



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

13 November 2013

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 20 November 2013

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 20 November 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 NOVEMBER 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 - 16 OCTOBER 2013

* MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 6 NOVEMBER 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 - 9 OCTOBER 2013

* MINUTES - POLICY COMMITTEE MEETING - 6 NOVEMBER 2013

* MINUTES - TRAFFIC COMMITTEE MEETING 5 NOVEMBER 2013

10. NOTICES OF MOTION - Nil

11. RESCISSION MOTIONS - Nil

12. DELEGATES REPORTS

* COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 23 OCTOBER 2013

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

Recommendation: That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST EISTEDDFOD SOCIETY INC - FINANCIAL SUPPORT	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	PURCHASE OF PROPERTY - LOT 13 DP259022 LOCATED AT 2 SCHOFIELD WAY 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.
3	PURCHASE OF COMMERCIAL SITE IN HOWICK 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	REQUEST FOR FINANCIAL ASSISTANCE - BATHURST CITY COMMUNITY CLUB	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	MOUNT PANORAMA CAPITAL IMPROVEMENT WORKS FUNDING BRIEF	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	RENEWAL OF LEASE - BATHURST MINIATURE RAILWAY SOCIETY - PART LOT 1 DP 1167594 AND LOT 7006 DP1057676 KNOWN AS THE JOHN MATTHEWS SPORTING COMPLEX	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

		position of the person who supplied it.
7	REQUEST FOR FINANCIAL ASSISTANCE - BATHURST GUN CLUB INC.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	ENDORSEMENT OF REQUEST FORM FOR SECTION 88B INSTRUMENT AFFECTING LOT 706 DP1103109 AT 19 IRVING PLACE ROBIN HILL	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	CONTRACT FOR E-WASTE COLLECTION AND RECYCLING	410A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED TRANSFER OF CROWN ROAD, LANE OFF BROWNING 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	PROPOSED SALE OF LOTS 9 AND 10 DP720620 ALPHA STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	ANNUAL TENDER - HIRE OF TRUCKS / WATERCARTS	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	ANNUAL TENDER - HIRE OF PLANT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	PROPOSED EASEMENT TO DRAIN WATER 6.095 WIDE, LOT 1 DP249051 AND LOT 158 DP1119351, 158 BRILLIANT 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.
8	PROPOSED COMPULSORY ACQUISITION OF SUNNY CORNER WASTE MANAGEMENT CENTRE, LOT 78 DP1079915, WEST MITCHELL ROAD, SUNNY CORNER	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

2 PUBLIC QUESTION TIME

T Carpenter - Trees on Highway - spoke of importance of mature trees providing shade, amenity, temperature reduction and reduction of energy bills. These are 20 year old trees and would be a great loss if removed. Has Council considered alternative actions such as tree root barriers. If trees are removed can they be replaced with advanced mature trees.

C Ronan – The Rotary Club of Bathurst Daybreak (DCSF #13) - expressed dismay at the withdrawal of support for the Blayney to Bathurst Cycling Event. Asked Council to defer consideration of this item to allow the Rotary Club to meet with Council.

A Bland - Trees on Highway - concerned about removal of trees. If trees must be removed can it be done over a 10 year period. Has concerns over proposed tree selection. This process is expensive for ratepayers and need to make sure that it is done properly. Offered services of Greening Bathurst in providing advice on proposed tree selection. Also urged Council to review the Vegetation Management Plan as it doesn't incorporate the villages and there are new technologies and information available.

W Feebrey - Trees on Highway - congratulated Council on its tree planting program undertaken in recent years. Concerned at proposed removal of trees. This is the best avenue in the CBD. Has costing been done on alternatives to removal, eg. root pruning, root guards and relaying footpaths.

L Lucano - Formula 1 Event - was happy to receive advise that Council's 2015 Committee was pursuing a Formula 1 promotional event. Asked the Mayor has Council begun this process. Has had media interest and would like to be able to speak to media but needs to be sure of Council's support.

The Mayor advised that correspondence would be sent to the Formula 1 governing body in the next few days.

Mr Lucano also advised he had sent numerous emails to different government departments seeking support and funding for Council's 2015 Celebrations.

G Crisp - ratepayer - spoke on various issues including Section 356 Donations, the recent Land and Environment Court decision in the Manning Case, Council's Internal Auditor and Council's responsibilities in relation to advising ICAC of potential corruption.

The Mayor advised he is aware of Council's responsibilities under the ICAC Act.

B Triming - ratepayer - asked if the Manchurian Pear variety proposed to be used on the highway is the non-fruit bearing variety. Believes the tree in front of the car yard needs to be removed as a priority.

Spoke on disabled access grants and congratulated Council on these grants and the

benefits to the community. Thanked Council for allowing Bathurst Regional Access Committee (BRAC) to participate in the selection of these grants. Tabled the most recent BRAC brochure.

P Dowling - ratepayer - thanked Mayor for correspondence he received following last Council meeting. Asked questions on Council's procedure in relation to barking dog complaints and whether Council verifies that the complaint is bona fide.

The Acting Director Environmental, Planning & Building Services advised that contact details are requested from any complainant to allow follow up.

MINUTE

- 3** **APOLOGIES**
 MOVED: Cr I North SECONDED: Cr W Aubin

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

MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 16 OCTOBER 2013 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 16 October 2013 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 16 October 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
- 16 OCTOBER 2013 (11.00005)

MOVED: Cr G Westman SECONDED: Cr W Aubin

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 16 October 2013 be adopted.

2 MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 6 NOVEMBER 2013 (11.00005)

Recommendation: That the Minutes of the Extraordinary Meeting of Bathurst Regional Council held on 6 November 2013 be adopted.

Report: The Minutes of the Extraordinary Meeting held on 6 November 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

5 Item 2 MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 6 NOVEMBER 2013 (11.00005)

MOVED: Cr I North SECONDED: Cr B Bourke

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

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 16 OCTOBER 2013**

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

M Hollis – Ratepayer - congratulated Cr Rush on election to Mayoral role and thanked Cr Morse for her work as Mayor. Spoke to Councillors working together and leaving politics aside.

D Austin – Resident/ Ratepayer - spoke to letter distributed to Council last Wednesday concerning the heritage village of Kelso. Referred to proposed Highway upgrade and the impact it will have. Need rejuvenation of area. Has spoken to Roads and Maritime Services (RMS), need Council to declare it as a tourist destination. Issues included three options to consider for the bypass and creation of a scale model of the proposal. Orange is ahead of Bathurst, we need to shout about our heritage. Signage is also an issue. Need to stop buses and trucks in the village.

P Cosgrove – St. Pats Junior Cricket (President) - DCSF Confidential #9 - have moved to Eglinton and are putting in four new cricket nets. Seeking support from Council as requested in the report.

Cr Westman arrived at 6.08pm

J Hollis – Rail Action Bathurst - referred to lobbying for the train service to Sydney and the establishment of a committee. This Monday is one year since the service was established, there have been 25,000 users. There will be a cake cutting ceremony to acknowledge this success, the future of the link seems assured. The eastern gateway is at the rail station, is Council looking to do work down in that area?

The General Manager spoke of Keppel Street discussions with Keppel Street business owners and the review that is occurring.

The Mayor spoke to actions on parking being taken in this area in conjunction with John Holland Transport.

L Lucarno – F1 Vehicles Bathurst - would like to see F1 vehicles at Mount Panorama. Would like Council to pursue funding from other levels of Government and private sponsors for the funding to make this a possibility. Would fit in perfectly

with 2015 celebrations and this may help the opportunity for funding. An F1 event would be huge publicity for the region and Australia.

G Crisp – Ratepayer - thanked Council for its reply to his previous questions. Spoke to borrowings of \$12 million by the Council and the rates obtained. Could he get an estimate of the current rate of borrowing? Spoke to getting access to documents and viewing a hard copy of business paper and the minutes at Council.

The Mayor advised Mr Crisp to contact the General Manager's office to arrange a time to view the documents.

P Dowling – Ratepayer - thanked Council for recent support he has received from people recently. Then spoke to V8 races and feels the City is missing out as the Mount Panorama sign does not show Bathurst on it. It should be a permanent fixture.

The Mayor advised Council will get back to Mr Dowling on this matter.

D Stapleton – Farmers Arms Hotel - spoke to the V8 race event and the problems with the overwhelming police presence. This impacted on his business, had no fines issued, no one was asked to leave, it was atrocious the way police acted. Do not understand why they acted this way. Police stopped bus service hotel provided and told taxis Hotel closed at 6.30pm when it was not. Lost \$4,000 over the weekend.

The Mayor advised has not received any police advice.

APOLOGIES

3 APOLOGIES

Nil.

MINUTES

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 18 SEPTEMBER 2013 (11.00005)

MOVED Cr I North

and **SECONDED** Cr B Bourke

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 September 2013 be adopted.

DECLARATION OF INTEREST

5 DECLARATION OF INTEREST 11.00002

MOVED Cr I North

and **SECONDED** Cr B Bourke

RESOLVED: That the following Declarations of Interest be noted.

Cr Westman

Item #9 of the Director Corporate Service & Finance Confidential Report

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

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

RESOLVED: That the information be noted.

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

RESOLVED: That the information be noted.

- 8** **Item 3 EVOCITIES STEERING COMMITTEE CHANGES (18.00208)**
MOVED Cr M Coote and **SECONDED** Cr I North

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report

- 9** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED Cr W Aubin and **SECONDED** Cr I North

RESOLVED: That the information be noted.

- 10** **Item 2 YEAR TO DATE MONTHLY REVIEW - 2013-2017 DELIVERY PLAN AND ANNUAL OPERATING PLAN 2013-2014 (16.00135)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

- 11** **Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT**

PANORAMA FEE SUBSIDY (18.00004)**MOVED** Cr J Jennings and **SECONDED** Cr I North**RESOLVED:** That the information be noted and any additional expenditure be voted.**12 Item 4 POWER OF ATTORNEY (11.00007)****MOVED** Cr W Aubin and **SECONDED** Cr M Coote**RESOLVED:** That the information be noted.**13 Item 5 LOCAL INFRASTRUCTURE RENEWAL SCHEME (LIRS)- ROUND THREE (16.00020-06)****MOVED** Cr W Aubin and **SECONDED** Cr I North**RESOLVED:** That Council make an application for a loan under the LIRS to upgrade the sewerage infrastructure at the Mount Panorama precinct.**14 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - TRIUMPH SPORTS OWNERS ASSOCIATION (18.00004, 23.00015)****MOVED** Cr B Bourke and **SECONDED** Cr M Coote**RESOLVED:** That Council fund the cost of the closure of Russell Street between William and George Streets on Saturday 31 October 2015 for the Triumph Sports Owners Assoc of NSW, at an approximate cost of \$1,000 and this be funded from the 2015/2016 Section 356 Donations.**15 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - COMMUNITY TRANSPORT ORGANISATION CONFERENCE 2013 (18.00001-05)****MOVED** Cr B Bourke and **SECONDED** Cr J Jennings**RESOLVED:** That Council:

- (a) provide 200 Bathurst pens and 200 Bathurst notepads for Conference Bags
- (b) make a donation of \$800 to provide 200 jars of jam for Conference bags, to be funded from Section 356 Donations.

16 Item 8 PROPOSED NEW RESIDENTIAL SUBDIVISION - LOT 11 DP1141570 LOCATED ON COX LANE, EGLINTON (22.01826)**MOVED** Cr G Westman and **SECONDED** Cr M Morse

MOVED Cr G Westman and SECONDED Cr M Coote

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 1 October 2013 be adopted.

DELEGATES REPORTS

21 Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 11 SEPTEMBER 2013 (11.00019)
MOVED Cr J Jennings and SECONDED Cr G Westman

RESOLVED: That the information be noted.

22 Item 2 MALAYSIAN 12 HOUR RACE - SEPANG - 1 SEPTEMBER 2013 - CR AUBIN (04.00097)
MOVED Cr B Bourke and SECONDED Cr I North

RESOLVED: That the information be noted.

23 Item 3 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 10 SEPTEMBER 2013 (11.00020)
MOVED Cr M Coote and SECONDED Cr J Jennings

RESOLVED: That the information be noted.

24 Item 4 MINUTES - AUSTRALIA DAY WORKING PARTY - 17 SEPTEMBER 2013 (23.00033)
MOVED Cr G Westman and SECONDED Cr M Morse

RESOLVED: That the information be noted.

25 Item 5 BATHURST INFORMATION & NEIGHBOURHOOD CENTRE AGM - CR MORSE (18.00017)
MOVED Cr M Morse and SECONDED Cr I North

RESOLVED: That the information be noted.

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

26 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS
MOVED Cr W Aubin 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 Environmental Planning & Building Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	LAND IMPROVEMENT AWARDS	10A (2) (a) – Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned.
2	PROPOSED ESTABLISHMENT OF A MOTOR SPEEDWAY	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PRICE ADJUSTMENT - LOT 1 DP1179272 KNOWN AS 449 CONROD STRAIGHT MT PANORAMA	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 LEASE AGREEMENTS WITH NBN CO. LTD - 230 HOWICK STREET, BATHURST (PART LOT 1 DP774489), WATER RESERVOIR, PRINCE STREET, PERTHVILLE (PART LOT 1 DP857402) AND WATER RESERVOIR RAGLAN (PART LOT 211 DP748686).	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	SALE OF VACANT BLOCK OF LAND (LOT 2 DP1076805) KNOWN AS 24 RUSSELL STREET, BATHURST	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
4	PROPOSED NEW SPORTING LICENCE - PART LOT 7013 DP1114435 KNOWN AS BROOKE MOORE OVAL - RUGBY UNION CRICKET CLUB	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	ALTERATION TO TENANCY - LOT 1 DP786946 KNOWN AS 159 EGLINTON 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	EXPRESSION OF INTEREST - PART LOT 37 DP1159302 - VACANT LAND 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.
7	PROPOSED NEW LEASE - CAFE IN TERMINAL BUILDING (PART LOT 37 DP1159302) - 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.
8	RENEWAL OF LEASE - HOME CARE SERVICE OF NSW - UNIT 1, 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.
9	REQUEST FOR FINANCIAL ASSISTANCE - ST PATS JUNIOR CRICKET CLUB	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

determination.

Director Corporate Services & Finance's Report

- c** **Item 1 PRICE ADJUSTMENT - LOT 1 DP1179272 KNOWN AS 449 CONROD STRAIGHT MT PANORAMA (21.01826)**
MOVED Cr I North and **SECONDED** Cr B Bourke

That Council approves a price adjustment for Lot 1 DP1179272 known as 449 Conrod Straight Mt Panorama, as detailed in the report.

- d** **Item 2 PROPOSED NEW LEASE AGREEMENTS WITH NBN CO. LTD - 230 HOWICK STREET, BATHURST (PART LOT 1 DP774489), WATER RESERVOIR, PRINCE STREET, PERTHVILLE (PART LOT 1 DP857402) AND WATER RESERVOIR RAGLAN (PART LOT 211 DP748686). (22.00041, 32.00001)**
MOVED Cr M Coote and **SECONDED** Cr M Morse

That Council approves

- (a) entering into a new lease agreement with NBN Co. Ltd for part Lot 1 in DP 774489 located on the rooftop of 230 Howick Street, Bathurst for a period of five (5) years with option periods of three (3) x five (5) years at a yearly lease fee of \$29,000 pa (GST inclusive) plus annual CPI adjustments
- (b) entering into a new lease agreement with NBN Co. Ltd for part Lot 1 DP857402 located at the water reservoir Prince Street Perthville for a period of five (5) years with option periods of three (3) x five (5) years at a yearly lease fee of \$12,500 pa (GST inclusive) plus annual CPI adjustments
- (c) entering into a new lease agreement with NBN Co. Ltd for part Lot 211 DP748686 located at the water reservoir at Raglan for a period of five (5) years with option periods of three (3) x five (5) years at a yearly lease fee of \$12,500 pa (GST inclusive) plus annual CPI adjustments as detailed in the report.

- e** **Item 3 SALE OF VACANT BLOCK OF LAND (LOT 2 DP1076805) KNOWN AS 24 RUSSELL STREET, BATHURST (22.01140)**
MOVED Cr W Aubin and **SECONDED** Cr B Bourke

That Council approves the sale of Lot 2 DP1076805 known as 24 Russell Street, Bathurst to Ms Andrea Szumowski for the purchase price of \$92,000 as detailed in the report.

