



ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL

12 February 2014

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 19 February 2014**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 19 February 2014 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.

D J Sherley  
**GENERAL MANAGER**

# **BUSINESS AGENDA**

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

**TO BE HELD ON WEDNESDAY, 19 FEBRUARY 2014**

**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 - 5 FEBRUARY 2014

**6. DECLARATION OF INTEREST**

To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Section 451 of the Local Government Act, in relation to Declaration of Interest at meetings.

**7. MAYORAL MINUTE - Nil**

**8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

\* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

\* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

\* DIRECTOR ENGINEERING SERVICES' REPORT

\* DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

**9. REPORTS OF OTHER COMMITTEES**

\* MINUTES - POLICY COMMITTEE MEETING - 5 FEBRUARY 2014

\* MINUTES - TRAFFIC COMMITTEE MEETING 4 FEBRUARY 2014

**10. NOTICES OF MOTION - Nil**

**11. RESCISSION MOTIONS - Nil**

## 12. DELEGATES REPORTS

\* 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 4 FEBRUARY 2014

## 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 ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR HAWTHORNDEN CREEK (STAGE 3) STABILISATION 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 CORPORATE SERVICES & FINANCE'S REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF LICENCE AGREEMENT - LAND ADJACENT TO LOT 1 DP211174 LEE STREET, KELSO TO GRAINFORCE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	EXPRESSION OF INTEREST - PART LOT 2 DP749758 KNOWN AS 200 COLLEGE ROAD BATHURST (RURAL LAND ONLY)	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED NEW RESIDENTIAL SUBDIVISION TO BE KNOWN AS WINDRADYNE 1000	10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
4	RENEWAL OF RESIDENTIAL TENANCY AGREEMENT - LOT A DP158048 KNOWN AS 215 DURHAM STREET, BATHURST.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

5	EXPRESSION OF INTEREST - LOT 138 DP1123180 KNOWN AS THE 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.
6	VARIATION OF LEASE AND SALE OF COUNCIL LAND PART LOT 1 DP1001027 LEE STREET KELSO	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	TRACKCORP ADRENALIN PTY LTD	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
8	NRL GAME BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR DESIGN DEVELOPMENT &	10A (2) (d) (i) – contains commercial information of a

	CONSTRUCTION OF CAUSTIC SODA AND SODIUM HYPOCHLORITE DOSING PLANTS AND ASSOCIATED WORKS AT BATHURST WATER FILTRATION PLANT	confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PROPOSED ROAD OPENING AND CLOSURE AGREEMENT, LOT B DP162976, 318 MOLYBDONITE ROAD, YETHOLME	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED ROAD WIDENING ACQUISITIONS, PARTS LOT 10 DP596364 & LOT 169 DP750354, THE LAGOON ROAD, THE LAGOON	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	ANNUAL TENDER - READY-MIX CONCRETE	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	ANNUAL TENDERS - STORMWATER DRAINAGE PIPES	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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**\* GENERAL MANAGER'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	LEASE OF HANGAR SITE, BATHURST AERODROME TO BURKE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**14. RESOLVE INTO OPEN COUNCIL**

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

**16. MEETING CLOSE**

## MINUTE

### 1 MEETING COMMENCES

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



## MINUTE

### 2 PUBLIC QUESTION TIME

#### J Glen – Owner 349 Russell Street - DA 282 Russell Street - DEPBS Item # 4

Spoke to heritage nature of the street, has forwarded a written submission to Council. Concerned at proposed dominance of the house; roof line, width, stairway. Asked Council to impose conditions to reduce the height of house and alter central staircase.

#### G Ballard – Ratepayer- Correspondence with Council 29 November 2013

Forwarded an email submission to Council and raised query. Response not received from Council. Unaware of what is future direction and how issue is to be resolved. Concerned with road treatment in Darwin Drive/Westbourne Drive area and stop sign problems. Also concerned about traffic along Devonglen Road and dangers presenting on this location and problems with partial closure. Concerns at extension of various roads in the area, problems are a health issue, particularly dust at Devonglen Road.

**The Mayor** advised Council will acknowledge receipt of email by end of week and follow-up concerns raised.

#### P O'Rourke – Owner 280 Russell Street - DA 282 Russell Street - DEPBS Item # 4

Have problem with garage to be built on the property, the position will block natural light, and winter sun. The building will be around 20 feet high on their boundary line. Requests garage be moved back 10-20 metres. Objected to proposal to allow access off Bishop Street, other requests for access have been refused in the past. Requests Council to refuse access to Bishop Street.

#### Mrs B Manning – Ratepayer

Spoke to Land & Environment Court matter, which the Court found for Mrs Manning. Referred to judgement of the Court including the "Wednesbury Principle". Spoke to actions of Council officers in this matter. Noted the saga has not been completed. Asked what changes in processes and staff are being made to respond to this problem.

**The Mayor** advised that the General Manager has been asked to prepare advice to Council on this matter, what policies need addressing and processes put in place.

#### Mr G Crisp – Ratepayer

Concern at legal problems of the Council. Referred to Western Advocate article, and in particular Trackcorp. Queried how Council got into the Trackcorp court case. Questioned quantum of damages and legals incurred in this matter. Noted LGFS matter and legals involved in this case.

Also queried if Council is seeking a rate increase from IPART to cover the cost of legal expenses.

**The Mayor** noted no application has been made to IPART.

Mr Crisp advised he is still awaiting a reply to a letter he forwarded to the Internal Auditor dated 21 November 2013.

**The Mayor** advised that the General Manager will ensure a reply is forwarded acknowledging the letter by the end of the week.

**G Percy – For the owners of 282 Russell Street - DA 282 Russell Street - DEPBS Item # 4**

Spoke to development proposed and personal taste issues. The property is in a state of disrepair, the proposed roof line alleviates the water penetration issue. Spoke to heritage issues involved and discussions with Council and Heritage Advisor. Main goal is to save the house and improve an eyesore.

**M Glen – Owner 349 Russell Street - DA 282 Russell Street - DEPBS Item # 4**

Has worked to save Bathurst's heritage. Need to preserve heritage so remember past and look to the future. People were living in the accommodation up till last October. Requesting Council retain the frontage to retain the character and keep roof down lower.

**M Windsor – Acting Chair, Bathurst Bike Park Steering Committee**

Committee has been set up to co-ordinate users of the new bike park. The bike project is exciting and the velodrome is almost completed. Educational Centre in the middle of the track is being started. Design on BMX track has commenced. Spoke to how other sections of the park are being developed e.g. Mountain Bike and road racing.

**MINUTE**

- 3 APOLOGIES  
MOVED: Cr B Bourke SECONDED: Cr I North

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

**MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

**1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 5  
FEBRUARY 2014 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 5 February 2014 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held 5 February 2014, 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**  
**- 5 FEBRUARY 2014 (11.00005)**

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

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 5 February 2014 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
HELD ON 5 FEBRUARY 2014**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**PUBLIC QUESTION TIME**

**2 PUBLIC QUESTION TIME**

**J Hollis – Ratepayer** - Congratulates Council on the design of the Bathurst200 flagpole. Owns 'future' home diagonally opposite the flagpole. Does the Council propose to put a footpath on the southern side of the road? Is there a proposal to develop a carpark on vacant land behind the Aquatic Centre? Is there a traffic plan for Stanley Street in this area?

This is a very busy area, dangerous when going into his driveway.

**The Director of Engineering Services** advised there is a proposal for a carpark subject to funding. There is no traffic plan in the area.

**L Lucano – Ratepayer** - asked how are negotiations for proposed Formula 1 event going? Trying to get Sydney City Council involved with the celebrations, by dedicating New Years Eve fireworks to pioneers and as a consequence Bathurst.

**The Mayor** advised have been communicating with Mr Ecclestone who has advised not possible from his point of view. Currently speaking to Australian Grand Prix Association.

**G Crisp - Ratepayer - Parking Enforcement DEPBS#6**

1. spoke to letter he received from the General Manager about advice on traffic fines.
2. No parking notices over 30 years is a 10 million to one chance.
3. Only notice issued was to Cr Crisp.
4. Spoke to statutory declaration received by General Manager.
5. Referred to letters about parking contrary to signage.
6. Spoke to electronic parking system being put in place.
7. Suggested Cr Coote and General Manager have a pecuniary interest in parking issues.

**B Trimming – Ratepayer**

1. Bathurst 200 Flagpole display is superb, please look at an accessible footpath
2. Spoke to Access Committee and membership
3. Australia Day celebrations were excellent. Staff should be congratulated on these.

**P Dowling – Ratepayer**

1. Congratulations for Council's involvement in motor cycle exhibition.
2. Crematorium issue - why has land been allocated for use of the Crematorium? Reduces land for internment which is roughly one row per year. Concern at the prices being proposed by Norwood Park. Feels these are too high.

**The General Manager** spoke to process followed to appoint Norwood Park to run the cemetery and the services provided.

**The Mayor** advised proposed figures were provided by Norwood Park.

**APOLOGIES**

**3 APOLOGIES**

Nil

**MINUTES**

**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 11 DECEMBER 2013 (11.00005)**

**MOVED** Cr I North

and **SECONDED** Cr M Coote

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 11 December 2013 be adopted.

**5 Item 2 MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 16 DECEMBER 2013 (11.00005)**

**MOVED** Cr B Bourke

and **SECONDED** Cr I North

**RESOLVED:** That the Minutes of the Extraordinary Meeting of Bathurst Regional Council held on 16 December 2013 be adopted.

**DECLARATION OF INTEREST**

**6 DECLARATION OF INTEREST 11.00002**

**MOVED** Cr I North

and **SECONDED** Cr G Hanger



Cr Aubin

Item #6 of the Director of Corporate Services & Finance report.

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

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

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

**MOVED** Cr G Westman

and **SECONDED** Cr M Coote

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

**8** **Item 2 GENERAL REPORT (03.00053)**

**MOVED** Cr W Aubin

and **SECONDED** Cr J Jennings

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

**9** **Item 3 DEVELOPMENT APPLICATION NO. 2013/0445 – ALTERATIONS FOR USE AS RESPITE COTTAGE (10 WILLIAM STREET), PARTIAL DEMOLITION, ADDITIONS AND ALTERATIONS FOR USE AS RESPITE COTTAGE (12 WILLIAM STREET), DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF INCLUSION CENTRE AND ADMINISTRATION CENTRE (16 WILLIAM STREET) AT 10-16 WILLIAM STREET, BATHURST. APPLICANT: HINES CONSTRUCTIONS PTY LTD. OWNER: MR S & MRS T BENNETT, MS T WOOLFE (DA/2013/0445)**

**MOVED** Cr M Coote

and **SECONDED** Cr I North

**RESOLVED:** That Council:

- (a) support the variation to the development standard for car parking provision for commercial premises prescribed in the Bathurst Regional (Interim) Development Control Plan 2011; and
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0445, 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:
  1. An excavation permit under Section 139 and Section 140 of the Heritage Act 1977 is required to be obtained before any excavation work commences on site. Copies of the relevant permits are to be submitted to Council prior to the issue of any Construction Certificate.

2. The submission of a letter or report, rendered drawings, manufacturers brochures and/or samples sufficient to detail the types and colours of the external materials to be used in the construction prior to the issue of any Construction Certificate.

(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 M Coote, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Nil

Abstain - Nil

- 10** **Item 4 THE GOVERNMENT SETTLEMENT AT BATHURST, NSW (1815-1840) ARCHAEOLOGICAL MANAGEMENT PLAN (20.00242)**  
**MOVED** Cr J Jennings and **SECONDED** Cr M Morse

**RESOLVED:** That Council adopt the Government Settlement at Bathurst, NSW (1815-1840) Archaeological Management Plan.

- 11** **Item 5 BOARDING HOUSE INSPECTION AND REGULATION (02.00005, 41.00088)**  
**MOVED** Cr M Coote and **SECONDED** Cr I North

**RESOLVED:** That Council:

- a) delegate its powers under the Boarding Houses Act to the General Manager;
- b) note that these powers will be sub-delegated to the appropriate officers within Council;
- c) place on public exhibition the proposed new fees for the inspection of registered boarding houses for a period of not less than 28 days in accordance with the Local Government Act; and
- d) in the event of no negative submissions being received adopt the proposed new fees for the inspection of boarding houses.

- 12** **Item 6 MOBILE PARKING ENFORCEMENT (28.00006)**

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

**RESOLVED:** That Council:

- (a) note that mobile parking enforcement commences on Monday 3 March 2014; and
- (b) note the communications strategy to support the introduction of mobile parking enforcement with Licence Plate Recognition.

**13** **Item 7 COMPANION ANIMALS LIFETIME REGISTRATION FEE CHANGES (02.00006)**

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

**RESOLVED:** That Council update the revenue policy to reflect changes to companion animals registration charges as detailed in the report.

**14** **Item 8 STATE OF THE ENVIRONMENT REPORT – BATHURST REGIONAL COUNCIL (13.00004)**

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

**RESOLVED:** That Council:

- (a) note that the 2013 Interim State of the Environment Report has been completed; and
- (b) make electronic copies of the 2013 Interim State of the Environment Report available on Bathurst Regional Council's website.

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

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

**MOVED** Cr B Bourke and **SECONDED** Cr M Morse

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

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

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

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

- 17**      **Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)**  
**MOVED** Cr I North                                      and **SECONDED** Cr J Jennings

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

- 18**      **Item 4 POWER OF ATTORNEY (11.00007)**  
**MOVED** Cr W Aubin                                      and **SECONDED** Cr M Coote

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

- 19**      **Item 5 REVIEW OF FEES & CHARGES BATHURST CEMETERY (36.00246-02)**  
**MOVED** Cr I North                                      and **SECONDED** Cr M Coote

**RESOLVED:** That Council defer the matter for further considerations and discussions with Norwood Park.

- 20**      **Item 6 REQUEST FOR FINANCIAL ASSISTANCE ROTARY CLUB OF BATHURST EAST - ROTARY YOUTH DRIVER AWARENESS PROGRAM (04.00041-09)**  
**MOVED** Cr B Bourke                                      and **SECONDED** Cr I North

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

**Reason: Contractor to the event.**

**RESOLVED:** That Council support the 2014-2016 Rotary Club of Bathurst East Inc - Road Safety Education Programs (RYDA) at an estimated cost of \$6,500 p.a. by waiving relevant fees; the waived fees to be funded from Mount Panorama Fee Subsidy - Section 356.

**21 Item 7 ADJUSTMENT TO BOND DEPOSIT FOR RURAL LAND AGREEMENTS****(21.00022)****MOVED** Cr M Cooteand **SECONDED** Cr J Jennings

**RESOLVED:** That Council approves the increased bond deposit of \$1,000 for Lessees entering into a new lease/licence agreement for rural lands over 4,001m<sup>2</sup> and \$500 for Lessees entering into a new lease/licence agreement for rural lands under 4,000m<sup>2</sup>.

