



ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL

11 July 2012

His Worship the Mayor & Councillors

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 18 July 2012 commencing at 6.00 pm.

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

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

D J Sherley  
GENERAL MANAGER

# **BUSINESS AGENDA**

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

**TO BE HELD ON WEDNESDAY, 18 JULY 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 - 20 June 2012
  - \* Minutes - Ordinary Meeting of Council Following Policy - 4 July 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
8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS
  - \* Director Environmental Planning & Building Services' Report
  - \* Director Corporate Services & Finance's Report
  - \* Director Engineering Services' Report
  - \* Director Cultural & Community Services' Report
9. REPORTS OF OTHER COMMITTEES
  - \* Minutes - Policy Committee Meeting - 4 July 2012
  - \* Minutes - Traffic Committee Meeting - 3 July 2012
10. NOTICES OF MOTION - Nil
11. RESCISSION MOTIONS - Nil
12. DELEGATES REPORTS

- \* 2015 Bicentenary Celebrations Committee Meeting - 5 June 2012 Minutes
- \* Councillors Meeting with Community Groups/Representatives - 13 June 2012
- \* Councillors Meeting with Community Groups/Representatives - 27 June 2012
- \* Minutes of the Bathurst Regional Youth Council Meeting held on 8 May 2012

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

**Recommendation:** That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST 12 HOUR	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF LEASE - EGLINTON DISTRICT TENNIS CLUB, PARK STREET EGLINTON	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the

		commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	REQUEST FOR FINANCIAL ASSISTANCE - SKILLSET	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	TRANSFER OF TWO SECTIONS OF CROWN ROAD TO COUNCIL - COLO ROAD, TRUNKEY CREEK.	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	COMPULSORY ACQUISITION - LOTS 91, 94, 96, 102 AND 106 DP1174100, 3246 HILL END ROAD, HILL END	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, Thompson, Toole.

## MINUTE

### 2 PUBLIC QUESTION TIME

**Mr G Crisp** – Rate Payer - is Council subject to laws of Commonwealth and State Governments. Spoke to unlawful parking of a vehicle. Spoke to parking around CBD and rules applying for that parking. Spoke to 31 March 2012 financial statements review regarding legal fees concerning recovery of Rembrandt matter. Made further comments about Lehman Bros and investments by Blayney Council. Enquired whether Council should sack Messrs Sherley and Roach for gross negligence.

The **General Manager** and **Director Corporate Services & Finance** replied to issues of investment and legal fees.

**Ms L Burn** – Rate Payer - Council should notify residents of when a lease for a telco tower is renewed. Has not been done in an open way. Understands tower is 'maxed' out. What are the RFS impacts.

Spoke to condition of Hill End Road and that is a disgrace. Need to spend money on rural roads.

The **General Manager** advised of Council protocols, particularly with respect to leases.

**Mr P Dowling** – Rate Payer - has received concerns about Art Gallery exhibition - Feast of Trimalchio and think the exhibition is inappropriate. Has spoken to Art Gallery Director about this. Feels a sign should be put up cautioning people about the exhibition that is on display.

The **Mayor** spoke to the fact that art is an interpretative matter for each individual. Will look into the matter.

**MINUTE**

**3     APOLOGIES**

Nil



ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
MINUTES

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

General Manager  
Bathurst Regional Council

**1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 JUNE 2012 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 June 2012 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held 20 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**

**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**  
**- 20 JUNE 2012 (11.00005)**

**MOVED: P Toole SECONDED: W Aubin**

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 June 2012 be adopted.

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

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 4 July 2012 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held 4 July 2012, are attached.

**Financial Implications:** N/A

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

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

**MINUTE**

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

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

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 4 July 2012 be adopted.

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

**MEETING COMMENCES**

**1 MEETING COMMENCES**

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

**PUBLIC QUESTION TIME**

**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.

### APOLOGIES

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

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

### MINUTES

- 4 **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 16 MAY 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 16 May 2012 be adopted.

- 5 **Item 2 MINUTES - ORDINARY MEETING OF COUNCIL FOLLOWING POLICY - 6 JUNE 2012 (11.00005)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Morse

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 6 June 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 Declaration of Interest be noted.

Cr Westman

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

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

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

- 8** **Item 2 GENERAL REPORT (03.00053)**  
**MOVED** Cr W Aubin and **SECONDED** Cr T Carpenter

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

- 9** **Item 3 2012 SUSTAINABLE LIVING EXPO (23.00124)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr I North

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

- 10** **Item 4 CULTURAL HERITAGE GARDEN - THE PILLARS OF BATHURST (20.00160)**  
**MOVED** Cr B Bourke and **SECONDED** Cr 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**

- 11** **Item 4 CULTURAL HERITAGE GARDEN - THE PILLARS OF BATHURST (20.00160)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr 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.

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

- 12** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

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

- 13** **Item 2 YEAR TO DATE REVIEW - 2011/2012 MANAGEMENT PLAN AND BUDGET - 31 MAY 2012 (16.00126)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr W Aubin

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



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

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

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

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

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

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

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

**MOVED** Cr T Carpenter and **SECONDED** Cr 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.

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

**MOVED** Cr T Carpenter and **SECONDED** Cr 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.

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

**MOVED** Cr I North and **SECONDED** Cr 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)

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

**MOVED** Cr B Bourke and **SECONDED** Cr T Carpenter

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

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

**MOVED** Cr I North and **SECONDED** Cr 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.

**21 Item 8.2 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr 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.

**22 Item 8.3 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**  
**MOVED** Cr I North and **SECONDED** Cr 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.

**23 Item 8.4 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**  
**MOVED** Cr I North and **SECONDED** Cr 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.

**24 Item 8.5 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**  
**MOVED** Cr B Bourke and **SECONDED** Cr 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**

**25 Item 8.6 SUBMISSIONS - DRAFT BATHURST 2016 PLAN - DELIVERY PLAN 2012-2016 AND ANNUAL OPERATING PLAN 2012/2013 (16.00129)**  
**MOVED** Cr W Aubin and **SECONDED** Cr 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.

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

**MOVED** Cr W Aubin and **SECONDED** Cr 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

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

**MOVED** Cr I North and **SECONDED** Cr 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.

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

**MOVED** Cr T Carpenter and **SECONDED** Cr 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.

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

**MOVED** Cr I North and **SECONDED** Cr 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.

### Director Engineering Services' Report

- 30** **Item 1 LANDFILL GAS FLARE (13.00007)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr I North

**RESOLVED:** That the information be noted

- 31** **Item 2 PERFORMANCE MONITORING FOR WATER AND SEWER FOR 2010-11 (03.00086)**  
**MOVED** Cr M Morse and **SECONDED** Cr T Carpenter

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

- 32** **Item 3 CEMETERY TOILET BLOCK (09.00009)**  
**MOVED** Cr B Bourke and **SECONDED** Cr T Carpenter

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

- 33** **Item 4 WASTE 2 ART 2012 EXHIBITION AND COMPETITION (14.00007)**  
**MOVED** Cr M Morse and **SECONDED** Cr T Carpenter

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



- 34** **Item 5 CLEAN-UP AUSTRALIA DAY 2012 (14.00007)**  
**MOVED** Cr I North and **SECONDED** Cr T Carpenter

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

- 35** **Item 6 PROPOSED ROAD WIDENING, LOT 11 DP875116, SOFALA ROAD, LAFFING WATERS (25.00161)**  
**MOVED** Cr W Aubin and **SECONDED** Cr 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
- (c) the acquired property be classified as Operational land.

#### **Director Cultural & Community Services' Report**

- 36** **Item 1 VACATION CARE PROGRAM - APRIL 2012 (09.00005)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr I North

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

- 37** **Item 2 CURRENT AVAILABILITY OF CHILD CARE WITHIN BATHURST (09.00008)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr W Aubin

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

- 38** **Item 3 HOME LIBRARY SERVICE DELIVERY AND MOBILE LIBRARY VAN RUNS (21.00063)**  
**MOVED** Cr M Morse and **SECONDED** Cr W Aubin

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

#### **REPORTS OF OTHER COMMITTEES**

##### **Policy Committee Meeting**

- 39** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 6 JUNE 2012 (07.00064)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

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

##### **Traffic Committee Meeting**

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

**MOVED** Cr B Bourke

and **SECONDED** Cr 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.

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

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

**MOVED** Cr T Carpenter

and **SECONDED** Cr W Aubin

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

**There were no representations from the public.**

**RESOLVED:** That:

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

**\* Director 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	10A (2) (d) (i) – contains

	ACQUISITION FOR STORMWATER RETENTION BASIN, LOT 11 DP1176294, 38A GILMOUR STREET, KELSO	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.
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### Director Corporate Services & Finance's Report

- a** Item 1 MOUNT PANORAMA EVENT (18.00017)  
MOVED Cr I North and SECONDED Cr T Carpenter

That Council act in accordance with the report.

- b** Item 2 TRACKCORP ADRENALIN PTY LTD (04.00110, 34.00065)  
MOVED Cr I North and SECONDED Cr W Aubin

That Council act in accordance with the report.

- c** Item 3 BATHURST BASKETBALL STADIUM CHANGE OF OWNERSHIP (21.00037)  
MOVED Cr T Carpenter and SECONDED Cr W Aubin

That the information be noted.

- d** Item 4 RENEWAL OF ELECTRICITY CONTRACT (16.00007)  
MOVED Cr T Carpenter and SECONDED Cr M Morse

That Council act in accordance with the report.

- 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 Cr W Aubin and SECONDED Cr 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.

- f** Item 6 RENEWAL OF LICENCE AGREEMENT - CENTRAL TABLELANDS WOODCRAFT INC. - LEARMONTH PARK, KELSO. (04.00033)  
MOVED Cr G Hanger and SECONDED Cr 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.

### Director Engineering Services' Report

- g** Item 1 PARTIAL ROAD CLOSURE AND TRANSFER OF LAND, GREEN GULLY ROAD, MOUNT RANKIN (25.00513)  
MOVED Cr W Aubin and SECONDED Cr I North

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

- h** **Item 2 PROPOSED ROAD DEDICATION, PARTIAL ROAD CLOSURE AND TRANSFER, OPHIR ROAD, ROCK FOREST (25.00211)**  
**MOVED** Cr W Aubin and **SECONDED** Cr 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.

- i** **Item 3 TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS 2012/13 (36.00448)**  
**MOVED** Cr I North and **SECONDED** Cr 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.

- j** **Item 4 TENDER FOR CONSTRUCTION OF OFF-LINE WASTEWATER STORAGE – GILMOUR STREET PUMPING STATION (NSW PUBLIC WORKS CONTRACT NUMBER 1200373) (36.00444)**  
**MOVED** Cr I North and **SECONDED** Cr 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.

- k** **Item 5 TENDER FOR CONSTRUCTION OF AMENITIES BLOCK AT STEVENS PARK, ROCKLEY (36.00449)**  
**MOVED** Cr I North and **SECONDED** Cr 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).

- l** **Item 6 PROPOSED COMPULSORY ACQUISITION OF SUNNY CORNER WASTE MANAGEMENT CENTRE, LOT 78 DP1079915, WEST MITCHELL ROAD, SUNNY CORNER (14.00077)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr 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



- (c) the application be minerals exempt and the acquired land be classified as Operational land, as detailed in the Director Engineering Services' report

**m** **Item 7 PROPOSED ACQUISITION FOR STORMWATER RETENTION BASIN, LOT 11 DP1176294, 38A GILMOUR STREET, KELSO (31.00001 & 22.02632)**  
**MOVED** Cr I North and **SECONDED** Cr 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
- (d) the acquired parcel of land be classified as Operational land.

**n** **Item 8 TENDER FOR PREFERRED CONTRACTORS LIST (36.00451)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr 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.

**o** **Item 9 PROPOSED SUBDIVISION, LOT 201 DP1074567 - 27 HAMPDEN PARK ROAD, KELSO (22.03832)**  
**MOVED** Cr W Aubin and **SECONDED** Cr 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.

**p** **Item 10 PROPOSED ALTERNATE ACCESS FOR RESIDENTS, RIGHT OF CARRIAGEWAY, LOT 16 DP860878, 160 MOUNTAIN STRAIGHT, MOUNT PANORAMA (22.00337)**  
**MOVED** Cr W Aubin and **SECONDED** Cr 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.

**RESOLVE INTO OPEN COUNCIL**



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

**MEETING COMMENCES**

**1 MEETING COMMENCES**

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

**APOLOGIES**

**2 APOLOGIES**

Nil

**DECLARATION OF INTEREST**

**3 DECLARATION OF INTEREST 11.00002**

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

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**4 Item 1 VARIATION TO THE ANNUAL OPERATING PLAN 2012/2013 (16.00129)**

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

**RESOLVED:** That Council adjust the Annual Operating Plan 2012/2013 as outlined within the report.

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

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

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

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

**There 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	BATHURST HARNESS RACING CLUB	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	RIGHT OF CARRIAGEWAY - LOT 1 DP995189 DURHAM 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.

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

- a** **Item 1 BATHURST HARNESS RACING CLUB (18.00107,22.04170)**  
**MOVED** Cr R Thompson and **SECONDED** Cr P Toole

That Council act in accordance with the report.

- b** **Item 2 RIGHT OF CARRIAGEWAY - LOT 1 DP995189 DURHAM STREET BATHURST (22.08029)**  
**MOVED** Cr P Toole and **SECONDED** Cr W Aubin

That Council approves, in principle, the addition of a Right of Carriageway onto Lot 1 DP995189 to benefit the land owned by Mrs Sarah Anderson at 140 Durham Street, Bathurst, as detailed in the report.



**MINUTE**

**6     DECLARATION OF INTEREST 11.00002**

**MOVED: P Toole SECONDED: I North**

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

Cr Thompson

Item #7 of the Director Environmental Planning & Building Service's report

Cr North

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

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

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE  
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 18  
JULY 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: R Thompson SECONDED: P Toole**

**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 June 2012 (**attachment 1**)
- (b) Applications refused during June 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 June 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: P Toole SECONDED: G Hanger**

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

### **3 PLANNING PROPOSAL - EGLINTON EXPANSION (20.00170)**

**Recommendation:** That Council:

- (a) adopt the finalised Planning Proposal – Eglinton Expansion as outlined in this report;
- (b) consider the rezoning of additional land on the western side of Eglinton at a later date as part of Council's Comprehensive LEP;
- (c) forward the final Planning Proposal – Eglinton Expansion, as outlined in this report, to the Department of Planning & Infrastructure for the making of the Local Environmental Plan under Section 59 of the Environmental Planning and Assessment Act 1979;
- (d) adopt the Bathurst Regional (Interim) Development Control Plan 2011 Amendment No. 4;
- (e) note that the Bathurst Regional (Interim) Development Control Plan 2011 Amendment No. 4 will not come into force until the Planning Proposal has been gazetted;
- (f) advise those who lodged submissions of Council's decision; and
- (g) call a division.

**Report:** Council, at its meeting held 21 July 2010, resolved to prepare and submit a Planning Proposal to the Department of Planning and Infrastructure and to amend the Bathurst Regional (Interim) Development Control Plan 2011. The aim of the Planning Proposal is to enable the expansion of the Village of Eglinton in line with the recommendations of the Eglinton Village Expansion Local Environmental Study 2006 and the Bathurst Region Urban Strategy 2007.

Council initially received a gateway determination from the Department of Planning and Infrastructure in respect of this Planning Proposal on 14 October 2010 (**attachment 1**). Due to subsequent amendments to the proposal a second gateway determination was received on 16 January 2012. The main changes between the original Planning Proposal (14 October 2010) and the amended Planning Proposal (16 January 2012) are:

- Proposed open space areas are to be zoned as 6(a) - Local Recreation rather than 2(a) – Residential;
- Reconfiguration of the land for future Eglinton Public School expansion;
- Identification of a new business area on the DCP map (as recommended by the Bathurst CBD and Bulky Goods Business Development Strategy 2011);
- Additional land to the north to be included in the proposal (as requested from landholders);
- Inclusion of part of Lot 1 DP 1047811 in Schedule 4 of the Bathurst Regional (Interim) Local Environmental Plan 2005 (as requested by the landholder), enabling the subdivision of the existing dwelling from the residual market garden zone;
- Exclusion of a property from the proposal in response to landowner submissions; and
- Minor adjustment of the area to be zoned as open space in response to landowner submissions.