- f** **Item 4 PROPOSED NEW SPORTING LICENCE - PART LOT 7013 DP1114435 KNOWN AS BROOKE MOORE OVAL - RUGBY UNION CRICKET CLUB (04.00050)**

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

That Council approves entering into a new Sporting Licence for part Lot 7013 DP1114435 known as Brooke Moore Oval, Bathurst with the Rugby Union Cricket Club for a period of five (5) years at a yearly licence fee of \$100.00 pa (GST inclusive) subject to adherence with Council's Land Management Guidelines - Leasing and insurance requirements as detailed in the report.

g **Item 5 ALTERATION TO TENANCY - LOT 1 DP786946 KNOWN AS 159 EGLINTON ROAD, BATHURST (22.12696)**

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

That Council approves

- (a) deleting Mr Michael Woolley from the Residential Tenancy Agreement for Lot 2 DP749758 known as 159 Eglinton Road, Bathurst
- (b) entering into a new Residential Tenancy Agreement for Lot 2 DP749758 known as 159 Eglinton Road, Bathurst with Ms Jennifer Cummings for the approved twelve (12) month option period.

h **Item 6 EXPRESSION OF INTEREST - PART LOT 37 DP1159302 - VACANT LAND BATHURST AERODROME (21.00093)**

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

That Council approves entering into a new licence agreement with Rushlarah Agri Pty Ltd for sections 1, 2, 3 and 4 in part Lot 37 in DP1159302 located at the Bathurst Aerodrome for a period of three (3) years at a yearly lease fee of \$2,000 per annum plus annual CPI adjustments as detailed in the report.

i **Item 7 PROPOSED NEW LEASE - CAFE IN TERMINAL BUILDING (PART LOT 37 DP1159302) - BATHURST AERODROME (21.00044)**

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

That Council approves entering into a new Commercial Lease Agreement with Ms Justine Fawcett for part Lot 37 in DP1159302 located in the airport terminal building at the Bathurst Aerodrome for a period of one (1) year with a one (1) year option period (subject to Council formal approval) as detailed in the report.

i **Item 8 RENEWAL OF LEASE - HOME CARE SERVICE OF NSW - UNIT 1, 55 SEYMOUR STREET, BATHURST (22.00185)**

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

That Council approves renewing the lease for part Lot 180 DP862410 known as

Unit 1 55 Seymour Street, Bathurst with the Home Care Service of NSW for a period of two (2) years with an option period of two (2) years at a monthly lease payment of \$2,130.73 (GST inclusive) plus annual CPI adjustments as detailed in the report.

k **Item 9 REQUEST FOR FINANCIAL ASSISTANCE - ST PATS JUNIOR CRICKET CLUB (18.00004)**
MOVED Cr I North and **SECONDED** Cr B Bourke

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

Reason: Son plays for St Patricks Junior Cricket Club.

That Council:

- (a) make a loan of \$3,000 available to the St Pat's Junior Cricket Club to be used to place artificial turf on the Cubis Park Cricket nets.
- (b) provide a contribution of \$3,000 to St Pat's Junior Cricket Club for the artificial turf at Cubis Park to be funded from the Parks Reserve.

l **Item 10 TENDER FOR PROVISION OF WIDE AREA NETWORK AND DATA SERVICES (36.00496)**
MOVED Cr G Westman and **SECONDED** Cr M Morse

That Council accept the tender of Soul Pattinson Telecommunications Pty Ltd in the amount of \$656,964.00 (incl GST) for the provision of Wide Area Network and Data Services, subject to adjustments and provisional items.

RESOLVE INTO OPEN COUNCIL

27 **RESOLVE INTO OPEN COUNCIL**
MOVED Cr M Morse and **SECONDED** Cr M Coote

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

28 **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr W Aubin and **SECONDED** Cr M Morse

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

MEETING CLOSE**29** **MEETING CLOSE**

The Meeting closed at 7.06 pm.

CHAIRMAN: _____

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

**MINUTES OF THE EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 6 NOVEMBER 2013**

MEETING COMMENCES

1 MEETING COMMENCES 5:30 PM

The Mayor advised that there was no quorum present and the meeting was deferred for 10 minutes due.

At 5.40 pm a quorum was present and the meeting commenced.

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

APOLOGIES

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

RESOLVED: That the apologies from Crs Aubin, Hanger, Morse be accepted and leave of absence granted.

DECLARATION OF INTEREST

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

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

4 Item 1 AUDITED FINANCIAL REPORTS (16.00055)
MOVED Cr I North and **SECONDED** Cr G Westman

RESOLVED: That the information be noted.

MEETING CLOSE

5 **MEETING CLOSE**

The Meeting closed at 6.02 pm.

CHAIRMAN: _____

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

MINUTE

6 DECLARATION OF INTEREST 11.00002
MOVED: Cr W Aubin SECONDED: Cr M Coote

RESOLVED: That the following Declarations of Interest be noted.

Cr Coote

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

Cr Bourke

Item #10 of the Director Corporate Services and Finance's report.

Item #4 of the Director Corporate Services and Finance's Confidential report.

Acting Director Corporate Services and Finance (B Dwyer)

Item #6 of the Director Corporate Services and Finance's report.

DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 NOVEMBER 2013

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

Recommendation: That the information be noted.

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

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: Cr I North SECONDED: Cr B Bourke

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 October 2013 (**attachment 1**)
- (b) Applications refused during October 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 October 2013 (**attachment 5**).

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

RESOLVED: That the information be noted.

3 DRAFT NEW PLANNING CONTROLS (20.00143)

Recommendation: That the information be noted.

Report: Council has placed the draft Bathurst Local Environmental Plan 2013 and draft Bathurst Development Control Plan 2013 (the draft plans) on public exhibition from 5 August 2013 to 16 September 2013. Council held a discussion forum for those who made submissions to the draft plans on 9 October 2013. At the discussion forum it was indicated that the draft new Planning Controls were to be considered at the November Council meeting.

Due to the complexity of some issues raised in the submissions received by Council, consideration of the draft new planning controls at the November Council meeting has been deferred. The draft new planning controls are now to be considered at an extraordinary Council meeting to be held on Monday 16 December 2013.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 3: To protect a vibrant CBD and support and grow retail diversity. Strategy 3.1 3.2 3.3 3.4 3.6
- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.1 9.2 9.3 9.4 9.5 9.6
- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.2 11.8
- Objective 17: To encourage living, vibrant and growing villages and rural settlements. Strategy 17.1 17.2
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.1 28.2 28.5

MINUTE

- 9 **Item 3 DRAFT NEW PLANNING CONTROLS (20.00143)**
MOVED: Cr M Morse SECONDED: Cr I North

RESOLVED: That the information be noted.

4 DEVELOPMENT APPLICATION NO. 2013/0382 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 236 GLEN OUTRAM LANE, DURAMANA. APPLICANT: ANTHONY GULLIFER. OWNER: MRS M JONES (DA/2013/0382)

Recommendation: That Council:

- (a) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 32;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 32;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0382, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

Report: The Site

Council has received a Development Application (DA) for a two lot rural subdivision (boundary adjustment) at 236 Glen Outram Lane, Duramana (Lot 3, DP 868917 and lot 5, DP 868917). A location plan is provided at **attachment 1**.

Lot 5 is 109.8 ha and is currently used for agricultural purposes. Lot 5 does not contain a dwelling although one is permissible with consent as it exceeds 100 ha.

Lot 3 is 58.85 ha and currently contains a dwelling and is used for agricultural purposes.

The proposal

The proposal is for resubdivision of the two existing lots to increase the area of lot 5 by 8.129 ha and reduce the area of Lot 3. A plan of the proposed subdivision is at **attachment 2**.

The proposal will result in:

- Lot 5 (proposed lot 31) will increase in size to 117.93 ha
- Lot 3 (proposed lot 32) will decrease in size to 50.7 ha

Lot 3 will continue to contain the existing dwelling. Lot 5 exceeds 100 ha and will therefore retain a dwelling entitlement.

Planning Context

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

The subject site is zoned 1(e) Outer Rural under the provisions of the Bathurst Regional (Interim) Local Environmental Plan 2005. Under Clause 27 of the Bathurst Regional (Interim) Local Environmental Plan 2005 the minimum area for an allotment created for the purposes of agriculture or a dwelling-house in the 1(e) Outer Rural zone is 100 hectares. Likewise Clause 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005 requires a

minimum area of 100 hectares for the erection of a dwelling-house.

Proposed Lot 32 is therefore below the minimum areas specified by Clause 27 and 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005, in that it will have an area of 50.7 hectares.

The applicant has submitted a SEPP 1 Objection (**attachment 3**) in relation to the creation of proposed Lot 32 which indicates the nature of the subdivision and their objection to the current standards because:

1. One lot is already well below the minimum lot size of 100 hectares;
2. The proposed lot sizes are consistent with the surrounding pattern of subdivision;
3. No new lots are created;
4. No new dwelling entitlements are being created; and
5. The agricultural use of the lots will not be compromised.

The intention behind the development standards is to limit new dwelling entitlements on allotments less than the minimum area. Proposed lot 32 already contains a dwelling and the agricultural potential of the land is unlikely to be compromised by the proposed boundary adjustment.

Concurrence

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

Need for Council Concurrence

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

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

Conclusion

Council has received a Development Application (DA) for a two lot rural subdivision (boundary adjustment) at 236 Glen Outram Lane, Duramana. The resubdivision of the two existing lots will not create any new dwelling entitlements nor compromise the agricultural potential of the land. Accordingly the SEPP 1 Objection is supportable.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

10 Item 4 DEVELOPMENT APPLICATION NO. 2013/0382 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 236 GLEN OUTRAM LANE, DURAMANA. APPLICANT: ANTHONY GULLIFER. OWNER: MRS M JONES (DA/2013/0382)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council:

- (a) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 32;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 32;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0382, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Cr J Jennings,

Abstain - Nil

5 DEVELOPMENT APPLICATION NO. 2013/0361 – 4 SINGLE STOREY UNITS, PARTIAL DEMOLITION AND ALTERATIONS TO EXISTING DWELLING AND 5 LOT STRATA SUBDIVISION AT 70 ROCKET STREET, BATHURST. APPLICANT: MR A HANNA. OWNER: MR A HANNA (DA/2013/0361)

Recommendation: That Council:

- (a) support the variation to the site population density development standard prescribed in the Bathurst Regional (Interim) Development Control Plan 2011; and
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0361, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended.
- (c) call a division.

Report: The Site

Council has received a Development Application (DA) for partial demolition and alterations to existing dwelling, erection of four single storey units and five lot strata subdivision at 70 Rocket Street, Bathurst, described as Lot 1 DP 608581. A location plan is provided at **attachment 1**.

The site currently contains an existing dwelling and an attached former shop and associated outbuildings.

The proposal

The proposal involves the demolition of the former shop and rear additions and alterations to the existing dwelling to create a one bedroom unit, erection of four x two bedroom units and five lot strata subdivision (see plan of proposed development at **attachment 2**). This will result in five residential units in total onsite.

Planning Context

Bathurst Regional (Interim) Local Environmental Plan 2005

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

Bathurst Regional (Interim) Development Control Plan 2011

The site is within residential density Precinct 1 pursuant to the *Bathurst Regional (Interim) Development Control Plan 2011* (DCP). Residential Units are permissible with consent in the precinct. The proposal complies with the objectives of the Precinct and the development standards for residential units with the exception of a minor variation to the population density:

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	1137 sqm	900 sqm	Yes
Density (persons/ha)	90.59	88	No
Height	Single storey	Two storey	Yes

Setbacks			
Front	0	N/A	Yes
Rear	1.7 m	As per BCA	Yes
Side	1m	As per BCA	Yes
Carparking			
Resident	5	5	Yes
Visitor	2	2	Yes
Access way width	3.56 m	3-6 m	Yes
Open space			
Unit 1	32 sqm	20 sqm	Yes
Unit 2	31.2 sqm	30 sqm	Yes
Unit 3	31.2 sqm	30 sqm	Yes
Unit 4	31.2 sqm	30 sqm	Yes
Unit 5	31.6 sqm	30 sqm	Yes

NOTE: The proposal is 3% above the density standard of 88 persons per site hectare. However the proposal is supported as the application retains the existing historic dwelling and in all other respects is able to achieve the required setbacks, adequate onsite vehicle manoeuvring and provide adequate open space.

The proposal maintains the existing setback to the front boundary. This is considered appropriate as the dwelling does not appear to be imposing on the road frontage and will be within the foot print of the existing building.

Heritage and Conservation

The Development Application has been supported by a Heritage Impact Statement and Structural Engineers report which are provided at **attachment 3**.

The property is located within the Bathurst Heritage Conservation Area although it is not individually listed as a heritage item.

The proposal has been designed to retain the 1880's late Victorian style Cottage. The proposed development is consistent with a previous heritage assessment undertaken in September 2012 for the property. At that time Council's heritage advisor recommended that where possible the Victorian residence, be retained, conserved and repaired. This would include extensive reconstruction of the fabric of the cottage including the brick walls, timber posts and the simple hipped iron clad roof. The shop and other parts could be removed. The current development application is consistent with this advice.

The building is considered to be a significant contributor to the streetscape in this section of Rocket Street although the later shop additions (constructed in 1956) currently detract from the overall appearance of the building.

The residence has some social significance in that the property was owned by William Elliot who was an alderman of Bathurst Council from 1899 – 1903 and a member of the Health Committee. The later shop addition was undertaken in 1956 and was used as a chemist until 1961.

The proposed alterations are sympathetic to the existing building and will allow the Rocket Street streetscape to be maintained while allowing a suitable adaptive reuse of the site. The proposed finishes will be sympathetic to the surrounding buildings. Councils Heritage Planner is supportive of the adaptive reuse of the existing dwelling onsite. Given the very poor condition of the existing dwelling, its retention is a very good development outcome and provides sufficient justification for the minor increase in population density proposed by the new development.

Submissions

The development application was advertised and notified to adjoining property owners from 8 October 2013 to 22 October 2013.

No submissions were received.

Conclusion

Council has received a Development Application (DA) for the erection of four x two bedroom units, a partial demolition and alterations to existing dwelling and a five lot strata subdivision. The subject site is zoned 2(a) Residential under the provisions of the Bathurst Regional (Interim) Local Environmental Plan 2005. Residential Units are permissible.

The proposal is marginally above population density development standard. The proposal is supported in this instance as the application will retain the existing 1880s dwelling, currently in very poor condition, which contributes to the streetscape and the heritage conservation area. The proposal achieves all other requirements of the Bathurst Regional (Interim) Development Control Plan 2011.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

11 **Item 5 DEVELOPMENT APPLICATION NO. 2013/0361 – 4 SINGLE STOREY UNITS, PARTIAL DEMOLITION AND ALTERATIONS TO EXISTING DWELLING AND 5 LOT STRATA SUBDIVISION AT 70 ROCKET STREET, BATHURST. APPLICANT: MR A HANNA. OWNER: MR A HANNA (DA/2013/0361)**

MOVED: Cr M Morse SECONDED: Cr M Coote

RESOLVED: That Council:

- (a) support the variation to the site population density development standard prescribed in the Bathurst Regional (Interim) Development Control Plan 2011; and
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0361, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended.
- (c) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Cr J Jennings,

Abstain - Nil

6 REVOLVING ENERGY FUND UPDATE (13.00061)

Recommendation: That the information be noted.

Report: In 2010/2011 Council committed \$100,000 seed funding to establish a Revolving Energy Fund (REF). The REF is a financial mechanism whereby a proportion of the savings made as a result of energy saving projects is diverted into a designated fund to allow funding of future energy saving initiatives.

The aim of the REF is to help build the capacity of Council to pursue environmental and operational improvements and reduce its overall greenhouse gas emissions.

Proposed projects are assessed for suitability and approved by Council's Internal Environment Committee which is comprised of the Director Environmental Planning & Building Services, Manager Water and Waste, Manager Parks and Recreation and Manager Environment.

The purpose of this report is to update Council on the progress of this program.

Five projects have been funded by the Revolving Energy Fund to date, with a total capital expenditure of \$128,817. Together these projects will save Council approximately 116 MWh of electricity and \$41,000 per year and prevent the emissions of 121 tonnes of CO₂e to the atmosphere annually. This is the equivalent of removing 30 average cars from the road permanently. Details of the completed projects can be found in the table below.

Project	Details	Capital funding ex GST & any rebates	Estimated Simple Payback period (years)	Date installed	Approx. electricity savings per annum (kWh)	Tonnes CO₂e avoided Annually
Sulman Park Solar	10kW Solar system. 60c per kWh feed-in tariff	\$46,103	5.2	May 2011	16,425	17.1
NMRM Hi Bay lighting upgrade	Replacement of 18 X 400w Hi Bay & 18 250w Hi-Bay with LED	\$23,761	2.2	June 2011	26,616	27.7
Depot Hi Bay lighting project	Replacement of 23 X 400w Hi Bay with LED	\$11,662	1.6	Sep 2012	19,550	20.3
Depot Solar	27.4kW Solar system	\$38,041	3.3	July 2013	45,000	46.8
Small Animal Pound Solar	5.2kW solar system	\$9,250	4.0	Sep 2013	8,590	8.9
Total		\$128,817			116,181	121

To date \$53,649 in electricity savings has been repaid to the REF from completed projects. As intended this will enable other energy savings projects to be funded in the future.

The introduction of the revolving energy fund program has been successful in allowing Council to implement a number of projects which have improved both the environmental performance and operating efficiency of a number of Council facilities.

Financial Implications: Following the initial seed grant of \$100,000, a further \$50,000 was made available in the 2012/2013 and \$25,000 in 2013/2014 operating plans. The aim is that from the end of 2013/2014 the REF will be self-sustaining through project savings redirected to the fund.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 13: To minimise the City's environmental footprint. Strategy 13.3, 13.9

MINUTE

- 12 **Item 6 REVOLVING ENERGY FUND UPDATE (13.00061)**
MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That the information be noted.

