



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

12 June 2013

Her Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 19 June 2013

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 19 June 2013 commencing at 6.00 pm.

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

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

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 19 JUNE 2013

1. 6:00 PM - MEETING COMMENCES

2. PUBLIC QUESTION TIME

3. PRAYER

Almighty God, Give wisdom to those in authority and guide all peoples in the way of righteousness and peace, so that we may share with justice the resources of the earth, work together in trust and seek the common good. Amen.

4. APOLOGIES

5. MINUTES

* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15 MAY 2013

6. DECLARATION OF INTEREST

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

7. MAYORAL MINUTE - Nil

8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS

* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

* DIRECTOR ENGINEERING SERVICES' REPORT

* DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

* GENERAL MANAGER'S REPORT

9. REPORTS OF OTHER COMMITTEES

* MINUTES - TRAFFIC COMMITTEE MEETING 4 JUNE 2013

10. NOTICES OF MOTION - Nil

11. RESCISSION MOTIONS

* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD 17 APRIL 2012

12. DELEGATES REPORTS

* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 8 MAY 2013

* MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 14 MAY 2013

* 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 4 JUNE 2013

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

Recommendation: That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR HAWTHORNDEN CREEK REGRADING AND 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	LAND RELEASE - AVONLEA STAGES 8 AND 10	10A (2) (c) – contains information that would, if

	RESIDENTIAL SUBDIVISIONS - PHILLIP STREET, KNIGHT PLACE AND MORGAN PLACE	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	RENEWAL OF LEASE AGREEMENT SIGN EVENT PTY LTD - STORAGE SHED MT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED NEW LICENCE AGREEMENT - PART LOT 221 DP1147157 - STEPHENS LANE, KELSO - SCHRYVER	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	EXPRESSION OF INTEREST - LOT 1 DP1076086 KNOWN AS 112 BENTINCK 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	TENDER FOR DESKTOP/WORKSTATION	10A (2) (d) (i) – contains commercial information of a

	REPLACEMENT	confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	RENEWAL OF RESIDENTIAL TENANCY AGREEMENT - LOT 9 DP1047248 - 310 BROCK SKYLINE, MT. PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	RENEWAL OF LICENCE AGREEMENT - LOT 3 DP232111 - 68 MOUNTAIN STRAIGHT, MT PANORAMA - COLLEY	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	TENDER FOR SUPPLY AND DELIVERY OF FUEL - CENTROC	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	TENDER FOR PRE-EMPLOYMENT SERVICES - CENTROC	10A (2) (d) (i) – contains commercial information of a confidential nature that would,

		if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
10	TENDER FOR AUDITING SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR CONSTRUCTION OF CIVIL WORKS AT AVONLEA RESIDENTIAL ESTATE STAGE 9	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	TENDER FOR PROVISION OF SANITARY SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who

		supplied it.
3	TENDER FOR CLEANING OF PUBLIC TOILETS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	TENDER FOR CLEANING OF PUBLIC BUILDINGS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	TENDER FOR PREFERRED CONTRACTOR'S LIST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	TENDER FOR NETWASTE REGIONAL COLLECTION AND RECYCLING OF SCRAP METAL - NETWASTE TENDER 145/534/984/1	410A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

7	TENDER FOR PROVISION OF TRAFFIC CONTROL SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	TENDER FOR THE SUPPLY, DELIVERY AND PLACEMENT OF SPRAYED BITUMINOUS SURFACING	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	TENDER FOR ROAD STABILISING WORKS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
10	MOU FOR THE REGIONAL TENDER OF WASTE SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
11	PROPOSED ROAD	10A (2) (d) (i) – contains

	WIDENING AND PARTIAL ROAD CLOSURE, PART LOT 3 DP869951 AND LOT 151 DP1118052, 80 WAMBOOL ROAD, O'CONNELL	commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
12	PROPOSED ROAD WIDENING AND PARTIAL ROAD CLOSURE, PART LOT 1 DP32374, 333 WAMBOOL ROAD, O'CONNELL	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.
13	TENDER FOR DESIGN AND CONSTRUCTION OF SPRUNG FLOOR AT BATHURST MEMORIAL ENTERTAINMENT CENTRE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

2 PUBLIC QUESTION TIME

G Fry – Ratepayer - Water Rate Increase

Opposes proposed increase in water charges. Referred to rate per kilolitre being charged. The increase should not be over the rate pegged limit. Noted reserve transfer levels shown in budget and current cash holdings of Council and property sales. Referred to salary levels of employees.

B Manning - Closure of Council Meetings

Spoke to closure of Council Meetings and Director General Guidelines issued in April 2013.

G Crisp - Ratepayer

Spoke to Minutes of last meeting and the issue of adjournment as he feels it is not worded correctly. Referred to Asbestos Policy on the Agenda papers and stated he lives next to an asbestos contaminated piece of land and raised concerns at exposure to asbestos. Noted Report in agenda on acquisition of old TAFE Building and includes the approximate cost shown in the report. Where is the provision made in the Budget for costs shown?

B Triming - Ratepayer

Thanked Council for photos from Governor General's event. Further, thanked Council for work on corners of William and Russell Streets to improve access to Council Chambers. Spoke to proposed car recognition system, staffing numbers (parking officers) and whether the system can distinguish cars which have a MPS sticker against those which don't and other issues.

The Mayor advised will she will get back to Mr Triming on the issues he has raised.

MINUTE

3 APOLOGIES

Nil.

PREVIOUS MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15 MAY 2013 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 15 May 2013 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 15 May 2013, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 15 MAY 2013 (11.00005)

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 15 May 2013 be adopted.

MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 15 MAY 2013

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

B Manning - Ratepayer

Raised concerns from the Minutes at the last meeting and what they recorded. Mrs Manning doesn't believe she made accusations against Senior Staff. Sought for the Minutes to be changed. Then spoke to Court reports and the ICAC about matters the Council has been involved in. Feels Council forum is appropriate place to raise the issues she is concerned about.

G Fry - CBD Car Parking Strategy (DEPBS #8)

Spoke to the report to Council and his submission. Concerned with original draft recommendation, which said if no submission received then plan should be adopted. Raised issues of BMEC parking spaces, Library parking, Aquatic Centre parking and possible timing issues. Has concern at 1 hour parking restriction and licence check technology that may be used. What is the goal of Council?

G Burke - Melrose Drive Raglan - Bathurst Airport Operations

Will Council consider the information provided to them at the recent Aerodrome User Group meeting in regards to fees and charges? Referred to possible sale of hangars and community facility status of the aerodrome. Asked Councillors to consider all matters.

G Crisp - Ratepayer

Made various allegations against various staff of being corrupt. Stated Mayor has pecuniary interest. Spoke to car parking in laneway and noted he saw a car that was illegally parked. Spoke to asbestos issues, illegal parking matters and minutes of previous meetings. Displayed a bag which he said contained dangerous material.

The Mayor requested Mr Crisp to cease his behaviour that was considered to be disorderly conduct.

3 **ADJOURNMENT - ACT OF DISORDER**

The Mayor adjourned the Meeting at 6.20 pm due to acts of disorder created by Mr Crisp who would not cease his actions.

4 **RESUMPTION OF MEETING**

In accordance with Clause 257 of the Local Government (General) Regulation 2005, the Mayor asked Councillors whether the business of the meeting should proceed.

The Meeting RECOMMENCED at 6.23 pm.

5 **PUBLIC QUESTION TIME CONTINUED**

B Trimming - CBD Car Parking

Advised Council to be aware that number plate recognition system doesn't pick up illegal parking in disability spaces. In regards to parking limits and use of spaces, if people with disability/mobility issues could access shops, businesses would pick up large increases in trade.

B Trimming - Governor General Visit - 14 May 2013

Congratulated everyone on how well this went and thanked Council for making the Civic Reception open to all.

P Dowling - Public Question Time

Council should look at extending the five (5) minutes when important matters are being discussed.

P Dowling - George/Howick Streets

Congratulated Engineers on taking action with shrubbery in this area. Noted it will be an ongoing matter and perhaps suitable trees may be better in this type of location.

P Dowling - George Street Low Level Bridge

Footpath going down to the bridge is potentially dangerous for children. Could a

railing be put in? Noted entry into parking area at the low level bridge is possibly a safety issue.

APOLOGIES

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

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

MINUTES

- 7** **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 17 APRIL 2013 (11.00005)**
MOVED Cr B Bourke and **SECONDED** Cr I North

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

This resolution is subject to a Rescission Motion at the 19 June 2013 Ordinary Council Meeting.

- 8** **Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 1 MAY 2013 (11.00005)**
MOVED Cr I North and **SECONDED** Cr J Jennings

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 1 May 2013 be adopted.

DECLARATION OF INTEREST

- 9** **DECLARATION OF INTEREST 11.00002**
MOVED Cr I North and **SECONDED** Cr J Jennings

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS**Director Environmental Planning & Building Services' Report**

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

RESOLVED: That the information be noted.

- 11** **Item 2 GENERAL REPORT (03.00053)**
MOVED Cr G Hanger and **SECONDED** Cr I North

RESOLVED: That the information be noted.

- 12** **Item 3 NAMING OF PUBLIC ROADS. HAINES LANE (20.00024)**
MOVED Cr B Bourke and **SECONDED** Cr G Rush

RESOLVED: That Council:

- (a) adopt the name Haines Lane for the new road transferred to Council's ownership from the Crown off Rockley Road in Perthville.
- (b) direct the Director, Environmental, Planning & Building Services to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

- 13** **Item 4 DEVELOPMENT APPLICATION NO. 2013/0138 – DUAL OCCUPANCY (SECOND DWELLING), SEPARATE CARPORT, FRONT FENCE AND TWO LOT RESIDENTIAL SUBDIVISION AT 10 BOYD STREET, KELSO. APPLICANT: MR T GULLIFER. OWNER: BEEHIVE INVESTMENTS PTY LTD AND TONY GULLIFER PTY LTD (DA/2013/0138)**
MOVED Cr I North and **SECONDED** Cr G Hanger

RESOLVED: That Council:

- (a) support the variation to the minimum lot size development standard for dual occupancies prescribed in the Bathurst Regional (Interim) Development Control Plan 2011;
- (b) direct the Director Environmental, Planning & Building Services to approve

Development Application No. 2013/0138, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and

(c) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Cr M Coote.

Abstain - Nil

- 14** **Item 5 DEVELOPMENT APPLICATION NO. 2013/0149 – 8 LOT SUBDIVISION AT 105 STANLEY STREET, LOTS 8, 9, AND 10 IN DP 1089380 AND LOT 12 OF SECTION 49 IN DP 758065, APPLICANT: MR MARGUS RATSEP. OWNER: MR HILTON HENRY BONHAM (DA/2013/0149)**
MOVED Cr W Aubin and **SECONDED** Cr G Westman

RESOLVED: That Council:

- (a) support the variation to the 1(b) Market Garden 20 hectare minimum lot size as prescribed in Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for all of the subject allotments.
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0149, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended.
- (c) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Cr M Coote

Abstain - Nil

- 15** **Item 6 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN DEVELOPMENT APPLICATION REFERRAL POLICY (20.00033)**
MOVED Cr G Westman and **SECONDED** Cr I North

RESOLVED: That Council:

- (a) adopt the revised guidelines for referring development applications to the NSW Police for comment under the principles of Crime Prevention Through Environmental Design, and
- (b) commence the procedure for amending the Bathurst Regional (Interim) Development Control Plan 2011 so as to reflect the new guidelines.

16

Item 7 2013 DOG EXPO (21.00029)

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

RESOLVED: That the information be noted.

17

Item 8 DRAFT BATHURST CBD CAR PARKING STRATEGY 2013 (20.00090)

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

RESOLVED: That Council:

- (a) adopt the Bathurst CBD Car Parking Strategy and the recommendations contained therein, subject to an amendment to the Strategy to remove implementation of the following recommendations to a future strategy review:
 - i. The recommendation to convert the 2 hour parking to 3 hour and extend the area to the end of the Webb Building in George Street between Russell and Keppel Streets;
 - ii. The recommendation to convert the 1 hour parking to 2 or 3 hours and convert the existing 2 hour parking to 3 hours in William Street between Russell and Keppel Streets;
 - iii. The recommendation to reduce the time limit from 1 hour to ½ an hour in the retail core street blocks of:
 - 1. Howick Street (between William and Bentinck Streets);
 - 2. William Street (between Durham and Russell Streets);
 - iv. The recommendation to reduce the time limit to 1 hour in Russell Street between Rankin and George Streets in light of the relocation of the Centrelink and Medicare services; and
- (b) notify those who made submissions of its decision.

Director Corporate Services & Finance's Report

18

Item 1 STATEMENT OF INVESTMENTS (16.00001)

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

RESOLVED: That the information be noted.

- 19** **Item 2 YEAR TO DATE REVIEW - QUARTERLY BUDGET REVIEW STATEMENT 2012-2013 (16.00129)**
MOVED Cr G Rush and **SECONDED** Cr I North

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

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

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

- 21** **Item 4 POWER OF ATTORNEY (11.00007)**
MOVED Cr J Jennings and **SECONDED** Cr I North

RESOLVED: That the information be noted.

- 22** **Item 5 LOCAL GOVERNMENT FINANCIAL SERVICES (LGFS) (34.00057-06)**
MOVED Cr W Aubin and **SECONDED** Cr I North

RESOLVED: That the information be noted.

Director Cultural & Community Services' Report

- 23** **Item 1 SCATTERED BONES PROGRAM - AUSTRALIAN FOSSIL & MINERAL MUSEUM (21.00106)**
MOVED Cr W Aubin and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

- 24** **Item 2 BATHURST REMEMBERS PROJECT - PROGRESS REPORT (21.00054, 23.00042)**
MOVED Cr I North and **SECONDED** Cr G Rush

RESOLVED: That Council continues to support the Bathurst Remembers Project.

- 25** **Item 3 BATHURST'S GOT TALENT - 2013 YOUTH WEEK EVENT (11.00020)**
MOVED Cr G Hanger and **SECONDED** Cr I North

RESOLVED: That the information be noted.

- 26** **Item 4 ASSESSMENT AND RATING PROCESS - SCALLYWAGS CHILD CARE CENTRE (09.00007)**
MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

- 27** **Item 5 KELSO COMMUNITY CENTRE - KIDS GROUP AND EASTER EVENT (09.00026)**
MOVED Cr G Westman and **SECONDED** Cr I North

RESOLVED: That the information be noted.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

- 28** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 MAY 2013 (07.00064)**
MOVED Cr W Aubin and **SECONDED** Cr I North

RESOLVED: That the recommendations of the Policy Committee Meeting held on 1 May 2013 be adopted.

DELEGATES REPORTS

- 29** **Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 10 APRIL 2013 (11.00019)**
MOVED Cr W Aubin and **SECONDED** Cr I North

RESOLVED: That the information be noted.

- 30** **Item 2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 12 MARCH 2013 (11.00020)**
MOVED Cr G Rush and **SECONDED** Cr G Hanger

RESOLVED: That Council:

- (a) Note the information; and
- (b) Adopt the membership for the Bathurst Regional Youth Council for 2013.

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

- 31** **LATE CONFIDENTIAL REPORT**
MOVED Cr I North and **SECONDED** Cr W Aubin

RESOLVED: That the following late confidential item be transacted at the meeting in accordance with Clause 241(3)(b) of the Local Government (General) Regulation 2005 as the Chairman ruled that the item was of great urgency.

Tender for the Asphaltic Concrete Resurfacing of the Mount Panorama Racing Circuit

- 32** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**
MOVED Cr J Jennings and **SECONDED** Cr G Rush

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

There we no representations from the public.

RESOLVED: That:

- (a) Council resolve into closed Council to consider business identified, together with the late report tabled at the meeting on the following matter:

Tender for the Asphaltic Concrete Resurfacing of the Mount Panorama Racing Circuit

- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
- (c) Correspondence and reports relevant to the subject business be withheld from access.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	NEW RURAL LICENCE AGREEMENT LOT 3 DP1127323 AND PART LOT 1006 DP1129907 AND LOT 1 DP624336 (4040 O'CONNELL ROAD, BATHURST)	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF LICENCE AGREEMENT - LOT 1 DP995205 AND LOT 1 DP1007963 COMMONWEALTH, MORRISSETT AND PATNA STREETS, BATHURST - TURNBULL	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	TRANSFER OF HANGAR LEASE - LOT 16 DP1096829 - BATHURST AERODROME	10A (2) (d) (i) – contains commercial information of a confidential nature that would,

	- FROM SMITH TO MORGAN	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	BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	TRACKCORP ADRENALIN PTY LTD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	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 Engineering Services' Report

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
------	---------	----------------------------

1	TENDER FOR THE RESTORATION OF SLUDGE LAGOON NO: 1 AT BATHURST WATER FILTRATION PLANT	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	TENDER FOR THE ASPHALTIC CONCRETE RESURFACING OF THE MOUNT PANORAMA RACING CIRCUIT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Director Corporate Services & Finance's Report

a **Item 1 NEW RURAL LICENCE AGREEMENT LOT 3 DP1127323 AND PART LOT 1006 DP1129907 AND LOT 1 DP624336 (4040 O'CONNELL ROAD, BATHURST) (22.05149)**

MOVED Cr J Jennings

and **SECONDED** Cr I North

That Council approves entering into a new licence agreement with Mr Craig Hotham for Lot 3 DP1127323, part Lot 1006 DP1129907 and Lot 1 DP624336 located at 4040 O'Connell Road, Bathurst for a period of three (3) years at a yearly lease fee of \$3,150 per annum (GST inclusive) plus annual CPI adjustments as detailed in the report.

b **Item 2 RENEWAL OF LICENCE AGREEMENT - LOT 1 DP995205 AND LOT 1 DP1007963 COMMONWEALTH, MORRISSETT AND PATNA STREETS, BATHURST - TURNBULL (21.00103)**

MOVED Cr G Westman

and **SECONDED** Cr G Rush

That Council approves entering into a new licence agreement for Lot 1 DP995205 and Lot 1 DP1007963 located on Commonwealth, Morrissett and Patna Streets, Bathurst with Mr Scott Turnbull for a period of three (3) years at a licence fee of \$600.37 (GST inclusive) per quarter plus annual CPI adjustments, in lieu of calling for fresh Expressions of Interest, as detailed in the report.

- c** **Item 3 TRANSFER OF HANGAR LEASE - LOT 16 DP1096829 - BATHURST AERODROME - FROM SMITH TO MORGAN (21.00103)**
MOVED Cr G Westman and **SECONDED** Cr I North

That Council approves the transfer of the hangar lease for Lot 16 DP1096829 at the Bathurst Aerodrome in the name of Michael Smith to B and L Morgan Super Fund as detailed in the report.

- d** **Item 4 BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION (18.00175)**
MOVED Cr G Westman and **SECONDED** Cr B Bourke

A MOTION was MOVED.

That Council on receiving all assets back from Bathurst 75 Football Club Inc., Council then write-off all amounts owing to Bathurst Regional Council by Bathurst 75 Football Club Inc.

- e** **Item 4 BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION (18.00175)**
MOVED Cr G Hanger and **SECONDED** Cr G Rush

The following AMENDMENT was MOVED.

That Council provide assistance to the Bathurst 75 Football Club Inc. in the following manner:-

- (a) write off the balance of the outstanding water charges and interest;
- (b) write off the outstanding interest on the loan;
- (c) require Bathurst 75 Football Club Inc. to repay the balance of the principal on the loan (\$43,897.06) over a time period to be determined by Council;
- (d) not charge any further interest on the outstanding loan principal

The AMENDMENT was PUT and CARRIED.

The AMENDMENT then became the MOTION.

The MOTION was then PUT and CARRIED.

Crs Westman and Aubin asked that their negative vote be recorded.

- f** Item 5 TRACKCORP ADRENALIN PTY LTD (34.00065)
MOVED Cr W Aubin and SECONDED Cr I North

That the information be noted.

- g** Item 6 LEASE OF HANGAR SITE, BATHURST AERODROME TO BURKE (21.00083)
MOVED Cr G Westman and SECONDED Cr W Aubin

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

Director Engineering Services' Report

- h** Item 1 TENDER FOR THE RESTORATION OF SLUDGE LAGOON NO: 1 AT BATHURST WATER FILTRATION PLANT (16.00103)
MOVED Cr W Aubin and SECONDED Cr G Westman

RESOLVED: That Council accepts the tender from Hibbo Hire Pty Ltd for the restoration of Sludge Lagoon No: 1 at the Bathurst Water Filtration Plant in the amount of \$144,861.20 inclusive of GST, subject to adjustments and provisional items.

- i** Item 2 TENDER FOR THE ASPHALTIC CONCRETE RESURFACING OF THE MOUNT PANORAMA RACING CIRCUIT (36.00478)
MOVED Cr I North and SECONDED Cr G Westman

RESOLVED: That Council:

- (a) Decline to accept any tenders for the Asphaltic Concrete Resurfacing of the Mt Panorama Racing Circuit, and
- (b) Invite fresh tenders, in accordance with Clause 167 "Open Tendering" of the Local Government (General Regulation), 2005.

RESOLVE INTO OPEN COUNCIL

- 33** **RESOLVE INTO OPEN COUNCIL**
 MOVED Cr I North and **SECONDED** Cr W Aubin

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 34** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
 MOVED Cr G Rush and **SECONDED** Cr I North

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

MEETING CLOSE

- 35** **MEETING CLOSE**

The Meeting closed at 8.15 pm.

CHAIRMAN: _____

Date: _____ **(19 June 2013)**

MINUTE

5 DECLARATION OF INTEREST 11.00002
MOVED: Cr M Coote SECONDED: Cr G Rush

RESOLVED: That the following Declarations of Interest be noted.

Cr J Jennings

Item #7 of the Director Environmental Planning & Building Services' report
Item #2 Director Cultural & Community Services' report.

DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 JUNE 2013

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

Recommendation: That the information be noted.

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

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: Cr G Westman SECONDED: Cr G Hanger

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 May 2013 (**attachment 1**)
- (b) Applications refused during May 2013 (**attachment 2**)
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**)
- (d) Applications pending approval for greater than 40 days as at the date of compilation of this report (**attachment 4**)
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 approved in May 2013 (**attachment 5**).

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

- 7 **Item 2 GENERAL REPORT (03.00053)**
MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That the information be noted.

3 YOUR COMMUNITY HERITAGE PROGRAM – CITY OF BATHURST EARLY SETTLEMENT INTERPRETATION PROJECT (20.00242)

Recommendation: That the information be noted.

Report: Council is currently preparing the City of Bathurst Early Settlement Archaeological Management Plan (AMP) and an associated detailed history. This plan will provide Council and the community with considerable historical information about the City's early settlement area from 1815 to 1840.

Council Staff recently submitted a funding application to the Department of Sustainability, Environment, Water, Population & Communities under the Your Community Heritage Program to enable interpretation of the AMP and the detailed history.

The aim of the interpretation project is to tell the story of the early settlement area of the City of Bathurst from 1815 to 1840 in recognition of the City's bicentenary in 2015. The project will interpret the research of the AMP and detailed history through a new heritage trail (signage & brochure). The heritage trail will identify and tell the story of key historic sites and the social history of those sites. The trail will also interpret the early maps and sketches of the settlement of Bathurst to illustrate the evolution of the setting out of the City of Bathurst and how that relates to the City as we know it today.

Council has received advice that its funding application for \$25,000 has been successful. Council will be able to provide matching funds from within its existing heritage budget.

It is anticipated that the project will be completed in September 2014 and will provide an additional project for the Council and City to celebrate the City's bicentenary.

Council staff will work very closely with the Bathurst District Historical Society in the development of the trail.

Financial Implications: The City of Bathurst Early Settlement Interpretation Project will be funded from the Federal Government grant of \$25,000 with matching funds (Council's contribution) to be provided from within Council's existing heritage budget.

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 11.5, 11.6, 11.1
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2, 30.4, 30.6
- Objective 33: To be and develop good leaders. Strategy 33.6

MINUTE

**8 Item 3 YOUR COMMUNITY HERITAGE PROGRAM – CITY OF BATHURST
EARLY SETTLEMENT INTERPRETATION PROJECT (20.00242)**

MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That the information be noted.

4 BATHURST REGION LOCAL HERITAGE FUND 2012-13 (16.00127)

Recommendation: That the information be noted.

Report: Council is required to prepare and submit a final report to the NSW Heritage Office on the implementation of its Local Heritage Fund.

The final report for 2012/13 is provided at **attachment 1**.

The local heritage fund remains one of the most important programs, in conjunction with the Heritage Advisory service, to encourage the maintenance and conservation of the region's built heritage assets.

This year the fund saw 62 projects completed at a total project cost of \$752,786.

A review of the local heritage fund since its inception in 1999 highlights the growth and success of the fund.