#### **Public exhibition**

As the Planning Proposal had altered significantly from that originally exhibited, a subsequent gateway determination (16 January 2012) and re-exhibition of the Planning

Proposal was required.

The Planning Proposal was placed on public exhibition on two occasions as listed below:

Exhibition period	Dates
1	6 November 2010 to 4 December 2010
2	17 March 2012 to 16 April 2012

The Planning Proposal on both occasions was notified to the individual landowners who adjoined the subject land, the landowners involved, the landowner of the Eglinton Shop and the tenant of the shop, a number of Government Agencies and was also advertised in the Western Advocate.

### Submissions received

A total of 21 submissions were received over both exhibition periods (refer to the Council report to the June 2012 Discussion Forum). A public hearing was not held as no-one making a submission requested one, nor did the gateway determination require a Public Hearing. Notwithstanding the issues were addressed by Council through amendments to the Planning Proposal and the discussion forum held on 6 June 2012. A summary of the submissions from both exhibition periods (1 & 2) are listed and addressed in the table below.

Landowner or Agency	Comments or Issue Raised	BRC Response
NSW Education & Communities	<p><u>1. Submission dated 21 February 2011</u></p> <ul style="list-style-type: none"> <li>Suggested future school expansion would be better suited to the west and south rather than north and west.</li> </ul> <p><u>2. Submission dated 10 April 2012</u></p> <ul style="list-style-type: none"> <li>Reconfiguration of the land is suited to the needs of the School.</li> <li>Will be seeking contributions to State Public Infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>The land provided for school expansion was altered based on the advice received and exhibited as part of the amended proposal.</li> <li>The Department of Education and Communities is satisfied with the amended Planning Proposal. Council will advise the NSW Department of Planning and Infrastructure with respect to the contributions to State Public Infrastructure.</li> </ul>
NSW Rural Fire Service	<p><u>1. Submission dated 3 December 2010</u></p> <ul style="list-style-type: none"> <li>Raised no concerns or special considerations.</li> </ul> <p><u>2. Submission dated 12 April 2012</u></p> <ul style="list-style-type: none"> <li>Raised no concerns or special considerations.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
Mr P Rogers	<p><u>2. Submission dated 30 March 2012</u></p> <ul style="list-style-type: none"> <li>Will Council allow further rezoning of the northern part of the lot once the Crighton's development (retirement village) commences.</li> </ul>	<ul style="list-style-type: none"> <li>Council will consider a subsequent rezoning if the Crighton development proceeds as the buffer in the current location would not be required. However the rezoning is not guaranteed at this time.</li> </ul>
Office of Environment and Heritage	<p><u>2. Submission dated 16 April 2012</u></p> <ul style="list-style-type: none"> <li>Raised no concerns or special considerations.</li> <li>Not seeking contributions to State Public Infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
Mr & Mrs Hewitt c/- Mr M Ratsep	<p><u>2. Submission dated 16 April 2012</u></p> <ul style="list-style-type: none"> <li>Proposes an amended road and lot</li> </ul>	<ul style="list-style-type: none"> <li>Council concurs with the proposed road layout design. The changes</li> </ul>

Voerman & Ratsep Consulting Surveyors	layout for Lot 11 DP 872964 on the western side of the village and Lot 11 DP 1158528, Lots 7 & 8 Section 4 DP 983884 on the eastern side of the village. Lot layout on the eastern side incorporates minor changes to the proposed open space.	<p>have been included as part of the final DCP map.</p> <ul style="list-style-type: none"> <li>• The alterations to the road layout are generally outside of the identified open space, however, the developer has identified other areas of open space as a trade off where open space is lost. The amended area of the open space has been altered as part of the final DCP map.</li> </ul>
NSW Rural Fire Service Chifley zone & Eglinton Brigade	<p><u>2. Submission dated 12 April 2012</u></p> <ul style="list-style-type: none"> <li>• The area of the land on which the RFS shed is located should remain unchanged.</li> <li>• The trees on the eastern boundary must remain as a buffer.</li> <li>• A fence needs to be installed on the southern and western boundaries by the future developer.</li> </ul>	<ul style="list-style-type: none"> <li>• The location of the Business area has been relocated and therefore the land which is occupied by the RFS will remain zoned residential as part of the Planning Proposal.</li> <li>• There are no plans as part of the Planning Proposal to have the trees removed.</li> <li>• Given the relocation of the Business area and the road design, it is not proposed to have residential properties located along the western and southern boundaries. Fences will generally be installed as part of the development and are a matter for the landholders, not Council.</li> </ul>
Mr G Dun Central West Transport Forum	<p><u>2. Submission dated 12 April 2012</u></p> <ul style="list-style-type: none"> <li>• Concerned with the lack of consideration of transport issues, particularly from the RMS (formerly RTA) and State Government, in relation to a northern bypass around Bathurst. Development at Eglinton may jeopardise this possible future major road infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>• Council notified the RMS of the Planning Proposal on both occasions.</li> <li>• Council has considered the local road network and is currently drafting a section 94 contribution plan to cover the additional land with respect to anticipated local road upgrades.</li> <li>• The RMS has not proposed a northern bypass of Bathurst. Any such proposal in the future would consider the expanded village boundaries.</li> </ul>
Mr G Cox Crighton Properties	<p><u>1. Submission dated 24 November 2010</u></p> <ul style="list-style-type: none"> <li>• Seek minor expansion of the northern boundary of the Planning Proposal to include the proposed open space on the land with the retirement village and zone the strip of open space as residential.</li> </ul> <p><u>2. Submission dated 13 April 2012</u></p> <ul style="list-style-type: none"> <li>• Reiterates its comments in its letter dated 24 November 2010.</li> <li>• Seek minor expansion of the northern boundary of the Planning Proposal to include the proposed open space on the land with the retirement village and zone the strip of open space as residential.</li> </ul>	<ul style="list-style-type: none"> <li>• The final plans show the inclusion of the requested land as residential and the relocation of the buffer (remaining zoned rural) to the north.</li> </ul>
Mr R Camplin Bathurst	<p><u>2. Submission dated 27 March 2012</u></p> <ul style="list-style-type: none"> <li>• Notes the requirement to relocate</li> </ul>	<ul style="list-style-type: none"> <li>• Currently the DCP map illustrates a restriction for development within the</li> </ul>

Broadcasters	<p>the transmission towers from the current location.</p> <ul style="list-style-type: none"> <li>• Is interested in using the residue of the land for a Seniors Living development if the Crighton development does not proceed.</li> <li>• Expresses an interest in having the Business area located on their land.</li> </ul>	<p>area of the transmission towers, until their removal.</p> <ul style="list-style-type: none"> <li>• A site compatibility certificate from the Department of Planning would be required on any rural land for any Seniors Living development.</li> <li>• Council has altered the location of the Business area to the northern corner of Duramana Road and Freemantle Road in the final DCP map. Council has contacted the landowners to the south (where the proposed business area was to be located as exhibited). They have not raised any objection to this matter.</li> </ul>
Mr T Hendry Roads and Maritime Services	<p>1. Submission dated 7 December 2010</p> <p>a. The Bathurst Regional (Interim) Local Environmental Plan should not be amended pursuant to the Planning Proposal until such time as a comprehensive traffic study has been undertaken in accordance with the methodology set out in the RTA Guide to Traffic Generating Development based on the assumptions provided for in the Planning Proposal and considering the greater road network including consideration of:</p> <ol style="list-style-type: none"> <li>i. Existing annual average daily traffic</li> <li>ii. Traffic growth over 20 years allowing for the specific number of lots provided for in the Planning Proposal and other approved and anticipated development growth within the area</li> <li>iii. The limited availability and opportunity for growth of retail services within the immediate Eglinton area</li> <li>iv. An intersection analysis based on the specific parameters of the Planning proposal of the operation of the intersections of: <ol style="list-style-type: none"> <li>1. Durham Street and Stewart Street</li> <li>2. Gilmour Street and the Great Western Highway</li> <li>3. Bradwardine Road and the Mitchell Highway</li> <li>4. Eleven Mile Drive and Sofala Road/Gilmour Street</li> </ol> </li> </ol> <p>b. Subject to the undertaking of a comprehensive traffic study and Council offering and committing to suitable solutions for the upgrade of intersections where a need is indicated by such a study the RTA</p>	<ul style="list-style-type: none"> <li>• Council completed a Local Environmental Study (LES) for the expansion of Eglinton in 2006 which included consultation with the then Roads and Traffic Authority (RTA) with respect to the expansion of Eglinton. The LES included the modelling of several intersections and the RTA at that time advised Council that they did not oppose the planned development of Eglinton.</li> <li>• It should be noted that the LES identified a larger area than is proposed as part of the planning proposal, and ultimately considered a larger number of dwellings.</li> <li>• Council prepared the Bathurst Region Urban Strategy in 2007. The Urban Strategy identified that the village of Eglinton was suitable for expansion as recommended in the LES and requested that the RTA provide comments in relation to the road network. To date Council has not received comments in relation to its Urban Strategy from the RTA.</li> <li>• The NSW Department of Planning and Infrastructure (DoPI) issued a Site Compatibility Certificate for the Retirement Village located on land immediately north to the existing village on 11 July 2008. DoPI had prior knowledge of Council's intention to expand the village of Eglinton.</li> <li>• The DoPI issued the Site Compatibility Certificate without the need for any additional traffic investigations.</li> <li>• Council has drafted (but not exhibited) a new Section 94 contributions plan for the local road network to service Eglinton, Windradyne and Llanarth. Council</li> </ul>

	<p>objects to the Planning Proposal.  <u>Submission dated 20 April 2012</u></p> <ol style="list-style-type: none"> <li>Reiterates its objections in its letter dated 7 December 2010.</li> <li>Objects to the Planning Proposal in the current form given that a comprehensive traffic study has not been provided.</li> <li>Unable to determine whether contributions will be sought for State Public Infrastructure</li> </ol>	<p>has estimated the extent of roadworks required to service the local area.</p> <ul style="list-style-type: none"> <li>Based on the above, Council does not consider that additional traffic study is warranted. Traffic issues have been addressed in the LES, reviewed as part of the development of the Urban Strategy and future traffic upgrades identified under the draft Section 94 Contributions Plan.</li> </ul>
Mr T Dunphy Macquarie Motors Group	<p><u>1. Submission dated 1 December 2010</u></p> <ul style="list-style-type: none"> <li>Request the inclusion of the existing dwelling on a separate allotment.</li> </ul>	<ul style="list-style-type: none"> <li>The existing dwelling has been included as a Schedule 4 use within the Bathurst Regional (Interim) LEP 2005, which will enable the landowner to create an allotment below the minimum lot size.</li> </ul>
Ms J Smyth	<p><u>1. Submission dated 2 December 2010</u></p> <ul style="list-style-type: none"> <li>Concerned with the width of identified open space within her property.</li> <li>Concerned with the urban sprawl potential of the rezoning.</li> </ul>	<ul style="list-style-type: none"> <li>The area of open space was reviewed and was reduced on some allotments as part of the re-exhibited Planning Proposal.</li> <li>The rezoning will allow the possibility of subdivision. The decision to complete the subdivision will be up to the landowner(s). The LES completed in 2006 identified natural boundaries for the village to expand. Council is committed to allowing its residents choice in the styles of land available to live in.</li> </ul>
Ms M Kovac NSW Department Industry and Investment	<p><u>1. Submission dated 1 December 2010</u></p> <ul style="list-style-type: none"> <li>Raised no concerns or special considerations in relation to the Primary Industries Division.</li> <li>Fisheries Division supports the inclusion of the open space buffer as a riparian corridor adjacent to Saltram Creek.</li> </ul> <p><u>2. Submission dated 20 April 2012</u></p> <ul style="list-style-type: none"> <li>Raised no concerns or special considerations.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Noted.</li> </ul>
Mr G Bowman	<p><u>1. Submission dated 3 December 2010</u></p> <ul style="list-style-type: none"> <li>Seeks the removal of his land from the Planning Proposal.</li> </ul>	<ul style="list-style-type: none"> <li>Council removed this parcel of land from the Planning Proposal prior to its re-exhibition.</li> </ul>
Ms C Rivett	<p><u>1. Submission dated 26 February 2011</u></p> <ul style="list-style-type: none"> <li>Concerned with the overall expansion of Eglinton and the resulting density/urban sprawl.</li> <li>Suggested additional parks and open space areas.</li> </ul>	<ul style="list-style-type: none"> <li>The expansion of Eglinton was identified within the Bathurst Region Urban Strategy 2007. The minimum lot size of 900 sqm is consistent with the existing subdivision pattern of the urban villages. The ultimate lot size of the future subdivisions will be determined by the developer.</li> <li>The Planning Proposal included a large area of open space.</li> </ul>
Mr M Ozinga Transport for NSW	<p><u>2. Submission date 26 April 2012</u></p> <ul style="list-style-type: none"> <li>Concurs with the RMS's requirement for a Traffic Study prior</li> </ul>	<ul style="list-style-type: none"> <li>See comments above in relation to the RMS's submission</li> </ul>



	<p>to rezoning.</p> <ul style="list-style-type: none"> <li>• Unable to determine whether contributions will be sought for State Public Infrastructure</li> </ul>	
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The majority of issues and matters raised in the submissions received have been accommodated. The more general comments made in relation to urban sprawl have been addressed by Council's adoption of the Urban Strategy. The need for a northern bypass of Bathurst has not been identified to date and so cannot be considered in the planning for Eglinton at this time.

### Need for a Traffic Study

As outlined in the above table, the RMS and TfNSW have both requested Council proceed to prepare a traffic study prior to proceeding with the Planning Proposal. Council staff do not concur with this view.

In Council's view an additional traffic study is not warranted for the following reasons:

- The Eglinton Village Expansion LES prepared in 2006. The LES included an assessment of traffic generation and assessment of the impact on critical intersections. The LES actually included a much broader area. The RTA supported the LES and did not seek additional traffic assessments at this time.
- The Bathurst Region Urban Strategy 2007 reviewed the recommendations of the LES and recommended that the expansion at Eglinton proceed. The RTA again raised no objection to the Urban Strategy. In fact it has received no response at all.
- The Department of Planning & Infrastructure's consideration of the site compatibility certificate for the retirement village (Crighton's development) to the north of Eglinton in 2011. The Department of Planning and Infrastructure was aware of Council's intentions to expand the village and did not identify the need for further traffic investigations at that time.
- Council has prepared a draft Section 94 Development Contributions Plan for the local road network to service Eglinton, Windradyne and Llanarth.

### Roads and Maritime Authority - Traffic Study

Council received further correspondence dated 7 June 2012 from the RMS advising that it will be undertaking preliminary assessment of the Stewart / Durham Street intersection (**attachment 2**).

### Bathurst Regional (Interim) Development Control Plan 2011 - Amendment No. 4

To enable development standards to apply to the expanded area of Eglinton, an amendment to the Bathurst Regional (Interim) Development Control Plan 2011 has been prepared. It is important to note that the DCP amendment will not come into force until such time as the Planning Proposal has been gazetted. A copy of the DCP amendment was exhibited as part of the public exhibition period 17 March 2012 to 16 April 2012. A copy of the final DCP amendment has been included as **attachment 3**.

The major matters addressed in the DCP include:

- Transmission tower buffer zones;
- Land Management controls for remediation of certain lands;
- Indicative road network;

- Importantly the rules governing dwellings and subdivision in the expansion area will be the same as those in the current village area.

#### Inclusion of additional Land on the Western side of Eglinton

At the Discussion Forum held on 6 June 2012, Mr Camplin raised the further issue of including additional land on the western side of Eglinton (ie the inclusion of his entire lot) into the current planning proposal. The area in question is in the order of 5.7 ha. Council officers have undertaken some investigations into the feasibility of the proposal and have summarised the issues below.

