



ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL

11 September 2013

Her Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 18 September 2013**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 18 September 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 black ink, appearing to read 'R Roach'.

R Roach  
**ACTING GENERAL MANAGER**

# **BUSINESS AGENDA**

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

**TO BE HELD ON WEDNESDAY, 18 SEPTEMBER 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 - 21 AUGUST 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**

\* GENERAL MANAGER'S REPORT

\* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

\* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

\* DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

**9. REPORTS OF OTHER COMMITTEES**

\* MINUTES - TRAFFIC COMMITTEE MEETING 3 SEPTEMBER 2013

**10. NOTICES OF MOTION - Nil**

**11. RESCISSION MOTIONS - Nil**

**12. DELEGATES REPORTS**

\* MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 23 JULY 2013

\* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 14 AUGUST 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 accordance with Section 9(2A) of the Local Government Act 1993, it is the opinion of the General Manager that the following business is of a kind as referred to in section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public.
- 2. In accordance with Section 10A(4) members of the public are invited to make representations to the Council as to whether the matters should or should not be dealt with in Confidential Committee.

**\* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST WAR MEMORIAL CARILLON	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	BATHURST GO-KART RACING TRACK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would

		prejudice the commercial position of the person who supplied it.
3	RENEWAL OF RURAL LICENCE - PART LOT 103 DP1006130, LAND NEAR EGLINTON BRIDGE - MERCIECA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	RENEWAL OF RURAL LICENCE - PART LOT 7004 DP1002346 - LAND NEAR EGLINTON BRIDGE - MUMBERSON	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	TENDER FOR DRILL & BLAST AT COCKATOO HILL, SOFALA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* GENERAL MANAGER'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY

1	SIMPLOT AUSTRALIA 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.
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**14. RESOLVE INTO OPEN COUNCIL**

**15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**

**16. MEETING CLOSE**

## MINUTE

### 1 MEETING COMMENCES

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

## MINUTE

### 2 PUBLIC QUESTION TIME

**B Triming – Resident** - believes Monica Morse has done a good job as Mayor.

Hospital Parking

- believes the aim is to make more parking available for members of the public
- if Council goes to the new mobile parking technology can it be used to patrol parking on footpaths in Howick Street area.

**G Crisp – Ratepayer- Financial Statements** - raised several questions and Mayor advised Council will provide response.

**J Sjollema- Land Sale Ballot System** - disappointed about the response received from Council. He believes the procedure for drawing of lots is flawed.  
Mayor advised to arrange a meeting with the General Manager to discuss the issue.

**MINUTE**

**3     APOLOGIES**

Nil.



**MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
TO 18 SEPTEMBER 2013

**1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 21 AUGUST 2013 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 August 2013 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 August 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**  
**- 21 AUGUST 2013 (11.00005)**

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

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 August 2013 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
HELD ON 21 AUGUST 2013**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**PUBLIC QUESTION TIME**

**2 PUBLIC QUESTION TIME**

**T Kingham – Silva's Newsagency** - tabled petition from customers of businesses located in Howick Street requesting parking in Howick Street be increased from 30 minutes to 1 hour.

**P Bowyer - Carillon City Tennis Club - DCSF Confidential #15** - advised the Club had submitted information as requested and the Club is currently undertaking a membership drive.

**B Anderson - Facility Development Manager, Tennis NSW - DCSF Confidential #15** - spoke of Tennis Australia National Court Rebate Scheme which provides assistance in building clubhouses.

**G Gilbanks - resident - CCTV** - would like to see CCTV coverage for all Bathurst CBD, suggested violence on increase.

**K Hope - owner 205 Brilliant Street - DEPBS #4** - spoke of development over the years in the area. Asked Council to approve his Development Application.

**B Shute - neighbour - Cheriton Village** - spoke of issues of building being right up against boundary. Was not consulted on development. Developer is not intending to remove Men's Shed from development. Has concerns storm water will flood his property and that his property will be overshadowed.

**APOLOGIES**

**3 APOLOGIES**

Nil.

**MINUTES**

- 4** **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 17 JULY 2013 (11.00005)**  
**MOVED** Cr I North and **SECONDED** Cr G Rush

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 17 July 2013 be adopted.

**DECLARATION OF INTEREST**

- 5** **DECLARATION OF INTEREST 11.00002**  
**MOVED** Cr W Aubin and **SECONDED** Cr J Jennings

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

Cr North

Item #3 Director Engineering Services 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 I North and **SECONDED** Cr J Jennings

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

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

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

- 8** **Item 3 PLANNING PROPOSALS - EXEMPT AND COMPLYING DEVELOPMENT, GATEWAY ENTERPRISE PARK AND HERITAGE HOUSEKEEPING (20.00250, 20.00251, 20.00143)**  
**MOVED** Cr I North and **SECONDED** Cr G Hanger

**RESOLVED:** That Council:

- (a) not continue with the Exempt & Complying Development, Gateway Enterprise Park or Heritage Housekeeping Planning Proposals;

- (b) note that the content of the various Planning Proposals has been incorporated into the draft Bathurst Regional LEP 2013; and
- (c) notify the Department of Planning and Infrastructure, the relevant landowners and relevant adjoining landowners of its decision.
- (d) call a division

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

- 9** **Item 4 DEVELOPMENT APPLICATION NO. 2013/0207 – CONSTRUCTION OF TWO (2) X DOUBLE STOREY, TWO BEDROOM UNITS AND THREE LOT RESIDENTIAL SUBDIVISION AT 205 BRILLIANT STREET. APPLICANT: LANDA HOMES PTY LTD. OWNER: KEITH AND SANDRA HOPE (2013/0207)**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Rush

**RESOLVED:** That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0207, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
  - i) Prior to the issue of a construction certificate the developer is to submit elevation plans to Council showing the addition of permanent window screens and/ or glazed windows on the rear, first storey window for each of the units.
  - ii) The submission of a letter or report, rendered drawings, manufacturer's brochures and/or samples sufficient to detail the types and colours of the external materials to be used in the construction of the new dwelling.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Nil  
Abstain - Nil

- 10** Item 5 DEVELOPMENT APPLICATION NO. 2012/0518 – DEMOLITION OF TWO DWELLINGS, PARTIAL DEMOLITION OF DAIRY FARMERS FACTORY, CONSTRUCTION OF 40 SERVICED APARTMENTS, CAFÉ, RETAIL PREMISES AND COMMERCIAL PREMISES. AT 50 BENTINCK STREET AND 178 HOWICK STREET, BATHURST, LOTS 1-4, 19-25, 28 AND 30, DP 2067 AND LOT 2, DP184456 (50 BENTINCK ST) AND LOTS 26 AND 27, DP 2067 (178 HOWICK ST) APPLICANT: MR B YOUNG KDC PTY LTD ON BEHALF OF MR P BRECKENRIDGE A & I PROJECTS. OWNER: REGIONAL NOMINEES PTY LTD (2012/0518)  
MOVED Cr B Bourke and SECONDED Cr W Aubin

**RESOLVED:** That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0518, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- (i) During the carrying out of any proposed works, if any archaeological remains are discovered, the developer is to stop work immediately and notify the NSW Heritage Branch and Council. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded and details given to Council prior to the continuing of works.
  - (ii) Prior to the issue of a construction certificate in relation to the serviced apartment building, the developer is to submit plans showing a redesign of the Howick Street front facade and the Bentinck Street side facade to include greater use of smooth faced unpainted or unrendered brick work. These facades are to include sufficient red face brick elements and decorative detail to ensure the new apartment building compliments the remaining historic buildings on the site in terms of colour and materials used.
  - (iii) The submission of rendered drawings, and samples sufficient to detail the types and colours of the external materials to be used in the construction of the new building. The colours of the external materials are to be dominated by warm autumn tones with sufficient red face brick elements and decorative detail to ensure the new buildings compliment the remaining historic buildings on the site in terms of the colour of the external materials used. Note: Council encourages the reuse of all disused brick work on site that can be salvaged and incorporated into the new buildings.
  - (iv) The developer is to prepare and lodge an interpretation strategy to Council for approval that outlines how the built and social history of the site is to be interpreted. This is to include at a minimum the installation of interpretative panels within the site. The interpretation strategy is to be implemented prior to issue of the occupation certificate.

- (v) The applicant is to prepare a landscape plan, in accordance with Bathurst Regional Council's Landscape Code. The applicant is to obtain a Compliance Certificate pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended, from Council or an accredited certifying authority certifying that the landscape plan is in accordance with Council's Landscape Code.
- (vi). Prior to the issue of a construction certificate the developer is to submit to Council a Construction Management Plan which includes (but is not limited to) the following:
  1. Traffic management, including:
    - i) Loading, unloading area and material storage areas
    - ii) Access to adjoining properties; and
    - iii) Parking areas (for construction workers and surrounding properties)
  2. Noise
  3. Dust
  4. Stabilisation and monitoring of adjoining property owners
  5. Communication with the general public; and
  6. Complaints management

(b) notify those that made submissions; and

(c) call a division.

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

**11 Item 6 BATHURST PEST BIRD MANAGEMENT PLAN: UPDATE ON PROGRAM ACTIVITIES (14.00627)**

**MOVED** Cr M Coote

and **SECONDED** Cr B Bourke

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

**12 Item 7 RECEIPT OF AWARD FROM SKILLSET (18.00014)**

**MOVED** Cr I North

and **SECONDED** Cr J Jennings

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





- 19** **Item 7 CARRYOVER WORKS (16.00129, 16.00135)**  
**MOVED** Cr G Hanger and **SECONDED** Cr J Jennings

**RESOLVED:** That the items as identified on the list of carry-over works as at 30 June 2013 be carried over and added to the Management Plan for 2013/2014.

- 20** **Item 8 SISTER CITY DELEGATION TO OHKUMA - 2014 (23.00011)**  
**MOVED** Cr B Bourke and **SECONDED** Cr M Coote

**RESOLVED:** That Council:

- (a) send a delegation to Aizuwakamatsu to visit Ohkuma residents between March and May 2014, subject to further discussion with Ohkuma Town Council
- (b) authorise the Mayor and the General Manager (or his authorised delegate) to attend as Council delegates

- 21** **Item 9 LOCAL GOVERNMENT REFERENDUM (18.00289)**  
**MOVED** Cr G Rush and **SECONDED** Cr M Coote

**RESOLVED:** That:

- (a) the information be noted.
- (b) a letter from Council be sent to the Prime Minister expressing disappointment in the Election date and its impact on the Local Government Referendum.

### **Director Engineering Services' Report**

- 22** **Item 1 PROPOSED CLOSURE OF PRIVATE LANEWAY, 204 HOPE AND 294 PIPER STREETS, BATHURST (22.01824)**  
**MOVED** Cr M Coote and **SECONDED** Cr W Aubin

**RESOLVED:** That Council raise no objection to the closure of the laneway adjoining 204 Hope and 294 Piper Streets Bathurst, as detailed in the Director Engineering Services' report.

