



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

30 January 2013

Her Worship the Mayor & Councillors

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 6 February 2013 commencing at 6.00 pm.

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

A handwritten signature in blue ink, appearing to read "DJS".

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 6 FEBRUARY 2013

1. 6:00 PM - MEETING COMMENCES
2. PUBLIC QUESTION TIME
3. PRAYER
Almighty God, Give wisdom to those in authority and guide all peoples in the way of righteousness and peace, so that we may share with justice the resources of the earth, work together in trust and seek the common good. Amen.
4. APOLOGIES
5. MINUTES
 - * Minutes - Ordinary Meeting of Bathurst Regional Council - 5 December 2012
 - * Minutes - Ordinary Meeting of Bathurst Regional Council - 12 December 2012
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
 - * Warrumbungle Shire Bushfire Appeal
8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS
 - * Director Environmental Planning & Building Services' Report
 - * Director Corporate Services & Finance's Report
 - * Director Engineering Services' Report
 - * Director Cultural & Community Services' Report
9. REPORTS OF OTHER COMMITTEES
 - * Minutes - Policy Committee Meeting - 5 December 2012
10. NOTICES OF MOTION - Nil
11. RESCISSION MOTIONS - Nil
12. DELEGATES REPORTS

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

Recommendation: That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED NEW MOTOR EVENT FOR 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.
2	BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to

		conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
3	LOCAL GOVERNMENT FINANCIAL SERVICES PTY LTD	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
4	EXPRESSION OF INTEREST - BATHURST AERODROME COTTAGE	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	KELSO FLOODPLAIN VOLUNTARY ACQUISITION - PROPOSED PURCHASE OF 1 HEREFORD 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.
6	PROPOSED NEW LICENCE AGREEMENT TO MAX HIRE PTY LTD - FORMER EVANS SHIRE COUNCIL DEPOT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who

		supplied it.
7	EARLY TERMINATION OF LICENCE AGREEMENT - CHURCH LANE, KELSO - JEFFERS	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	PROPOSED EASEMENT FOR RIGHT OF CARRIAGEWAY VARIABLE WIDTH, LOT 1 DP1179272, LOT 1 DP1180626 AND LOT 661 DP1138351, 441 – 453 CONROD STRAIGHT, 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.
2	RURAL WASTE TRANSFER STATIONS	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 COMPULSORY ACQUISITION OF LOTS 3 AND 6 DP1179068, SEWER PUMP STATION, BATHURST SHOWGROUND, KENDALL AVENUE, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in

		open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED ROAD WIDENING, LOT 16 DP38507, GREAT WESTERN HIGHWAY, 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.
5	PROPOSED ACQUISITION FOR STORM WATER RETENTION BASIN, LOT 11 DP 1176294, 38A GILMOUR STREET, 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.
6	PROPOSED ACQUISITION FOR ROAD WIDENING, LOTS 91, 94, 96, 102 AND 106 DP1174100, 3246 HILL END ROAD, HILL END	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	ANNUAL 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.
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- 14. RESOLVE INTO OPEN COUNCIL

- 15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 16. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

2 PUBLIC QUESTION TIME

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

The Mayor advised that the Director Engineering Services will review issues raised and respond to Mr Jones.

T Clark – O'Connell Road - over road from Scots School paddock has a lot of Yass River tussock. This needs to be removed. Also this area has a lot of kangaroos, can Council do anything about this.

The Mayor advised that issue of Yass River Tussock will be referred to Upper Macquarie County Council.

G Crisp – ratepayer - advised Engineering Department repainted distance signage on River Walk - thanked staff for doing this.

Raised parking issues and parking contrary to regulations, referred to letters forwarded by himself to Council. Made allegations of fraud by Council staff.

R Collins – 17 Stack Street - referred to June 2012 meeting re graffiti on Optus building and then the subsequent October 2012 meeting. Then spoke to Council cleaning up the building and further graffiti in December 2012. Asks why Council paid for removal of graffiti and has a bill been charged to Optus for this. Council money should not have been spent on this.

P Wright – Keppel Street Business/resident - advised keen to work with Council to refurbish Keppel Street between Railway Station and Machattie Park. Spoke to facilities in area, increased usage due to visitors, with enhanced railway services. Noted area has good parking, access, village atmosphere etc. Group has met to develop discussion points for Council on what could be done to the area, tabled proposal document. Issues such as trees, heritage, CBD Beautification document, parking were addressed. Would like to meet with Council to discuss the proposal so can be considered as part of the budget process.

The Mayor requested Mr Wright contact the General Manager so a meeting can be organised.

Bhakti Manning - ratepayer - DA processes - spoke to processes in place for development applications and their consideration. Issues such as open space, privacy, land suitability, content of LEP, DCP's amenity of private spaces were raised.

Talked of units and high density and need for open space. Last meeting the Council approved a departure from DCP, do Councillors understand their role and understand the conditions under which variations are allowable?

B Triming – ratepayer

- Gum Trees in Ben Chifley Park - advised that Gum trees in Ben Chifley Park that he paid for a couple of years ago have been replaced, however one of the new trees is not growing properly, could staff look at this.
- Bushfire appeal donations - stated embarrassed at comments over recent days, has worked as a volunteer at the appeal office to contribute to its success. This is just not a Federal and State Government issue, it includes Local Government and members of the public. Spoke to some of the donations made.

P Dowling – ratepayer

- advised supportive of Keppel Street matter.
- Expressed that it is sad that it is always the same people who turn up to Council meetings.
- TAFE building - good an extension has been granted to the time line.
- Shopping trolleys - the answer is not to put locks on the trolleys, the coin solution is the best option.
- In regards to safety at Corner George and Howick Street (Presbyterian Church side) a lady and her children were there and a driver could not see child who ran out due to the shrubbery in the area. Can the shrubbery be lowered?
- Weight of Loads group and costs thereof - what does Council get out of this.
- What was outcome of \$15,000 case when money stolen?

The Mayor advised that the Engineering Department will review issue concerning shrubbery

D Veness – Ratepayer -

- supports Mr Triming on request for Council to support the donation to the Coonabarrabran Appeal.
- advised will talk about the TAFE Building at the next meeting.

MINUTE

3 APOLOGIES

Nil.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MINUTES

MINUTES TO THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MEETING HELD ON 6 FEBRUARY 2013

General Manager
Bathurst Regional Council

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 5
DECEMBER 2012 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 5 December, 2012 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 5 December, 2012 are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 5 DECEMBER 2012 (11.00005)

MOVED: W Aubin SECONDED: M Coote

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 5 December, 2012 be adopted.

2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 12 DECEMBER 2012 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 12 December 2012 be adopted.

Report: The Minutes of the Ordinary Meeting held on 12 December 2012, are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

5 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 12 DECEMBER 2012 (11.00005)

MOVED: I North SECONDED: B Bourke

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 12 December 2012 be adopted.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE
HELD ON 5 DECEMBER 2012**

MEETING COMMENCES

1 MEETING COMMENCES

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

APOLOGIES

2 APOLOGIES

Nil.

DECLARATION OF INTEREST

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

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

4 Item 1 SUBMISSION - FINANCIAL STATEMENTS 2011/2012 (16.00034, 16.00055)
MOVED Cr B Bourke and **SECONDED** Cr I North

RESOLVED: That the submission received from Mr G A Crisp be noted and that no further action be taken.

MEETING CLOSE

5 MEETING CLOSE

The Meeting closed at 6.30 pm.

CHAIRMAN: _____

Date: _____ **(6 February 2013)**

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 12 DECEMBER 2012**

MEETING COMMENCES

1 MEETING COMMENCES

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

Terry Murray - Cartographer - Land Property Information (LPI) - advised he was here to make Council aware of what is happening at LPI, particularly the possible privatisation. There are over 260 staff at the LPI. Concerned that the scoping study leads into a done deal. Covers LPI in Bathurst and Sydney and valuation services across the State. This is a real concern for staff. It is unfounded to say privatisation will create more jobs, already have lost 14 jobs to another Government Department in Orange. The LPI and staff spend around \$4 million per annum in Bathurst and many staff are involved in community groups. Concern if goes privatised, will cost more for the services provided to Councils. Would like Council to be aware of this matter at this time.

Rob Collins - Ratepayer - referred to Section 3 of Community Survey concerning rate charges going up or down. Spoke to maintenance of existing services and backlog. Then spoke to Optus Tower and Council staff clearing up graffiti and repairing fence. Why was Council's money expended on this? Is there a deficiency in Council's leases? Referred to repair of chain wire fence around old Bathurst Bulldog Clubrooms and that the Clubrooms have now been sprayed with graffiti. Reported this to Police, hoped Council will follow this up. When Optus Tower lease is renewed next year competent people need to re-write the lease. Before any rate increases are approved, Council should undertake a review of all asset maintenance procedures.

Gordon Crisp - Ratepayer - spoke to submission under Section 420 of the Local Government Act and that he intentionally included something incorrect in it. Spoke of staff members and issue of declaring an interest in the matter. Made allegations of pecuniary interest against General Manager and Director Corporate Services and Finance and how items should be declared and the legal requirements thereof. Spoke to his submission and allegations regarding superannuation payments owed to him by Council.

The Mayor asked Mr Crisp to resume his seat as he should not be making accusations against individuals.

Mr Crisp - stated Mr Sherley and Mr Roach stole his money.

Bob Triming - Resident - Congratulations to Cr Bourke as Crematorium has started. Thanked Council for works at BMEC on wheelchair ramp and handrails, this is excellent. Merry Christmas to everyone.

