



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

13 March 2013

Her Worship the Mayor & Councillors

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 20 March 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, 20 MARCH 2013

1. 6:00 PM - MEETING COMMENCES

2. PUBLIC QUESTION TIME

3. PRAYER

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

4. APOLOGIES

5. MINUTES

* Minutes - Ordinary Meeting of Bathurst Regional Council - 20 February 2013

6. DECLARATION OF INTEREST

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

7. MAYORAL MINUTE - Nil

8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS

* Director Environmental Planning & Building Services' Report

* Director Corporate Services & Finance's Report

* Director Engineering Services' Report

* Director Cultural & Community Services' Report

9. REPORTS OF OTHER COMMITTEES

* Minutes - Policy Committee Meeting - 6 March 2013

* Minutes - Traffic Committee Meeting Held 5 March 2013

10. NOTICES OF MOTION

11. RESCISSION MOTIONS

12. DELEGATES REPORTS

* Councillors Meeting With Community Groups/representatives - 14 November 2012

* Councillors Meeting With Community Groups/representative - 13 February 2013

- * Councillors Meeting With Community Groups/representatives - 27 February 2013
- * 2015 Bicentenary Celebrations Committee Extraordinary Meeting - 5 March 2013

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

Recommendation: That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	EARLY TERMINATION OF LICENCE AGREEMENT - 519 MITCHELL HIGHWAY, BATHURST (PART LOT C DP158611) -	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF LICENCE AGREEMENT - PART LOT 37 DP1159303 (SECTION 5), BATHURST AERODROME	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

		Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED NEW RESIDENTIAL LEASE - LOT 2 DP749758 - 200 COLLEGE ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED NEW RURAL LICENCE AGREEMENT - LOTS 279 AND 299 DP750354 - NORTH STREET, PERTHVILLE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	EXPRESSION OF INTEREST- LOT 1 DP784476 AND LOTS 134, 137, 138, 144 AND 145 DP750357 - VALE ROAD AND LLOYDS ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	BATHURST TOUCH FOOTBALL ASSOCIATION, LEARMONTH PARK, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in

		open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	RENEWAL OF LICENCE AGREEMENT- PART LOT 40 DP1056379 - SBS TOWER AND HUT, REID PARK MT PANORAMA - COMMUNITY RADIO STATION 2MCE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	LOCAL GOVERNMENT FINANCIAL SERVICES PTY LTD	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
9	TRACKCORP ADRENALIN PTY LTD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
10	BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.

11	SALE OF LOT 912 SWANBROOKE STREET, BATHURST	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
12	EXPRESSION OF INTEREST - 2015 BICENTENNIAL CELEBRATIONS COMMEMORATIVE STRUCTURE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	EASEMENT FOR WATER SUPPLY 5 WIDE, LOT 2 DP842120, 312 LAFFING WATERS LANE, LAFFING WATERS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	EXTINGUISHMENT OF EASEMENT FOR WATER SUPPLY, LOT 32 DP217899, 14 ISAACS STREET, WEST BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on

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

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, Westman.

MINUTE

2 PUBLIC QUESTION TIME

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

Thanks Council for footpath repairs at front of showground.

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

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

The General Manager advised he makes the recommendation.

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

MINUTE

3 APOLOGIES

MOVED: I North SECONDED: W Aubin

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MINUTES

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

General Manager
Bathurst Regional Council

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

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

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

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: B Bourke SECONDED: J Jennings

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

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

MEETING COMMENCES

1 MEETING COMMENCES

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

R Collins – 17 Stack Street - raised issue of Optus tower at Walmer Park, querying where this matter is at. Old Bathurst Bulldogs Clubhouse has had graffiti issues and considers fencing is inappropriate, particularly the gate. Fencing contractor did not install an adequate gate, needs contractor to repair. Requested CCTV be installed.

The Director Corporate Services & Finance provided details on the Optus matter as raised.

The Director of Engineering Services advised he will examine the issue of the chain wire fence.

G Crisp – ratepayer - spoke to condition of footpaths and congratulated Council on actions being taken. Raised issue of pecuniary interest provisions of the Local Government Act. Alleged General Manager and staff have refused to answer his questions and have broken the law.

T Clark – O'Connell Road - Old Dairy Farmers building has been sold, what is going to happen there.

The Director Environmental Planning & Building Services advised Development Application has been lodged, it is available for public viewing.

R Trimming – ratepayer

- Trees Ben Chifley Park have been attended to, thanked Council
- Bushfire appeal noted around \$40,000 raised
- Thanked Cr Rush for attending Fall of Singapore Service and for his speech
- Thanked Mayor for her speech at the Bombing of Darwin ceremony. Also park area presentation was excellent.
- Autumn Heritage Program - can this have notations of those events that are wheelchair accessible.

B Manning - ratepayer - Developments in Bathurst - spoke to Development Control Plan and need to meet criteria set out in the Development Control Plan. There are standards and if depart from them this is in exceptional circumstances. Raised developments Mrs Manning considers do not meet the standards.

The General Manager requested specific cases be advised in writing to Council.

APOLOGIES

- 3** **APOLOGIES**
MOVED Cr B Bourke and **SECONDED** Cr M Coote

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

MINUTES

- 4** **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 6 FEBRUARY 2013 (11.00005)**
MOVED Cr J Jennings and **SECONDED** Cr G Rush

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 6 February 2013 be adopted.

DECLARATION OF INTEREST

- 5** **DECLARATION OF INTEREST 11.00002**
MOVED Cr G Rush and **SECONDED** Cr J Jennings

RESOLVED: That the following Declarations of Interest be noted.

Cr Coote

Item 1 of the Director Engineering Services Confidential report.

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

- 6** **Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)**
MOVED Cr W Aubin and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

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

RESOLVED: That the information be noted.

- 8** **Item 3 DRAFT BATHURST CBD CAR PARKING STRATEGY 2013 (20.00019)**
MOVED Cr W Aubin and **SECONDED** Cr M Coote

RESOLVED: That Council:

(a) place the Draft Bathurst CBD Car Parking Strategy 2013 on public exhibition for a period of one month; and

(b) should no submissions be received during the public exhibition period, adopt

the Strategy.

9 Item 4 HOME HIRE AND HOME HOSTING PROGRAM FOR MOTOR RACE EVENTS (01.00002)

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

RESOLVED: That Council:

- (a) no longer participate in the home hire program for motor race events; and
- (b) Council advise all appropriate people of its withdrawal from the program.

Director Corporate Services & Finance's Report

10 Item 1 STATEMENT OF INVESTMENTS (16.00001)

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

RESOLVED: That the information be noted.

11 Item 2 YEAR TO DATE REVIEW - QUARTERLY BUDGET REVIEW STATEMENT 2012-2013 (16.00129)

MOVED Cr W Aubin and **SECONDED** Cr B Bourke

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

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

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

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

13 Item 4 POWER OF ATTORNEY (11.00007)

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

RESOLVED: That the information be noted.

14 Item 5 HAVANNAH STREET TENNIS COURTS (BATHURST) - WATTLE SOCIAL CLUB (22.00159)

MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

15 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - KIDZWISH FOUNDATION (18.00004-26)

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

RESOLVED: That Council donate to Kidzwish Foundation 2 x 4 day passes to the V8 races, to be funded from the Mount Panorama Fee Subsidy donations.

16 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - MITCHELL CONSERVATORIUM (18.00023, 18.00004)

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

RESOLVED: That Council advise the Mitchell Conservatorium that there are no funds available at this time, to fund their request for financial assistance.

17 Item 8 CODE OF CONDUCT (11.00024, 41.00089)

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

RESOLVED: That Council

- (a) Adopt the new Model Code of Conduct and Procedures
- (b) Incorporate the previously adopted council clauses as outlined in the report
- (c) Note that the Council's currently adopted Code of Conduct Complaints - Principles and Procedures document remains current until a detailed assessment is undertaken
- (d) Commence the process of calling for expressions of interest for members of the council's panel of conduct reviewers

18 Item 9 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST DISTRICT HISTORICAL SOCIETY INC (18.00183)

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

RESOLVED: That Council sponsor the Ben Hall Re-enactment weekend to be conducted by the Bathurst District Historical Society on 27, 28 and 29 September 2013 as follows:

- (1) That Council close Russell Street (between William and George Streets) on Saturday 28 September 2013 from 1 pm to 6 pm at an approximate cost of \$1,000, and that this sponsorship be funded from Council's 2013/2014 Section 356 Donations.

Director Cultural & Community Services' Report

19 Item 1 ENGAGE FUNDING - BATHURST MEMORIAL ENTERTAINMENT CENTRE (21.00060)

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

RESOLVED: That the information be noted.

20 Item 2 LOOK ART TALK, ART AND ALZHEIMERS PROGRAM - BATHURST REGIONAL ART GALLERY (21.00039)

MOVED Cr J Jennings and SECONDED Cr G Rush

RESOLVED: That the information be noted.

General Manager's Report

21 Item 1 CENTRAL WEST - REGIONAL ACTION PLAN (NSW GOVERNMENT) (09.00031)

MOVED Cr G Rush and SECONDED Cr J Jennings

RESOLVED: That Council note the Central West - Regional Action Plan.

22 Item 2 DRAFT BATHURST 2036 COMMUNITY STRATEGIC PLAN (03.00180)

MOVED Cr B Bourke and SECONDED Cr G Hanger

RESOLVED: That Council adopt the Bathurst 2036 Community Strategic Plan with the additions at objectives 4 and 9 as requested by the National Trust.

REPORTS OF OTHER COMMITTEES

Traffic Committee Meeting

23 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 5 FEBRUARY 2013 (07.00006)

MOVED Cr W Aubin and SECONDED Cr M Coote

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 5 February 2013 be adopted except for the Director Engineering Services Report Item 13 (Minute #17) Elephant & Castle Hotel - Taxi Zone which is to be referred back to the Traffic Committee for further consideration as to the time of the zone operations.

DELEGATES REPORTS

24 Item 1 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 5 FEBRUARY 2013 (20.00153)

MOVED Cr B Bourke and SECONDED Cr M Coote

RESOLVED: That the information be noted.

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

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

MOVED Cr J Jennings and SECONDED Cr M Coote

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

There were no representations from the public.

