



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

10 April 2013

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, 17 April 2013 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, 17 APRIL 2013

1. 6:00 PM - MEETING COMMENCES
2. PUBLIC QUESTION TIME
3. PRAYER
Almighty God, Give wisdom to those in authority and guide all peoples in the way of righteousness and peace, so that we may share with justice the resources of the earth, work together in trust and seek the common good. Amen.
4. APOLOGIES
5. MINUTES
 - * Minutes - Ordinary Meeting of Bathurst Regional Council - 20 March 2013
6. DECLARATION OF INTEREST
To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Section 451 of the Local Government Act, in relation to Declaration of Interest at meetings.
7. MAYORAL MINUTE - Nil
8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS
 - * Director Environmental Planning & Building Services' Report
 - * Director Corporate Services & Finance's Report
 - * Director Engineering Services' Report
 - * Director Cultural & Community Services' Report
9. REPORTS OF OTHER COMMITTEES
 - * Minutes - Policy Committee Meeting 3 April 2013
 - * Minutes - Traffic Committee Meeting 2 April 2013
10. NOTICES OF MOTION
11. RESCISSION MOTIONS
12. DELEGATES REPORTS
 - * Councillors Meeting with Community Groups/representatives - 13 March 2013
 - * Report - CENTROC Board Meeting 28 February 2013
 - * Chairman's Report - Central NSW Tourism
 - * Cr Jennings Report - LGSA Tourism Conference
 - * 2015 Bicentenary Celebrations Committee Meeting - 2 April 2013

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

Recommendation: That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	EXPRESSION OF INTEREST - LOT 1 DP792363 CHURCH LANE, 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	EXPRESSION OF INTEREST - PART LOT C DP158611 KNOWN AS 519 MITCHELL HIGHWAY, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the

		public interest as it would prejudice the commercial position of the person who supplied it.
3	EXPRESSION OF INTEREST - CONVEYANCING SERVICES 2013 - 2016	10A (2) (d) (iii) – contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.
4	BATHURST EISTEDDFOD SOCIETY INC.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	PROPOSED NEW EVENT AT 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.
7	WASTE MANAGEMENT CENTRE FEES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the

		person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	VACANT LAND AT 112 BENTINCK STREET	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION - SUPPLEMENTARY REPORT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	QUOTATION FOR LANDSCAPE DESIGN MID WESTERN HIGHWAY & MITCHELL HIGHWAY, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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), Bourke, Coote, Hanger, Jennings, North, Rush, Westman.

MINUTE

2 PUBLIC QUESTION TIME

S Beed - Sheer Indulgence, William St - Car parking strategy DEPBS #9

Expressed concern at proposal in William Street to restrict parking to half-hour. Creates concern for customers. For example, Sheer Indulgence get a number of unwell clients who need to park adjacent to the shop.

B Thomas - Bent Threads Menswear, William St - Car parking strategy DEPBS #9

Expressed concern at proposed limits contained in the strategy. A half-hour limit is not sufficient.

F Miller - Pantano's Bar & Grill, William St - Car parking strategy DEPBS #9

Need greater than half hour parking. Restriction will not allow businesses to operate and will drive customers away. This may lead to closures of hospitality industry in the main street.

B Manning - ratepayer - Procedures for updating staff of changes in legislation

Spoke of processes needed and result of the recent ICAC inquiry issues, and cost to Council. Also referred to Land & Environment Court actions in 2006 that occurred and the result of that matter. The case was based on Yetholme development. Spoke of when should someone's employment be terminated and further, Council should find a better General Manager. Raised a number of accusations against senior staff. Forwarded a letter to Council.

G Crisp - ratepayer - Asbestos matter, Water, TAFE Building

Spoke to meeting of 20 March 2013 and has three independent persons who feel asbestos may be at the site. Noted he did not leave any evidence (he maintains he possesses) with Council to review.

Referred to water charges proposal for 2013/2014 and upgrade of Eglinton water supply and statements by the Mayor.

Referred to TAFE building site and Council breaching car parking rules on the site and further main Administration building car parking requirements and possible sale of that building.

P Dowling - ratepayer - Council Robbery \$15,000

Has raised this matter before and noted has received a response from the Director Corporate Services & Finance. Could this be advised to the public.

The Director Corporate Services & Finance noted that matter was referred to Police and a person was arrested and prosecuted.

P Dowling - ratepayer

Congratulated Engineering Department for work undertaken in Peel Street.

MINUTE

3 APOLOGIES

MOVED: I North SECONDED: B Bourke

RESOLVED: That the apology from Cr Aubin be accepted and leave of absence granted.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MINUTES

MINUTES TO THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MEETING HELD ON 17 APRIL 2013

General Manager
Bathurst Regional Council

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 MARCH 2013 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 March 2013 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 20 March 2013, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 20 MARCH 2013 (11.00005)

MOVED: J Jennings SECONDED: B Bourke

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 March 2013 be adopted.

MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 20 MARCH 2013

MEETING COMMENCES

1 MEETING COMMENCES

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

R Triming – ratepayer - Road Safety Officer DES #3 - spoke of role of Road Safety Officer eg. at Access Committee meeting. The role is of benefit to the Council. There are more duties done by the Safety Officer than what was listed.

Thanks Council for footpath repairs at front of showground.

G Crisp – ratepayer - Asbestos - spoke of complaint he was trying to raise at last meeting. Spoke to Council meeting November 2012 and letter he tabled and further letter he wrote to Council on 22 November 2012. Queried about his perception, staff felt the matter was humorous, why was this so. Referred to asbestos contamination in Havannah Street he had raised previously. Then raised issue of his property and possible asbestos contamination thereon from adjoining property.

B Manning – ratepayer - spoke to business dealt with in closed meetings, feels too much business is in closed session. Who makes this decision.

The General Manager advised he makes the recommendation.

Raised questions about consistency with other Council's in how they approach closed session. Suggested rumour is that Council and Western Advocate have a deal not to report Council matters concerning a specific person. Spoke to other items such as release of information on legal fees expended, who authorises and levels of expenditure.

APOLOGIES

3 APOLOGIES

MOVED Cr I North

and **SECONDED** Cr W Aubin

RESOLVED: That the apology from Cr Rush be accepted and leave of absence granted.

MINUTES

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 FEBRUARY 2013 (11.00005)

MOVED Cr B Bourke

and **SECONDED** Cr J Jennings

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 February 2013 be adopted.

DECLARATION OF INTEREST

- 5** **DECLARATION OF INTEREST 11.00002**
MOVED Cr M Coote and **SECONDED** Cr I North

RESOLVED: That the Declaration of Interest be noted.

Cr Jennings

Item 6 of the Director Corporate Services & Finance's Confidential report.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

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

RESOLVED: That the information be noted.

- 7** **Item 2 GENERAL REPORT (03.00053)**
MOVED Cr G Westman and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

- 8** **Item 3 BLAYNEY ROAD COMMON PLAN OF MANAGEMENT (04.00106)**
MOVED Cr I North and **SECONDED** Cr B Bourke

RESOLVED: That Council adopt the Blayney Road Common Plan of Management as a working document.

- 9** **Item 4 BOARDING HOUSES ACT 2012 (02.00005)**
MOVED Cr G Hanger and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

- 10** **Item 5 BATHURST REGIONAL (INTERIM) LOCAL ENVIRONMENTAL PLAN 2005 - AMENDMENT NO. 7 (20.00170)**
MOVED Cr I North and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

- 11** **Item 6 BATHURST REGIONAL COMPREHENSIVE LEP UPDATE (20.00143)**
MOVED Cr G Westman and **SECONDED** Cr I North

RESOLVED: That the information be noted.

- 12** **Item 7 BUILDING PROFESSIONALS BOARD - CONTRACTS FOR CERTIFICATION WORK (02.00005)**
MOVED Cr J Jennings and **SECONDED** Cr I North

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report

- 13** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED Cr B Bourke and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

- 14** **Item 2 YEAR TO DATE MONTHLY REVIEW - 2012-2016 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2012-2013 (16.00129)**
MOVED Cr I North and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

- 15** **Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)**
MOVED Cr G Hanger and **SECONDED** Cr M Coote

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

- 16** **Item 4 POWER OF ATTORNEY (11.00007)**
MOVED Cr W Aubin and **SECONDED** Cr G Westman

RESOLVED: That the information be noted.

- 17** **Item 5 REQUEST FOR FINANCIAL ASSISTANCE - ROYAL FLYING DOCTOR SERVICE - THE OUTBACK CAR TREK 2013 (04.00041-09)**
MOVED Cr B Bourke and **SECONDED** Cr G Hanger

A MOTION was moved

That Council waive the fees for the use of the Amenities Building and Pit Paddock area at Mount Panorama to be funded from equity at an estimated cost of \$1,000.00.

The MOTION was PUT and LOST.

- 18** **Item 5 REQUEST FOR FINANCIAL ASSISTANCE - ROYAL FLYING DOCTOR SERVICE - THE OUTBACK CAR TREK 2013 (04.00041-09)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

- 19** **Item 6 REQUEST FOR FINANCIAL ASSISTANCE - ASSUMPTION SCHOOL (18.00004, 04.00026/065)**
MOVED Cr B Bourke and **SECONDED** Cr G Hanger

A MOTION was moved

That Council waive the fees for the use of the Sulman Park toilets to the Assumption School to be funded from equity at a cost of \$244.00.

The MOTION was PUT and LOST.

- 20** **Item 6 REQUEST FOR FINANCIAL ASSISTANCE - ASSUMPTION SCHOOL (18.00004, 04.00026/065)**
MOVED Cr G Hanger and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

Director Engineering Services' Report

- 21** **Item 1 CLEAN-UP AUSTRALIA DAY 2013 (14.00007)**
MOVED Cr J Jennings and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

- 22** **Item 2 WASTE AND ENVIRONMENT LEVY (14.00007)**
MOVED Cr W Aubin and **SECONDED** Cr M Coote

RESOLVED: That the information and proposed actions be noted.

- 23** **Item 3 ROAD SAFETY OFFICER PROGRAM UPDATE (16.00018)**
MOVED Cr W Aubin and **SECONDED** Cr M Coote

RESOLVED: That Council continues its commitment to the Road Safety Officer Program and extends the current RSO employment contract to 30 June 2014, subject to the ongoing support of the Blayney Shire Council and Roads and Maritime Services.

Director Cultural & Community Services' Report

- 24** **Item 1 AFTER SCHOOL CLUB - BATHURST LIBRARY (21.00054)**
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

- 25** **Item 2 VACATION CARE - JANUARY 2013 (09.00005)**
MOVED Cr W Aubin and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

- 26** **Item 3 VACATION CARE - SERVICE APPROVAL (09.00005)**
MOVED Cr J Jennings and **SECONDED** Cr G Hanger

RESOLVED: That the information be noted.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

- 27** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 6 MARCH 2013 (07.00064)**
MOVED Cr B Bourke and **SECONDED** Cr M Coote

RESOLVED: That the recommendations of the Policy Committee Meeting held on

6 March 2013 be adopted.

Traffic Committee Meeting

28 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING HELD 5 MARCH 2013 (07.00006)

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

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 5 March 2013 be adopted.

DELEGATES REPORTS

29 Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 14 NOVEMBER 2012 (11.00019)

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

RESOLVED: That the information be noted.

30 Item 2 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVE 13 FEBRUARY 2013 (11.00019)

MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

31 Item 3 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 27 FEBRUARY 2013 (11.00019)

MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

32 Item 4 2015 BICENTENARY CELEBRATIONS COMMITTEE EXTRAORDINARY MEETING - 5 MARCH 2013 (20.00153)

MOVED Cr I North and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

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

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

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

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

Mrs B Manning made a general query about closed session and Council compliance with the Local Government Act.

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	EARLY TERMINATION OF LICENCE AGREEMENT - 519 MITCHELL HIGHWAY, BATHURST (PART LOT C DP158611) -	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF LICENCE AGREEMENT - PART LOT 37 DP1159303 (SECTION 5), 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.
3	PROPOSED NEW RESIDENTIAL LEASE - LOT 2 DP749758 - 200 COLLEGE 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.
4	PROPOSED NEW RURAL LICENCE AGREEMENT - LOTS 279 AND 299 DP750354 - NORTH STREET, PERTHVILLE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	EXPRESSION OF INTEREST- LOT 1 DP784476 AND LOTS 134, 137, 138, 144 AND 145 DP750357 - VALE ROAD AND LLOYDS ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	BATHURST TOUCH FOOTBALL ASSOCIATION, LEARMONTH PARK, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	RENEWAL OF LICENCE AGREEMENT- PART LOT 40 DP1056379 - SBS TOWER AND HUT, REID PARK MT PANORAMA - COMMUNITY RADIO STATION 2MCE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council

		would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	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.
9	TRACKCORP ADRENALIN PTY LTD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
10	BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION	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.
11	SALE OF LOT 912 SWANBROOKE STREET, BATHURST	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.
12	EXPRESSION OF INTEREST - 2015 BICENTENNIAL CELEBRATIONS COMMEMORATIVE STRUCTURE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	EASEMENT FOR WATER SUPPLY 5 WIDE, LOT 2 DP842120, 312 LAFFING WATERS LANE, LAFFING WATERS	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	EXTINGUISHMENT OF EASEMENT FOR WATER SUPPLY, LOT 32 DP217899, 14 ISAACS STREET, WEST 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

3	PROPOSED BOUNDARY ADJUSTMENT FOR LEASE PURPOSES, LOTS 33 AND 34 DP1151799, BATHURST REGIONAL AIRPORT, PJ MOODIE DRIVE RAGLAN	supplied it. 10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	TENDER FOR CONSTRUCTION OF AMENITIES BLOCKS AT GEORGE PARK BATHURST AND CUBIS PARK EGLINTON	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Director Corporate Services & Finance's Report

- a** Item 1 EARLY TERMINATION OF LICENCE AGREEMENT - 519 MITCHELL HIGHWAY, BATHURST (PART LOT C DP158611) - (22.05345)
MOVED Cr W Aubin and SECONDED Cr M Coote

That Council approves the early termination of the licence agreement for part Lot C DP158611 located at 519 Mitchell Highway Bathurst with Ms Nicole Treanor and commence calling for fresh Expressions of Interest for the property, as detailed in the report.