**22 Item 8 REQUEST FOR FINANCIAL ASSISTANCE - 2014 HILLMAN NATIONAL RALLY (18.00004)****MOVED** Cr G Hangerand **SECONDED** Cr B Bourke

**RESOLVED:** That Council donate the cost of closing Russell Street in Kings Parade for a show and shine on 20 April 2014 between 9am - 2pm at a cost of \$750 to be funded from Section 356 Donations.

**23 Item 9 REQUEST FOR FINANCIAL ASSISTANCE - RIVIERA OWNERS ASSOCIATION (18.00004)****MOVED** Cr B Bourke

That Council provide the amount of \$400 to the Riviera Owners Association to cover the cost of trophies for the 'Show and Shine' event held in Bathurst from 22-26 May 2014.

The MOTION LAPSED for want of a SECONDER.

**24 Item 9.01 REQUEST FOR FINANCIAL ASSISTANCE - RIVIERA OWNERS ASSOCIATION (18.00004)****MOVED** Cr M Morseand **SECONDED** Cr M Coote

**RESOLVED:** That Council not provide the amount of \$400 to the Riviera Owners Association to cover the cost of trophies for the 'Show and Shine' event held in Bathurst from 22-26 May 2014.

**Director Engineering Services' Report****25 Item 1 LOCAL GOVERNMENT NSW EXCELLENCE IN THE ENVIRONMENT**

**AWARDS (07.00025)****MOVED** Cr B Bourkeand **SECONDED** Cr J Jennings**RESOLVED:** That the information be noted.**26** **Item 2 DRAFT RESERVE PLAN OF MANAGEMENT FOR ALBENS RESERVE AT MOUNT PANORAMA (16.00021)****MOVED** Cr I Northand **SECONDED** Cr J Jennings**RESOLVED:** That Council:

- (a) Place the Draft Reserve Plan of Management - Albens Reserve on public exhibition for a period of 28 days and, subject to any significant amendments deemed necessary from submissions received by the public, Council adopt the Plan, and
- (b) Should it be deemed necessary to significantly alter the Draft Plan, following any comments received during the public submission period, another report be presented to Council for further consideration.

**27** **Item 3 PAINTING OF ABORIGINAL TOTEM POLES - MACQUARIE RIVER BICENTENNIAL PARK (04.00017)****MOVED** Cr I Northand **SECONDED** Cr W Aubin**RESOLVED:** That Council approve the painting of Aboriginal Totem Pole artwork onto two existing shade sail posts at the Macquarie Playground, located within the Macquarie River Bicentennial Park.**28** **Item 4 MOUNT PANORAMA IMPROVEMENT WORKS (04.00097/04.00019)****MOVED** Cr W Aubinand **SECONDED** Cr M Coote**RESOLVED:** That Council:

- i. Endorse the measures undertaken to control the movement of kangaroos during full track events at Mount Panorama
- ii. Install fencing adjacent to properties on the western side of Mountain Straight as detailed in the Director of Engineering's report.

**Director Cultural & Community Services' Report****29** **Item 1 BATHURST LIBRARY - CHRISTMAS ON KEPPEL (21.00029)****MOVED** Cr M Morseand **SECONDED** Cr I North

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

### **REPORTS OF OTHER COMMITTEES**

#### **Policy Committee Meeting**

**30      Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 DECEMBER 2013**  
**(07.00064)**

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

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 4 December 2013 be adopted.

### **DELEGATES REPORTS**

**31      Item 1 REPORT - CENTROC BOARD MEETING - 28 NOVEMBER 2013**  
**(07.00017)**

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

**RESOLVED:** That the Report on the CENTROC Board Meeting held on 28 November 2013 in Young be noted.

**32      Item 2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 12 NOVEMBER**  
**2013 (11.00020)**

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

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

**33      Item 3 MINUTES - AUSTRALIA DAY WORKING PARTY - 21 JANUARY 2014**  
**(23.00033)**

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

**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 Cooteand **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 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 ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	QUOTATIONS FOR PROVISION OF BATHURST TAFE CONSERVATION MANAGEMENT PLAN	10A (2) (d) (iii) – contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	LAND RELEASE -AVONLEA STAGE 9 RESIDENTIAL SUBDIVISION - FREEMAN CIRCUIT AND COACHWORKS WAY, 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.
2	PURCHASE OF COMMERCIAL SITE IN	10A (2) (d) (i) – contains commercial information of a



	HOWICK STREET BATHURST	confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	EASEMENT FOR WATER SUPPLY 5 WIDE, LOT 1 DP1191492, 365 LIMEKILNS ROAD, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RIGHT OF CARRIAGE WAY 20 WIDE, LOT 4 DP1105771 AND LOT 23 DP859300, GARTHOWEN ROAD, TANNAS MOUNT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED ROAD WIDENING, LOT 1 DP1192034, 3035 HILL END ROAD, CRUDINE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be

		contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED ROAD WIDENING, LOT 2 DP1192034, 941 HILL END ROAD, CRUDINE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	PROPOSED ROAD WIDENING, LOT 3 DP1192034, 660 HILL END ROAD, CRUDINE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	PROPOSED COMPULSORY ACQUISITION OF LOTS 7315 AND 7316 DP1161585, SEWERAGE TREATMENT WORKS, MORRISSET STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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

**a Item 1 QUOTATIONS FOR PROVISION OF BATHURST TAFE CONSERVATION**

**MANAGEMENT PLAN (13.00073)****MOVED** Cr B Bourkeand **SECONDED** Cr I North

That Council engage Hickson, Lachlan & White to prepare the Bathurst TAFE Conservation Management Plan as outlined in this report.

**Director Corporate Services & Finance's Report****b** **Item 1 LAND RELEASE -AVONLEA STAGE 9 RESIDENTIAL SUBDIVISION - FREEMAN CIRCUIT AND COACHWORKS WAY, BATHURST (20.00102)****MOVED** Cr B Bourkeand **SECONDED** Cr M Coote

That Council approves:

- (a) the release for sale of seventeen (17) lots, namely Lots 901 to 917 in proposed DP1191778 in the new residential subdivision located on Freeman Circuit and Coachworks Way Bathurst to be known as Avonlea Stage 9, under the ballot system.
- (b) the sale prices as detailed in the report.

**c** **Item 2 PURCHASE OF COMMERCIAL SITE IN HOWICK STREET BATHURST (22.02141)****MOVED** Cr M Cooteand **SECONDED** Cr B Bourke

That Council act in accordance with the report.

**Director Engineering Services' Report****d** **Item 1 EASEMENT FOR WATER SUPPLY 5 WIDE, LOT 1 DP1191492, 365 LIMEKILNS ROAD, KELSO (22.06857)****MOVED** Cr B Bourkeand **SECONDED** Cr I North

That Council resolve to acquire the easement rights for the creation of an Easement for Water Supply 5 Wide for future works located within Lot 1 DP1191492 at 365 Limekilns Road, Kelso, as detailed in the Director Engineering Services' report.

**e** **Item 2 RIGHT OF CARRIAGE WAY 20 WIDE, LOT 4 DP1105771 AND LOT 23**

**DP859300, GARTHOWEN ROAD, TANNAS MOUNT (32.00006-16)****MOVED** Cr I Northand **SECONDED** Cr M Coote

That Council endorse the action of the General Manager in signing a Transfer Granting Easement form for the registration of a Right of Carriage Way 20 Wide affecting Lot 4 DP1105771 and Lot 23 DP859300 at the Campbells River in favour of Lot 56 DP859300 at Garthowen Road, Tannas Mount, subject to conditions outlined in the Director Engineering Services report.

**f** **Item 3 PROPOSED ROAD WIDENING, LOT 1 DP1192034, 3035 HILL END ROAD, CRUDINE (25.00262-08)**

**MOVED** Cr M Cooteand **SECONDED** Cr M Morse

That Council approve the acquisition of proposed road widening land affecting Lot 1 DP1192034 being 3035 Hill End Road, Crudine, as detailed in the Director Engineering Services' report. The acquired land is to be classified as Operational Land.

**g** **Item 4 PROPOSED ROAD WIDENING, LOT 2 DP1192034, 941 HILL END ROAD, CRUDINE (25.00262-08)**

**MOVED** Cr M Morseand **SECONDED** Cr J Jennings

That Council approve the acquisition of proposed road widening land affecting Lot 2 DP1192034 being 941 Hill End Road, Crudine, as detailed in the Director Engineering Services' report. The acquired land is to be classified as Operational Land.

**h** **Item 5 PROPOSED ROAD WIDENING, LOT 3 DP1192034, 660 HILL END ROAD, CRUDINE (25.00262-08)**

**MOVED** Cr M Cooteand **SECONDED** Cr J Jennings

That Council approve the acquisition of proposed road widening land affecting Lot 3 DP1192034 being 660 Hill End Road, Crudine, as detailed in the Director Engineering Services' report. The acquired land to be classified as Operational Land.

**i** **Item 6 PROPOSED COMPULSORY ACQUISITION OF LOTS 7315 AND 7316 DP1161585, SEWERAGE TREATMENT WORKS, MORRISSET STREET, BATHURST (22.04651)**

**MOVED** Cr I Northand **SECONDED** Cr M Morse

**That** Council approve it make application to the Crown and the Minister and/or the Governor to compulsorily acquire Crown land located at Lots 7315 and 7316 DP1161585, Morrisset Street, Bathurst located at the Sewerage Treatment Works for the purpose of protection of Council's infrastructure.

The acquisition to:

- a) Follow the provisions of the Local Government Act 1993 Section 186 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991; and
- b) Be minerals exempt.

The acquired land is to be classified as Operational land, as detailed in the Director Engineering Services' report.

### **RESOLVE INTO OPEN COUNCIL**

**35** **RESOLVE INTO OPEN COUNCIL**  
**MOVED** Cr B Bourke and **SECONDED** Cr J Jennings

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

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

**36** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED** Cr I North and **SECONDED** Cr M Coote

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

### **MEETING CLOSE**

**37** **MEETING CLOSE**

The Meeting closed at 6.56 pm.

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

**Date:** \_\_\_\_\_ (**19 February 2014**)

**MINUTE**

- 5     DECLARATION OF INTEREST 11.00002  
      MOVED: Cr W Aubin SECONDED: Cr I North

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

Cr Westman

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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 FEBRUARY 2014

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

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

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

**Financial Implications:** Nil.

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

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



**MINUTE**

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

**MOVED: Cr B Bourke SECONDED: Cr J Jennings**

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

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

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

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

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during January 2014 (**attachment 1**)
- (b) Applications refused during January 2014 (**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 January 2014 (**attachment 5**).

**Financial Implications:** Nil.

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

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

**MINUTE**

- 7 **Item 2 GENERAL REPORT (03.00053)**  
**MOVED: Cr G Westman SECONDED: Cr W Aubin**

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

**3 DEVELOPMENT APPLICATION NO. 2013/0495 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 656 DURAMANA ROAD, DURAMANA. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS OWNER: MR R & MRS W FRASER (DA/2013/0495)**

**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 33;
- (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 33;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0495, 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 656 Duramana Road, Duramana, known as Lots 3 and 4 in DP 788653. The location plan is provided at **attachment 1**.

Lot 3 is currently 58.17 hectares and currently contains a dwelling and rural outbuildings.

Lot 4 is currently 56.87 hectares and while it currently contains rural outbuildings only, it has a dwelling entitlement under the provisions of the LEP notwithstanding it is below the minimum lot size of 100 ha.

**The proposal**

The proposal is for the resubdivision of the two existing lots to increase the area of Lot 4 by 43.17 ha and subsequently reduce the area of Lot 3 Duramana Road. The plan of proposed subdivision is at **attachment 2**.

The proposal will result in:

- Lot 4 will increase in size to 100 ha (proposed Lot 34)
- Lot 3 will decrease in size to 15 ha (proposed Lot 33)

The existing dwelling and adjacent outbuildings will be contained within proposed Lot 33.

**Planning Context**

*Bathurst Regional (Interim) Local Environmental Plan 2005* (BRILEP 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 33 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 15 hectares.

The applicant has submitted a SEPP 1 Objection (**attachment 3**) in relation to the creation of proposed Lot 33 which indicates the nature of the subdivision and their objection to the current standards because:

1. Both lots are already below the minimum lot size of 100 hectares;
2. The proposed lot sizes are consistent with the surrounding pattern of subdivision;
3. No new lots or dwelling entitlements are created;
4. A dwelling will be permissible on proposed Lot 34 as it will meet the minimum lot size; 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. Proposed Lot 33, with an area of 15 hectares will contain the existing dwelling. Proposed Lot 34 will have an area of 100 hectares and will therefore retain the ability to erect a dwelling as the lot now meets the minimum lot size standard. 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 656 Duramana Road, Duramana. The resubdivision of the two existing lots does not create a new dwelling entitlement. Further the resubdivision will not 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**

**8 Item 3 DEVELOPMENT APPLICATION NO. 2013/0495 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 656 DURAMANA ROAD, DURAMANA. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS OWNER: MR R & MRS W FRASER (DA/2013/0495)**

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

**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 33;
- (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 33;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0495, 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 J Jennings, Cr M Morse, Cr I North, Cr G Rush, Cr G Westman,

Against the motion - Nil

Absent - Cr M Coote,

Abstain - Nil

**4 DEVELOPMENT APPLICATION NO. 2013/0479 – DEMOLITION OF EXISTING SHED, PARTIAL DEMOLITION AND ADDITIONS TO A DWELLING AND CONSTRUCTION OF A DETACHED GARAGE AT: LOT 13 DP 1096346, 282 RUSSELL STREET, BATHURST. APPLICANT: NIGEL SMITH. OWNER: MRS J WALKER-SMITH & MR N SMITH (DA/2013/0479)**

**Recommendation:** That Council:

(a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0479, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:

(i) During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Division, NSW Office of Environment & Heritage and Council. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works.

NOTE: A Section 140 Permit will need to be obtained to disturb archaeological relics. This permit is to be obtained from the Heritage Division, NSW Office of Environment and Heritage, prior to the disturbance of the archaeological relics.

(ii) Prior to the commencement of demolition, the developer is to submit to Council at least two printed photographs and either photographic negatives or a CD containing high quality digital copies of the brick outbuilding in accordance with Council's guidelines for photographic recording of sites for which approval has been granted for demolition.

(iii) The exterior colour scheme is to be compatible with that of adjoining buildings in particular, and with the character of the Bathurst Conservation Area in general.

NOTE: Advice on suitable colour schemes is available from most paint suppliers with 'heritage' ranges and from Council's Heritage Advisor.

(iv) Prior to the issue of a construction certificate the developer is to submit plans to Council showing the replication or retention of the front gable in the same design as the existing and the replication or retention of the existing front verandah posts and verandah brackets.

