



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

13 October 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, 20 October 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, 20 OCTOBER 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 - Ordinary Meeting of Bathurst Regional Council - 15 September 2010
 - * Minutes - Ordinary Meeting of Bathurst Regional Council Following Policy - 29 September 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
 - * Social And Community Plan
8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS
 - * Director Environmental Planning & Building Services' Report
 - * Director Corporate Services & Finance's Report
 - * Director Engineering Services' Report
 - * Director Cultural & Community Services' Report
9. REPORTS OF OTHER COMMITTEES
 - * Minutes - Policy Committee Meeting - 29 September 2010
10. NOTICES OF MOTION - Nil
11. RESCISSION MOTIONS - Nil
12. DELEGATES REPORTS
 - * Councillors Meeting With Community Groups/representatives Held 8 September 2010
 - * Minutes Of The Bathurst Regional Youth Council Meeting Held On 9 September

2010

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 Environmental Planning & Building Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	DEMOLITION OF BUILDING AT 44 RANKIN STREET, BATHURST	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.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST MOTOR FESTIVAL	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	CONSENT TO MORTGAGE ON SALE OF COMMERCIAL LAND - PROPOSED LOT 802 IN LOT 714 DP1103109 - WATT DRIVE, BATHURST TRADE CENTRE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED SALE OF LAND, PROPOSED LOT 804 IN LOT 714 DP1103109 - BRADWARDINE ROAD, BATHURST TRADE CENTRE	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
4	PROPOSED LEASE OF RIVER BANK LAND - LOT 704 DP1002346 - EGLINTON BRIDGE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR CONSTRUCTION OF CIVIL	10A (2) (d) (i) – contains commercial information of a

	WORKS AT BRADWARDINE ROAD BATHURST TRADE CENTRE	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	NETWASTE TENDER 145/534/987/3 – TENDER FOR NETWASTE REGIONAL HOUSEHOLD CHEMICAL COLLECTION	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
3	PROPOSED ACQUISITION BY HOUSING NSW OF PUBLIC RESERVE AT LOT 42 DP 260917 PAYNE CLOSE KELSO	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
4	STANLEY STREET SEWER MAIN & PEDESTRIAN BRIDGE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

14. RESOLVE INTO OPEN COUNCIL
15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
16. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

2 PUBLIC QUESTION TIME

B Trimming - Chair Bathurst Access Committee - Raised the following questions:

1. Spoke to the reissue of the Committee's "Who Are We" brochure. Expands on a number of topics eg. awards. Cross references to other brochures prepared. A copy was made available to all Councillors.
2. Christian Life Centre - DEPBS Item # 5 - Spoke to previous concerns raised about access around the property. They still have not put in footpaths (as said could not afford it), but are now wanting to do more development, how can they afford this Development Application? It would appear they have reneged on previous obligations and how can they be made to do the work? Will the splitting of the Development Application make the court findings invalid.

Director Environmental Planning & Building Services spoke to court orders which still exist and works are required by 31 December 2010.

MINUTE

3 APOLOGIES

Nil

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MINUTES

MINUTES TO THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MEETING HELD ON 20 OCTOBER 2010

General Manager
Bathurst Regional Council

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 15
SEPTEMBER 2010 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 15 September 2010 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 15 September 2010, are attached.

Financial Implications: N/A

MINUTE

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 15 SEPTEMBER 2010

MOVED: G Westman SECONDED: I North

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 15 September 2010 be adopted with the following change:

Minute #2 Public Question Time - replace "Cr Westman" with "Cr Aubin".

**2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
FOLLOWING POLICY - 29 SEPTEMBER 2010 (11.00005)**

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 29 September 2010 be adopted

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 29 September 2010, are attached.

Financial Implications: N/A

MINUTE

5 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL FOLLOWING POLICY - 29 SEPTEMBER 2010

MOVED: B Bourke SECONDED: W Aubin

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council following Policy held on 29 September 2010 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 15 SEPTEMBER 2010**

6.00 PM - MEETING COMMENCES

1 MEETING COMMENCES

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

G Crisp – Rate Payer - Asked do the traffic regulations apply to senior staff? There appears to be a black 4WD parking contrary to a No Stopping sign. Could the Director re-park his car?

Raised a number of other issues/questions:

1. Does General Manager deny the fact that the Director Corporate Services and Finance wrongfully alleged issues concerning superannuation?
2. Staff unlawfully accessed superannuation.

The Mayor noted replies have previously been given.

3. Actions of Director Corporate Services and Finance were contrary to the Local Government Act and ICAC Act.
4. Under S.12 ICAC Act there is a duty to report such conduct to the ICAC.
5. Spoke to OH&S Act and safe workplace requirements - did Council fail in its obligations?

The Mayor replied no.

6. Councillors have an obligation to act where the General Manager has not complied with the Local Government Act.

B Trimming – Rate Payer - Raised the following questions:

1. Business Paper has item on re-election of the Mayor - has previously spoken on issue of full-time Mayor.
2. Noted PM Julia Gillard will be opening Chifley Home this weekend. The access ramp at front does not have access to the roadway. Could a lay-back be put in, in Busby Street? Spoke to signage required to say where access is available, if not usual entrance. Further, spoke to variation in access fees that could be implemented if a person cannot access all of the facility, perhaps it should be

no charge.

K O'Donnell – Howick Street - Spoke to issues recently championed by Councillors, such as Crs Bourke, Carpenter and Westman. Used as an example, the recent Telstra tower and then raised criticisms of Councillors, such as Cr Morse.

The Mayor raised concerns that this was an act of disorder and that the comments were inappropriate.

APOLOGIES

3 APOLOGIES

Nil

MINUTES

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 18 AUGUST 2010 (11.00005)

MOVED Cr M Morse

and **SECONDED** Cr G Westman

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 August 2010 be adopted.

DECLARATION OF INTEREST

5 DECLARATION OF INTEREST

MOVED Cr B Bourke

and **SECONDED** Cr W Aubin

That the following Declaration of Interest be noted.

Cr Westman

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

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

General Manager's Report

6 Item 1 ELECTION OF MAYOR AND DEPUTY MAYOR (12.00004)

MOVED Cr P Toole

and **SECONDED** Cr B Bourke

ELECTION OF DEPUTY MAYOR

Two nominations for the position for Deputy Mayor were received: Cr Morse and Cr North.

RESOLVED: That the election proceed by Open Voting.

The result of the Ballot was:

Cr Morse 3 Votes
Cr North 6 Votes

Cr North was declared elected as Deputy Mayor for the period to September 2011.

7 Item 1 ELECTION OF MAYOR AND DEPUTY MAYOR (12.00004)

ELECTION OF MAYOR

One nomination for the position of Mayor was received: Cr Toole.

Cr Toole was declared elected as Mayor for the period to September 2011.

8 Item 2 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS (11.00002)

MOVED Cr W Aubin and **SECONDED** Cr T Carpenter

RESOLVED: That the completed Disclosure of Interest of Councillors and Designated Persons Returns for Councillors and relevant staff be noted.

Director Environmental Planning & Building Services' Report

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

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

RESOLVED: That the information be noted.

10 Item 2 GENERAL REPORT (03.00053)

MOVED Cr R Thompson and **SECONDED** Cr G Westman

RESOLVED: That the information be noted.

11 Item 3 DRAFT BATHURST REGIONAL (INTERIM) DEVELOPMENT CONTROL PLAN 2010 (20.00163)

MOVED Cr T Carpenter and **SECONDED** Cr G Westman

RESOLVED: That Council:

(a) place the draft Bathurst Regional (Interim) Development Control Plan 2010 on public exhibition for a period of 6 weeks; and

(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 T Carpenter, Cr G Hanger, Cr M Morse, Cr I North, Cr R Thompson, Cr P Toole, Cr G Westman.

Against the motion - Nil
Absent - Nil
Abstain - Nil

- 12** Item 4 DEVELOPMENT APPLICATION NO. 2010/0719 - TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT 40 & 42 ROSE STREET, SOUTH BATHURST. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS. OWNER: MR B MURRAY & MS E MASON (DA 2010/0719)
MOVED Cr B Bourke and SECONDED Cr R Thompson

RESOLVED: That Council:

- (a) support the variation to the minimum lot size development standard prescribed in the Development Control Plan – Residential Subdivision;
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0719, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended; and
- (c) call a division.

On being PUT to the VOTE the MOTION was CARRIED

The result of the division was:

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

Against the motion - Nil
Absent - Nil
Abstain - Nil

- 13** Item 5 DEVELOPMENT APPLICATION NO. 2010/0761- TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT 409 FREEMANTLE ROAD, MOUNT RANKIN. APPLICANT: MRS S PAPPAS. OWNER: MR C & MRS S PAPPAS & MRS F BAKER (2010/0761)
MOVED Cr I North and SECONDED Cr G Westman

RESOLVED: That Council:

- (a) support the variation to the 1(e) – Outer Rural Zone 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 11;
- (b) support the variation to the 1(e) – Outer Rural Zone 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 11;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0761, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

14 **Item 6 DEVELOPMENT APPLICATION NO. 2010/0691- DEMOLITION OF DWELLING, CONSTRUCTION OF THREE RESIDENTIAL UNITS AND THREE LOT RESIDENTIAL SUBDIVISION AT 11 BAILLIE STREET, BATHURST. APPLICANT: MR P & MRS J LE BRETON. OWNER: MR P & MRS J LE BRETON (DA2010/0691)**

MOVED Cr G Hanger

and **SECONDED** Cr T Carpenter

RESOLVED: That:

- (a) Council defer the matter.
- (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 T Carpenter, Cr G Hanger, Cr M Morse, Cr I North, Cr R Thompson, Cr P Toole.

Against the motion - Cr B Bourke, Cr G Westman.

Absent - Nil

Abstain - Nil

15 **Item 7 DEVELOPMENT APPLICATION NO. 2010/0664 – DEMOLITION OF EXISTING BUILDINGS, ERECTION OF 6 SINGLE STORY DWELLINGS AND 6 LOT SUBDIVISION AT LOT 2 DP 150662 AND LOT C DP 159826, 34 ROCKET STREET, SOUTH BATHURST. APPLICANT: ES ENGINEERING & DRAFTING. OWNER: C & G NAKHEL (2010/0664)**

MOVED Cr I North

and **SECONDED** Cr W Aubin

RESOLVED: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0664, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - i. Prior to the issue of the Construction Certificate, the developer is to submit to Council details of the colours of the external materials to be used in the construction;
 - ii. Prior to the issue of the Construction Certificate, the developer is to submit to Council a photographic record of the three dwellings in accordance with the Guidelines for photographic recording of sites;

- iii. During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Branch, Department of Planning, and Council. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works; and

(b) notify those that made submissions of its decision; and

(c) call a division.

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

The result of the division was:

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

Against the motion - Cr M Morse.

Absent - Nil

Abstain - Nil

16 Item 8 ACCREDITATION OF COUNCIL BUILDING SURVEYORS - CONFLICT OF INTEREST PROVISIONS (02.00005)

MOVED Cr W Aubin

and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

17 Item 9 BACKYARDS FOR WILDLIFE BOOKLET COMMUNITY SURVEY (13.00053)

MOVED Cr I North

and **SECONDED** Cr R Thompson

RESOLVED: That the information be noted.

18 Item 10 BATHURST URBAN DRAINAGE RESERVE VEGETATION LINK: REVEGETATION PLAN (37.00297)

MOVED Cr T Carpenter

and **SECONDED** Cr R Thompson

RESOLVED: That Council:

- (a) place the "Bathurst Urban Drainage Reserve Vegetation Link: Revegetation Plan" on public exhibition for a period of 28 days;
- (b) if no submissions are received, adopt the plan; or
- (c) if submissions are received, note that a further report will be provided to Council.

19 Item 11 HYDROGEOLOGICAL STUDY (13.00023)

MOVED Cr G Westman

and **SECONDED** Cr G Hanger

RESOLVED: That Council fund the Hydrogeological Study from the:

- (a) Town Planning Consultancy reserve;
- (b) Water Fund Reserve; and
- (c) Salinity Hazard Mapping Reserve.

**20 Item 12 COMMON PIGEON POPULATION IN THE BATHURST CBD (14.00009)
MOVED Cr B Bourke and SECONDED Cr I North**

RESOLVED: That discussions be held with the Bathurst Business Chamber with a view to finding a solution to the pigeon problem.

**21 Item 13 BATHURST URBAN WATERWAYS MANAGEMENT PLAN – AQUATIC MACROINVERTEBRATE STUDY (37.00259)
MOVED Cr M Morse and SECONDED Cr R Thompson**

RESOLVED: That the information be noted.

**22 Item 14 CIVIC CENTRE ENERGY AND WATER AUDIT REPORT (37.00278)
MOVED Cr G Westman and SECONDED Cr G Hanger**

RESOLVED: That the information be noted.

**23 Item 15 KEEP AUSTRALIA BEAUTIFUL WASTE WATCHERS PRIMARY SCHOOL PROGRAM (18.00034)
MOVED Cr W Aubin and SECONDED Cr G Hanger**

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report

**24 Item 1 STATEMENT OF INVESTMENTS (16.00001)
MOVED Cr B Bourke and SECONDED Cr I North**

RESOLVED: That the information be noted.