Bathurst Region Local Heritage Fund - Statistics						
Year	Applications Received	Received Value	Heritage Fund Budget	No of Projects offered funding	Projects Completed	Completed Value
1998/99	9	\$40,278	\$10,000	9	8	\$38,278
1999/2000	20	\$87,167	\$10,000	20	11	\$56,203
2000/01	26	\$81,448	\$10,000	26	14	\$92,681
2001/02	45	\$212,462	\$10,000	35	24	\$122,014
2002/03	33	\$150,256	\$15,000	31	24	\$109,599
2003/04	39	\$210,205	\$15,000	37	25	\$139,399
2004/05	43	\$436,655	\$37,500	43	40	\$389,195
2005/06	56	\$350,000	\$37,500	50	33	\$190,930
2006/07	49	\$374,000	\$37,500	48	33	\$293,740
2007/08	75	\$574,700	\$37,500	70	44	\$376,965
2008/09	59	\$500,000	\$37,500	59	44	\$360,849
2009/10	53	\$335,000	\$45,000	50	39	\$273,535
2010/11	81	\$600,000	\$48,000	75	47	\$812,598
2011/12	107	\$918,798	\$48,000	69	39	\$288,786
2012/13	116	\$964,777	\$60,000	104	62	\$762,786
Total	811	\$5,835,746	\$459,000	726	487	\$4,297,558

NOTES: 1989/99 to 2003/04 – fund under the former Bathurst City Council.

The Heritage Fund budget includes Bathurst Regional Council and NSW Heritage Branch contribution. From year to year unspent funds were rolled over into the next year. The rollover amount is not shown in the above table.

In its 15 years of operation the fund has supported the completion of 487 projects at a total cost of nearly \$4.3 million. Council and the NSW Heritage Office contribution over this period has been \$459,000.

The projects completed under the fund have been instrumental in:

- improving the appearance of buildings in the conservation areas of the Bathurst Region;
- ensuring essential maintenance and conservation works are completed on older buildings and heritage items;
- minimising the likelihood of buildings being left unrepaired and thus future generations

being faced with a greater level of demolition proposals.

Council should be very pleased with the extent of investment in building maintenance, repair and conservation that the fund has generated since 1999.

Financial Implications: The Bathurst Region Local Heritage Fund is funded in Council's Management Plan and from a grant received from the NSW Heritage Office.

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 11.1, 11.4
- Objective 33: To be and develop good leaders. Strategy 33.4, 33.5

MINUTE

- 9 **Item 4 BATHURST REGION LOCAL HERITAGE FUND 2012-13 (16.00127)**
MOVED: Cr I North SECONDED: Cr G Rush

RESOLVED: That the information be noted.

5 BATHURST REGIONAL HERITAGE STRATEGY ANNUAL REPORT 2012/13 (20.00047)

Recommendation: That the information be noted.

Report: Council is required to prepare and submit an annual report to the NSW Heritage Office on the implementation of its Heritage Strategy. The annual report for 2012/13 is provided at **attachment 1**.

Highlights for the year include:

- Ongoing success of Council's heritage advisory service.
- Commencement of the preparation of the Bathurst City Early Settlement Archaeological Management Plan and detailed history.
- Inclusion of heritage objectives/strategies in the Bathurst 2036 Community Strategic Plan.
- Assessment of additional properties for inclusion as heritage items on the Comprehensive LEP.
- Preparation of guidelines on how to prepare Heritage Impact Statements.
- Attendance of 40 local professionals/community members at a seminar to promote the release of guidelines for the preparation of heritage impact statements.
- Preparation and distribution of guidelines for fascia signs to address the trend of signs extending beyond the depth of the fascia.
- Completion of 62 projects under the Local Heritage Fund (see separate report to Council).
- Installation of interpretative signage for:
 - Town Square
 - Cox's Road
 - Howitzer Gun
 - Mount Carmel Cemetery
 - Trunkey Creek Cemetery
 - Long Swamp Cemetery
- Participation in the authorship and publication of a history of the Bathurst Town Square.
- Naming signage for the Bathurst Town Square.
- Another successful Autumn colours program including a tour to promote the Bathurst Heritage Trail.
- Councillor working party on heritage management.
- Adoption by Council of a key bicentenary project to reinstate the historic flagstaff.
- Continued work on the Pillars of Bathurst-Cultural Garden.
- Adoption of the Bridges Conservation Management Plan and the Rockley School of Arts Conservation Management Plan.

Financial Implications: The Heritage Strategy is implemented under various budgets in Council's Management Plan.

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 11.1, 11.10
- Objective 33: To be and develop good leaders. Strategy 33.4, 33.5, 33.6

MINUTE

10 Item 5 BATHURST REGIONAL HERITAGE STRATEGY ANNUAL REPORT
2012/13 (20.00047)

MOVED: Cr I North SECONDED: Cr J Jennings

RESOLVED: That the information be noted.

6 BATHURST REGION CONSERVATION & INTERPRETATION FUND 2012/13 (13.00068)

Recommendation: That the information be noted.

Report: In 2011/12, Council established a new small grants fund to assist private property owners and community groups to undertake special heritage projects including:

- preparation of conservation management plans;
- publishing local history books and publications;
- implementing heritage interpretation projects; and
- presenting exhibitions promoting the heritage and history of the Bathurst Region.

In its second year, the fund has provided financial assistance for the completion of the following projects:

- Preparation of a structural engineers and heritage assessment report for "Clifton", Tarana Road.
- Interpretative sign at Mt Carmel cemetery.
- Interpretative signs at Sunny Corner.
- Publication of the local history book "Locksley".
- Interpretative sign at Trunkey Creek cemetery.
- Interpretative sign at Long Swamp cemetery.
- Publication of the second edition of Hill End Gold.

All of the projects provide an important contribution in protecting, promoting and recording the region's heritage and history.

Applications for funding in 2013/14 are currently being called.

Financial Implications: The funding program is provided for in Council's Management Plan.

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 11.1, 11.4, 11.5, 11.6
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5, 30.6

MINUTE

11 Item 6 BATHURST REGION CONSERVATION & INTERPRETATION FUND
2012/13 (13.00068)

MOVED: Cr J Jennings SECONDED: Cr G Rush

RESOLVED: That the information be noted.

7 DEVELOPMENT APPLICATION NO. 2013/0156 – USE OF AN EXISTING PREMISES FOR RETAIL AND COMMERCIAL PURPOSES AND A NEW ROOF SIGN AT CRAGO MILL, 2A PIPER STREET, LOT 12 DP1014089 APPLICANT: MR BERNARD VANCE. OWNER: XJS WORLD PTY LTD (DA/2013/0156)

Recommendation: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0156, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (b) call a division.

Report: The Site

Council has received a Development Application (DA) for the use of part of an existing premises as a mixed retail and commercial purposes and for the installation of a new roof sign. The development includes restoration of the building.

The site, commonly known as Crago Mill, is located at the eastern end of Piper Street, beside the Great Western Railway line. The site at 2A Piper Street, known as Lot 12 DP1014089 is zoned 4(a) Industrial.

This Development Application is the third stage in the redevelopment of this site. The previous two DAs have involved the establishment of a café and retail market and cellar door sales in the metal skillion part of the Mill building.

Council has also approved a DA for demolition of the former platform and rail siding on the site.

An earlier DA for redevelopment of the Mill was refused due to the absence of sufficient information in relation to heritage restoration and building code compliance.

The site is a typical size for industrial properties in this area of Bathurst. The property has a three storey brick building and a two storey sheet metal clad skillion shed attached. There are smaller sheds attached. The three storey brick building is the subject of this application.

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

History of the Site

The Crago Mill building was built by Francis Crago and officially opened in 1906. The Mill was operated by Crago and his sons Harry and Arthur and was known as the “National Flour Mill”.

Francis Crago was elected as an alderman of the Bathurst Council in 1890 and was elected Mayor in 1891. Crago was responsible for erecting the Crago Fountain in Machattie Park.

Francis Crago died soon after the opening in 1907 and the Mill passed to his sons.

The building was constructed by J Dunkley in the “Federation Warehouse style”. The Mill machinery was erected by Henry Simon Ltd, milling engineers Manchester England and Sydney.

The Mill operated on the site up until 1954 when F Crago and Sons went into receivership. A good deal of the plant and some of the ancillary buildings were removed at this time.

In 1957 a fire occurred in the Mill.

Southern Mitchell Electricity took possession of the Crago Mill in 1964 and used it as a works depot up until it vacated the site in 1993.

Since the early 90's the site and buildings have remained vacant.

Although various additions and alterations have been made to the buildings on site over its lifetime, the main mill buildings are mostly in tact and are an excellent example of Federation Warehouse design and detail.

The Crago Mill is a three storey face brick building with attached piers and a gable ended high pitched corrugated iron roof and a lower skillion section.

The Crago Mill is a surviving remnant of the early era of Bathurst business and industrial development following the opening of the railway line. F. Crago and family, helped to shape the growth of Bathurst during the late 19th to early 20th centuries, representing faith in the ongoing community. It is of high local social, historic and historical association significance.

A more detailed history is available in the submitted Heritage Impact Statement and the Conservation Management Plan prepared for the site.

History of the Proposal

The two existing Development consents for the land include:

- Development Application 2012/0005 approved by Council under delegated authority in March 2012 for the use of the skillion annex of the building as a café.
- Development Application 2012/0380 approved by Council under delegated authority in November 2012 for the use of the remaining section of the skillion building as a retail market on the ground and mezzanine levels and the use of a section of the ground floor as a cellar door sales area and the extension to the seating area of the previously approved café.

Up until now the main brick building has not formed part of any approval and there are no current approved uses in this area.

The Proposal

The proposal is for the adaptive re-use of the three storey brick building of the Crago Flour Mill site. Specifically it involves internal alterations and the use of an existing premises for retail and commercial purposes.

The proposal involves:

- Use of the ground floor as retail space that will link in with the previously approved café and retail market.
- Use of the first floor as a mix of retail and commercial spaces
- Use of the second floor as separate commercial spaces
- Installation of a new roof sign identifying the site as Crago Mill

Due to the age of the building it does not comply with current building standards. In response, the applicant has provided a BCA report which provides for upgrading of the building to achieve compliance with many of the current building standards. In particular areas relating to fire, egress and access have been addressed throughout the building.

It is, however, worth noting that the assumptions made at this stage may limit the options for other uses within the building. For example the building could not be used for entertainment and educational purposes without further upgrading works. This is ultimately a decision made by the owners as to how far they are willing to upgrade the building.

The application also involves significant restoration works to the fabric of the building. The proposed restorative works are detailed on the submitted plans. The restoration works are based on those outlined in the Conservation Management Plan prepared and endorsed for the building.

Plans of the proposed development are at **attachment 2** and the Statement of Environmental Effects at **attachment 3**.

Planning Context

Bathurst Regional (Interim) Local Environmental Plan 2005

The subject site is zoned 4(a) Industrial under the provisions of the Bathurst Regional (Interim) Local Environmental Plan.

There are two different uses proposed for the mill building as part of the development application:

1. the change of use to part of the building as a retail space
2. the change of use to part of the building as a commercial premise

Shops (unless ancillary to development permitted in the zone or catering to the local needs of the industrial area) and commercial premises are prohibited in the zone.

There is no suggestion that the shops are ancillary to any other use or cater to the local needs of the industrial area.

Accordingly the development as proposed is prohibited development and is reliant upon the dispensatory powers available under Clause 24 – Conservation Incentives which is discussed below.

The development is not inconsistent with the objectives of the zone.

Permissibility

Clause 23 Protection of Environmental Heritage

The subject site is a heritage item under the Bathurst Regional (Interim) Local Environmental Plan 2005 and is within the Bathurst Heritage Conservation Area.

Clause 24 Conservation Incentives

In light of the prohibited use outlined above the applicant seeks to rely upon Clause 24-

Conservation Incentives of the BRILEP(2005) to permit the proposed use.

Clause 24 provides that:

- (1) *The consent authority may grant consent to the use for any purpose of a building that is a heritage item or is within a heritage conservation area or, in the opinion of the consent authority, is a building of heritage significance, or of the land on which such a building is erected, even though the use would otherwise be prohibited by this plan, if it is satisfied that:*
- (a) *the retention of the building depends on the granting of consent, and*

Comment:

The current application is regarded as Stage 3 in the overall development of Crago Mill and the adjoining buildings. The other 2 stages were permissible uses within the zone and arguably relate to the "less" significant section of the building. The Crago Mill building has remained vacant and underutilized since the departure of Southern Mitchell Electricity in 1993. Previous attempts to find an adaptive re-use of the building have not been successful.

The building itself, set over 3 floors with limited tenancies in each, make options for industrial usage unlikely.

Achieving building code compliance along with ensuring the restoration of the building are the only way of achieving the long term retention of the building. This proposal achieves this dual objective.

Crago Mill is recognised as a site of local heritage significance and its role for the local Bathurst community is dependent on it being used and preserved. It is considered desirable that new uses be established within the heritage buildings to ensure that the required restoration and maintenance works occur to keep the building for the future. Therefore the continued use of the building is appropriate because it will enable the building to be retained and re-used.

A detailed Heritage Impact Statement has been submitted to support the applicant's request to permit prohibited uses on the subject site under Clause 24 of the Bathurst Regional (Interim) Local Environmental Plan 2005.

The Heritage Impact Statement is at **attachment 4**.

- (b) *the proposed development is in accordance with a conservation management plan that has been endorsed by the consent authority, and*

Comment:

The owner has previously had prepared a Conservation Management Plan for the site which has been endorsed by Council. The proposed uses and associated works are consistent with the plan.

It is worth noting that the Conservation Management Plan was partially funded (\$5,000) by Council under its Conservation and Interpretation Fund.

- (c) *the granting of consent to the proposed development would*

ensure that all necessary conservation work identified in the conservation management plan is carried out, and

Comment:

Without the introduction of new intensive uses to the building and site, the necessary conservation works identified in the CMP are unlikely to be carried out. Given the significant cost of conservation works and the costs associated with ongoing maintenance, the minimal economic return derived from less intensive uses such as industry or warehousing would make the site uneconomical.

The proposal includes significant restoration works consistent with those outlined in the endorsed CMP.

- (d) *the proposed development would not adversely affect the heritage significance of the building or its setting, and*

Comment:

The CMP identifies a level of significance for all elements of the existing building. Council's Heritage Planner in consultation with Council's Heritage Advisor have determined that the majority of the proposed works will have little or negligible impact and are in accordance with the CMP. The majority of works are considered to be minor internal alterations and do not involve changes to the main elements of the building. In fact additions including new floors are being conducted in a manner that allows the original floorboards to remain and in some cases the original structure is still visible from the floor below.

The new works, including the proposed new internal lift, will not adversely affect the heritage significance of the building.

- (e) *the proposed development would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.*

Comment:

The proposed uses do not emit significant noise, polluted air, polluted water or generate significant traffic, so the development is unlikely to have any significant adverse impacts on the overall amenity of the surrounding area.

Development Control Plan

Chapter 14- Parking Provisions

The applicant has proposed to provide a total of 52 spaces as well as space for bus parking and loading facilities on site.

The previous application approved for the site required that a total of 31 spaces be provided on site. For this first stage the applicant was proposing to provide 17 line marked car spaces with the potential to provide more at Stage 3 (this application). The parking requirements for Stage 2 were calculated on the following standards:

Use	Total Floor Area	Parking Standard	Car Parks Required	Car parks provided
-----	------------------	------------------	--------------------	--------------------

Refreshment rooms	88m ²	1/6.5m ² service area or 1/6 seats (greater standard)	14	
Shops	580.1m ²	1/35m ²	17	
	Total		31 spaces	17 spaces

For the two proposed uses that are part of stage 3, car parking requirements have been calculated on the following standards:

Use	Total Floor Area	Parking Standard	Car Parks Required	Car Parks provided
Retail	283.5m ²	1/35 m ²	8	
Retail (FF)	104.4m ²	1/35 m ²	3	
Commercial (FF)	191.5 m ²	1/50 m ²	4	
Commercial (SF)	306.5 m ²	1/50 m ²	6	
		Total	21 spaces	52 spaces

The total number of spaces provided on site are considered sufficient enough to provide for the uses in both Stage 2 and Stage 3. As both the retail and commercial floor spaces do not exceed more than 1000m², parking for bicycles is not required.

Chapter 12- Signage and Colour Schemes

The subject application also involves the erection of a roof sign identifying the site as Crago Mill. The proposed sign will be 7.2m x 1.5m and will be erected on the skillion roof that is attached to the three storey brick building.

The elevation plans are included in **attachment 2**.

The proposed sign is consistent with development standards for roof signs as it is not located on the ridge of the building's roof and the sign will sit below the ridge height of the building.

The sign has been strategically located so that it is visible from the main driveway entrance on Piper Street. It has also been located in a manner which allows it to conceal the proposed solar panels for the building.

Submissions

The development application was advertised and notified to adjoining property owners from Saturday 4 May 2013 to Monday 20 May 2013.

During that time there were no submissions received.

Conclusion

Council has received a Development Application for the use of the three storey brick building at Crago Mill site for retail and commercial purposes. The applicant seeks to rely upon Clause 24 *Conservation Incentives* in the Bathurst Regional (Interim) Local Environmental Plan 2005 to permit the proposed uses. The development application was advertised and notified to adjoining property owners from 4 May 2013 to 20 May 2013. No submissions were received in this time. It is recommended that Council approve the application as enabled by Clause 24 of the Bathurst Regional (Interim) LEP 2005 to ensure reuse and conservation of this significant heritage item.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

12 Item 7 DEVELOPMENT APPLICATION NO. 2013/0156 – USE OF AN EXISTING PREMISES FOR RETAIL AND COMMERCIAL PURPOSES AND A NEW ROOF SIGN AT CRAGO MILL, 2A PIPER STREET. LOT 12 DP1014089 APPLICANT: MR BERNARD VANCE. OWNER: XJS WORLD PTY LTD (DA/2013/0156)

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

Reason: Chair of Bathurst Wholefoods Co-op and currently discussing tenancy of Crago Mill site.

RESOLVED: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0156, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (b) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Cr J Jennings,

Abstain - Nil

8 ASBESTOS POLICY (18.00105) 41.00089

Recommendation: That Council adopt the Asbestos Policy.

Report: The NSW Government document “Asbestos Blueprint A guide to roles and responsibilities for operational staff of state and local government (November 2011)” defines the role of Local Councils as:

1. Management of asbestos in residential premises (excluding oversight of removal work).
2. Management of the removal from domestic premises of non-licensable quantities and work not involving a business or undertaking.
3. Recording of existing asbestos site contamination on section 149 certificates & local government asbestos register.
4. Management of illegal dumping and orphaned asbestos waste (excluding oversight of removal work).
5. Recovery operations following an emergency situation if site is handed over to the Council or local resident by an emergency service organisation (excluding oversight of removal/remediation work).
6. Contaminated land not declared under the Contaminated Land Management Act 1997 (excluding oversight of removal/remediation work).

Asbestos management is an issue which impacts upon many aspects of Council's operations. For example:

- Waste management centre staff undertake burial of non-friable asbestos material at the Bathurst Waste Management Centre. Staff may also be required to manage asbestos material which has been unlawfully placed in the transfer area or at rural waste transfer stations.
- Water and sewer maintenance staff may be required to replace or repair pipes and other infrastructure containing asbestos material.
- Environmental staff may be required to ensure the appropriate disposal of possible asbestos containing materials when investigating incidents such as illegal dumping complaints.
- Development assessment staff are required to ensure that activities such as the demolition of buildings are undertaken in accordance with their development consent and all relevant legislative requirements.
- Asset management staff are required to ensure that all Council owned facilities are assessed to determine if they contain asbestos and that the details are included in a register.

Council has in place numerous Safe Work Method Statements which outline the appropriate activities in the above mentioned situations.

Community Engagement

Council has an important role in the provision of information to the wider community regarding the management of asbestos containing materials. If Council adopts the Asbestos Policy, an engagement plan will be prepared in accordance with guidelines set in Council's Community Engagement Strategy.

Council staff acknowledge that the policy is quite lengthy, however the complex nature of asbestos management requires that detailed information is included in the policy. Council staff will review the implementation of the policy within 12 months of its adoption. If any outstanding issues are identified, the policy will be amended and presented to Council for consideration.

A copy of the Asbestos Policy is provided at **attachment 1**.

Financial Implications: Nil. Activities are managed within existing budget allocations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 33: To be and develop good leaders. Strategy 33.5

MINUTE

- 13 **Item 8 ASBESTOS POLICY (18.00105, 41.00089)**
MOVED: Cr B Bourke SECONDED: Cr I North

RESOLVED: That Council adopt the Asbestos Policy.

9 DRAFT BATHURST REGIONAL LEP 2013 UPDATE (20.00143)

Recommendation: That the information be noted.

Report: Council, at its meeting held 20 March 2013, was provided with an update on the progress of the Bathurst Regional Comprehensive LEP. The Bathurst Regional Comprehensive LEP will now be known as the draft Bathurst Regional Local Environmental Plan 2013. The draft Plan has to be prepared in accordance with the State Government's Standard Instrument for LEPs. This has caused considerable delays in the preparation of the plan with Council staff seeking to ensure local issues are appropriately addressed by the Plan.

Council staff have met with the Department of Planning and Infrastructure on two separate occasions in May to discuss and negotiate the issues that Council had with the Standard Instrument. A number of issues in relation to the draft Bathurst Regional LEP 2013 have been resolved and satisfactory clauses or outcomes have been achieved. Council staff are progressing with the final draft of the Plan to submit to the Department within the next month. The final draft of the Plan must then be certified by the Department for public exhibition.

Council expects that the public exhibition period will be in the coming months (subject to Council receiving certification from the Department), with the gazettal of the Plan likely in early 2014. Whilst the public consultation program has not been finalised at this point in time, Council will undertake a comprehensive advertising program through many different media forms including direct mail via the LEP mailing list, social media, newspaper advertisements, radio ads and static displays.

Council is currently undertaking an advertising program, seeking members of the Bathurst Region to register their interest in the draft LEP so that they can be notified of the public exhibition period when it commences.

Financial Implications: The LEP is being prepared within existing budgets and from funding provided by the Department of Planning and Infrastructure under the Planning Reform Fund.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 18: To encourage sustainable housing choice and quality design that engenders a sense of place. Strategy 18.1 18.2
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.1 28.8 28.5
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2
- Objective 33: To be and develop good leaders. Strategy 33.4

MINUTE

- 14 **Item 9 DRAFT BATHURST REGIONAL LEP 2013 UPDATE (20.00143)**
MOVED: Cr G Rush SECONDED: Cr I North

RESOLVED: That the information be noted.

10 BATHURST REGION SIGNAGE STRATEGY (28.00007)

Recommendation: That Council adopt the Bathurst Region Signage Strategy.

Report: The Bathurst Region Signage Strategy has been developed to assist in defining the main principles of the Region's signage, including the identification of industry standards and legislation that exists in terms of signage, and the identification of how current signage is used. The Strategy aims to develop a standard for all signage within Bathurst under Council's management that adds to the City's overall identity.

Signage is important to the Bathurst Region to help orientate residents and visitors, to and around the Region so they can easily identify places and landmarks, as well as, provide clear direction to pedestrians and drivers. It can help define where the Region starts and stops through the use of billboards and town entrance signage. It can assist the central business district operate more efficiently without unnecessary congestion and contribute to road safety. Signage will play an increasingly important role as the Region continues to grow and serve as a premier centre for retail, industrial, cultural, entertainment, tourism and other services.

The purposes of the Bathurst Region Signage Strategy are to:

- Identify the extent and quality of the current signage within the Bathurst Region including existing billboards, town entrance signs, village signs, directional signage, roundabouts and street signage along the entrances to and within the Bathurst CBD;
- Identify relevant and applicable legislative frameworks and other principles which guide the erection, maintenance and site selection of signage;
- Plan for a coordinated approach to updating and replacement of signage within the Bathurst Region;
- Establish a corporate standard design for signage within the Bathurst Region particularly with regards to colour, size and location of signage.

The Bathurst Region's tiered suite of signage can be identified as:

1. Boundary Billboards (Outdoor Advertising)
2. Welcome Signs (Main Town Entrance)
3. Rural Village Signs
4. Secondary Welcome Signs (Billboard)
5. Roundabouts
6. Street Name Blades
7. Community Information Boards
8. Parks and Recreational Reserve Signs
9. Other (Dual Name, Heritage)
10. Tourism Signs

The Strategy focuses on Council controlled signs as well as adopting the Tourist Attraction and Signposting Committee (TASAC) standard for tourism signs on Council controlled roads. Further information relating to engineering specification and application process will be added to the Strategy in the future.

Should Council adopt the Strategy, quotations will be requested for the supply and installation of appropriate signage commencing with the tiers of Welcome (Main Town Entrance), Rural Village Signs and Main Park Signs. The extent of work will depend on the available budget and quotations received.

Conclusion

A full copy of the Strategy can be obtained from Council's Environmental, Planning & Building Services Department. It is recommended that Council adopt the Strategy.

Financial Implications: Funding of \$120,000.00 has been allowed within Council's 2012/2013 Management Plan for implementation of the Strategy.

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

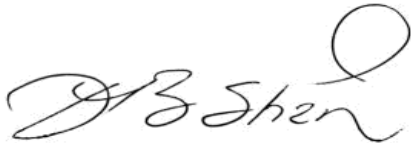
- Objective 33: To be and develop good leaders. Strategy 33.5

MINUTE

- 15 **Item 10 BATHURST REGION SIGNAGE STRATEGY (28.00007)**
MOVED: Cr G Westman SECONDED: Cr G Rush

RESOLVED: That Council adopt the Bathurst Region Signage Strategy.

Yours faithfully

A handwritten signature in black ink, appearing to read 'D R Shaw', with a large, stylized loop at the end of the word 'Shaw'.