7 YOUTH LEADING THE WORLD (13.00072)

Recommendation: That Council:

- (a) note that the second OzGREEN Youth Leading the World Congress was held from 22-24 October 2013; and
- (b) support the attendance of 3 young people to attend the National Youth Leading the World Summit by subsidising 50% of the attendance fees at a total cost of \$375.

Report: In November 2012 Bathurst Regional Council ran its first Youth Leading the World Congress, a youth leadership program developed by OzGREEN. OzGREEN has a strong track record of working with and encouraging youth to take action on environmental and social justice issues by providing leadership and strategic thinking skills.

In 2013 OzGREEN offered Council the opportunity to participate in the program. Following the success of the 2012 program, Council hosted its second Youth Leading the World Congress at the Flannery Centre between October 22-24 2013.

The Youth Leading the World Program involves:

- Day 1** Global Challenge: understanding the nature of the global problems, undertaking an ecological footprint of students lifestyles, visioning a sustainable future and community.
- Day 2** Be the Change: students brainstorm a change plan for the issue of most interest to them which is supported by Action Planning to achieve the vision.
- Day 3** Begin it Now: is a youth lead community forum involving representatives from government, local businesses, parents, teachers, principles and the public.

The program gives young people skills to take into the real world by which they can action their plan for change. The goal of this program is to work in partnership with others and over time increase the number of groups working in partnership to support this program. This year Skillset came on board as a partner and sponsored the use of the Flannery Centre to host the event.

The Program was run by Council's Environmental Officer who completed the facilitator training last year. OzGREEN trains youth facilitators for free. The co-facilitator this year was Cassie Talbot a member of the Youth Council and a student at Bathurst High School. Her assistance over the 3 days was invaluable. Council's Environmental Officer also worked in partnership with Council's Youth Development Officer on the project.

The students developed 3 Project Actions.

- 1. Develop a youth environment focused facebook page which they have completed. The facebook page can be found at www.facebook.com/youthleadbathurst;
- 2. Develop an interactive primary school environmental based education program; and
- 3. Design an OzGREEN Eco Stand to go to the Youth Council music festival.

This year participation increased with 15 students participating in the program. The students meet again on 7 November 2013 to progress their projects developed during the Summit.

There is a National Youth Leading the World Summit in Sydney 26-28 November 2013. Participants and facilitators of the individual Congresses are encouraged to attend to further develop their leadership skills at a cost of \$250/pp for 3 days. It is recommended that Council offer a 50% subsidy for three students to attend this conference at a total cost to

Council of \$375.

Financial Implications: The project is funded from existing allocations for community environmental education. The cost of subsidising 3 students to attend the national conference can also be funded within existing allocations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.2, 8.9
- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.8
- Objective 13: To minimise the City's environmental footprint. Strategy 13.5, 13.8
- Objective 15: To secure a sustainable water supply and raise awareness on water issues. Strategy 15.3
- Objective 18: To encourage sustainable housing choice and quality design that engenders a sense of place. Strategy 18.4

MINUTE

- 13 **Item 7 YOUTH LEADING THE WORLD (13.00072)**
MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That Council:

- (a) note that the second OzGREEN Youth Leading the World Congress was held from 22-24 October 2013; and
- (b) support the attendance of 3 young people to attend the National Youth Leading the World Summit by subsidising 50% of the attendance fees at a total cost of \$375.

8 HISTORY OF THE GOVERNMENT SETTLEMENT AT BATHURST (1815 TO 1840) **(20.00242)**

Recommendation: That the report be noted.

Report: Council has engaged Higginbottom & Associates to prepare an Archaeological Management Plan (AMP) for the early settlement area of the City of Bathurst and Dr Robin McLachlan to prepare the associated detailed history.

Progress on the plan has proceeded well. The AMP is nearing completion and should be available to Council early in the new year.

The detailed history, prepared by local historian, Dr Robin McLachlan, has now been completed. The work provides a history of the Government Settlement area of the City of Bathurst from 1815 to about 1840.

The summary history is provided at **attachment 1**. A full copy of the history is available from Council's Environmental Planning & Building Services Department.

The history of the first government settlement of Bathurst offers a significant number of firsts:

- Beginning with Bathurst being Australia's first inland settlement
- The flag staff, which marked the settlement's proclamation, being the earliest gazetted structure and location in inland Australia
- The first inland buildings constructed nearby
- First hospital, gaol and gallows and the only inland female factory
- First crops grown west of the mountains

From the early government settlement of Bathurst we can trace the history of the opening chapters of the colonial settlement of inland Australia.

It is proposed that the history now be placed on Council's website. The history will be used extensively as staff now prepare the early settlement interpretation project. This project will establish a new heritage trail celebrating the sites and stories of the government settlement precinct area and will be completed prior to 2015.

Financial Implications: The history was completed within existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 11: To protect the region's unique heritage and history. To protect a unique identity. Strategy 11.1, 11.5, 11.6, 11.10


MINUTE

14 Item 8 HISTORY OF THE GOVERNMENT SETTLEMENT AT BATHURST (1815 TO 1840) (20.00242)

MOVED: Cr M Morse SECONDED: Cr G Hanger

RESOLVED: That the report be noted.

Yours faithfully

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

D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 NOVEMBER 2013

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$72,500,000 was invested at 31 October 2013 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<u>Rating</u>	<u>Balance</u>	<u>Average Return</u>
<u>Short Term 1 – 365 Days</u>			
(comprising Commercial Bills, Debentures and Certificates of Deposit):			
Bank of Queensland	A2	\$14,000,000.00	4.27%
Bendigo and Adelaide Bank	A2	\$10,000,000.00	4.09%
IMB	A3	\$7,000,000.00	4.03%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	4.01%
National Australia Bank	A1+	\$13,500,000.00	4.15%
People's Choice Credit Union	ADI	\$2,000,000.00	3.84%
Railways Credit Union	ADI	\$1,000,000.00	4.23%
SGE Credit Union	ADI	\$1,000,000.00	4.20%
Westpac Banking Corporation	A1+	<u>\$1,000,000.00</u>	<u>3.71%</u>
		\$52,500,000.00	4.13%
<u>Long Term > 365 Days</u>			
(comprising Commercial Bills, Term Deposits and Bonds):			
<u>Committed Rolling Investments</u>			
Westpac	AA-	\$2,000,000.00	3.95%
Westpac	AA-	\$2,000,000.00	3.83%
Westpac	AA-	\$2,000,000.00	3.88%
Westpac	AA-	\$2,000,000.00	3.93%
Westpac	AA-	<u>\$2,000,000.00</u>	<u>3.75%</u>
		\$10,000,000.00	3.12%
<u>Fixed, Negotiable & Tradeable Certificates of Deposits</u>			
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>3.85%</u>
		\$2,000,000.00	3.85%
<u>Floating Rate Notes</u>			
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	4.38%
Bendigo & Adelaide Bank Retail Bond	A-	\$2,000,000.00	4.33%
Bendigo & Adelaide Bank Retail Bond	A-	\$1,000,000.00	3.80%
Members Equity Bank	A-	<u>\$3,000,000.00</u>	<u>3.82%</u>
		\$8,000,000.00	4.09%
Total Investments		<u>\$72,500,000.00</u>	<u>3.98%</u>

These funds were held as follows:

Reserves Total (includes unexpended loan funds)	\$29,794,008.93
Grants held for specific purposes	\$2,292,898.36
Section 94 Funds held for specific purposes	\$22,685,610.92
Unrestricted Investments – All Funds	\$17,727,481.79
General Fund	\$29,581.35
Water Fund	\$3,373,374.14
Sewer Fund	\$3,287,670.32
Waste Fund	<u>\$11,036,855.98</u>

Total Investments **\$72,500,000.00**

Total Interest Revenue to 31 August 2013 **\$1,068,197.37** **3.98%**

Year to Date Averages

(as per the CBA & RBA for comparison purposes)

Reserve Bank of Australia - Cash Rate	2.50%
AFMA - 90 day Bank Bill Swap Rate (BBSW)	2.63%
Three Year Swap Rate - Commonwealth	2.97%

	RBA Cash Rate	90 day BBSW	3 Year Bond Rate	Council's Actual Performance
July 2013	2.75%	2.72%	2.87%	4.31%
August 2013	2.50%	2.66%	2.83%	4.17%
September 2013	2.50%	2.64%	2.90%	4.03%
October 2013	2.50%	2.63%	2.97%	3.98%

R Roach
Responsible Accounting Officer

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

RESOLVED: That the information be noted.

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

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

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

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

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

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

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

Fines or penalty notices this month -

Council was involved on a Land and Environment Court appeal (Manning versus Bathurst Regional Council (No 2) (2013) NSWLEC 186) relating to non notification of an adjoining neighbour of a proposed development. The neighbour appealed to the court requesting the consents to be declared invalid and the court upheld the request and on 31 October 2013 ordered the Council to pay the applicant's legal costs.

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 Strategy 29.3

new infrastructure/facilities and services and the management and upgrading of existing assets and service levels.

- Objective 33: To be and develop good leaders.

Strategy 33.5

MINUTE

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

MOVED: Cr G Hanger SECONDED: Cr M Coote

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

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

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

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

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

Section 356:	\$ 6,107.00
BMEC Community use:	\$ 41,642.23
Mount Panorama :	\$ 17,000.16

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: Cr M Coote SECONDED: Cr M Morse

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.

- West Bathurst Pre-School Earlystart Program - Part Family Day Centre - Lee Street - Part Lot 1, DP1001027 - Licence Agreement.
- Mumberson, L - Hobson Close land near Eglinton Bridge - Part Lot 7004, DP1002346 - In House Licence Agreement.
- Schafer & Sons Pty Ltd - 112 Bentinck Street, Bathurst - Lot 1, DP1076086 - Lease Agreement.
- Ireland G & M - Conrod Straight - Lot 1, DP749758, College Road, Lot 117, DP750357 - In House Licence Agreement

Linen Plan Release

- Nakhel & Habib/BRC - Lot 1, DP627380 - Proposed acquisition for Road Widening - 62 Lee St, Kelso.
- BRC - 2 Lot & 1 Lot, Residue Residential Subdivision, Lot 220 DP 1188827, Wellesley Court, Raglan.
- BRC - Lot E, DP39110, Road Closure and Acquisition, Yarras Lane, Glanmire.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

RESOLVED: That the information be noted.

5 PURCHASE OF LOTS 10 AND 11 DP1141570 LOCATED AT 128 DURAMANA ROAD AND COX LANE, EGLINTON FROM CRIGHTON PROPERTIES PTY LTD (22.01826)

Recommendation: That Council classify Lot 10 DP1141570 known as 128 Duramana Road and Lot 11 DP1141570 located on Cox Lane, Eglinton as operational land under the provisions of Section 31(2) of the Local Government Act 1993.

Report: Council submitted an Expression of Interest for the purchase of Lot 10 DP1141570 known as 128 Duramana Road and Lot 11 DP1141570 located on Cox Lane, Eglinton which closed on 8 August, 2013. Council has been advised that it was successful with its expression and recently settled on the land. Now that Council is the owner of this land it is necessary to classify the land as either community land or operational land under the provisions of Section 31(2) of the Local Government Act 1993.

Council at the October meeting resolved to proceed to subdivide some of the land for residential purposes and in order to do this the land must be classified as operational land.

It is recommended that Council classify Lot 10 DP1141570 known as 128 Duramana Road and Lot 11 DP1141570 located on Cox Lane, Eglinton as operational land under the provisions of Section 31(2) of the Local Government Act 1993.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.4
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.2

MINUTE

20 Item 5 PURCHASE OF LOTS 10 AND 11 DP1141570 LOCATED AT 128 DURAMANA ROAD AND COX LANE, EGLINTON FROM CRIGHTON PROPERTIES PTY LTD (22.01826)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council classify Lot 10 DP1141570 known as 128 Duramana Road and Lot 11 DP1141570 located on Cox Lane, Eglinton as operational land under the provisions of Section 31(2) of the Local Government Act 1993.

6 REQUEST FOR FINANCIAL ASSISTANCE - EGLINTON DISTRICT TENNIS CLUB INC (18.00004, 04.00052)

Recommendation: That Council enter into an agreement with Eglinton District Tennis Club Inc to assist with the replacement of the storage shed based on the following:

- (a) approve a loan of approximately \$3,000 (50% of the cost of construction) to be repaid within 10 years at the current interest rate, plus a 1% Administration charge as per Council's policy.
- (b) Eglinton District Tennis Club Inc to provide their own funds for the remaining 50% of construction costs.

Report: Council has received a request from Eglinton District Tennis Club Inc (shown at **attachment 1**) for Council to assist with the replacement of the storage shed at the Eglinton Tennis Club Complex. The current shed is only a garden shed. The club has advised that there has been repeated break-ins to the storage shed through the roof and the roof is now damaged beyond repair. There has also been considerable damage to the door as the vandals have pushed the door out from the inside once entry had been gained. It seems to be continued senseless vandalism as nothing appears to have been stolen.

Eglinton District Tennis Club have sought quotations for the construction of a single garage (7m x 3m) which will be of much better quality and will provide additional storage capacity. Cost of construction including the concrete slab is approximately \$6,300 GST inclusive. The Club has previously been assisted with a loan for the refurbishment of two courts (refer DCSF #6 Ordinary Meeting 20 July 2011) and it is recommended that if Council agree to this request that the funds be added to the original loan and paid off within the original 10 year term.

It is recommended that Council enter into an agreement with Eglinton District Tennis Club Inc to assist with the replacement of the storage shed based on the following:

- (a) approve a loan of approximately \$3,000 (50% of the cost of construction) to be repaid within 10 years at the current interest rate, plus a 1% Administration charge as per Council's policy.
- (b) Eglinton District Tennis Club Inc to provide their own funds for the remaining 50% of construction costs.

Financial Implications: The \$3,000 could be funded from the Parks Improvement Reserve.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1, 23.5

MINUTE

21 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - EGLINTON DISTRICT TENNIS CLUB INC (18.00004, 04.00052)

MOVED: Cr B Bourke SECONDED: Cr I North

The Acting Director Corporate Services & Finance (B Dwyer) declared a pecuniary interest in this item and left the Chamber.

Reason: President of Eglinton District Tennis Club.

RESOLVED: That Council enter into an agreement with Eglinton District Tennis Club Inc to assist with the replacement of the storage shed based on the following:

- (a) approve a loan of approximately \$3,000 (50% of the cost of construction) to be repaid within 10 years at the current interest rate, plus a 1% Administration charge as per Council's policy.
- (b) Eglinton District Tennis Club Inc to provide their own funds for the remaining 50% of construction costs.

7 BATHURST AERODROME- INTERNAL ROADS (18.00004)

Recommendation: That Council;

- (a) construct a new taxi vehicle access road way
- (b) created an internal loan of \$300,000 from the Waste Management fund.
- (c) seek ministerial approval for the use of \$300,000 from the Waste Management fund to be used for the taxi vehicle access road way.

Report: Council currently has aircraft hangars located at the Bathurst Aerodrome which are leased to various people to house their planes and to carry out repairs to their aircraft.

These hangars are now all occupied and the demand for new hangar space is considerable. Accordingly Council needs to construct a new taxi runway as show in **attachment 1** to allow for a further 5,000 square metres of airport hangars to be constructed.

At present Council's general fund does not have sufficient funds available to construct this taxi runway extension.

Advice was sought from the Division of Local Government regarding a funding source for this taxi runway extension of approximately \$300,000.

The Division of Local Government have advised that the *Local Government Act, 1993*, allows a Council to use restricted funds for other purposes. Section 410 (3) of the act states that money that is not yet required for the purpose for which it was received may be lent (by way of an internal loan) for use by the Council for another purpose provided this is approved by the Minister.

For this internal loan to be created Council needs to apply to the Minister to use restricted funds for the specified use.

The General Manager is required to state;

- (a) Where the funds are coming from
- (b) Length of loan
- (c) Rate of interest applicable
- (d) Timing of repayments
- (e) Reasons why the Waste Management funds are not required at the present time for the purpose of why they were collected.

Financial Implications: The repayment of this loan will be funded from increased revenue from the leasing of the additional airport hangar space.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

22 Item 7 BATHURST AERODROME- INTERNAL ROADS (18.00004)
MOVED: Cr G Westman SECONDED: Cr M Coote

RESOLVED: That Council;

- (a) construct a new taxi vehicle access road way
- (b) create an internal loan of \$300,000 from the Waste Management fund.
- (c) seek ministerial approval for the use of \$300,000 from the Waste Management fund to be used for the taxi vehicle access road way.

8 REQUEST FOR FINANCIAL ASSISTANCE - WITHIN THESE WALLS (18.00195-27)

Recommendation: That Council not agree to provide financial assistance to the Within These Walls organisation.

Report: Council has received a request from an organisation called Within These Walls seeking financial assistance. A copy of the request is shown at **attachment 1**.

This organisation's aim is to assist all affected in Bathurst and surrounding areas to find support in any aspect of adoption, seeking such services as Mental Health, Counselling and the understanding of reconnection to lost family members by the use of DNA testing.

This organisation did not submit any financial information with this submission.