**25 Item 2 YEAR TO DATE REVIEW - 2009/2010 MANAGEMENT PLAN AND BUDGET (16.00116)
MOVED Cr M Morse and SECONDED Cr W Aubin**

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

**26 Item 3 SUNDRY SECTION 356 DONATIONS AND BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY (18.00004)
MOVED Cr T Carpenter and SECONDED Cr R Thompson**

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

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

RESOLVED: That the information be noted.

- 28** **Item 5 REQUEST FOR FINANCIAL ASSISTANCE - ROTARY CLUB OF BATHURST DAYBREAK - USE OF BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) (23.00099)**
MOVED Cr B Bourke and **SECONDED** Cr I North

RESOLVED: That Council donate the costs associated with the hire of the Bathurst Memorial Entertainment Centre on 24 September 2010 to Rotary Club of Bathurst Daybreak for the Carillon Business Awards from BMEC Community use Subsidy for \$566.50

- 29** **Item 6 CYCLING CLASSIC MOUNT PANORAMA (04.00009)**
MOVED Cr R Thompson and **SECONDED** Cr I North

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

Reason: Operates a Bicycle shop in Bathurst and is involved in the Event.

RESOLVED: That Council proceed to conduct the Mount Panorama Cycling Classic from 12 April 2011 to 17 April 2011.

- 30** **Item 7 CARRYOVER WORKS (16.00108)**
MOVED Cr I North and **SECONDED** Cr W Aubin

RESOLVED: That the items as identified on the list of carry-over works as at 30 June 2010 be carried over and added to the Management Plan for 2010/2011.

- 31** **Item 8 RURAL SCHOLARSHIP PROGRAM (23.00136)**
MOVED Cr R Thompson and **SECONDED** Cr I North

RESOLVED: That Council:

- (a) include the following in the Eligibility Criteria:

"Item #3 - current year 12's who have applied to be enrolled in a University, TAFE or other approved course in the agricultural field (scholarship confirmation will be subject to item #2 Eligibility Criteria).

- (b) proceed to advertise the Rural Scholarship Program.

- 32** **Item 9 STATEMENT BY COUNCIL ON FINANCIAL REPORTS (16.00055)**
MOVED Cr I North and **SECONDED** Cr G Westman

RESOLVED: That Council sign the Certificates with respect to the General Purpose Financial Statements and the Special Purpose Statements for the year ended 30 June 2010.

- 33** **Item 10 CENTROC JOINT TENDER FOR SUPPLY AND DELIVERY OF FUEL (07.00017)**
MOVED Cr G Westman and **SECONDED** Cr T Carpenter

RESOLVED: That Council agree to CENTROC exercising Council's functions under S.355(d) of the Local Government Act with respect to the tender for fuel.

Director Engineering Services' Report

- 34** **Item 1 PROPOSED DEDICATION OF PUBLIC RESERVE, LOT 93 DP243500, COLLEGE ROAD, BATHURST (22.13565)**
MOVED Cr B Bourke and **SECONDED** Cr M Morse

RESOLVED: That Council approve the Dedication of Public Reserve of Lot 93 DP243500 located at College Road, Bathurst, and the transfer of the property into its care and control, and classify the property as community land, as per the Director Engineering Services' report.

- 35** **Item 2 RESURFACING OF SYNTHETIC CRICKET WICKETS AT LEARMONTH PARK & RALPH CAMERON OVAL & SPORTS FIELD REJUVENATION AT CARRINGTON PARK & POLICE PADDOCK (04.00014,04.00008,04.00058,04.00033)**
MOVED Cr I North and **SECONDED** Cr G Hanger

RESOLVED: That Council utilise part of the Oval Rejuvenation Reserve Funding to resurface two existing synthetic turf cricket wickets at Learmonth Park and two at Ralph Cameron Oval, and undertake renovation works to a number of sporting fields within Bathurst.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

- 36** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 SEPTEMBER 2010 (07.00064)**
MOVED Cr B Bourke and **SECONDED** Cr M Morse

RESOLVED: That the recommendations of the Policy Committee Meeting held on 1 September 2010 be adopted.

Traffic Committee Meeting

- 37** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 SEPTEMBER 2010**

(07.00006)**MOVED** Cr W Aubinand **SECONDED** Cr M Morse**RESOLVED:** That:

- (a) The recommendations of the Traffic Committee meeting held on 7 September 2010 be adopted (excepting Minute 9, Item #5 - Proposed Public Gate to Lee Street, Kelso).
- (b) Council note Minute #9, Item #5 - Proposed Public Gate to Lee Street, Kelso should read:

'That Council approve the leasing of the public road reserve in Lee street, from Raglan Creek to the Railway Crossing to Grainforce Commodities Pty Ltd'.
- (c) Council not adopt Minute #9, Item #5 - Proposal Public Gate to Lee Street, Kelso.
- (d) A further report on the leasing of the Public Road Reserve in Lee Street, from Raglan Creek to the Railway Crossing be prepared for Council.

DELEGATES REPORTS**38****Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES HELD 11 AUGUST 2010 (11.00019)****MOVED** Cr R Thompsonand **SECONDED** Cr G Westman**RESOLVED:** That the information be noted.**RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS****39****RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS****MOVED** Cr B Bourkeand **SECONDED** Cr 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 we no representations from the public.**RESOLVED:** That:

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

* Director Corporate Services & Finance's Report

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF RESIDENTIAL LEASE - 57 SEYMOUR STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF RESIDENTIAL LEASE - 22 RUSSELL 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.
3	RENEWAL OF RESIDENTIAL LEASE - 310 BROCK SKYLINE, MT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	PROPOSED LEASE TO OPTUS MOBILE PTY LTD - TELECOMMUNICATION BASE STATION	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of

		the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	PROPOSED LEASE OF RIVER BANK LAND - EGLINTON BRIDGE	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	REMOVAL OF CAVEAT - 116 KEPPEL 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.
7	SUBDIVISION AND SALE OF LAND IN MILLER AND SWANBROOKE STREETS, BATHURST.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it. ⁵
8	PROPOSED SALE OF LOT 901 MILLER 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.
9	PRICING OF PROPOSED LOT 905 MICHIGAN ROAD, KELSO INDUSTRIAL PARK	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 Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR PURCHASE OF TWO 6X4 TIPPING TRUCKS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Director Corporate Services & Finance's Report

- a** **Item 1 RENEWAL OF RESIDENTIAL LEASE - 57 SEYMOUR STREET, BATHURST (22.00185)**

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

That Council approves entering into a new residential lease for Lot 19 DP849271 known as 57 Seymour Street, Bathurst with Mr Brett Nancarrow for a period of twelve (12) months with a twelve (12) month option as detailed in the report.

b **Item 2 RENEWAL OF RESIDENTIAL LEASE - 22 RUSSELL STREET, BATHURST (22.00413)**

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

That Council approves entering into a new residential lease for Lot 3 DP1076805 known as 22 Russell Street, Bathurst to Mr Paul Mulholland for a period of twelve (12) months with a twelve (12) month option as detailed in the report.

c **Item 3 RENEWAL OF RESIDENTIAL LEASE - 310 BROCK SKYLINE, MT PANORAMA (22.01640)**

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

That Council approves entering into a new residential lease for Lot 9 DP1047248 known as 310 Brock Skyline, Mt Panorama to Ms Elizabeth Wood for a period of twelve (12) months with a twelve (12) month option as detailed in the report.

d **Item 4 PROPOSED LEASE TO OPTUS MOBILE PTY LTD - TELECOMMUNICATION BASE STATION (32.00001-04)**

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

That Council approves entering into a new lease agreement for Lot 211 DP748686 on the Council Water Reservoir, on land off the Great Western Highway at Raglan for a period of five (5) years with three (3) x five (5) year option periods as detailed in the report.

e **Item 5 PROPOSED LEASE OF RIVER BANK LAND - EGLINTON BRIDGE (21.00022-06)**

MOVED Cr T Carpenter and **SECONDED** Cr R Thompson

That Council approves entering into a new licence agreement with Paul and Michelle Mercieca for part Lot 103 DP1006130 located on river bank land near the Eglinton Bridge for a period of one (1) year with two (2) x one (1) year option periods at a yearly lease fee of \$260 per annum as detailed in the report.

f **Item 6 REMOVAL OF CAVEAT - 116 KEPPEL STREET, BATHURST (22.00029)**

MOVED Cr R Thompson and **SECONDED** Cr I North

That Council approves the removal of the Caveat number V864077 on Lot 22 DP634259 at 166 Keppel Street, Bathurst.

g **Item 7 SUBDIVISION AND SALE OF LAND IN MILLER AND SWANBROOKE STREETS, BATHURST. (20.00119)**

MOVED Cr R Thompson and **SECONDED** Cr W Aubin

That Council:

- (a) approve the forty (40) lot residential subdivision known as Windradyne 900 (Lot 137 DP1123180) located at Miller and Swanbrooke Streets, Windradyne at an estimated cost as detailed in the report including civil and electrical works to be funded from Council's Land Development Reserves.
- (b) approve the commencement of construction to start as soon as possible subject to a satisfactory Development Application approval.
- (c) seek a further report regarding a release date and appropriate lot prices once construction works have commenced.

h **Item 8 PROPOSED SALE OF LOT 901 MILLER STREET, WINDRADYNE (22.13745)**
MOVED Cr G Hanger and **SECONDED** Cr I North

That Council approves the creation and sale of proposed Lot 901 DP1123180 Miller Street, Windradyne as detailed in the report.

i **Item 9 PRICING OF PROPOSED LOT 905 MICHIGAN ROAD, KELSO INDUSTRIAL PARK (22.11288)**
MOVED Cr G Westman and **SECONDED** Cr B Bourke

That Council price and release Lot 905 DP1110004 Michigan Road, Kelso Industrial Park as detailed in the report.

Director Engineering Services' Report

i **Item 1 TENDER FOR PURCHASE OF TWO 6X4 TIPPING TRUCKS (36.00389)**
MOVED Cr W Aubin and **SECONDED** Cr G Westman

That Council -

- (a) purchase two (2) Scania P320 LM6x4MS2 for a purchase price of \$202,400.00 each, giving a total \$404,800.00 for both, from Scania Australia, and
- (b) dispose of the trade vehicles F634 and F635 Ford Louisvilles LT8501 via auction.

RESOLVE INTO OPEN COUNCIL

40 **RESOLVE INTO OPEN COUNCIL**
MOVED Cr R Thompson and **SECONDED** Cr I North

RESOLVED: That Council resume Open Council.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE
HELD ON 29 SEPTEMBER 2010**

5.10 pm MEETING COMMENCES

1 MEETING COMMENCES

Present: Councillors Toole (Chair), Bourke, Hanger, North, Thompson, Westman

APOLOGIES

2 APOLOGIES
MOVED Cr G Hanger and **SECONDED** Cr I North

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

DECLARATION OF INTEREST

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

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

4 Item 1 DEVELOPMENT APPLICATION NO. 2010/0729 – DEMOLITION OF EXISTING DWELLING HOUSE AND ERECTION OF A SINGLE STOREY DWELLING WITH DETACHED GARAGE AT LOT 1 DP 857310, 204 BENTINCK STREET, BATHURST . APPLICANT: K & D FIELD. OWNER: K & D FIELD (2010/0729)
MOVED Cr B Bourke and **SECONDED** Cr G Westman

RESOLVED:That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0664, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - i. Prior to the issue of the Construction Certificate, the developer is to submit to Council details of the colours of the external materials to be used in the construction;
 - ii. Prior to the issue of the Construction Certificate, the developer is to submit to Council a photographic record of the existing dwelling in

- accordance with the Guidelines for photographic recording of sites;
- iii. During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Branch, Department of Planning, and Council. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works

(b) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Cr W Aubin, Cr T Carpenter, Cr M Morse,

Abstain - Nil

Director Cultural & Community Services' Report

5 Item 1 2010/2011 RURAL VILLAGE INFRASTRUCTURE IMPROVEMENT PROGRAM (16.00104)

MOVED Cr R Thompson

and **SECONDED** Cr G Westman

RESOLVED:That Council:

- (a) Council allocate 2010/2011 Rural Village Infrastructure Improvement Program funds as follows:

APPLICANT/ ORGANISATION	PROJECT SUMMARY	GRANTED	TOTAL/ GROUP
Hill End & Tambaroora Progress Association Inc	Project to be resubmitted by Hill End & Tambaroora Progress Association Inc	\$10,000	\$10,000
Sofala and District Agricultural and Horticultural Show Society Inc	Infrastructure Program Stage 1– Concrete slab for Pavilion (to provide better facilities for users)	\$21,340	\$37,825
Sofala and District Agricultural and Horticultural Show Society Inc	Infrastructure Program Stage 2 – New Pavilion construction (to provide better facilities for users)	\$16,485	
Sofala Progress Association Inc	Replace old cloth wiring in Hall (wiring getting dangerous and will also include electricity to composting toilets for lighting)	\$3,773	\$19,136
	Light in dressing/storage shed (currently no lighting and is required when plays are held, will also include security lighting between two halls)	\$253	
	Shelter over BBQ area (to prevent children jumping from fence onto BBQ)	\$3,380	
	Covers over two picnic tables in park (request has been	\$5,750	

	made by parents)		
	Verandah over front of hall (to protect doors and carpet on wet days, will give cover when other functions held)	\$5,980	
Wattle Flat Heritage Lands Trust	Turon Valley picnic lookout	\$3,850	\$7,370
	Shadehouse #4, water tank and picnic tables	\$3,520	
Wattle Flat Progress Association	All weather shelters at park rear of Wattle Flat School (cover over existing tables)	\$7,200	\$22,078
	Lights to picnic area at rear of School (install lights to oval and picnic area)	\$4,565	
	Install roof vents at BBQ Shed at Wattle Flat Racecourse (for removal of smoke, fumes and heat from shed)	\$2,904	
	Supply and install two glass sliding windows to BBQ Shed at Wattle Flat Racecourse	\$1,936	
	Concrete floor to BBQ shed at Wattle Flat Racecourse (to prevent dust, etc in food area)	\$4,723	
	Power and light to BBQ shed at Wattle Flat Racecourse (to enable functions to be held safely in evenings, ie Country Music Awards)	\$750	
	TOTAL		

- (b) Council commence the preparation of Village Community Strategic Plans for: Rockley; Trunkey Creek; Sofala; Wattle Flat; Hill End; Peel; Yetholme; and Sunny Corner in 2010/2011.