D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 JUNE 2013

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$70,000,000.00 was invested at 31 May 2013 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

Year to Date Averages

(as per the CBA & RBA for comparison purposes)

Reserve Bank of Australia - Cash Rate			2.75%
AFMA - 90 day Bank Bill Swap Rate (BBSW)			3.37%
Three Year Swap Rate - Commonwealth			3.21%

Short Term 1 – 365 Days

(Comprising Commercial Bills,

Debentures and Certificates of

Deposit:

Rating

**Average
Return**

Bank of Queensland	A2	\$11,500,000.00	4.99%
Bendigo and Adelaide Bank	A2	\$10,500,000.00	4.79%
IMB	A3	\$10,500,000.00	4.79%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	4.61%
National Australia Bank	A1+	\$13,500,000.00	4.79%
People's Choice Credit Union	ADI	\$1,000,000.00	4.79%
Railways Credit Union	ADI	\$1,000,000.00	4.89%
SGE Credit Union	ADI	<u>\$1,000,000.00</u>	<u>4.64%</u>
		\$52,000,000.00	4.82%

Long Term

(comprising Commercial Bills, Term

Deposits and Bonds):

Committed Rolling Investments

Westpac	AA-	\$2,000,000.00	4.18%
Westpac	AA-	\$2,000,000.00	4.30%
Westpac	AA-	\$2,000,000.00	4.08%
Westpac	AA-	<u>\$2,000,000.00</u>	<u>4.14%</u>
		\$8,000,000.00	4.17%

Fixed, Negotiable & Tradeable

Certificates of Deposits

Commonwealth Bank	AA-	\$2,000,000.00	3.94%
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>4.07%</u>
		\$4,000,000.00	4.01%

Floating Rate Notes

Barclays Bank PLC – Australia	AA-	\$2,000,000.00	4.53%
Bendigo & Adelaide Bank Retail Bond	A-	\$2,000,000.00	4.50%
The Royal Bank of Scotland – Australia	A+	<u>\$2,000,000.00</u>	<u>5.41%</u>
		\$6,000,000.00	4.81%
Total Investments		<u>70,000,000.00</u>	<u>4.70%</u>

These funds were held as follows:

Reserves Total (includes unexpended loan funds)		\$30,294,008.93
Grants held for specific purposes		\$5,792,898.36
Section 94 Funds held for specific purposes		\$22,485,610.92
Unrestricted Investments – All Funds		\$11,427,481.79
General Fund	\$19,068.72	
Water Fund	\$2,174,543.01	
Sewer Fund	\$2,199,296.64	
Waste Fund	<u>\$7,114,573.42</u>	

Total Investments **\$70,000,000.00**

Total Interest Revenue to 31 May 2013 **\$3,115,868.92** **4.70%**

R Roach
Responsible Accounting Officer

Financial Implications: Interest received on investments has been included in the current budget.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.6

MINUTE

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

RESOLVED: That the information be noted.

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

Recommendation: That the information be noted.

Report: Bathurst Regional Council has in place the Bathurst 2036 Community Strategic Plan which aims to inform the community about the major directions and programs Council is undertaking in shaping the future of the Bathurst Region. These directions are summarised as objectives and strategies in Part VI of the Community Strategic Plan which was adopted by Council on 20 February 2013. The Plan is available for viewing at the council offices at 158 Russell Street or can be downloaded from the Public Documents section of Council's website, www.bathurst.nsw.gov.au. Shown at **attachment 1** is a listing of the Objectives and Strategies from the Bathurst 2036 Community Strategic Plan.

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

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

Fines or penalty notices this month - Nil.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That the information be noted.

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

Recommendation: That the information be noted.

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 May 2013.

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

Section 356:	\$0.00
BMEC Community use:	\$0.00
Mount Panorama :	\$0.00

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: Cr B Bourke SECONDED: Cr G Hanger

RESOLVED: That the information be noted.

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.

- BRC Purchase from Fitzpatrick PM - Part 71 Dunkeld Road - Lot 1 DP1161907 - Transfer.
- BRC Purchase from Anglican Property Trust Diocese of Bathurst - Lot 67 DP1177441 - Transfer.
- BRC Purchase from Lasky AJ - Part 453 Conrod Straight, Mount Panorama - Lot 11 DP1180626 - Transfer.
- BRC Vendor - Bennett KA - Ophir Road, Black Forest - Lot 9,10,11,12 DP1175514 - Transfer.
- BRC Vendor - Hazelton HR & JE - Mount Horrible, Limekiln - Lot 15 DP1181259 - Transfer.
- Booth T - Swanbrooke Street - Lot 912, DP1170287 - Transfer.
- Community Opportunity Shop Inc - 8 Lions Club Drive - Lot 6, DP608111 - In House Licence Agreement.
- Turnbull S - Corner Commonwealth, Morrissett Street - Lot 1, Section 56, DP995205 and Patna Street Lot 1, DP1007963 - In House Licence Agreement.
- Hotham C - 4040 O'Connell Road - Lot 3 DP1127323 - Part Lot 1007, DP1168702, Lot 1 DP624336 - In House Licence Agreement.
- McIntosh McPhillamy Pty Ltd Services T/A McIntosh McPhillamy & Co - Conveyancing Agreement.
- Kenny Spring Solicitors - Conveyancing Agreement.

Linen Plan Release

- Ratsep/Ashley & Mockler - Two Lot Rural Subdivision - Boundary Adjustment, 3664 O'Connell Road, Brewongle.
- BRC/Renmeul Pty Ltd & Ross Aviation Service - Boundary Adjustment, Lots 33 & 34 DP1151799, Bathurst Aerodrome.
- BRC/Rowland - 2 Lot Subdivision & Boundary Adjustment, 6 Bridge Street, Perthville.
- BRC/Etcell - 2 Lot Subdivision & Boundary Adjustment, 43 Bathurst Street, Perthville.

- **Financial Implications:** Nil.

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

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

MINUTE

- 19 **Item 4 POWER OF ATTORNEY (11.00007)**
MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That the information be noted.

5 2015 BICENTENNIAL MONUMENT/PUBLIC ART DESIGN MODEL (22.00153)

Recommendation: For Council's consideration.

Report: As part of Council's 2015 Bicentennial Celebrations expressions of interest (EOI) have been sought for a monument or public art design to commemorate the Bicentennial of Bathurst. The design submitted by Bialowas & Associates P/L was the successful design and approved by Council at the ordinary meeting held 20 March (Confidential item 12, Director Corporate Services & Finance Confidential Report 20 March 2013)

Mr Bialowas has presented to the 2015 Bicentennial Celebrations Committee the opportunity to create a model of his successful design which can be placed on public display. The cost to create the model is \$3,900 + GST.

The purpose of this report is to seek direction from Council as whether to proceed with the construction of the model.

Financial Implications: Council has allocated \$250,000 in the 13/14 budget for 2015 Bicentennial Celebration activities.

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

20 Item 5 2015 BICENTENNIAL MONUMENT/PUBLIC ART DESIGN MODEL
(22.00153)

MOVED: Cr G Rush SECONDED: Cr J Jennings

RESOLVED: That Council engage Mr Bialowas to construct a model of his design, to go on public display at a cost of \$3,900 plus GST.

6 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN 2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)

Recommendation: That Council consider the submissions individually.

Report: Council has had the Draft Bathurst 2017 – 4 year Delivery Plan 2013-2017 and Annual Operating Plan 2013/2014 (Draft Bathurst 2013 Plan) on exhibition for the required period of 28 days.

Council has received a number of submissions in relation to the Draft Bathurst 2017 Plan. Submissions were made on various matters and are detailed below for Councillors information.

(a) Aerodrome Charges

Recommendation: That Council amend the Revenue Policy Rec. Code: 010 Aerodrome Landing Charges to include a flat fee of \$7.00, including GST per landing for aircraft under 2 Tonne.

Report: Council's advertised Revenue Policy includes under Item 2 of Rec. Code 010 a description that all aircraft up to 2000 kgs will not be required to pay a landing fee.

Council needs to amend this Revenue Policy to reflect a new landing charge for aircraft under 2 Tonnes, at a flat rate of \$7.00 per landing.

Financial Implications:

If Council adopts this recommendation, there will be additional income from landing fees for aircraft in this Category.

(b) Parks and Recreation

Recommendation: That Council amend its Revenue Policy Rec. Code 700 Use of Parks and Reserves for Bootcamps and the like, by reducing the fee from \$20.00 per usage to \$10.00 per usage.

Report: Council received various representations from the community regarding these fees and after reviewing the \$20 fee originally proposed, it was found to be excessive. It is recommended that the \$20 per use per site fee be reduced to \$10 per use per site.

Financial Implications:

If Council adopts this recommendation, there will be a reduction in the Estimated Revenue for the Hire of Council's Recreation Facilities.

(c) Submission from Mr G A Crisp

Recommendation: That Council not amend its Bathurst 2017 Plan in respect of the submission received from Mr G A Crisp.

Report: Council has received submission from Mr G A Crisp in respect to the Bathurst

2017 Plan. The submission includes:

1. Can reliance be placed upon the information contained in the Plan?
 - (a) Has regard been had to the prevailing economic factors;
 - (b) Changes in Government Policy;
 - (c) Competence and Probity of the Senior Officers;
 - (d) Deliberate lying to Council, the Division of Local Government and the ICAC;
 - (e) Conclusions as to the reliability of the information
 - (i) The necessity for an increase in the water charges.
 - (II) The Old TAFE Building
 - (iii) The need for a new Civic Centre?
- Conclusions as to the adequacy of Management Plan.

Full details shown as **attachment 1**.

Financial Implications:

If Council adopts this recommendation, there will be no alteration to the Draft Bathurst 2017 Plan as a result of this submission.

(d) Swimming Pool Inspection Fees

Recommendation: That Council:-

- (a) introduce an Inspection and Certificate of Compliance Fee of \$150 for the first inspection plus \$100 for any additional inspections (maximum of \$250) for swimming pool inspection fees;
- (b) A fee of \$10 be introduced if Council register a swimming pool on the owner's behalf.

Report: Council has received information that following a recent gazettal of the Swimming Pools Regulation that fees are to be regulated.

The actual fees are set by regulation and are as recommended in this report.

Council's memo is shown as **attachment 2**.

Financial Implications:

If Council adopts this recommendation, there will be an increase in Council's Revenue for Swimming Pool Inspection Fees.

(e) Keppel Street Redevelopment

Recommendation: That Council's Bathurst 2017 Plan be amended to include an amount of \$40,000 for the development of a Management Plan for the redevelopment of Keppel Street, Bathurst.

Report:

Council has, for many years, completed various stages of the CBD Beautification

program. The Keppel Street shopping area was not included in this original program.

It is appropriate that a Management Plan now be developed for the Keppel Street area.

By including funds within the Budget, this will allow for the preparation in the Management Plan for the redevelopment of Keppel Street to commence. (see **attachment 3**).

Financial Implications:

If Council adopts this recommendation, it can be funded from the current estimated surplus of approx. \$50,000. By applying \$40,000 for the redevelopment of Keppel Street, this would leave approx. \$10,000 as a surplus.

(f) Bathurst District Sport and Recreation Council

Recommendation: That Council not amend its Bathurst 2017 Plan in respect of the submission received from the Bathurst District Sport and Recreation Council.

Report: Council has received a submission from the Bathurst District Sport and Recreation Council requesting their grant funding be reviewed from an amount of \$20,000 to \$30,000. The Bathurst District Sport and Recreation Council submission is shown at **attachment 4**.

Due to constraints in this year's Budget, no increase in funding is available.

Financial Implications:

If Council adopts this recommendation, there will be no alteration to the Draft Bathurst 2017 Plan as a result of this submission.

(g) Library Revenue Policy

Recommendation: That Council amend its Bathurst 2017 Plan (Revenue Policy) in respect to the charges of photocopying by reducing the internet print-out costs from \$0.55 per print to \$0.20 per print.

Report: The Revenue Policy has an item for Internet print outs at a cost of \$0.55 cents per print out. That price was originally set when the Library was required to have separate printers for each Internet computer. Due to the changes in technology, print outs are now completed through photocopiers which only cost 20 cents per sheet. It is therefore recommended that Internet printing be set at a cost of \$0.20 cents per print out, the same as photocopying.

Financial Implications:

If Council adopts this recommendation, there will be a small reduction in the Sundry Income for the Library in the Draft Bathurst 2017 Management Plan.

(h) Variation to Section 356 Budget

Recommendation: That Council increase the Section 356 Budget from \$20,000 to \$30,000.

Report: Following representations, it is recommended that there be an increase to the Section 356 Budget from \$20,000 to \$30,000.

Councillors have already allocated \$15,000 of the allotted \$20,000 and in order to cater for additional requests throughout the year, it is recommended that an additional \$10,000 be put in the Budget to cater for these requests.

Financial Implications:

If Council adopts this recommendation, this would be funded from the current surplus of approx. \$10,000. This will result in a balanced Budget being adopted by Council.

(i) **Water Charges – Proposed Increase**

Recommendation: That Council not amend its Bathurst 2017 Plan in respect of the submission received from Mr Tim Hector.

Report: A submission was received from Mr Tim Hector in regards to the proposed water pricing increases. The submission from Mr Tim Hector is shown at **attachment 5**.

During the preparation of the Draft Bathurst 2017 Plan, Councillors considered pricing increases on water and have received extensive reports relating to the result of price increases for water.

Financial Implications:

If Council adopts this recommendation, there will be no alteration to the Draft Bathurst 2017 Plan as a result of this submission.

(j) **Sewerage Access Charge**

Recommendation: That Council not amend its Bathurst 2017 Plan for 2014 in respect of the submission received by Mr Ray Carter.

Report: Council has received a submission by Mr Ray Carter in relation to service access charges at his properties. Mr Carter has requested Council to review each of the access charges that relate to his 12 properties. Council has reviewed these access charges and has found that they reflect a cost recovery on each of the services. Council's Sewer Fund is based on Council recovering its operation costs by way of income received from sewerage access charges together with income from usage charges.

Mr Carter's main contention is the access charge. Council uses the method shown in NSW Government's Best Practice Management of Water Supply and Sewerage Guidelines at *Section 4.2.2 Non- Residential* and *Section 4.4.1 Sewerage Pricing Structure*. Mr Carter acknowledges this in his submission at Attachment F.

Council's calculation of the sewerage access charge has been reviewed by the Minister for Water and Utilities in 2004 and the Minister for Water in 2009. Both Ministers have supported Council's approach as "responsible" and "appropriate". Mr Carter's submission at Attachments E & D respectively acknowledged this approach.

Mr Carter's submission is shown at **attachment 6**.

Financial Implications:

If Council adopts this recommendation, there will be no alteration to the Draft Bathurst 2017 Plan as a result of this submission.

(k) Waste Management Levy

Recommendation: That Council not amend its Bathurst 2017 Plan in respect of the submission received from Pac Of Trash.

Report: Council has received a request from Pac Of Trash operated by Mr John Paton, requesting Council to review the current proposal to increase the tonnage charge for delivery of waste to the Waste Management Centres from \$75 per tonne to \$90 per tonne. Council has set the fee at \$90 per tonne to reflect a cost recovery of waste that is deposited in Council's Waste Management Centre and is based on revenue neutral. Pac Of Trash submission is shown at **attachment 7**.

Mr Paton provides a very important service for the rural community surrounding Bathurst. It is recommended that further discussions are held with Mr Paton in regards to the proposed increase to fees.

Financial Implications:

If Council adopts this recommendation, there will be no alteration to the Draft Bathurst 2017 Plan as a result of this submission.

(l) Airport Charges

Recommendation: That Council amend the Revenue Policy Rec. Code: 010 Aerodrome Landing Charges for Regular Public Transport fees and charges for 2013/2014 as follows:

Regular Public Transport	2013/2014	Pricing Category
Per Passenger Embarking and Disembarking (AVTUR Aircraft only) Bathurst to Sydney	\$14	1
Per Passenger Embarking and Disembarking (AVTUR Aircraft Only) Bathurst to Sydney - discounted	\$7	1

head tax applicable to entry level fares		
Per Passenger Embarking and Disembarking (AVTUR Aircraft Only) Other Destinations	\$8	1

Report: The submissions below raise concerns about the level of annual landing charges for use of the Aerodrome, the basis on which the aerodrome recovers costs and proposed lease revenues.

The Aerodrome's current pricing policy is:

Category 1 - Full cost Recovery

Recovery of all direct and indirect costs associated with providing a service, including in some cases, making provision for future capital expenditure.

Infrastructure Recent Improvements

Over recent years the following improvements have been carried out at the Aerodrome.

2002/2003	Construction of new terminal building	\$490,000
2003/2004	Pavement repair Security fence	\$72,000 \$3,000
2004/2005	Pavement repair / rehab	\$114,000
2005/2006	Security upgrade Terminal upgrades	\$162,000 \$15,000
2007/2008	Pavement repair / rehab	\$195,000
2008/2009	Pavement repair / rehab	\$76,000
2009/2010	Taxiway Alpha pavement upgrade and seal	\$120,000
2010/2011	Aerodrome Lighting System	\$420,000
TOTAL:		\$1,667,000

Infrastructure - Future Capital Works

The Aerodrome Asset management Plan identifies a number of capital replacement and upgrades for the future. The main runway 17/35 is of principal concern. The most recent reseal was undertaken in 1993.

The runway pavement which is 1706 metres long and 30 metres wide, was reconstructed in 1966 for a F27 design aircraft and is now approaching the end of its useful life. Significant heavy patching of approximately 4500 square metres (of a total pavement area of 51,000 square metres) of the runway was completed in 2006,

however, now is itself subject to regular repairs. The expected cost for a runway rehabilitation has been estimated in the sum of \$1,923,000.

It should be stressed that there are no immediate concerns with the structural capacity of the runway. However, it is expected that within the next five years that reconstruction, with a suitable strength and tyre pressure increase, will be required.

The Asset Management Plan also identifies further work (including reconstruction of runway 17/35) which may be required to be carried out at the Bathurst Aerodrome upon growth of the facility, as shown in the table below:

No.	Description of Work	Financial Year	Estimated Cost
1	Additional road cul-de-sac to service additional hangar (Taxiway Foxtrot)	2011/12	\$275,000
2	Extension of Taxiway Charlie and construction of Taxiway Foxtrot	2012/13	\$217,000
3	Reconstruction of main runway 17/35	2013/14	\$1,923,000
4	Secondary Taxiway from Taxiway Alpha to end Rwy 35	2013/14	\$360,000
5	Apron Parking Upgrade	2014/15	\$235,000
6	Runway 08/26 pavement rehabilitation and seal	2015/16	\$1,996,000
7	Aircraft tie-downs	2016/17	\$56,000
8	Secondary Taxiway from Taxiway Alpha to 08/26	2017/18	\$626,000
		TOTAL:	\$5,688,000

The schedule above provides details of proposed timelines contained in the Asset Management Plan. Clearly these will not be met, nor can all be funded at this time.

The proposed pricing regime is intended to ensure the viability of the aerodrome and is based on the aerodrome operating as a cost recovery service.

The main sources of revenue for the operation of the aerodrome are:

	2011/12 Actual	2011/12 %	2012/13	2012/13 %
--	----------------	-----------	---------	-----------

	\$		Forecast	
Regional Express	217,071	60.0%	240,618	60.1%
Avdata	36,661	10.1%	53,000	13.2%
Annual Fees	19,291	5.3%	19,969	5.0%
Leases/Rents	86,729	24.0%	85,602	21.4%
Miscellaneous	2,230	0.6%	1,098	0.3%
Total:	361,982		400,287	

In regards to annual landing charges (for aircraft under 2,000 kg MTOW), the Revenue Policy contains a proposal to move the annual landing charge for private use aircraft from \$361 per annum to \$500 per annum. This amount is less than \$10 per week for all year use of the airstrip, taxiways, etc.

In terms of commercial operators the proposal is to move the annual landing charge (for aircraft under 2000 kg mtow) for commercial use aircraft from \$361 per annum to \$1,500 per annum. This amounts to less than \$29 per week for all year use of the airstrip, taxiways etc.

It is further proposed that aircraft in the range of 2000kg mtow to 5000 kg mtow will revert to the Avdata tonnage weight system

In regards to leases, the forward projections cater for the bringing on line of more hangar space, subject to capital funding. A number of the submissions have referenced concerns at proposed lease fee increases. Lease charges are calculated based on either existing lease conditions agreed to, or having regard to market rates.

If the projected revenues from new hangars, is deducted from income flows, it is estimated lease fees will increase in the period 2012/13 to 2015/16 by 22.8%, ie around 7% - 8% per annum.

The following is noted in terms of the submissions

(i) David Scott (shown at attachment 8)

Expresses concern at annual landing charge going from \$361 to \$500 per annum. For the period 2009/2010 to 2011/12 the Avdata system records 109 landings for VH-BLF at \$10 per landing, this would equate to \$1090 or \$363 per annum.

The proposed runway works are not an improvement, they are rehabilitation works to maintain current service levels.

Council is looking at introducing a charge for itinerant aircraft, the proposal at Submission (a) - Aerodrome charges above seeks to address this matter.

(ii) Smartair (shown at attachment 9)

Expresses concern at the proposed increase in annual landing charges. Smartair operates commercial aircraft that will be subject to the proposed commercial rate of \$1500 per annum and accordingly will be impacted by the proposed changes.

(iii) Bathurst Aero Club Ltd (shown at [attachment 10](#))

Expresses concern at the proposed classification of their aircraft VH-BAC as commercial. The classification was based on a response from the Aero club to a Council survey, that the plane was used for commercial purposes. Based on the advice now received the plane will be classified private. The impact, based on proposed annual landing charges, will be a movement from \$361 per annum to \$500.

(iv) John Wilson (shown at [attachment 11](#))

Raises concerns about proposed annual landing charges. In regards to the issues raised the following is noted:

- The proposed runway rehabilitation is not an upgrade.
- Mr Wilson's charge is proposed to move from \$361 per annum to \$500 per annum.
- All aerodrome costs are not paid by the small local aviation industry. Refer to earlier data table, REX funds 60% aerodrome costs, local annual landing charges currently represent around 5% of current revenues.
- Administrative charges level, appears to refer to the level of \$107,995 in 2012/13, traditionally the amount is around \$8,000. The high level in 2012/13 reflects an allowance of \$100,000 for the development of an aerodrome masterplan and associated documentation.

(v) Neil Meulman (shown at [attachment 12](#))

The following comments regarding concerns raised are provided:

- The runway works that are needed are not an upgrade, it is rehabilitation of an existing service level.
- Dr Meulman's aircraft is classified private, the annual landing charge will go from \$361 to \$500 per annum.
- REX is paying 60% of current revenues and agreed to a charge increase last year.

(vi) Aerowork Bathurst (Mr Renshaw) (shown at [attachment 13](#))

Concerns expressed about cost recovery policy and proposed charges. The following comments are provided:

- Council has for a long time, had a policy of full cost recovery for the aerodrome. This is a matter for the Council in developing the revenue policy.
- At this time projected fee increases will not absorb the total cost of the aerodrome. Further reviews of cost and revenue options will need to be ongoing.
- Proposed runway works are to maintain the current service levels, it is not an upgrade.
- REX currently pay 60% of revenues, annual landing charges contribute 5%. It is anticipated annual landing charges will contribute around 8% - 10% by 2015/16.
- Orange currently lists the following annual fees, \$272 - Private and \$828.50 - Commercial. Cowra's Revenue Policy has an annual fee of \$538.10, which is not necessarily charged. Mudgee has an Avdata charge of \$12.27/T at

Bathurst the Avdata charge is \$16/T.

(vii) J Grahame - tiered charges (shown at [attachment 14](#))

Proposes a two tiered pricing regime (annual landing charges) for the aerodrome. This matter is the subject of a working party with the Aerodrome Users Group on 12 June 2013.

The proposal allows for CPI increases, and various discounts.

(viii) Central West Flying (C Stott) (shown at [attachment 15](#))

Concerning the implementation of charges for itinerant operators, recommends these be introduced to reduce pressures on financing.

The submission advises that Orange Council is proposing to implement the following charges:

Local aircraft: \$500 pa private; \$1,000 pa commercial (including schools)

Visiting aircraft: \$5/tonne/landing under 2000 kgs
\$11.30/tonne/landing over 2000 kgs

It is proposed, refer item (a) above, that a flat charge of \$7 be introduced to cover this issue.

(ix) M Antolovich (shown at [attachment 16](#))

Concerning proposed annual landing charges. The main issue is the proposed commercial - annual landing charge. In regards to the Aeroclub plan VH-BAC, it is proposed to classify the plane private which will see a fee variation of \$361 to \$500. The only reason it was listed initially as commercial as this is what the Aero Club advised in response to a Council survey.

(x) EIB Fly - two submissions (shown at [attachment 17 and attachment 18](#))

Concerning the increase in annual landing charges both private and commercial. The proposal would see the charge for EIB Fly go from \$361 pa to \$500 pa.

Whilst issues such as 'use of lighting' are raised, the facilities are available to all. As previously noted annual landing charges currently contribute around 5% of revenues whilst REX contributes around 60% and Avdata contributes around 10% - 13% of revenues.

In regard to possible sale of lease sites to tenants, this is a matter which will require further research and is not addressed at this time.

(xi) J Nicoll (shown at [attachment 19](#))

Supportive of Airport User Group submission for a two tiered pricing structure. Recommends sale of lease sites to tenants to enable capital funds to be raised and notes some low level improvements that could be implemented.

