## **5 CENTROC SUMMIT USE OF MOUNT PANORAMA (07.00017-26/030)**

**Recommendation:** That Council support the CENTROC Regional Summit to be held on 7-8 November 2012

- (a) by waiving the hire fees for the Mount Panorama Pit Complex.
- (b) by subsidising other costs associated with this event as outlined in the report up to a maximum of \$6,000 to be funded from the Mount Panorama Fee Subsidy.

**Report:** Council has been approached by CENTROC to host the 2012 CENTROC Summit in Bathurst on the 7-8 November 2012.

CENTROC have requested use of the Pit Complex which they state completely suits the needs of the summit as it has indoor and outdoor availability and accommodation available at Rydges Mount Panorama.

Under **attachment 1** is the proposed agenda for the 2 day conference, which covers topics such as The Energy Big Picture, Renewable and Distributed Energy and Energy Efficiency, Village Revitalisation and Getting Together to Get Together.

The cost of this event is as follows:

(1) Windradyne Room (2 days)	\$1,000
(2) 1 block garages in the Pit Complex (2 days)	\$1,400
(3) Tables and chairs (up to 150 people)	\$200
(4) AV & Sound equipment (lectern, microphone & portable PA)	\$200
(5) Office spaces at Pit Complex	\$450
(6) Event staff 2 staff x 3.5 hrs @ \$50/hr	\$350
(7) Race Track Manager support @ 2 days	\$600
(8) Council staff - venue & location set up 4 staff x 7.5 hrs @ \$40/hr	\$1,200
(9) Signage	\$300
(10) Traffic Control Management 2 @ 3hrs @ \$40/hr	\$240
(11) Security on-call (late lock up)	<u>\$150</u>

**Total:** **\$6,090**

Council in 2011 sponsored this event by making a donation to the CENTROC Group of Councils. The donation was by way of waiving the hire fees for the Mount Panorama Pit Complex and in kind support assistance from Council's Events Team.

**Financial Implications:** The cost will be funded from the Mount Panorama Fee Subsidy.

### **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 21.5
- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.9, 8.2

**MINUTE**

**16     Item 5   CENTROC SUMMIT USE OF MOUNT PANORAMA (07.00017-26/030)**

**MOVED: T Carpenter   SECONDED: M Morse**

**RESOLVED:** That Council support the CENTROC Regional Summit to be held on 7-8 November 2012

- (a) by waiving the hire fees for the Mount Panorama Pit Complex.
- (b) by subsidising other costs associated with this event as outlined in the report up to a maximum of \$6,000 to be funded from the Mount Panorama Fee Subsidy.

**6 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PUBLIC SCHOOL  
(18.00004-25/108)**

**Recommendation:** That Council donate \$244.00 to Bathurst Public School towards the cost of using Sulman Park on 11 and 25 May 2012 from Section 356 Donations.

**Report:** Council has received a request from Bathurst Public School for financial assistance for the use of Sulman Park on the 11th and 25th May 2012. A copy of the request is provided at **attachment 1**.

Bathurst Public School would like to utilise Sulman Park for their Cross Country Carnival on Friday 11 May 2012 and hold the Bathurst District Cross Country Carnival on Friday 25 May 2012. Both of these events were held at Sulman Park last year.

**Financial Implications:** Section 356 Donations currently has a nil balance although this request could be funded from Council's Mount Panorama Fee Subsidy which currently has a balance of \$27,796.35

**Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- 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 30.6

**MINUTE**

**17 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PUBLIC SCHOOL (18.00004-25/108)**

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

**RESOLVED:** That Council donate \$244.00 to Bathurst Public School towards the cost of using Sulman Park on 11 and 25 May 2012 from the Mount Panorama Fee Subsidy.

## **7 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST REGIONAL YOUTH COUNCIL (18.00004)**

**Recommendation:** That Council make available Bathurst Memorial Entertainment Centre on 10 August 2012 and that the venue hire charges, including all associated costs such as staff costs, pre-rig costs and ticketing charges be funded from BMEC Community Use Subsidy. It is estimated that venue hire and associated costs would be approximately \$1833.00. Based on past events, ticketing would be approximately \$400.00. (\$1.00 per ticket plus 1.5% electronic charge)

**Report:** The Bathurst Regional Youth Council is planning a dance party to be held at the Bathurst Memorial Entertainment Centre on Friday 10 August 2012. Part of the Youth Council's brief is to plan safe events for young people in Bathurst. This has been identified as a need throughout several consultations with this target group including the Bathurst 2036 Community Strategic Plan and the Bathurst Social and Community Plan 2011-2016. The Social and Community Plan identified the need to provide a range of activities and events that are drug and alcohol free as well as the need to develop safe youth friendly spaces across the community.

Historically these types of events have been held at the Bathurst Memorial Entertainment Centre as the facility is a central location and works well as far as safety and security is concerned.

**Financial Implications:** This can be funded from the 2012/2013 BMEC Community Use Subsidy Vote which will have a balance of \$50,000.

### **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 22: To improve community safety. Strategy 22.1
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2, 23.3, 23.6
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.1, 27.4, 27.5, 27.6, 27.9
- Objective 33: To be and develop good leaders. Strategy 33.2, 33.3

**MINUTE**

**18 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST REGIONAL YOUTH COUNCIL (18.00004)**

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

**RESOLVED:** That Council make available Bathurst Memorial Entertainment Centre on 10 August 2012 and that the venue hire charges, including all associated costs such as staff costs, pre-rig costs and ticketing charges be funded from BMEC Community Use Subsidy. It is estimated that venue hire and associated costs would be approximately \$1833.00. Based on past events, ticketing would be approximately \$400.00. (\$1.00 per ticket plus 1.5% electronic charge)

## **8 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**

**Recommendation:** That Council consider the submissions individually.

**Report:** Council has had the Draft Bathurst 2016 – 4 year Delivery Plan 2012-2016 and Annual Operating Plan 2012/2013 (Draft Bathurst 2012 Plan) on exhibition for the required period of 28 days.

Council has received eleven (11) submissions in relation to the Draft Bathurst 2016 Plan. Submissions were made on various matters and are detailed below for Councillors information.

**Financial Implications:** There are no financial implications at present however, if any submissions are received and changes made to the advertised Bathurst 2016 Plan the implications of each submission will be provided individually.

### **(a) Bathurst Agricultural, Horticultural and Pastoral Association (Bathurst AH&P)**

**Recommendation:** That Council not amend the Bathurst 2016 Plan in respect of this submission as the items noted have already been included in the plan.

#### **Report:**

The Bathurst AH&P has lodged a submission (shown at **attachment 1**) covering a number of areas:

- i) Formal commitment of support for 3-5 years to maintaining Supreme Show Exhibit awards at \$500 each and major sponsorship of \$5,000.

These two amounts have been allowed for in the current budget under Sundry Donations, however, Council's annual budget is developed and considered each year and a forward commitment for 3-5 years is not considered appropriate within that process.

- ii) The continued allocation of a Duty Councillor.

There are currently two Delegates, Councillors Morse and Carpenter. Following the election to be held in September 2012, the new Council will consider its delegates to the various committees and associations.

- iii) The guarantee of the erection of the annual Show Banner in William Street for a minimum 2 week period and waiving of those fees.

This request should be an annual request to Council in the course of its normal operations, as the date is changeable and other operating requirements may have to be met within a particular year.

#### **Financial Implications:**

If Council adopts this recommendation, there will be no alteration to the Draft Bathurst 2016 Plan as a result of this submission..

(b) **NSW Health, Community Mental Health Team, Bathurst Local Aboriginal Land Council**

**Recommendation:** That Council not amend the Draft Bathurst 2016 Plan in respect of these 3 submissions by including the appointment of a Trainee Environmental Health Officer.

**Report:** Council has noted in its Bathurst 2016 Delivery Plan the appointment of the above position by June 2013, but has not provided a budget line within the Detailed Budget for expense involved. As detailed in the submission (shown at **attachment 2**), the NSW government will provide 50% funding of the position under the Aboriginal Environmental Health Officer Training Program for the position. This year's budget has been extremely difficult to balance as Council's costs continue to rise in excess of the rate pegging limit allowed by the NSW State Government. The \$27,000 net expenditure (\$54,000 employment costs less 50% funding) for this position was deleted from the budget as part of the balancing exercise. With an estimated surplus of \$5,823, Council will need to find other savings, if it wishes this item to be included in the budget. Further, the current Council administration offices do not have space available to accommodate this position. Letters of support/submissions from the Community Mental Health Team and Bathurst Local Aboriginal Land Council are shown at **attachments 3, 4 & 5** is from NSW Health.

**Financial Implications:**

If Council adopts this recommendation, there will be no alteration to the Draft Bathurst 2016 Plan as a result of these 3 submissions.

(c) **Mr Ray Carter**

**Recommendation:** That Council not amend the Bathurst 2016 Plan in respect of the submission received from Mr Ray Carter

**Report:**

Council has received a submission from Mr Ray Carter in relation to sewer access charges as introduced by Bathurst Regional Council on 1 July 2004.

There is a long history of submissions and letters in respect to this matter raised by Mr Carter. Mr Carter has been advised on previous occasions that Council has the option to adopt either of two methods in relation to sewer charges.

The first method is the sewer discharge factor method which this Council has adopted. Council has been charging its ratepayers using this method since 2004 as the preferred charge for access to the sewer system.

The second method is the Equivalent Tenement method (ET method) which uses a nominal size of water meter to arrive at a charge for access to the sewer system.

Numerous reports to Councillors for their information and decisions have been made in detail over a long period of time.

Mr Carter's submission is 1,384 pages long, the first five pages, in summary, are shown at **attachment 6**. The remainder of the submission will be provided to



Councillors on CD and tabled at the meeting.

**Financial Implications:**

If Council adopts this recommendation, there will be no alteration to the Draft Bathurst 2016 Plan.

**(d) Mr G A Crisp**

**Recommendation:** That Council not amend its Bathurst 2016 Plan in respect of the submission received from Mr G A Crisp.

**Report:** Council has received a submission from Mr G A Crisp in respect to the Draft Bathurst 2016 Plan, opposing rate and water charges increases. Mr Crisp's submission is shown at **attachment 7**.

**Financial Implications:**

If Council adopts this recommendation, there will be no alteration to the Draft Bathurst 2016 Plan as a result of this submission.

**(e) Water Charges Increase**

**Recommendation:** That Council not amend the Draft Bathurst 2016 Plan in respect of the 5 submissions.

**Report:** Council has received 5 submissions in relation to the proposed increase in Water charges:

Ella Hawken (**attachment 8**)

Roger Newton (**attachment 9**)

A. Nankervis (**attachment 10**)

Ciaron Smith (**attachment 11**)

Tim Hector (**attachment 12**)

All 5 submissions oppose the increase in water charges proposed under the Draft Bathurst 2016 Plan.