- 23** **Item 2 DEVIATION OF EASEMENT FOR DRAINAGE OF WATER 10 WIDE, LOT 67 DP270167, 2 KESSEY PLACE, ROBIN HILL (22.10570)**  
**MOVED** Cr J Jennings and **SECONDED** Cr G Westman

**RESOLVED:** That Council approve deviation of an Easement for drainage of water 10 wide and the extinguishment of easement for drainage of water 10 wide affecting



- 28** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 AUGUST 2013 (07.00064)**  
**MOVED** Cr I North and **SECONDED** Cr J Jennings

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 7 August 2013 be adopted.

### **Traffic Committee Meeting**

- 29** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 6 AUGUST 2013 (07.00006)**  
**MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 6 August 2013 be adopted.

### **Mount Panorama Racing Committee**

- 30** **Item 1 MINUTES - MOUNT PANORAMA RACING COMMITTEE MEETING - 6 AUGUST 2013 (04.00001)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

**RESOLVED:** That the recommendations of the Mount Panorama Racing Committee Meeting held on 6 August 2013 be adopted.

### **DELEGATES REPORTS**

- 31** **Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 10 JULY 2013 (11.00019)**  
**MOVED** Cr M Coote and **SECONDED** Cr G Westman

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

- 32** **Item 2 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 24 JULY 2013 (11.00019)**  
**MOVED** Cr W Aubin and **SECONDED** Cr J Jennings

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

- 33** **Item 3 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 6 AUGUST 2013 (20.00153)**  
**MOVED** Cr J Jennings and **SECONDED** Cr G Rush

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

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

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

**MOVED** Cr M Coote

and **SECONDED** Cr 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 we no representations from the public.**

**RESOLVED:** That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED MOTORSPORT SPEEDWAY	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	EXPRESSION OF INTEREST	10A (2) (d) (i) – contains

	- LOTS 1, 2 AND 3 DP778506 LOCATED ON VALE ROAD ORTON PARK	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	NEW SPORTING LICENCE AGREEMENT - BATHURST HOCKEY ASSOCIATION - PART LOT 7 DP608111 AND PART LOT 5 DP776928 KNOWN AS THE COOKE HOCKEY COMPLEX	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	PRICE ADJUSTMENT OF LOT 2 DP1076805 KNOWN AS 24 RUSSELL 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.
4	PROPOSED NEW LICENCE AGREEMENT - WEST BATHURST PRE-SCHOOL EARLYSTART PROGRAM - PART LOT 1 DP1001027 KNOWN AS 7 LEE STREET, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	SALE OF COUNCIL	10A (2) (c) – contains

	PROPERTY, LOT 52 DP728854 LOCATED ON SOFALA ROAD, PEEL.	information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
6	RECLASSIFICATION OF LAND - LOT 7 DP263393 LOCATED AT 67 WOODSIDE DRIVE, MT RANKIN	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.
7	PROPOSED NEW RURAL LICENCE AGREEMENT - LOT 17 DP1099208 LOCATED AT ROCKLEY STREET, GEORGES PLAINS TO PETERSON	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	NAB BLAYNEY TO BATHURST (B2B) CYCLO SPORTIF - ECONOMIC IMPACT 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.

9	RENEWAL OF RESIDENTIAL LEASE - LOT 402 DP1150519 KNOWN AS 17 MCGIRR STREET, BATHURST - GILLIES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
10	PROPOSED PURCHASE OF LOTS 10 AND 11 DP1141570 LOCATED AT 128 DURAMANA ROAD AND COX'S LANE, EGLINTON FROM CRIGHTON PROPERTIES 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.
11	PURCHASE OF PROPERTY - LOT 1 DP194761 AT KELSO FROM BROWN	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.
12	PROPOSED PRICE REDUCTION AND SALE OF LOT 711 DP1103109 KNOWN AS 9 IRVING PLACE, BATHURST TRADE CENTRE CENTRE	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.



13	WASTE MANAGEMENT CHARGES - PAK OF TRASH	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	REQUEST FOR FINANCIAL ASSISTANCE - SIMPLOT AUSTRALIA	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.
15	REQUEST FOR FINANCIAL ASSISTANCE- BATHURST CARILLON CITY TENNIS CLUB 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.
16	RENEWAL OF LICENCE AGREEMENT- LOT 138 DP1123180 AND PART LOT 136 DP1123180 - WINDRADYNE RESIDUE LAND	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

\* Director Engineering  
Services' Report

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED ACQUISITION FOR ROAD WIDENING, LOTS 1 AND 2 DP627380 LEE STREET, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	EXTINGUISHMENT OF EASEMENT FOR WATER SUPPLY - LOT 13 DP214037, 26 MCKELL 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 supplied it.
3	TENDER FOR PROVISION OF TRAFFIC CONTROL SERVICES	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 THE SUPPLY, DELIVERY AND PLACEMENT OF SPRAYED BITUMINOUS SURFACING	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on

		balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	TENDER FOR ROAD STABILISING WORKS	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 Environmental Planning & Building Services' Report

- a** Item 1 PROPOSED MOTORSPORT SPEEDWAY (20.00252)  
MOVED Cr W Aubin and SECONDED Cr M Coote

That Council:

- (a) grant its approval in principle to go to the next step in the process; and  
(b) invite the proponents to make a presentation to Council.

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

- b** Item 1 EXPRESSION OF INTEREST - LOTS 1, 2 AND 3 DP778506 LOCATED ON VALE ROAD ORTON PARK (21.00022)  
MOVED Cr G Hanger and SECONDED Cr I North

That Council approves entering into a new In-House Licence Agreement with Robert and Louise Wood for Lots 1, 2 and 3 in DP778506 located on Vale Road, Orton Park for a period of two (2) years at a yearly licence fee of \$3,362.50 pa (GST inclusive) plus annual CPI adjustments, as detailed in the report.

- c** Item 2 NEW SPORTING LICENCE AGREEMENT - BATHURST HOCKEY ASSOCIATION - PART LOT 7 DP608111 AND PART LOT 5 DP776928 KNOWN AS THE COOKE HOCKEY COMPLEX (04.00033)  
MOVED Cr G Westman and SECONDED Cr W Aubin

That Council approves entering into a new in-house sporting agreement for part Lot

7 DP608111 and part Lot 5 DP776928 located at the Cooke Hockey Complex, Learmonth Park, Bathurst with the Bathurst Hockey Association for a period of twenty (20) years as detailed in the report.

- d** **Item 3 PRICE ADJUSTMENT OF LOT 2 DP1076805 KNOWN AS 24 RUSSELL STREET, BATHURST (22.01140)**  
**MOVED** Cr G Rush and **SECONDED** Cr J Jennings

**That Council**

- (a) approves the price adjustment of Lot 2 DP1076805 known as 24 Russell Street, Bathurst and
- (b) authorise the General Manager to negotiate the sale of this land as detailed in the report.

- e** **Item 4 PROPOSED NEW LICENCE AGREEMENT - WEST BATHURST PRE-SCHOOL EARLYSTART PROGRAM - PART LOT 1 DP1001027 KNOWN AS 7 LEE STREET, KELSO (22.02268)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Coote

**That Council** approves entering into a new in-house licence agreement with the West Bathurst Pre-School EarlyStart Program for a portion of space at 7 Lee Street, Kelso (part Lot 1 DP1001027) for a period of one (1) year with a two (2) x one(1) year option, at a weekly licence fee of \$186.00 (GST inclusive) during school terms only, as detailed in the report.

- f** **Item 5 SALE OF COUNCIL PROPERTY, LOT 52 DP728854 LOCATED ON SOFALA ROAD, PEEL. (22.09227)**  
**MOVED** Cr G Rush and **SECONDED** Cr I North

**That Council**

- (a) approves the sale of Lot 52 DP728854 located on Sofala Road, Peel and
- (b) delegate authority to the General Manager to sell the property as detailed in the report.

- g** **Item 6 RECLASSIFICATION OF LAND - LOT 7 DP263393 LOCATED AT 67 WOODSIDE DRIVE, MT RANKIN (22.09031)**  
**MOVED** Cr G Westman and **SECONDED** Cr G Rush

**That Council** reclassify Lot 7 DP263393 located at 67 Woodside Drive, Mt Rankin from Community land to Operational land under the provisions of Section 31(2) of the Local Government Act 1993.

**h Item 7 PROPOSED NEW RURAL LICENCE AGREEMENT - LOT 17 DP1099208 LOCATED AT ROCKLEY STREET, GEORGES PLAINS TO PETERSON (22.10657)**

**MOVED** Cr J Jennings and **SECONDED** Cr G Hanger

That Council approves entering into a new licence agreement with Jordan and Amanda Peterson for Lot 17 DP1099208 known as 1 Rockley Street, George Plains for a period of twelve (12) months at a yearly licence fee of \$100.00 (GST inclusive), to be reviewed at the expiration of the licence term, as detailed in the report.

**i Item 8 NAB BLAYNEY TO BATHURST (B2B) CYCLO SPORTIF - ECONOMIC IMPACT REPORT (23.00128)**

**MOVED** Cr G Rush and **SECONDED** Cr M Coote

That the information be noted.

**i Item 9 RENEWAL OF RESIDENTIAL LEASE - LOT 402 DP1150519 KNOWN AS 17 MCGIRR STREET, BATHURST - GILLIES (22.14003)**

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

That Council approve the continuation of the Residential Tenancy Agreement for Lot 402 DP1150519 known as 17 McGirr Street, Bathurst with Benjamin and Anna Gillies for a period of twelve (12) months at a weekly lease payment of \$400.00 as detailed in the report.

**k Item 10 PROPOSED PURCHASE OF LOTS 10 AND 11 DP1141570 LOCATED AT 128 DURAMANA ROAD AND COX'S LANE, EGLINTON FROM CRIGHTON PROPERTIES PTY LTD (22.01826)**

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

That Council endorse the actions of the General Manager in submitting an Expression of Interest form in relation to the purchase of Lot 10 DP1141570 known as 128 Duramana Road and Lot 11 DP1141570 located on Cox's Lane, Eglinton by the closing date of the 8 August 2013.

**l Item 11 PURCHASE OF PROPERTY - LOT 1 DP194761 AT KELSO FROM BROWN (22.00972)**

**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

That Council approves

- (a) the purchase of Lot 1 DP194761 located between Hereford Street and Stephens Lane Kelso under the Government's Voluntary Acquisition Scheme as detailed in the report.
- (b) the property is to be classified as operational under the provisions of Section

31(2) of the Local Government Act 1993.

**m Item 12 PROPOSED PRICE REDUCTION AND SALE OF LOT 711 DP1103109 KNOWN AS 9 IRVING PLACE, BATHURST TRADE CENTRE CENTRE (22.14853)**

**MOVED** Cr G Rush and **SECONDED** Cr G Hanger

**That** Council sells Lot 711 DP1103109 known as 9 Irving Place, Bathurst Trade Centre to Rodney Graham for \$49m<sup>2</sup> (GST inclusive) as detailed in the report.

**n Item 13 WASTE MANAGEMENT CHARGES - PAK OF TRASH (16.00135)**  
**MOVED** Cr I North and **SECONDED** Cr M Coote

**That** Council:

- (a) introduce a rural waste rebate of \$10 per tonne to be allowed off Council's Mixed Waste fee for contractors collecting waste in rural areas within Bathurst Regional Council
- (b) notify rural waste contractors of proposed changes to the charges imposed at the Waste Management Centre
- (c) advertise for 28 days this proposed change in Revenue Policy and if no objections are received then Council adopt this new waste rebate for rural waste contractors and include it in the Revenue Policy

**o Item 14.1 REQUEST FOR FINANCIAL ASSISTANCE - SIMPLOT AUSTRALIA (22.01582)**

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

**That** Council defer consideration of this matter pending further discussions with Simplot Management in relation to their financial position.