RESOLVED: That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF LEASE - CHURCH LANE KELSO - HOWARD	10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
2	PROPOSED NEW LICENCE AGREEMENT - BATHURST NETBALL ASSOCIATION INC. -	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	RENEWAL OF LEASE - ACQUIRED BRAIN INJURY SERVICES NSW INC. - 4/55 SEYMOUR STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council

		would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PURCHASE OF PROPERTY, - 129 OPHIR 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.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	EASEMENT TO DRAIN WATER 3 WIDE, EASEMENT FOR UNDERGROUND POWERLINES 2 WIDE AND AN EASEMENT FOR MULTI-PURPOSE ELECTRICAL INSTALLATION 4.2 WIDE, LOT 100, DP258041, PUBLIC RESERVE, LANDSEER STREET, RAGLAN	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 - CONCRETE BARRIER WALL AND DEBRIS FENCING, PIT STRAIGHT, MOUNT PANORAMA, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Director Corporate Services & Finance's Report

- a** Item 1 RENEWAL OF LEASE - CHURCH LANE KELSO - HOWARD (21.00022)
MOVED Cr B Bourke and SECONDED Cr G Westman

That Council approves entering into a new licence agreement for Part Lot 6 DP1142438 located on Church Lane, Kelso with Ms Rebecca Howard for a period of two (2) years with a two (2) year option period, as detailed in the report.

- b** Item 2 PROPOSED NEW LICENCE AGREEMENT - BATHURST NETBALL ASSOCIATION INC. - (04.00013)
MOVED Cr W Aubin and SECONDED Cr M Coote

That Council approves entering into a new licence agreement with the Bathurst Netball Association Inc. for the netball clubhouse located on part Lot 1 DP1167594 Durham Street Bathurst, for a period of five (5) years as detailed in the report.

- c** Item 3 RENEWAL OF LEASE - ACQUIRED BRAIN INJURY SERVICES NSW INC. - 4/55 SEYMOUR STREET, BATHURST (22.00185)
MOVED Cr M Coote and SECONDED Cr W Aubin

That Council approves entering into a new commercial lease agreement with Acquired Brain Injury Services NSW Inc. for part Lot 180 DP862410 known as Unit 4, 55 Seymour Street, Bathurst for a period of six (6) months with a six (6) month option period as detailed in the report.

- d** Item 4 PURCHASE OF PROPERTY, - 129 OPHIR ROAD, BATHURST (22.04474)
MOVED Cr B Bourke and SECONDED Cr M Coote

That Council

- (a) Delegate authority to the General Manager to enter into negotiations to purchase Lot 11 DP778516 known as 129 Ophir Road, Bathurst in accordance with the report.
- (b) The land is to be classified as operational under the provisions of Section 31(2) of the Local Government Act 1993.

Director Engineering Services' Report

- e** Item 1 EASEMENT TO DRAIN WATER 3 WIDE, EASEMENT FOR UNDERGROUND POWERLINES 2 WIDE AND AN EASEMENT FOR MULTI-PURPOSE ELECTRICAL INSTALLATION 4.2 WIDE, LOT 100, DP258041, PUBLIC RESERVE, LANDSEER STREET, RAGLAN (22.05790 & DA2007/0080)
MOVED Cr W Aubin and SECONDED Cr B Bourke

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

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

That Council resolve to carry out the necessary procedures of the Local Government Act 1993 Sections 46 and 47 for the creation of:

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

affecting community land in public reserve located at Lot 100 DP258041, Landseer Street, Raglan, as detailed in the Director Engineering Services' report.

f **Item 2 TENDER - CONCRETE BARRIER WALL AND DEBRIS FENCING, PIT STRAIGHT, MOUNT PANORAMA, BATHURST (36.00430)**
MOVED Cr W Aubin and **SECONDED** Cr G Rush

That -

- (a) Council declines to accept any of the tenders for the installation of concrete barrier wall and debris fencing at Pit Straight, Mount Panorama Bathurst, and
- (b) the requirements of the contract are undertaken by Council staff.

RESOLVE INTO OPEN COUNCIL

26 **RESOLVE INTO OPEN COUNCIL**
MOVED Cr W Aubin and **SECONDED** Cr J Jennings

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

27 **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr G Rush and **SECONDED** Cr M Coote

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

MEETING CLOSE

28 **MEETING CLOSE**

The Meeting closed at 7.03 pm.

CHAIRMAN: _____

Date: _____ **(20 March 2013)**

MINUTE

5 DECLARATION OF INTEREST 11.00002

MOVED: M Coote SECONDED: I North

RESOLVED: That the Declaration of Interest be noted.

Cr Jennings

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

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

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 20
MARCH 2013**

General Manager
Bathurst Regional Council

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

Recommendation: That the information be noted.

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

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: B Bourke SECONDED: 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 February 2013 (**attachment 1**)
- (b) Applications refused during February 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 February 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: G Westman SECONDED: M Coote

RESOLVED: That the information be noted.

3 BLAYNEY ROAD COMMON PLAN OF MANAGEMENT (04.00106)

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

Report: Blayney Road Common (The Common) is Crown Land managed by Bathurst Regional Council and is approximately 15.6 ha in size. The Common is situated on the Mitchell Highway between Boundary Road Reserve and Browning Street (see map at **attachment 1**). The Common is a significant conservation and public open space asset for the city, containing one of a few remnants of the endangered ecological community (EEC), White Box, Yellow Box, Blakely's Red Gum Grassy Woodland (Box Gum Grassy Woodland), in the Bathurst urban area. The Grassy Box Woodland community is currently predominantly in poor to moderate condition, with some areas of good grassy understorey.

As part of the Bathurst Orange Dubbo *Inspiring and Integrating Change Project* funding was provided to prepare a Plan of Management for the Common and to commence biodiversity conservation works at the site.

On the 12 December 2012 Council resolved to place the draft Blayney Road Common Plan of Management on public exhibition for a period of 28 days. During this time one submission was received from the public. This submission was from the Boundary Road Reserve Landcare Group. The submission strongly endorses the Plan of Management, congratulates Council for its initiative in preparing it and urges Council to now adopt and implement the plan in a timely manner. The submission is provided as **attachment 2**.

Copies of the Blayney Road Common Plan of Management are available from Council's Environmental, Planning & Building Services Department.

Financial Implications: The preparation of the Blayney Road Common Plan of Management and the commencement of on-ground works in Management Area 1 was primarily funded through the 'Inspiring and Integrating Change' grant (\$25,000). Council made in-kind contributions of staff time and administrative resources.

Some future management activities will be funded from existing allocations, while other management actions are likely to require grant funding to complete.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.4, 10.6, 10.10, 10.11

MINUTE

8 Item 3 BLAYNEY ROAD COMMON PLAN OF MANAGEMENT (04.00106)

MOVED: I North SECONDED: B Bourke

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

4 BOARDING HOUSES ACT 2012 (02.00005)

Recommendation: That the information be noted.

Report: Council has recently been advised of the gazettal of new laws governing the operation of Boarding Houses.

The Boarding Houses Act 2012 came into affect on 1 January 2013 and provides a system for the registration of boarding houses, minimum operational standards for health, safety and well being of occupants and for inspecting all boarding houses.

As of 1 January 2013 all boarding houses will have a 6 month period to register their premises on a State Government register.

Following this registration period Council will have the responsibilities in relation to:

1. Council's must inspect all "general boarding houses" and "assisted boarding houses" for compliance with relevant standards relating to building and fire safety.

A "general boarding house" accommodates 5 or more residents for fee or reward and does not fall under the list of exclusions which includes hotels, motels and the like.

An "assisted boarding house" is a boarding house accommodating 2 or more "persons with additional needs" for fee or reward and requiring authorisation by Ageing, Disability and Home Care.

2. Councils must also inspect "general boarding houses" for compliance with standards relating to shared accommodation. The Department of Ageing, Disability & Home Care will be responsible for "assisted boarding houses".
3. Initial compliance inspections must be carried out within 12 months of registration or re-registration or a change of proprietor.
4. Council's will be able to charge an inspection fee for conducting initial compliance inspections.
5. Council's may issue Penalty Infringement Notices for failure to register a boarding house.

At this stage it is unknown how many boarding houses will be registered and require inspection although the number will be in the order of 10-15 based on current known boarding houses.

Financial Implications: Council will be able to charge a fee for inspections. The real cost is not able to be accurately determined at this time.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 22: To improve community safety. Strategy 22.11

MINUTE

9 Item 4 BOARDING HOUSES ACT 2012 (02.00005)

MOVED: G Hanger SECONDED: W Aubin

RESOLVED: That the information be noted.

5 BATHURST REGIONAL (INTERIM) LOCAL ENVIRONMENTAL PLAN 2005 - AMENDMENT NO. 7 (20.00170)

Recommendation: That the information be noted.

Report: The Eglinton Planning Proposal was gazetted on Friday, 8 February 2013. As a result the land subject to the Planning Proposal has now been rezoned in accordance with the map (**attachment 1**) to enable the expansion of the village.

As a result of the Planning Proposal, Clause 32 Arrangements for State Infrastructure was also inserted into the Bathurst Regional (Interim) LEP 2005. The effect of this clause is that Council cannot grant consent to the subdivision of land unless the Director-General of the NSW Department of Planning & Infrastructure has certified that satisfactory arrangements have been made for the provision of designated state public infrastructure in relation to a lot.

In this regard Council has requested the NSW Department of Planning & Infrastructure to provide such certification for all land affected by the Planning Proposal. The certification process is underway and is expected to take some time as it involves considerable negotiation between relevant government agencies. Council will advise the landowners once the process has been satisfactorily concluded and subdivision applications are able to be lodged with Council.

Upon the gazettal of the Eglinton Planning Proposal, amendment No 4 to the Bathurst Regional (Interim) Development Control Plan was given effect. The DCP amendment provides detailed development controls applicable to the future subdivision of the land.

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 28.1, 28.2, 28.5, 28.8
- Objective 18: To encourage sustainable housing choice and quality design that engenders a sense of place. Strategy 18.1, 18.2

MINUTE

**10 Item 5 BATHURST REGIONAL (INTERIM) LOCAL ENVIRONMENTAL PLAN
2005 - AMENDMENT NO. 7 (20.00170)**

MOVED: I North SECONDED: M Coote

RESOLVED: That the information be noted.

6 BATHURST REGIONAL COMPREHENSIVE LEP UPDATE (20.00143)

Recommendation: That the information be noted.

Report: This report has been prepared to provide an update on the progress for the preparation of a new Comprehensive Local Environmental Plan (LEP) for the Bathurst Region. The new LEP must be prepared in accordance with the NSW Government's Standard Instrument Local Environmental Plan (SILEP). Council is not permitted to alter the SILEP other than in those areas where it is permitted to insert local detail, being land uses and objectives in the zoning table and local provisions. The insertion of new definitions and alterations to the standard clauses or changes to the zoning table descriptions or mandated Clauses is not permitted.

Council staff have undertaken major redrafts of the LEP since it was first drafted and submitted to the Department of Planning and Infrastructure (DoPI) in 2008.

