



ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL

29 January 2014

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 5 February 2014**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 5 February 2014 commencing at 6.00 pm.

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

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, 5 FEBRUARY 2014**

**1. 6:00 PM - MEETING COMMENCES**

**2. PUBLIC QUESTION TIME**

**3. PRAYER**

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

**4. APOLOGIES**

**5. MINUTES**

\* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 11 DECEMBER 2013

\* MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 16 DECEMBER 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 - 4 DECEMBER 2013

**10. NOTICES OF MOTION - Nil**

**11. RESCISSION MOTIONS - Nil**

## 12. DELEGATES REPORTS

- \* REPORT - CENTROC BOARD MEETING - 28 NOVEMBER 2013
- \* MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 12 NOVEMBER 2013
- \* MINUTES - AUSTRALIA DAY WORKING PARTY - 21 JANUARY 2014

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

**Recommendation:** That:

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

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

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	LAND RELEASE -AVONLEA STAGE 9 RESIDENTIAL SUBDIVISION - FREEMAN CIRCUIT AND COACHWORKS WAY,	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council

	BATHURST	is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
2	PURCHASE OF COMMERCIAL SITE IN 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.

**\* DIRECTOR ENGINEERING SERVICES' REPORT**

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

3	PROPOSED ROAD WIDENING, LOT 1 DP1192034, 3035 HILL END ROAD, CRUDINE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED ROAD WIDENING, LOT 2 DP1192034, 941 HILL END ROAD, CRUDINE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	PROPOSED ROAD WIDENING, LOT 3 DP1192034, 660 HILL END ROAD, CRUDINE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	PROPOSED COMPULSORY ACQUISITION OF LOTS 7315 AND 7316 DP1161585, SEWERAGE TREATMENT WORKS, MORRISSET STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**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, Jennings, Morse, North, Westman.

## MINUTE

### 2 PUBLIC QUESTION TIME

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

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

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

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

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

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

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

#### **B Trimming** – Ratepayer

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

#### **P Dowling** – Ratepayer

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

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

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



**MINUTE**

**3     APOLOGIES**

Nil

**MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

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

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

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held 11 December 2013, are attached.

**Financial Implications:** N/A

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

I 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**  
**- 11 DECEMBER 2013 (11.00005)**

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

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

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

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

**Report:** The Minutes of the Extraordinary Meeting held on 16 December 2013, are attached.

**Financial Implications:** N/A

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

I 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 - 16 DECEMBER 2013 (11.00005)**

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

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

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
HELD ON 11 DECEMBER 2013**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**2 MINUTE SILENCE**

**The Mayor** observed a minute silence to honour the passing of former Mayor and long term Councillor, Mr Les Wardman.

**PUBLIC QUESTION TIME**

**3 PUBLIC QUESTION TIME**

**L Lucano - Formula 1 Event** -spoke to proposal. Has spoken to Broadcasters who will do a live broadcast in 2015, story has also made community radio in England. Spoke to V8 Gala awards night, did Cr Aubin raise F1 matter with V8's?

**The Mayor** spoke to awards and Cr Aubin's attendance. Noted Bathurst won the Event of the year. No position from V8's on F1.

**B Trimming - ratepayer**

- **Vegetation Links** - request on behalf of M. Hollis - could vegetation links near Willow Tree Drive and Ilumba Drive be attended to, as works have been a bit rough.
- **DA 2013/0323 - DEPBS #5** - concern at car parking spaces available, in particular disability spaces. Should the proponents provide 3 spaces? Concern at traffic volumes and whether figures "gel", there will be a backlog of vehicles. Supported recommendation.

**The Acting Director Environmental, Planning & Building Services** spoke to procedures concerning multiple tenancy sites and car space requirements.

**G Crisp - ratepayer**

- Item DCSF #8 - why did the Director Corporate Services & Finance misrepresent his submission? Spoke to Section 356 of the Local Government Act.

**The General Manager** noted a copy of submission is in the Business Paper for Councillors to read.

- Appointment of Auditors - why was this not reported to Council?

**The General Manager** advised that he believed the matter went to June or July 2013 meeting.

- Aquatic Centre - spoke to advertising concerning this facility when set up by Council.
- Section 601 Local Government Act - spoke to levying of charges and legality thereof.
- Water Supply Service Charges - spoke to payments by ratepayers to water fund and whether this is valid.

## APOLOGIES

### 4 APOLOGIES

Nil

## MINUTES

### 5 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 NOVEMBER 2013 (11.00005) MOVED Cr I North and SECONDED Cr W Aubin

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

## DECLARATION OF INTEREST

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

David Sherley - General Manager  
Item #1 of the Confidential Mayoral Minute.

## RECEIVE AND DEAL WITH DIRECTORS' REPORTS

### Director Environmental Planning & Building Services' Report

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This is page 2 of Minutes (Minute Book Folio 11671) of the Ordinary Meeting of Council held on 11 December 2013.



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

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

- 8** **Item 2 GENERAL REPORT (03.00053)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

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

- 9** **Item 3 NAMING OF PUBLIC ROADS – PRESS COURT, BYRNE CLOSE AND O’FARRELL PLACE (20.00024)**  
**MOVED** Cr M Morse and **SECONDED** Cr G Hanger

**RESOLVED:** That Council:

- (a) adopt the names Press Court, Byrne Close and O’Farrell Place; and
- (b) direct the Director Environmental, Planning & Building Services to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

- 10** **Item 4 DEVELOPMENT APPLICATION NO. 2013/0438 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 443 & 461 DURAMANA ROAD, DURAMANA. APPLICANT & OWNER: MRS T HOOPER (DA/2013/0438)**  
**MOVED** Cr M Coote and **SECONDED** Cr W Aubin

**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 82;
- (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 82;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0438, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

**11**      **Item 5 DEVELOPMENT APPLICATION NO. 2013/0323 – USE OF EXISTING COMMERCIAL PREMISES AS A DRIVE THROUGH TAKEAWAY FOOD OUTLET AT 52 DURHAM STREET, BATHURST. APPLICANT: C RIDGE. OWNER: RUCE PTY LTD (DA/2013/0323)**

**MOVED** Cr B Bourke

and **SECONDED** Cr I North

**RESOLVED:** That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0323, subject to conditions, able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended.
- (b) call a division.

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

**The result of the division was:**

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

Against the motion - Cr W Aubin, Cr G Hanger, Cr M Morse,

Absent - Nil

Abstain - Nil

**12**      **Item 6 DEVELOPMENT APPLICATION NO. 2013/0408 – DEMOLITION OF DWELLING AT LOT 9 DP 758065, 265 LAMBERT STREET, BATHURST. APPLICANT: MR P THEOBALD. OWNER: MRS J THEOBALD (DA/2013/0408)**

**MOVED** Cr B Bourke

and **SECONDED** Cr I North

**RESOLVED:** That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0408, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
  1. Any archaeological remains discovered during the demolition are reported to Heritage Branch, Department of Planning and to Council.
  2. Any development involving non-friable asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in

accordance with a licence under Part 8.10 of the Work Health and Safety Regulation 2011.

(b) call a division.

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

**13** **Item 7 DEVELOPMENT APPLICATION NO. 2013/0333 – DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 20 ROOM BOARDING HOUSE AT 94 HAVANNAH STREET. APPLICANT: HAVANNAH ST PTY LTD. OWNER: L TAYLOR (DA/2013/0333)**

**MOVED** Cr M Coote

and **SECONDED** Cr B Bourke

**RESOLVED:** That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0333, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
1. The external materials to be used in the proposed development are to complement those used on the existing building. The submission of a letter or a report, rendered drawings, manufacturer's brochures and/or samples sufficient to detail the types and colours of the external materials to be used in the construction are to be approved by Council.
  2. Any archaeological remains discovered during the demolition are reported to Heritage Branch, Department of Planning and to Council.
  3. Prior to the issue of the construction certificate the developer is to submit to Council a Construction Management Plan which includes (but is not limited to) the following:
    - a) Traffic management, including:
      - i) Loading, unloading area and material storage areas;
      - ii) Access to adjoining properties; and
      - iii) Parking areas (for construction workers and surrounding properties);
    - b) Noise;
    - c) Dust;
    - d) Stabilisation and monitoring of adjoining buildings;
    - e) Vibration; and
    - f) Proposed methods of communication, including:
      - i) Communication with adjoining property owners;
      - ii) Communication with the general public; and

- iii) Complaints management.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

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

**The result of the division was:**

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

**Against the motion** - Nil

**Absent** - Nil

**Abstain** - Nil

**14** **Item 8 GREATER CENTRAL WEST REGIONAL STATE OF ENVIRONMENT REPORT (13.00004)**

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

**RESOLVED:** That Council:

- (a) note that the 2013 Regional Snapshot State of the Environment Report has been completed;
- (b) note that the 2013 Regional Snapshot State of the Environment Report will be placed on Bathurst Regional Council's Website.

**15** **Item 9 COMPANION ANIMALS AMENDMENT ACT 2013 (02.00006)**

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

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

**16** **Item 10 CAR PARKING LICENCE AGREEMENT WITH THE TRUST COMPANY LIMITED (STOCKLAND BATHURST) (22.00046)**

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

**RESOLVED:** That Council:

- (a) agree to enter into a Car Parking License Agreement with The Trust Company Limited (Stockland Bathurst) for a period of five (5) years; and
- (b) delegate authority to the General Manager to sign the agreement on behalf of Bathurst Regional Council.

**17** **Item 11 BATHURST RAILWAY PRECINCT (22.00159)**

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

**RESOLVED:** The the report be noted.

- 18** **Item 12 MAYORAL WELCOME WAGON RECEPTION (20.00020)**  
**MOVED** Cr G Hanger and **SECONDED** Cr I North

**RESOLVED:** That Council note the information and continue to partner with the Business Chamber and the Bathurst Information & Neighbourhood Centre to deliver the Mayoral Welcome Wagon Reception throughout 2014.

- 19** **Item 13 FREE BUSINESS MANAGEMENT WORKSHOPS (20.00071)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Coote

**RESOLVED:** That Council note the information and continues to offer free Business Management Workshops throughout 2014.

- 20** **Item 14 TAFE BUILDINGS - 83 WILLIAM STREET, BATHURST (22.01387)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

**RESOLVED:** That Council advise the Department of Education & Communities that it agrees to the inclusion of a 10 year sunset clause on the profit-share arrangement.

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

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

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

- 22** **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.

- 23** **Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)**  
**MOVED** Cr B Bourke and **SECONDED** Cr M Coote

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

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

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

- 25** **Item 5 BATHURST REGIONAL COUNCIL PICNIC DAY (07.00046)**  
**MOVED** Cr I North and **SECONDED** Cr M Coote

**RESOLVED:** That Council designate Friday 21 February 2014 as the Picnic Day holiday.

- 26** **Item 6 REQUEST FOR FINANCIAL ASSISTANCE - 2014 NAB BLAYNEY TO BATHURST (B2B) CYCLO SPORTIF CHALLENGE (23.00128)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

**RESOLVED:** That Council:

- (a) continue to support the NAB B2B Cyclo Sportif Challenge for a further 3 years (2014, 2015 and 2016) based on the current costs (approximately \$8,500 per annum) as outlined in the report, to be funded from Mount Panorama Fee Subsidy.
- (b) enter into a Memorandum of Understanding (MOU) with the Rotary Club of Bathurst Daybreak Inc to formalise the arrangement between Bathurst Regional Council and Rotary Club of Bathurst Daybreak Inc for financial support to the NAB B2B Cyclo Sportif Challenge.

- 27** **Item 7 SISTER CITY DELEGATION TO OHKUMA - 2014 (23.00011)**  
**MOVED** Cr M Coote and **SECONDED** Cr W Aubin

**RESOLVED:** That Council:

- (a) decide dates for the proposed Ohkuma delegation
- (b) authorise the General Manager to appoint a travel agent and commence preparations
- (c) authorise the Deputy Mayor to attend as an additional Council delegate.

- 28** **Item 8 SIMPLOT AUSTRALIA PTY LTD (22.01698.04)**  
**MOVED** Cr M Morse and **SECONDED** Cr J Jennings

**RESOLVED:** That Council, following consideration of submissions received, confirm its previous decision to:

- (a) enter into a written agreement with Simplot Australia Pty Ltd for water saving







The Somerville Collection:

- i. Income tax exemption, effective 10 October 2013;
- ii. GST concessions, effective 10 October 2013; and
- iii. FBT rebate, effective 10 October 2013.