NOTE: Advice on alternative roof designs are available from Council to achieve a horizontal roof line to the street without the need for any box gutter arrangements. These designs should be considered prior to the submission of the amended plans required by this condition.

(c) notify those that made submissions of its decision; and

(d) call a division.

**Report:** The Site

Council has received a Development Application (DA) for the demolition of an existing shed, partial demolition and addition to a dwelling and construction of a detached garage described as lot 13 DP 1096346, 282 Russell Street, Bathurst. A location plan is provided at **attachment 1**.

The property is zoned 2 (a) Residential under Bathurst Regional (Interim) Local Environmental Plan 2005 and is located within the Bathurst Heritage Conservation Area.

282 Russell Street has an area of 1309m<sup>2</sup>.

### The proposal

The proposal involves the demolition of an existing shed, partial demolition of the existing dwelling and new additions and construction of a detached garage. Plans of the proposed development are at **attachment 2**.

The proposal includes the removal of 2 trees at the rear of the site. These trees were inspected by Council's Recreation Section and were assessed as not being significant in respect to their form and to the general streetscape of Russell Street. In addition, one of the trees, a large Cedrus tree is located immediately adjacent to the boundary of the property and is causing interference to the adjacent neighbours. A letter of support is provided at **attachment 3**.

### 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 dwelling house is permissible with consent in the 2(a) Residential zone. The proposal is consistent with the objectives of the zone.

#### *Clause 23 Protection of environmental heritage*

The subject land is located within the Heritage Conservation Area. It is not however listed as an individual heritage item.

The proposal was referred to Council's Heritage Advisor for comment. Council's Heritage Advisor in general provided no objection to the proposal and supported the partial demolition of the existing dwelling and additions. Council's Heritage Advisor has visited the site and has provided comments supporting the partial demolition and additions (see copy of Heritage Advisors report at **attachment 4**).

Overall this proposal for an adaption of the residence at 282 Russell Street is considered a positive outcome given that it will result in the retention of a contributory dwelling to the streetscape. The applicant has submitted an infill form for the proposed changes to the streetscape (see a copy of the residential infill application at **attachment 5**).

In this regard, the Heritage Adviser has noted that the development will result in significant change to the "character" of the building. This is primarily due to the opening up of the verandah and the addition of the central staircase. The dwelling has always had a side entry given the central window on the verandah. The higher roof apex will be a noticeable aspect of the development from the street. The proposed additions will change the character of the dwelling from what it currently holds.

It is noted that the Heritage Adviser has made a number of recommendations in relation to these aspects including:

1. Retention of the existing simplistic detailing of the front gables.
2. Retention and continuation of the existing federation verandah posts and brackets.



3. Consideration of alternate roof designs to lower the pitch of the roof by retaining the horizontal ridgeline currently in place rather than introducing a higher pitched, apex gable.

The issues relating to the retention and replication of the front gable and verandah posts can be dealt with via appropriate conditions of consent.

In response to the issues surrounding the roof design the applicant has provided a report from an Accredited Building Consultant detailing the issues associated with the current roof design. The report notes that the existing roof structure has been constructed in various stages in a haphazard and unconventional manner. In addition the roof has several internal box gutters which is contributing to some of the issues surrounding the deterioration of the building. The elimination of this box gutter arrangement will resolve the current problems identified and eliminate further water penetration issues.

A copy of the Building Consultants report is included at **attachment 6**.

*Draft Bathurst Regional Local Environmental Plan 2014*

The subject site is zoned R1 General Residential under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. A dwelling house is permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

*Bathurst Regional (Interim) Development Control Plan 2011*

#### **Chapter 4 Residential Development**

The site is within Residential Precinct 2 pursuant to the *Bathurst Regional (Interim) Development Control Plan 2011* (DCP). The proposal complies with the objectives of the Precinct and the development standards for dwelling houses.

<b>Development Standard</b>	<b>Proposed</b>	<b>Permissible</b>	<b>Compliance</b>
Minimum lot size	1309m <sup>2</sup>	550m <sup>2</sup>	<b>Yes</b>
Height	Single storey	Two- storey	<b>Yes</b>
Setbacks			
Front	2m	Compliment existing	<b>Yes</b>
Rear	16m	As per BCA	<b>Yes</b>
Side	6m	As per BCA	<b>Yes</b>
Car parking	2 space	1 space	<b>Yes</b>
Accessway Width	Minimum 3m	3-6m wide	<b>Yes</b>

#### **Side and Rear Building Line Setbacks**

Part 4.4.2 of Council's DCP requires that single storey dwellings should be setback in accordance with the Building Code of Australia, as required in the DCP 2011.

The proposed dwelling is to be located 0.9m off the common boundary with 284 Russell Street and therefore is in accordance with the applicable standards.

The issue of the proximity of the garage to 280 Russell Street was also raised particularly in respect of possible overshadowing. The proposed garage is to be located 0.6m from the common boundary with 280 Russell Street. The garage will be adjacent to the windows of 280 Russell Street. These windows are for 2 bedrooms and a bathroom.

It is not generally a requirement for single storey dwellings or ancillary development to provide shadow diagrams, unless Council is of the opinion that such a setback significantly overshadows neighbouring properties and adversely impacts upon privacy of the neighbouring properties. In this particular case the development, where it adjoins 280 Russell Street, is single storey and not considered to be overtly high. In addition the garage does not adjoin living and usable open space areas. Whilst 280 Russell Street will be impacted, the impact is not considered unreasonable or unacceptable.

## **Chapter 10 Urban Design and Heritage Conservation**

An infill form has been submitted with the application (**attachment 5**) this photographic evidence supports that the proposed development is generally consistent with adjoining properties in respect of bulk and scale.

The Heritage Advisor's recommendation in relation to the front gable can be conditioned to incorporate the existing gable design into the proposed front façade. Therefore the retention/replication of the existing gable will allow the development to blend more efficiently into the Russell Street streetscape and reduce the change in character of the front building elevation.

The proposed development has preserved the majority of the existing windows on the front façade of the dwelling. The existing windows visible from the streetscape are being maintained, (excluding the centre window where the proposed location of the front door is to be) through maintaining the existing window proportions.

The proposed additions are to the rear and north east elevation of the dwelling and this has minimal impact on the streetscape.

The proposed detached garage is setback from the street behind the building line of the dwelling. Therefore the proposed garage will have minimal impact on the existing streetscape.

The repositioning of the front door from an off centre main door entry to a centre entrance will have a minimal impact on the streetscape. The applicant has submitted an assessment prepared by Aspect Enterprises (**attachment 6**) which concludes that the original location of the front door was at the centre of the dwelling. This is supported by the internal layout of the walls and internal hallway, the brick infill below the window and the prominent gable roof section over this section.

The proposed verandah posts are to be maintained. The verandah infills are to be removed and replaced with a timber handrail. This will impact the visual appearance of the dwelling creating a more open verandah. In response to the heritage advisor's comments it is recommended that a condition of consent be imposed to retain/replicate the existing verandah posts and brackets to reduce the change in character of the front building elevation.

### Access from Bishop Street

The development includes the construction of a new access from Bishop Street.

Bishop Street is currently a narrow street approximately 10 metres wide with a carriageway width of 5 metres. It is generally used as a secondary access for properties fronting Russell Street and Clements Street and as the primary access for the dwelling at 1 Bishop Street. It does not have any turning circles at the end and accordingly parking and traffic movements along its length are restricted.

The application proposes to construct a new driveway to Bishop Street although it is not proposed to access the new garage from this driveway.

The construction of a new entrance to 282 Russell Street will not alter these arrangements. Whilst there would be a loss of perhaps 1 kerbside parking space in Bishop Street due to the new driveway this is not considered significant.

### Submissions

The development application was notified to adjoining property owners from 10 January 2014 to 20 January 2014. Following the notification period a total of 8 submissions were received (see submissions at **attachment 7**).

A discussion forum was convened on 30 January 2014 (see minutes of discussion forum at **attachment 8**). Issues raised in the submissions and at the discussion forum included:

- Secondary access off Bishop Street
- Potential overshadowing from the garage on 280 Russell Street.
- Impact on the Russell Street streetscape. Such as the changes to:
  - The roofline increasing the apex
  - The repositioning of the front door
  - Grand staircase centred to the dwelling
  - Reduced side setbacks resulting from increasing building footprint
  - The overall changing of the nature of the house from simple style to grand/modern design
  - The removal of the infill on the verandah creating an open verandah

These issues are dealt with in the report.

### Conclusion

Council has received a Development Application (DA) for the demolition of the existing shed, partial demolition and additions to a dwelling and construction of a detached garage at 282 Russell Street, Bathurst. The subject site is zoned 2(a) Residential under the provisions of the Bathurst Regional (Interim) Local Environmental Plan 2005.

The site is located within the Bathurst Heritage Conservation Area. The changes made to the façade of the development will alter the existing dwelling. Conditions of consent are recommended to reduce the change in character of the original building, particularly with respect to the front gable and the verandah posts and brackets. The proposed repositioning of the front door to the centred position returns it to its original position in 1915 when the dwelling was constructed. The proposed development is an appropriate redevelopment of a contributory dwelling and is therefore supported.

**Financial Implications:** Nil.

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

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

## MINUTE

**9 Item 4 DEVELOPMENT APPLICATION NO. 2013/0479 – DEMOLITION OF EXISTING SHED, PARTIAL DEMOLITION AND ADDITIONS TO A DWELLING AND CONSTRUCTION OF A DETACHED GARAGE AT: LOT 13 DP 1096346, 282 RUSSELL STREET, BATHURST. APPLICANT: NIGEL SMITH. OWNER: MRS J WALKER-SMITH & MR N SMITH (DA/2013/0479)**

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

**RESOLVED:** That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0479, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:

- (i) During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Division, NSW Office of Environment & Heritage and Council. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works.

NOTE: A Section 140 Permit will need to be obtained to disturb archaeological relics. This permit is to be obtained from the Heritage Division, NSW Office of Environment and Heritage, prior to the disturbance of the archaeological relics.

- (ii) Prior to the commencement of demolition, the developer is to submit to Council at least two printed photographs and either photographic negatives or a CD containing high quality digital copies of the brick outbuilding in accordance with Council's guidelines for photographic recording of sites for which approval has been granted for demolition.
- (iii) The exterior colour scheme is to be compatible with that of adjoining buildings in particular, and with the character of the Bathurst Conservation Area in general.

NOTE: Advice on suitable colour schemes is available from most paint suppliers with 'heritage' ranges and from Council's Heritage Advisor.

- (iv) Prior to the issue of a construction certificate the developer is to submit plans to Council showing the replication or retention of the front gable in the same design as the existing and the replication or retention of the existing front verandah posts and verandah brackets.
- (v) Prior to the issue of a construction certificate, the developer is to submit plans to Council showing the redesign of the roof to achieve a horizontal roof line to the street similar to the existing roof line.

NOTE: Advice on alternative roof designs are available from Council to achieve a horizontal roof line to the street without the need for any box gutter arrangements.

- (vi) Approval of the garage be subject to an overshadowing report being provided which shows the garage meets Council's minimum requirements in this matter.

- (c) notify those that made submissions of its decision; and
- (d) call a division.

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

**The result of the division was:**

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

## 5 OPERATION OF TOURIST AND VISITOR ACCOMMODATION ESTABLISHMENTS POLICY (11.00003)

**Recommendation:** That Council:

- (a) adopt the Operation of Tourist and Visitor Accommodation Establishments Policy including those amendments to the Policy as outlined in this report; and
- (b) notify those who made submissions of the decision of Council.

**Report:** Council at its Policy meeting held 9 November 2013 resolved to:

- (a) place the Operation of Tourist and Visitor Accommodation Establishments Policy, including: backpackers' accommodation, bed and breakfast accommodation, eco-tourist facilities, farm stay accommodation and serviced apartments on public exhibition for a period of 28 days,
- (b) if no submissions are received, adopt the Policy; and
- (c) note that the Policy will not come into effect until the gazettal of the Bathurst Regional Local Environmental Plan 2014.

Council placed the draft Policy on public exhibition for the period 23 November 2013 to 23 December 2013 and received one submission.

Council staff have considered the submission received and the issues raised. Recommendations to alter the draft Policy have been made where considered appropriate. The following table summarises the assessment process undertaken and the recommendations for changes to the draft Policy.

Comments or Issues Raised	BRC response	Policy change(s)
The title of the draft Policy is misleading and only applies to a discrete portion of establishments.	Tourist and Visitor Accommodation is the broad term used within Council's LEP. For consistency this term has been adopted for this draft Policy with additional definitions for the specific development types which are included. Listing the individual development types in the title of the Policy was cumbersome and discounted in earlier versions of the draft Policy.	No change.
The draft Policy includes accommodation that is not included in the definition of Tourist and Visitor Accommodation, for example eco-tourist accommodation. Suggests the definition be re-written to be open ended. For example "...and includes, but is not limited to, any of the following ..."	Council has reviewed the definitions used within the draft Policy to clarify those developments to which the draft Policy applies.	The definition of "Tourist and Visitor Accommodation" has been rewritten to read: <b>"tourist and visitor accommodation"</b> means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes for the purposes of this policy, any of the following: (a) backpackers'

		<p>accommodation,</p> <p>(b) bed and breakfast accommodation,</p> <p>(c) eco-tourist facilities,</p> <p>(d) farm stay accommodation, and</p> <p>(e) serviced apartments.</p>
Seeks clarification on whether Section 3.4 only applies to Bed and Breakfast establishments.	The draft Policy should refer to the term Tourist and Visitor Accommodation Establishments not Bed and Breakfast Establishments. A review of the draft Policy was undertaken.	Section 3.4 was reworded to read Tourist and Visitor Accommodation Establishments.
Seeks clarification on the section of the BCA which triggers a change in Class of the building. (Section 3.4 of the draft Policy).	The draft Policy has been amended to include reference to Part A3 of the BCA which defines the building classifications.	The reference has been included within Section 3.4 of the draft Policy.
Seeks clarification of the floor area requirements within Section 4.8 of the draft Policy.	The standards in the draft Policy were adopted from Clause 46 of the Public Health Regulation 2012. The Regulation sets the minimum standard required for all establishments and, in many instances, will be exceeded.	No change.
Seeks Council provide an example of the cleaning, pest control and fire prevention and management plan documents (refer to Sections 4.10 and 4.14 of the draft Policy).	The format of the documents are not prescribed by the draft Policy and therefore should not be included as an attachment. As further examples of the documents are produced it would be more appropriate for Council to have them available from the Environmental Health Officers or from Council's website.	No change.
Notes the inconsistency in the use of "Tourist <u>and</u> Visitor Accommodation" and "Tourist <u>or</u> Visitor Accommodation". Seeks clarification in the correct term.	The draft Policy should refer to the term Tourist and Visitor Accommodation. A review of the draft Policy was undertaken.	Section 5 has been reworded to read "Tourist and Visitor Accommodation".