- b** Item 2 RENEWAL OF LICENCE AGREEMENT - PART LOT 37 DP1159303 (SECTION 5), BATHURST AERODROME (21.00093)
MOVED Cr M Coote and SECONDED Cr I North

That Council approves entering into a new licence agreement for part Lot 37 DP1159303 Section 5 with Mr and Mrs Burke for a period of two (2) years with an option period of two (2) years as detailed in the report.

- c** Item 3 PROPOSED NEW RESIDENTIAL LEASE - LOT 2 DP749758 - 200 COLLEGE ROAD, BATHURST (22.05258)
MOVED Cr W Aubin and SECONDED Cr M Coote

That Council approves entering into a new residential tenancy agreement for Lot 2 DP749758 known as 200 College Road, Bathurst with Corina Saville and Darrin Gorst for a period of twelve (12) months with a twelve (12) month option period as detailed in the report.

- d** **Item 4 PROPOSED NEW RURAL LICENCE AGREEMENT - LOTS 279 AND 299 DP750354 - NORTH STREET, PERTHVILLE (22.05810)**
MOVED Cr M Coote and SECONDED Cr J Jennings

That Council approves entering into a new licence agreement with Mr Terrence Renshaw for Lots 279 and 299 DP750354 located at North Street Perthville for a period of one (1) year with a two (2) year option period at a yearly lease fee \$100 per annum as detailed in the report.

- e** **Item 5 EXPRESSION OF INTEREST- LOT 1 DP784476 AND LOTS 134, 137, 138, 144 AND 145 DP750357 - VALE ROAD AND LLOYDS ROAD, BATHURST (22.12383)**
MOVED Cr M Coote and SECONDED Cr G Westman

That Council approves entering into a new licence agreement with Mr Craig Hotham for part Lot 1 DP784476 and Lots 134, 137, 138, 144 and 145 in DP750357 located on Vale Road and Lloyds Road, Bathurst for a period of one (1) year with a one (1) year option period as detailed in the report.

- f** **Item 6 BATHURST TOUCH FOOTBALL ASSOCIATION, LEARMONTH PARK, KELSO (04.00033)**
MOVED Cr M Coote and SECONDED Cr I North

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

Reason: Player and attends Touch football meetings.

That Council acts in accordance with the recommendation of the report.

- g** **Item 7 RENEWAL OF LICENCE AGREEMENT- PART LOT 40 DP1056379 - SBS TOWER AND HUT, REID PARK MT PANORAMA - COMMUNITY RADIO STATION 2MCE (08.00007)**
MOVED Cr G Westman and SECONDED Cr I North

That Council approves entering into a new licence agreement for part Lot 40 DP1056379 known as the SBS tower and hut, Reid Park Mt Panorama with Community Radio Station 2MCE for a period of four (4) years as detailed in the report.

- h** **Item 8 LOCAL GOVERNMENT FINANCIAL SERVICES PTY LTD (34.00057-06)**
MOVED Cr M Coote and SECONDED Cr J Jennings

That the information be noted.

- i** **Item 9 TRACKCORP ADRENALIN PTY LTD (34.00065)**
MOVED Cr M Coote and SECONDED Cr W Aubin

That the information be noted.

- i** **Item 10 BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION (18.00175)**
MOVED Cr G Westman and **SECONDED** Cr M Coote

That the information be noted.

- k** **Item 11 SALE OF LOT 912 SWANBROOKE STREET, BATHURST (20.00119, 22.14364)**
MOVED Cr W Aubin and **SECONDED** Cr J Jennings

That Council approves the offer of \$124,000 submitted by Mr Timothy Booth to purchase Lot 912 DP1170287 known as 55 Swanbrooke Street, Bathurst.

- l** **Item 12 EXPRESSION OF INTEREST - 2015 BICENTENNIAL CELEBRATIONS COMMEMORATIVE STRUCTURE (36.00474)**
MOVED Cr I North and **SECONDED** Cr J Jennings

That Council:

- (a) endorse the recommendation of the 2015 Bicentennial Celebration Committee Meeting held on 5 March 2013 that the design submitted by Bialowas & Associates P/L be the preferred option for the monument or public art design to commemorate the bicentennial of Bathurst
- (b) now proceed with stage 1 of the design brief to further develop the concept design
- (c) refer stage 2 of the design brief (the construction and/or installation of the successful concept design) to the Management Plan process for consideration in future budgets.

Director Engineering Services' Report

- m** **Item 1 EASEMENT FOR WATER SUPPLY 5 WIDE, LOT 2 DP842120, 312 LAFFING WATERS LANE, LAFFING WATERS (22.11579)**
MOVED Cr I North and **SECONDED** Cr B Bourke

That Council acquire the easement rights for the creation of an Easement for Water Supply 5 Wide for future works located within Lot 2 DP842120 at 312 Laffing Waters Lane, Laffing Waters, as detailed in the Director Engineering Services' report.

- n** **Item 2 EXTINGUISHMENT OF EASEMENT FOR WATER SUPPLY, LOT 32 DP217899, 14 ISAACS STREET, WEST BATHURST (22.06516)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

That Council approve the extinguishing of an easement for water supply affecting Lot 32 DP217899 at 14 Isaacs Street Bathurst as detailed in the Director Engineering Services' report.

- o** **Item 3 PROPOSED BOUNDARY ADJUSTMENT FOR LEASE PURPOSES, LOTS 33 AND 34 DP1151799, BATHURST REGIONAL AIRPORT, PJ MOODIE DRIVE RAGLAN (21.00053)**
MOVED Cr M Coote and **SECONDED** Cr G Hanger

That Council approves the boundary adjustment and entering into a new lease

agreement for the subdivision of Lots 33 and 34 DP1151799 at Bathurst Regional Airport with Renmeul Pty Ltd and Ross Aviation Services Pty Ltd, as detailed in the Director Engineering Services report.

- p** **Item 4 TENDER FOR CONSTRUCTION OF AMENITIES BLOCKS AT GEORGE PARK BATHURST AND CUBIS PARK EGLINTON (36.00475)**
MOVED Cr M Coote and **SECONDED** Cr W Aubin

That Council:

- (a) decline to accept any of the tenders; and
- (b) invite, in accordance with clause 167 of the Local Government (General) Regulations 2005, fresh tenders on different details.

RESOLVE INTO OPEN COUNCIL

- 34** **RESOLVE INTO OPEN COUNCIL**
MOVED Cr M Coote and **SECONDED** Cr I North

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

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

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

MEETING CLOSE

- 36** **MEETING CLOSE**

The Meeting closed at 7.22 pm.

CHAIRMAN: _____

Date: _____ **(17 April 2013)**

MINUTE

5 DECLARATION OF INTEREST 11.00002

MOVED: G Hanger SECONDED: I North

RESOLVED: That the following Declarations of Interest be noted.

Cr Coote

Item #9 of the Director Environmental Planning & Building Services' report
Item #3 of the Director Engineering Services' report

Cr Westman

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

Cr North

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

Cr Bourke

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT AND MINUTES
17 APRIL 2013

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 17
APRIL 2013**

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

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

MOVED: B Bourke SECONDED: J Jennings

RESOLVED: That the information be noted.

2 GENERAL REPORT (03.00053)

Recommendation: That the information be noted.

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

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during March 2013 (**attachment 1**)
- (b) Applications refused during March 2013 (**attachment 2**)
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**)
- (d) Applications pending approval for greater than 40 days as at the date of compilation of this report (**attachment 4**)
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 approved in March 2013 (**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

7 Item 2 GENERAL REPORT (03.00053)

MOVED: M Coote SECONDED: G Rush

RESOLVED: That the information be noted.

3 BUILDING PROFESSIONALS BOARD - CONTRACTS FOR CERTIFICATION WORK (41.00088 & 02.00005)

Recommendation: That Council:

- (a) delegate the authority to the General Manager to enter into written contracts pursuant to Section 73A of the Building Professionals Act;
- (b) note that the General Manager will sub-delegate the powers to respective officers within Council; and
- (c) include the following delegation in the delegations register:

441 To enter into agreements with members of the public for certification works as defined under the Building Professionals Act 2005.

Report: Council was previously advised of the new requirements for Council to enter into contracts with property owners and developers regarding certification works.

Council has now received a draft contract from the Building Professionals Board which is being reviewed.

One issue that has yet to be resolved is the issue of the authority to enter into contracts on behalf of Council.

Financial Implications: Nil, at this stage.

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

8 Item 3 BUILDING PROFESSIONALS BOARD - CONTRACTS FOR CERTIFICATION WORK (41.00088 & 02.00005)

MOVED: I North SECONDED: M Coote

RESOLVED: That Council:

- (a) delegate the authority to the General Manager to enter into written contracts pursuant to Section 73A of the Building Professionals Act;
- (b) note that the General Manager will sub-delegate the powers to respective officers within Council; and
- (c) include the following delegation in the delegations register:
 - 441 To enter into agreements with members of the public for certification works as defined under the Building Professionals Act 2005.

4 ROCKLEY SCHOOL OF ARTS HALL CONSERVATION MANAGEMENT PLAN (13.00055)

Recommendation: That Council:

- (a) endorse the Conservation Management Plan for the Rockley School of Arts Hall;
- (b) update the Statement of Significance for the Rockley School of Arts Hall in Council's State Heritage Inventory database;
- (c) distribute copies of the Conservation Management Plan to:
 - i. Rockley & District Community Association Inc
 - ii. The Rockley Mill Museum
 - iii. Bathurst Regional Council Library
 - iv. Bathurst & District Historical Society
 - v. Crown Lands Office (Orange)
 - vi. National Trust (Bathurst Branch)
 - vii. NSW Heritage Branch of the Office of Environment & Heritage.

Report: A Conservation Management Plan (CMP) has been prepared by Council's Planning staff for the Rockley School of Arts Hall, located at 28 Hill Street, Rockley. This report summarises the CMP and its recommendations.

The Rockley School of Arts Hall CMP has been prepared because of its heritage significance and to inform its future management.

The Conservation Management Plan has been prepared using the methodology outlined in the NSW Heritage Manual – Conservation and Management Documents. Significance was analysed in accordance with the National Themes, State Categories and 'Seven Criteria' as described in the NSW Heritage Manual. The conservation policies were established based upon the ICOMOS (International Council on Monuments and Sites) definitions of Conservation outlined within the Burra Charter 1999.

A full copy of the CMP is available from Council's Environmental Planning & Building Services Department.

Statement of Significance

The following is the Statement of Significance defined in the CMP:

The Rockley School of Arts Hall, a Victorian Italianate building, was designed by Bathurst architect John Job Copeman and represents his first commission after the completion of his training at the Bathurst Technical School. The Hall has two foundation stones laid on 28 July 1890 by Emma S. Brownlow and Arthur Budden. The hall is in very good condition and is substantially intact with a number of sympathetic additions. The Hall has benefited from relatively continuous use as a public venue since its construction being used for grand balls, dances, war service functions, stage plays, dinners and school functions, and it was formerly used as a picture theatre.

The Rockley School of Arts Hall is a significant building within the community as it is the village's only functional non-religious and non-commercial public building.

The Rockley School of Arts Hall is an example of the work of John Copeman, an early Bathurst Architect who graduated from the Bathurst Technical School and carried out a large number of private and public commissions in the Bathurst region during the late Victorian and Edwardian and Federation periods. The Rockley School of Arts Hall was John Copeman's first commission after graduating and it marked the beginning of an impressive career.

The hall demonstrates that the population in the area had reached a point where a meeting place and educational establishment were warranted. The Hall represents the spread of the School of Arts movement across Australia.