#### *Sewer and Water availability*

Council officers have commenced the investigations and modelling of the additional allotments requested by Mr Camplin. At the time of writing the report, the results of those investigations were unavailable. Some concern has been raised by Council's Engineering Department as to the capacity of the sewer system to cater for this additional land and logically the extension of land to the immediate south of Mr Camplin's land i.e. Hewitts land (10.75 ha). Council should not proceed to rezone this land until these investigations are completed satisfactorily and Council is satisfied that there is sufficient capacity in both the water and sewer systems to service the additional land.

#### *Eglinton Expansion LES*

The Eglinton Expansion LES recommended that the drainage line on the western side of Eglinton be the natural boundary for the village expansion. This area has been used as a foundation to the buffer zone along the western side of the Village.

#### *Further loss of Class 2 Agricultural Land*

Comments from the Department of Primary Industries in relation to its Urban and Rural Strategies and its draft Comprehensive LEP raises its ongoing concern in relation to the continued loss of Class 2 Agricultural Land through urban expansion. This is of particular relevance to the additional land proposed for Eglinton as raised by Mr Camplin which is wholly Class 2. Correspondence received from the Department of Primary Industries relating to land suitability and the Agricultural Suitability Map for the land surrounding Eglinton has been provided at **attachment 4**.

The subject land is Class 2 Agricultural suitability and therefore is considered valuable agricultural land. The exhibited Planning Proposal sought the best compromise position to:

- improve the urban/rural interface around Eglinton and minimise future land use conflict;
- enable some appropriate expansion of Eglinton to cater for community demand for new living opportunities as this location; and
- minimise the loss of prime agricultural land.

Any proposal to further expand Eglinton would need to be referred to the Department of Primary Industries for further consideration.

#### *Delay to the Planning Proposal*

The inclusion of the additional land on the western side of Eglinton would add considerable delay to the overall process as a result of the need to seek a further Gateway determination from the Department of Planning and Infrastructure. Council should note that this rezoning

process commenced in July 2010, and considerable time and effort has been expended to progress the Planning Proposal to this stage. Upon Council adopting the Planning Proposal, it is anticipated that it will take up to a further 6 months to have the Planning Proposal gazetted and have the land available for residential development.

If Council were to resolve to include additional land into this Planning Proposal, then it is anticipated that it would add substantially to the timetable to seek a new gateway determination (re-exhibition, Discussion Forum, Council adoption and 6 months for the gazettal of the Planning Proposal) to the current Planning Proposal.

In fairness to other adjoining owners it would not be unreasonable to seek their interest in being included in a further expansion.

It is considered that the best way forward for Council if it wishes to include additional land would be to adopt and proceed with the current Planning Proposal and consider any additional expansion as part of its future comprehensive LEP and future reviews of its Urban Strategy. This would ensure appropriate investigations can be completed and the new proposal referred to the relevant Government agencies for consideration.

### Conclusion

The Planning Proposal for the expansion of Eglinton has been prepared on the basis of the recommendations of the Eglinton Village Expansion LES 2006 and the Bathurst Region Urban Strategy 2007. The Planning Proposal was exhibited from 6 November 2010 to 4 December 2010. As a result of submissions received, the issue of zoning the open space and the results of the Bathurst CBD and Bulky Goods Business Development Strategy, the Planning Proposal was amended and re-exhibited from 17 March 2012 to 16 April 2012.

The matters raised in the submissions have been considered. A final Planning Proposal has been prepared with the following changes from that re-exhibited in the second exhibition period.

- minor changes to the road and lot layouts on the eastern and western sides of the village;
- inclusion of additional land to the north;
- minor alterations to the boundaries of the open space; and
- relocation of the business land to the northern corner of Freemantle Road and Duramana Road.

The final Planning Proposal is included at **attachment 5**.

The outstanding issues raised by the RMS and TfNSW were addressed at the LES stage.

The inclusion of the additional land on the western side of Eglinton as raised by Mr Camplin at the Discussion Forum held 6 June 2012 would be better considered as part of Council's Comprehensive LEP rather than further delaying the current Planning Proposal.

On this basis it is considered that there are no environmental or planning grounds that would prevent Council from proceeding with the Planning Proposal.

It is therefore recommended that Council forward the final Planning Proposal to the NSW Department of Planning and Infrastructure for making.

**Financial Implications:** Nil.

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

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.5
- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.1
- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.1
- Objective 18: To encourage sustainable housing choice and quality design that engenders a sense of place. Strategy 18.2
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.1, 28.8

## MINUTE

### 9 Item 3 PLANNING PROPOSAL - EGLINTON EXPANSION (20.00170)

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

**RESOLVED:** That Council:

- (a) adopt the finalised Planning Proposal – Eglinton Expansion as outlined in this report;
- (b) consider the rezoning of additional land on the western side of Eglinton at a later date as part of Council's Comprehensive LEP;
- (c) forward the final Planning Proposal – Eglinton Expansion, as outlined in this report, to the Department of Planning & Infrastructure for the making of the Local Environmental Plan under Section 59 of the Environmental Planning and Assessment Act 1979;
- (d) adopt the Bathurst Regional (Interim) Development Control Plan 2011 Amendment No. 4;
- (e) note that the Bathurst Regional (Interim) Development Control Plan 2011 Amendment No. 4 will not come into force until the Planning Proposal has been gazetted;
- (f) advise those who lodged submissions of Council's decision; and
- (g) call a division.

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

**The result of the division was:**

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

Against the motion - NIL

Absent - NIL

Abstain - NIL

#### **4 BATHURST COMMUNITY ACCESS AND CYCLING PLAN UPDATE (20.00165)**

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

**Report:** Council adopted the Bathurst Community Access and Cycling Plan at its Ordinary Meeting held 15 June 2011. This report outlines Council's key achievements in the implementation of the Plan in the past 12 months.

Over the past 12 months, Council has undertaken a number of projects with respect to the footpath and cycleway network. Of particular note are the following works:

<b>Road Name</b>	<b>Location</b>	<b>Suburb</b>	<b>Asset Type</b>	<b>Length (m)</b>
Bradwardine Road	Walmer Park to Pedestrian Bridge	Windradyne	FP - Cycle way	246
Bradwardine Road	Walmer Park to Ribbongum Place	Windradyne	FP - Cycle way	268
Bradwardine Road	Ribbongum Place to Evernden Road	Windradyne	FP - Cycle way	225
Eglinton Road	Riverview Estate park	Abercrombie	FP - Cycle way	214.5
Eglinton Road	Riverview Estate park	Abercrombie	FP - Cycle way	607
Alexander Street	Park Street to Wellington Street	Eglinton	FP - Footpath	43
Locke St	Godfrey Street to Landseer Street	Raglan	FP - Footpath	224
Frome St	Nelson Street to Locke Street	Raglan	FP - Footpath	210
Lloyds Road	Alfred Street to Hamley Street	Gormans Hill	FP - Footpath	92
Lloyds Road	Hamley Street to Wolseley Street	Gormans Hill	FP - Footpath	92
Lloyds Road	Wolseley Street to Raglan Street	Gormans Hill	FP - Footpath	92
Lloyds Road	College Road to Alfred Street	Gormans Hill	FP - Footpath	90.45
Lloyds Road	Raglan Street to Bant Street	Gormans Hill	FP - Footpath	93.68
Sydney Road	No 25 Sydney Road to Lee Street	Kelso	FP - Footpath	113
<b>TOTAL</b>				<b>2610</b>

Council has also installed a pedestrian footbridge over Jordan Creek in Stanley Street, as recommended by the Plan.

Council has installed a number of pram ramps within Bathurst including Lloyds Rd, outside Chifley Cottage, Bathurst Basketball Stadium, outside the Metro Cinemas in Piper Street and Machattie Park.

Council's footpath and cycleway construction will continue in the 2012/13 financial year.

**Financial Implications:** Funding for the implementation of the Bathurst Community Access and Cycling Plan is included in Council's Management Plan.

#### **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 6.6
- Objective 14: To encourage less car dependency. Strategy 14.1
- Objective 19: To improve equity of access to all members of the community in public and private domains. Strategy 19.1
- Objective 24: To provide and support the provision of accessible, affordable and well planned transport systems. Strategy 24.2
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.2

**MINUTE**

**10 Item 4 BATHURST COMMUNITY ACCESS AND CYCLING PLAN UPDATE**  
**(20.00165)**

**MOVED: T Carpenter SECONDED: P Toole**

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



**5 DEVELOPMENT APPLICATION NO 2012/0221 - TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT 474 CONROD STRAIGHT AND 200 COLLEGE ROAD LOT 1 DP 749758 AND LOT 2 DP 749758. APPLICANT: BATHURST REGIONAL COUNCIL. OWNER: BATHURST REGIONAL COUNCIL (DA2012/0221)**

**Recommendation:** That Council:

- (a) support the variation to the 1(d) Rural Special Purposes 200 hectare minimum lot size as prescribed in Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 11 & 12;
- (b) support the variation to the 1(d) Rural Special Purposes 200 hectare minimum lot size as prescribed in Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 12;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0221, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (d) call a division.

**Report:** The Site

Council has received a Development Application (DA) for a two lot subdivision (boundary adjustment) at 200 College Road and 474 Conrod Straight, Mount Panorama described as Lot 2 DP 749758 and Lot 1 DP 749758 (see location plan at **attachment 1**).

200 College Road (Lot 2) is 9.24 hectares and currently contains a dwelling owned by Council.

474 Conrod Straight (Lot 1) is 5.75 hectares, is currently vacant and is also owned by Council.

**The proposal**

The proposal involves a boundary adjustment between the existing Lot 1 and Lot 2. See plan of proposed development at **attachment 2**).

The intention of this subdivision (boundary adjustment) is to enlarge the area of 474 Conrod Straight by transferring approximately 9.11 hectares from 200 College Road. This will leave the existing dwelling with an area of 4,696m<sup>2</sup> and Lot 11, which is adjacent to the Mount Panorama Racing Circuit with an area of 14.86 hectares.

The boundary adjustment consolidates Council's land holdings surrounding the Mount Panorama Motor Racing Circuit whilst allowing the divestment of the existing dwelling.

**Planning Context**

*Bathurst Regional (Interim) Local Environmental Plan 2005*

The subject site is zoned 6(b) Regional Recreational (474 College Road) and 1(d) Rural Special Purposes (200 College Road) under the provisions of the *Bathurst Regional (Interim) Local Environmental Plan 2005*. A subdivision is permissible with consent in the 1

(d) Rural Special Purpose and 6(b) Regional Recreational zones. The proposal is consistent with the objectives of these zones.

The applicant has submitted a SEPP 1 Objection (see SEPP 1 Objection at **attachment 3**) in relation to the creation of proposed Lots 11 and 12 which indicates the nature of the subdivision and their objection to the current standards because:

1. Lot 2 is already well below the minimum lot size of 200 hectares for the 1(d) Rural Special Purposes zone;
2. There is no minimum lot size for properties within the 6(b) Regional Recreational zone;
3. The proposed lot sizes are consistent with the surrounding pattern of subdivision;
4. No new lots are created;
5. No new dwelling entitlements are being created; and
6. The Mount Panorama Race Circuit will not be compromised.

#### Need for Council concurrence

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

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

#### Conclusion

The subdivision between the lots will not create any dwelling entitlements nor compromise the use of the Mount Panorama Motor Racing Circuit. Accordingly the SEPP 1 Objection is supportable.

**Financial Implications:** Nil

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

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

## MINUTE

**11 Item 5 DEVELOPMENT APPLICATION NO 2012/0221 - TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT 474 CONROD STRAIGHT AND 200 COLLEGE ROAD LOT 1 DP 749758 AND LOT 2 DP 749758. APPLICANT: BATHURST REGIONAL COUNCIL. OWNER: BATHURST REGIONAL COUNCIL (DA2012/0221)**

**MOVED: P Toole SECONDED: W Aubin**

**RESOLVED:** That Council:

- (a) support the variation to the 1(d) Rural Special Purposes 200 hectare minimum lot size as prescribed in Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 11 & 12;
- (b) support the variation to the 1(d) Rural Special Purposes 200 hectare minimum lot size as prescribed in Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 12;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0221, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (d) call a division.

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

**The result of the division was:**

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

Against the motion - NIL

Absent - NIL

Abstain - NIL

**6 DEVELOPMENT APPLICATION NO 2012/0233 - TWO LOT SUBDIVISION  
(BOUNDARY ADJUSTMENT) AT LOTS 1 AND 2, 128 SAINT ANTHONYS CREEK ROAD.  
OWNER: W OGILVIE (DA2012/0233)**

**Recommendation:** That Council:

- (a) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 11 and 12;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 11 and 12;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0233 subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

**Report:** The Site

Council has received a Development Application (DA) for a two lot subdivision (boundary adjustment) at 128 Saint Anthonys Creek Road, Glanmire, described as Lots 1 and 2, DP 778236 (see location plan at **attachment 1**).

Lot 1 is 12.13 hectares and contains a residential dwelling and dam.

Lot 2 is 96.17 hectares and currently has approval for a residential dwelling. Construction of this dwelling is underway.

**The proposal**

The proposal involves a boundary adjustment to transfer approximately 15.43 ha from Lot 2 to Lot 1. See plan of proposed development at **attachment 2**.

The boundary adjustment is necessary to ensure that the catchment for the existing dam on the newly created Lot 11 is wholly on the Lot.

**Planning Context**

*Bathurst Regional (Interim) Local Environmental Plan 2005*

The subject site is zoned 1 (e) Outer Rural under the provisions of the *Bathurst Regional (Interim) Local Environmental Plan 2005*. A subdivision is permissible with consent in the 1 (a) Inner Rural zone. The proposal is consistent with the objectives of the zone.

The applicant has submitted a SEPP 1 Objection (see SEPP 1 Objection at **attachment 3**) in relation to the creation of proposed Lots 11 and 12 which indicates the nature of the subdivision and their objection to the current standards because:

- 1. Both lots are already below the minimum lot size of 100 hectares;
- 2. The proposed lot sizes are consistent with the surrounding pattern of subdivision;

3. No new lots are created,
4. No new dwelling entitlements are being created;
5. The boundary adjustment provided proposed lot 11 with control over the catchment area for the dam located on proposed lot 11 and provide a secure water supply.

### Concurrence

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

### Need for Council concurrence

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

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

### Conclusion

The subdivision between the lots will not create any dwelling entitlements. Accordingly the SEPP 1 Objection is supportable.

**Financial Implications:** Nil

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

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

## MINUTE

### **12 Item 6 DEVELOPMENT APPLICATION NO 2012/0233 - TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT LOTS 1 AND 2, 128 SAINT ANTHONYS CREEK ROAD. OWNER: W OGILVIE (DA2012/0233)**

**MOVED:** I North **SECONDED:** P Toole

**RESOLVED:** That Council:

- (a) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 11 and 12;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 11 and 12;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0233 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

**7 DEVELOPMENT APPLICATION NO 2012/0049 – ADDITIONS AND ALTERATIONS TO EXISTING COMMERCIAL PREMISES AT 28 STOCKLAND DRIVE, KELSO. APPLICANT & OWNER: GULLIFER (2012/0049)**

**Recommendation:** That Council:

- (a) having undertaken a review of Development Application 2012/0049 resolve to change its determination and approve the Development Application subject to conditions able to be imposed under Section 80A of the Environmental Planning and Assessment Act.
- (b) acknowledge that the development is contrary to Councils Guidelines for Engineering Works.
- (c) call a division.

**Report:** Council has received a request to review its decision to refuse the above Development Application pursuant to Section 82A of the Environmental Planning and Assessment Act 1979.

The Development Application proposes the construction of an awning to the side of an existing commercial building at 28 Stockland Drive, Kelso. A copy of the submitted plans are at **attachment 1**. The building is currently occupied by Kelso Truck Tyre and Mechanical.

The awning by itself raises no significant planning issues with the exception of it being located over the Council sewer main.

The sewer main in question is a 600 mm rising main and is covered by a 5 metre wide easement in favour of Council.

Section 5.3.8.5 of Council's Guidelines for Engineering Works allow for the construction of building works over Council sewerage mains up to 225 mm diameter only. The proposal to construct a supported awning and associated wash bay is therefore contrary to this Guideline.