As noted above in regards to the sale of lease sites to tenants, this is a matter

which will require further research and is not able to be addressed at this time. For example, initial sales are projected in the submission to generate \$1 million. However, this does not allow for the connection to the sewerage system, which would be required if the land was subdivided. This is estimated to be around \$1 million.

(xii) Panorama Airways & Jet Chek (C Camilleri) (shown at [attachment 20](#))

A number of issues are raised, in the submission including: rents, landing fees and parking.

In regards to rent, this matter has previously been dealt with by Council, refer to DCSF Confidential #1 of 12 December 2012. It is proposed no further action occurs in regards to this matter.

In regards to Annual Landing Fees, it is proposed to introduce a fee for itinerant aircraft as suggested, refer to (i) above.

In terms of the Tigermoth (VH-PUI), it is proposed to charge on a 'private' basis for 12 months, and then review this classification at that time. The usage level in 2011/12 was 4 landings and for the first half of 2012/13 one landing was recorded.

Apron Parking is currently \$105 per month (this is not clear in the Revenue Policy) and will go to \$40 per week. The gross parking fee of \$20 (new charge) will apply on a weekly basis, there will be not pro-rata charge. This will generate revenue from users leaving planes in Council owned/controlled areas, whereas they currently pay no fee.

(xiii) Ward Air (shown at [attachment 21](#))

Objecting to increase in annual landing charges, in particular the commercial charges varying from \$361 pa to \$1500 pa. Concerns raised about future operations and employment.

Supportive of two tiered fee model proposed.

(xiv) Regional Express Holdings Ltd (shown at [attachment 22](#))

Concerning proposed fees (Head tax) in the Revenue Policy, which increases standard Passenger fees from \$14 to \$15, Discounted Head Tax fees from \$7 to \$8.50 and other destinations head tax going from \$8 to \$8.50.

Extensive discussions were held with REX in 2011 and 2012, which resulted in a substantial fee increase for 2012/13. The average head tax per passenger increased 37.5% due to these negotiations. It was not intended to apply an increase for 2013/14 given this increase, however this has inadvertently occurred in the Revenue Policy.

It is recommended that the fees and charges for 2013/14 for Regular Public Transport be set as follows:

Regular Public Transport	2013/2014	Pricing Category
Per Passenger Embarking and Disembarking (AVTUR Aircraft only) Bathurst to Sydney	\$14	1
Per Passenger Embarking and Disembarking (AVTUR Aircraft Only) Bathurst to Sydney - discounted head tax applicable to entry level fares	\$7	1
Per Passenger Embarking and Disembarking (AVTUR Aircraft Only) Other Destinations	\$8	1

(xv) Jon Grahame (shown at **attachment 23**)

Raising issues about proposed pricing structure for the aerodrome. Factors raised include; pricing policy basis, increase in annual landing charges (in particular commercial charges), economic and employment matters associated with the aerodrome and lease/rent charges.

As noted earlier Council has had a long time costing policy of full cost recovery for the aerodrome. The review into operations is based on this policy position.

The proposed runway works are not an upgrade, they are a rehabilitation to maintain existing service levels. The RPT operator currently provides approximately 60% of recurrent revenues, annual landing charges generate around 5% (to go to 8-10% 2015/16). Council is currently applying for a low interest (LIRS) loan from the State Government to assist in funding the runway rehabilitation, the result of this application is not yet known.

In terms of lease/rent charges, the forecast increase quoted of 273%, allows for approximately another 10,500 sqm of hangar space to be brought on line. Based on existing lease/rents it is anticipated rental increases will be around 22.8% over the period 2012/13 to 2015/16, that is 7% - 8% per annum.

Financial Implications:

If Council adopts this recommendation, there will be an alteration to the Draft Bathurst 2017 Plan as a result the change in the fees/charges for the Regular Passenger Transport (RPT) operations.

(m) Little Scallywags - Charges

Recommendation: That Council not amend its Bathurst 2017 Plan in relation to

charges at Little Scallywags.

Report: Council received submissions from employees. Submissions are shown at **attachment 24.**

Little Scallywags charges have been increased by 13% for next year to bring them in line with Scallywags charges. Previously Little Scallywags charges were lower than Scallywags charges because a meal is provided at Scallywags but no meal is provided at Little Scallywags. This situation has not changed. The reason for the increase is due to the cost structure of the smaller centre. Child care legislation is very specific about children to staff ratios and supervisory staff. Currently the ratio is one staff member to eight children but from 2016 there must be a supervisor plus a staff member for each five children. Fees must recover the cost of providing the service. The cost of the supervisor in a large centre is spread over a large number of children and in a small centre the same amount of cost is shared by a smaller number of children and is therefore a larger cost per child.

Financial Implications:

If Council adopts this recommendation, there will be no alteration to the Draft Bathurst 2017 Plan as a result of this submission.

Financial Implications: If Council adopts this recommendation, there will be no alteration to the Draft Bathurst 2017 Plan as a result of these submissions.

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

21 Item 6 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)

MOVED: Cr B Bourke SECONDED: Cr I North

RESOLVED: That Council consider the submissions individually.

MINUTE

**22 Item 6.01 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr M Coote SECONDED: Cr I North

(a) Aerodrome Charges

RESOLVED: That Council amend the Revenue Policy Rec. Code: 010 Aerodrome Landing Charges to include a flat fee of \$7.00, including GST per landing for aircraft under 2 Tonne.

MINUTE

**23 Item 6.02 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr I North SECONDED: Cr B Bourke

(b) Parks and Recreation

RESOLVED: That Council not amend its Revenue Policy Rec. Code 700 Use of Parks and Reserves for Bootcamps and the like.

MINUTE

**24 Item 6.03 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr I North SECONDED: Cr M Coote

(c) Submission from Mr G A Crisp

RESOLVED: That Council not amend its Bathurst 2017 Plan in respect of the submission received from Mr G A Crisp.

MINUTE

**25 Item 6.04 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr M Coote SECONDED: Cr G Hanger

(d) Swimming Pool Inspection Fees

RESOLVED: That Council:-

- (a) introduce an Inspection and Certificate of Compliance Fee of \$150 for the first inspection plus \$100 for any additional inspections (maximum of \$250) for swimming pool inspection fees
- (b) A fee of \$10 be introduced if Council register a swimming pool on the owner's behalf.

MINUTE

**26 Item 6.05 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr J Jennings SECONDED: Cr I North

(e) Keppel Street Redevelopment

RESOLVED: That Council's Bathurst 2017 Plan be amended to include an amount of \$40,000 for the development of a Management Plan for the redevelopment of Keppel Street, Bathurst.

MINUTE

**27 Item 6.06 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr G Hanger SECONDED: Cr M Coote

(f) Bathurst District Sport and Recreation Council

RESOLVED: That Council not amend its Bathurst 2017 Plan in respect of the submission received from the Bathurst District Sport and Recreation Council.

MINUTE

**28 Item 6.07 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr B Bourke SECONDED: Cr G Westman

(g) Library Revenue Policy

RESOLVED: That Council amend its Bathurst 2017 Plan (Revenue Policy) in respect to the charges of photocopying by reducing the internet print-out costs from \$0.55 per print to \$0.20 per print.

MINUTE

**29 Item 6.08 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr I North SECONDED: Cr G Rush

(h) Variation to Section 356 Budget

RESOLVED: That Council increase the Section 356 Budget from \$20,000 to \$30,000.

MINUTE

**30 Item 6.09 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr G Westman SECONDED: Cr M Coote

The following MOTION was MOVED

(i) Water Charges – Proposed Increase

That Council not amend its Bathurst 2017 Plan in respect of the submission received from Mr Tim Hector.

MINUTE

31 **Item 6.1 EXTENSION OF TIME (16.00135)**
MOVED: Cr G Westman SECONDED: Cr B Bourke

RESOLVED: That an extension of time be granted to Cr North for Minute #30 in accordance with Clause 250(3) of the Local Government (General) Regulation.

MINUTE

32 **Item 6.2 EXTENSION OF TIME (16.00135)**
MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That an extension of time be granted to Cr Aubin for Minute #30 in accordance with Clause 250(3) of the Local Government (General) Regulation.

MINUTE

**33 Item 6.3 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr G Westman SECONDED: Cr M Coote

(i) Water Charges – Proposed Increase

RESOLVED: That Council not amend its Bathurst 2017 Plan in respect of the submission received from Mr Tim Hector.

MINUTE

**34 Item 6.4 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr G Westman SECONDED: Cr M Coote

(j) Sewerage Access Charge

RESOLVED: That Council not amend its Bathurst 2017 Plan for 2014 in respect of the submission received from Mr Ray Carter.

MINUTE

**35 Item 6.5 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr G Westman SECONDED: Cr W Aubin

(k) Waste Management Levy

RESOLVED: That Council not amend its Bathurst 2017 Plan in respect of the submission received from Pac Of Trash.

MINUTE

36 Item 6.6 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN 2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)

MOVED: Cr I North SECONDED: Cr M Coote

(I) Airport Charges

RESOLVED: That Council amend the Revenue Policy Rec. Code: 010 Aerodrome Landing Charges for 2013/2014 as follows:

Regular Public Transport	2013/2014	Pricing Category
Per Passenger Embarking and Disembarking (AVTUR Aircraft only) Bathurst to Sydney	\$14	1
Per Passenger Embarking and Disembarking (AVTUR Aircraft Only) Bathurst to Sydney - discounted head tax applicable to entry level fares	\$7	1
Per Passenger Embarking and Disembarking (AVTUR Aircraft Only) Other Destinations	\$8	1
Annual Charges	2012/2014	Pricing Category
Commercial Locally Based Aircraft (aircraft considered by Council to be permanently based at Bathurst Aerodrome) up to 2000kg MTOW are to pay an Annual Charge of	\$800	1
Non Commercial Locally Based Aircraft (aircraft considered by Council to be permanently based at Bathurst Aerodrome) up to 2000kg MTOW are to pay an Annual Charge of	\$400	1
Locally Based Non Commercial Aircraft	To pay charge as listed at charge line B - Other	1

(aircraft considered by Council to be permanently based at Bathurst Aerodrome and not paying AVDATA) over 2000kg MTOW are to pay an Annual Charge of	Aircraft (over 2000kg MTOW)	
--	-----------------------------	--

MINUTE

**37 Item 6.7 SUBMISSIONS - DRAFT BATHURST 2017 PLAN - DELIVERY PLAN
2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)**

MOVED: Cr G Westman SECONDED: Cr W Aubin

(m) Little Scallywags - Charges

RESOLVED: That Council not amend its Bathurst 2017 Plan in relation to charges at Little Scallywags.

7 BATHURST 2017 DELIVERY PLAN 2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)

Recommendation: That, following consideration of the submissions received by Council, the Bathurst 2017 Delivery Plan 2013 - 2017 and Annual Operating Plan 2013/2017 (Draft Bathurst 2017 Plan) be adopted as the Bathurst Regional Council Delivery Plan and Annual Operating Plan, subject to the inclusion of any amendment adopted as a result of the submissions received, and all expenditure and income items incorporated in the Operating Plan 2013/2014 be voted.

Report: The Draft Bathurst 2017 Plan has been advertised for the statutory 28 days and thirteen (13) submissions were received by the end of the submission period.

Council considered these submissions in the previous report (DCSF #6 of 19 June 2013) and any adjustment to the Draft Bathurst 2017 Plan adopted at that item will now have to be included in the formal adoption of the Plan.

Financial Implications: The Bathurst 2017 Plan is the budget of the Bathurst Regional Council for the 2013/2014 financial year.

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

38 Item 7 BATHURST 2017 DELIVERY PLAN 2013-2017 AND ANNUAL OPERATING PLAN 2013/2014 (16.00135)

MOVED: Cr M Coote SECONDED: Cr J Jennings

RESOLVED: That, following consideration of the submissions received by Council, the Bathurst 2017 Delivery Plan 2013 - 2017 and Annual Operating Plan 2013/2017 (Draft Bathurst 2017 Plan) be adopted as the Bathurst Regional Council Delivery Plan and Annual Operating Plan, subject to the inclusion of any amendment adopted as a result of the submissions received, and all expenditure and income items incorporated in the Operating Plan 2013/2014 be voted.

8 2013/2014 REVENUE POLICY (16.00135)

Recommendation: That, following consideration of the submissions received by Council, the Revenue Policy for 2013/2014, as presented to Council, be adopted as the Bathurst Regional Council 2013/2014 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

Report: Council's Revenue Policy for 2013/2014 has been advertised for the statutory 28 days and submissions considered by Council.

Included in this year's Plan is the provision of six waste management vouchers consisting of three (3) x Mixed Refuse Vouchers of 200kg each and three (3) x Green Waste Vouchers of 200kg each. It is proposed that this service continue for ratepayers as part of issuing of rates and charges during 2013/2014.

Financial Implications: The 2013/2014 Revenue Policy sets out the fees and charges for Council services for the 2013/2014 financial year. These fees and charges assist Council to achieve its budgeted income for the year.

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

39 Item 8 2013/2014 REVENUE POLICY (16.00135)
MOVED: Cr I North SECONDED: Cr G Westman

RESOLVED: That, following consideration of the submissions received by Council, the Revenue Policy for 2013/2014, as presented to Council, be adopted as the Bathurst Regional Council 2013/2014 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

9 2013/2014 RATE LEVY (16.00135)

Recommendation: That Council formally resolve to make the following rates and charges in relation to the 2013/2014 Rating Year.

- (a) ORDINARY RATES FOR 2013/2014 - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Bathurst 2017 Delivery Plan 2013-2017 and Annual Operating Plan 2013/2014 for the twelve months to 30 June 2014 was adopted by the Council on 19 June 2013 it is hereby recommended that:
1. a **Residential Rate** of zero point three one one six six seven (0.311667) cents in the dollar on the land value of all rateable land categorised as Residential in accordance with Section 516 of the Local Government Act, 1993 excepting those parcels of land sub-categorised as "Residential Town/Villages", AND THAT
 2. a **Residential Town/Villages Rate** of one point zero one seven seven four five (1.017745) cents in the dollar on the land value of all rateable land sub-categorised as Residential – Town/Villages, in accordance with Section 529(2) (b) of the Local Government Act, 1993, AND THAT
 3. a **Farmland Rate** of zero point two three seven three three five (0.237335) cents in the dollar on the land value of all rateable land categorised as Farmland in accordance with Section 515 of the Local Government Act, 1993, AND THAT
 4. a **Business Rate** of zero point four seven eight seven five six (0.478756) cents in the dollar on the land value of all rateable land categorised as Business in accordance with Section 518 of the Local Government Act, 1993, excepting those parcels of land sub-categorised as "Business Bathurst City", "Business Forest Grove", "Business Ceramic Avenue", "Business Eglinton Non-Urban", "Business Orton Park", "Business Stewarts Mount", "Business Evans Plains" AND THAT
 5. a **Business Bathurst City Rate** of one point nine nine two six five nine (1.992659) cents in the dollar on the land value of all rateable land sub-categorised as Business Bathurst City in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 6. a **Business Forest Grove Rate** of one point seven one nine nine five zero (1.719950) cents in the dollar on the land value of all rateable land sub-categorised as Business Forest Grove in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 7. a **Business Ceramic Avenue Rate** of one point seven one nine nine five zero (1.719950) cents in the dollar on the land value of all rateable land sub-categorised as Business Ceramic Avenue in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 8. a **Business Eglinton Non-Urban Rate** of one point seven one nine nine five zero (1.719950) cents in the dollar on the land value of all rateable land sub-categorised as Business Eglinton Non-Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 9. a **Business Orton Park Rate** of one point seven one nine nine five zero (1.719950) cents in the dollar on the land value of all rateable land

sub-categorised as Business Orton Park in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT

10. a **Business Stewarts Mount Rate** of one point seven one nine nine five zero (1.719950) cents in the dollar on the land value of all rateable land sub-categorised as Business Stewarts Mount in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
11. a **Business Evans Plains Rate** of one point seven one nine nine five zero (1.719950) cents in the dollar on the land value of all rateable land sub-categorised as Business Evans Plains in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
12. a **Mining Rate** of zero point three seven eight six nine six (0.378696) cents in the dollar on the land value of all rateable land categorised as Mining in accordance with Section 517 of the Local Government Act, 1993,

BE NOW MADE for the 2013/2014 Rating Year subject to the following Minimum and Base Amounts in accordance with Section 548 and Section 499 of the Local Government Act, 1993, AND THAT aggregation of values of certain parcels of land subject to a minimum or base amount in accordance with Section 548A of the Local Government Act, 1993, be permitted.

	Category	Minimum Amount	Base Amount	%Yield Base Amount
1	Residential		\$238.00	32
2	Residential/Town Village	\$346.00		
3	Farmland		\$321.00	23
4	Business	\$305.00		
5	Business Bathurst City	\$370.00		
6	Business Forest Grove	\$370.00		
7	Business Ceramic Avenue	\$370.00		
8	Business Eglinton Non-Urban	\$370.00		
9	Business Orton Park	\$370.00		
10	Business Stewarts Mount	\$370.00		
11	Business Evans Plains	\$370.00		
12	Mining		\$238.00	47

- (b) DOMESTIC WASTE MANAGEMENT CHARGES FOR 2013/2014 - That the annual charge for each parcel of rateable land where the service is available under Section 496 of the Local Government Act, 1993, for the weekly removal of garbage and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2013 being two hundred and thirty three dollars (\$233.00) for the provision of one waste mobile bin and one recycle mobile bin be made by the Council, and that the annual charge to be made for each parcel of rateable vacant land where the service is available under Section 496 of the Local Government Act, 1993, for the twelve months commencing 1 July 2013 being five dollars (\$5.00) be made by the Council and further that a charge where the service is provided under Section 496 of the Local Government Act, 1993, for each additional domestic waste collection service of one hundred and sixty one dollars (\$161.00) per mobile bin and for each additional fortnightly recycling collection service of seventy two dollars (\$72.00) per mobile bin be

made by the Council.

- (c) **WASTE MANAGEMENT SERVICE CHARGES FOR 2013/2014 (NON DOMESTIC)** – That the annual charge where the service is provided under Section 501/502 of the Local Government Act, 1993, for the weekly removal of garbage being one hundred and seventy seven dollars and ten cents (\$177.10) including GST per mobile bin and the fortnightly collection of material for recycling being seventy nine dollars and twenty cents (\$79.20) including GST per mobile bin for the twelve months commencing 1 July 2013 be made by the Council.

As a result of changes to GST Legislation, Waste Management Service Charges levied under Section 501 of the Local Government Act, are a taxable supply from 1 July 2013.

- (d) **WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2013/2014** -That the annual waste charge be levied for each rural rateable property that is outside of the waste collection area, Council provides access to rural transfers stations, under Section 501 of the Local Government Act, 1993, for the twelve months commencing 1 July 2013 being seventy four dollars and eighty cents (\$74.80) including GST be made by the Council.

As a result of changes to GST Legislation, Waste Management Service Charges levied under Section 501 of the Local Government Act, are a taxable supply from 1 July 2013.

- (e) **WASTE MANAGEMENT VOUCHERS** – That the Council provide to all rateable properties six waste management vouchers, consisting of 3 Mixed Refuse Vouchers of 200kg each and 3 Green Waste Vouchers of 200 kg each, at no charge.
- (f) **SEWERAGE CHARGES FOR 2013/2014** – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2013.
1. That the annual charge for single residential (including residential strata) and un-metered properties, be four hundred and fifty six dollars and zero cents (\$456.00).
 2. That the annual charge for vacant land be two hundred and eighty nine dollars and zero cents (\$289.00).
 3. That the annual access charges for non-residential and multiple residential properties are to be the total of the metered charges applicable to the property as shown in the table below multiplied by a sewerage discharge factor.

Size of Water Connection (mm)	Charge for 2013/2014
20	\$411.00
25	\$640.00
32	\$1050.00
40	\$1643.00

50	\$2568.00
65	\$4338.00
80	\$6571.00
100	\$10267.00
150	\$23102.00
Strata Properties (Each non-residential lot)	\$411.00
Assumption School	\$1285.00

- That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be one dollar and twenty five cents (\$1.25) per kilolitre of filtered water supplied multiplied by a sewerage discharge factor.

(g) SEWERAGE CHARGES -TRADE WASTE 2013/2014

That in accordance with Sections 501,503, 539, and 541 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2013.

- That the Annual Trade Waste Fee for individual businesses be ninety three dollars and ten cents (\$93.10).
- That the Annual Trade Waste Fee (Large Discharger) for individual business be six hundred and twenty two dollars and ten cents (\$622.10).
- That the Trade Usage Charge for non-residential properties be two dollars and zero cents (\$2.00) per kilolitre of filtered water supplied multiplied by a trade discharge factor.

(h) WATER CHARGES 2013/2014 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2013.

- That the annual water availability charges are to be the total of the metered charges applicable to the property as shown in the table below for:

Size of Water Connection (mm)	Charge for 2013/2014 \$
20	\$116.00
25	\$181.00
32	\$297.00
40	\$464.00
50	\$725.00
65	\$1225.00
80	\$1855.00
100	\$2898.00
150	\$6522.00

Hillview Water Supply	\$129.00
-----------------------	----------

2. That the minimum annual water availability charge for each unit within a Strata development be one hundred and sixteen dollars and zero cents (\$116.00).
3. That the annual water availability charge for vacant unconnected land be one hundred and sixteen dollars and zero cents (\$116.00).
4. That the annual water availability charge for unmetered or unconnected properties be six hundred dollars and zero cents (\$600.00).
5. That if water pressure at a property is less than 120 kpa, then a larger service may attract a charge of one hundred and sixteen dollars and zero cents (\$116.00).
6. That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for 2013/2014
Hillview Estate Water Supply	First 250 kl	\$1.80
	> 250 kl	\$3.60
Residential Filtered	First 250 kl	\$1.71
	> 250 kl	\$2.57
Residential Raw	First 250 kl	\$0.75
	> 250 kl	\$1.13
Other Filtered	First 250 kl	\$1.71
	> 250 kl	\$2.57
Other Raw	First 250 kl	\$0.75
	> 250 kl	\$1.13
Large Industrial Filtered	>0 kl	\$1.47
Large Industrial Raw	>0 kl	\$0.95
Community Clubs:	First 18,000 kl	\$0.67
Golf, Majellan & Bathurst Community Club	>18,000kl, <31,999kl	\$0.89
	>32,000kl	\$1.33
Strata Unit property	First 250 kl (for each unit)	\$1.71
	>250 kl (for each unit)	\$2.57
Home Dialysis – subject to doctors certificate	First 200 kl	Free
	200kl-250 kl	\$1.71
	>250 kl	\$2.57
Hospital	Allowance for daily average patients	Free
	Balance per KL	\$2.57

- (i) Included in this year's Bathurst 2017 Delivery Plan 2013-2017 and Annual Operating Plan 2013/2014 in the Water Fund are amounts for Operational expenditure at the Aquatic Centre. This is to be financed from revenue raised from the Water Fund as detailed in the Plan.
- (j) INTEREST ON OVERDUE RATES AND CHARGES FOR 2013/2014 – That in

accordance with Section 566 of the Local Government Act, 1993 Council charge interest on overdue rates at a rate of 9.0% per annum for the 12 month period commencing 1 July 2013 as advised by the Minister.

- (k) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 3.4%, a 5.0% increase in Sewer Charges, Waste Charges have been calculated on the basis of the reasonable cost of providing the service and Water Charges have been calculated on achieving a 25/75 basis (25% access charge and 75% usage charge) based on the Best Practice Guidelines introduced by the NSW Office of Water, August 2007.

Report: As per recommendation.

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

MINUTE

40 Item 9 2013/2014 RATE LEVY (16.00135) MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That Council formally resolve to make the following rates and charges in relation to the 2013/2014 Rating Year.

- (a) ORDINARY RATES FOR 2013/2014 - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Bathurst 2017 Delivery Plan 2013-2017 and Annual Operating Plan 2013/2014 for the twelve months to 30 June 2014 was adopted by the Council on 19 June 2013 the following rates are formally made:
1. a **Residential Rate** of zero point three one one six six seven (0.311667) cents in the dollar on the land value of all rateable land categorised as Residential in accordance with Section 516 of the Local Government Act, 1993 excepting those parcels of land sub-categorised as "Residential Town/Villages", AND THAT
 2. a **Residential Town/Villages Rate** of one point zero one seven seven four five (1.017745) cents in the dollar on the land value of all rateable land sub-categorised as Residential – Town/Villages, in accordance with Section 529(2) (b) of the Local Government Act, 1993, AND THAT
 3. a **Farmland Rate** of zero point two three seven three three five (0.237335) cents in the dollar on the land value of all rateable land categorised as Farmland in accordance with Section 515 of the Local Government Act, 1993, AND THAT
 4. a **Business Rate** of zero point four seven eight seven five six (0.478756) cents in the dollar on the land value of all rateable land categorised as Business in accordance with Section 518 of the Local Government Act, 1993, excepting those parcels of land sub-categorised as "Business Bathurst City", "Business Forest Grove", "Business Ceramic Avenue", "Business Eglinton Non-Urban", "Business Orton Park", "Business Stewarts Mount", "Business Evans Plains" AND THAT
 5. a **Business Bathurst City Rate** of one point nine nine two six five nine (1.992659) cents in the dollar on the land value of all rateable land sub-categorised as Business Bathurst City in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 6. a **Business Forest Grove Rate** of one point seven one nine nine five zero (1.719950) cents in the dollar on the land value of all rateable land sub-categorised as Business Forest Grove in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 7. a **Business Ceramic Avenue Rate** of one point seven one nine nine five zero (1.719950) cents in the dollar on the land value of all rateable land sub-categorised as Business Ceramic Avenue in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 8. a **Business Eglinton Non-Urban Rate** of one point seven one nine nine five zero (1.719950) cents in the dollar on the land value of all rateable land

sub-categorised as Business Eglinton Non-Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT

9. a **Business Orton Park Rate** of one point seven one nine nine five zero (1.719950) cents in the dollar on the land value of all rateable land sub-categorised as Business Orton Park in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
10. a **Business Stewarts Mount Rate** of one point seven one nine nine five zero (1.719950) cents in the dollar on the land value of all rateable land sub-categorised as Business Stewarts Mount in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
11. a **Business Evans Plains Rate** of one point seven one nine nine five zero (1.719950) cents in the dollar on the land value of all rateable land sub-categorised as Business Evans Plains in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
12. a **Mining Rate** of zero point three seven eight six nine six (0.378696) cents in the dollar on the land value of all rateable land categorised as Mining in accordance with Section 517 of the Local Government Act, 1993,

BE NOW MADE for the 2013/2014 Rating Year subject to the following Minimum and Base Amounts in accordance with Section 548 and Section 499 of the Local Government Act, 1993, AND THAT aggregation of values of certain parcels of land subject to a minimum or base amount in accordance with Section 548A of the Local Government Act, 1993, be permitted.

