



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

19 September 2012

Her 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, 26 September 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, 26 SEPTEMBER 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 - 15 August 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

* Upper Macquarie County Council Delegates

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

* General Manager's Report

9. REPORTS OF OTHER COMMITTEES

* Minutes - Traffic Committee Meeting 4 September 2012

10. NOTICES OF MOTION - Nil

11. RESCISSION MOTIONS - Nil

12. DELEGATES REPORTS

- * Councillors Meeting With Community Groups/representatives - 8 August 2012
- * 2015 Bicentenary Celebrations Committee Meeting - 7 August 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.

*** Mayoral Minute**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED ACQUISITION FOR DIVERSION CHANNEL AND ROAD SIGNAGE, PART LOT 10 DP814483 AND PART LOT 6 DP814483, GREAT WESTERN HIGHWAY (SYDNEY 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.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED PURCHASE OF PART LOT 1 DP151229, RIVER 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.
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	RENEWAL OF RESIDENTIAL LEASE - 57 SEYMOUR STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED SALE OF LOT 16 DP244235 RANKEN STREET, EGLINTON	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
5	PROPOSED NEW LICENCE AGREEMENT - BATHURST BULLDOGS - ANN ASHWOOD PARK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the

		commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR NETWASTE REGIONAL COLLECTION & DISPOSAL OF USED MOTOR OIL - NETWASTE TENDER 145/534/985/1	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 DEDICATIONS, CLOSURES AND TRANSFER, LOTS 31 TO 36 DP1163423, CARLINGFORD, LEA AND BERESFORD STREETS, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED ROAD WIDENING, LOT 79 DP789992, GILMOUR STREET, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

4	TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	PROPOSED ACQUISITION FOR ALTERNATE ACCESS, PART LOT E DP163986, 453 CONROD STRAIGHT, MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

2 PUBLIC QUESTION TIME

M Hollis - Congratulated the returning Councillors and the new Councillors. Addressed comment to Councillors Bourke & North and spoke to issue of popularly elected Mayor and how vote went last week. New train timetable is now out, this is great, voiced thanks to Annabell Miller from Council. Noted John Hollis as Chair drove this matter. Thanked Paul Toole for his efforts.

On behalf of CPSA thanked Councillors for attending the pre-election forum and noted support of Senior Citizens facility group. Raised parking issues in Stanley Street that had occurred at their property. "No Parking" signs were put in place, but at last weeks NAIDOC celebrations they were ignored. Asked who polices?

The Director Engineering Services advised that generally in circumstances such as this the Police would control.

G Fry - Business owner lower Rankin Street - Speaking on behalf of businesses affected by IGA development. Referred to Traffic Committee business paper and minutes 16 and 17. This item is confusing as to what has been approved. There are a number of spaces (possibly 30) that are lost by going to parallel parking, some are still unrestricted time wise. Noted staff parking usage may cause problems. Requests matter be deferred so can be reviewed to allow discussions with businesses, as this has not happened. Parking proposal has cost him money.

A Baklom - DES #1 - London Plan Tree - Seeking tree be replaced with a smaller tree. Spoke to age of house and work that has occurred to the residence. It is a heritage item. Likes trees but the location and suitability for the area is an issue. Provided photos of the site for Councillors to review and stated roots of the trees have caused problems. Limbs of tree are also dangerous if fall down, at a minimum the tree needs to be trimmed.

G Crisp - Ratepayer - Congratulated Mayor on her election. Spoke to website posting by Councillor Aubin.

The Mayor noted this is not a matter for discussion in this forum.

G Crisp - Ratepayer - Spoke to obligations of Councils complying with Code of Conduct and Local Government Act.

The Mayor noted that this is not an appropriate forum for this matter, if seeks to complain then forward a written complaint.

Bob Triming - Ratepayer - Congratulated the Mayor on her election and also Councillor North on getting Deputy Mayor. Asked new Councillors to use email and phones supplied to them by Council. Thanked General Manager and Director Engineering Services for rapid responses to disability issues raised. Asked Councillors to use their microphones at the meeting. Speed limit signs past Trinity, if going to take kudos for these, please acknowledge others who have been working on this matter. Congratulations to all those elected. In regards to IGA parking, spoke to dollar contribution made by developer to parking spaces and number provided.

The Mayor noted passing of former Mayor Ian MacIntosh during the week, expressed condolences to the family and requested a minutes silence.

MINUTE

3 APOLOGIES

Nil

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MINUTES

MINUTES TO THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MEETING HELD ON 26 SEPTEMBER 2012

General Manager
Bathurst Regional Council

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15
AUGUST 2012 (11.00005)

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

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 15 August 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
- 15 AUGUST 2012 (11.00005)

MOVED: I North SECONDED: G Hanger

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

MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 15 AUGUST 2012

MEETING COMMENCES

1 MEETING COMMENCES

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

The Mayor, on behalf of the Bathurst community, thanked the three retiring Councillors - Crs Carpenter, Toole & Thompson for their work on the Council for the community. Areas such as; environmental, rural, infrastructure and leadership have been covered by these Councillors to the betterment of the community.

He thanked all the Councillors for their support over the last year and wished the best of luck to all those standing for election in September.

Mr B Triming spoke to disability issues for the city and awareness of these. Issues included sustainability house access, footpaths and laybacks, toilet access, etc.

He then referred to Vietnam Veterans Day on Saturday 18 August. Invited persons to attend the 50th Anniversary commemorations of Australia's involvement in the Vietnam War.

He wished all good luck for the election.

Mrs M Hollis passed on thanks to the retiring Councillors. Stated she was very proud of Paul Toole representing the City and Ross Thompson's contribution as a family man and farmer was greatly appreciated. She thanked Tracey Carpenter for all her efforts, particularly as a mum of a young family. She thanked all current Councillors for their input over the last four years. Noted, her husband is not standing for Council, so can lay all those rumours to rest.

Mr G Crisp spoke to last meeting and issues of compliance with the laws of Australia by Council. Then spoke to parking regulations and who these apply to.

The General Manager spoke to letter received from Mr Crisp on 31 July 2012 and noted this query had been dealt with.

APOLOGIES

3 APOLOGIES

Nil.

MINUTES**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 18 JULY 2012 (11.00005)****MOVED** Cr P Tooleand **SECONDED** Cr I North**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 July 2012 be adopted.**DECLARATION OF INTEREST****5 DECLARATION OF INTEREST 11.00002****MOVED** Cr B Bourkeand **SECONDED** Cr W Aubin**RESOLVED:** That the following Declarations of Interest be noted.Cr Morse

Item #6 of the Director Environmental Planning & Building Services' report

Cr Carpenter

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

MAYORAL MINUTE**6 Item 1 2012/2013 RURAL VILLAGE IMPROVEMENT PROGRAM (16.00104)****MOVED** Cr I Northand **SECONDED** Cr P Toole**RESOLVED:** That Council:

(a) allocate 2012/2013 Rural Village Improvement Program funds as follows:

	APPLICANT ORGANISATION	PROJECT SUMMARY	RECOMMENDED
R2	Rockley & District Community Association	School of Arts Hall Flooring Project	\$6,468
SP2	Sofala Progress Association Inc	New water tank for toilets	\$1,200
SC1	Sunny Corner & District Progress Association Inc	Improve heating for Sunny Corner Village Hall	\$7,730
T4	Trunkey Creek Progress Association	Shade/weather protection shelter at Showground	\$9,000
WF7	Wattle Flat Progress Association	Complete carpeting of Wattle Flat Recreation Hall	\$1,451
Y1	Yetholme Progress Association	Improvements to Yetholme Community Hall	\$4,574.90
		TOTAL	\$30,423.90

(b) advise all applicants of Council's decision.

(c) hold the remainder of funds, being \$19,576.10, in Reserve for rural village improvement projects, to be the subject of a future report(s) to Council.

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 W Aubin and **SECONDED** Cr R Thompson

RESOLVED: That the information be noted.

- 8** **Item 2 GENERAL REPORT (03.00053)**
MOVED Cr R Thompson and **SECONDED** Cr P Toole

RESOLVED: That the information be noted.

- 9** **Item 3 BATHURST TOWN SQUARE SIGNAGE (20.00107)**
MOVED Cr M Morse and **SECONDED** Cr I North

RESOLVED: That Council endorse the signage proposed to be erected to identify and interpret the Bathurst Town Square as outlined in this report.

- 10** **Item 4 BATHURST REGIONAL COUNCIL HERITAGE STRATEGY ANNUAL REPORT 2011/2012 AND LOCAL HERITAGE FUND FINAL REPORT 2011/2012 (20.00047)**
MOVED Cr I North and **SECONDED** Cr W Aubin

Cr Carpenter declared a non-pecuniary interest in this item, but remained in the Chamber.

Reason: has been a recipient under the program.

RESOLVED: That Council note:

- (a) the Bathurst Regional Council Heritage Strategy Annual Report 2011/12; and
- (b) the Bathurst Regional Local Heritage Fund Final Report 2011/12.

- 11** **Item 5 BRIDGES CONSERVATION MANAGEMENT PLAN (40.00001)**
MOVED Cr I North and **SECONDED** Cr P Toole

RESOLVED: That Council:

- (a) endorse the Conservation Management Plan for the Bridges within the Bathurst Region;
- (b) distribute copies of the Conservation Management Plan to:
 - Bathurst and District Historical Society,
 - National Trust, (Bathurst Branch),
 - Bathurst Regional Council Library,
 - NSW Heritage Office, and
 - Roads and Maritime Service.

- 12** **Item 6 DEVELOPMENT APPLICATION NO. 2012/0263 – CONVERSION OF EXISTING DWELLING TO SHED AND CONSTRUCTION OF A SECOND RURAL (REPLACEMENT) DWELLING AT 168 FLEMING DRIVE, LOT 11 DP255707. APPLICANT: LUKE FARRAWAY. OWNER: SHANE AND LISA THURSTON (DA/2012/0263)**
MOVED Cr I North and **SECONDED** Cr B Bourke

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

Reason: owner of property is a client of Belinda's Business Centre.

RESOLVED: That Council:

- (a) support the variation to the maximum 100 metre setback for second rural dwellings development standard prescribed in Clause 28 (3) of The Bathurst Regional (Interim) Local Environmental Plan 2005; and
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0263, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended.
- (c) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Cr M Morse,

Abstain - Nil

- 13** **Item 7 AUTUMN COLOURS 2012 (23.00060)**
MOVED Cr T Carpenter and **SECONDED** Cr R Thompson

RESOLVED: That the information be noted.

- 14** **Item 8 MOUNT PANORAMA FAUNA MANAGEMENT STRATEGY (20.00175)**
MOVED Cr I North and **SECONDED** Cr B Bourke

RESOLVED: That Council adopt the Mount Panorama Fauna Management Strategy as a working document.

Director Corporate Services & Finance's Report

- 15** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED Cr B Bourke and **SECONDED** Cr R Thompson

RESOLVED: That the information be noted.

- 16** **Item 2 YEAR TO DATE MONTHLY REVIEW - 2012- 2016 DELIVERY PLAN AND**

**ANNUAL OPERATING PLAN 2012-2013 AND 2011/2012 BUDGET REVIEW
(16.00126, 16.00129)**

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

RESOLVED: That the information be noted.

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

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

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

18 Item 4 POWER OF ATTORNEY (11.00007)

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

RESOLVED: That the information be noted.

**19 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - BOOKLINK AWARDS
PRESENTATION (18.00004)**

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

RESOLVED: That Council fund the use of Bathurst Memorial Entertainment Centre (BMEC) for the presentation of the 2012 Booklink Awards at a total cost of \$895.00 from BMEC Community Use Subsidy.

**20 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST SURF LIFE
SAVING CLUB (18.00004-25/131)**

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

RESOLVED: That Council donate \$500 to Bathurst Surf Life Saving Club towards the cost of their participation in the Kidney Kar Rally 2012 from Mount Panorama Fee Subsidy.

**21 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - 2013 BATHURST STREET
AND CUSTOM MOTORCYCLE SHOW (18.00004)**

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

RESOLVED: That Council donate the cost of the road closures to a maximum of \$750 for the 2013 Bathurst Street and Custom Motorcycle Show from Mount Panorama Fee Subsidy.

**22 Item 8 REQUEST FOR FINANCIAL ASSISTANCE - NEWTONS NATION 2013
(18.00004)**

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

RESOLVED: That:

- (a) Mount Panorama be made available on the 3, 4 & 5 May 2013 for the Newtons Nation event.
- (b) Council agree to the use of part of the Mount Panorama Racing Circuit between McPhillamy Park gate and Conrod Straight to the end of Clarks Orchard.

- (c) Newtons Nation management be advised that a fee of \$4,150 be set, this fee being 50% of the cost of hiring the circuit together with supporting infrastructure.
- (d) advise Newtons Nation that the 2014 event will attract a 100% fee structure for use of the circuit and supporting infrastructure.

23 Item 9 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST REMEMBERS PROJECT (23.00004)
MOVED Cr M Morse and **SECONDED** Cr P Toole

The following MOTION was PUT

That Council fund the Bathurst Remembers Project to a value of \$2,500 from Section 356 Donations.

