



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

10 February 2010

His 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, 17 February 2010 commencing at 6.00 pm.

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

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

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 17 FEBRUARY 2010

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 of The Ordinary Meeting of Bathurst Regional Council held 3 February 2010
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
 - * Bathurst's Gift To The Victorian Bushfire Regions
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 of The Policy Committee Meeting held 3 February 2010
 - * Minutes of The Traffic Committee Meeting held 2 February 2010
10. DELEGATES REPORTS
11. 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 Environmental Planning & Building Services' Report**

| ITEM | SUBJECT | REASON FOR CONFIDENTIALITY |
|------|---|---|
| 1 | PROPOSED RETAIL DEVELOPMENT- RANKIN STREET BATHURST | 10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements. |

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

| ITEM | SUBJECT | REASON FOR CONFIDENTIALITY |
|------|--|---|
| 1 | RURAL LEASE AGREEMENT - VALE ROAD AND LLOYDS ROAD, BATHURST) | 10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in |

| | | |
|---|---|---|
| | | open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.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.10A (2) (a) – Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned. |
| 2 | PRICE ADJUSTMENT OF LOT 121 ADAMS STREET, WINDRADYNE | 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 | RENEWAL OF LICENCE AGREEMENT - RAGLAN PLAYGROUP, CHRISTIE STREET RAGLAN | 10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it. |
| 4 | FESTIVAL OF SPORTING CARS (FOSC) EVENT 2010 | 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. |
| 5 | PROPOSED NEW LEASE STATE PROPERTY AUTHORITY (SPA) - PART GROUND FLOOR, 230 HOWICK STREET | 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 | USE OF MOUNT PANORAMA - NEWTONS NATION | 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 | CONTRACT WITH V8 SUPERCARS | 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 | COMPULSORY ACQUISITION OF LAND FOR ROAD WIDENING - LOTS 5, 8 AND 9 DP1135025 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 |

| | | |
|---|--|--|
| | | <p>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.</p> |
| 2 | ACQUISITION OF LAND FOR ROAD WIDENING - LOT 4 DP1135025 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. |
| 3 | ACQUISITION OF LAND FOR ROAD WIDENING - LOT 1 DP1135025 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. |
| 4 | PROPOSED ROAD WIDENING, LOT 192 DP755790, SOFALA AND LIMEKILNS ROADS AND RILEY LANE, WATTLE FLAT | 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 | SUPPLY AND DELIVERY OF ONE TELESCOPIC HANDLER | 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. |
|--|---|

- 12. RESOLVE INTO OPEN COUNCIL

- 13. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 14. MEETING CLOSE

MINUTE

1 6.00 PM - MEETING COMMENCES

PRESENT: Councillors Toole (Chair), Aubin, Bourke, Carpenter, Hanger, Morse, North, Thompson, Westman

to the Council Meeting 17/02/2010

GENERAL MANAGER

MAYOR
Page 8

MINUTE

2 PUBLIC QUESTION TIME

T McCrossin - Head of University of Western Sydney Medical School - Howick Street DA (DEPBS#6) - spoke of clinical schools run by University of Western Sydney. Requirement to meet needs of students and the region. Noted timelines for funding and that the houses cannot be adopted for reuse. The facilities will complement the area. Acknowledges heritage issue lined with Ben Chifley. Will acknowledge Chifley in the naming of the site.

T Bonanno - University of Western Sydney - Howick Street DA (DEPBS#6) - Spoke to the proposal. Benefits offered to regional areas. Development Applications for demolition and construction have been submitted. Facade will be in keeping with the area. Committed to working with National Trust in developing the site. Want to be located in Bathurst.

M Glen - Howick Street DA (DEPBS#6) - Integrity is an issue, want clinical placements but must address all issues. Need to look at a win-win situation, would like to see all avenues explored. Proposal requires more research. There were 60 dwellings in the Chifley memorial estate, this is a hard decision for Council. The Trust would prefer to see re-use. Personally (Ms Glen) would like to see alternative to proposal.

B Triming - Howick Street DA (DEPBS#6) - At last meeting only real issues raised were, trees, parking and height of building. These appear to have been addressed. The front of the houses are "daggy" and not in keeping with memory of Chifley. Asks developers to increase parking to 6 or 7 spaces.

MINUTE

3 APOLOGIES

Nil.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MINUTES

MINUTES TO THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MEETING HELD ON 17 FEBRUARY 2010

General Manager
Bathurst Regional Council

1 MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD 3 FEBRUARY 2010 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 3 February 2010 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 3 February 2010, are attached.

Financial Implications: N/A

MINUTE

4 Item 1 MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD 3 FEBRUARY 2010 (11.00005)

MOVED: G Hanger SECONDED: G Westman

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 3 February 2010 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 3 FEBRUARY 2010**

6.00 PM - MEETING COMMENCES

1 6.00 PM - MEETING COMMENCES

PRESENT: Councillors Toole (Chair), Aubin, Bourke, Carpenter, Hanger, Morse, North, Thompson, Westman.

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

L Sullivan - Bradwardine Road/Mitchell Hwy Roundabout (DCSF#8) - Spoke to the history of trying to get a roundabout at this location. Hopes Council will approve the development, it would be a travesty to return unused funds. It is wrong that RTA is funding only 40%, but the investment it will bring is very important and will be sizeable. The project should have been completed 30 years ago. Commends option 1 (a) and (b) to Council.

T Albutt (Truflow)- Bradwardine Road/Mitchell Highway Roundabout (DCSF#8) - Spoke of the Trade Centre and the businesses that operate in this facility. The Centre is extensively used every day and is growing. To assist with growth, need commitment of Council and businesses, the proposed roadworks will create significant savings, in Truflow's case, it is estimated at around \$100,000. The proposal would also reduce accidents and takes pressure off Alexander Street and other locations. Council should invest in this proposal.

B Trimming - Chairman of Access Committee

1. **Royal Bathurst Show (DCSF#6)** - Noted request for financial support. If granted, can a condition be placed for provision of disabled access within the crowd structure.
2. **Life Centre (DEPBS#6)** - spoke to need for footpath in the area so disabled people do not have to go on street. A letter on this issue will be sent from the Access Committee.
3. **Adventure Playground** - Advised there are often dogs in this area. There are conflicting signs in the area. At Hope and Durham Street, signs say no dogs, in another area of Park (Howick Street) says can have dogs if controlled. Can Council look at banning dogs from Victoria Park.
4. **Shopping Trolleys** - Has sent in correspondence and has had limited response. Will Council address this issue?

Tabled documents for Council.

The Mayor noted correspondence has been sent to local shopping centres.

D Carr - Camping at Ben Chifley Dam - Would like to see camping be allowed at the dam. Advised will be riding for a Legacy fundraiser this weekend from Bathurst to the Dam and back.

G Crisp - Ratepayer -

1. Spoke to Parking issues in laneway, behind Administration Building.

2. Spoke to Code of Conduct complaints and of 4 determinations by Mayor.
 3. Spoke to Code of Conduct complaints and of 7 determinations by General Manager.
 4. Spoke of processes under the Code of Conduct and reporting to Council.
 5. Stated DCSF lied to him about pensioner discounts - what is going to happen.
- Tabled document for Council.

APOLOGIES

3 APOLOGIES

Nil.

MINUTES

4 Item 1 MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD 9 DECEMBER 2009 (11.00005) **MOVED Cr Ross Thompson and SECONDED Cr Greg Westman**

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 9 December 2009 be adopted.

DECLARATION OF INTEREST

5 DECLARATION OF INTEREST **MOVED Cr Bobby Bourke and SECONDED Cr Ian North**

RESOLVED: That the following Declarations of Interest be noted.

Cr Toole

Item #5 of the Director Corporate Services & Finance's report.

Cr Thompson

Item #9 of the Director Corporate Services & Finance's report.

Cr Westman

Item #2 of the Director Engineering Services' Confidential report.

Cr Carpenter

Item #10 of the Director Environmental Planning & Building Services' report.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

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

MOVED Cr Bobby Bourke and **SECONDED** Cr Ross Thompson

RESOLVED: That the information be noted.

7 **Item 2 GENERAL REPORT (03.00053)**

MOVED Cr Monica Morse and **SECONDED** Cr Ian North

RESOLVED: That the information be noted.

8 **Item 3 COMPREHENSIVE ARCHAEOLOGICAL MANAGEMENT PLAN FUNDING (20.00164)**

MOVED Cr Warren Aubin and **SECONDED** Cr Tracey Carpenter

RESOLVED: That the information be noted.

9 **Item 4 OUTBACK & BEYOND – THE FUTURE OF HISTORIC TOWNS, INDUSTRIAL HERITAGE AND PASTORALISM (35.01265)**

MOVED Cr Tracey Carpenter and **SECONDED** Cr Monica Morse

RESOLVED: That the information be noted.

10 **Item 5 HOUSEHOLD RETROFIT PROGRAMME (13.00058)**

MOVED Cr Tracey Carpenter and **SECONDED** Cr Greg Westman

RESOLVED: That Council adopt the changes to the Household Retrofit Programme.

11 **Item 6 BATHURST REGIONAL COUNCIL ATS BATHURST CHRISTIAN LIFE CENTRE (34.00064)**

MOVED Cr Bobby Bourke and **SECONDED** Cr Ian North

RESOLVED: That the information be noted.

12 **Item 7 STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT & COMPLYING DEVELOPMENT CODES) 2008 (02.00018)**

MOVED Cr Warren Aubin and **SECONDED** Cr Monica Morse

RESOLVED: That the information be noted.

13 **Item 8 DRAFT BATHURST SOUTHERN RING ROAD STUDY 2008 (28.00025)**

MOVED Cr Tracey Carpenter and **SECONDED** Cr Ian North

RESOLVED: That Council:

- (a) adopt the Draft Bathurst Southern Ring Road Study 2008 for Strategic Planning purposes only noting that the indicative route shown in the study is **not** a preferred or recommended route

- (b) refer the matter of funding further investigative studies to identify a preferred or recommended route to the 2010/2011 Management Plan.

14 **Item 9 DEVELOPMENT APPLICATION NO. 2010/0375 – TWO LOT SUBDIVISION AT 24 & 38 STEWART STREET, EVANS PLAINS, APPLICANT: ANTHONY DAINTITH TOWN PLANNING. OWNER: J L BLACKWOOD AND F G & N ROWLAND (DA/2010/0375)**
MOVED Cr Ian North and **SECONDED** Cr Monica Morse

RESOLVED: That Council:

- (a) support the variation to the 1(a) – Inner Rural Zone 200 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 101 and 102;
- (b) support the variation to the 1(a) – Inner Rural Zone 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 101 and 102;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0375, 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 T Carpenter, Cr G Hanger, Cr M Morse, Cr I North, Cr R Thompson, Cr P Toole, Cr G Westman,
Against the motion - Nil
Absent - Nil

15 **Item 10 DEVELOPMENT APPLICATION NO. 2010/0340 – DEMOLITION OF EXISTING DWELLING AND NEW DUAL OCCUPANCY AT 46 LAMBERT STREET, BATHURST. APPLICANT: PETER ROGERS REAL ESTATE SUPER FUND. OWNER: ROGERS FAMILY SUPER FUND (DA/2010/0340)**
MOVED Cr Bobby Bourke and **SECONDED** Cr Warren Aubin

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

Reason: Husband is employed by Contractor.

RESOLVED: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0340, 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) **The demolition of the existing dwelling on the subject land is not to commence until a construction certificate for the proposed dual occupancy has been issued by the Principal Certifying Authority.**
- (b) support the variation to the minimum lot size for a dual occupancy prescribed in the Residential Housing Development Control Plan;
- (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 R Thompson, Cr P Toole, Cr G Westman,

Against the motion - Nil

Absent - Cr T Carpenter

- 16 Item 11 DISMANTLE AND AUCTION OF FORMER BATHURST SALEYARDS (37.00266)**
MOVED Cr Ross Thompson and **SECONDED** Cr Greg Westman

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report

- 17 Item 1 STATEMENT OF INVESTMENTS - DECEMBER 2009 (16.00001)**
MOVED Cr Bobby Bourke and **SECONDED** Cr Ross Thompson

RESOLVED: That the information be noted.

- 18 Item 2 YEAR TO DATE REVIEW - 2009/2010 MANAGEMENT PLAN AND BUDGET (16.00116)**
MOVED Cr Ross Thompson and **SECONDED** Cr Ian North

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

- 19 Item 3 SUNDRY SECTION 356 DONATIONS AND BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY (18.00004)**
MOVED Cr Warren Aubin and **SECONDED** Cr Greg Westman

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

- 20 Item 4 POWER OF ATTORNEY (11.00007)**
MOVED Cr Ian North and **SECONDED** Cr Graeme Hanger

RESOLVED: That the information be noted.

- 21 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - TELSTRA CHILDFLIGHT**

(18.00195-17)

MOVED Cr Ross Thompson and **SECONDED** Cr Warren Aubin

RESOLVED: That Council not donate funds to Telstra Childflight Inc to purchase fire works for a fundraising event to be held in July 2010.