MEETING CLOSE

6 MEETING CLOSE

The Meeting closed at 5.12 pm.

CHAIRMAN: _____

Date: _____ **(20 October 2010)**

MINUTE

- 6** **DECLARATION OF INTEREST**
MOVED: I North SECONDED: B Bourke

RESOLVED: That the Declaration of Interest be noted.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MAYORAL MINUTE

**MAYORAL MINUTE TO THE ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL MEETING HELD ON 20 OCTOBER 2010**

General Manager
Bathurst Regional Council

1 SOCIAL AND COMMUNITY PLAN (20.00056)

Recommendation: That Council endorse the placement of the 2011-2016 Social and Community Plan on public exhibition for the statutory 28 day period and receive submissions until Friday, 12 November 2010.

Report: Developing a Social and Community Plan is a mandatory legislative requirement of Council. Councillors will recall the workshops convened to discuss and provide input into the Social and Community Plan on 17 March 2010 and 13 October 2010. Significant community consultation has been undertaken throughout this Plan's preparation across each of the mandatory focus/target groups together with Council's optional groups of men and villages.

Overwhelmingly this consultation echoed Council's community survey with respondents identifying Bathurst as a great place to live. The assets based community consultation process has identified a preferred future for the Bathurst region. In doing so the community has also identified challenges and opportunities to reach their goals and achieve this.


Actions to overcome these challenges and exploit identified opportunities are the driving factors of the Action Plan found in Chapter 4. Councillors will note from these actions this Plan is indeed a "community plan" owned by the community for the community, with Council acting as "custodian" of the Plan.

Key stakeholders representing the mandatory and optional target groups from the community have been instrumental in the formation of this Plan from consultation through to identifying the challenges and opportunities. These stakeholders have provided their knowledge and insight in developing a realistic and achievable Action Plan and in doing so have ensured community ownership of the 2011-2016 Social and Community Plan. It is envisaged that this Key Group will meet on an annual basis to reflect on the success, or otherwise, of the identified actions together with updating or amending the Plan where necessary.

Council is required to place the draft document on public exhibition for 28 days in which public submissions may be lodged. Council's Working Party held on 13 October 2010 agreed to place this document on public exhibition for the statutory 28 days from 16 October 2010.

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

Yours faithfully



Paul Toole
MAYOR OF BATHURST

MINUTE

7 Item 1 SOCIAL AND COMMUNITY PLAN

MOVED: P Toole

RESOLVED:That Council endorse the placement of the 2011-2016 Social and Community Plan on public exhibition for the statutory 28 day period and receive submissions until Friday, 12 November 2010.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT
20 OCTOBER 2010

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 20
OCTOBER 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

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

MOVED: G Westman SECONDED: I North

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

Financial Implications: Nil.

MINUTE

9 Item 2 GENERAL REPORT

MOVED: G Hanger SECONDED: B Bourke

RESOLVED: That the information be noted.

3 SECTION 94 PLANS (20.00036)

Recommendation: That the information be noted.

Report: As Council is aware the State Government has been considering on an ongoing basis caps on the amount of contributions Councils may seek under Section 94 plans.

The review has particularly focussed on areas where the contributions exceed \$20,000. Council has one such area near Delaware Crescent in Robin Hill.

This review process has seen Council apply for and be granted an exemption, have that exemption taken away and more recently have to re-apply for an exemption. The Department of Planning has recently advised that Council has been granted a further exemption to the \$20,000 cap in the Delaware Crescent area.

Financial Implications: Nil.

MINUTE

10 Item 3 SECTION 94 PLANS

MOVED: W Aubin SECONDED: M Morse

RESOLVED: That the information be noted.

4 DEVELOPMENT APPLICATION NO. 2010/0799 – TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT 3476 GREAT WESTERN HIGHWAY, YETHOLME. APPLICANT: MR D STAFFORD. OWNER: MR D STAFFORD, MS G LAIRD, MR G BROMFIELD, MS M AUSTIN, MRS M BROMFIELD, MS V PORTER) (2010/0799)

Recommendation: That Council:

- (a) support the variation to the 1(e) – Outer Rural Zone 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 1 and proposed Lot 6;
- (b) support the variation to the 1(e) – Outer Rural Zone 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 1 and proposed Lot 6;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0799, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

Report: The Site

Council has received a Development Application (DA) for a two lot subdivision (boundary adjustment) at 3476 Great Western Highway, Yetholme, described as Lot 1 DP 199122 (3476 Great Western Highway) and Lot 6 DP 1056199 (3444 Great Western Highway). A location plan is provided at **attachment 1**.

Each of the existing lots contains a dwelling and associated outbuildings.

The proposal

The proposal is for a boundary adjustment resulting in the transfer of approximately 212 square metres, from Lot 6 (currently 8.3 hectares) to Lot 1 (currently 1.037 hectares). See plan of proposed development at **attachment 2**.

Planning Context

Bathurst Regional (Interim) Local Environmental Plan 2005

The subject site is zoned 1(e) Outer Rural under the provisions of the BRLEP 2005. Under Clause 27 of the Bathurst Regional (Interim) Local Environmental Plan 2005 the minimum area for each allotment is 100 hectares. Likewise Clause 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005 requires a minimum area of 100 hectares for a dwelling. The development as it relates to Lot 1 and lot 6 is therefore contrary to Clause 27 and 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005.

The applicant has submitted a SEPP 1 objection (see **attachment 3**) which indicates the nature of the subdivision and their objection to the current standards which include:

- 1. The area of Lot 1 being less than the 100 hectare minimum area already;
- 2. The area of Lot 6 being less than the 100 hectare minimum area already;
- 3. The fact that no new lots or dwelling entitlements will be created;

4. Consistency with the surrounding pattern of subdivision;
5. The existing lot sizes are not conducive to agriculture
6. The boundary adjustment will follow the already established fence lines.

The intention behind the development standards is to limit new dwelling entitlements on allotments less than the minimum area. Both lots already have dwellings on them. The subdivision will not compromise the agricultural potential of the land.

Concurrence

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

Need for Council Concurrence

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

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

Conclusion

Council has received a Development Application (DA) for a two lot subdivision (boundary adjustment) at 3444 and 3476 Great Western Highway, Yetholme. The proposal is for a boundary adjustment resulting in the exchange of 212 square metres, from Lot 6 to Lot 1. The subdivision will not create any additional dwelling entitlements; the current lot sizes are not conducive to agriculture. Accordingly the SEPP 1 objection is supportable.

Financial Implications: Nil.

MINUTE

11 Item 4 DEVELOPMENT APPLICATION NO. 2010/0799 – TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) AT 3476 GREAT WESTERN HIGHWAY, YETHOLME. APPLICANT: MR D STAFFORD. OWNER: MR D STAFFORD, MS G LAIRD, MR G BROMFIELD, MS M AUSTIN, MRS M BROMFIELD, MS V PORTER)

MOVED: G Westman SECONDED: I North

RESOLVED: That Council:

- (a) support the variation to the 1(e) – Outer Rural Zone 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 1 and proposed Lot 6;
- (b) support the variation to the 1(e) – Outer Rural Zone 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 1 and proposed Lot 6;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0799, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

5 DEVELOPMENT APPLICATION NO. 2010/0760 - TWO LOT SUBDIVISION AT 200 GILMOUR STREET, KELSO. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS. OWNER: BATHURST CHRISTIAN LIFE CENTRE INC (DA 2010/0760)

Recommendation: That Council:

- (a) support the variation to the 1(b) – Market Garden zone 20 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 10 and proposed Lot 11;
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0760, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (c) call a division.

Report: The Site

Council has received a Development Application (DA) for a two lot subdivision at 200 Gilmour Street, Kelso, described as Lot 1, DP 1132992. A location plan is provided at **attachment 1**.

The site currently contains the Bathurst Christian Life Centre.

The proposal

The proposal involves the subdivision of the existing 4.317 hectare lot into two lots with areas of 5519m² and 3.765 hectares. A plan of the proposed development is at **attachment 2**.

The existing Bathurst Christian Life Centre will be located on the larger lot whilst the smaller lot is proposed to be used as part of a Seniors Living development (the Development Application for which is currently under consideration).

Planning Context

Bathurst Regional (Interim) Local Environmental Plan 2005

The subject site is zoned 1(b) Market Garden and 2(a) Residential under the provisions of the Bathurst Regional (Interim) Local Environmental Plan 2005. While the majority of the existing lot is zoned 1(b) Market Garden, there is a 50 metre wide tract of land running parallel with Gilmour Street that is zoned 2(a) Residential.

It should be noted that the proposed boundary does not follow the zone boundary, but rather is some 65 metres back from Gilmour Street.

Under Clause 27 of the Bathurst Regional (Interim) Local Environmental Plan 2005 the minimum area for an allotment created for the purposes of agriculture or a dwelling-house in the 1(b) Market Garden zone is 20 hectares.

Proposed Lots 10 and 11 are therefore contrary to Clause 27 and Clause 28 of the Bathurst Regional (Interim) Local Environmental Plan 2005, in that they will contain less than 20 hectares of 1(b) Market Garden zoned land.

The applicant has submitted a SEPP 1 Objection (see SEPP 1 Objection at **attachment 3**) in relation to the creation of Proposed Lots 10 and 11 which indicates the nature of the subdivision and their objection to the current standards because:

- The area of the existing lot is already less than the 20 hectare minimum;
- The existing lot is severed by the recently constructed levee bank;
- Land to the west of the levee can continue to be used for agricultural purposes; and
- The existing zoning was put in place prior to the construction of the levee and does not accurately reflect the current configuration.

Concurrence

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

Need for Council Concurrence

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

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

Kerb and Gutter in Gilmour Street

Council would be aware of the issue of the Christian Life Centre needing to construct kerb, gutter and footpath for the full frontage of the subject land to Gilmour Street. These conditions will be likewise imposed upon this consent.

Conclusion

The subdivision between the lots will not create any dwelling entitlements nor compromise the agricultural potential of the land. Accordingly the SEPP 1 Objection is supportable.

Financial Implications: Nil.

MINUTE

12 Item 5 DEVELOPMENT APPLICATION NO. 2010/0760 - TWO LOT SUBDIVISION AT 200 GILMOUR STREET, KELSO. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS. OWNER: BATHURST CHRISTIAN LIFE CENTRE INC

MOVED: G Westman SECONDED: T Carpenter

RESOLVED: That Council:

- (a) support the variation to the 1(b) – Market Garden zone 20 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 10 and proposed Lot 11;
- (b) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0760, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (c) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

6 DEVELOPMENT APPLICATION NO. 2010/0691 - DEMOLITION OF DWELLING, CONSTRUCTION OF THREE RESIDENTIAL UNITS AND THREE LOT SUBDIVISION AT 11 BAILLIE STREET, BATHURST. APPLICANT & OWNER: MR P & MRS J LE BRETON (DA 2010/0691)

Recommendation: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0691, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- (i) The developer is to submit amended plans showing the garage door for proposed Residence 1 relocated to the side elevation of the proposed building and therefore away from the front elevation.
 - (ii) The developer is to submit a photographic record of the existing cottage on the site prior to the commencement of demolition.
- (b) call a division.

Report: Council, at its Ordinary Meeting on Wednesday 15 September 2010, resolved to defer determination of Development Application 2010/0691 in light of additional information that had come to hand in relation to the provenance of the existing dwelling on the subject site. A copy of the previous report to Council is at **attachment 1**.

Council's Heritage Advisor, Manager Strategic Planning and Senior Strategic Planner met with the applicant on site to further inspect the dwelling in light of the additional information.

Description:

Council's Heritage Advisor confirmed the prefabricated construction of the dwelling and pointed out the typical Dutch characteristics including numerous corner shelves. Panels in the bedroom door and cupboard above the kitchen sink include painted abstract scenes, possibly of Holland. The dwelling sits on a concrete slab, is a timber framed building with studs approximately 750mm apart, with vertical timber weatherboards in-between and a gable roof clad in galvanised iron. A simple verandah, under a skillion roof, has been added to the street front. Windows are timber casement, with three panes per window.

It is evident there have been alterations made internally, including the removal of a partition wall. Overall, this is a basic dwelling primarily with one separate bedroom and a combined living, dining and kitchen area. The combined bathroom and laundry are a skillion addition to the rear of the main structure.