24 Item 9 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST REMEMBERS PROJECT (23.00004)
MOVED Cr B Bourke and **SECONDED** Cr T Carpenter

The following AMENDMENT was MOVED

That Council fund the Bathurst Remembers Project to a value of \$5,000 and that \$2,500 be funded from the 2012/2013 Section 356 Donations and \$2,500 to be referred to the 2013/2014 Budget.

The AMENDMENT was PUT and CARRIED.

The AMENDMENT then became the MOTION.

The MOTION was PUT and CARRIED.

25 Item 10 CARRYOVER WORKS (16.00126, 16.00129)
MOVED Cr P Toole and **SECONDED** Cr I North

RESOLVED: That the items as identified on the list of carry-over works as at 30 June 2012 be carried over and added to the Management Plan for 2012/2013.

26 Item 11 REQUEST FOR FINANCIAL ASSISTANCE - DESIGNER EVENTS V8 BALL (04.00001)
MOVED Cr B Bourke and **SECONDED** Cr I North

The following MOTION was PUT

That Council waive the \$3 per ticket administration charge to be funded from BMEC Community Use Subsidy.

The MOTION was PUT and LOST

27 Item 11 REQUEST FOR FINANCIAL ASSISTANCE - DESIGNER EVENTS V8 BALL (04.00001)
MOVED Cr R Thompson and **SECONDED** Cr G Hanger

RESOLVED: That Council not grant the cost of hire fees for the Bathurst Memorial Entertainment Centre (BMEC) and the \$3 per ticket administration charge.

28 Item 12 REQUEST FOR FINANCIAL ASSISTANCE - EVANS ARTS COUNCIL (18.00195-26/025)

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

RESOLVED: That Council provide \$750 to the Evans Arts Council to be funded from Section 356 Donations.

29 Item 13 REQUEST FOR FINANCIAL ASSISTANCE - ANGLICARE - THE CHIFLEY VILLAGE (18.00004)

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

RESOLVED: That Council provide \$1,200 for the establishment of a community vegetable garden at The Chifley Village, Bathurst, to be funded from Section 356 Donations.

Director Engineering Services' Report

30 Item 1 REQUEST TO NAME THE EGLINTON BRIDGE TO OPHIR ROAD CYCLEWAY (28.00003)

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

RESOLVED: That Council accede to the request to name the walkway/cycleway which is currently being constructed from Rankens Bridge to the Ophir Road in recognition of the late Kath Knowles.

31 Item 2 2012/2013 REGIONAL ROADS REPAIR PROGRAM (16.00011)

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

RESOLVED: That the information be noted.

32 Item 3 COMPARISON OF LOCAL WATER UTILITY PRICING 2012/2013 (32.00011)

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

RESOLVED: That the information be noted.

33 Item 4 SOLID WASTE ASSET MANAGEMENT (13.00007)

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

RESOLVED: That Council adopts the Asset Management Plan for the Solid Waste Assets as previously placed on public exhibition.

34 Item 5 APPLICATION TO CONDUCT JET ADVENTURE JOY FLIGHTS (21.00008)

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

RESOLVED: That Council approve the request from Fastjet Adventure Flights Pty Ltd to conduct adventure joy flights from Bathurst Aerodrome, subject to conditions

outlined in the Director of Engineering's report.

Director Cultural & Community Services' Report

35 Item 1 MORATORIUM ON LIBRARY OVERDUE CHARGES - NOVEMBER 2012 (21.00054)

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

RESOLVED: That Bathurst Library overdue fines be waived for the month of November 2012.

36 Item 2 CARILLON BUSINESS AWARDS 2012 - BATHURST REGIONAL COUNCIL CULTURAL SERVICES (23.00099)

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

RESOLVED: That the information be noted.

37 Item 3 VACATION CARE PROGRAM - JULY 2012 (09.00005)

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

RESOLVED: That the information be noted.

38 Item 4 BATHURST COMMUNITY SAFETY PLAN 2011-2014 (20.00179)

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

RESOLVED: That the information be noted.

39 Item 5 ON-LINE LIBRARY BOOKS (21.00060)

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

RESOLVED: That the information be noted.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

40 Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 AUGUST 2012 (07.00064)

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

RESOLVED: That the recommendations of the Policy Committee Meeting held on 1 August 2012 be adopted.

Traffic Committee Meeting

41 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 AUGUST 2012 (07.00006)

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

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 7 August 2012 be adopted.

DELEGATES REPORTS

- 42** **Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 11 JULY 2012 (11.00019)**
MOVED Cr R Thompson and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

- 43** **Item 2 MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING HELD ON TUESDAY, 24 JULY 2012 (11.00020)**
MOVED Cr T Carpenter and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

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

- 44** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**
MOVED Cr B Bourke and **SECONDED** Cr T Carpenter

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

There 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	TRACKCORP ADRENALIN PTY LTD	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2	PROPOSED NEW TELECOMMUNICATION LEASE - REID PARK, MT PANORAMA.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed,

		prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	RENEWAL OF LEASE - SMARTAIR - COTTAGE AT BATHURST AERODROME	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 RESIDENTIAL LEASE - 159 EGLINTON ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	LOCAL GOVERNMENT FINANCIAL SERVICES 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.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED CLOSURE	10A (2) (d) (i) – contains

	OF LANEWAY BETWEEN BLANDFORD AND LAMBERT STREETS BATHURST	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 TRACKCORP ADRENALIN PTY LTD (34.00065)
MOVED Cr B Bourke and SECONDED Cr W Aubin

That the information be noted.

- b** Item 2 PROPOSED NEW TELECOMMUNICATION LEASE - REID PARK, MT PANORAMA. (08.00009)
MOVED Cr R Thompson and SECONDED Cr P Toole

That Council approves entering into a new licence agreement with Vertical Telecoms Pty Ltd for part Lot 40 DP1056379 known as Reid Park Mt Panorama for a period of five (5) years with three (3) x five (5) year option periods, at a value of \$8,800 per annum (GST exclusive) plus annual CPI adjustments.

- c** Item 3 RENEWAL OF LEASE - SMARTAIR - COTTAGE AT BATHURST AERODROME (21.00009)
MOVED Cr W Aubin and SECONDED Cr I North

That Council approves entering into a new commercial lease agreement for the aerodrome cottage located on part Lot 37 DP1159302 with Smartair for a lease period of six (6) months with an option period of six (6) months at a monthly lease fee of \$1,200 (GST inclusive) as detailed in the report.

- d** Item 4 RENEWAL OF RESIDENTIAL LEASE - 159 EGLINTON ROAD, BATHURST (22.12696)
MOVED Cr W Aubin and SECONDED Cr B Bourke

That Council approves entering into a new residential tenancy agreement for Lot 1 DP786946 known as 159 Eglinton Road, Bathurst with Mr Michael Woolley and Ms Jennifer Cummings for a period of twelve (12) months with an option period of twelve (12) months as detailed in the report.

- e** Item 5 LOCAL GOVERNMENT FINANCIAL SERVICES PTY LTD (34.00057)
MOVED Cr R Thompson and SECONDED Cr P Toole

That the information be noted.

Director Engineering Services' Report

f Item 1 PROPOSED CLOSURE OF LANEWAY BETWEEN BLANDFORD AND LAMBERT STREETS BATHURST (25.00520)

MOVED Cr P Toole and SECONDED Cr R Thompson

That Council resolve to carry out the laneway closure in accordance with the Director Engineering Services' report.

RESOLVE INTO OPEN COUNCIL

45 RESOLVE INTO OPEN COUNCIL

MOVED Cr R Thompson and SECONDED Cr T Carpenter

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

46 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MOVED Cr R Thompson and SECONDED Cr W Aubin

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

MEETING CLOSE

47 MEETING CLOSE

The Meeting closed at 7.50 pm.

CHAIRMAN: _____

Date: _____ **(26 September 2012)**

MINUTE

5 DECLARATION OF INTEREST 11.00002

MOVED: W Aubin SECONDED: J Jennings

RESOLVED: That the following Declarations of Interest be noted.

Cr Coote

Item #5 of the Director Corporate Services & Finance's Confidential report

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MAYORAL MINUTE

**MAYORAL MINUTE TO THE ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL MEETING HELD ON 26 SEPTEMBER 2012**

General Manager
Bathurst Regional Council

1 UPPER MACQUARIE COUNTY COUNCIL DELEGATES (18.00172, 11.00005)

Recommendation: That Council appoint two delegates to the Upper Macquarie County Council.

Report: Council received notice from the Director General, Department of Local Government that a proclamation was published in the Government Gazette of 23 May 2008 to reduce the number of Bathurst Regional Council's representatives on the Upper Macquarie County Council to two representatives. This became effective following the 13 September 2008 local government election.

The proclamation is dated 14 May 2008 and the schedule is as follows:

1. *Reducing the number of members to be elected to the governing body of Upper Macquarie County Council by Bathurst Regional Council from four to two.*
2. *Reducing the number of members to be elected to the governing body of Upper Macquarie County Council from ten to eight, so that each of the constituent member councils of the local government areas of Bathurst Regional, Blayney Shire, Lithgow City and Oberon shall each have two representatives on the County Council; and*
3. *Declaring that the change to the constituent membership of Upper Macquarie County Council shall come into effect after the ordinary local government elections held on 13 September 2008.*

Appointment of delegates to the Upper Macquarie County Council is for the period 2012-2016 (4 years)

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.7

MINUTE

6 Item 1 UPPER MACQUARIE COUNTY COUNCIL DELEGATES (18.00172, 11.00005)

MOVED: M Morse SECONDED: Nil

RESOLVED: That Council appoint two delegates to the Upper Macquarie County Council.

FIRST COUNT OF VOTING

Councillor North 5 Votes
Councillor Aubin 4 Votes

Councillor North was declared ELECTED

Unrejected ballot papers were then rearranged to the candidates next in order of the voters preference

SECOND COUNT OF VOTING

Councillor Aubin 5 Votes
Councillor Jennings 4 Votes

Councillor Aubin was declared ELECTED

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

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 26
SEPTEMBER 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: G Westman SECONDED: I North

RESOLVED: That the information be noted.

2 GENERAL REPORT (03.00053)

Recommendation: That the information be noted.

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

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during August 2012 (**attachment 1**)
- (b) Applications refused during August 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 August 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: G Westman SECONDED: W Aubin

RESOLVED: That the information be noted.

3 DEVELOPMENT APPLICATION NO. 2012/0140 – DEMOLITION OF OUTBUILDING, ADDITIONS AND ALTERATIONS TO EXISTING DWELLING, 1 X 2 BEDROOM UNIT, 1 X 3 BEDROOM UNIT AND THREE LOT SUBDIVISION AT 62 MORRISSET STREET, BATHURST. APPLICANT: ES ENGINEERING & DESIGN. OWNER: MS M DAWOUD (DA/2012/0140)

Recommendation: That Council:

- (a) support the variation to the private open space development standard prescribed in the Bathurst Regional (Interim) Development Control Plan 2011 for the existing dwelling; and
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0140, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - (i) During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Branch, NSW Office of Environment & Heritage and Council. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works.

NOTE: A Section 140 Permit will need to be obtained to disturb archaeological relics. This permit is to be obtained from the Heritage Branch, NSW Office of Environment & Heritage, prior to the disturbance of the archaeological relics.
 - (ii) Prior to the commencement of demolition, the developer is to submit to Council at least two printed photographs and either photographic negatives or a CD containing high quality digital copies of the brick outbuilding in accordance with Council's guidelines for photographic recording of sites for which approval has been granted for demolition.
- (c) notify those that made submissions of its decision; and
- (d) call a division.

Report: The Site

Council has received a Development Application (DA) for demolition of an outbuilding, additions and alterations to the existing dwelling, construction of 1 x 2 bedroom unit, and 1 x 3 bedroom unit and three lot subdivision at 62 Morrisset Street, Bathurst, described as Lot 8, DP 1100142. A location plan is provided at **attachment 1**.

The site currently contains a single storey brick dwelling which includes what was originally a detached brick kitchen. The site also contains a separate brick outbuilding which appears to be of similar age to the dwelling.

The proposal

The proposal involves:

- Demolition of an outbuilding;
- Additions and alterations to an existing dwelling including partial demolition of the rear of

- the dwelling;
- Construction of one three-bedroom unit and one two bedroom unit; and
- A three lot torrens title subdivision.

Plans of the proposed development are at **attachment 2**.

Planning Context

Bathurst Regional (Interim) Local Environmental Plan 2005

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

Clause 10 Advertised development

The Development Application was advertised and notified to adjoining property owners in accordance with Clause 10 between 12 June 2012 and 25 June 2012. A number of submissions were received during the advertising and notification period. See discussion below.

Clause 11 Tree preservation order

A tree preservation order applies to the subject site. As the proposal involves the removal of several trees the provisions of Council's tree preservation order will apply.