22

Item 6 REQUEST FOR FINANCIAL ASSISTANCE - 2010 ROYAL BATHURST SHOW - BATHURST AH&P ASSOCIATION (18.00195-17)

MOVED Cr Tracey Carpenter and **SECONDED** Cr Warren Aubin

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

Reason: Related to a member of the Bathurst AH&P Association Board.

The Mayor vacated the Chair.

The Deputy Mayor, Cr North, took the Chair for this item.

RESOLVED: That

- (a) Council provide \$4,715.24 to the Bathurst AH&P Association as a Section 356 Donation to be funded from Equity.
- (b) The AH&P Association repay the \$4,715.24 donation to Council if the 2010 Show is run at a profit.
- (c) The Bathurst AH&P Association be asked to provide disabled access and seating to the crowd structure proposed as a condition of the funding.
- (d) Suitable recognition of the donation be made at the venue.

23

Item 7 RATING MATTERS - 3 YEAR RATING CYCLE (16.00004-11)

MOVED Cr Tracey Carpenter and **SECONDED** Cr Bobby Bourke

RESOLVED: That the information be noted.

24

Item 8 ROUNDABOUT - CNR BRADWARDINE ROAD AND MITCHELL HIGHWAY (25.00047)

MOVED Cr Ian North and **SECONDED** Cr Warren Aubin

RESOLVED: That Council:

- (a) Council needs to proceed with the construction of the roundabout during the 2009/10 period as it has received advice from the RTA that it must spend the grant of \$350,000 during this financial year. Council has available approximately \$400,00 but will need to make an adjustment to its current Management Plan by reducing an area of expenditure by \$125,000 to cover the total cost of the construction of the Roundabout. These funds of \$125,000 will be found from within the Engineering Budget for the current year.
- (b) Refer the construction of the Bradwardine Road extension amounting to \$1,127,000 the 2010/11 Management Plan. Funding details will form part of the Management Plan process for Councillors consideration.
- (c) Refer the construction of the Suttor Street Roundabout to a future

Management Plan depending upon funds being accumulated in Section 94 Funds to cover road construction in the Windradyne area.

- (d) write a letter to the local member noting that the Mitchell Highway is a State Government road, seeking additional funding.

25 **Item 9 PROPOSED EASEMENT OVER COUNCIL LAND - PART LOT 16 DP712197 AND PART LOT 1 DP1090666 (2010/0134, 22.07308)**
MOVED Cr Greg Westman and **SECONDED** Cr Warren Aubin

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

Reason: Close business association and political sponsor.

RESOLVED: That Council approves the creation of an easement on Council owned land namely part Lot 16 DP712197 and part Lot 1 DP1090555 to allow Mr Gullifer's development application over Lot 11 DP1094735 located on Stockland Drive, Kelso to proceed.

26 **Item 10 REQUEST FOR FINANCIAL ASSISTANCE - WATTLE SOCIAL CLUB (22.00159)**
MOVED Cr Bobby Bourke and **SECONDED** Cr Ian North

RESOLVED: That Council donate \$1,482.03 to the Wattle Social Club to cover the cost of rates.

Director Engineering Services' Report

27 **Item 1 EXTINGUISHMENT OF EASEMENTS FOR WATER SUPPLY AT WEST BATHURST (32.00001-04)**
MOVED Cr Warren Aubin and **SECONDED** Cr Ian North

RESOLVED: That Council:

- (a) Approve the extinguishment of easements for water supply affecting various properties in West Bathurst.
- (b) Approve the General Manager endorsing Applications for Cancellation of Extinguishment of Easements as required in accordance with the Director Engineering Services' report.

28 **Item 2 NO SMOKING POLICY FOR PLAYGROUNDS AND SPORTING VENUES (18.00021 and 04.00034)**
MOVED Cr Monica Morse and **SECONDED** Cr Bobby Bourke

RESOLVED: That Council:

- (a) adopt a no smoking policy within 10m of all children's playgrounds and within all Council sporting venues within the Bathurst Local Government area.

- (b) purchase and install signage displaying the international "no smoking" symbol together with suitable wording in prominent places at Council's playgrounds and sporting venues.
- (c) encourage owners of privately owned sporting facilities to adopt a similar policy.

29 Item 3 ROAD SAFETY OFFICER PROGRAM (16.00018)
MOVED Cr Warren Aubin and **SECONDED** Cr Greg Westman

RESOLVED: That Council continues its commitment to the Road Safety Officer Program and extends the current RSO employment contract to 30 June 2012, subject to the ongoing support of Blayney Shire Council and the Roads and Traffic Authority.

30 Item 4 IMPLEMENTATION OF INTEGRATED WATER CYCLE MANAGEMENT STRATEGY (36.00215)
MOVED Cr Bobby Bourke and **SECONDED** Cr Warren Aubin

RESOLVED: That Council note the implementation of Integrated Water Cycle Management in accordance with the Strategy.

31 Item 5 STRATEGIC BUSINESS PLAN: WATER SUPPLY AND SEWERAGE SERVICES (03.00030)
MOVED Cr Greg Westman and **SECONDED** Cr Ross Thompson

RESOLVED: That Council adopt the Strategic Business Plan for Water Supply and Sewerage Services, and forward a copy to the NSW Office of Water for their records.

32 Item 6 PROPOSED ACQUISITION OF LAND FOR RESERVOIR, 365 LIMEKILNS ROAD KELSO (22.06857)
MOVED Cr Greg Westman and **SECONDED** Cr Ian North

RESOLVED: That Council classify the land being acquired for the proposed water reservoir at Lot 1 DP 813615, 365 Limekilns Road, Kelso, as operational land.

33 Item 7 INCLUSION OF LAND - LOT 1 DP667874 INTO RALPH CAMERON PARK, RAGLAN (04.00058)
MOVED Cr Graeme Hanger and **SECONDED** Cr Ross Thompson

RESOLVED: That Council approve the inclusion of Lot 1 DP667874 into the description of property defining Ralph Cameron Park at Raglan for Council's continued care and control, as per the Director Engineering Services' report.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

- 34** **Item 1 MINUTES OF THE POLICY COMMITTEE MEETING HELD 2 DECEMBER 2009 (07.00064)**
MOVED Cr Ross Thompson and **SECONDED** Cr Warren Aubin

RESOLVED: That the recommendations of the Policy Committee Meeting held on 2 December 2009 be adopted.

Climate Change Committee

- 35** **Item 1 MINUTES OF THE CLIMATE CHANGE COMMITTEE MEETING HELD 2 DECEMBER 2009 (07.00093)**
MOVED Cr Ross Thompson and **SECONDED** Cr Monica Morse

RESOLVED: That the recommendations of the Climate Change Committee Meeting held on 2 December 2009 be adopted.

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

- 36** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**
MOVED Cr Ian North and **SECONDED** Cr Bobby Bourke

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

*** Director Engineering Services' Report**

| ITEM | SUBJECT | REASON FOR CONFIDENTIALITY |
|------|--|---|
| 1 | ACQUISITION OF LAND GEORGE STREET CAR PARK, LOT 28 DP550388 AND LOT 67 DP550389 RANKIN 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. |
| 2 | TENDER FOR DESIGN AND CONSTRUCTION OF COMMUNITY CLUBHOUSE STANLEY 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. |
|--|--|

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 Engineering Services' Report

- a** **Item 1 ACQUISITION OF LAND GEORGE STREET CAR PARK, LOT 28 DP550388 AND LOT 67 DP550389 RANKIN STREET BATHURST (22.00556-05)**
MOVED Cr Ross Thompson and **SECONDED** Cr Tracey Carpenter

That Council approve the acquisition of Lot 28 DP550388 and Lot 67 DP550389 at Rankin Street Bathurst for consolidation with the George Street Car Park in accordance with the Director Engineering Services' report.

- b** **Item 2 TENDER FOR DESIGN AND CONSTRUCTION OF COMMUNITY CLUBHOUSE STANLEY STREET BATHURST (36.00372)**
MOVED Cr Ian North and **SECONDED** Cr Bobby Bourke

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

Reason: Sponsor of Triathlon Club.

That Council accept the tender of BAR Constructions Pty Ltd for the construction of the Stanley Street Community Clubhouse, in the amount of \$257,290 (inc. GST), subject to variations and provisional items.

RESOLVE INTO OPEN COUNCIL

- 37** **RESOLVE INTO OPEN COUNCIL**
MOVED Cr Ian North and **SECONDED** Cr Monica Morse

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 38** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr Ross Thompson and **SECONDED** Cr Tracey Carpenter

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

MEETING CLOSE

- 39** **MEETING CLOSE**

The Meeting Closed at 7.13 pm.

CHAIRMAN: _____

Date: _____ **(17 February 2010)**

MINUTE

5 DECLARATION OF INTEREST

MOVED: I North SECONDED: W Aubin

RESOLVED: That the following Declarations of Interest be noted.

Cr Toole

Item #3 of the Director Engineering Service's report

Item #1 of the Director Corporate Services & Finance's Confidential report

Cr Westman

Item #7 of the Director Corporate Services & Finance's report

Cr Carpenter

Item #3 of the Director Engineering Services' report

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MAYORAL MINUTE

**MAYORAL MINUTE TO THE ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL MEETING HELD ON 17 FEBRUARY 2010**

General Manager
Bathurst Regional Council

1 BATHURST'S GIFT TO THE VICTORIAN BUSHFIRE REGIONS (18.00195)

Recommendation: That Council support the "Good Neighbours" Committee proposal to provide a weekend retreat for 10 couples who are victims of the Victorian Bushfires.

Report: I have been approached by a local committee (Christine Le Fevre, David Swan, Peter and Kaarina Wright) who are in the process of organising a special retreat in Bathurst for people from the bushfire regions of Victoria with the sole aim of providing them with a time away to regroup as couples and families and a little escape from the ongoing issues that they face following the Black Saturday fires of 2009. The committee has made an offer to a group, working with the people in that area of Victoria, who have chosen 10 couples, some with families, to enjoy this retreat in Bathurst. The committee's approach to me was to make the retreat a Gift from the entire Bathurst community and to seek my support, and that of Council, to engage and enlist our community to make this a special community focus, particularly relevant following the first anniversary of the fires.

The retreat is being organised for the period from 20 April 2010. It is envisaged that the retreat will provide a series of events and activities, and for the visiting guests to choose what they will avail themselves of. For example, ladies might have a hair, nail and massage appointment. The men could do golf, fly fishing in Oberon, Motor Museum and so on. Professional services such as legal, financial, holistic counsellors, even landscape design could also be provided. The Bathurst community therefore would look to those providers of these services within our community to provide these services, or to suggest and provide other activities, as their gift and support.

It will be important to ensure that the guests are not put on a pedestal, but rather have a time of retreat. They do not wish for any notoriety. However, I have advised the committee that I would like to host a small Mayoral welcome/reception at a time and location to be arranged.

I fully support this proposal and see it as a great, but practical, way that this community can provide something to some of the survivors of the Victoria fires. I encourage my fellow Councillors to also support these endeavours and, with me, seek to engage the Bathurst community to also support this practical Community Gift initiative. I also encourage other communities in our Region to look at similar support projects in their areas.

I acknowledge that there are members of our own community who likewise have been affected by recent fires in this area. Council could consider something similar at the appropriate time for those people too.

Financial Implications: The cost of hosting a small Mayoral welcome/reception would be approximately \$200. Should additional requests for assistance be made that would involve additional cost for Council, this would be the subject of a separate report.


MINUTE

6 Item 1 BATHURST'S GIFT TO THE VICTORIAN BUSHFIRE REGIONS
(18.00195)

MOVED: P Toole SECONDED: Nil

RESOLVED: That Council support the "Good Neighbours" Committee proposal to provide a weekend retreat for 10 couples who are victims of the Victorian Bushfires.

Yours faithfully



Paul Toole
MAYOR OF BATHURST

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT
17 FEBRUARY 2010

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 17
FEBRUARY 2010**

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.

MINUTE

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

MOVED: R Thompson SECONDED: G Westman

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 January 2010 (**attachment 1**)
- (b) Applications refused during January 2010 (**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 January 2010 (**attachment 5**).

Financial Implications: Nil.

MINUTE

8 Item 2 GENERAL REPORT (03.00053)

MOVED: B Bourke SECONDED: M Morse

RESOLVED: That the information be noted.

3 GREEN JOBS CORP PROGRAMME (29.00002)

Recommendation: That the information be noted.

Report: Council has been successful in hosting a Green Jobs Corp project during 2010. Funded by the Federal Government and coordinated by Auswide Projects, this project will result in 10 young local unemployed persons interested in natural and cultural heritage management receiving accredited training and on-ground experience to assist them in finding employment.

This project will be directed by Council staff though will need little supervision as the team has their own experienced Team Leader. Focusing on existing restoration projects initially, the project will involve maintaining and enhancing revegetation sites before addressing issues at some rural cemeteries, rural reserves as well as monitoring changes in vegetation and water quality.

This six month project will commence with a two week training schedule in March before on-ground works commence in April. It is expected that the programme will result in over 5,200 hours of labour at important natural and heritage sites in the Bathurst Region. At the conclusion of the programme, participants will have undertaken first aid training, learnt important natural resource management skills and received a Certificate II in Conservation and Land Management.