Recommendations

Maintenance works and upgrades required for Building Code of Australia compliance are outlined below and are prioritised from high priority to low priority:

Maintenance Works

- The front porch requires immediate works to address poor roof drainage and separation from the main building **(high priority)**
- The effluent disposal system needs to be checked by a suitably qualified contractor to ensure it is operating correctly **(high priority)**
- Window panes need to be reset with putty **(moderate priority)**
- Repair or replace existing front doors **(moderate priority)**
- The overflow from the rainwater tank needs to be directed away from the building and away from the effluent disposal area **(moderate priority)**

Upgrades for Building Code Compliance

- The building does not have emergency lighting. Emergency lighting will need to be provided to ensure compliance with the Building Code. The type of lighting and appropriate location would need to be determined by a suitably qualified contractor **(moderate priority)**
- Exit signs and fire extinguishers are provided in the building. These would need to be assessed and certified by a suitably qualified contractor to ensure compliance with the relevant standards **(moderate priority)**
- The side entrance/exit in the centre of the building requires work on the landing and threshold to ensure compliance with the Building Code **(moderate priority)**
- The stage/kitchen building entrance/exit requires work on the external stairway, landing and threshold to ensure compliance with the Building Code **(moderate priority)**
- The main entrance/exit requires work on the landing and threshold to ensure compliance with the Building Code and in doing so provide access for persons with a disability **(moderate priority)**
- The sanitary facilities in the amenities building need to be checked to ensure compliance with AS 1428.1 **(low priority)**

Referral of the Draft CMP and Community Consultation

The Rockley & District Community Association Inc. were consulted throughout the preparation of the CMP.

Conclusion

The CMP for the Rockley School of Arts Hall sets out defined criteria for its ongoing use,

management and maintenance. If adopted, this plan will set out a clear management plan for the ongoing use of the building to ensure that its heritage significance is recognised and maintained, while allowing for continued use.

Financial Implications: This plan was prepared within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.7

- 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 29.5

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

MINUTE

9 Item 4 ROCKLEY SCHOOL OF ARTS HALL CONSERVATION MANAGEMENT PLAN (13.00055)

MOVED: G Westman SECONDED: J Jennings

RESOLVED: That Council:

- (a) endorse the Conservation Management Plan for the Rockley School of Arts Hall;
- (b) update the Statement of Significance for the Rockley School of Arts Hall in Council's State Heritage Inventory database;
- (c) distribute copies of the Conservation Management Plan to:
 - i. Rockley & District Community Association Inc
 - ii. The Rockley Mill Museum
 - iii. Bathurst Regional Council Library
 - iv. Bathurst & District Historical Society
 - v. Crown Lands Office (Orange)
 - vi. National Trust (Bathurst Branch)
 - vii. NSW Heritage Branch of the Office of Environment & Heritage.

5 DEVELOPMENT APPLICATION NO. 2013/0039 – DUAL OCCUPANCY (NEW TWO STOREY SECOND DWELLING), DEMOLITION OF EXISTING CARPORT AND CONSTRUCTION OF TWO SEPARATE DOUBLE GARAGES. AT 176 PIPER STREET. APPLICANT: P BAILDON. OWNER: P BAILDON (DA/2013/0039)

Recommendation: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0039, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

Report: The Site

Council has received a Development Application (DA) for the demolition of an existing garage, construction of a two storey second dwelling and two separate double garages at 176 Piper Street, described as Lot 3 DP 594909. A location plan is provided at **attachment 1**.

The site contains an existing dwelling at the front of the property and an attached garage at the rear of dwelling.

The end result is therefore a dual occupancy.

The proposal

The proposal involves:

- demolition of the existing garage;
- construction of a two storey dwelling; and
- construction of two separate double garages to serve each dwelling.

A plan of the proposed development is at **attachment 2**.

Planning Context

Bathurst Regional (Interim) Local Environmental Plan 2005

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

Development Control Plan

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

The site is located within Precinct 1 pursuant to the Bathurst Regional (Interim) Development Control Plan 2011. Dual Occupancies are permissible with consent in the precinct. The

proposal complies with the objectives of the Precinct and the development standards for dual occupancies:

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	649.4m ²	600m ²	Yes
Density/Site Coverage	>50%	>50%	Yes
Height	Two-Storey	Two-Storey	Yes
Setbacks			
Rear	6m	In accordance with BCA	Yes
Side	900mm	In accordance with BCA	Yes
Car parking			
Resident	4	2	Yes
Accessway Width	3.1m	3-6m wide	Yes
Open space area	30m ²	30m ²	Yes
Open space width	5m wide	4m wide	Yes

Overshadowing

The issue of overshadowing of the adjoining residence at 174 Piper Street was raised through the notification process.

Council's Development Control Plan provides the following development standard in relation to overshadowing.

Overshadowing – Residential Unit and Dual Occupancy Developments

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

The development application has been supported by shadow diagrams which illustrates that the proposal does not overshadow the dwelling at 174 Piper Street other than to a possible minor extent in the morning. The proposal does overshadow the yard of 174 Piper during the day, however the area includes areas used as a driveway and garage. The proposal therefore satisfies the development standards contained in Council's DCP relating to overshadowing. A copy of the applicants shadow diagrams are at **attachment 3**.

Submissions

The development application was notified to adjoining property owners from 26 February for a period of 10 days. Following the notification period a total of 3 submissions were received (see submissions at **attachment 4**).

A discussion forum was convened by the Manager Strategic Planning on 20 March (see minutes of discussion forum at **attachment 5**). Only one objector was present at this forum.

Issues raised in the submissions and at the discussion forum included:

- (a) Overshadowing

The overshadowing issues have been discussed above.

(b) Privacy

The second storey windows are for a bathroom/ensuite and bedroom overlooking 172 & 174 Piper Street and for a bedroom and landing area overlooking 182 & 186 Piper Street. The rooms are not considered to be principle living areas with the bedroom windows being located between 3.5 and 6 metres from the adjoining properties. The bathroom/ensuite windows and the landing windows whilst closer are generally smaller and elevated such that they will not cause any privacy issue.

(c) Proximity to boundary

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

(d) Width of the access

The proposed access complies with the requirements of the BR(I)DCP 2011 and a vehicle is able to enter and exit in a forward direction.

It is noted that the driveway proposed to be used to access the development is owned by 172 Piper although 176 Piper has the benefit of a right of carriageway.

(e) Noise

The proposed use is for residential purposes. Given that the area is residential, the potential noise generation from the proposed second dwelling is considered minor.

Conclusion

Council has received a Development Application (DA) for demolition of an existing garage, construction of 2 storey second dwelling, two separate double garages at 176 Piper Street, described as Lot 3 DP 594909. The development can be supported as it complies with the requirements of the Bathurst Regional (Interim) Development Control Plan 2011 as detailed in the report.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

10 Item 5 DEVELOPMENT APPLICATION NO. 2013/0039 – DUAL OCCUPANCY (NEW TWO STOREY SECOND DWELLING), DEMOLITION OF EXISTING CARPORT AND CONSTRUCTION OF TWO SEPARATE DOUBLE GARAGES. AT 176 PIPER STREET. APPLICANT: P BAILDON. OWNER: P BAILDON (DA/2013/0039)

MOVED: G Westman SECONDED: M Coote

RESOLVED: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0039, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

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

The result of the division was:

In favour of the motion - Cr Bobby Bourke, Cr Graeme Hanger, Cr Monica Morse, Cr Ian North, Cr Greg Westman, Cr Jess Jennings, Cr Michael Coote, Cr Gary Rush,

Against the motion - NIL

Absent - Cr Warren Aubin,

Abstain - NIL

6 DEVELOPMENT APPLICATION NO. 2013/0110 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 448 LIMEKILNS ROAD, KELSO & 548 LIMEKILNS ROAD, FOREST GROVE. APPLICANT: TABLELANDS & BUTTSWORTH SURVEYORS. OWNER: MR P SIEJKA & MR M SIEJKA (DA/2013/0110)

Recommendation: That Council:

- (a) support the variation to the 1(a) Inner Rural 200 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 20 and proposed Lot 21;
- (b) support the variation to the 1(a) Inner Rural 200 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 20 and proposed Lot 21;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0110, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

Report: The Site

Council has received a Development Application (DA) for a two lot rural subdivision (boundary adjustment) at 448 Limekilns Road (Lot 2, DP 734363) and 548 Limekilns Road (Lot A, DP 367648). A location plan is provided at **attachment 1**.

448 Limekilns Road is 128.4 ha and currently contains two dwellings, a trotting track and rural outbuildings.

548 Limekilns Road is 50.54 ha and currently contains a dwelling and rural outbuildings.

The proposal

The proposal is for the resubdivision of the two existing lots to increase the area of 548 Limekilns Road by 22.7 ha and reducing the area of 448 Limekilns. A plan of the proposed subdivision is at **attachment 2**.

The proposal will result in:

- 448 Limekilns will decrease in size to 105.7 ha (proposed Lot 20)
- 548 Limekilns Road will increase in size to 73.24 ha (proposed Lot 21)

Both lots will continue to contain separate existing dwellings.

Planning Context

Bathurst Regional (Interim) Local Environmental Plan 2005 (BRILEP 2005)

The subject site is zoned 1(a) Inner Rural under the provisions of the Bathurst Regional (Interim) Local Environmental Plan 2005. Under Clause 27 of the Bathurst Regional (Interim) Local Environmental Plan 2005, the minimum area for an allotment created for the purposes of agriculture or a dwelling-house in the 1(a) Inner Rural zone is 200 hectares. Likewise Clause 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005 requires a

minimum area of 200 hectares for the erection of a dwelling-house.

Proposed Lot 20 and proposed Lot 21 are therefore below the minimum areas specified by Clause 27 and 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005, in that they will have areas of:

- Lot 20 – 105.7 hectares
- Lot 21 – 73.24 hectares

The applicant has submitted a SEPP 1 Objection (see SEPP 1 Objection in the Statement of Environmental Effects at **attachment 3**) in relation to the creation of proposed Lot 20 and proposed Lot 21 which indicates the nature of the subdivision and their objection to the current standards because:

1. All lots are already well below the minimum lot size of 200 hectares;
2. The proposed lot sizes are consistent with the surrounding pattern of subdivision;
3. No new lots are created;
4. No new dwelling entitlements are being created; and
5. The agricultural use of the lots will not be compromised.

The intention behind the development standards is to limit new dwelling entitlements on allotments less than the minimum area. The proposed lots already contain dwellings and the agricultural potential of the land is unlikely to be compromised by the proposed boundary adjustment.

Concurrence

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

Need for Council Concurrence

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

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

Conclusion

Council has received a Development Application (DA) for a two lot rural subdivision (boundary adjustment) at 448 Limekilns Road, Kelso and 548 Limekilns Road, Forest Grove. The resubdivision of the two existing lots will not create any new dwelling entitlements nor compromise the agricultural potential of the land. Accordingly the SEPP 1 Objection is supportable.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

11 Item 6 DEVELOPMENT APPLICATION NO. 2013/0110 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 448 LIMEKILNS ROAD, KELSO & 548 LIMEKILNS ROAD, FOREST GROVE. APPLICANT: TABLELANDS & BUTTSWORTH SURVEYORS. OWNER: MR P SIEJKA & MR M SIEJKA (DA/2013/0110)

MOVED: I North SECONDED: B Bourke

RESOLVED: That Council:

- (a) support the variation to the 1(a) Inner Rural 200 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 20 and proposed Lot 21;
- (b) support the variation to the 1(a) Inner Rural 200 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 20 and proposed Lot 21;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0110, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

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

The result of the division was:

In favour of the motion - Cr Bobby Bourke, Cr Graeme Hanger, Cr Monica Morse, Cr Ian North, Cr Greg Westman, Cr Jess Jennings, Cr Michael Coote, Cr Gary Rush,

Against the motion - NIL

Absent - Cr Warren Aubin,

Abstain - NIL

7 BATHURST ORANGE DUBBO ALLIANCE “INSPIRING & INTEGRATING CHANGE”, FINAL PROJECT REPORT (16.00021)

Recommendation: That the information be noted.

Report: In 2009, the Bathurst Orange Dubbo (BOD) Alliance of Councils was successful in receiving a \$2 million grant to undertake the project entitled “Inspiring & Integrating Change” (I&IC). The project was funded by the NSW Government, through its Environmental Trust as part of the Urban Sustainability Program.

The project was supported by the recruitment of a Sustainability Project Manager and Project Officer.

Project Overview

The following information provides an overview of the activities completed as part of the Bathurst Regional Council specific projects. The path leading to the identification of these projects is listed in the ‘Background to the project’, below.

Greenhouse Gas Inventory

The BOD Councils engaged Hyder Consulting Pty Ltd to develop a greenhouse gas (GHG) inventory for their business activities. The total scope 1 and scope 2 GHG emissions directly associated with Council’s activities in 2009-2010 were estimated following the approaches and methodologies set out under the Australian Government’s National Greenhouse and Energy Reporting Scheme (NGERS). Estimated emissions for BRC in 2009-2010 were 27,825 tonnes CO₂e, in comparison with 43,118 for Orange and 67,712 for Dubbo. Bathurst’s emissions are significantly lower than Orange and Dubbo due primarily to the methane gas flare at the Waste Management Centre.

The 2009-2010 inventory serves as a baseline for future emission. The study also provided guidance on how to progress a GHG reduction strategy.

