



ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL

10 March 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 March 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 MARCH 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 17 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 - Nil
8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS  
  - \* Director Environmental Planning & Building Services' Report
  - \* Director Corporate Services & Finance's Report
  - \* Director Engineering Services' Report
  - \* Director Cultural & Community Services' Report
  - \* General Manager's Report
9. REPORTS OF OTHER COMMITTEES  
  - \* Minutes of The Policy Committee Meeting held 3 March 2010
  - \* Minutes of The Traffic Committee Meeting held 2 March 2010
10. NOTICES OF MOTION - Nil
11. RESCISSION MOTIONS - Nil

12. DELEGATES REPORTS

\* Councillors Meeting With Community Groups/representatives held 10 February 2010

\* Cr Morse - Report on Bathurst Regional Art Gallery Society

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

**Recommendation:** That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF RESIDENTIAL LEASE - 215 DURHAM 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	LAND RELEASE - FREEMAN CIRCUIT AND COBB AVENUE - AVONLEA STAGE 7 SUBDIVISION	10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a

		competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
3	RENEWAL OF LEASE TO OPTUS MOBILE PTY LTD - WALMER PARK, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED ROAD WIDENING AND ROAD CLOSURE - LOT 12 DP863899, 2013 SOFALA ROAD, PEEL	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 SEWER MAINS: CLEANING, RELINING & CCTV INSPECTION AT VARIOUS LOCATIONS IN BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TENDER FOR SEWER MAIN	10A (2) (d) (i) – contains

	AUGMENTATION - RANKIN STREET AND RSL CAR PARK - BATHURST NSW	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 5 DP247729, TURONDALE ROAD, TURONDALE	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	TENDER FOR CLIMATE CHANGE AND WATER SECURITY PLAN	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	PROPOSED ROAD WIDENING, LOT A DP164579, DOG ROCKS ROAD, ROCKLEY	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	PROPOSED ROAD WIDENING, PART PORTION	10A (2) (d) (i) – contains commercial information of a

	2 DP750397 & LOT 1 DP770576, DUNKELD ROAD, DUNKELD	confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	ADVENTURE PLAYGROUND CCTV	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

**MINUTE**

**1      6.00 PM - MEETING COMMENCES**

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

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to the Council Meeting 17/03/2010

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GENERAL MANAGER

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MAYOR  
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## MINUTE

### 2 PUBLIC QUESTION TIME

#### **G Crisp** - Ratepayer - Statement of Investments (DCSF#1)

1. Spoke to issues in 2007 and loss of Lehman Bros investments.
2. Meeting in 2007 re: DCSF Statements and Investments.
3. Meeting in December 2007 re: questions of staff/investments.
4. Stated he has better qualifications than staff so understands things better than staff.
5. Does the Mayor deny he did not follow expert advice form Mr Crisp.

Tabled document for Council.

**The Mayor**, during Mr Crisp's address, requested he maintain the decorum of the Chamber due to the unsubstantiated allegations he continued to make and the way he addressed Councillors.

**B Trimming** - Chairman Access Committee & Resident: Spoke on a number of of issues including:

1. Show Society Access - parking issues.
2. Thanked Council for response to Access Committee letters that have been well received.
3. Advised Bathurst Taxi service provide excellent service to disabled people.



**MINUTE**

**3     APOLOGIES**

Nil.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
MINUTES

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

General Manager  
Bathurst Regional Council

**1 MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**  
**HELD 17 FEBRUARY 2010 (11.00005)**

**Recommendation:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 17 February 2010 be adopted.

**Report:** The Minutes of the Ordinary Meeting of Bathurst Regional Council held 17 February 2010 are attached.

**Financial Implications:** N/A

**MINUTE**

**4 Item 1 MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL HELD 17 FEBRUARY 2010 (11.00005)**

**MOVED: R Thompson SECONDED: B Bourke**

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 17 February 2010 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
HELD ON 17 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**

**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.

**APOLOGIES**

**3 APOLOGIES**

Nil.

**MINUTES**

**4 Item 1 MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL**

**COUNCIL HELD 3 FEBRUARY 2010 (11.00005)****MOVED** Cr G Hanger and **SECONDED** Cr G Westman**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 3 February 2010 be adopted.**DECLARATION OF INTEREST****5** **DECLARATION OF INTEREST****MOVED** Cr I North and **SECONDED** Cr 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 &amp; Finance's Confidential report

Cr Westman

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

Cr Carpenter

Item #3 of the Director Engineering Services' report

**MAYORAL MINUTE****6** **Item 1 BATHURST'S GIFT TO THE VICTORIAN BUSHFIRE REGIONS (18.00195)****MOVED** Cr P Toole**RESOLVED:** That Council support the "Good Neighbours" Committee proposal to provide a weekend retreat for 10 couples who are victims of the Victorian Bushfires.**RECEIVE AND DEAL WITH DIRECTORS' REPORTS****Director Environmental Planning & Building Services' Report****7** **Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)****MOVED** Cr R Thompson and **SECONDED** Cr G Westman**RESOLVED:** That the information be noted.**8** **Item 2 GENERAL REPORT (03.00053)****MOVED** Cr B Bourke and **SECONDED** Cr M Morse**RESOLVED:** That the information be noted.**9** **Item 3 GREEN JOBS CORP PROGRAMME (29.00002)****MOVED** Cr G Westman and **SECONDED** Cr G Hanger

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

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

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

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

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

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

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

**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** Cr M Morse and **SECONDED** Cr 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

- 13** **Item 7 BATHURST ORANGE DUBBO ALLIANCE OF COUNCILS: INSPIRING AND INTEGRATING CHANGE PROJECT (16.00021)**  
**MOVED** Cr I North and **SECONDED** Cr G Westman

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

- 14** **Item 8 2009 VISITOR INFORMATION CENTRE SURVEY REPORT (18.00010)**  
**MOVED** Cr G Westman and **SECONDED** Cr B Bourke

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

- 15** **Item 9 FORMER BATHURST GAS WORKS - STAGE 2 REMEDIATION PROJECT ( 37.00270 & 22.00052)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

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

- 16** **Item 10 URBAN WATERWAYS MANAGEMENT PLAN IMPLEMENTATION PROJECT- BOUNDARY ROAD RESERVE (37.00259)**  
**MOVED** Cr R Thompson and **SECONDED** Cr T Carpenter

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

- 17** **Item 11 URBAN WATERWAYS MANAGEMENT PLAN (37.00259)**  
**MOVED** Cr R Thompson and **SECONDED** Cr 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.

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

- 18** **Item 1 STATEMENT OF INVESTMENTS - JANUARY 2010 (16.00001)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

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

- 19** **Item 2 YEAR TO DATE REVIEW - 2009/2010 MANAGEMENT PLAN AND BUDGET (16.00116)**  
**MOVED** Cr B Bourke and **SECONDED** Cr G Westman

**RESOLVED:** That the information be noted and any variations to income and



expenditure be voted.

- 20** **Item 3 SUNDRY SECTION 356 DONATIONS AND BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY (18.00004)**  
**MOVED** Cr W Aubin and **SECONDED** Cr B Bourke

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

- 21** **Item 4 POWER OF ATTORNEY (11.00007)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Morse

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

- 22** **Item 5 REQUEST FOR FINANCIAL ASSISTANCE - B'NAI B'RITH COURAGE TO CARE (NSW) INC (18.00004)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr 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.

- 23** **Item 6 EVENTS NSW FUNDING AGREEMENT (04.00097)**  
**MOVED** Cr W Aubin and **SECONDED** Cr I North

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

- 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.

#### **Director Engineering Services' Report**

- 25** **Item 1 RECYCLING SERVICES AT COUNCIL STAGED EVENTS (14.00007)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr 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.

**26** **Item 2 BATHURST LIGHT CAR CLUB (16.00011)**  
**MOVED** Cr I North and **SECONDED** Cr 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.

**27** **Item 3 CENTRAL WEST GROUP APPRENTICES - HAVANNAH STREET (25.00027)**  
**MOVED** Cr B Bourke and **SECONDED** Cr 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.

**Director Cultural & Community Services' Report**

**28** **Item 1 BATHURST LIBRARY CHILDREN'S READING PROGRAM (21.00054)**  
**MOVED** Cr B Bourke and **SECONDED** Cr M Morse

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

**29** **Item 2 COMMUNITY PLANNING: SOCIAL AND COMMUNITY PLAN, COMMUNITY SAFETY PLAN AND CULTURAL PLAN (20.00056)**  
**MOVED** Cr R Thompson and **SECONDED** Cr G Westman

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

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

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

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

- 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** Cr T Carpenter and **SECONDED** Cr 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.

## **REPORTS OF OTHER COMMITTEES**

### **Policy Committee Meeting**

- 32** **Item 1 MINUTES OF THE POLICY COMMITTEE MEETING HELD 3 FEBRUARY 2010 (07.00064)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

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

### **Traffic Committee Meeting**

- 33** **Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 2 FEBRUARY 2010 (07.00006)**  
**MOVED** Cr W Aubin and **SECONDED** Cr G Westman

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

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

- 34** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

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

**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. 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	10A (2) (d) (i) – contains commercial information of a

	AUTHORITY (SPA) - PART GROUND FLOOR, 230 HOWICK STREET	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 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	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.
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### **Director Environmental Planning & Building Services' Report**

- a** **Item 1 PROPOSED RETAIL DEVELOPMENT- RANKIN STREET BATHURST (36.00374)**  
**MOVED** Cr R Thompson and **SECONDED** Cr I North

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

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

- b** **Item 1 RURAL LEASE AGREEMENT - VALE ROAD AND LLOYDS ROAD, BATHURST) (41.00088)**  
**MOVED** Cr G Westman and **SECONDED** Cr 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.