**The MOTION was PUT and LOST**

**p Item 14.2 REQUEST FOR FINANCIAL ASSISTANCE - SIMPLOT AUSTRALIA (22.01582)**

**MOVED** Cr B Bourke

**That** Council consider assisting Simplot by providing a reduction by way of a Section 356 donation (funded from the water fund). This would have to be provided in future budgets should Council wish this reduction to be ongoing.

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

Cr Hanger left the Chamber at 7.15 pm and took no further part in the meeting.

**g** Item 14.3 REQUEST FOR FINANCIAL ASSISTANCE - SIMPLOT AUSTRALIA (22.01582)

MOVED Cr G Westman and SECONDED Cr W Aubin

The following MOTION was MOVED.

That

- (a) Council enter into immediate discussions with Simplot with a strong view to providing support to their business. This support be discussed up to \$2m over a five year period. This support to be further explored together with the long term benefits in the Bathurst region.
- (b) Once negotiations have occurred a further report be presented to Council.

The MOTION was PUT and LOST

**r** Item 14.4 REQUEST FOR FINANCIAL ASSISTANCE - SIMPLOT AUSTRALIA (22.01582)

MOVED Cr G Rush and SECONDED Cr I North

That

- (a) Council enter into immediate discussions with Simplot with a strong view to provide support to their business and the local community. This support to be further explored together with the long term benefits in the Bathurst region.
- (b) Once discussions have occurred, a further report be presented to Council.

**s** Item 15 REQUEST FOR FINANCIAL ASSISTANCE- BATHURST CARILLON CITY TENNIS CLUB INC (04.00013-07)

MOVED Cr B Bourke and SECONDED Cr M Coote

That Council advises the Bathurst Carillon City Tennis Club (BCCTC) that

- (a) Council will provide up to 50% of the cost of constructing the new clubhouse
- (b) The BCCTC are to provide 50% of the cost of the new facility by way of cash funds or by obtaining a grant
- (c) That the BCCTC be responsible for the cost of fitting out the new facility which will include, carpet, blinds, furniture etc
- (d) That should BCCTC agree to the 50% funding method (as outlined above) that this project be included for consideration in the 2014/2015 Operating Plan process.

- t** **Item 16 RENEWAL OF LICENCE AGREEMENT- LOT 138 DP1123180 AND PART LOT 136 DP1123180 - WINDRADYNE RESIDUE LAND (20.00119)**  
**MOVED** Cr G Rush and **SECONDED** Cr M Coote

That Council approves entering into a new licence agreement with Mr Peter Wilson for Lot 138 DP1123180 and part Lot 136 DP1123180 known as the Windradyne Residue land for a period of six (6) months at a monthly licence fee of \$501.00 (GST inclusive) as detailed in the report.

### **Director Engineering Services' Report**

- u** **Item 1 PROPOSED ACQUISITION FOR ROAD WIDENING, LOTS 1 AND 2 DP627380 LEE STREET, KELSO (25.00074-02)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Coote

That:

- (a) Council approve the proposed acquisition of land for road widening purposes for construction of a new water main at Lots 1 and 2 DP627380 being 62 and 68 Lee Street, Kelso subject to the conditions outlined in the Director Engineering Services' report, and
- (b) the acquired land is to be classified as Operational land and dedicated to the public as road.

- v** **Item 2 EXTINGUISHMENT OF EASEMENT FOR WATER SUPPLY - LOT 13 DP214037, 26 MCKELL STREET WEST BATHURST (22.07878)**  
**MOVED** Cr M Coote and **SECONDED** Cr G Westman

That Council approve the extinguishing of an easement for water supply affecting Lot 13 DP214037 at 26 McKell Street, West Bathurst as detailed in the Director Engineering Services' report.

- w** **Item 3 TENDER FOR PROVISION OF TRAFFIC CONTROL SERVICES (36.00487)**  
**MOVED** Cr M Coote and **SECONDED** Cr W Aubin

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

Reason: Friend of Manager of Company.

That Council accept the tender from Dubbo Traffic Control for the provision of Traffic Control Services for Contract No. 36.00487.





**MINUTE**

**5     DECLARATION OF INTEREST 11.00002**  
**MOVED: Cr G Hanger SECONDED: Cr I North**

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

Cr Aubin

Item #5 of the Director Corporate Services and Finance's Report

**GENERAL MANAGER'S REPORT AND MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

18 SEPTEMBER 2013

## **1 ELECTION OF MAYOR AND DEPUTY MAYOR (12.00004)**

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

**Report:** In accordance with the provisions of the Local Government Act 1993, the election of Mayor by the Councillors is to be held during the month of September (Section 290). Bathurst Regional Council will therefore be required to elect both the Mayor and Deputy Mayor.

The Local Government (General) Regulation 2005, Schedule 7, prescribes how a Mayor and Deputy Mayor are to be elected.

Nomination forms are at **Attachments 1 and 2** for Councillors and may be returned to me, or handed to me at the commencement of the Council meeting.

The procedure for both Elections will be:

- (i) The General Manager will be the Returning Officer;
- (ii) The General Manager will call for further nominations;
- (iii) Nominations will be closed;
- (iv) The Returning Officer will announce the names of the nominees at the Council meeting at which the election is to be held;
- (v) If more than one nomination is received, an election will be held;
- (vi) Council will be asked to resolve the form of election, if required, ie ordinary ballot, preferential ballot or open voting.
- (vii) The election is to be held at the Council meeting at which the Council resolves on the method of voting.

The following process for nomination applies, as per Clause 2 of Schedule 7:

1. A Councillor may be nominated without notice for election as Mayor or Deputy Mayor;
2. The nomination is to be made in writing by 2 or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing;
3. The nomination is to be delivered or sent to the Returning Officer;
4. The Returning officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

**Financial Implications:** Nil.

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

- Objective 33: To be and develop good leaders. Strategy 33.7

## MINUTE

### 6 Item 1 ELECTION OF MAYOR AND DEPUTY MAYOR (12.00004)

**ELECTION OF MAYOR** - Two nominations were received for the position of Mayor: Councillor Morse & Councillor Rush.

A **MOTION** was **MOVED** Cr North **SECONDED** Cr Westman

**RESOLVED:** that the election for Mayor and Deputy Mayor proceed by Open Voting.

The result of the ballot was:

Councillor Morse	4 votes
Councillor Rush	5 votes

Councillor Rush was declared elected as Mayor for the period to September 2014.

**ELECTION OF DEPUTY MAYOR** - One nomination for the position of Deputy Mayor was received from Councillor North.

There being only one nomination Councillor North was declared elected as Deputy Mayor for the period to September 2014.

**Councillor Rush took the Chair**

**A short recess at 6.15pm was declared to allow the Mayor to speak with the media.**

**The Mayor, Councillor Rush resumed the meeting at 6.40pm**

Yours faithfully



R Roach  
**ACTING GENERAL MANAGER**

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT AND  
MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

18 SEPTEMBER 2013

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

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

**Report:** A copy of Section 79C of the Environmental Planning and Assessment Act 1979 is provided at **attachment 1** to assist Council in the assessment of Development Applications.

**Financial Implications:** Nil.

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

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

**MINUTE**

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

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

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



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

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

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

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during August 2013 (**attachment 1**)
- (b) Applications refused during August 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 August 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**

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

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

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

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

**Report:** Council adopted the Bathurst Community Access and Cycling Plan at its Ordinary Meeting held 15 June 2011. This report outlines Council's key achievements in the implementation of the Plan over the 2012/2013 financial year.

During the 2012/2013 financial year, Council has undertaken a number of projects with respect to the footpath and cycleway network. Of particular note are the following works:

<b>Road Name</b>	<b>Location</b>	<b>Suburb</b>	<b>Asset Type</b>	<b>Length (m)</b>
Durham Street	In front of Netball clubhouse to carpark	Bathurst	FP - Footpath	61.47
Eglinton Walkways	Park Street to Lamont Place	Eglinton	FP - Footpath	100
Gilmour Street	In front of 190 Gilmour Street	Kelso	FP - Cycleway	35
Gilmour Street	In front of Trinity Heights Shopping Centre	Kelso	FP - Cycleway	387.5
John Matthews Complex	From Durham Street to Netball Clubhouse and Netball Courts	Bathurst	FP - Footpath	109
John Matthews Complex	From Netball Clubhouse to toilet block	Bathurst	FP - Footpath	35.15
Napoleon Street	Elmo Lavis Park	Raglan	FP - Cycleway	493
Ophir Road Reserve	Ophir Road to Macquarie River	Abercrombie	FP - Cycleway	542
Esrom Street	Durham Street to Rosehill Street	West Bathurst	FP - Footpath	212
Esrom Street	Rosehill Street to Golsby Street	West Bathurst	FP - Footpath	90
Esrom Street	Golsby Street to High Street	West Bathurst	FP - Footpath	109
Esrom Street	High Street to Annesley Street	West Bathurst	FP - Footpath	90
<b>TOTAL</b>				<b>2264.12</b>

Council has also continued to maintain the existing footpaths and cycleways during the 2012/2013 financial year. Maintenance of the footpaths and cycleways generally relate to removing trip hazards and replacement of small sections of the footpaths as they are identified.

Council's footpath and cycleway construction will continue in the 2013/14 financial year.

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

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

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.6
- Objective 14: To encourage less car dependency. Strategy 14.1

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

**MINUTE**

**9 Item 3 BATHURST COMMUNITY ACCESS AND CYCLING PLAN UPDATE**  
**(20.00165)**

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

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

#### **4 CLOSURE OF ETHELTON AVENUE (DA/2012/0416)**

**Recommendation:** That Council:

- (a) commence proceedings for the legal closure of Ethelton Avenue near the rail crossing pursuant to the Roads Act;
- (b) advise Bathurst Harness Racing Club that they will be responsible for all legal and survey work and costs associated with the proposed road closure and dedication of new road; and
- (c) refer the issue of potential reconstruction and sealing works to the 2014/15 Management Plan.

**Report:** As part of the proposed development of the Harness Racing Club the following condition was imposed upon the development consent.

**Ethelton Avenue rail crossing is to be closed. The developer is to liaise with Council, John Holland Rail, Roads and Maritime Services and the affected property owners as to the most appropriate location and means to affect the closure. All costs associated with the closure are full responsibility of the developer.**

The closure was the result of concerns regarding the adequacy of the existing rail crossing and in particular the absence of storage space between the rail line and Vale Road (particularly given the expected vehicle types) and the poor quality of the roadway itself near the intersection with Vale Road.

A location plan is provided at **attachment 1**.

Ethelton Avenue is approximately 1 kilometre in length and joins College Road to Vale Road. An existing unsignalised crossing over the Great Western Railway line is located approximately 30 metres from the intersection with Vale Road. Ethelton Avenue is gravel for its entire length.

Traffic movements along Ethelton Avenue are generally less than 50 per day.