	Category	Minimum Amount	Base Amount	%Yield Base Amount
1	Residential		\$238.00	32
2	Residential/Town Village	\$346.00		
3	Farmland		\$321.00	23
4	Business	\$305.00		
5	Business Bathurst City	\$370.00		
6	Business Forest Grove	\$370.00		
7	Business Ceramic Avenue	\$370.00		
8	Business Eglinton Non-Urban	\$370.00		
9	Business Orton Park	\$370.00		
10	Business Stewarts Mount	\$370.00		
11	Business Evans Plains	\$370.00		
12	Mining		\$238.00	47

- (b) DOMESTIC WASTE MANAGEMENT CHARGES FOR 2013/2014 - That the annual charge for each parcel of rateable land where the service is available under Section 496 of the Local Government Act, 1993, for the weekly removal of garbage and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2013 being two hundred and thirty three dollars (\$233.00) for the provision of one waste mobile bin and one recycle mobile bin be made by the Council, and that the annual charge to be made for each parcel of rateable vacant land where the service is available under Section 496 of the Local Government Act, 1993, for the twelve months

commencing 1 July 2013 being five dollars (\$5.00) be made by the Council and further that a charge where the service is provided under Section 496 of the Local Government Act, 1993, for each additional domestic waste collection service of one hundred and sixty one dollars (\$161.00) per mobile bin and for each additional fortnightly recycling collection service of seventy two dollars (\$72.00) per mobile bin be made by the Council.

- (c) **WASTE MANAGEMENT SERVICE CHARGES FOR 2013/2014 (NON DOMESTIC) –** That the annual charge where the service is provided under Section 501/502 of the Local Government Act, 1993, for the weekly removal of garbage being one hundred and seventy seven dollars and ten cents (\$177.10) including GST per mobile bin and the fortnightly collection of material for recycling being seventy nine dollars and twenty cents (\$79.20) including GST per mobile bin for the twelve months commencing 1 July 2013 be made by the Council.

As a result of changes to GST Legislation, Waste Management Service Charges levied under Section 501 of the Local Government Act, are a taxable supply from 1 July 2013.

- (d) **WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2013/2014** -That the annual waste charge be levied for each rural rateable property that is outside of the waste collection area, Council provides access to rural transfers stations, under Section 501 of the Local Government Act, 1993, for the twelve months commencing 1 July 2013 being seventy four dollars and eighty cents (\$74.80) including GST be made by the Council.

As a result of changes to GST Legislation, Waste Management Service Charges levied under Section 501 of the Local Government Act, are a taxable supply from 1 July 2013.

- (e) **WASTE MANAGEMENT VOUCHERS –** That the Council provide to all rateable properties six waste management vouchers, consisting of 3 Mixed Refuse Vouchers of 200kg each and 3 Green Waste Vouchers of 200 kg each, at no charge.
- (f) **SEWERAGE CHARGES FOR 2013/2014 –** That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2013.
1. That the annual charge for single residential (including residential strata) and un-metered properties, be four hundred and fifty six dollars and zero cents (\$456.00).
 2. That the annual charge for vacant land be two hundred and eighty nine dollars and zero cents (\$289.00).
 3. That the annual access charges for non-residential and multiple residential properties are to be the total of the metered charges applicable to the property as shown in the table below multiplied by a sewerage discharge factor.

Size of Water Connection (mm)	Charge for 2013/2014
20	\$411.00
25	\$640.00

32	\$1050.00
40	\$1643.00
50	\$2568.00
65	\$4338.00
80	\$6571.00
100	\$10267.00
150	\$23102.00
Strata Properties (Each non-residential lot)	\$411.00
Assumption School	\$1285.00

- That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be one dollar and twenty five cents (\$1.25) per kilolitre of filtered water supplied multiplied by a sewerage discharge factor.

(g) SEWERAGE CHARGES -TRADE WASTE 2013/2014

That in accordance with Sections 501,503, 539, and 541 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2013.

- That the Annual Trade Waste Fee for individual businesses be ninety three dollars and ten cents (\$93.10).
- That the Annual Trade Waste Fee (Large Discharger) for individual business be six hundred and twenty two dollars and ten cents (\$622.10).
- That the Trade Usage Charge for non-residential properties be two dollars and zero cents (\$2.00) per kilolitre of filtered water supplied multiplied by a trade discharge factor.

(h) WATER CHARGES 2013/2014 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2013.

- That the annual water availability charges are to be the total of the metered charges applicable to the property as shown in the table below for:

Size of Water Connection (mm)	Charge for 2013/2014 \$
20	\$116.00
25	\$181.00
32	\$297.00
40	\$464.00
50	\$725.00

65	\$1225.00
80	\$1855.00
100	\$2898.00
150	\$6522.00
Hillview Water Supply	\$129.00

2. That the minimum annual water availability charge for each unit within a Strata development be one hundred and sixteen dollars and zero cents (\$116.00).
3. That the annual water availability charge for vacant unconnected land be one hundred and sixteen dollars and zero cents (\$116.00).
4. That the annual water availability charge for unmetered or unconnected properties be six hundred dollars and zero cents (\$600.00).
5. That if water pressure at a property is less than 120 kpa, then a larger service may attract a charge of one hundred and sixteen dollars and zero cents (\$116.00).
6. That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for 2013/2014
Hillview Estate Water Supply	First 250 kl	\$1.80
	> 250 kl	\$3.60
Residential Filtered	First 250 kl	\$1.71
	> 250 kl	\$2.57
Residential Raw	First 250 kl	\$0.75
	> 250 kl	\$1.13
Other Filtered	First 250 kl	\$1.71
	> 250 kl	\$2.57
Other Raw	First 250 kl	\$0.75
	> 250 kl	\$1.13
Large Industrial Filtered	>0 kl	\$1.47
Large Industrial Raw	>0 kl	\$0.95
Community Clubs:	First 18,000 kl	\$0.67
Golf, Majellan & Bathurst Community Club	>18,000kl, <31,999kl	\$0.89
	>32,000kl	\$1.33
Strata Unit property	First 250 kl (for each unit)	\$1.71
	>250 kl (for each unit)	\$2.57
Home Dialysis – subject to doctors certificate	First 200 kl	Free
	200kl-250 kl	\$1.71
	>250 kl	\$2.57
Hospital	Allowance for daily average patients	Free
	Balance per KL	\$2.57

- (i) Included in this year's Bathurst 2017 Delivery Plan 2013-2017 and Annual Operating

Plan 2013/2014 in the Water Fund are amounts for Operational expenditure at the Aquatic Centre. This is to be financed from revenue raised from the Water Fund as detailed in the Plan.

- (j) INTEREST ON OVERDUE RATES AND CHARGES FOR 2013/2014 – That in accordance with Section 566 of the Local Government Act, 1993 Council charge interest on overdue rates at a rate of 9.0% per annum for the 12 month period commencing 1 July 2013 as advised by the Minister.
- (k) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 3.4%, a 5.0% increase in Sewer Charges, Waste Charges have been calculated on the basis of the reasonable cost of providing the service and Water Charges have been calculated on achieving a 25/75 basis (25% access charge and 75% usage charge) based on the Best Practice Guidelines introduced by the NSW Office of Water, August 2007.

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 JUNE 2013

1 EXTINGUISHMENT OF EASEMENT FOR WATER SUPPLY 4 WIDE, LOT 430 DP1129240, 138 SYDNEY ROAD, KELSO (22.00369-03)

Recommendation: That Council approve the extinguishing of an easement for water supply 4 wide affecting Lot 430 DP1129240 at 138 Sydney Road Kelso, as detailed in the Director Engineering Services' report.

Report: Council has received a request from the NSW Government Land and Housing Corporation for extinguishment of an unnecessary easement within Lot 430 DP1129240 located at 138 Sydney Road, Kelso. Please refer to **attachment 1**.

As part of the infrastructure improvement works in Kelso, the position of a water supply pipe was relocated to an adjoining position resulting in the creation of an easement for water supply 3 wide and variable as shown in the registration of DP1184063, at A on pages 2 and 3.

The easement for water supply 4 wide shown at B on pages 4 and 5 on DP1129240 has now become redundant. The Land and Housing Corporation have requested Council agree to it being extinguished.

In order to extinguish the redundant easement, Council is requested to approve the endorsement of the Transfer Releasing Easement form to remove the easement from the Title of Lot 430 DP1129240.

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

41 Item 1 EXTINGUISHMENT OF EASEMENT FOR WATER SUPPLY 4 WIDE, LOT 430 DP1129240, 138 SYDNEY ROAD, KELSO (22.00369-03)

MOVED: Cr B Bourke SECONDED: Cr I North

RESOLVED: That Council approve the extinguishing of an easement for water supply 4 wide affecting Lot 430 DP1129240 at 138 Sydney Road Kelso, as detailed in the Director Engineering Services' report.

2 CRAFT/MARKETS IN MACHATTIE PARK, BATHURST (04.00012)

Recommendation: That Council not permit 'craft markets' to be held within Machattie Park, but allow them to be held at Lion's Club Berry Park, subject to conditions as outlined in the Director Engineering Services' report.

Report: Council has been contacted by Ms Christine Hooper, a Craft Market organiser, requesting permission to set up a market event within Machattie Park. Ms Hooper is wishing to set up bi-monthly markets to be held on the second Saturday of every second month, with the first markets commencing on 10 August 2013. Ms Hooper anticipates each event to run from 9am – 3pm. A copy of the letter requesting the establishment of a market event is at **attachment 1.**

Ms Hooper has informed Council that the markets will cater for the family and provide local businesses and hobbyists the chance to display their crafts, art and products to the community. In addition, she has advised that the markets will be run as a commercial venture and that she anticipates in the vicinity of 25 – 30 stalls to be in attendance during the initial establishment. It is not known how many stalls are likely to join the markets once the event becomes established. Ms Hooper has also advised that she intends to involve volunteer organisations, such as the Rural Fire Service and SES, to be part of the market activities but in what capacity has not been advised.

Machattie Park is a high profile community park, of heritage status, which was created for the purpose of passive recreation. This park has limited open areas in which to cater for the placement of a number of stalls. It is believed that having market events in this park would cause adverse deterioration, compaction and general damage to the lawn areas. Even by restricting stalls to the gravel path areas, it is considered that they would be too narrow to allow pedestrian access, which would result in potential safety issues due to many of the paths having elevated edging.

Machattie Park is not believed to be a suitable venue for holding market events and it is believed that there are other areas in Bathurst that would be more suitable such as Lions Club Berry Park as this area is already utilised on a number of occasions each year for similar events such as the Farmers Markets and Lion's Club Flea Markets. Berry Park provides adequate parking, public amenities, paths and open areas which are able to cater for anticipated attendees. During discussions with Council staff, Ms Hopper advised that she was willing to be moved to other sites, if permission for the use of Machattie Park was to be denied.

It is therefore recommended that Council permit Ms Hooper to hold craft markets at Lions Club Berry Park on a trial basis for an initial 6 month term. During this time, Council will be able to assess the suitability of the markets for the Bathurst Community. The anticipated 3 bi-monthly market events would also be subject to the usual conditions associated with the use of Council's public facilities and any special conditions relating to this specific use.

As the proposed markets are to be conducted as a "for profit business", Ms Hooper will be required to apply for a Section 68 Local Permit to operate a business on Community Land. It is also recommended that similar charge as applied to the original Flea Markets which were held in Kings Parade previously of \$10.00 per stall, per market be levied for the use of Berry Park, which will provide some compensation for any additional ground maintenance activities that may be required to be carried out to the area as a result of these markets.

Financial Implications: It is anticipated that Council will receive income in the vicinity of \$1,800 per annum, depending on the number of stalls and the number of markets held each year.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

- 42 Item 2 CRAFT/MARKETS IN MACHATTIE PARK, BATHURST (04.00012)
MOVED: Cr I North SECONDED: Cr G Hanger

RESOLVED: That Council not permit 'craft markets' to be held within Machattie Park, but allow them to be held at Lion's Club Berry Park, subject to conditions as outlined in the Director Engineering Services' report.

3 PROPOSED RIGHT OF ACCESS 4 WIDE, LOTS 8 AND 9 DP1160720, 2 VALE ROAD, BATHURST (31.00001)

Recommendation: That Council resolve to approve the creation of Right of Access within Lot 9 DP1160720 located at 2 Vale Road, Bathurst, subject to the detail in the Director Engineering Services' report.

Report: Council is entering the final stages of the construction of the Carlingford Street Levee and has found it necessary to acquire a Right of Access 4 wide to Lot 8 DP1160720 from an adjoining property owner being Lot 9 DP1160720 (see **attachment 1**).

The Right of Access 4 wide is required for Council to gain access to the Levee in order to carry out maintenance including mowing after the levee's construction. There is no other suitable access point to the levee.

The adjoining property owner is agreeable to Council's acquisition of the easement rights provided all costs are met by Council.

For the creation of the Right of Access 4 wide, Council will:

- (a) Pay all reasonable legal, survey and valuation fees associated with the registration of the easement;
- (b) Provide double security gates for access to the Levee property; and
- (c) Construct a section of concrete driveway between the two properties.

It is recommended that Council resolve to approve the creation of Right of Access 4 wide within Lot 9 DP1160720 at 2 Vale Road, Bathurst.

Financial Implications: The preparation of the Transfer, registration, construction of fencing and driveway, and acquisition is estimated to cost \$8,000 and will be funded from Council's Floodplain Management Fund.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 22: To improve community safety. Strategy 22.1

MINUTE

43 Item 3 PROPOSED RIGHT OF ACCESS 4 WIDE, LOTS 8 AND 9 DP1160720, 2 VALE ROAD, BATHURST (31.00001)

MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That Council resolve to approve the creation of a Right of Access within Lot 9 DP1160720 located at 2 Vale Road, Bathurst, subject to the detail in the Director Engineering Services' report.

4 WASTE 2 ART 2013 EXHIBITION AND COMPETITION (14.00007)

Recommendation: That the information be noted.

Report: Council held the local 2013 Waste 2 Art exhibition and competition at the Flannery Centre between Friday, 3 May and Sunday, 5 May 2013.

Waste 2 Art is a community art exhibition and competition that showcases creative works made from reused or recycled materials that would otherwise be considered as waste. The purpose of the project is to encourage the concepts of reduce, reuse & recycle within Central Western NSW communities.

Waste 2 Art is supported by Netwaste. Councils across the Central West that are members of CENTROC and OROC are encouraged to participate and in 2013 Bathurst was one of fifteen participating Councils.

The 2013 local exhibition and competition was managed by staff in the Water and Waste section of Council's Engineering Services Department. Engineering staff worked in collaboration with staff from the Bathurst Regional Art Gallery (BRAG) to make the local exhibition and competition a success.

Sixty-four artworks, across twelve categories were entered into the 2013 exhibition which is the highest number of entries ever received. These artworks were judged by a panel of three judges; Ms Carol Endean-Little, a local sculptor, Mrs Narelle Stocks, Acting CEO of Skillset, and Ms Rachael Young, one of Council's Environment Officers to determine the winner in each category.

The quality of artworks entered into the competition was high and the diversity of the pieces entered reflected the broad range of age and experience of participants. Artworks were judged on the concept behind the piece, the quality of the work and how the artist was able to incorporate recycled materials into the piece. There were some very creative uses of material such as paper, metal, fabric and household items that could otherwise be considered as waste.

The winners across each of the twelve categories were then entered into the Regional Exhibition which opened in Bourke on Saturday 1 June 2013 and will run through until 27 June 2013. Staff attended the opening of the Regional Exhibition on behalf of Council and were present at the awards ceremony where it was announced that a Bathurst artist, Tania Cowgill had won the Open 2 Dimensional category with "Through the Porthole", an image of which is at **attachment 1**.

Another Bathurst artist, Heather Hanneman also received a Highly Commended in the Open Functional category with "Home Sweet Home", an image of which is at **attachment 2**.

It was pleasing to see Bathurst artworks on exhibition alongside artworks from across the Central West demonstrating the depth of artistic ability present within the Bathurst community to the broad audience that attended the three week long Regional Exhibition.

Feedback from participants and visitors regarding the local Waste 2 Art 2013 exhibition and competition has been overwhelmingly positive. Based upon the positive feedback received by Council regarding the program and the strong level of community interest in entering artworks it has been agreed that Council will participate in the 2014 Waste 2 Art program.

Financial Implications: Funding for managing the 2014 Waste 2 Art exhibition and competition will be sourced from existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 13: To minimise the City's environmental footprint. Strategy 13.3
- Objective 16: To encourage sustainable waste management practices, incorporating opportunities for energy generation. Strategy 16.3, 16.6

MINUTE

- 44** Item 4 WASTE 2 ART 2013 EXHIBITION AND COMPETITION (14.00007)
MOVED: Cr J Jennings SECONDED: Cr M Coote

RESOLVED: That the information be noted.

5 PROPOSED COMPUSORY ACQUISITION OF LOTS 1 TO 3, 5 AND 6 DP1184482 FOR ROAD DEDICATION, HILL END ROAD, SOFALA (25.00262-07)

Recommendation: That:

- (i) Council make application to the Governor/Minister to compulsorily acquire Crown land Lots 1 to 3, 5 and 6 DP1184482 located at Hill End Road, Sofala for dedication of public road,
- (ii) the application is to follow the provisions of the Roads Act 1993 Section 178 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991, as detailed in the Director Engineering Services report,
- (iii) the acquired land is to be classified as Operational land and will be minerals exempt.

Report: Council at its meeting of 17 November 2010 resolved in part:

That Council make application to the Land and Property Management Authority (the LPMA) to compulsorily acquire land for road dedication, close sections of unnecessary road and create 2 rights of carriageway over Crown land, as detailed in the Director Engineering Services' report, Confidential Item #2 of 17 November 2010 (see minute at **attachment 1**).

Since that time, Council has negotiated with the LPMA (now NSW Government Department of Primary Industries Catchments and Lands) with approval from the Crown (see **attachment 2**) for the proposed compulsory acquisition of land for road dedication to proceed by agreement. As a result of the approval, Council registered an acquisition plan DP1184482 on 11 April 2013 (see **attachment 3**).

For Council to acquire Crown land, Council has no other option but to compulsorily acquire the land with approval from the Governor or the Minister.

For the process to proceed, it is recommended Council approve:

- (a) An application to the Governor/Minister to compulsorily acquire Crown land Lots 1 to 3, 5 and 6 DP1184482 located at Hill End Road, Sofala for dedication of public road:
- (b) The application is to follow the provisions of the Roads Act 1993 Section 178 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991;
- (c) The application to follow the conditions as set out in correspondence from NSW Government Department of Primary Industries Catchments and Lands dated 6 November 2012;
- (d) The acquired land to be classified as Operational land; and
- (e) Minerals are exempt from the acquisition.

Financial Implications: The costs of the road dedication and acquisitions are to be met by funding from the Roads and Maritime Services.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 6: To support infrastructure development Strategy 6.1, 6.6

necessary to enhance Bathurst's life-style and industry development.

- Objective 7: To support Integrated Transport Infrastructure Development. Strategy 7.1, 7.5
- 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

45 Item 5 PROPOSED COMPULSORY ACQUISITION OF LOTS 1 TO 3, 5 AND 6 DP1184482 FOR ROAD DEDICATION, HILL END ROAD, SOFALA (25.00262-07)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That:

- (i) Council make application to the Governor/Minister to compulsorily acquire Crown Land Lots 1 to 3, 5 and 6 DP1184482 located at Hill End Road, Sofala for dedication as public road,
- (ii) the application is to follow the provisions of the Roads Act 1993 Section 178 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991, as detailed in the Director Engineering Services report,
- (iii) the acquired land is to be classified as Operational land and will be minerals exempt.

6 PROPOSED ROAD CLOSURE AND TRANSFERS, LOTS 4 AND 16 DP1184482, HILL END ROAD, SOFALA (25.00262-07)

Recommendation: That Council approve the closure of the unnecessary road Lot 16 DP1184482 and the acquisition of Lot 4 DP1184482 for the dedication as public road under the Roads Act 1993 Section 178 by agreement, as detailed in the Director Engineering Services report. The acquired land is to be classified as Operational land.

Report: Council at its meeting of 17 November 2010 resolved in part:

- (d) To close a section of Council public road severing Lot 544 DP755790 and transfer the former road land to the adjoining owner as compensation for their land lost under the Roads Act 1993.

Since that time, Council has negotiated with the owners of Lot 544 DP755790 who have agreed to the road's dedication and transfer. As a result of the approval, Council registered an acquisition plan DP1184482 on 11 April 2013 (see **attachment 1**) with Lot 544 DP755790 shown as Lot 13, Lot 4 the section of road to be dedicated under the Roads Act 1993 Section 178 and Lot 16 the section of unnecessary Council public road to be closed.

The original report indicated the provision of a right of carriageway over track in use in order to provide access to Hill End Road. This is no longer required as the access to the property is contained within the road 20.115 wide shown as Lot 8 DP1184482 on the plan.

For the process to proceed, Council will:

- (a) Close the unnecessary Council road and, in lieu of monetary compensation, transfer the land to their holding as compensation for land lost by the encroaching Hill End Road;
- (b) Pay all reasonable legal and survey fees associated with the transfer;
- (c) Provide a rural access into the property to accommodate tourist coaches and large trucks. This access has already been constructed;
- (d) Provide a new rural fence along the new boundary similar to existing. This condition was withdrawn by the owners as they wanted the natural fauna and flora to remain as entry to their property; and
- (e) The acquired land to be classified as Operational land.

It is recommended that Council approve the closure of the unnecessary road Lot 16 DP1184482 and the acquisition of Lot 4 DP1184482 for dedication as public road under the Roads Act 1993 Section 178 by agreement.

Financial Implications: The costs of the road dedication and acquisitions are to be met by funding from the Roads and Maritime Services.

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, 6.6

- Objective 7: To support Integrated Transport Infrastructure Development. Strategy 7.1, 7.5
- 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

46 Item 6 PROPOSED ROAD CLOSURE AND TRANSFERS, LOTS 4 AND 16
DP1184482, HILL END ROAD, SOFALA (25.00262-07)

MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That Council approve the closure of the unnecessary road Lot 16 DP1184482 and the acquisition of Lot 4 DP1184482 for dedication as public road under the Roads Act 1993 Section 178 by agreement, as detailed in the Director Engineering Services report. The acquired land is to be classified as Operational land.

7 APPLICATION FOR PARTIAL ROAD CLOSURE, COLO ROAD, COLO (25.00292)

Recommendation: That Council approve the partial road closure of Colo Road at Colo, as detailed in the Director of Engineering Services report. The land containing the closed section of road is to be classified as Operational Land.

Report: Council, at its meeting held 21 November 2012, resolved to not approve the closure of Colo Road at Colo (see **attachment 1**).

Since that time, Argent Minerals Limited (the Company) has met with Blayney and Cowra Shire Councils, and the concerned residents. As a result of those meetings:

- (a) Blayney Shire Council will support the partial road closure by the Company subject to the provision of land owners' and emergency services' access over the mine's site;
- (b) Cowra Shire Council support the proposed partial road closure on the basis that all affected local government authorities agree; contingency plans are in place to allow nearby residents and emergency vehicles through the mine site; the detour route via Neville is assessed to ensure motorists safety along this route and any improvements made prior to the road closure; and the Colo Road route is reinstated at the end of the mine life;
- (c) NSW Government Office of Environment and Heritage NSW National Parks and Wildlife Service initially opposed the partial road closure. After negotiations with the Company, the Department have accepted the site access arrangements proposed;
- (d) A number of residents raised objection due to access issues which have subsequently been addressed by Argent Minerals resulting in those objections being withdrawn. Copies of those residents letters have been forwarded to Councillors under separate cover.

This indicates approval of all adjoining owners who are affected by the road's partial closure.

In correspondence received by Council from the Company (see **attachment 2**), the Company has advised it will need to perform blasting on a daily basis with haulage trucks frequently crossing Colo Road. The Company will put in place within the boundaries of the Mining Lease controlled measures required under the Mining Act 1992 concerning the health and safety of all personnel whether staff, contractor, supplier, local residents or third parties who enter the site.