- c** **Item 2 PRICE ADJUSTMENT OF LOT 121 ADAMS STREET, WINDRADYNE (20.00119)**  
**MOVED** Cr I North and **SECONDED** Cr 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.

- d** **Item 3 RENEWAL OF LICENCE AGREEMENT - RAGLAN PLAYGROUP, CHRISTIE STREET RAGLAN (22.00876)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr 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.

- e** **Item 4 FESTIVAL OF SPORTING CARS (FOSC) EVENT 2010 (04.00111)**  
MOVED Cr T Carpenter and SECONDED Cr I North

That the information be noted.

- f** **Item 5 PROPOSED NEW LEASE STATE PROPERTY AUTHORITY (SPA) - PART GROUND FLOOR, 230 HOWICK STREET (22.00041)**  
MOVED Cr B Bourke and SECONDED Cr 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.

- g** **Item 6 USE OF MOUNT PANORAMA - NEWTONS NATION (04.00122)**  
MOVED Cr R Thompson and SECONDED Cr T Carpenter

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

- h** **Item 7 CONTRACT WITH V8 SUPERCARS (04.00001)**  
MOVED Cr W Aubin and SECONDED Cr T Carpenter

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

#### Director Engineering Services' Report

- 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 Cr W Aubin and SECONDED Cr 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.

- i** **Item 2 ACQUISITION OF LAND FOR ROAD WIDENING - LOT 4 DP1135025 HILL END ROAD HILL END (25.00262 & 2007/0246)**  
MOVED Cr G Westman and SECONDED Cr 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.

- k** **Item 3 ACQUISITION OF LAND FOR ROAD WIDENING - LOT 1 DP1135025 HILL END ROAD HILL END (25.00262 & 2007/0246)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr 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.

- l** **Item 4 PROPOSED ROAD WIDENING, LOT 192 DP755790, SOFALA AND LIMEKILNS ROADS AND RILEY LANE, WATTLE FLAT (25.00161)**  
**MOVED** Cr B Bourke and **SECONDED** Cr 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.

- m** **Item 5 SUPPLY AND DELIVERY OF ONE TELESCOPIC HANDLER (36.00366)**  
**MOVED** Cr I North and **SECONDED** Cr 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.

### **RESOLVE INTO OPEN COUNCIL**

- 35** **RESOLVE INTO OPEN COUNCIL**  
**MOVED** Cr W Aubin and **SECONDED** Cr T Carpenter

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

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

- 36** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED** Cr R Thompson and **SECONDED** Cr M Morse

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

### **MEETING CLOSE**

- 37** **MEETING CLOSE**

The Meeting Closed at 7.13 pm.

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

**Date:** \_\_\_\_\_ **(17 March 2010)**

**MINUTE**

**5     DECLARATION OF INTEREST**

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

That the Declaration of Interest be noted.

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

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

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

**MOVED: B Bourke 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 February 2010 (**attachment 1**).
- (b) Applications refused during February 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 February 2010 (**attachment 5**).

**Financial Implications:** Nil.



**MINUTE**

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

**MOVED: R Thompson SECONDED: M Morse**

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

### **3 DEMOLITION OF BUILT ENVIRONMENT POLICY AND THE BATHURST CONSERVATION AREA MANAGEMENT STRATEGY (BCAMS) (10.00004 & 13.00035)**

**Recommendation:** That Council:

1. Amend the Objective of Council's *Demolition of Built Environment* Policy to the following:

To ensure the applicant commissions an historical assessment and structural report as part of the preparation for the Statement of Heritage Impact for Development Applications to demolish a building of heritage significance.

2. Amend Council's *Demolition of Built Environment Policy* to the following:

That Council authorise the Director, Environmental Planning and Building Services to require the applicant to submit a Statement of Heritage Impact, in accordance with Clause 23(5) of the Bathurst Regional (Interim) Local Environmental Plan 2005, where a Development Application has been made for demolition where, in the opinion of the Director, Environmental Planning and Building Services, the building is of heritage significance.

In addition to the matters required by Clause 23(5) of the Bathurst Regional (Interim) Local Environmental Plan 2005, the applicant is to satisfy the Director, Environmental Planning and Building Services that the Statement of Heritage Impact includes the following:

- (a) A thorough search of historical material to identify the heritage significance of the subject building.
- (b) Engagement of a suitably qualified Engineer to undertake a structural assessment to determine the structural soundness of the building.
- (c) The Statement of Heritage Impact is prepared in accordance with the Department of Planning, Heritage Branch, Guidelines for *Statements of Heritage Impact*.

The recommendations of the Statement of Heritage Impact are to be guided by the findings of requirements (a) and (b) above.

3. Note the proposed amendment to the BCAMS assessment process.

**Report:** Council staff have undertaken a review of heritage management policies and strategies with respect to processes to identify contributory buildings in heritage conservation areas, ie BCAMS, and with respect to DAs for demolition of buildings in heritage conservation areas.

The development assessment timeframe for Development Applications, (DAs), concerning the demolition of buildings has been taking longer than the required timeframe, due to reasons beyond Council's control in securing both structural and historical assessments. The proposed amendments to Council's Demolition of Built Environment Policy, will ensure the development assessment process is expedited where development proposals involve the proposed demolition of buildings.

The rating system used as part of the BCAMS assessment has been reviewed and amended to better reflect the significance of residential buildings within the Bathurst Conservation Area and to improve the clarity of the overall summary rating for property owners, developers and planning staff. The BCAMS assessment enables Council to

determine which buildings contribute to the heritage conservation areas and is also used as part of the assessment process for demolition applications.

### Demolition Applications

The Director, Environmental Planning and Building Services commissions both a Historical Report from the Bathurst District Historical Society and an Independent Structural Engineer to undertake a structural assessment for the building, under the current Demolition of Built Environment Policy, where the Director is of the opinion the building is of heritage significance.

At present, there are limited structural engineers based in Bathurst, limiting the ability for Council to get independent structural advice on buildings. Council requests the Historical Assessments to be turned around within 2 weeks from the Historical Society. However, in practice, due to voluntary staff the practicality of such a turn around has proven to be unrealistic and is rarely achieved. In some instances Council has waited months for Historical Assessments, and at least on one occasion, has made a determination for demolition without the Historical Assessment.

To ensure development assessment timeframes are not drawn out in relation to DAs associated with the demolition of buildings, the recommended changes to Council's Demolition of Built Environment Policy will require the applicant to obtain the Historical Assessment and Structural Report prior to lodging the DA with Council. These assessments will be required to form part of a detailed Statement of Heritage Impact to be lodged with the DA in accordance with Clause 23(5) of the LEP. Such a process will speed up the assessment process timeframe for such applications. It will also provide Council with a more detailed impact statement for the proposed demolition.

### BCAMS

It is proposed the BCAMS process be amended to a system which will be more transparent and easier for owners, developers and planning staff to understand.

The BCAMS Pilot Study was undertaken in 2001. Since this study, Council's Heritage Advisor has assessed residential properties within the Bathurst Conservation Area in accordance with the rating system. As the strategy has been an ongoing process, assessment of properties is still being undertaken when time permits during Heritage Advisor visits.

Due to the time taken to date, the majority of properties are required to be revisited to update the ratings. Council's Heritage Advisor will revisit and reassess the properties in sections, as time allows during heritage advisor visits.

In addition to the updating of the assessment, there has occasionally been some confusion with the existing rating system and assessment categories. As a result, the following amendments will be made to the rating system for clarity.

<b>Former rating</b>	<b>Rating</b>	<b>Amended rating</b>	<b>Rating</b>
<b>Integrity</b>		<b>Integrity</b>	
A - Substantially intact	3	Substantially intact	3
B - Altered sympathetically	2	Altered sympathetically	2
C - Altered unsympathetically	1	Altered unsympathetically –	1

		reversible	
		Altered unsympathetically – non-reversible	0
		Identified as intrusive under Streetscape rating	0
<b>Item Rating</b>		<b>Streetscape Rating</b>	
A - Contributory	3	Contributory	3
B - Neutral	2	Neutral	1
C - Not significant	1	Intrusive	0
<b>Streetscape Rating</b>		<b>Heritage Significance</b>	
A - Significant in a regional context	3	Historically significant in a regional context	4
B - Significant in a local context	2	Historically significant in a local context	3
C - Not significant	1	Significant in a local context	2
		Not significant	0

The above amendments to the rating system will result in the following:

#### Integrity

The “Altered unsympathetically” category has been divided into two categories, “Altered unsympathetically – reversible” and “Altered unsympathetically – non-reversible”. A further category “Identified as intrusive under Streetscape rating” has also been added. The ratings have been adjusted accordingly.

#### Item Rating

The name of this category has been amended to “Streetscape rating” to better reflect the assessment component of this category. The assessment category “Not significant” has been amended to “Intrusive” and a new rating has been applied.

#### Streetscape rating

The name has been amended to “Heritage significance” as it relates more so to the known heritage significance of a building and to avoid confusion with the rating above. The categories have been amended to recognise buildings that are historically significant at a regional or higher level, the local level, (with two separate options dependant upon building age), and not significant. The ratings have been adjusted accordingly.