Financial Implications: Should Council adopt the recommendation there are no financial implications arising from this request.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1

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

MINUTE

23 Item 8 REQUEST FOR FINANCIAL ASSISTANCE - WITHIN THESE WALLS
(18.00195-27)

MOVED: Cr B Bourke SECONDED: Cr M Coote

RESOLVED: That Council not agree to provide financial assistance to the Within These Walls organisation.

**9 REQUEST FOR FINANCIAL ASSISTANCE - WARATAH HOCKEY CLUB
(18.00004-27)**

Recommendation: That Council not agree to provide financial assistance towards the 85 year celebrations of the Waratah Hockey Club.

Report: Council has received a request from the Waratah Hockey Club seeking financial assistance for an event celebrating 85 years as a sporting club. A copy of the request is shown at **attachment 1**.

The club advises they wish to hold a dinner on 2 November 2013, with old and new members attending, and are requesting a grant of \$1,500 to be used towards this dinner.

No financial records have been provided.

Financial Implications: Should Council adopt the recommendation there are no financial implications arising from this request.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.6

MINUTE

24 Item 9 REQUEST FOR FINANCIAL ASSISTANCE - WARATAH HOCKEY CLUB
(18.00004-27)

MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That Council not agree to provide financial assistance towards the 85 year celebrations of the Waratah Hockey Club.

10 REQUEST FOR FINANCIAL ASSISTANCE - INTERNATIONAL DAY FOR PEOPLE WITH DISABILITIES COMMITTEE (18.00004-27, 23.00006-04)

Recommendation: That Council not agree to provide financial assistance towards displaying the International Day for People with Disabilities banner in William Street from 28 November to 9 December 2013 to promote International Day for People with Disabilities.

Report: Council has received a request from the International Day for People with Disabilities Planning Committee for Council to donate \$485 which is the fee for hanging a banner in William Street from 26 November to 9 December 2013. A copy of the request is shown at **attachment 1**.

Council wrote to Disability, Information and Advocacy Service (DIAS) on 17 October 2013 giving permission for the hanging of the banner and advised that a fee of \$485 would be applicable (a copy of the letter is shown at **attachment 2**).

Councillors are aware that this organisation can make an application in February/March each year for a section 356 donation for these types of events. Council has previously advised this organisation of the process.

Financial Implications: Should Council adopt the recommendation there are no financial implications arising from this request.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.1
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.6

MINUTE

25 Item 10 REQUEST FOR FINANCIAL ASSISTANCE - INTERNATIONAL DAY FOR PEOPLE WITH DISABILITIES COMMITTEE (18.00004-27, 23.00006-04)

MOVED: Cr M Morse SECONDED: Cr I North

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

Reason: Member of the DIAS Committee.

RESOLVED: That Council agree to donate \$485 towards displaying the International Day for People with Disabilities banner in William Street from 28 November to 9 December 2013 to promote International Day for People with Disabilities to be funded from Section 356 Donations.

11 REQUEST FOR SPONSORSHIP - BATHURST PANTHERS FOOTBALL CLUB (18.00004)

Recommendation: That Council sponsor Bathurst Panthers Football Club with the conduct of the Bathurst Rugby League Knockout to be held in March 2014 by contributing a sponsorship package of \$3,000 to this organisation.

Report: Council has received a request from Bathurst Panthers Football Club for financial assistance towards the Bathurst Rugby League Knockout to be held in March 2014. A copy of the request is shown at **attachment 1**.

The Bathurst Rugby League Knockout has a history of approximately 30 years and is an annual event on the Group 10 rugby league calendar.

The event attracts teams from Oberon, Blayney, Lithgow, Mudgee, Blackheath, Orange and Cowra as well as the four local rugby league clubs (Bathurst St Pats, Bathurst Panthers, Villages and CSU). In 2014 it is anticipated that the second division competition will also involve teams from Kandos, Portland and Wallerawang.

The Knockout expects to bring in approximately 800 players and support staff over the two day event plus approximately 2,000 spectators. With the inclusion of Blayney, CSU and Villages RLFC's for this year, the attendance figures are expected to be increased well above those in 2013.

As the finals will be played on the Saturday it is reasonable to expect that many of the visiting spectators will take advantage of the diverse shopping available in Bathurst along with utilising the many fine restaurants and take away facilities.

Councillors are aware that Council is involved in the sponsorship of many events throughout the city which have a part interest for residents and local people. In return for this sponsorship, Council will request that Panthers Football Club promote the Bicentenary in 2015, on all of their advertising material as well as the provision of signage at Carrington Park ground over the two days.

Financial Implications: This \$3,000 funding application can be funded from Councils Promotional Vote.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

26 Item 11 REQUEST FOR SPONSORSHIP - BATHURST PANTHERS FOOTBALL CLUB (18.00004)

MOVED: Cr B Bourke SECONDED: Cr G Hanger

RESOLVED: That Council sponsor Bathurst Panthers Football Club with the conduct of the Bathurst Rugby League Knockout to be held in March 2014 by contributing a sponsorship package of \$3,000 to this organisation.

12 DEVELOPMENT APPLICATION NO. 2013/0209 – ALTERATIONS AND ADDITIONS TO EXISTING RESIDENTIAL CARE FACILITY INCLUDING SIXTY NEW BEDROOMS AT 15 ILUMBA WAY, KELSO. APPLICANT: CROWN PROJECT SERVICES. OWNER: FRANK WHIDDON MASONIC HOMES (DA/2013/0209)

Recommendation: That Council not agree to the request from The Whiddon Group to reduce sewer and water headworks charges.

Report: Council has received and dealt with a Development Application on behalf of The Whiddon Group for additions and alterations to their existing residential care facility (known as “Ilumba Gardens”) at 15 Ilumba Way, Kelso. The proposal includes the provision of an additional 60 bedrooms to the existing facility.

The project cost is in the order of \$12.6 million.

As the proposed development will result in a significant number of additional amenities, Water Headworks and Sewer Headworks charges have been calculated in accordance with Council’s adopted Headworks Plan. These contributions are as follows:

Charge	Amount
Water Headworks	\$111,690.15
Sewer Headworks	\$108,691.00
TOTAL	\$220,381.15

Council has received a request for Council to consider reducing the above headworks charges by 50% (see correspondence at **attachment 1**).

Council should note that it does not generally, nor is it appropriate to, waive Water and Sewer Headworks charges. In the event that Council were to agree to a financial contribution it should be by way of a donation towards the Water and Sewer Headworks as opposed to waiving the fees.

Council would need to fund this request from Section 356 which does not have sufficient funds. Therefore, it is recommended that Council not agree to this request.

Financial Implications: Council can only fund this request from its section 356 funds which has insufficient funds. The current balance is \$6,107.

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

27 Item 12 DEVELOPMENT APPLICATION NO. 2013/0209 – ALTERATIONS AND ADDITIONS TO EXISTING RESIDENTIAL CARE FACILITY INCLUDING SIXTY NEW BEDROOMS AT 15 ILUMBA WAY, KELSO. APPLICANT: CROWN PROJECT SERVICES. OWNER: FRANK WHIDDON MASONIC HOMES (DA/2013/0209)
MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council not agree to the request from The Whiddon Group to reduce sewer and water headworks charges.

13 REQUEST FOR FINANCIAL ASSISTANCE - 2014 NAB BLAYNEY TO BATHURST (B2B) CYCLO SPORTIF CHALLENGE (23.00128)

Recommendation: That Council:

- (a) advise the Blayney to Bathurst (B2B) Committee that for the 2014 event Council will donate 50% of the cost of operation to assist the committee with this event, up to \$4250 to be funded from Section 356 Donations.
- (b) advise the Blayney to Bathurst (B2B) Committee that from 2015 onwards their organisation will be responsible for 100% of the costs associated with the conduct of this event.

Report: The Rotary Club of Bathurst Daybreak In. have approached Council for financial support for the 2014 NAB B2B Cyclo Sportif Challenge to be held 5 & 6 April 2014.

Council has been involved with this organisation for 9 years offering financial support to this organisation to assist in making the event financially viable.

This event has become financially successful in a short period of time due to the quality of the event, as well as the number of entrants that are participating. The 2013 event attracted 2230 entrants from across Australia.

Council on 21 November 2012 (DCSF #7 Ordinary) resolved to request the B2B Committee to provide an economic impact analysis of the 2013 B2B event which indicated the value of this event to Bathurst. Councillors were provided a copy of this report on 21 August 2013.

The Rotary Club of Bathurst Daybreak Inc have written to Council (shown in **attachment 1**) seeking the following support:

Traffic Management Planning

- Advice
- Financial support
- Planning
- Set up of, manning and implementation of the TMP

Mount Panorama (Saturday 5 and Sunday 6 April 2014)

- Access to "The Pits" and 8 garages of the Pits Complex from 6.00 am to 5.00 pm for the conduct of Criterium racing and safety briefing sessions
- Use of all 4 toilets and access to power in "The Pits" complex
- Provision of 500m of crowd control barriers (Criterium and B2B finish area)
- Loan 100 Traffic Cones (Witches hats) for Criterium and B2B course mark up within "The Pits" complex
- Partial closure of Panorama Ave and bottom of Mount Panorama during the conduct of the Family Fun Challenge as per TCP
- Loan of 100 traffic control bollards for both the Criterium and B2B finish areas
- Access to Harris Park, including toilets, for marshalling and start of Hill Climb racing;
- Access to power at Harris Park entrance gates and The Pits complex
- Sweeping of the Criterium circuit as indicated in the Traffic Control Plans
- Sweeping of access roads through Harris Park to the top of Mount Panorama via Barry Gurdon Drive. Sweeping of Sulman Park
- Use of toilets, power and facilities at Harris and Sulman Parks from Saturday morning onward
- Sufficient green Otto bins for Sulman Park and The Pits
- Mowing of a 2m to 4m strip around the circuits at Sulman Park

- Clearance of The Pits area including emptying of Otto bins at the end of Saturday's activities
- Supply and transport of water bollards, traffic bollards and safety mesh for the separation of traffic from Conrod Straight and the Chicane entrance
- Access to the shower block at the rear of the Pits Complex
- Access to additional garages to accommodate seating for 400 people (class room layout) for briefing sessions both Saturday and Sunday
- Supply of 200 plastic chairs
- Develop and resource in accordance with TMP requirements for the Family Fun Challenge

B2B Cyclo Sportif Event Needs (Sunday 6 April 2014)

- Access to "The Pits" and 8 garages of the Pits Complex from 6.00 am to 5.00 pm
- Opening access roads to rear of "The Pits" and the tunnel under Conrod Straight
- Access to power at "The Pits" complex
- Broad patching for bad hazards on the descent of Rockley Mount where required and other road hazards as identified
- Loan of "No Parking" signs x 20
- Loan of volunteer safety vests x 100
- Assistance with clean up after the event. It is not envisaged that this will be extensive. The main assistance we require is removal or rubbish and emptying of Otto bins.

Councillors should be aware that Council does not own any crowd control barriers and would have to hire them for this event at a cost of approximately \$1,000. Council does not have any plastic chairs and these would need to be hired. Council also may not have the required quantities of some items such as safety vests available for loan but will accommodate requests where practicable.

Council's Director of Engineering Services has advised that Council is not in a position to develop and resource a Traffic Management Plan (TMP) for the Family Fun Challenge. It should be noted that this is an additional request to previous years.

The event committee has prepared a 5 year Business Plan and have set a target of 4,000 entrants within that period.

The Rotary Club of Bathurst Daybreak Inc. has advised that each year the event profits are given to a local charity for their use.

The reported profits in the first few years are reasonably significant and therefore the proposed charges to be introduced by Council can be covered from profits generated from the event.

The estimated cost to provide the items that council can provide from the list requested by the Rotary Club of Bathurst Daybreak Inc. is approximately \$8,500. (This does not include the provision of plastic chairs and crowd control barriers which would have to be hired by Council should council agree to provide them).

It is recommended that Council:

- (a) advise the Blayney to Bathurst (B2B) Committee that for the 2014 event Council will donate 50% of the cost of operation to assist the committee with this event, up to \$4250 to be funded from Section 356 Donations.
- (b) advise the Blayney to Bathurst (B2B) Committee that from 2015 onwards their organisation will be responsible for 100% of the costs associated with the conduct

of this event.

Financial Implications: With Council adopting the recommendation the cost to Council would be approximately \$4,250. This could be funded from Section 356 Donations which currently has a balance of \$6,107.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

28 Item 13 REQUEST FOR FINANCIAL ASSISTANCE - 2014 NAB BLAYNEY TO BATHURST (B2B) CYCLO SPORTIF CHALLENGE (23.00128)

The item was **WITHDRAWN** as detailed at minute number 15.

14 LAND RELEASE - AVONLEA STAGE 8 AND 10 (20.00102 AND 20.00009)

Recommendation: That Council's information.

Report: Council's residential subdivision known as Avonlea Stages 8 and 10, located on Phillip Street, Morgan Place and Knight Place were sold via the ballot system on Friday 8 November 2013.

Forty (40) lots were available for sale and all sold on the ballot day. For Councillor's information Council received a total of 269 registrations for these lots.

Avonlea Stage 8 consisted of twenty-two (22) lots and proceeds of sale totalled \$3.365 million.

Avonlea Stage 10 consisted of eighteen (18) lots and proceeds of sale totalled \$2.755 million.

Council's next residential subdivision is currently being constructed and is known as Avonlea Stage 9 and located at Freeman Circuit. The subdivision of 17 blocks should be released for sale in early 2014.

Financial Implications: With the sale of all the lots Council will receive \$6.12 million into its Land Development revenue.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.8

MINUTE

29 Item 14 LAND RELEASE - AVONLEA STAGE 8 AND 10 (20.00102 AND 20.00009)

MOVED: Cr B Bourke SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

MINUTE

**15 Item .1 Withdrawal of Item 13 - REQUEST FOR FINANCIAL ASSISTANCE -
NAB BLAYNEY TO BATHURST (B2B) CYCLO SPORTIF CHALLENGE (23.00128)
MOVED: Cr I North SECONDED: Cr B Bourke**

The item was WITHDRAWN to allow the Rotary Club of Bathurst Daybreak to meet with Council to discuss the B2B Event.

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 NOVEMBER 2013

1 SPORTS FIELD LIGHTING UPGRADE - BATHURST SPORTSGROUND (04.00007)

Recommendation: That Council upgrade the electricity supply into the Bathurst Sportsground, utilising the funding that has been provided within the 2013 / 2014 Management Plan, for a Sports Field Lighting Upgrade at this facility.

Report: Funding in the amount of \$100,000 has been identified within the 2013 / 2014 Management Plan to upgrade the existing field lighting at the Bathurst Sportsground. Specifically, the proposed upgrade works were to involve the installation of additional floodlighting on the four existing towers to enable various amateur sporting associations the use of the facility for night time match play activities.

Investigations were undertaken by Council to establish a scope of works that would enable the proposed lighting upgrade to be undertaken, including the extent of additional lighting that was capable of being supported by the existing towers. Specifications for the proposed project were completed and quotations were advertised, with a number of quotations being received.

During the assessment of quotations, it was found that all contractors had advised that the undertaking of the lighting upgrade works would require an electricity supply upgrade into the Bathurst Sportsground, due to electrical supply authority regulations on the level of power loss that was permitted from service distribution lines into the premises. Contacts with Essential Energy confirmed that the lighting upgrade would not be permitted until the supply into the Bathurst Sportsground was upgraded.

A number of requests were made to Essential Energy seeking assistance to upgrade the electrical supply to enable Council to continue with the required field lighting works. Unfortunately, Essential Energy has advised that they are not in a position to undertake the upgrade works free of charge. Essential Energy has advised that such works would be the responsibility of Council.

As there can be no upgrade to the sports field lighting at the Bathurst Sportsground until the power supply into the Bathurst Sportsground is upgraded, it is proposed that Council commence the necessary works, utilising funding that has been allocated for the field lighting upgrade. Once the upgrade works have been completed, funding opportunity will need to be considered within future Management Plans, should Council wish to continue with the proposed upgrade to the Sportsground's field lights.

Financial Implications: It is estimated that the upgrade would cost in the vicinity of \$100,000. Council currently has \$100,000 within the 2013 / 2014 Management Plan for lighting upgrade works to the Bathurst Sportsground, which could be utilised for this project.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.6
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.7

MINUTE

30 Item 1 SPORTS FIELD LIGHTING UPGRADE - BATHURST SPORTSGROUND
(04.00007)

MOVED: Cr W Aubin SECONDED: Cr M Coote

RESOLVED: That Council upgrade the electricity supply into the Bathurst Sportsground, utilising the funding that has been provided within the 2013 / 2014 Management Plan, for a Sports Field Lighting Upgrade at this facility.

2 PROPOSED PARTIAL ROAD CLOSURE, LOT 33 DP1163423, BERESFORD STREET, BATHURST (25.00524)

Recommendation: That Council approve the partial road closure contained in Lot 33 DP1163423 Beresford Street, Bathurst, as detailed in the Director Engineering Services' report.

Report: Continuing the Bathurst Floodplain Management Plan as adopted by Bathurst City Council in 1995, a section of Beresford Street is to be closed as public road and transferred to an adjoining owner as compensation for his land lost for construction of the Carlingford Levee.