As part of the project a simple greenhouse gas inventory toolkit was developed by Hyder which has been rolled out to smaller, less resourced Council’s in the region. This has allowed them to formulate a basic greenhouse gas inventory for their business operations.

Biodiversity Management Plan

A Biodiversity Management Plan (BMP) was developed to assist Council with future planning, monitoring and management of biodiversity. The aims of the plan are to:

- Improve the integration of biodiversity conservation into land use planning instruments;
- Protect and enhance the biodiversity of natural areas on land under Council care and control;
- Identify priority conservation areas and biodiversity values to be maintained, and restored across all land tenures;
- Provide strategies to improve community awareness of, and encourage and support community participation in biodiversity conservation;
- Improve biodiversity knowledge and data management within the Bathurst Regional LGA.

An important part of the project was the assessment of the vegetation condition and biodiversity conservation value of over 700 parcels of Council controlled land in order to

identify biodiversity restoration or rehabilitation priorities, and to guide Council to improved land management practices.

Urban Drainage Reserve: Vegetation Link

Consulting ecologists, Applied Ecology, were engaged in 2010 to develop a revegetation plan for eleven key urban drainage reserves across the Bathurst city. These drainage reserves were identified as being important for water catchment, public amenity and providing corridors for urban wildlife. In 2011, Greater West Landscapes (formerly Australian Wetlands) was engaged to implement the revegetation plan at five drainage reserves. This resulted in over 24,000 native grass, shrub and tree seedlings being planted. Community consultation and involvement was important and therefore the community was invited to comment on the design and community days were held with over 70 people helping to plant around 1,700 seedlings. Interpretative signs have been installed at the sites to provide information about the project. Community members still participate in days with Council's Community Engagement Officer.

Ongoing management of the revegetation sites is coordinated by Council's Environment Section with assistance from the Parks and Recreation Section.

Staff environment survey

In 2011, project staff surveyed members of each Council with regards to their views and feelings towards environmental sustainability, both at Council and at home. The survey was repeated in 2012 and there was an overwhelming shift in attitudes identified, with environment seen as a high to medium priority for around 90% of staff. Barriers to sustainability had also changed from Culture and Leadership in 2011 to Cost and Education in 2012, paving the way for implementation at the staff level. Further details regarding the outcomes of these surveys will be provided at a later date.

Other I&IC projects

Other projects were identified and implemented as part of or in conjunction with the I&IC project, some of which have been previously reported to Council. Further details will be provided at a later date about the projects not previously reported to Council.

- Central NSW Distributed Energy Plan
- Biodiversity Management Issues Paper
- Biodiversity Management Plan: Community Document
- "Biodiversity in your Backyard" community seminar
- "Backyards for Wildlife" Booklet
- Blayney Road Common Plan of Management
- Community opinion surveys
- Staff resource efficiency team
- Staff sustainability induction video
- Local Government Toolkit

Background to the project

The I&IC project was based upon actions and priorities identified in the BOD Environmental Sustainability Action Plan (ESAP) (2008). This document was adopted by Bathurst Regional Council as a working document in August 2008. The ESAP identified six themes (water, biodiversity, waste, energy, salinity and pollution) that each Council believed to be important in achieving environmental sustainability. A steering committee was created and attended by

BOD Councils, Netwaste and the Central West Catchment Management Authority representatives. The steering committee is chaired by a BOD Council staff member on a rotating basis. Bathurst Regional Council chaired the steering committee in 2011.

With guidance from the NSW Environmental Trust, BOD submitted a funding application to implement the Inspiring & Integrating Change project which had the broad objectives to:

1. Inspire an understanding of and commitment to sustainability through innovative on-ground works and community engagement.
2. Institute cultural shift across the councils and enhance sustainability within planning, budgeting and activities.
3. Engage in inclusive community collaboration and build long-term community capacity.
4. Develop adaptable management packages and mentor other Alliance members and smaller councils in the region to develop projects that exemplify best practice.

It was identified that there were particular Council strengths or priorities under the six themes identified in the ESAP. Therefore, these priority areas were then used to develop specific objectives for each Council: Bathurst: Biodiversity; Orange: Water; and, Dubbo: Energy. The focus area objectives were:

- To protect and improve management of biodiversity in the Bathurst LGA through a Biodiversity Management Plan and an Urban Biodiversity Project (as directed by the Biodiversity Management Plan).
- To improve aquatic habitat, riparian vegetation and water quality in urban stormwater creeks in Orange through the creation of a stormwater wetland and harvesting system, and the rehabilitation of urban stormwater creeks.
- To improve aquatic habitat, riparian vegetation and water quality in urban stormwater creeks in Bathurst through the creation of the Urban Drainage Reserve Vegetation Link.
- To improve the sustainability performance of Dubbo City Council and the local community, such as reducing greenhouse gas emissions, through the increased use of renewable energy options.
- Develop skills in measuring impacts and progress across the region by using carbon dioxide equivalent values.
- Develop a Greenhouse Gas Inventory (GHG) to calculate organisational emissions and on-ground works for their positive impacts on GHG emissions (carbon accounting).
- Building on the GHG inventory, develop an energy efficiency and distributed energy plan for the BOD Councils. The objective of the plan is to deliver significant financial and environmental benefits through both the reduction of energy usage and substitution of coal-fired electricity with lower carbon, potentially locally generated alternatives.

The priority areas then resulted in the formulation of the core I&IC projects:

1. Development of a GHG Inventory: all councils
2. Implementation of a Local Government Renewable Energy Generation program (later named as Victoria Park Precinct Renewable Energy Project): Dubbo
3. Preparation of a Biodiversity Management Plan, and early adoption of an urban biodiversity project: Bathurst
4. Implementation of a Urban Drainage Reserves Vegetation Link program: Bathurst
5. Construction of the Somerset Park Wetland to support Orange City Council's Urban Stormwater Harvesting Project: Orange; and
6. Preparation of a Distributed Energy Plan: all councils.

Overall outcomes

There have been many positive outputs and outcomes from this project, all of which have been listed in the Final Project Report, now available on Council's website. Large on-ground projects are now complete, plans and guides developed and adopted following extensive community consultation, staff teams created to further progress sustainability and networks between the BOD Alliance and other groups have been built. The key learning from the project has been the importance of collaboration, communication and supporting staff and the community in the progress towards environmental sustainability. This project has resulted in outcomes that will lay the foundation for Council's path to sustainability over the coming decade.

Council staff were required to implement numerous complex programs over the four years of the Inspiring & Integrating Change project. These tasks were delivered in addition to the core duties of these officers and considerable dedication was required to ensure that the programs were delivered to a high standard.

Financial Implications: The Inspiring & Integrating Change project was primarily funded with assistance of the NSW Government through its Environmental Trust. Over the four years of the project Council also contributed \$62,700 through existing allocations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.4, 5.6
- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.2, 8.8
- Objective 12: To protect and enhance water quality and riparian ecology. Strategy 12.2

MINUTE

12 Item 7 BATHURST ORANGE DUBBO ALLIANCE “INSPIRING & INTEGRATING CHANGE”, FINAL PROJECT REPORT (16.00021)

MOVED: G Hanger SECONDED: M Coote

RESOLVED: That the information be noted.

8 CENTRAL WEST RESOURCE EFFICIENCY TOOLKIT (07.00047)

Recommendation: That the information be noted.

Report: The Resource Efficiency Toolkit for small and medium businesses has now been released. This toolkit is the result of collaboration between the Bathurst Orange Dubbo Alliance of Councils and the Central West Catchment Management Authority.

In 2009-10, water, energy and waste audits were undertaken at a number of small and medium businesses in the three alliance councils. Businesses included a range of sectors from small offices, hairdressers and cafes, to larger light industry and hotel sites. The results of these audits were presented to business managers with action plans which, when implemented, could reduce consumption and result in financial savings.

In 2012, CDE Energy was engaged to review these and other audits conducted in the region. The Resource Efficiency Toolkit brings together all the learnings from the audits, presents a range of case studies and provides a list of actions and funding options for local businesses to implement their own energy, water or waste efficiency measures.

The toolkit is now available for free in disc or paper form from the Council Civic Centre and the Central West Catchment Management Authority.

A copy of the toolkit has also been provided as a separate attachment to this report.

Financial Implications: The preparation of the audits and the business Resource Efficiency Toolkit was funded by the Central West Catchment Management Authority.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.4, 5.6
- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.2, 8.8
- Objective 12: To protect and enhance water quality and riparian ecology. Strategy 12.2

MINUTE

13 Item 8 CENTRAL WEST RESOURCE EFFICIENCY TOOLKIT (07.00047)

MOVED: G Rush SECONDED: J Jennings

RESOLVED: That the information be noted.

9 BATHURST CBD CARPARKING STRATEGY 2013 (20.00019)

Recommendation: That the information be noted.

Report: Council, at its meeting held 20 February 2013, resolved to:

- (a) place the draft Bathurst CBD Car Parking Strategy 2013 on public exhibition for a period of one month; and
- (b) should no submissions be received during the public exhibition period, adopt the Strategy.

The draft Strategy was subsequently exhibited. A number of submissions have been received. The issues raised in these submissions are currently being collated. A further report will be presented to the May Council meeting with respect to the draft Strategy.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.1, 3.2, 3.5
- Objective 7: To support Integrated Transport Infrastructure Development. Strategy 7.1
- Objective 24: To provide and support the provision of accessible, affordable and well planned transport systems. Strategy 24.2
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.5
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2

MINUTE

14 Item 9 BATHURST CBD CARPARKING STRATEGY 2013 (20.00019)

MOVED: G Westman SECONDED: I North

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

Reason: staff have made submission to Council on draft strategy.

RESOLVED: That the information be noted.

Yours faithfully



D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND MINUTES
17 APRIL 2013

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 17 APRIL 2013**

General Manager
Bathurst Regional Council

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$70,931,107.58 was invested at 31 March 2013 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			3.00%
AFMA - 90 day Bank Bill Swap Rate (BBSW)			3.47%
Three Year Swap Rate - Commonwealth			3.28%

Short Term 1 – 365 Days

(Comprising Commercial Bills,

Debentures and Certificates of

Deposit:

	<u>Rating</u>		<u>Average Return</u>
Bank of Western Australia Limited	A1+		5.17%
Bank of Queensland	A2	\$11,500,000.00	5.09%
Bendigo and Adelaide Bank	A2	\$10,500,000.00	4.90%
IMB	A3	\$10,500,000.00	4.90%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	4.67%
National Australia Bank	A1+	\$13,500,000.00	4.90%
People's Choice Credit Union	ADI	\$1,000,000.00	4.84%
Railways Credit Union	ADI	\$1,000,000.00	4.97%
SGE Credit Union	ADI	<u>\$1,000,000.00</u>	<u>4.72%</u>
		\$52,000,000.00	4.93%

Long Term

(comprising Commercial Bills, Term

Deposits and Bonds):

Committed Rolling Investments

Westpac	AA-	\$2,000,000.00	4.11%
Westpac	AA-	\$2,000,000.00	4.30%
Westpac	AA-	\$2,000,000.00	4.24%
Westpac	AA-	<u>\$2,000,000.00</u>	<u>4.17%</u>
		\$8,000,000.00	4.21%

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	3.94%
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>4.11%</u>
		\$4,000,000.00	4.03%

Floating Rate Notes

ANZ FRN	AA-		
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	4.66%
Bendigo & Adelaide Bank Retail Bond	A-	\$2,000,000.00	4.50%
The Royal Bank of Scotland – Australia	A+	<u>\$2,000,000.00</u>	<u>5.41%</u>
		\$6,000,000.00	4.86%

Total Investments		<u>70,931,107.58</u>	<u>4.72%</u>
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These funds were held as follows:

Reserves Total (includes unexpended loan funds)		\$30,294,008.93	
Grants held for specific purposes		\$5,792,898.36	
Section 94 Funds held for specific purposes		\$23,204,627.09	
Unrestricted Investments – All Funds		\$11,639,573.20	
General Fund	\$19,422.62		
Water Fund	\$2,214,902.02		
Sewer Fund	\$2,158,630.30		
Waste Fund	<u>\$7,246,618.26</u>		

Total Investments		<u>\$70,931,107.58</u>	
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<u>Total Interest Revenue to 31/03/2013</u>		<u>\$2,561,454.28</u>	<u>4.72%</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

15 Item 1 STATEMENT OF INVESTMENTS (16.00001)

MOVED: B Bourke SECONDED: M Coote

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 20 February 2013. 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

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

MOVED: I North SECONDED: G Rush

RESOLVED: That the information be noted.

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

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

Report: At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 31 March 2013.

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:	\$	0.00
Mount Panorama :	\$	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
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

MINUTE

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

MOVED: B Bourke SECONDED: M Coote

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.