#### Summary

The recommended changes to the Demolition of Built Environment Policy process will allow for the consideration of the Historical Assessment and Structural Report as part of the Heritage Impact Assessment, which is more appropriate for the applicant to be considering the findings and recommendations of these reports as part of the overall development. The recommendations of the Statement of Heritage Impact should therefore reflect the recommendations of each report in the proposal.

The BCAMS amendments will result in the following:

1. Clarification of what each category assesses.

2. A rating scheme that will range from 0, (being the least significant buildings), up to 10, (the most significant buildings). Such a system will be easier for owners, developers and planning staff to understand, rather than the existing scale of 3 to 9.
3. More options to better reflect building integrity and historical significance.
4. The provision to consider any known historical value of a building as part of the assessment.

In addition to the above, the information regarding the zoning of properties will be amended to that of the current Bathurst Regional (Interim) Local Environmental Plan 2005, parcel numbers will be changed to reflect those of the new Civica computer program and other general information may be updated.

**Attachment 1** provides examples of buildings within the Bathurst Conservation Area and the subsequent ratings they will receive under the revised BCAMS rating system.

Note the BCAMS assessment has not, and can not, include an assessment of the structural stability of buildings as this is beyond the scope of the strategy. Therefore, where Council receives DAs for the proposed demolition of dwellings, in accordance with the recommended changes to Council's Demolition of Built Environment Policy above, the applicant will be required to engage a consultant to undertake a structural engineer's report, if the applicant is claiming the structural integrity of the building is lost. The identified structural soundness of the building will then form part of the basis for the recommendation of the Statement of Heritage Impact to be prepared as part of the proposed development.

**Financial Implications:** The Demolition of Built Environment Policy currently requires an additional fee to be outlined in Council's Management Plan to be charged for both the structural assessment and the historical assessment. The recommended changes to the policy, requiring the applicant to provide the information as part of a Statement of Heritage Impact, will negate the requirement for these fees to be included in Council's Management Plan as the applicant will be required to pay such fees directly to the consultants and not to Council.

The completion and revaluation of existing dwellings as part of BCAMS will be undertaken by Council's Heritage Advisor where time permits during normal Heritage Advisory days. Data will be updated in the BCAMS database by Council's Environmental, Planning and Building Services staff.

## MINUTE

### **8 Item 3 DEMOLITION OF BUILT ENVIRONMENT POLICY AND THE BATHURST CONSERVATION AREA MANAGEMENT STRATEGY (BCAMS) (10.00004 & 13.00035)**

**MOVED:** I North **SECONDED:** M Morse

**RESOLVED:** That Council:

1. Amend the Objective of Council's *Demolition of Built Environment* Policy to the following:

To ensure the applicant commissions an historical assessment and structural report as part of the preparation for the Statement of Heritage Impact for Development Applications to demolish a building of heritage significance.

2. Amend Council's *Demolition of Built Environment Policy* to the following:

That Council authorise the Director, Environmental Planning and Building Services to require the applicant to submit a Statement of Heritage Impact, in accordance with Clause 23(5) of the Bathurst Regional (Interim) Local Environmental Plan 2005, where a Development Application has been made for demolition where, in the opinion of the Director, Environmental Planning and Building Services, the building is of heritage significance.

In addition to the matters required by Clause 23(5) of the Bathurst Regional (Interim) Local Environmental Plan 2005, the applicant is to satisfy the Director, Environmental Planning and Building Services that the Statement of Heritage Impact includes the following:

- (a) A thorough search of historical material to identify the heritage significance of the subject building.
- (b) Engagement of a suitably qualified Engineer to undertake a structural assessment to determine the structural soundness of the building.
- (c) The Statement of Heritage Impact is prepared in accordance with the Department of Planning, Heritage Branch, Guidelines for *Statements of Heritage Impact*.

The recommendations of the Statement of Heritage Impact are to be guided by the findings of requirements (a) and (b) above.

3. Note the proposed amendment to the BCAMS assessment process.

#### **4 BATHURST COMMUNITY ACCESS & CYCLING PLAN 2020 (20.00165)**

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

**Report:** The former Bathurst City Council had prepared the Bathurst Local Area Bike Plan 1993, the Strategic Access Plan 1999 and the Bathurst Pedestrian and Mobility Plan 2001 which focussed on cycleways and footpaths within the former Bathurst City area. Currently Council invests approximately \$150,000 annually on works associated with the cycleways and footpaths within Bathurst as line items within the management plan, and also receives external funding to assist in the construction and maintenance of the existing network.

The Environmental, Planning & Building Services Department has commenced the preparation of the Bathurst Community Access & Cycling Plan 2020 (BCA&CP 2020) which incorporates the review of the Bathurst Local Area Bike Plan 1993, the Strategic Access Plan 1999 and the Bathurst Pedestrian and Mobility Plan 2001. The BCA&CP 2020 will guide Council in scheduling works within the Local Government Area relating to access, footpaths and cycleways.

The BCA&CP 2020 aims to focus on the whole LGA including not only the city of Bathurst, but also the provision of facilities within the rural villages and linkages between the city and rural villages.

Council will undertake an extensive community consultation process with key community and user groups together with the general community to identify opportunities to improve and enhance mobility and cycle opportunities within the Bathurst Regional LGA. Councillors are encouraged to attend the community consultation workshops. Details of the workshops will be provided to the Councillors once they have been scheduled.

Council's Environmental, Planning & Building Services Department has prepared a Discussion Paper (see **attachment 1**) to guide the discussions for the Bathurst Community Access & Cycling Plan 2020. Council seeks feedback on the issues which the community identifies as problems within the existing footpath and cycleway network and opportunities for the future.

The aims of the Bathurst Community Access & Cycling Plan 2020 are to:

- a) Identify community needs to improve and enhance facilities in the LGA relating to access, footpaths and cycleways;
- b) Identify opportunities for upgrading and improving the existing network, including completing missing links;
- c) Identify new or extended cycleways and footpaths required within the LGA;
- d) Identify opportunities to extend the network to and within the Rural Villages;
- e) Identify associated facilities and access aids that are required to support the network;
- f) Identify opportunities for cycling tourism within the Bathurst Region; and
- g) Adopt a network that:
  - i) encourages cycling and walking as an alternative to the motor vehicle;
  - ii) integrates walking and cycling into the transport network; and
  - iii) removes barriers to walking and cycling and improves access to all members of the community.

It is anticipated that the plan will be completed within 12 months.

**Financial Implications:** Work is being carried out in house.

**MINUTE**

**9     Item 4   BATHURST COMMUNITY ACCESS & CYCLING PLAN 2020 (20.00165)**

**MOVED: I North SECONDED: G Westman**

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



## **5 CENTRAL WEST SALINITY AND WATER QUALITY ALLIANCE (07.00047)**

**Recommendation:** That Council:

- (a) note the new five year plan for the Central West Salinity and Water Quality Alliance; and
- (b) provide \$5,000 funding per annum to support the ongoing activities of the Alliance in the 2010/11 and 2011/2012 Management Plan.

**Report:** Bathurst Regional Council is a member of the Central West Salinity and Water Quality Alliance. Over the past three years the Alliance, with the support of the Central West Catchment Management Authority, has achieved significant natural resource management outcomes, both in the form of on-ground works and in the areas of policy development and capacity building within member councils.

Over this time Bathurst Regional Council has specifically benefited from its involvement in the Alliance through the contribution of funds towards three projects, namely:

1. The Sawpit Creek Rehabilitation project;
2. The development of the Urban Waterways Management Plan; and
3. The Central West Green team who have visited Bathurst five times over the past 13 months and have made a significant contribution to the maintenance of a range of natural resource management projects in the Bathurst LGA.

The achievements of the Alliance have been recognised by the Local Government and Shires Association and the NSW Stormwater Industry Association with awards for excellence in Environment and Stormwater education.

The Alliance has recently finalised its next Five Year Plan. The strategic goals of the plan include:

- Improve the condition of riparian habitat across the region;
- Ensure that Councils in the Central west are prepared for climate variability/change;
- Build upon partnerships with the Central West CMA, Local Government Reference Group and like bodies;
- Facilitate and coordinate projects which manage or mitigate the impacts of dryland salinity; and
- Ensure salinity and water quality issues are on the agenda of all Councils across the Central West region.

A copy of the Salinity and Water Quality Alliance 5 Year Plan is provided as **attachment 1**.

With the Federal Government's move away from regional delivery of funding for natural resource management, the Central West CMA is unlikely to be able to provide the same level of funding for on-ground Alliance activities. It has however committed \$80,000 in funding over the next two years to assist with the implementation of the Five Year Plan. Member Councils have been asked to allocate \$5,000 per annum for the next two years to support the implementation of the plan.

**Financial Implications:** Requested contribution to be included for consideration in the 2010/2011 and 2011/12 Management Plan.