At its meeting held 26 September 2012, Council recommended, in part, to transfer Lot 33 DP1163423 to the owner of Lot 10 DP1160720 as compensation for land lost with the construction of the Carlingford Levee (see **attachment 1**).

In a Public Advertisement contained in the Government Gazette dated 26 October 2012 (see **attachment 2**), Council dedicated sections of private road as public road under its care and control.

Following registration of the property under Council's ownership on 11 June 2013, Certificates of Title were registered in Council's name including Lot 33 DP1163423.

As a result of gaining ownership of the public road, Council can make application to the Department of Primary Industries to close that section of Beresford Street contained in Lot 33 DP1163423.

Financial Implications: To close the section of Beresford Street and transfer the property is expected to cost \$3,000 and is to be financed by the Council's Floodplain Management Fund.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 2: To encourage the dynamic and innovative development and growth of the region's primary resources. Strategy 2.2
- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1, 6.2, 6.6

MINUTE

31 Item 2 PROPOSED PARTIAL ROAD CLOSURE, LOT 33 DP1163423, BERESFORD STREET, BATHURST (25.00524)

MOVED: Cr B Bourke SECONDED: Cr M Coote

RESOLVED: That Council approve the partial road closure contained in Lot 33 DP1163423 Beresford Street, Bathurst, as detailed in the Director Engineering Services' report.

3 CONTRACT FOR NETWASTE REGIONAL COLLECTION AND RECYCLING OF SCRAP METAL - CONTRACT NUMBER 145/534/984/1 (14.00007)

Recommendation: That the information be noted.

Report: At the Council Meeting held on 19 June 2013 Council considered a confidential tender report for the collection and recycling of scrap metal.

This open tender process was conducted by NetWaste of behalf of 23 Councils.

Each of the participating councils has now completed their individual contracts and it is now possible to provide details of the successful tenderer and their price. This was foreshadowed in part (c) of the resolution *note that there will be a further report providing details of the successful tenderer and their price once the participating Councils have completed their contracts.*

The successful tenderer is Sims Group Australia Holdings Ltd trading as Sims Metal Management and the price per tonne to be paid to Council is \$150 per tonne exclusive of GST, but inclusive of transport and set-up costs. Sims outlined that the price would be reviewed every 3 months as required by the Contract.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 13: To minimise the City's environmental footprint. Strategy 13.1
- Objective 16: To encourage sustainable waste management practices, incorporating opportunities for energy generation. Strategy 16.1, 16.6
- Objective 33: To be and develop good leaders. Strategy 33.1

MINUTE

32 Item 3 CONTRACT FOR NETWASTE REGIONAL COLLECTION AND RECYCLING OF SCRAP METAL - CONTRACT NUMBER 145/534/984/1 (14.00007)
MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That the information be noted.

4 CENTRAL TABLELANDS ROWING CLUB - ROWING STORAGE AREA (11.00019)

Recommendation: Council authorise the lodgement of a modification to the existing Development Application to relocate the temporary fenced area used to store rowing boats at Chifley Dam.

Report: Council has received a letter from the Central Tablelands Rowing Club in regards to amending the location for the temporary fenced area used to store boats at Chifley Dam that was previously approved by Council under DA 2010/0780.

Members from the Rowing Club discussed their current activities and future plans along with their request for Council to consider a new location for the storage of their rowing boats at a Councillors Meeting with Community Groups and Representatives held on Wednesday, 23 October 2013.

The meeting requested that a report be prepared for the November Council Meeting.

Central Tablelands Rowing Club has a temporary fenced area at the Chifley Dam that was agreed to by Council at the Council meeting dated 4 August 2010. The temporary location is behind the two end cabins.

Central Tablelands Rowing Club would like to move the location of the temporary fenced area to the site at the end of the sealed road. A plan showing the approved and proposed areas is at **attachment 1**.

The main issues to consider include impacts on other dam users, and it is noted that the proposed area does not restrict cars with boats from turning around near the end of the sealed road. The fencing proposed by the Rowing Club will provide some security to cater to the quality and number of boats proposed to be stored. The club is aware of the risks regarding security and has had no issues of concern in the past few years.

The club will be requested to provide plans for review (and if appropriate, approval) by Engineering Services staff prior to any work commencing.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.6
- Objective 21: To support the provision of community services and facilities to meet the needs of specific community sectors and the community as a whole. Strategy 21.4
- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5
- Objective 33: To be and develop good leaders. Strategy 33.5

MINUTE

33 Item 4 CENTRAL TABLELANDS ROWING CLUB - ROWING STORAGE AREA
(11.00019)

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: Council authorise the lodgement of a modification to the existing Development Application to relocate the temporary fenced area used to store rowing boats at Chifley Dam.

5 STREET TREE REMOVAL - 113 DURHAM STREET (13.00019)

Recommendation: That Council:

- (a) undertake the removal of the London Plane tree located within the verge, adjacent to the Great Wall Motor Vehicle Dealership located at 113 Durham Street, for the reasons outlined in the report.
- (b) endorse the proposed planting plan for Durham Street, between Stewart and Bentinck Streets, with works to be undertaken when funding becomes available.

Report: A report recommending the removal of a London Plane tree located within the road reserve adjacent to 113 Durham Street was presented to Council at its General Meeting held 17 July 2013. At the Meeting, Council resolved to defer any decision on the removal of the tree until a street scape planting plan was prepared for the Great Western Highway section of Durham Street.

Investigations have been undertaken on the section of the Highway between the Stewart Street and Bentinck Street intersections to determine the extent of existing plantings, opportunities for additional plantings where suitable space exists and replacement plantings in places where existing trees have died. In addition, inspections were carried out to determine whether inappropriate tree species such as other London Plane trees should be removed and replanted with more appropriate species, before any further issues start to manifest in relation to damage to services and infrastructure.

Following the investigation on the Great Western Highway section of Durham Street, a proposed street scape plan, refer **attachment 1**, is presented to Council for endorsement.

In essence, the proposed planting theme for each section of Durham Street under the review has to a large extent been determined as a result of the well developed theme that already exists along this section of the highway. The breakdown of recommendations for each section of Durham Street is provided below:-

Bentinck To William Street

The section of Highway between Bentinck Street and William Street is considered to be the entrance to the CBD area and is dominated by a grand landscape entrance statement, being Haymarket Reserve. Due to the existing exotic theme of the adjacent park plantings, it is proposed that this section of the highway be planted out on both sides of the road with *Acer rubrum* (Autumn Red), which is a Maple tree that develops dark pinkish-red leaves in early autumn and bright red foliage by late autumn. It is believed that this tree will compliment and enhance the entrance statement to the CBD. Due to existing services, the petrol station and other access driveways within this section of the Highway it is believed that only up to 7 trees could be planted on the eastern side of the highway between Bentinck and William Street. On the western side, it is anticipated that 13 trees could be planted between the existing Robinia Mop Top plantings. It is proposed that the Mop Top's would be removed once the *Acer* trees have developed within the street scape.

Western Side Of Highway - William to Stewart Street

On the western side of Durham Street, the proposal is to continue with the avenue of Crepe Myrtle's that currently exists and to fill any gaps that have been identified with more of the same plantings. Due to a significant section of the western side of the Highway having overhead power lines, it is considered that Crepe Myrtle plantings from William to Stewart Street are the most suitable tree species to use, due to their lower growing height at

maturity. However, there are some sections of the verge on the eastern side of the highway that do not have overhead power lines, and it is proposed that larger tree planting be incorporated between the Crepe Myrtle plantings to provide more height and symmetry to the street scape. It is proposed that these additional plantings be Manchurian Pear trees.

Eastern Side Of Highway - William To George Street

Between William and George Streets, the eastern side of the highway has been planted out with a row of approximately 13 London Plane trees. An inspection of these trees has revealed that although at this stage the trees are considered to be in a healthy and stable condition, well balanced and showing no signs of stress, it is believed highly probable that further damage to Councils infrastructure including footpaths, water and sewer mains and roads will occur if these trees remain in situ.

Having regard to the present size of these trees and considering that they have not yet reached anywhere near maturity, the potential for damage to property and services that will ultimately result, cannot be overlooked. It should be noted that the available growing space surrounding these trees is inadequate given their full growth potential and that no root protection devices were installed at the time of their planting (root barriers). As such, it is inevitable that damage will be caused to surrounding infrastructure such as the highway road pavement, kerb and gutters, storm water drainage, other underground services, footpaths and other adjacent private property infrastructure, if these trees remain and continue to grow to maturity. It should be noted that damage has already started to occur to the road pavement and kerb sections adjacent to some trees within this section of the highway.

It is proposed that all London Plane trees within this section of the highway be removed and replaced with an avenue of Manchurian Pear trees, which will complement the same species of plantings that are located between George and Rankin Street. The Manchurian Pear species that have been proposed also have good foliage display of orange / red in autumn and at the beginning of spring, display a mass flowering of white petals. During the summer months, this tree would display dark green foliage. Manchurian Pears are considered to be most suitable for harsh roadside environments, especially where limited growing space exists.

Eastern Side Of Highway - George To Rankin Street

It is proposed that on the eastern side of the highway between George and Rankin Streets, additional infill plantings of Manchurian Pear be installed to fill gaps that have been identified within the existing avenue. In addition, due to the damage that has been caused to the road, kerb and gutter, footpath and private property retaining wall by the only London Plane tree in this section of the highway (adjacent 113 Durham Street), it is recommended that this London Plane tree be removed as soon as possible.

Eastern Side Of Highway - Rankin To Stewart Street

On the eastern side of the highway between Rankin and Stewart Streets, it is proposed that most of the existing Crepe Myrtle's remain and additional plantings of Manchurian Pear trees be planted to provide a taller height to the street scape plantings in this section of the highway and to extend and provide continuity to the already developed avenue of Manchurian Pear trees along the other sections of the Highway.

An estimate has been prepared, refer **attachment 2**, detailing the anticipated costs for the removal of all London Plane Trees and the installation of new trees in accordance with the proposed street scape plan from Bentinck Street to Stewart Street. The works are expected

to cost in the vicinity of \$90,000 to complete, inclusive of the removal of all London Plane Trees. The proposed works will also involve the necessary requirement to provide suitable root barrier devices to be installed to each tree at the time of planting. The cost of this work has also been included in the overall cost of the project.

In the Director Engineering Services' report to Council's General Meeting held 17 July 2013, a recommendation was made to have a London Plane Tree located within the verge adjacent to 113 Durham Street removed. Various reasons were provided for the requested removal of this tree, with the main reason being that it has outgrown the limited space available and is now damaging surrounding infrastructure including the adjacent footpath, the kerb and gutter, road pavement and other areas within adjacent private property. It is recommended that this tree be removed within the immediate future.

There is currently no available funding identified within the current Management Plan to undertake the removal of all London Plane trees within Durham Street or to undertake planting work in accordance with the proposed street scape planting plan. It is recommended that Council make consideration within future Management Plans to enable the implementation of the proposed works.

Financial Implications: Funding is available within Council's existing Tree Maintenance budget to undertake the immediate removal of the London Plane Tree located at 113 Durham Street.

Funding estimated at \$90,000 will need to be sourced from future Management Plans to enable the implementation of works as defined in the Street Scape Planting Plan for Durham Street.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.6

MINUTE

34 Item 5 STREET TREE REMOVAL - 113 DURHAM STREET (13.00019)
MOVED: Cr B Bourke SECONDED: Cr G Westman

That Council:

- (a) undertake the removal of the London Plane tree located within the verge, adjacent to the Great Wall Motor Vehicle Dealership located at 113 Durham Street, for the reasons outlined in the report.
- (b) endorse the proposed planting plan for Durham Street, between Stewart and Bentinck Streets, with works to be undertaken when funding becomes available.

The MOTION was PUT and LOST.

6 EASEMENT FOR MULTI-PURPOSE ELECTRICAL INSTALLATION, LOT 36 DP1159302 BATHURST AIRPORT PJ MOODIE DRIVE RAGLAN (2012/0130-03)

Recommendation: That Council:

- (a) Approve the creation of an easement for multi-purpose electrical installation required for the substation to be installed on Lot 36 DP1159302 located at P J Moodie Drive, Raglan;
- (b) Authorise the General Manager to sign the Shared Asset Reimbursement Scheme Original Customer Agreement as Council's representative, as detailed in the Director Engineering Services report.

Report: As part of the development of Lot 36 DP1159302 at P J Moodie Drive, Raglan concerning the training facility for the Air Force Cadets Gliding School, Council has received confirmation from designers that a substation easement in favour of Essential Energy is required.

The easement (7 x 4.2 metres) is to protect an Essential Energy high voltage line and a distribution substation proposed within the site. The final location of the easement will be determined by Essential Energy and will be located within the site at the intersection of P J Moodie and Windssock Way (see **attachment 1**).

The costs associated with the easement's creation will be met by the Zauner Construction (survey of easement) and the Department of Defence (registration of easement at the Land and Property Information). There is no cost to Council.

As part of the development, a Shared Asset Reimbursement Scheme Original Customer Agreement form from Essential Energy is to be signed by Council (see **attachment 2**).

It is recommended that Council:

- (a) Approve the creation of an easement for multi-purpose electrical installation required for the substation to be installed on Lot 36 DP1159302 located at P J Moodie Drive, Raglan;
- (b) Authorise the General Manager to sign the Shared Asset Reimbursement Scheme Original Customer Agreement as Council's representative.

Financial Implications: The cost to Council for the creation of the Easement for multi-purpose electrical installation is nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

**35 Item 6 EASEMENT FOR MULTI-PURPOSE ELECTRICAL INSTALLATION, LOT
36 DP1159302 BATHURST AIRPORT PJ MOODIE DRIVE RAGLAN (2012/0130-03)**

MOVED: Cr I North SECONDED: Cr M Coote

RESOLVED: That Council:

- (a) Approve the creation of an easement for multi-purpose electrical installation required for the substation to be installed on Lot 36 DP1159302 located at P J Moodie Drive, Raglan;
- (b) Authorise the General Manager to sign the Shared Asset Reimbursement Scheme Original Customer Agreement as Council's representative, as detailed in the Director Engineering Services report.

Yours faithfully



Doug Patterson

**DIRECTOR
ENGINEERING SERVICES**

DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 NOVEMBER 2013

1 BATHURST COMMUNITY SAFETY PLAN 2011-2014 REVIEW - NOVEMBER 2012-NOVEMBER 2013 (20.00179)

Recommendation: Council acknowledge the ongoing work being undertaken by the members of the Bathurst Regional Community Safety Committee.

Report: The Bathurst Community Safety Plan 2011-2014 was adopted by Council in November 2011. The development of the Community Safety Plan ensures the ongoing implementation of crime prevention strategies which will support the development of the Bathurst Region as a healthy, socially cohesive and safe community. This plan has been developed in partnership with key service providers, other levels of government and law enforcement agencies in the Bathurst region.

At **attachment 1** is the report on the actions, for the period November 2012 to November 2013, in which the Community Safety Committee have been collaboratively working to address the four identified priority crimes within the Bathurst region: Malicious Damage to Property, Steal from Motor Vehicle, Break and Enter Dwelling and Non-domestic Violence related assault.

Key achievements of the last twelve month period have included:

1. The development and distribution of a Bathurst Business Safety Tip Sheet.
2. The development and distribution of Partysafe information.
3. The development and adoption of a report investigating the effectiveness of CCTV as a crime prevention tool for the Bathurst central business district.
4. Successful application through the NSW Crime Prevention Grant Scheme for funding to employ a Community Safety Officer two days a week for twelve months; lighting audit of targeted areas, malicious damage campaign and programs targeting young offenders through PCYC.

These projects have been made possible by working in a collaborative manner with key members of the Bathurst Community Safety Committee including Bathurst Business Chamber, NSW Police Chifley Local Area Command, Bathurst Liquor Accord, headspace, Bathurst Community Health, TAFE, Charles Sturt University and Bathurst Regional Council.

Financial Implications: Consideration of the provision of funding to support strategies contained within the Community Safety Plan is included as part of the annual management planning process.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 22: To improve community safety. Strategy 22.1, 22.2, 22.3

MINUTE

**36 Item 1 BATHURST COMMUNITY SAFETY PLAN 2011-2014 REVIEW -
NOVEMBER 2012-NOVEMBER 2013 (20.00179)**

MOVED: Cr M Coote SECONDED: Cr G Hanger

RESOLVED: Council acknowledge the ongoing work being undertaken by the members of the Bathurst Regional Community Safety Committee.

2 SMALL BUSINESS AND NON-PROFIT ORGANISATIONS DISABLED ACCESS FUND (16.00107)

Recommendation: That Council provide \$10,000 under the 2013/2014 Small Business and Non-Profit Organisations Disabled Access Fund for the following applicants:

- (a) Hill End Arts Council Incorporated - \$5,000.
- (b) Busby Medical Practice - \$5,000.

Report: Three submissions were received from the Hill End Arts Council Incorporated, Busy Medical Practice and Mabroda Pty Ltd for funding under the Small Business and Non-Profit Organisations Disabled Access Fund. The following applications were forwarded to executive members of the Bathurst Regional Access Committee for consideration.