**38 Item 5 BATHURST FAMILY DAY CARE - RECRUITMENT OF PROSPECTIVE EDUCATORS (09.00008)**

**MOVED** Cr M Coote

and **SECONDED** Cr B Bourke

**RESOLVED:** That Council:

- (a) Acknowledge the changes to legislation that reduce the staffing ratios for children and educators involved with Bathurst Family Day Care.
- (b) Continue to support the strategy of Bathurst Family Day Care to increase Educators and hence places available within the Bathurst Family Day Care Scheme.

**39 Item 6 BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) - GRANT FUNDING FOR PROJECTS (21.00060)**

**MOVED** Cr J Jennings

and **SECONDED** Cr M Coote

**RESOLVED:** That Council accepts Regional Arts Funding of:

- (a) \$24,660 for "If There Was a Colour Darker Than Black I would Wear It".
- (b) \$10,000 for the Central West Short Play Festival.

**40 Item 7 2013/2014 RURAL VILLAGE IMPROVEMENT PROGRAM (16.00104)**

**MOVED** Cr I North

and **SECONDED** Cr B Bourke

**RESOLVED:** That Council distribute the 2013/2014 Rural Village Improvement Program funding as follows:

	APPLICANT ORGANISATION	PROJECT SUMMARY	APPLICATION AMOUNT
1	Hill End & Tambaroora Progress Association Inc	Two (2) lockable storage cupboards for use in Royal Hall.	\$1,425
2	Rockley & District Community Association	<ul style="list-style-type: none"> <li>• Soup bowls, soup spoons, soup kettles</li> <li>• Microwave Oven</li> </ul>	\$712.50
3	Rockley Sports & Recreation Association	<ul style="list-style-type: none"> <li>• Repair or replace air conditioner in meeting room.</li> <li>• Replace damaged/stained hand basins in toilets.</li> </ul>	\$712.50
4	Sofala and District Agricultural & Horticultural Show Society Inc	<ul style="list-style-type: none"> <li>• Security screens for craft section for adults.</li> <li>• Upgrade children's craft section.</li> <li>• Upgrade photography section.</li> </ul>	\$712.50
5	Sofala Progress Association Inc	<ul style="list-style-type: none"> <li>• Handrails on ramp leading to</li> </ul>	\$712.50

		back street and composting toilets. <ul style="list-style-type: none"> <li>New sign in Joyce Pearce Memorial Park to promote village.</li> </ul>	
6	Sunny Corner & District Progress Association Inc	Upgrade of toilets and shelter at Sunny Corner Recreation Ground, including materials and hardware.	\$1,425
7	Trunkey Creek Progress Association	Replacement of double door fridge in kitchen at Community Hall.	\$1,425
8	Wattle Flat Heritage Lands Trust	Plinth to affix bronze plaque at top of Kate's Hill in northern section of Heritage Lands.	\$712.50
9	Wattle Flat Progress Association	Purchase new tables and chairs for Wattle Flat racecourse for community use.	\$712.50
10	Yetholme Progress Association	<ul style="list-style-type: none"> <li>Solar sensor light for Hall entrance.</li> <li>External speakers, to be installed under eaves for Hall for outdoor functions.</li> <li>Portable PA system.</li> <li>Improve drainage of waste water from kitchen.</li> </ul>	\$1,425
<b>TOTAL AMOUNT</b>			<b>\$9,975.00</b>

**41**

**Item 8 CHIFLEY HOME AND EDUCATION CENTRE & CHARLES STURT UNIVERSITY - LEARNING AND TEACHING IN PUBLIC SPACES - DISTANT CONNECTIONS EXHIBITION (21.00113)**

**MOVED** Cr W Aubin

and **SECONDED** Cr G Westman

**RESOLVED:** That Council:

- (a) Recognise the success of the Office of Learning and Teaching "Learning and Teaching in Public Spaces 2011-2013" collaboration between Council (Chifley Home and Education Centre) and Charles Sturt University (Faculty of Education).
- (b) Continue to support this collaboration into the future.
- (c) Congratulate Charles Sturt University Visual Arts Students, Faculty of Education staff together with Council staff on the standard and quality of the exhibition "Distant Connections".
- (d) Refer for consideration to future budgets an allocation of \$10,000 - \$12,000 per annum for the Chifley Home and Education Centre & Charles Sturt University - Learning and Teaching in Public Spaces Program.

**42**

**Item 9 BATHURST REGIONAL YOUTH COUNCIL - SUMMERSAULT- ROLL INTO SUMMER, SATURDAY 30 NOVEMBER 2013 (11.00020)**

**MOVED** Cr M Coote

and **SECONDED** Cr B Bourke

**RESOLVED:** That the Bathurst Regional Youth Council be congratulated on the success of "Summersault-Roll into Summer" event staged at Machattie Park.





	STAFF UNIFORMS	confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PURCHASE OF 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.

**\* Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR DESIGN AND INSTALLATION OF TELEMETRY SYSTEM	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	ANNUAL TENDER - SUPPLY AND DELIVERY OF STORMWATER DRAINAGE PIPES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

3	ANNUAL TENDER - SUPPLY AND DELIVERY OF FILLING SAND	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	ANNUAL TENDER - SUPPLY AND DELIVERY OF TOPSOIL	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 - SUPPLY AND DELIVERY OF CONCRETE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	TENDER - DEBRIS FENCING AT MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

\*

**Mayoral  
Minute**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	GENERAL MANAGER'S APPRAISAL	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.

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

- a** **Item 1 RENEWAL OF LICENCE AGREEMENT - PART LOT 11 DP851096 - MACHATTIE PARK COTTAGE - MITCHELL CONSERVATORIUM INC (04.00012)**  
**MOVED** Cr I North and **SECONDED** Cr M Coote

**RESOLVED:** That Council approves entering into a new licence agreement for Part Lot 11 DP851096 known as Machattie Park Cottage with the Mitchell Conservatorium Inc. for a period of two (2) years with an option period of two (2) years at a licence fee of \$422.00 pa (GST inclusive) plus annual CPI adjustments.

- b** **Item 2 PROPOSED SALE OF COUNCIL LAND PART LOT 162 DP1125026 CARDIFF PLACE, INDUSTRIAL ESTATE, KELSO (22.09734)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Coote

**RESOLVED:** That Council

- (a) approves the sale of part Lot 162 DP1125026 Cardiff Place, Kelso Industrial Park to Mr Lewis Dunn at the purchase price of \$59m<sup>2</sup> (GST inclusive) as detailed in the report
- (b) if Mr Dunn declines the offer to purchase then Council enforce the conditions for remediation of the council land as outlined in the report.

- c** **Item 3 EXPRESSIONS OF INTEREST - SUPPLY OF STAFF UNIFORMS (36.00378)**  
**MOVED** Cr M Coote and **SECONDED** Cr B Bourke

**RESOLVED:** That Council award the contract for the supply of non-compulsory casual/corporate staff uniform to Orange Clothing Company.

- d** **Item 4 PURCHASE OF COMMERCIAL SITE IN HOWICK STREET BATHURST (22.02141)**  
**MOVED** Cr B Bourke and **SECONDED** Cr M Coote

**RESOLVED:** That Council act in the accordance with the report.

**Director Engineering Services' Report**

- e** **Item 1 TENDER FOR DESIGN AND INSTALLATION OF TELEMETRY SYSTEM (36.00499)**  
**MOVED** Cr G Westman and **SECONDED** Cr I North

**RESOLVED:** That Council accept the tender of 360 Engineering Pty Ltd, in the amount of \$825,687 (inclusive GST) for the design and installation of a telemetry system for water and wastewater, subject to adjustments and provisional items.

- f** **Item 2 ANNUAL TENDER - SUPPLY AND DELIVERY OF STORMWATER DRAINAGE PIPES (36.00500)**  
**MOVED** Cr G Westman and **SECONDED** Cr J Jennings

**RESOLVED:** That Council:

- (a) decline to accept any tenders for the Supply and Delivery of Stormwater Drainage Pipes, and
- (b) invite, in accordance with Clause 167 "Open Tendering" of the Local Government (General Regulation) 2005, fresh tenders.

- g** **Item 3 ANNUAL TENDER - SUPPLY AND DELIVERY OF FILLING SAND (36.00503)**  
**MOVED** Cr M Morse and **SECONDED** Cr B Bourke

**RESOLVED:** That Council accept the tender from Australian Native Landscapes for the supply of filling sand for 2014.

- h** **Item 4 ANNUAL TENDER - SUPPLY AND DELIVERY OF TOPSOIL (36.00501)**  
**MOVED** Cr M Coote and **SECONDED** Cr J Jennings

**RESOLVED:** That Council accept the tender from Australian Native Landscapes for the supply of topsoil for 2014.

- i** **Item 5 ANNUAL TENDER - SUPPLY AND DELIVERY OF CONCRETE (36.00502)**  
**MOVED** Cr M Morse and **SECONDED** Cr M Coote



**RESOLVED:** That Council:

- (a) decline to accept any tenders for the Supply and Delivery of Concrete, and
- (b) invite, in accordance with Clause 167 "Open Tendering" of the Local Government (General Regulation) 2005, fresh tenders.

**i** **Item 6 TENDER - DEBRIS FENCING AT MOUNT PANORAMA (36.00507)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Coote

**RESOLVED:** That Council accept:

- (a) the tender of Bathurst Welding Works Ltd in the amount of \$81,829 (inc. GST) for Separable Portion A
- (b) the tender of Lumax Engineering Co Pty Ltd in the amount of \$149,721 (inc. GST) for Separable Portion B

for the fabrication of debris fencing for Pit Straight Mount Panorama, subject to adjustments and provisional items.

### **Mayoral Minute**

**k** **Item 1 GENERAL MANAGER'S APPRAISAL (35.01136)**  
**MOVED** Cr G Rush

The General Manager declared a pecuniary interest in this item and left the Chamber.

**Reason: Concerns employment contract.**

**RESOLVED:** That Council note:

- (a) the performance review of the General Manager, which was rated as better than satisfactory;
- (b) that the General Manager's employment package has been set at \$302,658.

### **RESOLVE INTO OPEN COUNCIL**

**49** **RESOLVE INTO OPEN COUNCIL**  
**MOVED** Cr M Morse and **SECONDED** Cr W Aubin

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

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



**MINUTES OF THE EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
HELD ON 16 DECEMBER 2013**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**APOLOGIES**

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

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

**DECLARATION OF INTEREST**

**3 DECLARATION OF INTEREST 11.00002**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

**RESOLVED:** That

- (a) the Special Disclosures of Interest forms from Councillors Rush, Bourke, Hanger, Jennings, Morse, North and Westman be tabled.
- (b) The Special Disclosures of Interest forms be made available for public inspection.

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**4 Item 1 DRAFT BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2014  
AND DRAFT BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014  
(20.00143 & 41.00089)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

**RESOLVED:** That Council:

- (a) forward Bathurst Regional Local Environmental Plan 2014, including those amendments to the plan as outlined in this report and the following additional amendment:
- (i) an additional Schedule 1 use be applied to Lot 462 DP718644 - 215 Rocket Street to permit the use of the land as storage premises,
- to the Department of Planning and Infrastructure pursuant to the Environmental Planning and Assessment Act for gazettal by the Minister for Planning, and
- (b) adopt the Bathurst Regional Development Control Plan 2014, including those amendments to the plan as outlined in this report, and note that the DCP will not come into effect until the Bathurst Regional Local Environmental Plan 2014 is gazetted, and
- (c) upon gazettal of the Bathurst Regional Local Environmental Plan 2014, repeal the following Development Control Plans:
- Bathurst Regional Council DCP – Complying Development;
  - Bathurst Regional Council DCP – Exempt Development; and
  - Bathurst Regional (Interim) DCP 2011, and
- (d) adopt the Bathurst Regional Council Tree Preservation and Management Policy, and note that the Policy will not come into effect until the Bathurst Regional Local Environmental Plan 2014 is gazetted, and
- (e) note that upon gazettal of the Bathurst Regional Local Environmental Plan 2014, the following Plans will be repealed:
- Bathurst Regional (Interim) Local Environmental Plan 2005; and
  - Bathurst Local Environmental Plan 1997 – Classification and Reclassification of Public Land, and
- (f) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act, and
- (g) notify those who made submissions of the decision of Council, and
- (h) 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 B Bourke, Cr G Hanger, Cr I North, Cr G Westman, Cr J Jennings, Cr G Rush,

Against the motion - Nil

Absent - Cr W Aubin, Cr M Morse, Cr M Coote,

Abstain - Nil

**MEETING CLOSE**

**5**      **MEETING CLOSE**

The Meeting closed at 6.04 pm.