On the Company's part, they will:

- 1 Regulate traffic with boom gates;
- 2 Require all people entering the mine site for the first time to under go a safety induction briefing. Following induction, the inductee will be given a keycard to operate the boom gates;
- 3 Retain the right to stop vehicles and first time users until induction. In order to keep a control of who enters and leaves the site, the Company will give a key- card to inductees to operate the boom gate. This will allow the Company to keep a record of who enters and leaves the site;
- 4 Keycard holders will be prevented from entering the site for short periods while firing of

explosives;

- 5 Will not unduly inconvenience any party who currently uses Colo Road for management or emergency purposes;
- 6 Encourage drivers to access areas to the south of the mine via Neville and Kentucky Road by installing signs stating Colo Road is closed to unauthorised traffic. These signs will provide information on alternate routes to places such as Copperhannia Nature Reserve in order to avoid the closed road section;
- 7 Make the road closure temporary and operate only during the active operational period of the mine. After completion of mining, when ongoing onsite activities would be relatively limited in nature and extent, public access to the closed section of Colo Road would be re-established;
- 8 Following completion of the project, the Company anticipates the closed section of road of Colo Road will revert back to public ownership.

As part of the proposal, Council will require:

- (i) A section of private road (right of way) through the Company's property to be kept at a lesser standard, but at least to the standard of an all weather road, to allow through traffic to pass;
- (ii) The Company to undertake all the maintenance and costs of Colo Road from Hobbys Farms Road to the eastern boundary of Lot 2 DP773040 (Forestry Corporation of NSW) once upgraded. As the Company is using heavy trucks, the wear and tare of the road will lead to expensive maintenance of Colo Road;
- (iii) The creation of a plan for registration at the Land and Property Information showing a single Lot representing the area of Colo Road to be closed (this is a requirement for road closure). As the Colo Road is a Council public road under its care and control, following the closure of the road, the land will be held in Council's name and be leased to the Company annually. By keeping the property in Council's ownership, Council can retain control of the land and allow future dedication of a public road after completion of the mine;
- (iv) After the completion of the mine, Colo Road is to be returned to a standard of rural road acceptable to Council and the construction of a through private road to the current standard within Lot 2 DP773386 to the Council's boundary. This would provide future public access between Trunkey and Neville;
- (v) Not create a 60 km/ph speed zone as the road is in a rural area with drivers expected to drive to existing conditions;
- (vi) The applicant to carry out the necessary procedures to close the section of road under the Roads Act 1993. The road once closed is to be vested in Council's ownership;
- (vii) The applicant to meet all legal and survey fees associated with the road's partial closure;
- (viii) The section of road, when closed, will be classified as Operational land.

It is recommended that Council approve the partial road closure of Colo Road at Colo, as

detailed in the Director of Engineering Services report. The land containing the closed section of road is to be classified as Operational Land.

Financial Implications: The partial closure of Colo Road at Colo is to be financed by the applicant.

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 7: To support Integrated Transport Infrastructure Development. Strategy 7.1
- 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

47 Item 7 APPLICATION FOR PARTIAL ROAD CLOSURE, COLO ROAD, COLO
(25.00292)

MOVED: Cr B Bourke SECONDED: Cr M Coote

RESOLVED: That Council approve the partial road closure of Colo Road at Colo, as detailed in the Director of Engineering Services report. The land containing the closed section of road is to be classified as Operational Land.

8 PROPOSED DEDICATION OF PUBLIC ROAD, LOTS 2, 3 AND 4 DP1110530, FREEMANTLE ROAD, GOWAN (25.00102-04)

Recommendation: That Council approve under Section 10 of the Roads Act 1993 the dedication as public road the land contained in Lots 2, 3 and 4, DP1110530 and name that section of road Freemantle Road, as detailed in the Director Engineering Services report.

Report: Following the amalgamation of Evan Shire Council and Bathurst Regional Council, Council approved at its meeting held 16 November 2005 to:

Approve the acquisition of road widening within Lot 34 DP750409 and the partial closure of Freemantle Road, Freemantle and transfer the closed road under the provision of the Roads Act 1993 as per the Director Engineering Services report.

Since then, Council has registered acquisition plan DP1110530, closed a section of Freemantle Road (Lot 5), transferred that property to an adjoining owner as compensation and transferred to Council's ownership road widening land being Lots 2, 3 and 4. Please refer to prior Council Minute of 16 November 2005 at **attachment 1**.

To finalise the proposal, Council is required to dedicate Lots 2, 3 and 4 DP1110530 public road under Section 10 of the Roads Act 1993 by advertisement in the Government Gazette.

It is recommended that Council approve under Section 10 of the Roads Act 1993 the dedication as public road the land contained in Lots 2, 3 and 4, DP1110530 and name that section of road Freemantle Road.

Financial Implications: The cost of the advertisement is minimal and can be covered within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

48 Item 8 PROPOSED DEDICATION OF PUBLIC ROAD, LOTS 2, 3 AND 4
DP1110530, FREEMANTLE ROAD, GOWAN (25.00102-04)

MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That Council approve under Section 10 of the Roads Act 1993 the dedication as public road of the land contained in Lots 2, 3 and 4, DP1110530 and name that section of road Freemantle Road, 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 JUNE 2013

1 PATCH THEATRE CREATIVE LEARNING PROJECT - BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) (21.00060)

Recommendation: That Council note the partnership developed with Patch Theatre Company in developing a Creative Learning Project to engage children between the ages of four and eight in theatre, recognising the benefits of arts in their life-long learning processes.

Report: BMEC has embarked upon a long term community engagement collaboration with Patch Theatre Company, based in Adelaide, South Australia. Patch is a multi-award winning theatre company producing work for 4–8 year old children. Patch has presented over 100 new productions to more than 1.6 million children and their families since it began in 1972.

Over the last decade, Patch Theatre Company has presented six of its repertoire productions, in more than 20 international seasons, to children's festivals and venues in the United States of America, Canada, Singapore, Korea, Japan and New Zealand. Patch has also delivered seven consecutive national Playing Australia tours and has presented eight seasons at the Sydney Opera House and nine seasons at the Arts Centre, Melbourne. In 2013, Patch will present its ninth consecutive production at BMEC, *Theo and the Lion*.

Patch has a very strong connection with its South Australian community and has managed to maintain audiences of 97% capacity over the past ten years, a remarkable achievement. However, the strong community engagement achieved in South Australia has not been replicated around the country. It would appear the reason is that increasingly long national tours, where the company arrives, bumps in, performs, bumps out and leaves, are not based on any real connection with the community they are visiting, regardless of the quality of the performances they bring.

Patch and BMEC have agreed to work on an engagement model that seeks to change this situation. The goal is to define a model of best practice in audience development through community engagement and artistic exchange that results in the performing arts being embedded into the lives of 4-8 year old children across the Bathurst Region. It is believed that by doing it well, documenting it thoroughly and by modelling the strategies to the broader touring community that the project will give rise to new ways of working across the sector.

In May 2012 Dave Brown, Artistic Director of Patch Theatre, spent three days in Bathurst. He ran a workshop for University students and staff based on developing *The Moon's a Balloon* project. During this time Patch Theatre company and BMEC developed the skeleton of the engagement model now called *The Creative Learning Project*.

Between May 2012 and April 2013 significant discussion, planning and grant writing was undertaken culminating in Patch receiving funding for the Montgolfier Platform which will allow for interactive, on-line engagement and BMEC received funding from Arts NSW for school workshops and from the Australia Council through the Engage program which is enabling BMEC to be fully involved with Patch over the coming year.

In September 2013 Patch will be bringing the production *Theo and the Lion* to Bathurst. This performance is in no way the close of this project, rather a review point of the project to date. The ability for young people to actively participate in the creative process and have a more meaningful theatre experience has been extended through the introduction of an established Visual Artist and Ceramicist, Gus Clutterbuck to develop a participatory project - a foyer installation that expands on the performance's message while creating a visual feast of art both for those attending performances, as well as visitors just wishing to view the foyer

exhibition.

Theo and the Lion is based on two well known Pamela Allen books, *A Lion in the Night* and *The Toymaker and the Bird*. When devising the set and props for *Theo and the Lion* the creative team visited junk yards and salvage shops and collected lots of second hand items. One of the central props in the play is an old bird cage which is inhabited by an imaginary bird and the cage is mirrored by other props and set items. The imaginary bird, which Theo sets free when he becomes confident enough, becomes a metaphor for a central theme of the play, that of “flying the coop” or “becoming independent”.

Gus has devised a participatory project called “The Flight of the JIRBs” in response to the themes of the play. A JIRB is a **Junk Integrated Recycled Bird** made from found objects, junk and things that people no longer want. The aim of the project is to encourage young people to make a JIRB from things which they collect and for these JIRBs to be displayed in a foyer exhibition at BMEC leading up to the performances of *Theo and the Lion*. The JIRB making project sparks many opportunities for Creative Learning moments and teachers are provided with a wealth of ways that JIRBs can lead to the exploration of ideas, themes and concepts across multiple areas of curricula study.

In April 2013 Patch Theatre Company and BMEC travelled to a selection of Bathurst region's primary schools presenting the “Flight of the JIRB's” proposal to teachers and to the Regional Director of the NSW Department of Education.

Early in May 2013 Gus Clutterbuck spent a week in Bathurst. "Junk" was collected with five exploratory workshops were held and planning held on how the foyer installation will work. The challenge now is to spread JIRB making, a healthy virus, to as many schools as possible in the region so that they can all be part of the journey.

The workshops conducted so far were an amazing experience to be part of for all involved. Every child appeared to make a deep connection to their JIRB which had come to life from discarded material. One boy said my bird is an IRB, there is no “J” because it isn't junk anymore. One girl, when asked where her JIRB lived replied without pause “In my bedroom”. Student teachers who had no confidence with craft making lessons now feel they could run the workshops themselves and that is what BMEC will be calling on them to do. School teachers have a wealth of storytelling and other classroom activities in the lead up to the *Theo and The Lion* performances in September and the children who have made JIRBs have engaged in a participatory creative exercise which links to the content and themes of the upcoming Patch performance.

As well as Primary Schools in the Bathurst Region the Creative Learning Project has a number of other important partners. Staff and students from the School of Teacher Education and the School of Communication and Creative Industries were active participants in the pilot JIRB making workshops conducted in early May 2013.

As a result of its United States touring and performances at the Kennedy Centre in Washington in particular, Patch Theatre Company has been introduced to staff at the University of Texas at Austin where they have an internationally recognised program of Drama Based Instruction within the Department of Theatre and Dance. In Austin they have a ten year program, funded with a million dollars a year, to support teachers with ways of optimising the creative learning moments of children in all areas of the curriculum. They are doing this because their research clearly shows that students in arts-rich learning environments do better across the board with literacy, numeracy, learning success, emotional development and most importantly creativity.

Patch has been collaborating with University of Texas at Austin on their new work *The Moon's a Balloon*. Professor Brant Pope and Professor Katie Dawson from the University recently attended the opening of the production at the Come Out Festival in Adelaide. These people, together with Council's Manager Entertainment Centre then presented a joint Keynote session at the Australian Performing Arts Centres annual conference held in late May in Canberra. Following this Katie Dawson visited Bathurst to present lecture presentations to staff and students from Charles Sturt University (CSU) School of Education and School of Communication and Creative Industries, local Primary School teachers and Council staff. It is hoped that a lasting connection between University of Texas at Austin and CSU may be forged.

The BMEC/Patch Creative Learning project has commenced with positive results in 2013 which are drawing national attention. A key with the Patch / BMEC engagement plan is that it is long term, fits in with but also embellishes existing relationships and relies upon an ongoing "presence" of Patch in Bathurst rather than a one off presence. It also must be said that it relies upon a deep commitment and a lot of hard work on both sides.

So far participatory programs are planned up to 2015 and CSU has expressed interest in the project being a research topic and even the basis of a PHD thesis. No doubt the project will be the basis of further reports to Council.

Financial Implications: Funding for this project has so far been covered by successful grant applications to Arts NSW and the Australia Council. Further funding will be sought to continue the project.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.4
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.9

MINUTE

**49 Item 1 PATCH THEATRE CREATIVE LEARNING PROJECT - BATHURST
MEMORIAL ENTERTAINMENT CENTRE (BMEC) (21.00060)**

MOVED: Cr G Hanger SECONDED: Cr J Jennings

RESOLVED: That Council note the partnership developed with Patch Theatre Company in developing a Creative Learning Project to engage children between the ages of four and eight in theatre, recognising the benefits of arts in their life-long learning processes.

2 LOCAL STAGES - BATHURST MEMORIAL ENTERTAINMENT CENTRE (21.00060)

Recommendation: That Council notes the ongoing excellence produced through the Bathurst Memorial Entertainment Centre Local Stages Program.

Report: The Bathurst Memorial Entertainment Centre (BMEC) Local Stages Program initiated and then supported the development of *The Disappearances Project* – by Version 1.0, this involved a three year partnership concluding with the world premiere of *The Disappearances Project* in Bathurst in April 2011.

This work continues to be performed and has had critical success at Festivals throughout Australia and most recently at the Brighton Festival in the UK. A review in The Guardian, a British newspaper, on 5 May 2013 is at **Attachment 1**.

The Disappearances Project has been adapted as a radio work for ABC Radio National and was selected by the ABC as their entrant in the Drama Category for the Prix Italia Awards.

This production has been well received and acknowledged by the national theatre industry as a prime example of the important work being done in regional Australia to support the development of new Australian Theatre. It has helped to keep Bathurst on the national theatre agenda.

The Local Stages Creative Producer recently attended the Australian Theatre Forum, on 26-28 May and as an outcome is in discussion with NORPA (Northern Rivers Performing Arts - Lismore) about the development of a regional ensemble of artists to be supported through residencies in regional Australia. This project will be included in the next Local Stages Australia Council funding application, due at the end of June.

Council's Creative Producer recently met with Sydney based company Legs on the Wall. Arts OutWest has received funding to commission a new work from Legs called "Silos". It will be developed in 2014 leading to performances in 2015 at Canowindra. Local Stages is investigating how local artists can become involved.

The Local Stages presentation of *Oh My God I've Been Kidnapped and I Hate What I'm Wearing – The Musical*, which had been included in the BMEC 2013 Season has been postponed until May 2014. Kate Smith, the central performer, is unavailable in December as she is due to have a baby in September.

BMEC has recently submitted the following grant applications:

- ARTS NSW Aboriginal Regional Arts Fund \$15,000 - To support the development, community consultation and workshops leading up to the 2015 River Dreaming Festival.
- Application to Australia Council (Community Partnerships) for the development of BMEC Youth Community Partnerships project (\$108,000).

Financial Implications: Funding for this item is contained within existing budgets or is the subject of grant funding applications.

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 Strategy 20.4, 20.6

community.

- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community.

Strategy 26.2, 26.3, 26.4,
26.5, 26.7

MINUTE

50 Item 2 LOCAL STAGES - BATHURST MEMORIAL ENTERTAINMENT CENTRE (21.00060)

MOVED: Cr M Coote SECONDED: Cr W Aubin

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

Reason: Partner has connection to Local Stages presentation (show)

RESOLVED: That Council notes the ongoing excellence produced through the Bathurst Memorial Entertainment Centre Local Stages Program.

3 SMASHED ARTS PROGRAM - BATHURST MEMORIAL ENTERTAINMENT CENTRE (21.00116)

Recommendation: That Council note the significant ongoing contributions to the lifestyle of Bathurst's Youth through the Smashed Arts Program.

Report: Smashed Arts is a program run by Council, through the Bathurst Memorial Entertainment Centre (BMEC), funded by the Australian Government's National Binge Drinking Strategy under the Australian National Health Preventative Agency. Smashed Arts presents performing arts activities for young people aged 12 to 24 as an alternative to binge drinking and provides workshops, events and performances designed specifically for this age group. The program is aimed at creating opportunities and experiences that encourage self-expression and safe risk taking while building self-esteem and confidence. This program will be completed in May 2014.

The funding for Smashed Arts has supported numerous workshop programs, events, the Smashed Rovers and has contributed to the Community Safety Committee's PartySafe Kit. The aim of the PartySafe Kit is to provide relevant, local information on how to stay safe while holding or going to parties. The information is primarily targeting young people and educating them on the dangers of binge-drinking. The Smashed Rovers is a performance based marketing tool used to engage, educate, promote, entertain and inform the general public.

The program is now midway through the two year period. A mid-term progress report was submitted in May 2013 to which was accepted by Australian National Health Preventative Agency and the mid term payment of \$250,000 has been received.

Over the past twelve months Smashed Arts has developed partnerships with headspace, Veritas House, OCTEC, PCYC, Western NSW Health District, Arts OutWest, Bathurst Community Safety Committee, Bathurst Liquor Accord, Council's Youth Council and the six local secondary schools. Highlight events of the program so far have included three successful holiday intensive workshop programs, an end of year youth event at the Skate Park, Bathurst's Got Talent event, numerous appearances by the Smashed Rovers at local community events and a regular circus program run in partnership with PCYC. The PartySafe Kit has been launched along with the PartySafe recipe book.

BMEC recently submitted a successful application to the Theatre Board of the Australia Council Arts for a Community Engagement Residency. This will help to support a work titled *If there was a colour darker than black I'd wear it*. The residency of this highly engaging and interactive work in Bathurst will conclude the Smashed Arts Program. BMEC has also submitted an application to the Australia Council (Community Partnerships) for the development of the BMEC Youth Community Partnerships project (\$108,000). If successful this funding will help to extend and support some of the programs Smashed Arts has created.

In the next twelve months Smashed Arts will continue to offer numerous workshops and a regular circus program. The Smashed Rovers will continue to appear at community events and in bars throughout Bathurst. Smashed Arts will support the performances of the Tjintu Band at BMEC and associated workshops in July, the Youth Arts Awards and a second massive Skate Park event in November. In 2014 Smashed Arts will be a major partner in presenting Catapult - The National Youth Circus and Physical Theatre Festival and the community residency of Rising Damp and Illuminate's *If there was a colour darker than black I'd wear it*.

Financial Implications: Funding for this item is fully covered by successful grant applications.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.2, 21.3
- Objective 22: To improve community safety. Strategy 22.1, 22.3
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.5, 23.7
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.1, 27.3, 27.4, 27.5, 27.6, 27.7, 27.9

MINUTE

51 Item 3 SMASHED ARTS PROGRAM - BATHURST MEMORIAL ENTERTAINMENT CENTRE (21.00116)

MOVED: Cr G Westman SECONDED: Cr M Coote

RESOLVED: That Council note the significant ongoing contributions to the lifestyle of Bathurst's Youth through the Smashed Arts Program.

4 75 YEARS OF MOTOR RACING AT MOUNT PANORAMA - NATIONAL MOTOR RACING MUSEUM (21.00005)

Recommendation: That the information be noted.

Report: On Saturday, 30 March 2013 the National Motor Racing Museum held the unveiling of the Harry Hinton bust as part of the Bathurst Motor Festival and in celebration of 75 years of racing at Mount Panorama.

Given Mr Hinton's appearance in the inaugural Mount Panorama event in 1938 as well his National and international successes, it was fitting that he was chosen as the face of 75 years of motor racing. Harry Hinton senior is the most successful Motorcycle rider on Mount Panorama.

In a touching moment the Hinton family were tearful when they first viewed the work by artist Julie Edgar.

Unveiled by the artist, Betty Jury (Harry Hinton's sole surviving sibling) and Councillor Graeme Hangar, the bronze portrait sculpture is the seventh in a series that pays tribute to key individuals in Australian Motor Racing.

At the same time an exhibition celebrating 75 years of Motorsport on Mount Panorama was opened. Primarily image and object based, it was assembled and curated entirely by museum staff. A key feature of the exhibition was the first vehicle to run a "100mph" lap of the mount, the Repco Brabham, kindly on loan from the collection of Mike Ryves.

The National Motor Racing Museum also provided the lead cars (George Reed Special and 1963 Ford Cortina) supporting the vehicle parade around the track during the race lunch break.

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

52 Item 4 75 YEARS OF MOTOR RACING AT MOUNT PANORAMA - NATIONAL MOTOR RACING MUSEUM (21.00005)

MOVED: Cr G Hanger SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

5 THE MCKENZIE STORY EXHIBITION - CHIFLEY HOME EDUCATION CENTRE (21.00113)

Recommendation: That the information be noted.

Report: *The McKenzie Story Exhibition* tells the story of Elizabeth Chifley and her family and their personal qualities: devotion to family, civic-mindedness, generosity and faith. In an age of religious intolerance, staunch Presbyterians, George and Isabella McKenzie welcomed their Irish Catholic son-in-law, gave the young couple a home (now known as Chifley Home) and helped Chifley gain wider acceptance through George's community connections.

The exhibition was opened at the Chifley Home and Interpretive Centre on Saturday, 23 March by the Honourable Natasha McLaren-Jones on the 40th Anniversary of the Opening of Chifley Home.

The exhibition has been researched and assembled by Council staff.

The exhibition curator Sue Jones, who is also a guide in Chifley Home, has given three talks on the subject; at the official opening, at a special Curators talk in April and finally by invitation at the Autumn Colours 2013 closing function.

The exhibition will run until Monday, 23 June at the Chifley Home Education Centre

Support for the exhibition has included object loans from the National Museum of Australia and images and documents from Bathurst District Historical Society

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 11.2
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1, 20.2, 20.6
- 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

53 Item 5 THE MCKENZIE STORY EXHIBITION - CHIFLEY HOME EDUCATION CENTRE (21.00113)

MOVED: Cr G Westman SECONDED: Cr M Coote

RESOLVED: That the information be noted.

Yours faithfully



Annabell Miller
**DIRECTOR
CULTURAL & COMMUNITY SERVICES**

GENERAL MANAGER'S REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 JUNE 2013

1 DEPARTMENT OF LOCAL GOVERNMENT - PROMOTING BETTER PRACTICE REVIEW REPORT (NOVEMBER 2006) (03.00142)

Recommendation: That Council note the updated report (as at June 2013) of the Department of Local Government, PBP Review of November 2006.

Report: In November 2006, the Department of Local Government undertook a Promoting Better Practice Review of the Council. The Review Report and initial responses were presented to Council at its meeting on 16 May 2007 (General Manager's Report No 1). Follow-up reports have been provided to Council at its meetings of 3 September 2008, 1 April 2009, 30 September 2009, 5 May 2010, 3 November 2010, 4 May 2011, 2 November 2011, 2 May 2012 and 7 November 2012.

The purpose of this item is to provide an ongoing report on how Council is addressing the recommendations contained within the review. At **attachment 1**, is an Action Plan/Status Report which provides a Progress Report on each recommendation. Only items 13 and 16 are outstanding. The results of the Review were extremely pleasing. A number of the recommendations have progressed:

(3) Recommendations 13 and 16

Draft of the new comprehensive LEP and DCP are with the State Government awaiting their response. Section 94 Plans are being reviewed on an ongoing basis.

Financial Implications: Actions are being taken within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2
- Objective 33: To be and develop good leaders. Strategy 33.5

MINUTE

54 Item 1 DEPARTMENT OF LOCAL GOVERNMENT - PROMOTING BETTER PRACTICE REVIEW REPORT (NOVEMBER 2006) (03.00142)

MOVED: Cr M Coote SECONDED: Cr G Rush

RESOLVED: That Council note the updated report (as at June 2013) of the Department of Local Government, PBP Review of November 2006.

2 TREE PRESERVATION ORDER (TPO) APPLICATION, 1 BRAHAM STREET, BATHURST - MR & MRS T & I JONES (22.02413)

Recommendation: That Council advise Mr & Mrs T & I Jones that Council will not reimburse them for the account(s) they incurred with Lang Tree Management.

Report: Background

Councillors have previously had approaches from Mr & Mrs Jones concerning a Tree Preservation Order (TPO) application dated 25 October 2012 made to Council, refer Public Question Time, Council Meeting 6 February 2013.

"T Jones - resident - Fallen trees and Tree Preservation Order: Lorimer & Braham Streets - spoke to issue of fallen trees and costs thereof and applications under Tree Preservation Order for removal of trees on his property. Had to get arborist to provide advice and over \$3,000 in costs to remove trees after first staff member said to remove and then other managers refused the recommendation. Queried process in place and conflicts and issues experienced. Had support from SES and other qualified arborists to remove trees. Will Council reimburse him?"

Subsequent to this approach, Council officers met with Mr & Mrs Jones on 5 April 2013 to discuss their concerns and Council processes. Councillors have been provided with relevant correspondence in this matter.

Mr & Mrs Jones have been advised that the fee paid to Lang Tree Management of \$3,035 is a private contractual matter between themselves and Lang Tree Management and that Council is not responsible for this fee.

Consequently, Mr & Mrs Jones have requested:

"We ask that the account be formally presented and be considered favourably at the discretion of the Bathurst Regional Council."

Report

TPO Application Details

The TPO application included the following reasons:

"Trees nearly 40 years old standing 50 - 80 feet exposed by open park wind tunnel to gusts 100 kmh and more pose extreme risk of extensive damage to property - two car garage containing boat and car, with 2 cars on driveway. Trees creaking in danger of falling on house, garage back awning and neighbours house on 33 Lorimer Street. Personal safety at great risk from trees as storm season warnings sounded by SES in Bathurst."