Peter Dowling - Ratepayer -

- Howick Street and Stewart Street Intersection - spoke to turning restrictions at this intersection and that a right hand turn from the hospital side is dangerous. Why can't this be made a direct through access?

The Director Engineering Services spoke to issue of right angle accident. Damage and injuries were an issue.

- Howick Street and William Street Intersection - advised you can't turn right at this intersection. Why can't this be allowed?

The Director Engineering Services spoke of the reason as the intersection has the light standard which RMS asked to remove. Council didn't agree. This means no capacity for turning lanes.

- Mr Crisp's document - spoke to money lost from Council's safe of \$15,000. What happened with this?

The General Manager noted this was referred to Police and was an incident in 2004/05.

APOLOGIES**3 APOLOGIES**

Nil.

MINUTES**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 21 NOVEMBER 2012 (11.00005)**

MOVED Cr M Coote

and **SECONDED** Cr W Aubin

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 November 2012 be adopted.

DECLARATION OF INTEREST**5 DECLARATION OF INTEREST 11.00002**

MOVED Cr W Aubin

and **SECONDED** Cr I North

RESOLVED: That the Declaration of Interest be noted.

General Manager

Item #1 of the Confidential Mayoral Minute report.

MAYORAL MINUTE**6 Item 1 BATHURST TAFE SITE - STATE GOVERNMENT OFFICE (22.01387-03)**

MOVED Cr M Morse

RESOLVED: That Council advise the State Government that it wishes to explore

the option of acquisition of the TAFE site in William and Howick Streets.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

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

RESOLVED: That the information be noted.

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

RESOLVED: That the information be noted.

- 9** **Item 3 DEVELOPMENT APPLICATION NO. 2012/0516 – THREE LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT LOT 1 DP 603099, LOT 21 DP 808225 AND LOT 1 DP 996016. OWNER: S & P BONANNO, C & F BOURKE, E DOWD AND L HENNESSY (DA/2012/0516)**
MOVED Cr I North and **SECONDED** Cr M Coote

RESOLVED: That Council:

- (a) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 122;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size for the future erection of a dwelling house as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 122;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0516 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 J Jennings, Cr M Coote, Cr G Rush,

Against the motion - NIL

Absent - NIL

Abstain - NIL

- 10** **Item 4 DEVELOPMENT APPLICATION NO. 2012/0506 – THREE LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT 1879 FREEMANTLE ROAD.**

MILKERS FLAT. APPLICANT: MRS J WILLIAMS. OWNER: MRS J WILLIAMS (DA/2012/0506)

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 1, Lot 5 and Lot 2020;

(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 1, Lot 5 and Lot 2020;

(c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0506, 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 J Jennings, Cr M Coote, Cr G Rush,

Against the motion - NIL

Absent - NIL

Abstain - NIL

11

Item 5 DEVELOPMENT APPLICATION NO. 2012/0472 – DEMOLITION OF DWELLING, 4X2 BEDROOM UNITS AND FOUR LOT STRATA SUBDIVISION AT 68 LAMBERT STREET, BATHURST. APPLICANT: MR S RALPH. OWNER: MR S RALPH (DA/2012/0472)

MOVED Cr M Coote

and **SECONDED** Cr B Bourke

RESOLVED: That Council:

(a) support the variation to the private open space width development standard prescribed in the Bathurst Regional (Interim) Development Control Plan 2011 for the existing dwelling;

(b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0472, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:

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

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

(c) call a division.

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

The result of the division was:

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

Against the motion - NIL

Absent - NIL

Abstain - NIL

12 Item 6 DELEGATION OF FUNCTIONS TO COUNCIL UNDER PLUMBING AND DRAINAGE ACT 2012 (02.00012 & 41.00088)

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

RESOLVED: That Council:

- (a) inform the NSW Department of Fair Trading that the Council accepts and will adhere to the delegation of functions under the Plumbing and Drainage Act to the General Manager and
- (b) note that the General Manager will sub-delegate the powers to the respective officers within Council.

13 Item 7 CENTRAL WEST HERITAGE NETWORK SEMINAR - BATHURST - THE PREPARATION OF HERITAGE IMPACT STATEMENTS (20.00047)

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

RESOLVED: That the information be noted.

14 Item 8 BATHURST REGION PROMOTION AT CONSUMER SHOWS 2012 (20.00020)

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

RESOLVED: That the information be noted.

15 Item 9 YOUTH LEADING THE WORLD (09.00003)

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

RESOLVED: That the information be noted.

16 Item 10 BLAYNEY ROAD COMMON PLAN OF MANAGEMENT (04.00106)

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

RESOLVED: That Council:

- (a) place the draft Blayney Road Common Plan of Management on public

exhibition for a period of 28 days; and

- (b) if no submissions are received adopt the Blayney Road Common Plan of Management as a working document.

Director Corporate Services & Finance's Report

17 Item 1 STATEMENT OF INVESTMENTS (16.00001)

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

RESOLVED: That the information be noted.

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

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

RESOLVED: That the information be noted.

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

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

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

20 Item 4 POWER OF ATTORNEY (11.00007)

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

RESOLVED: That the information be noted.

21 Item 5 REQUEST FOR SPONSORSHIP - BATHURST PANTHERS FOOTBALL CLUB (18.00004)

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

RESOLVED: That Council sponsor Bathurst Panthers Football Club with the conducting of the Bathurst Rugby League Knockout on 15 and 16 March, 2013 by contributing a sponsorship package of \$3,000 to this organisation.

22 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - FAMILY VIOLENCE AWARENESS GROUP INC. (18.00004-26)

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

RESOLVED: That Council make available the Home and Community Care (HACC) Meeting Room for the Family Violence Awareness Group to hold their monthly meeting at a total yearly cost of \$144.00, to be funded from Section 356 Donations.

23 Item 7 CHANGING OF WATER TARIFF FOR BATHURST CITY COMMUNITY CLUB (BCCC) (22.01429-02)

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

RESOLVED: That Council:

- a) change the water tariff from common filtered water to a special filtered water tariff based on the same tariffs as Bathurst Golf Club and Majellan Bowling Club:

1-18,000 KL	\$0.60/kilolitre
19-32,000 KL	\$0.80/kilolitre
+32,000 KL	\$1.20/kilolitre

- b) notify Bathurst City Community Club (BCCC) of the proposed changes to their water charges;
- c) advertise for 28 days this proposed change in Revenue Policy and if no objections received then Council adopt this new water tariff for Bathurst City Community Club.

Director Engineering Services' Report

- 24** **Item 1 INTERSECTION OF SUTTOR STREET, MITRE STREET AND LAMBERT STREET BATHURST (25.00095)**
MOVED Cr G Rush and **SECONDED** Cr M Coote

RESOLVED: That:

- a) Options for the traffic treatment at the intersection at Mitre, Lambert and Suttor Streets be referred for consideration to the 2013/14 Annual Operating Plan.
- b) The matter be referred to a working party of Council.

Director Cultural & Community Services' Report

- 25** **Item 1 GRANT FUNDING - NSW CRIME PREVENTION GRANT - COMMUNITY SAFETY PLAN (07.00100, 16.00022)**
MOVED Cr I North and **SECONDED** Cr W Aubin

RESOLVED: That Council accept the grant of \$70,890.00 from the NSW Department of Attorney General & Justice (Crime Prevention Division) to undertake the identified actions from the Community Safety Plan.

- 26** **Item 2 ANNUAL REVIEW - BATHURST SOCIAL AND COMMUNITY PLAN 2011-2016 (20.00056)**
MOVED Cr M Coote and **SECONDED** Cr J Jennings

RESOLVED: That the annual review of the Bathurst Social & Community Plan 2011-2016 be noted.

General Manager's Report

- 27** **Item 1 SENIOR STAFF CONTRACTS (19.00030)**
MOVED Cr G Westman and **SECONDED** Cr G Rush

RESOLVED: That the information be noted.

- 28** **Item 2 DRAFT BATHURST 2036 COMMUNITY STRATEGIC PLAN (02.00003)**
MOVED Cr J Jennings and **SECONDED** Cr I North

RESOLVED: That Council seek community input by placing the draft Bathurst 2036 Community Strategic Plan on public exhibition for a minimum 28 days.

REPORTS OF OTHER COMMITTEES

Traffic Committee Meeting

- 29** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 4 DECEMBER 2012 (07.00006)**
MOVED Cr I North and **SECONDED** Cr W Aubin

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 4 December, 2012 be adopted.

DELEGATES REPORTS

- 30** **Item 1 MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING HELD ON TUESDAY, 13 NOVEMBER 2012 (07.00020)**
MOVED Cr I North and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

- 31** **Item 2 CR MORSE - REPORT FROM THE MAYOR ON THE CENTROC BOARD MEETING AND AGM 22 NOVEMBER 2012 IN GRENFELL (07.00017)**
MOVED Cr I North and **SECONDED** Cr J Jennings

RESOLVED: That the Mayoral Report on the Centroc Board meeting and AGM 22 November in Grenfell be noted.

- 32** **Item 3 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 4 DECEMBER 2012 (20.00153)**
MOVED Cr I North and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

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

- 33** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**
MOVED Cr M Coote and **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 we no representations from the public.