Whilst this report recommends a number of changes to the draft Policy, these changes are generally of a minor nature and do not alter the original intent of the draft Policy as exhibited. Re-exhibition of the draft Policy is therefore not warranted. A copy of the final policy recommended for adoption is included at **attachment 1**.

It is therefore recommended that Council adopt the Policy. Note that the draft Policy will not come into effect until the gazettal of the Bathurst Regional Local Environmental Plan 2014.

**Financial Implications:** Nil.

## **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 30.3, 30.6
- Objective 4: To market Bathurst as a great place to live, work, study, invest and play. Strategy 4.6



**MINUTE**

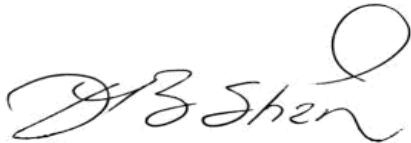
**10 Item 5 OPERATION OF TOURIST AND VISITOR ACCOMMODATION ESTABLISHMENTS POLICY (11.00003)**

**MOVED: Cr B Bourke SECONDED: Cr J Jennings**

**RESOLVED:** That Council:

- (a) adopt the Operation of Tourist and Visitor Accommodation Establishments Policy including those amendments to the Policy as outlined in this report; and
- (b) notify those who made submissions of the decision of 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

19 FEBRUARY 2014

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

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

**Report:** \$76,000,000 was invested at 31 January 2014 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>			
<b>(comprising Commercial Bills, Debentures and Certificates of Deposit):</b>			
Bank of Queensland	A2	\$16,000,000.00	4.15%
Bendigo and Adelaide Bank	A2	\$9,000,000.00	3.96%
IMB	A3	\$7,000,000.00	3.88%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	3.97%
National Australia Bank	A1+	\$16,000,000.00	3.89%
People's Choice Credit Union	ADI	\$2,000,000.00	4.18%
Railways Credit Union	ADI	\$1,000,000.00	4.19%
SGE Credit Union	ADI	\$1,000,000.00	4.07%
Westpac Banking Corporation	A1+	<u>\$1,000,000.00</u>	<u>3.71%</u>
		<b>\$56,000,000.00</b>	<b>4.00%</b>
<b><u>Long Term &gt; 365 Days</u></b>			
<b>(comprising Commercial Bills, Term Deposits and Bonds):</b>			
<b><u>Committed Rolling Investments</u></b>			
Westpac	AA-	\$2,000,000.00	3.73%
Westpac	AA-	\$2,000,000.00	3.84%
Westpac	AA-	\$2,000,000.00	3.86%
Westpac	AA-	\$2,000,000.00	3.82%
Westpac	AA-	<u>\$2,000,000.00</u>	<u>3.75%</u>
		<b>\$10,000,000.00</b>	<b>3.80%</b>
<b><u>Fixed, Negotiable &amp; Tradeable Certificates of Deposits</u></b>			
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>3.74%</u>
		<b>\$2,000,000.00</b>	<b>3.74%</b>
<b><u>Floating Rate Notes</u></b>			
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	4.36%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	4.33%
Members Equity Bank	A-	\$3,000,000.00	3.82%
Bendigo & Adelaide Bank Retail Bond	A-	<u>\$2,000,000.00</u>	<u>4.50%</u>
		<b>\$8,000,000.00</b>	<b>4.19%</b>
<b>Total Investments</b>		<b><u>\$76,000,000.00</u></b>	<b><u>3.98%</u></b>

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

Reserves Total (includes unexpended loan funds)		\$32,563,758.00
Grants held for specific purposes		\$1,327,950.00
Section 94 Funds held for specific purposes		\$28,366,360.00
Unrestricted Investments – All Funds		\$13,741,932.00
General Fund	\$51,725.00	
Water Fund	\$3,439,588.00	
Sewer Fund	\$7,157,977.00	
Waste Fund	<u>\$3,092,642.00</u>	

**Total Investments** **\$76,000,000.00**

**Total Interest Revenue to 31 January 2014** **\$1,690,047.34** **3.98%**

**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)	2.62%
Three Year Swap Rate - Commonwealth	3.04%

	<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%
September 2013	2.50%	2.64%	2.90%	4.03%
October 2013	2.50%	2.63%	2.97%	3.98%
November 2013	2.50%	2.62%	3.02%	4.05%
December 2013	2.50%	2.62%	3.04%	4.04%
January 2014	2.50%	2.62%	3.04%	3.98%

**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**

- 11 **Item 1 STATEMENT OF INVESTMENTS (16.00001)**  
**MOVED: Cr I North SECONDED: Cr B Bourke**

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

## **2 YEAR TO DATE REVIEW - QUARTERLY BUDGET REVIEW STATEMENT 2013-2014 (16.00135)**

**Recommendation:** That the information be noted and any variations to income and expenditure be voted.

**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.

Clause 203(1) of the *Local Government (General) Regulation 2005* (the Regulation) requires a council's responsible accounting officer to prepare and submit a quarterly budget review statement to the governing body of council. The quarterly budget review statement must show, by reference to the estimated income and expenditure that is set out in the management plan or operational plan adopted by council for the relevant year, a revised estimate of income and expenditure for that year. It also requires the budget review statement to include a report by the responsible accounting officer as to whether or not they consider the statement indicates council to be in a satisfactory financial position (with regard to its original budget) and if not, to include recommendations for remedial action.

The Division of Local Government has now set a prescribed format for the Quarterly Budget Review Statement (QBRS). The new statement is in the same format as the requirements for the new Annual Operational Plan that replaced the Management Plan from 1 July 2012. The Report shown at **attachment 2** is in the format of a commercial Income and Expenditure Statement as per the Division of Local Government Guidelines.

At **attachment 3** is an update of the strategies for the 2012/2013 Community Strategic Plan.

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

Fines or penalty notices this month - Nil.

**Financial Implications:** Nil.

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

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

**MINUTE**

**12 Item 2 YEAR TO DATE REVIEW - QUARTERLY BUDGET REVIEW**  
**STATEMENT 2013-2014 (16.00135)**

**MOVED: Cr W Aubin SECONDED: Cr J Jennings**

**RESOLVED:** That the information be noted and any variations to income and expenditure be voted.

**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 January 2014.

**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:	\$4,537.68
BMEC Community use:	\$27,438.17
Mount Panorama:	\$8,500.16

**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**

**13 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 B Bourke**

**RESOLVED:** That

- (a) the information be noted
- (b) Council transfer \$5,000 of the Mount Panorama Use Subsidy to the General Section 356 vote.

#### **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.

- P J Hoolihan, 26 Phillip Street - Lot 1015, DP1185389 - Transfer.
- H & M Habib, 5 Morgan Place - Lot 803, DP1185390 - Transfer.
- Rugby Union Cricket Club, Brooke Moore Oval - Part Lot 7013, DP1114435 - In House Licence Agreement.
- J E Small & T L Brain, 449 Conrod Straight - Lot 1, DP1179272 - Transfer.
- B Cameron, 12 Knight Place - Lot 1007 DP1185389 - Transfer.

#### **Linen Plan Release**

- BRC - Lot 3 DP1067418 - Conrod Straight, Mount Panorama - Right of Carriageway.
- BRC - Lot 2 DP842120 - 312 Laffing Waters Lane, Laffing Waters - Plan of Easement for Water Supply.
- BRC - Lot 9 DP756873 - 3246 Hill End Road, Hill End - Acquisition of Land for Road Widening.

- **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**

- 14 **Item 4 POWER OF ATTORNEY (11.00007)**  
**MOVED: Cr W Aubin SECONDED: Cr B Bourke**

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

## **5 BATHURST BIKE PARK - AMENITIES BUILDING (18.00022)**

**Recommendation:** That Council;

- (a) use the funds provided for the public amenities block at Raglan to construct an amenities building at the Bathurst Bike Park.
- (b) use unspent loan funds of \$180,000 to assist in building an amenities block at the Bathurst Bike Park.
- (c) refer the construction of the public amenities block at Raglan to the 2014/2015 Budget process.

**Report:** Councillors are aware that the Bathurst Bike Park velodrome is nearing completion and will be available for use by the end of February 2014, subject to the completion of the infrastructure allowing access to the velodrome and a suitable amenities block.

Earlier in 2013 Councillors were notified that Council had sought to obtain a grant from the Federal Government under the Regional Development Australia Program (RDA) which Council intended to use part of to construct an amenities building at the Bathurst Bike Park.

Following the Federal Election Council initially received notification that this round of RDA funding had been suspended. Council has since received notification that the round of funding had been cancelled and no funds will be made available.

With the impending opening of the Bike Park facility it is essential that proper amenities are provided for the users of the park.

Council's engineering staff have advised that they are well advanced in the technical drawings for this project and have advised a budget of approximately \$350,000 is needed to construct a suitable amenities building.

Contained within Council's Management Plan for 2013/14 is an amenities building for Raglan with a budget of \$170,000.

Council's engineering staff are not ready to proceed with the amenities block at Raglan until 2014/15, therefore freeing up \$170,000 this year.

Council also has some unexpended loan funds from the Civic Centre which may be used to assist with the construction of this amenities building.

In order to make the Bike Park operational Council needs to proceed with the construction of an amenities building.

**Financial Implications:** The \$350,000 for this project could be funded from the current budget by delaying the Raglan Amenities Building construction until 2014/15, and using funds available from the unexpended loans reserve for the new Civic Centre.

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

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1

## MINUTE

**15    Item 5    BATHURST BIKE PARK - AMENITIES BUILDING (18.00022)**  
**MOVED: Cr I North SECONDED: Cr B Bourke**

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

**Reason: Secretary of the BMX Club which will be a user of the facility.**

**RESOLVED:** That Council;

- (a) use the funds provided for the public amenities block at Raglan to construct an amenities building at the Bathurst Bike Park.
- (b) use unspent loan funds of \$180,000 to assist in building an amenities block at the Bathurst Bike Park.
- (c) refer the construction of the public amenities block at Raglan to the 2014/2015 Budget process.

## **6 FEES & CHARGES FOR CARRINGTON PARK AND THE BATHURST SPORTSGROUND FOR THE 2014 RUGBY LEAGUE SEASON (04.00008, 04.00007)**

**Recommendation:** That Council endorse the actions as outlined in the report.

**Report:** Council may be aware that St Pat's Rugby League Football Club has found it necessary to relocate to a new venue for the 2014 Rugby League season and beyond. This issue has affected both the senior club and the junior club. St Pat's contacted Council seeking its assistance in securing a new venue to conduct their sport and several discussions with the club and Bathurst Panthers have ensued. Council staff have been able to accommodate St Pat's club with the assistance of Bathurst Panthers and both clubs are agreeable to the outcome which may have to be in place for several years at Carrington Park.

To ensure that both clubs are able to continue to conduct competition games and undertake training, it has been agreed that Bathurst Panthers RLFC will only use Carrington Park for their competition and training, the Panthers Juniors will use Carrington Park for competition and training will be conducted at Alan Morse Park.

St Pat's Seniors will use the Bathurst Sportsground for competition and training, and the St Pat's Juniors will use Alan Morse Park for competition and their training will be conducted at Learmonth Park.

This temporary arrangement is acceptable to both clubs. Council will be required to set out two full size playing fields at Morse Park to accommodate the proposed arrangements.

The current charge for usage of Carrington Park and Bathurst Sportsground by Bathurst Panthers is \$11,000 per season. The new arrangement of Panthers using Carrington Park and St Pats using the Sportsground has resulted in no increase in costs of preparation of the grounds. Therefore the \$11,000 charge currently paid by Bathurst Panthers will be shared between the two Clubs with each paying \$5,500 per season.

Councillors are aware that Councils Policy allows Junior Clubs to use Councils facilities at no cost for the use of the grounds. Both Clubs have agreed to be responsible for the utilities used at each venue (gas, electricity etc) as is currently the arrangements with all sporting clubs.

Council will closely monitor the increased usage of the venues to ensure that the playing surfaces are not overused. Should there be an increase to the level of maintenance required, then Council will discuss this matter with the sporting bodies concerned.

Council and Bathurst Panthers have cooperated to allow this arrangement to be put in place until a permanent venue can be provided to the St Pat's Club.

**Financial Implications:** Council will continue to receive the amount of \$11,000 from the usage fees for Carrington Park and the Bathurst Sportsground by Bathurst Panthers and St Pat's Rugby League Football Clubs for the 2014 Season.

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

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.4
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.7

**MINUTE**

**16 Item 6 FEES & CHARGES FOR CARRINGTON PARK AND THE BATHURST SPORTSGROUND FOR THE 2014 RUGBY LEAGUE SEASON (04.00008, 04.00007)**

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

**RESOLVED:** That Council endorse the actions outlined in the report with a charge of \$8,500 per season for each of St Pat's Rugby League Football Club and Bathurst Panthers Rugby League Football Club.



## **7 REQUEST FOR FINANCIAL ASSISTANCE - SUNNY CORNER HISTORICAL SITE TRUST (18.00004)**

**Recommendation:** That Council consider this request for assistance as part of the 2014/2015 Budget Process.

**Report:** Council has received a request from Sunny Corner Historical Site Trust advising that they have received an account for \$405 for the inspection of 3 septic tanks (\$135 per tank). A copy of the request is provided at **attachment 1**.

The Sunny Corner Historical Site Trust highlights that these inspections were done on the one day and to receive a bill for \$405 appears to be excessive.

Councils Revenue Policy sets a fee of \$135 per tank inspection, which all septic tank holders are required to pay when an inspection is carried out.

The Trust, which is a non profit organisation operates three septic tanks (two at historical properties and one at Sunny Corner Hall). The properties where the inspections were carried out are:

Old School Residence 37 Dark Corner Road - Owner Sunny Corner Historic Reserve Trust (refer location diagram **attachment 2**)

7 Austral Street Sunny Corner - Owner Land and Property Management (refer location diagram **attachment 3**)

1041 Bathurst Street Sunny Corner - Owner School of Arts (refer location diagram **attachment 4**)

These sites are classified as high risk septic systems and require inspection every two years. This is the second time they have been inspected by Council. Previous inspection fees were paid.

The Trust advises that there are many voluntary hours provided by the community to assist in raising funds to be used in the protection and maintenance of these properties.

The Sunny Corner Historical Site Trust are asking Council to reconsider the charge.

Council has contacted the Secretary to request a copy of the financial information. A copy of this information will be made available to Councillors at the meeting.

Council may need to consider this as part of the budget process as there are a number of these facilities throughout the Council area and the impact on Council may be quite significant should Council decide to waive or reduce the fees.