**MINUTE**

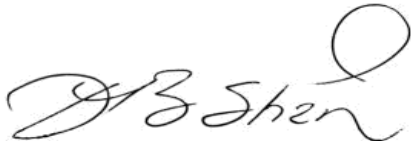
**10 Item 5 CENTRAL WEST SALINITY AND WATER QUALITY ALLIANCE**  
**(07.00047)**

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

**RESOLVED:** That Council:

- (a) note the new five year plan for the Central West Salinity and Water Quality Alliance;  
and
- (b) provide \$5,000 funding per annum to support the ongoing activities of the Alliance in  
the 2010/11 and 2011/2012 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 MARCH 2010

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

General Manager  
Bathurst Regional Council

**1 STATEMENT OF INVESTMENTS - FEBRUARY 2010 (16.00001)**

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

**Report:** \$47,433,737.83 was invested at 28 February 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)	3.61%
Three Year Treasury Bond Yield	4.89%

**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	\$2,500,000.00
Railways Credit Union	\$9,500,000.00
Reliance Credit Union	\$2,000,000.00
SGE Credit Union	\$1,000,000.00
Westpac	<u>\$10,000,000.00</u>
	\$38,000,000.00

**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 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>\$6,500,000.00</u>

**Total Investments** **\$47,433,737.83**

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

Reserves Total (includes unexpended loan funds)	\$24,182,732.93
Grants held for specific purposes	\$3,463,629.94
Section 94 Funds held for specific purposes	\$16,562,294.65
Unrestricted Investments – All Funds	\$3,225,080.31
*General Fund	\$20,507.79
*Water Fund	\$1,228,219.08
*Sewer Fund	\$841,925.04
*Waste Fund	<u>\$1,134,428.40</u>

**Total Investments** **\$47,433,737.83**

**R Roach**  
**Responsible Accounting Officer**

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

**MINUTE**

11 **Item 1 STATEMENT OF INVESTMENTS - FEBRUARY 2010 (16.00001)**

**MOVED: M Morse 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 28 February 2010.

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

Variations for the Month of February 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 - February 2010 - Nil.

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

**MINUTE**

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

**MOVED: W Aubin SECONDED: B Bourke**

**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 28 February 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:	\$1,743.20

**MINUTE**

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

**MOVED: G Hanger SECONDED: R Thompson**

**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.

- Truflo Industrial Pty Ltd - Lot 704 DP1103109 - Irving Place - Transfer
- Rumball P & N - Proposed Lot 416 in Lot 224 DP1137628 - McGirr Street, Bathurst - Transfer
- JH & MR Agnew - Lot 5 DP1130529 - Sibleys Road, Yetholme - Transfer
- JH & MR Agnew - Lot 10 DP1130529 - Sibleys Road, Yetholme - Transfer
- JH & MR Agnew - Lot 11 DP1130529 - Sibleys Road, Yetholme - Transfer
- JH & MR Agnew - Lot 1 DP726998 - Sibleys Road, Yetholme - Transfer

#### **Linen Plan Release**

- Geolyse/BRC - Road Widening - Lot 22, DP 593889 - 792 Vale Road, Perthville
- Ratsep/Roxburgh Downs - 3 Lot Subdivision + 1 Residual Lot - Cheviot Drive, Kelso
- BRC/Myers - Renshaw - Road Widening - 416 Timber Ridge Rd & 1103 Tarana Rd, Wambool
- Ratsep/Sandra - 2 Lot Residential Subdivision - 253 Bentinck Street, Bathurst
- Ratsep/Brown - 18 Lot Residential Subdivision - Stage 11C - Marsden Lane/French Smith Pl, Kelso

**Financial Implications:** Nil.

**MINUTE**

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

**MOVED: B Bourke SECONDED: R Thompson**

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

## **5 REQUEST FOR LEGAL COSTS - MURRAY SHIRE COUNCIL (03.00025)**

**Recommendation:** That Council assist Murray Shire Council by contributing \$295.23 to the legal costs.

**Report:** Council has received a request from Murray Shire Council for assistance with legal costs in a recent court case involving Murray Shire Council and KSK Development Pty Limited.

Council has received advice from Local Government Shires Association (LGSA) regarding this matter and have requested Council's support in this request for legal costs. A copy of the request is shown at **attachment 1.**

As Council is a member of the LGSA and decisions such as this matter effect many Councils across New South Wales, Councils have been requested to assist Murray Shire Council with the legal costs in this matter.

**Financial Implications:** This request of \$295.23 can be funded from legal costs.

**MINUTE**

15 **Item 5 REQUEST FOR LEGAL COSTS - MURRAY SHIRE COUNCIL (03.00025)**

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

**RESOLVED:** That Council assist Murray Shire Council by contributing \$295.23 to the legal costs.

**6 REQUEST FOR FINANCIAL SUPPORT - NSW RURAL DOCTORS NETWORK (18.00158)**

**Recommendation:** That Council include this request for a \$3000 donation in its 2010/2011 Management Plan process to provide for NSW Rural Doctors Bursary Scholarship.

**Report:** Council will recall in 2009 it sponsored a Bush Bursary Sponsorship program where a selected medical student visited Bathurst for two weeks to experience the delivery of medical services in country New South Wales.

Council has been approached to participate in a similar scheme for 2010 at a cost of \$3,000.00. The 2009 request was funded from Section 356 donations.

A copy of their request together with information about their organisation is shown at **attachment 1.**

**Financial Implications:** Council will need to include this application as part of the Section 356 applications for 2010/2011.

**MINUTE**

**16 Item 6 REQUEST FOR FINANCIAL SUPPORT - NSW RURAL DOCTORS NETWORK (18.00158)**

**MOVED: G Westman SECONDED: G Hanger**

**RESOLVED:** That Council include this request for a \$3000 donation in its 2010/2011 Management Plan process to provide for NSW Rural Doctors Bursary Scholarship.



## **7 NEW YEARS EVE 2009 - PARTY (23.00131)**

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

**Report:** On Thursday 31 December 2009, Bathurst Regional Council facilitated the first Party in the Park New Years Eve celebrations at Victoria Park, Bathurst. In doing so residents and visitors to the Bathurst Region were provided an opportunity to come together as a community and celebrate New Years Eve.

The event was developed with the following objectives in mind:

- To provide a safe, family friendly location for families to celebrate New Years Eve locally.
- To attract an audience of 1,000 people to the event
- To provide an alternative to long distance traveling to celebrations over the New Years Eve period i.e. Sydney.
- To increase awareness of the opening of the new Adventure Playground.

The event was positively received by the local community with approximately 3,500 – 4,000 people attending the event. The newly constructed adventure playground was extremely popular with children and families.

An environmental focus was incorporated, through the use of recycled paper for posters and flyers as well as providing recycling bins on the night.

The community theme to the night was increased by the sponsorship received from local businesses in Westpac, The Good Guys and 2BS B-Rock. Entertainment on the night included singers, fire twirling and roving characters. Food stalls were also popular with the Lions BBQ running out of food due to high demand.

A Survey was conducted during the event and participants provided the following positive responses:

- Location of the celebrations was excellent
- Adventure Playground was ideal facility for such a family event
- Live entertainment and stage performances
- Fireworks Display was excellent .

Party in the Park NYE 2009 successfully met the initial objectives set by event organisers. There were approximately 3,500 – 4,000 people in attendance on the night, which exceeded the initial target. The evening was a safe and family friendly night, with security reporting no incidents. Surveys conducted also stated that families and individuals felt safe in the environment.

**Financial Implications:** Funding for this item was contained within the 2009/2010 Management Plan.

**MINUTE**

17 **Item 7 NEW YEARS EVE 2009 - PARTY (23.00131)**

**MOVED: B Bourke SECONDED: W Aubin**

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

## **8 CENTROC REGIONAL SUMMIT - USE OF MOUNT PANORAMA AND THE BATHURST MEMORIAL ENTERTAINMENT CENTRE (18.00004, 07.00017)**

**Recommendation:** That Council sponsor the CENTROC Regional Summit to be held on 29 & 30 July 2010 in the form of:

- a) financial support in waiving hire fees for the Mount Panorama Pit Complex and the Bathurst Memorial Entertainment Centre where the event will be staged, and
- b) in kind support through assistance from Council's events team.

**Report:** Bathurst Regional Council has been approached by CENTROC to support financially and in-kind the hosting of a Regional Summit on 29 and 30 July 2010.

It should be noted that Bathurst Regional Council's General Manager is the sponsoring General Manager for this project.

Bathurst has been selected as the ideal centre because of its central regional location, the profile of State and Federal politicians operating in our electorate and the variety of conference venues available.

The Summit will draw attention to a number of key regional issues to Government at all levels (Local, State and Federal) with the primary aim to raise media and political attention to what affects people in our Region and Western NSW in general.

The event has been booked for Mount Panorama 29 and 30 Jul 2010. The program will include a luncheon in the Wattle Foyer of the Bathurst Memorial Entertainment Centre and an afternoon summit at the Mount Panorama Pit Complex followed by networking dinner to be held at the Citigate Resort. The event also gives the region an opportunity to showcase itself as a major conference venue with the use of local caterers suppliers and entertainment.

The event has been timed to coincide with parliamentary breaks in order to attract a significant number of State and Federal politicians particularly those holding ministerial positions.

There has been unanimous support from Mayors and Councillors across the CENTROC region who will attend as well as strong interest from State and Federal ministers who have indicated their willingness to participate pending confirmation of the program.

As an aside, the event also supports Bathurst Regional Councils Marketing Strategy with one of its outcomes being to develop a Conference Strategy to promote the Region as a conference venue of choice. Securing the Regional Summit would add value to the conference strategy.