- Telstra Corporation Limited - Walmer Park, Bradwardine Road - Part Lot 2, DP1140980 - Lease Agreement.
- Bathurst Aircraft Maintenance Pty Ltd - Bathurst Airport - Lot 32, DP1151799 - Lease Agreement.
- Howard R - Church Lane - Part Lot 6, DP1142438 - Licence Agreement.
- Max Hire Pty Ltd - Lee Street, Kelso, Old Evans Shire Council Depot - Lot 1, DP1001027 - Licence Agreement.
- Max Hire Pty Ltd - Lee Street, Kelso, Old Evans Shire Council Depot - Lot 16, DP712197 - Licence Agreement.
- Max Hire Pty Ltd - Lee Street, Kelso, Old Evans Shire Council Depot - Lot 1, DP1090555 - Licence Agreement.
- Government Property NSW - Ground Floor, 230 Howick Street, Lot 1, DP774489 - Variation of Lease.
- Government Property NSW - Level 3, 230 Howick Street, Lot 1, DP774489 - Variation of Lease.
- Bathurst Netball Association Inc - 261 Durham Street, Lot 1, DP1167594 - Licence Agreement.
- NSW EPA - Sydney - Deed of Grant.
- Renshaw T - 2 North Street, Perthville - Lot 279 & Lot 299, DP750354 - Licence Agreement.

Linen Plan Release

- Buttsworth/Bailey - 2 Lot Subdivision/Boundary adjustment, 8 Elm Place, Bathurst.

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

18 Item 4 POWER OF ATTORNEY (11.00007)

MOVED: J Jennings SECONDED: G Hanger

RESOLVED: That the information be noted.

5 LOCAL GOVERNMENT FINANCIAL SERVICES (LGFS) (34.00057-06)

Recommendation: That the information be noted.

Report: Council has received advice that the LGFS court action has now been decided and Council has received advice that the Judge has made orders awarding the case against LGFS to Council. Council has received payment of all outstanding principal together with interest amounting to a total of \$1,269,352.06.

Council also has received advice that the costs associated with the Case, which amounted to \$706,661.69 can be recovered from the Respondents.

Council is still awaiting the payment for the outstanding costs.

Council has now received advice that each respondent and insurer for LGFS (American Home Insurance) have lodged appeals against orders made by the Judge in the Federal Court of Australia.

The timetable in relation to Cost Applications for the LGFS Court Case has now been received and the following orders were made:-

1. The First Respondent (LGFS) to file any application for costs in a specific sum by 3 April, 2013;
2. Any parties (Applicants) (Council) that have filed an application for costs in a specific sum are to file and lay evidence in support of the Applications by 1 May 2013;
3. The Respondents are to file any evidence by 3 June 2013;
4. The Applicants (Council) are to file any evidence in reply by 17 June 2013;
5. The Applicants (Council) are to file any submissions by 1 July 2013;
6. The Respondents are to file any submissions by 22 July 2013;
7. The Applicants (Council) are to file any submissions in reply by 29 July 2013; and
8. Matter listed for hearing on 30 August 2013 at 9.30 am.

Council has been advised that its Legal Counsel will now commence preparation of Council's evidence in support of the Costs Application filed.

Financial Implications: Council has an estimated \$706,000 in legal costs which have been awarded by the Court to be recovered back to Council.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

19 Item 5 LOCAL GOVERNMENT FINANCIAL SERVICES (LGFS) (34.00057-06)

MOVED: G Westman SECONDED: I North

RESOLVED: That the information be noted.

6 BATHURST CARILLON CITY TENNIS CLUB INC. (04.00013-07)

Recommendation: That the information be noted.

Report: Councillors are aware that the Bathurst Carillon City Tennis Club Inc. have applied to Council for financial assistance with the construction of improvements to their Club House located at John Matthews Sporting Complex.

The Executives of the Club met with Council's Manager Recreation and Director Corporate Services and Finance to discuss the proposal.

The President advised that their proposed extension would cost somewhere in the vicinity of \$200,000, which would allow for an upgrade of the meeting rooms, toilet facilities together with the provision of additional office and storage space.

At this meeting, Council explained that for sporting bodies Council has in the past assisted many of the local organisations with loans from Council, together with assistance in making applications for Government Grants and some financial contribution from the Council itself. The Committee were advised that they would need, as a minimum, to provide 50% of the construction costs of the improvements, which they would need to source from either Tennis Australia or the NSW Department of Sport and Recreation or any other funding body. The Committee were also advised that Council has available a loan scheme to sporting bodies where a loan is repaid back to the Council over a period of time.

The Committee have been asked to furnish the last two (2) years financial statements so that Council can assess the financial position in respect to this project.

Councillors will receive a further report following the receipt of the Bathurst Carillon City Tennis Club Inc financial statements.

Financial Implications: Nil at present.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

20 Item 6 BATHURST CARILLON CITY TENNIS CLUB INC. (04.00013-07)

MOVED: I North SECONDED: M Coote

RESOLVED: That the information be noted.

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES
17 APRIL 2013

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL MEETING HELD ON 17 APRIL 2013**

General Manager
Bathurst Regional Council

1 TREE REMOVAL - ELIZABETH PARK (04.00109)

Recommendation: That Council permits the removal of a large Oak Tree (Quercus palustris) within Elizabeth Park, Bathurst with the imposition of conditions as outlined in the Report.

Report: Correspondence has been received from the owner of 21 William Street Bathurst, as per **attachment 1** advising of concerns about a large Oak tree which is located in Elizabeth Park adjacent to her property. In 2012, a new residential property was constructed at 21 William Street, which resulted in part of the new building being located under the canopy of the tree.

The owner of the property is now concerned about the potential damage that this tree may cause, should the tree, or its branches, fail. The resident has asked who would be liable should the tree cause damage in the future and, as it is located on Council land, Council would be liable for any damage caused by it.

Over the past year, the owner of 21 William Street has contacted Council on three separate occasions requesting that this tree be lopped, due to overhanging branches. Each time Council has inspected this tree and attended to directional pruning and dead wood removal works in order to allay the concerns of the owner.

Council should be aware that any further pruning works undertaken to this very large tree will not resolve the fact that the tree is in very close proximity to the house. Further lopping of this tree would significantly deform it and create a risk to its future health and stability.

Attachment 2 shows images of the tree of concern and its location in proximity to the house. It is therefore believed that the only way to resolve the concerns the owner of 21 William Street has with this tree is for it to be removed.

Council Officers have been reluctant to remove this tree because of its dominance within the existing environment, its considerable age and the fact that it has, to this date, caused nil or minimal impact to surrounding infrastructure, including the house. Prior to the construction of the house, this tree had nil impact on the former house and even in its current state, the tree is considered to be a significant and dominant feature within Elizabeth Park and the surrounding area, and is in a healthy and stable condition. Tree branches and twigs have fallen from the tree however this is considered to be a natural occurrence of all trees and should not be seen as an indication of its decline.

Although on each inspection, this tree was considered to be in a healthy condition, well balanced and showing no signs of stress, Council cannot guarantee that a failure of a main branch, or the whole tree, will not occur at any stage in the future. In recognition of the size of this tree and noting that the new house is now located under its canopy, it is considered that the owner's concerns regarding the risk of property damage and personal safety cannot be overlooked.

It is believed that this tree has the potential to coexist within the confines of its built surroundings, provided that periodic maintenance is carried out to the tree and to the surrounding infrastructure on a regular basis, and that the owner accepts any risk of potential damage. In this case however, the owner has implied that she will not accept the risk. Further, because this tree is on Council land, it is believed that Council should not be placed in a position to accept any liability for potential future damage that the tree may cause to the house, or accept the cost of undertaking increased maintenance inspections and works.

It is therefore recommended that, due to the concerns from the owner of 21 William Street, Council permit the removal of this tree. However, as the development works at 21 William Street has created the risk of potential damage to property, it is believed that such removal should be undertaken at the owners cost. It is also recommended that as part of the removal process, the owner also be required to replace this significant tree with the provision of two new advanced trees within Elizabeth Park to compensate for the loss of the Oak tree.

Financial Implications: It is perceived that there will be nil financial implications to Council, should the cost of removal works be at the expense of the owner of 21 William Street and only minimal costs for Council to plant the replacement trees.

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 9.7

MINUTE

21 **Item 1 TREE REMOVAL - ELIZABETH PARK (04.00109)**

MOVED: B Bourke SECONDED: G Westman

A MOTION was moved

That Council permits the removal of a large Oak Tree (Quercus palustris) within Elizabeth Park, Bathurst with the imposition of conditions as outlined in the Report.

The MOTION was PUT and LOST.

2 CHIFLEY DAM PIPELINE - TERRESTRIAL FLORA AND FAUNA STUDY (37.00365)

Recommendation: That the information be noted.

Report: In 2008, Council commenced the process of investigating the feasibility of constructing a pipeline from Chifley Dam to the Water Filtration Plant at Bathurst.

One of the outcomes identified was the need to undertake further studies, and Council has engaged consultants to undertake a Terrestrial Flora and Fauna Study with regard to the two potential identified routes of the pipeline. Council engaged GHD Pty Ltd in September 2010 to complete a Terrestrial Flora and Fauna Study to assess the ecological constraints and potential impacts of the two possible pipeline routes connecting Chifley Dam to the Bathurst Water Filtration Plant. The Study Area is located between the Water Filtration Plant in Gormans Hill to the east of Bathurst, and Chifley Dam to the south.

A total of 114 species of flora were recorded within the Study Area, comprising 45 native and 69 exotic species. Up to 132 fauna species were recorded, including 100 bird species, eight terrestrial and arboreal mammal species, up to 10 bat species, seven reptile species and three mammal species.

Seven threatened fauna species (including the endangered Booroolong Frog), three threatened microbats and three migratory species listed under the *Threatened Species Conservation Act 1995* (TSC Act) and/or the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) were recorded in the Study Area. Several patches of remnant native vegetation, including the Endangered Ecological Community (EEC) "White Box-Yellow Box-Blakely's Red Gum Woodland" (Box-gum Woodland) listed under the TSC Act were identified. The main potential impacts of the proposal to install a pipeline relate to the clearing of this Box-gum Woodland.

To this end, GHD Pty Ltd made the specific recommendation that mitigation measures be implemented to minimise impacts on the biodiversity values and habitat for threatened species.

GHD Pty Ltd also recommended further surveys for the preferred route once Council has determined.

Note that if there is a long delay between the completion of this Terrestrial Flora and Fauna Study and the assessment of the preferred route, the New South Wales Office of Environment and Heritage may require supplementary surveys to target any newly-listed species of relevance and to update existing information given the lapse of time.

Copies of the Terrestrial Flora and Fauna Study can be obtained from Council's Environmental, Planning and Building Services Department or Council's website. Please refer to **attachment 1** for the Executive Summary from the report.

At this time, both pipeline routes (road and river) remain as options for Council, as long as the further surveys and mitigation measures are undertaken.

Financial Implications: This project has been covered under Council's current Management Plan.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.8
- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.6
- Objective 12: To protect and enhance water quality and riparian ecology. Strategy 12.5
- Objective 13: To minimise the City's environmental footprint. Strategy 13.4

MINUTE

22 Item 2 CHIFLEY DAM PIPELINE - TERRESTRIAL FLORA AND FAUNA STUDY
(37.00365)

MOVED: I North SECONDED: M Coote

RESOLVED: That the information be noted.

3 EASEMENT TO DRAIN WATER 3 WIDE, EASEMENT FOR UNDERGROUND POWERLINES 2 WIDE & EASEMENT FOR MULTI-PURPOSE ELECTRICAL INSTALLATION 4.2 WIDE, LOT 100 DP258041, PUBLIC RESERVE, LANDSEER STREET, RAGLAN (22.05790 & DA2007/0080)

Recommendation: That Council approve the creation of easements for the purpose of infrastructure facilities within Lot 100 DP258041 located at Landseer Street at Raglan, pursuant to Sections 46 and 47 of the Local Government Act 1993, as detailed in the Director Engineering Services' report.

Report: Council, at its meeting held 20 February 2013, resolved:

To carry out the necessary procedures of the Local Government Act 1993 Sections 46 and 47 for the creation of:

- (a) Easement to drain water 3 wide;
- (b) Easement for underground powerlines 2 wide; and
- (c) Easement for multi-purpose electrical installation 4.2 wide

affecting community land in public reserve located at Lot 100 DP258041, Landseer Street, Raglan.

Following Council's resolution, Council has:

- (a) Given public notice of the proposal by advertisements in the Western Advocate;
- (b) Exhibited notices of proposal on the land;
- (c) Given notice of the proposal to owners/occupiers of adjoining land;
- (d) Given notice to any other person in the vicinity of the land;
- (e) Received two telephone enquiries from the public over a 28 day period. The enquiries were both regarding the physical change to the property. As there is no physical change, no submissions were received within the four week period.

It is recommended Council resolve to approve, through the Local Government Act 1993 Sections 46 and 47, the creation of:

- (a) Easement to drain water 3 wide (DP1122551) (refer **attachment 1**);
- (b) Easement to drain water 3 wide (DP1181275) (refer **attachment 2**);
- (c) Easement for underground powerlines 2 wide (DP1181275); and
- (d) Easement for multi-purpose electrical installation 4.2 wide (DP1181275)

affecting community land in public reserve located at Lot 100 DP258041, Landseer Street, Raglan.

The applicant, Savah Nominees Pty Ltd, is to meet all Council's reasonable expenses for the creation of the easements.