Financial Implications: Site specific needs will be funded through existing Council allocations.

MINUTE

9 Item 3 GREEN JOBS CORP PROGRAMME (29.00002)

MOVED: G Westman SECONDED: G Hanger

RESOLVED: That the information be noted.

4 AMENDMENT TO BLUE RIDGE ESTATE DEVELOPMENT CONTROL PLAN (DCP) (20.00077)

Recommendation: That Council commence the preparation of the amendment to the Blue Ridge DCP to remove the scenic protection buffer.

Report: The Blue Ridge Estate DCP applies to land situated in Bathurst shown edged by a heavy black line on the map at **attachment 1**.

Following notification of the preparation of the Interim DCP, a landowner made a representation to Council for the consideration of the further subdivision of Lot 1 DP 1062075, Blue Ridge Drive, White Rock.

Council has already adopted a DCP for the Estate which provides guidance for the subdivision of the land. The DCP currently contains a Scenic Protection Buffer which affects lots, or part thereof, above the 704m contour level. The purpose of the proposed amendment to the DCP would be to remove the Scenic Protection Buffer from those affected lots subject to the DCP provisions without altering the zoning of any land within the estate, or remove the agriculture buffer from those affected lots. Currently there are **3** lots affected by the buffer.

As part of the initial subdivision and rezoning of the land to create the estate, a Local Environmental Study was prepared outlining the potential impacts, constraints etc on developing the land and the surrounding land uses which recommended restricting development below the 704m contour level. There is evidence on Council records indicating that the restriction above the 704m contour related to the inability of lots to be serviced with appropriate water pressures. The DCP introduced a Scenic Protection Buffer above the 704m contour level prohibiting buildings, (ie dwellings, sheds and the like) to below the 704m contour level.

Water pressure tests conducted by Council's Engineering Department in November 2009 indicate that there is an appropriate level of water pressure to service additional lots created by the removal of the Scenic Protection Buffer. Similarly, there is sufficient capacity within the existing sewer main, pump stations and rising mains to facilitate the subdivision. Due to the minimum lot size of 0.4ha (4000 sqm) for lots zoned 1(c) Rural Residential and connected to Council's sewer and water mains, the anticipated lot potential of the proposed DCP amendment would be 6 to 7 lots (ie the further subdivision of Lots 1, 2 & 3, DP 1062075) depending on individual landowners and lot configurations.

The anticipated impact of the DCP amendment will be to permit the further subdivision of Lots 1, 2 & 3, DP 1062075 (being the only lots large enough to support further subdivision) and the erection of ancillary outbuildings in the scenic protection area, where buildings were previously prohibited.

Conclusion

Council has been approached by a landowner to amend the Blue Ridge DCP to remove the Scenic Protection Buffer from those affected lots, enabling buildings to be constructed where they have previously been prohibited. Council's Engineering Department have indicated that there is adequate pressure and sufficient capacity within existing sewer mains to service additional lots. On this basis proceed with the preparation of the DCP amendment removing the Scenic Protection Buffer.

The proposed amendment will be placed on public exhibition and all residents within the DCP area will be notified of the proposal.

Financial Implications: Nil.

MINUTE

10 Item 4 AMENDMENT TO BLUE RIDGE ESTATE DEVELOPMENT CONTROL PLAN (DCP) (20.00077)

MOVED: I North SECONDED: B Bourke

RESOLVED: That Council commence the preparation of the amendment to the Blue Ridge DCP to remove the scenic protection buffer.

5 2009 NSW TOURISM CONFERENCE (18.00010)

Recommendation: That the information be noted.

Report: On 19 November, 2009 the Director Cultural & Community Services and Tourism Manager attended the one day tourism conference organised by the Tourism Industry Council.

The Minister for Tourism the Hon Jodi McKay MP addressed the conference providing a general overview of the state of play for tourism in NSW followed by Lyndel Gray, Tourism NSW Executive Director who gave an overview of Tourism NSW and general travel trends.

Tourism NSW promotes and supports the development of sustainable tourist destinations and experiences. This is achieved through:

- marketing NSW destinations and holiday experiences to domestic and international markets;
- working with, and providing advice to, industry, other government agencies and key stakeholders about the development of sustainable destinations;
- sharing our knowledge and expertise with industry to stimulate investment; and
- developing private and public sector partnerships to grow and manage tourism.

Tourism NSW operates under four divisions, they are:

1. The **Visit Sydney** Group works closely with industry and precincts on the promotion and development of Sydney as a tourism destination. The Visit Sydney team comprises the Sydney Marketing, International and Sydney Precinct teams.
2. The **Regional Tourism** Group is dedicated to working closely with regional product and destinations throughout the State on tourism promotion and development of regional NSW. The group comprises the Regional Marketing team, Regional Operations and Destination Services team.
3. The **Marketing and Communications** Group provides Advertising, destination PR, Brand Marketing and creative services for the organisation and supports the activities of the Visit Sydney and the Regional Tourism Groups; and
4. The **Strategy and Alliances** Group services the Tourism NSW Board, its Industry Reference Groups and provides strategic guidance on the formulation of policy and advice to government. It also manages Tourism NSW's relationships with industry associations, and is responsible for developing the Tourism Industry Plan.

General tourism trends

- International travel - visitor nights have increased however the number of visitors has decreased.
- Domestic travel – across Australia visitor nights and numbers are down, family travel in NSW is up, and the Global Financial Crisis has impacted on business travel with a decline in numbers.
- The Tourism Forecast Commission is predicting a return to growth for the international market but are expecting the domestic tourism to remain stagnant into next year.
- The internet is increasing in importance in making it as easy to book as possible.

Of the TNSW priorities for 09/10 the ones relevant to the Bathurst Region include:

- Working with National Parks, Caravan, Camping Industry Association (CCIA – camping holidays) and Australian Hotel Association (AHA – best of country pubs).

- Developing a toolkit for planning for tourists for local government areas.

Challenges facing tourism:

- Tourism is a high discretionary spend.
- Price cutting can support demand but at the same time slashes profitability.
- Tourism is very competitive and highly price sensitive.

The Keynote speaker was Simon Molesworth AM, QC, Chair, International National Trust Organisations who spoke on heritage tourism stating that we need to broaden the perspective of the definition of cultural tourism to helping to protect irreplaceable heritage both intangible and tangible including both cultural and natural items.

Heritage tourism must be broader than saving bricks and mortar it is about giving people experiences which in turn gives people memories and understanding. Every facility is a possible educational tool where we can encourage conservation through visitation. Simon said “there is no use locking up heritage, what’s the benefit of having facilities that people can’t visit? Heritage tourism is best achieved if the greatest audience can get to it and hopefully you will get more conservation conscripts”. Heritage places should be presented to tell a story of the past for the present. Get visitors to respect the history and want to help take this into the future.

Simon gave the following hints for providing good heritage tourism:

- Recognise the opportunities in diversity – celebrate differently. At the heart of heritage tourism is the celebration of cultural diversity. Sameness becomes boring. We need to value diversity or difference.
- Be sustainable – understand the value interest in existing structures, existing facilities and buildings. Be environmentally aware and responsible.
- Retain the integrity of the product – do not undervalue it.
- Be honest – if it’s a replica that’s OK, say it’s a replica and explain the rationale. Heritage tourism can be greatly assisted by a well presented representation but do not pretend. Link reality with replication. Blend past with the present by utilising modern means.
- Be informative don’t underestimate the intelligence of the visitor. Be educational while providing an enjoyable experience aim high not low, therefore satisfying the inquisitive. Have good signage, understated but informative.
- Be relevant to the local people.
- Build on the local focus, their knowledge and their enthusiasm.
- Utilise the skills of local communities, especially if they have unique attributes as they can add value to the visitor experience while simultaneously supporting local industry.
- Make the visit the attraction, a multi sensory experience. Have them talking around the table when they get home.
- Always consider the photographer – when erecting signage, where is the parking. Don’t ruin the photo moment with structures.
- Facilitate the depth of the experience, cater for the diversity of interests of the visitor.
- Public art is a great way of doing this.

Financial Implications: Nil.

MINUTE

11 **Item 5 2009 NSW TOURISM CONFERENCE (18.00010)**

MOVED: M Morse SECONDED: W Aubin

RESOLVED: That the information be noted.

6 DEVELOPMENT APPLICATION NO. 2010/0395 – DEMOLITION OF TWO DWELLINGS AT 424 & 426 HOWICK STREET, WEST BATHURST. APPLICANT: UNIVERSITY OF WESTERN SYDNEY. OWNER: DEPARTMENT OF HEALTH (DA/2010/0395)

Recommendation: That Council:

- (a) Direct the Director Environmental, Planning & Building Services to refuse Development Application No. 2010/0395 for the following reasons:
1. The dwellings at 424 and 426 Howick Street form part of the Chifley Memorial Housing Estate which is of local heritage significance and possibly of State and National significance;
 2. All of the original 40 dwellings which form part of the Chifley Memorial Housing Estate remain intact with only minor sympathetic alterations and additions. The dwellings as a collective are significant as part of the original group of buildings constructed;
 3. The dwellings at 424 and 426 Howick Street achieve a BCAMS rating of 9 out of 9. Approval of the proposed demolition of the dwellings with such a high rating and also structurally sound would be inconsistent with the objectives of BCAMS.
- (b) call a division.

Report: The Site

Council has received a Development Application (DA) for the demolition of two dwellings at 424 Howick Street and 426 Howick Street, West Bathurst described as Lot 23, DP 38322 and Lot 30, DP 38322. A location plan is provided at **attachment 1**.

Each site contains a single storey masonry dwelling with a tiled roof. Each site also contains a single car metal garage.

The proposal

The proposal involves the demolition of the two existing dwellings only and does not include any infill development at this stage.

Concept plans for an infill development have been submitted with this Development Application are at **attachment 2**.

If the development is approved it will be conditional upon a further Development Application being lodged for the construction of the infill development and that demolition does not commence until the Development Application and Construction Certificate for the infill development are lodged and approved.

Planning Context

Bathurst Regional (Interim) Local Environmental Plan 2005

The subject site is zoned 2(a) Residential under the provisions of the *Bathurst Regional (Interim) Local Environmental Plan 2005*.

The site in question is within the Bathurst Heritage Conservation Area and is therefore subject to the provisions of Clause 23 *Protection of environmental heritage*, of the Bathurst Regional (Interim) Local Environmental Plan 2005.

The Development Application was referred to Council's Heritage Advisor. Council's Heritage Advisor made the following comments:

1. The two buildings compliment the 1950s streetscape of the south western side of Howick Street and generally the Bathurst Conservation Area. Demolition of the subject dwellings will create a gap within the street which will have a detrimental affect upon the intact 1950s streetscape.
2. With a rating of 9 given to the buildings, in accordance with the Bathurst Conservation Area Management Strategy, (BCAMS), Council should not support demolition of dwellings with the highest rating.

In order to assess the conservation significance of the dwellings proposed for demolition an assessment under the *Bathurst Conservation Area Management Strategy* (BCAMS) was undertaken in consultation with Council's Heritage Advisor. The full demolition report is at **attachment 3**.

The following table provides a summary of the assessment.

424 & 426 Howick Street, West Bathurst

| | |
|--|---|
| Era of construction | 1950's |
| BCAMS results: Rare/Representative building Integrity Item Rating Streetscape Rating Overall Rating | Neither Substantially Intact Contributory Significant in a Regional Context 9 out of 9 |
| Significant historical matters | Constructed as part of the Chifley Memorial Housing Estate, a National memorial to the former Prime Minister Ben Chifley. |
| Compliance with infill policy | Compliance with Council's Infill Policy has not been achieved as only basic concept plans have been lodged for the proposed infill development. |
| Impact of demolition and in-fill development on streetscape | The impact of the proposed demolition and infill development on the streetscape cannot be quantified as only basic concept plans have been lodged for the proposed infill development. Due to the intactness of the 40 dwellings within the Chifley memorial estate, to lose 2 of them would have a significant detrimental impact upon the group as a whole. |

Most significantly, the Historical Assessment undertaken by the Bathurst District Historical Society found that:

- Numbers 424 and 426 Howick Street are integral elements of the Chifley Housing Estate which was completed and opened on 20 February 1954.
- The housing estate is a National Memorial to the life and work of Ben Chifley.
- Three tiers of government united to create the estate, including local council, (Mayor Alan Morse), State Government through Local MLA G Kelly, (State Minister for Housing), and the Hon. Clive R Evatt, Minister for Housing.

- The buildings and the estate as a whole are associated with the death of Ben Chifley, being a National memorial to him.

The estate remains as an important memorial to Ben Chifley that should be retained and interpreted as part of his legacy to the City and the nation.

A full copy of the Historical Assessment undertaken by the Bathurst District Historical Society is provided at **attachment 4**.

Submissions

The development application was advertised and notified to adjoining property owners from 11 January 2010 to 25 January 2010. Following the advertising and notification period two submissions were received (see **attachment 5**).