The Development Application as originally lodged was refused under delegated authority on 23 April 2012 due to its location over the rising main and its inconsistency with the adopted Guidelines.

Subsequent to the refusal the applicant has had further discussions with Council's Engineering Department regarding the proposal.

Council's Engineering staff are now satisfied that a solution can be achieved to ensure the integrity of the Council main and ensure that access to the main for maintenance purposes is assured through conditions to be imposed on the Development Application. It should be noted that these are at the developers full cost.

It is therefore acknowledged that the Development Application is not consistent with the Council's adopted Guidelines for Engineering Works however under the specific circumstances applicable in this instance is nonetheless deemed satisfactory subject to the conditions to be imposed.

It is therefore recommended that having undertaken a review of the application Council resolve to grant consent to Development Application 2012/0049 subject to conditions able to

be imposed under Section 80A of the Environmental Planning and Assessment Act including those conditions recommended by Council's Engineering Department.

**Financial Implications:** Nil.

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

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



## MINUTE

### **13 Item 7 DEVELOPMENT APPLICATION NO 2012/0049 – ADDITIONS AND ALTERATIONS TO EXISTING COMMERCIAL PREMISES AT 28 STOCKLAND DRIVE, KELSO. APPLICANT & OWNER: GULLIFER (2012/0049)**

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

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

**Reason:** Business associate with applicant.

**RESOLVED:** That Council:

- (a) having undertaken a review of Development Application 2012/0049 resolve to change its determination and approve the Development Application subject to conditions able to be imposed under Section 80A of the Environmental Planning and Assessment Act.
- (b) acknowledge that the development is contrary to Councils Guidelines for Engineering Works.
- (c) call a division.

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

#### **The result of the division was:**

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

**Against the motion** - NIL

**Absent** - Cr R Thompson,

**Abstain** - NIL

## **8 BIODIVERSITY MANAGEMENT PLAN (37.00336)**

**Recommendation:** That Council:

- (a) place the draft Biodiversity Management Plan on public exhibition for a period of 28 days; and
- (b) if no submissions are received adopt the Biodiversity Management Plan

**Report:** In 2009 the Bathurst Orange Dubbo Alliance was awarded a \$2 million dollar grant under the NSW Environmental Trust's Urban Sustainability Program to implement actions of the Bathurst Orange Dubbo: Environmental Sustainability Action Plan. The grant project was entitled 'Inspiring and Integrating Change in the Central West Region' and under the program Bathurst Regional Council received funding to implement a number of innovative projects relating to the management and enhancement of biodiversity within the Bathurst Region.

One of the Bathurst projects was to develop a Biodiversity Management Plan (BMP) which would assist Council with future planning, monitoring and management of biodiversity.

In 2010 Council commissioned Applied Ecology to prepare an Issues Paper which outlined the range of issues which needed to be considered in the preparation of a BMP. Following a competitive tender process the BMP project was awarded to Mactaggart Natural Resource Management, a local environmental consulting firm, in June 2011.

The aims of the project were to:

- Improve the integration of biodiversity conservation into land use planning instruments (such as Local Environmental Plans and Development Control Plans) and the development assessment process.
- Protect and enhance the biodiversity of natural areas on land under Council care and control;
- Identify priority conservation areas and biodiversity values to be maintained, and restored across all land tenures;
- Provide strategies to improve community awareness of, and encourage and support community participation in biodiversity conservation;
- Be guided by national, state and regional targets, including the Central West Catchment Action Plan, the Lachlan Catchment Action Plan, the NSW State Plan, the NSW Biodiversity Strategy 2010 – 2015 (currently in draft form) and Australia's Biodiversity Conservation Strategy 2010 – 2030; and
- Improve biodiversity knowledge and data management within the Bathurst Regional LGA.

An important part of the project was the assessment of the vegetation condition and biodiversity conservation value of over 700 parcels of Council controlled land in order to identify biodiversity restoration or rehabilitation priorities, and to guide Council to improved land management practices.

At the outset of the project a Steering Committee was formed to provide guidance and advice to the consultant in the development of the plan. The Steering Committee was comprised of:

- BRC Manager Strategic Planning
- BRC Manager Environment/Acting Manager Environment

- BRC Sustainability Strategy Officer
- Central West CMA – Clayton Miller
- NSW Office Environment and Heritage – Robert Taylor
- Greening Bathurst – Ashley Bland
- Boundary Road Landcare Group – Chris Marshall

Informal community consultation took place throughout the project and a formal community consultation forum was held in November 2011.

The Executive Summary of the BMP report is provided as **attachment 1**. It outlines the project background, biodiversity assets within the Bathurst Region, threats to biodiversity, data gaps, Council controlled land condition assessment methodology and results, a strategic framework for biodiversity management, management priorities and actions and a program for implementation, monitoring and review. A full copy of the report is available from the Environment, Planning & Building Services Department.

The preparation of a BMP fulfils an important objective of the Bathurst Orange Dubbo Environmental Sustainability Action Plan, which identified the preparation of a BMP as a critical step in improving the environmental sustainability of our Region. The BMP will not only assist Bathurst Regional Council to improve its management of biodiversity, but will be used as an example to Orange and Dubbo and smaller regional Councils.

**Financial Implications:** The preparation of the Biodiversity Management Plan was primarily funded through the ‘Inspiring and Integrating Change’ grant (\$85,000). Council made a \$17,000 contribution to the project in the 2010/2011 Management Plan. Council in its 2012/2013 Management Plan has provided \$50,000 to commence implementation of the recommended actions of the Biodiversity Management Plan.

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

- |  |                      |
|--|----------------------|
| ● Objective 10: To protect and enhance the region’s biodiversity.  | Strategy 10.4, 10.11 |
| ● Objective 28: To plan for the growth of the region and the protection of the region’s environmental, economic, social and cultural assets. | Strategy 28.8        |
| ● Objective 33: To be and develop good leaders.  | Strategy 33.1        |

**MINUTE**

**14     Item 8     BIODIVERSITY MANAGEMENT PLAN (37.00336)**

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

**RESOLVED:** That Council:

- (a) place the draft Biodiversity Management Plan on public exhibition for a period of 28 days; and
- (b) if no submissions are received adopt the Biodiversity Management Plan

## **9 BATHURST PEST BIRD MANAGEMENT STRATEGY (37.00350)**

**Recommendation:** That Council adopt the Bathurst Pest Bird Management Strategy as a working document.

**Report:** In response to increasing community concern, Council identified the need to address the issues of pest birds in the Bathurst Region. Surveys of Bathurst businesses and residents identified the following birds are of concern:

1. Feral Pigeon
2. Common Starling
3. House Sparrow
4. Indian Myna
5. European Blackbird

Council understood that there were a range of options available to help manage pest birds and that there were various issues that needed to be addressed so as to ensure effective control of problem birds. Therefore, in the 2011-12 Management Plan, Council allocated funds to develop a Pest Bird Management Plan or Strategy. Through a competitive quotation process, NGH Environmental was awarded the contract.

NGH Environmental conducted additional targeted surveys of CBD businesses and the wider community. The results of this survey were presented to Council at the April 2012 Ordinary Council Meeting and were used to develop the strategy.

The pest bird management strategy is now complete and is provided at **attachment 1**. Some key outcomes and recommendations of the strategy:

- Reducing the impact of pest birds is of concern to the majority of survey respondents;
- The management of pest birds is the responsibility of individual property owners (similar to managing vermin or weeds) but cooperative programs are of value and are encouraged;
- Removing food sources such as feeding by humans and increasing native vegetation and habitat for competing native species in suburban areas are recommended;
- A range of control measures (exclusion, nest removal, trapping) used together and across a range of sites increases success rates. Individual site actions have little impact.

The main output of the project was the development of pest bird and management fact sheets that will be made available to the public. Persons experiencing problems with a particular bird species such as pigeons can therefore download or pick up information about the bird including where it nests, when it breeds, what it feeds on, and information about a range of control measures that may be effective.

The Pest Bird Management Strategy will be made available on Council's website and at the Bathurst Regional Library. Copies of the fact sheet will be available on the website or from the Civic Centre.

**Financial Implications:** The Pest Bird Management Strategy was funded as part of the 2011-12 Management Plan.

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

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Strategy 9.7

Macquarie River.

- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.6
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.4

**MINUTE**

15 **Item 9 BATHURST PEST BIRD MANAGEMENT STRATEGY (37.00350)**

**MOVED:** T Carpenter **SECONDED:** P Toole

**RESOLVED:** That Council adopt the Bathurst Pest Bird Management Strategy as a working document.

## **10 AUSTRALIAN INSTITUTE OF TOURISM OFFICERS PROFESSIONAL DEVELOPMENT CONFERENCE MAY 2012 (11.00009)**

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

**Report:** The Australian Institute of Tourism Officers Professional Development Conference was held in Canberra this past May. This conference is attended by tourism managers from around Australia, this year the majority coming from NSW with a couple from QLD.

One of the main themes running throughout the whole conference was the importance of people within the tourism/visitor experience. Therefore the training, knowledge sharing and skilling up of staff are vital to their ongoing success and repeat visitation for a tourism operator and imperative for a destination as each business contributes to the overall visit.

Guest presenters included:

John Sereni, Chair, Australian Regional Tourism Network  
Tony Griffin & Debbie Edwards, UTS Lecturers  
Robyn Agnew, Tourism Research Australia  
Paul Murray, Tourism Australia  
Geoff Anson, Tilt & Co  
David Beriman, Risk Management Specialist

Topics covered during the conference covered the State of the Nation in Tourism, Tracking Tourists via apps, Tourism Australia -2012/13 plans Crisis Management, the Power of Events and a Technology Update.

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

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

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1, 4.7
- Objective 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.1



**MINUTE**

**16 Item 10 AUSTRALIAN INSTITUTE OF TOURISM OFFICERS PROFESSIONAL DEVELOPMENT CONFERENCE MAY 2012 (11.00009)**

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

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

## **11 HIGH SCHOOL NEST BOX PROJECT (16.00133)**

**Recommendation:** That Council

- (a) note the High School Nest Box project has been completed as part of CMA funded project 'Combating the Indian Mynah and Common Starling in the Bathurst Region'; and
- (b) acknowledge the involvement of Petries Mitre 10 and the Schools in the project.

**Report:** As part of the CMA funded project 'Combating the Indian Mynah and Common Starling in the Bathurst Region', Council implemented a complementary project to supplement nesting habitat for native species. In order to achieve this, Council's Environment Officers negotiated to have 200 nest boxes built by local high school students, as a way of achieving the desired outcomes of the project whilst simultaneously engaging young people of the region in caring for their natural environment. The budget for this aspect of the project was \$1,000 and through a partnership arrangement with local hardware store Petries Mitre 10 approximately \$1,500 worth of hardware was supplied to the schools to make the nest boxes, more than doubling the original anticipated number of nest boxes to be made.

Schools involved were Mackillop College, Denison College- both Bathurst and Kelso High campuses, All Saints College and St Stanislaus College. The types of boxes made were for a variety of birds and mammals, including Brush and Ring-tailed Possums, Pacific Black Ducks, Australia Wood Ducks, Grey Shrike-thrushes, Red-rumped Parrots, Eastern and Crimson Rosellas, and Kookaburras.

Upon completion of the boxes, a media event was organised with a number of the school students and teachers, Allan Wray from the Central West CMA, Petries Mitre 10, Council's Environment Officers, the Western Advocate and the WIN News team to celebrate young men and women in the region contributing to local biodiversity. Council's Parks and Gardens staff also greatly contributed to the event, by painting and then installing 3 nest boxes in native trees by the Macquarie River. The boxes installed on the day were for Australian Wood Ducks.

The media event was a success with the story making the Weekend Advocate as well as the WIN evening news on Friday 29 July.

The main component of the project, reducing population numbers of Indian Mynahs and Common Starlings in the region, is currently underway, with Environment Officers organising the design and assembly of humane traps for pest bird species. This aspect of the project will be implemented over the coming months to align with the installation of the nest boxes, in time for the native breeding season throughout Spring.

**Financial Implications:** The High School Nest Box project was funded by the Central West Catchment Management Authority, with materials for the project being donated by Petries Mitre Ten.

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

- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.6, 10.11
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2, 30.6

**MINUTE**

**17     Item 11   HIGH SCHOOL NEST BOX PROJECT (16.00133)**

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

**RESOLVED:** That Council

- (a) note the High School Nest Box project has been completed as part of CMA funded project 'Combating the Indian Mynah and Common Starling in the Bathurst Region'; and
- (b) acknowledge the involvement of Petries Mitre 10 and the Schools in the project.

## **12 BATHURST REGION RURAL LIVING HANDBOOK (16.00021)**

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

**Report:** As reported to the October 2011 Ordinary Council Meeting, as part of the Bathurst Orange Dubbo (BOD) Alliance, Council has pursued the development of a local Rural Living Handbook, based upon the Goulburn-Mulwaree document. The need for this handbook was identified when it was recognised that there are common issues across the BOD Alliance Councils, as well as the Central West Catchment, relating to responsible land management. This is particularly important for new landholders and those buying a farm for the first time.

The Central West Catchment Management Authority contributed the majority of the funds, over \$14,000, to the development of the booklet, with Bathurst Regional, Orange and Dubbo City Councils contributing \$2,000 each. Bathurst Regional Council staff contributed most of the time to the revision and updating of the handbook.

The result is two versions of the handbook – one for the Bathurst Region and another aimed at the 16 Councils of the Central West Catchment. Copies of the two handbooks will be provided to Councillors under separate cover.

The handbook covers areas such as:

1. Buying your property, living in the region and property planning.
2. Natural resources: water, soil, native plants and animals, fire, weeds and pest animals.
3. Property management: waste and effluent management, chemicals, stock, fences, farm and rural road safety and rates.

The handbook is not designed to provide all the information necessary to manage rural land appropriately, rather it identifies the general issues that may be faced and refers landholders to the appropriate authority for further information, training, resources or funding.

The handbook is now available for free from the Council Civic Centre and will also be available at the Bathurst Regional Library or on the Council website. Council will provide copies to local real estates agents to increase circulation to landholders.

**Financial Implications:** The Central West CMA and Dubbo and Orange City Councils contributed \$18,000 to the cost of production. Council's \$2,000 contribution was funded from existing allocations.

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

- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.8
- Objective 12: To protect and enhance water quality and riparian ecology. Strategy 12.8
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8

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

Strategy 30.4

- Objective 33: To be and develop good leaders.

Strategy 33.1

**MINUTE**

**18    Item 12    BATHURST REGION RURAL LIVING HANDBOOK (16.00021)**

**MOVED: P Toole SECONDED: R Thompson**

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

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 & MINUTES  
18 JULY 2012

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

General Manager  
Bathurst Regional Council

**1 STATEMENT OF INVESTMENTS (16.00001)**

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

**Report:** \$66,431,107.58 was invested at 30 June 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+	\$5,000,000.00	5.82%
Bank of Queensland	A2	\$8,500,000.00	5.93%
Bendigo and Adelaide Bank	A2	\$5,500,000.00	5.86%
IMB	A3	\$9,000,000.00	5.83%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	5.71%
National Australia Bank	A1+	\$8,500,000.00	5.87%
People's Choice Credit Union	ADI	\$2,000,000.00	5.83%
Railways Credit Union	ADI	\$1,000,000.00	6.07%
SGE Credit Union	ADI	<u>\$1,000,000.00</u>	<u>5.79%</u>
		<b>\$43,500,000.00</b>	<b>5.86%</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	4.80%
Westpac	AA-	\$2,000,000.00	5.05%
Westpac	AA-	<u>\$2,000,000.00</u>	<u>5.33%</u>
		<b>\$8,000,000.00</b>	<b>5.14%</b>

**Community Income Note**

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

Commonwealth Bank	AA	\$2,000,000.00	4.43%
Commonwealth Bank	AA	<u>\$2,000,000.00</u>	<u>5.06%</u>
		<b>\$4,000,000.00</b>	<b>4.75%</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	4.74%
Bendigo & Adelaide Bank Retail Bond	A-	\$2,000,000.00	5.01%
The Royal Bank of Scotland – Australia	A+	<u>\$2,000,000.00</u>	<u>5.98%</u>
		<b>\$10,000,000.00</b>	<b>5.36%</b>

<b>Total Investments</b>		<b><u>\$66,431,107.58</u></b>	<b><u>5.55%</u></b>
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***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		\$20,708,991.94
Unrestricted Investments – All Funds		\$7,879,223.70
*General Fund	\$18,937.68	
*Water Fund	\$3,278,175.27	
*Sewer Fund	\$1,766,648.58	
*Waste Fund	<u>\$2,815,462.17</u>	

<b>Total Investments</b>		<b><u>\$66,431,107.58</u></b>
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<b><u>Total interest revenue to 31/05/2012 on investments</u></b>		<b><u>\$3,750,702.192</u></b>	<b><u>5.55%</u></b>
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**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**

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

**MOVED: I North SECONDED: P Toole**

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

**2 YEAR TO DATE REVIEW - 2011/2012 MANAGEMENT PLAN AND BUDGET - 30 JUNE 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**

**20 Item 2 YEAR TO DATE REVIEW - 2011/2012 MANAGEMENT PLAN AND BUDGET - 30 JUNE 2012 (16.00126)**

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

**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 30 June 2012.

Any consideration of donations from Section 356 funds will now relate to the 2012/2013 financial year. The balances outlined below are those included in the 2012/2013 Detailed Operating Plan.