**Financial Implications:** The current balance in Section 356 Funds is \$4,537.68. Requests for consideration in this Business paper

- Sunny Corner Historical Site Trust - septic tank inspection fees - \$405 - recommended for consideration as part of the 2014/2015 Budget process.
- NSW Women's Rugby League Knockout - Hire Fees, Carrington Park - \$1,175 - recommended for approval
- Women in Aviation Week - event at Bathurst Aerodrome - \$3,300 - recommended for

approval

- Carenne School - Hydrotherapy Spa - \$2,000 - recommended for approval
- Fire & Rescue NSW - State Firefighter Championships 2014 approx \$5,000 - for Council's consideration
- Australian Rugby Union - Junior Gold Cup - \$7,000- \$10,000 - not recommended

Note: Requests for financial assistance in this Business Paper far exceed the balance in the Section 356 Fund. Council will need to source additional funds from within its current budget if it were to support the majority of the applications.

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

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

**MINUTE**

**17 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - SUNNY CORNER  
HISTORICAL SITE TRUST (18.00004)**

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

**RESOLVED:** That Council consider this request for assistance as part of the 2014/2015 Budget Process.

## **8 HIRE FEES - CARRINGTON PARK – NSW WOMEN'S RUGBY LEAGUE KNOCKOUT (04.00008)**

**Recommendation:** That Council waive the hire charges for Carrington Park, amounting to \$1,175 to the Barwin Aboriginal Corporation Inc for the staging of the inaugural NSW Women's Rugby League Knockout event to be held Saturday 22 March 2014 and that this amount to be funded from Section 356 Donations.

**Report:** Correspondence has been received from the organising committee of the NSW Women's Rugby League Knockout competition requesting permission to host this inaugural knockout event at Carrington Park, and requesting Council's consideration on having the general fees and charges waived. A copy of the request is provided at **attachment 1**. Although the requested date for this event is within the period of the Bathurst Panthers lease of Carrington Park, discussions with their executive have confirmed that the venue would be available for use.

The knock out event is the initiative of the Barwin Aboriginal Corporation, who are a not for profit organisation and have a history in promoting and coordinating a variety of sporting events and sports participation within the central western region of NSW. The most recent event previously organised through this organisation and held in Bathurst was the successful Aboriginal Rugby League Knockout event held at Carrington Park in 2011.

The organisers have chosen Bathurst as the preferred venue of choice due the quality of the Carrington Park venue, the central location of Bathurst and the extent of services that the city of Bathurst can provide, including accommodation. Although their letter requests the holding of the event on the 29 March 2014, the proposed date has now been moved to Saturday 22 March 2014, following discussions with Council officers in relation to the ground's availability.

The organisers are proposing a one day, eight team competition for their inaugural event. It is envisaged that this regional knockout event would be held on an annual basis, building up to in excess of a 16 team competition, incorporating the use of Carrington Park and the Bathurst Sportsground. It is believed that this annual State competition would provide significant benefit for the Bathurst Community if it were to become yet another major event on Bathurst's annual sporting calendar.

As this event is likely to attract large numbers to the City on an annual basis and it can be expected that a concerted media focus will eventuate due to the staging of the event in the City, it is believed that Council should positively consider the request to waive the fees for the use of the facility.

It is envisaged that little in the way of field preparation will be required from Council's Recreation staff. Council's total fees and charges, which normally apply for such a daytime event, amount to \$1,175. It is believed necessary though that the organisers provide Council with the upfront security / cleaning fee of \$1,103 which would be refundable provided that the facility is returned in a clean and tidy condition.

**Financial Implications:** The current balance in Section 356 Funds is \$4,537.68. Requests for consideration in this Business paper

- Sunny Corner Historical Site Trust - septic tank inspection fees - \$405 - recommended for consideration as part of the 2014/2015 Budget process.
- NSW Women's Rugby League Knockout - Hire Fees, Carrington Park - \$1,175 -

recommended for approval

- Women in Aviation Week - event at Bathurst Aerodrome - \$3,300 - recommended for approval
- Carenne School - Hydrotherapy Spa - \$2,000 - recommended for approval
- Fire & Rescue NSW - State Firefighter Championships 2014 approx \$5,000 - for Council's consideration
- Australian Rugby Union - Junior Gold Cup - \$7,000- \$10,000 - not recommended

Note: Requests for financial assistance in this Business Paper far exceed the balance in the Section 356 Fund. Council will need to source additional funds from within its current budget if it were to support the majority of the applications.

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

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

**MINUTE**

**18 Item 8 HIRE FEES - CARRINGTON PARK – NSW WOMEN'S RUGBY LEAGUE KNOCKOUT (04.00008)**

The item was WITHDRAWN.

## **9 REQUEST FOR FINANCIAL ASSISTANCE - WOMEN IN AVIATION WEEK (18.00004)**

**Recommendation:** That Council support the Women in Aviation Week event to be held at Bathurst Aerodrome to a maximum cost of \$3,300.

**Report:** Council received an application on 2 January 2014 from the organisers of the Women of Aviation Week event which proposes to have a scheduled event at the Bathurst Aerodrome on 8 March 2014 from the hours of 10:00am to 4:00pm. A copy of the request is provided at **attachment 1**

The Women in Aviation Week is an international not for profit event in which the importance of women in aviation is to be highlighted and to encourage their further participation. The event will provide an opportunity for all of the community to participate.

The Women in Aviation Week event has not previously been held in Australia. A number of alternate aerodromes, including Bankstown (NSW), Caboolture and Caloundra (QLD), Coldstream, East Sale and Moorabin (VIC) and Strathalban (SA) will host similar events to the Bathurst program over this week.

It is proposed that the following activities will take place:

- (a) Free Flights in Light Aircraft and Gliders
- (b) BBQ & Sausage Sizzle
- (c) Discounted Trial Instructional Flights
- (d) Discounted Tigermoth Joy Flights
- (e) Discounted L39 Jet rides
- (f) Hangar & Aircraft Tours
- (g) Aircraft & Glider Static Displays
- (h) Education Sessions
- (i) Aviation Careers Information

The applicant has requested that an area in the normally airside operational area which is used for parking of aircraft adjacent to the windsock be fenced off at Council's cost to allow public access for the purposes of providing greater accessibility to parked aircraft. Prior to the event commencing, the aircraft would be taxied into place and then the required crowd controlled fencing be installed, enclosing the aircraft within the publically accessible area. The estimated cost of the installation and removal of fencing is \$500.

As Councillors would be aware, Bathurst Aerodrome is a security controlled airport as per the requirements of the Airport Transport Security Act. Air side access will be permitted subject to the submission of a Security Exclusion Zone application by Council to the Office of Transport and Security. The area requested to be used does restrict access to the NSW Rural Fire Service water replenishment tanks and in the case of a bushfire emergency requiring their use, the event will be cancelled.

The applicant has also requested that aircraft participating in the event be exempt from landing charges. The applicant has provided Council with a list of expected local aircraft that will participate in the event, with possibly four visiting light aircraft involved. Of the local aircraft identified, most are subject to local annual charges and so will not incur landing fees. However, three local aircraft are not subject to the annual charge and thus landing fees are normally applicable. It is estimated that the landing fees for these three local and four visiting aircraft, based upon the expected movements would be approximately \$2,000.

Council's Senior Aerodrome Groundsman and relief Groundsman will also be required to attend the event for security compliance requirements, with a wages cost estimated for 8 hours of approximately \$800.

It is recommended that Council agree to fund this event to the maximum value of \$3,300, to be funded from Section 356 Donations.

The event organisers have advised that they expect approximately 200 people to attend the event.

Financial Statements are not available since this event has not been run in Australia before.

**Financial Implications:** The current balance in Section 356 Funds is \$4,537.68.

Requests for consideration in this Business paper

- Sunny Corner Historical Site Trust - septic tank inspection fees - \$405 - recommended for consideration as part of the 2014/2015 Budget process.
- NSW Women's Rugby League Knockout - Hire Fees, Carrington Park - \$1,175 - recommended for approval
- Women in Aviation Week - event at Bathurst Aerodrome - \$3,300 - recommended for approval
- Carenne School - Hydrotherapy Spa - \$2,000 - recommended for approval
- Fire & Rescue NSW - State Firefighter Championships 2014 approx \$5,000 - for Council's consideration
- Australian Rugby Union - Junior Gold Cup - \$7,000- \$10,000 - not recommended

Note: Requests for financial assistance in this Business Paper far exceed the balance in the Section 356 Fund. Council will need to source additional funds from within its current budget if it were to support the majority of the applications.



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

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

**MINUTE**

**19 Item 9 REQUEST FOR FINANCIAL ASSISTANCE - WOMEN IN AVIATION WEEK (18.00004)**

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

**RESOLVED:** That Council support the Women in Aviation Week event to be held at Bathurst Aerodrome as follows:

- (a) provision of crowd control fencing (estimated cost \$500).
- (b) provision of groundsman for security (estimated cost \$800).

to be funded from Section 356 Donations.

## **10 REQUEST FOR FINANCIAL ASSISTANCE - CARENNE SCHOOL'S HYDROTHERAPY SPA (18.00004)**

**Recommendation:** That Council donate \$2,000 towards the cost of Carenne School's Hydrotherapy Spa Project to be funded from Section 356 Donations.

**Report:** Council has received a request from Carenne School for financial assistance for the Hydrotherapy Spa Project. A copy of the request, including a detailed forecast of costs for this project, is provided at **attachment 1**.

The School needs to reach their target of \$142,500 by the end of February, so that they can submit an application for joint funding through the NSW Department of Education and Communities (DEC).

Carenne School advised that they are still \$40,000 short of reaching their target of \$142,500, and are asking Council for any financial assistance to provide support to this project.

**Financial Implications:** The current balance in Section 356 Funds is \$4,537.68. Requests for consideration in this Business paper

- Sunny Corner Historical Site Trust - septic tank inspection fees - \$405 - recommended for consideration as part of the 2014/2015 Budget process.
- NSW Women's Rugby League Knockout - Hire Fees, Carrington Park - \$1,175 - recommended for approval
- Women in Aviation Week - event at Bathurst Aerodrome - \$3,300 - recommended for approval
- Carenne School - Hydrotherapy Spa - \$2,000 - recommended for approval
- Fire & Rescue NSW - State Firefighter Championships 2014 approx \$5,000 - for Council's consideration
- Australian Rugby Union - Junior Gold Cup - \$7,000- \$10,000 - not recommended

Note: Requests for financial assistance in this Business Paper far exceed the balance in the Section 356 Fund. Council will need to source additional funds from within its current budget if it were to support the majority of the applications.

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

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

**MINUTE**

**20 Item 10 REQUEST FOR FINANCIAL ASSISTANCE - CARENNE SCHOOL'S  
HYDROTHERAPY SPA (18.00004)**

The item was WITHDRAWN.

## **11 REQUEST FOR FINANCIAL ASSISTANCE - FIRE & RESCUE NSW STATE FIREFIGHTER CHAMPIONSHIPS 2014 (18.00004)**

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

**Report:** Council has received notification from the Kelso Fire Brigade that they will be hosting the NSW State Fire & Rescue Championships in October 2014. A copy of the request is provided at **attachment 1**.

They have requested financial assistance and in-kind support in organising and managing these championships over a 3 day period in October 2014.

Below is a table containing the Kelso Fire Brigade requests, and Councils estimated costs of providing these requests;

<b>Request</b>	<b>Councils Estimated Cost</b>
Use of the Fire Brigade track in Learmonth Park	\$324 per day, total \$972
Assistance with torch light procession in William Street	Provided Police permission is obtained an amount of approximately \$1,000 would cover the road closure information, installation of barriers and event management
Use of Carrington Park for fire works display	\$934 plus suitable cleaning fee
The Mayor to provide mayoral reception on 23 October 2014	This will be covered within the existing budget.
Use of Councils staff (both event staff and engineering staff) to assist with planned activities	\$1,000 approximately
Provision of adequate garbage services	Will be covered from within the current budget
Preparation of Learmonth Park ground and necessary repairs in Dorman Place	Ground preparation would be approximately \$500, and road repairs can be done within Councils current budget.

**Financial Implications:** The current balance in Section 356 Funds is \$4,537.68. Requests for consideration in this Business paper

- Sunny Corner Historical Site Trust - septic tank inspection fees - \$405 - recommended for consideration as part of the 2014/2015 Budget process.
- NSW Women's Rugby League Knockout - Hire Fees, Carrington Park - \$1,175 - recommended for approval
- Women in Aviation Week - event at Bathurst Aerodrome - \$3,300 - recommended for approval
- Carenne School - Hydrotherapy Spa - \$2,000 - recommended for approval
- Fire & Rescue NSW - State Firefighter Championships 2014 approx \$5,000 - for

Council's consideration

- Australian Rugby Union - Junior Gold Cup - \$7,000- \$10,000 - not recommended

Note: Requests for financial assistance in this Business Paper far exceed the balance in the Section 356 Fund. Council will need to source additional funds from within its current budget if it were to support the majority of the applications.

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

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

## MINUTE

### 21 Item 11 REQUEST FOR FINANCIAL ASSISTANCE - FIRE & RESCUE NSW STATE FIREFIGHTER CHAMPIONSHIPS 2014 (18.00004)

MOVED: Cr I North SECONDED: Cr B Bourke

**RESOLVED:** That Council support the Fire & Rescue NSW State Firefighter Championships as follows:

<b>Request</b>	<b>Councils Estimated Cost</b>
Use of the Fire Brigade track in Learmonth Park	\$324 per day, total \$972 from Section 356 Donations.
Assistance with torch light procession in William Street	Provided Police permission is obtained an amount of approximately \$1,000 would cover the road closure information, installation of barriers and event management from Section 356 Donations.
Use of Carrington Park for fire works display	\$934 plus suitable cleaning fee from Section 356 Donations.
The Mayor to provide mayoral reception on 23 October 2014	This will be covered within the existing budget.
Use of Councils staff (both event staff and engineering staff) to assist with planned activities	\$1,000 approximately. The will be covered within the existing budget.
Provision of adequate garbage services	Will be covered from within the current budget.
Preparation of Learmonth Park ground and necessary repairs in Dorman Place	Ground preparation would be approximately \$500, and road repairs can be done within Councils current budget.

## **12 REQUEST FOR FINANCIAL ASSISTANCE - AUSTRALIAN RUGBY UNION'S JUNIOR GOLD CUP (18.00004)**

**Recommendation:** That Council not donate the required investment of \$7,000 - \$10,000 (excluding GST), to support a team in the Australian Rugby Union's Junior Gold Cup.

**Report:** Council has received a request from Western Region NSW Australian Rugby Union for financial assistance to support a team in the Australian Rugby Union's Junior Gold Cup. A copy of the request is provided at **attachment 1**.

The Junior Gold Cup is a national competition for under 15 & 17 year olds, and will run across a Northern and Southern Conference in February/March 2014, with each team playing five fixtures before State and National finals, and then the Grand Final.