A Discussion Forum was held on 3 February 2010. Issues raised in the submissions and at the Discussion Forum included:

- Removal of trees.
- Height of proposed replacement buildings.
- Absence of any plans for redevelopment.
- Parking or lack thereof in Howick and Daly Streets.
- The cottages form part of the Chifley Memorial Housing Scheme opened by Elizabeth Chifley in February 1954.
- The houses form part of an important and consistent streetscape.
- Supports adaptive re-use of the buildings by UWS.

Conclusion

Approval of this development is not supported given the significance of the Chifley Housing Estate to the City and the Nation. The Bathurst Region prides itself on its association with its prominent former Prime Minister who embarked on a program which shaped post war Australia, particularly in relation to social welfare. As an intact group of 40 houses, the estate's significance can not be underestimated as an important legacy to Ben Chifley.

Financial Implications: Nil.

MINUTE

12 Item 6 DEVELOPMENT APPLICATION NO. 2010/0395 – DEMOLITION OF TWO DWELLINGS AT 424 & 426 HOWICK STREET, WEST BATHURST. APPLICANT: UNIVERSITY OF WESTERN SYDNEY. OWNER: DEPARTMENT OF HEALTH (DA/2010/0395)

MOVED: M Morse SECONDED: R Thompson

RESOLVED: That Council:

- (a) Direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0395 subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning & Assessment Act (1979) as amended and including conditions to the effect that:
1. The final design be in sympathy with the existing streetscape to the satisfaction of the Director Environmental, Planning & Building Services.
 2. The Director Environmental Planning & Building Services hold discussions with the University of Western Sydney in respect of the new development being named in memory of former Prime Minister, Mr Ben Chifley.
 3. That any proposed name be reported back to Council for its consideration.
- (b) call a division.

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

The result of the division was :

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr G Hanger, Cr M Morse, Cr I North, Cr R Thompson, Cr P Toole, Cr G Westman,

Against the motion - Cr T Carpenter,

Absent - Nil

Abstain - Nil

7 BATHURST ORANGE DUBBO ALLIANCE OF COUNCILS: INSPIRING AND INTEGRATING CHANGE PROJECT (16.00021)

Recommendation: That the information be noted.

Report: As previously reported, Bathurst (as part of the Bathurst Orange Dubbo Alliance of Councils (BOD), was successful in receiving a portion of \$2 million in funding to implement the Inspiring and Integrating Change project. Several targets of this project have now been met.

The project business plan has been accepted by the NSW Environmental Trust, who funded the project. Though some minor changes to the business plan are required, project actions are now able to commence including the recruitment of a Project Manager, who commenced on 1 February 2010. Based in Orange, this position is integral to achieving the overarching objectives of the project. This position will be assisted by a Project Officer who is currently being recruited.

Bathurst project activities will commence shortly, the first of which being the \$250,000 Urban Drainage Reserve Vegetation Link. This project aims to improve the quality of water passing through modified urban drainage reserves and will be achieved by the planting of several thousand local native flora species. The planting scheme will be designed by a suitably qualified consultant and aims to improve amenity, habitat values, linkages between existing native habitats and reduce the risk of erosion events. Community involvement is an essential part of the project's implementation.

Soon to follow will be the development of the Bathurst Biodiversity Management Plan, which will augment the Vegetation Management Plan, and encompass the entire LGA.

As part of the BOD Alliance, the development of a Community Engagement Program will also be implemented by the Project Manager with assistance from suitably qualified consultants.

Financial Implications: This project has been funded through existing allocations and external funding from the NSW Environmental Trust.

MINUTE

13 Item 7 BATHURST ORANGE DUBBO ALLIANCE OF COUNCILS: INSPIRING AND INTEGRATING CHANGE PROJECT (16.00021)

MOVED: I North SECONDED: G Westman

RESOLVED: That the information be noted.

8 2009 VISITOR INFORMATION CENTRE SURVEY REPORT (18.00010)

Recommendation: That the information be noted.

Report: In 2009 the Bathurst Visitor Information conducted the Visitor Information Kit Survey (VIC kit). This survey was created for Tourism NSW to assist visitor information centre and local government areas in assessing the contribution of their Visitor Information Centres to tourism yield in the local government area.

Throughout 6 survey periods in 2009 the Bathurst Visitor Information Centre collected 391 surveys, these periods have been in and out of school holidays. Each Survey period covered at least 10 days.

Summary of survey periods

| January | March | May | July | October | November | Totals |
|---------|-------|-------|--------|---------|----------|--------|
| 1- 14 | 1-14 | 1- 14 | 13 -31 | 3 – 13 | 1- 17 | Dates |
| 227 | 92 | 18 | 25 | 13 | 18 | 391 |

It was intended to try to get 150 surveys conducted each period however this did not eventuate. BVIC conducted the survey by way of self completion, asking visitors to the Centre if they had the time to answer the 15 questions and a small Bathurst gift was offered as a thank you for their time in answering the questions.

As can be seen the period results that when Centre staff had more time to encourage survey completion and when visitors were in holiday mode they were happy to complete the survey and more surveys were completed. However from entering the data it is evident that some questions were misinterpreted by the respondent. If this survey were to be conducted again then the BVIC would need to budget in costs to have staff conduct the surveys, as this would give different and more accurate responses. The results achieved are still a good indication of the function of the visitor centre in encouraging longer or repeat visitation.

Results

Due to the small survey numbers, results from all months have been combined onto one spreadsheet for an over all response.

Bathurst Visitor Information Centre (BVIC) survey results

- Visiting the BVIC encouraged over 55% of respondents to undertake more activities while in the region.
- 46% stayed longer in the region as a result of visiting the BVIC, of that 25% stayed for an extra couple of hours, nearly 30% stayed an extra 2-4 days.
- Over 70% of responders said that their visit to the BVIC on a previous trip influenced them to stay longer on this trip.
- 88% said after their visit to the BVIC they could be influenced to make a return visit to the Bathurst Region with 55% saying their next visit would be for 2-4 days.
- 98% of respondents rated the staff knowledge as good or very good.
- The friendliness rating of the staff was 98% for good to very good.
- The range and variety of brochures was rated 30% good and 67% very good.
- The range of local products was only rated 51% as very good.

Demographics from the survey results

- 64% of respondents are over 45 years of age.
- Females and males were evenly represented.
- 88% were Australians traveling around and the majority residing in NSW.
- The largest group for the travel party make up was adult couples at 44%, followed by family groups at 24%.

Previous visits to the Bathurst Region

- Over 58% had visited the Bathurst Region before this visit, with 22% saying their visit was in 2009, 26% visited in 2008 and 38% visited more than 4 years ago.
- 65% of respondents did not visit the visitor centre on their first visit to the region.
- 57% said that the Bathurst Region was one of the planned destinations on their current trip and they were visiting the visitor information centre at the beginning of their stay – this is where they get the information to plan their trips activities.

Travel plans and preparation from the survey results

- On the current trip 27% were day trippers, 25% over night stays, 32% were staying for 2-4 nights.
- When planning the trip 49% had not planned accommodation before leaving home and 34% had completely planned their accommodation.
- 47% had not planned what attractions they would visit but 41% had some plans.
- Over 81% had not planned where they would eat while in the region.

Summary of results

The results from this VIC Kit Survey will assist the Bathurst Visitor Information Centre in the following areas:

- future training of centre staff
- the creation of new information sheets
- the sourcing of local products
- selling the services and the importance of BVIC partnership to local tourism operators

Financial Implications: Nil.

MINUTE

14 Item 8 2009 VISITOR INFORMATION CENTRE SURVEY REPORT (18.00010)

MOVED: G Westman SECONDED: B Bourke

RESOLVED: That the information be noted.

9 FORMER BATHURST GAS WORKS - STAGE 2 REMEDIATION PROJECT (37.00270 & 22.00052)

Recommendation: That the information be noted.

Report: The Stage 2 Remediation Project at the former Bathurst Gas works commenced on 24 August 2009. All field work was completed by the end of September and Council received the final report in December 2009.

These works include the following activities:

- Installation of ten new groundwater monitoring wells.
- Groundwater sampling from three existing groundwater monitoring wells.
- Sediment sampling in Queen Charlotte's Vale Creek and the Macquarie River.
- An assessment of the two gasometers (or gasholders).

The project was designed to investigate what impact, if any the remaining structures have on the soil and groundwater. The investigation was also designed to guide the nature of any future remediation works at the site.

The executive summary of the report is provided at **attachment 1** for Council's information. The report highlights a number of issues for Council's attention:

- Waste from the gas manufacturing process has been widely used as fill on the site. The different types of waste include ash, rubble, spent oxides, coal and coke. The use of these waste materials as fill has contributed to the soil and groundwater contamination on the site.
- Two different groundwater bearing zones have been identified at the site, one shallow and one deep.
- Two of the wells in the shallow groundwater zone had elevated concentrations of hydrocarbons (including monocyclic and polycyclic aromatic hydrocarbons), sulfate, ammonium, nitrate and various heavy metals.
- One of the wells in the deep groundwater zone had substantially elevated concentrations of total petroleum hydrocarbons, monocyclic and polycyclic hydrocarbons and traces of phenols.
- Cyanide plumes are present in both the shallow and deep groundwater zones.
- Sediment sampling in nearby waterways did not reveal any evidence of contamination relating to gas works operations.
- Elevated concentrations of total petroleum hydrocarbons were found in the water between the gasometer bell and the outer brick wall.

The report also recommends a number of further actions for consideration, including:

- Further historical investigation including interviewing former site workers where possible.
- A detailed investigation of the tar impacted soil in the vicinity of the tar well and other infrastructure, with the aim of providing estimates of volumes for remedial works.
- Collection of further groundwater data, including installation of additional wells down-gradient of existing wells, to minimise data gaps.
- Once the three items above are completed, it is recommended that a risk assessment and remediation action plan are prepared, with targeted remediation works identified and implemented in stages.

The scope and timing of any future works will be dependent on the outcome of negotiations with the Contaminated Sites Unit of the Department of Environment, Climate Change and

Water. As with previous remediation works, Council will ensure that the agreed program allows for works to occur as funding becomes available.

As Council has already received approximately \$600,000 in funding from the NSW Environmental Trust for remediation of the site, it is not anticipated that external funding will be available for future works. The NSW Environmental Trust have indicated that future funding will focus on sites where no remediation works have been undertaken to date.

Financial Implications: This project has been funded through existing allocations and external funding from the NSW Environmental Trust.

MINUTE

15 Item 9 FORMER BATHURST GAS WORKS - STAGE 2 REMEDIATION PROJECT (37.00270 & 22.00052)

MOVED: I North SECONDED: B Bourke

RESOLVED: That the information be noted.

10 URBAN WATERWAYS MANAGEMENT PLAN IMPLEMENTATION PROJECT- BOUNDARY ROAD RESERVE (37.00259)

Recommendation: That Council endorse the works outlined in this report.

Report: In the 2008/2009 Management Plan Council made an allocation of \$50,000 to commence the implementation of the recommended actions of the Urban Waterways Management Plan (UWMP).

The UWMP recommends more than 75 specific actions across the 6 urban subcatchments and ranks these actions by priority for implementation. Hawthornden Creek subcatchment gets the most “very high” and “high” priority rated actions and was therefore recommended as the first subcatchment to be targeted for rehabilitation/restoration. In line with this the Internal Environmental Committee has recommended that the following project be scoped out for implementation using the abovementioned funds.

Project Outline

The project involves rehabilitation works in the upper reaches of Hawthornden Creek, with the implementation of Actions H1, H6 and H13 of the UWMP. These are

Action H1: Instream bed stabilisation works downstream of culvert using a series of rock ramps. (Site H1)

Action H13: Install a series of instream rock ramps in the main trunk of Hawthornden Creek to reduce peak discharge and downstream sediment loss in section below Boundary Road Culvert (Site H30)

Action H6: Install series of instream rock ramps in the main trunk of Hawthornden Creek to reduce peak discharge and downstream sediment loss in section above the university (Site H17)

These actions relate to reaches of Hawthornden Creek that lie fully or partly within Boundary Road Reserve (see location map at **attachment 1**). Site H1 & H30 lie fully within the reserve, Site H17 is partly located within Boundary Road Reserve and partly within CSU.

The project would involve survey of the site, design of the in-stream structures and potentially the implementation of on-ground works if available funds allow. This project was chosen as:

- It is consistent with recommended priorities of the UWMP (both from a subcatchment level and specific recommended action level).
- The reaches are at the top of the subcatchment. Any actions to stabilize sediment here will have positive impacts on issues with sediment deposition downstream.
- There is an active, knowledgeable community group in Boundary Road Land Care Group (BRLG) who would support the project. BRLG endorsed the draft UWMP during the public consultation period and have indicated their willingness to be involved in any projects undertaken at the site.

If Council endorses the implementation of this project, staff will prepare a brief for the survey, design and implementation of the works. The project will then be awarded through a selective tendering process in accordance with Council’s purchasing policy.

Financial Implications: The project can be funded from existing allocations.

MINUTE

**16 Item 10 URBAN WATERWAYS MANAGEMENT PLAN IMPLEMENTATION
PROJECT- BOUNDARY ROAD RESERVE (37.00259)**

MOVED: R Thompson SECONDED: T Carpenter

RESOLVED: That Council endorse the works outlined in this report.