Clause 23 Protection of environmental heritage

*As the subject site is within the Bathurst Heritage Conservation Area, the proposal was referred to Council's Heritage Advisor for comment. Council's Heritage Advisor supported the retention and restoration of the existing dwelling facing the street and on this basis raised no objections to the proposal to demolish the outbuilding although she did recommend that the provenance of the outbuilding be researched and recorded. Council's Heritage Advisor has visited the site and inspected the fabric of the outbuilding and has subsequently prepared a condition report to assist in determining its date of construction and original purpose (see copy of Heritage Advisors condition report at **attachment 3**). See further discussion below. A detailed Historical Assessment has also been prepared by the Bathurst and District Historical Society.*

Bathurst Regional (Interim) Development Control Plan 2011

Chapter 4 Residential Development

The site is within Residential Precinct 1 pursuant to the *Bathurst Regional (Interim) Development Control Plan 2011* (DCP). Residential units are permissible with consent in the precinct. The proposal complies with the objectives of the Precinct and the development standards for residential units:

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	944.2m ²	900m ²	Yes
Density/Site coverage	81.55 persons	88 persons	Yes
Height	Single storey	Two storey	Yes
Setbacks Front	Existing	Existing	Yes

Rear Side	As per BCA As per BCA	As per BCA As per BCA	Yes Yes
Car parking			
Dwelling A (existing)	1 space	1 space	Yes
Dwelling B	1 space	1 space	Yes
Dwelling C	2 spaces	1 space	Yes
Visitor	1 space	1 space	Yes
Accessway Width	Minimum 3m	3-6m wide	Yes
Open space area			
Dwelling A (existing)	24.91m ²	30m ²	No*
Dwelling B	30.79m ²	30m ²	Yes
Dwelling C	110.35m ²	40m ²	Yes
Open space width			
Dwelling A (existing)	4.0m	Minimum 4.0m	Yes
Dwelling B	4.6m	Minimum 4.0m	Yes
Dwelling C	6.0m	Minimum 4.0m	Yes

**The private open space area for the existing dwelling is 5m² less than the prescribed minimum of 30m². This non-compliance is considered appropriate for the following reasons:*

- *An additional 60m² of open space will be available in front of the dwelling in question;*
- *The area provided is 4.0 metres wide and therefore meets the minimum width standard;*
- *The area provided is accessible direct from living rooms; and*
- *The area provided, while less than the prescribed area, is still a functional space.*

Chapter 10 Urban Design & Heritage Conservation

Bathurst Conservation Area Management Strategy (BCAMS)

An assessment under the *Bathurst Conservation Area Management Strategy* (BCAMS) has not been undertaken for the demolition of the outbuilding because it is located behind the dwelling and therefore does not contribute to the streetscape.

Heritage Impact Statement

Council's Planning Officers did not consider it necessary for the applicant to provide a detailed Heritage Impact Statement for the demolition of the outbuilding because of its location away from the streetscape, its poor condition and because of the applicant's decision to retain the dwelling on the site rather than seek approval for its demolition.

Council's Heritage Advisor has visited the site and inspected the fabric of the outbuilding. Council's Heritage Advisor has prepared a condition report to assist in determining its date of construction and original purpose. Council's Heritage Advisor's has concluded the following:

Overall physical evidence suggests a simple outbuilding of slightly later date than the residence of basic construction probably using recycled bricks. The window may not be original and is a casement style. The door a much later addition. The whole structure is in very poor condition and much altered with lowered integrity.

A copy of the Heritage Advisors condition report is at **attachment 3**.

On the basis that the existing dwelling is being retained and the lack of integrity of the outbuilding, Council's Heritage Advisor supports the proposal.

Historical Assessment

A detailed Historical Assessment has been prepared by the Bathurst and District Historical Society. Key findings of the Historical Assessment include:

- Evidence suggests that the house at 62 Morrisset Street was constructed around the same time as the house at 54 Morrisset Street and that this was after 1851 and before 1862, most likely 1861;
- The rate book for 1876 notes a number of outbuildings at the rear of 62 Morrisset Street being a Hall, Stables and Coach House. These outbuildings are visible in the 1877 aerial view; and
- There is no evidence to suggest that the outbuilding dates back to Bathurst's Penal Settlement period.

A copy of the Historical Assessment is at **attachment 4**.

Submissions

The Development Application was advertised and notified to adjoining property owners from 12 June 2012 to 25 June 2012. Following the advertising and notification period a total of three (3) submissions were received. The submissions are at **attachment 5**.

A discussion forum was convened by Council's Manager Strategic Planning on 18 July 2012 (minutes of discussion forum are at **attachment 6**). Issues raised in the submissions and at the discussion forum included:

- The need for a Heritage Impact Statement
- The need for a detailed Historical Assessment
- The need for a detailed Archaeological Assessment
- The possibility of the site and buildings being associated with Bathurst's Penal Settlement site

The Historical Assessment has not concluded that the outbuilding is significant or that it relates directly to Bathurst's Penal Settlement era. This is reinforced by the physical assessment of the building undertaken by Council's Heritage Advisor.

Conclusion

Council has received a Development Application (DA) for demolition of an outbuilding, additions and alterations to the existing dwelling, construction of 1 x 2 bedroom unit, and 1 x 3 bedroom unit and three lot subdivision at 62 Morrisset Street, Bathurst. The subject site is zoned 2(a) Residential under the provisions of the *Bathurst Regional (Interim) Local Environmental Plan 2005*. Residential units are permissible with consent in the 2(a) Residential zone. The proposal is consistent with the objectives of the zone.

This development ensures retention and restoration of a significant contributory Victorian dwelling in the Morrisset Street streetscape. Whilst the outbuilding is proposed to be demolished this is considered an acceptable compromise to enable future development of the site as all research completed does not conclude that the outbuilding is significant or in good condition.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

Strategy 28.8

MINUTE

9 Item 3 DEVELOPMENT APPLICATION NO. 2012/0140 – DEMOLITION OF OUTBUILDING, ADDITIONS AND ALTERATIONS TO EXISTING DWELLING, 1 X 2 BEDROOM UNIT, 1 X 3 BEDROOM UNIT AND THREE LOT SUBDIVISION AT 62 MORRISSET STREET, BATHURST. APPLICANT: ES ENGINEERING & DESIGN. OWNER: MS M DAWOUD (DA/2012/0140)

MOVED: G Westman SECONDED: M Coote

RESOLVED: That Council:

- (a) support the variation to the private open space development standard prescribed in the Bathurst Regional (Interim) Development Control Plan 2011 for the existing dwelling; and
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0140, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - (i) During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Branch, NSW Office of Environment & Heritage and Council. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works.

NOTE: A Section 140 Permit will need to be obtained to disturb archaeological relics. This permit is to be obtained from the Heritage Branch, NSW Office of Environment & Heritage, prior to the disturbance of the archaeological relics.
 - (ii) Prior to the commencement of demolition, the developer is to submit to Council at least two printed photographs and either photographic negatives or a CD containing high quality digital copies of the brick outbuilding in accordance with Council's guidelines for photographic recording of sites for which approval has been granted for demolition.
- (c) notify those that made submissions of its decision; and
- (d) call a division.

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

The result of the division was:

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

Against the motion - Cr G Hanger

Absent - NIL

Abstain - NIL

4 NAMING OF PUBLIC ROADS – PROPOSED NAME CHANGE FROM PERTHVILLE ROAD TO O'REGANS ROAD (20.00024)

Recommendation: That Council:

- (a) adopt the name O'Regans Road for the road currently known as Perthville Road;
- (b) notify all affected property owners in writing of the proposed name change and seek comment; and
- (c) should no negative submissions be received at the end of the notification period, direct the Director Environmental Planning and Building Services Department to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

Report: Council has received a request from Mr John Seaman on behalf of all property owners on Perthville Road to rename the road to O'Regans Road (see copy of submissions from Mr Seaman at **attachment 1**).

It should be noted that Mr Seaman initially nominated the name "Glazebrook Road" however he was subsequently asked to nominate an alternate name as the name Glazebrook has already been used for a road in the neighbouring locality of The Lagoon. The road in question runs from the end of Prince Street in the village of Perthville across to The Lagoon Road (see location map at **attachment 2**).

The affected property owners are seeking this name change in order to distinguish it from Vale Road which is also commonly referred to as "Perthville Road". Of particular concern to the residents is the possibility of confusion when emergency services are dispatched. The proposed name change will help to alleviate such concerns. A total of eight property owners will be affected by the proposed name change however each one has been consulted by Mr Seaman and there is a general consensus.

Mr Seaman has given the following background for the proposed name of O'Regans Road:

Colin and Alice O'Regan were long time residents of Perthville. They owned and ran the Perthville Village Store for many, many years and were very well respected members of the local community. Colin was heavily involved in the local fire brigade and was always on hand in times of crisis (e.g. floods).

The name complies with Bathurst Regional Council's *Guidelines for the Naming of Roads*.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 24: To provide and support the provision of accessible, affordable and well planned transport systems. Strategy 24.2
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

MINUTE

10 Item 4 NAMING OF PUBLIC ROADS – PROPOSED NAME CHANGE FROM PERTHVILLE ROAD TO O'REGANS ROAD (20.00024)

MOVED: B Bourke SECONDED: I North

RESOLVED: That Council:

- (a) adopt the name O'Regans Road for the road currently known as Perthville Road;
- (b) notify all affected property owners in writing of the proposed name change and seek comment; and
- (c) should no negative submissions be received at the end of the notification period, direct the Director Environmental Planning and Building Services Department to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted.

5 'BIODIVERSITY IN YOUR BACKYARD' SEMINAR AND WORKSHOP (13.00053)

Recommendation: That Council note that the 'Biodiversity in your Backyard' seminar and workshop were successfully held on Friday 7 September and Saturday 8 September 2012.

Report: Bathurst Regional Council is the lead Council for biodiversity in the Bathurst Orange Dubbo Inspiring and Integrating Change project, funded by the NSW Environmental Trust's Urban Sustainability program. As part of this program, Council is seeking to engage with and educate the public in relation to biodiversity and urban sustainability issues.

'Biodiversity in your Backyard', an interactive community seminar and workshop, were designed to both engage with the wider community on issues of urban sustainability, as well as raise awareness of the projects Council and its stakeholders are implementing in the Bathurst Local Government Area.

A 'Biodiversity Seminar', headlined by iconic ABC Gardening Australia presenter Angus Stewart, was deemed the most appropriate way to engage with a wide range of individuals in the community as well as raise awareness of Council's biodiversity related projects. This seminar was followed by an interactive workshop held at Browning Street Reserve, as both a follow up to the seminar, and as a call to action for people to implement their new found knowledge in their own backyards and homes.

During the seminar Council Officers presented on the definition of biodiversity, Council's role in managing biodiversity and the range of projects being undertaken by Council. Following this Angus Stewart gave an engaging and interactive talk about things people could do in the own backyards and in the local area to improve urban biodiversity and the sustainability of their own lifestyles.

To ensure a greater level of engagement with the community on this topic and to provide opportunities for the community to get involved in local environmental initiatives, a number of active environmental groups and organisations from the region were invited to set up stalls on the evening of the seminar as an opportunity to showcase their work and encourage new membership. Groups that participated included:

- Bathurst Community Climate Action Network
- Greening Bathurst
- Bathurst Gardeners Club
- WIRES
- Boundary Road Reserve Landcare Group
- Forests New South Wales (NSW)
- Central West Catchment Management Authority (CMA), and
- Bathurst Regional Council and Netwaste.

The seminar was a great success, with attendance of approximately 140 people.

In order to gauge the success of the seminar in explaining these concepts and in promoting Council's programs, pre- and post-event surveys were taken. Preliminary assessment of the results of these surveys indicate the message of the importance of Biodiversity was clear, and the preliminary statistics indicate that the community will be taking positive actions as a result of the seminar to contribute to biodiversity at home and in their local community. Approximately 103 pre surveys were collected, with approximately half indicating they knew of Council's projects, and half felt they had an understanding of Biodiversity.

About 80 post surveys were collected, with two thirds indicating they now knew about

Council projects, approximately 90% felt their understanding of Biodiversity had increased, and an impressive 95% indicated they had improved knowledge of what actions to take at home with a similar number asserting they will take new actions at home as a result of their attendance at this event.

The workshop held the following morning was also a success, despite inclement weather. Approximately thirty (30) attendees came along to Browning Street Reserve to see Angus Stewart put his planting techniques into action.

Financial Implications: 'Biodiversity in your Backyard' was funded by the NSW Environmental Trust, through the Inspiring and Integrating Change project, and Bathurst Regional Council.

Skillset and the Flannery Centre provided sponsorship for the evening in the form of reduced venue hire costs and staff support on the evening of Friday 7 September.

Forests NSW generously donated 200 native seedlings to the seminar and workshop.

The Central West Catchment Management Authority provided some assistance in promoting the event through their website and donated a book as a prize on the night.

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

11 Item 5 'BIODIVERSITY IN YOUR BACKYARD' SEMINAR AND WORKSHOP
(13.00053)

MOVED: I North SECONDED: J Jennings

RESOLVED: That Council note that the 'Biodiversity in your Backyard' seminar and workshop were successfully held on Friday 7 September and Saturday 8 September 2012.