**Financial Implications:** Council's Sundry Section 356 Donations and Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies for 2012/2013 have a balance as follows:

Section 356:	\$13,101.00
BMEC Community use:	\$48,100.00
Mount Panorama :	\$34,000.00

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

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

**MINUTE**

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

**MOVED: P Toole 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.

- Knox S & T - Chesterman Close - Lot 931, DP1170287 - Transfer.
- Thurn M & Bugess R - Evernden Road - Lot 1112, DP1170286 - Transfer.
- BRC/Schumacher BJ & RE - Part 51 Bathurst Street, Perthville - Lots 3, 4 & 6, DP1173379 - Transfer.
- Miles M - Morrisset Street - Lots 14 & 15, DP1089380 - Licence Agreement.
- Dwyer M - Evernden Road - Lot 1111, DP1170286 - Transfer.
- White R & R - Miller Street - Lot 936, DP1170287 - Transfer.
- Ireland G & M - Mount Panorama - Lot 1, DP749758 & Lot 117, DP750357 - Licence Agreement.

#### **Linen Plan Release**

- Ratsep/MIR Bros Industries Pty Ltd, Glenfan Pty Ltd, DW Earl - 3 Lot Boundary Adjustment, 9 Lot Residential Subdivision & New Road - Ashworth Drive & Bonnor Street, Kelso.

**Financial Implications:** Nil.

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

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

**MINUTE**

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

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

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



## **5 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST BLACKTRACKERS RUGBY LEAGUE CLUB (18.00004)**

**Recommendation:** That Council donate \$500 to the Bathurst Blacktrackers Rugby League Club towards the cost of 2012 Annual NSW Aboriginal Rugby League Knockout from Section 356 Donations.

**Report:** Council has received a request from Bathurst Blacktrackers Rugby League Club seeking sponsorship to go towards the cost of the 2012 Annual NSW Aboriginal Rugby League Knockout. A copy of the request is provided at **attachment 1**.

The Bathurst Blacktrackers is a newly formed local Aboriginal Rugby League Team. This sponsorship will assist the group in purchasing football jerseys, socks and shorts as well as accommodation costs and the entry fee for the 2012 Competition.

**Financial Implications:** This request could be funded from Council's Section 356 Donations which currently has a balance of \$13,101.00.

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

**MINUTE**

**23 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST  
BLACKTRACKERS RUGBY LEAGUE CLUB (18.00004)**

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

**RESOLVED:** That Council donate \$500 to the Bathurst Blacktrackers Rugby League Club towards the cost of 2012 Annual NSW Aboriginal Rugby League Knockout from Section 356 Donations.

## **6 WAIVE OF FEES AT MOUNT PANORAMA - ST JOHN AMBULANCE NSW (18.00004)**

**Recommendation:** That Council waive fees for the use of the Camp Cullen Police Compound Shed at Mount Panorama amounting to approximately \$800 for St John Ambulance NSW to be funded from Mount Panorama Donations.

**Report:** Council has received a request from St John Ambulance NSW to waive fees associated with hiring the Camp Cullen Police Compound Shed at Mount Panorama. A copy of the request is provided at **attachment 1**.

St John Ambulance Bathurst Cadet Division request to hold a camp at the Camp Cullen Site, Mount Panorama from the 22-24 June 2012. Their activities would be contained to within this compound area and building.

It is proposed to camp in tents outside the building but within the compound fence and inside the centre would be used for eating in and teaching purposes, as the cadets that will be attending will be completing an interest badge on camping proficiency.

It is expected there will be approximately 12 children ranging in age from 8 to 18 years and they will be accompanied by approximately 5 adults, all with medical training.

As St John Ambulance Bathurst Cadet Division is a not for profit organisation they have requested if Council could lower or subsidise the associated fees for this activity in order to run this camp at a minimum cost so all cadets have the opportunity to attend without there being a significant financial outlay.

**Financial Implications:** This request could be funded from Council's Mount Panorama Fee Subsidy allocation which currently has a balance of \$34,000.00.

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

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

**MINUTE**

**24 Item 6 WAIVE OF FEES AT MOUNT PANORAMA - ST JOHN AMBULANCE NSW (18.00004)**

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

**RESOLVED:** That Council waive fees for the use of the Camp Cullen Police Compound Shed at Mount Panorama amounting to approximately \$800 for St John Ambulance NSW to be funded from Mount Panorama Donations.

## **7 REQUEST FOR FINANCIAL ASSISTANCE - LIONS CLUB OF EPPING-EASTWOOD INC. (18.00004, 23.00013-03/085)**

**Recommendation:** That Council donate \$2,286.50 to Lions Club of Epping-Eastwood Inc towards the cost of hiring the Bathurst Memorial Entertainment Centre for the District 201N5 Convention 2013 - Bathurst from BMEC Community Use donations.

**Report:** Council has received a request from Lions Club of Epping-Eastwood Inc for financial assistance to waive the fees for hiring the Bathurst Memorial Entertainment Centre for the District 201N5 Convention 2013 - Bathurst. See request at **attachment 1**.

It is anticipated that some 200 people will attend the Convention from Sydney. As well, in 2013/2014, for the first time the International President of Lions Clubs International (LCI) will be an Australian - Barry Palmer AM, who has indicated that he will attend the Convention.

The Lions Club have requested Council to consider reducing or waiving the fees for hiring Bathurst Memorial Entertainment Centre from 15-17 November 2013.

The cost of hiring Bathurst Memorial Entertainment Centre will be approximately:

<b>Date</b>	<b>Time</b>	<b>Room</b>	<b>Amount</b>
Friday, 15 November 2012	Afternoon/Evening - up to 4 Hours	City Hall - Registration/Meet & Greet	\$306.50
Saturday, 16 November 2012	9 hours	Theatre	\$1,096.50
Saturday, 16 November 2012	available all day	Break Out Room	\$286.00
Sunday, 17 November 2012	5 hours	Theatre	\$597.50
<b>Total</b>			<b>\$2,286.50</b>

The Council has offered to hold a mayoral reception for up to 80 people prior to this significant convention in order to welcome the delegates to the Bathurst convention.

The estimated cost of this mayoral reception will be approximately \$1,000 as it will be held in Council's Chambers.

**Financial Implications:** This request could be funded from Council's BMEC Community Use Donations which currently has a balance of \$48,100.00.

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

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

**MINUTE**

**25 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - LIONS CLUB OF EPPING-EASTWOOD INC. (18.00004, 23.00013-03/085)**

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

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

**Reason: Member of the Lions Club**

**RESOLVED:** That Council donate \$2,286.50 to Lions Club of Epping-Eastwood Inc towards the cost of hiring the Bathurst Memorial Entertainment Centre for the District 201N5 Convention 2013 - Bathurst from BMEC Community Use donations.

## **8 AUSTRALIA DAY WORKING PARTY (23.00033)**

**Recommendation:** That Council:

- (a) write to the Bathurst Region Villages seeking information as to the whether they intend to participate in the Australia Day Celebrations in 2013.
- (b) allocate an amount of \$500 to be divided amongst those villages participating in the 2013 celebrations.

**Report:** The Australia Day Working Party at its recent meeting considered the lack of involvement of the villages in 2012. The Australia Day Working Party would like to encourage villages to be more involved in the 2013 Australia Day Celebrations and give them reasonable opportunity to be involved. Council will need to determine the level of interest the villages have and the appropriate means of informing them of activities taking place. Discussion took place at the last working party meeting and it was resolved that the villages were to be contacted via letter. Notice of contact with the villages would be promoted using the Mayor's Column as suggested in Item 3 of the minutes of the Australia Day Working Party meeting held on 19 June 2012 which is provided below.

### **Item 3 PLANNING FOR 2013 AUSTRALIA DAY 19/6/2012**

- That the Bathurst Arts Council Awards be included in Australia Day Celebrations with winners to provide entertainment.
- Reading activities to continue despite not being the international year of reading.
- Villages to be sent letter seeking their interest in holding stand alone celebrations.
- Mayors column to include notice of contact with villages.

Discussion also took place at the Working Party meeting held on 17 April 2012 and it was resolved that funds should be allocated to the villages to hold celebrations. It has been suggested that \$500 or thereabouts be allocated to the Bathurst Region Village Celebrations. After the villages have registered their interest regarding involvement in the celebrations the money is to be divided between villages to host their own celebrations.

It is recommended that Council:

- (a) Write to the Bathurst Region Villages seeking information as to the whether they intend to participate in Australia Day Celebrations in 2013.
- (b) Allocate an amount of \$500 to be divided amongst those villages participating in 2013 celebrations.

**Financial Implications:** Should Council allocate \$500 towards the cost of village celebrations it would be funded from the 2013 Australia Day celebrations budget.

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

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

## MINUTE

### 26 Item 8 AUSTRALIA DAY WORKING PARTY (23.00033)

**A MOTION was MOVED Cr Morse SECONDED Cr Carpenter**

That Council:

- (a) write to the Bathurst Region Villages seeking information as to the whether they intend to participate in the Australia Day Celebrations in 2013.
- (b) allocate an amount of up to \$1000 and resources to be divided amongst those villages participating in the 2013 celebrations.



**MINUTE**

**27    Item 8    AUSTRALIA DAY WORKING PARTY (23.00033)**

**The following AMENDMENT was MOVED Cr Toole SECONDED Cr Bourke**

That Council write to the Bathurst Region Villages seeking information as to the whether they intend to participate in the Australia Day Celebrations in 2013.

**The AMENDMENT was PUT and CARRIED**

**The AMENDMENT then became the MOTION**

**The MOTION was PUT and CARRIED**

## **9 CREATION OF BATHURST MUSEUM PASS (18.00004)**

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

**Report:** Councillors are aware that Bathurst Regional Council has the following museums located within the regional area.

- National Motor Racing Museum
- Australian Fossil and Mineral Museum
- Chifley Home

From time to time Council is requested to provide a multiple entry ticket to various museums which is designed to encourage visitors to visit more than one facility and also achieve a cheaper entry fee. At Council's meeting held 18 April 2012 Council were presented with a report regarding a GT National Car Event visit for which Council agreed to provide a ticket for \$20, which would allow entrance into the above three Museums.

The normal fee for entry to the three facilities is \$27.50 but for the GT event Council agreed to a fee of \$20. At this time some Councillors considered it would be worthwhile having this offer of multiple entry as an incentive to attend all of the facilities while in Bathurst.

The current entry price of attending these facilities is:

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

Councillors are requested to give consideration to a discount in accordance with the report. A level of \$21.00 could be considered with each facility receiving \$7.00.

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

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

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

**MINUTE**

**28    Item 9    CREATION OF BATHURST MUSEUM PASS (18.00004)**

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

**RESOLVED:** That Council:

- a)    amend its 2012/2013 Revenue Policy to reflect the new fee of \$21 for entry to the three museums as outlined in the report.
- b)    place the amendments to the Revenue Policy on public exhibition for 28 days during which time public submissions may be made.
- c)    report any submissions received back to Council for consideration.
- d)    adopt the amended Revenue Policy if no submissions are received.

Yours faithfully



R Roach  
**DIRECTOR  
CORPORATE SERVICES & FINANCE**

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

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

General Manager  
Bathurst Regional Council

**1 BATHURST WATER FILTRATION PLANT - UPDATE ON MANGANESE REMOVAL TRIAL (16.00103)**

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

**Report:** Council will recall a previous report to the March 2012 Council meeting, which provided detailed information in regards to Stage 1 of the Manganese Removal Trial underway at the Water Filtration Plant.

**Background**

Council was successful in obtaining Australian Government funding through the Department of Sustainability, Environment, Water, Population and Communities to complete 50% of a Stage 1 and Stage 2 Manganese Removal Trial. Stage 1 involved the construction, operation, monitoring and testing of replica filters that function in the same way as the 14 full size filters at the Water Filtration Plant. Stage 1 test results were very positive, with a high level of manganese removal achieved and this was reported to the March 2012 Council meeting.

In accordance with the Australian Drinking Water Guidelines, the health guideline for manganese is 0.5 mg/L and the aesthetic guideline value for manganese is 0.1 mg/L. Manganese value of greater than 0.1 mg/L will cause taste and staining of fixtures problems. Less than 0.05 mg/L is the desirable value.

A maximum value of 0.02 mg/L manganese was selected as the target value for the Stage 1 and Stage 2 plant trials.

Stage 2 of the Manganese Removal trial commenced at the beginning of March 2012 and was completed in June 2012. The strict timeframe was a result of Commonwealth funding which covered 50% of the cost of the Stage 2 trial. Stage 2 commenced based upon formal advice from NSW Public Works indicating that the Stage 1 test results indicate strongly that the adopted methodology would be successful in removing manganese from the water ensuring that a maximum value of 0.02mg/L of manganese is not exceeded. The Stage 2 trial involved using one of the existing fourteen full size sand filters to add chemicals in order to achieve the greatest possible manganese removal.

As with Stage 1, there was detailed monitoring, sampling and testing conducted to ascertain the optimum approach to removing the greatest amount of manganese under a variety of operating conditions that are experienced at the Water Filtration Plant during the year. NSW Public Works managed the process changes and testing requirements.

**Results**

Following completion of the Stage 2 trial, Council has now received the final report from

NSW Public Works which was completed with significant input from Bathurst Regional Council staff. The report covers the complete details from the Stage 2 trial, with a copy of the Executive Summary at **attachment 1**.

The recommendations coming out of the Stage 2 Final Report are:

- (a) Conduct additional testing to further improve the manganese reduction performance under the following conditions:
  - High flow at 250 L/s to replicate summer conditions
  - Highest possible flow at 500 L/s to replicate future peak demand;
  - Trial suitable polymers for use in low flow, high flow and cold winter temperatures;
  - Using alternative alkali pre-dosing chemicals;
- (b) Undertake further investigations into the corrosiveness of the two water supply sources to determine the selection of the alkali chemical for manganese oxidation purpose in the settled water;
- (c) Arrange additional plant controls so filters will automatically backwash if the filtered water turbidity from that filter reaches set levels;
- (d) Incorporate in the daily water testing regime of the plant the testing of manganese concentration of the filtrate from each filter at least twice per day; one in the morning and one in the afternoon.
- (e) Investigate the possibility of installing an additional shallow layer of fine sand underneath the existing filter sand layer in order to reduce the turbidity of the filtered water further. This could assist in reducing the manganese concentration of the filtered water to a lower level; and
- (f) Trial run an on-line automatic manganese analyser to determine if it is possible to initiate an automatic filter backwash based on manganese and to provide an automatic alarm to plant operators for remedial actions.

The recommendations identified in the points above list a series of opportunities for Council to undertake in order to ensure that more rigorous testing is completed as a precursor to any design work for a Stage 3.