11 URBAN WATERWAYS MANAGEMENT PLAN (37.00259)

Recommendation: That Council:

- (a) Adopt the Urban Waterways Management Plan incorporating the minor changes made in response to submissions received during the public exhibition period and from the Engineering Department; and
- (b) Provide \$50,000 funding to progress the implementation of the Urban Waterways Management Plan in the 2010/11 and 2011 and 2012 Management Plan.

Report: In late 2008 Council was awarded \$75,000 from the Central West CMA for the completion of an Urban Waterways Management Plan (UWMP). Following a competitive tender process the project was awarded to CenWest Environmental Services, a local environmental consulting firm.

The aims of the project were to:

1. Assess the present condition of the six major tributaries of the Macquarie River, namely Raglan, Hawthornden, Jordan, Sawpit, Saltram and Queen Charlotte's Vale Creeks.
2. Describe a strategic framework for the management of the natural waterway assets within the City based on their current condition, particularly for reaches under the care and control of Council.
3. Make detailed recommendations for the ongoing maintenance, management and/or rehabilitation of the waterways, clearly prioritising the recommendations for short, medium and long term attention.
4. Link the recommended works with BRC planning instruments and NSW State Government Strategies and Central West CMA Catchment targets.
5. Liaise with the public and community interest groups in preparing the UWMP.

CenWest commenced the project in March 2009 with on-ground condition assessment taking place in April and May. Informal community consultation took place throughout the project and a formal community consultation forum was held on 26 May 2009.

As resolved by Council on the 21 October 2009, the Plan was placed on public exhibition for a period of 28 days. During this time 2 submissions (one written and one verbal) were received. These were from Boundary Road Landcare Group and the Central West CMA respectively. The written submission is provided as **attachment 1**. Feedback was also sought and received from the Engineering Services Department. Minor modifications have been made to the document as a result of those submissions. The executive summary of the UWMP report is provided as **attachment 2**. It outlines the project background, waterway condition assessment methodology and results, a strategic plan framework, management priorities for each of the waterways and a program for monitoring and review. A full copy of the report is available from the Department of Environment, Planning & Building Services.

Financial Implications: Nil. The preparation of the Urban Waterways Management Plan is externally funded.

MINUTE

17 Item 11 URBAN WATERWAYS MANAGEMENT PLAN (37.00259)

MOVED: R Thompson SECONDED: G Westman

RESOLVED: That Council:

- (a) Adopt the Urban Waterways Management Plan incorporating the minor changes made in response to submissions received during the public exhibition period and from the Engineering Department; and
- (b) Provide \$50,000 funding to progress the implementation of the Urban Waterways Management Plan in the 2010/11 and 2011 and 2012 Management Plan.

Yours faithfully



D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT
17 FEBRUARY 2010

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 17 FEBRUARY
2010**

General Manager
Bathurst Regional Council

1 STATEMENT OF INVESTMENTS - JANUARY 2010 (16.00001)

Recommendation: That the information be noted.

Report: \$47,933,737.83 was invested at 31 January 2010 in accordance with Council's investment policies, the Minister's Investment Order dated 31 July 2008, 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)

| | |
|-----------------------------------|-------|
| 90 day Bank Bill Swap Rate (BBSW) | 3.79% |
| Three Year Treasury Bond Yield | 4.88% |

**Short Term 1 – 365 Days
(comprising Commercial Bills, Term Deposits and
Certificates of Deposits):**

| | |
|---------------------------------|-----------------------|
| Adelaide Bank | \$3,500,000.00 |
| Australian Central Credit Union | \$6,500,000.00 |
| Bankwest | \$3,000,000.00 |
| IMB Ltd | \$3,000,000.00 |
| Railways Credit Union | \$9,500,000.00 |
| Reliance Credit Union | \$2,000,000.00 |
| SGE Credit Union | \$1,000,000.00 |
| Westpac | <u>\$9,000,000.00</u> |
| | \$37,500,000.00 |

**Long Term
(comprising Commercial Bills, Term Deposits and
Bonds):**

| | |
|------------------------------------|-------------------|
| Railways Credit Union | \$2,000,000.00 |
| Government & Semi Government Bonds | <u>\$2,630.25</u> |
| | \$2,002,630.25 |

Community Income Note

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

Floating Rate Notes

| | |
|-----|----------------|
| ANZ | \$2,000,000.00 |
|-----|----------------|

| | |
|-----------------------------------|-----------------------|
| Bendigo Bank #7 | \$1,000,000.00 |
| Bendigo Bank 2007 | \$2,000,000.00 |
| Lehman Brothers Treasury Co | \$1,000,000.00 |
| Mackay Permanent Building Society | \$500,000.00 |
| Savings \$ Loans Credit Union | <u>\$1,000,000.00</u> |
| | <u>\$7,500,000.00</u> |

Total Investments **\$47,933,737.83**

These funds were held as follows:

| | |
|---|-----------------------|
| Reserves Total (includes unexpended loan funds) | \$21,971,672.30 |
| Grants held for specific purposes | \$3,463,629.94 |
| Section 94 Funds held for specific purposes | \$16,407,425.27 |
| Unrestricted Investments – All Funds | \$6,091,010.32 |
| *General Fund | \$41,801.43 |
| *Water Fund | \$3,249,746.23 |
| *Sewer Fund | \$1,192,568.93 |
| *Waste Fund | <u>\$1,606,893.73</u> |

Total Investments **\$47,933,737.83**

R Roach
Responsible Accounting Officer

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

MINUTE

18 Item 1 STATEMENT OF INVESTMENTS - JANUARY 2010 (16.00001)

MOVED: I North SECONDED: B Bourke

RESOLVED: That the information be noted.

2 YEAR TO DATE REVIEW - 2009/2010 MANAGEMENT PLAN AND BUDGET (16.00116)

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

Report: At **attachment 1** is the revised summary of the Management Plan and Budget for the period to 31 January 2010.

| | Original Estimate | Previously Revised Estimate | Revised Estimate | Variance for the Month |
|---|--------------------------|------------------------------------|-------------------------|-------------------------------|
| Engineering Services | 11,055,708 Deficit | 11,055,708 Deficit | 11,055,708 Deficit | 0 |
| Corporate Services & Finance | (18,133,074) Surplus | (18,133,074) Surplus | (18,133,074) Surplus | 0 |
| Cultural & Community Services | 4,113,018 Deficit | 4,113,018 Deficit | 4,113,018 Deficit | 0 |
| Environmental Planning & Building Services | 2,913,786 Deficit | 2,913,786 Deficit | 2,913,786 Deficit | 0 |
| TOTAL | (50,562) Surplus | (50,562) Deficit | (50,562) Deficit | 0 |

Note: These figures are subject to variation from year end adjustments.

Variations for the Month of January 2010 - Nil.

At **attachment 2** is an update of Strategies for the 2009/2010 Management Plan

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

Penalty Notices - January 2010 - Nil.

Financial Implications: Council's budget will be varied in accordance with the above table.

MINUTE

19 Item 2 YEAR TO DATE REVIEW - 2009/2010 MANAGEMENT PLAN AND BUDGET (16.00116)

MOVED: B Bourke SECONDED: G Westman

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

3 SUNDRY SECTION 356 DONATIONS AND BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE 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 and Bathurst Memorial Entertainment Centre Community Use Subsidies granted by Council for the period ending 31 January 2010.

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

| | |
|---------------------|--------------|
| Section 356: | (\$1,532.32) |
| BMEC Community use: | \$7,743.20 |

MINUTE

20 Item 3 SUNDRY SECTION 356 DONATIONS AND BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY (18.00004)

MOVED: W Aubin SECONDED: B Bourke

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.

- Australian Postal Corporation - Part 1 DP774489 - 230 Howick Street, Bathurst - Lease
- NSW Justice & Attorney General - Part 2 DP758065 - Russell Street, Bathurst - Deed of Licence
- James Denmead & Margaret Denmead - Part Lot 130 DP 1123581 - Gormans Hill Road, Bathurst - Transfer

Financial Implications: Nil.

MINUTE

21 **Item 4 POWER OF ATTORNEY (11.00007)**

MOVED: G Westman SECONDED: M Morse

RESOLVED: That the information be noted.

5 REQUEST FOR FINANCIAL ASSISTANCE - B'NAI B'RITH COURAGE TO CARE (NSW) INC (18.00004)

Recommendation: That Council not waive the fee for installation of the banner to promote B'nai B'rith Courage to Care (NSW) Inc.

Report: Council has received a request from B'nai B'rith Courage to Care to waive the \$401 Council fee for installation of the banner to advertise their Courage to Care exhibition. A copy of the request is provided at **attachment 1**.

Courage to Care is an exhibition which aims to inform and educate Australians about discrimination. It is designed to convey the power of an individual to stand up against bullying, prejudice and injustice whenever it takes place.

Financial Implications: Council currently has no funds available in Section 356 Donations.

MINUTE

22 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - B'NAI B'RITH COURAGE TO CARE (NSW) INC (18.00004)

MOVED: T Carpenter **SECONDED:** R Thompson

RESOLVED: That Council waive the fee for installation of the banner to promote B'nai B'rith Courage to Care (NSW) Inc to be funded from equity.

6 EVENTS NSW FUNDING AGREEMENT (04.00097)

Recommendation: That Council authorise the General Manager to execute the Strategic Investment Agreement between Events NSW and Bathurst Regional Council.

Report: Council made application to the Events NSW Pty Ltd organisation for financial support of the Bathurst 12 Hour Motor Race.

Council has been successful in receiving funding for this event for the next three years as follows:

| | |
|------------|----------|
| 2010 Event | \$60,000 |
| 2011 Event | \$60,000 |
| 2012 Event | \$40,000 |

Events NSW require Bathurst Regional Council to enter into an agreement to cover this financial support for the next three years. Events NSW request Council's General Manager to sign this agreement and return to them to ensure the contract conditions are agreed to.

Financial Implications: Council will receive financial contributions as detailed in the report.

MINUTE

23 Item 6 EVENTS NSW FUNDING AGREEMENT (04.00097)

MOVED: W Aubin SECONDED: I North

RESOLVED: That Council authorise the General Manager to execute the Strategic Investment Agreement between Events NSW and Bathurst Regional Council.

7 BLAYNEY TO BATHURST (B2B) CYCLO SPORTIF CHALLENGE - REQUEST FOR SUPPORT (23.00128)

Recommendation: That Council agrees to support and donate the fees associated with the requirements to successfully run the Rotary Club of Bathurst Daybreak Inc Cycling Weekend on the 10 and 11 April 2010.

Report: Bathurst Regional Council has been approached by the Rotary Club of Bathurst Daybreak Inc to assist with preparations for a Cycling Weekend planned for the 10 and 11 April 2010.

The event was held in 2004, 2005, 2006, 2007, 2008 and 2009 with support from Council and in 2009 attracted approximately 1,000 cyclists plus supporters.

The event committee is also currently working on a 5 year business plan in which a growth target has been set of 4,000 entrants by 2011, and should be this be achieved a return for local charity of well in excess of \$50,000 is anticipated.

It is also intended to include a Family Fun Challenge in order to attract interest and participation from the broader Bathurst community.

The organisers have provided Council with a Traffic Management Plan for the event.

The Rotary Club of Bathurst Daybreak Inc has requested the following support and equipment from Council for this event as shown at **attachment 1**.

Mount Panorama – Saturday 10 April 2010

- Access to The Pits and 3 garages of the Pits Complex from 7 am to 5 pm for the conduct of criterium racing.
- Access to Harris Park for marshalling and start of Hill climb racing.
- Access to power at Harris Park entrance gates and The Pits Complex.
- Sweeping of access roads through Harris Park to the top of Mount Panorama via Barry Gurdon Drive. Sweeping of Sulman/Reid Park.
- Use of toilets, power and facilities at Harris and Sulman Parks from Saturday morning.
- Use of green otto bins for Sulman Park and The Pits.
- Mowing of a 2m to 4m strip around circuits at Sulman Park

B2B Cyclo sportif Event – Sunday 11 April 2010

- Access to The Pits and 3 garages of the Pits Complex from 6 am to 5 pm for the conduct of criterium racing.
- Opening access roads to rear of The Pits and the tunnel under Conrod Straight.
- Access to power at the Pits Complex.
- Closure of the dirt section of road of Cow Flat Road to Rockley Mountain to one way traffic only between 10 am and 1 pm only (as per traffic control plan).
- Loan of 'No Parking' signs x 10.
- Loan of 'Road Closed' signs x 6.
- Loan of volunteers safety vests x 30.
- Assistance with clean up after the event. It is not envisaged that this will be extensive. The main help required is removal of rubbish and emptying of otto bins.

Financial Implications: The maximum total cost to Council for race and equipment requirements is \$3,864. There are currently no funds available in Section 356 donations so this request would need to be funded from equity.