Dwelling History:

The economic position of the Netherlands after World War II produced mass emigration to Australia. Many Dutch settlers in Sydney were initially accommodated in camps outside the city in the Illawarra, Newcastle and Bathurst.

At the Ordinary Meeting on Wednesday 15 September 2010, a brief history of the dwelling, provided from the original owner, Mr Weist, was given. This history is summarised below:

- The dwelling was constructed as part of the temporary housing in Holland to

- accommodate families displaced by the bombing of WWII.
- Mr Weist relocated to Australia with his family after WWII and brought the relocatable dwelling. They were not allowed to take any finance out of Holland, but were allowed to bring the dwelling.
- The dwelling was brought over in a box and arrived in Sydney in 1949.
- Once it reached the docks at Sydney, it was lost for 2 years.
- Mr Weist contacted Ben Chifley who located the dwelling and organised for it to be brought up to Bathurst.
- After about 2 years occupation, there was a large flood and the Macquarie rose up to about mid way up the windows in the dwelling.
- The Weist's sold the property after the flood.
- The dwelling was only constructed as temporary accommodation.
- Mr Weist taught at Bathurst High School.

It is anticipated a meeting will be arranged between Council staff and the Weist family to record an oral history of the dwelling which will be included in Council's State Heritage Inventory, (SHI), database.

Conclusion:

As a result of the historical information that has come to light and the subsequent inspection of the dwelling, Council's Heritage Advisor recommended the following:

1. If the condition of the dwelling allows for its relocation, this would be a preferred alternative to demolition. Investigation for an interested party is being sought.
2. Council needs to accept the dwelling was only built as a temporary structure. Should relocation not be possible, or no interest arises in its relocation, a photographic record of the dwelling will be undertaken by the applicant, as previously recommended, prior to its demolition and a recorded history included in Council's SHI database.

Financial Implications: Nil.

MINUTE

13 Item 6 DEVELOPMENT APPLICATION NO. 2010/0691 - DEMOLITION OF DWELLING, CONSTRUCTION OF THREE RESIDENTIAL UNITS AND THREE LOT SUBDIVISION AT 11 BAILLIE STREET, BATHURST. APPLICANT & OWNER: MR P & MRS J LE BRETON

MOVED: G Hanger SECONDED: G Westman

RESOLVED: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0691, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - (i) The developer is to submit amended plans showing the garage door for proposed Residence 1 relocated to the side elevation of the proposed building and therefore away from the front elevation.
 - (ii) The developer is to submit a photographic record of the existing cottage on the site prior to the commencement of demolition.
- (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 T Carpenter, Cr G Hanger, Cr M Morse, Cr I North, Cr R Thompson, Cr P Toole, Cr G Westman.

Against the motion - Nil

Absent - Nil

Abstain - Nil

7 DEVELOPMENT APPLICATION NO. 2010/0649 – DEMOLITION OF EXISTING COMMERCIAL BUILDING, CONSTRUCTION OF SIX RESIDENTIAL UNITS AND SIX LOT SUBDIVISION AT 33 MORRISSET STREET, BATHURST. APPLICANT: BREMAR HOMES PTY LTD. OWNER: BREMWOOD GLASS PTY LTD (DA2010/0649)

Recommendation: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0649, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - (i) The developer is to submit a photographic record of the existing commercial building on the site prior to the commencement of demolition.
 - (ii) The developer is to submit details of colours and finishes prior to the issue of the Construction Certificate.
- (b) notify those that made submissions of its decision
- (c) call a division.

Report: The Site

Council has received a Development Application (DA) for the demolition of an existing commercial building, construction of six residential units and six lot subdivision at 33 Morrisset Street, Bathurst, described as Lot 1, DP 736313. A location plan is provided at **attachment 1**.

The subject site currently contains a commercial premises used for light industrial purposes (formerly Jacksons Glass).

The proposal

The proposal involves:

- Demolition of the existing commercial building on the site;
- Construction of six residential units; and
- Six lot residential subdivision (Torrens Title).

A plan of the proposed development is at **attachment 2**.

Planning Context

Bathurst Regional (Interim) Local Environmental Plan 2005

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

Clause 23 Protection of environmental heritage

The site in question is within the Bathurst Heritage Conservation Area and is therefore subject to the provisions of *Clause 23 Protection of environmental heritage*, of the Bathurst

Regional (Interim) Local Environmental Plan 2005.

In order to assess the conservation significance of the commercial building proposed for demolition an assessment under the *Bathurst Conservation Area Management Strategy* (BCAMS) was undertaken in consultation with Council's Heritage Advisor (see the full demolition report at **attachment 3** and Statement of Heritage Impact submitted by the applicant at **attachment 4**).

The following table provides a summary of the assessment.

Date of construction	1930s
BCAMS results:	
Integrity	3
Streetscape rating	1
Heritage significance	2
Overall rating (out of 10)	6
Significant historical matters	The main building was constructed for and by the Ashelford family in the late 1930s during an expansion of their soft drink manufacturing business.
Cost of repairs	Essential works - \$130,000 Desirable works - \$80,000 Total - \$210,000
Value of the existing fabric	The building has been identified in the Statement of Heritage Impact as not being a good example of 20 th century industrial heritage. It has also undergone extensive modification, with none of the original machinery remaining so is much altered.
Compliance with infill policy	The proposed infill development complies with Council's Residential Infill Policy.
Impact of demolition on streetscape	It is considered that this proposal will have a positive impact on the streetscape because the proposed single storey design of the units will result in a building form that better relates to the neighbouring building heights and that of the general streetscape.

As the building is substantially intact, (assessed from the appearance of the outside), it received a higher than median rating. However, its streetscape rating remains relatively insignificant. Overall, the industrial character of the existing building does not contribute to the residential character of the area.

The summary of the Statement of Significance from the SoHI for the existing commercial building is reiterated below:

- Documentary evidence illustrating a soft drink factory occurred on the site between 1856 and 1968.
- Manufacture of soda water and ice occurred in the 1960s.
- Existing structures constructed in the late 1930s and are directly related to the manufacture of soft drink.
- The site is associated with the Ashelford family who operated soft drink factories in Bathurst, Blayney and Lithgow between the 1920s and 1970s.
- All equipment associated with the manufacture of soft drinks has been removed from the site and the building has undergone extensive modification.

- This is an unremarkable example of a twentieth century building.
- The factory is representative of soft drink factories which were common across Australia from the late 19th, to early 20th centuries.

Based on the above, and given the subject building is not a good example of its type, it can be argued the proposed units will contribute to the significance of the conservation area by extending the range of forms and types of buildings within the conservation area. The former Australian Defence Industry, (ADI) site on Stewart Street provides a better example of a 20th century industrial building.

The demolition of the much altered industrial building, which does not contribute to the streetscape, will not result in a major loss of heritage significance of the area.

Both adjoining buildings are single storey residential buildings. The proposed single storey design of the units will result in a building form that better relates to the neighbouring building heights and that of the general streetscape. Generally, the eave height of the proposed units will be lower than adjoining dwellings, but will relate to that of 25 and 27 Morrisset Street, so will fit in with the streetscape. Roof forms within the street consist of both gable and hipped roofs, which is reflected in the design of the units. Proposed materials include face brick and Colorbond, which are acceptable. Windows are vertical, which will compliment the general proportions of other windows, and the units include a front verandah, which will ensure the character is complimentary to the streetscape.

Development Control Plan - Residential Housing

The following table provides a summary of compliance with Council's existing Residential Housing DCP.

Development Standard	Proposed	Permissible	Compliance
Min. lot size	1695m ²	690m ²	Yes
Density (persons/ha)	77.88 persons	88 persons	Yes
Height	Single storey	Two storey	Yes
Setbacks			
Front	1.0m	Consistent with existing	Yes
Rear	0.9m minimum	As per BCA	Yes
Side	0.9m minimum	As per BCA	Yes
Car parking			
Residence 1	2	1 per unit	Yes
Residence 2	2	1 per unit	Yes
Residence 3	2	1 per unit	Yes
Residence 4	2	1 per unit	Yes
Residence 5	2	1 per unit	Yes
Residence 6	2	1 per unit	Yes
Visitor	4	2	Yes
Accessway width	5m	3-6m	Yes
Open Space			
Residence 1	20m ²	20m ²	Yes
Residence 2	20m ²	20m ²	Yes
Residence 3	32m ²	20m ²	Yes
Residence 4	32m ²	20m ²	Yes
Residence 5	32m ²	20m ²	Yes
Residence 6	32m ²	20m ²	Yes
Subdivision (min. lot size)			
Lot 1	254.7m ²	230m ²	Yes
	254.7m ²	230m ²	Yes

Lot 2	296.9m ²	230m ²	Yes
Lot 3	296.9m ²	230m ²	Yes
Lot 1	298.3m ²	230m ²	Yes
Lot 2	298.3m ²	230m ²	Yes
Lot 3			

Submissions

The development application was advertised and notified to adjoining property owners from 20 September 2010 to 5 October 2010. During the advertising and notification period no submissions were received.

Conclusion

Council has received a Development Application (DA) for the demolition of an existing commercial building, construction of six residential unit and six lot subdivision at 33 Morrisset Street, Bathurst. Residential units are permissible with consent in the 2(a) Residential zone. The building has been identified in the Statement of Heritage Impact as not being a good example of 20th century industrial heritage. It has also undergone extensive modification, with none of the original machinery remaining so is much altered. It is considered that this proposal will have a positive impact on the streetscape because the proposed single storey design of the units will result in a building form that better relates to the neighbouring building heights and that of the general streetscape.

Financial Implications: Nil.

MINUTE

14 Item 7 DEVELOPMENT APPLICATION NO. 2010/0649 – DEMOLITION OF EXISTING COMMERCIAL BUILDING, CONSTRUCTION OF SIX RESIDENTIAL UNITS AND SIX LOT SUBDIVISION AT 33 MORRISSET STREET, BATHURST. APPLICANT: BREMAR HOMES PTY LTD. OWNER: BREMWOOD GLASS PTY LTD

MOVED: I North SECONDED: M Morse

RESOLVED: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0649, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - (i) The developer is to submit a photographic record of the existing commercial building on the site prior to the commencement of demolition.
 - (ii) The developer is to submit details of colours and finishes prior to the issue of the Construction Certificate.
- (b) notify those that made submissions of its decision
- (c) call a division.

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

The result of the division was:

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

Against the motion - Cr B Bourke, Cr T Carpenter.

Absent - Nil

Abstain - Nil

8 REVOLVING ENERGY FUND GUIDELINES (13.00061)

Recommendation: That the information be noted.

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

It is envisaged that the Revolving Energy Fund will help build the capacity of Council to pursue environmental and operational improvements and reduce its greenhouse gas emissions.

The Revolving Energy Fund will be managed by the Environmental, Planning & Building Services Department in accordance with the attached guidelines. Individual projects and initiatives will be assessed by Council's Internal Environment Committee, who will be responsible for:

- Reviewing project applications; and
- The provision of an annual report to Council outlining the Funds expenditure and the projects implemented as a result of the Fund.

Revolving Energy Fund monies will be accessed via an application to the Internal Environment Committee. Any Council employee will be eligible to apply for funds for a project with the approval of their relevant Department Head.

A set of guidelines for the administration of the fund have been developed. These are included as **attachment 1**.

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

MINUTE

15 Item 8 REVOLVING ENERGY FUND GUIDELINES

MOVED: T Carpenter SECONDED: I North

RESOLVED: That the information be noted.

9 EVOCITIES (18.00208)

Recommendation: That the information be noted.

Report: Evocities was launched in Sydney on 22 September 2010 in the Speakers Garden at Parliament House. The event was well attended with The Hon. Simon Crean, Minister for Regional Australia, Regional Development and Local Government officially launching the event. Dignitaries attending the event included:

-
- The Hon. Richard Torbay Member for the Northern Tablelands
- The Hon. Tony Kelly MLC Minister for Planning, Minister for Infrastructure, Minister for Lands
- Tony Windsor MP Federal Member for New England
- Michael McCormack Member for the Riverina
- Gerard Martin MP Member for Bathurst
- Gregory Aplin MP Member for Albury, Shadow Minister for Fair Trading
- Daryl Maguire MP Member for Wagga Wagga
- Peter Draper MP Member for Tamworth
- Russell Turner MP Member for Orange
- Adrian Piccoli MP Member for Murrumbidgee
- Dr Richard Sheldrake Director-General of Industry and Investment NSW
- Barry Buffier Deputy Director-General of State & Regional Development and Tourism

The campaign launch has already generated an impressive 254 (and counting) pieces of coverage. Quality media coverage was generated across the board, reaching audiences watching television, listening to radio, reading the newspaper or viewing the story online. A snapshot of the media coverage shows the reach of the campaign, with the Evocity story on the SMH website the most viewed story on September 22 with 79,800 people viewing the article.