### **Financial Implications:**

<b><i>Requirement for CENTROC Summit</i></b>	<b><i>Cost</i></b>
Windradyne Room	\$482 per day
1 block of garages in the Pit Complex	\$666 per day
Tables & chairs (based on 150 people)	\$200 per day
AV & Sound equipment (sourced outside due to limited Council owned equipment)	\$200 per day
Office Spaces at Pit Complex	\$215 per day
Wattle Foyer at BMEC	\$100 for hire

<b>Total approx costs</b>	<b>\$1900</b>
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It is anticipated registration fees for delegates will cover cost of catering and any speaker requirements so that with support from Bathurst Regional Council the event could run on a cost recovery basis.

In-kind support offered by Council's Events Department would be considered part of the function of managing special events at Mt Panorama and is not expected to exceed the number of normal service hours.

**MINUTE**

**18 Item 8 CENTROC REGIONAL SUMMIT - USE OF MOUNT PANORAMA AND THE BATHURST MEMORIAL ENTERTAINMENT CENTRE (18.00004, 07.00017)**

**MOVED: I North SECONDED: T Carpenter**

**RESOLVED:** That Council sponsor the CENTROC Regional Summit to be held on 29 & 30 July 2010 in the form of:

- a) financial support in waiving hire fees for the Mount Panorama Pit Complex and the Bathurst Memorial Entertainment Centre where the event will be staged, and
- b) in kind support through assistance from Council's events team.

Yours faithfully



R Roach  
**DIRECTOR**  
**CORPORATE SERVICES & FINANCE**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

DIRECTOR ENGINEERING SERVICES' REPORT

17 MARCH 2010

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

General Manager  
Bathurst Regional Council

**1 PRE FABRICATED EQUIPMENT HUT - HEN AND CHICKEN LANE RAILWAY  
CROSSING, PERTHVILLE (25.00055)**

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

**Report:** Australian Rail Track Corporation (ARTC) have approached Council and advised that they intend to install active protection on the above level crossing at the Hen and Chicken Lane railway crossing at Perthville as at **attachment 1**. This will incorporate the installation of boom gates, a warning bell and various road works to the approaches of the railway crossing.

As part of this upgrade development, the ARTC have found it necessary to construct a concrete slab as a foundation for a pre-fabricated equipment hut, as at **attachments 2** and **3**. The development is exempt from development application under State Environment Planning Policy (Infrastructure) 2007.

The proposed shed will be located within the Hen and Chicken Lane road reserve and once constructed, will not affect driver's sight distance or safety in Hen and Chicken Lane nor along the railway corridor for sighting approaching trains.

This report is presented to Council for information only.

**Financial Implications:** Nil.

**MINUTE**

**19 Item 1 PRE FABRICATED EQUIPMENT HUT - HEN AND CHICKEN LANE RAILWAY CROSSING, PERTHVILLE (25.00055)**

**MOVED: I North SECONDED: G Hanger**

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



## **2 DO THE RIGHT THING SIGNAGE – LITTER PREVENTION CAMPAIGN (14.00003-02)**

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

**Report:** Council has recently been successful in receiving litter prevention signage support from the Packaging Stewardship Forum (PSF), which is a branch of the Australian Food and Grocery Council.

The signage support that Council has received includes; 15 metal road side signs and 50 posters which will carry a recognisable image of the Bathurst Region as well as the message “Do The Right Thing, Keep The Bathurst Region Clean.” The signage support also includes 150 waste and recycling bin stickers which carry the message “Do The Right Thing, Use The Right Bin”.

The Packaging Stewardship Forum runs an annual program to assist Councils, community groups, schools and others with litter prevention and recycling campaigns through the provision of free *Do the Right Thing* bin stickers, posters and road side signage. *Do the Right Thing* has been running in Australia for the past 30 years and is recognised by 80 per cent of Australians as meaning ‘put your litter in the bin’.

Council’s application for signage support was submitted in order to obtain further resources which will increase the visibility of the littering and recycling message throughout the Bathurst Region with a specific focus on those events which attract local residents as well as visitors to the region. The future use of this signage will form one of a range of litter prevention activities that Council will continue to undertake.

Council staff will install the road signage in prominent places throughout the city at strategic times throughout the year, such as school holiday periods and in the lead up to major regional events. Posters will be utilised at various public events and the bin stickers will be attached to Council event waste and recycling bins.

**Financial Implications:** The cost of signage installation is included in existing budgets.

**MINUTE**

**20    Item 2    DO THE RIGHT THING SIGNAGE – LITTER PREVENTION CAMPAIGN**  
**(14.00003-02)**

**MOVED: G Westman SECONDED: T Carpenter**

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

### **3 TREES AT MOUNT PANORAMA (04.00029)**

**Recommendation:** That Council resolve to undertake the identified tree works including the removal of six trees at and around the Mount Panorama Motor Racing Circuit.

**Report:** Following the incident of a large tree falling across the circuit during the Bathurst 12 Hour motor racing event recently, Council officers have inspected a number of trees which are in close proximity to the circuit and, due to past practices, may now present a threat to public safety or may fall across the circuit at some future time depending on the prevailing conditions.

The cause of the tree falling across the circuit during the 12 Hour motor race is believed to have been caused by a build up of soil over the root zone at some time in the past. This build up of soil has caused the roots of the tree to slowly die and therefore their ability to anchor the tree was compromised. This situation coupled with the weight of moisture on the crown would have made the tree top heavy and caused it to topple. One section of the tree fell across the circuit while the rear section of the tree fell back away from the circuit and is now "hung up" in adjoining trees. This section poses no danger at this time but will need to be removed. It is a proven horticultural fact that any soil build-up around the root zone of trees will be detrimental to their ongoing health.

Trees that have had a soil build-up due to the construction of spectator mounds and other excavation works will be affected and staff have inspected them and now consider precautionary action is warranted.

A recent inspection undertaken by the Director Engineering Services, Manager Recreation, Circuit Manger Mount Panorama and a Recreation Supervisor identified up to six trees that pose a sufficient public safety issue at this time to warrant their removal. A number of other trees around the circuit will need to have an amount of lopping and pruning works carried out to them to ensure their integrity and greatly reduce the safety aspect of them to the circuit and spectators.

Council should note that Recreation staff regularly inspects the circuit for trees that pose a danger to the conduct of motor racing and the general public. Such inspections are intensified prior to motor racing events staged at the circuit.

It is intended that replacement planting will occur within the circuit proper and well away from the circuit so as not to pose future safety concerns to the operation of the circuit or public use of it outside of organised motor racing events.

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

**MINUTE**

**21     Item 3   TREES AT MOUNT PANORAMA (04.00029)**

**MOVED: B Bourke   SECONDED: M Morse**

**RESOLVED:** That Council resolve to undertake the identified tree works including the removal of six trees at and around the Mount Panorama Motor Racing Circuit.

#### **4 WATERWISE BATHURST – MANAGING WATER LOSS THROUGH EFFECTIVE AND EFFICIENT TECHNOLOGY (16.00103/045)**

**Recommendation:** That Council:

- (a) include the required funding in the 2010/11 and 2011/12 Management Plans, and
- (b) authorise the General Manager to sign the funding agreement contract..

**Report:** Further to the Director of Engineering's Report to the December Ordinary Meeting of Council, Bathurst Regional Council has been advised that it has been partially successful in obtaining matching Commonwealth funds to undertake water saving projects through the Strengthening Basin Communities – Water Saving Initiative Component. Funding is subject to Council's completion and submission of a funding agreement to the Department of Water, Heritage and the Arts which will form the contract between Council and the Department for the duration of the funding period.

Council, in November 2009 submitted an application for funding which covered three separate projects with a common objective, to reduce water wastage and loss. These projects were:

1. The installation of Pressure Reduction Valves in a residential urban zone to improve water flow loss measurement and pressure reduction,
2. The replacement of two critical water mains in order to reduce water loss/leakage and the risk of future water mains breaks and,
3. Piloting new "smart" technology to improve the monitoring and delivery of irrigation water to six of Council's parks, gardens and sports fields whilst maintaining the high quality of these facilities.

The Department of Water, Heritage and the Arts has agreed to partially support this application through the provision of funding to complete the first and third projects. The second project was deemed by the Department to be ineligible for funding under this program as they considered it to be of an operational nature.

The significant application criteria for this program included; that applicants must be either Local Government bodies or urban water service providers, that the project costs be supported by a minimum of 50% funding from the applicant, that projects support the long term water supply for a city or town, that projects must be completed by June 2012 and finally that projects support water saving measures that will benefit the Murray-Darling Basin.

Council has recently received the proposed funding agreement which would require Council to enter into a contract with the Department of Water, Heritage and The Arts should it wish to accept the funding that has been offered. This contract outlines Council's responsibilities with respect to completion of the two projects within the agreed timeframe and stipulates Council's financial commitment to the two projects to be made available over the next two financial years.

Should Council submit the completed funding agreement to the Department in order to secure the funds to cover approximately 50% of the project costs, Council would then be committed to complete the projects as per the contractual requirements. In order to ensure that Council can meet the contractual funding commitments, the appropriate funding must be included above the line in the 2010/11 and 2011/12 Management Plans. These costs will likely result in the need to allocate in the order of \$110,000.00 in the 2010/11 financial year and \$20,000.00 in the 2011/12 financial year although this is yet to be confirmed through the

completion of the funding agreement.

These two projects represent important opportunities for Council to achieve water savings as well as demonstrate its commitment to water conservation within the community whilst maintaining high levels of service delivery. The two projects are considered to have significant merit and Council's authorisation of the General Manager to review and complete the funding agreement contract is recommended.