Council has received comments from the DoPI on various versions of the draft LEP in 2008, 2009, 2010 and most recently in 2012. Earlier comments provided by DoPI sought to restrain Council's approach to providing a flexible LEP for the Bathurst Region. In particular, the level of detail of comment was considered inappropriate and effectively halted any common sense progression of the LEP. More importantly the Department failed to acknowledge and appreciate the means in which Council sought to deal with the Mount Panorama precinct. The need to define *Commercial motor race hosting* and prohibit it on rural lands at the Mount was not understood and adequately considered by the Department. Other major issues in the ongoing progression of the LEP included the implementation of the Bathurst Region Rural Strategy (adopted by Council in 2008) and exempt and complying development provisions.

The most recent discussions held with the Department on 7 December 2012 in relation to the last draft of the LEP submitted to the Department in June 2012 has seen a significant shift in the Department's stance on the LEP. The Department is no longer involving itself in much of the finer detail and matters of purely local significance. Importantly it appears that the issues surrounding the Mount Panorama precinct may be able to be resolved.

The information below outlines the issues that now remain unresolved and on which Council is waiting on further advice from the Department.

	draft LEP Clause, Zone or intent	Department of Planning and Infrastructure comments	Comments
1	Zone RU1 Primary Production	Delete or positively redraft the fourth zone objective.	Council has provided the DoPI with a revised objective. Awaiting feedback from the Department.
2	Zone R1 General Residential	Delete or positively redraft the fifth zone objective.	Council has provided the DoPI with a revised objective. Awaiting feedback from the Department.
3	Zone R2 Low Density Residential	Delete or positively redraft the third and fourth zone objectives.	Council has provided the DoPI with a revised objective. Awaiting feedback from the Department.
4	Zone B1 Neighbourhood Centre	Delete or positively redraft the second zone objective.	Council has provided the DoPI with a revised objective. Awaiting feedback from the Department.
5	Zone SP3	Delete or positively redraft the	Council has provided the DoPI with a

	Tourist	third zone objective.	revised objective. Awaiting feedback from the Department.
6	Clause 4.1 Minimum subdivision lot size	DoPI Legal Services Branch (LSB) to draft a Clause about the density restriction for Area 1 & 2 (Robin Hill locality)	DoPI gave an undertaking to Council that it will draft a Clause to cater for the different lot sizes on land zoned Rural Residential. Awaiting the draft Clause to review.
7	Clause 4.1B Minimum lot sizes for dual occupancies, multi dwelling houses and residential flat buildings	DoPI to provide Council a draft Clause to review.	DoPI gave an undertaking to Council that it will draft a Clause to cater for the different minimum lot sizes for the erection of dual occupancies, multi dwelling housing and residential flat buildings. Awaiting the draft Clause to review.
8	Clause 4.6 Exceptions to development standards	DoPI to provide Council a draft Clause to review, particularly in relation to boundary adjustments where both lots involve a dwelling, and both lots are below the minimum lot size.	It is essential for Council to be able to deal with applications for the resubdivision of land in rural areas where both existing lots and both proposed lots are below the minimum lot size. If such a Clause is not included in the LEP, no resubdivision of such lots will be permissible in the LGA. Council waiting on the draft Clause to review.
9	New Clause 7.3 Mount Panorama Commercial motor race hosting	DoPI LSB to alter the Clause to prohibit Commercial motor race hosting in Zone RU2 Rural Landscape only	Council waiting on the draft Clause to review.
10	Clause 7.3 Subdivision of land in DP 270159 Mount Haven Estate, Meadow Flat	DoPI LSB to provide comment on inserting the existing clause unaltered into the SILEP	Council waiting on advice whether this is possible. The Clause is identical to Clause 31 of the Bathurst Regional (Interim) LEP 2005.
11	Clause 7.10 Signage	DoPI LSB to provide comment on the operation of the clause in the LEP	Council waiting on comments from the DoPI

There were also a number of issues which the Department of Planning and Infrastructure identified should be amended. Various amendments have been made to the draft LEP as requested.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Of particular concern to staff is the applicability of the Codes SEPP to the Bathurst Region following the gazettal of the Comprehensive LEP. Council officers met with the Department's Mr Shayne Watson relating to the options for the Codes SEPP on 15 February 2013. Given the significant detrimental impact on complying and exempt development that

the Codes SEPP has on the Bathurst Region, Council cannot accept exempt or complying development provisions under its future LEP that do not match the level of provisions currently available in its current LEP. The Department's preferred option is for the Codes SEPP only to apply to Bathurst inclusive of local variations to suit the Bathurst situation. Staff do not support this approach and have subsequently advised the Department that its preferred option is for the exempt and complying development local provisions in Council's draft LEP to run in parallel with the Codes SEPP provisions.

Such a system is considered the best option for the following reasons:

- It ensures that all of the flexibility permitted in Council's provisions continue to apply for all development types, exempt and complying.
- The SEPP does not need to be amended to include the substantial number of variations required to ensure that all the flexibility permitted in Council's provisions are translated to the SEPP.
- The community of Bathurst can maintain a user friendly document of provisions for those development types frequently constructed (eg, pergolas, patio covers, sheds as exempt development and dwelling houses as complying development). An amended SEPP that includes all the required Bathurst variations is going to be particularly difficult to navigate.
- Only a minor amendment is required to the SEPP to continue the existing parallel system. A major SEPP amendment to include all required variations is likely to significantly affect the LEP gazettal timeframe.

Council staff have reaffirmed to the Department that it will not accept a new LEP that dilutes its provisions for exempt and complying development. Staff remain frustrated as to why the Department seems resistant to maintaining a parallel system. Council is awaiting advice from the Department with respect to this matter.

Draft Bathurst Regional Local Environmental Planning Maps

Council provided a suite of maps to the Department with its most recent version of the draft LEP. To date, Council has not had any comment in relation to the maps. Contained in the maps were a number of rezonings, particularly relating to rural localities as recommended by the Bathurst Region Rural Strategy 2008 as being suitable for rural residential or village development. It is likely that further negotiations with the Department will be required on this issue.

Bathurst Region Rural Strategy 2008

Council is still waiting on the Department to endorse or otherwise reject its Rural Strategy which was originally submitted to the Department in 2008. The Department gave Council an undertaking, most recently on 21 March 2012, that the endorsement of the strategy will be given a high priority. Council is still waiting on the endorsement of the Rural Strategy. It is not known whether this issue will delay the implementation of the new LEP.

Clause 4.6 – Boundary adjustments

Council raised the issue with the Department in December 2012 in respect of the SILEP Clause that does not permit resubdivision of rural land where both allotments are below the minimum lot size and no new dwelling entitlements are being created. The Department advised Council that they were aware of the issue, and were seeking to rectify the matter.

To date Council has not been notified of a resolution to the issue. Council cannot accept a SILEP which does not allow for this type of application to be considered.

New Clause 7.3 – Commercial Motor Race Hosting – Mount Panorama

Council cannot accept a SILEP which does not define *Commercial motor race hosting* and prohibit that use in the RU2 Rural Landscape zone. It appears now that the DoPI will permit Council to insert a local provision to do that (subject to further advice from the Department's Legal Branch). Interestingly what the Department now suggests as a solution to this issue is in fact exactly the provision written by Council in its very first draft LEP submitted to the Department in 2008. This highlights the extremely frustrating process Council has been put through to insert its local requirements into a one-size-fits-all SILEP.

Conclusion

Council staff will continue to negotiate with the Department on the progress and content of the Comprehensive LEP. Owing to the complexity and importance of the issues which remain unresolved, a timetable for the exhibition of the Comprehensive LEP is unable to be determined at this stage.

Financial Implications: The LEP is being prepared 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 28.1 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 18: To encourage sustainable housing choice and quality design that engenders a sense of place. Strategy 18.1 18.2

MINUTE

11 **Item 6 BATHURST REGIONAL COMPREHENSIVE LEP UPDATE (20.00143)**

MOVED: G Westman SECONDED: I North

RESOLVED: That the information be noted.

7 BUILDING PROFESSIONALS BOARD - CONTRACTS FOR CERTIFICATION WORK (02.00005)

Recommendation: That the information be noted.

Report: Council has recently been advised of amendments to the Environmental Planning and Assessment Act and Building Professionals Act which requires Council to have in place written contracts for all certification work commenced after 1 March 2013.

Certification work includes all Complying Development Certificates, Construction Certificates, mandatory building inspections and swimming pool certificates (under the new mandatory inspection regime).

Unfortunately the Building Professionals Board first advised Council of these changes on 26 February 2013 i.e. 3 days before the requirement became effective. The Regulations themselves only became available on 1 March with the Building Professionals Board issuing copies of the Regulation and a Q & A late on 1 March 2013. The Board has also foreshadowed a "model contract" although at this time it has not been released.

At this time Council has not been able to implement these reforms and is therefore acting contrary to its legislative obligations. The Building Professionals Board has however advised that "in the short term, if the Board receives a complaint that a certifier or their employer does not have a contract as requested by amended section 73A of the Building Professionals Act, no disciplinary action will be taken against the certifier/employer provided they can demonstrate they are taking reasonable steps to have a contract in place".

Council has already written to the Board advising that it would not be complying by 1 March 2013 and that at least 3 months would be required.

At this stage Council is awaiting the release of the Building Professionals Boards template contract. Council will then need to seek advice from its solicitors and insurers as to the contents of the contracts. Issues such as delegation of authority to enter into contracts on Council's behalf will need to be reported to Council at a later date.

Financial Implications: Council will incur additional legal costs in formulation of the standard contracts.

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 BUILDING PROFESSIONALS BOARD - CONTRACTS FOR CERTIFICATION WORK (02.00005)

MOVED: J Jennings SECONDED: I North

RESOLVED: That the information be noted.