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
26 SEPTEMBER 2012

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 26 SEPTEMBER
2012**

General Manager
Bathurst Regional Council

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$69,431,107.58 was invested at 31 August 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	3.50%
AFMA - 90 day Bank Bill Swap Rate (BBSW)	4.28%
Three Year Swap Rate - Commonwealth	3.88%

Short Term 1 – 365 Days

**(Comprising Commercial Bills,
Debentures and Certificates of**

<u>Deposit:</u>	<u>Rating</u>		<u>Average Return</u>
Bank of Western Australia	A1+	\$ 4,000,000.00	5.29%
Bank of Queensland	A2	\$10,500,000.00	5.50%
Bendigo and Adelaide Bank	A2	\$7,000,000.00	5.47%
IMB	A3	\$9,000,000.00	5.40%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	4.91%
National Australia Bank	A1+	\$9,000,000.00	5.29%
People's Choice Credit Union	ADI	\$2,000,000.00	5.35%
Railways Credit Union	ADI	\$1,000,000.00	5.28%
SGE Credit Union	ADI	<u>\$1,000,000.00</u>	<u>5.15%</u>
		\$46,500,000.00	5.36%

Long Term

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

Committed Rolling Investments

Westpac	AA-	\$2,000,000.00	4.71%
Westpac	AA-	\$2,000,000.00	4.80%
Westpac	AA-	\$2,000,000.00	4.92%
Westpac	AA-	<u>\$2,000,000.00</u>	<u>4.70%</u>
		\$8,000,000.00	4.78%

Community Income Note

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

**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>4.76%</u>
		\$4,000,000.00	4.60%

Floating Rate Notes

ANZ	AA-	\$2,000,000.00	4.71%
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	5.41%
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>6.07%</u>
		\$10,000,000.00	5.19%

Total Investments		<u>\$69,431,107.58</u>	<u>5.16%</u>
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These funds were held as follows:

Reserves Total (includes unexpended loan funds)		\$30,286,809.14	
Grants held for specific purposes		\$5,792,898.36	
Section 94 Funds held for specific purposes		\$23,996,154.60	
Unrestricted Investments – All Funds		\$9,355,245.48	
General Fund	\$44,436.86		
Water Fund	\$1,774,721.31		
Sewer Fund	\$1,729,632.80		
Waste Fund	<u>\$5,806,454.51</u>		

Total Investments		<u>\$69,431,107.58</u>	
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<u>Total interest revenue to 31/08/2012 on investments</u>		<u>\$614,272.49</u>	<u>5.16%</u>
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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

12 Item 1 STATEMENT OF INVESTMENTS (16.00001)

MOVED: G Westman SECONDED: I North

RESOLVED: That the information be noted.

2 YEAR TO DATE MONTHLY REVIEW - 2012-2016 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2012-2013 (16.00129)

Recommendation: That the information be noted.

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

At **attachment 2** is an update of Council's progress towards achieving the Strategies and Objectives for the 2012-2016 Delivery Plan and the Annual Operating Plan 2012-2013.

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

Fines or penalty notices this month - Nil.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

13 Item 2 YEAR TO DATE MONTHLY REVIEW - 2012-2016 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2012-2013 (16.00129)

MOVED: I North SECONDED: M Coote

RESOLVED: That the information be noted.

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

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

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

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

Section 356:	\$	0.00
BMEC Community use:	\$39,706.96	
Mount Panorama :	\$21,241.00	

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

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

MOVED: B Bourke SECONDED: I North

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.

-
- Adams, G & J - Swanbrooke Street - Lot 909 DP1170237 - Transfer
- Eglinton District Tennis Club - Park Street - Lot 72 DP755779 - Licence Agreement
- Loudoun-Shand, D - Orton Park - Lot 1 DP778506 - Licence Agreement
- Loudoun-Shand, D - Orton Park - Lot 2 DP778506 - Licence Agreement
- Loudoun-Shand, D - Orton Park - Lot 3 DP778506 - Licence Agreement
- Loudoun-Shand, D - Orton Park - Part Lot 20 DP1119593 - Licence Agreement
- Courtan Pty Ltd - Diamond Swamp Road, Meadow Flat - Lot 342 DP1110912 - Transfer
- Courtan Pty Ltd - Diamond Swamp Road, Meadow Flat - Lot 343 DP1110912 - Transfer
- Haque, M & Siddika, F - Evernden Road - Lot 1139 DP1170286 - Transfer
- Loader, W - Zante Lane - Lot 1 DP623416 - Licence Agreement
- Loader, W - Zante Lane - Lot 4 DP845477 - Licence Agreement
- Harvey Homes Investments Pty Ltd - Evernden Road - Lot 1145 DP1170286 - Transfer
- Harvey Homes Investments Pty Ltd - Evernden Road - Lot 1146 DP1170286 - Transfer
- Budget Rent-A-Car Australia Pty Ltd - Aerodrome - Part Lot 37 DP1159302 - Licence Agreement
- Budget Rent-A-Car Australia Pty Ltd - Aerodrome - Part Lot 37 DP1159302 - Licence Agreement
- WTH Pty Ltd trading as Avis Australia - Part Lot 37 DP1159302 - Licence Agreement
- Johnson & Arthur Holdings Pty Ltd - Part Lot 37 DP1159302 - Licence Agreement

Linen Plan Release

- Nil

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: M Coote SECONDED: I North

RESOLVED: That the information be noted.

5 STATEMENT BY COUNCIL ON FINANCIAL REPORTS (41.00089)

Recommendation: That Council:

- a. refer the draft Financial Statements to Morse Group for audit;
- b. sign the Certificates with respect to the General Purpose Financial Statements and the Special Purpose Statements for the year ended 30 June 2012; and
- c. adopt the Accounting Policies shown in the attachments to this report.

Report: Council is required, under section 413 (1) of the Local Government Act 1993, to prepare financial reports for each year, and refer them for audit. For Council's information a draft Income & Expenditure Statement and Balance Sheet for the year ended 30 June 2012 are provided (**attachment 1**).

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

Each year, Council determines its significant Accounting Policies to be incorporated as Note 1 to the Financial Statements. Those policies deal with how the Council implements the International Financial Reporting Standards (IFRS), the Australian Accounting Standards (AASB), the Local Government Code of Accounting Practice (the Code) and the specific principles, bases, conventions, rules and practices that are applied in preparing and presenting the Financial Statements. The accounting policies are attached for Council's adoption (**attachment 4 and attachment 5**).

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

Financial Implications: Nil

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8
- Objective 33: To be and develop good leaders. Strategy 33.6

MINUTE

16 Item 5 STATEMENT BY COUNCIL ON FINANCIAL REPORTS (41.00089, 16.00126)

MOVED: I North SECONDED: W Aubin

RESOLVED: That Council:

- a. refer the draft Financial Statements to Morse Group for audit;
- b. sign the Certificates with respect to the General Purpose Financial Statements and the Special Purpose Statements for the year ended 30 June 2012; and
- c. adopt the Accounting Policies shown in the attachments to this report.

6 REQUEST FOR FINANCIAL ASSISTANCE - MAJELLAN BOWLING CLUB LIMITED (22.01968/010)

Recommendation: That Council:

- a) change the water tariff from filtered water charges to the following rate:
- | | |
|------------------|------------------|
| 1-18 megalitres | \$0.60/kilolitre |
| 19-32 megalitres | \$0.80/kilolitre |
| +32 megalitres | \$1.20/kilolitre |
- b) notify Majellan Bowling Club Limited of the proposed changes to their water charges.
- c) advertise for 28 days this proposed change in Revenue Policy and if no objections received then Council adopt this new water tariff for Majellan Bowling Club.

Report: Council has received a request from Majellan bowling Club Limited for financial assistance namely by way of a reduction in water charges for the club (see **attachment 1**)

An examination of their water usage for the period 2009 to current indicates the following.

Year	Consumption	\$ Value
2009	1,935 kl	\$2,315.22
2010	2,096 kl	\$3796.67
2011	1,412 kl	\$2,603.67
2012	580 kl	\$1,148.40

These charges are based on Council's filtered water tariff which is currently the following:

1-150 kilolitre	\$1.32/kilolitre
150+ kilolitre	\$1.98/kilolitre

Councillors will recall that in 2011 Council had an approach from Bathurst Golf Club for financial assistance with the purchase of water.

This resulted in Council creating a new tariff for the Bathurst Golf Club which is as follows:

1-18 kilolitre	\$0.60/kilolitre
19-32 kilolitre	\$0.80/kilolitre
+32 kilolitre	\$1.20/kilolitre

Majellan Bowling Club Limited is a local operation which is run by a Bathurst organisation and supplies bowling services to various members. The club is staffed mainly by volunteers and have been working hard to make the club more financially viable. The club has not sought financial assistance from Council previously.

It would not be unreasonable to provide the Majellan Bowling Club a similar water tariff to the Bathurst Golf Club which would then assist them by having a reduced water account.

For Council's information, had Council applied the reduced tariff for the 2011 year the club would have received a reduction of approximately \$1,750 for the year.

Discussions with the management of the Majellan Bowling Club stated that their financial position is not strong and any support that could be given would allow the club to financially function better.

Financial Implications: Based on a similar water consumption figure the water fund income would be reduced by \$1,750 per annum.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

- Objective 15: To secure a sustainable water supply and raise awareness on water issues. Strategy 15.4

MINUTE

17 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - MAJELLAN BOWLING CLUB LIMITED (22.01968/010)

MOVED: B Bourke SECONDED: G Hanger

RESOLVED: That Council:

- a) change the water tariff from filtered water charges to the following rate:
- | | |
|------------------|------------------|
| 1-18 megalitres | \$0.60/kilolitre |
| 19-32 megalitres | \$0.80/kilolitre |
| +32 megalitres | \$1.20/kilolitre |
- b) notify Majellan Bowling Club Limited of the proposed changes to their water charges.
- c) advertise for 28 days this proposed change in Revenue Policy and if no objections received then Council adopt this new water tariff for Majellan Bowling Club.

7 PERTHVILLE MECHANICS INSTITUTE (22.01146-03/048)

Recommendation: That Council transfer the Perthville Mechanics Institute which is currently covered by the Trustees of Schools of Arts Enabling Act 1902, with Council as the Trustee, to the State of New South Wales with such land to be administered under the Crown Lands Act 1989 by the Crown Lands section of the Department of Primary Industries with the Bathurst Regional Council to be the Trust Managers.

Report: Council has received a request from the Department of Primary Industries for Council to consider the future management of the Perthville Mechanics Institute (Perthville Hall). The Department of Primary Industries advises that this land and building is currently covered by the Trustees of Schools of Arts Enabling Act 1902. The Trustees of Schools of Arts Enabling Act 1902 created institutions due to the lack of public education and public libraries. Each institution generally had members who paid a subscription to use the facilities and this paid for the purchase of institute resources such as library books and running costs. The legislation defines institutions to mean mechanics' institute, school of arts or other institution for public instruction or amusement.

As these institutions no longer operate it is appropriate to alter the administration of this asset (hall and land) to the Crown Lands Act which provides much more flexibility in terms of what the hall can be used for and also in the appointment of the management body.

The Department of Primary Industries have written to council and advise that it is no longer appropriate for modern trustee management of community assets to be covered under the Trustees of Schools of Arts Enabling Act 1902 Act and this function should be transferred to the Crowns Lands Act 1989 (See **attachment 1**).

Under **attachment 2** is the NSW Government Gazette No.154 showing the appointment of Bathurst Regional Council as the trustee of this land and building.

Under **attachment 3** is the resolution of Council at its meeting of the 18 June 2008 which shows that Council's General Manager is to be the trustee representative for the Perthville Mechanics Institute.

It is recommended that Council transfer the Perthville Mechanics Institute which is currently covered by the Trustees of Schools of Arts Enabling Act 1902, with Council as the Trustee, to the State of New South Wales with such land to be administered under the Crown Lands Act 1989 by the Crown Lands section of the Department of Primary Industries with the Bathurst Regional Council to be the Trust Managers.

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

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 30.2
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

MINUTE

18 Item 7 PERTHVILLE MECHANICS INSTITUTE (22.01146-03/048)

MOVED: I North SECONDED: W Aubin

RESOLVED: That Council transfer the Perthville Mechanics Institute which is currently covered by the Trustees of Schools of Arts Enabling Act 1902, with Council as the Trustee, to the State of New South Wales with such land to be administered under the Crown Lands Act 1989 by the Crown Lands section of the Department of Primary Industries with the Bathurst Regional Council to be the Trust Managers.

8 BATHURST REGIONAL COUNCIL PICNIC DAY (07.00046)

Recommendation: That Council designate Friday 15 February 2013 as the Picnic Day holiday.

Report: Council has received notification from the Council's United Services Union Delegate, that they wish to designate Friday, 15 February 2013 as the Picnic Day. Clause 19 of the Local Government (State) Award states

B. UNION PICNIC DAY

(i) Union Picnic Day shall for the purposes of this Award be regarded as a holiday for employees who are financial members of the union(s). The Union Picnic Day shall be on such day as is agreed between the council and the union(s).

Whilst a number of Council services may be closed, emergency services will still remain available in accordance with normal on-call arrangements.

As all Council employees are not eligible for the picnic day Council will maintain operational staff on the 15 February 2013.