1. Hill End Arts Council Incorporated – Seeking funds to fit out disabled toilets and provide equitable access from street to the toilets entry point of the building. The Sacred Heart Catholic Church is being restored by the Hill End Arts Council (HEAC), for the adaptive reuse as a Cultural/Arts space for the community. Requesting \$5,000
2. Busby Medical Practice- Seeking funds for a disability/accessible toilet to become compliant with the Australian Building Standards located at the premises in 123 Howick Street, Bathurst . Requesting \$5,000.
3. Mabroda Pty Ltd seeking funds for the installation of a lift. Requesting \$5,000.

The Committee reviewed the applications in terms of meeting the criteria for improved access in line with both or either the Disability Discrimination Act (DDA) and the Building Code of Australia (BCA). Two applications meet the criteria of improved access.

It is recommended that two applications be approved from the Hill End Arts Council Incorporated and Busby Medical Practice. Successful recipients will be notified that the receipt of these funds does not exempt their organisation requiring development approval for their proposed works. Recipients will be encouraged to contact Council's Environmental Planning and Building Services Department to confirm their requirements in proceeding with their proposed work.

The third application from Mabroda Pty Ltd does not confirm to the grant conditions in that it is not for improvements as it is a new building under construction.

Council allocated \$10,000 in the 2013/2014 Management Plan for the Small Business and Non-Profit Organisations Disabled Access Fund.

It is noted that as a result of a request from the Bathurst Regional Access Committee the name for these grants will be changed to "Bathurst Disability Access Grants".

Financial Implications: Funding will occur within current budget allocations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 19: To improve equity of access to all members of the community in public and private domains. Strategy 19.2, 19.3, 19.4

MINUTE

37 Item 2 SMALL BUSINESS AND NON-PROFIT ORGANISATIONS DISABLED ACCESS FUND (16.00107)

MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That Council provide \$10,000 under the 2013/2014 Small Business and Non-Profit Organisations Disabled Access Fund for the following applicants:

- (a) Hill End Arts Council Incorporated - \$5,000.
- (b) Busby Medical Practice - \$5,000.

3 BATHURST LIBRARY - TECH SAVVY SENIORS (21.00054)

Recommendation: That the information be noted.

Report: Bathurst Library's 'Tech Savvy Seniors' Program is part of the NSW Ageing Strategy, and is coordinated through a partnership between the NSW Government and Telstra. Bathurst Library has been running the 'Tech Savvy Seniors' (TSS) Program for seniors who feel as though they are 'falling behind' in their technology endeavours. The program aims to encourage and enable more community members to embrace information technology and assists older people who have had limited or no previous experience in using Smartphones, Tablets, iPhones, iPads, etc to learn new skills for the future. In short, it enables interested seniors in the community to continue to take part and communicate within today's 'technologically' evolving society.

Bathurst Library's program consisted of concurrent training sessions – the first being a general introductory session, subsequent sessions saw interested participants dividing into groups according to the device they owned eg, iPhone/iPad, SmartPhone/Tablet, eReaders/Other. At three weekly intervals, each group met to learn how to use their device then have time to put into practice what they are learning and bring any problems to the group when they next meet.

Session Reports

- 05/08/2013 **Introductory Session** – a very pleasing attendance of 45 people. The plan for the TSS training was explained with questions from participants. After about an hour of discussion regarding what participants were expecting, how they felt about the technology and the like, a very excited group of people were able to explore the technologies and have further discussion with each other.
- 12/08/2013 **Apple Devices – Session 1** – 15 'Apple' users attended the first session on navigation around an Apple device. All were eager to conquer the various icons and uses with swiping, scrolling, etc and a certain amount of reliance on the 'home' button. Attendees also made use of the camera function with various levels of satisfaction but always triumphant. Feedback was extremely positive with every very happy with what they had learned.
- 19/08/2013 **Android Devices – Session 1** – 16 enthusiastic people attended this session. The session involved navigation when using Tablets and Smartphones. Many participants were unaware of some of the functions that were touched on eg, cameras.
- 26/08/2013 **eReaders, etc – Session 1** – A very small group of five enthusiasts attended this session with lots of questions and very keen to have the opportunity to explore e-readers. This session proved a little more difficult to prepare for, as there is such a wide variety of e-readers as well as people were requesting assistance with computers, notebooks, macbooks, laptops and 'everything online'.
- 02/09/2013 **Apple Devices – Session 2** – 16 people came into this session, geared to take on the next exciting instalment - the Internet. After a brief review from Session 1 (Navigation), participants welcomed instruction in the basic skills of using the internet. Comprehensive notes were distributed to participants.
- 09/09/2013 **Android Devices – Session 2** – 12 people attended this session on

accessing and searching the Internet. Participants were very enthusiastic and involved in the topics discussed, including the type of connections available. The new skill of navigation and dexterity, in general, are hurdles, however they are gradually being mastered.

- 23/09/2013 **Apple Devices – Session 3** – A slightly smaller number of 11 attended this session to discuss emailing and setting up emails for those who did not have accounts. This session has presented the greatest challenge to this point, with many participants having difficulty grasping the 'email' concept. Add this to the limited dexterity of our 'new learners', they all did exceptionally well with most being able to email by the end of the session.
- 30/09/2013 **Android Devices – Session 3** – 12 participants in this session who were as enthusiastic as always. Most participants already had an email account with which to work and were eager to go. On the whole, the session worked smoothly with several finding the solutions to long-term mysteries.
- 21/10/2013 **Apple Devices – Session 4** – Eleven people attended this session to learn about using 'settings' in Apple devices. After conquering the initial fear of tampering with the settings, there were very confident comments and ideas coming forward and buttons being tested just to see what would happen.
- 28/10/2013 **Android Devices – Session 4** – Ten people attended this session – settings for Android devices, participants were enthusiastic and committed. The same fear of tampering with settings prevailed, but was soon conquered as participants learned of, and were amazed by, what each device (including their own) could do.
- 04/11/2013 **Apple & Android Devices – Session 5** – The final session saw 15 people attending. The session took on a different method involving presentation and discussion regarding the security issues of going online. The firm message was 'don't be afraid to go online, just be aware and be sensible'.

Tech Savvy Seniors has been a wonderful program with very positive feedback, and many participants wanting to 'do it all over again'. Statistically, the program has been far more successful than anticipated. Bathurst Library sought a grant of \$8,000 with an estimated attendance of 170 for the 12 month period. The program was presented within budget and achieved 215 attendees over all sessions.

Financial Implications: This program was funded from an \$8,000 grant received from Telstra Corporation Limited.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 26: To encourage and support the provision of a range of opportunities for life long education across the Bathurst community. Strategy 26.1, 26.6

MINUTE

- 38** Item 3 BATHURST LIBRARY - TECH SAVVY SENIORS (21.00054)
MOVED: Cr M Morse SECONDED: Cr M Coote

RESOLVED: That the information be noted.

4 AUSTRALIAN FOSSIL AND MINERAL MUSEUM - INDIGENOUS HISTORY (21.00106)

Recommendation: That Council accept the \$13,000 grant from Department of Families, Housing, Community Services and Indigenous Affairs (FAHCSIA) to present the Bathurst Indigenous History Module by the Australian Fossil and Mineral Museum during 2014 and 2015.

Report: Bathurst Indigenous History Module - an educational resource to be broadcast to regional schools via video conference, was created through a grant of \$13,000 from the Department of Families, Housing, Community Services and Indigenous Affairs (FAHCSIA). Indigenous Capability and Development Program (ICAD) Public Awareness Program for Public Awareness Activities.

Partnerships for the project include: the Australian Fossil and Mineral Museum (AFMM); Author and Literacy Consultant Paul Stafford; Charles Sturt University Future Moves Program; and CSU History Lecturers Dominic O'Sullivan and Sam Malloy.

The Bathurst Indigenous History Module will be a community accessed educational resource broadcast via Video Conferencing (VC), commencing in pilot-version in 2014 and then as an adjunct to Bathurst's bicentennial celebrations in 2015. As the first Inland settlement, Bathurst played a key role in the early interaction between Aboriginal and Torres Strait Islander Peoples and Europeans.

As Councillors will be aware a new National Curriculum is currently being implemented by the NSW Department of Education. The AFMM Bathurst Indigenous History Module is designed as a public awareness activity that will complement the Indigenous history component of the new national history curriculum (to be implemented in NSW schools in 2014) and be rolled out via VC to participating primary and high schools (in conjunction with student work books/teacher notes).

The AFMM's module will be developed in line with the key objectives of the Syllabus under the Indigenous Cultures topic. It aims to meet the curriculum requirement of students learning about Aboriginal and Torres Strait Islander Peoples, as the world's oldest continuous cultures, prior to colonisation by the British, the ensuing contact and its impact. They will examine the interaction between Aboriginal and Torres Strait Islander Peoples and Europeans, with special emphasis on Aboriginal initiatives and responses to key government policies since their earliest contact with British colonists".

The AFMM plan to broadcast the program according to the previous successful model of a series of interviews conducted with Father Riley (Youth Off The Streets) which involved hooking up approximately 40 schools per interview. This series will be delivered as four interviews per year/one per term in conjunction with YouTube clips, historical documents and text excerpts.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

39 Item 4 AUSTRALIAN FOSSIL AND MINERAL MUSEUM - INDIGENOUS HISTORY (21.00106)

MOVED: Cr I North SECONDED: Cr G Westman

RESOLVED: That Council accept the \$13,000 grant from Department of Families, Housing, Community Services and Indigenous Affairs (FAHCSIA) to present the Bathurst Indigenous History Module by the Australian Fossil and Mineral Museum during 2014 and 2015.

5 BATHURST MEMORIAL ENTERTAINMENT CENTRE - GRANT FUNDING (21.00060)

Recommendation: That the information be noted.

Report: In October 2013 the Bathurst Memorial Entertainment Centre (BMEC) was successful with three grant applications, which provide significant support for key programs of activity.

Australia Council for the Arts

BMEC was successful in its application for triennial funding in the Program Presenter category. This provides \$50,000 a year for the three years 2014 – 2016. The funds will be used to foster the development of local performing arts practice through the BMEC Local Stages Program. These funds were competed for on a national scale. The comments of the assessment panel included:

"There were ten applications to the Program Presenter category, with four being funded for 2014-16 (\$600K). These funding positions were hotly contested, with three current Program Presenters returning to apply for 2014-16, as well as previous Program Presenters, and some entirely new players to this category. Although the Panel acknowledged the dynamic breadth of activity potentially supported through applications to this category, it also observed unevenness in the skills and experience of producers across the proposals and varying support levels for artists in the creation of new work. All four supported applications provided strong evidence of switched-on producing methodologies, and nurturing environments for independent artists. The Panel was very pleased to approve two outstanding regional venue applications in the mix." Lyn Wallis, Director, Theatre.

Arts NSW

BMEC was successful in October with two funding applications to Arts NSW.

The first application was for Annual Program funding, BMEC funding under this program for 2013 had been reduced from \$50,000 to \$30,000. With a concerted effort BMEC has managed to have its funding restored to the \$50,000 level. These funds will be used to support the continuation of the Local Stages Program.

In the second application BMEC applied for and was granted \$8,000 for its Program for Young People, \$6,000 will be used to continue the Creative Learning Project commenced in 2012. This ground breaking program links BMEC with Patch Theatre Company from Adelaide, Regional Primary Schools, The Department of Drama and Dance of the University of Texas at Austin and two Schools of learning of CSU Bathurst, the School of Teacher Education and the School of Communication and Creative Industries. The project seeks to engage young people as active participants in the creative process and is linked to performance outcomes. Councillors received a report on 19 June 2013 outlining this partnership.

The balance of \$2,000 will be used to subsidise the attendance of Primary aged students at BMEC performances.

Financial Implications: The grant funding received has no negative financial implications and uses the core funding of BMEC to leverage considerable financial benefit for the development of performing arts in the Bathurst Region.

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 Strategy 20.4

enhance cultural and social activities across the community.

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

MINUTE

40 Item 5 BATHURST MEMORIAL ENTERTAINMENT CENTRE - GRANT FUNDING (21.00060)

MOVED: Cr G Westman SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

6 BATHURST REGIONAL ART GALLERY - SCULPTURE BY THE SEA (21.00015)

Recommendation: That the Cultural & Community Services Department and in particular the staff of the Bathurst Regional Art Gallery be congratulated for its success as the inaugural recipient of the \$20,000 NSW Government's Sculpture by the Sea Regional NSW Sculpture Acquisition Program.

Report: Bathurst Regional Art Gallery (BRAG) was the successful inaugural recipient of the NSW Government's Sculpture by the Sea Regional NSW Sculpture Acquisition Program. The successful application by BRAG was one of 29 applications received from regional councils.

The grant under the program, worth \$20,000, has enabled the Council to purchase a work by a NSW based sculptor exhibited at the 2013 Sculpture by the Sea Exhibition, Bondi to become part of the Gallery's permanent collection.

The grant is recognition of the excellent reputation in which Bathurst Regional Art Gallery is held as a leading regional arts centre by the wider arts community and funding bodies.

The acquisition of the sculpture is part of a plan by Council to create a sculpture walk and public art attraction in the Art Gallery/Library forecourt adjacent to Keppel Street. It will join the sculpture, *Pink Rose Bowl* by Australian sculptor, Anne Ferguson which sits in the grassed forecourt area at the entrance to the Art Gallery and Bathurst Library complex.

The new piece *redjar redbottl* by leading sculptor Philip Spelman was selected by the Director of BRAG and Director Cultural and Community Services. The large steel sculpture will add to a growing and impressive sculpture collection including works by renowned sculptors Margel and Frank Hinder, Ian McKay, Norma Redpath and Paul Selwood alongside the work of contemporary artists Will Coles and Sean Cordiero and Indigenous artists Jonathan Jones and Danie Mellor.

The official announcement of the sculpture selected by Bathurst was made at the Awards Ceremony on Sunday, 10 November 2013 by the Minister for Tourism and Major Events, George Souris.

Financial Implications: Funding of \$20,000 to purchase a sculpture was provided under the NSW Government's Sculpture by the Sea Regional NSW Sculpture Acquisition Program, which is funded by the NSW Government through Arts NSW.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.3
- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.1, 20.5, 20.6
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3, 23.7

MINUTE

41 Item 6 BATHURST REGIONAL ART GALLERY - SCULPTURE BY THE SEA (21.00015)

MOVED: Cr M Morse SECONDED: Cr G Hanger

RESOLVED: That the Cultural & Community Services Department and in particular the staff of the Bathurst Regional Art Gallery be congratulated for its success as the inaugural recipient of the \$20,000 NSW Government's Sculpture by the Sea Regional NSW Sculpture Acquisition Program.

Yours faithfully



Annabell Miller
DIRECTOR
CULTURAL & COMMUNITY SERVICES

POLICY COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - POLICY COMMITTEE MEETING - 9 OCTOBER 2013 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 9 October 2013 be adopted.

Report: The Minutes of the Policy Committee Meeting held 9 October 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

42 Item 1 MINUTES - POLICY COMMITTEE MEETING - 9 OCTOBER 2013
(07.00064)

MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That the recommendations of the Policy Committee Meeting held on 9 October 2013 be adopted.

2 MINUTES - POLICY COMMITTEE MEETING - 6 NOVEMBER 2013 (07.00064)

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

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

43 Item 2 MINUTES - POLICY COMMITTEE MEETING - 6 NOVEMBER 2013
(07.00064)

MOVED: Cr I North SECONDED: Cr G Westman

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

MINUTES OF THE POLICY COMMITTEE
HELD ON 9 OCTOBER 2013

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

APOLOGIES

2 APOLOGIES

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

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

Cr Aubin had advised the General Manager that he will be travelling back from Sydney and may be late for, or unable to attend the meeting.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 AUGUST 2013 (07.00064)

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

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

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

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

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

5 Item 1 CAT CONTROL POLICY (14.00009)

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

RESOLVED: That Council repeal the "Cat Control" Policy and remove from the Policy Manual.

- 6** **Item 2 SWIMMING POOL INSPECTION PROGRAM POLICY (02.00009)**
MOVED Cr B Bourke and **SECONDED** Cr M Coote

RESOLVED: That Council adopt the draft Swimming Pool Inspection Policy.

Cr Aubin arrived at the meeting at 6.04 pm.

- 7** **Item 3 PROTECTION OF VEGETATION AND HABITAT POLICY (13.00001)**
MOVED Cr I North and **SECONDED** Cr M Coote

RESOLVED: That Council adopt the Protection of Vegetation and Habitat Policy.

Director Corporate Services & Finance's Report

- 8** **Item 1 ENTERPRISE RISK MANAGEMENT PLAN - STRATEGIC RISK REGISTER (03.00162)**
MOVED Cr B Bourke and **SECONDED** Cr G Westman

RESOLVED: That Council adopt the updated Strategic Risk Register and include it in the Enterprise Risk Management Plan.

SUSPENSION OF STANDING ORDERS

- 9** **SUSPENSION OF STANDING ORDERS (11.00005)**
MOVED Cr I North and **SECONDED** Cr M Coote

RESOLVED: That Standing Orders be suspended to allow Council to deal with the Discussion Forum - Draft Bathurst Regional Local Environmental Plan 2013 and Draft Bathurst Regional Development Control Plan 2013 - listed on the Agenda.