**Financial Implications:** Funds will be allocated in the Management Plans for 2010/11 and 2011/12.

**MINUTE**

**22 Item 4 WATERWISE BATHURST – MANAGING WATER LOSS THROUGH EFFECTIVE AND EFFICIENT TECHNOLOGY (16.00103/045)**

**MOVED: T Carpenter SECONDED: G Westman**

**RESOLVED:** That Council:

- (a) include the required funding in the 2010/11 and 2011/12 Management Plans, and
- (b) authorise the General Manager to sign the funding agreement contract.

Yours faithfully



Doug Patterson  
**DIRECTOR  
ENGINEERING SERVICES**

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



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

General Manager  
Bathurst Regional Council

**1 BATHURST LIBRARY ON FACEBOOK (08.00008)**

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

**Report:** A Bathurst Library *Facebook* page is reaching out to a wide range of people.

Bathurst Library staff have developed a new face for the Library, a *Facebook* page.

The page displays general information about the Library and its services, as well as:

- posts on upcoming events
- updates on Children's Reading Program, Booklink, as to how many books read and how children can join in
- regular reminders of Public Storytime dates and themes
- advertising for special events held at the Library
- links to our online catalogue
- links to School Holiday Programs

The Bathurst Library Facebook group currently has 88 members.

There is also a Discussion Board in which members can begin a topic of discussion, or contribute to an already existing discussion.

Currently on line there is a discussion running regarding what customers are reading and borrowing from the Library, as well as their comments and recommendations about books they have read.

There is a photo gallery containing pictures around the Library and pictures of events held in the Library. There is also a map of how to find the Library.

The *Facebook* page is updated regularly and new members are joining each week. Members are free to post comments on the 'Wall' at any time, to which 'admins' (Library staff who maintain the site) can decide whether each comment is suitable or not and if not we may remove it.

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

**MINUTE**

**23     Item 1    BATHURST LIBRARY ON FACEBOOK (08.00008)**

**MOVED: M Morse SECONDED: B Bourke**

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

## **2 AUSTRALIAN FOSSIL & MINERAL MUSEUM - DEAD BONES SOCIETY (21.00107)**

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

**Report:** A local author and a T. Rex at the Australian Fossil and Mineral Museum are inspiring boys to improve their writing skills.

In an award winning and totally unique formula, Paul Stafford and the Australian Fossil and Mineral Museums Public Programs Officer, work together to deliver a series of writing workshops for boys, the *Dead Bones Society*. Now in its fifth year, the informal approach to teaching boys literacy has improved basic writing skills for over 50 young students.

In the eerie atmosphere of the Museum after hours, the Dead Bones Society meet regularly to focus on creative writing as an enjoyable group experience. Paul Stafford leads the participants through the process of planning and developing plots, choosing a genre, developing characters and setting. The Australian Fossil and Mineral Museums awesome Somerville Collection of bones and stones provides a background rich with ideas and inspiration.

This program is a unique opportunity for boys from nine years and older (year four and upwards) with an interest in writing or science.

Paul Stafford has worked as a literacy consultant in primary and secondary schools throughout Australia, specialising in increasing literacy amongst reluctant male readers. He studied print journalism at Charles Sturt University where he now lectures in Teacher Education. He has published fourteen fiction books targeted toward children and young adults, with his latest publications in the *Horror High* series and *You're History Mate* released by Random House.

During first term in 2010, Dead Bones Society have met on 18 February, 11 March and are scheduled to meet again on 1 April from 5.00pm-7.00pm. Workshops will continue to meet three times per term throughout the year. A charge of \$10 per workshop will include Museum admission, tuition fee and prizes.

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

**MINUTE**

**24    Item 2    AUSTRALIAN FOSSIL & MINERAL MUSEUM - DEAD BONES SOCIETY**  
**(21.00107)**

**MOVED: G Hanger SECONDED: I North**

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

### **3 CULTURALLY DIVERSE WORKING GROUP - APPOINTMENT OF A REPLACEMENT DELEGATE (09.00032)**

**Recommendation:** Council appoint a delegate to the Culturally Diverse Working Group to replace Cr Carpenter.

**Report:** At Council's Extraordinary meeting held on Thursday, 2 October 2008 Council resolved that Cr Carpenter be appointed as the delegate to the Culturally Diverse Working Group with Cr Bourke as the alternate delegate.

Cr Carpenter has advised that she is no longer able to participate on the Committee and has requested that another Councillor be appointed in her place.

**Financial Implications:** Nil.

**MINUTE**

**25 Item 3 CULTURALLY DIVERSE WORKING GROUP - APPOINTMENT OF A REPLACEMENT DELEGATE (09.00032)**

**MOVED: M Morse SECONDED: I North**

**RESOLVED:** Council appoint Cr Morse as the delegate to the Culturally Diverse Working Group to replace Cr Carpenter.

Yours faithfully



Annabell Miller  
**DIRECTOR**  
**CULTURAL & COMMUNITY SERVICES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

GENERAL MANAGER'S REPORT

17 MARCH 2010

**GENERAL MANAGER'S REPORT TO THE ORDINARY MEETING OF BATHURST  
REGIONAL COUNCIL MEETING HELD ON 17 MARCH 2010**

General Manager  
Bathurst Regional Council

**1 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN  
(11.00002)**

**Recommendation:** That the completed Disclosures by Councillors and Designated Persons Return for the Manager Economic Development be noted.

**Report:** In accordance with the provisions of Section 340(A) of the Local Government Act, the Disclosures by Councillors and Designated Persons Return for the Manager Economic Development has been completed and will be available for perusal at the Council Meeting.

**Financial Implications:** Nil.



**MINUTE**

**26 Item 1 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN (11.00002)**

**MOVED: B Bourke SECONDED: G Westman**

**RESOLVED:** That the completed Disclosures by Councillors and Designated Persons Return for the Manager Economic Development be noted.

## **2 SENIOR STAFF CONTRACTS (19.00030)**

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

**Report:** In accordance with the provisions of Section 339 of the Local Government Act 1993, I advise that the General Manager is employed on a five year fixed term performance based contract. The Director Corporate Services & Finance, the Director Engineering Services, the Director Environmental Planning & Building Services and the Director Cultural & Community Services are employed on five year fixed term performance based contracts.

All contracts have the same conditions, which include four (4) weeks annual leave (cumulative), three (3) weeks sick leave (cumulative), long service leave in accordance with the Local Government Award, public holidays as gazetted, and motor vehicle included in the salary package.

**Financial Implications:** Staff costs are provided for in the Council's adopted budget.

**MINUTE**

**27     Item 2    SENIOR STAFF CONTRACTS (19.00030)**

**MOVED: G Westman SECONDED: T Carpenter**

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

### **3 CENTRAL WEST CATCHMENT MANAGEMENT AUTHORITY LOCAL GOVERNMENT REFERENCE GROUP (07.00047)**

**Recommendation:** That Council nominate a delegate to the Central West Catchment Management Authority Local Government Reference Group.

**Report:** Council is in receipt of correspondence from the CMA requesting that Council nominate a delegate to the above reference group. The term is for a two year period.

Council's present delegate is Councillor Westman, with Councillor Carpenter being the alternate.

Staff contact is an operational issue and will be dealt with by the General Manager.

The terms of reference are provided at **attachment 1**.

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

**MINUTE**

**28 Item 3 CENTRAL WEST CATCHMENT MANAGEMENT AUTHORITY LOCAL GOVERNMENT REFERENCE GROUP (07.00047)**

**MOVED: B Bourke SECONDED: W Aubin**

**RESOLVED:** That Council nominate Cr Carpenter as the delegate to the Central West Catchment Management Authority Local Government Reference Group and Crs Westman and Thompson as alternate delegates.

Yours faithfully



D J Sherley  
**GENERAL MANAGER**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
POLICY COMMITTEE MEETING

**POLICY COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST  
REGIONAL COUNCIL MEETING HELD ON 17 MARCH 2010**

General Manager  
Bathurst Regional Council

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

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

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

**Financial Implications:** N/A

**MINUTE**

**29** Item 1 **MINUTES OF THE POLICY COMMITTEE MEETING HELD 3 MARCH 2010 (07.00064)**

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

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



**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 3 MARCH 2010**

**MEETING COMMENCES**

**1 MEETING COMMENCES**

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

**In Attendance:** General Manager, Director Corporate Services & Finance, Director Engineering Services, Director Environmental Planning & Building Services, Manager BMEC, Manager Corporate Governance, Manager Water & Waste, Manager Recreation, Parks Operations Manager.

**APOLOGIES**

**2 APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES OF THE POLICY COMMITTEE MEETING HELD 3 FEBRUARY 2010 (07.00064)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

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

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST (11.00002)**  
**MOVED** Cr M Morse and **SECONDED** Cr B Bourke

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**5 Item 1 PURCHASING MANUAL (15.00008, 41.00089)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

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

**6 Item 2 REVISED POLICY - SECTION 356 DONATIONS (18.00004, 41.00089)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr M Morse

**RESOLVED:** That Council adopt the revised Policy - Section 356 Donations as presented with the following additional information required to be submitted with a

request for funding:

- details of other sources of public funding
- details of any previous funding from Council

### Director Cultural & Community Services' Report

**7 Item 1 BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) - TICKETING (21.00060)**  
**MOVED** Cr R Thompson and **SECONDED** Cr I North

**RESOLVED:** That Council:

- (a) Accept the proposal of Seat Advisor Box Office (SABO) for the provision of in house and local ticketing at BMEC.
- (b) Council prepare and issue an Expression of Interest to Ticketek , Ticketmaster and any other national ticketing service to provide an agency in BMEC for external ticket sales only.
- (c) Enact this resolution immediately.