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

**Date:** \_\_\_\_\_ **(5 February 2014)**

**MINUTE**

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

Cr Aubin

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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

5 FEBRUARY 2014

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

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

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

**Financial Implications:** Nil.

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

I 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 G Westman SECONDED: Cr M Coote**

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

**Financial Implications:** Nil.

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

- I 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 W Aubin SECONDED: Cr J Jennings**

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

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

**Recommendation:** That Council:

- (a) support the variation to the development standard for car parking provision for commercial premises prescribed in the Bathurst Regional (Interim) Development Control Plan 2011; and
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0445, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
  - 1. An excavation permit under Section 139 and Section 140 of the Heritage Act 1977 is required to be obtained before any excavation work commences on site. Copies of the relevant permits are to be submitted to Council prior to the issue of any Construction Certificate.
  - 2. The submission of a letter or report, rendered drawings, manufacturers brochures and/or samples sufficient to detail the types and colours of the external materials to be used in the construction prior to the issue of any Construction Certificate.
- (c) call a division.

**Report:** The Site

Council has received a Development Application (DA) for partial demolition, additions and alterations to two dwellings, demolition of one dwelling and construction of an inclusion and respite centre and administration building at 10-16 William Street, Bathurst, described as Lots A & B, DP 319256, Lot A, DP 366434 and Lot 1, DP 1101797 (see location plan at **attachment 1**).

The subject site currently contains three single storey dwellings each with its own detached garage.

The proposal

The proposal involves:

- 1. Alterations to the existing dwelling and its use as a respite centre (10 William Street);
- 2. Partial demolition, additions and alterations and its use as a respite cottage (12 William Street); and
- 3. Demolition of dwelling and construction of inclusion centre and administration building (16 William Street).

The site is to be used to support the operations of Interchange Bathurst Inc (Interchange). Interchange is a not for profit Non-Government Organisation that provides respite, recreation and accommodation services to people with disabilities and carers in the Bathurst region.

Interchange currently provides services to approximately 120 families.

As part of these operations 10 and 12 William Street will be used as respite cottages for clients of Interchange.

The new building (16 William Street) will be used as a commercial building to support the operations of Interchange.

A new car park with 9 spaces will be constructed to service the operations of 16 William Street.

(see plan of proposed development at **attachment 2** and Statement of Environmental Effects at **attachment 3**).

## Planning Context

### Local Environmental Plans

#### 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*.

The proposed development is defined as “commercial premises” and as a “group home”. Commercial premises and group homes are permissible with consent in the 2(a) Residential zone. The proposal is consistent with the objectives of the zone.

#### Clause 10 Advertised development

The Development Application was advertised and notified to adjoining property owners in accordance with Clause 10 between 25 November 2013 and 9 December 2013. No submissions were received during the advertising and notification period.

#### Clause 11 Tree preservation order

A tree preservation order applies to the subject site and the proposed development will necessitate the removal of two large trees. These trees are not considered significant. A condition will be imposed to ensure that the provisions of Council’s tree preservation order are observed.

#### Clause 23 Protection of environmental heritage

As the subject site is within the Bathurst Heritage Conservation Area, the proposal was referred to Council’s Heritage Advisor for comment. Council’s Heritage Advisor made the following comments:

- *Of the group of 3 dwellings, only 1 is being demolished while 2 are being retained with only additions occurring at the rear of 12 William Street which helps to retain the existing streetscape.*
- *Generally the infill at 16 William Street looks to be a good addition to the conservation area.*
- *The elevations do have a good scale and bulk and the balconies, gables and window proportion add to the overall visual interest.*
- *The height and the pitch of the roof is generally in keeping with the street and is similar scale to the adjoining property at 20 William Street. However its extra width*

will result in a higher roof plain overall. The roof is sloping back from the road, so that the decorative gables should read more strongly.

- Colours, materials and small details such as contrasting window sills, and heads or bands can come at a later date (CC).
- The front fence is acceptable, modern, but not too solid. There is a mixture of front fence styles along this street and throughout the Bathurst conservation area. The rendered posts are being carried through in the new design.

I therefore recommend approval as the proposal will result in a good infill development that will replace a dwelling that is in overall poor condition partly due to vandalism and is no longer viable to repair or able to be maintained. It is evident that care has been taken in the design process to consider the streetscape and the character of the street and adjoining buildings.

(see full copy of Heritage Advisors report at **attachment 4**).

Draft Bathurst Regional Local Environmental Plan 2014

Under the Draft Bathurst Regional Local Environmental Plan 2014 the subject site will be zoned R1 General Residential. Under this Plan the proposal will be defined as *respite day care centre and group home (transitional)* and will be permissible with consent in the R1 General Residential zone. The proposal is not inconsistent with the objectives of the proposed zone.

Development Control Plan - Bathurst Regional (Interim) Development Control Plan 2011

**Chapter 10 Urban Design & Heritage Conservation**

Bathurst Conservation Area Management Strategy (BCAMS)

In order to assess the conservation significance of the dwelling proposed for demolition at 16 William Street, an assessment under the *Bathurst Conservation Area Management Strategy* (BCAMS) was undertaken in consultation with Council’s Heritage Advisor (see full report at **attachment 5**).

The following table provides a summary of the assessment.

Date of construction	<b>1920s</b>
BCAMS results:	
Integrity	<b>Substantially intact (3)</b>
Streetscape Rating	<b>Contributory (3)</b>
Heritage Significance	<b>Historically significant in a local context (1900-1920s) (3)</b>
Overall Rating (out of 10)	<b>9</b>

Heritage Impact Statement

A detailed Heritage Impact Statement has been prepared in accordance with Section 10.3.3 of the Bathurst Regional (Interim) Development Control Plan 2011 (Heritage Impact Statement at **attachment 6**).

Historical Assessment

An Historical Assessment has been prepared by the Bathurst and District Historical Society. A search of records held by the Historical Society has revealed the following:

*The house at 16 William Street was built in 1925-26 by William Nixon.*

The Historical Assessment is within the Heritage Impact Statement at **attachment 6**).

### Structural Assessment

A Structural Assessment has been carried out by Calare Civil Pty Ltd. The Structural Engineers have noted the following required essential repairs:

- (i) *Repair damaged external timber and eaves;*
- (ii) *Make good roof damage;*
- (iii) *Ensure connection of downpipes to in-ground stormwater system;*
- (iv) *Install damp course;*
- (v) *Install additional sub-floor vents;*
- (vi) *Repair damaged flashing and secure roof iron;*
- (vii) *Repair vandal damaged masonry; and*
- (viii) *Replace damaged floor construction.*

The Structural Engineers have estimated that the cost of these repairs would be in the vicinity of \$165,000 for essential and a further \$75,000 for desirable works. The Structural Assessment is within the Heritage Impact Statement at **attachment 6**).

### Archaeological Permit

The site of the proposed development is located in the Bathurst Heritage Conservation Area.

This particular area is the site of the early government settlement of Bathurst. The early settlement area is concentrated in the lower areas of William, George and Stanley Streets and the Macquarie River, but officially encompasses the city blocks bounded by the Macquarie River, Havannah, Piper and Rankin Streets.

The subject development site includes 3 blocks of land, numbers 10, 12 and 16 William Street. These blocks have been identified as being potentially significant for the government settlement at Bathurst (1815-1840) and were most likely used throughout all stages of the settlement period.

The Archaeological Management Plan conducted for this area identified this section of William street, from Durham Street to Charlotte Street as the location of 3 key sites including 2 cottages, a two storey building and the lumber yard.

The town map from 1833 shows No. 16 William Street as the site of two buildings. The first being a cottage used by a government official and the second being the first 2 story building ever constructed in inland Australia. This building was used as the residence of the Hawkins family and then later the Police and Gaol as Bathurst moved from an agricultural establishment to an administrative and law enforcement role in 1826-27. The lumber yard and watch house adjoined No. 16 to the south-west which is now a women's health centre, a solicitor and a fast food outlet.

These buildings were later demolished. The Historical Assessment records the land as being vacant at 1862. Had the buildings remained they would obviously assume a high level of significance.

That said there is the potential for archaeological relics to be located throughout the area.

A condition will be imposed to ensure that the developer applies for an excavation permit from the NSW Heritage Division under Section 139 and Section 140 of the Heritage Act 1977 and submits a copy of the permit to Council prior to the issue of any Construction Certificate.

### **Conclusion – Heritage Conservation**

Demolition of the dwelling at 16 William Street can be supported for the following reasons:

- The dwelling is in poor condition due to its age and to vandalism;
- The estimated cost of essential repairs is \$165,000 (with an estimated \$75,000 for desirable works);
- The most significant aspect of the site is the likelihood of archaeological relics below the ground which will be largely left in situ for which an excavation permit will be required;
- The proposed infill development is of an appropriate design and scale and has been supported by Council’s Heritage Advisor;
- The dwelling type is not rare but representative (being a 1920s bungalow).

### **Chapter 5 Business and Industrial Development**

<b>Development Standard</b>	<b>Proposed</b>	<b>Permissible</b>	<b>Compliance</b>
Floor area Inclusion/Administration Centre Respite Cottage 1 Respite Cottage 2	524.8m <sup>2</sup> 105.8m <sup>2</sup> 110.9m <sup>2</sup>	N/A N/A N/A	N/A N/A N/A
Setbacks Front Rear Side	1.925m 2.31m 0.3m	Consistent with existing As per BCA As per BCA	Yes Yes Yes
Floor space ratio	0.5:1	2:1	Yes
Height	Single storey	Two storeys	Yes
Car parking - commercial premises	9	1 per 50m <sup>2</sup> (total 10)	No <sup>1</sup>
Bicycle Parking	Racks provided	Yes	Yes
Accessway Width	6m	6m	Yes
12.5m vehicle manoeuvring	Not required	Yes	N/R
Landscaping	Yes	Yes	Yes
Appropriate signage	Yes	Yes	Yes <sup>2</sup>

<sup>1</sup> A minor variation to the development standard for car park provision (1 space) for commercial premises is sought for the following reasons:

- A high number of clients are picked up from home in one of two people mover vans operated by Interchange;
- The site is within close proximity of the Elizabeth Street car park which is currently underutilised;
- On-street parking is regularly available in lower William Street and operating hours will generally not coincide with those of the Bathurst Community Club on the



- opposite side of William Street;
  - The proposal retains and incorporates two existing cottages which if demolished would have provided the additional parking required.
- <sup>2</sup> A condition will be imposed to ensure that a further Development Application is lodged for any advertising signage not exempt under Clause 16 of the Bathurst Regional (Interim) Local Environmental Plan 2005.

### Submissions

The Development Application was advertised and notified to adjoining property owners in accordance with Clause 10 between 25 November 2013 and 9 December 2013. No submissions were received during the advertising and notification period.

### Conclusion

Council has received a Development Application for partial demolition, additions and alterations to two dwellings and demolition of one dwelling and construction of Inclusion & respite centre and administration building at 10-16 William Street, Bathurst. The subject site currently contains three single storey dwellings each with its own detached garage. The proposal involves; alterations for use as respite cottage (10 William Street); partial demolition, additions and alterations for use as respite cottage (12 William Street); and demolition and construction of inclusion centre and administration building (16 William Street). Council's Heritage Advisor supports the proposed demolition and the proposed infill development. Approval is recommended for the reasons outlined in this report.

**Financial Implications:** Nil.

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

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

## MINUTE

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

**RESOLVED:** That Council:

- (a) support the variation to the development standard for car parking provision for commercial premises prescribed in the Bathurst Regional (Interim) Development Control Plan 2011; and
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2013/0445, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
  - 1. An excavation permit under Section 139 and Section 140 of the Heritage Act 1977 is required to be obtained before any excavation work commences on site. Copies of the relevant permits are to be submitted to Council prior to the issue of any Construction Certificate.
  - 2. The submission of a letter or report, rendered drawings, manufacturers brochures and/or samples sufficient to detail the types and colours of the external materials to be used in the construction prior to the issue of any Construction Certificate.
- (c) call a division.

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

**The result of the division was:**

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

#### **4 THE GOVERNMENT SETTLEMENT AT BATHURST, NSW (1815-1840) ARCHAEOLOGICAL MANAGEMENT PLAN (20.00242)**

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

**Report:** Council engaged Higginbotham and Associates to prepare an archaeological management plan for the government settlement area of the City of Bathurst from 1815-1840. The archaeological management plan (AMP) has now been completed. The executive summary from this report is at **attachment 1**.

Bathurst is the first European settlement west of the Blue Mountains, established 27 years after the founding of the colony of New South Wales. The archaeological sites associated with the government settlement of Bathurst represent evidence of the earliest European structures in inland Australia.

The plan describes the archaeological sites and institutions of the Bathurst Government Settlement from 1815-1840. It assesses their significance and makes recommendations for their conservation and management as highly significant archaeological sites. A map of the study area showing the key sites is at **attachment 2**.