Below is a detailed budget outlining what the cost of each request is.

| EVENT | TASK | COST \$ |
|----------------------------|--|-----------------------------|
| Saturday 10 April 2010 | Access to The Pits and 3 garages of the Pits Complex from 7 am to 5 pm for the conduct of criterium racing. | 833 |
| | Access to Harris Park for marshalling and start of Hill climb racing. | 167 |
| | Access to power at Harris Park entrance gates and The Pits Complex. | - |
| | Sweeping of access roads through Harris Park to the top of Mount Panorama via Barry Gurdon Drive, sweeping of Sulman/Reid Park. | 735 |
| | Use of toilets and power facilities at Harris and Sulman Parks from Saturday morning. | 446 |
| | Use of green otto bins for Sulman and the Pit Complex | see below |
| | Mowing of a 2m to 4m strip around circuits at Sulman Park. | 100 |
| B2B – Sunday 11 April 2010 | Access to The Pits and 3 garages of the Pits Complex from 6 am to 5 pm for the conduct of criterium racing. | 833 |
| | Opening access roads to rear of The Pits and the tunnel under Conrod Straight. | - |
| | Access to power and the Pits Complex. | - |
| | Closure of the dirt section of road of Cow Flat Road to Rockley Mountain to one way traffic only between 10 am and 1 pm only (as per traffic control plan). | not provided by Council |
| | Loan of 'No Parking' signs x 10. | 50 |
| | Loan of 'Road Closed' signs x 6 | 50 |
| | Loan of volunteers safety vests x 30. | 150 |
| | Assistance with clean up after the event. It is not envisaged that this will be extensive. The main help required is removal of rubbish and emptying of otto bins. | 500 (all waste services) |
| TOTAL | | \$3,864 |

MINUTE

24 Item 7 BLAYNEY TO BATHURST (B2B) CYCLO SPORTIF CHALLENGE - REQUEST FOR SUPPORT (23.00128)

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

Reason: owns and runs a bicycle shop in town and sponsor of the event.

RESOLVED: That Council agrees to support and donate the fees associated with the requirements to successfully run the Rotary Club of Bathurst Daybreak Inc Cycling Weekend on the 10 and 11 April 2010.

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

DIRECTOR ENGINEERING SERVICES' REPORT

17 FEBRUARY 2010

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL MEETING HELD ON 17 FEBRUARY 2010**

General Manager
Bathurst Regional Council

1 RECYCLING SERVICES AT COUNCIL STAGED EVENTS (14.00007)

Recommendation: That Council:

- (a) adopt as standard practice the provision of recycling services at Council staged events, subject to existing contractual obligations and funding constraints, and
- (b) encourage community and sporting event organisers to introduce recycling services at their events.

Report: Background

In response to Council's request to investigate the implementation of recycling at Council staged events, a trial across three recent events was undertaken and the outcomes of that trial are reported here for Council's information.

Outcomes of Trial

As identified in the original report to Council on 19 November 2009, a trial of recycling services has been undertaken at three of Council's recently staged events;

1. The Community Garage Sale, held on 12 December 2009 at the Mount Panorama Pit Complex.
2. New Years Eve family event held on 31 December 2009 at Victoria Park.
3. Australia Day celebrations held on 26 January 2010 at Bicentennial Park.

It is apparent that on each of these occasions, the use of recycling bins has been successful in diverting recyclable material from the waste stream. Bathurst residents already have a high level of awareness with respect to recycling following the introduction of the kerbside recycling service as well as a range of other initiatives across the region. This awareness has resulted in good recycling figures for the past three years and a high level of use when recycling services are offered.

It is not possible to determine by weight the amount of recyclables which have been diverted from landfill through this trial as the recycling bins from the events are collected along with residential recycling bins to keep disposal costs to a minimum, however Council staff have conducted visual audits of the recycling bins and have indicated that they have been full on occasions with little evidence of contamination.

A debrief with Council Events and Waste Management Staff has generated some learnings which will continue to assist with future implementation, these include;

- Recycling bin quantities should match mixed waste bin quantities and they should be placed next to each other at events for maximum usage.

- Having a quantity of recycling bins stored with Council (as is currently the case) is the easiest way to manage the set-up collection process.
- There has been no need for Council staff to assist with recycling during events, this would only be necessary in the case of events with large numbers of attendees (beyond the scope of Bathurst Regional Council staged events).
- The introduction of recycling at events has been well accepted by the Bathurst community.

Ongoing Implementation

In order to manage the ongoing implementation of recycling, Council staff will need to contact JR Richards and Sons to advise that the collection of event recycling bins will occur more frequently throughout 2010/2011. The existing recycling contract has a provision for the service as an optional one and any future recycling contracts would include this service as a standard addition. The current contractual obligations should not offer any impediment to the ongoing implementation of recycling services at events, with the exception of:

Clause 5.3.7 Notice of Events

The Manager will provide the Contractor with at least two (2) months notice of all special events it will require the Contractor to provide the recycling collection to.

As these obligations were negotiated on the basis of an optional service they would be re-negotiated for future contracts given the proposed ongoing nature of the service.

An administrative process will be put into place to ensure that internal communications are timely and appropriate as to communicate with the Contractor regarding the use of the service and subsequent reporting.

An ongoing evaluation process is also proposed to ensure that any issues are identified and rectified by staff to support the ongoing success of the service. This evaluation process will inform any community education activities or materials which may be required to continue to promote the correct use of the recycling service.

Community Education

There are already a range of community waste education measures occurring. There is provision within existing activities to use materials or resources to promote event recycling if required and Council staff would seek out appropriate avenues, such as bin stickers, signage and posters to increase awareness of the recycling service and promote the correct use if and when required.

Expansion of Recycling to Community/Sporting Events

As staff time and resources permit, Council will actively encourage community and sporting event organisers to also introduce and promote recycling services at community events held within the region. As many community events are held in/on Council facilities or request assistance from Council there will be numerous opportunities to undertake this type of promotion.

Financial Implications: Current activities are provided for in the current Management Plan. Future activities will be included for consideration in the 2010/2011 Management Plan.

MINUTE

25 Item 1 RECYCLING SERVICES AT COUNCIL STAGED EVENTS (14.00007)

MOVED: T Carpenter SECONDED: R Thompson

RESOLVED: That Council:

- (a) adopt as standard practice the provision of recycling services at Council staged events, subject to existing contractual obligations and funding constraints, and

- (b) encourage community and sporting event organisers to introduce recycling services at their events.

2 BATHURST LIGHT CAR CLUB (16.00011)

Recommendation: For Council's consideration.

Report: As part of the various events carried out by the Bathurst Light Car Club (BLCC) at Mount Panorama the club holds an event titled the Conrod Straight Supersprint which commences approximately 400m below the BLCC clubhouse and finishes on Pit Straight.

Following the completion and the commissioning of the Citigate Hotel there are now an additional 2 access points through the concrete barrier walls which require attention by the club.

During full track events portable concrete barrier walls are placed on these access points on the week leading up to the events requiring the hotel to access only from Ray Bant Drive.

When not required the barriers are kept at the old drive in site and installed and removed using a crane and truck for transport together with appropriate traffic control.

Such an exercise is cost prohibitive to the club as well as being inconvenient for the Citigate Hotel. Therefore following correspondence and liaison with Council prior to their event during December last year negotiations were held with CAMS to endeavour to provide alternative control measures that would provide the correct level of safety for the site.

Agreement was finally reached that the installation of tyre barriers, water filled barriers and temporary second line of defence was agreed with CAMS and Council arranged for the hire of the water filled barriers for the event.

Although still costing an estimated \$2,700 the protection set up which includes the hire of water filled barriers and transport to the site is relatively simple to arrange and causes minimum disruption to the hotel.

The Light Car Club has requested assistance with the cost of the set up for the event which was scheduled once during the year.

It should be noted that Council does assist the club where possible including coordination and minor preparation works.

Financial Implications: There are no funds allocated for this assistance and would have to be sourced from Equity to cover these costs.

MINUTE

26 Item 2 BATHURST LIGHT CAR CLUB (16.00011)

MOVED: I North SECONDED: B Bourke

RESOLVED: That Council:

- (a) waive fees charged to Bathurst Light Car Club for the cost of installation of water filled barriers at the Mount Panorama Resort in December 2009 to a value of \$2,700 to be funded from equity.
- (b) Refer future requests by Bathurst Light Car Club for waiving of the fees for water barriers (concerning closure at Mount Panorama Resort) to the 2010/2011 Management Plan.

3 CENTRAL WEST GROUP APPRENTICES - HAVANNAH STREET (25.00027)

Recommendation: That Council not fund the widening of Havannah Street between Hawthornden Creek and Panorama Avenue.

Report: Council would be aware that the Central West Group Apprentices (CWGA) is preparing to construct a carbon efficiency skills centre known as the Flannery Centre in Havannah Street near the intersection of Panorama Avenue and Lloyds Road.

As part of the Development Application there is condition to provide kerb and gutter for the frontage in Havannah Street.

The CWGA has estimated the cost of the widening of the road shoulder and construction of the kerb and gutter at \$80,000 with the widening of the road accounting for \$75,460 of this cost.

The Group has written to Council (copy **attachment 1**) requesting that Council meet the cost of the road component (\$75,460) from its recurrent roads budget.

All of Council's roads budget is currently allocated and accedence to this request would require the reallocation of part of the roads program or inclusion in the Management Plan for the upcoming year.

Financial Implications: There are no funds currently available for this work.

MINUTE

27 Item 3 CENTRAL WEST GROUP APPRENTICES - HAVANNAH STREET
(25.00027)

MOVED: B Bourke SECONDED: R Thompson

Cr Toole (Mayor) declared a non pecuniary interest in this item.

Reason: Board Member of Central West Group Apprentices - Council appointee - Refer S:443(3)(c) of the Local Government Act.

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

Reason: Associated with Central West Group Apprentices.

RESOLVED: That Council not fund the widening of Havannah Street between Hawthornden Creek and Panorama Avenue.

Yours faithfully



Doug Patterson
DIRECTOR
ENGINEERING SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT
17 FEBRUARY 2010

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 17 FEBRUARY
2010**

General Manager
Bathurst Regional Council

1 BATHURST LIBRARY CHILDREN'S READING PROGRAM (21.00054)

Recommendation: That the information be noted.

Report: Bathurst Children from ages 1 to 18 are being encouraged to use the library and to read by participating in the annual Bathurst Library Booklink program.

The program has now commenced for 2010 in partnership with the local branch of the CWA and local bookshop Books Plus.

Children read both public library books and this year for the first time also books from their school library. The rewards offered include discounts at Books Plus, prizes for schools, participation in a Mayoral awards ceremony and presentation of individual prizes to best readers in several age categories as well as individual medallions for every participant.

So far in 2010, children have collectively completed 42 Booklink logbooks in which there is space for 20 books to be recorded. This gives a total of 840 books read so far.

With this great start to the competition, Bathurst Library staff expect this years total to exceed that reached in 2009, which was just short of 5000.

Children have also been delighted with the new indicator displaying the amount of books recorded; which is a clear cylinder in which children can place colourful beads after each completed logbook is handed. Bathurst Library is hoping this 'indicator' will creep higher and higher until it overflows displaying the achievement of Booklink participants.

This program has been adopted by a number of other Library services in NSW.

Financial Implications: Funded from existing Library allocations.

MINUTE

28 Item 1 BATHURST LIBRARY CHILDREN'S READING PROGRAM (21.00054)

MOVED: B Bourke SECONDED: M Morse

RESOLVED: That the information be noted.

2 COMMUNITY PLANNING: SOCIAL AND COMMUNITY PLAN, COMMUNITY SAFETY PLAN AND CULTURAL PLAN (20.00056)

Recommendation: That the information be noted.

Report: In 2010 Bathurst Regional Council will embark on a broad community consultation process to inform the development of the Social & Community Plan, Community Safety Plan and the Cultural Plan. All three plans will be developed using a strengths based approach where the assets of our community, it's people, places, events, activities and services will be identified and mapped through broad community engagement. The gaps or needs will then be highlighted and strategies to address these will be developed. All three plans will contain current demographic information and projections and be presented using common language and formatting in preparation for integrated strategic planning in 2012.

It is a legislative requirement under the *Local Government (General) Regulation 2005* that all local governments develop Social and Community Plans. It is important to note that this document will be a whole of community plan and not just an internal document for Bathurst Regional Council. Many of the issues that will be identified throughout the process will not sit directly with Council's core business. As such it is vitally important to gain ownership and participation from outside government and non government organisations, groups and individuals. This will be achieved through the development of Key Stakeholder groups for each of the plans that will aid in their development, implementation and review. It is also important that the broader community understands that the plans will be developed for the whole community to implement. This message will be reinforced throughout the consultation process with the three roles of Council clearly delineated in the document.

The three roles of Council will be:

- (a) Core business - The information gathered throughout the process will be used to strategically plan Council's operation to reflect the needs of the community.
- (b) Partnerships - Council will partner with other organisations or agencies to undertake actions identified. The primary or lead partner will be an outside agency or organisation. If the lead partner for a particular action is identified as Council then this action would sit with core business.
- (c) Advocate - Council will take on the role of advocate for the community to state and federal agencies reflecting the needs of the community.