The TPO application covered ten large trees all described as a "big risk to property personal safety".

Tree Preservation Policy Process - Procedural Basis

When an application for the removal or lopping of a tree is submitted to Council, after paying the prescribed fee (\$39), the application is usually dealt with in 10 to 15 working days. An inspection is made at the property by a qualified officer who determines the validity or

otherwise of the application. If it is a straight forward application, a permit for the works requested is issued on the spot, unless the application is to be denied. If the inspecting officer has any concern with the application or decides that the application is to be refused, a permit is not issued and the inspecting officer will report the matter to his/her supervisor. The supervisor will review the application and the inspecting officer's report, and if the application is to be denied, formal correspondence is forwarded to the applicant advising that the application has been denied.

In such cases, the tree/s may be reinspected by the supervisor if the original inspection was not conclusive in determining the approval of works or otherwise. In such cases, the applicant is advised by letter. On occasions, the applicant may be advised that if they do not agree with the decision, they have an opportunity to present further evidence to warrant re-evaluation of the application. In such cases, if confirmation of the claim by the applicant is substantiated, Council may reverse its original decision.

The onus is on the owner of the trees to prove that the trees are a hazard if removal is requested and the claim has to be confirmed by a suitably qualified person such as an arborist or horticulturist or someone with formal credentials in a related field. **Council assesses all applications against the reasons for the requested action as submitted on the application by the applicant.** The majority of applications are "routine" issues with only a small minority requiring further qualified substantiation.

Issues Raised by the Applicants

A number of issues have been raised by the Applicants in correspondence to Council and in a meeting with Council officers dated 5 April 2013. In regards to these, the following is noted:

1. TPO Process for Application - Query as to process followed

- (1) Application received from Mr & Mrs Jones.
- (2) Council staff member inspected trees onsite with Mrs Jones. Inspection based on application made.
- (3) Council staff member reports findings to supervisor.
- (4) Supervisor inspects site after report from staff member.
- (5) Correspondence forwarded to applicants providing a determination on the TPO. This advice dated 16.11.2012 included, inter alia:

"As Council's Tree Preservation Policy places emphasis on the preservation of trees, it is believed that in this circumstance you have provided insufficient reason to warrant their removal at this time. This is especially the case when regular maintenance works to these trees can allay any concerns that you may have in respect of their structural integrity. You should also be aware that Council can give no guarantee, nor does it, that any tree may or may not cause damage or injury should they fail under an extreme weather event. Damage incurred under such circumstances is classified as an act of God. In addition, Council would believe that if there was a problem with these trees, it may well have manifested itself prior to this time.

Council will consider your request for the removal of these trees should further information be provided to Council that supports your belief that they are a safety

concern. It would be recommended in this circumstance that you provide Council with a report from a qualified arborist."

Having regard to the above, Council has followed its normal procedure for the processing of a TPO Application.

2. Road Safety Issues/Pedestrian Safety - Impact TPO Application

As noted above, Council assesses all applications against the reasons for the requested action as submitted on the application by the applicant. Issues of Road Safety & Pedestrian Safety were not mentioned on the TPO Application. Notwithstanding this, they are important matters which are of concern.

Advice received from the RMS (formerly RTA) indicates the accident history for this location in the years 2006 to 2011 (6 years) was one accident in 2009. The travelling speed at the time of the accident was 10 km/hr with the driver being a 16 year old female.

A check of Council's Customer Request Management System (CRMS) for the past 6 years has found no record of any complaints/requests concerning pedestrian issues at the location of Lorimer/Braham Streets intersection.

The above provides statistics relevant to the Braham/Lorimer Street area, as raised in correspondence from Mr & Mrs Jones, such that the impact of these items are quantifiable.

3. Correspondence/Advice SES - Not taken in account

Council received correspondence from the SES dated 20 December 2012, which contained inter alia:

"The NSW State Emergency Service (NSW SES) has been asked by Mr and Mrs Jones to look at these trees to assist them in assessing any potential risks to their home if the trees were to be blown over as a result of strong damaging winds that occur during severe thunderstorms.

As you would no doubt be aware the City of Bathurst is prone to severe thunderstorms during the summer months that create very strong winds that cause trees to be blown over on roads, cars and buildings causing significant damage costing thousands of dollars annually.

The NSW SES advises and encourages residents to trim trees and branches that could potentially fall onto homes or property in an effort to reduce the potential damage caused by severe thunderstorms as part of the NSW SES Stormsafe Public Safety Program. Information from the NSW SES on how to be prepared for storms can be found at www.stormsafe.com.au or www.ses.nsw.gov.au .

On behalf of the NSW SES, I would ask that Bathurst Regional Council reconsider this decision and allow the removal of any trees that have the potential to cause damage at this property reducing the risk of significant damage to their home and surrounds."

From the content of the correspondence, it is clear the SES did not assess the trees as to their condition. Their review was confined to, "the removal of any trees that have the potential to cause damage at this property".

In regard to this correspondence, it is noted that the trees have been at this location for

around 40 years; refer TPO application - "trees nearly 40 years old".

Further, Council replied to the SES concerning their correspondence, which included in part:

"Council is well aware of the summer storm season and the damage that can be caused by fallen trees and high winds and is also aware of your organisation's advice to residents to take precautions, where practicable, to lessen any damage to persons, property and services. However, if Council were to permit the removal of all trees that have the potential to cause damage in these instances, then the majority of trees within Bathurst would need to be removed leaving the town denuded.

. . . At this stage however, Council does not believe that the removal of all the trees, as indicated in the application, is warranted."

Having regard to the above, it is clear Council has taken into account the advice of the SES.

4. TPO Application Form and Reasons for Action not taken into account

The TPO Application stated inter alia:

"Remove all large trees in succession native garden management. 10 trees to be removed . . . "

"Trees nearly 40 years old standing 50 - 80 ft exposed by open park wind tunnel to gusts 100 km/hr and more pose extreme risk of extensive damage to property . . . "

Council in terms of the process to consider the TPO,

- (a) received the application;
- (b) sent a qualified staff member to examine the trees at the site whilst meeting with one of the owners;
- (c) sent a qualified supervisor out to check when the staff member did not agree with the TPO application as submitted by the applicant;
- (d) provided a formal advice to the applicant.

The notice of determination by Council included, inter alia,

"I refer to your recent application requesting the removal of 10 trees within your property at 1 Braham Street, Bathurst.

Following an on-site inspection by Council's officer, I advise that at the time of inspection, the trees that you have requested removal were found to be in a sound healthy condition and posing no immediate danger to properties, services or persons.

It was observed that the number of trees that you have requested to be removed would considerably alter the amenity of the immediate area and negatively impact upon the surrounding neighbourhood, if they were removed. These trees are considered to be an important visual component of the streetscape of the Lorimer/Braham Streets area.

As Council's Tree Preservation Policy places emphasis on the preservation of trees, it is believed that in this circumstance, you have provided insufficient reason to warrant their

removal at this time. This is especially the case when regular maintenance works to these trees can allay any concerns you may have in respect to their structural integrity. You should also be aware that Council can give no guarantee, nor does it, that any tree may or may not cause damage or injury should they fail under an extreme weather event. Damage incurred under such circumstances is classified as an act of God. In addition, Council would believe that if there was a problem with these trees, it may well have manifested itself prior to this time.

Council will consider your request for the removal of these trees should further information be provided to Council that supports your belief that they are a safety concern. It would be recommended in this circumstance that you provide Council with a report from a qualified arborist."

Subsequently, a report from Lang Tree Management was commissioned by the applicant NOT Council. The report advised that the tallest tree was 18 m or approximately 54 feet in height with the balance being less than this height. Two of the ten trees were rated H4 hazard, which is clarified as "remedial works required within 3 - 12 months or as soon as possible". Four of the ten trees were rated H3 hazard, which is clarified as "remedial works required within 12 - 24 months or as soon as possible." Two of the ten trees were rated H2 hazard, which is clarified as "remedial tree works required within 2 - 4 years." Two of the ten trees were rated H1 hazard, which is clarified as "remedial tree works required within 5 years."

The report from Lang Tree Management shows clearly this was not a straight forward application. The ten trees requested to be removed had a range of conditions from very minor hazard to high hazard. The applicants advised that representatives of the Consultant were on site for three days in preparing their assessments.

Having regard to the above, Council did have regard to the reasons contained in the TPO. Further, the advice of the Consultant demonstrates this was not a simple application to remove ten trees.

Conclusion

A request has been received for Council to pay for arborist's fees incurred by residents who submitted a TPO application to Council. An assessment of the facts in this matter indicates:

1. Council professionally adhered to its policy/procedure in processing the application;
2. Gave due regard to the reasons provided on the TPO application and the extent of the request made;
3. The consultant was privately contracted by the TPO applicant, not Council.
4. Correspondence from the SES was reasonably considered in the process.

Accordingly, it is recommended that Council not agree to the request to refund the account(s) for \$3,025.

Financial Implications: If the recommendation is adopted, there are no financial implications.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.4
- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.6
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.5

MINUTE

55 Item 2 TREE PRESERVATION ORDER (TPO) APPLICATION, 1 BRAHAM STREET, BATHURST - MR & MRS T & I JONES (22.02413)

MOVED: Cr M Coote SECONDED: Cr G Westman

RESOLVED: That Council advise Mr & Mrs T & I Jones that Council will not reimburse them for the account(s) they incurred with Lang Tree Management.

3 TAFE BUILDINGS – 83 WILLIAM STREET, BATHURST (22.01387)

Recommendation: For Council's consideration.

Report: Councillors will recall two recent working parties (15 April and 20 May) regarding the gifting of the above site by the NSW State Government.

This report will broadly canvass the items previously discussed.

The land

The land is located in the core of the CBD, with frontage to William Street, and is situated in the block bounded by William, Howick, George and Church Streets, Bathurst (see map at **attachment 1**).

It forms part of the land which is formally known as the "Bathurst Town Square" and hence is significant from a heritage perspective. This should be taken into account in any redevelopment of the site.

The Australian Fossil and Mineral Museum (AFMM), housing the "Somerville Collection" is located on this site. The "Somerville Collection" is owned by the Australian Museum and managed by the Somerville Board. Bathurst Regional Council is a member of the Board. Bathurst Regional Council operates and manages the day to day activities of the facility.

That portion of land which contains the AFMM and part of Council's Cultural Collection is shown at **attachment 2**.

Zoning

The land is zoned 3(a) General Business under Bathurst Regional (Interim) Local Environmental Plan 2005. It is an Item of Environmental Heritage under that plan and is located within the Conservation Area.

The site is not listed on the State Heritage Register.

There is a Conservation Management Plan covering the site which was prepared in 1998 for the then NSW Department of Public Works and Services. The plan was prepared by Bialowas and Associates. This plan requires updating to reflect the practices applicable today. The cost to update this plan is estimated at a maximum of \$50,000.00.

Consultant's reports

Reports requested by Council for aspects of the site are broken down in the table below:

Report Title	Comment
Asbestos Management Plan, Lead Paint Audit, Prepared by "Australian Asbestos Management, Pty, Ltd, Maroochydore. QLD	The report shows the building to be in good condition with respect to asbestos and lead paint. There is very minimal risk to the public, subject to the qualifications contained within the report. It would be prudent to allow a figure of \$50,000.00 to cover the asbestos and lead paint issues identified.
Building Code of	This is anticipated to be a worst case scenario. The two reports can in effect be read together, as both involve compliance

<p>Australia, Compliance Audit Report, Prepared by "McKenzie Group Consulting, Sydney</p> <p>Disability Access Audit Report, existing Conditions, Prepared by Access Design Solutions, Brighton Vic</p>	<p>with the Building Code of Australia. The reports are technical in nature, and may be difficult for a non expert to comprehend.</p> <p>The reports estimate that to provide for BCA compliance and disability access, costs involved are \$397,000.00. A contingency of 40% should be allowed (\$158,800.00) giving a final total figure of \$555,800.00.</p> <p>Council should note that this is an estimation only, a more accurate costing is not able to be prepared without detailed construction plans.</p> <p>Council should note that the end result may involve putting sprinklers through the building. The cost estimate for this work is \$400,000.00. Should this be the case the final figure (rounded up) is one million dollars (\$1,000,000.00).</p>
<p>Central West Electrical Contractors, (estimation of costs for electrical works), Bathurst</p>	<p>The electrical upgrading required is quoted at \$237,550.00. The exclusions are outlined in the report. Allowing a contingency of 20% (\$47,510.00), giving a final cost of \$285,060.00.</p>
<p>Engineering Assessment 83 William Street Bathurst. Prepared by Calare Civil, Bathurst</p>	<p>The most relevant section is that under the heading Remedial Works.</p> <p>In summary the cost of remedial works for all buildings is as follows;</p> <p>(A) Old TAFE Building - \$100,000.00. A contingency of 40% is being allowed because of the qualifications in the report, and also there are always unexpected costs when working on old buildings. Therefore a figure of \$140,000.00 should be allowed.</p> <p>(B) Museum - \$45,000.00 plus 40% contingency (\$18,000.00), therefore a figure of \$63,000.00 should be allowed.</p> <p>(C) Headmasters Cottage - \$110,000.00 plus 40% contingency of \$44,000.00, therefore a figure of \$154,000.00 should be allowed.</p> <p>In summary, it is anticipated, in the worst case scenario (buildings (A) (B) and (C) a total figure \$357 000.00 would be required for remedial works.</p>

A table summarising the costs listed above is provided below:

Works	Estimated Cost
Updating of Conservation Management Plan	\$50,000.00
Asbestos and lead paint issues	\$50,000.00
BCA Compliance & Disability Access	\$555,800.00
Sprinkler System (Building A only)	\$400,000.00
Electrical works	\$285,060.00
Engineering works (Buildings A, B & C)	\$357,000.00
Total Estimated Cost	\$1,697,860.00

The table does not include the cost of a new purpose built Storage Facility for the museum collection.

There are also a number of similar reports commissioned by the various government departments prepared in previous years, however, these are of little relevance because of changes in the various pieces of legislation.

Holding Costs

Although hard to accurately quantify, the holding costs associated with the former TAFE building are estimated below.

Description	Estimated Cost (per annum)
Rates	\$57,608.00
Insurance	\$32,000.00
General maintenance	\$80,000.00
Security	\$10,000.00
Electricity	\$10,000.00
Cleaning	\$20,000.00
Vandalism	\$10,000.00
Contingencies	\$10,000.00
Total Estimated Cost	\$229,608.00

There is a difficulty in quantifying the above costs apart from the rates and insurances. However they are a good indication of the costs involved and are considered to be on the upper end of the scale.

Australian Fossil and Mineral Museum (AFMM)

Council is aware that the AFMM is located on the site. The question of what happens to the collection should Council not accept the site is unknown. It would be unlikely the government would make Council relocate the collection as it is owned by the Australian Museum and there is a lease in place. What land would be left as curtilage around the collection should a subdivision takes place is a matter for consideration, as is car parking etc.

Council may also be forced to pay commercial rent for the site which would increase annual operational costs considerably.

The cost of constructing a building to house the museum and a storage facility will cost between \$6-\$10 million.

Town Square precinct

The Bathurst Town Square is an important consideration in respect of the development of the site. There has been a Town Square Committee in place for a number of years. Council has in effect been a major contributor to that Committee.

The committee to date has concentrated principally on signage and interpretation however, there has been some discussion on the preparation of a master plan for the entire block.

The town square is bounded by William, Howick, George and Russell Streets. The major consideration in any Master plan would involve access and open space provisions (excluding the site in question). The reason being that most if not all the square is developed and there is really little or no scope for any major building redevelopment work.

Open space and access are considerations that can be included in any brief prepared for the development of the site, should Council resolve that way.

Community perception

There is a community perception that should the building be gifted, then it will be used as a community/cultural facility. The origin of this perception dates back to when the issue was

first raised a number of years ago by then Premier Reece.

Planning matters for consideration

There are many options available for the development of the site. There are incentive clauses within Council's Local Environmental Plan which can be used to facilitate the development of the land. There is a clause which allows Council to approve a "prohibited use" should that be seen as appropriate to ensure the preservation of the building(s).

Council should note that it can give consideration to the establishment of new "special planning provisions" to ensure that the development of the site becomes economically feasible. This will be particularly so if Council wishes to make space available for community use at a subsidised rate.

Should the final option for the development of the site contain a residential component Council could give consideration to increasing the residential density per site hectare to ensure the proposed development becomes economically viable. There may also need to be concessions given on car parking etc. Council could also support increasing the height of a building (number of stories) on this site, which in turn would increase return on investment as the gross leasable area would be greater.

This could happen without any detriment to the streetscape.

All of these options could be considered on their merits at the time of development. Building design and architecture would play a major role in gaining Council support for such options.

Some of the options given above may require approval from the Department of Planning and Infrastructure, however this should be forthcoming.

Area available for redevelopment

The former TAFE site has an area of six thousand and thirty three square metres (6033m²). This of course includes the area used to house the AFMM. If the Council accepts the current offer the AFMM and its curtilage will be included as part of the gift.

Access

Vehicular access to the site would be via the laneway off William Street with a possibility of access off Parrish Lane. Other access points may be incorporated as part of any redevelopment.

Development options

The Conservation Management Plan should be used as a guide for the development of the site/buildings. Notwithstanding this, or consequently, there will be buildings and part of buildings that will need to be protected. Conversely, there will be buildings that may need to be demolished or altered to allow development to take place. There will also be options for the erection of new buildings within the site.

It is important to note that the development of heritage buildings often requires compromise to enable redevelopment to take place. This compromise is always undertaken in the best interest of preserving the primary heritage building(s) and the fabric of highest significance.

There are many options that could be explored for the development of the site. The most

obvious are summarised below:

Option	Comment
(a) Council could expend the monies (from its budget) to restore the building to a usable condition and then lease it to community groups at a peppercorn rent.	<p>The best estimate of costs for the restoration of the building to meet the requirements of the Building Code of Australia is given above. Council would also incur the cost of the development itself.</p> <p>On top of this it is expected Council would incur costs in excess of one hundred and fifty thousand dollars each year for out goings.</p> <p>This does not include any operational or staffing costs.</p>
(b) Dispose of the building by way of Sale	<p>Council could accept the building (as gifted), carry out a subdivision to separate the land required for the AFMM and then sell the remainder for redevelopment.</p> <p>This is a decision for the Council to determine bearing in mind that the heritage aspect of the building would be protected under Council's planning controls. Council may also be able to insert performance clauses in the contract of sale to ensure redevelopment takes place.</p> <p>This option depends on the "strings attached" with the gifting of the building from the State Government. These are not finally known at the time of drafting this report, however, the Department of Education is seeking access to a share of any profits made on any subsequent sale by Council.</p>
(c) Grant the Building to a Developer for Redevelopment for a Defined Period of Time	<p>This would require considerable research and would need to be fleshed out, which is beyond the scope of this report. However the intention would be to call for expressions of interest for the redevelopment of the site.</p> <p>The expression would be called on the basis that Council would provide the site (and buildings or specified buildings) to the successful developer at a token cost per annum. The site would be redeveloped, and after the agreed time expired its control would revert back to Council.</p> <p>Council would retain ownership of the buildings and the site.</p> <p>The terms and conditions would need careful research however it is considered an acceptable method of getting the buildings and site developed with minimal or no cost to Council.</p> <p>Sufficient time would need to be granted to ensure there was time for the developer to get a return on investment.</p> <p>This method is considered attractive, as it gives Council some control over development with minimal or no financial risk.</p> <p>An indicative time would be in the order of twenty five (25) to thirty five (35) years.</p> <p>It may however be difficult to raise finance under this scenario.</p>
(d) Call for Expressions of Interest (outright).	<p>This method involves Council preparing a brief and then calling for expressions of interest for the sale of the site and its redevelopment. This is the method used for the development of the two centre car parks which now house Bathurst City Centre and Bathurst Chase shopping centres.</p>

	<p>Again this is an attractive option because it allows for the redevelopment of the site at minimal or no cost to Council. Should this option be chosen Council should note that it would be selling that part of the site not required for the housing/storage of the AFMM.</p> <p>Obviously, a subdivision of the land would be required, and would involve some cost.</p>
(e) Public Private Partnership	This involves both Council and the private sector having a financial commitment to the development. This process is complicated and requires Ministerial approval. Notwithstanding this it is an option worthy of consideration.

Development mix

There are many options available for the development of the site. As previously mentioned there are incentive clauses within Council's Local Environmental Plan which can be used to facilitate the development of the land. There is a clause which allows Council to approve a "prohibited use" should that be seen as appropriate to ensure the preservation of the building(s).

Council should note that it may have to give consideration to the establishment of new special planning provisions to ensure that the development of the site becomes economically feasible. This will be particularly so if Council wishes to make space available for community use at a subsidised rate.

The development mix should not be viewed in isolation as it is highly probable the end result will be a combination of any of those uses listed below.

- Food premises (take away shop, restaurants, cafes) etc or a combination of all of the above.
- Licensed premises.
- Specialty commercial premises.
- Professional offices e.g. solicitors, accountant, consultancy offices etc.
- Boutique serviced apartments/ motel/ hotel etc.
- Residential unit development.
- Community/cultural uses, outdoor/indoor markets, museums, meeting rooms, educational establishment.
- Entertainment establishments.
- Outdoor community space.

Time line for the gifting of the site to Council

From advice received to date it would be expected that Council would get title to the land this calendar year. Council needs to be sure that the site is transferred as Torrens Title land. Advice received from the State Property Authority is that the site is currently being converted to Torrens Title.

Council has received advice that it is expected that the land will be vested in the State Property Authority by the end of June 2013. This will not include the small parcel abutting Parrish Lane. This will be vested at a later date. The reason being it was brought to the State Property Authorities attention too late to be included in the initial vesting.

Council should note there are no issues involved and it will be vested in Council should Council accept the site.

Summary

During the previous months Council has been provided with copious amounts of information with respect to the former TAFE site. The information above fully informs Council of the costs involved in accepting the “gifting” of the site to Council as offered by the NSW State Government.

During the two workshops held, firstly on the 15 April 2013 and secondly on 20 May 2013 all the positives of accepting the site along with the negatives have been discussed by Councillors with the assistance of information provided by senior staff.

Councillors have been advised in detail of the risks and costs involved in accepting ownership of the site along the possible development options available.

As advised orally at the workshop meeting no underground exploration has been undertaken. However, it is not anticipated that there would be any major impediment to development of the site because of (natural) underground constraints.

Councillors have a number of options for consideration and deliberation on this matter. These are mentioned below:

- (i) Council can decline the offer (made by the State Government) to accept ownership of the site.

Comment: There are implications to Council not accepting ownership of the site particularly in respect of the AFMM. A re-negotiation of the lease and subdivision of the site would need to be negotiated with the state government. Hopefully this could take place prior to the government disposing of the site by sale. Indications from the Government have been they wish to deal with the site in its entirety, not as separate parcels. It is likely that the AFMM site would be included in any deal. If Bathurst Regional Council didn't take the site then Council would need to negotiate with a private developer.

In a worst case scenario the owners of the museum may be forced to vacate the site. The cost involved would be in the range of \$6 to \$10 million dollars as it would not be cost effective to build a building to house the collection as a single entity.

- (ii) Council accepts the site with the knowledge there are a number of options that are available for the development and or disposal of the site.

Comment: Should Council accept ownership of the site (as proposed) it has been fully informed of all options available for the reuse/development of the site. During this time there will be holding costs involved as indicated above. These costs are in excess of two hundred thousand dollars per annum.

Should Council accept ownership, and chooses to develop the site, the first step in the process would be to carry out a subdivision to place the museum on its own site. This will also involve a cost.

Council has now reached the stage of making a decision on either accepting the site as proposed by the State Government or to reject the offer. All options after the decision is made will be the subject of further reports to Council. Therefore the following options are provided for Council's deliberation and decision.

Option 1: Reject the offer of the State Government, and begin negotiations immediately in respect of the future of the AFMM on the site.

Option 2: Accept the offer that the land be vested in Bathurst Regional Council as Torrens Title land, and that the land be unencumbered.

Following Council's decision further reports will be submitted to Council for its deliberation, on the future direction of the site.

Financial Implications: Dependent upon Council's decision.

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, 6.3
- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.6
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2, 30.6

MINUTE

- 56 **Item 3 TAFE BUILDINGS – 83 WILLIAM STREET, BATHURST (22.01387)**
MOVED: Cr M Coote SECONDED: Cr I North

The following MOTION was MOVED

That Council accept the offer that the land be vested in Bathurst Regional Council as Torrens Title land, subject to a satisfactory resolution of the profit sharing arrangement with DET.

MINUTE

57 Item 3.1 TAFE BUILDINGS – 83 WILLIAM STREET, BATHURST (22.01387)
MOVED: Cr G Rush SECONDED: Cr M Coote

The following **AMENDMENT** was **MOVED**.

That

- (a) Council accept the offer that the TAFE site be vested in Bathurst Regional Council as Torrens Title land
- (b) the land be classified as operational

The **AMENDMENT** was **PUT** and **BECAME** the **MOTION**.

MINUTE

58 **Item 3.2 EXTENSION OF TIME (22.01387)**
MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That an extension of time be granted to Cr Aubin for Minute #57 in accordance with Clause 250(3) of the Local Government (General) Regulation.

MINUTE

59 **Item 3.3 EXTENSION OF TIME (22.01387)**
MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED: That an extension of time be granted to Cr Westman for Minute #57 in accordance with Clause 250(3) of the Local Government (General) Regulation.