As previously reported to Council, the water user pays system imposed by the NSW Government has been in place for a number of years. Whilst Council does not agree with the pricing methodology imposed, it must nevertheless comply.

For comparative purposes, the proposed water charges for Bathurst and adjoining areas are:

	Bathurst	Orange	Lithgow	Oberon	Mid Western (Mudgee)
Access Charge 20mm Meter	\$123.00	\$191.85	\$125.00	\$157.00	\$120.00
Usage Charges per kl					
Zero to Step Level	\$1.67	\$1.75	\$2.70	\$1.64	\$2.54
Usage over Step level	\$2.31	\$2.65	\$4.05	\$2.05	\$2.54
Step Level	250kl	450kl	250kl	250kl	250kl

The proposed 15% increase in the price of water is needed due to the significant downturn in the use of water as shown in the **attached** schedule. Councillors are aware that the water system is based on a cost recovery basis model and accordingly Council needs to raise the revenue to support the expenditure as shown in the Annual Operating Plan.

Year	Budget Income	Actual Income	Variation
2009/10	\$11.797 million	\$10.630 million	\$1.167 million (-)
2010/11	\$10.871 million	\$9.573 million	\$1.298 million (-)
2011/12	\$11.293 million	\$10.080 million (1)	\$1.213 million (-)

The proposed water charges for Bathurst compare more than favourably with adjoining councils. Based on the average residential consumption figure of 182kl in Bathurst, the following charges would apply based on each of the pricing policies;

	Access Charge \$	Consumption Charge \$	Total \$
Bathurst	123.00	303.94	426.94
Orange	191.85	318.50	510.35
Lithgow	125.00	491.40	616.40
Oberon	157.00	298.48	455.48
Mudgee	120.00	462.28	582.28

**Financial Implications:** If Council adopts this recommendation, there will be no alteration to the Draft Bathurst 2016 Plan as a result of these submissions.

### **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, 28.8
- 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, 29.8
- Objective 33: To be and develop good leaders. Strategy 33.5

**MINUTE**

**19 Item 8 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**

**MOVED: B Bourke SECONDED: T Carpenter**

**RESOLVED:** That Council consider the submissions individually.

**MINUTE**

**20 Item 8.01 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**

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

**(a) Bathurst Agricultural, Horticultural and Pastoral Association (Bathurst AH&P)**

**RESOLVED:** That Council amend the Bathurst 2016 Plan in respect of this submission to provide 3 years funding for the Supreme Show Exhibit. Each years funding being for 2 Supreme Exhibit Awards of \$500 each plus a Major Sponsorship of \$5,000.

**MINUTE**

**21 Item 8.2 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**

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

**(b) NSW Health, Community Mental Health Team, Bathurst Local Aboriginal Land Council**

**RESOLVED:** That Council not amend the Draft Bathurst 2016 Plan in respect of these 3 submissions by including the appointment of a Trainee Environmental Health Officer.

**MINUTE**

**22 Item 8.3 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**

**MOVED: I North SECONDED: M Morse**

**(c) Mr Ray Carter**

**RESOLVED:** That Council not amend the Bathurst 2016 Plan in respect of the submission received from Mr Ray Carter.

**MINUTE**

**23 Item 8.4 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**

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

**(d) Mr G A Crisp**

**RESOLVED:** That Council not amend its Bathurst 2016 Plan in respect of the submission received from Mr G A Crisp.

**MINUTE**

**24 Item 8.5 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**

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

**(e) Water Charges Increase**

That Council not increase water charges in the Bathurst 2016 Plan (Delivery Plan 2012-2016 and Annual Operating Plan 2012-2013).

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



**MINUTE**

**25 Item 8.6 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**

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

**(e) Water Charges Increase**

**RESOLVED:** That Council amend the Draft Bathurst 2016 Plan (Delivery Plan 2012-2016 and Annual Operating Plan 2012-2013) to provide for a 5% increase in Water Charges for 2012-2013.

**MINUTE**

**26     Item 8.7   EXTENSION OF TIME (16.00129)**

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

**RESOLVED:** That an extension of time be granted to Cr North for Minute #25 in accordance with Clause 250(3) of the Local Government (General) Regulation 2005

## **9 BATHURST 2016 DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**

**Recommendation:** That, following consideration of the submissions received by Council, the Bathurst 2016 Delivery Plan 2012 - 2016 and Annual Operating Plan 2012/2013 (Draft Bathurst 2016 Plan) be adopted as the Bathurst Regional Council Delivery Plan and Annual Operating Plan, subject to the inclusion of any amendment adopted as a result of the submissions received, and all expenditure and income items incorporated in the Operating Plan 2012/2013 be voted.

**Report:** The Draft Bathurst 2016 Plan has been advertised for the statutory 28 days and eleven (11) submissions were received by the end of the submission period.

Council considered these submissions in the previous report (DCSF #8 of 20 June 2012) and any adjustment to the Draft Bathurst 2016 Plan adopted at that item will now have to be included in the formal adoption of the Plan.

**Financial Implications:** The Bathurst 2016 Plan is the budget of the Bathurst Regional Council for 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, 28.8
- 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, 29.8
- Objective 33: To be and develop good leaders. Strategy 33.5

**MINUTE**

**27 Item 9 BATHURST 2016 DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**

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

**RESOLVED:** That, following consideration of the submissions received by Council, the Draft Bathurst 2016 Delivery Plan 2012 - 2016 and Annual Operating Plan 2012/2013 (Draft Bathurst 2016 Plan) be adopted as the Bathurst Regional Council Delivery Plan and Annual Operating Plan, subject to the inclusion of any amendment adopted as a result of the submissions received, and all expenditure and income items incorporated in the Operating Plan 2012/2013 be voted.

## **10 2012/2013 REVENUE POLICY (16.00129)**

**Recommendation:** That, following consideration of the submissions received by Council, the Revenue Policy for 2012/2013, as presented to Council, be adopted as the Bathurst Regional Council 2012/2013 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

**Report:** Council's Revenue Policy for 2012/2013 has been advertised for the statutory 28 days and submissions considered by Council.

Included in this year's Management Plan is the provision of six waste management vouchers consisting of 3 Mixed Refuse Vouchers of 200kg each and 3 Green Waste Vouchers of 200kg each. It is proposed that this service continue for ratepayers as part of issuing of rates and charges during 2012/2013.

**Financial Implications:** The 2012/2013 Revenue Policy sets out the fees and charges for Council services for the 2012/2013 financial year. These fees and charges assist Council to achieve its budgeted income for the year.

### **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.6, 28.8
- 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, 29.8
- Objective 33: To be and develop good leaders. Strategy 33.5

**MINUTE**

**28     Item 10   2012/2013 REVENUE POLICY (16.00129)**

**MOVED: T Carpenter SECONDED: M Morse**

**RESOLVED:** That, following consideration of the submissions received by Council, the Revenue Policy for 2012/2013, as presented to Council, be adopted as the Bathurst Regional Council 2012/2013 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

## **11 2012/2013 RATE LEVY (16.00112)**

**Recommendation:** That Council formally resolve to make the following rates and charges in relation to the 2012/2013 Rating Year.

- (a) ORDINARY RATES FOR 2012/2013 - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Bathurst 2016 Delivery Plan 2012-2016 and Annual Operating Plan 2012/2013 for the twelve months to 30 June 2013 was adopted by the Council on 20 June 2012 it is hereby recommended that:
1. a **Residential Rate** of zero point three zero one eight two seven (0.301827) cents in the dollar on the land value of all rateable land categorised as Residential in accordance with Section 516 of the local Government Act, 1993 excepting those parcels of land sub-categorised as "Residential Town/Villages", AND THAT
  2. a **Residential Town/Villages Rate** of zero point nine eight five six one seven (0.985617) cents in the dollar on the land value of all rateable land sub-categorised as Residential – Town/Villages, in accordance with Section 529(2) (b) of the Local Government Act, 1993, AND THAT
  3. a **Farmland Rate** of zero point two two nine eight four two (0.229842) cents in the dollar on the land value of all rateable land categorised as Farmland in accordance with Section 515 of the Local Government Act, 1993, AND THAT
  4. a **Business Rate** of zero point four six one six one zero (0.461610) cents in the dollar on the land value of all rateable land categorised as Business in accordance with Section 518 of the Local Government Act, 1993, excepting those parcels of land sub-categorised as "Business Bathurst City", "Business Forest Grove", "Business Ceramic Avenue", "Business Eglinton Non-Urban", "Business Orton Park", "Business Stewarts Mount", "Business Evans Plains" AND THAT
  5. a **Business Bathurst City Rate** of one point nine two nine six four one (1.929641) cents in the dollar on the land value of all rateable land sub-categorised as Business Bathurst City in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
  6. a **Business Forest Grove Rate** of one point six six five six four nine (1.665649) cents in the dollar on the land value of all rateable land sub-categorised as Business Forest Grove in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
  7. a **Business Ceramic Avenue Rate** of one point six six five six four nine (1.665649) cents in the dollar on the land value of all rateable land sub-categorised as Business Ceramic Avenue in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
  8. a **Business Eglinton Non-Urban Rate** of one point six six five six four nine (1.665649) cents in the dollar on the land value of all rateable land sub-categorised as Business Eglinton Non-Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
  9. a **Business Orton Park Rate** of one point six six five six four nine (1.665649)

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

10. a **Business Stewarts Mount Rate** of one point six six five six four nine (1.665649) cents in the dollar on the land value of all rateable land sub-categorised as Business Stewarts Mount in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
11. a **Business Evans Plains Rate** of one point six six five six four nine (1.665649) cents in the dollar on the land value of all rateable land sub-categorised as Business Evans Plains in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
12. a **Mining Rate** of zero point three six six seven three nine (0.366739) cents in the dollar on the land value of all rateable land categorised as Mining in accordance with Section 517 of the Local Government Act, 1993,

BE NOW MADE for the 2012/2013 Rating Year subject to the following Minimum and Base Amounts in accordance with Section 548 and Section 499 of the Local Government Act, 1993, AND THAT aggregation of values of certain parcels of land subject to a minimum or base amount in accordance with Section 548A of the Local Government Act, 1993, be permitted.