Closure of Ethelton Avenue will add approximately 1.5 km to the trip for anyone wishing to travel from College Road to Vale Road in that they will now have to use Lloyds Road.

For the resident of 23 Ethelton it will add some distance to the average trip to Bathurst e.g. it is 2.4 km to the intersection of Havannah and Rocket Street via Vale Road as opposed to 3.1 km to the same point via College Road and Havannah Street.

Currently 6 properties have frontage to Ethelton Avenue. All properties with the exception of one (23 Ethelton Avenue) have alternate road frontages to either College Road or Lloyds Road. The property, 23 Ethelton Avenue is the only residential property affected and currently has access in both directions.

Closure of the Ethelton Avenue rail crossing was supported by both the Roads and Maritime Service (responsible for Vale Road) and John Holland Rail (responsible for the rail crossing) as part of the Development Application process although at that time the final location and type of barrier to be installed was not known.

In response to the condition the applicants have prepared a draft plan for consideration ( **attachment 2**). The plan includes the closure of the rail crossing by placing a barrier either side. This will effectively close Ethelton Avenue as a through road. In addition a cul de sac head will be constructed on the western side of the rail crossing. The cul de sac will be constructed on Council land (part of the Harness Racing Club leased land) between the rail line and 23 Ethelton Avenue.

Due to the presence of 2 farm accesses on the eastern side of Ethelton Avenue (ie between the rail line and Vale Road) it will not be possible to remove the intersection completely without needing to construct new accesses onto Vale Road for these properties.

A copy of the plan was forwarded to the RMS and John Holland Rail and those persons who directly adjoin Ethelton Avenue on either side.

In response Council has received submissions from the RMS, the Department of Defence (owners of adjoining land) and the owner of 23 Ethelton Avenue. Copies of the submissions are provided at **attachment 3**.

The RMS is generally supportive of the proposal and has made some recommendations for improved signage which can be incorporated into the plan.

The Department of Defence raised no objection to the closure.

The owner of 23 Ethelton Avenue advises that the proposed closure would have a significant impact upon the property as it restricts access to the east (Vale Road). The issue of the standard of Ethelton Avenue was also raised. At present Ethelton Avenue is subject to high levels of erosion meaning that it is subject to severe scouring resulting in the road conditions deteriorating in heavy rain events.

Notwithstanding whether Ethelton Avenue is closed the issue of maintenance of the road will remain and can be further considered as part of the 2014/15 Management Plan. Whether the result is full or partial sealing or some other treatment is not known at this stage.

Whilst it is acknowledged that there will be minor loss of convenience to road users in general and in particular to the residents of 23 Ethelton Avenue there is an overriding safety issue that needs to be addressed.

It is therefore recommended that Council:

- (a) commence proceedings for the legal closure of Ethelton Avenue near the rail crossing pursuant to the Roads Act.
- (b) advise Bathurst Harness Racing Club that they will be responsible for all legal and survey work and costs associated with the proposed road closure and dedication of new road.
- (c) refer the issue of potential reconstruction and sealing works to the 2014/15 Management Plan.

**Financial Implications:** Nil.

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

- Objective 24: To provide and support the provision of Strategy 24.2

accessible, affordable and well planned transport systems.

- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels.

Strategy 29.1



## MINUTE

**10    Item 4    CLOSURE OF ETHELTON AVENUE (DA/2012/0416)**  
**MOVED: Cr B Bourke SECONDED: Cr G Westman**

**RESOLVED:** That Council:

- (a) commence proceedings for the legal closure of Ethelton Avenue near the rail crossing pursuant to the Roads Act;
- (b) advise Bathurst Harness Racing Club that they will be responsible for all legal and survey work and costs associated with the proposed road closure and dedication of new road; and
- (c) refer the issue of potential reconstruction and sealing works to the 2014/15 Management Plan.

**5 DEVELOPMENT APPLICATION NO. 2013/0258 – ADDITIONS TO A DWELLING AND 6 LOT RESIDENTIAL SUBDIVISION AT LOTS 1 AND 2, DP741596, LOTS A AND B DP 157675 AND LOT 1 DP 998754, AT 127, 129, 131, 133 AND 135 DURHAM STREET, BATHURST. APPLICANT & OWNER: ANDREW SHUMACK (DA/2013/0258)**

**Recommendation:** That Council:

- (a) support the variation to the minimum lot size for residential subdivision prescribed in the Bathurst Regional (Interim) Development Control Plan 2011; and
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0258, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended.
- (c) call a division.

**Report:** The Site

Council has received a Development Application (DA) for additions to a dwelling and 6 lot residential subdivision at 127-135 Durham Street, described as Lots 1 and 2, DP 741596, Lots A and B, DP 157675 and Lot 1, DP 998754. A location plan is at **attachment 1**.

The subject properties currently contain five dwellings. Four of these five dwellings are attached (129, 131, 133 and 135 Durham Street). Number 127 Durham Street is a small detached cottage however it is located close to the boundary line of the adjoining 125 Durham Street.

Number 125 Durham Street does not form part of this proposal.

The rear of the site is used for storage associated with Shumack Engineering. Given the industrial history of the site, the investigation and if required remediation of any potential contamination can be addressed through conditions on the development.

**The proposal**

The proposal involves:

- Additions to the rear of the existing cottage at 127 Durham Street including the construction of a combined garage and workshop;
- A six (6) lot residential subdivision.

The resulting lots are as follows:

<b>Lot Number</b>	<b>Size (sqm)</b>	<b>Dwelling/Vacant</b>
11	224.9	Dwelling
12	246.1	Dwelling
13	283.6	Dwelling
14	219.7	Dwelling
15	326.6	Dwelling
16	2198	Vacant

The outcome of this proposal is that the five existing dwellings will each be located on a separate allotment with the remaining land behind each of the proposed allotments

becoming proposed lot 16.

The plans of proposed development are at **attachment 2**.

The additions to the rear of 127 Durham Street involve the demolition of the existing skillion to the original cottage and the construction of a new bedroom and combined workshop and garage space.

The proposed development is referred to Council as currently three of five lots meet the minimum lot size for a dwelling of 550m<sup>2</sup> being 129, 131 and 133 Durham Street. The proposed development will result in five of the six allotments being below the minimum lot size of 550m<sup>2</sup>.

### 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*. A subdivision is permissible with consent in the 2(a) Residential zone. The proposal is consistent with the objectives of the zone.

#### **Clause 23 - Environmental Heritage**

The subject properties are located within the Bathurst Heritage Conservation Area.

Part of the proposal involves the demolition of the skillion building at the rear of the original cottage at 127 Durham Street. A new bedroom, bathroom and combined garage and workshop will be constructed at the rear of the cottage. The majority of the addition will not be visible from Durham Street. The applicant has proposed a panel door and the proposed garage has been setback from the front building line of the existing cottage. Given these characteristics and location of the garage, the proposed development is not considered to have a negative impact on the streetscape of the heritage conservation area.

The proposed development is considered to be an acceptable reuse of the heritage cottages.

#### ***Bathurst Regional (Interim) Development Control Plan 2011- Chapter 3 Subdivision***

### Roads

There are no new roads or accesses proposed as part of this residential subdivision. Each of the proposed lots will continue to gain access from Durham Street. The pattern of subdivision is such that the new lot 16 located at the rear of the existing cottages will be burdened by a right of carriage way over its two driveway points to benefit proposed Lot 11 and 15. The remaining of 12, 13 and 14 have separate driveways. Proposed lots 13 and 14 have a shared driveway.

#### ***Bathurst Regional (Interim) Development Control Plan 2011- Chapter 4 Residential Development***

The proposed development involves the subdivision of five existing allotments to create one additional lot. The proposed development will result in a total of six new residential lots within Central Bathurst.

The minimum lot size for a residential lot is 550sqm. The proposal complies with the development standards for residential development except as noted below. The minimum lot sizes for the development are as follows:

Existing Lots	Existing area	Proposed Lots	Proposed area	DCP compliance
Lot 1/741596	444.5m <sup>2</sup>	11	224.9m <sup>2</sup>	No*
Lot 2/741596	444.5m <sup>2</sup>	12	246.1m <sup>2</sup>	No*
Lot A/157675	581.7m <sup>2</sup>	13	283.6m <sup>2</sup>	No*
Lot B/157675	627.3m <sup>2</sup>	14	219.7m <sup>2</sup>	No*
Lot 1/998754	1396m <sup>2</sup>	15	326.6m <sup>2</sup>	No*
<b>New allotment</b>		16	2198m <sup>2</sup>	Yes

Development Standard	Proposed	Permissible	Compliance
Car Parking	5 garage	1 covered space per dwelling	Yes
Open Space	Lot 11- 33 m <sup>2</sup>	20 m <sup>2</sup>	Yes
	Lot 12- 41 m <sup>2</sup>	40 m <sup>2</sup>	
	Lot 13- 47 m <sup>2</sup>	40 m <sup>2</sup>	
	Lot 14- 36 m <sup>2</sup>	30 m <sup>2</sup>	
	Lot 15- 55 m <sup>2</sup>	20 m <sup>2</sup>	
Open Space width	Lot 11- 4.4m	4 metres	Yes
	Lot 12- 4m		
	Lot 13- 6.2m		
	Lot 14- 4.4m		
	Lot 15- 5m		

\* The minimum lot size for residential allotments is 550m<sup>2</sup>. The proposed development will create five lots that are below the minimum lot size of 550m<sup>2</sup>. The non compliance is considered appropriate for the following reasons:

1. Two of the existing five allotments are already below the minimum lot size;
2. The allotments which fall below the minimum lot size of 550m<sup>2</sup> already have a dwelling erected upon them. Each of these lots have satisfied the setback standard, provision of private open space and a covered car park space for each of the existing dwellings.
3. **The proposed subdivision is considered an acceptable re-use of heritage cottages.**

### Submissions

The Development Application was not required to be advertised and notified to adjoining property owners. There were no submissions received during the assessment process of the application.

### Conclusion

Council has received a Development Application for additions to a dwelling and six lot residential subdivision of which five lots are below the minimum lot size of 550m<sup>2</sup>. The non compliance is considered appropriate for the following reasons:

1. two of the existing five allotments are already below the minimum lot size; and
2. the allotments which fall below the minimum lot size of 550m<sup>2</sup> already have a dwelling erected upon them. Each of these lots have satisfied the setback standard, provision of private open space and a covered car park space for each of the existing dwellings.
3. **The proposed subdivision is considered an acceptable re-use of heritage cottages.**

**Financial Implications:** Nil.

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

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

## MINUTE

11 Item 5 DEVELOPMENT APPLICATION NO. 2013/0258 – ADDITIONS TO A DWELLING AND 6 LOT RESIDENTIAL SUBDIVISION AT LOTS 1 AND 2, DP741596, LOTS A AND B DP 157675 AND LOT 1 DP 998754, AT 127, 129, 131, 133 AND 135 DURHAM STREET, BATHURST. APPLICANT & OWNER: ANDREW SHUMACK (DA/2013/0258)

MOVED: Cr M Coote SECONDED: Cr I North

**RESOLVED:** That Council:

- (a) support the variation to the minimum lot size for residential subdivision prescribed in the Bathurst Regional (Interim) Development Control Plan 2011; and
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0258, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended.
- (c) call a division.