Western Region NSW Australian Rugby Union highlight the following benefits from supporting this event;

- (a) Support of local talent
- (b) Branding and leveraging of local team in competition
- (c) Business and networking opportunities
- (d) Recognition on the Australian Rugby Union website

There were no Financial Statements included to support this application. It would appear that fundraising is being sought to assist players who need to provide their own funds to participate in this competition.

**Financial Implications:** The current balance in Section 356 Funds is \$4,537.68. Requests for consideration in this Business paper

- Sunny Corner Historical Site Trust - septic tank inspection fees - \$405 - recommended for consideration as part of the 2014/2015 Budget process.
- NSW Women's Rugby League Knockout - Hire Fees, Carrington Park - \$1,175 - recommended for approval
- Women in Aviation Week - event at Bathurst Aerodrome - \$3,300 - recommended for approval
- Carenne School - Hydrotherapy Spa - \$2,000 - recommended for approval
- Fire & Rescue NSW - State Firefighter Championships 2014 approx \$5,000 - for Council's consideration
- Australian Rugby Union - Junior Gold Cup - \$7,000- \$10,000 - not recommended

Note: Requests for financial assistance in this Business Paper far exceed the balance in the Section 356 Fund. Council will need to source additional funds from within its current budget if it were to support the majority of the applications.



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

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

**MINUTE**

**22 Item 12 REQUEST FOR FINANCIAL ASSISTANCE - AUSTRALIAN RUGBY UNION'S JUNIOR GOLD CUP (18.00004)**

**MOVED: Cr G Westman SECONDED: Cr J Jennings**

**RESOLVED:** That Council not donate the required investment of \$7,000 - \$10,000 (excluding GST), to support a team in the Australian Rugby Union's Junior Gold Cup.

Yours faithfully



R Roach  
**DIRECTOR  
CORPORATE SERVICES & FINANCE**

**DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 FEBRUARY 2014

## **1 UPDATE ON BATHURST FLOODPLAIN MANAGEMENT PLAN (31.00002)**

**Recommendation:** That Council note the progress on the Bathurst Floodplain Management Plan and flood mitigation works as detailed in the Director Engineering Services' Report.

**Report:** As Council would be aware, the Bathurst Floodplain Management Plan includes several flood mitigation works namely the construction of 6 levees along the Macquarie River and Queen Charlotte's Vale Creek.

To date the following have been completed:-

- (a) Havannah Levee - from the Bathurst Show Ground through to Russell Street via Evans and Railway bridges.
- (b) Morrisset Levee - from Stanley Street at Jordan Creek through to Commonwealth Street at Morrisset Street.
- (c) Upfold Levee - from Russell Street at Queen Charlotte's Vale Creek through to the Macquarie River and along the river bank to Lyall and Upfold Streets.
- (d) Gilmour Levee from adjacent to the St Patrick's Sporting Club almost through to the Great Western Highway.
- (e) Carlingford Levee, from Alpha Street, protecting Carlingford, Nea, Beresford and Pye Streets, and returning to high ground to the rear of industrial units on Vale Road.

The final levee to be constructed is the Perthville Levee. The completion of this levee will see the completion of the Bathurst Floodplain Management Plan, which was adopted by Bathurst City Council in April 1995. The completion of the Plan will see approximately 10km of earthen and concrete levees constructed. The Perthville levee has been designed, which comprises a 1700m long levee and channelization works to Queen Charlotte's Vale Creek. Adjacent to the Perthville Bridge on the eastern side, substantial box culverts will be constructed to allow greater capacity in the creek since the bridge constricts flow. Due to the size and complexity of this project, the work will be carried out as two sequential contracts, with the culvert and chanelisation on Queen Charlotte's Vale Creek to be completed first and then the levee subsequently constructed. The completion of the levee will be dependent on funding. Final environmental approval for this work must be obtained from relevant NSW State Government Authorities prior to commencement of construction.

The completion of the construction of the Gilmour Levee in 2008 has identified the need for a stormwater pump station to be constructed to cater for stormwater inflows during flood events which require the flood penstocks to be closed. Council will recall that land has been purchased to allow the construction of the stormwater pump station and holding basin. Designs are complete and tender documents prepared and ready for issue.

Council will recall that the construction of the Raglan Creek overflow channel, to the upstream of the Great Western Highway has recently been completed. Council purchased the land necessary and the Roads and Maritime Services obtained the necessary approvals and finalised the construction of these works in 2013. Council commenced preliminary design of the overflow channel after major disruption to traffic flow on the Great Western Highway at Raglan Creek was experienced in December 2010 and again in January 2011. This work has relieved pressure on Raglan Creek, downstream of the Great Western Highway and along the Gilmour Levee, however the stormwater pump station to the Gilmour

Levee is still required.

An application by Council for grant funding for both the stormwater pump station to the Gilmour Levee and for the commencement of the Perthville culvert works and creek channelisation was made in March 2013. Council has received notification in January 2014 from the NSW Office of Environment and Heritage, that this grant application has been successful to the value of \$1,000,000. This funding agreement is on the basis of a 1:1:1 Local : State : Federal funding arrangement.

After the flood event that Bathurst experienced during March 2012, Council has reviewed the Bathurst Flood Levee Operational Manual, which are operational guidelines that are used during time of flood. Minor changes to the timing of penstock control based upon Macquarie River heights and the operation of flood pumps were made. The Bathurst Flood Levee Operational Manual now also includes the details on the operation of the Carlingford Levee.

The full length of Council's levees were audited by NSW Public Works in late 2013 with only minor maintenance issues raised.

**Financial Implications:** Funding is provided within the Management Plan as part of the Bathurst Floodplain Management Plan which is jointly funded by State and Federal Government Grant.

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

- Objective 22: To improve community safety. Strategy 22.10

**MINUTE**

**23    Item 1    UPDATE ON BATHURST FLOODPLAIN MANAGEMENT PLAN**  
**(31.00002)**

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

**RESOLVED:** That Council note the progress on the Bathurst Floodplain Management Plan and flood mitigation works as detailed in the Director Engineering Services' Report.

**2 PROPOSED ROAD WIDENING FOR BRIDGE CONSTRUCTION, LOT 7002 DP1053643, LOT 7005 DP1023200 & LOT 7006 DP1053640, CARRS CREEK, LACHLAN ROAD, CALOOLA (25.00389)**

**Recommendation:** That Council approve the preparation of an acquisition plan and the start of negotiations with the Crown for road widening of Lachlan Road, Caloola, for the construction of a new bridge, as detailed in the Director Engineering Services' report.

**Report:** Council is in the process of replacing the timber bridge across Carrs Creek at Lachlan Road, Caloola, with a new concrete bridge and upgrading the road (refer **attachment 1**).

The proposal affects Lot 7002 DP1053643, Lot 7005 DP1023200 and Lot 7006 DP1053640, being Crown land in the name of the State of New South Wales.

Council has negotiated with the Crown who has agreed for the development proceeding with survey investigation and production of an acquisition plan. For acquisition purposes, the Crown land to be acquired by Council must be defined by separate Lot and DP number by registration of an acquisition plan at the Land and Property Information.

After the registration of the plan, land can be acquired through the provision of the Roads Act 1993 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991. The acquisition will be in a future report.

It is recommended that Council approve the preparation of an acquisition plan for the commencement of negotiations to acquire road widening for the construction of the new Carrs Creek bridge at Lachlan Road, Caloola.

**Financial Implications:** It is estimated the production of the acquisition plan will cost \$6,000 to be funded from the Rural Sealed Bridges Maintenance fund.

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

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1
- 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**

**24    Item 2    PROPOSED ROAD WIDENING FOR BRIDGE CONSTRUCTION, LOT 7002 DP1053643, LOT 7005 DP1023200 & LOT 7006 DP1053640, CARRS CREEK, LACHLAN ROAD, CALOOLA (25.00389)**

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

**RESOLVED:** That Council approve the preparation of an acquisition plan and the start of negotiations with the Crown for road widening of Lachlan Road, Caloola, for the construction of a new bridge, as detailed in the Director Engineering Services' report.



**3 PROPOSED ROAD WIDENING FOR BRIDGE CONSTRUCTION, LOT 2 DP837073, LOTS 7003 AND 7004 DP1051996, & LOT 95 DP755804, RIVULET ROAD, PEEL (25.00306)**

**Recommendation:** That Council approve the preparation of an acquisition plan and the start of negotiations with registered proprietors for road widening of Rivulet Road, Peel, for the construction of a new bridge, as detailed in the Director Engineering Services' report.

**Report:** Council is in the process of replacing the timber bridge across the Winburndale Rivulet at Rivulet Road, Peel, with a new concrete bridge and upgrading the road by improving driver safety by eliminating a narrow road and a sharp bend (refer **attachment 1**).

Council has negotiated with the appurtenant owners who have agreed for the development proceeding with survey investigation and production of an acquisition plan.

Before Council can begin acquiring the road widening land, an acquisition plan showing the location of property to be acquired, must be registered at Land and Property Management. After the registration of the plan, properties can be acquired and transferred to Council for dedication as public road through the Roads Act 1993.

For the acquisition of the road widening land, Council will:

- (a) Pay all reasonable legal and survey fees regarding the transfer of the property;
- (b) Provide a new rural fence similar to existing along the new boundary; and
- (c) Pay compensation.

Lot 2 DP837073 is under private ownership and will be acquired by agreement. Lots 7003 and 7004 DP1051996 and Lot 95 DP755804 are Crown land parcels to be acquired by the compulsory process in future reports.

It is recommended that Council approve the preparation of an acquisition plan for the commencement of negotiations to acquire road widening for the construction of the new Winburndale Rivulet bridge at Rivulet Road, Peel.

**Financial Implications:** It is estimated the production of the acquisition plan will cost \$6,000 to be funded from the Rural Sealed Bridges Maintenance fund.

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

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1
- 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**

**25    Item 3    PROPOSED ROAD WIDENING FOR BRIDGE CONSTRUCTION, LOT 2 DP837073, LOTS 7003 AND 7004 DP1051996, & LOT 95 DP755804, RIVULET ROAD, PEEL (25.00306)**

**MOVED: Cr B Bourke SECONDED: Cr J Jennings**

**RESOLVED:** That Council approve the preparation of an acquisition plan and the start of negotiations with registered proprietors for road widening of Rivulet Road, Peel, for the construction of a new bridge, as detailed in the Director Engineering Services' report.

#### **4 EXTINGUISHMENT OF EASEMENT TO DRAIN WATER 1.8 WIDE, LOT 9 DP255195, CULNANE PLACE, KELSO (22.06516)**

**Recommendation:** That Council approve the extinguishing of an easement for water supply 1.8 wide affecting Lot 9 DP255195 at Culnane Place, Kelso, and authorise the General Manager to endorse the Section 88B creating the new Easement to drain water 2 metres wide, as detailed in the Director Engineering Services' report.

**Report:** Council has received a request from the Land and Housing Corporation, Department of Family and Community Services, for the extinguishment of an easement to drain water 1.8 metres wide contained in Lot 9 DP255195, Culnane Place, Kelso.

With the upgrade of the Land and Housing Corporation residential subdivision at Culnane Place, the easement to drain water 1.8 wide will be extinguished and replaced simultaneously with an easement to drain water 2 wide following the registration of a new plan.

There is no change to the location of the drainage pipes. The only change is the increase in the width of the easement by 0.2 metres.

It is recommended Council approve the:

- (a) extinguishment of the easement to drain water 1.8 metres wide created by registration of Instrument S227168; and
- (a) General Manager endorsing the new Section 88B creating the easement to drain water 2 wide as shown within the unregistered plan (refer **attachment 1**).

**Financial Implications:** Nil

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

- Objective 19: To improve equity of access to all members of the community in public and private domains. Strategy 19.2
- Objective 31: To maintain local public ownership of water and sewer assets. Strategy 31.2

**MINUTE**

**26    Item 4    EXTINGUISHMENT OF EASEMENT TO DRAIN WATER 1.8 WIDE, LOT 9 DP255195, CULNANE PLACE, KELSO (22.06516)**

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

**RESOLVED:** That Council approve the extinguishing of an easement for draining water 1.8 wide affecting Lot 9 DP255195 at Culnane Place, Kelso, and authorise the General Manager to endorse the Section 88B creating the new Easement to drain water 2 metres wide, as detailed in the Director Engineering Services' report.

Yours faithfully



Doug Patterson  
**DIRECTOR  
ENGINEERING SERVICES**

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 FEBRUARY 2014

## **1 BATHURST REGIONAL ART GALLERY - GRANT FROM MUSEUMS AND GALLERIES OF NSW (MGNSW) TO RESEARCH AN EXHIBITION FOR BATHURST (21.00039)**

**Recommendation:** That Council note that the Bathurst Regional Art Gallery (BRAG) has been awarded a grant of \$15,000 (excluding GST) by Museums and Galleries of NSW (MGNSW) to employ curator Joanna Bayndrian to research an exhibition for Bathurst's Bicentennial year entitled *New Works from Old Ground* looking at the Chinese presence in the 19th century Bathurst as interpreted by contemporary Australian artists of Chinese heritage.

**Report:** In Bathurst's Bicentennial year 2015, BRAG aims to extend its exhibition program to incorporate the voices and histories of all members of the Bathurst community including Indigenous Australians and Australians of Asian heritage.

Of particular historical interest for our region is the connection of Chinese migrants to the gold mining sites at Hill End and Ophir. Little research has been done to compile a substantial record of Chinese culture in the Bathurst Region. The architecture and activities of Chinatowns around the world, including Sydney's, are critical reminders, of the economic and cultural influences of the Chinese diaspora over the past two centuries. New South Wales Chinese history, however, transcends this centre, extending to central western NSW, with the township of Bathurst at its heart.

The gold rush, born at Ophir near Bathurst in 1851, was a significant pull factor ushering Chinese migration to New South Wales in the mid-nineteenth century. Initially Chinese workers came to Australia as indentured labour, standing in for many workers lost to the gold fields west of the Blue Mountains and the wider labour shortage brought on by the end of transportation in 1840. Working in the colony's laundries, general stores, restaurants and garden markets, and the newly opened gold fields, Chinese men, predominantly from Guangdong Province, were economic migrants escaping the upheaval of a waning Imperial China, in search of opportunity - and good fortune, eventually ending up in the gold fields of Hill End.

BRAG will present the exhibition *New Works From Old Ground* curated by independent curator Joanna Bayndrian as one of BRAG's major Bicentennial events. The exhibition will draw attention to the way Chinese migrants participated in the social and cultural history of Bathurst. This will be explored, through the eyes of contemporary artists of Chinese heritage and will investigate this formative period in Australia's history. The myths that have come to define this period will be revisited as part of the project.

Working with narratives and source material such as the Chinese bushranger Sam Poo who was hung for murdering a policeman in Bathurst Gaol in 1865; the graves of Bathurst's Chinese cemetery and the silent monuments of Tuena's Chinese-made water channels, *New Work From Old Ground* will explore new ways of myth-making and memorialising the region's past, and consider ways in which Bathurst's Chinese heritage might inform its present, and future.