	Category	Minimum Amount	Base Amount	%Yield Base Amount
1	<b>Residential</b>		\$230.00	32
2	<b>Residential/Town Village</b>	\$335.00		
3	<b>Farmland</b>		\$311.00	23
4	<b>Business</b>	\$300.00		
5	<b>Business Bathurst City</b>	\$360.00		
6	<b>Business Forest Grove</b>	\$360.00		
7	<b>Business Ceramic Avenue</b>	\$360.00		
8	<b>Business Eglinton Non-Urban</b>	\$360.00		
9	<b>Business Orton Park</b>	\$360.00		
10	<b>Business Stewarts Mount</b>	\$360.00		
11	<b>Business Evans Plains</b>	\$360.00		
12	<b>Mining</b>		\$230.00	47

- (b) DOMESTIC WASTE MANAGEMENT CHARGES FOR 2012/2013- That the annual charge for each parcel of rateable land where the service is available under Section 496 of the Local Government Act, 1993, for the weekly removal of garbage and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2012 being two hundred and twenty three dollars (\$223.00) for the provision of one waste mobile bin and one recycle mobile bin be made by the Council, and that the annual charge to be made for each parcel of rateable vacant land where the service is available under Section 496 of the Local Government Act, 1993, for the twelve months commencing 1 July 2012 being five dollars (\$5.00) be made by the Council and further that a charge where the service is provided under Section 496 of the Local Government Act, 1993, for each additional domestic waste collection service of one hundred and fifty four dollars (\$154.00) per mobile bin and for each additional



fortnightly recycling collection service of sixty nine dollars (\$69.00) per mobile bin be made by the Council.

- (c) WASTE MANAGEMENT SERVICE CHARGES FOR 2012/2013 (NON DOMESTIC) – That the annual charge where the service is provided under Section 501/502 of the Local Government Act, 1993, for the weekly removal of garbage being one hundred and fifty four dollars (\$154.00) per mobile bin and the fortnightly collection of material for recycling being sixty nine dollars (\$69.00) per mobile bin for the twelve months commencing 1 July 2012 be made by the Council.
- (d) WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2012/2013 – That the annual waste charge for each property where rural tip access is provided under Section 501 of the Local Government Act, 1993, for the twelve months commencing 1 July 2012 being sixty five dollars (\$65.00) be made by the Council.
- (e) WASTE MANAGEMENT VOUCHERS – That the Council provide to all rateable properties six waste management vouchers, consisting of 3 Mixed Refuse Vouchers of 200kg each and 3 Green Waste Vouchers of 200 kg each, at no charge.
- (f) SEWERAGE CHARGES FOR 2012/2013 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2012.
1. That the annual charge for single residential (including residential strata) and un-metered properties be four hundred and thirty three dollars and zero cents (\$433.00).
  2. That the annual charge for vacant land be two hundred and seventy four dollars and zero cents (\$274.00).
  3. That the annual access charges for non-residential and multiple residential properties are to be the total of the metered charges applicable to the property as shown in the table below multiplied by a sewerage discharge factor.

Size of Water Connection (mm)	Charge for 2012/2013 \$
20	\$391.00
25	\$609.00
32	\$1000.00
40	\$1564.00
50	\$2445.00
65	\$4132.00
80	\$6258.00
100	\$9778.00
150	\$22001.00
Strata Properties (Each non-residential lot)	\$391.00
Assumption School	\$1223.00

4. That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be one dollar and fifteen cents (\$1.15) per kilolitre of filtered water supplied multiplied by a sewerage discharge factor.

(g) SEWERAGE CHARGES -TRADE WASTE 2012/2013

That in accordance with Sections 501,503, 539, and 541 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2012.

1. That the Annual Trade Waste Fee for individual businesses be eighty eight dollars and sixty cents (\$88.60).
2. That the Annual Trade Waste Fee (Large Discharger) for individual business be five hundred and ninety two dollars and forty cents (\$592.40).

(h) WATER CHARGES 2012/2013 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2012.

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

Size of Water Connection (mm)	Charge for 2012/2013 \$
20	\$123.00
25	\$192.00
32	\$315.00
40	\$495.00
50	\$769.00
65	\$1300.00
80	\$1969.00
100	\$3076.00
150	\$6922.00
Hillview Water Supply	\$123.00

2. That the minimum annual water availability charge for each unit within a Strata development be one hundred and twenty three dollars (\$123.00).
3. That the annual water availability charge for vacant unconnected land be one hundred and twenty three dollars (\$123.00).
4. That the annual water availability charge for unmetered or unconnected properties be six hundred and three dollars and twenty five cents (\$603.25).
5. That if water pressure at a property is less than 120 kpa, then a larger service may attract a charge of one hundred and twenty three dollars (\$123.00).
6. That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for 2012/2013
Hillview Estate Water Supply	First 250 kl	\$1.67
	> 250 kl	\$3.20
Residential Filtered	First 250 kl	\$1.67
	> 250 kl	\$2.51

Residential Raw	First 250 kl	\$0.67
	> 250 kl	\$1.01
Other Filtered	First 250 kl	\$1.67
	> 250 kl	\$2.51
Other Raw	First 250 kl	\$0.67
	> 250 kl	\$1.01
Large Industrial Filtered	>0 kl	\$1.39
Large Industrial Raw	>0 kl	\$0.90
Bathurst Golf Club Raw	First 18,000 kl	\$0.63
	>18,000kl, <32,000kl	\$0.84
	>32,000kl	\$1.26
Strata Unit property	First 250 kl (for each unit)	\$1.67
	>250 kl (for each unit)	\$2.51
Home Dialysis – subject to doctors certificate	First 200 kl	Free
	200kl-250 kl	\$1.67
	>250 kl	\$2.51

- (i) Included in this year's Bathurst 2016 Delivery Plan 2012-2016 and Annual Operating Plan 2012/2013 in the Water Fund are amounts for Operational expenditure at the Aquatic Centre. This is to be financed from revenue raised from the Water Fund as detailed in the Plan.
- (j) INTEREST ON OVERDUE RATES AND CHARGES FOR 2012/2013 – That in accordance with Section 566 of the Local Government Act, 1993 Council charge interest on overdue rates at a rate of 10.0% per annum for the 12 month period commencing 1 July 2012 as advised by the Minister.
- (k) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 3.6%, a 5.0% increase in Sewer Charges, Waste Charges have been calculated on the basis of the reasonable cost of providing the service and a 15% increase in Water Charges have been used in the calculation on achieving a 25/75 basis (25% access charge and 75% usage charge) based on the Best Practice Guidelines introduced by the NSW Office of Water, August 2007.

**Report:** As per recommendation.

**Financial Implications:** Making of rates and charges facilitates the funding of Council operations for 2012/13.

### **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, 28.8

## MINUTE

### 29 Item 11 2012/2013 RATE LEVY (16.00112)

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

**RESOLVED:** That Council formally resolve to make the following rates and charges in relation to the 2012/2013 Rating Year.

- (a) ORDINARY RATES FOR 2012/2013 - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Bathurst 2016 Delivery Plan 2012-2016 and Annual Operating Plan 2012/2013 for the twelve months to 30 June 2013 was adopted by the Council on 20 June 2012 it is hereby recommended that:
1. a **Residential Rate** of zero point three zero one eight two seven (0.301827) cents in the dollar on the land value of all rateable land categorised as Residential in accordance with Section 516 of the local Government Act, 1993 excepting those parcels of land sub-categorised as "Residential Town/Villages", AND THAT
  2. a **Residential Town/Villages Rate** of zero point nine eight five six one seven (0.985617) cents in the dollar on the land value of all rateable land sub-categorised as Residential – Town/Villages, in accordance with Section 529(2) (b) of the Local Government Act, 1993, AND THAT
  3. a **Farmland Rate** of zero point two two nine eight four two (0.229842) cents in the dollar on the land value of all rateable land categorised as Farmland in accordance with Section 515 of the Local Government Act, 1993, AND THAT
  4. a **Business Rate** of zero point four six one six one zero (0.461610) cents in the dollar on the land value of all rateable land categorised as Business in accordance with Section 518 of the Local Government Act, 1993, excepting those parcels of land sub-categorised as "Business Bathurst City", "Business Forest Grove", "Business Ceramic Avenue", "Business Eglinton Non-Urban", "Business Orton Park", "Business Stewarts Mount", "Business Evans Plains" AND THAT
  5. a **Business Bathurst City Rate** of one point nine two nine six four one (1.929641) cents in the dollar on the land value of all rateable land sub-categorised as Business Bathurst City in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
  6. a **Business Forest Grove Rate** of one point six six five six four nine (1.665649) cents in the dollar on the land value of all rateable land sub-categorised as Business Forest Grove in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
  7. a **Business Ceramic Avenue Rate** of one point six six five six four nine (1.665649) cents in the dollar on the land value of all rateable land sub-categorised as Business Ceramic Avenue in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
  8. a **Business Eglinton Non-Urban Rate** of one point six six five six four nine (1.665649) cents in the dollar on the land value of all rateable land sub-categorised as Business Eglinton Non-Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT

9. a **Business Orton Park Rate** of one point six six five six four nine (1.665649) cents in the dollar on the land value of all rateable land sub-categorised as Business Orton Park in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
10. a **Business Stewarts Mount Rate** of one point six six five six four nine (1.665649) cents in the dollar on the land value of all rateable land sub-categorised as Business Stewarts Mount in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
11. a **Business Evans Plains Rate** of one point six six five six four nine (1.665649) cents in the dollar on the land value of all rateable land sub-categorised as Business Evans Plains in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
12. a **Mining Rate** of zero point three six six seven three nine (0.366739) cents in the dollar on the land value of all rateable land categorised as Mining in accordance with Section 517 of the Local Government Act, 1993,

BE NOW MADE for the 2012/2013 Rating Year subject to the following Minimum and Base Amounts in accordance with Section 548 and Section 499 of the Local Government Act, 1993, AND THAT aggregation of values of certain parcels of land subject to a minimum or base amount in accordance with Section 548A of the Local Government Act, 1993, be permitted.

	Category	Minimum Amount	Base Amount	%Yield Base Amount
1	<b>Residential</b>		\$230.00	32
2	<b>Residential/Town Village</b>	\$335.00		
3	<b>Farmland</b>		\$311.00	23
4	<b>Business</b>	\$300.00		
5	<b>Business Bathurst City</b>	\$360.00		
6	<b>Business Forest Grove</b>	\$360.00		
7	<b>Business Ceramic Avenue</b>	\$360.00		
8	<b>Business Eglinton Non-Urban</b>	\$360.00		
9	<b>Business Orton Park</b>	\$360.00		
10	<b>Business Stewarts Mount</b>	\$360.00		
11	<b>Business Evans Plains</b>	\$360.00		
12	<b>Mining</b>		\$230.00	47

- (b) DOMESTIC WASTE MANAGEMENT CHARGES FOR 2012/2013- That the annual charge for each parcel of rateable land where the service is available under Section 496 of the Local Government Act, 1993, for the weekly removal of garbage and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2012 being two hundred and twenty three dollars (\$223.00) for the provision of one waste mobile bin and one recycle mobile bin be made by the Council, and that the annual charge to be made for each parcel of rateable vacant land where the service is available under Section 496 of the Local Government Act, 1993, for the twelve months commencing 1 July 2012 being five dollars (\$5.00) be made by the Council and further that a charge where the service is provided under Section 496 of the Local Government Act, 1993, for each additional domestic waste collection service of one hundred and fifty four dollars (\$154.00) per mobile bin and for each additional

fortnightly recycling collection service of sixty nine dollars (\$69.00) per mobile bin be made by the Council.