Financial Implications: Council has allowed for a Picnic Day within its Management Plan Process.

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

19 Item 8 BATHURST REGIONAL COUNCIL PICNIC DAY (07.00046)

MOVED: B Bourke SECONDED: M Coote

RESOLVED: That Council designate Friday 15 February 2013 as the Picnic Day holiday.

9 NSW STATE EMERGENCY SERVICE - TRANSFER OF MOTOR VEHICLES **(18.00043)**

Recommendation: That Council agree to transition the six (6) SES Operational vehicles currently used by the Bathurst and Turon SES units to the NSW SES at a nominal fee to be agreed between Council and the SES.

Report: In June 2012 Council received correspondence from Murray Kear AFSM, Commissioner NSW State Emergency Service (NSW SES) advising that the NSW State Government had committed additional funding in the State Budget for the next five years to the NSW SES. The Letter advised that

This additional funding is part of the Strategic Disaster Readiness Package delivered to the SES in response to recommendations from the Commission of Inquiry into the Queensland Floods, and importantly, in recognition of the outstanding work the NSW SES and its volunteers have done in response to the recent devastating NSW floods.

One of the key components of this package is Fleet Management. The SES advises that the Fleet Management component will be a five year project.

- *Fleet Management: a five year project to standardise and centralise the SES operational vehicle fleet, the majority of which is currently owned and managed by local government. This will result in significant cost savings to Local Government across NEW South Wales.*

Council currently has 6 vehicles that are owned by Council and used for operational purposes by SES at the Bathurst and Turon SES Units. The vehicles are:

2 Toyota Landcruisers
Nissan Patrol Wagon
Isuzu 4WD Rescue Unit
Isuzu Rescue Unit
Fuso Rescue Unit

The Council would under this new scheme no longer be responsible for the maintenance and running costs of these vehicles or for their replacement in the future. Council will, however, be required to contribute additional funds to the Emergency Services Levy for SES. This contribution is based on 11.7% of the cost of providing the service (the same as the contributions to NSW Rural Fire Service and Fire and Rescue NSW).

A further letter dated 1 August from Murray Kear AFSM, Commissioner NSW SES (shown at **attachment 1**) provides three options for Council to transition their operational SES vehicles to the NSW SES. These options are:

1. by gift (Council agrees to transfer the vehicles at no cost to SES)
2. nominal value (Council agrees a value with SES)
3. market value (transfer sum is based on a market value assessment by StateFleet)

Council staff have advised NSW SES that if Council resolves to transition these vehicles to NSW SES it will be based on a nominal value.

It is recommended that Council agree to transition the six (6) SES Operational vehicles currently used by the Bathurst and Turon SES units to the NSW SES at a nominal fee to be

agreed between Council and the SES

Financial Implications: Council will:

1. receive a one off reimbursement from NSW SES for the 6 vehicles
2. have reduced expenditure on running and maintenance costs
3. will be required to contribute additional funds to the Emergency Services Levy, the amount of which is currently unknown.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 33: To be and develop good leaders. Strategy 33.4
- Objective 31: To maintain local public ownership of water and sewer assets. Strategy 31.4
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.7

MINUTE

20 Item 9 NSW STATE EMERGENCY SERVICE - TRANSFER OF MOTOR VEHICLES (18.00043)

MOVED: G Westman SECONDED: W Aubin

RESOLVED: That Council agree to transition the six (6) SES Operational vehicles currently used by the Bathurst and Turon SES units to the NSW SES at a nominal fee to be agreed between Council and the SES.

10 AUSTRALIA DAY 2013 (23.00033)

Recommendation: That the information be noted.

Report: Bathurst Regional Council in conjunction with the Australia Day Working Party, have previously selected a theme to be used on Australia Day in association with the Australia Day Council of NSW. The theme is incorporated in the various activities and celebrations held on January 26 throughout the Bathurst Region.

The following themes have been selected by the working party to be used in the lead up to 2015 and Bathurst's 200 year celebrations.

2013: "25 Years Celebrating Together" as provided by the Australia Day Council.

2014: "Exploration" focusing on the expedition over the Blue Mountains and finding the Bathurst Plains (Activities could include; maps, treasure hunts, including various groups within the community such as the Bathurst District Historical Society).

2015: "Celebration of Bathurst" focusing on the history and highlights that make the Bathurst Region unique.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

21 **Item 10 AUSTRALIA DAY 2013 (23.00033)**

MOVED: M Coote SECONDED: B Bourke

RESOLVED: That the information be noted.

**11 REQUEST FOR FINANCIAL ASSISTANCE - ST PATS HOCKEY CLUB
(18.00004-26/026)**

Recommendation: That Council not donate \$2,000 to St Pats Hockey Club towards the cost of constructing honour boards for the St Pats Hockey Club's 75th Celebrations.

Report: Council has received a request from St Pats Hockey Club for financial assistance to construct one life membership board and one Australian representative board for the St Pats Hockey Club which was established in 1937.

St Pats Hockey Club is believed to be one of the oldest hockey clubs in Australia and has a long and proud history of producing local, State and international players in both men and women's hockey.

Under **attachment 1** is the details of the request from the hockey club for support in establishing honour boards as well as advice on the weekend.

Financial Implications: Council's Section 356 Donations currently has a nil balance.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

22 Item 11 REQUEST FOR FINANCIAL ASSISTANCE - ST PATS HOCKEY CLUB
(18.00004-26/026)

MOVED: B Bourke SECONDED: I North

RESOLVED: That Council donate \$2,000 to St Pats Hockey Club towards the cost of constructing honour boards for the St Pats Hockey Club's 75th Celebrations.

12 REQUEST FOR FINANCIAL ASSISTANCE - 2013 THINLINE DRESSAGE WITH ALTITUDE CDI 3* & CDI-Y (18.00004-26/004)

Recommendation: That Council not financially support this event.

Report: Council has received a request from the Central Western Dressage Group Inc for financial support of \$4,000 for the running of the 2013 Thinline Dressage with Altitude CDI 3* & CDI-Y in February 2013. Central Western Dressage Group Inc have advised that they are a not for profit dressage sporting organisation which has been servicing a membership over a wide area of the Western Districts of New South Wales. For complete detail see **attachment 1.**

The Central Western Dressage Group Inc advised that this event will be held in the Orange area and have requested Council to give consideration to providing a sponsorship of \$4,000 towards the package, which includes:

- Live Streaming coverage of the event which would be a further development in the organisation of the 2013 event. (\$6,000)
- Sponsorship of one of the main Championships e.g. Small Tour Champion. (\$2,000)
- Contribution to International Judges air travel expenses. (\$2,000)

Financial Implications: Council's Section 356 Donations currently has a nil balance.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

**23 Item 12 REQUEST FOR FINANCIAL ASSISTANCE - 2013 THINLINE
DRESSAGE WITH ALTITUDE CDI 3* & CDI-Y (18.00004-26/004)**

MOVED: B Bourke SECONDED: W Aubin

RESOLVED: That Council not financially support this event.

**13 DEVELOPMENT APPLICATION 2012/0282 - REQUEST FOR REFUND
(DA/2012/0282) (2012/0282/003)**

Recommendation: That Council not assist Bathurst Baptist Church with a reduction in development application fees and developer charges.

Report: Council recently approved a Development Application on behalf of Bathurst Baptist Church for kitchen renovations at their church at Eglinton Road, Abercrombie.

The Development Application involves alterations to the existing church building. The project cost is in the order of \$140,858.

Following submission of the Development Application Council received a request for a fee reduction if applicable (A copy of the request is at **attachment 1**).

The fees paid to date and payable are as follows:

Type of fee	Applicable fees
State Government Fees	
**Planfirst	\$90.00
**Long Service Levy	\$493.00
Total State Government Fees (A)	\$583.00
Council Fees	
Development Application	\$593.00
Construction Certificate	\$538.70
Inspection fees	\$59.40
Plumbing inspection	\$75.60
Total Council Fees (B)	\$1,266.70
TOTAL	\$1,849.70

Council should note that the Planfirst fee (\$90.00) and Long Service Levy (\$493.00) are collected on behalf of the State Government (\$583.00 total) and must be remitted to them.

The Council fees component is \$1,266.70. Should Council decide to offer assistance in this matter, this would normally be funded from Section 356 Donations which currently has very limited funds.

Financial Implications: Should Council resolve to offer assistance in this matter it would be funded from Section 356 donations which currently has a balance of \$0.00.

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

MINUTE

24 Item 13 DEVELOPMENT APPLICATION 2012/0282 - REQUEST FOR REFUND
(DA/2012/0282) (2012/0282/003)

MOVED: G Westman SECONDED: W Aubin

RESOLVED: That Council not assist Bathurst Baptist Church with a reduction in development application fees and developer charges.

14 REQUEST FOR FINANCIAL ASSISTANCE - PCYC BATHURST (18.00004)

Recommendation: That Council donate \$1,500 to PCYC Bathurst towards the cost of running Blue Light discos for the youth of Bathurst in September and November 2012.

Report: Council has received a request from PCYC Bathurst for financial assistance to assist in the running of Blue Light discos for the youth of Bathurst at the Bathurst PCYC in both September and November 2012. A copy of the request is provided at **attachment 1**.

PCYC Bathurst are requesting Council donate \$750 per disco, which would assist in covering running costs for security guards, the DJ, sound, lighting and manpower to assist with the running of each event.

PCYC's all over the state are self funded and rely on funding from grants, donation, fund-raising and activity income to continue their work in communities.

Financial Implications: Council's Section 356 Donations currently has a nil balance.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

25 Item 14 REQUEST FOR FINANCIAL ASSISTANCE - PCYC BATHURST
(18.00004)

MOVED: B Bourke SECONDED: M Coote

RESOLVED: That Council donate \$1,500 to PCYC Bathurst towards the cost of running Blue Light discos for the youth of Bathurst in September and November 2012.

15 REQUEST FOR FINANCIAL ASSISTANCE - YOUNGLIFE BATHURST (18.00004, 09.00037/008)

Recommendation: That Council donate \$1,080 to Young Life Australia towards the cost of hiring a room at the Kelso Community Centre to run club events from Section 356 Donations.

Report: Council has received a request from Young Life Australia for financial assistance to hire a room at the Kelso Community Centre one afternoon a week, to be run in school terms beginning term 4, 8 October 2012 until 30 June 2013. They request to use the rooms for 2 hours for one day per week at \$18 per hour for approximately 30 weeks (Term 4 2012, Term 1 2013, Term 2 2013). A copy of the request is provided at **attachment 1**.

Young Life Bathurst started in 2006 by a group of volunteers, and continues to be run by volunteers within the Bathurst community who are committed to connecting with young people seeing them reach their full potential. Almost all local events they run are free of charge for young people, with subsidies available for activities that do involve a cost for those who are unable to afford activities.

Young Life Australia would like access to the hall and kitchen as well as utilise the outside space of the basketball court and soccer field. The purpose in using the centre is to run a second "club event" one afternoon a week, with the aim of providing a safe place for high school aged people to come and connect further with the Young Life volunteer leaders to further build healthy relationships. At the "club" they would run games and activities, as well as have an afternoon tea and talk each week addressing various issues that young people face. All activities run at the centre would be free of charge for the young people who attend.

Financial Implications: Council's Section 356 Donations currently has a nil balance.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

26 Item 15 REQUEST FOR FINANCIAL ASSISTANCE - YOUNGLIFE BATHURST
(18.00004, 09.00037/008)

MOVED: I North SECONDED: B Bourke

RESOLVED: That Council donate \$1,080 to Young Life Australia towards the cost of hiring a room at the Kelso Community Centre to run club events from Section 356 Donations.

16 SPORTING GRANTS PROGRAM YEAR ENDING 30 JUNE 2013 (18.00279-02/058)

Recommendation: That Council approve the following sporting grants totalling \$20,900 for the 2012/2013 season as follows:

Bathurst Basketball Association	\$5,330
Panorama Motor Cycle Club	\$4,500
Bathurst Pandragons Dragon Boat Club	\$4,000
Bathurst Netball Association	\$1,070
Bathurst Cycling Club	\$1,000
Bathurst Bushrangers Club	\$2,000
Macquarie United Football Club	\$3,000

Report: On the 14 February 2012 Council notified the Bathurst District Sport and Recreation Council (BDSRC) of its intention to call for applications for the sporting grants program. As part of this process Council notified the Secretary of Council's intention that once the applications were received that it would be the BDSRC's role to carry out an initial selection and prioritisation of applicants and supply to Council a list of recommendations.

On the 12 March 2012 Council received a request from the BDSRC for an increase in the funding from \$30,000 to \$35,000 per year. Council acknowledged this application on the 26 March and advised that their request would be put to the Annual Operating Plan Process for 2012/2013. As a result of this process Council reduced the Sporting Grants budget from \$30,000 to \$20,000. This was advertised for a period of 28 days and received no objections.

During the process of calling for applications for 2012 Council supplied each organisation with a set of guidelines (see **attachment 1**).