The AMP also investigated opportunities for the interpretation and display of the sites associated with the government settlement in an interpretation plan. This plan has been developed in consultation with a working party of community members and Council staff.

Since all the sites associated with the Government Settlement at Bathurst are below ground, except Old Government Cottage which is possibly the Tanner's cottage built 1826, the cultural significance of the area is largely hidden from view. The AMP suggests that the importance of this area can be promoted through interpretation and display (signs, brochures, trails, artwork) and through archaeological investigations (digs). By identifying these sites, Council is in a much better position to manage them and their stories. Through understanding comes protection, which then helps contribute to the community's understanding of the history of Bathurst's European heritage. This is particularly important as the city moves towards its bicentenary celebrations in 2015.

Some of the key recommendations of the study were:

- All the sites in this study are potentially state significant and have been assessed with either minor or part disturbance. If they survive in good condition they are likely to make a contribution to our knowledge of the settlement of inland Australia by the Europeans.
- The sites of the government settlement at Bathurst should be listed as individual heritage items to provide them with statutory protection.
- The Government Depot/Commissariat Store located in Macquarie Park stands out as the most suitable site for a program of research archaeological investigation, leading to conservation in situ, interpretation and display, education and cultural tourism.
- If an archaeological research dig was undertaken, it would be best to complete the investigation over a three year period.
- Both the Military Barracks, located at the Bathurst City Bowling Club and Old Government Cottage would be ideal places for housing artefacts and interpretation and display. The opportunities for archaeological investigation are limited at these sites as they lie beneath existing buildings.
- Development applications for sites within the Government Settlement should include a condition requiring an application for an excavation permit under s.140 of the Heritage Act.
- Where the disturbance associated with a development is assessed as minor, it is

possible for the applicant to apply for a permit exception under s.139(4) of the Heritage Act. The NSW Heritage Division will be the authority to determine in most cases what constitutes a minor disturbance.

- Advice should be given to property owners and developers about minimising the extent of disturbance at these sites and therefore reduce the cost of archaeological investigation.
- A tour of the identified sites should be developed and made publicly accessible through information including a map of the known sites.
- Provision should be made for co-operative interpretation at relevant sites including the Bathurst City Community Club, Bathurst City Library and Old Government Cottage and other sites where appropriate.

It is proposed that the plan now be placed on Council's website. The plan including the interpretation plan will be used to begin an interpretation program with the working party, starting first with interpretation signs and displays at some of the key sites of the area.

Council has been successful in obtaining a Federal Government grant for implementing aspects of the interpretation plan. Council staff will also investigate relevant changes to Council's LEP and DCP to provide appropriate statutory protection to these archaeologically sensitive sites.

**Financial Implications:** The archaeological management plan was completed within existing budgets.

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

- |  |                                  |
|--|----------------------------------|
| I Objective 11: To protect the region's unique heritage and history. To protect a unique identity. | Strategy 11.5, 11.6, 11.9, 11.10 |
| I Objective 33: To be and develop good leaders.  | Strategy 33.6                    |

**MINUTE**

**10 Item 4 THE GOVERNMENT SETTLEMENT AT BATHURST, NSW (1815-1840)**  
**ARCHAEOLOGICAL MANAGEMENT PLAN (20.00242)**

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

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

## **5 BOARDING HOUSE INSPECTION AND REGULATION (02.00005) 41.00088**

**Recommendation:** That Council:

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

**Report:** Following gazettal of the Boarding Houses Act Council now has responsibility for the inspection and regulation of registered Boarding Houses.

In order to give effect to the Act it is necessary to delegate the powers to exercise the authority under the Act to Council's General Manager. This includes exercising powers of entry and issuing Orders requiring works to be undertaken to bring the premises in line with adopted standards.

These powers are to be sub delegated to staff within the Department of Environmental, Planning & Building Services section who will be responsible for undertaking inspections as and when required.

It is also noted that the Act allows Councils to charge a fee for these inspections although the amount is at Council's discretion. For the purposes of consistency it is proposed to adopt the same fee structure as currently applies to food premises inspections being \$85 for the 1st half hour and \$30 for each 15 minutes thereafter. This will allow for variations to the size of premises, the complexity of inspections and number of inspections required.

**Financial Implications:** A fee for service will be charged and make these inspections revenue neutral.

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

- |   |                |
|---|----------------|
| I Objective 22: To improve community safety.  | Strategy 22.11 |
| I Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. | Strategy 29.8  |

**MINUTE**

**11 Item 5 BOARDING HOUSE INSPECTION AND REGULATION (02.00005, 41.00088)**

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

**RESOLVED:** That Council:

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

## **6 MOBILE PARKING ENFORCEMENT (28.00006)**

**Recommendation:** That Council:

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

**Report:** Enforcement of parking restrictions throughout the Bathurst CBD is currently undertaken by two Council Parking Rangers using chalk marking and issuing of hand written Penalty Infringement Notices (PINs). There are a number of limitations and inefficiencies associated with these procedures, including:

- Foot patrols with chalk marking limits the number of times areas can be monitored on any given day and therefore parking turnover is not optimised. (Note that the CBD Parking Strategy 2013 identified the need to increase parking patrols in some locations);
- Paper PINs take 2-3 minutes to write, plus time to collect photographic evidence and write contemporaneous notes;
- Chalk marking is inefficient due to:
  - The amount of time it takes.
  - It is subject to abuse eg rubbing off marks.
  - Chalk marks are lost during wet weather.
- WH&S considerations
  - Chalk marking involves repetitive actions.
  - Officers are exposed to threats and abuse .
  - Walking on the roadway between cars which are potentially moving is hazardous.

In order to overcome these limitations and inefficiencies three options were considered at a Council Working Party held on 24 July 2013. These were:

- Installation of parking meters.
- Installation of Sensors/Pods in the road surface.
- Licence Plate Recognition (LPR) technology and mobile parking patrol.

From the Working Party it was determined that the most efficient and cost effective option was to pursue mobile parking enforcement utilising Licence Plate Recognition.

LPR operates via a camera mounted on the left hand side of the vehicle. It takes five photographs of each vehicle and works with both parallel and angle parking. It requires two staff to operate – one driver and one system operator. A computer is mounted in the rear of the vehicle which connects via wireless technology to the electronic hand held devices. PINs are printed from the handheld device. LPR is not impacted by wet weather or low light.

The 2013-14 Operating Plan adopted by Council included a \$102,500 allocation for the introduction of LPR including the purchase of software, the purchase of hand held devices and the purchase of a patrol vehicle.

Council sought competitive quotes from companies offering LPR technology in Australia and awarded the project to Database Consultants Australia. The equipment will be leased from Equitech at an annual cost of \$44,737 with a three year lease term.

Council has purchased a Hyundai Sante Fe as the mobile parking patrol vehicle.

As two people are required to operate the mobile parking enforcement equipment a casual



parking assistant will be employed to cover those times when a Parking Ranger is on leave or not available for other employment related reasons.

In order to facilitate the efficient operation of mobile parking enforcement it was necessary to modify a number of timed parking restrictions to make time restrictions more consistent within a street block. These changes were approved by the Traffic Committee at its meeting on 5 November 2013 and adopted by Council on 20 November 2013.

Installation of the equipment and training will commence in the week commencing 24 February 2014, with full mobile parking patrol and LPR operation commencing on Monday 3 March 2014.

### Communication Strategy

To facilitate public awareness and understanding of the change to mobile parking enforcement a communication strategy has been developed by Council's Media and Public Relations Officer. The strategy is provided as **attachment 1**.

A 'Frequently Asked Questions' (FAQ) has also been developed and is provided as **attachment 2**.

**Financial Implications:** Mobile parking enforcement will be funded from existing allocations as adopted in the 2013-14 Operating Plan.

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

- |   |               |
|---|---------------|
| I Objective 3: To protect a vibrant CBD and support and grow retail diversity.  | Strategy 3.5  |
| I Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. | Strategy 30.4 |

## MINUTE

12 **Item 6 MOBILE PARKING ENFORCEMENT (28.00006)**  
**MOVED: Cr G Westman SECONDED: Cr J Jennings**

**RESOLVED:** That Council:

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

## **7 COMPANION ANIMALS LIFETIME REGISTRATION FEE CHANGES (02.00006)**

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

**Report:** On 18 December 2013, Council received notification from the NSW Department of Premier and Cabinet that cat and dog registration fees would be increasing from 1 January 2014. The Department also advised that from 1 July 2014 registration fees will increase annually in line with the Consumer Price Index. This is the first time registration fees have increased since 2006.

The new lifetime registration fees from 1 January 2014 are:

- Desexed animal: \$49 (from \$40)
- Non-desexed animal \$182 (from \$150)
- Breeder concession \$49 (from \$40)
- Pensioner concession (desexed animal only) \$19 (from \$15)

The prescribed maximum fee for council inspections of restricted and dangerous dog enclosures will also increase to \$150 (from \$100).

Council is required by law to apply the new fees from 1 January 2014.

Council's Revenue Policy must be updated to reflect the new schedule of fees. As these are statutory fees set by the NSW Government, Council does not have discretion to alter the fees.

**Financial Implications:** Council receives a portion of the registration fees to assist it in implementing its regulatory role under the Companion Animals Act 1998. The remainder of the fees are held by the Division of Local Government, Department of Premier and Cabinet.

In real terms Council will gain an average increase in registration fee revenue of approximately 14% from 1 January 2014 and approximately 18% from 1 July 2014, rising annually in line with the Consumer Price Index each July thereafter.

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

I Objective 22: To improve community safety.

Strategy 22.11

**MINUTE**

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

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

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

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

**Recommendation:** That Council:

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

**Report:** The Integrated Planning & Reporting Framework requires that Councils prepare annual reports which include reporting on the environmental objectives of their Community Strategic Plans. However, it is only in the year in which a Council election is held (next planned for 2016) that the annual report must include a State of the Environment Report (SoE). (Note that previously Councils were required to produce an annual SoE). Council Staff have decided to continue collecting data and reporting it on an annual basis so that they can produce a comprehensive SoE Report in 2016 that covers the intervening years. Furthermore producing a report on an annual basis makes information on Council's environmental programs available to the public in a timely and readily accessible format.

The 2013 Interim SoE (**attachment 1**) describes how Council, its' partners and the community are working together to achieve the environmental objectives of the Community Strategic Plan. The report examines trends in key environmental indicators under the themes of Atmosphere and Climate, Land, Water, Biodiversity, Towards Sustainability and People and Communities. At the start of each theme, the CSP objectives relevant to that theme and the key indicators used to measure the condition of the environment are highlighted. Improving environmental trends are shown as a green upward pointing arrow, while declining trends are shown as a red downward pointing arrow.

The report draws attention to actions Bathurst Regional Council (BRC) is undertaking to respond to environmental pressures which may degrade the natural environment within the Local Government Area (LGA).

Key areas which have been identified as placing pressure on the natural environment during the reporting period include:

- A population that continues to grow. The Bathurst Region population grew by 1% between June 2011 and June 2012 to 40253 people. A growing population can place additional pressures on the natural environment;
- A hotter than average year combined with a very dry late winter and spring in 2012, saw water use in Bathurst City rise to its highest level since 2007 despite many water saving initiatives which have been implemented by Council over recent years;
- Driven by increased water filtration and pumping, Council's total electricity use increased by approximately 600MWh over the previous reporting period. Increased electricity consumption relating to water services overshadowed savings made at other Council facilities.

The 2013 Interim SoE report also outlines a range of actions undertaken by Council and the community during the reporting period to address environmental pressures and highlights achievements in improving environmental performance including:

- Installation of a 27kW solar system at Council's Works Depot. The system will produce approximately 30% of the Depot's annual electricity requirements, saving over \$10,000 per annum and avoiding the emissions of 46.8 t CO<sub>2</sub>e;
- Increased community uptake of small scale solar. Uptake increased by 80% over the

previous reporting period, with 1.269MWh of solar capacity installed during the reporting period across the LGA;

- The adoption of the Bathurst Biodiversity Management Plan in November 2012, which will assist Council to better manage, protect and restore biodiversity across the Bathurst Region;
- The continued implementation of the recommendations of the Bathurst Urban Waterways Management Plan with the commencement of Stage II Hawthornden Creek Rehabilitation.
- The successful completion of the award winning *Protecting and Connecting Bathurst Copper Butterfly Habitat* project, which involved habitat enhancement across 26km of road reserve in the Yetholme area.
- The first Bathurst Youth Lead Congress was run in November 2012. Targeting teenagers and young adults the program aims to build leadership skills in the area of environmental sustainability and social justice.
- The highest number of environmental volunteers working in public open spaces since records began in 2008-09, with 3,645 volunteer hours recorded.