All of these actions are guiding Council towards the most suitable methodology available to oxidise Manganese in the feed water. At this stage Council is in the process of commencing all recommendations identified in the report.

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

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

- Objective 12: To protect and enhance water quality and riparian ecology. Strategy 12.2
- Objective 31: To maintain local public ownership of water and sewer assets. Strategy 31.1

**MINUTE**

**29 Item 1 BATHURST WATER FILTRATION PLANT - UPDATE ON MANGANESE REMOVAL TRIAL (16.00103)**

**MOVED: P Toole SECONDED: T Carpenter**

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

## 2 THE BRIDLE TRACK ROCK SLIP (25.00283)

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

**Report:** Council will recall the following report provided to the April 2012 meeting with Community Groups/Representatives:

*"As a result of a rockslip occurring on the 31 July 2010 and subsequent landslip of the adjacent roadway, the Bridle Track has been closed at Monaghan's Bluff pending further investigation of appropriate treatments to the situation.*

*Since that time Council has had two geotechnical investigations undertaken paying particular attention to the stability of the site in relation to further rockslips and landslides.*

*Council has also investigated various rectification measures to the problem including, embankments stabilisation, bridging the affected area and possible alternate routes – none of which are economically viable.*

*Since the amalgamation of Evans Shire Council and Bathurst City Council in 2004, Bathurst Regional Council has spent the following funds,*

*The Bridle Track*

<i>Upgrading works</i>	<i>\$1,200,000 (\$150K/yr)</i>
<i>Maintenance</i>	<i>\$160,000</i>
<i>Flood Damage Restoration</i>	<i>\$203,000 (Nov 2010 event)</i>
<b><i>Total</i></b>	<b><i>\$1,563,000</i></b>

*Hill End Rd - Turondale to Hill End*

*Upgrading works* *\$3,650,000*

*Hill End Rd – Sofala to Turondale*

*Upgrading Works* *\$1,200,000 (10/11 & 11/12)*

*Prior to the amalgamation Council made the decision to discontinue maintenance on the Bluff for safety reasons. Council has periodically removed debris from minor rock falls since, purely on a reactive basis only."*

In an effort to obtain a more accurate estimate of cost involved for potential rectification works staff have received a preliminary estimate of cost for further investigation of the site to provide a geotechnical model of the site and feasibility options.

The cost of such investigations being \$53,600.00.

It must be noted that this estimate is very much a preliminary cost estimate for a geotechnical investigation at the Bluff Site and that the outcome of such an investigation would provide a geotechnical model of the site and feasibility options only (i.e. whether or not a retaining wall, bridge etc is suitable) and not a detailed design. Any design would depend on the findings of the investigation, which is an essential component in determining the appropriate course of action.

As an indication only Council recently constructed a pedestrian Bridge across Jordan Creek in Stanley Street, the design for which cost \$11,000.00. Therefore it would be reasonable to assume that the design (only) cost for a bridge at the Bluff on the Bridle Track would be in



excess of \$40,000.00.

This further Geotechnical analysis and subsequent design has not been proposed or funded at this stage.

As Council would be aware, it is important to keep in mind other risks associated with the road at other locations along this Section of the Bluff. For example, the focus of all investigations to date only observed and assessed a very small portion of the road. It is likely that road users would be exposed to similar risks at other locations. Therefore remediating this section of road may not reduce the overall risk along the road. In addition, there are numerous dry stone walls along the section of road similar, if not identical in construction, to the current failed section. Again it is important to realise that these would not be considered retaining walls by today's standards. They are simply thin staked walls backfilled with rubble. Failure of any of these would again lead to closure of the road, leaving Council faced with a very similar situation to the one now encountered.

Staff are currently investigating/following up on an alternate route via Box Ridge Road and Stewarts Access Road to the Hill End side of the Bluff. At the present time staff are trying to contact the relevant landowners for feed back and consent (which would be a prerequisite for the opening up of this route).

Council has also opened up a route via Root Hog Rd to the Hill End side of the Bluff that involves an instream crossing through the Macquarie River. The crossing was damaged due to the recent flood event in February however has since been repaired and upgraded with approval and assistance from NSW DPI – Fisheries and NSW Office of Water.

A map of the area is at **attachment 1**.

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

### **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 11.7

**MINUTE**

**30     Item 2   THE BRIDLE TRACK ROCK SLIP (25.00283)**

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

**RESOLVED** That:

- a)     the information be noted.
  
- b)     consideration for funding for works and studies on the Bridle Track be included in the 2013/2014 Management Plan.

Yours faithfully



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

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

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

General Manager  
Bathurst Regional Council

**1 COMPARATIVE LIBRARY STATISTICS 2010/2011 (21.00054)**

**Recommendation:** That the statistical benchmarking of the Bathurst Library for 2010/2011 be noted.

**Report:** All public library services in New South Wales are compared in an annual statistical collection and benchmarking exercise conducted by the State Library of NSW.

Libraries are required to generate a comprehensive amount of key statistics on staffing, collections, service levels and usage each year. These statistics are then collected and benchmarked against all other services, in a publication entitled Public Library Statistics.

The latest Public Library Statistics, for the year, 2010/2011 have just been published and form the basis of this report. Some example tables, considered most pertinent are provided. The full report may be consulted in the Library.

A key factor in the benchmarking process is comparison with like services, and population size is generally the most useful major factor in any such grouping. Similar sized population centres and their library circulation figures that may be compared to Bathurst are:

<b>Centre</b>	<b>Population</b>	<b>Circulation</b>	<b>Visits</b>
Wagga	63,500	306,122	162,890
Dubbo	41,000	208,723	163,538
Tamworth	59,461	271,489	163,524
Botany	40,463	191,323	201,675
<b>Bathurst</b>	<b>39,915</b>	<b>352,210</b>	<b>170,656</b>
Orange	39,329	234,419	161,820
Eurobodalla	37,714	289,002	57,092
Strathfield	36,911	251,267	284,141

Benchmarking the total loans of library material for each library shows that Bathurst loaned a credible 352,210 items placing the Library 53rd in the table, of the 99 library services, well above our rank of 61 according to population comparisons.

Bathurst Library achieved a ratio of 8.82 items loaned per head of population, placing the Library in the top twenty libraries with a rank of 18 out of the 99 services.

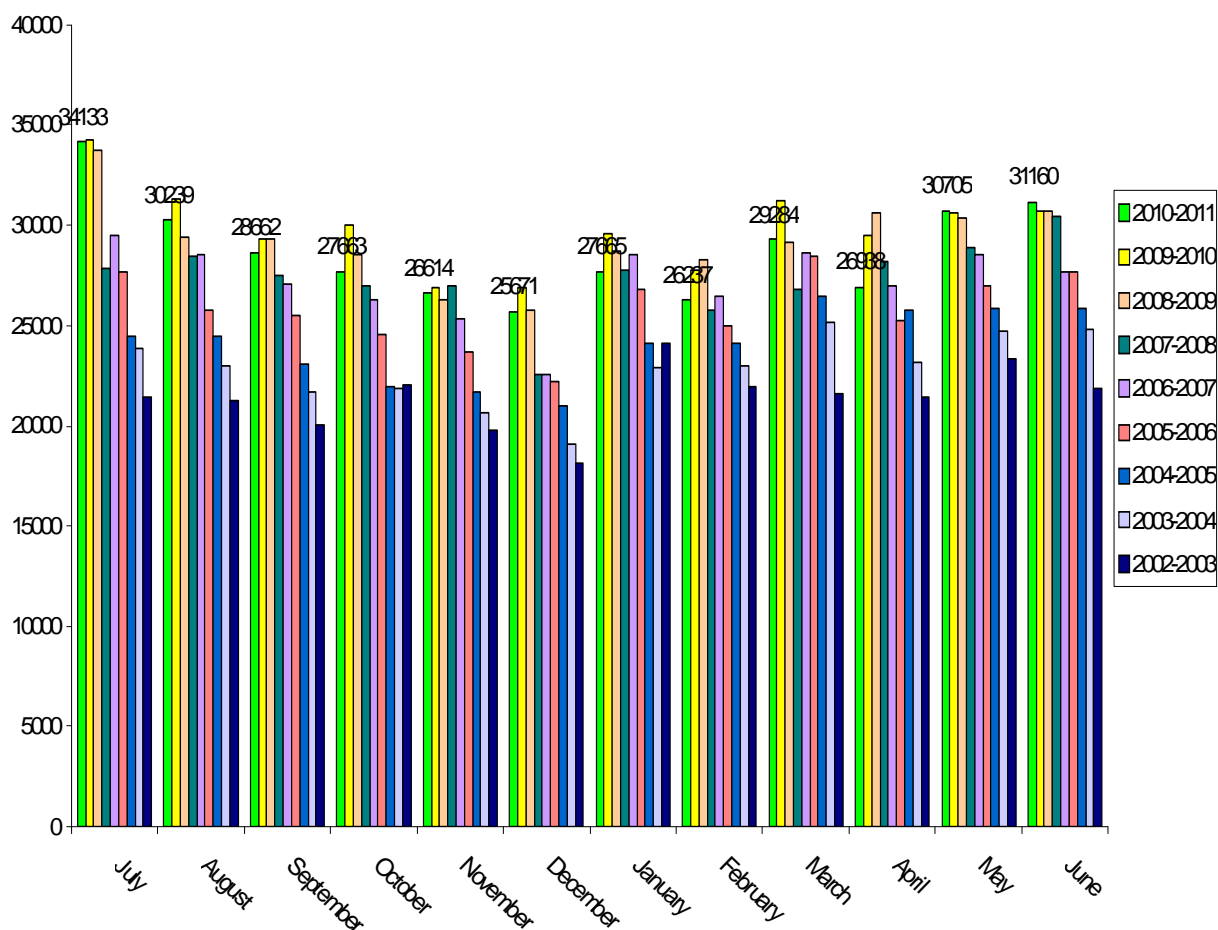
When compared within the complete grouping of all libraries Bathurst lends an impressive total number of items per staff member. In fact Bathurst staff lent 32,916 items per staff member. This places Bathurst Library staff with the **fourth** heaviest workload out of all 99 libraries.

Bathurst Library performs extremely well when compared to similar sized libraries and

communities and this is confirmed when compared to the complete list of libraries.

Total items issued annually by Bathurst Library, 2002-2011

**Total items issued**



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

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

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

**MINUTE**

**31     Item 1    COMPARATIVE LIBRARY STATISTICS 2010/2011 (21.00054)**

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

**RESOLVED:** That the statistical benchmarking of the Bathurst Library for 2010/2011 be noted.

## **2 COMMUNITY GROUPS USE OF LIBRARY MEETING ROOM (21.00054)**

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

**Report:** The Bathurst Library provides a number of services, in addition to the lending of books and audio visual material. The Library is seen by the community as a meeting place recognising the important service provided to the community. The Library meeting room is used by a variety of Bathurst community groups, individuals and commercial bodies to hold meetings, informal gatherings or community events.

The Library is often utilised by smaller groups with limited finances, such as a Mothers Group, Beginners Chess Group, the Bathurst Writers Group and the Multicultural Women's Group, significantly reducing these groups' operating expenses. The space available is adequate for such groups and as no bookings are made nor services provided no charge is applied.

The Library meeting room is a room capable of holding 70 people, with basic catering facilities and lecture equipment. This room is rented by community groups with larger membership and more exacting space or privacy requirements.

A wide range of individuals and groups regularly make use of the Library space for meetings and lectures such as U3A, a Yoga Group, Bathurst Family History Group, a Buddhist Group, Centacare, Arts OutWest, a series of Author talks and the like reaching many individuals in the community.

Whilst providing for community use, the meeting room also caters for commercial users and provides a useful income stream to the Library budget.

The room is currently in need of painting and carpet replacement, these will be subject to Council's normal estimates process.

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

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

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

**MINUTE**

**32     Item 2    COMMUNITY GROUPS USE OF LIBRARY MEETING ROOM (21.00054)**

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

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



### **3 SMASHED ARTS PROGRAM - BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) (21.00060)**

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

**Report:** In 2011 the BMEC Local Stages Creative Producer submitted a grant application to the Federal Department of Health and Ageing - Australian National Preventative Health Agency. The grant applied for was a Community Initiative as part of a National Binge Drinking Prevention Strategy targeting young people up to the age of 24.

The application was written on behalf of the following Stakeholders:

- Council's Cultural & Community Services Department, including the BMEC Local Stages Program, Kelso Community Centre and Bathurst Youth Council;
- Western New South Wales Local Health District;
- PCYC;
- Headspace;
- Arts OutWest; and
- Bathurst Theatre Company.

The application, under the title "Smashed Arts" sought funding of \$495,071 over a twenty four month period spanning over three calendar years. The application was successful and full funding was awarded.

The objectives of the project are to:

- increase access to alcohol free entertainment for young people in the region;
- engage with and respond to the needs of young people in high risk groups;
- increase the knowledge and understanding of young people of the effects of binge drinking; and
- increase the resources available in the Bathurst region to create safe environments for young people and the community at large.

These objectives will be achieved through the provision of a range of performing arts opportunities. In June 2012 final contract negotiations were concluded with the Department of Health and Ageing and the paperwork was processed to recruit a Smashed Arts Coordinator on a contract basis.

The program will officially commence in the July school holidays with workshops involving: film making; rhythm, percussion and beat-boxing; aerial circus skills; dance; and acrobatics.

**Financial Implications:** The application presents no adverse implications for Council but significantly increases resources available for performing arts projects for young people in the region.

### **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 21.3
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.6
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.7
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.9

**MINUTE**

**33 Item 3 SMASHED ARTS PROGRAM - BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) (21.00060)**

**MOVED: P Toole SECONDED: T Carpenter**

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

#### **4 POWER PAC - A GUIDE TO SUPPORTING THE PROCESS OF NURTURING, DEVELOPING, MAKING AND PRODUCING THEATRE WORK IN AUSTRALIAN PERFORMING ARTS CENTRES (21.00060)**

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

**Report:** Power PAC (the PAC standing for "Performing Arts Centres") is a report commissioned by the Australia Council for the Arts in 2011. It is due to be released publicly in July 2012.

The report acts as a guide showing ways that performing arts centres, generally Council owned and operated, can be used to support the development of new theatre work. It is a report for both metropolitan and regional centres.

*"The Power PAC Guide is a starting point to explore the many possibilities of making innovative and locally relevant theatre in performing arts centres. Although it is only one part of the mix of programming necessary for the venue to remain a valued community asset, it is also the part that is often put into the "too hard basket". The Power PAC Guide attempts to assist in making it happen.*

*The investment required for nurturing professional theatre making is a small percentage compared to the investment in the infrastructure of the actual building. At times, there needs to be a reminder of the role and purpose of what is, in most cases, the major cultural and civic hub for the local community.*

*There is no single formula for the development of theatre work except the commitment and enthusiasm to start the process. What may appear as barriers to develop theatre may also provide the opportunity for owners, managers and theatre makers to work collaboratively to make exciting and entertaining programs.*

*The benefits of the investment are measurable – an increase in participation, attracting new audiences, support of local artists and the promotion of professional arts practice. The outcome is a contribution to the vibrancy and creativity of the local community."*

The guide suggests that certain conditions are desirable if performing arts centres are to support the creation of work.