- (c) WASTE MANAGEMENT SERVICE CHARGES FOR 2012/2013 (NON DOMESTIC) – That the annual charge where the service is provided under Section 501/502 of the Local Government Act, 1993, for the weekly removal of garbage being one hundred and fifty four dollars (\$154.00) per mobile bin and the fortnightly collection of material for recycling being sixty nine dollars (\$69.00) per mobile bin for the twelve months commencing 1 July 2012 be made by the Council.
- (d) WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2012/2013 – That the annual waste charge for each property where rural tip access is provided under Section 501 of the Local Government Act, 1993, for the twelve months commencing 1 July 2012 being sixty five dollars (\$65.00) be made by the Council.
- (e) WASTE MANAGEMENT VOUCHERS – That the Council provide to all rateable properties six waste management vouchers, consisting of 3 Mixed Refuse Vouchers of 200kg each and 3 Green Waste Vouchers of 200 kg each, at no charge.
- (f) SEWERAGE CHARGES FOR 2012/2013 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2012.
1. That the annual charge for single residential (including residential strata) and un-metered properties be four hundred and thirty three dollars and zero cents (\$433.00).
  2. That the annual charge for vacant land be two hundred and seventy four dollars and zero cents (\$274.00).
  3. That the annual access charges for non-residential and multiple residential properties are to be the total of the metered charges applicable to the property as shown in the table below multiplied by a sewerage discharge factor.

Size of Water Connection (mm)	Charge for 2012/2013 \$
20	\$391.00
25	\$609.00
32	\$1000.00
40	\$1564.00
50	\$2445.00
65	\$4132.00
80	\$6258.00
100	\$9778.00
150	\$22001.00
Strata Properties (Each non-residential lot)	\$391.00
Assumption School	\$1223.00

4. That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be one dollar and fifteen cents (\$1.15) per kilolitre of filtered water supplied multiplied by a sewerage discharge factor.
- (g) SEWERAGE CHARGES -TRADE WASTE 2012/2013

That in accordance with Sections 501,503, 539, and 541 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2012.

1. That the Annual Trade Waste Fee for individual businesses be eighty eight dollars and sixty cents (\$88.60).
2. That the Annual Trade Waste Fee (Large Discharger) for individual business be five hundred and ninety two dollars and forty cents (\$592.40).

(h) WATER CHARGES 2012/2013 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2012.

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

Size of Water Connection (mm)	Charge for 2012/2013 \$
20	\$112.00
25	\$175.00
32	\$287.00
40	\$451.00
50	\$701.00
65	\$1185.00
80	\$1795.00
100	\$2804.00
150	\$6310.00
Hillview Water Supply	\$112.00

2. That the minimum annual water availability charge for each unit within a Strata development be one hundred and twelve dollars (\$112.00).
3. That the annual water availability charge for vacant unconnected land be one hundred and twelve dollars (\$112.00).
4. That the annual water availability charge for unmetered or unconnected properties be five hundred and forty nine dollars (\$549.00).
5. That if water pressure at a property is less than 120 kpa, then a larger service may attract a charge of one hundred and twelve dollars (\$112.00).
6. That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for 2012/2013
Hillview Estate Water Supply	First 250 kl	\$1.60
	> 250 kl	\$3.20
Residential Filtered	First 250 kl	\$1.52
	> 250 kl	\$2.28
Residential Raw	First 250 kl	\$0.67
	> 250 kl	\$1.01
Other Filtered	First 250 kl	\$1.52
	> 250 kl	\$2.28

Other Raw	First 250 kl	\$0.67
	> 250 kl	\$1.01
Large Industrial Filtered	>0 kl	\$1.39
Large Industrial Raw	>0 kl	\$0.90
Bathurst Golf Club Raw	First 18,000 kl	\$0.63
	>18,000kl, <31,999kl	\$0.84
	>32,000kl	\$1.26
Strata Unit property	First 250 kl (for each unit)	\$1.52
	>250 kl (for each unit)	\$2.28
Home Dialysis – subject to doctors certificate	First 200 kl	Free
	200kl-250 kl	\$1.52
	>250 kl	\$2.28

- (i) Included in this year's Bathurst 2016 Delivery Plan 2012-2016 and Annual Operating Plan 2012/2013 in the Water Fund are amounts for Operational expenditure at the Aquatic Centre. This is to be financed from revenue raised from the Water Fund as detailed in the Plan.
- (j) INTEREST ON OVERDUE RATES AND CHARGES FOR 2012/2013 – That in accordance with Section 566 of the Local Government Act, 1993 Council charge interest on overdue rates at a rate of 10.0% per annum for the 12 month period commencing 1 July 2012 as advised by the Minister.
- (k) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 3.6%, a 5.0% increase in Sewer Charges, Waste Charges have been calculated on the basis of the reasonable cost of providing the service and a 5% increase in Water Charges have been calculated on achieving a 25/75 basis (25% access charge and 75% usage charge) based on the Best Practice Guidelines introduced by the NSW Office of Water, August 2007.

Yours faithfully



R Roach  
**DIRECTOR**  
**CORPORATE SERVICES & FINANCE**



ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES  
20 JUNE 2012

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL MEETING HELD ON 20 JUNE 2012**

General Manager  
Bathurst Regional Council

**1 LANDFILL GAS FLARE (13.00007)**

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

**Report:** At the May 2012 Policy Committee meeting, a report was requested detailing the status of the landfill gas flare, including power generation opportunities.

**Overview**

Council would recall a confidential report on a Landfill Gas Agreement was considered at the December 2005 Council meeting, where Council resolved to enter into an agreement with Waste Management Pacific Pty Ltd, who have subsequently become Transpacific Industries Limited (TPI).

Physical works have involved locating methane hotspots within the landfill, drilling nineteen bores into those areas (as opposed to using a set grid pattern), and connecting those bores by pipeline to a landfill gas flare located near the roadway to the main waste transfer station. This flare has been in full time operation for over three years. At the Waste Management Centre, the area around the flare has been fenced off and signage installed, with flyers available at the gatehouse and on Council's website providing further information.

Investigative works originally identified that the scale of the Bathurst Waste Management Centre was below the threshold (from a financial perspective) for generator installation to occur. After a period of time, the idea of including the Bathurst project with another TPI landfill was investigated and found to have merit. Several generation providers visited the Bathurst site and after an evaluation process TPI nominated their preferred contractor. Discussions have been held with that contractor, who at this early stage is confident that a generator can be installed subject to detailed investigation and resolution of a number of technical, financial, legal and other matters. The contractor and TPI have also considered the best way ahead, and have recommended an approach to Council that is being considered by Council's solicitors.

Once a clear direction is determined, and any necessary legislative and contractual matters have been dealt with, a further report will be provided to Council.

**Technical Background**

Landfill gas is one of the products that results from the disposal of waste containing organic matter into a landfill. It can sometimes carry bad odours, and in rare situations be dangerous, causing fires and explosions. Landfill gas is about 50 percent methane (the main component of natural gas) with the remainder being mostly carbon dioxide with small amounts of nitrogen, oxygen, hydrogen and other organic compounds. The methane component in landfill gas is a very potent greenhouse gas. One tonne of methane emitted to the atmosphere can have the same global warming effect as 21 tonnes of carbon dioxide.

Several factors can influence the quantity and quality of landfill gas as they increase or decrease oxygen infiltration into the landfill. These include the types and age of the waste buried in the landfill, the quantity and types of organic matter contained in the waste, the moisture content, the temperature and available nutrients in the waste for bacterial growth.

The operation of the flare enables the landfill gas to be burnt and this contributes to an overall reduction in the greenhouse gas emissions from the Waste Management Centre. This reduction is very significant, with a saving of approximately 9,000 tonnes of greenhouse gas emissions over the 2010/2011 year. There are other less obvious benefits to burning the landfill gas, including a reduction in odours, improving the amenity of the area around the landfill and safety at the landfill site is improved by reducing the risk of fire and explosion from flammable gases.

#### National Greenhouse Energy Reporting Scheme (NGERS)

Council has calculated and reported the greenhouse gas emissions from the Bathurst Waste Management Centre for the last three financial years. An assessment showed that the total amount of emissions were above the 25,000 tonne facility threshold for reporting. In 2012 a reasonable assurance audit was undertaken by Deloitte on behalf of the Australian Government Department of Climate Change and Energy Efficiency. Their view was that the operation of the flare should be claimed as a deduction in the overall emissions, and this means that Council is now below the reporting threshold. The Department has been provided with the full details of the audit.

#### Carbon Tax

On 1 April 2012, the newly established Australian Government Clean Energy Regulator commenced operations, and have since released a list of organisations that will be liable for carbon tax. Council is not on that list and is not liable for carbon tax in 2012/2013 for emissions at the Waste Management Centre. Should the current arrangements remain in place, this position will continue.

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

#### **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.7
- Objective 13: To minimise the City's environmental footprint. Strategy 13.5
- Objective 16: To encourage sustainable waste management practices, incorporating opportunities for energy generation. Strategy 16.4
- Objective 33: To be and develop good leaders. Strategy 33.6

**MINUTE**

**30    Item 1    LANDFILL GAS FLARE (13.00007)**

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

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

## **2 PERFORMANCE MONITORING FOR WATER AND SEWER FOR 2010-11 (03.00086)**

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

**Report:** Bathurst Regional Council Action Plan for Water and Sewer Performance Monitoring.

Council is required to submit an annual report to the NSW Office of Water detailing its performance over a large number of indicators in the supply of water and sewer services. All Councils in NSW who own and operate a water treatment plant and supply and /or a reticulated sewer network and treatment works also submit similar reports.

The report contains a wide range of measures which are reviewed annually by the NSW Office of Water. These enable Local Water Utilities to report on various aspects of its service to its customers. The data includes but is not limited to Health, Financial and Social aspects of the service supplied. The completed report is a detailed document comparing Councils of similar size on the standard of service they provide.

The latest summary available is for the 2010-11 financial year. All aspects of the summary detailing Bathurst Regional Council's performance have been reviewed and will be assessed where appropriate, and will be addressed with alterations to operational practices or amended with plans to improve the level of service.