The SoE has significant potential to both inform and direct Council in future initiatives and also to identify areas in which Council can improve its own operations. However, this depends on having access to accurate data to measure performance and on effectively integrating the SoE with Council's Delivery Plan process, to ensure adequate funds are made available to meet community expectations in relation to the environment. These are areas which Council continues to actively pursue in order to better utilise the SoE as a reporting tool and ultimately improve the condition of the local environment.

In addition to preparing this 2013 Interim SoE, Council also participated in the 2013 Greater Central West Regional SoE (reported to Council's 11 December 2013 Ordinary Meeting). This enables BRC to compare its activities on a regional basis with other LGA's and cities of similar size and demographics. It also facilitates better understanding of trends in the condition of environmental assets which transcend political boundaries.

**Financial Implications:** Nil. The preparation of the SOE is undertaken using existing allocations.

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

- |   |                           |
|---|---------------------------|
| I Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. | Strategy 29.5             |
| I Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community.                                 | Strategy 30.6             |
| I Objective 33: To be and develop good leaders.   | Strategy 33.1, 33.5, 33.6 |

**MINUTE**

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

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

**RESOLVED:** That Council:

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

Yours faithfully



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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

5 FEBRUARY 2014



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

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

**Report:** \$74,500,000 was invested at 31 December 2013 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<b><u>Rating</u></b>	<b><u>Balance</u></b>	<b><u>Average Return</u></b>
<b><u>Short Term 1 – 365 Days</u></b> <b>(comprising Commercial Bills, Debentures and Certificates of Deposit):</b>			
Bank of Queensland	A2	\$16,000,000.00	4.19%
Bendigo and Adelaide Bank	A2	\$10,000,000.00	3.99%
IMB	A3	\$7,000,000.00	3.93%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	3.99%
National Australia Bank	A1+	\$13,500,000.00	4.09%
People's Choice Credit Union	ADI	\$2,000,000.00	4.28%
Railways Credit Union	ADI	\$1,000,000.00	4.20%
SGE Credit Union	ADI	\$1,000,000.00	4.16%
Westpac Banking Corporation	A1+	<u>\$1,000,000.00</u>	<u>3.71%</u>
		<b>\$54,500,000.00</b>	<b>4.08%</b>
<b><u>Long Term &gt; 365 Days</u></b> <b>(comprising Commercial Bills, Term Deposits and Bonds):</b>			
<b><u>Committed Rolling Investments</u></b>			
Westpac	AA-	\$2,000,000.00	3.67%
Westpac	AA-	\$2,000,000.00	3.84%
Westpac	AA-	\$2,000,000.00	3.86%
Westpac	AA-	\$2,000,000.00	3.80%
Westpac	AA-	<u>\$2,000,000.00</u>	<u>3.75%</u>
		<b>\$10,000,000.00</b>	<b>3.78%</b>
<b><u>Fixed, Negotiable &amp; Tradeable Certificates of Deposits</u></b>			
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>3.74%</u>
		<b>\$2,000,000.00</b>	<b>3.74%</b>
<b><u>Floating Rate Notes</u></b>			
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	4.36%
Bendigo & Adelaide Bank Retail Bond	A-	\$3,000,000.00	4.44%
Members Equity Bank	A-	<u>\$3,000,000.00</u>	<u>3.82%</u>
		<b>\$8,000,000.00</b>	<b>4.19%</b>
<b>Total Investments</b>		<b><u>\$74,500,000.00</u></b>	<b><u>4.04%</u></b>

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

Reserves Total (includes unexpended loan funds)		\$32,563,758.00
Grants held for specific purposes		\$1,645,851.00
Section 94 Funds held for specific purposes		\$28,366,360.00
Unrestricted Investments – All Funds		\$11,924,031.00
General Fund	\$20,824.00	
Water Fund	\$1,960,588.00	
Sewer Fund	\$6,957,977.00	
Waste Fund	<u>\$2,984,642.00</u>	

**Total Investments** **\$74,500,000.00**

**Total Interest Revenue to 30 November 2013** **\$1,483,420.23** **4.04%**

**Year to Date Averages**

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

Reserve Bank of Australia - Cash Rate	2.50%
AFMA - 90 day Bank Bill Swap Rate (BBSW)	2.62%
Three Year Swap Rate - Commonwealth	3.04%

	<b>RBA Cash Rate</b>	<b>90 day BBSW</b>	<b>3 Year Bond Rate</b>	<b>Council's Actual Performance</b>
July 2013	2.75%	2.72%	2.87%	4.31%
August 2013	2.50%	2.66%	2.83%	4.17%
September 2013	2.50%	2.64%	2.90%	4.03%
October 2013	2.50%	2.63%	2.97%	3.98%
November 2013	2.50%	2.62%	3.02%	4.05%
December 2013	2.50%	2.62%	3.04%	4.04%

**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**

I 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**

- 15 **Item 1 STATEMENT OF INVESTMENTS (16.00001)**  
**MOVED: Cr B Bourke SECONDED: Cr M Morse**

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

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

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

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

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

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

Fines or penalty notices this month - Nil.

**Financial Implications:** Nil.

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

- |   |               |
|---|---------------|
| I 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 |
| I Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. | Strategy 29.3 |
| I Objective 33: To be and develop good leaders.   | Strategy 33.5 |

**MINUTE**

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

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

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

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

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

**Report:** At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 31 December 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:	\$4,537.68
BMEC Community use:	\$30,776.13
Mount Panorama Fee Subsidy:	\$8,500.16

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

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

**MINUTE**

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

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

**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.

- P & M Mercieca - Land near Eglinton Bridge - Part Lot 103, DP1006130 - In House Licence Agreement.
- BRC transfer to Phillip Craig Allcorn & Catherine Lynette Allcorn - Lot 121, DP1171380, Sofala Road, Peel (closed road land) - Transfer.
- Rushlarah Agri Pty Ltd - Bathurst Aerodrome - Sections 1, 2, 3 & 4 Part Lot 37, DP1159502 - In House Licence Agreement.
- Riverdown (NSW) Pty Ltd - 24 Russell Street - Lot 2, DP1076805 - Transfer.
- Bathurst Hockey Association - Cooke Hockey Complex - Part Lot 7, DP608111 & Part Lot 5, DP776928 - In House Licence Agreement.
- L M Coates - 4 Phillip Street - Lot 821, DP1185390 - Transfer.
- L M Coates - 15 Phillip Street - Lot 1000, DP1185389 - Transfer.
- D A Campbell - 8 Knight Place - Lot 10009, DP1185389 - Transfer.
- V P & S M Edwards - 3 Morgan Place - Lot 802, DP1185390 - Transfer.
- B Cutler - 16 Phillip Street - Lot 815, DP1185390 - Transfer.
- B G Jones & K M Harvey - 6 Phillip Street - Lot 820, DP1185390 - Transfer.
- A Koehn - 14 Phillip Street - Lot 816, DP1185390 - Transfer.
- I P Lorimer - 7 Knight Place - Lot 1004, DP1185389 - Transfer.
- J M Wilds - 5 Knight Place - Lot 1003, DP1185389 - Transfer.
- Bathurst Miniature Railway Society - John Matthews Sporting Complex, Lot 1, DP1167594, Lot 7006, DP105676 - In House Licence Agreement.
- J A Mahboub - 10 Morgan Place, Lot 807, DP1185390 - Transfer.
- E & H M Kritzinger - 11 Knight Place - Lot 1006, DP1185389 - Transfer.
- B Edwards - 10 Knight Place - Lot 1008, DP1185389 - Transfer.
- S R Howell - 9 Morgan Place - Lot 805, DP1185390 - Transfer.
- A M & M Riley - 21 Phillip Street - Lot 1013, DP1185389 - Transfer.
- L K Marple - 4 Knight Place - Lot 1011, DP1185389 - Transfer.
- B D & L P George - 6 Knight Place - Lot 1010, DP1185389 - Transfer.
- K A Harvey - 9 Phillip Street - Lot 811, DP1185390 - Transfer.
- M A & C C Phillips - 6 Morgan Place - Lot 809, DP1185390 - Transfer.
- T H Burke - 9 Knight Place - Lot 1005, DP1185389 - Transfer.
- Plan of Rights of Carriageway within 1 Conrod Straight (Mt Panorama Hotel) - Lot 3, DP1067418 - S.88B Instrument & Deposited Plan Administration Sheet.
- I M Morgan - 7 Phillip Street - Lot 801, DP1185390 - Transfer.
- W R Lesh & L A Burgett - 3 Knight Place - Lot 1002, DP1185389 - Transfer.
- K C Wilson - 20 Phillip Street - Lot 813, DP1185390 - Transfer.
- K G Wilson - 5 Phillip Street - Lot 800, DP1185390 - Transfer.
- K Larson - 4 Morgan Place - Lot 810, DP1185390 - Transfer.
- Scott Build Pty Ltd - 18 Phillip Street - Lot 814, DP1185390 - Transfer.
- S Baumberger - 19 Phillip Street - Lot 1012, DP1185389 - Transfer.
- S J & C Smith Pty Ltd - 17 Knight Place - Lot 1001, DP1185389 - Transfer.
- M J & C Y Stephen - 22 Phillip Street - Lot 1017, DP1185389 - Transfer.
- D J O'Donoghue - 10 Phillip Street - Lot 818, DP1185390 - Transfer.
- N Pinder - 13 Phillip Street - Lot 812, DP1185390 - Transfer.
- R Anderson - 28 Phillip Street - Lot 1014, DP1185389 - Transfer.
- M W Anderson - 11 Morgan Place - Lot 806, DP1185390 - Transfer.
- K P Anderson - 12 Phillip Street - Lot 817, DP1185390 - Transfer.
- K G & R J Steer - 7 Morgan Place - Lot 804, DP1185390 - Transfer.
- J Baumberger - 26 Phillip Street - Lot 1016, DP1185389 - Transfer.



- M J Cameron - 8 Phillip Street - Lot 819, DP1185390 - Transfer.

### **Linen Plan Release**

Nil.

**Financial Implications:** Nil.

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

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

**MINUTE**

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

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

## **5 REVIEW OF FEES & CHARGES BATHURST CEMETERY (36.00246-02)**

**Recommendation:** That Council;

- (a) advise Norwood Park that Council will not agree to the fees and charges associated with all burials within Maranatha Lawn Cemetery being set by Norwood Park.
- (b) give Public Notice of the proposed alteration to the fees relating to the opening of grave sites as per the Revenue Policy as follows;
  - (i) Open of grave sites week day current charge \$1,025. Recommended new charge \$1,750.
  - (ii) Open of grave sites on weekends current charge \$1,509. Recommended new charge \$2,250.
- (c) advertise the proposed amendment to the Revenue Policy for a period of 28 days, and submissions be invited from members of the public. If submissions are received report back to Council. If no submissions are received adopt the new fee and incorporate it into the Revenue Policy.

**Report:** Council has received a request from Norwood Park requesting;

- (a) permission to set all the fees and charges associated with all burials within Maranatha Lawn Cemetery in Section 4 and any future Sections.
- (b) a review of fees and charges regarding the reopening of grave sites, as the current grave site fees are too low and do not cover the cost of work needed to reopen a grave site.

A copy of this request is provided at **attachment 1**.

A review of Councils current Revenue Policy in relation to the reopening of grave sites show the following information;

- (a) Open of grave sites week day current charge \$1,025. Recommended new charge \$1,750.
- (b) Open of grave sites on weekends current charge \$1,509. Recommended new charge \$2,250.

These recommended charges for the reopening of graves is based on information supplied by Norwood Park.

Council has carried out a review of other towns cemetery costs for the reopening of graves on weekdays (weekend charges not available) and advise the following charges are made:

Lithgow	\$1,051
Dubbo	\$2,270
Cowra	\$1,128

Following further discussions with Norwood Park they have requested Council to review the cost of opening grave sites on weekends. This request was not contained within their letter.

Accordingly it is requested that the weekday current charge of \$1,025 be increased to

\$1,750 and the weekend charge of \$1,509 be increased to \$2,250.

**Financial Implications:** The increased fees would go direct to Norwood Park, therefore there is no direct benefit to Council.

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

- I 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 21.5
  
- I Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.3

**MINUTE**

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

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

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

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

**Report:** Councillors are aware that the Rotary Club of Bathurst East conducts the Rotary Youth Driver Awareness program (RYDA) at Mount Panorama racing circuit. At a recent working party, Councillors were addressed by Mr Burke on the programs future directions and achievements. Further, Councillors have been provided with a pack of documents from Road Safety Education Ltd on the program.