MINUTE

60 **Item 3.4 EXTENSION OF TIME (22.01387)**
MOVED: Cr I North SECONDED: Cr G Westman

RESOLVED: That an extension of time be granted to Cr Rush for Minute #57 in accordance with Clause 250(3) of the Local Government (General) Regulation.

MINUTE

61 Item 3.5 TAFE BUILDINGS – 83 WILLIAM STREET, BATHURST (22.01387)
MOVED: Cr G Rush SECONDED: Cr M Coote

The MOTION was then PUT and CARRIED

RESOLVED: That

- (a) Council accept the offer that the TAFE site be vested in Bathurst Regional Council as Torrens Title land
- (b) the land be classified as operational

Crs Aubin and Westman asked that their negative vote be recorded.

Yours faithfully



D J Sherley
GENERAL MANAGER

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING 4 JUNE 2013 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 4 June 2013 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 4 June 2013, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.5

MINUTE

62 **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING 4 JUNE 2013 (07.00006)**
MOVED: Cr W Aubin SECONDED: Cr M Coote

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 4 June 2013 be adopted.

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 4 JUNE 2013

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

Members: Cr Warren Aubin (Chair), Senior Constable Luke Cole (Police), Tony Hendry (RMS)

Present: Doug Patterson (Director Engineering Services) and Paul Kendrick (Traffic & Design Engineer)

APOLOGIES

2 APOLOGIES

David Veness (MP Representative)

REPORT OF PREVIOUS MEETING

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

That the Minutes of the Traffic Committee Meeting held on 2 April 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 2 APRIL 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 RANKIN STREET - REVIEW OF PARKING (2010/0924)

It is recommended that:

- (a) Council note the information, and
- (b) The parking arrangements on Rankin Street between Howick Street and Durham Street be accepted with minor modifications, in accordance with the Director Engineering Services' report.

8 Item 4 SAINT JOHN'S ROAD - TWO WAY DIVIDING (BARRIER) LINES (25.00540)

That two way dividing (barrier) lines be installed in Saint John's Road Georges Plains for approximately 100 metres in the locations detailed in the Director Engineering Services' report.

9 Item 5 O'REGANS ROAD TWO WAY DIVIDING (BARRIER) LINES (25.00453)

That two way dividing (barrier) lines be installed in O'Regans Road Perthville in the locations detailed in the Director Engineering Services' report.

10 Item 6 ALPHA STREET TWO WAY DIVIDING (BARRIER) LINES (25.00130)

That two way dividing (barrier) lines be installed in Alpha Street Bathurst in the locations detailed in the Director Engineering Services' report.

11 Item 7 TARANA ROAD (VIA BREWONGLE) SAFETY AUDIT (25.00290/042)

That Council further review the site and report back to the Traffic Committee.

12 Item 8 HERITAGE DRIVE (28.00007-04)

That Council approves installation of directional signage to redirect the route and upgrade Council's existing Heritage Self Drive Tour.

TRAFFIC REGISTER

13 Item 1 TRAFFIC REGISTER (07.00006)

That the information be noted.

MEETING CLOSE

14 MEETING CLOSE

The Meeting closed at 2.26 pm.

RESCISSION MOTIONS

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 RESCISSION MOTION - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD 17 APRIL 2013 (11.00005)

Recommendation: For Council's consideration.

Report: We the following Councillors hereby give notice of rescission of the following motion of Council.

Minutes - Ordinary Meeting of Bathurst Regional Council held 17 April 2013.

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

Dated: 15 May 2013

Signed: Cr Bobby Bourke
Cr Gary Rush
Cr Ian North

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

**63 Item 1 RESCISSION MOTION - ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL HELD 17 APRIL 2013 (11.00005)**

MOVED: Cr G Rush SECONDED: Cr I North

RESOLVED: That the motion to adopt the minutes of the Bathurst Regional Council meeting held on 17 April 2013 be rescinded.

MINUTE

64 Item 2 RESCISSION MOTION - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD 17 APRIL 2013 (11.00005)

MOVED: Cr G Rush SECONDED: Cr M Coote

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional council held on 17 April 2013 be adopted with the following change.

Minute #2 - Public Question Time - **B Manning** - ratepayer - Procedures for updating staff of changes in legislation

change from:

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

change to:

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

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

DELEGATES REPORTS AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 8 MAY 2013 (11.00019)

Recommendation: That the information be noted.

Report: **Present:** Crs Morse (Chair), Aubin, Bourke, Jennings, North, Rush.

Apologies: Crs, Coote. Hanger, Westman.

1. ESSENTIAL ENERGY (18.00124)

Phillip Green, (Regional General Manager, South Eastern, Essential Energy), Michael Wykes (Area Manager Bathurst) and Penny Cox - met with Councillors.

Discussion included:

- Essential Energy is the largest network in Australia.
- It has 800,000 customers.
- \$1.9 Billion budget and 4,500 employees.
- It maintains 200,000 km power lines.
- Network Reform
Network NSW comprises 1 Board, 3 Companies: - Ausgrid, Endeavour Energy and Essential Energy.
Network cost is the largest percentage of the cost to consumers.
- Objectives
Safety Improvement.
Maintain Network Stability.
Keep Cost increases below cpi for next 6 years.
- 302 Employees in Bathurst.
- 59 Apprentices in 2013.
- 2 Apprentices in Bathurst.
- Community Support Section
- www.essential.energy.com.au/communitysupport ,1-31 October next intake of grant applications for 2014.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

**65 Item 1 COUNCILLORS MEETING WITH COMMUNITY
GROUPS/REPRESENTATIVES - 8 MAY 2013 (11.00019)**

MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That the information be noted, with a notation that the State Government is the sole shareholder of Essential Energy and that approximately 50% of Essential Energy's profits are paid to the State Government.

Further it be noted that Cr Hanger was in attendance at the meeting.

2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 14 MAY 2013 (11.00020)

Recommendation: That the information be noted.

Report: MINUTES OF BATHURST REGIONAL YOUTH COUNCIL MEETING HELD IN COUNCIL CHAMBERS ON TUESDAY, 14 MAY 2013

PRESENT: Jonty Boshier, Jayne Dwyer, Dom Mjadwesch, Nicholas Stevens, Saskia-Jayne Handley, Cameron Jones, Emma Farr, Brendan Thorpe, Nicholas Forbutt, Keegan Bringolf, Gerard O'Shea, Sophie Ireland, Khaitlyn Nott, Samantha Lloyd, Erin Brouff, Meg Daymond

IN ATTENDANCE: Megan Bargwana (Community Development Officer- Youth), Karen Golland (headspace)

1. APOLOGIES

RESOLVED that apologies from Sarah Harvey, Cassie Talbot and Keira Germech be accepted.

2. ADOPTION OF PREVIOUS MINUTES

RESOLVED that the minutes of the meeting held 12 March 2013 be accepted

Moved: Samantha Lloyd

Seconded: Erin Brouff

3. BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from the previous minutes.

4. DE -BRIEF: YOUTH WEEK 2013 – BE ACTIVE. BE HAPPY. BE YOU. 5-14 APRIL 2013 “BATHURST’S GOT TALENT”.

- The group discussed what worked well and what improvements could be made if the event was to proceed again:
- What worked well- good turnout, live video feed and interviews, good sound and mixing, interviews.
- It was also suggested if it was possible to put the footage up on the website
- What did not work so well- food ran out quickly, crowded upstairs, seating at the back of the room did not have a good view- another screen may have fixed this problem, Emmanuel's feedback was a little too general.
- Suggestion to possibly run the event every third year so that the talent is not exhausted and the same
- Suggestion to try and get the Youth Council more involved.

5. YOUTH COUNCIL NEXT PROJECT

- Discussion about the date for the next dance party. The group agreed to have the event on Saturday 20 July 2013.
- Potential themes were discussed. Suggestions included: 1920's Great Gatsby, European Animals, Exercise/80's/Breakin' a sweat, Monsters Inc., Childhood Movies,

- Sing-a-lot, Hawaiian, Halloween, Flouro, Around the World
- The group voted and decided on “Around the World”
- Discussion about getting the photo booth- Megan to follow up
- Discussion about chill out areas themed in different countries eg: Hawaiian
- Discussion about DJ or live music. The group agreed they would like a DJ.
- DJ options discussed- Chris Wedlock- Sophie to enquire, Brett Foran- Gerard to provide phone number
- Promotional poster- Erin, Keegan and Sophie to draft some ideas before the next meeting.
- Next working party meeting- Monday 20 May 3.45pm-4.45pm

6. GENERAL BUSINESS

6.1 Heritage Action Network - Sophie has had a request for the Youth Council to be involved with the Heritage Action Network. Sophie to follow up with details.

6.2 Karen Golland-headspace - Karen spoke to the group about the services Headspace provide. Services include: a holistic view of mental health, wellbeing, vocational support and drug and alcohol services. In the past Headspace have had a Youth Reference group, however the Youth Council has more recently been used for a range of consultation for programs and events run by Headspace.

- IDAHO day will be celebrated this Friday to promote awareness of gender and sexuality.
- Mental Health month is coming up soon.
- Headspace also have a confidential online service- eheadspace for young people and their families
- Discussion about putting the recently created short film “The Feelsinator 5000” on the Youth Council website. Karen to forward link.
- Discussion about holding working party meetings at Headspace. Megan to follow up.
- National Campaign posters were distributed for Youth Council to put up in their schools/organisations.

6.3 CSU representatives - two CSU students have expressed an interest in joining the Youth Council. The group discussed this and agreed that this would be good. Megan to follow up with students.

6.4 Governor General's visit - discussion and clarification regarding Youth Councillors attendance at the Governor General's visit this afternoon and the role of the Youth Mayor and Deputy Mayor.

6.5 Youth Council T-shirts - Discussion regarding Youth Council T-shirts. Group agreed they would like blue, polo shirts with the Youth Council logo and the representative's name on the front and “Youth Council” on the back. Jonty, Meg and Megan to follow up.

9. NEXT MEETING

The next meeting of the Bathurst Regional Youth Council will be held on Tuesday, 23 July 2013 at 11.15am.

10. MEETING CLOSURE

There being no further business, the meeting closed at 1.06pm.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

66 Item 2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 14 MAY 2013
(11.00020)

MOVED: Cr M Coote SECONDED: Cr G Rush

RESOLVED: That the information be noted.

**3 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 4 JUNE 2013
(20.00153)**

Recommendation: That the information be noted.

Report: The Minutes of the 2015 Bicentenary Celebrations Committee held on Tuesday 4 June 2013 are provided at **attachment 1**.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

67 Item 3 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 4 JUNE 2013 (20.00153)

MOVED: Cr G Rush SECONDED: Cr G Hanger

RESOLVED: That the information be noted.

MINUTE

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

MOVED: Cr M Coote 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	TENDER FOR HAWTHORNDEN CREEK REGRADING AND 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	LAND RELEASE - AVONLEA STAGES 8 AND 10 RESIDENTIAL SUBDIVISIONS - PHILLIP STREET, KNIGHT PLACE AND MORGAN PLACE	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	RENEWAL OF LEASE AGREEMENT SIGN EVENT PTY LTD - STORAGE SHED MT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED NEW LICENCE AGREEMENT - PART LOT 221 DP1147157 - STEPHENS LANE, KELSO - SCHRYVER	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	EXPRESSION OF INTEREST - LOT 1 DP1076086 KNOWN AS 112 BENTINCK 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	TENDER FOR DESKTOP/WORKSTATION REPLACEMENT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

		Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	RENEWAL OF RESIDENTIAL TENANCY AGREEMENT - LOT 9 DP1047248 - 310 BROCK SKYLINE, MT. PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	RENEWAL OF LICENCE AGREEMENT - LOT 3 DP232111 - 68 MOUNTAIN STRAIGHT, MT PANORAMA - COLLEY	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	TENDER FOR SUPPLY AND DELIVERY OF FUEL - CENTROC	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	TENDER FOR PRE-EMPLOYMENT SERVICES - CENTROC	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in

		open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
10	TENDER FOR AUDITING SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR CONSTRUCTION OF CIVIL WORKS AT AVONLEA RESIDENTIAL ESTATE STAGE 9	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	TENDER FOR PROVISION OF SANITARY SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TENDER FOR CLEANING OF PUBLIC TOILETS	10A (2) (d) (i) – contains commercial information of a confidential nature that would,

		if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	TENDER FOR CLEANING OF PUBLIC BUILDINGS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	TENDER FOR PREFERRED CONTRACTOR'S LIST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	TENDER FOR NETWASTE REGIONAL COLLECTION AND RECYCLING OF SCRAP METAL - NETWASTE TENDER 145/534/984/1	410A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	TENDER FOR PROVISION OF TRAFFIC CONTROL SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the

		commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	TENDER FOR THE SUPPLY, DELIVERY AND PLACEMENT OF SPRAYED BITUMINOUS SURFACING	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	TENDER FOR ROAD STABILISING WORKS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
10	MOU FOR THE REGIONAL TENDER OF WASTE SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
11	PROPOSED ROAD WIDENING AND PARTIAL ROAD CLOSURE, PART LOT 3 DP869951 AND LOT 151 DP1118052, 80	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the

	WAMBOOL ROAD, O'CONNELL	person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
12	PROPOSED ROAD WIDENING AND PARTIAL ROAD CLOSURE, PART LOT 1 DP32374, 333 WAMBOOL ROAD, O'CONNELL	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.
13	TENDER FOR DESIGN AND CONSTRUCTION OF SPRUNG FLOOR AT BATHURST MEMORIAL ENTERTAINMENT CENTRE	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 JUNE 2013

MINUTE

a Item 1 TENDER FOR HAWTHORNDEN CREEK REGRADING AND STABILISATION WORKS (36.00486)

MOVED: Cr B Bourke SECONDED: Cr W Aubin

That Council accepts the tender of Central West Civil Pty Limited, for the construction of Creek Regrading and Stablisation Works at Hawthornden Creek, Bathurst in the amount of \$244,859.72 Inc. GST.

DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 JUNE 2013

MINUTE

Item 1 LAND RELEASE - AVONLEA STAGES 8 AND 10 RESIDENTIAL SUBDIVISIONS - PHILLIP STREET, KNIGHT PLACE AND MORGAN PLACE (20.00102)
MOVED: Cr B Bourke SECONDED: Cr W Aubin

That Council approves:

- (a) the release for sale of twenty-two (22) lots, namely Lots 800 - 821 in proposed DP1185390 in the new residential subdivision located on Phillip Street and Morgan Place to be known as Avonlea Stage 8, under the ballot system.
- (b) the release for sale of eighteen (18) lots namely Lots 1000 - 1017 in proposed DP1185389 in the new residential subdivision located on Phillip Street and Knight Place to be known as Avonlea Stage 10, under the ballot system.
- (b) the sale prices as detailed in the report.

MINUTE

**c Item 2 RENEWAL OF LEASE AGREEMENT SIGN EVENT PTY LTD -
STORAGE SHED MT PANORAMA (04.00041)**

MOVED: Cr M Coote SECONDED: Cr W Aubin

That Council approves entering into a new Commercial Lease Agreement with Sign Event Pty Ltd for the use of a storage shed located at Mt Panorama on Lot 4 DP112509 for a period of twelve (12) months with an option period of twelve (12) months at a weekly lease fee of \$30.00 (GST inclusive) plus annual CPI adjustments as detailed in the report.

MINUTE

**d Item 3 PROPOSED NEW LICENCE AGREEMENT - PART LOT 221 DP1147157
- STEPHENS LANE, KELSO - SCHRYVER (21.00022)**

MOVED: Cr B Bourke SECONDED: Cr M Coote

That Council approves entering into a new Licence Agreement with Ms Nicole Schryver for part Lot 221 in DP1147157 located on Stephens Lane, Kelso for a period of one (1) year with a one (1) year option period at a licence fee of \$100.00 per annum (GST inclusive) plus annual CPI adjustments as detailed in the report.

MINUTE

e Item 4 EXPRESSION OF INTEREST - LOT 1 DP1076086 KNOWN AS 112 BENTINCK STREET, BATHURST (22.00830)

MOVED: Cr M Coote SECONDED: Cr G Westman

That Council approves entering into a new Commercial Lease Agreement for Lot 1 DP1076086 known as 112 Bentinck Street, Bathurst with Schafer & Sons Pty Ltd t/a Bathurst & District Plumbing & G.A.S. for a period of one (1) year at which time a review process would be initiated to assess the viability of the site, as detailed in the report.

MINUTE

f Item 5 TENDER FOR DESKTOP/WORKSTATION REPLACEMENT (36.00479)
MOVED: Cr M Coote SECONDED: Cr G Rush

That Council accept the tender from Dell for the sum of \$172,560.00 (ex GST) as detailed in this report. Also, that Council pay for this purchase by way of an upgrade to Council's Master Agreement lease with Equitech at a total cost of \$9,659.78 per quarter.

MINUTE

**g Item 6 RENEWAL OF RESIDENTIAL TENANCY AGREEMENT - LOT 9
DP1047248 - 310 BROCK SKYLINE, MT. PANORAMA (22.01640)
MOVED: Cr J Jennings SECONDED: Cr W Aubin**

That Council approves entering into a new Residential Tenancy Agreement for Lot 9 DP1047248 known as 310 Brock Skyline, Mt Panorama with Kenton and Fiona Hope for a period of twelve (12) months with an option period of twelve (12) months as detailed in the report.

MINUTE

h Item 7 RENEWAL OF LICENCE AGREEMENT - LOT 3 DP232111 - 68
MOUNTAIN STRAIGHT, MT PANORAMA - COLLEY (22.00054)
MOVED: Cr W Aubin SECONDED: Cr M Coote

That Council approves entering into a new Licence Agreement for Lot 3 DP232111 known as 68 Mountain Straight, Mt Panorama with Mr Neil and Mrs Patricia Colley for a period of three (3) years as detailed in the report.

MINUTE

**i Item 8 TENDER FOR SUPPLY AND DELIVERY OF FUEL - CENTROC
(15.00017)**

MOVED: Cr G Westman SECONDED: Cr M Coote

That Council:

- (a) endorse the selection of Reliance Petroleum (Centrel Pty Ltd), Park Pty Ltd, Dib Group Pty Ltd, Oilsplus Pty Ltd as members of Council's panel for supply of fuel and for negotiations to take place
- (b) advise CENTROC of its decision.

MINUTE

i Item 9 TENDER FOR PRE-EMPLOYMENT SERVICES - CENTROC (19.00019)
MOVED: Cr G Hanger SECONDED: Cr I North

That Council:

- (a) endorse the selection of Independent Injury Solutions as the provider for Council's pre-employment services and for negotiations to take place.
- (b) advise CENTROC of its decision

MINUTE

k Item 10 TENDER FOR AUDITING SERVICES (36.00465)
MOVED: Cr M Coote SECONDED: Cr G Rush

That Council appoint Morse Group as Council's auditor for the six years ending 30 June 2019.

DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

19 JUNE 2013

MINUTE

**I Item 1 TENDER FOR CONSTRUCTION OF CIVIL WORKS AT AVONLEA
RESIDENTIAL ESTATE STAGE 9 (36.00476)**

MOVED: Cr I North SECONDED: Cr J Jennings

That Council accepts the tender of Hynash Constructions Pty Ltd, for the construction of Civil Works at Avonlea Residential Estate Stage 9 in the amount of \$648,388.00 Inc. GST subject to adjustments and provisional items.

MINUTE

m Item 2 TENDER FOR PROVISION OF SANITARY SERVICES (36.00483)
MOVED: Cr I North SECONDED: Cr M Coote

That Council accept the tender of San Serve Pty Ltd for the amount of \$19,476.76 (inc. GST), for the provision of sanitary services, subject to alterations and provisional items.

MINUTE

n Item 3 TENDER FOR CLEANING OF PUBLIC TOILETS (36.00485)
MOVED: Cr G Rush SECONDED: Cr G Westman

That Council accept the tender of Kleen Group for the amount of \$133,100.00 (inc. GST), for the cleaning of Public Toilets, subject to alterations and provisional items.

MINUTE

o **Item 4 TENDER FOR CLEANING OF PUBLIC BUILDINGS (36.00484)**
MOVED: Cr M Coote SECONDED: Cr J Jennings

That Council accept the tenders of (incl GST):

- (a) Northern Contract Cleaning for Separable Portion (i) at \$89,400.00
- (b) SKG Pty Ltd for for Separable Portion (ii) at \$121,121.00
- (c) Nimdor Cleaning Services for Separable Portion (iii) at \$64,300.00
- (d) SKG Pty Ltd for Separable Portion (iv) at \$66,066.00
- (e) Northern Contract Cleaning for Separable Portion (v) at \$101,908.00
- (f) Northern Contract Cleaning for Separable Portion (vi) at \$71,960.00
- (g) Northern Contract Cleaning for Separable Portion (vii) at \$42,520.60
- (h) Nimdor Cleaning Services for Separable Portion (viii) at \$51,480.00
- (i) Nimdor Cleaning Services for Separable Portion (ix) at \$26,890.00

MINUTE

p Item 5 TENDER FOR PREFERRED CONTRACTOR'S LIST (36.00490)
MOVED: Cr M Coote SECONDED: Cr G Westman

That Council accepts the Preferred Contractor List for the engagement of contractors for minor building works up to the value of \$20,000 (incl. GST) as listed in the Director Engineering Services' report, subject to submission of complete information being supplied for casual hire and in accordance with the General Conditions of Tender.

MINUTE

**g Item 6 TENDER FOR NETWASTE REGIONAL COLLECTION AND RECYCLING
OF SCRAP METAL - NETWASTE TENDER 145/534/984/1 (14.00007)**

MOVED: Cr I North SECONDED: Cr M Coote

That Council:

- (a) advise NetWaste that it endorses their recommended supplier,
- (b) authorises the General Manager to sign the contract, and
- (c) note that there will be a further report providing details of the successful tenderer and their price once the participating Councils have completed their contracts.

MINUTE

**r Item 7 TENDER FOR PROVISION OF TRAFFIC CONTROL SERVICES
(36.00487)**

MOVED: Cr J Jennings SECONDED: Cr G Hanger

That Council -

- (a) decline to accept any tenders for the Provision of Traffic Control Services, and
- (b) invite fresh tenders, in accordance with Clause 167 "Open Tendering" of the Local Government (General Regulation), 2005.

MINUTE

**s Item 8 TENDER FOR THE SUPPLY, DELIVERY AND PLACEMENT OF
SPRAYED BITUMINOUS SURFACING (36.00488)**

MOVED: Cr I North SECONDED: Cr B Bourke

That Council -

- (a) decline to accept any tenders for the Supply, Delivery and Placement of Sprayed Bituminous Surfacing, and
- (b) invite fresh tenders, in accordance with Clause 167 "Open Tendering" of the Local Government (General Regulation), 2005.

MINUTE

t Item 9 TENDER FOR ROAD STABILISING WORKS (36.00489)
MOVED: Cr I North SECONDED: Cr J Jennings

That Council -

- (a) decline to accept any tenders for Road Stabilising Works, and
- (b) invite fresh tenders, in accordance with Clause 167 "Open Tendering" of the Local Government (General Regulation), 2005.

MINUTE

**u Item 10 MOU FOR THE REGIONAL TENDER OF WASTE SERVICES
(14.00007)**

MOVED: Cr M Coote SECONDED: Cr G Hanger

That Council authorise the General Manager to execute the MOU for the Regional Tender of Waste Services, noting that it only covers recycling and organics.

MINUTE

**v Item 11 PROPOSED ROAD WIDENING AND PARTIAL ROAD CLOSURE,
PART LOT 3 DP869951 AND LOT 151 DP1118052, 80 WAMBOOL ROAD, O'CONNELL
(25.00533)**

MOVED: Cr W Aubin SECONDED: Cr M Coote

That Council approve the proposed road widening of Wambool Road affecting part Lot 3 DP869951 and part Lot 151 DP1118052 being 80 Wambool Road, O'Connell and partial road closure of Wambool Road, as detailed in the Director Engineering Services report. The acquired properties to be classified as Operational land.

MINUTE

**w Item 12 PROPOSED ROAD WIDENING AND PARTIAL ROAD CLOSURE,
PART LOT 1 DP32374, 333 WAMBOOL ROAD, O'CONNELL (25.00533)**

MOVED: Cr M Coote SECONDED: Cr B Bourke

That Council approve the proposed road widening of Wambool Road affecting part Lot 1 DP32374 being 333 Wambool Road, O'Connell and partial road closure of Wambool Road, as detailed in the Director Engineering Services report. The acquired properties to be classified as Operational land.

MINUTE

**x Item 13 TENDER FOR DESIGN AND CONSTRUCTION OF SPRUNG FLOOR
AT BATHURST MEMORIAL ENTERTAINMENT CENTRE (36.00482)**

MOVED: Cr W Aubin SECONDED: Cr G Rush

That Council accept the tender of Theatricalities Pty Ltd in the amount of \$123,019.60 (incl GST) for the installation of a sprung floor at the Bathurst Memorial Entertainment Centre subject to adjustments and provisional items.

MINUTE

69 RESOLVE INTO OPEN COUNCIL
MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That Council resume Open Council.

MINUTE

70 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
MOVED: Cr W Aubin SECONDED: Cr M Coote

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

MINUTE

71 MEETING CLOSE

The Meeting closed at 8.58 pm.

CHAIRMAN: _____

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