Applications have been received from the following associations:

- Bathurst Miniature Railway Society
- Bathurst Basketball Association
- Panorama Motor Cycle Club
- Bathurst Pandragons Dragon Boat Club
- Community Opp Shop
- Rotary Club of Bathurst Inc.
- Bathurst Netball Association Inc.
- Bathurst Cycling Club
- Bathurst Bushrangers Club
- Macquarie United Football Club
- Bathurst Carillion Tennis Club

BDSRC on the 14 May 2012 supplied a list of recommended sporting grants with a total recommendation of \$30,000 (see **attachment 2**). An examination of each of the recommendations shows that two (2) of the the organisations do not fit the criteria shown. The organisations are:

- The Bathurst Miniature Railway Society which has a recommended amount of \$6,000 for new storage for the clubs riding carriages. The criteria clearly states sporting clubs and the railway society can not be considered to be a sporting club. In relation to the Bathurst Miniature Railway Society, Council will recall that it has included in the 2012/13 Annual Operating Plan \$20,000 for BBQ facilities at the Miniature Railway.
- The Bathurst Carillion Tennis Club which has a recommended amount of \$3,100 for

equipment upgrade for court surface. The operations of the tennis centre are under lease to private operators, and as part of the lease the operators are required to supply the equipment necessary for the maintenance of the courts. Accordingly it is not recommended that Council make a grant available, as the commercial operator is required to provide equipment as part of the lease.

This will then reduce the \$30,000 recommended grants to \$20,900 which would be satisfactory for Council's budget.

It is recommended that Council approve the following sporting grants for the 2012/2013 season as follows:

Organisation	Project Description	Amount Sought	Amount Recommended
Bathurst Basketball Association	Improve the sound quality of the PA system at the Bathurst Indoor Sports Stadium so that announcements can be heard clearly and to also provide a system that will enhance all representative fixtures with a high quality sound system.	\$6,000	\$5,330
Panorama Motor Cycle Club	Replace the existing safety barriers (tyres stacks which require ongoing maintenance) with permanent flag point safety barriers.	\$4,500	\$4,500
Bathurst Pandragons Dragon Boat Club	Purchase of dragon boat as current boat is leased from Dragon Boats NSW at \$1,000 annually which places long term financial strain on Club Members.	\$4,400	\$4,000
Bathurst Netball Association	Purchase of 2 shade tents for use of representative teams at away carnivals and use of the association during competition season, gala games, finals, etc. and purchase of a drinks fridge for clubhouse canteen. Funds raised in the canteen support representative teams.	\$1,070	\$1,070
Bathurst Cycling Club	Purchase of junior cycling equipment to assist in the safe and	\$1,000	\$1,000

	efficient running of junior cycling equipment programs.		
Bathurst Bushrangers Club	Canteen Fitout	\$2,000	\$2,000
Macquarie United Football Club	Professional Skills Development Equipment	\$5,000	\$3,000
Total			\$20,900

Financial Implications: Council has included \$20,000 in the Annual Operating Plan for the Sporting Grants program.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.2
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

MINUTE

27 Item 16 SPORTING GRANTS PROGRAM YEAR ENDING 30 JUNE 2013
(18.00279-02/058)

MOVED: W Aubin SECONDED: I North

RESOLVED:That Council approve the following sporting grants totalling \$20,900 for the 2012/2013 season as follows:

Bathurst Basketball Association	\$5,330
Panorama Motor Cycle Club	\$4,500
Bathurst Pandragons Dragon Boat Club	\$4,000
Bathurst Netball Association	\$1,070
Bathurst Cycling Club	\$1,000
Bathurst Bushrangers Club	\$2,000
Macquarie United Football Club	\$3,000

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENGINEERING SERVICES' REPORT & MINUTES
26 SEPTEMBER 2012

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL MEETING HELD ON 26 SEPTEMBER 2012**

General Manager
Bathurst Regional Council

**1 LONDON PLANE STREET TREE ADJACENT TO 67 MORRISSET STREET,
BATHURST (13.00019)**

Recommendation: That Council endorse the actions of the Director Engineering Services in relation to the preservation of a large mature *Platanus x hybrida* (London Plane tree) located within the verge adjacent to 67 Morrisset Street, Bathurst .

Report: Council has received a letter from the owner of 67 Morrisset Street advising of a continuing concern regarding possible damage to the property from tree roots of a London Plane street tree that may occur in the future, despite Council having recently undertaken significant works to address the original concerns of the owner. A location map is at **attachment 1**.

The tree in question forms part of a majestic large mature tree lined avenue within Morrisset Street. The majority of the large trees that make up this tree avenue consist of English Elms, Chinese Elms and London Planes. It should be noted that the particular tree of concern is currently in a healthy condition, showing no signs of decline or structural concerns and is considered to be a significant feature of the streetscape within the area (refer **attachment 2**).

For information, the following is a brief history to date concerning the London Plane tree and the concerns of the owners of 67 Morrisset Street:

- 3 April 2009 – CRMS raised from a previous owner who advised of concerns with undulating ground within the verge area adjacent to his property causing trip hazards. Council levelled and top dressed the verge area.
- 7 January 2010 – CRMS raised by the same owner who advised that the leaves of the London plane tree were creating a mess all over his yard and wanted the tree removed. Further discussion with the owner on site identified that the main issue was in relation to the potential damage that could occur to the front concrete property boundary fence. To resolve the owners concerns, Council installed a root barrier in the verge area parallel to the boundary of 67 Morrisset Street.
- Between June 2011 and September 2011 a number of CRMS complaints were received from the new and now current owner concerning existing tree roots that were located within the property during demolition and renovation works to convert the property to a multi unit development. Council assisted in the removal of large roots that were found near to an existing old cottage building that was being renovated and agreed to the installation of a deeper root barrier within the verge to cover the full length of the property boundary.
- August 2011, Council received a letter from the owner requesting Council pay for damages allegedly sustained by tree roots to the old cottage building that was identified during internal demolition and renovation works. To resolve the issue, and in addition to

the works that had already been completed by Council in respect to the installation of root barriers, Council agreed to the payment for the alleged damage to the cottage on the basis of payment being made without admission of liability and the owners agreement to the signing of a deed of release, accepting that the matter had been finalised and that no further claims would be considered.

- 29 April 2012, Council received a letter from the property owner requesting Council install a root barrier parallel to the side of their property abutting 63A Morrisset Street for the protection of any future root damage. In addition, it was also requested that a major tree branch be removed. Council's reply advised that it would investigate and take any appropriate pruning works as deemed necessary but could not accede to the installation of a root barrier on private property, especially for reasons of a hypothetical or future scenario. Council's letter sent to the owners regarding this matter is shown at **attachment 3**.
- 15 July 2012, Council received its latest letter from the owners of 67 Morrisset Street requesting that the tree be removed due to concerns of future possible damage to the cottage and the other unit dwellings currently being constructed within the property. The letter also stated that there were concerns with potential allergy symptoms associated with the tree. This latest letter is shown at **attachment 4**.

It is believed that Council should not be responsible for further protection measures in addition to those which it has already undertaken. It should be noted that generally for damage to occur to property by tree roots, it is often the case that there are contributing factors that encourage root growth to proliferate to a stage where damage may be sustained and which are not under Council's control or responsibility. For example, leaking sewer, water or drainage pipes often create ideal situations for tree roots to proliferate and if not addressed, overtime these roots can cause damage to occur. As such, responsibility for damage to infrastructure is not necessarily due to the particular location of a tree and it is believed that Council has taken all reasonable steps to ensure that tree roots within the Morrisset Street verge do not pose any foreseeable concerns for this residence in the future.

It should be noted that it has taken in excess of 80 years for the roots of this tree to have reached a stage where damage was sustained and it is unknown as to what other external factors contributed to the development and congregation of these large roots immediately around the perimeter of the cottage over time. As indicated by the owner, the cottage, with its aged infrastructure, has been in existence for an extremely long period of time and has recently had major renovations to it to bring it back to a liveable condition. Further, it should be noted that the major roots that were surrounding this cottage have since been severed and removed and 2 root barriers have been installed to deter any future root development into the property. It is also unrealistic to believe that this tree would be the cause of any future damage as it has now reached its mature growing height and major preventative works have occurred to prohibit the potential of further root growth causing any issues within this tree's remaining life span. In addition, it is highly possible that further root damage to infrastructure within this property could occur from almost any tree within the surrounding area including those growing within private property, not just from this particular street tree of concern.

The owners have also advised that they believe London Plane trees are not suitable for planting in a street due to potential issues with allergy symptoms and that this tree species is too big for planting near infrastructure. Council should be aware that allergy symptoms can be derived from many tree species each year and from any other vegetation source that produces pollen. The removal of this one tree would not in any way alleviate any possible concerns in relation to pollen within Morrisset Street. Further, the main cause of pollen

causing symptoms in the majority of sufferers each year is by grass pollens that are abundant in the atmosphere during spring and summer months. In addition, contrary to the owner's statement that London Plane trees are not suitable for streetscape plantings, such trees are considered to be most suitable specimens for planting in large streets that are free of over head powerlines. These trees are extremely hardy specimens, tolerate harsh urban environments that exist within verge situations and adapt very easily to their surroundings including their ability to be drought and frost tolerant, disease resistant etc.

There is no doubt that trees, including those planted in streetscapes, parks or in private residential properties, do pose certain risks to infrastructure and personal safety from time to time and it is not realistic to prevent all incidents or damage that trees can sometimes inflict, even when undertaking all of the standard precautions possible. However, such risks are accepted by the general community and are highlighted by the fact that trees provide more benefits to the community than any of the negatives that they cause from time to time.

This particular tree is currently in a sound condition, is a large well balanced tree and is considered to be a significant part of the surrounding treescape, being part of a well formed majestic avenue of mature trees within this section of Morrisset Street. Should this street tree be removed, it would create a negative impact within the avenue and would drastically change the amenity and microclimate of the surrounding area. Further it is believed that the works that have already been undertaken by Council adjacent to 67 Morrisset Street have been more than sufficient to address any realistic concern of future root damage to the cottage or other infrastructure within this property. As such, it is recommended that this tree not be removed and that Council's previous stance in relation to no further action remain unchanged.

It may be of further interest to note that the property owners have installed a new carport attached to the southern eastern side wall of the cottage, therefore making the street tree's position central and in the way of any normal straight driveway access that would need to be installed to the street. The Landscape Plan that has been submitted for this development identifies that the street tree is in the way but provision has been made to curve the driveway around the tree.

Financial Implications: It is perceived that there will be nil financial implications to Council, should Council's position remain as currently recommended.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 2.1

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.6

MINUTE

28 Item 1 LONDON PLANE STREET TREE ADJACENT TO 67 MORRISSET STREET, BATHURST (13.00019)

MOVED: G Westman SECONDED: W Aubin

RESOLVED: That Council endorse the actions of the Director Engineering Services in relation to the preservation of a large mature *Platanus x hybrida* (London Plane tree) located within the verge adjacent to 67 Morrisset Street, Bathurst .

2 NETWASTE ANNUAL REPORT 2011 - 2012 (14.00007)

Recommendation: That the information be noted.

Report: Bathurst Regional Council is a member of the NetWaste group which is a voluntary regional waste group formed in 1995. The group is focused on collaborative approaches to waste and resource management. Covering over 39% of the state, benefits are delivered to 28 member councils across regional NSW including Bathurst Regional Council.

Council has received a copy of the NetWaste 2011 – 2012 Annual Report which details the activities that NetWaste member Councils participated in during that period. A summary of the report is shown at **attachment 1**, and has been placed on the Bathurst Regional Council website.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 16: To encourage sustainable waste management practices, incorporating opportunities for energy generation. Strategy 16.1, 16.3
- Objective 33: To be and develop good leaders. Strategy 33.1, 33.6

MINUTE

29 Item 2 NETWASTE ANNUAL REPORT 2011 - 2012 (14.00007)

MOVED: I North SECONDED: G Westman

RESOLVED: That the information be noted.

3 PROPERTIES AFFECTED BY PROPOSED ROAD WIDENING - HILL END ROAD CRUDINE (25.00262)

Recommendation: That Council approve the notation on the Section 149 Certificates of properties affected by the proposed road widening of Hill End Road Crudine, as detailed in the Director Engineering Services' report.

Report: To improve driver safety and sight distance, Council has liaised with appurtenant property owners regarding the upgrade of Hill End Road between Sofala and Crudine (map at **attachment 1**). Part of the upgrade includes the construction of road batters to support the new road construction and excavation into the rock banks to straighten the road carriageway.

It is requested that Council approve the notation on Council's Section 149 Certificate information that the following properties are affected by road widening of Hill End Road at Crudine, including:

- (a) Lot 126 DP756878, 3035 Crudine Road, Crudine
- (b) Lot 4 DP247729, 1035 Hill End Road, Crudine
- (c) Lot 3 DP247729, 941 Hill End Road, Crudine
- (d) Lot 2 DP247729, 891 Hill End Road, Crudine
- (e) Lot 1 DP247729, 783 Hill End Road, Crudine
- (f) Lot 166 DP257091, 782 Hill End Road, Crudine
- (g) Lot 140 DP756878, 581 Hill End Road, Crudine
- (h) Lot 143 DP756878, 660 Hill End Road, Crudine.