DISCUSSION FORUM OTHER

- 10** **Item 1 DRAFT BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2013 AND DRAFT BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2013 (20.00143)**

The Director Environmental, Planning & Building Services gave background into the process of developing the Draft LEP and DCP including the Rural and Urban Strategies and the Heritage Strategy. Noted proposal will be reported to the November meeting of Council for consideration.

Discussion included:

Bob Walsh - Gateway Land Corporation - spoke to site history of the Gateway terminal site and commercial zoning. Has made a formal submission to Council. Agree with most of the DCP provisions, has several concerns including issues such as; bulky goods floor-space availability, setbacks required are excessive, access points from the highway are insufficient (only one available), require a left in left out

at western end of site, no advertising signs allowed in setback zones, this needs to be changed.

Bruce Bolam - Stanley, Hope & Peel Streets (38,000 m²) - seeks a zoning change by Council from current zone of market garden. Owns some of this land and has an interest in the balance. Spoke of surrounding land uses, services to the block, considers the land lends itself to development purposes. Seeking the land be zoned to residential.

Mary Moody - 61 Porters Lane, Yetholme - has lived there since 2001. A small section of their block of 5 acres is on the other side of the Highway and not included in proposed village zone. Is not used for agricultural purposes, has rogue pines on it. Wedged near old and new housing areas. Seeks the area be included in the Yetholme Village zone.

David Walker - Geolyse - representing Landco - Ophir Road land - the land is before Council for subdivision approval. Spoke to open space requirements and that the LEP is seeking a further 1 ha of the site for open space. Have forwarded a submission which shows all Lots are within 500m of open space. Seeks additional portion be omitted. Further, spoke to basis of valuation if land is to be acquired by Council.

Keith Hogan - CSU - spoke to letter submitted concerning land near Mount Panorama (Crown Reserve). The zoning is an issue about whether it is for education. Objects to proposed tourism zoning. Will be making a further submission on this to Council.

Toby Jones - on behalf of Edward Jones - speaking to subdivision of 'The Grange' issue. Asks LEP includes reintroduction of section 6.23. Bathurst is proud of its history, it is important that heritage in the rural areas is considered. This appears to be missing from the LEP. Council needs to give attention to preservation of heritage items in the rural area.

Steve Anderson - owner Steve Anderson Building Design - has made a submission to Council, has concerns about the size of "granny flats", secondary dwellings, seeks an increase above the 60 m² size proposed. Noted issues such as urban consolidation.

Charles Boag - Wattle Flat - seeks more control from Council in the Wattle Flat area. Noted current dwelling layout and whether it is an entity. There is an opportunity for Council with this LEP/DCP process. There are controls in Sofala and Hill End, yet have not been included for Wattle Flat, eg materials used, siting of roller doors etc. Do not let what is there be 'buried' or 'swallowed up'. Council needs to control what occurs in Wattle Flat. It is a significant stretch of road.

Margus Ratsep - Surveyor - has lodged ten submissions. Items raised in two of the submissions; 132 Durham Street - proposed to be residential zoned, feels this is inappropriate, should be commercial core zoning; 215 Rocket Street (near Stewart Street) - seeks 500m² be zoned commercial core land, particularly spoke to the location and possible linkage with adjacent commercial development.

Ian Rufus - 132 & 143 Durham Street (on behalf of owners) - seeks zoning change as mentioned by the previous speaker, Mr Ratsep. The site gets access through a number of right of ways and subdivisions that are proposed, seeks these right of

ways to be zoned commercial or at least a guarantee that access will occur whether zoning occurs or not.

Ashley Bland - Skillset Sustainability Manager - Skillset - concerned whether zoning allows them to serve food and drinks, seeks clarity on this issue.

Further, on behalf of Greening Bathurst - pleased to see the range of effective environmental controls and encourages Councillors to hold the line, spoke to the various environmental plans of Council. Noted a submission has been made.

Shaun Lawer - GHD - 1511 and Lot 5 Mid Western Highway, Robin Hill (on behalf of owners) - proposed to be primary production zoning, feels greater use can occur. Spoke to characteristics of the site, seeks land to be zoned rural residential. Has some concerns with rural strategy; building statistics minimum check to 2011 ABS, availability of rural residential land needs to be reconsidered whether there is enough out there. Client will be submitting a planning proposal to Council.

Anthony Daintith - Planning Consultant - on behalf of clients

- 263 Willow Tree Lane - seeks inclusion of land as part of Mt Rankin, large lot rural land zoning R5. Spoke to factors involved in satisfying the rural strategy adopted by Council.
- 234 Gilmour Street (Liam O'Hara) - not objecting to zoning, but the changes proposed to the land-use planning table, noted deletion of medical centres etc. Have a master plan for the site (former St Pats Sporting Club) and wish to be able to work to this plan.
- 5475 Sydney Road, Raglan - has had a number of development applications on this area. Objects to RU1 proposed zoning which does not even allow existing development on this site, it is not possible to use this land for primary production. Seeks B5 zoning for the site.

Ken Barcham - 73 Clairvaux Lane, Kelso - long term resident. Original draft LEP was to have land rezoned residential, this is no longer included. Reason given is, problem with water pressure when electrical blackout occurs. Seeks Council's reconsideration of this. This is a minor problem which should be able to be resolved. Noted similar circumstances in Bathurst which have not stopped development. Feels Clairvaux Lane would be ideal for retirement village. Referred to servicing of water to Hereford Estate. Requests reconsideration of zoning.

Paul Baldock - Wattle Flat resident and representative on the Wattle Flat Heritage Land Trust -

- Fact sheet #10 has some issues about E2 zoning and map does not reflect current gazetted reserves.
- Agricultural interface around village is an issue. It seems to stop development of housing in areas proposed for housing, as it limits the siting of houses on some of the blocks. Perhaps Council could reduce or eliminate the interface where blocks are impacted.

Ian McPherson - Bathurst District National Trust - noted a submission has been made. Noted there are some issues they seek to be addressed by Council. Appreciative of 11th heritage area proposed and the transfer of items to the LEP.

This is page 4 of Minutes of the Policy Committee held on 9 October 2013.

Referred to seven principles of community participation.

- Clause 1.7 of DCP - Trust supports inclusion of departures clause.
- Gateway Amendments - agree with proposed setbacks, this is a critical site.
- Landmark sites - very important wherever located, eg Dairy Farmers, Squash Courts site. Needs special provisions, eg exhibition 28 days, need 3D models so can see what proposal actually looks like.
- Rural vistas, signage and colour - please enforce the provisions.

Robin White - on behalf of clients - Mr Speight & Ms Beckett, Wattle Flat - referred to concern with agricultural interface, asked for it to be reduced.

Sharon Mulligan - owner 255 Bentinck Street - property proposed to be listed as a heritage item. Cannot find out what this means, nor what area or portion thereof is being listed. Supportive of heritage. Asked Council to share costs in partnership on heritage items.

Robert McDowell - owner 174 McGregors Lane, Mt Rankin - property owned of 110 ha, adjoins the Mt Rankin area proposed for R5 zoning. Seeks inclusion of his land which impacts Kellosiel and Deep Creeks to ensure maintenance of biodiversity and riparian corridors.

Rhonda Arrow - 39 Clairvaux Lane - requests rezoning of land. Thought that area would be included as was shown in draft documents. Noted location of area in terms of services to the city and proximity to town. Also spoke to request to otherwise subdivide the property in two.

Gavin Douglas - 43 Bathurst Street, Perthville - Lots in area are effected, with lots split in half in terms of the zoning. Part residential and part rural. The zoning and Lot boundaries should be aligned as now flood protected.

Hilton Neary - 213 Marsden Lane, Kelso - has put in a submission. Rezoning is up to the edge of the Hereford Estate and around two sides. Spoke to Stage II being developed and water issues. Requests rezoning to residential.

Jack Arrow - 39 Clairvaux Lane - read out letter for Mr Agostini (owner of 86 Clairvaux Lane) who was unable to attend. Mr Agostini bought the land as an investment and seeks review of zoning. Referred to water pressure issues raised and feels it only impacts a small amount of the land. Most of the area can be serviced by the reservoir.

Further, spoke to his own submission concerning 39 Clairvaux Lane and developments undertaken and belief the area was to be rezoned. Considers water can be brought from identified water reservoir site. Nearly all blocks can be serviced. The area is valuable to Council for future development. Asks Council reconsider the rezoning.

Sandy Bathgate - Bathurst 2036 Heritage Action Network - heritage is a key social and economic asset for the area. A submission has been made to Council. The suggestions are made to work in cooperation with Council. Need to protect and enhance current heritage. Noted concern at State Government's one size fits all approach. Appreciative of extra heritage items to be listed and extra conservation

zone. Suggested items to be considered include; landmark sites, maintenance streetscapes, setbacks, gateways, socially responsible development, rural vistas, heritage conservation areas. Asks Council to carefully consider submission. Tabled a document for Council's consideration.

Ryan Cooney - representing J Dixon, 45 - 63 Whiterock Road property owner - seeks land be considered as inner rural land. The site has access to sewer and should have an R5 zoning as it will become an island in this area.

Narelle Druitt - 426 Mt Rankin Road, Mt Rankin - has put in two submissions. Has 100 acre property, in proposed rural lifestyle area. Listed as cultural heritage (Aboriginal). There is no history for this and nothing supporting this. Council did not consult with Ms Druitt on this proposal. They have lived here for 32 years. Seeks Council remove the classification.

Bob Pearce - Mt Rankin zoning - spoke to R5 zoning and have lodged a submission. Feels 10 ha minimum is contrary to other locations in Bathurst, eg Wentworth Estate. Noted factor of effluent disposal, does not see this as an issue. Feels should be able to subdivide down to 1 ha. This will facilitate people enjoying rural residential lifestyle.

Jocelyn Barcham - 73 Clairvaux Lane - representing residents of 38 Clairvaux Lane - spoke to their submission. Referred to size of area, primary production limitations, benefit to City of rezoning. Why is Council excluding site from rezoning? Noted issue of reservoir and services provided to other areas, why not to Clairvaux Lane. Raised long term considerations.

Nicole Schryver -

- 120 Gilmour Street - please rezone to general residential now that area is flood protected.
- 355 Willow Tree Lane, Mt Rankin (mother's property) - please include in rezoning to R5. If not, then stop the rezoning going ahead. Spoke to problem of running a farm in this area.

Ben Linke - 3092 Sofala Road, Wattle Flat - purchased block in 2005 and assumed it had a DA. It is 1.5 acres and is on boundary of village, seeks inclusion in the village zone, area would be an asset to the village.

Brad Shumacher - 51 Bathurst Street, Perthville - part of lot is proposed to be zoned residential, seeks all land be aligned in terms of zoning and lot boundary now that land is flood protected.

Val Neary - 230 Marsden Lane - speaking for the Hamiltons (56 Clairvaux Lane) - they have a vineyard on their block. The agricultural pursuit is not viable due to size of blocks and residential property in the area.

Margus Ratsep - Surveyor - representing owners, Mr & Mrs Wilkinson of 'Ardsley', Ardsley Lane -

- they own around 1,265 ha. The proposed land is controlled by three different minimum lot size requirements of 100 ha, 200 ha and 300 ha - causes problems. Requested consideration be given to some blocks to be split off as residential. Noted submissions made and asked for Council consideration of

the requests.

- Also raised concerns about land changes between former Evans Shire area and Bathurst City Council in 1977 and possible building entitlements.

Margus Ratsep - Surveyor - Representing Mr R Morris, Lagoon Road, The Lagoon

- Lagoon DCP Map 17 - the amount of green area - scenic protection is too large. Hard to know what is being protected, seeks reduction of this area.
- At Lagoon there is a Lot which goes across the road, have previously requested land be zoned as small rural lots. Requests Council allow building on each separated block.

Julius King - King Law - on behalf of submission from William Langdon - spoke to proposal of RU1 for land and seeks reconsideration of zoning. Land is in the village of Peel. Noted adjacent properties have residences on them.

Lucy Waterer - Evans Plains - has 15 acres of land, had a building entitlement, but due to a prior gifting of land, this was lost and seeks this be reinstated. Land is not used for agriculture.

Tony McBurney - Architect - spoke to Plans on exhibition and need to reflect character of the area. Leadership is needed to prepare City for positive growth. Need to fill in the town, not keep spreading out onto the Macquarie Valley floor. Noted the impact of the Baby Boomers generation and their expectations. We need to look at whether the status quo needs to be maintained. The current design of Bathurst would allow an extra 20,000 population to be accommodated in the existing town area. House sizes are changing.

The market is moving from demand for a family house. Noted health issues impacting the community and what people are missing out on. Spoke to proposals for 2 or more storey developments in the LEP and possible review of this.

Margus Ratsep - Surveyor - representing various land owners -

- Map 4, Kelso - spoke to submission for Emerald Drive, Kelso and proposed open space. This seems very generous amount, the land is below the 730m height contour, seeks reduction/change in position of greenspace and spoke to strategic access issues, through Mr Greg Cutler's land. Need relocation of the access road.
- Marsden Lane and Laffing Waters Lane - land owned by the Staits. Currently subdivision has occurred in area. Problem with road alignment, seeks change of road pattern. Impacted by school land in this area. Referred to greenspace issues.
- Ashworth Drive (Amber Close) - submission made concerning location of proposed open space. This was meant to be a building block.

Vianne Tourle - 59 Lambert Street - property listed as a heritage item. Wants to know what the obligations and responsibilities are. Thanked Council for previous assistance provided.

Mr H Grace - Peel resident - in regards to Lot 39, seeks zoning as E2. High

This is page 7 of Minutes of the Policy Committee held on 9 October 2013.

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

Cr North - what has happened re clause on possible sale?

The Director Environmental Planning and Building Services advised the Government has agreed to consider putting in a 10 year limitation clause. Currently awaiting a response.

18 **Item 7 COMMITTEES/DELEGATES (11.00005)**

Cr Coote - would like to see a review of committees and Council members on these.

The General Manager advised that a schedule of existing Council and community committees and Council representatives on these will be distributed to Councillors for comment.

MEETING CLOSE

19 **MEETING CLOSE**

The Meeting closed at 8.18 pm.

CHAIRMAN: _____

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

MINUTES OF THE POLICY COMMITTEE
HELD ON 6 NOVEMBER 2013

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

APOLOGIES

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

RESOLVED: That the apologies from Crs Aubin, Hanger, Morse be accepted and leave of absence granted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 9 OCTOBER 2013
(07.00064)
MOVED Cr G Westman and **SECONDED** Cr I North

RESOLVED: That the Minutes of the Policy Committee Meeting held on 9 October 2013 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002
MOVED Cr G Westman and **SECONDED** Cr I North

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

This is page 1 of Minutes of the Policy Committee held on 6 November 2013.

General Manager

Page 134
Mayor

- 5** **Item 1 OPERATION OF TOURIST AND VISITOR ACCOMMODATION ESTABLISHMENTS (11.00003)**
MOVED Cr I North and **SECONDED** Cr M Coote

RESOLVED: That Council:

- (a) place the Operation of Tourist and Visitor Accommodation Establishments Policy, including: backpackers' accommodation, bed and breakfast accommodation, eco-tourist facilities, farm stay accommodation and serviced apartments on public exhibition for a period of 28 days,
- (b) if no submissions are received, adopt the Policy; and
- (c) note that the Policy will not come into effect until the gazettal of the Bathurst Regional Local Environmental Plan 2013.

Director Corporate Services & Finance's Report

- 6** **Item 1 WHITE ROCK PROGRESS ASSOCIATION - APPOINTMENT OF DUTY COUNCILLOR (18.00292)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That Council appoint Cr North as Duty Councillor, with Cr Bourke as alternate, to the White Rock Progress Association.

- 7** **Item 2 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 2 OCTOBER 2013 (07.00096)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

General Manager's Report

- 8** **Item 1 CODE OF CONDUCT COMPLAINTS - OCTOBER 2012 TO 30 SEPTEMBER 2013 (07.00088)**
MOVED Cr G Westman and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

GENERAL BUSINESS

This is page 2 of Minutes of the Policy Committee held on 6 November 2013.

9 **BATHURST BASE HOSPITAL (07.00095, 22.01047)**

Cr Jennings - asked could Council make approaches to the State Government with regard to proposed cuts to Bathurst Health Services. Understands Bathurst Hospital's front line staff will be reduced, has been told over 15 positions will go.

The Mayor referred to the meeting the Mayor and Deputy Mayor held with the Health Regions CEO and Bathurst Hospital General Manager this week concerning services provided and future directions.

The Mayor advised that the discussions included the following:

- level of quality of Bathurst Health Services is excellent
- sought assurances that there would be no decrease in service levels, no decrease in full time staff and that the quality of health cover currently provided will remain
- there will be ongoing discussions with administration and the Medical Staff Council of Bathurst Hospital
- three anaesthetists, 1 orthopaedic surgeon and 1 physician are in the process of being appointed to Bathurst
- potentially may achieve better service levels than currently exist

The Deputy Mayor also spoke to issues discussed at the meeting.

10 **Item 2 WI-FI CBD AREAS (08.00005)**

Cr Jennings - enquired about Wi-Fi being made available in CBD, could consideration be given to this?