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

**6 DEVELOPMENT APPLICATION NO. 2013/0301 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 2461 MID WESTERN HIGHWAY, FITZGERALDS MOUNT AND 2537 MID WESTERN HIGHWAY, FITZGERALDS MOUNT. APPLICANT: ANDREWS JOHNS. OWNER: MR M JOHNS, MR A JOHNS, MRS A JOHNS & MRS L JOHNS (DA/2013/0301)**

**Recommendation:** That Council:

- (a) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 2;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 2;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0301, 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 2537 Mid Western Highway, Fitzgeralds Mount (Lot 4, DP 866945) and 2461 Mid Western Highway, Fitzgeralds Mount (Lot 2, DP 866945). A location plan is at **attachment 1**.

2537 Mid Western Highway is 113.8 ha and currently contains a dwelling and rural outbuildings.

2461 Mid Western Highway is 5.843 ha and currently contains a dwelling.

**The proposal**

The proposal is for the resubdivision of the two existing lots to increase the area of Lot 2 (2461 Mid Western Highway) by 2.594 ha and reducing the area of Lot 4 (2537 Mid Western Highway). The plan of proposed subdivision is at **attachment 2**.

The proposal will result in:

- Lot 2 (2461 Mid Western Highway) will increase in size to 8.437 ha
- Lot 4 (2537 Mid Western Highway) will decrease in size to 111.206 ha

Both lots will continue to contain separate dwellings.

**Planning Context**

*Bathurst Regional (Interim) Local Environmental Plan 2005* (BRLEP 2005)

The subject site is zoned 1(e) Outer Rural under the provisions of the Bathurst Regional (Interim) Local Environmental Plan 2005. Under Clause 27 of the Bathurst Regional (Interim)

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

Proposed Lot 2 is therefore below the minimum areas specified by Clause 27 and 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005, in that it will have an area of 8.437 hectares.

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

1. One lot is already well below the minimum lot size of 100 hectares;
2. The proposed lot sizes are consistent with the surrounding pattern of subdivision;
3. No new lots are created;
4. No new dwelling entitlements are being created; 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 2537 Mid Western Highway, Fitzgerald Mount and 2461 Mid Western Highway, Fitzgerald Mount. 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

**12 Item 6 DEVELOPMENT APPLICATION NO. 2013/0301 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 2461 MID WESTERN HIGHWAY, FITZGERALDS MOUNT AND 2537 MID WESTERN HIGHWAY, FITZGERALDS MOUNT. APPLICANT: ANDREWS JOHNS. OWNER: MR M JOHNS, MR A JOHNS, MRS A JOHNS & MRS L JOHNS (DA/2013/0301)**

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

**RESOLVED:** That Council:

- (a) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 2;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 2;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0301, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

## **7 ENERGY EFFICIENCY AND R&D TAX INCENTIVE WORKSHOPS (11.00009)**

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

**Report:** The Australian Industry Group, AusIndustry and Bathurst Regional Council recently partnered together to offer two highly beneficial workshops on 8 August 2013.

The morning workshop, presented by the Australian Industry Group (AI Group), addressed energy efficient opportunities for local business with an emphasis on reducing operational costs. The afternoon workshop, delivered by AusIndustry, provided advice and step-by-step instructions on how to apply for R&D tax incentives as a small business or accountant.

Council's Economic Development section elected to partner with AusIndustry and AI Group as a result of direct feedback from the business community that there was a need for training on how to implement cost saving measures and how to access beneficial incentives.

Specifically, the partnership between the three organisations aimed to satisfy three distinct objectives:

1. educating the business community on available cost saving opportunities, incentives and new developments
2. sharing recent tax developments with accounting firms to more effectively advise local businesses on receiving tax concessions
3. partnering with such organisations also satisfies the requirements of a skilled workforce as indicated in Council's Economic Development Strategy

Council agreed to manage the promotional strategy, logistics and catering while AI Group and AusIndustry were responsible for the management of workshop content.

The marketing strategy consisted of a combination of radio, social media, promotional flyers, newspaper advertising/media releases and emails to Council's business database. The Bathurst Business Chamber also supported the workshops through promotion to their members.

The workshops attracted 60 individuals across the course of the day, and positive feedback was received, including:

*"Very well presented. A number of great ideas that can be implemented immediately."*

*"Worthwhile session. Would like to see more seminars on similar topics."*

*"Good presenters with good experience and knowledge."*

It was notable that some of Bathurst's biggest businesses attended.

**Conclusion:**

Overall, the workshops:

- educated those in attendance on new energy efficiency opportunities, including new technologies and techniques;
- provided guidance on how accountants and businesses can access tax incentives;
- attracted 60+ attendees from organisations including Simplot, Skillset, Devro and WHK;
- demonstrated that Council takes a proactive role in supporting local business;

- supports the skilled workforce section of Council's Economic Development Strategy;
- successfully strengthened the relationship between Council, AusIndustry and AI Group; and
- encouraged networking and information sharing.
- 
- **Financial Implications:** The event was funded from within existing budgets.
- 
- **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**
- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.3
- Objective 5: To facilitate and foster partnerships, networks and infrastructure to support and attract knowledge, innovation and research. Strategy 5.1, 5.6

**MINUTE**

**13 Item 7 ENERGY EFFICIENCY AND R&D TAX INCENTIVE WORKSHOPS**  
**(11.00009)**

**MOVED: Cr G Westman SECONDED: Cr W Aubin**

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

## **8 CAR PARKING LICENCE AGREEMENT WITH WESTERN NSW LOCAL HEALTH DISTRICT (BATHURST HEALTH SERVICE) (22.01047)**

**Recommendation:** That Council:

- (a) agree to enter into a Car Parking Agreement with Western NSW Local Health District to patrol the free parking areas in the Bathurst Health Service car parks for a period of two (2) years.
- (b) delegate authority to the General Manager to sign the agreement on behalf of Bathurst Regional Council.

**Report:** Council has been approached by Mr David Wright, General Manager of the Western NSW Local Health District (Bathurst Health Service) (**attachment 1**) regarding the enforcement of parking restrictions on the grounds of the Bathurst Base Hospital.

For Council's information, it is a condition of employment for Bathurst Health Service (BHS) employees that they do not park within the car parks designated for use by the public. BHS wishes to ensure that there is sufficient parking available in the hospital grounds for patients and their visitors.

As Council would be aware, there are a number of staff car parking areas available on the hospital site. Further, there is unrestricted parking available in Mitre, Durham and Commonwealth Streets for use by staff or members of the public.

However, a number of BHS staff (and some contractors) do not respect the parking condition and park during their work hours in the time limited public car parks. Unfortunately, a number of BHS staff and contractors also abuse the fact that the car parks are not monitored and repeatedly park in designated disabled spaces without authority. This action restricts the number of spaces available for the public. This is of concern for a person with a disability, or someone requiring parking for a sick patient.

Management of BHS believe that the best way to address this issue would be for Council Rangers to enforce the time restrictions and use of disabled parking spaces. In order for Council to undertake this action, both parties must enter into what is known as a "free parking agreement" under s.650 of the Local Government Act 1993.

It should be noted that the hospital has previously tried enforcement itself, but was unsuccessful.

A copy of the agreement is at **attachment 2**.

It is appreciated that Council may be concerned that patients or their immediate families may receive a Penalty Infringement Notice (PIN). **There is no desire from BHS management to fine patients or their families. Therefore the following measures are proposed:**

1. The Nursing Unit Manager for each ward (and other senior members of BHS staff) will be able to issue a permit (valid for the day of issue only) which will allow genuine patients or their families to be exempt from posted time limits. Council will work with BHS to ensure the permit system is used appropriately and altered from time to time if there is any fraudulent use of the permits.
2. The Office of State Revenue guidelines give leniency to any person who receives a

PIN for a parking offence in the case of a genuine medical emergency. Council can work with BHS to ensure they have an appropriate template letter to provide as supporting evidence for any person who receives a PIN.

3. Any person who holds a valid Mobility Parking Scheme permit is exempt from time limits under the Local Government Act 1993 and therefore would not be affected by Council enforcing time restrictions.

It is therefore recommended that Council enter into a Car Parking Agreement with Western NSW Local Health District to patrol the free parking areas in the Bathurst Health Service car parks for a period of two (2) years.

**Financial Implications:** If Council resolves to enter into the agreement, BHS will be required to pay the cost of preparing the agreement by Council's solicitor (\$880.00 incl GST). BHS would also be responsible for purchase and erection of appropriate signage.

Council would receive income from any PINs issued at the site and \$1.00 per year from BHS for the monitoring.

If Council resolves not to enter into the agreement, Council will be liable for the cost of preparing the agreement (\$880.00 incl GST).

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

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.5

**MINUTE**

**14 Item 8.1 CAR PARKING LICENCE AGREEMENT WITH WESTERN NSW LOCAL HEALTH DISTRICT (BATHURST HEALTH SERVICE) (22.01047)**

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

That Council:

- (a) not agree to enter into a Car Parking Agreement with Western NSW Local Health District to patrol the free parking areas in the Bathurst Health Service car parks for a period of two (2) years.

**The MOTION was PUT and LOST**

**MINUTE**

**15 Item 8.2 CAR PARKING LICENCE AGREEMENT WITH WESTERN NSW LOCAL HEALTH DISTRICT (BATHURST HEALTH SERVICE) (22.01047)**

**MOVED: Cr G Westman SECONDED: Cr M Coote**

**RESOLVED:** That Council:

- (a) agree to enter into a Car Parking Agreement with Western NSW Local Health District to patrol the free parking areas in the Bathurst Health Service car parks for a period of two (2) years.
- (b) delegate authority to the General Manager to sign the agreement on behalf of Bathurst Regional Council.