The role of the Social & Community Plan will be to describe our local community, identify what's good about it, summarise the key issues, develop recommended strategies and action plans, which Council and/or other agencies in partnership with the broader community can implement. It is a mandatory requirement that the community groups including: Children, Young People, Women, Older People, People with a Disability, Indigenous People and People from a Culturally and Linguistically Diverse Background are consulted and included in the plan. Historically Bathurst Regional Council have also included Men and the Villages in the document. Both of these groups will also be included in the new plan.

The Community Safety Plan is not a legislative requirement but has been identified as a priority by the community and Council. It will analyse and develop a range of strategies that specifically target community safety and crime prevention. In 2009 Bathurst Regional Council commissioned the development of a Crime Profile. This document examined current crime trends and public perception of crime within our community by looking at statistics, interviewing agencies and members of the community. The Community Safety Plan will be the next step in developing strategies to address the issues that were identified. A Key Stakeholder group will also be established to develop, implement and review the

plan. Once the Community Safety Plan has been adopted, Council, in partnership with other agencies can apply for funding through the Attorney General's Office for specific projects identified in the plan.

The Cultural Plan will include strategies to enable Council to understand and share culture, promote creativity and cultural development, and think strategically about how its resources can best be used to help the community achieve its goals. Bathurst Regional Council will identify and begin the process of mapping its cultural assets. It will encompass a broad definition of the term 'culture' by exploring physical assets/facilities, sense of place, values and community identity. This plan will primarily focus on Council facilities and be the first stage of developing a broad based Cultural Plan for the whole community.

The community consultation that will inform all three plans will take place between February and April 2010. A number of different mechanisms and tools have been developed to ensure that the broader community have the opportunity to be informed and participate in the process on various levels. These include:

- (a) **Community Interviews.** These will be distributed widely throughout the process. Questions included in the self completing interview document are broad ranging covering areas that will be used in the development of all three plans. Information provided will be kept confidential however individuals wishing to be kept informed of the process are invited to include their email address. A copy of the interview can be downloaded by accessing Bathurst Regional Council's website www.bathurst.nsw.gov.au or collected from Bathurst Regional Council in person.
- (b) **Workshops.** A series of workshops will be conducted by Jim Cavaye in March 2010. These workshops will be a mix of targeted invitation only, through to open workshops where anyone is welcome to participate. The key stakeholders will guide this part of the process ensuring that the appropriate people in the mandatory areas are invited and encouraged to participate in the workshops.
- (c) **100 EYES.** This is a creative project that will involve the distribution of 100 disposable cameras to individuals within the community. Participants will be asked to take photos of the people, places, events and activities that make Bathurst and its villages great places to live, work, learn and play. The photographs will be incorporated into the plans and exhibited later in the year.
- (d) **Out and About.** A team of individuals will be out and about in the community talking to people and distributing interviews during March. This team will be setting up at various venues and events to ensure that the broader community will have the opportunity to participate.
- (e) **Public Submission or Comments.** An opportunity to present a public submission or comment will be available by accessing the Bathurst Regional Council's website.
- (f) **Email Database and Web Information.** Council will be encouraging individuals that wish to be kept informed of the process to add their details to our email database. Regular updates will be forwarded to these people as to the progress of the plans. These updates will also be posted on Council's website and hard copies available through Council's customer service points.

Financial Implications: Funding of \$50,000 has been allowed within Council's (2009/2010) Management Plan for this work.

MINUTE

29 Item 2 COMMUNITY PLANNING: SOCIAL AND COMMUNITY PLAN, COMMUNITY SAFETY PLAN AND CULTURAL PLAN (20.00056)

MOVED: R Thompson SECONDED: G Westman

RESOLVED: That the information be noted.

3 KELSO COMMUNITY CENTRE OPERATIONS (09.00026)

Recommendation: That the information be noted.

Report: Kelso Community Centre was closed for the Christmas/New Year break and re-opened on Monday, 11 January 2010. Most programs were not scheduled to begin again until February and yet the numbers of people using the centre during the first week were good. In particular there were between six and 15 school-aged children every day, all day, enjoying games in the hall, computer time and cooking. These activities were supervised by Kelso Community Centre representatives.

In the weeks beginning Monday 18 and 25 January the Kelso Activities Program (KAP) was run by staff from the Bathurst Information & Neighbourhood Centre. This ran Monday, Wednesday and Friday of both weeks and, whilst slow to begin with, was booked out (24 children) by the second week. Children participated in mosaic making, team games, sports, slip-and-slides, water fights, origami, painting and then finished with a full-day percussion workshop.

The children participating in the program were almost solely from the local community, most being walked up by their parents, and it provided a good opportunity to liaise with the parents at the same time, getting to know their thoughts on the centre, what they use it for and what they want to see in the future. All, without exception, were very happy with the centre and felt comfortable utilizing it for a number of activities and services.

Staff representatives touched base with numerous residents during the month and the reports on the whole were encouraging. Neighbours living close to the centre indicated that anti-social behaviour, particularly late-night partying around the BBQ/picnic table area, had lessened considerably. They also went on to add that changes just prior to Christmas in some key housing tenancies could have influenced this.

In December a lot of work was put into making the centre look good and this was still evident in January. The walls were all given a fresh coat of paint by Corrective Services and it was really pleasing for the Centre to reopen in January 2010 with no graffiti. There were reports of a considerable amount of rubbish blowing around the oval but this was quickly cleaned up. The watering system for the oval was adjusted to cope with the extreme heat and as such the grass survived well. The old BBQ was removed.

There are three main areas of focus for February:

1. Getting all programs and services up and running again for 2010 – including reviewing service agreements and making changes where necessary to improve both the quality of and access to these.
2. Improving the BBQ area – including the purchase of a new portable BBQ and sanding back the wood on the tables and seats.
3. Upgrading the sprinkler system around the front of the centre – looking at options for placing this system on a timer and ensuring all sprinklers are operational.

Financial Implications: Nil, at this stage.

MINUTE

30 **Item 3 KELSO COMMUNITY CENTRE OPERATIONS (09.00026)**

MOVED: B Bourke SECONDED: G Hanger

RESOLVED: That the information be noted.

4 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST THEATRE COMPANY/YOUTH THEATRE DRAMA CLASSES - USE OF BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) (18.00119, 21.00012)

Recommendation: That Council donate the costs associated with the hire of the Bathurst Memorial Entertainment Centre for the Bathurst Theatre Company's annual production and classes for the Youth theatre in the City Hall up to a value of \$6,000 to be funded from BMEC Community use Subsidy.

Report: The Bathurst Theatre Company's Youth Theatre has approached Council seeking confirmation that they can once again use the facilities provided through the Bathurst Memorial Entertainment Centre (BMEC) for classes to be held for the Youth Theatre in the City Hall on Wednesdays between 4.00pm and 5.00pm each week during school terms and for a one-off show, usually held in December, at no cost to the Company.

In 2006 the Theatre Company met with Councillors to discuss their proposed development of the Theatre Company over the coming years and in 2006 Council agreed to fully support their event by providing the venue and labour required at no cost to the Company. Whilst the Theatre Company sought this level of support for three years in advance, Council preferred to review it annually, with the Company being encouraged to submit an application for financial support each year for the three year period.

The financial support required for the rehearsal and performance times of the Theatre Company for their annual production is approximately \$6,000 (before community rate discount). This fee would cover three days of venue hire with "bump in" time and labour for the rehearsal and three days venue hire for performances, as well as labour provided by BMEC.

Financial Implications: The cost of \$6,000 could be funded from the Bathurst Memorial Entertainment Centre Community Use Subsidy Vote, which currently has a balance of \$7,743.20.

MINUTE

31 Item 4 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST THEATRE COMPANY/YOUTH THEATRE DRAMA CLASSES - USE OF BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) (18.00119, 21.00012)

MOVED: T Carpenter SECONDED: I North

RESOLVED: That Council donate the costs associated with the hire of the Bathurst Memorial Entertainment Centre for the Bathurst Theatre Company's annual production and classes for the Youth theatre in the City Hall up to a value of \$6,000 to be funded from BMEC Community use Subsidy.

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 17 FEBRUARY 2010**

General Manager
Bathurst Regional Council

**1 MINUTES OF THE POLICY COMMITTEE MEETING HELD 3 FEBRUARY 2010
(07.00064)**

Recommendation: That the recommendations of the Policy Committee Meeting held on 3 February 2010 be adopted.

Report: The Minutes of the Policy Committee Meeting held 3 February 2010, are attached.

Financial Implications: N/A

MINUTE

32 Item 1 **MINUTES OF THE POLICY COMMITTEE MEETING HELD 3 FEBRUARY 2010 (07.00064)**

MOVED: B Bourke SECONDED: I North

RESOLVED: That the recommendations of the Policy Committee Meeting held on 3 February 2010 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 3 FEBRUARY 2010

MEETING COMMENCES

1 MEETING COMMENCES

Present: Councillors Toole (Chair), Aubin, Bourke, Carpenter, Hanger, Morse, North, Thompson, Westman.

In Attendance: General Manager, Director Corporate Services & Finance, Director Cultural & Community Services, Director Engineering Services, Director Environmental Planning & Building Services, Manager Corporate Services, Manager Bathurst Recreation, Manager Bathurst Technical Services, Manager Water & Waste, Manager Environment, Manager Strategic Planning, Manager Development Assessment, Senior Development Control Planner, Environmental Officer, Development Control Planner.

APOLOGIES

2 APOLOGIES

Nil.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES OF THE POLICY COMMITTEE MEETING HELD 2 DECEMBER 2009 (07.00064)
MOVED Cr Monica Morse and **SECONDED** Cr Tracey Carpenter

RESOLVED: That the Minutes of the Policy Committee Meeting held on 2 December 2009 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST
MOVED Cr Ian North and **SECONDED** Cr Greg Westman

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

5 Item 1 POLICY UPDATE (41.00089)
MOVED Cr Tracey Carpenter and **SECONDED** Cr Ian North

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

Director Corporate Services & Finance's Report

6 Item 1 GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT (GIPA ACT) 2009 - DELEGATIONS (18.00171, 41.00088)

MOVED Cr Graeme Hanger

and **SECONDED** Cr Warren Aubin

RESOLVED: That the Delegations Register be updated to reflect the introduction of the new Government Information (Public Access) (GIPA ACT) 2009 and the revoking of the Freedom of Information (FOI) Act.

GENERAL BUSINESS

7 **FIRE BRIGADE OPERATIONAL HOURS (22.07106)**

MOVED Cr

and **SECONDED** Cr

Cr Thompson - advised Council needs to ensure has a full understanding of the proposal re 24 hour station operations, including costing impacts.

The Mayor provided details on recent meeting with NSW Fire Brigade and noted the Brigades are currently collecting data at this time. This will be available second half of this year.

8 **ADVENTURE PLAYGROUND (04.00121)**

MOVED Cr

and **SECONDED** Cr

Cr Thompson - advised fencing is an issue, would like to revisit this matter in the next couple of months.

9 **ALDENTE COFFEE SHOP (25.00039)**

MOVED Cr

and **SECONDED** Cr

Cr Morse - asked could Council look at providing a bike rack in this area.

10 **BEN CHIFLEY DAM CAMPING (32.00005)**

MOVED Cr

and **SECONDED** Cr

Cr North - advised there is a need for camping in this area, would like Council to further investigate this.

11 **CARAVAN REST AREA (04.00034)**

MOVED Cr

and **SECONDED** Cr

Cr North - asked if Council could look at a rest area for caravans as an overnight spot, with a dump point.

The Director Environmental, Planning & Building Services noted Council is accredited by the Campervan & Motorhome Club of Australia Ltd.

12 **MOUNT PANORAMA - DAMAGE CAUSED BY RABBITS (04.00019)**

MOVED Cr

and **SECONDED** Cr

Cr North - expressed concern with damage rabbits are causing around the circuit.

The Director Engineering Services advised he is currently talking to Central Tablelands Rural Lands Protection Board about possible works.

13 **WATER USAGE(32.00017)**

MOVED Cr and **SECONDED** Cr

Cr North - would like Council to review water usage in the area, e.g. watering during middle of the day. Request a working Party to discuss this further.

14 **MOUNT PANORAMA - EVENTS (04.00009)**
MOVED Cr and **SECONDED** Cr

Cr North - advised that when a shut-down occurs at Mount Panorama during an event, there is a problem with mail delivery - can we review this.

The Director Engineering Services noted this has never been a problem in the past, currently liaising with the contractor.

15 **TIES CHALLENGE - MOUNT PANORAMA (23.00133)**
MOVED Cr and **SECONDED** Cr

Cr North - thanks to everyone for their assistance in this project.

16 **CREMATORIUM (36.00246)**
MOVED Cr and **SECONDED** Cr

Cr Bourke - advised project is going well, thanks to everyone who has been involved.

17 **BEN CHIFLEY DAM (32.00005)**
MOVED Cr and **SECONDED** Cr

Cr Bourke - asked that Council review rules on camping at the dam.

DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS

18 **Item 1 DEVELOPMENT APPLICATION NO. 2010/0395 – DEMOLITION OF TWO DWELLINGS AT 424 & 426 HOWICK STREET, WEST BATHURST. APPLICANT: UNIVERSITY OF WESTERN SYDNEY. OWNER: DEPARTMENT OF HEALTH (DA/2010/0395)**
MOVED Cr and **SECONDED** Cr

The Director Environmental, Planning & Building Services spoke to the Development Application received by Council.