Financial Implications: Any financial implications will be met by the Savah Nominees Pty Ltd.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.8
- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1

MINUTE

23 Item 3 EASEMENT TO DRAIN WATER 3 WIDE, EASEMENT FOR UNDERGROUND POWERLINES 2 WIDE & EASEMENT FOR MULTI-PURPOSE ELECTRICAL INSTALLATION 4.2 WIDE, LOT 100 DP258041, PUBLIC RESERVE, LANDSEER STREET, RAGLAN (22.05790 & DA2007/0080)

MOVED: I North SECONDED: J Jennings

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

Reason: Development company owned by father and brother in laws.

RESOLVED: That Council approve the creation of easements for the purpose of infrastructure facilities within Lot 100 DP258041 located at Landseer Street at Raglan, pursuant to Sections 46 and 47 of the Local Government Act 1993, 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
17 APRIL 2013

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 17 APRIL 2013**

General Manager
Bathurst Regional Council

**1 BATHURST LIBRARY - MOBILE LIBRARY BORROWER REWARDS SYSTEM
(21.00054)**

Recommendation: That the information be noted.

Report: The Bathurst Library's Mobile Library Van services our rural village schools; O'Connell, Meadow Flat, Wattle Flat, Sofala, Hill End, Trunkey Creek and Rockley.

This year an increase in circulation of library material and Mobile use has occurred. Consequently the Outreach Team have initiated a rewards system for the children who borrow from the mobile library van.

The rewards system works on a sticker point chart, where children receive one sticker per book borrowed and one sticker per book returned. Once students have earned 20 stickers (ten for borrowing and ten for returning), they are awarded with a small prize, such as a craft kit. The prizes will increase in size the higher the achievement of stickers.

Since the implementation of this rewards system we have seen a great increase in the student's use of our mobile library van. Information comparing the number of issues and returns from each van run in both 2012 and 2013 are presented below:

2012 DATA

VAN RUN	MONTH	ISSUES	RETURNS
O'Connell Meadow Flat	February	80	16
	March	87	69
Wattle Flat Sofala Hill End	February	90	4
	March	40	47
Trunkey Creek Rockley	February	57	17
	April	50	32

2013 DATA

VAN RUN	MONTH	ISSUES	RETURNS
O'Connell Meadow Flat	February	251	32
	March	205	219
Wattle Flat Sofala Hill End	February	101	120

	March	108	168
Trunkey Creek Rockley	February	100	73
	April	85	111

From these data tables it is evident that the rewards system has increased both borrowing and returning on each of the rural school van runs. In some instances the increase is by over 100 items.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 17: To encourage living, vibrant and growing villages and rural settlements. Strategy 17.6
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.2

MINUTE

24 Item 1 BATHURST LIBRARY - MOBILE LIBRARY BORROWER REWARDS SYSTEM (21.00054)

MOVED: B Bourke SECONDED: J Jennings

RESOLVED: That the information be noted.

2 BATHURST LIBRARY INTRODUCES E-BOOKS (21.00054)

Recommendation: That the information be noted.

Report: From Wikipedia, the free encyclopedia - "An electronic book (variously, e-book, eBook, digital book, or even e-edition) is a book-length publication in digital form, consisting of text, images, or both, and produced on, published through, and readable on computers or other electronic devices."

The Bathurst Library has now introduced the eBook format into its collection; eBook use is part of a growing trend of diversification in libraries, with 66% of libraries in the USA offering eBooks in the year 2010.

eBooks are not yet more popular than the printed book in the library nor in bookshop or internet sales but use is growing and eBooks are now adding value to our services like any other format. eBooks are used by library members who like to access different formats and also by people who may not have used the library for any other service; eBooks are an increasingly important asset for public libraries to have, an essential asset which balances our collections.

eBooks are issued to patrons by the patron visiting the Bathurst Library web site, they then click on the link to our e-platform and login to download. The book remains with the patron until the loan period is finished, when the book returns to become available again on the library site.

The library has 500 current titles available, consisting of, some new releases, fiction, and non-fiction; classics and children's titles are also held. Titles remain with the library just like a hard copy book, the collection will grow as more titles are added, these will include books from Project Gutenberg. Project Gutenberg site hosts books which are in the public domain and thus are free to reproduce. The take up of eBooks in Bathurst Library has been quite amazing, with some 53 patrons already accessing the service.

The collection was launched by the Mayor of Bathurst on Thursday, 28 March 2013.

Financial Implications: Funding has been provided for in the 2013/2014 Management Plan estimates, the popularity of the service may necessitate further funding allocations in future estimates.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 17: To encourage living, vibrant and growing villages and rural settlements. Strategy 17.6
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1

MINUTE

25 **Item 2 BATHURST LIBRARY INTRODUCES E-BOOKS (21.00054)**

MOVED: G Westman SECONDED: M Coote

RESOLVED: That the information be noted.

3 2013 INTERNATIONAL WOMEN'S DAY, FRIDAY 8 MARCH 2013 (23.00026)

Recommendation: That the information be noted.

Report: Bathurst celebrated International Women's Day on Friday, 8 March 2013 at the Walshaw Hall. A free morning tea was provided and a range of community organisations presented stalls and displays. Participating organisations included Community Health, Breast Screen NSW, Central West Women's Health, Bathurst Information and Neighbourhood Centre, Breast-feeding Association, Relationships Australia, Women's Housing, CRS Australia, Project Hope, After Breast Cancer Exercise Group, Council Recycling Expo (Engineering Department) and Disability Information Advocacy Service (DIAS). Entertainment was provided by Gabbi Bolt, a Smashed Arts representative performer.

The event was officially opened by Mayor Monica Morse, with Selina Brandy performing the event's Welcome to Country. It is estimated that over two hundred people, representing all ages, a diversity of cultures, and a broad range of interests attended the 2013 function.

The International Women's Day Morning Tea was well received and generated positive feedback from networks and community members who attended.

Funding for the event was provided by Bathurst Regional Council. International Women's Day provides an opportunity to celebrate all women and their contributions to the community. International Women's Day celebrations in Bathurst 2013 highlighted the broad range of community groups and organisations that are run for and by women in the Bathurst region. A pictorial diary of the event is at **attachment 1**.

Financial Implications: Funding for this event was provided by an allocation from Bathurst Regional Council Management Plan.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 19: To improve equity of access to all members of the community in public and private domains. Strategy 19.4
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.3
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.5, 23.6, 23.8

MINUTE

26 Item 3 2013 INTERNATIONAL WOMEN'S DAY, FRIDAY 8 MARCH 2013
(23.00026)

MOVED: M Coote SECONDED: G Rush

RESOLVED: That the information be noted.

4 HARMONY DAY EVENT, SATURDAY 16 MARCH 2013 (09.00032)

Recommendation: That the information be noted.

Report: Harmony Day was celebrated with an array of international cuisine and festivities on Saturday, 16 March 2013 at the Country Women's Association Hall. Approximately 40 people from a range of cultural backgrounds celebrated the diversity of the Bathurst region and the importance of inclusiveness, respect and acceptance.

Participants were entertained by the Nodding Thistles whilst enjoying a free lunch.

The 2013 theme for Harmony Day was 'Many Stories, One Australia' and the event reflected this theme by providing local and international foods at the event and local talented musicians.

Overall the attendance was disappointing particularly as the event was well promoted within the community. A review of the event will be undertaken prior to 2014.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

27 **Item 4 HARMONY DAY EVENT, SATURDAY 16 MARCH 2013 (09.00032)**

MOVED: G Hanger SECONDED: J Jennings

RESOLVED: That the information be noted.

5 SENIORS' WEEK 2013, 17-24 MARCH 2013 (07.00016)

Recommendation: That the information be noted.

Report: Senior's Week 2013 ran from 17 to 24 March, offering over 15 diverse activities for Seniors to enjoy. Events included recycling workshops, tenpin bowling, sing-a-longs, morning tea with the dinosaurs, discounted movie days and a wonderful display and morning tea at Miss Traill's House.

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

The highlight of the week was 'The Never Too Old Ball' held at the Bathurst RSL Club, which was attended by approximately 100 people. The event was attended by a number of residents from local nursing homes who were entertained by an array of local dancers. Tamara Richards performed three exquisite dance pieces on the day which the crowd thoroughly enjoyed. Mayor Monica Morse formally welcomed all to the ball, which officially closed the Seniors Week events for the year. The afternoon comprised of many old time dances a delicious afternoon tea, and music provided by Phil Redenback.

Participation at all events was good with over 100 people participating in the Seniors Citizens Concert, 50 attending tenpin bowling, 40 attending the Miss Traill's morning tea and 100 attending the 'The Never Too Old Ball'.

The activities received overwhelmingly positive feedback from participants and organisers. The Seniors Week Organising Committee has already been contacted by various organisations wanting to participate in Seniors Week 2014.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1, 20.3
- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.2
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1, 23.3, 23.5, 23.6
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5, 30.6

MINUTE

28 Item 5 SENIORS' WEEK 2013, 17-24 MARCH 2013 (07.00016)

MOVED: I North SECONDED: B Bourke

RESOLVED: That the information be noted.

Yours faithfully



Annabell Miller
DIRECTOR
CULTURAL & COMMUNITY SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
POLICY COMMITTEE MEETING

**POLICY COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 17 APRIL 2013**

General Manager
Bathurst Regional Council

1 MINUTES - POLICY COMMITTEE MEETING 3 APRIL 2013 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 3 April 2013 be adopted.

Report: The Minutes of the Policy Committee Meeting held 3 April 2013 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

29 **Item 1 MINUTES - POLICY COMMITTEE MEETING 3 APRIL 2013 (07.00064)**

MOVED: G Rush SECONDED: M Coote

RESOLVED: That the recommendations of the Policy Committee Meeting held on 3 April 2013 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 3 APRIL 2013

MEETING COMMENCES

1 MEETING COMMENCES

Councillors Morse (Chair), Aubin, Bourke, Coote, Jennings, Rush, Westman.

APOLOGIES

2 APOLOGIES

MOVED Cr B Bourke

and **SECONDED** Cr G Westman

RESOLVED: That the apology from Crs Hanger and North be accepted and leave of absence granted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 6 MARCH 2013 (07.00064)

MOVED Cr B Bourke

and **SECONDED** Cr M Coote

RESOLVED: That the Minutes of the Policy Committee Meeting held on 6 March 2013 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

MOVED Cr B Bourke

and **SECONDED** Cr M Coote

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

5 Item 1 BATHURST REGIONAL COUNCIL 2012 COMMUNITY SURVEY

(23.00103-07)

MOVED Cr M Coote

and **SECONDED** Cr W Aubin

This is page 1 of Minutes of the Policy Committee held on 3 April 2013.

General Manager

Page 94
Mayor

RESOLVED:That the information be noted.

General Manager's Report

- 6** **Item 1 MODEL CODE OF CONDUCT 2013 - DEPARTMENT OF LOCAL GOVERNMENT CIRCULAR NO 13-06 (11.00015 & 11.00024)**
MOVED Cr M Coote and SECONDED Cr W Aubin

RESOLVED:That the report be noted.

- 7** **Item 2 CODE OF CONDUCT - PANEL OF CONDUCT REVIEWERS (11.00024 & 41.00088)**
MOVED Cr G Rush and SECONDED Cr B Bourke

RESOLVED:That Council:

- (a) Enter into an arrangement with the CENTROC group of Councils to establish a panel of Conduct Reviewers.
- (b) Endorse participation in the EOI process being conducted by CENTROC for Code of Conduct Reviewers.
- (c) Delete the following delegations from the Delegations Register:

Mayor No 9 - Code of Conduct Committee

The Mayor, Deputy Mayor and General Manager shall have the power to select members of the Code of Conduct Committee.

Deputy Mayor No 3 - Code of Conduct Committee

The Mayor, Deputy Mayor and General Manager shall have the power to select members of the Code of Conduct Committee.

General Manager - Code of Conduct Committee

The Mayor, Deputy Mayor and General Manager shall have the power to select members of the Code of Conduct Committee.

GENERAL BUSINESS

- 8** **DISABILITY ACCESS - WILLIAM STREET SHOPS (07.00031)**

Cr Bourke - Spoke of new shop in William Street (near Cootes Jewellers) and his concerns with disability access to new kebab shop. Could this be looked at. There is also another shop further down William Street, near arcade, which potentially has

access problems.

The Director of Environmental Building and Planning Services will review these developments.

9 **Item 2 GAS WORKS SITE (22.00052)**

Cr Bourke - Could we ask the Local Member what is happening with this site?

The Director of Environmental Planning and Building Services - advised a Conservation Management Plan is being prepared for the site. When this Plan is received it will be reported to Council

10 **Item 3 RAILWAY PRECINCT - HOUSE ON CORNER (22.00159)**

Cr Bourke - advised that he is concerned that the land is fenced off near old Cottage at the entry to the Railway. What is happening with this site? Could the Local Member be approached about this?

The Director of Environmental Planning and Building Services advised he will investigate this matter.

11 **Item 4 BURNT OUT VEHICLES (30.00005)**

Cr Aubin - asked what is Council's Policy on burnt out vehicles?