This report deals with Council's support for the 2014-2016 Events. The reason for the three year proposal is to give surety to the Event. This will also allow for ease of budgeting into the future for what is seen as a significant program in this issue of Driver Safety.

### **RYDA 2014 Event**

The Rotary Club of Bathurst East Inc has written to Council (refer **attachment 1**) seeking support for the RYDA event into the future.

The vision for the program is:

*"To be the premier road safety educator for youth throughout Australia.*

*We all should all share a commitment to making the RYDA road safety message available to all young people in our community regardless of their ability to pay. The cost for a student to attend RYDA is kept at a low and affordable level only by the support of our community and our many sponsors and volunteers.*

*Of course the real cost of delivering the RYDA program varies greatly across our many metropolitan and rural venues, in particular expenses such as venue hire and facilitators costs, delivery of the program content training production of course videos and ongoing evaluation and research. This costing does not consider the many hours provided by Rotary Volunteers and in kind support. "*

As part of the Driver Awareness program, access is required to the Mount Panorama pit complex. This includes meeting rooms, several garages and hardstand/pit lane areas.

The program has achieved excellent results across the country with over 50,000 students attending RYDA annually. Results of student surveys are shown at **attachment 2**. These indicate extremely positive results in the areas of:

- attitude
- behaviour, and
- knowledge.

The program aligns with Council's Community Strategic Plan, in particular Objective 23 - To encourage a supportive and inclusive community, and Objective 27 - To encourage youth engagement, participation and achievement across all areas of the Bathurst community. The RYDA program further complements the role of Council's Road Safety Officer. Council most recently confirmed its commitment to the Road Safety Officer program at its meeting on 20 March 2013 (DES report No 3). At **attachment 3** RYDA has provided information

concerning school involvement, costs of the event (excluding Council costs) for Councillors reference.

It is recommended that Council support the RYDA program for 2014-2016.

**Financial Implications:** Estimated fees for the program are around \$6,100 - \$6,500. It is proposed the subsidy will be funded through the Mount Panorama Fee Subsidy - Section 356 Vote, which currently has a balance of \$8,500.16.

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

- |   |               |
|---|---------------|
| I Objective 23: To encourage a supportive and inclusive community.  | Strategy 23.2 |
| I Objective 23: To encourage a supportive and inclusive community.  | Strategy 23.7 |
| I Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community.                      | Strategy 27.8 |
| I Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community.                      | Strategy 27.9 |
| I Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. | Strategy 30.4 |

**MINUTE**

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

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

**Reason: Contractor to the event.**

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



## **7 ADJUSTMENT TO BOND DEPOSIT FOR RURAL LAND AGREEMENTS (21.00022)**

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

**Report:** Council's Property Section has been charging a bond deposit for rural land leased from Council for a number of years. The bond deposit ranges in amounts of \$50, \$200, \$500 depending on the size of the land leased.

Over the last twelve months a couple of rural licence agreements have terminated, due to non-compliance with Council's Licence Agreement and annexed Land Management Guidelines. Council's Property Section have had to employ contractor's to repair fencing, spray noxious weeds and remove plant/equipment left by the tenant. The cost to Council to undertake relevant work far outweighs the bond deposit held by Council.

Council's Property Section requests that new bond deposits be introduced for all new lease/licence agreements as follows -

- \$500 for rural land under 4,000m<sup>2</sup> and
- \$1,000 for rural land over 4,001m<sup>2</sup>.

By increasing the bond deposit Council's Property Section will have the ability to motivate the Lessees to abide by the terms and conditions contained in the Licence/Lease Agreement and the Land Management Guidelines - Leasing.

**Financial Implications:** The Council approving the increase in bond deposit, Council funds should be reduced accordingly through not having to pay for fencing, weed spraying and general clean up of rural lands.

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

- |   |               |
|---|---------------|
| I Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. | Strategy 29.3 |
| I Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures.  | Strategy 32.2 |

**MINUTE**

**21 Item 7 ADJUSTMENT TO BOND DEPOSIT FOR RURAL LAND AGREEMENTS**  
**(21.00022)**

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

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

**8 REQUEST FOR FINANCIAL ASSISTANCE - 2014 HILLMAN NATIONAL RALLY (18.00004)**

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

**Report:** Council has received a request from Hillman National Rally for financial assistance for the closure of Russell Street in Kings Parade for a show and shine on 20 April 2014 between 9am - 2pm. A copy of the request is provided at **attachment 1**.

The Hillman group of car clubs run a national rally every two years in different towns, and have chosen Bathurst for 2014. The Hillman executives advise that they will expect around 50 cars to attend the event.

This organisation does not have Financial Statements as they only come together every two years and all funds collected from participants are expended on the Car Rally.

**Financial Implications:** Should Council agree to the closure of Russell Street it will cost Council approximately \$750 and would be funded from Council's Section 356 Donations.

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

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

**MINUTE**

**22 Item 8 REQUEST FOR FINANCIAL ASSISTANCE - 2014 HILLMAN NATIONAL RALLY (18.00004)**

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

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

**9 REQUEST FOR FINANCIAL ASSISTANCE - RIVIERA OWNERS ASSOCIATION (18.00004)**

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

**Report:** Council has received a request from Riviera Owners Association for financial assistance in conducting an event in Bathurst from 22- 26 May 2014. A copy of the request is provided at **attachment 1**.

This organisation is a division of the Buick Car Club of Australia Inc who meet every two years to display their cars and to hold an event for the owners of the cars.

The club have decided to meet in Bathurst in May 2014 with approximately 30 cars and 60 people attending the event.

As part of the event they intend to have a 'Show and Shine' and have requested an amount of \$400 to help cover the cost of trophies.

This organisation does not have Financial Statements as they only come together every two years and all funds collected from participants are expended on the Car Rally.

**Financial Implications:** This request could be funded from Council's Section 356 Donations which currently has a balance of \$4,537.68.

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

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

**MINUTE**

**23 Item 9 REQUEST FOR FINANCIAL ASSISTANCE - RIVIERA OWNERS ASSOCIATION (18.00004)**

**MOVED: Cr B Bourke SECONDED: Nil**

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

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

**MINUTE**

**24 Item 9.01 REQUEST FOR FINANCIAL ASSISTANCE - RIVIERA OWNERS ASSOCIATION (18.00004)**

**MOVED: Cr M Morse SECONDED: Cr M Coote**

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

Yours faithfully



R Roach  
**DIRECTOR  
CORPORATE SERVICES & FINANCE**

**DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

5 FEBRUARY 2014



## **1 LOCAL GOVERNMENT NSW EXCELLENCE IN THE ENVIRONMENT AWARDS (07.00025)**

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

**Report:** Late last year Council received a Local Government NSW Excellence in the Environment Award, within the Roadside Environmental Management category, taking out both the Division Award for LGA's with populations of 40,000–60,000 residents, as well as a trophy for the overall category winner for the "Protecting and Connecting Bathurst Copper Butterfly Habitat" project.

Council had been successful in receiving grant funding for this project from Local Government NSW through its Roadside Vegetation Implementation Project Grants Program in 2011.

The project was managed by Council's Recreation Section and involved weed control, woody weed removal and revegetation works to improve and extend the habitat of the endangered Bathurst Copper Butterfly. As the butterfly is a listed endangered species under the NSW Threatened Species Conservation Act 1995, all works were conducted under a Section 132c Scientific Licence issued by the Office of Environment & Heritage.

Due to the threat of collection of butterflies by amateur collectors, the location of the project sites were required to be kept confidential. For this reason there was no planned promotion of this project through the media. Despite no active promotion this project received significant media interest with articles appearing in The Western Advocate, Institute of Public Works Engineers Australia Showcase Journal and The Daily Telegraph, as well as a segment on PRIME 7 News.

Additionally, Local Government NSW recently commissioned a short documentary regarding the project which featured staff from the Recreation Section. This documentary has been added to Council's website as well as the Bathurst Regional Council YouTube channel.

The awards ceremony was held at the Powerhouse Museum, Darling Harbour on Tuesday 3 December 2013 and was attended by members of the Recreation Section where they provided a 15 minute presentation regarding the project.

Following the award, Council has received further publicity including segments on both Prime 7 News and WIN Television News, as well as Council's Environmental Programs Coordinator being asked to be a Keynote Speaker at a series of Local Government NSW Sustainable Roads Forums in 2014.

**Financial Implications:** Nil.

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

I Objective 10: To protect and enhance the region's biodiversity. Strategy 10.6

**MINUTE**

**25 Item 1 LOCAL GOVERNMENT NSW EXCELLENCE IN THE ENVIRONMENT AWARDS (07.00025)**

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

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

## **2 DRAFT RESERVE PLAN OF MANAGEMENT FOR ALBENS RESERVE AT MOUNT PANORAMA (16.00021)**

**Recommendation:** That Council:

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

**Report:** All Councils, including Bathurst Regional Council (Council), have a charter under the *Local Government Act 1993* to guide their operations on public and private land. One of the principles identified in this charter is “To properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development”. This principle underpins the development of the plan of management for Albens Reserve.

This particular reserve and its ecological importance were brought to the attention of Council through the Bathurst Vegetation Management Plan Reference Group. Chris Marshall, former Chair of Boundary Road Reserve Landcare Group, was instrumental in recognising the significance of this site and in particular the geological formation that permits White Box – *Eucalyptus albens* to dominate the tree cover. This recognition ensured that the site was added to the Bathurst Vegetation Management Plan Reference Group’s 30 highest ranked projects.

In 2013 Council successfully received funding from the NSW Government through its Environmental Trust for a project titled “Racing to Save the Mount Panorama Woodlands” which is focused on several sites in the Mount Panorama precinct. This Plan of Management has been developed as part of this project with the project funding to also include on ground works, signage and a public education campaign regarding White Box, Yellow Box, Blakely’s Red Gum Grassy Woodlands, which is a state and federally listed Endangered Ecological Community.

The Local Government Act requires that the Plan of Management be put on public display for a 28 day period. It is intended that it will be available for viewing at Council’s Civic Centre, and the Library, as well as on Council’s web site. It is also intended that a copy of the draft plan be sent to the relevant stakeholders including the Boundary Road Reserve Landcare Group and the Central Tablelands Local Land Services. The Draft Plan is contained at **attachment 1**. The location of Albens Reserve at Mount Panorama is depicted on **attachment 2**.

It is recommended that pending any comments that require significant changes, the plan be adopted by Council. However, should there be a need to undertake significant changes, following any comments received during the public exhibition period, then another report will be presented to Council for further consideration.

**Financial Implications:** Initial expenditure to carry out Strategies and Actions from the Plan of Management will be funded through the Environmental Trust grant funding with on-going maintenance funding to be sourced from Council’s existing Vegetation Management Plan vote, as required.

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

I Objective 10: To protect and enhance the region's biodiversity.

Strategy 10.6

**MINUTE**

**26 Item 2 DRAFT RESERVE PLAN OF MANAGEMENT FOR ALBENS RESERVE AT MOUNT PANORAMA (16.00021)**

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

**RESOLVED:** That Council:

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

### **3 PAINTING OF ABORIGINAL TOTEM POLES - MACQUARIE RIVER BICENTENNIAL PARK (04.00017)**

**Recommendation:** That Council approve the painting of Aboriginal Totem Pole artwork onto two existing shade sail posts at the Macquarie Playground, located within the Macquarie River Bicentennial Park.

**Report:** The Bathurst Child and Family Network (the Family Network), auspiced by Centacare Bathurst, have been successful in obtaining a Community Arts Support Program grant from Arts Out West to fund the painting of Aboriginal Totem Poles on two of the Shade Sail posts at the Macquarie Playground and request Council's permission to proceed with this project.

The Family Network have advised that the project would involve the painting of relevant stories onto the two poles, undertaken by Wiradjuri artists, creating beautiful aboriginal totem poles that would become a permanent feature of the park and celebrate and recognise our local Aboriginal history and culture. The theme of the totem pole art work is to depict the Aboriginal story of the platypus and would include some Wiradjuri words into the painting. The specifics of the type, style & symbols to be painted etc. are still to be determined, however, Council Officers will be presented with the final proposed layout for approval before proceeding with the works.

Part of the aim of the Family Network is to increase families' knowledge and utilisation of the many local services, facilities and resources that are available in Bathurst and to recognise the importance of place, belonging and history for the well-being of the Bathurst community. A copy of the letter from Centacare Bathurst and a photo showing an example of the style of totem painting proposed to be undertaken at Macquarie Playground is shown at **attachment 1**. A location plan of the proposal is shown at **attachment 2**.