Print articles	Online	Radio	TV
Daily Telegraph x 3, The Sydney Morning Herald, The Australian The Daily Advertiser The Daily Liberal	dailytelegraph.com.au, smh.com.au aca.ninemsn.com.au abc.net.au news.com.au thepunch.com.au	2GB Breakfast Talkback 2UE Drive Talkback Radio ABC Breakfast Talkback Radio 2SMBreakfast 2TM Tamworth ABC Western Plains NSW ABC Central West NSW ABC Riverina ABC New England NorthWest 2WG Wagga Wagga 2BS Bathurst The Border Mail Central Western Daily Armidale Express Northern Daily Leader Western Advocate	A Current Affair ABC1 7:30pm Report ABC2 News Breakfast SBS News Channel 10 5pm News

To mark the launch of the Evocities campaign, online polls were run by both A Current Affair and The Sydney Morning Herald with an average of 60% replying that they would consider a change to an Evocity. Further coverage and community engagement will be sought in the coming months using a combination of tactics, including the Welcome Back Campaign, EvoIndex, feature placements and ongoing case study placements.

The Evocities website has received 15,000 unique visits. Individual EvoJob websites constructed for the 7 Evocities with ,172 employers accounts created, 58 agencies accounts created,- 453 jobs added in 1st x 2 weeks of evo-jobs going live and 341 user accounts generated during the month of September.

At the time of writing this report Bathurst Regional Council has received over 70 enquiries directly measured from the Evocities Campaign. Over 60 have been relocation enquiries, approximately five (5) regarding property investment and three (3) enquiring for a potential business relocation.

Council's response mechanisms ensures that all enquiries are acted upon immediately with an email being sent with website links within minutes of receiving the enquiry , and lifestyle packages put in the post the same day. Council's Manager of Economic Development follows up personally on the business relocation and property investment enquiries. All enquiries received over the weekend period are acted upon Monday morning.

Bathurst Regional Council's new lifestyle and investment website www.bathurstregion.com.au has received over 3,253 page visits which is an impressive result with the site being 'live' only for a three week period.

A detailed report regarding Evocities marketing and media coverage will be provided at the November Council meeting.

A copy of the Evocities project summary will be provided to Councillors under separate cover.

Financial Implications: Nil.

MINUTE

16 **Item 9 EVOCITIES**

MOVED: R Thompson SECONDED: G Westman

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink, appearing to read "D R Shaw". The signature is written in a cursive style with a large loop at the end.

D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT
20 OCTOBER 2010

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 20 OCTOBER
2010**

General Manager
Bathurst Regional Council

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$57,521,107.58 was invested at 30 September 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)

Reserve Bank of Australia - Cash Rate	4.50%
AFMA - 90 day Bank Bill Swap Rate (BBSW)	4.51%
Three Year Swap Rate - Commonwealth	4.94%

Short Term 1 – 365 Days

(Comprising Commercial Bills,

Debentures and Certificates of

Deposit:

	<u>Rating</u>		<u>Average Return</u>
Bankwest	A-1+	\$7,000,000.00	6.09%
Bank of Queensland	A-2	\$1,000,000.00	6.18%
Bendigo and Adelaide Bank Ltd	A-2	\$6,000,000.00	6.17%
IMB Ltd	A-3	\$9,000,000.00	6.13%
National Australia Bank	A-1+	\$3,000,000.00	6.08%
Railways Credit Union	ADI	\$5,500,000.00	6.20%
Reliance Credit Union	ADI	\$1,000,000.00	6.04%
Savings and Loans Credit Union	ADI	\$4,000,000.00	6.15%
SGE Credit Union	ADI	\$2,500,000.00	6.19%
Westpac Banking Corporation	A-1+	<u>\$1,000,000.00</u>	<u>6.15%</u>
		\$40,000,000.00	6.14%

Long Term

(comprising Commercial Bills, Term

Deposits and Bonds):

Railways Credit Union	ADI	<u>\$2,000,000.00</u>	<u>6.25%</u>
		\$2,000,000.00	6.25%

Committed Rolling Investments

Westpac	AA	\$2,000,000.00	5.93%
Westpac	AA	<u>\$2,000,000.00</u>	<u>6.07%</u>

		\$4,000,000.00	6.00%
<u>Community Income Note</u>			
*Rembrandt Australia Trust		<u>\$931,107.58</u>	<u>0.00%</u>
(refer to DCSF C#1 report of 19/3/2008)		\$931,107.58	0.00%

Negotiable & tradeable Certificates of Deposits

Commonwealth Bank	AA	<u>\$2,000,000.00</u>	<u>5.82%</u>
		\$2,000,000.00	5.82%

Floating Rate Notes

ANZ	AA	\$2,000,000.00	5.93%
Barclays Bank PLC – Australian Branch	AA-	\$2,000,000.00	6.49%
Bendigo Bank 2007	BBB	\$2,000,000.00	6.08%
Lehman Brothers Treasury Co		\$90,000.00	0.00%
Mackay Permanent building Society	BBB-	\$500,000.00	5.79%
The Royal Bank of Scotland – Australian Branch	A+	<u>\$2,000,000.00</u>	<u>7.20%</u>
		<u>\$8,590,000.00</u>	<u>6.32%</u>

Total Investments \$57,521,107.58 6.05%

These funds were held as follows:

Reserves Total (includes unexpended loan funds)		\$35,078,760.06	
Grants held for specific purposes		\$3,863,661.38	
Section 94 Funds held for specific purposes		\$18,550,088.78	
Unrestricted Investments – All Funds		\$28,597.36	
*General Fund	\$8,328.08		
*Water Fund	\$8,453.41		
*Sewer Fund	\$4,555.65		
*Waste Fund	<u>\$7,260.22</u>		

Total Investments \$57,521,107.58

Total interest revenue to 30/09/2010 on investments \$813,555.11 6.05%

**R Roach
Responsible Accounting Officer**

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

MINUTE

17 Item 1 STATEMENT OF INVESTMENTS

MOVED: B Bourke SECONDED: W Aubin

RESOLVED: That the information be noted.

2 YEAR TO DATE REVIEW - 2010/2011 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 and 2** is the revised summary and detail of the Management Plan and Budget for the period to 30 September 2010.

	Original Estimate	Previously Revised Estimate	Revised Estimate	Variance for the Month
Engineering Services	12,535,291	12,590,922	12,590,922	0
Corporate Services & Finance	(20,125,874)	(20,181,505)	(20,181,505)	0
Cultural & Community Services	4,437,528	4,437,528	4,437,528	0
Environmental Planning & Building Services	3,050,100	3,050,100	3,050,100	0
TOTAL	(102,955)	(102,955)	(102,955)	0

Variations for the Month of September

- Increased Expenditure - Carryover works from 2010 - \$11,872,377
 - Increased Income - Transfer from Reserve - (\$11,872,377)
- (Refer to the Director Corporate Services & Finance Report #7 to the Ordinary Meeting of Council held 15 September 2010.)

At **attachment 3** is an update of Strategies for the 2010/2011 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.

Fines or penalty notices this month - Nil.

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

MINUTE

18 Item 2 YEAR TO DATE REVIEW - 2010/2011 MANAGEMENT PLAN AND BUDGET

MOVED: M Morse SECONDED: I North

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 30 September 2010.

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

Section 356:	\$45,579.83
BMEC Community use:	\$57,938.27
Mount Panorama :	\$30,000.00

MINUTE

19 Item 3 SUNDRY SECTION 356 DONATIONS AND BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY

MOVED: G Hanger SECONDED: M Morse

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

4 POWER OF ATTORNEY (11.00007)

Recommendation: That the information be noted.

Report: That the General Manager's action in affixing the Power of Attorney to the following be noted.

- N & S Cole - Freeman Circuit - Lot 701 DP1155783 - Transfer
- McIntosh McPhillamy & Co - Conveyancing Agreement
- Bathurst Aero Club - Bathurst Aerodrome - Lot 1 DP1085658, Lot 11 & 13 DP1024590 - Lease
- Optus Mobile P/L - Walmer Park - Lot 2 DP1140980 - Lease
- B & V Mair - Freeman Circuit - Lot 707 DP1155783 - Transfer
- J & M Dorman - Freeman Circuit - Lot 704 DP1155783 - Transfer
- R & L Groves - Freeman Circuit - Lot 722 DP1155783 - Transfer
- J Conell & T Evers - Freeman Circuit - Lot 714 DP1155783 - Transfer
- J & L Guy - Freeman Circuit - Lot 708 DP1155783 - Transfer
- T McNee - Freeman Circuit - Lot 711 DP1155783 - Transfer
- M & N WindwoodSmith - Freeman Circuit - Lot 713 DP1155783 - Transfer
- N Wood - Freeman Circuit - Lot 703 DP1155783 - Transfer
- C English & J Medhurst - Swanbrooke Street - Lot 904 DP1134978 - Transfer
- L & P Cutler - Mc Girr Street - Lot 412 DP1150519 - Transfer
- J Clements - Freeman Circuit - Lot 715 DP1155783 - Transfer
- P & H Petrie & Petrie Hybrid TC P/L- Freeman Circuit - Lot 730 DP1155783 - Transfer
- P Larse & S Baumberger - Freeman Circuit - Lot 717 DP1155783 - Transfer
- G Ireland College Road and Conrod Street - Lot 1 DP749758 & Lot 117 DP750357 - Licence
- G Harper - Freeman Circuit - Lot 732 DP1155783 - Transfer
- Maxhire P/L Lee Street, Kelso - Lot 1 DP1001027, Lot 16 DP712917 & Lot 1 DP1090555

Linen Plan Release

- Buttsworth/Country Energy/BRC - Easement for Overhead Powerlines - Toronto Street, Kelso
- Ratsep/Trinity Heights-Brown - 33 Lot Residential Subdivision - Stage 14 - Marsden Lane, Kelso

Financial Implications: Nil.

MINUTE

20 Item 4 POWER OF ATTORNEY

MOVED: G Westman SECONDED: I North

RESOLVED: That the information be noted.

**5 REQUEST FOR FINANCIAL ASSISTANCE - WATTLE FLAT BRONZE THONG
(18.00004, 23.00114)**

Recommendation: That Council:

- (a) donate \$200 to the Wattle Flat Progress Association towards the running of the 2011 Wattle Flat Bronze Thong Bush Race and Gymkhana.
- (b) provide the Council marquee at no cost to be funded from Section 356 donations.
- (c) provide in-kind assistance as detailed in the report.

Report: Council has received a request from the Wattle Flat Progress Association for Council to provide financial and in-kind assistance to support the Wattle Flat Bronze Thong Bush Race & Gymkhana to be held on 7 & 8 January 2011. A copy of the request is provided at **attachment 1**. The Wattle Flat Progress Association has also requested the provision of a marquee to provide more cover from the weather. Council has a marquee stored at 7 Lee Street, Kelso which could be made available. The cost of hiring the marquee is \$132.00.

The Wattle Flat Bronze Thong has been held over many years at the racecourse at Wattle Flat. The Bronze Thong is a family day that involves athletic events, sack races, a thong throwing competition and a gymkhana.

Council has assisted the Wattle Flat Progress Association in previous years through the provision of financial assistance of \$200 towards running costs and in-kind assistance such as printing of programs and the use of signage for parking, toilets, etc.

Financial Implications: This request for \$332.00 could be funded from Council's Section 356 Donations which currently has a balance of \$45,579.83.

MINUTE

21 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - WATTLE FLAT BRONZE THONG

MOVED: B Bourke SECONDED: G Westman

RESOLVED: That Council:

- (a) donate \$200 to the Wattle Flat Progress Association towards the running of the 2011 Wattle Flat Bronze Thong Bush Race and Gymkhana.
- (b) provide the Council marquee at no cost to be funded from Section 356 donations.
- (c) provide in-kind assistance as detailed in the report.

**6 UPPER MACQUARIE COUNTY COUNCIL (UMCC) - ADDITIONAL FUNDS
(16.00121-02/036)**

Recommendation: That Council request UMCC to spend funds only on declared noxious weed control.

Report: Contained within the 2010/11 Management Plan is amount of \$35,000 as additional contribution to Upper Macquarie County Council to assist their organisation in noxious weed control.

Council has advised Upper Macquarie County Council of Council's decision to spend these additional funds on weed control within the Bathurst Regional Council area. Upper Macquarie County Council have written to Council (see **attachment 1**) requesting that \$5,000 of the \$35,000 contribution be used on a "small trial" of control methods for Blue Heliotrope and the balance of \$30,000 be spent on control of declared noxious weeds.

Upper Macquarie County Council have advised that Blue Heliotrope is not a declared noxious weed and therefore would be outside of Council's directive that the \$35,000 be spent on control of declared noxious weeds in the Bathurst Regional Council area.

Financial Implications: Council has allowed \$35,000 in the 2010/2011 Management Plan.

MINUTE

22 Item 6 UPPER MACQUARIE COUNTY COUNCIL (UMCC) - ADDITIONAL FUNDS

MOVED: R Thompson SECONDED: B Bourke

RESOLVED: That Council:

- (a) approve UMCC spending \$35,000 on weed control in the Bathurst Regional Council area
- (b) included in this is that Bathurst Regional Council engage UMCC as its agent to control Blue Heliotrope in the Bathurst Regional Council area, up to a value of \$20,000.

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

DIRECTOR ENGINEERING SERVICES' REPORT

20 OCTOBER 2010

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL MEETING HELD ON 20 OCTOBER 2010**

General Manager
Bathurst Regional Council

**1 TRANSFER OF CROWN LAND - LOT 1 AND LOT 2 DP955967 BATHURST WATER
SUPPLY (25.00436)**

Recommendation: That Council approve the transfer of Lot 1 and Lot 2 DP955967 to Council's care and control and classify the land as Operational, as per the Director Engineering Services' report.