Financial Implications: Nil

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 2: To encourage, promote and protect the region's primary resources. Strategy 2.2

MINUTE

**30 Item 3 PROPERTIES AFFECTED BY PROPOSED ROAD WIDENING - HILL
END ROAD CRUDINE (25.00262)**

MOVED: W Aubin SECONDED: G Rush

RESOLVED: That Council approve the notation on the Section 149 Certificates of properties affected by the proposed road widening of Hill End Road Crudine, as detailed in the Director Engineering Services' report.

Yours faithfully



Doug Patterson
**DIRECTOR
ENGINEERING SERVICES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT & MINUTES
26 SEPTEMBER 2012

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 26 SEPTEMBER
2012**

General Manager
Bathurst Regional Council

1 SCALLYWAGS CHILD CARE CENTRE - KITCHEN UPGRADE (09.00007)

Recommendation: That the information be noted.

Report: Renovations to the kitchen and change facilities at Scallywags long day care centre have been completed. These works were required to ensure compliance with legislative requirements focusing on promoting the health and safety of staff and children as well as ensuring standards set out under State regulation regarding food handling were met.

Scallywags long day care centre has operated in the Bathurst community since 1986. It is a multipurpose centre catering for 88 children aged from 6 weeks to five years. Currently the centre is licensed for 41 places for long day care and 3 occasional care places.

The centre provides a valuable community service that delivers social, environmental, recreational and educational outcomes to the children and families that access this service. An educational program is developed around the needs and interests of the individual children. The centre has recently extended it's garden with children, families and members of the Bathurst community encouraged to participate in the planting and harvesting of vegetables and herbs. This produce is also utilised in the food prepared by staff for the children in care, and excess vegetables offered to families.

The renovation process involved the redesign of the kitchen, focusing on safe manual handling and suitable storage. The design incorporated a hands free hand basin, drawers for storage and side opening wall oven to support health and manual handling practices.

The change room renovation incorporated new storage and change benches. The benches enable staff to change nappies facing the child and incorporated steps to minimise the lifting of children.

Financial Implications: Funding for the project was supplemented by a \$9,000 grant received as part of the State Government Community Building Partnership program. The remaining funds were allocated in the 2011/12 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 19: To improve equity of access to all members of the community in public and private domains. Strategy 19.2
- 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, 21.3

MINUTE

31 Item 1 SCALLYWAGS CHILD CARE CENTRE - KITCHEN UPGRADE
(09.00007)

MOVED: W Aubin SECONDED: B Bourke

RESOLVED: That the information be noted.

2 BATHURST COMMUNITY SAFETY PLAN 2011-2014 REVIEW (20.00179)

Recommendation: That the information be noted.

Report: The Bathurst Community Safety Plan 2011-2014 was adopted by Council in November 2011. The development of the Community Safety Plan ensures the ongoing implementation of crime prevention strategies which will support the development of the Bathurst Region as a healthy, socially cohesive and safe community. This plan has been developed in partnership with key service providers, other levels of government and law enforcement agencies in the Bathurst Region.

At **attachment 1** is a report on the actions to date in which the Community Safety Committee have been collaboratively working to address the four identified priority crimes within the Bathurst region: Malicious damage to property, Steal from a motor vehicle, Break and enter dwelling and Non-domestic violence related assault.

Financial Implications: Consideration of the provision of funding to support strategies contained within the Community Safety Plan is included as part of the annual management planning process.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 22: To improve community safety. Strategy 22.1, 22.2, 22.3

MINUTE

32 Item 2 BATHURST COMMUNITY SAFETY PLAN 2011-2014 REVIEW
(20.00179)

MOVED: J Jennings SECONDED: I North

RESOLVED: That the information be noted.

3 BATHURST LIBRARY - DONATION TO TONGAN PRIMARY SCHOOL (21.00054)

Recommendation: That the information be noted.

Report: The Bathurst Library has been thanked in the magazine Insights. Insights is the magazine of the Uniting Church Synod of NSW and the ACT, copy of article is at **attachment 1.**

The note of thanks was in response to a donation of children's books to Vaotu'u Primary School by the Bathurst Library. This was organised by Bathurst Minister the Rev Oto Faiva, who approached the Library for a donation to the Tongan school.

These books were collected by staff at Bathurst Library from duplicate copies no longer required and donations to the library that were surplus to our needs, all books were in almost new condition and would have been a useful addition to the Tongan school.

The Library will maintain communication with the school and provide more books as they become available. Most books surplus to our requirements are sold in the annual library book sale, this is our first priority but enough books are generally available to cater to a portion being made available to a worthy cause.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1, 20.2

MINUTE

33 Item 3 BATHURST LIBRARY - DONATION TO TONGAN PRIMARY SCHOOL
(21.00054)

MOVED: G Rush SECONDED: G Hanger

RESOLVED: That the information be noted.

4 AUSTRALIAN FOSSIL & MINERAL MUSEUM - COPYRIGHT AGENCY CULTURAL FUND GRANT - SCATTERED BONES (21.00106)

Recommendation: That Council accept the grant from the Copyright Agency's Cultural Fund for \$12,000 for two sessions of the five week programs of Scattered Bones.

Report: The Australian Fossil and Mineral Museum (AFMM) has been successful in obtaining a grant for the continued operation of the Scattered Bones program.

The Scattered Bones project is an award winning, ground breaking program developed by the Public Programs Officer and local author Paul Stafford. The program has won a number of prestigious awards, both local and nationwide, these include the Local Government and Shires Cultural Award (2011), IMAGinE Award (2010) and most recently the National Museums and Galleries Award, MAGNA (2011)

The program has been funded by small grants from Arts NSW, *ConnectEd* and the Copyright Agency's *Cultural Fund*.

The project proposed for the grant involves a video conference session, which will connect four schools with each other and the AFMM for one hour per week. The same four schools will meet simultaneously at the same time each week for five weeks, for a total of five sessions.

The project will enable the AFMM to deliver two lots of five week programs: Round 1 would commence Term 4, 2012, and consist of four different broadcasts per week (delivering to four different groups of four schools, totalling 16 schools). Round 2 would commence Term 1, 2013 (to 16 new schools).

The Museum has been allocated \$12,000 to support the creation of two five week programs. This will involve a total of 32 schools in 40 broadcasting sessions.

Copyright Agency's Cultural Fund logo will be displayed in all hardcopy and digital material related to this Project along with an acknowledgement line.

Copyright Agency's Cultural Fund's support for the Scattered Bones program will be promoted: Through AFMM's promotional material, both on-line and newsletters, and in hard copy worksheets and teacher notes issued to all participating schools.

Financial Implications: Grant funding is provided for this project.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1, 20.2

MINUTE

34 Item 4 AUSTRALIAN FOSSIL & MINERAL MUSEUM - COPYRIGHT AGENCY CULTURAL FUND GRANT - SCATTERED BONES (21.00106)

MOVED: I North SECONDED: G Hanger

RESOLVED: That Council accept the grant from the Copyright Agency's Cultural Fund for \$12,000 for two sessions of the five week programs of Scattered Bones.

5 BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) - REDEVELOPMENT (21.00060)

Recommendation: That Council:

- (a) Accept the funding offer from the NSW Government's 2013 Arts Funding Program - Regional Capital for \$96,203 for the installation of a sprung floor and purchase of a wireless radio microphone system.
- (b) Allocate an additional \$96,203 from various reserves as Council's contribution to the project.

Report: Council has been advised by the NSW Government Minister for the Arts, The Hon George Souris MP, that the Bathurst Memorial Entertainment Centre (BMEC) has been successful in its application for support under the NSW Government's 2013 Arts Funding Program - Regional Capital.

The NSW Government's 2013 Arts Funding Program - Regional Capital will provide \$96,203 for redevelopments at BMEC, which will include the installation of a sprung floor to allow dance, physical theatre and circus workshops, rehearsals and performance to take place in the city. The current BMEC modular dance floor was purchased for approximately \$40,000 in 2000. It is nearing the end of its life. Following considerable maintenance conducted in January 2012, as part of the annual maintenance program, the need for replacement was again highlighted by the increasing time and costs required to enable its functionality for the current season.

The funding will also allow for the replacement of the current wireless radio microphone system, which has reached the end of its functional operating life. The current bandwidth being utilised by the analogue microphone system has been sold by the Federal Government and will be unable to be accessed by BMEC from June 2013 rendering this system unusable for the facility hirers. Council identified the need to replace this system as part of its 2012/2013 Operational Plan budget allocating funding within the capital section of BMEC allocations.

The NSW Government's 2013 Arts Funding Program - Regional Capital is designed to support capital infrastructure projects, which promote participation in, and access to, arts and cultural activities by diverse communities. It is a condition of accepting funds under this program that Council match the grant dollar for dollar.

Financial Implications: Council is required to match the \$96,203 grant funding with \$96,203 of its own funds, noting the allocation allowed for in BMEC Capital Projects budget 2012/2013 for the radio microphone system. This funding has not previously been allocated, however could be made available from Council's various reserves.

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, 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

35 Item 5 BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) - REDEVELOPMENT (21.00060)

MOVED: G Westman SECONDED: J Jennings

RESOLVED: That Council:

- (a) Accept the funding offer from the NSW Government's 2013 Arts Funding Program - Regional Capital for \$96,203 for the installation of a sprung floor and purchase of a wireless radio microphone system.
- (b) Allocate an additional \$96,203 from various reserves as Council's contribution to the project.

Yours faithfully



Annabell Miller
DIRECTOR
CULTURAL & COMMUNITY SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
GENERAL MANAGER'S REPORT & MINUTES
26 SEPTEMBER 2012

**GENERAL MANAGER'S REPORT TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 26 SEPTEMBER 2012**

General Manager
Bathurst Regional Council

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

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

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

Financial Implications: Nil

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

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

MINUTE

36 Item 1 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS (11.00002)

MOVED: I North SECONDED: G Rush

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

Yours faithfully



D J Sherley
GENERAL MANAGER

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
TRAFFIC COMMITTEE MEETING

**TRAFFIC COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 26 SEPTEMBER 2012**

General Manager
Bathurst Regional Council

1 MINUTES - TRAFFIC COMMITTEE MEETING 4 SEPTEMBER 2012 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 4 September 2012 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 4 September 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 - TRAFFIC COMMITTEE MEETING 4 SEPTEMBER 2012 (07.00006)

MOVED: G Rush SECONDED: I North

That the recommendations of the Traffic Committee Meeting held on 4 September 2012 be adopted, excepting minute numbers 16 and 17. (Rankin Street, Parking)

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

That Council note minute numbers #16 and #17 (parking review, Rankin Street Bathurst), of the Traffic Committee minutes from the meeting of 4 September 2012.

The following **AMENDMENT** was **MOVED** Cr W Aubin **SECONDED** Cr J Jennings

That:

- a) Council adopt minute numbers #16 and #17 (Parking Review Rankin Street, Bathurst) of the Traffic Committee minutes from the meeting of 4 September 2012, and;
- b) further consultation (reviews) be held with affected businesses and residents in the block;
- c) a report come back to Council on the review process implemented, and the results of that review.

The **AMENDMENT** was **PUT** and **CARRIED**.

The **AMENDMENT** then became the **MOTION**.

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

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 4 SEPTEMBER 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), Iris Dorsett (Road Safety Officer)

APOLOGIES

2 APOLOGIES
Nil

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 AUGUST 2012 (07.00006)

That the Minutes of the Traffic Committee Meeting held on 7 August 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 7 AUGUST 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 LIFE EDUCATION VAN PARKING OUTSIDE PERTHVILLE PUBLIC SCHOOL (25.00225/011)

That Council not approve the temporary reservation of parking space within the 'No Parking' zone outside the Perthville Public school gate on Church Street, Perthville, for the Life Education Van on Wednesday 29 August and Thursday 30 August, 2012.

8 Item 4 B-DOUBLE ROUTE – REDBANK, TRIANGLE FLAT, TRUNKEY AND HOBBYS YARDS ROADS (28.00012-06)

Approve the application for a B-Double route for Redbank, Triangle Flat, Trunkey and Hobbys Yards Roads.

9 Item 5 ENTRY/EXIT – BATHURST SENIOR CITIZENS CENTRE 176 RUSSELL STREET (28.00006-09)

That Council approve the relocation of the “No Stopping” (R5-400)(R) and “No Stopping” (R5-400)(L) signs and accompanying parking restriction signs on the North West and South East side of the entry/exit to the Senior Citizens Centre either side of 176 Russell Street.

10 Item 6 2012 SUPERCHEAP AUTO BATHURST 1000 - OFF TRACK EVENT ROAD CLOSURES, TEMPORARY NO PARKING AND, TEMPORARY RELOCATION OF RUSSELL STREET TAXI RANK (04.00073-04)

That Council approve the staging of the 2012 Supercheap Auto Bathurst 1000 off-track events as follows:-

- (a) Pantech Parade and B-Double Permit routes **(3/10/2012) Class 2**
- (b) Drivers Parade **(3/10/2012) Class 1**
- (c) Super Wednesday **(3/10/2012) Class 2**
- (d) Saturday Street Fair **(6/10/2012) Class 2**

The event is to be classified as a Class 1 and Class 2 events respectively and approved subject to conditions decided by the Traffic Committee.