Yours faithfully

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

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

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

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 20 MARCH 2013**

General Manager
Bathurst Regional Council

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$67,931,107.58 was invested at 28 February in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

Year to Date Averages

(as per the CBA & RBA for comparison purposes)

Reserve Bank of Australia - Cash Rate			3.00%
AFMA - 90 day Bank Bill Swap Rate (BBSW)			3.57%
Three Year Swap Rate - Commonwealth			3.34%

Short Term 1 – 365 Days

(Comprising Commercial Bills,

Debentures and Certificates of

Deposit:

	<u>Rating</u>		<u>Average Return</u>
Bank of Western Australia Limited	A1+		5.17%
Bank of Queensland	A2	\$11,500,000.00	5.14%
Bendigo and Adelaide Bank	A2	\$10,500,000.00	4.96%
IMB	A3	\$10,500,000.00	4.96%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	4.72%
National Australia Bank	A1+	\$10,500,000.00	4.97%
People's Choice Credit Union	ADI	\$1,000,000.00	4.87%
Railways Credit Union	ADI	\$1,000,000.00	5.02%
SGE Credit Union	ADI	<u>\$1,000,000.00</u>	<u>4.77%</u>
		<u>\$49,000,000.00</u>	<u>4.98%</u>

Long Term

(comprising Commercial Bills, Term

Deposits and Bonds):

Committed Rolling Investments

Westpac	AA-	\$2,000,000.00	4.11%
Westpac	AA-	\$2,000,000.00	4.11%
Westpac	AA-	\$2,000,000.00	4.24%
Westpac	AA-	<u>\$2,000,000.00</u>	<u>4.17%</u>
		<u>\$8,000,000.00</u>	<u>4.16%</u>

Community Income Note

*Rembrandt Australia Trust		<u>\$931,107.58</u>	<u>0.00%</u>
----------------------------	--	---------------------	--------------

(refer to DCSF C#1 report of 19/3/2008)		\$931,107.58	0.00%
---	--	---------------------	--------------

**Fixed, Negotiable & Tradeable
Certificates of Deposits**

Commonwealth Bank	AA-	\$2,000,000.00	4.05%
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>4.11%</u>
		\$4,000,000.00	4.08%

Floating Rate Notes

ANZ FRN	AA-	0.00	
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	4.66%
Bendigo & Adelaide Bank Retail Bond	A-	\$2,000,000.00	4.35%
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>67,931,107.58</u>	<u>4.75%</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		\$23,465,807.04	
Unrestricted Investments – All Funds		\$ 8,378.393.25	
General Fund	\$13,980.78		
Water Fund	\$1,594,329.95		
Sewer Fund	\$1,553,824.46		
Waste Fund	<u>\$5,216,258.06</u>		

Total Investments		<u>\$67,931,107.58</u>	
--------------------------	--	-------------------------------	--

<u>Total Interest Revenue to 28/02/2013</u>		<u>\$2,345,036.16</u>	<u>4.75%</u>
--	--	------------------------------	---------------------

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

13 Item 1 STATEMENT OF INVESTMENTS (16.00001)

MOVED: B Bourke SECONDED: M Coote

RESOLVED: That the information be noted.

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

Recommendation: That the information be noted.

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

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

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

Fines or penalty notices this month - Nil.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: I North SECONDED: M Coote

RESOLVED: That the information be noted.

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

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

Report: At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 28 February 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
BMEC Community use:	(\$1,908)
Mount Panorama :	\$0

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

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

MOVED: G Hanger SECONDED: M Coote

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

4 POWER OF ATTORNEY (11.00007)

Recommendation: That the information be noted.

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

- DS & BR Edwards -126 Evernden Road - Lot 1133, DP1170286 -Transfer.
- Vertical Telecoms Pty Ltd - SBS Tower, Reid Park, Mt Panorama - Lot 40, DP1056379 - Licence Agreement.
- Bathurst Rugby Club Inc - Ann Ashwood Park, Hereford Street - Lot 4, DP1074119 - Licence Agreement.
- KF & H Haas - Sydney Road, Kelso (Raglan Creek Diversion Channel) - Lot 12 & 13, DP1181098 -Transfer.
- Allan Barnes Pty Ltd - Sydney Road, Kelso (Raglan Creek Diversion Channel) - Lot 11 DP1181098 -Transfer.

Linen Plan Release

- Searl/BRC - Perthville Levee Construction, consolidation of lots 3,4,6,9,10,12,14 & 16 DP1173379, Lot15 DP246890 Bathurst St, Perthville.
- Ratsep/Savah Nominee & CE & JE Woodyatt - Stage 2, 17 Lot subdivision & new road, 3 Lot subdivision - Landseer, Nelson, Cotton, & Napoleon Sts, Raglan.
- Noonan, Bonham, Browne/BRC - Proposed Road Widening, 198 The Bridle Track, Duramana.

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

16 Item 4 POWER OF ATTORNEY (11.00007)

MOVED: W Aubin SECONDED: G Westman

RESOLVED: That the information be noted.

5 REQUEST FOR FINANCIAL ASSISTANCE - ROYAL FLYING DOCTOR SERVICE - THE OUTBACK CAR TREK 2013 (04.00041-09)

Recommendation: For Council's consideration

Report: Council has received a request to waive the fees associated for the use of the Amenities Building and Pit Paddock area of Mount Panorama from the Royal Flying Doctor Service for their event "The Outback Car Trek" being held on 2 June 2013 (see **attachment 1**)

The Royal Flying Doctor Service has requested permission to use the Volunteers Amenities Building and portion of the Pit Paddock area on Sunday morning 2 June 2013 to provide breakfast for the participants in the Outback Car Trek. They may also require the areas on Saturday evening for set up.

It is anticipated there will be around 150 cars and more than 300 people participating in the Car Trek.

The Royal Flying Doctor Service have also requested the use of the Pit Paddock as a Marshalling area and start line for this event.

The estimated cost of supplying the Pit Paddock and the amenities building will be approx. \$1,000.

Financial Implications: The 2012/13 Section 356 Donations currently has a nil balance.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

17 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - ROYAL FLYING DOCTOR SERVICE - THE OUTBACK CAR TREK 2013 (04.00041-09)

MOVED: B Bourke SECONDED: G Hanger

A MOTION was moved

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

The MOTION was PUT and LOST.

MINUTE

18 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - ROYAL FLYING DOCTOR SERVICE - THE OUTBACK CAR TREK 2013 (04.00041-09)

MOVED: M Coote SECONDED: J Jennings

RESOLVED: That the information be noted.

6 REQUEST FOR FINANCIAL ASSISTANCE - ASSUMPTION SCHOOL (18.00004, 04.00026/065)

Recommendation: For Council's consideration.

Report: Council has received a request from Assumption School to waive the \$244 charge for the use of Sulman park toilets. A copy of the request is provided at **attachment 1**.

Assumption School will be using Sulman Park for their annual school cross country event being held on 4 April 2013.

Financial Implications: The 2012/13 Section 356 Donations currently has a nil balance.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2, 23.7
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5

MINUTE

19 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - ASSUMPTION SCHOOL
(18.00004, 04.00026/065)

MOVED: B Bourke SECONDED: G Hanger

A MOTION was moved

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

The MOTION was PUT and LOST.

MINUTE

20 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - ASSUMPTION SCHOOL
(18.00004, 04.00026/065)

MOVED: G Hanger SECONDED: J Jennings

RESOLVED: That the information be noted.

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES
20 MARCH 2013

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL MEETING HELD ON 20 MARCH 2013**

General Manager
Bathurst Regional Council

1 CLEAN-UP AUSTRALIA DAY 2013 (14.00007)

Recommendation: That the information be noted.

Report: Council supported the Bathurst Tidy Towns Committee in holding the local Clean Up Australia Day Campaign on Sunday 3 March 2013.

Sixteen individual sites were registered on the Clean Up Australia Day website across the Bathurst Region including sites at the village of Raglan and the rural locality of Mt Rankin as well as many sites across the city. The number of site registrations was more than double those registered in 2012 and included a number of schools and businesses which was pleasing.

The main site was again managed by the Bathurst Tidy Towns Committee at Morse Park. From this site, participants generally fan out across the parks and roads of the region cleaning up as they go. In 2013, areas around Quota Park, Jordan Creek and the Macquarie River were targeted by volunteers. A total number of 21 volunteers registered at Morse Park before heading out to "clean-up". The Bathurst Baptist Church registration site was also very successful with 27 volunteers registered to "clean-up" around the Macquarie River at Eglinton and areas of West Bathurst.

As in previous years, Bathurst Scouts participated, cleaning up the area around Hector Park on the Mitchell Highway and their contribution was greatly valued. The Bathurst Girl Guides also participated, cleaning up around the Cooke Hockey Complex during their weekly guide meetings. The success of this event partly rests on the involvement of community groups such as these.

A total of 480kg of mixed waste from all sites was registered as being received at the Waste Management Centre resulting from Clean Up Australia Day activities. This waste was collected by Council officers from designated collection points or delivered by participants to the Waste Management Centre at no cost.

Extensive advertising encouraging participation was again undertaken in 2013. Radio advertising, print media, placing information on Council's website, and Facebook as well as email to the Bathurst Business Chamber for circulation and direct mail outs to schools and sporting groups were undertaken. Electronic signage and word of mouth advertising were also employed. As a result of this extensive advertising, both site registration numbers and volunteer numbers were up significantly on 2011 and 2012, with numbers in 2012 being reduced as flooding and poor weather greatly hampered the event.

The event was well supported by local media who attended on the day to photograph and include those involved in an article promoting the event.

Council will continue to support Clean Up Australia Day in future years.

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

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 20.5
- Objective 16: To encourage sustainable waste management practices, incorporating opportunities for energy generation. Strategy 16.6
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.4
- Objective 33: To be and develop good leaders. Strategy 33.6

MINUTE

21 **Item 1 CLEAN-UP AUSTRALIA DAY 2013 (14.00007)**

MOVED: J Jennings SECONDED: W Aubin

RESOLVED: That the information be noted.

2 WASTE AND ENVIRONMENT LEVY (14.00007)

Recommendation: That the information and proposed actions be noted.

Report: Introduction

The New South Wales Government have released the outcomes of the Waste and Environment Levy Review. These appear to have substantial financial implications for Council, particularly in regards to likely significant increases in the fees and charges at the Waste Management Centre. The Levy is essentially a tax collected by Council on behalf of the New South Wales Government.

Background

The Levy was initially applied to landfills in the Sydney Metropolitan Area, and the Extended Regulated Area (Illawarra and Hunter regions). Since July 2009 the levy has been applied to the Regional Regulated Area (north coast Local Government Areas from Port Stephens to the Queensland border, as well as the Blue Mountains and Wollondilly Local Government Areas), where it commenced at \$10 per tonne and increased by around \$10 per tonne per year to a 2012/2013 charge of \$42.40 and a 2013/2014 charge of \$52.40. In January 2012 the New South Wales Minister for the Environment announced an independent review of the Levy would be undertaken by consultants KPMG. The review was completed and the report provided only to the Minister in June 2012.

Announcement

On Saturday 23 February 2013 the New South Wales Minister for the Environment announced the outcomes of the KPMG report that contained 17 recommendations, 15 of which the Government was supporting. The KPMG report and the recommendations and the New South Wales Government response (**attachment 1**) is now available online.

Information provided from the New South Wales Environment Protection Authority (EPA) indicates that:

"The recommendations from the waste levy review provided the New South Wales Government with a strong evidence base to bring forward a new waste and recycling agenda for New South Wales that will deliver economic, employment and environmental benefits for local communities.