Yours faithfully



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



**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

18 SEPTEMBER 2013

## **1 STATEMENT OF INVESTMENTS (16.00001)**

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

**Report:** \$70,500,000.00 was invested at 31 August 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:

	<b><u>Rating</u></b>	<b><u>Balance</u></b>	<b><u>Average Return</u></b>
<b><u>Short Term 1 – 365 Days</u></b> (comprising Commercial Bills, Debentures and Certificates of Deposit):			
Bank of Queensland	A2	\$14,500,000.00	4.34%
Bendigo and Adelaide Bank	A2	\$10,000,000.00	4.15%
IMB	A3	\$8,500,000.00	4.14%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	4.02%
National Australia Bank	A1+	\$13,500,000.00	4.23%
People's Choice Credit Union	ADI	\$2,000,000.00	4.11%
Railways Credit Union	ADI	\$1,000,000.00	4.30%
SGE Credit Union	ADI	<u>\$1,000,000.00</u>	<u>4.20%</u>
		<b>\$53,500,000.00</b>	<b>4.22%</b>
<b><u>Long Term &gt; 365 Days</u></b> (comprising Commercial Bills, Term Deposits and Bonds):			
<b><u>Committed Rolling Investments</u></b>			
Westpac	AA-	\$2,000,000.00	3.95%
Westpac	AA-	\$2,000,000.00	4.07%
Westpac	AA-	\$2,000,000.00	3.88%
Westpac	AA-	<u>\$2,000,000.00</u>	<u>3.93%</u>
		<b>\$8,000,000.00</b>	<b>3.96%</b>
<b><u>Fixed, Negotiable &amp; Tradeable Certificates of Deposits</u></b>			
Commonwealth Bank	AA-	\$2,000,000.00	3.71%
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>3.85%</u>
		<b>\$4,000,000.00</b>	<b>3.78%</b>
<b><u>Floating Rate Notes</u></b>			
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	4.38%
Bendigo & Adelaide Bank Retail Bond	A-	<u>\$3,000,000.00</u>	<u>4.26%</u>
		<b>\$5,000,000.00</b>	<b>4.31%</b>
<b>Total Investments</b>		<b><u>\$70,500,000.00</u></b>	<b><u>4.17%</u></b>
<b><i>These funds were held as follows:</i></b>			
Reserves Total (includes unexpended loan funds)		\$30,294,008.93	

Grants held for specific purposes		\$5,792,858.36
Section 94 Funds held for specific purposes		\$22,485,610.92
Unrestricted Investments – All Funds		\$11,927,521.79
General Fund	\$19,903.06	
Water Fund	\$2,269,688.34	
Sewer Fund	\$2,212,064.71	
Waste Fund	<u>\$7,425,865.68</u>	

**Total Investments** **\$70,500,000.00**

**Total Interest Revenue to 31 August 2013** **\$516,225.44** **4.17%**

**Year to Date Averages**

*(as per the CBA & RBA for comparison purposes)*

Reserve Bank of Australia - Cash Rate	2.50%
AFMA - 90 day Bank Bill Swap Rate (BBSW)	2.66%
Three Year Swap Rate - Commonwealth	2.83%

	<b>RBA Cash Rate</b>	<b>90 day BBSW</b>	<b>3 Year Bond Rate</b>	<b>Council's Actual Performance</b>
July 2013	2.75%	2.72%	2.87%	4.31%
August 2013	2.50%	2.66%	2.83%	4.17%

**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**

- 16 **Item 1 STATEMENT OF INVESTMENTS (16.00001)**  
**MOVED: Cr M Coote SECONDED: Cr G Westman**

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

## **2 YEAR TO DATE MONTHLY REVIEW - 2013-2017 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2013-2014 (16.00135)**

**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](http://www.bathurst.nsw.gov.au). Shown at **attachment 1** is a listing of the Objectives and Strategies from the Bathurst 2036 Community Strategic Plan.

At **attachment 2** is an update of Council's progress towards achieving the Strategies and Objectives for the 2013-2017 Delivery Plan and the Annual Operating Plan 2013-2014.

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**

**17 Item 2 YEAR TO DATE MONTHLY REVIEW - 2013-2017 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2013-2014 (16.00135)**

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

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

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

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

**Report:** At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 31 August 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:	\$ 6,987.00
BMEC Community use:	\$ 42,642.23
Mount Panorama :	\$ 24,127.16

**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**

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

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

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



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

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

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

- Cutler Constructions Pty Ltd - 3 Mulley Close - Lot 921, DP1170287 - Transfer
- Loader, Wayne - Zante Lane - Lot 1, DP623416, Lot 4, DP845477 - In-house Licence Agreement
- Foskelt, Candice - Church Lane - Lot 1, DP792363 - In-house Licence Agreement
- Wilson, Peter - Windradyne Residue Land - Lot 136 and Part Lot 138, DP112180 - In-house Licence Agreement
- Bathurst Regional Council - Stephens Lane - Lot 1, DP194761 - Contract for Sale
- J & A Peterson - 1 Rockley Street, Georges Plains - Part Lot 1, DP1099208 - In-house rural licence
- Max Hire Pty Ltd - Former Evans Shire Depot, Lee Street Kelso - Part Lot 1 DP1001027, Part Lot 16 DP712197, Part Lot 1 DP1090555 - Lease Agreement

#### **Linen Plan Release**

- Ratsep/Savah Nominee Pty Ltd - Wellesley Court, Raglan
- Bathurst Regional Council - Evernden Road, Llanarth

●

- **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**

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

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

## **5 REQUEST FOR FINANCIAL ASSISTANCE ROTARY CLUB OF BATHURST EAST - ROTARY YOUTH DRIVER AWARENESS PROGRAM (04.00041-09)**

**Recommendation:** For Councils consideration.

**Report:** Councillors are aware that the Rotary Club of Bathurst East conducted a Rotary Youth Driver Awareness Program (RYDA) at Mount Panorama Racing Circuit in March 2013.

Subsequently Council received a request to waive the fees of \$6,158. At the time of the request Council's Section 356 funds had been fully exhausted and the Rotary Club of Bathurst East were advised that their request was unsuccessful. A memo advising this was provided to all Councillors including a copy of the request and Council's reply (shown at **attachment 1**).

Council was contacted by Mr Terry Birss (CEO of Road Safety Ltd) who advised that participants in the program had already paid fees applicable for the event and these had not included Council's costs and consequently they were unable to recover these costs. Mr Birss then requested Council consider an offer to settle the account in the amount of \$3,000. This offer was rejected.

Council has received further representations from Mr Birss and a letter from Rotary Club of Bathurst East (shown at **attachment 2**) seeking further consideration of their offer of \$3,000 in full and final settlement of this account. Both parties pointed out that it was their misunderstanding that resulted in this problem as they assumed that Council would continue with financial assistance as in previous years. Mr Birss again confirmed that as the event was over, they are unable to collect funds from the participants to cover any outstanding amounts owed to Council.

Bathurst East Rotary Club has advised that they wish to continue using the Mount Panorama Circuit in future years for this event.

This request is now presented to Council for its consideration.

**Financial Implications:** Council's 2013/2014 Section 356 Donations has a balance of \$6,987

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.4

**MINUTE**

**20 Item 5.1 REQUEST FOR FINANCIAL ASSISTANCE ROTARY CLUB OF BATHURST EAST - ROTARY YOUTH DRIVER AWARENESS PROGRAM (04.00041-09)**  
**MOVED: Cr M Morse SECONDED: Cr B Bourke**

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

**Reason: Commercial operator at the event**

That Council donate \$3,158 to the Rotary Club of Bathurst East - Rotary Youth Driver Awareness Program to be funded from the Mount Panorama Fee Subsidy.

**The MOTION was PUT and LOST**

**MINUTE**

**21 Item 5.2 REQUEST FOR FINANCIAL ASSISTANCE ROTARY CLUB OF BATHURST EAST - ROTARY YOUTH DRIVER AWARENESS PROGRAM (04.00041-09)**

**MOVED: Cr G Westman SECONDED: Cr M Coote**

**RESOLVED:** That Council;

- (a) reject the offer from Rotary Club of Bathurst East to pay \$3,000 in full settlement of the outstanding debt for the Rotary Youth Driver Awareness Program 2013
- (b) advise Rotary Club of Bathurst East to submit an application for funding under Council's Section 356 program in early 2014 for the 2014 Rotary Youth Driver Awareness Program
- (c) provide the Rotary Club with a copy of Council's Guidelines for submission of an application under the Section 356 program

**6 BATHURST HARNESS RACING CLUB - LEASE - ETHELTON AVENUE  
(22.04170-03)**

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

**Report:** Councillors are aware that Bathurst Regional Council and Bathurst Harness Racing Club have been negotiating the lease of land in Ethelton Avenue, Bathurst for the construction of a new trotting track and facilities.

Council has received advice, refer to **attachment 1**, that the lease has now been signed by the Board of Bathurst Harness Racing Club and that the project can now proceed in accordance with the conditions of lease and the development application.

**Financial Implications:** Council is committed to the construction of Road access amounting to \$450,000 and the connection of water and sewer to the block.

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

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

**MINUTE**

**22 Item 6 BATHURST HARNESS RACING CLUB - LEASE - ETHELTON AVENUE**  
**(22.04170-03)**

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

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

## **7 REQUEST FOR FINANCIAL ASSISTANCE GRIP LEADERSHIP (21-00012-07)**

**Recommendation:** That Council provide the use of Bathurst Memorial Entertainment Centre (BMEC) for the GRIP Student Leadership Conference to be held on 20 May 2014 at the non-for-profit rate.

**Report:** Council has received a request from GRIP Leadership for the use of City Hall at BMEC, at a reduced rate, for their Student Leadership Conference to be held on 20 May 2014. A copy of the request is shown at **attachment 1.**

The Student Leadership Conferences have been held in Bathurst since 2009 for both primary and secondary school children. In 2012 Impact Leadership were charged at the non-for-profit rate as they were registered as a charity.

Council's Revenue Policy identifies a Commercial Rate and a not for profit rate. Grip Leadership is a commercial enterprise and have requested that Council consider charging the not for profit rate for their 2013 Conference.

The commercial hire cost would be \$2,166.45 and the not for profit rate \$1,278.50, which would equate to a reduction of \$887.95.

**Financial Implications:** This reduction could be funded from BMEC Community Use Subsidy which currently has a balance of \$42,642.23

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

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



**MINUTE**

**23    Item 7    REQUEST FOR FINANCIAL ASSISTANCE GRIP LEADERSHIP**  
**(21-00012-07)**

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

**RESOLVED:** That Council provide the use of Bathurst Memorial Entertainment Centre (BMEC) for the GRIP Student Leadership Conference to be held on 20 May 2014 at the non-for-profit rate.

## **8 REQUEST FOR VARIATION TO REVENUE POLICY - DEDICATED TO FITNESS (D2F) (16.00135)**

**Recommendation:** That Council amend the Revenue Policy as follows;

(a) 700 Hire of Council Recreation Facilities

*Regular use of Council's parks, reserves and sporting facilities for the conduct of commercial enterprises (boot camps and the like) per day per site. This fee is in addition to the fee for Section 68 application*

(b) advertise the amendment to the Revenue Policy for a period of 28 days and invite submissions from members of the public.

(c) if submissions are received report back to Council.

(d) if no submissions are received adopt the new fee and incorporate it into the Revenue Policy.

**Report:** During the preparation of the 2013/2014 Revenue Policy, Council introduced a new fee called Regular use of Council's parks, reserves and sporting facilities for the conduct of commercial enterprises a rate of \$20 per use per site. This fee was to cover the boot camp type of event being conducted in Council's parks.

During the submission process Councillors were requested to reduce this fee from \$20 per session back to \$10 per session. Councillors rejected this variation and adopted a fee of \$20 per session (i.e. per use).

Council has now received a letter from Dedicated to Fitness (D2F) (see **attachment 1**) requesting Council review the \$20 per session fee.

D2F advised that the \$20 fee often equates to a charge of \$320 per week for the 16 sessions they run. As pointed out, this charge is placing a financial strain on the operation of this business. D2F are requesting a change to \$20 per day per site which means a reduction from \$320 back to \$100 for the week.

D2F advises that it provides a worthwhile service by keeping people motivated and fit for life and work.

Council's Revenue Policy itemises the fee as follows;

700 Hire of Council Recreation Facilities

*Regular use of Council's parks, reserves and sporting facilities for the conduct of commercial enterprises (boot camps and the like) per use per site.  
This fee is in addition to the fee for Section 68 application*

The request from D2F would require that the fee be altered as follows;

700 Hire of Council Recreation Facilities

*Regular use of Council's parks, reserves and sporting facilities for the conduct of commercial enterprises (boot camps and the like) per day per site. This fee is in addition to the fee for Section 68 application*

It is recommended that;

(a) 700 Hire of Council Recreation Facilities

*Regular use of Council's parks, reserves and sporting facilities for the conduct of commercial enterprises (boot camps and the like) per day per site. This fee is in addition to the fee for Section 68 application*

- (b) advertise the amendment to the Revenue Policy for a period of 28 days and invite submissions from members of the public.
- (c) if submissions are received report back to Council.
- (d) if no submissions are received adopt the new fee and incorporate it into the Revenue Policy.