*"Good practice in performing arts venues that seek to develop new work includes cases where:*

- *The Performing Arts Centre is vision led.*
- *The position description of the Manager includes the responsibility to implement the artistic vision – be innovative and creative, nurture and support the artists and theatre makers;*
- *A Creative Producer has been engaged to fulfil the key role of developing, nurturing and liaising with artists and theatre makers as well as implementing and managing a new initiatives program*
- *Opportunities are created for trainee Artistic Directors, either as short term placements or as part of the programming policy*
- *A mentor is sought out for support, guidance and advice in developing, producing and commissioning work*
- *A secondment scheme offers short term placements for artistic personnel, theatre makers, producers or programming staff from other arts organisations. (with reciprocal arrangements for Box Office or Technical staff).*

- *Residencies are offered for writers, directors and theatre makers.*
- *The creative development process is appreciated as a process and a starting point that can lay the foundation for new and exciting work but that may also include ideas that don't work – and that's o.k.*
- *Meetings with Council's Finance Manager and Human Resources Manager communicates what the venue manager does, the program vision and articulates how they can assist.*
- *The feasibility is investigated for the performing arts centre to become a separate entity (Company Ltd by Guarantee, Inc Association) still owned and supported by Council but with the flexibility to operate with an entrepreneurial and experimental aspect to the work."*

The report cites a number of best practice examples including the Bathurst Memorial Entertainment Centre and its Local Stages Program. The report notes that these examples are *"the good stories ... examples of performing arts centres enabling the opportunity for innovative theatre to develop for the benefit of their community, local artists and the wider performing arts industry."* The best practice examples are:

- Knox Community Arts Centre - Bayswater, Victoria
- The Gold Coast Arts Centre - Gold Coast Queensland
- Bathurst Memorial Entertainment Centre - Bathurst NSW
- Northern Rivers Performing Arts (NORPA) - Lismore, NSW
- Murrumbidgee Theatre Company Illawarra Performing Arts Centre - Wollongong NSW
- Country Arts SA - Six venues across regional South Australia

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

There are no financial implications for Council other than the commitments already made in the Management Plan.

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

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.3
- Objective 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 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 20.4
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.2

**MINUTE**

**34 Item 4 POWER PAC - A GUIDE TO SUPPORTING THE PROCESS OF NURTURING, DEVELOPING, MAKING AND PRODUCING THEATRE WORK IN AUSTRALIAN PERFORMING ARTS CENTRES (21.00060)**

**MOVED: R Thompson SECONDED: P Toole**

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

## **5 ART OUTWEST MEMORANDUM OF UNDERSTANDING AND 2011 ANNUAL REPORT (18.00036)**

**Recommendation:** That Council:

- (a) Sign the Memorandum of Understanding with Arts OutWest for 2012/2015.
- (b) Continue to support Arts OutWest in providing the annual financial contribution as outlined in the report.

**Report:** Correspondence has been received from the President of Arts OutWest, requesting Council to renew the Memorandum of Understanding (MOU) initially signed in 2002 with 17 councils and then signed again in 2008. The basis of the new MOU is to ensure that Arts OutWest and the 12 member councils continue to work cooperatively in a sustainable partnership for the delivery of regional arts and cultural development with the communities of the Central West. To achieve this Arts OutWest is requesting a financial contribution for the 2012/2013 period of \$20,374.81, this fee being established at the rate of 50.7 cents per head of population. This new MOU, as shown at **Attachment 1**, follows on from the previous MOU and requires approval by Council.

Arts OutWest have given a presentation at a Councillors Meeting with Community Representatives on 13 June 2012 and at this meeting Arts OutWest provided an overview of its activities and key projects. The presentation is further supported by the Arts OutWest Annual Report for 2011. A copy of the report is at **Attachment 2**.

Council, in its Annual Management Plan, provides funds to assist in the operations of Arts OutWest. Arts OutWest promotes, educates, facilitates and advocates for arts and cultural development for the communities of Central West NSW. Cr Monica Morse undertook the role of Secretary during 2011 in her role as Bathurst Regional Council delegate.

Arts OutWest has provided support to Council during 2011. At **Attachment 3** is a summary that details support within the Bathurst Region.

**Financial Implications:** Council has provided \$20,129 in the Annual Operating Plan - 2012/2013 for Community Arts and this contribution is made directly to Arts OutWest.

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

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.8
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.2, 20.6
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.2

**MINUTE**

**35 Item 5 ART OUTWEST MEMORANDUM OF UNDERSTANDING AND 2011 ANNUAL REPORT (18.00036)**

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

**RESOLVED:** That Council:

- (a) Sign the Memorandum of Understanding with Arts OutWest for 2012/2015.
- (b) Continue to support Arts OutWest in providing the annual financial contribution as outlined in the report.



**6 BATHURST INFORMATION & NEIGHBOURHOOD CENTRE (BINC), HOME MODIFICATION AND MAINTENANCE SERVICE - WAIVING OF WASTE CHARGES (14.00007)**

**Recommendation:** That Council continue to waive Waste Management Centre fees for the Bathurst Information & Neighbourhood Centre (BINC), Home Modification and Maintenance Service to be funded from Council's Section 356 donations.

**Report:** Council, in 2005, considered a request from the Bathurst Information & Neighbourhood Centre (BINC), Home Modification and Maintenance Service for an exemption from paying fees at Council's Waste Management Centre. The Council resolution at the time was to:

- "(a) *Support the Home Modification and Maintenance Service by waiving waste charges to the tip for home and community care jobs.*
- "(b) *Prepare a report to Council after a 12 month trial on costs of the proposal.*"

In reviewing this waiver in 2012 BINC has once again requested a waiver for the Home Modification and Maintenance Service:

*"Bathurst Home Modification and Maintenance (HMM) and more particularly the recipients of the service greatly appreciate the support of Council in the waiving of the fees. This service is provided to people who are the frail aged, younger people with a disability and their carers who require services so that they can remain safely in their own homes. The majority of this group have limited resources and have great difficulty in meting (sic) any additional costs.*

*The HMM fees are kept to an absolute minimum (which is only possible through funding from government) so that potential hardship is minimised. The service is structured to provide the most benefit possible to the service users and if the Council did not waive the waste charges these charges would have to be passed onto them.*

- (a) *BINC strongly supports the current arrangement for the waiving of Waste Charges for our home and community care programs*
- (b) *HMM services are expected to be ongoing and there is a continuing demand for the services (demand exceeds supply) into the future with an increasing ageing population*
- (c) *The benefit to the waiving of the charges enhances the HMM ability to deliver the service to a (sic) significant members of the community. Community members benefit directly by having their lawns and outdoor areas kept in a tidy state enhancing safety and quality of life. This service is an important component of an aged person or a younger person with a disability remaining in their own homes."*

**Financial Implications:** Council's Finance Section indicates this amount is less than \$1,000 per annum and is able to be funded from Council's Section 356 donation budget.

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

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

- 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, 21.2
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.5, 23.6

**MINUTE**

**36 Item 6 BATHURST INFORMATION & NEIGHBOURHOOD CENTRE (BINC),  
HOME MODIFICATION AND MAINTENANCE SERVICE - WAIVING OF WASTE  
CHARGES (14.00007)**

**MOVED: R Thompson SECONDED: P Toole**

**RESOLVED:** That Council continue to waive Waste Management Centre fees for the Bathurst Information & Neighbourhood Centre (BINC), Home Modification and Maintenance Service to be funded from Council's Section 356 donations.

Yours faithfully



Annabell Miller  
**DIRECTOR  
CULTURAL & COMMUNITY SERVICES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
POLICY COMMITTEE MEETING

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

General Manager  
Bathurst Regional Council

**1 MINUTES - POLICY COMMITTEE MEETING - 4 JULY 2012 (07.00064)**

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

**Report:** The Minutes of the Policy Committee Meeting held on 4 July 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**

**37**     **Item 1    MINUTES - POLICY COMMITTEE MEETING - 4 JULY 2012 (07.00064)**

**MOVED:** R Thompson **SECONDED:** P Toole

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

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 4 JULY 2012**

**MEETING COMMENCES**

**1 MEETING COMMENCES**

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

**APOLOGIES**

**2 APOLOGIES**

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

**RESOLVED:** That the apology from Cr Thompson be accepted and leave of absence granted. Cr Thompson advised that he will be arriving late to the meeting. Cr Thompson arrived at 5.03pm.

**REPORT OF PREVIOUS MEETING**

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

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

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

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**

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

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

Cr Thompson arrived at 5.03pm

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**5 Item 1 OPENING OF COUNCIL MAIL (03.00049, 41.00089)**

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

A **MOTION** was **MOVED** Cr B Bourke and **SECONDED** Cr I North

That no mail addressed to any individual Councillors, which is received at Council, is to be opened by Council, unless permission is granted by the individual Councillor.

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

**6 Item 1 OPENING OF COUNCIL MAIL (03.00049, 41.00089)**

**MOVED** Cr G Hanger

A **MOTION** was **MOVED** Cr G Hanger

That the status quo be maintained.

The **MOTION LAPSED** for want of a **SECONDER**.

- 7** **Item 1 OPENING OF COUNCIL MAIL (03.00049, 41.00089)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr M Morse

A **MOTION** was **MOVED** Cr T Carpenter and **SECONDED** Cr M Morse

Council hold a Working Party to develop a policy on mail and records capture for the Council as it relates to Councillors. This is to include hard copy and electronic mail.

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

### **General Manager's Report**

- 8** **Item 1 CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT (18.00008)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr I North

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

### **GENERAL BUSINESS**

- 9** **RECENT DROWNING INCIDENT IN NSW (02.00009-03)**

**Cr Hanger** - spoke to recent incident where a child was drowned in NSW. Queried what is Council's policy with respect to pools.

The **Acting Director Environmental Planning & Building Services** spoke to Council procedures that are in place.

- 10** **MINES - FRACKING (20.00237)**

**Cr Hanger** - asked if any approaches have been made to Council concerning coal seam mining.

The **Mayor** advised not aware of any approaches having been made to Council.

- 11** **PUBLIC LIABILITY INSURANCE COVER FOR EVENTS (03.00006)**

**Cr Carpenter** - has been approached about insurance cover for events Council has been involved in e.g. NAIDOC day. Has a change in procedures occurred and can we help with insurance.

The **Director Cultural & Community Services** advised no change for those events run by Council. If run by groups outside of Council, they need to put their own insurance cover in place. Council will continue to assist NAIDOC week through existing budgets in place.

- 12** **TRAINEESHIP PROPOSAL (16.00129)**



**Cr Carpenter** - raised the Management Plan meeting which dealt with a traineeship proposal that was not taken up. Could Council review trainee opportunities that are available.

**13**      **EVANS ARTS COUNCIL (25.00018)**

**Cr Carpenter** - expressed concerns about the right hand turn into Lee Street not being available, can this be looked at.

The **General Manager** gave history of this matter and noted that the Roads and Maritime Services will not put a right hand turn in. Further planned works for the highway would not facilitate such a turn.

**14**      **LOCAL GOVERNMENT EMPLOYEES IN REGARDS TO ELECTION (12.00010)**

**Cr Morse** - noted there was an article in the Sun Herald about Council staff involvement in elections.

The **Director Cultural & Community Services** advised that the article referred to political activities.

**15**      **LAFFING WATERS LANE (25.00106)**

**Cr Morse** - informed that she has had approaches about concerns with access from Laffing Waters Lane being blocked if there is an accident on the Sofala Road at the entrance to the subdivision. Could Traffic Committee or Engineers look at this.

**16**      **LITTER ON ENTRANCES TO THE CITY (07.00097)**

**Cr Aubin** - informed there is a problem with this. Could a report come to Council on frequency of cleaning and processes in place. Raised as an example the approach from the Orange side of town.

The **Mayor** noted Works Engineer is currently reviewing this matter.

**17**      **ST PATS JUNIOR RUGBY LEAGUE FOOTBALL CLUB - OVAL PROBLEM (22.01560)**

**Cr North** - spoke of an issue with water impact on the grounds out there. Can this be reviewed by staff and St Pats sporting groups be contacted. Also problems with ground highlights need for more ovals into the future, we need to look at future demands.

The **Mayor** spoke to discussions that have been held with St Pats concerning the water problem.

The **Director Corporate Services & Finance** noted we are looking at acquiring various sites particularly on the flood plains.

**18**      **HARNESS RACING (23.00098)**

**Cr North** - spoke of recently going through Goondiwindi and there is a great museum which had paraphernalia on Gunsynd. Bathurst has some great museums

and perhaps Bathurst should look at doing something for the recording of harness racing history in Bathurst.

**19 SWIMMING POOLS 02.00009)**

**Cr North** - spoke to inspection regime for pool fencing. When a pool is sold can we make sure that the site is inspected to see complies with appropriate standards.

The **Acting Director Environmental Planning & Building Services** advised protocols in place are being assessed as part of the Swimming Pools Act reform process.

**20 ST PATS (22.01560)**

**Cr Bourke** - need to look at water problem. There are many teams utilising this facility.

**21 RAGLAN CREEK CHANNEL FUNDING (31.00006)**

**Cr Bourke** - asked where are we at with funding.

The **Director Engineering Services** advised Roads and Maritime Services have allocated funding in 2012/2013, currently seeking licence approval from the Office of Water.

**22 BENTINCK STREET/CARRINGTON PARK (25.00067)**

**Cr Bourke** - asked when we get a storm, gravel fills the gutters. Could this be looked at, perhaps cement the path along this strip.

**23 HAVANNAH STREET TURN ONTO HIGHWAY (25.00027)**

**Cr Carpenter** - asked where are we at trying to get two lanes turning right onto the highway.

The **Director Engineering Services** advised expecting to do heavy patching work in next two weeks. This will then allow Roads and Maritime Services to alter signals.

**24 BRIDLE TRACK (25.00283)**

**Cr Bourke** - advised has received approaches about this matter.

The **Mayor** advised a report is being prepared, perhaps may be available for July meeting.

**25 OPENING COUNCILLOR MAIL (03.00038)**

**Cr Bourke** - asked is there a policy in place on this. Can he seek legal advice.

The **General Manager** advised there is no policy. Current procedures are that all mail is currently opened, refer to report this business paper. Noted that the Councillor is not able to seek legal advice at the cost of Council.

**MEETING CLOSE**

**26**

**MEETING CLOSE**

The Meeting closed at 6.00pm.

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

**Date:** \_\_\_\_\_ **(18 July 2012)**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
TRAFFIC COMMITTEE MEETING

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

General Manager  
Bathurst Regional Council

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

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

**Report:** The Minutes of the Traffic Committee Meeting held 3 July 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**

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

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

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

**MINUTES OF THE TRAFFIC COMMITTEE**  
**HELD ON 3 JULY 2012**

**MEETING COMMENCES**

**1 MEETING COMMENCES**

Members: Cr Warren Aubin (Chair), Jackie Barry (Roads and Maritime Services), David Veness (MP Representative), Senior Constable Lucas Cole (Police)

Present: Darren Sturgiss (Manager Technical Services), Paul Kendrick (Senior Technical Officer/Traffic Engineer), Deborah Taylor (Acting Manager Environment)

**APOLOGIES**

**2 APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING**

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

That the Minutes of the Traffic Committee Meeting held on 5 June 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 5 JUNE 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 NO PARKING SIGN STANLEY STREET (28.00006-10)**

That Council approve installation of "No Parking" signs in Stanley Street Bathurst.

**8 Item 4 HOLY FAMILY PRIMARY SCHOOL - ADDITIONAL SIGNAGE (28.00006-09)**

That Council install "School Drop off Pick up Zone" with No Parking 8.30AM-9.30AM 3.15 PM-3.45 PM MON-FRI SIGN.

**9      Item 5 CATTLE GRID CLEAR CREEK ROAD (28.00007-04)**

That Council approve commencement of the process for cattle grid approval from Council's updated Engineering Guidelines for the property at Lot 1441 DP 1148651, and that the construction process be commenced upon the successful completion of the approval process.

**10      Item 6 COX'S ROAD TRAIL - SIGNAGE (28.00007-04)**

That Council approves installation of route and directional signage to locate Cox's Trail.

**TRAFFIC REGISTER**

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

That the information be noted.

**MEETING CLOSE**

**12      MEETING CLOSE**

The Meeting closed at 2.36 pm.



ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DELEGATES REPORTS

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

General Manager  
Bathurst Regional Council

**1 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 5 JUNE 2012  
MINUTES (20.00153)**

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

**Report:** The Minutes of the 2015 Bicentenary Celebrations Committee held on Tuesday 5 June 2012 are provided at **attachment 1**.

**Financial Implications:** N/A

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

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

**MINUTE**

**39 Item 1 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 5 JUNE 2012 MINUTES (20.00153)**

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

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

## **2 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 13 JUNE 2012 (11.00019)**

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

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

**In attendance:** General Manager, Director of Corporate Services & Finance, Acting Director Environmental Planning & Building Services, Director Engineering Services, Acting Director Cultural and Community Services, Manager Corporate Governance, Manager Recreation.