The Five-year \$465.7 million Waste Less, Recycle More - Waste and Resource Recovery Initiative will transform waste and recycling in New South Wales. The new Waste and Recycling Infrastructure package, a key component of the new initiative, commits \$250 million over 5 years for targeted but wide-ranging funding that includes drop-off centres, food and garden organics processing, recycling innovation, support for businesses to increase recycling on-site, as well as new large-scale waste and recycling infrastructure to support communities that pay the waste levy.

The Waste Less, Recycle More initiative also guarantees \$137.7 million over 5 years to help councils support their own waste and recycling initiatives for their local communities. In addition, councils will have exclusive access to \$85.1 million in contestable grants, as well as being able to apply for a further \$133.9 million in grant funding."

The role of the Environment Protection Authority is the Regulator of waste management and environmental performance, whilst Council is a stakeholder who provides reports and funds to Environment Protection Authority.

Details of the Five-year \$465.7 million Waste Less, Recycle More - Waste and Resource

Recovery Initiative are at **attachment 2**.

The prospect of accessing substantial funds appears quite attractive at first glance, although further investigation of the details needs to be completed as information is released, and it should be noted that the funding is to be spread across all of New South Wales over 5 years.

Two recommendations not supported by the New South Wales Government:

- (i) The Government to look post 2015/2016 to direct a greater percentage of levy revenue to improve waste management and increase recycling (paraphrased), and
- (ii) *The application of the levy across New South Wales is inconsistent.*

Recommendation 16: *The levy should be applied across the whole of New South Wales, with small regional landfills receiving less than 5000 tonnes of waste per annum remaining exempt from the levy.*

Response: *The Government does not support this recommendation.*

Given that earlier KPMG consultations did not discuss the proposed application of the waste levy across the whole of New South Wales, the Environment Protection Authority, in conjunction with the Local Government and Shires Associations, will consult with councils likely to be affected by adopting this recommendation, including councils in the Regional Regulated Area, as part of the comprehensive review of the Protection of the Environment Operations (Waste) Regulation 2005 in early 2013.

The consultation with affected councils on the broadening of the waste levy base will also address alternative voluntary mechanisms, the practical application and costs of the proposed levy threshold of 5000 tonnes per year on existing landfills, and the most appropriate mechanism for dealing with new small rural landfill sites greater than 200 tonnes. The result of this consultation will be further considered by Government in mid-2013.

The underlining above has been put in to reinforce that fact that even though the Government and consultants were proposing to apply the levy across the whole of New South Wales, it was **not** discussed at any of the consultation sessions.

Likely consequences for Bathurst?

The likely amount of levy to be collected by Council from customers and forwarded to the New South Wales Government will likely be at least \$2.777M pa. This is based on the regional regulated area charge for 2013/2014 of \$52.40 per tonne landfilled, combined with the net landfill for the Bathurst Waste Management Centre of around 53,000 tonnes pa, and recommendation (ii) above where the intention to have a consistent levy is stated. This levy equates to more than \$231,000 per month, and Council would be required to pay the levy monthly.

The Sydney Metropolitan Area and the extended regulated area waste levy will be \$105.20 for 2014/2015. If that rate was to apply to Bathurst, the levy would total \$5.575M. The levy increase each year is around \$10, which (if the total amount of waste landfilled at Bathurst remained the same) leads to an increase of around \$530,000 each year that Council must collect from customers and pay to the New South Wales Government.

The Bathurst Waste Management Centre has and continues to have the lowest fees and charges of most neighbouring landfills, which leads to more waste being received, a faster filling of the landfill, and greater future carbon tax liabilities. With a current 2013/2014 mixed waste charge of \$75.00 per tonne and a proposed 2014/2015 mixed waste charge of \$95.00 per tonne, a likely waste levy increase of \$52.40 on top of that is very significant.

The timing is uncertain for the introduction of the waste levy for areas who are not currently included, as the Government has indicated that in mid 2013 it will consider the next stages of consultation. The amount of the levy to be introduced is also not yet known.

It is also unclear as to what access Council (or NetWaste) may have to the announced funding, particularly as the timing of the levy commencing is unclear. It is not yet known that should the levy be extended to include Bathurst after July 2013 in say July 2014, whether some of the announced funds would be held for councils in such a situation or whether applications would be accepted from a council who does not collect the levy. It is not known how many Councils have landfills greater than the threshold, so an estimate of "equal" funding is difficult. However it is clear that any funding able to be obtained would only be only a fraction of the levy collected and sent to the NSW Government.

Proposed Actions

At the time of writing the report, staff were yet to attend the Environment Protection Authority Stakeholder Information and Consultation Forum to be held in Parramatta on Friday, 8 March 2013. The forum will cover the following: five-year \$465.7 million Waste Less, Recycle More initiative, review of the Waste Avoidance and Resource Recovery Strategy, draft Energy from Waste Policy Overview, review of the Protection of the Environment Operations (Waste) Regulation, illegal dumping strategy overview, and consultation on geographic coverage of the waste levy. In addition, a stakeholder forum on the draft Illegal Dumping Strategy will be held during early April, with staff planning to attend. Staff are also contacting the current software supplier for the Waste Management Centre weighbridges, and will arrange to discuss how best to manage the implementation with another council who already has the levy in place.

Advice from these forums and any further details released will be considered in the development of correspondence to at least the local Member, the Environment Protection Authority, and Local Government New South Wales.

Council should consider the current practice issuing of free mixed waste and green waste vouchers with each annual rate assessment, as there would be additional costs to Council to cover the levy on these.

A similar review of charity concessions will also be required, and this has commenced.

Further, there is another significant financial impost to keep in mind that will most likely impact on Council and its customers in the next few years, which is the carbon tax. Once the threshold is tripped, Council will be liable and must purchase credits, and therefore should plan to increase both the collection rates and the Waste Management Centre charges to provide enough income to cover future liabilities. The carbon pricing mechanism has a fixed price for the first three years, with the price for 2014/2015 being \$25.40 per tonne of CO₂ equivalent, with a move on 1 July 2015 to a flexible approach where the carbon price is set by the market.

Once more details become available and/or significant developments occur, further report(s) will be provided to Council.

Financial Implications: Nil at this stage, however there will be significant impacts on Council and customers if the levy is introduced.

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 16.1
- 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 33.6

MINUTE

22 Item 2 WASTE AND ENVIRONMENT LEVY (14.00007)

MOVED: W Aubin SECONDED: M Coote

RESOLVED: That the information and proposed actions be noted.

3 ROAD SAFETY OFFICER PROGRAM UPDATE (16.00018)

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

Report: A report was presented to the 15 February 2012 meeting of Council which outlined the then status of the Road Safety Program and the position of Road Safety Officer.

At that meeting Council resolved:

"That Council continues its commitment to the Road Safety Officer Program and extends the current RSO employment contract to 30 June 2013, subject to the ongoing support of Blayney Shire Council and the Roads and Traffic Authority."

The current contract term for the RSO position expires on 30 June 2013 and it is therefore opportune that Council considers its ongoing commitment to the program.

Roads and Maritime Services (RMS) has recently sent correspondence to Council providing an opportunity to extend the current contract by 12 months, thus expiring 30 June 2014.

Council has been a part of the Roads and Maritime Services RSO Program since 1999 when it joined Oberon, Evans, Rylstone, Blayney and the RMS to form the Tablelands Road Safety Group. The program and Council's participation continues today, although due to amalgamations and the withdrawal of Oberon Shire Council the membership has been reduced to Blayney, Bathurst and the RMS.

The program arrangements are defined by the Program Funding Agreement on the basis that 50% of employment costs are borne by the RMS, while the remainder is provided by the member Councils. Bathurst's current share is 33% plus the provision of office space. The cost of individual projects conducted within any year, is subject to approval from and is fully funded by the RMS.

Blayney Shire Council is also considering its future membership in the Tablelands RSO Group. However, it is expected that it will continue to support the program.

This financial year to date, the Roads Safety Officer has carried out the following road safety programs and other initiatives:

RMS/RSO Funded program work

- Slowing Down Won't Kill You – a speed intervention and prevention project
- Take a Break – fatigue education and awareness project
- What's Your Plan? – a locally focused education and awareness project aimed at highlighting the negative impacts of drinking and driving
- Graduated Licencing Scheme free workshops for parents and supervisors of learner drivers

Additional work

- Present road safety paper at Institute Public Works Engineering Australia Annual Conference (IPWEA) – Coffs Harbour
- Present road safety paper at Heavy Vehicle Forum – Moree
- The Gateway Project – Enhanced Enforcement Program/ speed intervention and prevention

- The Kajulu Project – young driver education program with CSU Bathurst
- Kindy Kits – kindergarten road safety education program delivered face to face to kindergarten classes in Bathurst Schools now in its 9th year
- Bathurst V8 Races alternate transport and road safety management, working collaboratively with Council, Liquor Accord, Office of Liquor, Gaming and Racing, Licencing Police, General Duties Police, transport providers and others to ensure safe travel and transport options during V8 Race week
- Road Safety Audits
- Kids of Cadia – a 6 week program targeted at young drivers funded by Cadia Mines conducted twice annually
- Mining Safer Roads – the Mines Safety Advisory Council seconded and funded RSO to deliver road safety programs in rural and remote areas of NSW including Cobar, Broken Hill, Boggabri, Mudgee and Parkes
- Safety Around Schools – working collaboratively with council, schools and RMS to improve safety around schools e.g.: parking, pedestrian safety, speeding, safe drop off/pick up zones, signage, etc.
- Sign Audits
- Rail Bridges Over State Roads Audit – assisted state rail with safety audit on overhead rail bridges in Bathurst and Blayney
- B2B – assisted with the development of safety and traffic management plans for the Blayney to Bathurst bike ride
- Motorised Scooter Education Day – an education forum aimed at seniors & people with access issues
- Snow and Ice - RMS campaign
- Headlights On (for safety) - RMS campaign
- Plan B – RMS campaign
- Motorcycle Safety Awareness Week – RMS Campaigns (November)
- Speed Zone Reviews – as required
- School Bus Route Reviews
- Youth Week events

The Road Safety program cannot be directly evaluated for effectiveness, since there is no way of being able to measure whether vehicular crashes, pedestrian / vehicle incidents would have been more or less without the program.

However, The Road Safety Program return on social investment is significant. The cost per fatality (June 2010) to the community is approximately \$2.6M and the average cost of per casualty is \$221,000 as per Austroads document [Guide to Project Evaluation](#). In addition Transport NSW estimates that using the Willingness to Pay methodology that road accidents cost NSW \$5,370M per annum (2010).