11 Item 7 SUPERCHEAP AUTO 1000 TRAFFIC MANAGEMENT PLAN (04.00001)

That Council adopt the following zones and restrictions as part of the Traffic Management Plan for the 2012 Supercheap Auto 1000:

- (a) Havannah Street – ‘No Stopping’ between College Road and Rocket Street on the North Western side on Sunday 7 October 2012 only.
- (b) Havannah Street – ‘No Stopping’ between Panorama Avenue and College Road both sides from Wednesday 3 October to Sunday 7 October 2012 inclusive.
- (c) Panorama Avenue – ‘No Stopping’ between Havannah Street and Charles Sturt University (CSU) main Entrance both sides from Wednesday 3 October to Sunday 9 October 2012 inclusive.
- (d) Panorama Avenue – ‘No Stopping’ between CSU main entrance and Browning Street on the north western side on Saturday 6 and Sunday 7 October 2012.
- (e) Lloyds Road closure to west bound traffic at the intersection of Havannah Street on Friday 5 October to Sunday 7 October 2012 inclusive.

12 Item 8 TEMPORARY BUS ZONES FOR 2012 SUPERCHEAP AUTO BATHURST 1000 (28.00022)

That Council approve the request for temporary bus zones to be put in place for Bathurst Buslines Charter Services for the duration of the 2012 Supercheap Auto Bathurst 1000 weekend subject to the condition that a temporary 40 km/hour speed zone be appropriately placed in Lloyds Road, from College Road to Havannah Street, and in Havannah Street from Lloyds Road to College Road.

13 Item 9 TORONTO STREET RAILWAY CROSSING STOP SIGN (25.00074-02)

That Council do not seek to request the removal of the stop sign at the level crossing.

14 Item 10 2012 NAIDOC WEEK MARCH (09.00031-08/053)

That Council approve the holding of the NAIDOC Week March within Bathurst on Friday, 21 September 2012. The NAIDOC Week March is to be classified as a Class 2 Event, as detailed in the Director Engineering Services' report.

15 Item 11 LEE STREET 12T LIMIT REVIEW (25.00154)

That Council remove the signage for the 12t Load Limit on the section of Lee Street between White Rock Road and O'Connell Road.

16 LATE REPORT (2010/0924)

MOVED Cr D Veness

and **SECONDED** Cr L Cole

RESOLVED: That the Committee accept and deal with the Late Report on the Rankin Street Parking Review at the Traffic Committee Meeting on 4 September 2012.

17 Item 12 PARKING REVIEW - RANKIN STREET BATHURST (2010/0924)

That Council approve the changes to parking as per the IGA 'Exit No Right Hand Turn' option, as detailed in the Director Engineering Services' report.

TRAFFIC REGISTER

18 Item 1 TRAFFIC REGISTER (07.00006)

That the information be noted.

MEETING CLOSE

19 MEETING CLOSE

The Meeting closed at 3.10 pm.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DELEGATES REPORTS

**DELEGATES REPORTS TO THE ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL MEETING HELD ON 26 SEPTEMBER 2012**

General Manager
Bathurst Regional Council

**1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 8
AUGUST 2012 (11.00019)**

Recommendation: That the information be noted.

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

Apologies: Crs Bourke & Hanger.

1. KELSO REGENERATION PROGRAM (18.00037)

Representatives Mark Burn and Paul Little from Housing NSW attended the meeting to discuss the Kelso Regeneration Program with Council.

Matters discussed included:

- Housing NSW has been changed since the last Government elections and the asset management side has moved to NSW Land and Housing Corporation whilst the tenancy management has moved to NSW Family and Community Service department.
- NSW State Strategy - a third of social housing in NSW, approximately 52,000 dwellings, is located in 109 identified estates.
- Government has spent \$5.8 million on capital works in the Kelso area.
- Explained changes that have been made in McMenamin Place, Oxley Place, Greville Place and Cripps Place with flow through traffic and houses fronting the roads rather than vacant land behind.
- Tenancy management issues mentioned included - overcrowding in some houses and very few properties in Bathurst are now not tenanted.
- Response to homelessness - a program is being run by Mission Australia in Bathurst and that has achieved getting people back in to the rental market that would not have been able to do so before.
- There is a waiting list in Bathurst for general housing, up to 3 bedrooms for 3 - 5 years.

2. NSW NATIONAL PARKS & WILDLIFE SERVICE - HILL END MASTER PLAN (18.00199)

Representatives from NSW National Parks & Wildlife Service - Peter Myler and Lew Bezzina attended the meeting to discuss the Hill End Master Plan with Councillors.

Discussions included:

- Gave an overview of the area covered by Macquarie Region, with the largest concern being the risk of fire as they border with the State Forests on a lot of areas.
- Master Plan for Hill End is in the final draft stage at present. Received 27 submissions during the exhibition period.
- Parks and Wildlife will be investing significant capital in Hill End, approximately \$800,000 per annum over the next three years. Part of this expenditure will be fixing up some of the run down properties and using them as visitor accommodation.
- Visitation has increased in the last few years since Council has sealed the road.
- Hill End has been identified internally by Western Region NSW National Parks and Wildlife as a priority site.

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

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

MOVED: W Aubin SECONDED: B Bourke

RESOLVED: That the information be noted.

**2 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 7 AUGUST 2012
(20.00153)**

Recommendation: That the information be noted.

Report: The Minutes of the 2015 Bicentenary Celebrations Committee held on Tuesday 7 August 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 2 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 7
AUGUST 2012 (20.00153)

MOVED: G Rush SECONDED: J Jennings

RESOLVED: That the information be noted.

MINUTE

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

MOVED: M Coote SECONDED: I North

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

There were no representations from the public.

RESOLVED: That:

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

*** Mayoral Minute**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED ACQUISITION FOR DIVERSION CHANNEL AND ROAD SIGNAGE, PART LOT 10 DP814483 AND PART LOT 6 DP814483, GREAT WESTERN HIGHWAY (SYDNEY 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.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED PURCHASE OF PART LOT 1 DP151229, RIVER 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.
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	RENEWAL OF RESIDENTIAL LEASE - 57 SEYMOUR STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED SALE OF LOT 16 DP244235 RANKEN STREET, EGLINTON	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
5	PROPOSED NEW LICENCE AGREEMENT - BATHURST BULLDOGS - ANN ASHWOOD PARK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would

		prejudice the commercial position of the person who supplied it.
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*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR NETWASTE REGIONAL COLLECTION & DISPOSAL OF USED MOTOR OIL - NETWASTE TENDER 145/534/985/1	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 DEDICATIONS, CLOSURES AND TRANSFER, LOTS 31 TO 36 DP1163423, CARLINGFORD, LEA AND BERESFORD STREETS, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED ROAD WIDENING, LOT 79 DP789992, GILMOUR STREET, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the

		<p>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.</p>
5	<p>PROPOSED ACQUISITION FOR ALTERNATE ACCESS, PART LOT E DP163986, 453 CONROD STRAIGHT, MOUNT PANORAMA</p>	<p>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.</p>

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MAYORAL MINUTE

MINUTE

a Item 1 PROPOSED ACQUISITION FOR DIVERSION CHANNEL AND ROAD SIGNAGE, PART LOT 10 DP814483 AND PART LOT 6 DP814483, GREAT WESTERN HIGHWAY (SYDNEY ROAD), KELSO (22.01283, 22.05868)

MOVED: M Morse SECONDED: Nil

RESOLVED: That Council approve the proposed acquisition of

- a) land for construction of a diversion channel for the Raglan Creek and road signage within part of Lot 10 DP814483, and
- b) land for construction of a diversion channel for the Raglan Creek within part of Lot 6 DP1034958,

subject to conditions outlined in the Director Engineering Services' report. The acquired land is to be classified as Operational land.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL MINUTE
26 SEPTEMBER 2012

MINUTE

b Item 1 PROPOSED PURCHASE OF PART LOT 1 DP151229, RIVER ROAD, KELSO (22.02838)

MOVED: B Bourke SECONDED: W Aubin

That Council:

- a) Delegate authority to the General Manager to negotiate the purchase of 6,800m² of land located on part Lot 1 DP151229 known as 5 River Road Kelso, as detailed in the report.
- b) The land to be classified as operational under the provision of S:31(2) of the Local Government Act (1993).

MINUTE

c Item 2 TRACKCORP ADRENALIN PTY LTD (34.00065)

MOVED: W Aubin SECONDED: M Coote

That the information be noted.

MINUTE

d Item 3 RENEWAL OF RESIDENTIAL LEASE - 57 SEYMOUR STREET, BATHURST (22.00185)

MOVED: J Jennings SECONDED: M Coote

That Council approves entering into a new Residential Tenancy Agreement for Lot 19 DP849271 known as 57 Seymour Street, Bathurst with Brett Nancarrow for a period of twelve (12) months at a lease fee of \$120.00 per week with a twelve (12) month option period at a lease fee of \$125.00 per week, as detailed in the report.

MINUTE

e Item 4 PROPOSED SALE OF LOT 16 DP244235 RANKEN STREET, EGLINTON
(22.05792)

MOVED: I North SECONDED: M Coote

That Council approves the listing for sale of Lot 16 DP244235 known as 13 Ranken Street Eglinton, and direct the General Manager to negotiate the sale.

MINUTE

f **Item 5 PROPOSED NEW LICENCE AGREEMENT - BATHURST BULLDOGS - ANN ASHWOOD PARK (22.10764)**

MOVED: W Aubin SECONDED: I North

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

Reason: Member and sponsor of Bathurst Bulldogs

That Council approves entering into a new licence agreement with the Bathurst Bulldogs Rugby Union Club for the Rugby Union Clubhouse located on part Lot 4 DP1074119 Hereford Street, Bathurst known as Ann Ashwood Park for a period of five (5) years as detailed in the report.

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTE
26 SEPTEMBER 2012

MINUTE

g Item 1 TENDER FOR NETWASTE REGIONAL COLLECTION & DISPOSAL OF USED MOTOR OIL - NETWASTE TENDER 145/534/985/1 (14.00007)

MOVED: I North SECONDED: G Westman

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

MINUTE

h Item 2 PROPOSED ROAD DEDICATIONS, CLOSURES AND TRANSFER, LOTS 31 TO 36 DP1163423, CARLINGFORD, LEA AND BERESFORD STREETS, BATHURST (25.00222, 25.00549, 25.00524 AND 31.00001-13)

MOVED: M Coote SECONDED: J Jennings

That Council approve -

- (a) the dedication, as public road, of Lots 31 to 36 DP1163423, under the Roads Act 1993 Section 16.
- (b) Lots 31 and 36 DP1163423 to be named Carlingford Street.
- (c) Lots 32 to 34 DP1163423 to be named Beresford Street.
- (d) Lot 35 DP1163423 to be named Lea Street.
- (e) following the dedication as Council public road, Lots 31 to 33 DP1163423, closure of these sections of public road and consolidation of Lots 31 and 32 DP1163423 with other adjoining Council properties.
- (f) to transfer Lot 33 DP1163423 to the owner of Lot 10 DP1160720 as compensation for land lost with the construction of the Carlingford Levee.

The acquired land to be classified as Operational land, subject to the information contained in the Director Engineering Services' report.

MINUTE

i Item 3 PROPOSED ROAD WIDENING, LOT 79 DP789992, GILMOUR STREET, KELSO (04.00072/004)

MOVED: G Westman SECONDED: I North

That Council approve the -

- (a) compulsory acquisition of road widening land proposed by the New South Wales Transport Roads and Maritime Services affecting Lot 79 DP789992 located at the intersection of Gilmour Street and the Great Western Highway, Kelso.
- (b) acquisition to 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) classification of the acquired property as Operational land.

MINUTE

j Item 4 TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS (36.00324)

MOVED: W Aubin SECONDED: M Coote

That Council accept the following tenders for the supply and delivery of Water Treatment Chemicals.

- (a) Chemprod Nominees Pty Ltd t/a Omega Chemicals for liquid aluminium sulphate, and
- (b) Redox Pty Ltd for soda ash.

MINUTE

k Item 5 PROPOSED ACQUISITION FOR ALTERNATE ACCESS, PART LOT E DP163986, 453 CONROD STRAIGHT, MOUNT PANORAMA (22.04139)

MOVED: W Aubin SECONDED: G Rush

That Council approve the acquisition of land for the alternate access hierarchy of Mount Panorama affecting Lot E DP163986 at 453 Conrod Straight, Mount Panorama and classify the land as operational, as detailed in the Director Engineering Services' report.

Yours faithfully



Doug Patterson
**DIRECTOR
ENGINEERING SERVICES**

MINUTE

41 RESOLVE INTO OPEN COUNCIL

MOVED: I North SECONDED: W Aubin

RESOLVED: That Council resume Open Council.

MINUTE

42 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MOVED: W Aubin SECONDED: J Jennings

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

MINUTE

43 MEETING CLOSE

The Meeting closed at 7.47 pm.

CHAIRMAN: _____

Date: _____ **(17 October 2012)**