**APOLOGIES:** Crs Bourke, Hanger, Thompson, Toole.

### **1. BATHURST AGRICULTURAL HORTICULTURAL & PASTORAL ASSOCIATION INC - ROYAL BATHURST SHOW (18.00108)**

Representatives from the Bathurst AH&P, Brett Kenworth, Sam Farraway, Mark Bradbury and Colin McPhee attended the meeting and gave a background on the 2012 Royal Bathurst Show. Discussions included:

- In 2012 a 7 1/2% - 8.00% increase in patronage through the gate over 2011;
- Looking to continue that growth in future years;
- Community Stage was successful, Pavillon entries were up while most other entries were static;
- 550 people participated on the Community Stage over the 3 days of the Show;
- The Show Society was taking a pro-active view towards inspections and requirements of food vendors.

Discussion ensued on the sponsorship provided by Bathurst Regional Council to the Royal Bathurst Show and in particular "The Supreme Show Exhibit".

Bathurst AH&P agreed to write to Council advising how they would like to see "The Supreme Exhibit Awards" decided at future Shows.

### **2. ARTS OUTWEST (18.00036)**

Tracey Callinan from Arts OutWest attended the Meeting to discuss the Arts OutWest program with Council.

Matters discussed included:

- Arts OutWest is one of fourteen Regional Art Boards in NSW. Arts OutWest is the biggest of these Regions and it consists of twelve Council areas;
- Arts OutWest operates on approximately \$200,000 of core funding provided by Councils, the State Government and Charles Sturt University;
- Arts OutWest bought in an extra \$420,000 in funding during 2011.

Arts OutWest have identified four priority areas for the future:-

- 1. Aboriginal Arts Development** - This program promotes aboriginal art with a view to the artists making a career out of their profession;
- 2. Arts and Health** - An arts and health program operates from Bathurst Hospital. This program won an Award for Excellence in arts and health during 2011;

3. **Creative Industry** - This program is about assisting people in creative industries to develop their careers;
4. **Young People** - one of the programs undertaken in this area was a program on media skills.

**Financial Implications:** Nil.

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

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

**MINUTE**

**40 Item 2 COUNCILLORS MEETING WITH COMMUNITY  
GROUPS/REPRESENTATIVES - 13 JUNE 2012 (11.00019)**

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

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

### **3 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 27 JUNE 2012 (11.00019)**

**Recommendation:** That:

- (a) the information be noted
- (b) Council participate in the Community and Correctional Partnership Program
- (c) Council nominate a Councillor as a Delegate to the Community Consultative Facilitation Committee, once it is established.

**Report:** **Present:** Crs Westman (Chair), Aubin, Bourke, Hanger, Morse, Toole..

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

**APOLOGIES:** Crs Carpenter, North, Thompson.

#### **1. CORRECTIVE SERVICES NSW - COMMUNITY & CORRECTIONAL PARTNERSHIPS SUPPORT (07.00050)**

Representatives from Corrective Services NSW - Les Fraser (State Wide Co-ordinator Community and correctional partnerships), Mick Marshall (Director Bathurst Cluster Community Offender Management), Bill Fittler (General Manager Bathurst Correctional Centre) and Frank Visser (Senior Projects Officer COM Offender Management and Operations) attended the meeting to discuss the various programs run by Corrective Services NSW.

#### **COMMUNITY AND CORRECTIONAL PARTNERSHIP PROGRAM**

This is a program which encourages engagement of community groups in the administration of Community Service Orders and Works Release. Under this program, Corrective Services NSW provide labour and the community group provide the funding and equipment for the project to be undertaken.

Benefits of this program for those having to serve Community Service Orders are they receive life skills, real work experience and they develop relationships with the community. Community benefits by relationships with community interest groups such as SES, Rotary, Lions, Mens Shed, Bathurst Regional Council, RFS, Senior Citizens and business houses in achieving completion of community projects for minimal costs.

This partnership revolves around the establishment of a Community Consultative Facilitation Committee which oversees all the projects and the funding for the projects.

Corrective Services NSW sought an expression of interest by Bathurst Regional Council in participating in the Community and Correctional Partnership Program.

#### **MOBILE OUTREACH PROGRAM**

This program is a program whereby inmates of various Centres undertake community projects in outlying areas such as the villages surrounding Bathurst eg. Rockley, Sofala. Bathurst Regional Council currently utilises this service on occasion and the program will not

be affected by the Community and Correctional Partnership Program. They will operate independently.

For Councillors information, Cr Bourke is currently Council's Delegate on the Bathurst Correctional Complex Community Consultative Committee.

Following the presentation, Bathurst Regional Council indicated that it was willing to participate in the Community and Correctional Partnership Program.

## **2. MOUNT PANORAMA - 75 YEAR CELEBRATION (23.00008)**

Community Representatives keen to establish an event at Mount Panorama to recognise the 75th celebrations of motor racing at Mount Panorama Motor Circuit in 2013 attended the Council. Bob Newton, Jess Jennings and Geoff Fry addressed the meeting.

Bob Newton representing the Rotary Club -

- Project would need to be in partnership with Council in order to succeed;
- Rotary would provide volunteer hours as its contribution.

Geoff Fry -

- Proposed date - 13-14 April 2013, which is within 1 day of the original date when racing was held in 1938.
- Focus would be on riders and drivers;
- Focus on ex-Bathurst cars;
- They were unable to run a competitive event due to licensing restrictions.
- Considering an event downtown on the Saturday and one at the Mount on the Sunday;
- The event would include five categories of cars and bikes.

Mr Fry suggested The Historic Sports and Racing Cars Association and the Post Classic Bike Group may underwrite the event.

Jess Jennings -

- Spoke about the need to have local community support for the event;
- Have a letter of support from the Show Society;
- Other interested bodies include: Bathurst Sustainable Network, CSU Communication & Theatre Media, Bathurst Vignerons Association;
- Reiterated that it was a 'one-off' event to mark the 75th Anniversary of racing at Mount Panorama.

Requested assistance from Council as follows:

1. In principal support from Bathurst Regional Council for the event;
2. Representatives on the Convening Committee;
3. Affordable access to Mount Panorama Circuit;
4. Support for possible road closures in town for community events.

It was agreed that the group needed to write to Council with a more detailed submission including costings to allow Bathurst Regional Council to consider the matter further.

**Financial Implications:** Nil.

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

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



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

Strategy 30.5

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

Strategy 32.2

**MINUTE**

**41 Item 3 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 27 JUNE 2012 (11.00019)**

**MOVED: P Toole SECONDED: T Carpenter**

**RESOLVED:** That:

- (a) the information be noted
- (b) Council participate in the Community and Correctional Partnership Program
- (c) Council nominate a Councillor as a Delegate to the Community Consultative Facilitation Committee, once it is established.

#### **4 MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING HELD ON 8 MAY 2012 (11.00020)**

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

#### **Report: MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING HELD ON 8 MAY 2012**

**PRESENT:** Geordie Mullholland, Emma Pullinen, Gulliver Newell, Erin Brouff, Hayden Callan, Meghan Daymond, Caitlyn Barton, Trent Ramsay, Sarah Harvey, Keira Germech, Khaitlyn Nott, Samantha Nott, Peter Deacon, Lily Douglas, Laura Cole, Eric Mayhew

**IN ATTENDANCE:** Megan Bargwanna (Youth Development Officer), Lyndal Tuckey (Trainee Cultural & Community Services), Angela Maynard (headspace)

#### **1. APOLOGIES**

**RESOLVED** that apologies from Cr Tracey Carpenter, Cr Graeme Hanger, Kanja Le Roux, Anne Murray, Miko Marquez and Kenneth Turner be accepted.

#### **2. ADOPTION OF PREVIOUS MINUTES**

**RESOLVED** that the minutes of the meeting held 13 March 2012 be accepted with the following amendments: that Mitchell Dwyer be listed as "In attendance" at the meeting held on 13 March 2012 and further that the "Next meeting" be altered to Tuesday not Thursday 8 May 2012.

Moved: Caitlyn Barton

Seconded: Trent Ramsay

#### **3. BUSINESS ARISING FROM PREVIOUS MINUTES**

There was no business arising from the previous minutes.

#### **4. GUEST SPEAKER, ANGELA MAYNARD HEADSPACE, NSW CENTRAL WEST**

- Developed a new National marketing campaign for headspace NSW.
- Including a new design for a variety of posters. The response to the posters was mixed. General consensus was that they were unusual, maybe did not have enough direct information about headspace and how the viewer could find out how headspace could help. Their message was unclear and did not contain enough detail. The campaign posters are similar to action movie posters.
- Suggested possible changes included leaving a blank space for local headspace location details. Also suggested adding a phone number onto the poster.
- Instead of remaking the poster with all the new contact details, it was suggested that information cards containing contact details be printed out and pinned to the posters.
- headspace's new tagline is "We've got your back" gets a bit lost on the poster, it is not big enough.
- The location of the posters was discussed: Where to put them in schools so they

attract attention and are not looked over? Suggested possibly putting them in day houses instead of on notice boards.

- Wallet cards and posters will be put up at schools possibly after the next meeting, after the cards have been secured. Angela to forward these to Megan for attachment and distribution.
- First National Campaign video - Daniel vs. the black cloud, was about battling depression.
- Second National Campaign video - Sarah vs. the dreaded butterflies, was about battling anxiety.
- Thoughts on the videos - Again they were not detailed enough, did not link to headspace enough. The slogan is written not spoken, suggestion was to change this. There was not enough to say that headspace is "OK" and helps with a range of issues. Youth Council felt the perception was it was a service for "Loonies". headspace needs to be promoted more as an area to unwind, not just as a place to go if you are struggling with mental health issues. The service also assists with vocational concerns which are not commonly known.
- Discussion about how Youth Council can help spread this information
- Request to Youth Council members to assist at the Family Fun Day being held at Peace Park on 19 May. Volunteers are required for activities. The event runs from 11.00am- 2.00pm. Megan to email details to Youth Council members.

#### **5. DEBRIEF ENCORE 2012 YOUTH WEEK BAND COMPETITION**

- Discussion about what worked and what did not work.
- What worked included: DJ played mostly good songs, Trent's dancing and encouragement for others to do so, alternate activities provided by Youth Services, those who were in attendance enjoyed the event, the opportunity for bands, decorations, the fact that there were no issues/problems, crowd participation, Youth Council worked well together.
- What did not work: not all music played by DJ was good, crowd was disappointing - Youth Council felt it was primarily due to the fact that it was held in the school holidays as well as there were three "open house" parties in Bathurst on the night, "uncool" stigma attached to Youth Council, not enough time for bands to get involved, fact that Stannies bands could not enter as they have borders in them who were not in Bathurst, perhaps have pre-sold tickets through venue or in schools may assist with numbers, suggestion to have prizes at the end of the night, suggestion to possibly include parental help eg: in canteen.

#### **6. VERBAL REPORT, ERIC MAYHEW, YOUTH MAYOR - NSW YOUTH WEEK LAUNCH**

- Launch attended at Parliament House in Sydney on 8 April.
- Nathan Inwood also in attendance.
- Opportunity to meet with other Youth Council members and share ideas about projects.
- Theme of conference was Occupational Health and Safety, which looked at rules and rights of young people.
- The day included a hypothetical, which consisted of a panel of five people from different workplace backgrounds, one being James Matheson, who appealed to the young audience.
- The afternoon session included brainstorming and a review of the morning session.
- General consensus was that Youth Week does not work in the holidays in regional areas, however does in city areas.

## **7. YOUTH COUNCIL WORKING PARTIES AND NEXT PROJECT**

- Discussion about next event/project for Youth Council included a 24 hour film festival, Dive in Movie event, use of CSU's inflatable screen, Dance Party.
- Youth Council decided to have a dance party in July/August and then run the short film festival, with the possibility of using the inflatable screen for the showing event later in the year.
- Venue options discussed including Stannies PAC, Basketball Stadium, BMEC.
- Youth Council decided to continue with BMEC.
- **Action:** Megan to contact BMEC to see if any of the following dates are available: 27 July, 3 August or 10 August 2012.

## **8. GENERAL BUSINESS**

### **(a) Youth Week 2013 dates**

- Youth Week survey has been sent out asking for input into the dates for Youth Week 2013.
- The survey was completed by the Youth Council and to be forwarded on to Youth Week funding body by Megan.

**(b) facebook page** - Lyndal has updated the Youth Council facebook page. Request for Youth Council to "like" page and spread the word about it.

**(c) Ausbuy dinner** - Eric reported that the Ausbuy dinner has been cancelled and will be re-scheduled at a later date for those members who were planning on attending.

## **9. NEXT MEETING**

The next meeting of the Bathurst Regional Youth Council will be held on Tuesday, 24 July 2012 at 11.15am.

## **10. MEETING CLOSURE**

There being no further business, the meeting closed at 1.16pm.

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

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.1, 27.4, 27.9
- Objective 33: To be and develop good leaders. Strategy 33.2, 33.3, 33.6

**MINUTE**

**42 Item 4 MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING  
HELD ON 8 MAY 2012 (11.00020)**

**MOVED: I North SECONDED: P Toole**

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

**MINUTE**

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

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

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	BATHURST 12 HOUR	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF LEASE - EGLINTON DISTRICT TENNIS CLUB, PARK STREET EGLINTON	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who

		supplied it.
3	REQUEST FOR FINANCIAL ASSISTANCE - SKILLSET	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	TRANSFER OF TWO SECTIONS OF CROWN ROAD TO COUNCIL - COLO ROAD, TRUNKEY CREEK.	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	COMPULSORY ACQUISITION - LOTS 91, 94, 96, 102 AND 106 DP1174100, 3246 HILL END ROAD, HILL END	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 MINUTE  
18 JULY 2012

**MINUTE**

a Item 1 BATHURST 12 HOUR (04.000097)

MOVED: I North SECONDED: W Aubin

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

**MINUTE**

**b Item 2 RENEWAL OF LEASE - EGLINTON DISTRICT TENNIS CLUB, PARK STREET EGLINTON (22.00350)**

**MOVED: P Toole SECONDED: I North**

**That** Council approves entering into a new five (5) year licence agreement with the Eglinton District Tennis Club for Lot 72 DP755779 located at Park Street Eglinton as detailed in the report.

**MINUTE**

**c Item 3 REQUEST FOR FINANCIAL ASSISTANCE - SKILLSET**  
**(18.00195-26/007)**

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

**A MOTION was MOVED**

**That** Council set up a stand at the FACET event to be funded from the environment and Economic Development budgets (up to a cost of \$2,000)

**The MOTION was PUT and LOST**

**MINUTE**

d Item 3 REQUEST FOR FINANCIAL ASSISTANCE - SKILLSET  
(18.00195-26/007)

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

**That** Council consider how it can be involved in the event and report back to the August Policy meeting.

Yours faithfully



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

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

**MINUTE**

**e Item 1 TRANSFER OF TWO SECTIONS OF CROWN ROAD TO COUNCIL - COLO ROAD, TRUNKEY CREEK. (25.00292)**

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

**That** Council make application to the Department of Primary Industries Crown Lands Division for the transfer of 2 sections of constructed Crown Road located within Colo Road at Trunkey Creek, in accordance with Director Engineering Services' report.

**MINUTE**

**f Item 2 COMPULSORY ACQUISITION - LOTS 91, 94, 96, 102 AND 106 DP1174100, 3246 HILL END ROAD, HILL END (25.00262-05)**

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

**That** Council approve the application to the Minister and/or Governor to compulsory acquire Lots 91, 94, 96 102 and 106 DP1174100 located at 3246 Hill End Road, Hill End for road widening purposes. The application to follow the provisions of the Roads Act 1993 Section 177 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991, as detailed in the Director Engineering Services report. The acquired parcel of land is to be classified as operational land.

Yours faithfully



Doug Patterson

**DIRECTOR  
ENGINEERING SERVICES**



**MINUTE**

**44     RESOLVE INTO OPEN COUNCIL**

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

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

**MINUTE**

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

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

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

**MINUTE**

**46     MEETING CLOSE**

The Meeting closed at 7.44 pm.

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

**Date:** \_\_\_\_\_ **(15 August 2012)**