RESOLVED: That:

- (a) Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	LEASE OF HANGAR SITE, BATHURST AERODROME TO BATHURST AIRCRAFT MAINTENANCE PTY LIMITED	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	BATHURST HARNESS RACING CLUB - LEASE - ETHELTON AVENUE	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	PROPOSED ACQUISITION OF EASEMENT FOR UNDERGROUND CABLES 5 WIDE - LOT 11 DP1147945 - 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	PROPOSED ROAD WIDENING AND PARTIAL ROAD CLOSURE, PART LOT 13 DP755798 THE BRIDLE TRACK DURAMANA	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 93 DP755771, LOT 2 DP837567 AND LOT 10 DP878592, 198 THE BRIDLE TRACK DURAMANA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	TENDER FOR ASBESTOS REGISTER AND MANAGEMENT PLAN FOR POST OFFICE BUILDING 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.
5	PROPOSED ROAD WIDENING AND PARTIAL CLOSURE - LOT E DP39110 YARRAS LANE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed,

	KELSO	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	TENDERS FOR THE SUPPLY, DELIVERY AND LAYING OF ASPHALTIC CONCRETE SURFACING	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	TENDER FOR SUPPLY & DELIVERY OF ONE 6X4 TIPPING TRUCK	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 LEASE OF HANGAR SITE, BATHURST AERODROME TO BATHURST AIRCRAFT MAINTENANCE PTY LIMITED (21.00053)
MOVED Cr M Coote and SECONDED Cr G Rush

That Council approves entering into a new lease agreement for Lot 32 DP1151799 located at the Bathurst Aerodrome with Bathurst Aircraft Maintenance Pty Limited for a period of ten (10) years as detailed in the report.

- b** Item 2 BATHURST HARNESS RACING CLUB - LEASE - ETHELTON AVENUE (22.04170-03)
MOVED Cr B Bourke and SECONDED Cr I North

That Council:-

- a) Agree to removal of Harness Racing NSW as a Lessee ;
- b) Note that the tenancy of Ethelton Avenue land is no longer a joint tenancy between Harness Racing NSW and Bathurst Harness Racing Club;
- c) Enter into a Lease Agreement with Bathurst Harness Racing Club as detailed in the Report.

Director Engineering Services' Report

- c** Item 1 PROPOSED ACQUISITION OF EASEMENT FOR UNDERGROUND CABLES 5 WIDE - LOT 11 DP1147945 - 365 LIMEKILNS ROAD KELSO (22.06857)
MOVED Cr B Bourke and SECONDED Cr W Aubin

That Council approve the proposed acquisition of easement for underground cables 5 wide within Lot 11 DP1147945 at 365 Limekilns Road Kelso, subject to conditions outlined in the Director Engineering Services' report.

- d** Item 2 PROPOSED ROAD WIDENING AND PARTIAL ROAD CLOSURE, PART LOT 13 DP755798 THE BRIDLE TRACK DURAMANA (25.00283-02)
MOVED Cr G Rush and SECONDED Cr W Aubin

That Council approve:

- a) The proposed road widening of The Bridle Track affecting part Lot 13 DP755798 at Duramana;
- b) The partial road closure of The Bridle Track and its transfer as compensation; and
- c) The classification of the road closure land as Operational, as detailed in the Director Engineering Services report.

- e** Item 3 PROPOSED ROAD WIDENING, LOT 93 DP755771, LOT 2 DP837567 AND LOT 10 DP878592, 198 THE BRIDLE TRACK DURAMANA (25.00283-02)
MOVED Cr B Bourke and SECONDED Cr G Westman

That Council approve the proposed road widening affecting Lot 93 DP755771, Lot 2 DP837567 and Lot 10 DP878592, being 198 The Bridle Track at Duramana as detailed in the Director Engineering Services' report. The acquired road widening is to be classified as operational land and dedicated to the public as road through the Roads Act 1993.

- f** **Item 4 TENDER FOR ASBESTOS REGISTER AND MANAGEMENT PLAN FOR POST OFFICE BUILDING HOWICK STREET BATHURST (36.00472)**
MOVED Cr I North and SECONDED Cr G Hanger

That Council accepts the tender of Australian Asbestos Management Pty Ltd, for the preparation of an Asbestos Register and Management Plan for the Post Office Building, Howick Street, Bathurst in the amount of \$2,200.00 (Inc. GST) subject to adjustments and provisional items.

- g** **Item 5 PROPOSED ROAD WIDENING AND PARTIAL CLOSURE - LOT E DP39110 YARRAS LANE KELSO (25.00523)**
MOVED Cr M Coote and SECONDED Cr W Aubin

That Council approve the acquisition of land for road widening purposes affecting Lot E DP39110 and partial road closure at Yarras Lane, Kelso and classify the land as operational, as detailed in the Director Engineering Services report.

- h** **Item 6 TENDERS FOR THE SUPPLY, DELIVERY AND LAYING OF ASPHALTIC CONCRETE SURFACING (36.00469)**
MOVED Cr G Westman and SECONDED Cr I North

That Council accept the tender from Downer EDI Limited for the Supply, Delivery and Laying of Asphaltic Concrete Surfacing for Contract No. 36.00469.

- i** **Item 7 TENDER FOR SUPPLY & DELIVERY OF ONE 6X4 TIPPING TRUCK (36.00466)**
MOVED Cr G Westman and SECONDED Cr G Rush

That Council -

- (a) purchases the Mack Metroliner from Mack Australia with a total tendered price of \$231,773.65, and
- (b) accept the purchase offer of \$85,000 from Gamers Motor Auctions for F605.

Mayoral Minute

- i** **Item 1 GENERAL MANAGER'S APPRAISAL (35.01136)**
MOVED Cr M Morse

The General Manager declared a pecuniary interest in this item, left the Chamber and took no part in discussion.

Reason: Refers to General Manager's Contract of Employment.

That Council note:

- (1) the performance review of the General Manager, which was rated as better

than satisfactory;

(2) that the General Manager's employment package has been set at \$292,424.

RESOLVE INTO OPEN COUNCIL

34 **RESOLVE INTO OPEN COUNCIL**
MOVED Cr I North and **SECONDED** Cr B Bourke

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

35 **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr I North and **SECONDED** Cr B Bourke

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

MEETING CLOSE

36 **MEETING CLOSE**

The Meeting closed at 8.45 pm.

CHAIRMAN: _____

Date: _____ **(6 February 2013)**

MINUTE

6 DECLARATION OF INTEREST 11.00002

MOVED: I North SECONDED: J Jennings

RESOLVED: That the following Declaration of Interest be noted.

Cr Hanger

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MAYORAL MINUTE

**MAYORAL MINUTE TO THE ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL MEETING HELD ON 6 FEBRUARY 2013**

General Manager
Bathurst Regional Council

1 WARRUMBUNGLA SHIRE BUSHFIRE APPEAL (18.00004)

Recommendation: That Council donate \$5,000 to the Warrumbungle Shire Bushfire Appeal.

Report: Councillors would be aware of the current bushfire crisis and in particular that impacting the Warrumbungle Shire area around Coonabarabran. A community committee, coordinated by Crs Bourke and North, has set itself up to organise an appeal for the Warrumbungle Shire.

It is intended that any funds raised will be coordinated by the Lions Club. These funds will generally be used to purchase white goods, bedding and the like.

Council has in the past made donations to emergencies such as this, eg Queensland Flood Appeal, Victorian Bush fire Appeal and the Molong (Cabonne Shire Council) Flood Appeal.

Councillors may wish to consider making a donation.

Financial Implications: As Council's Section 356 Donations currently has a nil balance, it is proposed the funding be made from Equity given the emergency nature of this disaster.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.5
- Objective 33: To be and develop good leaders. Strategy 33.1

MINUTE

7 Item 1 WARRUMBUNGLA SHIRE BUSHFIRE APPEAL (18.00004)

MOVED: M Morse SECONDED: Nil

RESOLVED: That Council donate \$5,000 to the Warrumbungle Shire Bushfire Appeal.

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

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 6
FEBRUARY 2013**

General Manager
Bathurst Regional Council

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

Recommendation: That the information be noted.

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

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: I North SECONDED: G Hanger

RESOLVED: That the information be noted.

2 GENERAL REPORT (03.00053)

Recommendation: That the information be noted.

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

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during December 2012 (**attachment 1**)
- (b) Applications refused during December 2012 (**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 2012 (**attachment 5**).

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

9 Item 2 GENERAL REPORT (03.00053)

MOVED: I North SECONDED: B Bourke

RESOLVED: That the information be noted.

3 DEVELOPMENT APPLICATION NO. 2012/0562 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 119 DURAMANA ROAD AND 114 FREEMANTLE ROAD, EGLINTON. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS. OWNER: MR B RENSHAW & MS K ATKINS (DA/2012/0562)

Recommendation: That Council:

- (a) support the variation to the 1(a) Inner Rural 200 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 114 and proposed Lot 115;
- (b) support the variation to the 1(a) Inner Rural 200 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 114 and proposed Lot 115;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0562, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

Report: The Site

Council has received a Development Application (DA) for a two lot rural subdivision (boundary adjustment) at 119 Duramana Road and 114 Freemantle Road, Eglinton, described as Lot 2, DP 634117 and Lot 4, DP 560315 (see location plan at **attachment 1**).

Lot 2, DP 634117 currently contains a dwelling and rural outbuildings.

Lot 4, DP 560315 currently contains a dwelling and rural outbuildings.

The proposal

The proposal is for the resubdivision of the two existing lots to increase the area of existing Lot 4 thereby reducing the area of existing Lot 2 (see plan of proposed subdivision at **attachment 2**).