Report: Lot 1 and Lot 2 DP955967 are parcels of land located between White Rock Road Kelso and the Macquarie River Bathurst containing the rising main for the Bathurst water supply. Please refer to sketch plan at **attachment 1**.

Following construction of the rising main, notice of resumption of the properties was published in the Government Gazette by the Minister of Public Works on 5 November 1912, and notice of vesting of the land in Council's name was published by further Government Gazette dated 6 April 1956. The properties are still in the name of the Minister of Public Works.

To finalise the transfer of the properties to Council, it is recommended that Council make application to the Department of Services Technology and Administration for the deeds.

It is recommended that Council approve the transfer of Lot 1 and Lot 2 DP955967 into its care and control and classify the property as Operational Land.

Financial Implications: It is estimated the transfer of the properties will cost \$1,000. The finalisation will be funded from the Water Maintenance and Repairs Fund.

MINUTE

23 Item 1 TRANSFER OF CROWN LAND - LOT 1 AND LOT 2 DP955967
BATHURST WATER SUPPLY

MOVED: B Bourke SECONDED: G Westman

RESOLVED: That Council approve the transfer of Lot 1 and Lot 2 DP955967 to Council's care and control and classify the land as Operational, as per the Director Engineering Services' report.

2 WASTE MANAGEMENT CENTRE COMPOSTING (14.00053)

Recommendation: That the information be noted.

Report: At the September Policy Committee, Councillor North requested information on the status of green waste bins. The following report is submitted to provide Councillors with an update on works being carried out at the Waste Management Centre relating to green waste.

During the course of 2009, Council's Solid Waste Section started to investigate carbon based waste streams at the landfill, and how these waste streams can be successfully diverted and converted to products with an end use - in essence the goal being to have a waste stream with a full diversion from landfill.

Green waste was identified as the main waste stream which had the most potential to be reduced, reprocessed, and then reused – however, historically this has only been done on a small scale. Organics which are dropped off at the Waste Management Centre are chipped, and then given away as mulch to the public.

While this diverts organics from landfill, the end product is contaminated with small amounts of general waste. This is not desirable and it does not meet the standards for a compost or soil conditioner.

A low cost/labour composting process has been successfully trialled in Goulburn, Condobolin, and Queanbeyan, collectively known as the 'City to Soil' project. After a site inspection of the Goulburn Waste Management Centre, it was decided to use the model to undertake a trial which converted chipped green waste into compost. The philosophy behind City to Soil is to divert kitchen and garden waste from landfill and use it to make a product which has a commercial value while using limited plant and labour. This project however involves kerbside collection of organics (including food waste), however this has not been adopted as part of the Bathurst trial.

The trial started in mid 2009, with three pilot scale chipped green waste trials established using commercial composting agents and various feed stocks.

The trials conducted were:

1. Chipped Green Waste using added sewerage bio solids
2. Chipped Green Waste using commercial factory bio solids (meat based)
3. Chipped Green Waste only using no feed stock

As part of the trial, Council monitored the results of composting chipped green waste, tested bacterial levels, and looked at different combinations of materials to find out what feedstock/organics composted deliver the best results. By undertaking the trial, Council is working to convert green waste, which is delivered to the Waste Management Centre into a commodity which can have some commercial and beneficial value.

The main goal of the trial is to give chipped green waste, and organics deposited at the landfill an end use, and therefore enable their diversion from landfill.

The compost trial was a success with all three trials receiving a classification of “A” in Contaminant and Stabilisation Grades in the Australian Standard for AS4454. The product can then be used in a number of land applications such as home lawns and gardens, public contact sites, urban landscaping, agriculture, forestry, soil and site rehabilitation, landfill disposal and surface land disposal (restrictions apply to the selection of locations for surface land disposal).

An important point to emphasise is that Council has the opportunity to convert chipped green waste into a beneficial compost product with relatively low labour and infrastructure costs.

Currently the products are being used in Council's School Garden project.

At present chipped green waste is being composted on a much larger scale towards the 1000 cubic metre limit, with a combination of meat and sewage treatment bio-solids. This has the potential to become larger however more staff and infrastructure would be needed to do this full time.

Potential Future Directions

- Continue composting chipped green waste on site with existing labour with Council to use products
- Look at possible green waste and organics collection from 2012 in conjunction with the opening of the 'Hub'
- Landfill gas project – possible complete shift towards diverting organics into landfill for increased power production through landfill gas power generation
- Contracted green waste and possible organics collection pending the introduction of National Greenhouse and Energy Reporting legislation

Landfill Gas Production

Since its inception the landfill gas project has run on methane generated from primarily organics deposited in the landfill. Again the opportunity exists for green waste collection, however in a slightly different way.

As Trans Pacific International has recently put the landfill gas project out as an expression of interest to other companies, with 5 organisations visiting the flare at the Bathurst Waste Management Centre, so too has green waste become the focus on increased methane production for power.

More power can be produced from more landfill gas – in essence this can be achieved by collecting as much organic material as possible, with the focus being to divert green waste and organics into the landfill rather than out of it.

This is a possibility given the available space which is anticipated to last for the next 50 years at current projections.

Pending the outcomes of interested parties in the generation of power from landfill gas, primary focus could be put toward making additional power to grid, with the use of organics without the hassle of integrated additional collection. ie – power can be generated from landfill with the addition of making the site completely carbon neutral, and possibly even carbon negative plus making income from the process using organics.

Current Direction regarding Organics

Council will continue to divert as much organic material from the landfill as possible, keeping in line with State Government Legislation. Green waste will still be collected at the Waste Management Centre and diverted by way of separation at the transfer station. The product will be chipped by and composted in-house for use within Council and not sold commercially at this stage.

A green waste / organics collection is still on hold until further developments in the 'Hub' venture outside of Orange. This may give Council an opportunity to join into a green waste / organics collection with an existing Council contract.

Until such a time where landfill gas becomes more a primary focus, Council will strive to divert green waste from landfill. Current diversion figures indicate just over 3,000 tonnes have been saved from Council's landfill.

Currently the Federal Government's Green House Gas Reduction Scheme has been shelved. Until legislative changes are made, the current collection system will remain the same. Council is concentrating on Composting existing products, and educating the public on diverting organics through home composting, or taking their organics to the Waste Management Centre direct.

Kerbside collection

Should a review of all available options determine that a green waste kerbside collection is the option with the greatest merit, then in order to collect the full range of green wastes and kitchen organics Council would require the following factors:

- Increased rates to pay for the service
- Purchase of additional new collection vehicles to collect the material, or companies to do this on a contractual basis
- The agreement of Councillors, ratepayers, and Council management to support and participate in such a collection
- An end process for the material
- An end market for the material
- An education format to platform the idea on

Without such support by Council, an organics collection can have devastating costs and problems. These have been experienced by Penrith Council with over 50% of all organics collected being contaminated.

Instead of a third "organics" bin, the project has become a third "waste" bin. Any move towards this third bin must be developed with costs, an education strategy, and an end use diversion result as paramount.

With the approval of the 'Hub' venture by Orange City Council, there is likely to be an opportunity to participate in a combined organics collection contract.

Ongoing contact with Orange Council will enable this possibility to be developed further to enable a robust consideration along with other options.

The provision of a build and run organics facility is real, and the opportunity to remove future organics from the municipal stream may be available within the next two years.

Financial Implications: Nil.

MINUTE

24 Item 2 WASTE MANAGEMENT CENTRE COMPOSTING

MOVED: T Carpenter SECONDED: G Westman

RESOLVED: That the information be noted.

3 PROPOSED TRANSFER OF UNNAMED CROWN ROAD OFF CHRISTIE STREET AND FROME STREET RAGLAN (22.00270-03)

Recommendation: That Council not approve the transfer of the Crown Road off Christie Street and Frome Street, between Nelson and Locke Street Raglan, as detailed in the Director Engineering Services' report.

Report: Council has received a petition (please see **attachment 1**), signed by 8 residents, for the transfer of a Crown Road being a lane way off Christie Street and Frome Street, between Nelson Street and Locke Street, Raglan (refer site map at **attachment 2**).

For improved maintenance of the lane way, the assignees request that Council apply to have the Crown Road transferred to its care and control.

Council has investigated the lane way and found:

- a) There are 15 properties adjoining the lane way of which 10 have an existing gateway access;
- b) The lane way is a Crown Road; and
- c) The lane way consists of gravel and grassed carriageway in a reasonable condition. There is a drainage problem at its southern end.

Council resolved, in part, at its meeting of 31 January 2007, before accepting a Crown Road into its care and control, that the road be constructed to Bathurst Regional Council Guidelines for Engineering Works. Construction is to occur under the supervision of Council.

As the rear access lane is a Crown Road, The Crown places responsibility for road maintenance on the road users. However, residents whose properties have access via Crown Roads can request road grading assistance from Council, at their own cost.

It is recommended that Council not approve the transfer of the Crown Road off Christie Street and Frome Street between Nelson Street and Locke Street, Raglan.

Financial Implications: Nil.

MINUTE

25 Item 3 PROPOSED TRANSFER OF UNNAMED CROWN ROAD OFF CHRISTIE STREET AND FROME STREET RAGLAN

MOVED: G Westman SECONDED: R Thompson

RESOLVED: That Council not approve the transfer of the Crown Road off Christie Street and Frome Street, between Nelson and Locke Street Raglan, as detailed in the Director Engineering Services' report.

4 PROPOSED ROAD CLOSURE AT LOT 2 DP554840 AND PARTIAL ROAD CLOSURE WIMBLEDON ROAD, GEORGES PLAINS (25.00447)

Recommendation: That Council approve the proposed closure of the unnecessary road Lot 2 DP554840 and the partial road closure of the old Wimbledon Road, Georges Plains, as detailed in the Director Engineering Services' report. The closed sections of road are to be classified as Operational Land.

Report: Prior to the amalgamation, the former intersection of Trunkey Road and Wimbledon Road at Georges Plains was located to the north of its present location. To improve driver safety and allow the construction of a new bridge over the Georges Plains Creek, the new location of Wimbledon Road was dedicated to the public as road while the former location remained opened to the public as well.

The section of old Wimbledon Road (also known locally as Native Home Road) and Lot 2 DP554840, a splayed section created in 1972, are Council Public Roads.

It is these sections of road (please refer to sketch plan at **attachment 1**) which are considered as being unnecessary road and should be closed. It is proposed, that once the sections of road are closed and transferred to Council, Council will offer the old Wimbledon Road to adjoining owners for acquisition and consolidation into their existing parcels.

It is recommended that Council approve the closure of the sections of unnecessary road and classify the property as Operational Land.

Financial Implications: The road closures, transfers of the land and plan registration is to be financed from the Road Opening and Closing Fund.

MINUTE

26 Item 4 PROPOSED ROAD CLOSURE AT LOT 2 DP554840 AND PARTIAL ROAD CLOSURE WIMBLEDON ROAD, GEORGES PLAINS

MOVED: M Morse SECONDED: W Aubin

RESOLVED: That Council approve the proposed closure of the unnecessary road Lot 2 DP554840 and the partial road closure of the old Wimbledon Road, Georges Plains, as detailed in the Director Engineering Services' report. The closed sections of road are to be classified as Operational Land.

5 PROPOSED ROAD WIDENING - LOT 3 DP263392 MITCHELL HIGHWAY ROBIN HILL (25.00340)

Recommendation: That Council approve the proposed road widening affecting Lot 3 DP263392 on the Mitchell Highway at Robin Hill, and dedicate the road to the public, as detailed in the Director Engineering Services' report.

Report: Following the construction of the roundabout at the intersection of the Mitchell Highway, Bradwardine Road and Vittoria Street at Robin Hill, it has been found necessary to widen the road to cater for construction of a drainage line adjacent to the carriageway. The road widening encroaches onto Lot 3 DP263392 which is property in Council's ownership. Please refer to sketch plan at **attachment 1**.

It is recommended that Council approve the road widening affecting Lot 3 DP263392 and dedicate the road to the public.

Financial Implications: The costs for the acquisition are to come from Roadway Opening and Closing Account.

MINUTE

27 Item 5 PROPOSED ROAD WIDENING - LOT 3 DP263392 MITCHELL HIGHWAY
ROBIN HILL

MOVED: I North SECONDED: G Westman

RESOLVED: That Council approve the proposed road widening affecting Lot 3 DP263392 on the Mitchell Highway at Robin Hill, and dedicate the road to the public, as detailed in the Director Engineering Services' report.

6 CONTRIBUTION TO UNDERGROUND POWER (16.00121)

Recommendation: That Council approve the contribution of \$200,000 to Country Energy for part cost of converting the overhead power to underground in Howick Street between Havannah and Seymour Street.

Report: Council would be aware that funding of \$200,000 has been allocated in the 2010 / 2011 Management Plan for a part contribution to extending the underground power throughout the centre of Bathurst.

Initial discussion with Country Energy highlighted that although they have carried out a considerable amount of conversion of overhead power to underground they could no longer justify extension of this program on benefit cost grounds.

Further discussion with Country Energy resulted in agreement that with a contribution from Council that further investment from them in extension of the network would be appropriate.

Country Energy has carried out investigations into sites at a number of locations with subsequent discussions with Council resolving the most appropriate location for completion of this work in the current financial year being Howick Street between Havannah and Seymour Streets.