**Financial Implications:** A reduction from \$320 per week to \$100 would have an effect on Council's Parks Revenue. An exact amount is not known as much of the park usage is seasonal.

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

- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.3
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.5

**MINUTE**

**24 Item 8 REQUEST FOR VARIATION TO REVENUE POLICY - DEDICATED TO FITNESS (D2F) (16.00135)**

**MOVED: Cr M Coote SECONDED: Cr B Bourke**

**RESOLVED:** That Council's fee for regular use of Council's parks, reserves and sporting facilities remains at \$20 per use per site

## **9 STATEMENT BY COUNCIL ON FINANCIAL REPORTS (41.00089)**

**Recommendation:** That Council:

- (a) refer the draft Financial Statements to Council's auditors, Intentus Chartered Accountants, for audit;
- (b) sign the Certificates with respect to the General Purpose Financial Statements and the Special Purpose Statements for the year ended 30 June 2013;
- (c) adopt the Accounting Policies shown in the financial reports.

**Report:** Council is required, under section 413 (1) of the Local Government Act 1993, to prepare financial reports for each year, and refer them for audit. For Council's information the draft Financial Reports for the year ended 30 June 2013 are provided as the General Purpose Financial Statements (**attachment 1**) and Special Purpose Financial Statements (**attachment 2**). Note that the draft Financial Reports may be subject to change during the audit process.

Pursuant to Section 413 (2)(c) Council is required to make a statement in the approved form (**attachment 3 and attachment 4**) in respect of its General Purpose Financial Statements and Special Purpose Financial Statements.

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

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

**Financial Implications:** Nil

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

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

**MINUTE**

**25 Item 9 STATEMENT BY COUNCIL ON FINANCIAL REPORTS (16.00135, 41.00089)**

**MOVED: Cr G Westman SECONDED: Cr B Bourke**

**RESOLVED:** That Council:

- (a) refer the draft Financial Statements to Council's auditors, Intentus Chartered Accountants, for audit;
- (b) sign the Certificates with respect to the General Purpose Financial Statements and the Special Purpose Statements for the year ended 30 June 2013;
- (c) adopt the Accounting Policies shown in the financial reports.

## **10 BATHURST 200 BICENTENNIAL FLAGSTAFF (36.00474)**

**Recommendation:** That Council approve the latest design, DRAFT 3, of the Bathurst 200 Bicentennial Flagstaff.

**Report:** In recent months several reports and updates have been provided to the 2015 Bicentennial Celebrations Committee regarding the progress of the Bathurst 200 Bicentennial Flagstaff project. Shown at **attachment 1** for your reference is the latest draft design, DRAFT 3.

The original expression of interest for the project required the successful applicant to undertake fine tuning of the concept design. As you will be aware Bialowas & Associates, the successful architect, has been working with Council fine tuning the design.

Council's Engineering and Environmental Planning & Building Services Departments were consulted throughout the process and have provided comments on various aspects of each draft which include: the existing toilet block requiring extensive capital works to meet current regulations; costs involved with incorporating the existing toilet block into the concept design; the workshop/store utilised by Council's Parks & Recreation section requiring an upgrade, a public nuisance potential in the undercroft to name a few.

With the above matters taken into account the architect has now further developed the concept design. The DRAFT 3 design allows for new toilet facilities which will utilise existing hydraulic services and provides an adequate storeroom/workshop for Council's outdoor staff. The undercroft has also been removed. This concept design also allows for a higher degree of civil works and has the ability to reduce overall project costs.

The original concourse design still remains albeit in a modified shape.

At the 2015 Bicentennial Celebrations Committee meeting held on 3 September 2013, a quorum was not present and therefore there are no minutes presented here for adoption. Those in attendance at the appointed meeting time discussed the items on the agenda. Discussion on this item provided general agreement to approve DRAFT 3 of the concept design. In order to keep progressing the matter the remaining non councillor delegates of the committee (with the exception of one who could not be reached) have been contacted seeking input/opinions on DRAFT 3. All delegates contacted advised they were satisfied with DRAFT 3.

The next step in the process is to commission detailed specifications to enable the tender process to be undertaken. Council staff will work with the architect to develop this brief.

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

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.5

**MINUTE**

26 **Item 10 BATHURST 200 BICENTENNIAL FLAGSTAFF (36.00474)**  
**MOVED: Cr M Morse SECONDED: Cr I North**

**RESOLVED:** That Council approve the latest design, DRAFT 3, of the Bathurst 200 Bicentennial Flagstaff.

Yours faithfully



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



**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT AND MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

18 SEPTEMBER 2013

## **1 BATHURST REGIONAL YOUTH COUNCIL - DANCE PARTY, 3 AUGUST 2013 (11.00020)**

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

**Report:** The Bathurst Regional Youth Council held it's annual dance party at the Bathurst Memorial Entertainment Centre on Saturday 3 August. The theme of the event was 'Spectrum' and young people were encouraged to dress in the colours of the spectrum. Approximately 375 young people attended the event. The event was a drug and alcohol free, fully supervised event, with no major incidents noted.

Young people enjoyed music provided by a local DJ. Other entertainment at the event included a photo booth, performances by the Smashed Arts Rovers and The Enigma Crew break dancers, who have developed their skills through a number of Smashed Arts workshops.

The Party Safe initiative, developed in partnership with Smashed Arts and the Bathurst Community Safety Committee, provided party food and mock tails. Information was distributed to attendees and their parents about safe partying and how to register parties with the Bathurst Police.

The Youth Council were pleased to provide an opportunity for young people to socialise in a safe environment.

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

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

- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.1, 27.5, 27.6, 27.9
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2, 30.5

**MINUTE**

**27 Item 1 BATHURST REGIONAL YOUTH COUNCIL - DANCE PARTY, 3 AUGUST 2013 (11.00020)**

**MOVED: Cr G Westman SECONDED: Cr M Coote**

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

Yours faithfully



Annabell Miller  
**DIRECTOR**  
**CULTURAL & COMMUNITY SERVICES**

**TRAFFIC COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO 18 SEPTEMBER 2013

## **1 MINUTES - TRAFFIC COMMITTEE MEETING 3 SEPTEMBER 2013 (07.00006)**

**Recommendation:** That the recommendations of the Traffic Committee Meeting held on 3 September 2013 be adopted.

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

**28    Item 1    MINUTES - TRAFFIC COMMITTEE MEETING 3 SEPTEMBER 2013**  
**(07.00006)**

**MOVED: Cr G Westman SECONDED: Cr M Coote**

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 3 September 2013 be adopted.

**MINUTES OF THE TRAFFIC COMMITTEE**  
**HELD ON 3 SEPTEMBER 2013**

**MEETING COMMENCES**

**1 MEETING COMMENCES 2:00 PM**

Members: Leading Senior Constable Daniel Cooper (Police), David Veness (MP Representative) and Jackie Barry (Roads and Maritime Services)

Present: Darren Sturgiss (Manager Technical Services)

**APOLOGIES**

**2 APOLOGIES**

That the apology of Councillor Warren Aubin (Bathurst Regional Council) be accepted.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 6 AUGUST 2013 (07.00006)**

That the Minutes of the Traffic Committee Meeting held on 6 August 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 6 AUGUST 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 SUPERCHEAP AUTO BATHURST 1000 TRAFFIC MANAGEMENT PLAN**

**(04.00001)**

That Council adopt the following zones and restrictions as part of the Traffic Management Plan for the 2013 Supercheap Auto Bathurst 1000:

- (a) Havannah Street – ‘No Stopping’ between College Road and Rocket Street on the north western side on Saturday 12 and Sunday 13 October 2013.
- (b) Havannah Street – ‘No Stopping’ between Panorama Avenue and College Road both sides from Wednesday 9 October to Sunday 13 October 2013 inclusive.
- (c) Panorama Avenue – ‘No Stopping’ between Havannah Street and Charles Sturt University (CSU) main entrance both sides from Wednesday 9 October to Sunday 13 October 2013 inclusive.
- (d) Panorama Avenue – ‘No Stopping’ between CSU main entrance and Browning Street on the north western side on Saturday 12 and Sunday 13 October 2013.
- (e) Lloyds Road closure to west bound traffic at the intersection of Havannah Street on Saturday 12 October to Sunday 13 October 2013 inclusive.
- (f) Lloyds Road – ‘1/2 Hour’ parking zone between Havannah Street and School Crossing to St Philomena’s School on Friday 11 October 2013.
- (g) Lloyds Road – ‘No Parking’ between Havannah Street and College Road from Saturday 12 to Sunday 13 October 2013.

**8** **Item 4 TOUR DE RANGE – CHARITY PUSH BIKE CHALLENGE**  
**(23.00026-16/058)**

That Council classify the Tour de Range Charity Push Bike Challenge to be held on Sunday 17 November 2013 as a Class 2 event, and approve the event subject to conditions as detailed in the Director Engineering Services' report.

**9** **Item 5 TEMPORARY ROAD CLOSURE DURHAM STREET FOR 'A LEAGUE FOOTBALL' CARRINGTON PARK 2013 (04.00008)**

That Council approve the temporary road closure of Durham Street between the Bathurst Visitor Information Centre and Havannah Street for the A League Football event to be held on Saturday 7 September 2013.

**10** **Item 6 REVIEW OF SAFETY ISSUES INTERSECTION OF BLACKS MILL LANE AND O'CONNELL ROAD O'CONNELL (25.002916-004)**

That the report be noted.

**11** **Item 7 PROPOSED INSTALLATION OF 'NO STOPPING' SIGNS - GILMOUR STREET KELSO (25.0031-05/004)**

That “No Stopping” signs be installed on Gilmour Street for the auxiliary lane adjacent to the Laffing Waters Lane/Halfpenny Drive/Ecrates Place intersection.

**12** **Item 8 2013 SUPER CHEAP AUTO BATHURST 1000 - OFF TRACK EVENT ROAD CLOSURES, TEMPORARY NO PARKING AND TEMPORARY**



**RELOCATION OF RUSSELL STREET TAXI RANK (04.00073-04)**

That Council approve the staging of the 2013 Super Cheap Auto Bathurst 1000 off-track events as follows:-

- (a) Parade and B-Double Permit routes;
- (b) Super Wednesday;
- (c) Saturday Street Fair.

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

**13 Item 9 NEW SOUTH WALES GRAIN HARVEST MANAGEMENT SCHEME (18.00121-06)**

That Council approve the Scheme developed by Transport NSW in conjunction with the Roads and Maritime Services for:

- (a) Access for vehicles participating in the NSW Grain Harvest Management Scheme 2013/14 to all regional and local roads in the Bathurst Regional Council area from farms to the first practicable receival locations.