In Bathurst's Bicentennial year *New Work From Old Ground* affords regional audiences a first time opportunity to see contemporary art that reflects on the history of a Chinese presence in our region.

Curator Joanna Bayndrian will work with Aaron Seeto, Director, 4A Centre for Contemporary Asian Art, BRAG Director, Richard Perram and BRAG's Curator to select artists whose practice reflects on their Chinese heritage in the Australian context.

**Financial Implications:** Funding of \$15,000 (excluding GST) has been provided for this

special project by Museums and Galleries of NSW.

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

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1, 20.6

**MINUTE**

**27 Item 1 BATHURST REGIONAL ART GALLERY - GRANT FROM MUSEUMS AND GALLERIES OF NSW (MGNSW) TO RESEARCH AN EXHIBITION FOR BATHURST (21.00039)**

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

**RESOLVED:** That Council note that the Bathurst Regional Art Gallery (BRAG) has been awarded a grant of \$15,000 (excluding GST) by Museums and Galleries of NSW (MGNSW) to employ curator Joanna Bayndrian to research an exhibition for Bathurst's Bicentennial year entitled *New Works from Old Ground* looking at the Chinese presence in the 19th century Bathurst as interpreted by contemporary Australian artists of Chinese heritage.



## **2 KELSO COMMUNITY CENTRE - SCHOOL HOLIDAY ACTIVITIES, JANUARY 2014 (09.00026)**

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

**Report:** Kelso Community Centre offered a range of activities for the January school holidays, which were funded as part of the 'Keeping Our Young People and Community Safe Grant'. Across the final two weeks of the school holidays there were four days of activities catering for children, young people, and families within the Kelso community. There was positive feedback from the community in regards to the activities, which had an average attendance of 30 people across all six days.

The following activities were offered for the school holidays:

- 15 January – 'Children's Day' where 32 children from Family Day Care attended with six leaders, featuring the local rock climbing wall, and a barbecue lunch.
- 20 January – 'The Welcome Back Party', which featured a jumping castle, face painting, performances by four local bands and artists, informal circus workshops with the Smashed Rovers, and a barbecue lunch.
- 21 January – 'We love Summer!', which featured water games and competitions, and a bungee run jumping castle.
- 22 January – 'Science Spectacular!', which featured two interactive science shows by Fizzics Education.

Pictures of the events can be found in **Attachment 1**.

**Financial Implications:** The activities were funded through 'Keeping Our Young People and Community Safe' Grant.

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.7
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.9

**MINUTE**

**28 Item 2 KELSO COMMUNITY CENTRE - SCHOOL HOLIDAY ACTIVITIES, JANUARY 2014 (09.00026)**

**MOVED: Cr B Bourke SECONDED: Cr J Jennings**

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

### **3 NATIONAL MOTOR RACING MUSEUM - PROMOTIONAL VEHICLE ACTIVITIES (21.00005)**

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

**Report:** Council continues to provide access to historic vehicles through the National Motor Racing Museum for special guests to our community.

Recently the National Motor Racing Museum assisted in the formal program of the visit to Bathurst by the Earl and Countess Bathurst. Their itinerary included a drive around the circuit from the front seat of a period car.

The use of these replica cars has multiple benefits;

- Important visitors to Bathurst are able to come away with a memorable and unique experience of the race circuit and Museum.
- This is a strong example of Council succeeding in interdepartmental collaboration with Councils workshop staff providing great service in maintaining and running the vehicles for the Museum.
- Media groups are able to be given a personalised museum and circuit tour that helps promote the Museum and its collection to broader groups.
- As these are only replica vehicles, the integrity and provenance of the original race vehicles in the Museum's collection is not compromised while still allowing a public promotion of the cars.

Other recent examples include;

The Governor General of Australia, Quentin Bryce and his Excellency Michael Bryce were taken on a tour of the Mount Panorama circuit in the George Reed special and 1968 Monaro as part of their official visit to Bathurst in May 2013.

The head of Lions International in November 2013 was conducted around the circuit in the 1968 Monaro.

The National Motor Racing Museum provided the lead cars (George Reed Special and 1963 Ford Cortina) for the vehicle parade during last years 75<sup>th</sup> Anniversary Easter race meeting.

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

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

- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.6
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1
- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1

**MINUTE**

**29 Item 3 NATIONAL MOTOR RACING MUSEUM - PROMOTIONAL VEHICLE  
ACTIVITIES (21.00005)**

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

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

#### **4 BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) - "MADE IN BATHURST", RESIDENCY/PERFORMANCE PROJECT (21.00060)**

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

**Report:** With triennial funding from the Theatre Board of the Australia Council for the Arts BMEC's Local Stages program has launched an exciting initiative. *Made in Bathurst* has been established to support the development of contemporary theatre work which is inspired by stories and resonances of life in the Central West.

Aims of the *Made in Bathurst* project are:

- to create exciting original theatre / performance work in the Central West of NSW that is relevant to people in the region but which also, because of its excellence, has universal relevance;
- to build capacity for theatre / performance making in the Central West;
- to inspire young people to believe that a career in the performing arts is possible and held in esteem by making exciting, contemporary theatre / performance in the Central West;
- to draw upon the long, successful and proud list of alumni of the Theatre Media course at CSU with the aim of maintaining an ongoing connection between them and the Bathurst / Central West community

There will be an annual call for submissions to pitch a project to be supported by Local Stages resources.

Project submissions for 2014 must respond to the theme:

*"The influence of people from non English speaking backgrounds on the Bathurst Region".*

Many people from non English speaking backgrounds have played a part in the development of the Bathurst Region however most of their stories have not been told. Eligible applicants are residents of the Central West and CSU Theatre Media graduates (no time limit for when they graduated).

Each project will be supported for up to two years. The first year is a development year culminating in a presentation of work in progress. Based on the outcome of the presentation the work may be supported to reach a public performance outcome in Year 2.

**Financial Implications:** The Local Stages program attracts significant State and Federal funding to support the development of local performing arts practice. This project relies upon: funding from the Australia Council to pay artists fees; funding from Arts NSW for the salary of the Local Stages Creative Producer who manages the project; and support from Bathurst Regional Council for technical staff wages and venue hire in line with the Operating Tasks BMEC reports on to Council in the Delivery Plan.

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

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.4
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.8

**MINUTE**

**30    Item 4    BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) - "MADE IN BATHURST", RESIDENCY/PERFORMANCE PROJECT (21.00060)**

**MOVED: Cr J Jennings    SECONDED: Cr W Aubin**

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

## **5 KELSO COMMUNITY CENTRE - PLAYGROUP (09.00026)**

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

**Report:** A playgroup has been operating from the Kelso Community Centre since Wednesday 8 May 2013. The group meets on a Wednesday morning 10:00am – 12:00noon during the school term. The group is operated by the Benevolent Society with Bathurst Regional Council providing support to the group through 'Keeping the Young People and Community Safe' grant.

The playgroup has maintained a consistently strong attendance and has been embraced by the local community. The weekly average attendance of the playgroup has been six to seven families and 12 children. The playgroup gives parents a chance to meet new people, develop and build support systems within the community, spend time playing with their children, learn about child development and new activity/ideas that they could implement at home.

The group will continue to operate at the Centre until the end of financial year 2013/2014, which will see the conclusion of the Keeping the Young People and Community Safe grant. A review of the playgroup will take place prior to this date to investigate options for future funding to continue the group.

**Financial Implications:** The group was supported through 'Keeping the Young People and Community Safe' grant.

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

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.6, 23.7
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.4, 27.9

**MINUTE**

- 31 **Item 5 KELSO COMMUNITY CENTRE - PLAYGROUP (09.00026)**  
**MOVED: Cr M Morse SECONDED: Cr B Bourke**

**RESOLVED:** That a report be prepared on the cost of this playgroup for referral to the 2014/2015 Budget Process.

Yours faithfully



Janelle Middleton  
**ACTING DIRECTOR**  
**CULTURAL & COMMUNITY SERVICES**



**POLICY COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

**1 MINUTES - POLICY COMMITTEE MEETING - 5 FEBRUARY 2014 (07.00064)**

**Recommendation:** That the recommendations of the Policy Committee Meeting held on 5 February 2014 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held 5 February 2014, 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**

**32 Item 1 MINUTES - POLICY COMMITTEE MEETING - 5 FEBRUARY 2014**  
**(07.00064)**

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

**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 5 February 2014 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 5 FEBRUARY 2014**

**MEETING COMMENCES**

**1 MEETING COMMENCES**

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

**APOLOGIES**

**2 APOLOGIES**

Nil

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 DECEMBER 2013 (07.00064)**

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

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 4 December 2013 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**

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

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**5 Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 27 NOVEMBER 2013 (07.00096)**

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

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This is page 1 of Minutes of the Policy Committee held on 5 February 2014.

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

**6** **Item 2 DELEGATIONS REGISTER - LEGISLATION DELEGATIONS (41.00088)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

**RESOLVED:** That Council update the Delegations Register in accordance with the report.

**GENERAL BUSINESS**

**7** **AUSTRALIA DAY COMMITTEE OF NSW (23.00033)**

**Cr Jennings** - noted if you have a significant event e.g. our 2015 Celebrations, you can request the opportunity to choose your ambassador. Could this option be followed up by Council?

**8** **Item 2 TOUCH FOOTBALL (04.00034)**

**Cr Jennings** - grounds are getting hard, can we increase the level of watering.

**The Acting Manager Recreation** advised he was aware of this matter, there was a problem with the irrigation system which has now been fixed.

**9** **Item 3 SECURING OUR FOOD FUTURE WORKSHOP (20.00166)**

**Cr Jennings** - advised he attended the Securing Our Food Future Workshop held in Orange last year - was useful. Has Council looked at the possibility of creating a branding program from local food products?

**The Director Environmental Planning & Building Services** advised he is unaware of this program being implemented in the Bathurst area.

**10** **Item 4 REGIONAL AVIATION REVIEW (21.00008)**

**Cr Morse** - asked will Council be putting in a submission?

**The Director Engineering Services** advised Council will be putting in a submission.

**11**      **Item 5 FLAGSTAFF - 2015 (20.00153)**

**Cr Westman** - advised it appears proposed indigenous art trails are missing.

**The Mayor** advised the model was not meant to depict the story, discussions are being held with Wiradjuri representatives to see how they wish to depict their story in the project.

**12**      **Item 6 DEVELOPMENT OF SECOND RACING CIRCUIT - MOUNT PANORAMA (07.00084)**

**Cr Coote** - asked are we doing anything on this matter?

**The Mayor** spoke to recent discussions on land acquisition with the landowner in the area, which would facilitate this proposal.

**13**      **Item 7 CAR PARADE - 12 HOUR EVENT 2015 (04.00097)**

**Cr Coote** - asked could we look at holding a parade next year of the racing cars in the event?

**The Director Corporate Services & Finance** advised the problem is cars are not registered, but will make enquires into this proposal.

**14**      **Item 8 TRAFFIC LIGHTS HOWICK & GEORGE STREET (20.00019, 25.00006)**

**Cr Coote** - asked is this likely to occur in the near future?

**The Director Engineering Services** advised Council has obtained a quotation for construction of lights from RMS. They are undertaking modelling and are yet to provide final design. When received can be put into budget process for consideration.

**15**      **Item 9 NETBALL COURTS (04.00013, 23.00131)**

**Cr Coote** - advised damage on the courts appears to have occurred from the fireworks, did we rip up the area at New Years?

**The Director Corporate Service & Finance** advised fireworks did not cause any damage, Council is aware of issues at the Centre and ensured safe procedures were in place.

**16**      **Item 10 ROAD SAFETY PROGRAM WITH KAJULU (28.00002)**

**Cr Aubin** - advised this was completed last year and it is an excellent project. Involved RMS, Council and students from CSU. The advertisements are likely to go on TV. At the Awards night held last year Bathurst received significant recognition and obtained an Award.

**17**      **Item 11 NEW YEARS EVE PARTY TRAFFIC ISSUES (23.00131)**

**Cr North** - asked could we look at traffic management concerns, surrounding the New Years Eve Party event.

**18**      **Item 12 HOSPITAL REVIEW (07.00095)**

**Cr North** - advised discussions with the Mayor have been held with the Hospital Review Committee, they appear to be very capable. Feedback from staff has been positive about the Committee's operations.

**19**      **Item 13 TRACKCORP CASE (34.00065)**

**Cr North** - asked where is this matter up to? Could a report be prepared for Council?

**20**      **Item 14 CENTROC (07.00017)**

**Cr North** - expressed concern at relevance of Council being part of CENTROC. Spoke to size of regional organisation, joint sharing and alliances. When will Council be assessing and reviewing the Local Government Review Panel report?

**The Mayor** advised a Working Party is scheduled for next week.

**21**      **Item 15 GREAT WESTERN HIGHWAY UPGRADE (25.00018)**

**Cr North** - asked where is RMS at with alternate routes to move traffic?

**The Director Engineering Services** advised Council hasn't yet received advice, will be meeting with RMS in the future on various matters.

**22**      **Item 16 DEPARTMENT STRUCTURES (19.00005)**

**Cr North** - asked can we look at structure of organisation in the future?

**23**      **Item 17 RELAY FOR LIFE (23.00021)**

**Cr North** - encourage people to enter into the event, and was pleased to see the Mayor is going to be involved.

**24**      **Item 18 RAILWAY PRECINCT (22.00159)**

**Cr Bourke** - advised need to heat this matter up. The heritage buildings seem to be being left with little care. The Institute building is of a concern as to how it is being maintained.

**The Director Environmental, Planning & Building Services** advised he understands John Holland is preparing a DA for demolition of building near where you enter the station.

**25**      **Item 19 CREMATORIUM (09.00009)**

**Cr Bourke** - spoke to issues raised by Mr Dowling in the Ordinary Meeting, including life of cemetery, gardens, interment areas.

**26**      **Item 20 STANLEY STREET TRAFFIC ISSUES (25.00060)**

**Cr Bourke** - advised the Traffic Committee needs to look at problems, perhaps one-way road should be considered.

**27**      **Item 21 EARL & COUNTESS BATHURST VISIT (23.00025)**

**Cr Bourke** - great to see them visit Bathurst, went very well.

**MEETING CLOSE**

**28**      **MEETING CLOSE**



The Meeting closed at 7.27 pm.