The proposal will:

- Increase the area of Lot 4 by 52.8 hectares (proposed Lot 114)
- Reduce the area of Lot 2 by 52.8 hectares (proposed Lot 115)

Planning Context

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

The subject site is zoned 1(a) Inner Rural under the provisions of the Bathurst Regional (Interim) Local Environmental Plan 2005. Under Clause 27 of the Bathurst Regional (Interim) Local Environmental Plan 2005 the minimum area for an allotment created for the purposes of agriculture or a dwelling-house in the 1(a) Inner Rural zone is 200 hectares. Likewise Clause 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005 requires a minimum area of 200 hectares for the erection of a dwelling-house.

Proposed Lot 114 and proposed Lot 115 are therefore below the minimum areas specified by Clause 27 and 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005, in that they will have areas of:

- Lot 114 – 65.5 hectares
- Lot 115 – 19.0 hectares

The applicant has submitted a SEPP 1 Objection (see SEPP 1 Objection at **attachment 3**) in relation to the creation of proposed Lot 114 and proposed Lot 115 which indicates the nature of the subdivision and their objection to the current standards because:

1. All lots are already well below the minimum lot size of 200 hectares;
2. The proposed lot sizes are consistent with the surrounding pattern of subdivision;
3. No new lots are created;
4. No new dwelling entitlements are being created; and
5. The agricultural use of the lots will not be compromised.

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

Concurrence

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

Need for Council Concurrence

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

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

Conclusion

Council has received a Development Application (DA) for a two lot rural subdivision (boundary adjustment) at 119 Duramana Road and 114 Freemantle Road, Eglinton. The resubdivision of the two existing lots will not create any new dwelling entitlements nor compromise the agricultural potential of the land. Accordingly the SEPP 1 Objection is supportable.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

10 Item 3 DEVELOPMENT APPLICATION NO. 2012/0562 – TWO LOT RURAL SUBDIVISION (BOUNDARY ADJUSTMENT) AT 119 DURAMANA ROAD AND 114 FREEMANTLE ROAD, EGLINTON. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS. OWNER: MR B RENSHAW & MS K ATKINS (DA/2012/0562)

MOVED: I North SECONDED: J Jennings

RESOLVED: That Council:

- (a) support the variation to the 1(a) Inner Rural 200 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 114 and proposed Lot 115;
- (b) support the variation to the 1(a) Inner Rural 200 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 114 and proposed Lot 115;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2012/0562, 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 J Jennings, Cr M Coote, Cr G Rush,

Against the motion - Nil

Absent - Nil

Abstain - Nil

Yours faithfully



D R Shaw

DIRECTOR

ENVIRONMENTAL, PLANNING & BUILDING SERVICES

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

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 6 FEBRUARY
2013**

General Manager
Bathurst Regional Council

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$67,931,107.58 was invested at 31 December 2012 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

Year to Date Averages

(as per the CBA & RBA for comparison purposes)

Reserve Bank of Australia - Cash Rate	3.00%
AFMA - 90 day Bank Bill Swap Rate (BBSW)	3.81%
Three Year Swap Rate - Commonwealth	3.51%

Short Term 1 – 365 Days

(Comprising Commercial Bills,

Debentures and Certificates of

Deposit:

	<u>Rating</u>		<u>Average Return</u>
Bank of Queensland	A2	\$11,500,000.00	5.22%
Bendigo and Adelaide Bank	A2	\$10,500,000.00	5.06%
IMB	A3	\$10,500,000.00	5.05%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	4.82%
National Australia Bank	A1+	\$8,500,000.00	5.08%
People's Choice Credit Union	ADI	\$1,000,000.00	4.93%
Railways Credit Union	ADI	\$1,000,000.00	5.13%
SGE Credit Union	ADI	<u>\$1,000,000.00</u>	<u>4.93%</u>
		\$47,000,000.00	5.08%

Long Term

(comprising Commercial Bills, Term

Deposits and Bonds):

Committed Rolling Investments

Westpac	AA-	\$2,000,000.00	4.29%
Westpac	AA-	\$2,000,000.00	4.11%
Westpac	AA-	\$2,000,000.00	4.58%
Westpac	AA-	<u>\$2,000,000.00</u>	<u>4.40%</u>
		\$8,000,000.00	4.34%

Community Income Note

*Rembrandt Australia Trust		<u>\$931,107.58</u>	<u>0.00%</u>
(refer to DCSF C#1 report of 19/3/2008)		\$931,107.58	0.00%

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

Commonwealth Bank	AA-	\$2,000,000.00	4.05%
Commonwealth Bank	AA-	<u>\$2,000,000.00</u>	<u>4.32%</u>
		\$4,000,000.00	4.19%

Floating Rate Notes

ANZ	AA-	\$2,000,000.00	4.36%
Barclays Bank PLC – Australia	AA-	\$2,000,000.00	4.98%
Bendigo & Adelaide Bank Retail Bond	A-	\$2,000,000.00	4.35%
The Royal Bank of Scotland – Australia	A+	<u>\$2,000,000.00</u>	<u>5.74%</u>
		\$8,000,000.00	4.86%

Total Investments **67,931,107.58** **4.85%**

These funds were held as follows:

Reserves Total (includes unexpended loan funds)		\$30,294,008.93
Grants held for specific purposes		\$5,792,898.36
Section 94 Funds held for specific purposes		\$23,647,698.34
Unrestricted Investments – All Funds		\$ 8,196,501.95
General Fund	\$13,677.27	
Water Fund	\$1,559,717.73	
Sewer Fund	\$1,520,091.60	
Waste Fund	<u>\$5,103,015.35</u>	

Total Investments **67,931,107.58**

Total Interest Revenue to 31/12/2012 **\$1,714,164.1** **4.85%**

R Roach
Responsible Accounting Officer

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

11 Item 1 STATEMENT OF INVESTMENTS (16.00001)

MOVED: B Bourke SECONDED: M Coote

RESOLVED: That the information be noted.

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

Recommendation: That the information be noted.

Report: Bathurst Regional Council has in place the Bathurst 2036 Community Strategic Plan which aims to inform the community about the major directions and programs Council is undertaking in shaping the future of the Bathurst Region. These directions are summarised as objectives and strategies in Part VI of the Community Strategic Plan which was adopted by Council on 15 February 2012. The Plan is available for viewing at the council offices at 158 Russell Street or can be downloaded from the Public Documents section of Council's website, www.bathurst.nsw.gov.au. Shown at **attachment 1** is a listing of the Objectives and Strategies from the Bathurst 2036 Community Strategic Plan.

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

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

Fines or penalty notices this month - Nil.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: J Jennings SECONDED: I North

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 2012.

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

Section 356:	\$	0.00
BMEC Community use:	\$	0.00
Mount Panorama :	\$	457.00

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: I North SECONDED: G Hanger

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.

- Woodward, MS - 10 Chesterman Close - Lot 927, DP1170287 - Transfer.
- McIntosh, LA & Byron EL - 5 Mulley Close - Lot 920, DP1170287 - Transfer.
- BP Australia Pty Ltd - Bathurst Aerodrome - Lot 8, DP873722 - Lease.
- James, MJ & Hodges, EJ - 8 Mulley Close - Lot 919, DP1170287 - Transfer.
- Harris S & V - 200 College Road - Lot 2, DP749758 - Licence Agreement.
- McLachlan, J - 6 Mulley Close - Lot 918, DP1170287 - Transfer.
- NSW Fair Trading - Delegation to Council under Plumbing & Drainage Act 2012.

Linen Plan Release

- Nil

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

14 Item 4 POWER OF ATTORNEY (11.00007)

MOVED: M Coote SECONDED: G Rush

RESOLVED: That the information be noted.

5 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST FILIPINO - AUSTRALIA COMMUNITY (18.00195-24)

Recommendation: That Council not make a donation to this organisation from the 2012/2013 budget..

Report: During 2012/13 meeting process, Council called for applications from various organisations for Section 356 Funding.

Council received a request from Bathurst Filipino - Australia Community and subsequently advised that their application was unsuccessful.

This group resubmitted an application based on the same information previously considered by Council (see **attachment 1**) for a donation of \$500.00

Council's Section 356 Donations for 2012/2013 has a nil balance.

Council is currently calling for submissions for Section 356 donations for the 2013/2014 financial year.

Financial Implications: Council's Section 356 Donations currently has a nil balance.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 20: To provide a range of cultural facilities, programs, activities and events and to support and enhance cultural and social activities across the community. Strategy 20.2, 20.6
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3

MINUTE

15 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST FILIPINO - AUSTRALIA COMMUNITY (18.00195-24)

MOVED: I North SECONDED: M Coote

RESOLVED: That Council not make a donation to this organisation from the 2012/2013 budget.

6 REQUEST FOR FINANCIAL ASSISTANCE - DENISON COLLEGE - BATHURST HIGH CAMPUS (21.00047)

Recommendation: That Council waive the fee of \$150 for use of the Library Meeting Room for the Workshop held by Denison College - Bathurst High Campus on 20 November 2012 to be funded from equity.

Report: Council received a request from the Visual Arts Teacher from Denison College of Secondary Education - Bathurst High Campus for the use of the small conference room at the Library in order for the College to run a day long Visual Arts Workshop to be held on 30 November, 2012. A copy of the request is shown at **attachment 1**. They have also requested that council waive the fee of \$150 for the Library Meeting Room.

The Workshop was held on 30 November 2012 and its aim was to introduce students to Australian contemporary art practice by looking at the art making techniques of artist Fiona Hall. The workshop was run by local artist, Karen Golland.

It is recommended that Council waive the fee of \$150 for use of the Library Meeting Room and that the fee of \$150 be funded from equity.