It is clear that the total cost of the Road Safety Program of approximately \$35,000 per annum represents good value in terms of not only the potential reduction of fatalities and serious injury and the significant impact that this has on the community but also in the potential reduction of vehicular accident cost to the community.

Given the benefits of the Road Safety Program in implementing road safety behavioural projects and increasing road safety awareness at a local level, it is recommended that Council continue to participate in the Program until 30 June 2014. Should Blayney withdraw from the program then a further report will be presented to Council.

Financial Implications: The annual funding for the position is 33% of employment costs, estimated to be \$35,000.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 22: To improve community safety. Strategy 22.3

MINUTE

23 Item 3 ROAD SAFETY OFFICER PROGRAM UPDATE (16.00018)

MOVED: W Aubin SECONDED: M Coote

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

Yours faithfully



Doug Patterson
DIRECTOR
ENGINEERING SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT AND MINUTES
20 MARCH 2013

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 20 MARCH 2013**

General Manager
Bathurst Regional Council

1 AFTER SCHOOL CLUB - BATHURST LIBRARY (21.00054)

Recommendation: That the information be noted.

Report: Bathurst Library has developed a new and exciting extra children's activity to add to our program for this year being the After School Club. The Club meets in the Library once a month on a Thursday afternoon between 4:00pm and 4:45pm and is aimed at children aged between 5 and 12 years of age.

Through the Club, children will be encouraged to use the Library and to feel at home there. The Club will aim to give children a feel good experience in the library and thus encourage ongoing Library use.

At the Club children may be doing craft, listening to stories, playing games and lego, as well as having the opportunity to meet or make some new friends. The Club will allow parents to select their reading whilst their children are occupied and supervised.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.8

MINUTE

24 Item 1 AFTER SCHOOL CLUB - BATHURST LIBRARY (21.00054)

MOVED: B Bourke SECONDED: W Aubin

RESOLVED: That the information be noted.

2 VACATION CARE - JANUARY 2013 (09.00005)

Recommendation: That the information be noted.

Report: The summer holiday program for January 2013 ran from Wednesday 2 January 2013 through to Friday 25 January 2013. Sixty three (63) children were booked in over the holiday period, with an average of 25.6 children attending per day. The service experienced a high level of interest this holiday period which equated to an increase in bookings per day.

The Service Education program is reflective of the My Time, Our place – Framework for School age children. The program included activities and excursions to Bunning's Warehouse to participate in a DIY workshop, Bathurst Regional Council Art Gallery, Australian Fossil and Mineral Museum and a trip to Jumbo's Jungle. Other activities on offer included creating in small group's short films, fan and basket making, sand sculpture creations, some wet and wild fun and lots of cooking experiences. Mask making was enjoyed by all the children, with opportunity to be creative and messy at the same time.

The Program continues to provide a valuable service to Children and Families of the broader Bathurst Community, operating within the principles of creating a play based learning environment that is fun and stimulating.

These principles aim to develop a child's:

- Sense of identity;
- Opportunities to connect and contribute to their world;
- Understanding and awareness of well being;
- Ability to become confident and involved learners;
- Use of effective and appropriate communication.

Vacation Care is scheduled to again be operational in the April 2013 school holiday period.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.8
- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.2
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.5, 27.9

MINUTE

25 Item 2 VACATION CARE - JANUARY 2013 (09.00005)

MOVED: W Aubin SECONDED: M Coote

RESOLVED: That the information be noted.

3 VACATION CARE - SERVICE APPROVAL (09.00005)

Recommendation: That the information be noted.

Report: Council's Vacation Care program (OSH – Outside School Hours Care) submitted an application for Service Approval to the NSW Early Childhood Education and Care Directorate in April 2012. Notification of approval was received on 30 January 2013 for the provision of 34 approved child care places per day in accordance with the Education and Care National Regulations.

Under the National Quality Framework, an Approved Provider must apply for, and be granted, a Service Approval for each education and service it operates. A service approval is subject to a number of mandatory conditions, including that the service is operated in a way that:

- Ensures the safety, health and wellbeing of the children being educated and cared for at the service
- Meets the educational and developmental needs of children attending the service
- Ensure the Quality Improvement Plan for the service is available for inspection by the Regulatory Authorities or families.

The Service will be required to submit a Quality Improvement Plan (QIP) within three (3) months of being granted the services approval. The QIP must include:

- An assessment by the provider of the quality of practices of the services against the National Quality Framework; and
- Identify any areas that the provider considers may require improvement; and
- Contain a statement of the philosophy of the service

The Bathurst Regional Council's Vacation Care program has completed its Quality Improvement Plan (QIP). The document has been developed in consultation with management, staff and families and it will be submitted to the Regulatory body by the 30 April 2013.

It is expected that Bathurst Regional Council Vacation Care will be assessed and rated against the National Quality Standard (NQS) in the coming months after the QIP has been submitted. The service will be assessed by an authorised officer using the NQS Assessment and Rating Instrument, during a scheduled visit to the service over a specified holiday period. After undertaking an assessment, the Regulatory Authority will notify the approved provider of a rating of each quality area and the overall rating of the service. This system replaces state and territory licensing and quality assurance processes.

Bathurst Regional Council Vacation Care will begin the process of reviewing current policies, procedures and practices within the service against the National Quality Standard in the preparation for their first assessment and rating visit.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.8
- Objective 21: To support the provision of community Strategy 21.2

services and facilities to meet the needs of specific community sectors and the community as a whole.

- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community.

Strategy 27.5, 27.9

MINUTE

26 **Item 3 VACATION CARE - SERVICE APPROVAL (09.00005)**

MOVED: J Jennings SECONDED: G Hanger

RESOLVED: That the information be noted.

Yours faithfully



Annabell Miller
DIRECTOR
CULTURAL & COMMUNITY SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
POLICY COMMITTEE MEETING

**POLICY COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 20 MARCH 2013**

General Manager
Bathurst Regional Council

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

Recommendation: That the recommendations of the Policy Committee Meeting held on 6 March 2013 be adopted.

Report: The Minutes of the Policy Committee Meeting held 6 March 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

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

MOVED: B Bourke SECONDED: M Coote

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

MINUTES OF THE POLICY COMMITTEE
HELD ON 6 MARCH 2013

MEETING COMMENCES

1 MEETING COMMENCES

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

APOLOGIES

2 APOLOGIES

Nil.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 5 DECEMBER 2012 (07.00064)

MOVED Cr G Westman and **SECONDED** Cr G Rush

RESOLVED: That the Minutes of the Policy Committee Meeting held on 5 December 2012 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

MOVED Cr G Westman and **SECONDED** Cr G Rush

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

5 Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 28 NOVEMBER 2012 (07.00096)

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

RESOLVED: That the information be noted.

6 Item 2 DELEGATIONS REGISTER - PURCHASING (41.00088, 15.00008)

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

RESOLVED: That Council delegate to the General Manager the following function and update the Delegations Register:

225 to authorise the purchase of goods, works and services from Local Government Procurement in accordance with funds voted by Council and Council's Purchasing Manual.

7 **Item 3 DELEGATIONS REGISTER - PLUMBING AND DRAINAGE ACT 2012 (41.00088, 02.00012)**

MOVED Cr B Bourke

and **SECONDED** Cr J Jennings

RESOLVED: That Council adopt the change and update the Delegations Register as follows:

General Manager - Item 17 - include the Plumbing & Drainage Act 2011 plus Regulation.

Planning & Development new item:

439 To undertake the powers, authorities, duties and functions delegated to Council by "Instrument of Delegation" dated 8 November 2012 by the Acting Commissioner for Fair Trading pursuant to Section 21 of the Plumbing and Drainage Act 2011.

- (a) to monitor compliance with the Plumbing and Drainage Act (s19(a))
- (b) to ensure that any plumbing and drainage work carried out does not threaten public health or safety (s19(b))
- (c) to undertake any other functions conferred or imposed on the plumbing regulator by the Plumbing and Drainage Act (s19(c)) other than:
 - receiving notices of work and other documentation required to be submitted to the plumbing regulator concerning proposed alternative solutions (s9(3) of the Plumbing and Drainage Act and Clause 10 of the Plumbing and Drainage Regulation)
 - authorising fittings for use in plumbing and drainage work (s20)
 - initiating criminal proceedings as provided for in Part 5 of the Plumbing and Drainage Act.

8 **Item 4 DELEGATIONS REGISTER - PLAN MAKING (02.00018, 41.00088)**

MOVED Cr I North

and **SECONDED** Cr G Westman

RESOLVED: That Council adopt the change and update the Delegations Register as follows:

Planning and Development - new item.

440 To undertake the following plan-making functions delegated by the Minister

- (a) to make – and determine not to make – an LEP under section 59(2), and (3) of the EP&A Act
- (b) to defer inclusion of certain matters in an LEP under section 59(3) and

- (c) to identify which matters must be considered and which stages of the plan-making process must be carried out again prior to resubmission (section 59(4)) if the council defers the proposal or if a matter is deferred from the LEP.

9 **Item 5 ICAC INQUIRY RECOMMENDATIONS (46.00117, 46.00075)**
MOVED Cr M Coote and **SECONDED** Cr I North

RESOLVED: That the information be noted.

10 **Item 6 APPOINTMENT OF DELEGATE - EVANS COMMUNITY OPTIONS (18.00280)**
MOVED Cr W Aubin and **SECONDED** Cr I North

RESOLVED: That Council appoint Cr Rush as a duty delegate to the Evans Community Options Project.

General Manager's Report

11 **Item 1 LOCAL GOVERNMENT & SHIRES ASSOCIATIONS - ONE ASSOCIATION PROPOSAL (18.00105)**
MOVED Cr G Westman and **SECONDED** Cr M Coote

RESOLVED: That the information be noted.

GENERAL BUSINESS

12 **Item 1 CSU - SCHOLARSHIP ALLOCATIONS (23.00083)**

Cr Hanger - represented Council at this meeting concerning allocation of overseas scholarships. Excellent morning and very high quality students involved.

13 **Item 2 APSLEY LAGOON MEETING (25.00128)**

Cr Jennings - met with residents and the issue of the standard of Lagoon Road was raised. Also speed signs on road were raised as needing enhancement.

The Director Engineering Services:

1. advised of stabilising works scheduled for this year.
2. spoke to protocols for speed signage, asked for advice on any particular problem locations.

14 **Item 3 COMMUNITY EVENTS REPRESENTATION (23.00026)**

Cr Rush - asked could Councillors be advised of events that Councillors are representing Council at.

The Mayor spoke to processes in place for representing Council.

15 **Item 4 COMMUNITY REPRESENTATION (23.00026)**

Cr Westman - spoke to Coonabarabran event and community perceptions as to Council's role. Noted Keppel Street matter, where radio stated work will be done in next 12 months.