It is envisaged that this project will be undertaken as part of the Bathurst Family Fun Day event to be held on Saturday 17 May 2014. To promote community involvement, a large blank canvas will also be available at the park during the event for children and community members to decorate on the ground. The organisers have advised that this canvas would then go on display in local schools.

**Financial Implications:** This project will have nil financial cost to Council.

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

- |  |              |
|--|--------------|
| I Objective 19: To improve equity of access to all members of the community in public and private domains.   | Strategy 999 |
| I 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 999 |
| I Objective 23: To encourage a supportive and inclusive community.   | Strategy 999 |

**MINUTE**

**27 Item 3 PAINTING OF ABORIGINAL TOTEM POLES - MACQUARIE RIVER  
BICENTENNIAL PARK (04.00017)**

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

**RESOLVED:** That Council approve the painting of Aboriginal Totem Pole artwork onto two existing shade sail posts at the Macquarie Playground, located within the Macquarie River Bicentennial Park.

#### **4 MOUNT PANORAMA IMPROVEMENT WORKS (04.00097/04.00019)**

**Recommendation:** That Council:

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

**Report:** At its meeting on 15 August 2012 Council resolved to adopt the Mount Panorama Fauna Management Strategy by Dr Anne Kerle Consulting Ecologist as a working document.

In relation to the control of incidents from kangaroos some specific items of note from the Plan include the following:

*"Given this, the most effective management strategies to reduce the risk of an incident are an extension of those already being used. Closing of gates and increased temporary fencing to the west and south west of the circuit are the most important. The most effective location for the additional fencing may not need to be adjacent to the track." – Page 47 Item 2.2.1.*

*"Action 2.1: Further fencing (temporary or electric) is the most effective method of reducing the risk of an incident on the track. Recommended locations include Figure 2.4 indicative locations, Refer **attachment 1**.*

*"Inside the Track*

1. *Inside the sharp corner (the Dipper) south of the light car club (a well worn macropod track crosses here.) (I1)*
2. *Inside John Hinxman picnic area (I2)*

*Outside the Track*

1. *Along Barry Gurdon drive and then north along the existing fence (O1)*
2. *Along Mountain Straight in the vicinity of 196 Mountain Straight. Location of the fence may need to be negotiated with owners and a location may be acceptable (O2)." – Page 56 Item 2.3.2.1.*

Over recent years Council has endeavoured to provide control of the issue of kangaroos on the circuit by construction of additional permanent fencing and the placing of temporary fencing during the full track events.

The additional permanent fencing has been erected at the following locations:

- Amphitheatre to John Hinxman Vista
- John Hinxman Vista to above Forest Elbow
- 435 Conrod Straight rear property boundary
- 453 Conrod Straight rear property boundary
- 489 Conrod Straight rear property boundary
- 474 Conrod Straight – Council property
- 508 Conrod Straight – Council property adjacent to old drive in south side.
- Council property immediately north of old drive in
- 428 Conrod Straight front boundary

Temporary fencing erected during the most recent 2013 Bathurst 1000 race included:

- John Hinxman Vista



- Forest Elbow
- 457 Conrod Straight rear property boundary
- 505 Conrod Straight rear property boundary
- 527 Conrod Straight rear and north side property boundary
- From Access to 179 Mountain Straight up toward the amphitheatre
- 196 Mountain Straight in rear yard

**Attachment 2** shows the location of the fencing detailed.

Observers are also located in the centre of the circuit to monitor the movement of kangaroos and report if required.

At the 2013 Bathurst 1000 a kangaroo entered the track below the cutting in the vicinity of 196 Mountain Straight and appeared to originate from the right hand side of the track at the Cutting.

As part of the improvements in fencing to further control the movement of such fauna Council is proposing to install permanent fencing along the rear boundaries of a number of properties along Mountain Straight and connecting onto fencing adjacent to the residence at 224 Mountain Straight known as "The Cutting". The attached aerial layout, refer **attachment 3**, details the proposed locations of the fencing.

The construction of this fencing will provide a barrier on the western side of Mountain Straight during full track events substantially improving control of movement in this area.

Council has consulted with the residents that share their boundary with Council property where the fencing is proposed and have consensus in the placement of the fencing.

The issue was referred to the Mount Panorama Motor Racing Advisory Committee for comment with no issues raised. It is now submitted to Council to firstly endorse the measures undertaken to control the issue of kangaroos in the Mount Panorama precinct and to endorse the installation of additional permanent fencing as detailed above.

**Financial Implications:** Funding for the above proposed works to be sourced from the Management Plan for Mount Panorama.

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

- |   |              |
|---|--------------|
| I Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. | Strategy 6.1 |
| I Objective 1: To attract employment, generate investment and attract new economic development opportunities.             | Strategy 1.6 |

**MINUTE**

**28     Item 4    MOUNT PANORAMA IMPROVEMENT WORKS (04.00097/04.00019)**  
**MOVED: Cr W Aubin SECONDED: Cr M Coote**

**RESOLVED:** That Council:

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

Yours faithfully



Doug Patterson  
**DIRECTOR**  
**ENGINEERING SERVICES**

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

5 FEBRUARY 2014

## **1 BATHURST LIBRARY - CHRISTMAS ON KEPPEL (21.00029)**

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

**Report:** In December 2013, for the second year, the Library has organised a Christmas fair (Christmas on Keppel) on the Library forecourt to promote Keppel Street as a cultural venue, retail centre and an exciting destination for the community.

The Library has been successfully promoting the Library/Art Gallery forecourt as a venue for events such as the Christmas fair, regular artisans market, book sales, a retro market and a pet expo. All of these activities have attracted crowds to use both Keppel Street and the Library/Art Gallery complex.

Keppel Street has developed a real atmosphere over the last decade and these activities add to this atmosphere and create life and vibrancy that adds to the attractiveness of the street as a cultural destination.

The Christmas on Keppel fair was managed and initially developed by Library staff. It attracted a good number of stalls and an estimated 2,000 people attended the fair.

Visits to the Library were 1,288 for the Saturday of the fair, compared with 598 visits recorded on the previous Saturday, a 115 % increase in attendance. The Bathurst Regional Art Gallery (BRAG) also benefitted from the Keppel Street Fair with attendance figures of 140 compared with an average of 70 for the normal Saturday.

The event was also used by some local organisations to promote their cause, the SES showed their resources, the CWA had a stall, Mitchell Conservatorium of Music provided live entertainment throughout the event, St John Ambulance attended, BMEC promoted their new program and the Australian Fossil & Mineral Museum (AFMM) held a stall.

Keppel Street businesses got involved and held footpath stalls out the front of their shops. These included; The Naked Bud, Instyle Living, Bill's Pet Paradise, Goods & Chattels, Frank Smith, Carah's Bakery, Have A Chat, Tin Goose Clothing, Princess Bride, The Secret Garden, Ivy Skin & Makeup Studio, Donna Callista Salon and the Salvation Army. Each of these businesses were excited to be part of this event, and very happy that the Library, and Council, is supporting Keppel Street Business.

Central Commercial Printing also contributed by providing 2,000 fliers and 200 Posters free of charge for the promotion of the event.

Stall holders from around Bathurst were also encouraged to be a part of the event this year, by applying for a stall position within the Library forecourt. A total of 22 stalls were erected within the forecourt, including; Library shop, Library book sale, Library BBQ, BMEC, CWA, BooksPlus, Mitchell Conservatorium stall and music stage, AFMM, Middle Station, Lambert & Lord, Diana Newell, Wooden Things, Tracey Fuge, Phoenix Trading Stationary, Illa Langa Farm, Clive Selley timber craft, The Body Shop, SES display, Fairy Floss/doughnuts/snow cones, Fiona Howle Creative Workshops, Play on Wheels face painting.

Stall holders were very pleased with the outcome of the day, and expressed their interest for next year, should the event be run again.

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

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

- |  |                     |
|--|---------------------|
| I Objective 3: To protect a vibrant CBD and support and grow retail diversity.   | Strategy 3.8        |
| I 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       |
| I Objective 23: To encourage a supportive and inclusive community.   | Strategy 23.3, 23.7 |

**MINUTE**

29 **Item 1 BATHURST LIBRARY - CHRISTMAS ON KEPPEL (21.00029)**  
**MOVED: Cr M Morse SECONDED: Cr I North**

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

Yours faithfully



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

**POLICY COMMITTEE MEETING**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

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

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

**Report:** The Minutes of the Policy Committee Meeting held 4 December 2013, are attached.

**Financial Implications:** N/A

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

- I 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**

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

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

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

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 4 DECEMBER 2013**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

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

**2 MINUTE SILENCE**

**The Mayor** observed a minute silence to honour the passing of former Mayor and long term Councillor, Mr Les Wardman.

**APOLOGIES**

**3 APOLOGIES**

Nil

**REPORT OF PREVIOUS MEETING**

**4 Item 1 MINUTES - POLICY COMMITTEE MEETING - 6 NOVEMBER 2013 (07.00064)**

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

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

**DECLARATION OF INTEREST**

**5 DECLARATION OF INTEREST 11.00002**

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

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

## MAYORAL MINUTE

### 6 Item 1 BATHURST COMMUNITY HEALTH COMMITTEE (18.00035)

MOVED Cr G Rush

**RESOLVED:** That:

- (a) Council establish the Bathurst Community Health Committee as a Section 355 Committee of Council in accordance with the report.
- (b) The Committee's Role be defined as; *"To make representation on behalf of the community with respect to health services provided in the Bathurst Region. This includes working in partnerships with others to promote and improve the health service provided to the community."*
- (c) Council enact the resolution immediately.

## RECEIVE AND DEAL WITH DIRECTORS' REPORTS

### Director Corporate Services & Finance's Report

### 7 Item 1 ICAC INVESTIGATION REPORT - OPERATION JAREK (46.00075, 46.00117)

MOVED Cr I North and SECONDED Cr B Bourke

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

### General Manager's Report

### 8 Item 1 SENIOR STAFF CONTRACTS (19.00030)

MOVED Cr J Jennings and SECONDED Cr M Coote

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

## GENERAL BUSINESS

### 9 RAILWAY PRECINCT (22.00159)

**Cr Bourke** - asked is there a possibility that Council could organise a meeting with the Railway group to discuss various issues, particularly the heritage buildings on the site.

### 10 Item 2 KEPPEL STREET (DA2013/0290)

**Cr Bourke** - expressed concern at current changes to paper shop building in

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**This is page 2 of Minutes of the Policy Committee held on 4 December 2013.**

Keppel Street. Feels the work is inappropriate for the area. Also queried about the staging of the works and the timing that occurred.

**The Acting Director Environmental Planning & Building Services** advised that the Heritage Advisor is consulted on these proposed developments. Spoke to processes in place and standards in DCP that are set.

**11**      **Item 3 OMBUDSMAN LETTER - LAND BALLOT (20.00009)**

**Cr North** - referred to matter of land ballot and processes in place. Noted Ombudsman not taking any further action.

**12**      **Item 4 DIRTY WATER & MANGANESE ISSUE - 4 DECEMBER 2013 (32.00119)**

**Cr North** - asked for information to be provided to Councillors more promptly than has occurred. Thanked Engineering staff for their efforts.

**The Director Engineering Services** provided advice on the current dirty water problem in terms of pumping and reservoir operations. Staff have been out all day flushing the system. Manganese is in Council's water supply, and in high demand periods causes problems. Noted manganese removal program currently in place and capital funding provided.

**13**      **Item 5 HOSPITAL COMMUNITY MEETING (22.01047)**

**Cr North** - spoke to meeting on Monday night and issue of closing beds. Asked could a letter be sent to the Premier and Health Minister asking for closure of beds to be put on hold.

**14**      **Item 6 ELECTRICITY COSTS (16.00007)**

**Cr North** - asked when will Council get a report on electricity consumption and possible energy sourcing directions.

**The General Manager** advised this will be part of the budget process. Spoke to initiatives already put in place.

**15**      **Item 7 SONY DEAL - MOUNT PANORAMA (04.00003)**

**Cr Aubin** - spoke of this fantastic opportunity for Mount Panorama. Need upgrade of Marketing Plan for Mount Panorama as the last plan was done 10 years ago.

**16**      **Item 8 DIRTY WATER MANGANESE PROBLEM (32.00119)**

**Cr Coote** - spoke to concerns with manganese problem and has had a local plumber suggest high flow filters can be put in place.

**The Director Engineering Services** spoke to manganese removal process being implemented.

**17**      **Item 9 TREES IN DURHAM STREET (25.00089)**

**Cr Coote** - asked as Council has refused removal of the tree, what is the next step.

**The Director Engineering Services** advised Council will remove existing footpath and try to make it the best that technically can be implemented.