The Director of Environmental Planning and Building Services advised of processes followed to remove vehicles.

12 **Item 5 CITY ENTRANCE PLANS (07.00097)**

Cr Aubin - asked where this is at, particularly near Roads and Maritime Services Offices at Commercial Park.

The Director of Engineering Services advised that they are just about to go out and engage contractors for works on this planning documentation.

13 **Item 6 OVERFLOW CHANNEL AT RAGLAN CREEK (31.00006)**

Cr Aubin - Congratulated staff on project works commenced for these works.

14 **Item 7 EASTER CAR RACES 04.00125**

Cr Aubin - commented that the event went very well and congratulated all involved.

15 **Item 8 D2F - MACHATTIE PARK (04.00012)**

Cr Coote - asked do D2F pay to use Machattie Park?

The Director of Environmental Planning and Building Services advised he would need to check. They are currently monitoring.

16 **Item 9 ROUNDABOUT PLANTING (28.00004)**

Cr Coote - advised he had concerns expressed about plants and heights thereof at roundabouts.

The Director of Engineering Services spoke to processes in place and technical requirements.

17 **Item 10 PEDESTRIAN ISLAND - GILMOUR STREET NEAR TRINITY HEIGHTS (25.00031)**

Cr Coote - advised a ratepayer is querying when will the Island be installed.

The Director of Engineering Services advised works were to be funded by Roads and Maritime Services. They do not have a funding allocation.

18 **Item 11 AERODROME LANDING FEES (21.00017)**

Cr Coote - advised he has received representations about fees and charges from users.

19 **Item 12 AERODROME FEES (21.00017)**

Cr Westman - spoke of representations received and that users wish to meet with Councillors to discuss future directions.

20 **Item 13 ROUNDABOUT VEGETATION (28.00004)**

Cr Rush - The issues of concern extend beyond the roundabout and include the periphery around these points

The Director of Engineering Services - spoke to history and type of requests received.

21 **Item 14 TAFE BUILDING (22.01387)**

Cr Rush - advised there is a lot of interest on this site. Advised he is concerned Council has not yet met on this and considers this to be an urgent matter.

General Manager - gave timelines occurring and receipt of studies requested.

22 **Item 15 MITRE STREET INTERSECTION (25.00095)**

Cr Rush - enquired if a working party had been scheduled.

General Manager advised scheduled for May.

23 **Item 16 VALE ROAD ORTON PARK - ELM TREES (13.00019)**

Cr Jennings - advised there were a number of trees here that have died, could these be checked as they could be a safety hazard?

24 **Item 17 CEMETERY SPACES CAPACITY (09.00009)**

Cr Jennings - enquired what is the future capacity of interments?

The Director Engineering Services - spoke to spaces available at the cemetery.

25 **Item 18 KEPPEL STREET FENCING NEAR STATION MASTERS HOUSE (22.00159)**

Cr Jennings - advised the Keppel Street community would like to be engaged in any discussion on this site. Noted land is contaminated.

26 **Item 19 AERODROME CHARGES (21.00017)**

Cr Jennings - advised he has received representations on this, encouraged further discussions to occur.

27 **Item 20 TOURISM CONFERENCE (18.00105)**

Cr Jennings - advised he attended this Conference on behalf of Council and has prepared a report for Council.

28 **Item 21 ELECTORAL FUNDING AUTHORITY (EFA) (12.00010)**

The Mayor - reminded Councillors that the EFA will be conducting a training session tomorrow at 9.00 am in Council's Chamber.

29 **Item 22 SHOW SOCIETY AWARDS (18.00108)**

The Mayor - spoke to representations this year on Awards and judging by Councillors. Seeking two (2) Councillors to undertake this. Noted Cr Coote will do judging, if any other Councillor is interested please contact the Mayor.

MEETING CLOSE

30 **MEETING CLOSE**

The Meeting closed at 6.53 pm.

CHAIRMAN: _____

Date: _____ **(17 April 2013)**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
TRAFFIC COMMITTEE MEETING

**TRAFFIC COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 17 APRIL 2013**

General Manager
Bathurst Regional Council

1 MINUTES - TRAFFIC COMMITTEE MEETING 2 APRIL 2013 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 2 April 2013 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 2 April 2013 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

30 **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING 2 APRIL 2013 (07.00006)**

MOVED: B Bourke SECONDED: I North

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 2 April 2013 be adopted.

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 2 APRIL 2013

MEETING COMMENCES

1 MEETING COMMENCES

Members: Cr Warren Aubin (Chair), Sergeant Peter Foran (Police), David Veness (MP Representative), David Vant & Deanne Freeman (Parkes RMS)

Present: Darren Sturgiss (Manager Technical Services) and Paul Kendrick (Traffic & Design Engineer)

APOLOGIES

2 APOLOGIES

That the apology from Jackie Barry be accepted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 5 MARCH 2013 (07.00006)

That the Minutes of the Traffic Committee Meeting held on 5 March 2013 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 5 MARCH 2013 (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 SUTTOR STREET SCHOOL SAFETY SURVEY (07.00006)

That Council make no changes to the existing traffic management conditions in Suttor Street.

8 Item 4 BATHURST HALF MARATHON EVENT 2013 (23.00110/007)

That Council classify the Bathurst Half Marathon and 10 km Run to be staged on Sunday 5 May 2013 as a Class 2 event, and approve the event subject to conditions detailed in the Director Engineering Services' Report.

9 Item 5 79 CORPORATION AVENUE SES PARKING (28.00007-04/106)

That Council approve the conversion of 12 metres of the existing parking area in Corporation Avenue adjacent to the SES Building to an authorised vehicle parking area.

TRAFFIC REGISTER

10 Item 1 TRAFFIC REGISTER (07.00006)

That the information be noted.

MEETING CLOSE

11 MEETING CLOSE

The Meeting closed at 2.30pm.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DELEGATES REPORTS AND MINUTES

**DELEGATES REPORTS TO THE ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL MEETING HELD ON 17 APRIL 2013**

General Manager
Bathurst Regional Council

**1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 13
MARCH 2013 (11.00019)**

Recommendation: That the information be noted.

Report: Present: Crs Morse (Chair), Aubin, Bourke, Coote, Hanger, North, Rush, Westman.

Apologies: Cr Jennings.

1. BATHURST CITY COMMUNITY CLUB (22.01429)

Lisa Pierce and Toni-Lee Scott from Bathurst City Community Club (BCCC) attended the meeting and gave an update on the progress of the BCCC.

Discussions included:

- Maintenance of the building.
- Transfer of the lease from Bathurst Panthers Bowling Club to BCCC.
- Staff structure.
- Volunteers currently commit more than 5,000 hours of help to achieve the running operations of the BCCC.
- BCCC has three paid staff members - Bookkeeper, Greenkeeper and Events Officer.
- Maintenance of footpath and tree roots in William Street required.
- Verandah lighting needs to be linked to S/L circuits.
- Apprentice Greenkeeper 1 day per week to maintain greens.

2. BATHURST THOROUGHBRED RACING (22.02299)

Representatives from Bathurst Thoroughbred Racing attended the meeting and gave an update on the operations of the Bathurst Thoroughbred Racing Club.

Discussions included:

- The Club recently received a grant of \$750,000 which will be used to irrigate and maintain the race track.
- Requested Council to provide financial assistance with DA fees, sewerage works etc.
- Council advised the DA has been approved for the septic system.
- Council was requested to look at providing finances for the installation of the sewer system.
- Bathurst Thoroughbred Racing to meet with Council senior officers to discuss this installation.

3. BATHURST EISTEDDFOD SOCIETY INC (18.00141)

Representatives from Bathurst Eisteddfod Society attended the meeting and gave an update on the future of the event at BMEC and their financial contribution.

Discussions included:

- The financial position of the Bathurst Eisteddfod Society was explained.
- The Bathurst Eisteddfod has been running for 68 years.
- The 2012 event had 4000 entries, it is the premier Eisteddfod in NSW.
- Proceeds from the canteen are split 50/50 with the Eisteddfod and a local charity.
- The Bathurst Eisteddfod Society stated that a small increase would be acceptable or maybe profit sharing would be a way of the Eisteddfod paying more.

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

**31 Item 1 COUNCILLORS MEETING WITH COMMUNITY
GROUPS/REPRESENTATIVES - 13 MARCH 2013 (11.00019)**

MOVED: G Rush SECONDED: I North

RESOLVED: That the information be noted.

2 REPORT - CENTROC BOARD MEETING 28 FEBRUARY 2013 (07.00017)

Recommendation: That the report on the Centroc Board meeting 28 February in Wellington be noted.

Report: The CENTROC Board meeting was recently held in Wellington and the following report is for Council's information.

Speakers in attendance were

1. Gabriel Shannon of Sydney University regarding their activities in growing medical schooling in Dubbo and Orange.
2. Mr Graham Sansom, Chairman of the Independent Review into Local Government as part of the Destination 2036 process.
3. Mr Alan McCormack presenting his findings on strengthening local government the CENTROC way.

Presentations regarding Local Government Reform and the CENTROC response

Mr Sansom gave a presentation on the Review Process. The CENTROC Board determined to lodge a submission to the Independent Review Panel where at the time of writing this is under development.

Mr Alan McCormack gave a presentation determining the regional position on strengthening local government. The work supports incremental growth in regional programming where Councils determine any boundary or structural reform.

From his surveying and workshop he found that CENTROC members:

- are happy with CENTROC's performance;
- favour a Shared Services or Regional co-operation approach (from the models suggested in the "Case for Change" paper);
- participate willingly in some/all CENTROC activities and see the benefits of a regional approach when appropriate;
- submitted that CENTROC should do more on a regional basis
- would support greater resourcing and commitment if there was a greater role for CENTROC or another Regional Organisation. (There are qualifications to this, including a need for demonstrable savings.)

In terms of options proposed in the Gooding Davies Report November (2012), the majority of Council's favour the Incremental Model. This conclusion is due in part to similarities with the current operating model successfully used by CENTROC.

A small minority of its member councils favour a "change nothing" approach.

These findings were reviewed, discussed and agreed to at a workshop on 15 February. Members added the further proviso that Centroc believes that any changes to current boundaries must be justifiable in relation to the triple bottom line. Further, members understand that debate and consultation on the important local government reforms is essential but points out that prolonged uncertainty is not helpful and in fact destabilising.

CENTROC is committed to a change process along the lines of the Incremental Model. To that end Centroc will:

- undertake additional services provision on behalf of member councils on a voluntary basis.
- if smaller groups of Councils wish to undertake shared services, CENTROC will foster and promote such co-operation.
- consider the implementation of best practice models across other Council functions, similar to the Water Utilities Alliance.
- consider its structure to accommodate changed circumstances.
- take forward, on behalf of its members if required, other aspects of the change process.

Regarding responding to the "Case for Change" paper, changes should be made to strengthen local government in NSW which can be facilitated by the Local Government Act Review:

- enabling regional procurement
- supporting voluntary amalgamations
- supporting voluntary models and co-operation
- enabling incremental growth of shared services

Care should be taken in the reform process to ensure that any efforts on a regional basis do not end up leading to a fourth tier of government.

The balance of discussion at the Board meeting

The Board meeting considered reports against its Management Plan including the following:

- **Transport Infrastructure** where members resolved to write to the NSW State Government expressing disappointment in the lack of infrastructure identified for members in the State Infrastructure Strategy for this region and to lodge a submission to the draft Freights and Port Strategy under the hand of the Chair.
- **Water Infrastructure** where the substantial activity of the Centroc Water Utilities' Alliance was noted and including its recent work in applying for a \$2.4m grant for the region for the Nexus Between Water and Energy to assist Councils with sewer relining and water leakage particularly for lower socio economic communities.
- **Environmental sustainability** where the region will, through the Executive, lodge a submission on Local Land Services. An update was provided on the Australian Government's grant funded Round 1 Community Energy Efficiency Program being rolled out around the region.
- **Health** where a submission regarding the 24 Hour Helicopter Service has been lodged generally supportive of the findings of the Ernst and Young report. Members also sought to call a meeting as soon as possible between the Executive and interested representatives from the region with Medicare Local.
- **Telecommunications** where concerns were raised regarding the emerging gap for internet services as exchanges in the region reach capacity and NBN is a long way off being delivered in Central NSW.
- **Regional Development** where a submission will be lodged seeking a weather radar

station to offer better coverage for Central NSW

- **Member Council operational support** where the Board has sought to receive a report on Council elections funding and to develop a regional Code of Conduct Committee. CENTROC is currently running regional contracts in fuel, road signs, bitumen emulsion, load shifting training and assessment, of which most members are participating in all. Four Councils (Bathurst, Oberon, Orange with Lithgow now joining in) are also participating in a trial of online training with the hopes that this technology will be rolled out regionally late 2013 as part of the ongoing cost savings of the CENTROC Training service. The regional contract for Internal Audit, which some members are involved in, is due to expire in June 2013 and CENTROC will go to tender for a new contract early 2013. A new team of all Directors of Corporate Services will meet regularly to continue to explore cost savings opportunities for all members. Members have collectively saved a net total of \$1,152,036 in the last three years with all of the aforementioned projects.
- **Planning** – where the Board expressed disappointment at the top down approach to planning in this region and how it is leading to both poor plans and poor outcomes for CENTROC members. CENTROC will write to the Department of Premier and Cabinet seeking amendments to the Central West Regional Action Plan to make it more factual.