Media and publicity advice needs to be coordinated more clearly indicating Council's position.

16 **Item 5 WATERING TREES DURING SUMMER (32.00013)**

Cr Coote - spoke to community concerns at seeing water going down the drain when flushing the pipes, whilst they are being asked to water Council's street trees.

The Director Engineering Services provided process for handling discolouration of water and costs involved.

The General Manager spoke of rating structures that previously existed and currently are in place for water charges.

17 **Item 6 TAFE BUILDING (22.01387)**

Cr Coote - advised went through TAFE building recently with architect to see what could be done with the building. They were very excited with prospects for the building. Council needs to be proactive.

18 **Item 7 SPORTS COUNCIL (18.00021)**

Cr Coote - requested minutes of Bathurst District Sport and Recreation Council be distributed to Councillors.

19 **Item 8 WATER TRUCKS (32.00013)**

Cr Aubin - asked is it feasible to fill water trucks with the water from when we are flushing the pipes out.

The Director Engineering Services spoke of pressure and practical issues, will investigate this matter.

20 **Item 9 TRAFFIC ACCIDENT LAST FRIDAY NEAR WENTWORTH ESTATE - BATHURST HOSPITAL (22.01047)**

Cr Aubin - asked why were passengers transferred to Lithgow and Orange and not to Bathurst Hospital. Is this because Bathurst Hospital is being downgraded? Can we approach the Hospital for advice?

21 **Item 10 HEALTH BOARD - BATHURST (22.01047)**

Cr North - advised was on the Committee of the Health Service and spoke to operational issues at the Hospital.

22 **Item 11 CHILDCARE CENTRE (NEW FACILITY) (22.03450)**

Cr North - met with new proponents. They spoke of excellent service from Council and particularly the economic development unit.

23 **Item 12 BATHURST CEMETERY (09.00009)**

Cr North - advised concern has been received about damage to child graves. Is there anything we can do, e.g. better lighting, we do not want fences. Perhaps new operators, Norwood, may have some suggestions.

24 **Item 13 CCTV (07.00106)**

Cr North - awaiting report to come out.

25 **Item 14 GREAT WESTERN HIGHWAY FLOODING (25.00018, 31.00006)**

Cr North - asked who pays for the pumps etc.

The Director Engineering Services advised that the RMS pays for costs of closure.

26 **Item 15 ROCKLEY MILL MUSEUM (22.08248)**

Cr North - spoke to building next door that burnt down, there is some of the stable on this land, have we tried to buy the land?

The Mayor advised Council will investigate this matter.

27 **Item 16 TAFE BUILDING (22.01387)**

Cr North - there are some other sites in NSW which are similar to this. Could we have a look at these?

28 **Item 17 XMAS DISPLAY (23.00026)**

Cr North - have received representation about doing more at Xmas, eg flags on lamp standards. Would we look further into this.

29 **Item 18 PLANNING MATTERS - EXEMPT COMPLYING DEVELOPMENT PROVISIONS (20.00169)**

Cr North - where is this at?

The Director Environmental, Planning & Building Services advised a report is being prepared for Council.

30 **Item 19 HARNESS RACING TRACK (2012/0416)**

Cr North - where is DA at, including JRPP process.

The Director Environmental, Planning & Building Services advised of expected timelines, there was a concern with noise issues.

31 **Item 20 COONABARABRAN FIRE APPEAL (13.00031)**

Cr Bourke - spoke to processes followed by Council and how the appeal was structured. Coonabarabran were very happy with Bathurst and Council's assistance.

32 **Item 21 OPENING OF MAIL (03.00038)**

Cr Bourke - where are we at with the report on this?

The General Manager advised current status.

33 **Item 22 RAGLAN CREEK (31.00006)**

Cr Bourke - read newspaper article on old creeks needing a new life. Council should look at the Creek, it is at the entranceway to the city and we should do something with it. Raised concerns about water getting away when high rainfall occurs.

The Director Engineering Services spoke of status with Raglan Creek overflow channel.

MEETING CLOSE

34 **MEETING CLOSE**

The Meeting closed at 6.48 pm.

CHAIRMAN: _____

Date: _____ **(20 March 2013)**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
TRAFFIC COMMITTEE MEETING

**TRAFFIC COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 20 MARCH 2013**

General Manager
Bathurst Regional Council

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

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

Report: The Minutes of the Traffic Committee Meeting held 5 March 2013 are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.5

MINUTE

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

MOVED: W Aubin SECONDED: M Coote

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

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 5 MARCH 2013

MEETING COMMENCES

1 MEETING COMMENCES

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

Present: Doug Patterson (Director Engineering Services), Iris Dorsett (Tablelands Area Road Safety Officer) and Paul Kendrick (Traffic & Design Engineer)

APOLOGIES

2 APOLOGIES

Nil.

REPORT OF PREVIOUS MEETING

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

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

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS
Director Engineering Services' Report

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 5 FEBRUARY 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 THE 2013 ROYAL BATHURST SHOW (18.00108-03)

That Council raise no objection to implementation of the Traffic Management Plan for the 2013 Royal Bathurst Show on Friday 12 April 2013, Saturday 13 April 2013 and Sunday 14 April 2013. The event is to be classified as a Class 1 event and approved subject to conditions detailed in the Director Engineering Services' report.

8 Item 4 THE BIG RIDE 4 PARKINSON'S SYDNEY TO PARKES (23.00026-15/112)

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

9 Item 5 ROCKLEY ANZAC DAY SERVICE AND MARCH 2013 - TEMPORARY ROAD CLOSURES (23.00076/59)

That Council approve the holding of the Anzac Day Service and March within Rockley on Thursday, 25 April 2013. The Commemorative Service road closure and the Anzac Day March are to be classified as a Class 2 Event and subject to conditions, as detailed in the Director Engineering Services' report.

10 Item 6 RELOCATION OF NO STOPPING SIGN – BATHURST RSL CLUB (25.00009-02/086)

That Council approve the relocation of the "No Stopping" (R5-400) (R) sign on the Rankin Street side of the RSL Building subject to conditions as detailed in the Director Engineering Services' Report.

11 Item 7 CAIRN ANZAC DAY SERVICE 2013 - TEMPORARY SPEED RESTRICTION ON LIMEKILNS ROAD (23.00076/59)

That Council approve the holding of the Anzac Day Service at the Memorial Cairn with a temporary speed restriction of 40km/hr on Limekilns Road on Thursday 25 April 2013. The Commemorative Service and temporary speed restriction to 40km/hr are to be classified as a Class 2 Event and subject to conditions, as detailed in the Director Engineering Services' report.

12 Item 8 BEN HALL RE-ENACTMENT WEEKEND (18.00183/044)

That Council approve the holding of the Ben Hall Re-enactment Weekend within the Bathurst central business district on Saturday 28 September 2013. The Ben Hall Re-enactment activities and Ben Hall Re-enactment ride event are to be classified as Class 2 and Class 1 events respectively and subject to conditions, as detailed in the Director Engineering Services' report.

13 Item 9 BATHURST ANZAC DAY SERVICE AND MARCH - 2013, TEMPORARY ROAD CLOSURES WITHIN CBD (23.00076/59)

That Council approve the holding of the 2013 Anzac Day Service and March within the Bathurst central business district on Thursday 25 April 2013. The Dawn Service road closure and the Anzac Day March are to be classified as a Class 2 Event and subject to conditions, as detailed in the Director Engineering Services' report.

14 Item 10 SMALL BIZ BUS - VISIT TO BATHURST (20.00071-03)

That approval be given for the Small Biz Bus visit to Bathurst planned for Tuesday 7 May 2013 to be an unclassified event, and the event be approved subject to conditions as detailed in the Director Engineering Services' report.

15 Item 11 THE ELEPHANT & CASTLE HOTEL - TAXI ZONE (28.00009-05/077)

That Council approve the installation of a taxi zone to cater for one taxi in Keppel Street adjacent to the Elephant & Castle Hotel between the hours of 6 pm and 6 am in accordance with the Director Engineering Services' report.

TRAFFIC REGISTER

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

That the information be noted.

MEETING CLOSE

17 **MEETING CLOSE**

The Meeting closed at 2.52 pm.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DELEGATES REPORTS AND MINUTES

**DELEGATES REPORTS TO THE ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL MEETING HELD ON 20 MARCH 2013**

General Manager
Bathurst Regional Council

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

Recommendation: That the information be noted.

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

**1. FLAGSTAFF WORKING GROUP - PROPOSED 2015 COMMEMORATIVE
STRUCTURE (20.00153)**

Representatives from Flagstaff Working Group attended the meeting and gave an outline of their proposal for a monument to be constructed near the site of the original flagstaff erected by Governor Macquarie on the banks of the Macquarie River.

**2. ROTARY CLUB OF BATHURST DAYBREAK - 2013 B2B CYCLO SPORTIF
CHALLENGE (23.00128)**

Representatives from Rotary Club of Bathurst Daybreak attended the meeting and gave an update on the 2013 B2B Sportif Challenge.

Discussions included:

- History of the growth of the event.
- The running of the 2013 event in April.
- Future expansion of the event and Council support.

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 | Strategy 32.2 |

adequate workforce and appropriate governance procedures.

MINUTE

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

MOVED: I North SECONDED: M Coote

RESOLVED: That the information be noted.

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

Recommendation: That the information be noted.

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

APOLOGIES: Cr Westman

1. MOUNT PANORAMA KART RACING TRACK STEERING COMMITTEE (20.00010-11/015)

Representatives from the Mount Panorama Kart Racing Track Steering Committee attending the meeting to discuss the possible construction of a Kart Racing Track at Mount Panorama.

Matters discussed included:

- The seeking of a permanent location for a Kart Racing Track at Mount Panorama.
- Proposal would included the construction of a world class racing circuit 900 metres to a 1000 metres long, built to international standards.
- No other track in existence in Australia at the present time.
- Identified four potential locations Harris Park, back of the Pits, McPhillamy Park and Reid/Sulman Park, with Reid/Sulman the preferred site.

2. EVANS COMMUNITY OPTIONS PROJECT 18.000280/005)

Representatives from Evans Community Options attended the meeting and gave an outline to Council of the services they provide to the community. Discussions included:

- Evans Community Options commenced in 1995.
- They provide a range of services to assist people to live at home independent.
- Targets groups: frail, aged, people with disabilities, carers, people discharged from hospital, cancer sufferers.
- Support is provided via case management (eg. life long illness); respite, (planned break for carers); neighbourhood and social support (for people who are socially isolated); COMPACKS (for people who have been in hospital); Viva Packs (support for cancer sufferers).
- Approved provider of a variety of self funded packages.
- Program extends to areas outside Bathurst.
- requested a Councillor contact for support and attendance at some events.
- Requested assistance with promotion of service through a flyer with rates notice.