Financial Implications: Council's Section 356 Donations currently has a Nil balance. Should Council adopt the recommendation the donation would have to be funded from equity.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2
- Objective 27: To encourage youth engagement, participation and achievement across all areas of the Bathurst community. Strategy 27.1

MINUTE

16 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - DENISON COLLEGE - BATHURST HIGH CAMPUS (21.00047)

MOVED: B Bourke SECONDED: I North

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

Reason: Teacher at Denison College

RESOLVED: That Council waive the fee of \$150 for use of the Library Meeting Room for the Workshop held by Denison College - Bathurst High Campus on 20 November 2012 to be funded from equity.

7 REQUEST FOR FINANCIAL ASSISTANCE - ALCOHOLICS ANONYMOUS (AA)
(22.00185-07)

Recommendation: That Council not waive the fee for utilising the Home and Community Care (HACC) Meeting Room at the Seymour Centre each Sunday until July 2013.

Report: Council has received a request from the local branch of Alcoholics Anonymous (AA) for the consideration of Council to waive the fees associated with the hire of the HACC Meeting Room each Sunday morning until July 2013. The request is shown as **attachment 1**.

The cost of hiring the HACC meeting room is \$31.00 per half day (4 hours).

Council has two (2) different fee structures for the HACC Centre. For example,

Community Users - \$31.00 per half day; and
Commercial Users - \$88.50 per half day.

Financial Implications: Council's Section 356 Donations currently has a nil balance.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

17 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - ALCOHOLICS ANONYMOUS (AA) (22.00185-07)

MOVED: B Bourke SECONDED: Nil

That Council waive the fee for utilising the Home and Community Care (HACC) Meeting Room at the Seymour Centre each Sunday until July 2013.

The MOTION LAPSED for want of a SECONDER

MINUTE

18 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - ALCOHOLICS ANONYMOUS (AA) (22.00185-07)

MOVED: G Westman SECONDED: M Coote

RESOLVED: That Council not waive the fee for utilising the Home and Community Care (HACC) Meeting Room at the Seymour Centre each Sunday until July 2013.

8 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST DISTRICT HISTORICAL SOCIETY INC. (18.00183)

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

1. Council to host an evening Reception on Friday 27 September 2013 to mark Ben Hall's re-enactment at a maximum cost of \$500.00;
2. That Council close Russell Street (between William and George Streets) on Saturday 28 September, 2013 from 1.00 pm - 6.00 pm at an approximate cost of \$1,000
3. That this sponsorship be funded from Council's 2013/2014 Section 356 Donations.

Report: The Bathurst District Historical Society is pleased to be associated with a group planning to hold a weekend of activities to mark the sesquicentenary of the Ben Hall Gang's raid on Bathurst on 3rd October, 1863. **Attachment 1** is a copy of the BDHS letter and draft festival program.

An evening reception will be held on Friday 27th September at the Historical Society Museum, which will mark the opening of a significant permanent display of the collection of Edgar Penzig, which is held by the Society.

A range of activities is planned for the afternoon of Saturday 28th September, where the organisers are asking Council permission to close Russell Street (between William and George Streets) to traffic for the afternoon and to waive the cost of this street closure.

The sponsorship of this Event would be approximately \$1,500.

Financial Implications: The sponsorship of this Festival could be funded from Council's 2013/2014 Section 356 Donations.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 30: To identify the needs of the community and encourage and support communication, interaction and support within the community. Strategy 30.2
- Objective 23: To encourage a supportive and inclusive community. Strategy 23.2

MINUTE

19 Item 8 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST DISTRICT HISTORICAL SOCIETY INC. (18.00183)

MOVED: B Bourke SECONDED: G Westman

RESOLVED: That the request for funding by the Bathurst District Historical Society (BDHS) for the Ben Hall re-enactment weekend to be held 27 - 29 September 2013 be referred to the 2013/2014 Management Plan process.

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES
6 FEBRUARY 2013

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL MEETING HELD ON 6 FEBRUARY 2013**

General Manager
Bathurst Regional Council

1 LOCAL GOVERNMENT AND SHIRES' ASSOCIATION - EXCELLENCE IN THE ENVIRONMENT AWARDS 2012 (16.00103)

Recommendation: That the information be noted.

Report: The Local Government Excellence in the Environment Awards were initiated by the Local Government Association and the Shires Association (LGSA) of NSW in 1998. Held annually, the awards aim to recognise outstanding achievements by NSW Local Government in managing and protecting the environment.

There are 13 categories which councils may enter and for each of the award categories there are 3 divisions based on a council's population base. Bathurst Regional Council falls into Division B (population 20,000 – 60,000).

Council entered the Water Conservation category for the 2013 awards with a nomination titled "Waterwise Bathurst". The nomination covered 2 important projects completed within the award period, the Supernatant Recycling Project and Manganese Removal Trial.

The supernatant project has maximised water recycling by upgrading infrastructure at the Bathurst Water Filtration Plant. Modification of the sludge lagoon outlets has enabled supernatant (treated water) to be piped back to the inlet mixing tank rather than being discharged to the Macquarie River.

A Manganese Removal Trial has been undertaken to improve the quality of water entering the network and reduce volumes of water being wasted through reactive mains flushing. There are few effective measures for treating manganese once it enters the reticulated network; however the results received from the Stage 1 and Stage 2 trial have been very positive.

Council was successful in winning the Water Conservation, Division B award. The Manager of Water and Waste made presentation detailing more information about the nomination and both projects, this presentation was well received.

Council also entered the Communication, Education and Empowerment category for 2013 with a nomination titled "Bathurst Backyards for Wildlife Booklet". As the title suggests the nomination related to the production of the Bathurst Backyards for Wildlife Booklet, which was prepared by Council's Environmental Officer.

The booklet provides detailed guidance to local residents on creating habitat for wildlife within their own backyards, whether large or small. It includes extensive lists of recommended flora species and an explanation of various types of habitat for fauna.

The booklet is free to download from Council's website and is available to purchase in hard copy for \$3.00 from the Civic Centre and Library.

Council was successful in receiving a Highly Commended in the Communication, Education and Empowerment Division B awards.

The LGSA Excellence in the Environment awards represents a positive recognition for the work undertaken by Council to successfully complete these important projects.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.11
- Objective 15: To secure a sustainable water supply and raise awareness on water issues. Strategy 15.3
- Objective 15: To secure a sustainable water supply and raise awareness on water issues. Strategy 15.7
- Objective 31: To maintain local public ownership of water and sewer assets. Strategy 31.1
- Objective 33: To be and develop good leaders. Strategy 33.6

MINUTE

**20 Item 1 LOCAL GOVERNMENT AND SHIRES' ASSOCIATION - EXCELLENCE
IN THE ENVIRONMENT AWARDS 2012 (16.00103)**

MOVED: B Bourke SECONDED: J Jennings

RESOLVED: That the information be noted.

2 CENTRAL WEST CATCHMENT MANAGEMENT AUTHORITY GRANT FUNDING - WATER SENSITIVE URBAN DESIGN PROJECT (16.00133)

Recommendation: That the information be noted.

Report: In December 2012, Council was successful in securing funding from the Central West Catchment Management Authority and Salinity and Water Quality Alliance (CMA) to undertake a Water Sensitive Urban Design project.

The amount of \$20,000 was secured from the CMA to complete Stage 1 of a proposed 2 stage project to be undertaken along the Hope Street side of the Bathurst Adventure Playground.

Stage 1 of the project would centre on the design and implementation of up to 6 individual bio-filtration beds which at this stage would be located between the existing mature street trees at the top end of Hope Street. The location of these bio-filtration beds would visually complement the existing street tree planting, not compromise the existing root structures of these established trees and allow for access into the playground. A key objective of the project is to enhance the park amenity, and the design will ensure that the existing elements continue to work and that there is no restriction on future enhancements to the park.

The purpose of the bio-filtration garden beds is to improve the quality of stormwater run off coming from Hope and Howick Streets. As significant amounts of water move over the grassed areas of the Adventure Playground during rainfall events, primary filtration of any stormwater run-off in this area will improve the quality of those flows eventually entering the Macquarie River.

At this time there are very few examples of Water Sensitive Urban Design (WSUD) in place across the region and as a result Council wishes to undertake this pilot project which could showcase the potential effectiveness of WSUD and demonstrate how a well planned maintenance program could ensure the ongoing success of such a project with minimal impact on Council resources. The amenity of park users has been considered and the minimisation of the potential impact on access or parking is a key design consideration.

Under Stage 2 of the project, Council is proposing to design and construct a fully functioning bio-retention swale at the lower end of Hope Street which will build on the existing filtration processes operating within the Stage 1 bio-filtration beds and provide further filtration for stormwater run-off along the length of Hope Street.

Stage 2 of the project would also incorporate the installation of an appropriate water collection tank which would be connected to the bio-retention swale enabling filtered stormwater to be harvested and stored for use in toilet flushing in the public amenity block located at the lower end of Hope Street.

The design for Stage 1 has been commenced by staff within the Technical Services Section. This, and all future designs will be developed in conjunction with staff from the Recreation Section to ensure that the works enhance the current visual and operational amenity of the Adventure Playground.

Financial Implications: Covered in existing budgets.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.1
- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.4
- Objective 15: To secure a sustainable water supply and raise awareness on water issues. Strategy 15.5

MINUTE

21 Item 2 CENTRAL WEST CATCHMENT MANAGEMENT AUTHORITY GRANT FUNDING - WATER SENSITIVE URBAN DESIGN PROJECT (16.00133)

MOVED: I North SECONDED: G Westman

RESOLVED: That the information be noted.