The following Action Plan is a sample of the measures taken to maintain High Ranking Services and actions to address Medium or Low Ranking Scores.

### **ACTION PLAN FOR PERFORMANCE MONITORING 2010-11**

<b>Target</b>	<b>Council's Actions Contributing to Achieving Target</b>
<b>Water Supply (Social Indicator – Health)</b>	
Maintain current ranking of 100% compliance on Microbiological Compliance of potable water supplied. (HIGH RANKING)	Council will continue to maintain its existing testing regime of testing, monitoring and upgrading processes to meet the increasing compliance standards
<b>Water Supply (Social Indicator – Service Levels)</b>	
Water Quality Complaints (LOW RANKING)	All dirty water complaints are logged on a data base and mains flushing programme is prioritised on the frequency of complaints in various areas. Council is currently undertaking a 3 stage manganese removal trial. Stage 1 has been successfully completed. Stage 2 is underway and initial results indicate this may be successful. If stage 2 is successful stage 3 would commence after the NSW Office of Water has approved the process. Design, tendering, construction and commissioning would need to be undertaken. Only then will manganese levels start to decrease in the supply network.
<b>Water Supply (Environmental Indicator – Natural Resource Management)</b>	

Average Residential Water supplied (MEDIUM RANKING)	Council is part of the Save Water Alliance and actively promotes water conservation. This will continue and be further promoted to conserve additional water.
<b>Water Supply (Social Indicator – Charges and Bills)</b>	
Residential Water Charge c/KL for usage less than 250KL (LOW RANKING)	Council has increased its water charges for 2012 – 2013 which will improve future rankings.
Typical Developer Charge in 2010/11 was \$4540 per Assessment. (GOOD RANKING)	Council has adopted a Development Servicing Plan and developer Charges are now as per Best Practice Guidelines ensuring that developers contribute to the existing and future costs of infrastructure maintenance and upgrades. The Developer Servicing Plan will be reviewed and updated to meet industry standards.
<b>Sewage Services (Social – Health)</b>	
Maintain current ranking of 100% compliance on Microbiological compliance for % of sewage volume treated. (HIGH RANKING)	Council will continue to maintain its existing testing regime of testing, monitoring and upgrading processes to meet the increasing compliance standards
Maintain current highest ranking for Urban properties without reticulated sewage services. (HIGH RANKING)	Council policy requires all new properties in the urban area to be connected to the reticulated sewage network – thus maintaining this high ranking.
<b>Sewage Services (Environmental – Environmental Performance)</b>	
Sewage Overflow to the Environment (LOW RANKING)	Council's Systems records all overflows. A large number of overflows occur on private property and are beyond Council Control, however these are reported to Council and inspected. Council prefers to inspect all overflows and advise residents on correct action when necessary, where the overflow is a private matter and take approved action if the over flow is Council's responsibility.
Sewer Main Breaks and Chokes per 100km of sewer main (MEDIUM RANKING)	Council has an ongoing program of inspection and rehabilitation of sewer mains recording an above average number of breaks and chokes and this program will continue in order to further improve Councils ranking in this area.
<b>Sewage Services (Economic - Efficiency)</b>	
Treatment Cost (MEDIUM RANKING)	One of the biggest contributors to the cost of treatment is electricity. Council has undertaken energy audits in an effort to identify power use and make savings where possible and recommendations from the audit are currently being implemented.
Pumping Cost per Property (HIGH RANKING)	Council has, over several years, been introducing energy saving infrastructure to the Water and Sewer systems. Part of this is the installation of variable speed drives on sewer pumps stations. This program will continue in order to reduce costs

and maintain the high ranking.

**Financial Implications:** Nil.

**Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 13: To minimise the City's environmental footprint. Strategy 13.2
- Objective 15: To secure a sustainable water supply and raise awareness on water issues. Strategy 15.7
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8
- Objective 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 29.8
- Objective 31: To maintain local public ownership of water and sewer assets. Strategy 31.2

**MINUTE**

**31 Item 2 PERFORMANCE MONITORING FOR WATER AND SEWER FOR 2010-11 (03.00086)**

**MOVED: M Morse SECONDED: T Carpenter**

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



### **3 CEMETERY TOILET BLOCK (09.00009)**

**Recommendation:** For Council's consideration.

**Report:** At Council's Policy Committee meeting on 2 May 2012, Councillor Bourke requested a report be prepared on the lack of toilet facilities provided at the cemetery.

Council currently has two staff members permanently located at the cemetery with facilities attached to the amenities building on the cemetery side of Brooke Moore Oval. Staff do have appropriate facilities available to them including toilets, lunchroom and shower.

There are no public toilets provided as part of the cemetery and Council and engineering staff are not aware of any complaints or requests from the public for such facilities over the past twenty years. No previous requests have been received from Councillors for consideration of the provision of these facilities in the cemetery.

To provide toilets within the cemetery, Council needs to take into consideration the following:

- Location – In providing new facilities the location would best be allocated in the higher elevation location at the lawn cemetery sections as there are low level of visitors to the old sections of the cemetery. The old section also has areas that appear to be vacant land but may in some locations have very old unmarked graves. It is also important that such a building be located well clear of existing burial sites given the understandable sensitivity of the proximity of such a facility.
- Services – Sewer, water and power are required for such a building and the provision of these to a site worth utilising will add considerably to the construction cost. Other locations where such facilities are replaced have minimal costs in this regard as all these would be existing for the previous buildings.
- Size – The minimum size providing male, female and disabled facilities would have building costs of approximately \$90,000 plus provision of services. Alternatively a unisex facility although lower in cost would still have similar basic establishment and preparation costs.
- Agreement with crematorium provider – Under the understanding that this will best be constructed on land that will be under the lease with the crematorium provider, agreement will be required with the proposed lease holder.

The availability of sewer is from either a main crossing the site near the Bradwardine Road and the Mitchell Highway area or off Dean Street. This would necessitate the construction of a sewer line for a distance of approximately 300 metres and water supply that crosses the roads in the cemetery.

Given the above considerations the most suitable location is considered to be in the north western section as shown on the sketch at **attachment 1**. This provides for the cemetery overall but in the most visited section.

**Financial Implications:** A basic toilet block providing male, female and disabled toilets is estimated to cost \$160,000 including services. No funds are currently allocated or in the draft Management Plan for 2012/2013.

Accordingly, if Council should wish to progress this matter further it should be referred to the 2013/2014 budget for consideration.

### **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

**MINUTE**

**32     Item 3    CEMETERY TOILET BLOCK (09.00009)**

**MOVED: B Bourke   SECONDED: T Carpenter**

**RESOLVED:** That the information be noted and consideration of construction of this toilet block be referred to the 2013-2014 Operating Plan.

#### **4 WASTE 2 ART 2012 EXHIBITION AND COMPETITION (14.00007)**

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

**Report:** Council held the local 2012 Waste 2 Art exhibition and competition at the Bathurst Memorial Entertainment Centre between Friday 20 April and Sunday 22 April 2012.

Waste 2 Art is a community art exhibition and competition that showcases creative works made from reused or recycled materials that would otherwise be considered as waste. The purpose of the project is to encourage the concepts of reduce, reuse and recycle within Central Western NSW communities.

Waste 2 Art is supported by Netwaste. Councils across the Central West and Far West that are members of CENTROC and OROC and Netwaste are encouraged to participate and in 2012 Bathurst was one of 18 participating Councils.

The 2012 local exhibition and competition was managed by staff in the Water and Waste section of Council's Engineering Services Department. Engineering staff worked in collaboration with staff from the Bathurst Regional Art Gallery (BRAG), Events and the Environment section within the Environmental Planning and Building Services Department to make the local exhibition and competition a success.

BRAG ran a series of Waste 2 Art inspired workshops through the April school holiday period which were well attended. Participants were encouraged to create artworks from the recycled materials available and numerous pieces created during the family oriented workshops were subsequently entered into the 2012 local exhibition and competition.

Forty-eight artworks, across ten categories were entered into the 2012 local competition which was slightly less than the number of entries received in 2011. These artworks were judged by a panel of three judges; Cr Monica Morse, Ms Carol Endean-Little, a local sculptor and Mr Antony Cullen-Ward, Council's Solid Waste Coordinator to determine the winner in each category. The quality of the artworks entered into the competition was high and the diversity of the pieces entered reflected the broad range of age and experience of participants. Artworks were judged on the concept behind the piece, the quality of the work and how the artist was able to incorporate recycled materials into the piece. There were some very creative uses of material such as paper, metal, fabric and household items that could otherwise be considered as waste.

The winners across each of the ten categories were then entered into the Regional Exhibition which opened in Forbes on Saturday 19 May 2012 and ran through until 8 June 2012. Council staff attended the opening of the Regional Exhibition on behalf of Council and accepted a Highly Commended nomination in the category of *High School Functional* for a Bathurst artist that was not present. An image of that entry is provided at **attachment 1** and the artwork was titled "Industrial Chic" by Chloe Fulthorpe.

It was pleasing to see Bathurst artworks on exhibition alongside artworks from across the Central West demonstrating the depth of artistic ability present within the Bathurst community to the broad audience that attended the Regional Exhibition.

Feedback from participants and visitors regarding the local Waste 2 Art 2012 exhibition and competition has been overwhelmingly positive. Based upon the positive feedback received by Council regarding the program, the strong level of community interest in entering artworks and the willingness of Council staff to work collaboratively to share the workload associated with this project it has been agreed that Council should participate in the 2013 Waste 2 Art

program.

**Financial Implications:** Funding for managing the 2012 Waste 2 Art exhibition and competition was sourced from existing budgets.

**Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 16: To encourage sustainable waste management practices, incorporating opportunities for energy generation. Strategy 16.6
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.4
- Objective 33: To be and develop good leaders. Strategy 33.6

**MINUTE**

**33     Item 4    WASTE 2 ART 2012 EXHIBITION AND COMPETITION (14.00007)**

**MOVED: M Morse SECONDED: T Carpenter**

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

## **5 CLEAN-UP AUSTRALIA DAY 2012 (14.00007)**

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

**Report:** Council supported the Bathurst Tidy Towns Committee in holding the local Clean Up Australia Day Campaign on Sunday 4 March 2012.

Seven individual sites were registered on the Clean Up Australia Day website across the Bathurst Region including rural sites at Sunny Corner and Mt Rankin as well as sites across the city. The number of site registrations was down compared to 2011, this is most likely due to the unseasonal wet weather experienced in the lead-up to the event.

The main site was again managed by the Bathurst Tidy Towns Committee at Morse Park. From this site, participants generally fan out across the parks and roads of the region cleaning up as they go. Volunteers from the NSW Rural Fire service registered at this site and their assistance made a significant impact.