**14 Item 10 TEMPORARY BUS ZONES FOR 2013 SUPERCHEAP AUTO BATHURST 1000 (28.00022)**

That Council approve the proposed temporary bus zones and extension of existing bus zone times subject to conditions as detailed in the Director Engineering Services' report.

**15 LATE REPORT(25.00105)**  
**MOVED** J Barry (RMS) and **SECONDED** L/S/C D Cooper (POLICE)

**RESOLVED:** That the Committee accept and deal with the Late Report on the Panorama Avenue Centreline Barrier Marking at the Traffic Committee Meeting on 3 September 2013.

**16 Item 11 PANORAMA AVENUE - CENTRELINE MARKING (25.00105)**

That Council place Dividing Lines (two way) in Panorama Avenue between Browning Street and the Charles Sturt University main entrance.

**17 LATE REPORT (23.00076)**  
**MOVED** J Barry (RMS) and **SECONDED** L/S/C D Cooper (POLICE)

**RESOLVED:** That the Committee accept and deal with the Late Report on Blessing of the Animals All Saints Cathedral at the Traffic Committee Meeting on 3 September 2013.

**18 Item 12 BLESSING OF THE ANIMALS ALL SAINTS CATHEDRAL (23.00076)**

That Council approve the holding of the 2013 Blessing of the Animals in Kings Parade on Sunday 6 October 2013. The Blessing of the Animals road closure is to be classified as a Class 2 Event, as detailed in the Director Engineering Services' report.

**TRAFFIC REGISTER**

**Item 1 TRAFFIC REGISTER (07.00006)**

That the information be noted.

**MEETING CLOSE**

**19**

**MEETING CLOSE**

The Meeting closed at 2.59 pm.

**DELEGATES REPORTS AND MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

18 SEPTEMBER 2013

## **1 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 23 JULY 2013 (11.00020)**

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

### **Report: MINUTES OF BATHURST REGIONAL YOUTH COUNCIL MEETING HELD IN COUNCIL CHAMBERS ON TUESDAY, 23 JULY 2013**

**PRESENT:** Jonty Boshier, Jayne Dwyer, Emma Farr, Brendan Thorpe, Dominic Mjadwesch, Keegan Bringolf, Sophie Ireland, Nicholas Forbutt, Gerard O'Shea, Erin Brouff, Cassandra Talbot, Samantha Lloyd, Meghan Daymond, Cr Michael Coote

**IN ATTENDANCE:** Megan Bargwanna (Community Development Officer- Youth), Staff and Students representing Oberon High Schools and Oberon Council

#### **1. APOLOGIES**

**RESOLVED** that apologies from Cr Gary Rush, Nick Stevens, Keira Germech, Hugo Newell, Cameron Jones, Saskia-Jayne Handley be accepted.

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

**RESOLVED** that the minutes of the meeting held 14 May 2013 be accepted

Moved: Samantha Lloyd

Seconded: Meghan Daymond

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

There was no business arising from the previous minutes.

#### **4. SPECTRUM DANCE PARTY- 4 AUGUST 2013**

- Date for event confirmed as 3 August
- Reiterate details - Smith & Co security employed, doors open at 6.15pm, doors close at 7.30pm, limited snacks and mocktails provided by Party Safe, Smashed Arts Rovers and The Enigma Crew break dancers performing, tickets \$5.00 available at door
- Decorations finalised - colourful material to hang from one side of mezzanine level to the other, paper lanterns purchased for chill out area
- Decorations to be completed at 3.00pm on Saturday at BMEC. It is hoped this will be completed by 4.30-4.45. Youth Councillors then able to leave and return at 5.45pm
- Two different size posters (A3 and A6) have been printed
- Discussion regarding poster distribution and general promotion. Each school was discussed regarding specific details for promotion
- Discussion regarding shopping centre promotion- Friday afternoon 3.30-5.00pm and Saturday 10.00-12.00 noon at both Stockland and Bathurst City Centre. Megan to organise with centres and email roster to Youth Councillors. Posters to be collected from Council before Friday afternoon
- Media release being completed by Council's Media and Promotions Officer
- Discussion about boarders attendance. Students to liaise with boarding

master/mistresses and contact Megan if any concerns/ issues

## **5. YOUTH COUNCIL NEXT PROJECT**

- Discussion about next project. Considered Bathurst Amazing Race (possibly during Race Week), Laser Tag and Day in the Park concepts.
- Agreed on Bathurst Amazing Race concept.
- Considered Adventure Playground and Mt Panorama Pit Complex as possible venues
- Megan to investigate possibility of having next working party meeting at Pit complex

## **6. GENERAL BUSINESS**

### **6.1 Keegan Bringolf- Governor General work experience, verbal report-**

Great experience, tasks included HR work, invitations, looking at requests from important International people, honours and awards as well as some financial work

### **6.2 Khaitlyn Nott- resignation-**

Megan informed the group of Khaitlyn Nott's recent resignation.

### **6.3 Bathurst Business Tube-**

- Recording of Business Tube clip was successful
- Permission notes for Business Tube participants distributed. Participants asked to return completed, signed forms ASAP.

### **6.4 Unicef Trivia night- Cassie Talbot-**

- Unicef Trivia night being held at Girl Guide Hall 21 September. Time is 7.00 for a 7.30 start
- Cassie to send invitation to Megan to email to Youth Councillors
- Discussion about possibility of a Youth Council table

## **7. NEXT MEETING**

The next meeting of the Bathurst Regional Youth Council will be held on Tuesday, 10 September, 2013 at 11.15am.

## **8. BANNER PAINTING- MACHATTIE PARK**

Official meeting closed and participants met in Machattie Park to paint event banner for Spectrum dance Party

## **9. MEETING CLOSURE**

There being no further business, the meeting closed at 1.35pm.

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

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.6
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.1, 27.3, 27.4, 27.5, 27.6, 27.9
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2, 30.5
- Objective 33: To be and develop good leaders. Strategy 33.2, 33.3

**MINUTE**

**29** Item 1 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 23 JULY 2013  
(11.00020)

**MOVED: Cr M Coote SECONDED: Cr B Bourke**

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

## **2 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 14 AUGUST 2013 (11.00019)**

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

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

**APOLOGIES:** Crs Bourke, Jennings.

### **1. CENTACARE - CHILD AND FAMILY NETWORK (18.00004)**

Members of the Child and Family Network (CFN) met with Council to provide information on their service.

Discussion included:

- the Network is a group of agencies and organisations working together across all sectors: early childhood, school, health, community organisations, government and non-government agencies.
- work collaboratively to improve the health, safety, wellbeing and resilience of children.

Current projects include:

- CFN Annual Conference
- Transition to school
- Keep Them Safe project
- Bathurst Family Fun Day

Requested support from Council in the following areas:

- promote services and facilities in and around Bathurst
- help families to connect with community
- assist group to access Council resources to support events and projects
- assist the group with financial contribution
- utilisation of Council's Public Relations and media resources

**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**

**30 Item 2 COUNCILLORS MEETING WITH COMMUNITY  
GROUPS/REPRESENTATIVES - 14 AUGUST 2013 (11.00019)**

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

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

**MINUTE**

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

**MOVED: Cr B Bourke 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.

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

**RESOLVED:** That:

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

**\* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST WAR MEMORIAL CARILLON	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	BATHURST GO-KART RACING TRACK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

		position of the person who supplied it.
3	RENEWAL OF RURAL LICENCE - PART LOT 103 DP1006130, LAND NEAR EGLINTON BRIDGE - MERCIECA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	RENEWAL OF RURAL LICENCE - PART LOT 7004 DP1002346 - LAND NEAR EGLINTON BRIDGE - MUMBERSON	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	TENDER FOR DRILL & BLAST AT COCKATOO HILL, SOFALA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* GENERAL MANAGER'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	SIMPLOT AUSTRALIA PTY	10A (2) (d) (i) – contains

	LTD	commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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**DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

18 SEPTEMBER 2013

## MINUTE

- a **Item 1 BATHURST WAR MEMORIAL CARILLON (04.00021)**  
**MOVED: Cr B Bourke SECONDED: Cr I North**

**That Council**

- (a) engage Carter's General Engineering Pty Ltd to prepare a detailed design including all technical requirements to construct the required building works as detailed in the report.
- (b) fund the design from the Carillon Trust Fund.

## **MINUTE**

**b**     **Item 2   BATHURST GO-KART RACING TRACK (18.00290)**  
**MOVED: Cr G Westman SECONDED: Cr W Aubin**

**That** Council;

- (a) support the establishment of a Go-Kart Racing Track at Alec Lamberton Field, Kelso.
- (b) request Bathurst Kart Club to submit a Development Application for this project.
- (c) negotiate a funding agreement with the Bathurst Kart Club to cover the cost of constructing this circuit.

**MINUTE**

**c Item 3 RENEWAL OF RURAL LICENCE - PART LOT 103 DP1006130, LAND NEAR EGLINTON BRIDGE - MERCIECA (21.00022)**

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

**That** Council approves entering into a new rural licence with Paul and Michelle Mercieca for part Lot 103 in DP1006130 located on land near the Eglinton Bridge for a period of one (1) year with a one (1) year option period at an increased yearly licence fee of \$282.83 (GST inclusive) plus annual CPI adjustments as detailed in the report.



**MINUTE**

**d Item 4 RENEWAL OF RURAL LICENCE - PART LOT 7004 DP1002346 - LAND NEAR EGLINTON BRIDGE - MUMBERSON (21.00022)**

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

**That** Council approves entering into a new rural licence with Lynn Mumberson for part Lot 7004 in DP1002346 located on river bank land near the Eglinton Bridge for a period of one (1) year with a one (1) year option period at a yearly lease fee of \$282.83 (GST inclusive) plus annual CPI adjustments as detailed in the report.

**DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

18 SEPTEMBER 2013

**MINUTE**

e Item 1 TENDER FOR DRILL & BLAST AT COCKATOO HILL, SOFALA  
(36.00494)

MOVED: Cr I North SECONDED: Cr W Aubin

**That** Council accept the tender from Precision Drill and Blast for Drill and Blast works at Cockatoo Hill, Sofala, to the value of \$107,900.00 (incl GST), subject to adjustments and provisional items.

**GENERAL MANAGER'S CONFIDENTIAL MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

18 SEPTEMBER 2013

## MINUTE

- f **Item 1 SIMPLOT AUSTRALIA PTY LTD (22.01698.04)**  
**MOVED: Cr G Westman SECONDED: Cr M Morse**

**That Council:**

- (a) enter into a written agreement with Simplot Australia Pty Ltd for water saving projects that allow for a long term sustainable reduction of water usage and operation costs at the Simplot Bathurst factory;
- (b) that in year one of this agreement, the proposed project be:
  - (i) full can washing reuse of water project;
  - (ii) rain water capture for utilisation in bathroom and showers;
- (c) in future years, include the water cooling tower water for re-use projects and the UV water treatment for Winburndale raw water processes.

**MINUTE**

**32     RESOLVE INTO OPEN COUNCIL**  
**MOVED: Cr W Aubin SECONDED: Cr M Coote**

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

**MINUTE**

**33**     **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED: Cr G Westman SECONDED: Cr M Coote**

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

**MINUTE**

**34     MEETING CLOSE**

The Meeting closed at 7.27 pm.

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

**Date:** \_\_\_\_\_ **(16 October 2013)**