3 NSW GOVERNMENT RESPONSE TO INFRASTRUCTURE NSW STRATEGY (03.00030)

Recommendation: That the information be noted.

Report: In July 2011, Infrastructure NSW was tasked with preparing a 20 year Strategy that assessed the current state of infrastructure and identified strategic priorities for the future.

The Strategy is independent advice to the NSW Government on the specific infrastructure investments and reforms recommended to make NSW number one again.

The Strategy looks across a broad range of sectors and identifies specific projects and programs for priority consideration. It also makes recommendations to the NSW Government on how to fund these recommendations and was released on 3 October 2012.

Full details are available at

http://www.infrastructure.nsw.gov.au/pdfs/SIS_Report_Complete_Print.pdf

On Thursday 13 December 2012, the NSW Government released their response to the 70 recommendations, with full details at

<http://www.nsw.gov.au/sites/default/files/pdf/Government-Response-to-INSW.pdf>

Of particular relevance regarding the operations of local water utilities is the following recommendations & responses, especially recommendation 52, which are taken directly from the Government response document:

Recommendation 52

Merge regional water authorities from 105 to around 30.

Infrastructure NSW recommends the various key conclusions for changes to regional water supply arrangements be considered, including aggregation of (from 105 to around 30 authorities) water and wastewater delivery authorities.

Implementation Timeframe: Short Term (0-5 years)

Government Response: Supported.

The NSW Government is currently considering options to improve the efficient delivery of high quality drinking water in regional areas. The Government will develop options in conjunction with the review commenced in March 2012 by the Minister for Local Government into local government structural arrangements. A preferred model will be developed in consultation with local councils. The Local Government review will be completed in mid 2013.

Recommendation 53

Water and wastewater upgrades in regional towns to meet national standards.

Infrastructure NSW recommends a prioritised program of work is undertaken across Regional NSW to bring water and sewerage systems up to required minimum drinking quality and environmental standards.

Implementation Timeframe: Medium to Long Term (5-20 years)

Government Response: Supported.

Although ensuring local utilities meet relevant standards is primarily a matter for local government, the Government recognises the continuing need to upgrade water and sewerage systems in regional towns to meet national water quality and environmental standards. The Government will undertake a cost benefit analysis of the required infrastructure upgrades and develop a prioritised program of works by the end of 2014.

Recommendation 54

Regional dam construction and safety upgrades.

Infrastructure NSW recommends the development of a comprehensive, prioritised program of new and refurbished regional dams throughout NSW to address the impacts of climate variability and drought scenarios.

Implementation Timeframe: Medium to Long Term (5-20 years)

Government Response: Supported.

NSW is currently investigating current water supply in regional areas and the need for new projects to augment current supply levels. This work is being undertaken with consideration to other reviews in this portfolio area, including the Dam Safety Act review and the Legislative Council Inquiry into the adequacy of water storages. Consideration will also be given to broader national reforms including the National Water Initiative and the Murray Darling Basin Plan. Based on these investigations, options relating to dam infrastructure will be developed by the end of 2014, including water supply and flood mitigation functions.

In addition, the NSW Government released the December 2012 NSW Government State Infrastructure Strategy, with full details available at <http://www.nsw.gov.au/sites/default/files/pdf/State-Infrastructure-Strategy.pdf>

Action Taken

Following the issuing of the NSW Government response to the Infrastructure NSW Strategy, Council wrote to the Premier, along with the Member for Bathurst, the Minister for Regional Infrastructure and Services, the Minister for Primary Industries, the Minister for Local Government and the Minister for Western NSW to ensure that they are aware that Council's adopted position in regards to merging regional water authorities from 105 to around 30 is that the status quo should remain and that Bathurst Regional Council must stand alone. Council also requested their acknowledgement that Council meets all the requirements of the status quo model.

Further details are available in the reply letter, which is provided at **attachment 1**.

Council will be kept informed on future developments in this area.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.7
- Objective 6: To support infrastructure development necessary to enhance Bathurst's life-style and industry development. Strategy 6.1
- Objective 15: To secure a sustainable water supply and raise awareness on water issues. Strategy 15.7
- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.1
- Objective 31: To maintain local public ownership of water and sewer assets. Strategy 31.1

MINUTE

22 Item 3 NSW GOVERNMENT RESPONSE TO INFRASTRUCTURE NSW STRATEGY (03.00030)

MOVED: B Bourke SECONDED: G Hanger

RESOLVED: That the information be noted.

4 LOCAL LAND SERVICES - PROPOSED NEW BOUNDARIES (07.00047)

Recommendation: That the information be noted.

Report: From January 2014, Local Land Services will deliver functions currently provided by Catchment Management Authorities and Livestock Health & Pest Authorities and agriculture advisory services of Agriculture NSW, part of the Department of Primary Industries.

An independent Stakeholder Reference Panel, was established to work with community and stakeholder groups to identify how the new organisation will best deliver valuable services to the people of rural and regional NSW. The Local Land Services Stakeholder Reference Panel has released a final draft of regional boundaries for the new organisation after inviting feedback from stakeholders on a draft boundary proposal. Council responded to the initial proposal which included Bathurst in a large region that extended South all the way to the Victorian border.

In December 2012, the Local Land Services Reference Panel agreed on a set of administrative boundaries for 11 Local Land Services shown in the map at **attachment 1**. In mid January 2013, Council subsequently received correspondence indicating that the Reference Panel may still consider further well supported submissions up until the time of the consultation workshops.

The proposed boundaries will attempt to align regions with broad landforms and land-use to best match biophysical form, land use and management. Also, the boundaries have been selected to align regions with specific local government area boundaries to help deliver efficient services and better outcomes for their communities.

Further consultation on the boundaries, as well as other key features of Local Land Services including governance structures, core functions and the rating framework, will also take place in community consultation workshops planned for February and March 2013. The Bathurst consultation workshop is scheduled for 12 February 2013 to be held at Bathurst Panthers, 132 Piper Street, between 8.00 am - 11.00 am. Background information will be made available for participants via the Local Land Services consultation website: **haveyoursay.nsw.gov.au/locallandservices**, ahead of the workshop.

Following these planned consultation workshops, recommendations on key features of the new Local Land Services will be made to the Minister for Primary Industries.

Council will be kept informed of major developments.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 8: To promote sustainable and energy efficient growth. Strategy 8.4
- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Strategy 9.7

Macquarie River.

- Objective 9: To protect and enhance the region's landscapes, views, vistas, open spaces and the Macquarie River. Strategy 9.8
- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.6
- Objective 12: To protect and enhance water quality and riparian ecology. Strategy 12.6

MINUTE

23 Item 4 LOCAL LAND SERVICES - PROPOSED NEW BOUNDARIES (07.00047)

MOVED: I North SECONDED: M Coote

RESOLVED: That the information be noted.

5 WEIGHT OF LOADS GROUP (07.00030)

Recommendation: That Council:

- (a) withdraw from the CENTROC Weight of Loads Group effective as from 30 June 2013;
- (b) support the Weight of Loads Group Management Committee resolution that the Group be wound up by 30 June 2013.
- (c) review alternatives for control of heavy vehicles on local roads.

Report: Council is currently a member of the CENTROC Weight of Loads Group which was established in 1995 with a total of 8 Councils. The purpose is to inspect and provide enforcement of heavy vehicles on the roads in the Bathurst area to reduce the damage to local roads as a result of overloaded vehicles and prevent the utilisation of load limited roads by inappropriate vehicles.

At its peak the group had 12 member councils, but the current membership stands at 7, including:

Wellington Council (administering Council)
Bathurst Regional Council
Blayney Council
Dubbo City Council
Gilgandra Shire Council
Orange City Council
Weddin Shire Council

Both Gilgandra Shire and Weddin Shire Councils have advised of their withdrawal from the group and Orange City Council advised the Annual General Meeting that it would not be continuing membership beyond the 30 June 2013.

Wellington Shire Council is also currently considering their position in the continuation with the group.

Bathurst Regional Council's contribution to the operation of the group in the current financial year was \$34,963 which would substantially increase with the reduction in membership and further fragment the already geographically diverse group.

At the recent Weight of Loads Group meeting it was considered that the most appropriate course of action would be to wind up the group at the end of the financial year with any remaining funds to be dispersed between Councils.

This Council's alternatives for the control of heavy vehicles on its network include:

1. Consider applying to the South East Weight of Loads Group for inclusion into their operations.
2. Seek support from the Roads and Maritime Service for enforcement on Council's local roads on a user pays basis.

It is considered that the group is no longer viable and Council should withdraw from the group effective from the end of the financial year.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

24 Item 5 WEIGHT OF LOADS GROUP (07.00030)

MOVED: M Coote SECONDED: W Aubin

RESOLVED: That Council:

- (a) withdraw from the CENTROC Weight of Loads Group effective as from 30 June 2013;
- (b) support the Weight of Loads Group Management Committee resolution that the Group be wound up by 30 June 2013.
- (c) review alternatives for control of heavy vehicles on local roads.

Yours faithfully



Doug Patterson
**DIRECTOR
ENGINEERING SERVICES**

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

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 6 FEBRUARY
2013**

General Manager
Bathurst Regional Council

**1 VILLAGE IMPROVEMENT PROGRAM - TRUNKEY CREEK COMMUNITY HALL
(16.00104, 18.00223)**

Recommendation: That Council allocate \$4,638.04 to the upgrade of the Trunkey Creek Community Hall fire doors, emergency exits and associated works from the 2012/2013 Rural Village Improvement Program funding.