As in previous years Bathurst Scouts participated in cleaning up areas around the Kelso Industrial Area and their contribution was greatly valued. The licensees of Bathurst McDonalds also made an important contribution, employing staff to clean up the vicinity of the Bathurst McDonalds restaurant located on the Great Western Highway.

A total of 280kg of mixed waste from all sites was registered as being received at the Waste Management Centre resulting from Clean Up Australia Day activities. This waste was collected by Council officers from designated collection points or delivered by participants at no cost.

Extensive advertising encouraging participation was again undertaken in 2012, with radio advertising, print media, direct mail outs to schools and sporting groups, electronic signage and word of mouth advertising being employed.

Despite an increase in advertising leading up to the event, volunteer numbers were significantly down on 2011, this can be directly attributed to the extensive flooding that occurred across the region in the weeks prior to Clean Up Australia Day. As a result of the weather conditions, some clean-up activities were postponed whilst others went ahead on 4 March as the weather had cleared by this stage but with greatly reduced numbers.

Council will continue to support Clean Up Australia Day in future years.

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

### **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.5
- Objective 16: To encourage sustainable waste management practices, incorporating opportunities for energy generation. Strategy 16.6

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

Strategy 30.4

- Objective 33: To be and develop good leaders.

Strategy 33.6



**MINUTE**

**34     Item 5    CLEAN-UP AUSTRALIA DAY 2012 (14.00007)**

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

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

## **6 PROPOSED ROAD WIDENING, LOT 11 DP875116, SOFALA ROAD, LAFFING WATERS (25.00161)**

**Recommendation:** That -

- (a) Council approve the compulsory acquisition of road widening land proposed by the New South Wales Transport Roads and Maritime Services affecting Lot 11 DP875116 located at Laffing Waters Lane, Laffing Waters,
- (b) the acquisition follow the provisions of the Roads Act 1993 and procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991, as detailed in the Director Engineering Services' report, and
- (c) the acquired property be classified as Operational land.

**Report:** Council has received an application from the New South Wales Government Transport Roads and Maritime Services (RMS) regarding the upgrade of Sofala Road at Laffing Waters. The upgrade includes the widening of the carriageway to improve driver safety by improved sight distance.

In order to carry out the road's construction, the RMS has made application to acquire, by agreement, a section of Lot 11 DP875116 being land in Council's ownership (refer **attachment 1**). The RMS will provide a controlled access covenant over the large residue in order to prevent access to Sofala Road from the future extension of James Barnett Drive.

The area of land is 12,605m<sup>2</sup> and covers a kilometre of road frontage. The amendment to this boundary had been programmed into Council's development of the property.

For the acquisition to occur, it is recommended that Council should approve the compulsory acquisition of the property by agreement with the RMS to:

- (a) Pay compensation for the acquired land based on a valuation assessed by a registered property valuer;
- (b) Provide a new rural fence similar to existing;
- (c) Pay Council's reasonable expenses including legal, survey and valuation fees;
- (d) Classify the acquired property as Operational land; and
- (e) The acquisition to follow the provisions of the Roads Act 1993 and procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991.

It is recommended that Council approve the acquisition of part Lot 11 DP875116 with the transfer to follow the provisions of the Roads Act 1993 and procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991. The acquired parcel is to be classified as operational land.

**Financial Implications:** All expenses are to be met by the applicant, New South Wales Government Transport Roads and Maritime Services.

## **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1, 6.6
- Objective 7: To support Integrated Transport Infrastructure Development. Strategy 7.1, 7.5
- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.1

**MINUTE**

**35 Item 6 PROPOSED ROAD WIDENING, LOT 11 DP875116, SOFALA ROAD, LAFFING WATERS (25.00161)**

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

**RESOLVED:** That -

- (a) Council approve the compulsory acquisition of road widening land proposed by the New South Wales Transport Roads and Maritime Services affecting Lot 11 DP875116 located at Laffing Waters Lane, Laffing Waters,
- (b) the acquisition follow the provisions of the Roads Act 1993 and procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991, as detailed in the Director Engineering Services' report, and
- (c) the acquired property be classified as Operational land.

Yours faithfully



Doug Patterson  
**DIRECTOR  
ENGINEERING SERVICES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT AND MINUTES  
20 JUNE 2012

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT TO THE ORDINARY  
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 20 JUNE 2012**

General Manager  
Bathurst Regional Council

**1 VACATION CARE PROGRAM - APRIL 2012 (09.00005)**

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

**Report:** The recent Council Vacation Care Program operated from Tuesday, 10 April 2012 through to Friday, 20 April 2012. A total of 50 children were enrolled in the program with an average of 27 children attending per day.

The program contained activities including excursions to the Bathurst Sheep and Cattle Drome, Waste 2 Art Workshop at the Bathurst Regional Art Gallery, Bunnings DIY workshop and a trip to the movies to end the holidays. Other activities included creating your own masterpiece with the resident artist, Jeff; dressing up fun for Friday the 13th and making your own dream catcher. The children especially enjoyed making hand puppets and putting on their own talent show.

The program continues to provide a valuable service to children and families of the broader Bathurst community, operating within the principles of creating a play-based learning environment that is fun and stimulating.

These principles aim to develop a child's:

- Sense of identity;
- Opportunities to connect and contribute to their world;
- Understanding and awareness of well-being;
- Ability to become confident and involved learners; and
- Use of effective and appropriate communication.

Vacation Care is scheduled to again be operational in the July 2012 school holiday period.

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

**Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.3
- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.1
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3

**MINUTE**

**36     Item 1    VACATION CARE PROGRAM - APRIL 2012 (09.00005)**

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

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

## **2 CURRENT AVAILABILITY OF CHILD CARE WITHIN BATHURST (09.00008)**

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

**Report:** Information has been sourced as to the number of registered child care places currently available in Bathurst, and the demand for these places, as requested by Councillors.

Currently there is provision for six hundred and four (604) registered long day care places inclusive of the following:

- Five hundred and fifteen (515) registered long day care places across eight centres;
- Twenty eight (28) long day care registered places becoming available with the opening of a new centre "Tiny Tots";
- Sixty one (61) long day care registered places provided by Council run facilities with Scallywags Long Day Care licensed for forty one (41) places and Little Scallywags Long Day Care licensed for twenty (20).

In addition to these long day care places Bathurst Regional Council's Family Day Care Scheme currently provides care for four hundred and eighty four (484) children weekly.

Information obtained from each of these services indicated that they all have a waiting list with a greater demand for places in the 0-2 years age range. Some centres indicated that they have stopped taking names, while others mentioned that demand is higher for places mid week.

Each of the services indicated that there is a shortage of available child care places in the Bathurst community. Suggestions as to how to alleviate this situation ranged from providing more centres, investigating the needs of the community, encouraging families to book children in early and reviewing licensing requirements.

Comprehensive investigation or review into the current and future demand on service provision for child care within the Bathurst community will require the allocation of additional resources to undertake this research and any subsequent planning.

**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 5.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.3, 30.6



**MINUTE**

**37    Item 2    CURRENT AVAILABILITY OF CHILD CARE WITHIN BATHURST**  
**(09.00008)**

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

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

### **3 HOME LIBRARY SERVICE DELIVERY AND MOBILE LIBRARY VAN RUNS (21.00063)**

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

**Report:** Council provides, on a three weekly schedule, a home library service which delivers library material to housebound individuals within the limits of the Bathurst City area, currently 95 individual clients and ten institutions are using this service.

Individuals who request the service are required to obtain a Doctor's certificate attesting to their housebound status.

Clients are interviewed on a regular basis to develop a profile of likes and dislikes, library staff select material based on this profile. An individual is allowed ten items each delivery. The delivery is carried out by the mobile driver, a part time position.

Restructuring, in terms of expansion or contraction of the runs, occurs regularly in response to new requests for the service or following the loss of users. Each year in December the runs are restructured in response to these changes. In December 2011 a review was undertaken of home library runs and a number of changes made which expanded the service.

A number of nursing homes receive a mobile service, both in terms of a service to some individuals residing in the home, as well as deposit collections for general use.

A six weekly mobile library service to schools and villages reaches communities at Hill End, Wattle Flat, Rockley, Turondale, Meadow Flat, Sofala, and Trunkey Creek. The service provides a useful back up to the library collections held by the schools and as such is a valuable service. The school service is subject to changes in school enrolments such as when Lagoon School closed down due to insufficient numbers.

Schools served include Hill End, Wattle Flat, Sofala, Rockley, Trunkey Creek, Meadow Flat and O'Connell.

Two depot collections exist at Hill End and Wattle Flat, these are located in shops and are open for the same hours as the shops, we also provide a small collection for adults at Trunkey Achool. Patrons note loans of material in a register. Collections are refreshed annually.

A number of the schools serviced by the mobile have experienced reductions in the number of children attending. Hill End and Rockley schools, in particular, are now attended by only five to six children. Should the numbers attending these schools not increase in the period leading up to new school year we will reassess the service provided.

Innovative delivery methods are being investigated and used, for example consideration is being given to providing access to library material by means of e-books. This will develop once the library has commenced an e-book service, these options are currently being researched and negotiated. Home library and mobile patrons would be offered the loan of an electronic reader such as Kindle and would then be able to access the library collection of e-books.

The mobile provides for use by any Bathurst library patron, so a patron who lives in Bathurst may use the mobile when it is in Hill End, provided they produce a current library card.

Navigators are provided to house bound clients, these are MP3 players for clients with macular generation, pre-loaded with books by home library staff.

Should a demand for housebound services to our rural areas arise, Council could consider establishing a postal service to housebound individuals. Thus home library service patrons outside the Bathurst city limits may be able to receive material through the regular mail service.

**Financial Implications:** Service provided for in current budget. Future service changes to be submitted to estimates.

### **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 17: To encourage living, vibrant and growing villages and rural settlements. Strategy 17.9
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1, 26.4

**MINUTE**

**38 Item 3 HOME LIBRARY SERVICE DELIVERY AND MOBILE LIBRARY VAN RUNS (21.00063)**

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

**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 20 JUNE 2012**

General Manager  
Bathurst Regional Council

**1 MINUTES - POLICY COMMITTEE MEETING - 6 JUNE 2012 (07.00064)**

**Recommendation:** That the recommendations of the Policy Committee Meeting held on 6 June 2012 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held 6 June 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**

**39     Item 1   MINUTES - POLICY COMMITTEE MEETING - 6 JUNE 2012 (07.00064)**

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

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 6 June 2012 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 6 JUNE 2012**

**MEETING COMMENCES**

**1 MEETING COMMENCES**

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

**In attendance:** General Manager, Acting Director Corporate Services & Finance, Director Cultural & Community Services, Director Engineering Services, Director Environmental Planning & Building Services, Manager Recreation, Parks Operations Manager, Manager Water & Waste, Senior Strategic Planner, Acting Manager Environment, Development Control Planner, Media & Public Relations Officer.