Discussion included:

Ian McPherson (National Trust) - The trust submitted an objection to the demolition. Feels should not consider a Development Application for demolition until the proposal for what is to replace it is received. Requests Council refuse Development Application. Spoke to submission and the linkage of the houses to the Chifley Memorial Housing Scheme. The houses are in perfect order and are suitable for adaptive re-use. The hospital area is a very important area to Bathurst and any action should be sympathetic.

Sue Armstrong (adjoining owner) - No objection to redevelopment, however, wish it

to be consistent with development in the area. Would like some of the trees saved on the site.

Lachlan Sullivan (ratepayer) - Concern at adequate provision of parking. There are problems with the health Service parking in the area. Need to ensure sufficient parking is provided, local resident amenity is an issue.

Bob Trimming (ratepayer) - Parking is a major issue in this location. Often cars are parked on footpath and if there is an expansion of facility, problem will be worse.

John Bonanno - University of Western Sydney (applicant) - Tabled a proposal document. Purpose of project is to link with medical training school at Campbelltown. Working on proposals at Lismore, Bathurst & Blacktown, also looking at Dubbo and Broken Hill as a whole of government initiative. Site is critical as it is near the hospital. The initiative is funded by the government stimulus package. Spoke to government timeframes set for utilising funds.

Charles Vella - University of Western Sydney (applicant) - Have provided further information (pictures) of variations to other buildings in the area. Trees around perimeter of development will be retained. Will try to work into existing streetscape amenity. Will need to remove trees in middle of block, 2 houses will be built. Each will accommodate six students. Adaptive re-use was assessed, but was not practical as work was required by extending out the front to get the capacity. Off street car parking will be provided at back - 5 spaces. The proposal is also working within funding that is available. Front of buildings are single story and two story to the back. Communal area is provided out the back. Residences will be 'disable friendly', this is extremely difficult, particularly with one of the dwellings. Spoke of condition of existing dwellings. Buildings will initially have 8 students, will move to 12 students. Car parking will be managed. Intention is not to change streetscape, will look at materials, access, etc.

MEETING CLOSE

19 MEETING CLOSE

The Meeting closed at 5.52 pm

CHAIRMAN: _____

Date: _____ **(17 February 2010)**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
TRAFFIC COMMITTEE MEETING

**TRAFFIC COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 17 FEBRUARY 2010**

General Manager
Bathurst Regional Council

**1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 2 FEBRUARY 2010
(07.00006)**

Recommendation: That the recommendations of the Traffic Committee Meeting held on 2 February 2010 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 2 February 2010 are attached.

Financial Implications: N/A

MINUTE

33 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 2 FEBRUARY 2010 (07.00006)

MOVED: W Aubin SECONDED: G Westman

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 2 February 2010 be adopted.

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 2 FEBRUARY 2010

MEETING COMMENCES

1 PRESENT

Members: Cr Warren Aubin (BRC), Robert Walker (RTA), Jeffrey Crompton (MP Representative), Luke Cole (Police).

Observers: Manager Technical Services, Senior Technical Officer, Road Safety Officer.

The meeting commenced at 2.08 pm.

APOLOGIES

2 APOLOGIES

Nil.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 1 DECEMBER 2009 (07.00006)

That the Minutes of the Traffic Committee Meeting held 1 December 2009 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 1 DECEMBER 2009 (07.00006)

That the information be noted and necessary actions be taken.

6 Item 2 MONTHLY REPORT FOR LOCAL GOVERNMENT ROAD SAFETY PROGRAM (28.00002)

That the information be noted.

7 Item 3 BATHURST ROYAL SHOW 2010 (18.00108)

That Council raise no objection to implementation of the Bathurst Royal Show Traffic Management Plan for the 2010 Bathurst Royal Show on Friday 5 March 2010, Saturday 6 March 2010 and Sunday 7 March 2010. The event is to be classified as a Class 1 event and be approved subject to conditions decided by the Traffic Committee.

TRAFFIC REGISTER

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

That the information be noted.

MEETING CLOSE

9 **MEETING CLOSE**

The Meeting closed at 2.48 pm.

MINUTE

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

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

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

There were no representations from the public.

RESOLVED: That:

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

* Director Environmental Planning & Building Services' Report

| ITEM | SUBJECT | REASON FOR CONFIDENTIALITY |
|------|---|---|
| 1 | PROPOSED RETAIL DEVELOPMENT- RANKIN STREET BATHURST | 10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements. |

* Director Corporate Services & Finance's Report

| ITEM | SUBJECT | REASON FOR CONFIDENTIALITY |
|------|--|---|
| 1 | RURAL LEASE AGREEMENT - VALE ROAD AND LLOYDS ROAD, BATHURST) | 10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. |

to the Council Meeting 17/02/2010

GENERAL MANAGER

MAYOR
Page 104

| | | |
|---|---|---|
| | | 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.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.10A (2) (a) – Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned. |
| 2 | PRICE ADJUSTMENT OF LOT 121 ADAMS STREET, WINDRADYNE | 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 | RENEWAL OF LICENCE AGREEMENT - RAGLAN PLAYGROUP, CHRISTIE STREET RAGLAN | 10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it. |
| 4 | FESTIVAL OF SPORTING CARS (FOSC) EVENT 2010 | 10A (2) (g) - contains advice concerning litigation, or advice that would otherwise be |

to the Council Meeting 17/02/2010

| | | |
|---|--|---|
| | | privileged from production in legal proceedings on the ground of legal professional privilege. |
| 5 | PROPOSED NEW LEASE STATE PROPERTY AUTHORITY (SPA) - PART GROUND FLOOR, 230 HOWICK STREET | 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 | USE OF MOUNT PANORAMA - NEWTONS NATION | 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 | CONTRACT WITH V8 SUPERCARS | 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 | COMPULSORY ACQUISITION OF LAND FOR ROAD WIDENING - LOTS 5, 8 AND 9 DP1135025 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 |

to the Council Meeting 17/02/2010

GENERAL MANAGER

MAYOR
Page 106

| | | |
|---|---|---|
| | | <p>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.</p> |
| 2 | <p>ACQUISITION OF LAND FOR ROAD WIDENING - LOT 4 DP1135025 HILL END ROAD HILL END</p> | <p>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.</p> |
| 3 | <p>ACQUISITION OF LAND FOR ROAD WIDENING - LOT 1 DP1135025 HILL END ROAD HILL END</p> | <p>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.</p> |
| 4 | <p>PROPOSED ROAD WIDENING, LOT 192 DP755790, SOFALA AND LIMEKILNS ROADS AND RILEY LANE, WATTLE FLAT</p> | <p>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.</p> |
| 5 | <p>SUPPLY AND DELIVERY OF ONE TELESCOPIC HANDLER</p> | <p>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.</p> |

to the Council Meeting 17/02/2010

| | |
|--|---|
| | 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 ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT
17 FEBRUARY 2010

MINUTE

a Item 1 PROPOSED RETAIL DEVELOPMENT- RANKIN STREET BATHURST
(36.00374)

MOVED: R Thompson SECONDED: I North

That Council act in accordance with the Director Environmental, Planning & Building Services report.

Yours faithfully

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

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT
17 FEBRUARY 2010

MINUTE

b Item 1 RURAL LEASE AGREEMENT - VALE ROAD AND LLOYDS ROAD, BATHURST) (41.00088)

MOVED: G Westman SECONDED: T Carpenter

Cr Toole (Mayor) declared a non pecuniary interest in this item, left the Chamber and took no part in discussion or voting.

Reason: Acquaintance of one of the applicants.

The Mayor vacated the Chair.

The Deputy Mayor, Cr North, took the Chair for this item.

That Council approves entering into a new licence agreement with Mr Craig Hotham for Lot 1 in DP784476 and Lots 134, 137, 138, 144 and 145 in DP 750357 located on Vale Road and Lloyds Road, Bathurst for a period of one (1) year at a yearly lease fee of \$4,000 per annum as detailed in the report.

MINUTE

c Item 2 PRICE ADJUSTMENT OF LOT 121 ADAMS STREET, WINDRADYNE
(20.00119)

MOVED: I North SECONDED: B Bourke

That Council approve the price adjustment of Lot 121 DP1123180 known as 3 Adams Street, Windradyne from \$97,000 to \$89,990 as detailed in the report.

MINUTE

d Item 3 RENEWAL OF LICENCE AGREEMENT - RAGLAN PLAYGROUP, CHRISTIE STREET RAGLAN (22.00876)

MOVED: T Carpenter SECONDED: W Aubin

That Council approve entering into a new licence agreement for the old Raglan Hall located at Christie Street Raglan (Lot 193 DP821845) to the Raglan Playgroup for a period of two (2) years with a two (2) year option as detailed in the report.

MINUTE

e **Item 4 FESTIVAL OF SPORTING CARS (FOSC) EVENT 2010 (04.00111)**

MOVED: T Carpenter SECONDED: I North

That the information be noted.

MINUTE

f Item 5 PROPOSED NEW LEASE STATE PROPERTY AUTHORITY (SPA) - PART GROUND FLOOR, 230 HOWICK STREET (22.00041)

MOVED: B Bourke SECONDED: T Carpenter

That Council approves entering into a new lease agreement with the State Property Authority (SPA) for part of the ground floor, 230 Howick Street, Bathurst (Lot 1 DP774489) as detailed in the report.

MINUTE

g Item 6 USE OF MOUNT PANORAMA - NEWTONS NATION (04.00122)

MOVED: R Thompson SECONDED: T Carpenter

That Council act in accordance with the recommendations of the report.

MINUTE

h **Item 7 CONTRACT WITH V8 SUPERCARS (04.00001)**

MOVED: W Aubin SECONDED: T Carpenter

That Council authorise the General Manager to act in accordance with the report.

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

DIRECTOR ENGINEERING SERVICES' REPORT

17 FEBRUARY 2010

MINUTE

i Item 1 COMPULSORY ACQUISITION OF LAND FOR ROAD WIDENING - LOTS 5, 8 AND 9 DP1135025 HILL END ROAD HILL END (25.00262 & 2007/0246)

MOVED: W Aubin SECONDED: I North

That Council make application to the Governor/Minister to compulsorily acquire Lots 5, 8 and 9 in DP1135025 under the provisions of the Roads Act 1993, and in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, as required for the acquisition of the Crown Land at Hill End Road Hill End for road widening purposes, subject to conditions outlined in the Director Engineering Services' Report, and that the land be classified as operational under the provisions of Section 31(2) of the Local Government Act 1993.

MINUTE

**j Item 2 ACQUISITION OF LAND FOR ROAD WIDENING - LOT 4 DP1135025
HILL END ROAD HILL END (25.00262 & 2007/0246)**

MOVED: G Westman SECONDED: R Thompson

That Council approve the acquisition of land being Lot 4 DP1135025 at Hill End Road Hill End for road widening purposes, subject to conditions outlined in the Director Engineering Services' Report and that the land be classified as operational under the provisions of Section 31(2) of the Local Government Act 1993.

MINUTE

k Item 3 ACQUISITION OF LAND FOR ROAD WIDENING - LOT 1 DP1135025
HILL END ROAD HILL END (25.00262 & 2007/0246)

MOVED: T Carpenter SECONDED: G Hanger

That Council approve the acquisition of land being Lot 1 DP1135025 at Hill End Road Hill End for road widening purposes, subject to conditions outlined in the Director Engineering Services' Report and that the land be classified as operational under the provisions of Section 31(2) of the Local Government Act 1993.

MINUTE

I Item 4 PROPOSED ROAD WIDENING, LOT 192 DP755790, SOFALA AND LIMEKILNS ROADS AND RILEY LANE, WATTLE FLAT (25.00161)

MOVED: B Bourke SECONDED: M Morse

That Council resolve to approve the acquisition of land for road widening purposes at Lot 192 DP755790 at the intersection of Sofala and Limekilns Roads and Riley Lane, Wattle Flat and classify the land as operational, as detailed in the Director Engineering Services' report.

MINUTE

m **Item 5 SUPPLY AND DELIVERY OF ONE TELESCOPIC HANDLER (36.00366)**

MOVED: I North SECONDED: T Carpenter

That Council:

- (a) accept the tender from BT Equipment Pty Ltd for the Manitou MT932, at a price of \$124,630
- (b) dispose of the trade vehicle via Manheim Fowles Auctions.

Yours faithfully



Doug Patterson
DIRECTOR
ENGINEERING SERVICES

MINUTE

35 RESOLVE INTO OPEN COUNCIL

MOVED: W Aubin SECONDED: T Carpenter

RESOLVED: That Council resume Open Council.

MINUTE

36 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MOVED: R Thompson SECONDED: M Morse

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

to the Council Meeting 17/02/2010

GENERAL MANAGER

MAYOR
Page 126

MINUTE

37 MEETING CLOSE

The Meeting Closed at 7.13 pm.

CHAIRMAN: _____

Date: _____ **(17 March 2010)**