The estimate of cost for the conversion of this block to underground power by Country Energy is \$400,000. At **attachment 1** is a layout sketch with the estimate of cost provided by Country Energy.

This location has considerably heavy tree cover, is adjacent to the Central Business District and the Sportsground and meets the aims of this program.

Contribution Details

Name and Address	Country Energy Cnr Littlebourne Street and Hampden Park Road KELSO NSW 2795
Particulars of any related Body Corporate that will carry out any obligations under this agreement or gain a benefit from the agreement	Not applicable
Date agreement became effective	21 October 2010
Duration of agreement	Completion by 30 June 2011
Contribution Particulars	Contribution to part cost of provision of underground power in Howick Street between Havannah and Seymour Streets
Estimated amount payable	\$200,000
Provisions under which contribution may be varied	Not applicable
Provisions with respect to renegotiation of contribution	Not applicable

Financial Implications: An allocation of \$200,000 has been provided in the 2010 / 2011 Management Plan for Contribution to underground power.

MINUTE

29 Item 6 CONTRIBUTION TO UNDERGROUND POWER

MOVED: T Carpenter SECONDED: I North

RESOLVED: That Council approve in principle the contribution to Country Energy of \$200,000 for the upgrade of power and that further options be explored.

MINUTE

28 Item 6 CONTRIBUTION TO UNDERGROUND POWER

MOVED: G Westman SECONDED: B Bourke

That Council approve the contribution of \$200,000 to Country Energy for part cost of converting the overhead power to underground in Howick Street between Havannah and Seymour Street.

The **MOTION** was **PUT** and **LOST**.

7 ASSET MANAGEMENT PLANS (03.00170)

Recommendation: That Council place the Asset Management Plans for Water, Sewer, Buildings, Drainage and Parks and Recreation on public exhibition for 28 days, inviting comments.

Report: Council will recall the report to the May 2010 meeting in which asset management plans for Urban Roads, Rural Roads, Bridges and Culverts and Footpaths and Cycleways were presented for Council's information and subsequent adoption.

In brief, an Asset Management Plan is one developed for the management of one or more infrastructure assets that combines multidisciplinary management techniques (including technical and financial) over the lifecycle of the asset in the most cost-effective manner to provide a specified level of service. A significant component of the plan is a long-term cash flow projection for the activities.

A NATIONAL ASSET MANAGEMENT FRAMEWORK

Assets deliver important services to local communities. A key issue facing local governments throughout Australia is the management of ageing assets in need of renewal and replacement. Infrastructure assets such as roads, drains, water and sewerage assets, bridges and public buildings present particular challenges as their condition and longevity can be difficult to determine, and the increasing demands in terms of quality and standards. The creation of new assets also presents challenges in terms of funding for initial construction and ongoing service costs.

There are seven elements of a national framework identified which include:

1. Development of an asset management policy;
2. Strategy and planning;
3. Governance and management arrangements;
4. Defining levels of service;
5. Data and systems;
6. Skills and processes;
7. Evaluation;

Following on from the previous report Bathurst Regional Council has completed the remaining asset management plans which include the following assets:

- Water
- Sewer
- Buildings
- Drainage
- Parks and Recreation

At **attachment 1**, **attachment 2**, **attachment 3**, **attachment 4** and **attachment 5** are copies of each of these plans.

In accordance with the guidelines for preparation of Asset Management Plans, each of the above plans have identified a renewal funding gap (shown below) that highlights the current short fall of annual funding required to maintain Councils assets to an accepted standard.

Asset Management Plan	Funding Gap (<i>Average Annual</i>)

Water	\$522,581
Sewer	\$115,324
Buildings	Insufficient data
Drainage	\$443,260
Parks and Recreation	\$353,000

Provision and adoption of additional Asset Management Plans will further highlight the growing funding gap between the community's expectations and the ability to fund these levels of service.

Some assets can cost as much as five times the initial construction cost for total life cycle costs of the asset therefore initial construction of an asset is only a part of the commitment that Council decides upon and commits to.

The overall asset planning and financial planning is an essential part of managing the community assets and providing sustainable infrastructure, moving from annual financial planning to a long term financial plan and strategy.

The Asset Management Plans are now submitted for Council's consideration.

Financial Implications: Funding will need to be incorporated into annual Management Plans.

MINUTE

30 Item 7 ASSET MANAGEMENT PLANS

MOVED: W Aubin SECONDED: I North

RESOLVED: That Council place the Asset Management Plans for Water, Sewer, Buildings, Drainage and Parks and Recreation on public exhibition for 28 days, inviting comments.

Yours faithfully



Doug Patterson
**DIRECTOR
ENGINEERING SERVICES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT
20 OCTOBER 2010

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 20 OCTOBER
2010**

General Manager
Bathurst Regional Council

**1 INDENT TEN YEAR TOUR AND SKILLS ENHANCEMENT PROGRAM (SEP)
(11.00020)**

Recommendation: That the information be noted.

Report: The Bathurst Regional Youth Council has been successful in being included in the Indent Ten Year Tour.

Now in its tenth year, Indent - a project of MusicNSW - emerged from the 1996 Drug Summit where participants agreed that providing young people with entertainment in a safe drug and alcohol free environment was not only a practical way to give 12-25 year olds something fun to do, but would also provide a great platform from which to launch careers in the Australian music industry.

Three years after the initial idea was flagged, and in consultation with 120 young people actively involved with providing underage music events, a financial commitment was made to run a three-year program, Indent (**I**ndependent **E**ntertainment) was born.

Since its formal launch in October 2000, Indent has emerged as one of Australia's most successful live music and professional development programs; achievements include:

- Supporting young people to put on more than 1,000 underage all ages events;
- Conducted over 200 workshops to young people wanting to launch a career in the music industry;
- Distributed nearly \$1million in grants to people putting on their own gigs via our Partnerships Grants Program;
- Provided practical skills and access to thousands of young people across NSW (teams fluctuate from between 6-16 members per gig depending on the size of the show/region);
- Given more than 6,272 emerging artists centre stage at our events; and
- Funds around 99 events each year.

The Bathurst Regional Youth Council have been successful in securing funding through Indent over a number of years to assist staging youth music events in Bathurst.

MusicNSW is proud to announce the Indent Ten Year Tour, supported by NRMA Motoring & Services, in celebration of ten years of live all-ages drug and alcohol free events.

The Indent Ten Year Tour kicked off in Newcastle on September 24, before winding its way across NSW delivering the best in live music to Cessnock, Sydney, Tamworth, Byron Bay, Tuncurry, Bathurst, Wagga, Bega and Batemans Bay. Headlined by one of Australia's finest hip-hop artists Urthboy with Jane & El Gusto, each event is supported by emerging local artists. In each location, Indent is working with teams of young people (12–25 year olds) who manage the event completely - from programming, logistics and site management to making sure the word gets out.

Young people in regional NSW aged 12-25 are given the rare opportunity to stage a professional gig with a national headliner. The skills and experience they will gain through the project is valuable from educational and social perspectives, but also ensure regional locations get a healthy dose of live music culture and the industry is provided with a steady stream of up-and-comers well quipped with practical skills.

Skills Enhancement Program (SEP)

Through the Skills Enhancement Program (SEP) a pilot program between TAFE and Music NSW, six of the Bathurst Regional Youth Councillors have secured specific roles to undertake as part of the staging of the Bathurst leg of the tour on Sunday 3 October 2010 at BMEC. This gave these young individuals the chance to obtain a TAFE qualification at the conclusion of the event. The remaining Youth Councillors assisted with the event, acting as a "street team" and will undertake tasks including assisting with promotion and other various tasks.

Post Event update

The Bathurst leg of the 10 year tour, held on Sunday, 3 October 2010 at the Bathurst Memorial Entertainment Centre, attracted approximately 165 people all of whom enjoyed the event. The SEP candidates undertook all tasks pertaining to their roles with professionalism and exceptional work ethic. These Youth Councillors will now have their involvement assessed by TAFE.

During the afternoon Indent conducted round table discussions; the purpose of which was to provide local input into the contemporary music scene in Bathurst to assist with Music NSW's strategic planning, ten people attended this session. "Urthboy and El Gusto" also conducted a workshop with interested locals. Twenty young people attended this session including some Aboriginal young people who had recently participated in the Aboriginal Performing Arts Program at the Kelso Community Centre. The young people in attendance enjoyed learning about Urthboy's journey in the music industry.

Financial Implications: Bathurst Regional Council contributed to this event through the resources of its Youth Development Officer and financial support was provided by Indent MusicNSW.

MINUTE

31 Item 1 INDENT TEN YEAR TOUR AND SKILLS ENHANCEMENT PROGRAM
(SEP)

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

RESOLVED: That the information be noted.

2 60TH ANNIVERSARY CELEBRATIONS OF THE BATHURST TEACHERS COLLEGE (18.00051)

Recommendation: That Council:

- (a) Provide a subsidised '3 facility pass' for attendees of the 60th Anniversary Celebrations for the Bathurst Teachers' College
- (b) Subsidise \$5.20 per pass from the Section 356 Donations.

Report: Charles Sturt University (CSU) have approached Council to provide a '3 facility pass' to attendees of the 60th Anniversary Celebrations of the Bathurst Teachers College to be held from 11–13 March 2011. The passes would enable visitors to attend Chifley Home and Education Centre, the Australian Fossil and Mineral Museum and the National Motor Racing Museum at a discounted rate. CSU propose that the passes are pre-ordered and collected from Council for pre-purchase distribution prior to the weekend activities. CSU have provided initial estimates of 100 people attending this event.

Council will be hosting a Mayoral Reception for this function at the Bathurst Memorial Entertainment Centre (BMEC) on Friday, 11 March 2011.

It is proposed that a discount of 20% be provided for this activity on the current rates for entry, this would equate to:

	Normal Entry	Discounted Entry
Chifley Home and Education Centre	\$8.00	\$6.40
National Motor Racing Museum	\$8.50	\$6.80
Australian Fossil and Mineral Museum	\$9.50	\$7.60
TOTAL	\$26.00	\$20.80

Financial Implications: Each '3 facility pass' sold to anniversary attendees would be subsidised by Council in the amount of \$5.20. This subsidy could be funded from Council's Section 356 Donations which currently has a balance of \$45,579.83. Extrapolation of this amount given anticipated attendees would see the subsidised amount required by Council as \$520.

MINUTE

32 Item 2 60TH ANNIVERSARY CELEBRATIONS OF THE BATHURST TEACHERS COLLEGE

MOVED: I North SECONDED: B Bourke

RESOLVED: That Council:

- (a) Provide a subsidised '3 facility pass' for attendees of the 60th Anniversary Celebrations for the Bathurst Teachers' College
- (b) Subsidise \$5.20 per pass from the Section 356 Donations.

Yours faithfully



Annabell Miller
DIRECTOR
CULTURAL & COMMUNITY SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
POLICY COMMITTEE MEETING

**POLICY COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 20 OCTOBER 2010**

General Manager
Bathurst Regional Council

1 MINUTES - POLICY COMMITTEE MEETING - 29 SEPTEMBER 2010 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 29 September 2010 be adopted.

Report: The Minutes of the Policy Committee Meeting held 29 September 2010, are attached.

Financial Implications: N/A

MINUTE

33 Item 1 MINUTES - POLICY COMMITTEE MEETING - 29 SEPTEMBER 2010

MOVED: I North SECONDED: B Bourke

RESOLVED: That the recommendations of the Policy Committee Meeting held on 29 September 2010 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 29 SEPTEMBER 2010

5PM MEETING COMMENCES

1 MEETING COMMENCES

Present: Councillors Toole (Chair), Bourke, Hanger, North, Thompson, Westman

In attendance: General Manager, Director Corporate Services & Finance, Director Cultural & Community Services, Director Engineering Services, Director Environmental Planning & Building Services, Manager Corporate Governance, Development Control Planner x 2, Manager Recreation, Manager Water & Waste

APOLOGIES

2 APOLOGIES

MOVED Cr B Bourke

and **SECONDED** Cr I North

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

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 SEPTEMBER 2010 (07.00064)

MOVED Cr I North

and **SECONDED** Cr G Westman

RESOLVED: That the Minutes of the Policy Committee Meeting held on 1 September 2010 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST

MOVED Cr R Thompson

and **SECONDED** Cr G Westman

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

5 Item 1 TELECOMMUNICATIONS AND RADIOCOMMUNICATIONS POLICY (11.00011)

MOVED Cr I North

and **SECONDED** Cr R Thompson

RESOLVED: That Council:

- (a) place the Telecommunications and Radiocommunications Policy on public exhibition for a period of 28 days; and
- (b) refer Policy back to Council for adoption.

GENERAL BUSINESS

6 PROSTATE CANCER BARBECUE (18.00004)

Cr Bourke - spoke to the event held last weekend and how successful it was.

7 CORNER WILLIAM/RUSSELL STREETS LAYBACK (07.00031)

Cr North - advised of problem with disabled access at this corner with the layback. Noted Works Engineer is talking to Telstra on this matter.

8 BIKE RACE, CRONULLA (23.00015)

Cr North - advised State Government is looking at funding this event and making it part of a series. Cr North will be chasing this up to see if Bathurst can be included as one of the venues

9 BRIAN BOOTH OVAL, PERTHVILLE (04.00062)

Cr North - advised he had received a letter from the Publican at Perthville Hotel seeking to use Brian Booth Oval for touch football competition.