**APOLOGIES**

**2 APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 2 MAY 2012 (07.00064)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Morse

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 2 May 2012 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**  
**MOVED** Cr P Toole and **SECONDED** Cr M Morse

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

Cr Westman  
Item #2 of the Director Engineering Services report.

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**Director Engineering Services' Report**

**5 Item 1 STREET TREE WORKS TO COMMENCE IN ROCKLEY AS PART OF BATHURST HERITAGE STREET TREE AUDIT (37.00206)**  
**MOVED** Cr R Thompson and **SECONDED** Cr G Hanger





The Director Environmental, Planning & Building Services advised that the matter was not discussed.

**12**      **Item 5 FERNERY, MACHATTIE PARK (04.00012)**

**Cr Bourke** - advised that in regards to pond in the fernery, understands money is being taken out by children. Could we look at putting in place some mesh or other structure to stop this occurring?

**13**      **Item 6 MAIL TO COUNCILLORS (03.00049)**

**Cr Bourke** - advised mail is being opened before it comes to Councillors, could this be halted, may require a Policy change.

**The Mayor** advised a report will come back to Council on this matter.

**14**      **Item 7 KENTUCKY FRIED CHICKEN ROAD ACCESS (07.00006)**

**Cr Bourke** - advised problem occurring with cars queuing up and down George Street. Could this matter be examined and possibly be referred to the Traffic Committee.

**15**      **Item 8 MR BROWN, EGLINTON (23.00012)**

**Cr North** - advised received a letter from this ratepayer who noted how good the staff were when doing a footpath in Eglinton.

**16**      **Item 9 ROCKLEY TOILET (36.00449)**

**Cr North** - asked where is this at?

**The Director Engineering Services** spoke to process in place, tenders have been called, hopefully report to June meeting.

**17**      **Item 10 SES MATTERS (22.02581)**

**Cr North** - request a report for a future Council, as to having a Councillor delegate to the SES. Referred to building problems the SES have with current site.

**18**      **Item 11 RMS ROAD MATTERS (18.00121)**

**Cr North** - talked to the level of decision making rights Council has in respect to issues on RMS roads; e.g. speeding issues. There seems to be difficulty in Council having a say and getting Traffic Committee to consider Council input. Spoke to a resident's concern he had received and lack of response received.

**19**      **Item 12 CRIGHTON VILLAGE, EGLINTON (22.01826)**

**Cr North** - asked where is this at?

**The Mayor** noted Mr Cox is in the audience tonight and may provide advice as to where the proposal is at during the Discussion Forum session.

**20**      **Item 13 MUSEUM PASS (18.00004)**

**Cr North** - pleased 3 museum pass has been approved for group coming next year. Would like this to be put in permanently. Requested a report on this come back to Council.

**21**      **Item 14 RFS - LG&SA PRESS RELEASE (18.00233)**

**Cr North** - spoke to press release issued by LG&SA on operational disengagement with the RFS. Has concerns with this proposal. Please refer to a working party for future discussion.

**Meeting suspended to allow Discussion forum to take place at the advertised time, 5.15 pm.**

**General Business continued at 5.43 pm.**

**22**      **Item 15 CLEANING OF HIGHWAY (25.00005)**

**Cr Aubin** - How often do the group do the Highway near the RTA? Could we look at doing it more regularly?

**The Director Engineering Services** spoke of process in place.

**23**      **Item 16 CITY ENTRANCE PLANS (25.00005)**

**Cr Aubin** - Where are we at with this?

**The Parks Operation Manager** advised they are currently awaiting feedback from Councillors and then will collate these. Program works will start at the Orange approach first.

**24**      **Item 17 GREEN SPACES IN NEW ESTATES (20.00018)**

**Cr Aubin** - Do we have a policy for this?

**The Director Environmental Planning & Building Services** spoke to plans on green space requirements to be included with new LEP and process that is occurring.

**25**      **Item 18 COURTHOUSE EASTWING (22.01071)**

**Cr Morse** - Council leases this and sub-leases to Historical Society. There are

problems with water getting into the building. Could Council renew its requests to repair the roof of the Court House Wing? Understands Attorney General is sending a representative up to look at this problem.

**26**      **Item 19 BRIDLE TRACK REPAIRS (25.00283)**

**Cr Morse** - Where is this at?

**The Director Engineering Services** advised they are looking at various alternatives, there are a number of issues. Currently obtaining Geotechnical information, will report to Council in July.

**27**      **Item 20 HOWICK/BENTINCK STREET TRAFFIC PROBLEMS (25.00006)**

**Cr Morse** - advised has provided a list of issues to General Manager. There are considerable access and behavioural issues impacting this site. Could this matter be reviewed?

**28**      **Item 21 HEREFORD STREET CAR PARKING - RUGBY CLUB HOUSE (22.10764)**

**Cr Toole** - requested Council look at sealed car parking in this location.

**29**      **Item 22 RAIL SERVICE - BATHURST TO SYDNEY (18.00001)**

**Cr Toole** - congratulated Councillors, particularly Crs North, Carpenter and Westman on their efforts in getting the daily rail service to Bathurst.

**30**      **Item 23 RAIL SERVICE - BATHURST TO SYDNEY (18.00001)**

**Cr Carpenter** - congratulated local member for getting this service in place. Recommended Council support this service.

**31**      **Item 24 INVINCIBLE FLOWER MILLS HERITAGE SIGN (16.00032)**

**Cr Carpenter** - advised this is covered by vegetation. Could Council look at getting this sign cleared.

**32**      **Item 25 TAXI RANK NEAR HOSPITAL (22.01047)**

**Cr Carpenter** - advised has had approaches about locating this closer to the hospital. Could Traffic Committee consider moving the taxi rank.

**33**      **Item 26 LEVEE BANKS - GRAVEL TRACKS (31.00001)**

**Cr Carpenter** - asked could Council look at putting gravel tracks on top of the levees to allow cyclists to utilise these facilities.

**The Director Engineering Services** spoke to concerns at steepness of the batters, safety issues and possible scouring of the levee. Also resident concerns adjacent to levee about privacy issues.

**34**      **Item 27 ENERGY CONTRACTS (16.00007)**

**Cr Carpenter** - advised aware renegotiations have occurred on power costs? Can Council be advised of the results.

**The General Manager** advised a report will come to Council.

**35**      **Item 28 BIKE PARK (2010/0770)**

**Cr Hanger** - met with Minister Annesley on this project. The meeting went very well and certainly raised awareness of the project.

**DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS**

**36**      **Item 1 PLANNING PROPOSAL - EGLINTON EXPANSION (20.00170)**

Discussion included:

The Director Environmental Planning and Building Services gave an introduction into this matter.

R Camplin - Ratepayer - Spoke to submissions made and 2BS BRock operations noted the history of communication towers at Eglinton. Will be commissioning new radio stations for Bathurst and spoke to future siting needs and issues with the proposed Eglinton plan. Requested Council reconsider the current proposal and add a small portion of land as identified in Bathurst Broadcasters submission to the proposed expansion area.

G Dunn - Cowra - CW Transport Forum - Concerned at the proposed development and also Kelso Highway proposals and Mount Fitzgerald works. There are problems with State Planning Authority and consultation that is occurring with the Great Western Highway. Feels Eglinton Village proposal is where a Bathurst bypass would go. Local Government may not be acting in the best interests of all, also State Government.

J Smyth - Hamilton Street - Spoke to greenspace and whether compensation is paid where land is taken.

The Director Environmental Planning & Building Services noted land is paid for.

P Cole - General Manager, 2BS BRock - Spoke to and supported request from Mr R Camplin and asked Council to give favourable consideration.

G Cox - Crightons - Provided a submission to Council on the Village proposal and requested a review of the zoning of a strip of land between aged care home and proposed residents zone. Had thought Council would give favourable consideration

to this strip of land, but it has not been included in the expansion proposal. Spoke to buffer issues and provision of services up Cox's Lane. Referred to financial issues being experienced with the aged care development. Financial crisis has caused difficulties with getting funding. Group is looking at various funding models to get project commenced.

**MEETING CLOSE**

**37**      **MEETING CLOSE**

The Meeting closed at 6.01 pm.

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

**Date:** \_\_\_\_\_ **(20 June 2012)**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
TRAFFIC COMMITTEE MEETING

**TRAFFIC COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST  
REGIONAL COUNCIL MEETING HELD ON 20 JUNE 2012**

General Manager  
Bathurst Regional Council

**1 MINUTES - TRAFFIC COMMITTEE MEETING - 5 JUNE 2012 (07.00006)**

**Recommendation:** That the recommendations of the Traffic Committee Meeting held on 5 June 2012 be adopted.

**Report:** The Minutes of the Traffic Committee Meeting held 5 June 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**

**40     Item 1    MINUTES - TRAFFIC COMMITTEE MEETING - 5 JUNE 2012 (07.00006)**

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

**Cr Westman declared a pecuniary interest in Minute #7, Item #3 left the Chamber and took no part in discussion or voting.**

**Reason: Operates a bicycle shop in Bathurst.**

**The Mayor vacated the Chair**

**The Deputy Mayor, Cr Carpenter, took the Chair for this item.**

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 5 June 2012 be adopted.

**MINUTES OF THE TRAFFIC COMMITTEE**  
**HELD ON 5 JUNE 2012**

**MEETING COMMENCES**

**1 MEETING COMMENCES**

Members: Cr Warren Aubin (Chair), Jackie Barry (Roads and Maritime Services), David Veness (MP Representative)

Present: Manager Technical Services, Traffic Engineer/Senior Technical Officer, Acting Manager Environment

**APOLOGIES**

**2 APOLOGIES**

That the apology received from Senior Constable Mark Gunning (Police) be accepted.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 1 MAY 2012 (07.00006)**

That the Minutes of the Traffic Committee Meeting held on 1 May 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 1 MAY 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 MOUNTAIN SPORTS - TABLELAND TOUR BIKE RACE (23.00026)**

That Council classify the Mountain Sports - Tableland Tour Bike Race to be held on Sunday 25 November 2012 as a Class 1 event, and approve the event subject to conditions as detailed in the Director Engineering Services' report.

**8 Item 4 RELOCATION OF NO STOPPING SIGN – CHARLES STURT UNIVERSITY ENTRY/EXIT ONTO PANORAMA AVENUE BATHURST (28.00006-09)**

That Council approve the relocation of the "No Stopping" (R5-400) (R) and "No Stopping" (R5-400) (L) signs on the North and South side of the entry/exit to Charles Sturt University.