The Mayor advised that at the Strategy Workshop it was agreed that this would not be pursued, but the option to visit or review this or any other issue is always open to Councillors.

11 **Item 3 LIVE STREAMING OF COUNCIL MEETINGS (11.00005)**

Cr Jennings - asked could this be investigated for our Council meetings?

The Mayor noted that this could be investigated.

12 **Item 4 SNAP, SEND, SOLVE APP (08.00005)**

Cr Jennings - asked could an investigation be made into the use of this App, as will help with customer requests of Council. Allows GPS location to be provided to Council.

The Mayor spoke of the potential benefits of the App and that an investigation would be undertaken.

13 **Item 5 ORANGE ROAD TRUCKS USING AIRBRAKES AT ROUNDABOUT (13.00021)**

Cr Coote - asked can signage be put up to request trucks not to use airbrakes at this roundabout.

The Director Engineering Services will investigate this matter with Roads & Maritime Services (RMS).

14 **Item 6 GEORGE ST STREETLIGHTS (25.00007)**

Cr Coote - noted these have not been working for the last couple of nights.

The Director Engineering Services requested details of section involved to be able to investigate the matter.

15 **Item 7 CYCLEWAYS FUNDING (28.00003)**

Cr Coote - asked do we do 50:50 funding with State Government on cycleways.

The Director Engineering Services advised that Council is involved in this program.

16 **Item 8 ROUNDABOUTS (28.00004)**

Cr Coote - advised plant growth is very high in some locations, could Council look at trimming this growth.

17 **Item 9 F1 EVENT AT MOUNT PANORAMA (04.00009)**

Cr Coote - asked can Council look at getting F1 here for a promotional event, like the former previously held Vodafone event.

The Mayor advised that the 2015 Committee is pursuing this possibility.

18 **Item 10 BUSINESS CLOSURES (18.00027)**

Cr North - asked could we look at getting various businesses to come to Council when problems are occurring. We need to ensure interaction occurs to keep open dialogue, because at times we may be able to help.

The Mayor spoke of Council's Strategic Workshop and the proposed "Getting to Know You" program and the Business Workshops currently being held.

19 **Item 11 ROUNDABOUTS (28.00004)**

Cr North - advised that because of the volume of traffic coming from the highway down Piper Street the corner of Rankin Street/Piper Street has a number of near misses. Could a roundabout be looked at for this corner?

20 **Item 12 RAILWAY PRECINCT (22.00159)**

Cr Bourke - asked is there an update on this area, particularly with the old half burnt building.

The Director Environmental, Planning & Building Services spoke to meetings with Railway group, they are investigating the status of the building and its retention or demolition.

21 **Item 13 BERRY PARK (04.00065)**

Cr Bourke - advised this area is becoming a haven for groups having wild parties. This is causing problems, can something be done? Perhaps Council should look at putting in an alcohol free zone. Damage to the park is occurring.

The Director Cultural & Community Services spoke to process of putting in an

alcohol free area. At this time Police have not raised an issue for this area. Can be pursued and the matter could be investigated as to viability of alcohol free area.

22 **Item 14 BUSHFIRE APPEAL (18.00004)**

Cr Bourke - thanked Council for its assistance with the Appeal process. Target is around \$10,000 - \$12,000 after the auction. The people of Bathurst deserve a pat on the back for their work over recent years in raising funds for various causes.

MEETING CLOSE

23 **MEETING CLOSE**

The Meeting closed at 6.43 pm.

CHAIRMAN: _____

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

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING 5 NOVEMBER 2013 (07.00006)

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

Report: The Minutes of the Traffic Committee Meeting held 5 November 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

44 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING 5 NOVEMBER 2013
(07.00006)

MOVED: Cr W Aubin SECONDED: Cr M Coote

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

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 5 NOVEMBER 2013

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

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

Present: Darren Sturgiss (Manager Technical Services), Iris Dorsett (Local Area Road Safety Officer) and Alan Forbes (Assistant Ranger (Parking))

APOLOGIES

2 APOLOGIES

That the apology of Councillor W Aubin be accepted.

REPORT OF PREVIOUS MEETING

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

That the Minutes of the Traffic Committee Meeting held on 1 October 2013 be adopted.

Jackie Barry (Roads & Maritime Services) asked that in relation to Item 5 Kelso High School Bus Interchange - Traffic Issues, it be recorded that her preference was that a barrier line be used, rather than double barrier (centre lines).

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 1 OCTOBER 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 ROXBURGH DRIVE – TRAFFIC ISSUES (25.00567)

That Council approve the installation of 'No Stopping' signs on the southern

intersection of Roxburgh Drive and Hughes Street Kelso on both corners of the intersection.

8 **Item 4 REQUEST FOR TEMPORARY CONSTRUCTION ZONE PARKING OUTSIDE ST MICHAEL AND ST JOHN'S CATHEDRAL ON KEPPEL STREET SIDE (28.00006-09)**

That the installation of 'Works Zone' signage from 7am to 5pm Monday to Friday for 2 spaces outside of St Michael and St John's Cathedral on the Keppel Street side be approved subject to conditions as detailed in the Director Engineering Services' Report.

9 **Item 5 BATHURST CYCLING CLUB ROAD RACING AND TRAINING EVENTS 2014 (18.00022-04)**

That Council approve the Bathurst Cycling Club road racing and training events for 2014. The events are to be classified as Class 2 events and approved subject to conditions detailed in the Director Engineering Services' report.

10 **Item 6 SCHOOL ZONE FLASHING LIGHTS (28.00007-05/020)**

That the information be noted.

11 **Item 7 BATHURST HISTORIC CAR CLUB SWAP MEET (22.00053-08/025)**

That Council approve the staging of the Bathurst Historic Car Club 2014 Swap Meet at the Bathurst Show Ground on Sunday 2 February 2014. The event is to be classified as Class 2 and approved subject to conditions detailed in the Director Engineering Services' Report.

12 **Item 8 EGLINTON 'CHILDREN' WARNING SIGNS (28.00007-05/11)**

That Council not approve the installation of 'Children' warning signs approaching Wellington Street Eglinton and Hamilton Street Eglinton.

13 **Item 9 REVIEW OF SIGNAGE - WEST MITCHELL ROAD AT SUNNY CORNER (20.00177-03/021)**

That Council approve:

- (a) The installation of barrier lines and a chevron sign on West Mitchell Road at the intersection with Dark Corner Road;
- (b) The installation of continuity lines and barrier lines at the northern intersection of West Mitchell Road and Sunny Corner Road; and
- (c) The installation of a chevron sign and the relocation of directional and street signage with inclusion of a new Sunny Corner Road Sign at the southern intersection of West Mitchell Road with Sunny Corner Road.

14 **Item 10 ANGLED PARKING - OLYMPIC PLACE KELSO (DA 2005/0975)**

That Council approve the installation of 12 'rear to kerb' angled parking spaces in Olympic Place Kelso, subject to conditions as detailed in the Director Engineering Services' Report, including that:

- (a) Provision is made for kerb wheel stops.

DELEGATES REPORTS AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 NOVEMBER 2013

1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 23 OCTOBER 2013 (11.00019)

Recommendation: That the information be noted.

Report: **Present:** Crs Bourke, Jennings, Morse, North and Rush.

Apologies: Crs Aubin, Coote, Hanger, Westman.

1. CENTRAL TABLELANDS ROWING CLUB INC (32.00005)

Mark Pett, Joe Martin and Phil Maree, attended the meeting to provide Councillors with background information on the Central Tablelands Rowing Club.

Discussion included:

- Central Tablelands Rowing Club is developing a strong membership and promising rowers.
- Rowing Australia has provided funding of \$35,000 through Adopt A School Program - Kelso High and All Saints College have participated in this program.
- Problems with carrying the boats over irregular terrain and possible injury has prevented more schools from participating in the scheme.
- Requested Council's help in identifying a new location close to the boat ramp where they can construct a shed (24m x 21m in size) and which provides better access to the water.

- **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

**45 Item 1 COUNCILLORS MEETING WITH COMMUNITY
GROUPS/REPRESENTATIVES - 23 OCTOBER 2013 (11.00019)**

MOVED: Cr G Westman SECONDED: Cr M Coote

RESOLVED: That

- (a) the information be noted
- (b) it be noted that Crs Aubin, Coote and Hanger were in attendance at the meeting.

MINUTE

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

MOVED: Cr M Coote SECONDED: Cr W Aubin

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

The following representations were made.

M Nicholls, Western Advocate - raised concerns about the number of items considered by Council in Confidential Committee. He mentioned in particular Bathurst Eisteddfod Society Financial Support Item stating that as this was a public event it should be considered in the public domain.

P Dowling, ratepayer - spoke on the same issue stating that Council is spending ratepayers money and financial information of the intended recipient organisation should be made available to the public.

The Acting General Manager advised that the report contained commercial in confidence information that Council did not have permission from Bathurst Eisteddfod Society to release.

RESOLVED: That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST EISTEDDFOD SOCIETY INC - FINANCIAL SUPPORT	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	PURCHASE OF PROPERTY - LOT 13 DP259022 LOCATED AT 2 SCHOFIELD WAY 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.
3	PURCHASE OF COMMERCIAL SITE IN HOWICK 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	REQUEST FOR FINANCIAL ASSISTANCE - BATHURST CITY COMMUNITY CLUB	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	MOUNT PANORAMA CAPITAL IMPROVEMENT WORKS FUNDING BRIEF	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who

		supplied it.
6	RENEWAL OF LEASE - BATHURST MINIATURE RAILWAY SOCIETY - PART LOT 1 DP 1167594 AND LOT 7006 DP1057676 KNOWN AS THE JOHN MATTHEWS SPORTING COMPLEX	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	REQUEST FOR FINANCIAL ASSISTANCE - BATHURST GUN CLUB INC.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	ENDORSEMENT OF REQUEST FORM FOR SECTION 88B INSTRUMENT AFFECTING LOT 706 DP1103109 AT 19 IRVING PLACE ROBIN HILL	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	CONTRACT FOR E-WASTE COLLECTION AND RECYCLING	410A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the

		public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED TRANSFER OF CROWN ROAD, LANE OFF BROWNING 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	PROPOSED SALE OF LOTS 9 AND 10 DP720620 ALPHA STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	ANNUAL TENDER - HIRE OF TRUCKS / WATERCARTS	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	ANNUAL TENDER - HIRE OF PLANT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

		position of the person who supplied it.
7	PROPOSED EASEMENT TO DRAIN WATER 6.095 WIDE, LOT 1 DP249051 AND LOT 158 DP1119351, 158 BRILLIANT 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.
8	PROPOSED COMPULSORY ACQUISITION OF SUNNY CORNER WASTE MANAGEMENT CENTRE, LOT 78 DP1079915, WEST MITCHELL ROAD, SUNNY CORNER	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 CONFIDENTIAL MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 NOVEMBER 2013

MINUTE

a Item 1 BATHURST EISTEDDFOD SOCIETY INC - FINANCIAL SUPPORT
(18.00141)

MOVED: Cr M Coote SECONDED: Cr G Westman

That the information be noted.

MINUTE

b Item 2 PURCHASE OF PROPERTY - LOT 13 DP259022 LOCATED AT 2 SCHOFIELD WAY KELSO (22.04962)

MOVED: Cr W Aubin SECONDED: Cr M Coote

That Council authorise the General Manager to

- (a) enter into negotiations to purchase Lot 13 DP259022 known as 2 Schofield Way Kelso in accordance with the report, and.
- (b) the property is to be classified as operational under the provisions of Section 31(2) of the Local Government Act 1993.

MINUTE

**c Item 3 PURCHASE OF COMMERCIAL SITE IN HOWICK STREET BATHURST
(22.02141)**

MOVED: Cr M Coote SECONDED: Cr W Aubin

That Council act in the accordance with the report.

MINUTE

**d Item 4 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST CITY
COMMUNITY CLUB (22.01429)**

MOVED: Cr M Coote SECONDED: Cr W Aubin

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

Reason: Member of Club

That Council not agree to assist the Bathurst City Community Club (BCCC).

MINUTE

e Item 5 MOUNT PANORAMA CAPITAL IMPROVEMENT WORKS FUNDING BRIEF (18.00271)

MOVED: Cr G Westman SECONDED: Cr M Coote

That Council endorse actions of the General Manager in submitting a Capital Improvement Works Funding Brief to the Local Member.

MINUTE

f Item 6 RENEWAL OF LEASE - BATHURST MINIATURE RAILWAY SOCIETY - PART LOT 1 DP 1167594 AND LOT 7006 DP1057676 KNOWN AS THE JOHN MATTHEWS SPORTING COMPLEX (04.00013)
MOVED: Cr M Coote SECONDED: Cr I North

That Council approves entering into a new licence agreement with the Bathurst Miniature Railway Society for part Lot 1 DP1167594 and Lot 7006 DP1057676 located on Durham Street, Bathurst and known as the John Matthews Sporting Complex for a period of four (4) years as detailed in the report.

MINUTE

g Item 7 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST GUN CLUB INC. (18.00004-27)

MOVED: Cr B Bourke SECONDED: Cr I North

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

Reason: Member and Sponsor of Club.

That Council:

- (a) grant a loan of \$12,000 at the applicable interest rate
- (b) fund \$12,000 from the Parks Reserve to assist with the construction of new amenities at the Bathurst Gun Club.

DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

20 NOVEMBER 2013

MINUTE

**h Item 1 ENDORSEMENT OF REQUEST FORM FOR SECTION 88B
INSTRUMENT AFFECTING LOT 706 DP1103109 AT 19 IRVING PLACE ROBIN HILL
(2012/0461-02)**

MOVED: Cr M Coote SECONDED: Cr W Aubin

That Council approve endorsement by the General Manager of a Request form for an amendment to the Section 88B Instrument in DP1103109 affecting Lot 706 being 19 Irving Place, Robin Hill, as detailed in the Director Engineering Services' report.

MINUTE

- i **Item 2 CONTRACT FOR E-WASTE COLLECTION AND RECYCLING (14.00007)**
MOVED: Cr I North SECONDED: Cr M Morse

That Council authorises the General Manager to sign the contract.

MINUTE

j Item 3 PROPOSED TRANSFER OF CROWN ROAD, LANE OFF BROWNING STREET BATHURST (25.00062)

MOVED: Cr W Aubin SECONDED: Cr M Morse

That Council resolve to make application to the Crown for the transfer of the Crown public road located off Browning Street, Bathurst, to Council's ownership, as detailed in the Director Engineering Services' report.

MINUTE

**k Item 4 PROPOSED SALE OF LOTS 9 AND 10 DP720620 ALPHA STREET
BATHURST (22.12795)**

MOVED: Cr B Bourke SECONDED: Cr G Westman

That Council approve the sale of Lots 9 and 10 DP720620 Alpha Street Bathurst, as detailed in the Director Engineering Services' Report.

MINUTE

I Item 5 ANNUAL TENDER - HIRE OF TRUCKS / WATERCARTS (36.00498)
MOVED: Cr G Westman SECONDED: Cr M Coote

That Council accept the Tenders for Hire of Trucks / Watercarts, as listed in the Director Engineering Services' Report, subject to the submission of complete particulars required by the documents, and in accordance with the General Conditions for the Hire of Trucks / Watercarts for casual hire of tip trucks during 2014.

MINUTE

m Item 6 ANNUAL TENDER - HIRE OF PLANT (36.00462)
MOVED: Cr G Westman SECONDED: Cr W Aubin

That Council accept the tenders for the Hire of Plant for 2014, as listed in the Director Engineering Services' report, subject to submission of complete information being supplied for casual hire, and in accordance with the General Conditions for the Hire of Plant.

MINUTE

**n Item 7 PROPOSED EASEMENT TO DRAIN WATER 6.095 WIDE, LOT 1
DP249051 AND LOT 158 DP1119351, 158 BRILLIANT STREET, BATHURST (22.03059)
MOVED: Cr I North SECONDED: Cr M Coote**

That Council resolve to create a proposed easement to drain water 6.095 wide within Charles Sturt University properties Lot 1 DP249051 and Lot 158 DP1119351 located at 158 Brilliant Street, Bathurst as detailed in the Director Engineering Services report.

MINUTE

o Item 8 PROPOSED COMPULSORY ACQUISITION OF SUNNY CORNER WASTE MANAGEMENT CENTRE, LOT 78 DP1079915, WEST MITCHELL ROAD, SUNNY CORNER (14.00077-02)

MOVED: Cr M Morse SECONDED: Cr I North

That Council:

- (a) Make application to the Minister and/or the Governor to compulsorily acquire Crown Land located at Lot 78 DP1079915, West Mitchell Road, Sunny Corner for the purpose of a waste management centre;
- (b) The acquisition be through the provision of the Local Government Act 1993 Section 186 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991; and
- (c) The application be minerals exempt and the acquired land be classified as Operational land, as detailed in the Director Engineering Services' report.

MINUTE

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

RESOLVED: That Council resume Open Council.

MINUTE

48 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
MOVED: Cr M Coote SECONDED: Cr W Aubin

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

MINUTE

49 MEETING CLOSE

The Meeting closed at 8.25 pm.

CHAIRMAN: _____

Date: _____ **(11 December 2013)**