### GENERAL BUSINESS

**8 SKATEPARK (04.00037)**

Cr Bourke - asked is the state of this facility deteriorating.

The Director Engineering Services advised was not aware of any substantial problems, will undertake an assessment.

**9 ST VINCENTS HOSPITAL (22.02195)**

Cr Bourke - expressed concern at advice of closure.

**10 HOCKEY FIELDS (36.00364)**

Cr North - asked how new turf is going.

The Director Engineering Services advised there were problems with the shockpads. This is being worked on by the contractor. Timeframe for completion end of March 2010.

**11 CATHEADS (13.00002)**

Cr North - advised has been receiving comments about catheads in various areas.

The Director Engineering Services confirmed there is a problem with catheads, growth of grass can limit this. Council concentrates on clearing playing areas - resources is a limiting factor.

**12      VEHICLE MOVEMENT - MOUNT PANORAMA (04.00028)**

Cr Aubin - asked if Council had any statistics on the number of vehicles travelling around Mount Panorama.

The General Manager advised that approximately 300,000 tourists are believed to visit Mount Panorama annually.

Cr Aubin asked could promotional signage be installed around the race track, outside of race periods.

**13      ADVENTURE PLAYGROUND - TOILET BLOCK (04.00121)**

Cr Carpenter -stated this area presents an opportunity for signage - what is intended. Perhaps could be used as a public art project.

The Director Engineering Services advised the proposal is to put a dinosaur in this area and a sign stating 'Adventure Playground'.

**14      TOURISM CONFERENCE (29.00010)**

Cr Carpenter - asked who was attending.

Cr Morse advised she was attending.

**15      NSW COMBINED HIGH SCHOOLS CRICKET CHAMPIONSHIPS (04.00033, 04.00014, 04.00045, 04.00042, 04.00007)**

Cr Hanger - advised these Championships are being held in Bathurst. It is an exciting opportunity for the town and brings in many visitors and the booking of accommodation. Thanked the outdoor staff for efforts they have put into preparing grounds and also thanked the schools for provision and preparation of their grounds.

**16      ST VINCENTS HOSPITAL CLOSURE (22.02195)**

Mayor - spoke to current details of this matter and the proposed closure on 1 June 2010. Two issues - capital shortfall and operational losses need to be addressed.

**MEETING CLOSE**

**17      MEETING CLOSE**

The Meeting closed at 5.52pm.

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

**Date:** \_\_\_\_\_ **(17 March 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 MARCH 2010**

General Manager  
Bathurst Regional Council

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

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

**Report:** The Minutes of the Traffic Committee Meeting held 2 March 2010, are attached.

**Financial Implications:** N/A

**MINUTE**

**30** Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 2 MARCH 2010 (07.00006)

**MOVED: W Aubin SECONDED: B Bourke**

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

**MINUTES OF THE TRAFFIC COMMITTEE**  
**HELD ON 2 MARCH 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.

**APOLOGIES**

**2 APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING**

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

That the Minutes of the Traffic Committee Meeting held 2 February 2010 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 2 FEBRUARY 2010 (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 PROPOSED NEW STOP SIGN - INTERSECTION OF ILLUMBA WAY AND MARSDEN LANE KELSO (25.00173)**

That Council approve the installation of a Stop Sign in Illumba Way at the intersection with Marsden Lane Kelso.

**8 Item 4 PROPOSED EXTENSION OF 50 KM PER HOUR ZONE ON MARSDEN**

**LANE KELSO (25.00124-02)**

That Council apply to the Roads and Traffic Authority for the extension of the 50km per hour speed zone by 600m eastwards on Marsden Lane Kelso.

**9 Item 5 BLAYNEY TO BATHURST CYCLO SPORTIF CHALLENGE EVENTS-2010 (23.00128)**

That Council approve the Blayney to Bathurst Cyclo Sportif Challenge Event between Blayney and Mount Panorama, and the Family Challenge Event between Mount Panorama and Charles Sturt University internal roads on Sunday 11 April 2010. The events are to be classified as Class 1 and Class 4 events respectively and approved subject to conditions decided by the Traffic Committee.

**10 Item 6 HIGHER MASS LIMIT FOR LEE STREET, TORONTO STREET, WHYALLA STREET AND ZAGREB STREET KELSO (28.00012-05)**

That the information be noted.

**11 Item 7 NSW SHORT COURSE HILL CLIMB CYCLING CHAMPIONSHIPS AT MOUNT PANORAMA - 10 APRIL 2010 (18.00022-04)**

That Council approve the NSW Short Course Hill Climb Cycling Championship Event at the Mount Panorama Precinct on Saturday 10 April 2010. The event is to be classified as Class 2 and approved subject to conditions decided by the Traffic Committee.

**12 Item 8 CRITERIUM CLOSED CIRCUIT RACING IN THE PITS AT MOUNT PANORAMA - 10 APRIL 2010 (18.00022-04)**

That Council approve the Criterium Closed Circuit Cycle Racing in The Pits at Mount Panorama on Saturday 10 April 2010. The event is to be classified as Class 2 and approved subject to conditions decided by the Traffic Committee.

**13 Item 9 AUSTRALIAN 4 DAY ENDURO MOTORCYCLE EVENT-2010 (23.00026-13/002)**

That Council approve the staging of the Australian 4 Day Enduro Motorcycle Event to be held between 8 and 11 April 2010. The event is to be classified as Class 2 and approved subject to conditions decided by the Traffic Committee.

**14 Item 10 DAFFODIL COTTAGE 2P PARKING - HOWICK STREET BATHURST (25.00006-04)**

That Council approve the modification of the 2P timed parking zone in Howick Street adjacent to Daffodil Cottage at the Bathurst Base Hospital to include exception of Authorised Daffodil Cottage Vehicles.

**15 Item 11 CAR PARKING AND PROPOSED CENTRAL MEDIAN IN KEPPEL STREET BETWEEN GEORGE STREET AND WILLIAM STREET BATHURST (25.00039-05)**



That Council not approve the installation of 2P parking and a central concrete median in Keppel Street between George Street and William Street Bathurst.

**TRAFFIC REGISTER**

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

That the information be noted.

**MEETING CLOSE**

**17**      **MEETING CLOSE**

The Meeting closed at 2.48 pm.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DELEGATES REPORTS

**DELEGATES REPORTS TO THE ORDINARY MEETING OF BATHURST REGIONAL  
COUNCIL MEETING HELD ON 17 MARCH 2010**

General Manager  
Bathurst Regional Council

**1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES HELD  
10 FEBRUARY 2010 (11.00019)**

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

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

General Manager, Director Corporate Services & Finance, Director  
Engineering Services, Director Cultural & Community Services,  
Manager Corporate Governance, Manager Water & Waste Authority

**APOLOGIES:** Nil

**1. LIFELINE CENTRAL WEST - ALEX FERGUSON (18.00004)**

Mr Alex Ferguson, newly appointed Chief Executive Officer of Lifeline Central West gave a presentation on the current work performed by Lifeline Central West.

Discussion included:

- Lifeline has operated in Bathurst for 32 Years
- Lifeline Central West consists of 3 branches - Bathurst, Orange and Dubbo. The head office is located in Bathurst.
- Currently increasing phone lines available - 500,000 crisis calls per year.
- Financial counselling service has increased - 12,000 calls per year for the region. The average time of call is 45 mins.
- Training Counsellors is a major issue.
- There are currently 85 counsellors -150 are estimated to be required.
- All new volunteers will be trained to Cert IV level at TAFE. Current Counsellors to be trained to Cert IV level as per legislation.
- Lifeline currently has 12,500 volunteers nationwide.
- Need assistance with funding for training.
- Volunteers are asked to contribute approximately 100 hours per annum.

## **2. BEN CHIFLEY CATCHMENT STEERING COMMITTEE (07.00020)**

Mr Tim Cox and Jeff Cox of the Ben Chifley Catchment Steering Committee addressed Council and gave a presentation on the works carried out by the Committee over the last 12 years.

Discussions included:

- Total area of catchment is 500,000 hectares.
- Boundary of catchment commences near Burrendong Dam and includes Wisemans Creek, almost reaches Oberon, Black Springs, Burruga, Triangle Flat, Rockley and back to the Lagoon.
- Phosphorous is a recurring problem in the dam.
- Committee need funds to retain a coordinator.
- Received \$25,000 from Council in 2009, request the continuation of funds for 2010
- Require minimum of \$500 per week to retain Coordinators position.
- Caring for Country - \$20,000 for removing willows.
- Outlined some of the projects undertaken and demonstrated by way of photograph the before and after of each project.

**Financial Implications:** Nil

**MINUTE**

**31 Item 1 COUNCILLORS MEETING WITH COMMUNITY  
GROUPS/REPRESENTATIVES HELD 10 FEBRUARY 2010 (11.00019)**

**MOVED: R Thompson SECONDED: G Hanger**

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

## **2 CR MORSE - REPORT ON BATHURST REGIONAL ART GALLERY SOCIETY (07.00027)**

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

**Report:** The Annual General Meeting of the Bathurst Regional Arts Gallery Society Inc (BRAGS) was held on Thursday 18 February. The purpose of BRAGS is to raise funds for acquisitions for the permanent collection.