3. ARGENT MINERALS - PROPOSED MINE, TRUNKEY CREEK (22.01429-02)

Representatives from Argent Minerals attended the meeting to discuss the proposed silver mine at Kempfield site. Matters discussed included:

- Background on the Company.
- Information was provide on the mine.
- Preliminary stages 150 jobs long term, 80 jobs.
- Provide an overview of the mine site.
- Also discussed with the Councillors the closure of Colo Road.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

MINUTE

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

MOVED: M Coote SECONDED: J Jennings

RESOLVED: That the information be noted.

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

Recommendation: That the information be noted.

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

1. BATHURST CARILLON CITY TENNIS CLUB INC (04.00013)

Peter Bowyer, Andrew Mitton and Steve Ralph from Bathurst Carillon City Tennis Club attended the meeting to discuss the future expansion of the club rooms at the John Matthew tennis complex.

Points raised include:

- Tennis Australia may provide a loan of up to \$80,000 at a low interest rate to assist this project.
- The Club believes that it should be able to attract a grant.
- Estimated cost of plans presented to Council in the vicinity of \$200,000 however, the plans would have to be upgraded to include the latest changes to BASIX requirements.
- The above cost does not include cost of a ramp for wheelchair access down to the courts.
- Economic benefit of tennis tournaments to Bathurst estimated at \$1.7 million.
- The group agreed to update the plans, obtain updated costing details prior to presentation back to Council for further consideration.

They sought assistance from the Engineering Department of Council with the drawing of the plans of the proposed building.

2. COMPLETE SPORTS MARKETING (11.00019)

Craig Gibson and Rick Sleeman from Complete Sports Marketing Australia (SMA) attended the meeting to update Council on the Complete Sports Marketing Program.

Discussions included:

- Sports Marketing Australia was established in 1999.
- Company aims to identify events held in metropolitan areas and find venues in regional areas that could handle these major sporting events.
- Items important to consideration of a regional area for sports events include, geography (SMA need to cover the whole of the state); support of sporting clubs; accommodation capacity; and existing and potential sporting facilities
- Last year SMA took 350 events to the regional market.
- Would like to include Bathurst as a partner, as they believe Bathurst could be built into a regional sports super centre.
- SMA only gets paid for an event if they deliver them to the regional centre (they gave an indication of the average cost per event brought to town).
- In order for Bathurst to be considered it would be necessary to undertake a capacity and capability assessment which would be at Council's cost.

3. KEPPEL STREET INFRASTRUCTURE UPGRADE (04.00013)

Peter Wright and Tony McBurney representing the business houses in Keppel Street attended the meeting to put forward their proposal in relation to the infrastructure upgrade of the Keppel Street Precinct.

Discussions included:

- They had undertaken wide consultation with the Keppel Street community including a survey of stakeholders and prioritisation of items identified as part of the survey with the major items being the landscape, public assets, traffic/parking and security.
- The area for consideration in Keppel Street is between William Street and the train station and including the train station area, the BINC car park, the car park behind Gazza's as well as the library carpark.
- The proposal identified the need for more trees and shrubs, undergrounding of power lines, rectification of storm water issues near the Bentinck Street corner and the retention of lampstands.
- Traffic/parking issues included the concern that there was no access off Keppel Street to the carparks mentioned, possible relocation of the bus bay opposite Central Commercial Printers, parking capacity must be maintained at current level if not increased, and would like to keep loading zone.
- Security was raised, they are concerned with the vandalism that occurs in the street late at night.
- Tony McBurney gave a graphical presentation of the potential concept and vision for the Keppel Street precinct.

The group identified the following steps which would be required to progress this matter:

1. Costing of items discussed as part of their presentation,
2. Continue the engagement with Council.
3. Development of detailed plans and time-lines for the project.

Financial Implications: Nil at this point in time.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

MINUTE

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

MOVED: M Coote SECONDED: J Jennings

RESOLVED: That the information be noted.

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

Recommendation: That the information be noted.

Report: The Minutes of the Extraordinary Meeting of the 2015 Bicentenary Celebrations Committee held on Tuesday 5 March 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

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

MOVED: I North SECONDED: J Jennings

RESOLVED: That the information be noted.

MINUTE

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

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

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

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

RESOLVED: That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	EARLY TERMINATION OF LICENCE AGREEMENT - 519 MITCHELL HIGHWAY, BATHURST (PART LOT C DP158611) -	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF LICENCE AGREEMENT - PART LOT 37 DP1159303 (SECTION 5), BATHURST AERODROME	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the

		public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED NEW RESIDENTIAL LEASE - LOT 2 DP749758 - 200 COLLEGE ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED NEW RURAL LICENCE AGREEMENT - LOTS 279 AND 299 DP750354 - NORTH STREET, PERTHVILLE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	EXPRESSION OF INTEREST- LOT 1 DP784476 AND LOTS 134, 137, 138, 144 AND 145 DP750357 - VALE ROAD AND LLOYDS ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	BATHURST TOUCH FOOTBALL ASSOCIATION, LEARMONTH PARK, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would

		prejudice the commercial position of the person who supplied it.
7	RENEWAL OF LICENCE AGREEMENT- PART LOT 40 DP1056379 - SBS TOWER AND HUT, REID PARK MT PANORAMA - COMMUNITY RADIO STATION 2MCE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	LOCAL GOVERNMENT FINANCIAL SERVICES PTY LTD	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
9	TRACKCORP ADRENALIN PTY LTD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
10	BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
11	SALE OF LOT 912 SWANBROOKE STREET, BATHURST	10A (2) (c) – contains information that would, if disclosed, confer a

		commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
12	EXPRESSION OF INTEREST - 2015 BICENTENNIAL CELEBRATIONS COMMEMORATIVE STRUCTURE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	EASEMENT FOR WATER SUPPLY 5 WIDE, LOT 2 DP842120, 312 LAFFING WATERS LANE, LAFFING WATERS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	EXTINGUISHMENT OF EASEMENT FOR WATER SUPPLY, LOT 32 DP217899, 14 ISAACS STREET, WEST BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL MINUTE
20 MARCH 2013

MINUTE

a Item 1 EARLY TERMINATION OF LICENCE AGREEMENT - 519 MITCHELL HIGHWAY, BATHURST (PART LOT C DP158611) - (22.05345)

MOVED: W Aubin SECONDED: M Coote

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

MINUTE

b Item 2 RENEWAL OF LICENCE AGREEMENT - PART LOT 37 DP1159303 (SECTION 5), BATHURST AERODROME (21.00093)

MOVED: M Coote SECONDED: I North

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

MINUTE

c Item 3 PROPOSED NEW RESIDENTIAL LEASE - LOT 2 DP749758 - 200 COLLEGE ROAD, BATHURST (22.05258)

MOVED: W Aubin SECONDED: M Coote

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

MINUTE

d Item 4 PROPOSED NEW RURAL LICENCE AGREEMENT - LOTS 279 AND 299 DP750354 - NORTH STREET, PERTHVILLE (22.05810)

MOVED: M Coote SECONDED: J Jennings

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

MINUTE

e Item 5 EXPRESSION OF INTEREST- LOT 1 DP784476 AND LOTS 134, 137, 138, 144 AND 145 DP750357 - VALE ROAD AND LLOYDS ROAD, BATHURST (22.12383)

MOVED: M Coote SECONDED: G Westman

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

MINUTE

f Item 6 BATHURST TOUCH FOOTBALL ASSOCIATION, LEARMONTH PARK, KELSO (04.00033)

MOVED: M Coote SECONDED: I North

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

Reason: Player and attends Touch football meetings.

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

MINUTE

g Item 7 RENEWAL OF LICENCE AGREEMENT- PART LOT 40 DP1056379 - SBS TOWER AND HUT, REID PARK MT PANORAMA - COMMUNITY RADIO STATION 2MCE (08.00007)

MOVED: G Westman SECONDED: I North

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

MINUTE

h **Item 8 LOCAL GOVERNMENT FINANCIAL SERVICES PTY LTD (34.00057-06)**

MOVED: M Coote SECONDED: J Jennings

That the information be noted.

MINUTE

i Item 9 TRACKCORP ADRENALIN PTY LTD (34.00065)

MOVED: M Coote SECONDED: W Aubin

That the information be noted.

MINUTE

j **Item 10 BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION (18.00175)**

MOVED: G Westman SECONDED: M Coote

That the information be noted.

MINUTE

k Item 11 SALE OF LOT 912 SWANBROOKE STREET, BATHURST (20.00119, 22.14364)

MOVED: W Aubin SECONDED: J Jennings

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

MINUTE

**I Item 12 EXPRESSION OF INTEREST - 2015 BICENTENNIAL CELEBRATIONS
COMMEMORATIVE STRUCTURE (36.00474)**

MOVED: I North SECONDED: J Jennings

That Council:

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTE
20 MARCH 2013

MINUTE

m Item 1 EASEMENT FOR WATER SUPPLY 5 WIDE, LOT 2 DP842120, 312 LAFFING WATERS LANE, LAFFING WATERS (22.11579)

MOVED: I North SECONDED: B Bourke

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

MINUTE

n **Item 2 EXTINGUISHMENT OF EASEMENT FOR WATER SUPPLY, LOT 32
DP217899, 14 ISAACS STREET, WEST BATHURST (22.06516)**

MOVED: M Coote SECONDED: J Jennings

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

MINUTE

- o **Item 3 PROPOSED BOUNDARY ADJUSTMENT FOR LEASE PURPOSES, LOTS 33 AND 34 DP1151799, BATHURST REGIONAL AIRPORT, PJ MOODIE DRIVE RAGLAN (21.00053)**

MOVED: M Coote SECONDED: G Hanger

That Council approves the boundary adjustment and entering into a new lease agreement for the subdivision of Lots 33 and 34 DP1151799 at Bathurst Regional Airport with Renmeul Pty Ltd and Ross Aviation Services Pty Ltd, as detailed in the Director Engineering Services report.

MINUTE

p Item 4 TENDER FOR CONSTRUCTION OF AMENITIES BLOCKS AT GEORGE PARK BATHURST AND CUBIS PARK EGLINTON (36.00475)

MOVED: M Coote SECONDED: W Aubin

That Council:

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

MINUTE

34 RESOLVE INTO OPEN COUNCIL

MOVED: M Coote SECONDED: I North

RESOLVED: That Council resume Open Council.

MINUTE

35 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MOVED: I North SECONDED: W Aubin

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

MINUTE

36 MEETING CLOSE

The Meeting closed at 7.22 pm.

CHAIRMAN: _____

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