Report: Council staff recently undertook an inspection of Village Improvement Projects at Trunkey Creek. The Trunkey Creek Progress Association have acquitted their grant making good use of Council funds to install a fire door in the kitchen, concreting stall areas and purchasing refrigerators under the 2011/2012 Village Improvement Program.

During the inspection of this program it became evident the fire doors within the main hall, emergency exits and associated signage at the Trunkey Creek Community Hall were substandard, not meeting the legislative requirements or providing suitable levels of security to the community, thus effectively threatening the ongoing operations and insurance coverage of the facility.

Council has arranged for all defects to be rectified.

No funding has been allocated for rectification maintenance for this facility and works were unable to be deferred. Staff consider it appropriate that surplus funding in the Village Improvement Program be utilised in this instance as the works fit within the Village Improvement Program criteria being located in a village and infrastructure upgrades for community use.

Financial Implications: Funding for rectification/maintenance works for the fire doors, emergency exits and associated signage has not been included within the current budget. These works may be funded from the Village Improvement Program, having a net effect of zero on Council's budget. The balance available of these funds is \$16,468. Project cost is estimated at \$4,638.04.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 17: To encourage living, vibrant and growing villages and rural settlements. Strategy 17.8
- Objective 22: To improve community safety. Strategy 22.11

MINUTE

25 Item 1 VILLAGE IMPROVEMENT PROGRAM - TRUNKEY CREEK COMMUNITY HALL (16.00104, 18.00223)

MOVED: B Bourke SECONDED: W Aubin

RESOLVED: That Council allocate \$4,638.04 to the upgrade of the Trunkey Creek Community Hall fire doors, emergency exits and associated works from the 2012/2013 Rural Village Improvement Program funding.

2 COMMUNITY LANGUAGE LIBRARY MATERIAL (21.00054)

Recommendation: That the information be noted.

Report: Bathurst residents from Multicultural backgrounds are able to obtain reading material in Languages Other Than English (LOTE) as they can borrow books and audio books from the State Library Multicultural Service through Bathurst public library. This service is provided free to public libraries by the State Library and is a suitable alternative to Libraries purchasing small ineffectual collections in LOTE.

In December 2012, Bathurst Library had books on loan from the State Library in the following LOTE: French; Swedish; Persian and Chinese. Other languages borrowed during the year for Bathurst residents include: Thai; Polish; Bengali; Punjabi; Japanese and Italian.

Books are delivered in a box, containing some 30 to 40 books, so a decent selection may be made. The contents of each box can be made up to the borrowers specification, for example, adult books only or fiction only etc.

The Multicultural Service collects books in over 40 community languages including English as a Second Language. The collection includes:

- Adult fiction;
- Adult popular non-fiction such as history, poetry and drama, cookery, medical information;
- Resources for children such as picture books, nursery rhymes, bilingual books and sound recordings.
- Large print and audio books in some languages are also collected.

This service provides an effective and adequate level of access to reading material for those in our community with English as a second language and allows the Bathurst library to concentrate on purchasing material in English.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

26 Item 2 COMMUNITY LANGUAGE LIBRARY MATERIAL (21.00054)

MOVED: G Rush SECONDED: J Jennings

RESOLVED: That the information be noted.

3 BATHURST LIBRARY - CHRISTMAS ON KEPPEL (21.00054)

Recommendation: That the information be noted.

Report: On Saturday, 1 December 2012 the Bathurst Library hosted the very first Christmas on Keppel; a community fair in the Library courtyard. Businesses from Keppel Street and Library sponsors were invited to hold a stall at the fair, or provide entertainment. The fair was designed to promote both the library and the Keppel Street shopping precinct.

There were 13 gift stalls including: Library shop and book sale, Gallery shop, The Naked Bud retro goods; Salvation Army and St Vincent de Paul; Vanessa Pringle Floral Designs; Frank Smith Work Clothing; CWA; BooksPlus; Primrose Vintage Lace & Trims; Lyndal Tuckey; Mitchell Conservatorium of Music; and the Australian Fossil & Mineral Museum.

Activity stalls included: Fiona Howle Creative Workshops making Christmas bunting and tree hangers; Fairy Dust Face Painting; and the Australian Fossil & Mineral Museum had fossicking for gemstones.

Live music was provided by the Mitchell Conservatorium of Music with their Jazz Band & Young Voices Choir. SACK Music provided 2 solo performers; Kate Meadley and Kaylee Bell, and the fair also had a Saxophone busker, Saxon Nichols.

Food for the event was provided by Bathurst Library's sausage sizzle, cold drinks and lollies, as well as an Annie's Ice Cream stand.

There were approximately 2,000 people in attendance throughout the event which ran from 11.00am to 3.00pm. Both stall holders and members of the community provided the Library with positive feedback about the event.

The Library is considering running the event again next year, and will be working with participants to get input into style content and format. Staff are very conscious that the event consumed a large amount of resources and the ability to meet this demand will be a critical consideration in the event proceeding again.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

27 **Item 3 BATHURST LIBRARY - CHRISTMAS ON KEPPEL (21.00054)**

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

RESOLVED: That the information be noted.

Yours faithfully



Annabell Miller
DIRECTOR
CULTURAL & COMMUNITY SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
POLICY COMMITTEE MEETING

**POLICY COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 6 FEBRUARY 2013**

General Manager
Bathurst Regional Council

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

Recommendation: That the recommendations of the Policy Committee Meeting held on 5 December, 2012 be adopted.

Report: The Minutes of the Policy Committee Meeting held 5 December, 2012 are attached.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

MINUTE

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

MOVED: W Aubin SECONDED: B Bourke

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

MINUTES OF THE POLICY COMMITTEE
HELD ON 5 DECEMBER 2012

MEETING COMMENCES

1 MEETING COMMENCES

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

APOLOGIES

2 APOLOGIES

Nil.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 NOVEMBER 2012 (07.00064)

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

RESOLVED: That the Minutes of the Policy Committee Meeting held on 7 November 2012 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

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

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

5 Item 1 POLICY MANUAL UPDATE (41.00089)

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

RESOLVED: That Council adopt the amendments to the Policy Manual as detailed in the report.

6 Item 2 GIFTS & BENEFITS POLICY (18.00013, 41.00089)

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

RESOLVED: That Council adopt the amendments to the Gifts and Benefits Policy as outlined in the report and update the Policy Manual.

- 7** **Item 3 CODE OF CONDUCT POLICY (11.00024, 41.00089)**
MOVED Cr G Westman and **SECONDED** Cr W Aubin

RESOLVED: That Council adopt the amendments to the Code of Conduct as outlined in the report and update the Policy Manual.

GENERAL BUSINESS

- 8** **Item 1 LIGHTS ON LAMP STANDARDS (28.00014)**

Cr Rush - These present with different colours. Why is this so, could we look at this?.

The Director Engineering Services - Spoke to progressive change to more environmentally friendly globe types. Will discuss further with Essential Energy.

- 9** **Item 2 TRAFFIC COMMITTEE - HAVANNAH STREET - TWO LANES ONTO HIGHWAY (25.00027-04)**

Cr Coote - Can we get this to happen, understands this is an RMS matter.

The Director Engineering Services - Spoke about discussions being held with RMS and alterations to 'loops' and phasing of lights that are occurring. Hope works will be completed this financial year.

- 10** **Item 3 AESTHETICS OF STREETS (28.00014)**

Cr Aubin - Upgrade central light standards. Do we have a budget for this? Could we clean them up?

The Director Engineering Services - There is money to maintain, budget is \$10,000 this year.

- 11** **Item 4 AWNINGS - GEORGE STREET - CAR POLES (25.00007)**

Cr Aubin- All are bent and paint taken off. Could we get these repaired?

- 12** **Item 5 WATER COSTS - REQUIREMENT FOR 75:25 SPLIT (16.00129)**

Cr North - Where are we at with this?

The Director Corporate Services & Finance - advised that a meeting has been organised for 12 December 2012 with the Minister on this matter.

13 **Item 6 LOAD BASED LICENSING FEES - WATER (13.00007)**

Cr North - Costs Council a lot to put treated effluent back into the river. Appears Government has no timeline to review this matter. Can this be raised at next week's meeting with the Minister?

14 **Item 7 DIVERSION CHANNEL RAGLAN CREEK (31.00006)**

Cr North - When will this be done?

The Director Engineering Services - advised that all issues have been resolved. Currently RMS are awaiting a response from Office of Water, then works can happen.

15 **Item 8 UMCC (18.00172)**

Cr North - Spoke to recent changes in legislation about placing notices on property owners. The new order regime has no "teeth". Further noted classification of weeds and difficulties occurring. Perhaps we need to look at future of UMCC and how Bathurst Regional Council operates with respect to noxious weeds.

16 **Item 9 WOMEN ON COUNCIL - REPRESENTATION (18.00008)**

Cr North - Suggests Council establish a Women's Committee, so women's issues can be brought to Council.

17 **Item 10 RIBBON GANG LANE - TRAFFIC FLOW (25.00021)**

Cr North - Have had concerns expressed by shop owners that cars are regularly going the wrong way up Ribbon Gang Lane, can we look into this.

18 **Item 11 LIGHT STANDARDS (20.00153)**

Cr Bourke - With the Bicentenary year coming around, could we do something with them to fit in with 2015 celebrations eg. Governance - George Street, car racing - William Street.

19 **Item 12 BROOKE MOORE FOUNTAIN (04.00012)**

Cr Bourke - Needs some cleaning up. Could this be done?