The financial report for the year ended 31 December 2009 showed that funds raised by BRAGS were from Exhibition Openings, the biennial Art Sale and coach trips. Profit for the year was just over \$13,000.

The Manager of the Art Gallery reported that in the financial year 2009/2010 the Gallery added some 68 works to the permanent collection of which 23 were purchases.

The majority of the acquisitions were made under the Federal Government's Cultural Gifts Program which allows the donor to make a tax claim of 100% of the value of the work donated, this tax benefit can be spread over 5 years. Under this scheme, the Sydney art dealer Dennis Savill donated important works relating to our Hill End Collection by Donald Friend, David Strachan, Jean Bellette and Ray Croke valued at \$85,000.

One of the Gallery's long time donors Peter Jackson continued to donate nine contemporary sculptures by Leslie Oliver, Richard Goodwin, Kensuke Todo and Anne Ferguson valued at \$38,000. Similarly Lin Bloomfield donated 17 works by Frank Hinder dating from 1933 to 1992, valued at \$32,000.

The Gallery purchased 23 works for the permanent collection:

Ed Douglas (2 works) – Hill End  
Ken Orchard (2 works) – Hill End  
Mandy Martin (1 work – 1993)  
Spencer Calveley (1 work – local artist)  
Ceramics by Ivan Englund, Jeff Mincham, Scott Whittaker, Jenny Orchard, Shiga Shigeo, Thankoupie bought at auction at Schapiro's  
Ian Marr (1 work) – Hill End  
Dagmar Cyrulla (2 works) – Hill End (plus 1 donation)  
Anneke Silver (1 work) – Hill End (plus 1 donation)  
Amanda Penrose Hart (2 works) – Hill End (plus 2 donations)

The total value of the purchases made this year is about \$78,000. Part of this is covered by Council, part from Donations and commissions of art sales from exhibitions and part by BRAGS.

The AGM was advised of the continuing successful relationship between the Gallery and BRAGS. A new committee, headed by Karen Smith, was elected for 2010-2011.

**Financial Implications:** Nil.

**MINUTE**

**32 Item 2 CR MORSE - REPORT ON BATHURST REGIONAL ART GALLERY SOCIETY (07.00027)**

**MOVED: M Morse SECONDED: W Aubin**

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

## MINUTE

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

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

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

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

**RESOLVED:** That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF RESIDENTIAL LEASE - 215 DURHAM 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	LAND RELEASE - FREEMAN CIRCUIT AND COBB AVENUE - AVONLEA STAGE 7 SUBDIVISION	10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

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		position of the Council.
3	RENEWAL OF LEASE TO OPTUS MOBILE PTY LTD - WALMER PARK, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED ROAD WIDENING AND ROAD CLOSURE - LOT 12 DP863899, 2013 SOFALA ROAD, PEEL	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 SEWER MAINS: CLEANING, RELINING & CCTV INSPECTION AT VARIOUS LOCATIONS IN BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TENDER FOR SEWER MAIN AUGMENTATION - RANKIN STREET AND RSL CAR PARK - BATHURST NSW	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

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		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 5 DP247729, TURONDALE ROAD, TURONDALE	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	TENDER FOR CLIMATE CHANGE AND WATER SECURITY PLAN	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	PROPOSED ROAD WIDENING, LOT A DP164579, DOG ROCKS ROAD, ROCKLEY	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	PROPOSED ROAD WIDENING, PART PORTION 2 DP750397 & LOT 1 DP770576, DUNKELD ROAD, DUNKELD	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

to the Council Meeting 17/03/2010

		balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	ADVENTURE PLAYGROUND CCTV	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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

**MINUTE**

**a Item 1 RENEWAL OF RESIDENTIAL LEASE - 215 DURHAM STREET, BATHURST (22.01218)**

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

**That** Council approve the renewal of the residential lease for 215 Durham Street, Bathurst to Tania Pamma and Dale Blattman for a period of one (1) year with a one (1) year option as detailed in the report.

**MINUTE**

**b Item 2 LAND RELEASE - FREEMAN CIRCUIT AND COBB AVENUE - AVONLEA STAGE 7 SUBDIVISION (20.00102)**

**MOVED: B Bourke SECONDED: G Westman**

**That Council approves:**

- (a) the release for sale of thirty three (33) lots in Freeman Close and Cobb Avenue, Bathurst, namely Lots 701 - 733 in Lot 224 DP1137628, located in the new residential subdivision to be known as Avonlea Stage 7, under the ballot system.
- (b) the sale prices as detailed in the report.

**MINUTE**

**c Item 3 RENEWAL OF LEASE TO OPTUS MOBILE PTY LTD - WALMER PARK, BATHURST (04.00068)**

**MOVED: G Westman SECONDED: R Thompson**

**That** Council approves entering into a new lease agreement with Optus Mobile Pty Ltd for part Lot 2 DP1140980 known as Walmer Park, for a further five (5) year period, as detailed in the report.

Yours faithfully



R Roach  
**DIRECTOR  
CORPORATE SERVICES & FINANCE**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
CONFIDENTIAL DIRECTOR ENGINEERING SERVICES' REPORT  
17 MARCH 2010



**MINUTE**

**d Item 1 PROPOSED ROAD WIDENING AND ROAD CLOSURE - LOT 12 DP863899, 2013 SOFALA ROAD, PEEL (25.00161)**

**MOVED: I North SECONDED: G Hanger**

**That** Council resolve to approve:

- (a) The acquisition of land for road widening purposes affecting Lot 12 DP863899 at 2013 Sofala Road, Peel.
- (b) Close an unnecessary section of Sofala Road adjoining Lot 12 DP863899 and transfer the land to the adjoining owner.
- (c) Classify the closed section of road as operational land, as detailed in the Director Engineering Services' report.

**MINUTE**

**e Item 2 TENDER FOR SEWER MAINS: CLEANING, RELINING & CCTV INSPECTION AT VARIOUS LOCATIONS IN BATHURST (36.00375)**

**MOVED: M Morse SECONDED: B Bourke**

**That** Council accepts the tender of Kembla Watertech for Sewer Cleaning, Relining and CCTV inspection in the amount of \$138,014.00 (Inclusive GST) subject to adjustments and provisional items.

**MINUTE**

**f Item 3 TENDER FOR SEWER MAIN AUGMENTATION - RANKIN STREET AND RSL CAR PARK - BATHURST NSW (36.000376)**

**MOVED: R Thompson SECONDED: B Bourke**

**That** Council accepts the tender of MGP Civil Contractors for the construction of sewer main diversions at the Returned Services League (RSL) Carpark and Corner of Rankin and Lambert Streets in the amount of \$74,731.00 (Inclusive GST) subject to adjustments and provisional items.

**Cr North asked that his negative vote be recorded.**

**MINUTE**

**g** Item 4 PROPOSED ROAD WIDENING, LOT 5 DP247729, TURONDALE ROAD, TURONDALE (25.00340)

**MOVED: B Bourke SECONDED: R Thompson**

**That** Council approve the acquisition of land for road widening purposes affecting Lot 5 DP247729 at Turondale Road, Turondale, and classify the land as operational, as detailed in the Director Engineering Services' report.

**MINUTE**

h Item 5 TENDER FOR CLIMATE CHANGE AND WATER SECURITY PLAN  
(36.00377)

**MOVED: W Aubin SECONDED: T Carpenter**

**That** Council accepts the tender of Sinclair Knight Merz for the completion of a Climate Change and Water Security Plan in the amount of \$159,806.00 (Inclusive GST) subject to adjustments and provisional items.

**MINUTE**

**i Item 6 PROPOSED ROAD WIDENING, LOT A DP164579, DOG ROCKS ROAD, ROCKLEY (25.00272)**

**MOVED: R Thompson SECONDED: W Aubin**

**That** Council approve the acquisition of land for road widening purposes affecting Lot A DP164579 at Dog Rocks Road, Rockley, and classify the land as operational, as detailed in the Director Engineering Services' report.

**MINUTE**

**j      Item 7    PROPOSED ROAD WIDENING, PART PORTION 2 DP750397 & LOT 1  
DP770576, DUNKELD ROAD, DUNKELD (25.00502)**

**MOVED: G Westman    SECONDED: I North**

**That** Council approve the acquisition of land for road widening purposes affecting part Portion 2 DP750397 and Lot 2 DP770576 at Dunkeld Road, Dunkeld, and classify the land as operational, as detailed in the Director Engineering Services' report.

**MINUTE**

k **Item 8 ADVENTURE PLAYGROUND CCTV (37.00290)**

**MOVED: R Thompson SECONDED: G Westman**

**That** Council refer the provision of CCTV at the Adventure Playground for consideration in the Crime Prevention and Community Safety Plan.

Yours faithfully



Doug Patterson  
**DIRECTOR  
ENGINEERING SERVICES**



**MINUTE**

**34     RESOLVE INTO OPEN COUNCIL**

**MOVED: G Westman SECONDED: R Thompson**

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

**MINUTE**

**35     ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**

**MOVED: G Westman SECONDED: T Carpenter**

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

**MINUTE**

**36     MEETING CLOSE**

The Meeting Closed at 6.48 pm.

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

**Date:** \_\_\_\_\_ **(21 April 2010)**

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to the Council Meeting 17/03/2010

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GENERAL MANAGER

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