**18**      **Item 10 ROUND-A-BOUNTS (28.00004)**

**Cr Coote** - advised people have continued to express concerns at sight distances around round-a-bouts.

**Cr Aubin** spoke of processes in place and reasoning for plantings to slow traffic down.

**The Director Engineering Services** noted standards in place and reviews that are occurring into these standards.

**19**      **Item 11 MOUNT PANORAMA SIGN (04.00019)**

**Cr Coote** - enquired what the cost of putting a "Bathurst" sign under the Mount Panorama sign would be.

**The Director Engineering Services** advised prices vary whether temporary or permanent signage is installed, for example a temporary sign would cost around \$5,000, but would need to be redone for each event.

**20**      **Item 12 SPONSORSHIPS PRECINCTS/ROADS AT MOUNT PANORAMA (20.00020)**

**Cr Coote** - noted he would like to see the Marketing Plan updated to include additional commercial opportunities at Mount Panorama, for example naming of roads.

**21**      **Item 13 NOTIFICATIONS ON DEVELOPMENT APPLICATIONS (20.00003)**

**Cr Westman** - asked did Council get any feedback on this.

**The Acting Director Environmental Planning & Building Services** spoke to LEP/DCP meeting due 16 December 2013. The report will deal with any submissions on notification processes. Main requests were from Hill End.

**22**      **Item 14 GRAND TURISMO LAUNCH (04.00003)**

**Cr Westman** - queried how discussions and negotiations went on this launch.

**The Mayor** spoke to the negotiations that occurred, copies of games, exposure of Mount Panorama, Shane Jacobson's attendance, future economic opportunities at Mount Panorama, consoles made available.

**23**      **Item 15 DEVELOPMENT APPLICATION - MR HACKETT (DA2013/0323)**

**Cr Morse** - advised has received approaches concerning this DA, asked what is occurring on this.

**The Deputy Mayor** noted a report is coming to the next meeting of Council.

**24**      **Item 16 COUNCIL MEETINGS - BINS IN FOYER (11.00005)**

**Cr Morse** - asked could bins be removed from the foyer on Council meeting nights.

**The General Manager** advised process will be put in place. Also noted prices on replacing carpet in the foyer area are currently being sought.

**25**      **Item 17 KEPPEL STREET NEWSAGENT DEVELOPMENT APPLICATION (DA2013/0290)**

**Cr Jennings** - expressed concern at the process and would like further information.

**26**      **Item 18 ENERGY BILLS (16.00007)**

**Cr Jennings** - would be interested in looking at current position and then future options over, for example a 30 year time frame. Noted The Rocks renewable energy program in place in Sydney. We should look at self-supply and other options.

**27**      **Item 19 MARKETING STRATEGY MOUNT PANORAMA (20.00020)**

**Cr Jennings** - spoke to the need for the plan to be reviewed, Sony game and YouTube links and other commercial opportunities.

**28**      **Item 20 AUSSIE DISPOSAL SIGN - WILLIAM STREET (22.14962)**

**Cr Hanger** - asked where the matter is at.

**The Acting Director Environmental Planning & Building Services** spoke to process in place and letters sent.

**29**      **Item 21 AMALGAMATION REPORT INDEPENDANT LOCAL GOVERNMENT**

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**This is page 5 of Minutes of the Policy Committee held on 4 December 2013.**

**REVIEW PANEL (18.00145)**

**Cr Hanger** - asked where is the report up to.

**The General Manager** noted the report is with the Minister, timing of release is not yet known.

**MEETING CLOSE**

**30**      **MEETING CLOSE**

The Meeting closed at 7.28 pm.

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

**Date:** \_\_\_\_\_ **(5 February 2014)**

**DELEGATES REPORTS AND MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

5 FEBRUARY 2014



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

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

**Report:** The CENTROC Board meeting and AGM were recently held in Young, the following report is provided for Council's information.

Speakers in attendance at the General Meeting were:

1. Cr B Miller, Vice President, LGNSW; and
2. Cr P Miller, Senior Executive, LGNSW responsible for Planning.

Both being Councillors in the CENTROC area, they provided an update on the progression of the new LGNSW Board. Advice was also provided on key areas of interest to CENTROC members for example Local Government Reform and Planning Legislation reform.

There was discussion raising concerns on the Local Government reform process, particularly that the relevant reports are yet to be made public. Concerns were also expressed regarding the relationship between the State and Local Government where the Intergovernmental Agreement to Guide NSW State-Local Government Relations on Strategic Partnerships was not living up to expectations.

The Intergovernmental Agreement can be found at:

<http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/Intergovernmental%20Agreement%20to%20Guide%20NSW%20State-Local%20Government%20Relations%20on%20Strategic%20Partnerships.pdf>

### **The balance of discussion at the Board meeting**

The Board meeting considered reports on CENTROC's Management Plan including the following.

**Transport Infrastructure** – members resolved to advocate local government wide permits for grader trailing where the existing regulations are prohibitive for road works in this region.

Further, regarding correspondence received from the Orana Regional Organisation of Councils (OROC) the Board resolved to progress advocacy for the Bells Line through the two ROCs.

**Water Infrastructure** - the substantial activity of the CENTROC Water Utilities' Alliance in demonstrating that Local Government is the structure of choice for delivering secure quality water supplies and sewage services was noted. The Board resolved to pursue funding options for the region for water storages from the \$40m set aside by the State Government for water infrastructure.

**Health** – it was noted with dismay that the launch of the new 24 hour helicopter service was being delayed, the Board resolved to seek assurances regarding a time line.

Advice was provided regarding the progression of meetings around the region with the development of content to be used for marketing and promotional purposes to attract a health workforce as part of the Beyond the Range campaign.

Cowra is seeking regional support to have residents living in hostels or nursing homes being able to access Home and Community Care Transport.

**Regional Development** – members were encouraged to engage when requested with RDACW regarding the import/export freight study under development. A summary of State initiatives supporting decentralisation was considered with further advice to be provided in due course.

**Member Council operational support** - noting the substantial amount of activity being undertaken collaboratively in support of member operations. This includes value of net savings to members under CENTROC programs since December 14 2009 are estimated to be \$2.25m.

The Board also reviewed the website upgrade CENTROC is to launch in the near future under the auspices of the Executive.

A CENTROC Management Plan report providing direction as to next year's activities was provided. The Board resolved a steady approach to activities in the context of local government reform. Existing resources are to be redirected to supporting Councils in energy, particularly electricity management.

Weddin, Oberon, Central West Libraries and Orange all raised matters of regional interest, these being-

- Container Deposit Legislation;
- Encouraging women in Local Government;
- Improved funding for Council Libraries; and
- Having the recent DLG practice guidelines for Code of Conduct Reviewers changed as it is too onerous.

### **Advice from the AGM**

At the AGM the Board elected the following as the CENTROC Executive:

- Cr Ken Keith as Chair (Parkes)
- Cr B West as Deputy Chair (Cowra)
- Cr P Miller as immediate past chair (Forbes)
- Cr G Rush CENTROC Executive Member (Bathurst)
- Cr J Davis CENTROC Executive Member (Orange)
- Cr M Statham CENTROC Executive Member (Lithgow)
- Mr K Boyd Secretary/Treasurer and Chair of GMAC
- Messers Sherley, Bailey, Styles, Devery and Steffen forming the balance of the Executive.

It was noted that anomalies in the CENTROC Constitution need tidying up as part of the annual constitutional review. A report will be received accordingly by the Board in February.

**Financial Implications:** Council's involvement in CENTROC is provided for within existing budget allocations.

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

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

**MINUTE**

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

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

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

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

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

**Report: MINUTES OF BATHURST REGIONAL YOUTH COUNCIL MEETING HELD IN  
COUNCIL CHAMBERS ON TUESDAY, 12 NOVEMBER 2013**

**PRESENT:** Erin Brouff, Keegan Bringolf, Gerard O'Shea, Nicholas Forbutt,  
Sophie Ireland, Sarah Harvey, Meghan Daymond, Brendan Thorpe,  
Dom Mjadwesch, Nicholas Stevens, Cameron Jones, Emma Farr,  
Hugo Newell, Jayne Dwyer.

**IN ATTENDANCE:** Megan Bargwanna (Community Development Officer-Youth)

**1. APOLOGIES**

**RESOLVED** that apologies from Saskia-Jayne Handley, Jonty Boshier, Hosea Luy, Keira Germech and Councillor Gary Rush be accepted.

**2. ADOPTION OF PREVIOUS MINUTES**

**RESOLVED** that the minutes of the meeting held 10 September 2013 be accepted.

Moved: Erin Brouff

Seconded: Sophie Ireland

**3. BUSINESS ARISING FROM PREVIOUS MINUTES**

There was no business arising from the previous minutes of 10 September 2013.

**4. YOUTH COUNCIL NEXT PROJECT- "SUMMERSAULT- ROLLING INTO  
SUMMER"**

- Ryan Fitch (2BS Brock) confirmed as MC for event.
- Promotional poster was distributed and changes made.
- Order of performances discussed and confirmed.
- Site visit conducted to Machattie Park.
- Final plans were confirmed.
- Final distribution of posters for Friday afternoon and Saturday morning discussed at shopping centres and Keppel Street Christmas Fair.
- Youth Councillors to meet at Machattie Park at 11.30am Saturday for bump in.

**5. YOUTH WEEK 2014 - FRIDAY 4 APRIL TO SUNDAY 13 APRIL, "OUR VOICE-  
OUR IMPACT"**

- Youth Week next year falls at the same time as the Catapult Festival.
- Catapult will feature a range of activities including a family fun day at Peace Park on Saturday 12 April.
- There has been a suggestion for the Youth Week celebrations to take place at this event and may include a music stage with local performers.
- The Youth Council would be key to assist in promoting the event.
- The Youth Council were supportive of the idea.

## **6. END OF YEAR CELEBRATION**

- Ideas for the end of year celebration were discussed
- Suggestions included BBQ, dinner, Tenpin bowling.
- Dinner was voted as the preferred option. Details confirmed as Monday 2 December at Church Bar

## **7. GENERAL BUSINESS**

**7.1** Keegan Bringolf- "Blood Brothers" - Keegan distributed the promotional poster for the upcoming St Stanislaus production of "Blood Brothers"

## **8. MEETING CLOSURE**

There being no further business, the meeting closed at 12.54pm.

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

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

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

**MINUTE**

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

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

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

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

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

**Report:** The Minutes of the Australia Day Working Party held on 21 January 2014 are shown at **attachment 1**.

**Financial Implications:** N/A

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

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



**MINUTE**

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

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

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

## MINUTE

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

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

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

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

**RESOLVED:** That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	LAND RELEASE -AVONLEA STAGE 9 RESIDENTIAL SUBDIVISION - FREEMAN CIRCUIT AND COACHWORKS WAY, BATHURST	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
2	PURCHASE OF COMMERCIAL SITE IN	10A (2) (d) (i) – contains commercial information of a

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

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

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

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' CONFIDENTIAL  
MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

5 FEBRUARY 2014

**MINUTE**

- a **Item 1 QUOTATIONS FOR PROVISION OF BATHURST TAFE  
CONSERVATION MANAGEMENT PLAN (13.00073)**  
**MOVED: Cr B Bourke SECONDED: Cr I North**

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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

5 FEBRUARY 2014

**MINUTE**

**b Item 1 LAND RELEASE -AVONLEA STAGE 9 RESIDENTIAL SUBDIVISION - FREEMAN CIRCUIT AND COACHWORKS WAY, BATHURST (20.00102)**

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

**That Council approves:**

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



**MINUTE**

**c Item 2 PURCHASE OF COMMERCIAL SITE IN HOWICK STREET BATHURST  
(22.02141)**

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

**That Council act in accordance with the report.**

**DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

5 FEBRUARY 2014

**MINUTE**

d Item 1 EASEMENT FOR WATER SUPPLY 5 WIDE, LOT 1 DP1191492, 365 LIMEKILNS ROAD, KELSO (22.06857)

MOVED: Cr B Bourke SECONDED: Cr I North

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

**MINUTE**

**e Item 2 RIGHT OF CARRIAGE WAY 20 WIDE, LOT 4 DP1105771 AND LOT 23 DP859300, GARTHOWEN ROAD, TANNAS MOUNT (32.00006-16)**

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

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

**MINUTE**

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

**MOVED: Cr M Coote SECONDED: Cr M Morse**

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

**MINUTE**

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

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

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

**MINUTE**

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

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

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

## MINUTE

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

MOVED: Cr I North SECONDED: Cr M Morse

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

The acquisition to:

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

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



**MINUTE**

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

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

**MINUTE**

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

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

**MINUTE**

**37     MEETING CLOSE**

The Meeting closed at 6.56 pm.

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

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