20 **Item 13 TAFE BUILDING (22.01387-03)**

Cr Bourke - Awaiting response on this building concerning issues of 'no strings' attached etc.

The General Manager - Advised that it is expected that a letter will come in from the Local Member this week

MEETING CLOSE

21 **MEETING CLOSE**

The Meeting closed at 6.27 pm.

CHAIRMAN: _____

Date: _____ **(6 February 2013)**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DELEGATES REPORTS AND MINUTES

**DELEGATES REPORTS TO THE ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL MEETING HELD ON 6 FEBRUARY 2013**

General Manager
Bathurst Regional Council

**1 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 18 DECEMBER
2012 (20.00153)**

Recommendation: That the information be noted.

Report: The Minutes of the 2015 Bicentenary Celebrations Committee held on Tuesday 18 December 2012 are provided at **attachment 1**.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.3

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

MINUTE

29 Item 1 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 18
DECEMBER 2012 (20.00153)

MOVED: I North SECONDED: G Rush

RESOLVED: That the information be noted.

MINUTE

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

MOVED: G Westman SECONDED: I North

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

There were no representations from the public.

RESOLVED: That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED NEW MOTOR EVENT FOR 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.
2	BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
3	LOCAL GOVERNMENT	10A (2) (g) – contains advice

	FINANCIAL SERVICES PTY LTD	concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
4	EXPRESSION OF INTEREST - BATHURST AERODROME COTTAGE	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	KELSO FLOODPLAIN VOLUNTARY ACQUISITION - PROPOSED PURCHASE OF 1 HEREFORD 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.
6	PROPOSED NEW LICENCE AGREEMENT TO MAX HIRE PTY LTD - FORMER EVANS SHIRE COUNCIL DEPOT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	EARLY TERMINATION OF LICENCE AGREEMENT - CHURCH LANE, KELSO - JEFFERS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on

		balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED EASEMENT FOR RIGHT OF CARRIAGEWAY VARIABLE WIDTH, LOT 1 DP1179272, LOT 1 DP1180626 AND LOT 661 DP1138351, 441 – 453 CONROD STRAIGHT, 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.
2	RURAL WASTE TRANSFER STATIONS	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 COMPULSORY ACQUISITION OF LOTS 3 AND 6 DP1179068, SEWER PUMP STATION, BATHURST SHOWGROUND, KENDALL AVENUE, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED ROAD WIDENING, LOT 16 DP38507, GREAT WESTERN HIGHWAY,	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the

	KELSO	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 ACQUISITION FOR STORM WATER RETENTION BASIN, LOT 11 DP 1176294, 38A GILMOUR STREET, 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.
6	PROPOSED ACQUISITION FOR ROAD WIDENING, LOTS 91, 94, 96, 102 AND 106 DP1174100, 3246 HILL END ROAD, HILL END	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	ANNUAL 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.

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

MINUTE

- a **Item 1 PROPOSED NEW MOTOR EVENT FOR MOUNT PANORAMA (04.00136)**

MOVED: B Bourke SECONDED: W Aubin

That Council act in accordance with the report.

MINUTE

- b Item 2 BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION (18.00175)

MOVED: I North SECONDED: M Coote

That the information be noted.

MINUTE

c Item 3 LOCAL GOVERNMENT FINANCIAL SERVICES PTY LTD (34.00057-06)

MOVED: I North SECONDED: M Coote

That the information be noted.

MINUTE

d Item 4 EXPRESSION OF INTEREST - BATHURST AERODROME COTTAGE
(21.00087)

MOVED: B Bourke SECONDED: M Coote

That Council approves entering into a new commercial lease agreement with the Directors of The Maize Pty Ltd for the cottage located at the Bathurst Aerodrome (part Lot 37 DP1159302) for an initial period of one (1) year with an option period of three (3) years, at the discretion of Council, as detailed in the report.

MINUTE

e Item 5 KELSO FLOODPLAIN VOLUNTARY ACQUISITION - PROPOSED PURCHASE OF 1 HEREFORD STREET, BATHURST (22.06744)

MOVED: W Aubin SECONDED: B Bourke

That Council:

- (a) Delegate authority to the General Manager to enter into negotiations with the owner of Lot 104 DP1073272 known as 1 Hereford Street, Bathurst under the Government's Voluntary Acquisition Scheme as detailed in the report.
- (b) The land to be classified as operational under the provisions of S:31(2) of the Local Government Act (1993).

MINUTE

f Item 6 PROPOSED NEW LICENCE AGREEMENT TO MAX HIRE PTY LTD - FORMER EVANS SHIRE COUNCIL DEPOT (22.02268)

MOVED: G Westman SECONDED: I North

That Council approves entering into a new licence agreement with Max Hire Pty Ltd for the additional land, approximately 1,913m² comprised on Lot 1 DP1001027 and Lot 16 DP712197 known as the former Evans Shire Council depot located at Lee Street Kelso, as detailed in the report.

MINUTE

g Item 7 EARLY TERMINATION OF LICENCE AGREEMENT - CHURCH LANE, KELSO - JEFFERS (21.00022)

MOVED: I North SECONDED: M Coote

That Council approves the early termination of the licence agreement for Lot 1 DP792363 located on Church Lane Kelso with Mr and Mrs Jeffers, and commence calling for fresh Expressions of Interest for the property, as detailed in the report.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTE
6 FEBRUARY 2013

MINUTE

h Item 1 PROPOSED EASEMENT FOR RIGHT OF CARRIAGEWAY VARIABLE WIDTH, LOT 1 DP1179272, LOT 1 DP1180626 AND LOT 661 DP1138351, 441 – 453 CONROD STRAIGHT, MOUNT PANORAMA (22.04139, 22.04682, 22.05510, 22.06279, 22.06285, 22.14625 AND 22.14626)

MOVED: M Coote SECONDED: J Jennings

That Council approve the registration of a Right of Carriageway variable width to permit the use of the alternate access system for properties at 441 – 453 Conrod Straight, Mount Panorama at times when events are staged at the Mountain Panorama Racing Circuit, subject to conditions outlined in the Director Engineering Services' report.

MINUTE

i **Item 2 RURAL WASTE TRANSFER STATIONS (36.00299)**

MOVED: G Westman SECONDED: B Bourke

That Council accept the rate schedule from SITA Australia Pty Ltd in accordance with the report.

MINUTE

**j Item 3 PROPOSED COMPULSORY ACQUISITION OF LOTS 3 AND 6
DP1179068, SEWER PUMP STATION, BATHURST SHOWGROUND, KENDALL
AVENUE, BATHURST (22.00053)**

MOVED: I North SECONDED: G Rush

That Council:

- (a) make application to the Minister and/or the Governor to compulsorily acquire Crown Land located at Lots 3 and 6 DP1179068, Kendall Avenue Bathurst, located at the Bathurst Showground, for the purpose of a sewer pump station and an off-line sewerage pump station storage facility.
- (b) the acquisition to be through the provision of the Local Government Act 1993 Section 186 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991, and the land acquired is to be classified as Operational land, as detailed in the Director Engineering Services' report.

MINUTE

k Item 4 PROPOSED ROAD WIDENING, LOT 16 DP38507, GREAT WESTERN HIGHWAY, KELSO (22.00144 AND 25.00018-03)

MOVED: G Hanger SECONDED: B Bourke

That Council approve the compulsory acquisition of road widening land proposed by the New South Wales Transport Roads and Maritime Services affecting Lot 16 DP38507 located at the Great Western Highway, Kelso. The acquisition to follow the provisions of the Roads Act 1993 and procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991, as detailed in the Director Engineering Services report.

MINUTE

**I Item 5 PROPOSED ACQUISITION FOR STORM WATER RETENTION BASIN,
LOT 11 DP 1176294, 38A GILMOUR STREET, KELSO (31.00001-12 AND 22.02632)**

MOVED: W Aubin SECONDED: M Coote

That Council approve the acquisition of Lot 11 DP1176294 to allow the construction of a storm water retention basin at Gilmour Street, Kelso. The acquisition to be in accordance with the procedures set out in Section 30 of the Land Acquisition (Just Terms Compensation) Act 1991, as detailed in the Director Engineering Services' report. The acquired parcel of land is to be classified as Operational land.

MINUTE

m **Item 6 PROPOSED ACQUISITION FOR ROAD WIDENING, LOTS 91, 94, 96, 102 AND 106 DP1174100, 3246 HILL END ROAD, HILL END (25.00262-06)**

MOVED: G Westman SECONDED: G Rush

That Council approve the acquisition of Lots 91, 94, 96, 102 and 106 DP1174100 for road widening through the Roads Act 1993 at 3246 Hill End Road, Hill End. The acquisition to be in accordance with the procedures set out in Section 30 of the Land Acquisition (Just Terms Compensation) Act 1991, as detailed in the Director Engineering Services' report. The acquired parcel of land is to be classified as Operational land.

MINUTE

n **Item 7 ANNUAL SUPPLY AND DELIVERY OF TOPSOIL (36.00460)**

MOVED: M Coote SECONDED: G Westman

That Council accept the tender from Australian Native Landscapes for the supply and delivery of topsoil for 2013.

MINUTE

31 RESOLVE INTO OPEN COUNCIL

MOVED: I North SECONDED: M Coote

RESOLVED: That Council resume Open Council.

MINUTE

32 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MOVED: G Rush SECONDED: B Bourke

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

MINUTE

33 MEETING CLOSE

The Meeting closed at 8.14 pm.

CHAIRMAN: _____

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