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

**Date:** \_\_\_\_\_ **(19 March 2014)**

**TRAFFIC COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

## **1 MINUTES - TRAFFIC COMMITTEE MEETING 4 FEBRUARY 2014 (07.00006)**

**Recommendation:** That the recommendations of the Traffic Committee Meeting held on 4 February 2014 be adopted.

**Report:** The Minutes of the Traffic Committee Meeting held 4 February 2014, 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**

**33** Item 1 MINUTES - TRAFFIC COMMITTEE MEETING 4 FEBRUARY 2014  
(07.00006)

**MOVED: Cr W Aubin SECONDED: Cr J Jennings**

**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 4 February 2014 be adopted.

**MINUTES OF THE TRAFFIC COMMITTEE**  
**HELD ON 4 FEBRUARY 2014**

**MEETING COMMENCES**

**1 MEETING COMMENCES 2:00 PM**

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

Present: Darren Sturgiss (Manager Technical Services), Iris Dorsett (Tablelands Area Road Safety Officer) and Paul Kendrick (Traffic & Design Engineer)

**APOLOGIES**

**2 APOLOGIES**

Nil

**REPORT OF PREVIOUS MEETING**

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

That the Minutes of the Traffic Committee Meeting held on 3 December 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 3 DECEMBER 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 UPGRADE CHARLES STURT UNIVERSITY ENTRANCE – PANORAMA AVENUE BATHURST (18.00051-04)**

That Council approve the upgrade of the Charles Sturt University Panorama Avenue entrance, subject to conditions as detailed in the Director Engineering Services' Report.

**8** **Item 4 2014 NAB B2B CYCLO SPORTIF CHALLENGE EVENTS (23.00128-03/013)**

That Council approve the Rotary Club of Bathurst Daybreak, NAB B2B Cyclo Sportif Challenge Events between Blayney, Millthorpe and Mount Panorama, and the Family Challenge Event between Mount Panorama and Charles Sturt University internal roads on Sunday 6 April 2014. The events are to be classified as Class 1 and Class 4 events respectively and approved subject to conditions as detailed in the Director Engineering Services' Report.

**9** **Item 5 2014 NAB B2B CYCLO SPORTIF CHALLENGE EVENTS - NSW SHORT COURSE HILL CLIMB CHAMPIONSHIP (23.00128-03/023)**

That Council approve the Rotary Club of Bathurst Daybreak NAB B2B Cyclo Sportif Challenge, NSW Short Course Hill Climb Championship road racing event to be held on Saturday 5 April 2014. The event is to be classified as a Class 2 event and

approved subject to conditions as detailed in the Director Engineering Services' Report.

**10**      **Item 6 2014 HILLMAN NATIONAL RALLY - SHOW 'N' SHINE IN KINGS PARADE (23.00015-07)**

That Council approve the proposal to hold the 2014 Hillman National Rally "Show'n'Shine" in Russell Street, adjacent to the Civic Centre and Courthouse on Sunday 20 April 2014. The event is to be classified as a Class 2 event and approved subject to conditions as detailed in the Director Engineering Services' report.

**11**      **Item 7 NO STOPPING SIGN- FORESTRY CORPORATION ENTRY/EXIT ONTO PANORAMA AVENUE BATHURST (28.00007-05/034)**

That Council approve the relocation of the "No Stopping" (R5-400) (R) and "No Stopping" (R5-400) (L) signs on the north and south side of the entry/exit to the Forestry Corporation premises at 330 Panorama Avenue, Bathurst.

**12**      **Item 8 SAFETY CONCERNS ST STANISLAUS COLLEGE BATHURST (28.00009-06/009)**

That Council defer actioning this matter until further advice is obtained from the Roads and Maritime Services.

**13**      **Item 9 THE NATIONAL PARA-CYCLING ROAD SERIES (18.00022-05/012)**

That Council approve the National Para-Cycling Road Series to be held on Saturday 15 March and Sunday 16 March 2014.

The events are to be classified as Class 2 events and approved subject to conditions as detailed in the Director Engineering Services' Report.

**14      Item 10 PROPOSED DIRECTIONAL SIGNAGE TO BATHURST RURAL FIRE SERVICE FIRE STATION (28.00007-05/038)**

That Council approve the installation of directional signage to the Bathurst Rural Fire Service Fire Station from the Mitchell Highway.

**15      Item 11 THE BIG RIDE 4 PARKINSON'S SYDNEY TO PARKES (23.00026-16/093)**

That Council approve The Big Ride 4 Parkinson's Sydney to Parkes. The event is to be classified as Class 1 and approved subject to conditions as detailed in the Director Engineering Services' Report.

**TRAFFIC REGISTER**

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

That the information be noted.

**MEETING CLOSE**

**17      MEETING CLOSE**

The Meeting closed at 2.51pm.



**DELEGATES REPORTS AND MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 FEBRUARY 2014

**1 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 4 FEBRUARY 2014 (20.00153)**

**Recommendation:** That the recommendations of the 2015 Bicentenary Celebrations Committee held on 4 February 2014 be adopted.

**Report:** The Minutes of the 2015 Bicentenary Celebrations Committee held on 4 February 2014 are provided at **attachment 1**.

**Financial Implications:** N/A

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

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

**MINUTE**

**34 Item 1 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 4  
FEBRUARY 2014 (20.00153)**

**MOVED: Cr M Morse SECONDED: Cr J Jennings**

**RESOLVED:** That the recommendations of the 2015 Bicentenary Celebrations Committee held on 4 February 2014 be adopted, with the exception that the Highland Society Ball proposal be referred back to the 2015 Committee for further consideration.

## MINUTE

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

MOVED: Cr I North SECONDED: Cr G Westman

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

**The following representation was made.**

M Nicholls, Western Advocate - spoke against the Trackcorp matter going into Confidential.

**The General Manager** advised why the report was in Confidential Committee.

**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	TENDER FOR HAWTHORNDEN CREEK (STAGE 3) STABILISATION 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 CORPORATE SERVICES & FINANCE'S REPORT**

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

	AGREEMENT - LAND ADJACENT TO LOT 1 DP211174 LEE STREET, KELSO TO GRAINFORCE	commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	EXPRESSION OF INTEREST - PART LOT 2 DP749758 KNOWN AS 200 COLLEGE ROAD BATHURST (RURAL LAND ONLY)	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED NEW RESIDENTIAL SUBDIVISION TO BE KNOWN AS WINDRADYNE 1000	10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
4	RENEWAL OF RESIDENTIAL TENANCY AGREEMENT - LOT A DP158048 KNOWN AS 215 DURHAM STREET, BATHURST.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	EXPRESSION OF INTEREST - LOT 138 DP1123180 KNOWN AS THE WINDRADYNE RESIDUE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the

	LAND	commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	VARIATION OF LEASE AND SALE OF COUNCIL LAND PART LOT 1 DP1001027 LEE STREET KELSO	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	TRACKCORP ADRENALIN PTY LTD	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
8	NRL GAME BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR DESIGN DEVELOPMENT & CONSTRUCTION OF CAUSTIC SODA AND SODIUM HYPOCHLORITE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the

	DOSING PLANTS AND ASSOCIATED WORKS AT BATHURST WATER FILTRATION PLANT	person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PROPOSED ROAD OPENING AND CLOSURE AGREEMENT, LOT B DP162976, 318 MOLYBDONITE ROAD, YETHOLME	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED ROAD WIDENING ACQUISITIONS, PARTS LOT 10 DP596364 & LOT 169 DP750354, THE LAGOON ROAD, THE LAGOON	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	ANNUAL TENDER - READY-MIX CONCRETE	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	ANNUAL TENDERS - STORMWATER DRAINAGE PIPES	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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**\* GENERAL MANAGER'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	LEASE OF HANGAR SITE, BATHURST AERODROME TO BURKE	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' CONFIDENTIAL  
MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 FEBRUARY 2014

**MINUTE**

**a Item 1 TENDER FOR HAWTHORNDEN CREEK (STAGE 3) STABILISATION WORKS (36.00504)**

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

**That** Council accepts the tender of Central West Civil Pty Limited in the amount of \$151,294.65 inclusive of GST, for the construction of Creek Stabilisation Works (Hawthornden Creek Stage 3) as outlined in the report.

**DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 FEBRUARY 2014

MINUTE

b Item 1 RENEWAL OF LICENCE AGREEMENT - LAND ADJACENT TO LOT 1 DP211174 LEE STREET, KELSO TO GRAINFORCE (22.08755)

MOVED: Cr W Aubin SECONDED: Cr B Bourke

**That** Council approves entering into a new licence agreement for vacant land located at Lee Street Kelso adjacent to Lot 1 DP211174 with Grainforce for a period one (1) year with an option period of one (1) year at a yearly licence fee of \$104.40 per annum (GST inclusive) plus annual CPI adjustments.

**MINUTE**

**c Item 2 EXPRESSION OF INTEREST - PART LOT 2 DP749758 KNOWN AS 200 COLLEGE ROAD BATHURST (RURAL LAND ONLY) (22.05258)**

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

**That** Council approves entering into a new rural licence agreement with Mr Taylor Meek for part Lot 2 in DP749758 located at 200 College Road, Bathurst for a period of one (1) year with a one (1) year option period (at Council's discretion) for stock agistment at a licence fee of \$1,980 per annum (GST inclusive) plus annual CPI adjustments, as detailed in the report.

**MINUTE**

**d Item 3 PROPOSED NEW RESIDENTIAL SUBDIVISION TO BE KNOWN AS WINDRADYNE 1000 (20.00119)**

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

**That Council:**

- (a) approve the 124 lot residential subdivision to be known as Windradyne 1000 in current Lot 136 DP1123180 located at Colville Street, Governors Parade, Barr Street, Grimes Street, Adams Street, McLean Street, Twynam Avenue, Poate Street and Matthews Street.
- (b) approve the commencement of construction to start as soon as possible subject to a satisfactory Development Application approval.
- (c) seek a further report regarding a release date and appropriate lot prices once construction works have commenced.

**MINUTE**

**e Item 4 RENEWAL OF RESIDENTIAL TENANCY AGREEMENT - LOT A  
DP158048 KNOWN AS 215 DURHAM STREET, BATHURST. (22.01218)**

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

**That** Council approves entering into a new residential tenancy agreement for Lot A DP158048 known as 215 Durham Street, Bathurst with Ms Tania Paama and Mr Dale Blattman for a period of twelve (12) months at a rental payment of \$200.00 per week with an option period of twelve (12) months at a rental payment of \$220.00 per week, as detailed in the report.

**MINUTE**

**f Item 5 EXPRESSION OF INTEREST - LOT 138 DP1123180 KNOWN AS THE WINDRADYNE RESIDUE LAND (20.00119)**

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

**That** Council approves entering into a new rural licence agreement with Mr Taylor Meek for Lot 138 in DP1123180 known as the Windradyne Residue land for a period of one (1) year with a one (1) year option period (at Council's discretion) at a licence fee of \$2,200 per annum (GST inclusive), as detailed in the report.



**MINUTE**

**g Item 6 VARIATION OF LEASE AND SALE OF COUNCIL LAND PART LOT 1  
DP1001027 LEE STREET KELSO (22.02268)**

**MOVED: Cr I North SECONDED: Cr G Westman**

**That** Council approves

- (a) the Variation of the current Lease agreement with Max Hire Pty Ltd, and
- (b) the sale of an additional area of land 180m<sup>2</sup> approx. located at part Lot 1 DP1001027 currently leased to Max Hire Pty Ltd once the variation of lease document has been registered.

as detailed in the report.

**MINUTE**

- h Item 7 TRACKCORP ADRENALIN PTY LTD (34.00065)**  
**MOVED: Cr W Aubin SECONDED: Cr J Jennings**

**That** the information be noted.

**MINUTE**

- i **Item 8 NRL GAME BATHURST (04.00008-10)**  
**MOVED: Cr B Bourke SECONDED: Cr I North**

**That** Council act in accordance with the recommendations of this report.

**DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 FEBRUARY 2014

## MINUTE

j Item 1 TENDER FOR DESIGN DEVELOPMENT & CONSTRUCTION OF CAUSTIC SODA AND SODIUM HYPOCHLORITE DOSING PLANTS AND ASSOCIATED WORKS AT BATHURST WATER FILTRATION PLANT (16.00103)  
MOVED: Cr I North SECONDED: Cr W Aubin

**That** Council accepts the tender of Eodo Pty Ltd for the design development and construction of Caustic Soda and Sodium Hypochlorite Dosing Plants and Associated Works at the Bathurst Water Filtration Plant in the amount of \$3,781,335.30 inclusive of GST, subject to adjustments and provisional items.

**MINUTE**

**k Item 2 PROPOSED ROAD OPENING AND CLOSURE AGREEMENT , LOT B DP162976, 318 MOLYBDONITE ROAD, YETHOLME (25.00293)**

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

**That** Council resolve to approve entering into an agreement with the registered proprietor regarding the proposed road opening and closure of a section of Molybdonite Road, affecting Lot B DP162976 at 318 Molybdonite Road, Yetholme, as detailed in the Director Engineering Services' report.

**MINUTE**

**I Item 3 PROPOSED ROAD WIDENING ACQUISITIONS, PARTS LOT 10  
DP596364 & LOT 169 DP750354, THE LAGOON ROAD, THE LAGOON (25.00128)  
MOVED: Cr J Jennings SECONDED: Cr G Hanger**

**That -**

- (a) Council approve the proposed road widening acquisitions affecting parts of Lot 10 DP596364 and Lot 169 DP750354 located at 364 O'Regan's Road, The Lagoon, as detailed in the Director Engineering Services' report, and
- (b) the acquired properties to be classified as Operational land.

**MINUTE**

**m** **Item 4 ANNUAL TENDER - READY-MIX CONCRETE (36.00502)**  
**MOVED: Cr I North SECONDED: Cr W Aubin**

**That** Council accept the tender from Ever-Ready Concrete for the supply of ready-mix concrete for 2014, from 1 March to 31 December 2014.



**MINUTE**

**n Item 5 ANNUAL TENDERS - STORMWATER DRAINAGE PIPES (36.00500)**  
**MOVED: Cr W Aubin SECONDED: Cr J Jennings**

**That** Council accept the tender from Rocla Pipeline Products for supply of stormwater drainage pipes, headwalls and lintels, from 1 March to 31 December 2014.

**GENERAL MANAGER'S CONFIDENTIAL MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 FEBRUARY 2014

## MINUTE

o Item 1 LEASE OF HANGAR SITE, BATHURST AERODROME TO BURKE (21.00083)

MOVED: Cr I North SECONDED: Cr J Jennings

**That** Council confirm the lease conditions for Lot 4, DP847356 located at Bathurst Aerodrome, with Burke's Transport (Bathurst) Pty Ltd as approved by Council on 21 November 2012.

**MINUTE**

**36**    RESOLVE INTO OPEN COUNCIL  
MOVED: Cr W Aubin SECONDED: Cr I North

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

MINUTE

37 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE  
MOVED: Cr I North SECONDED: Cr W Aubin

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

**Cr Bourke asked that his negative vote be recorded against Item #1 of the General Manager's Confidential Report.**

**MINUTE**

**38    MEETING CLOSE**

The Meeting closed at 8.23 pm.

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

**Date:\_\_\_\_\_ **(19 March 2014)****