CENTROC has lodged a number of submissions on behalf of the region in the past quarter including:

- CENTROC submission to the Decentralisation Taskforce February 2012
- CENTROC submission regarding the 24 Hour Helicopter Service
- Joint Lower Macquarie Utilities' Alliance and CENTROC Water Utilities' Alliance to the State Infrastructure Strategy
- CENTROC submission to the review of the Water Industry Competition Act 2006 Regulatory Arrangements for Water Recycling under the Local Government Act 1993
- CENTROC request for funding of \$2.4m from the Australian Government Community Energy Efficiency Program
- CENTROC request for funding of \$60,000 from the NSW Government Community Renewable Energy Fund with a view to promoting a regional community solar panel project.

Submissions under development or lodged subsequent to the Board meeting are:

- Submission regarding the development of Local Land Services
- Submission to the Draft NSW Freight and Ports Strategy
- Submission on the Weather Radar Station for Central NSW and
- Submission to the Independent Review Panel into Local Government

These and the CENTROC business papers are available on the CENTROC website at

centroc.com.au or via Centroc staff through the General Manager.

There are a number of significant events coming up on the CENTROC calendar and Councillors are encouraged to keep an eye out for them, further advice:

- An event showcasing the innovation and value for money of the CENTROC Water Utilities' Alliance.
- A Board meeting at Parliament House being co-ordinated by Mr Andrew Gee, Member for Orange, 23 May.

Financial Implications: Nil

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.1

MINUTE

32 Item 2 REPORT - CENTROC BOARD MEETING 28 FEBRUARY 2013
(07.00017)

MOVED: G Rush SECONDED: G Hanger

RESOLVED: That the report on the CENROC Board meeting 28 February in Wellington be noted.

3 CHAIRMAN'S REPORT - CENTRAL NSW TOURISM (18.00010)

Recommendation: That the information be noted.

Report: Councillors will be aware of Central NSW Tourism (CNSWT) and the role it plays as a Regional Tourism Organisation.

The Chairman of CNSWT, Mr Norm Mann, has provided an update on the current activities and status of the organisation. A copy of the update is at **attachment 1.**

The Chairman advises:

"The focus of CNSWT has been to develop themed trails which combine operators' products (new and existing) to provide flagship experiences to promote the region's unique qualities. This has been done through "100 Miles of Country Experiences, Training Networking Seminars", phase 2 of which has been focused on creating Locally Distinctive Visitors Experience Trails. Based on this, the key opportunities for Central NSW's goal to encourage operators to enhance their product by linking to experiences are:

- Nature based
- Cultural (including food and wine, the arts and indigenous)
- Agritourism (including mining heritage)
- Events tourism."

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

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

33 Item 3 CHAIRMAN'S REPORT - CENTRAL NSW TOURISM (18.00010)

MOVED: I North SECONDED: J Jennings

RESOLVED: That the information be noted.

4 CR JENNINGS REPORT - LGSA TOURISM CONFERENCE (18.00105)

Recommendation: That the information be noted.

Report: Cr Jennings attending the LGSA Tourism Conference held 11 -13 March 2013 and has provided the following report.

Monday 11 March 2013

Site Visit to Marina: Moonshadow Cruises and d'Albora Marina

- Key speaker of interest was Mrs Janene Rees (Business Development Manager, Moonshadow Cruises) has major experience engaging and capturing the Asian and especially Chinese tourism market. They have been for over 20 years and suggest significant growth is still to come for Australia.
- Good contact for investigating the practical realities of engaging with Asia, and how to go about it including trade visits etc, although domestic and NZ and UK markets should also be examined/tested for OS access to tourism/visitor markets.
- it is hoped that a power point presentation will be made available on this.

Networking at conference dinner

- Met key contact in Destination NSW (DNSW) responsible for the role of Manager – Social Media, Ms Jessica Martin and various colleagues. Worth contacting in future re social media strategy and delivery.
- Met with various colleagues, including Chair of CENTROC and Mayor of Parkes, Arts Out West board members

Tuesday 12 March 2013

Plenary Speaking Program as per Program

- Key speaker of interest was Simone Shepherd (Acting Director Partnership Programs, Destination NSW) spoke about value of Destination Management Plans (DMP), and support for developing them.
- Key speaker of interest was Ben Perry (Managing Director of Tom Thumb) spoke on bringing tourism ideas and experiences to reality, and is currently organising a musical train journey in NSW and BRC should contact him to investigate options to be directly involved in this project event.
- Key Speaker of interest Robyn Agnew (Acting General Manager, Programs Branch, Department of Resources, Energy & Tourism, AG) spoke about future funding options, next being TQAL Round 3 of \$40M. Dept of Resources Energy & Tourism also has online regional profiles that may be of value to BRC and local tourism operators.
- Met and discussed BRC and Central West opportunities with Destination NSW, including setting up a DMP and accessing the Sydney's Chinese family and visitor market as a starting point for developing access to Asia / China.

Topic Stream 3: Destination Management Planning (DMP)

- Key message is that a DMP will be required to apply for any future funding, starting 1st July 2013 for Destination NSW. BRC has a good opportunity to get ahead of the pack by developing and establishing its DMP asap as per original TIRF grant that was not accepted by the department, because it is clear many/most councils or tourism organisations have not yet done a DMP. One short term option would be to get the BRC DMP underway asap and then qualify for DNSW funding starting 1st July round – it is likely that an applicant body will be able to say they are 'underway' with their DMP

in order to qualify for funding. BRC can probably draw heavily on readily available local content and strategic knowledge to justify this approach, and the consultant tasked with doing the DMP should have the requirement to apply for DNSW funds built into their agreement/contract.

- The main benefit to be generated by a DMP by BRC is the 'community coordination' aspect of the DMP. This engagement approach was clearly promoted by DNSW and other presenters, and appears to be a missing component of BRC's Visitor Information Centre (VIC). This would also provide a good opportunity to re-engage with many BRC tourism operators to explain the current role and limits of BRC's VIC, as this seems to have gotten lost over the years and tourism operators can at time expect more than the VIC is currently designed to deliver.
- Based on knowing some of the local events being planned for the next 12 months, it seems apparent that delivering a BRC based DMP would be a good opportunity to maximise the impact of coming events both while the DMP is being delivered and thereafter once it is established. The issue of maintaining coordination of the tourism sector after the BRC DMP is complete will also need to be addressed in the development of the DMP itself. Again this is a good opportunity to re-engage local operators and get them believing BRC is working with them, but not for them.

Wednesday 13 March 2013

- Speaker of interest from Destination NSW - outlined the massive uptake of mobile and smartphone digital technology. See power point presentation for stats. BRC definitely needs to engage with this medium.
- Speaker 2 – home holiday rental code, maybe of interest to BRC.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.1, 4.6

MINUTE

34 **Item 4** **CR JENNINGS REPORT - LGSA TOURISM CONFERENCE (18.00105)**

MOVED: J Jennings **SECONDED:** M Coote

RESOLVED: That the information be noted.

**5 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 2 APRIL 2013
(20.00153)**

Recommendation: That the information be noted.

Report: The Minutes of the 2015 Bicentenary Celebrations Committee held on Tuesday 2 April 2013 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

35 Item 5 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 2
APRIL 2013 (20.00153)

MOVED: I North SECONDED: G Rush

RESOLVED: That the information be noted.

MINUTE

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

MOVED: G Rush SECONDED: J Jennings

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 report provided on the following matter:

Bathurst 75 Football Club Financial Position - Supplementary Report.

Notice of the business has previously been given in writing to Councillors at the Director Corporate Services & Finance Confidential report #5 in this Business Paper, in accordance with Clause 241(2)(a) of the Local Government (General) Regulation 2005.

- (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	EXPRESSION OF INTEREST - LOT 1 DP792363 CHURCH LANE, 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	EXPRESSION OF INTEREST - LOT 14 AND 15 DP1089380 KNOWN AS 519 MITCHELL	10A (2) (d) (i) – contains commercial information of a confidential nature that would,

	HIGHWAY, BATHURST	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	EXPRESSION OF INTEREST - CONVEYANCING SERVICES 2013 - 2016	10A (2) (d) (iii) – contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.
4	BATHURST EISTEDDFOD SOCIETY INC.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	PROPOSED NEW EVENT AT 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.
7	WASTE MANAGEMENT CENTRE FEES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	VACANT LAND AT 112 BENTINCK STREET	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION - SUPPLEMENTARY REPORT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	QUOTATION FOR LANDSCAPE DESIGN MID WESTERN HIGHWAY & MITCHELL HIGHWAY, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in

		open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL MINUTE
17 APRIL 2013

MINUTE

a Item 1 EXPRESSION OF INTEREST - LOT 1 DP792363 CHURCH LANE, KELSO (22.00022)

MOVED: G Hanger SECONDED: M Coote

That Council approves entering into a new licence with Ms Amanda Mumberson for Lot 1 in DP792363 in Church Lane, Kelso for horse agistment only for a period of two (2) years at a yearly licence fee of \$600.00 per annum (GST inclusive) plus annual CPI adjustments as detailed in the report.

MINUTE

b Item 2 EXPRESSION OF INTEREST - PART LOT C DP158611 KNOWN AS 519 MITCHELL HIGHWAY, BATHURST (22.05345)

MOVED: G Westman SECONDED: M Coote

That Council approves entering into a new licence agreement with Amanda Mumberson for part Lot C in DP158611 known as 519 Mitchell Highway Bathurst for a period of three (3) years at a yearly licence fee of \$1,800 per annum (GST inclusive) plus annual CPI adjustments, as detailed in the report.

MINUTE

c Item 3 EXPRESSION OF INTEREST - CONVEYANCING SERVICES 2013 - 2016 (10.00009)

MOVED: G Rush SECONDED: G Hanger

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

Reason: Solicitor acting in business closure is one of the tenderers.

That Council accepts the Expression of Interest for Conveyancing Services submitted by McIntosh McPhillamy & Co, Kenny Spring, Steele & Co and Murdoch Spinks for a period of three (3) years commencing on 17 May 2013 and concluding on 16 May 2016 as detailed in the report.

MINUTE

d **Item 4 BATHURST EISTEDDFOD SOCIETY INC. (18.00141)**

MOVED: G Hanger SECONDED: B Bourke

That Council advise the Bathurst Eisteddfod Society that the following pricing structure will apply for their 2013 event and beyond.

- (a) That the Bathurst Eisteddfod Society be permitted to use the Bathurst Memorial Entertainment Centre (BMEC) Theatres and City Hall for their Eisteddfod
- (b) That Council provide \$30,000 worth of use to be funded by Section 356 Donations
- (c) That all usage in excess of \$30,000 is to be paid by the Bathurst Eisteddfod Society
- (d) That the \$30,000 base fee be indexed annually by CPI.

MINUTE

e **Item 5 BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION (18.00175)**

MOVED: M Coote SECONDED: J Jennings

That the information be noted.

MINUTE

f **Item 6 PROPOSED NEW EVENT AT MOUNT PANORAMA (04.00136)**

MOVED: B Bourke SECONDED: J Jennings

That Council act in accordance with the report.

MINUTE

g Item 7 WASTE MANAGEMENT CENTRE FEES (18.0004-26)

MOVED: M Coote SECONDED: J Jennings

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

Reason: close friendship with Cr Bourke who runs the "Op Shop" and helps him when available at the Op-Shop.

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

Reason: Volunteer/Manager of the Op Shop.

That this matter be referred to Council's Section 356 Working Party to be held on 8 May 2013.

MINUTE

h **Item 8 VACANT LAND AT 112 BENTINCK STREET (22.00830)**

MOVED: M Coote SECONDED: G Rush

That Council call for Expressions of Interest for the lease of 112 Bentinck Street.

MINUTE

**i Item 9 BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION -
SUPPLEMENTARY REPORT (18.00175)**

MOVED: I North SECONDED: G Rush

That Council defer consideration of the Bathurst 75 Football Club Financial position to a future meeting of Council.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTE
17 APRIL 2013

MINUTE

j Item 1 QUOTATION FOR LANDSCAPE DESIGN MID WESTERN HIGHWAY & MITCHELL HIGHWAY, BATHURST (36.00393)

MOVED: B Bourke SECONDED: G Rush

That Council accept the quotation from APS Landscape Architects and Gardenscape Design to design landscape treatments to the Mid Western and Mitchell Highway entrances to Bathurst..

MINUTE

37 RESOLVE INTO OPEN COUNCIL

MOVED: G Rush SECONDED: G Hanger

RESOLVED: That Council resume Open Council.

MINUTE

38 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MOVED: G Westman SECONDED: M Coote

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

MINUTE

39 MEETING CLOSE

The Meeting closed at 8.16 pm.

CHAIRMAN: _____

Date: _____ **(15 May 2013)**