**9** **Item 5 NBN CO DISCOVERY TRUCK - VISIT TO BATHURST (23.00026)**

That approval be given for the NBN Co Discovery Truck Visit to Bathurst planned for Wednesday 4 July 2012 to be an unclassified event, and the event be approved subject to conditions as detailed in the Director Engineering Services' report.

**10** **Item 6 FREEMANTLE ENDURANCE RIDERS CLUB INC RIDE (23.00026)**

That Council classify the 2012 Freemantle Endurance Riders Club Endurance Ride, to be held on 4 and 5 August 2012, as a Class 2 event, and the event be approved subject to conditions detailed in the Director Engineering Services' report.

**11** **Item 7 INSTALLATION OF A GIVE WAY SIGN AT RED GUM PLACE, WINDRADYNE (28.0007)**

That Council not approve the installation of a Give Way sign at Red Gum Place, Windradyne.

**12** **Item 8 NO STOPPING SIGN - INTERSECTION OF PARKES STREET AND LACHLAN ROAD ROCKLEY (25.00389)**

That Council not approve the installation of a No Stopping sign at the intersection of Parkes Street and Lachlan Road at Rockley.

**13** **Item 9 12T LOAD LIMIT SIGNS LEE STREET BETWEEN WHITE ROCK AND O'CONNELL ROAD (28.00012)**

That Council approve erection of two 12t Load Limit Signs on the section of Lee Street between White Rock Road and O'Connell Road.

**TRAFFIC REGISTER**

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

That the information be noted.

**MEETING CLOSE**

**15** **MEETING CLOSE**

The Meeting closed at 2.37 pm.

## MINUTE

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

**MOVED: T Carpenter SECONDED: 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	MOUNT PANORAMA EVENT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TRACKCORP ADRENALIN PTY LTD	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	BATHURST BASKETBALL STADIUM CHANGE OF OWNERSHIP	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the

		commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	RENEWAL OF ELECTRICITY CONTRACT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	RENEWAL OF LICENCE AGREEMENT - AVIS AUSTRALIA, BUDGET RENT A CAR AUSTRALIA PTY LTD AND THRIFTY CAR RENTAL - COUNTER SPACE, BATHURST AIRPORT	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	RENEWAL OF LICENCE AGREEMENT - CENTRAL TABLELANDS WOODCRAFT INC. - LEARMONTH PARK, KELSO.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* Director Engineering Services' Report**

Resolve Into Confidential Committee Of The Whole To Deal With Confidential Reports to the Council Meeting 20/06/2012

GENERAL MANAGER

MAYOR  
Page 133

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PARTIAL ROAD CLOSURE AND TRANSFER OF LAND, GREEN GULLY ROAD, MOUNT RANKIN	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 ROAD DEDICATION, PARTIAL ROAD CLOSURE AND TRANSFER, OPHIR ROAD, ROCK FOREST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS 2012/13	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	TENDER FOR CONSTRUCTION OF OFF-LINE WASTEWATER STORAGE – GILMOUR STREET PUMPING STATION (NSW PUBLIC WORKS CONTRACT NUMBER 1200373)	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

		position of the person who supplied it.
5	TENDER FOR CONSTRUCTION OF AMENITIES BLOCK AT STEVENS PARK, ROCKLEY	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	PROPOSED COMPULSORY ACQUISITION OF SUNNY CORNER WASTE MANAGEMENT CENTRE, LOT 78 DP1079915, WEST MITCHELL ROAD, SUNNY CORNER	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	PROPOSED ACQUISITION FOR STORMWATER RETENTION BASIN, LOT 11 DP1176294, 38A GILMOUR STREET, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	TENDER FOR PREFERRED CONTRACTORS LIST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who

		supplied it.
9	PROPOSED SUBDIVISION, LOT 201 DP1074567 - 27 HAMPDEN PARK ROAD, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
10	PROPOSED ALTERNATE ACCESS FOR RESIDENTS, RIGHT OF CARRIAGEWAY, LOT 16 DP860878, 160 MOUNTAIN STRAIGHT, MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.



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

**MINUTE**

a **Item 1 MOUNT PANORAMA EVENT (18.00017)**

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

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

**MINUTE**

**b**     Item 2 TRACKCORP ADRENALIN PTY LTD (04.00110, 34.00065)

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

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

**MINUTE**

**c Item 3 BATHURST BASKETBALL STADIUM CHANGE OF OWNERSHIP**  
**(21.00037)**

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

**That** the information be noted.

**MINUTE**

d **Item 4 RENEWAL OF ELECTRICITY CONTRACT (16.00007)**

**MOVED: T Carpenter SECONDED: M Morse**

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

**MINUTE**

**e Item 5 RENEWAL OF LICENCE AGREEMENT - AVIS AUSTRALIA, BUDGET RENT A CAR AUSTRALIA PTY LTD AND THRIFTY CAR RENTAL - COUNTER SPACE, BATHURST AIRPORT (21.00044)**

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

**That** Council approves entering into a new licence agreement with Avis Australia, Budget Rent a Car Australia Pty Ltd and Johnson and Arthur Holdings Pty Ltd t/a as Thrifty Car Rental for counter space, lockable cabinet and signage together with a return key facility located in the terminal building (part Lot 37 DP1159302) at the Bathurst Airport for a period of three (3) years as detailed in the report.

**MINUTE**

**f Item 6 RENEWAL OF LICENCE AGREEMENT - CENTRAL TABLELANDS  
WOODCRAFT INC. - LEARMONTH PARK, KELSO. (04.00033)**

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

**That** Council approves entering into a new licence agreement with the Central Tablelands Woodcraft Inc for their clubhouse and annex located at Learmonth Park (Part Lot 5 DP776928) for a period of five (5) years as detailed in the report.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES  
20 JUNE 2012



**MINUTE**

g Item 1 PARTIAL ROAD CLOSURE AND TRANSFER OF LAND, GREEN GULLY ROAD, MOUNT RANKIN (25.00513)

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

**That** Council act in accordance with the Director Engineering Services' report.

**MINUTE**

**h Item 2 PROPOSED ROAD DEDICATION, PARTIAL ROAD CLOSURE AND TRANSFER, OPHIR ROAD, ROCK FOREST (25.00211)**

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

**That** Council resolve to approve the payment of compensation for the proposed road dedication, partial road closures and transfers affecting Lot 1 DP750365 at Ophir Road, Rock Forest, as detailed in the Director Engineering Services' report.

**MINUTE**

**i Item 3 TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT  
CHEMICALS 2012/13 (36.00448)**

**MOVED: I North SECONDED: M Morse**

**That Council:**

- (a) decline to accept any of the tenders,
- (b) invite fresh open tenders in accordance with clause 167 of the Local Government (General) Regulation 2005
- (c) negotiate with existing suppliers for a three month extension of the 2011/12 contract.

**MINUTE**

**j      Item 4    TENDER FOR CONSTRUCTION OF OFF-LINE WASTEWATER  
STORAGE – GILMOUR STREET PUMPING STATION (NSW PUBLIC WORKS  
CONTRACT NUMBER 1200373) (36.00444)**

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

**That** Council accept the tender from Webber Concrete Constructions Pty Ltd for the construction of the Off-Line Wastewater Storage Tank at Gilmour Street for the sum of \$1,432,600 (including GST) subject to variations and provisional items.

**MINUTE**

k Item 5 TENDER FOR CONSTRUCTION OF AMENITIES BLOCK AT STEVENS PARK, ROCKLEY (36.00449)

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

**That** Council accepts the tender of Tablelands Builders Pty Ltd for the construction of an Amenities Block at Stevens Park, Rockley, in the amount of \$161,082.90 (inc GST).

## MINUTE

### I Item 6 PROPOSED COMPULSORY ACQUISITION OF SUNNY CORNER WASTE MANAGEMENT CENTRE, LOT 78 DP1079915, WEST MITCHELL ROAD, SUNNY CORNER (14.00077)

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

#### That

- (a) Council approve to make application to the Department of Primary Industries Catchments and Lands for approval to acquire Crown land located at Lot 78 DP1079915, West Mitchell Road, Sunny Corner for the compulsory acquisition of the Sunny Corner waste management centre,
- (b) the acquisition be through the provision of the Local Government Act 1993 Section 186 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991, and
- (c) the application be minerals exempt and the acquired land be classified as Operational land, as detailed in the Director Engineering Services' report

## MINUTE

### m Item 7 PROPOSED ACQUISITION FOR STORMWATER RETENTION BASIN, LOT 11 DP1176294, 38A GILMOUR STREET, KELSO (31.00001 & 22.02632)

MOVED: I North SECONDED: W Aubin

#### That

- (a) Council approve the application to the Minister and/or Governor to compulsory acquire Lot 11 DP1176294 to allow the construction of a storm water retention basin at Gilmour Street, Kelso,
- (b) the application follow the provisions of the Local Government Act 1993 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991,
- (c) Council make application to the Minister and/or Governor for a reduction in the notice period of 60 days, as detailed in the Director Engineering Services report, and
- (d) the acquired parcel of land be classified as Operational land.

## MINUTE

### n Item 8 TENDER FOR PREFERRED CONTRACTORS LIST (36.00451)

MOVED: T Carpenter SECONDED: I North

**That** Council accepts the Preferred Contractor List for the engagement of contractors for minor building works up to the value of \$20,000 (incl. GST) as listed in the Director Engineering Services' report, subject to submission of complete information being supplied for casual hire and in accordance with the General Conditions of Tender.



**MINUTE**

- o **Item 9 PROPOSED SUBDIVISION, LOT 201 DP1074567 - 27 HAMPDEN PARK ROAD, KELSO (22.03832)**

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

**That** Council approve the subdivision of Lot 201 DP1074567 at 27 Hampden Park Road, Kelso, as detailed in the Director Engineering Services' report. The new lots are to be classified as Operational land.

**MINUTE**

p **Item 10 PROPOSED ALTERNATE ACCESS FOR RESIDENTS, RIGHT OF CARRIAGEWAY, LOT 16 DP860878, 160 MOUNTAIN STRAIGHT, MOUNT PANORAMA (22.00337)**

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

**That** Council approve the development of a proposed Right of Carriageway within Lot 16 DP860878 being 160 Mountain Straight, Mount Panorama, as detailed in the Director Engineering Services' report.

**MINUTE**

**42     RESOLVE INTO OPEN COUNCIL**

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

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

**MINUTE**

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

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

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

**MINUTE**

**44     MEETING CLOSE**

The Meeting closed at 8.49 pm.

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

**Date:** \_\_\_\_\_ **(18 July 2012)**