10 RETAINED RFS FIRE FIGHTERS (20.00013)

Cr Thompson - advised that this issue had been raised at a recent meeting of the Rural Fire Service and had potential to create a rift between volunteers and paid fire fighters. Sought Council approval to write to various authorities expressing concerns.

MEETING CLOSE

11 MEETING CLOSE

The Meeting closed at 5.08 pm.

CHAIRMAN: _____

Date: _____ **(20 October 2010)**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DELEGATES REPORTS

**DELEGATES REPORTS TO THE ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL MEETING HELD ON 20 OCTOBER 2010**

General Manager
Bathurst Regional Council

**1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES HELD
8 SEPTEMBER 2010 (11.00019)**

Recommendation: That the information be noted.

Report: PRESENT:

Crs Toole (Chair), Aubin, Bourke, Carpenter, Morse,, North, Thompson,
Westman

General Manager, Director Corporate Services & Finance, Manager
Environment, Director Engineering Services, Manager Community
Services,

APOLOGIES: Cr Hanger

1. HEADSPACE CENTRAL WEST(11.00019)

Narelle Stocks, Service Integration Manager of Headspace attended the meeting and presented to Council the current operations and service provision of the Headspace facility in Bathurst

Discussion included:

- Bathurst Headspace established in 2006 is currently one of 30 centres around Australia funded by the Government under the Promoting Better Mental Health - Youth Mental Health Initiative.
- It provides a 'one shop stop' for young people aged 12 - 25 years helping them access the right type of health worker ie doctor, psychologist, social worker, counsellor, occupational therapist, youth worker, alcohol and drug worker or Aboriginal health worker.
- All services are offered free-of-charge or at a low cost in a youth friendly environment.
- Total clients: 1166 (July 2008 - September 2010), split between male 44% and 56% female. 94% of clients identified Mental Health as one of their reasons for seeking help.

2. BCCAN - CYCLE FRIENDLY PROJECT (18.00251)

Patrick Forman, Megan Rickard-Bell and Rob Macalary attended the meeting and updated Council on a proposal to Bathurst becoming Cycle Friendly in the future.

Discussion included:

- Traffic separated from cycle lanes.
- Cycle lights at intersections.
- Cycle parking areas at various areas.
- Bus roads to carry cycles.
- B & B Cycle race in April.
- Cycle Park to be constructed.
- Benefits to the community include 1) Viable and convenient for day to day transport, 2) Improves health, 3) Reduces Pollution, 4) Cheaper, 5) A friendly way to travel, 6) No traffic jams even with more people in town, 7) Compatible with denser housing.

Financial Implications: Nil

MINUTE

**34 Item 1 COUNCILLORS MEETING WITH COMMUNITY
GROUPS/REPRESENTATIVES HELD 8 SEPTEMBER 2010**

MOVED: R Thompson SECONDED: M Morse

RESOLVED: That the information be noted.

2 MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING HELD ON 9 SEPTEMBER 2010 (11.00020)

Recommendation: That the information be noted.

Report: MINUTES OF BATHURST REGIONAL YOUTH COUNCIL MEETING HELD IN COUNCIL CHAMBERS ON THURSDAY, 9 SEPTEMBER 2010

PRESENT: Nathan Inwood, Melinda Nancarrow, Georgia Brancourt, Charlotte Inwood, Mitchell Dwyer, Hugo Newell, Brianna Wade, Ryan Fitch, Ben Larnach, Cr Tracey Carpenter,

IN ATTENDANCE: Megan Bargwanna (Youth Development Officer), Cr Fiona Rossiter (Orange City Council). Tracey Carnie (Orange City Council), Karen Boyde (Orange City Council), Angela Maynard (headspace, NSW Central West)

1. APOLOGIES

RESOLVED that the apologies from Iris Dorsett, Hannah Condon, Maddison Luchetti, Carmen Stassen, Chris Killham be accepted.

2. ADOPTION OF PREVIOUS MINUTES (22 JULY 2010)

RESOLVED that the minutes of the meeting held 22 July 2010 be accepted.

3. BUSINESS ARISING FROM PREVIOUS MINUTES

RESOLVED that there was no business arising from the previous minutes.

4. NEWTON'S NATION EXPERIENTIAL TOUR 2 OCTOBER 2010

- Newton's Nation is renowned as a big event, held at Mount Panorama 26-28 November 2010.
- The format will be similar to Newton's Playground held in 2008 with top headline bands included in the entertainment.
- Affiliated with Newton's Nation is an experiential tour coming to regional skateparks
- The Bathurst event will be held on Saturday 2 October. The event will be free and will be held at the Bathurst skatepark with pro skaters, BMX riders and scooter riders as well as DJ's playing.
- The event is open to all ages and there will be prizes, the LG van will be in attendance running texting competitions, freebies will be on offer to anyone who purchases a ticket to Newton's Nation on the day.
- The Youth Council are requested to promote the event in schools.

5. YAPA SHIFT THIS 2010 CONFERENCE- HUGO NEWELL AND CHARLOTTE INWOOD ATTENDANCE

- Hugo and Charlotte are attending the conference in Sydney on 29 September to 1 October.
- The conference will have a range of presentations, workshops and entertainment.
- The conference will look at empowering young people to learn leadership skills, public speaking etc.

- Thanks were extended to Charlotte and Hugo for attending and representing Bathurst.

6. CENTROC SUMMIT- VERBAL REPORT MELINDA NANCARROW, NATHAN INWOOD AND MITCHELL DWYER

- Feedback from organisers of the summit indicated that the Youth Councillors presentation was a highlight of the Summit.
- CENTROC represents all local, regional Councils.
- There were speeches about environmental issues, as well as experiential new environmental inventions on display.
- The summit was not really geared towards young people, attendance for the whole summit was too long, and felt the Summit was more geared towards older people
- However, the Youth Councillors felt their involvement was valuable and it was a good opportunity to put their opinions forward.
- Mitchell enquired about the National Youth Council (NSW Government Youth Council) Mitchell to follow up and report back to November meeting.
- Cr Fiona Rossiter (Orange City Council) confirmed the Youth Councillors involvement in the Summit as being very positive.

7. YOUTH WEEK 2011- FRIDAY 1 APRIL-SUNDAY 10 APRIL 2011- IDEAS SESSION

- Youth Week 2011 will be held from Friday 1 April to Sunday 10 April.
- Discussion of suggestions- the general feeling was to continue with the idea of the Festival at Learmonth Park, with some changes.
- Other suggestions were to consider the Adventure Playground or Kings Parade as venues or to make the event perimeter at Learmonth Park smaller.
- Suggestions were as follows:
 - to have the event run for a shorter time.
 - Include arts and different activities, film festival, art exhibition, make links with CSU, showcase all talents not just music.
 - Mini workshops eg: photography, deck spinning (DJ), photo shop.
 - Investigate the possibility of holding the event later in the year (Youth Development Officer has previously requested this from the Youth Week funding body, however has had no response), and not in school holidays (check 2011 dates).
 - Food options: BBQ (free) and “dip n dots”.
 - Markets to be included: advertise through schools, TAFE etc. where people could just set up in a “blank booth” selling their own creations.
 - Idea to have an exhibition like the “100 Eyes” project with a youth focus at the Festival.
 - Idea to create a film during the week about the planning and set up of the event and screen at the event (“dogma filming” which requires no editing) Suggestions included getting either Bruce Ryan or “In the Bin” company to coordinate.

8. WORKING PARTY REPORTS:

(i) Events - Georgia Brancourt (Indent 10 Year Tour and SEP project)

- Indent 10 year tour, Bathurst event 3 October featuring Urthboy and local support

acts (still being finalized).

- Explanation of SEP program given at meeting- pilot program with Indent Music NSW and TAFE, due to the skills shortage identified in the music industry. Six Youth Councillors are participating in the program in a range of roles which will go towards a TAFE qualification.
- All tasks are on target.
- Main task is to encourage all Youth Councillors to promote the event.

(ii) Health and Safety - Hugo Newell (Short Film Project)

- Filming this Sunday, 12 September 12noon-5.00pm, Maddison's house.
- Permission notes must be returned to Megan by Friday, 10 September a previously requested to participate.
- Letter from Desert Pea Media has been forwarded via email to all Youth Council members explaining the permission note to allay any concerns. Request to forward on to any friends of Youth Councillors who may be interested in participating.
- Final filming at Bathurst High School, Monday, 20 September at 4.00pm. Please wear white shirt or polo shirt and normal school pants.
- Friends encouraged to make up numbers in the classroom scene.
- Unable to include in PNAN competition this year, but may look at options for other competition next year.

(iii) Website – Mitchell Dwyer

- All information up to date, including stories of outstanding young people's achievements- please email to Megan to forward to Mitchell.
- Some people are experiencing a problem with looking at photos in the "gallery" section- Mitchell to check.
- Question about Masquerade Madness photos- Mitchell to follow up.

9. GENERAL BUSINESS

- 9.1 **Resignation Cindy Butler-** email received dated 3 August 2010 notifying the Youth Council of the resignation of Cindy Butler.
- 9.2 **Mitchell Conservatorium hosting Aston Saturday, 18 September-** email received from Christine Sweeney, Mitchell Conservatorium inviting Youth Council to a welcome afternoon tea for artist Aston on Saturday, 18 September. RSVP to Christine Sweeney, marketing@mitchellconservatorium.edu.au or 6331 1161. Amazing artist originally from Bathurst, with fans worldwide.
- 9.3 **Heywire-** Competition for regional and rural young people aged 16-22 years to tell their stories, with the 40 winning entries being broadcast on ABC radio, ABC online or ABC TV. Winners attend a forum and reception in Canberra (Parliament House) Entries closed 8th September. Anyone interested was encouraged to contact Heywire to see if late entries would be accepted.
- 9.4 **Cr Carpenter thank you to Youth Council members-** Cr Carpenter extended a thank you to the Youth Council members who attended the Centroc Summit.
- 9.5 **Orange City Council guests- consideration of developing a Youth Council in**

Orange- Orange City Council are considering the development of a Youth Council and are considering a range of models. Questions were asked of the Youth Council members regarding recruitment, do they see themselves as representative of the youth in Bathurst, how office bearers are elected, terms of reference, number of members and functions of the Youth Council.

9.6 **Angela Maynard- Central West headspace consultation-**

- (a) **Vocational Needs of young people-** headspace are looking at the Vocational needs of young people and the links between young people and industry and training. They are considering the establishment of a “one stop shop” to assist young people with homework support, careers advice, study support etc. Ideas were sought and included is there a need, support for distance subjects, getting current CSU students to be involved, a notice-board with information about support available and support required at headspace, information on how to apply for UAC, presentation of different occupations, GAP years, study groups. Any other ideas were encourage to be forwarded to: a.maynard@hscw.org.au.
- (b) **Social Isolation-** headspace are considering issue of young people who are socially isolated and ways to assist. Ideas were sought and included: pool competitions, craft, coffee shop catch ups, headspace sporting teams, projects for the group to work on. Any further suggestions can be forwarded onto Angela or Megan. Angela to investigate whether a letter of support from the Youth Council would be able to be included with a grant application they are currently completing.

8. NEXT MEETING

The next meeting will be held on Thursday, 11 November 2010.

9. MEETING CLOSURE

There being no further business, the meeting closed at 1.08pm.

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

MINUTE

**35 Item 2 MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING
HELD ON 9 SEPTEMBER 2010**

MOVED: T Carpenter SECONDED: B Bourke

RESOLVED: That the information be noted.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

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

MINUTE

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

MOVED: R Thompson SECONDED: M Morse

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	DEMOLITION OF BUILDING AT 44 RANKIN STREET, BATHURST	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.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST MOTOR FESTIVAL	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	CONSENT TO MORTGAGE ON SALE OF COMMERCIAL LAND - PROPOSED LOT 802 IN LOT 714 DP1103109 - WATT DRIVE, BATHURST TRADE CENTRE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED SALE OF LAND, PROPOSED LOT 804 IN LOT 714 DP1103109 - BRADWARDINE ROAD, BATHURST TRADE CENTRE	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
4	PROPOSED LEASE OF RIVER BANK LAND - LOT 704 DP1002346 - EGLINTON BRIDGE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR CONSTRUCTION OF CIVIL WORKS AT BRADWARDINE ROAD BATHURST TRADE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the

	CENTRE	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	NETWASTE TENDER 145/534/987/3 – TENDER FOR NETWASTE REGIONAL HOUSEHOLD CHEMICAL COLLECTION	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
3	PROPOSED ACQUISITION BY HOUSING NSW OF PUBLIC RESERVE AT LOT 42 DP 260917 PAYNE CLOSE KELSO	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council’s position in negotiating commercial and or financial arrangements.
4	STANLEY STREET SEWER MAIN & PEDESTRIAN BRIDGE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT
20 OCTOBER 2010

MINUTE

a Item 1 DEMOLITION OF BUILDING AT 44 RANKIN STREET, BATHURST

MOVED: G Westman SECONDED: I North

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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT
20 OCTOBER 2010

MINUTE

b Item 1 BATHURST MOTOR FESTIVAL

MOVED: T Carpenter SECONDED: I North

That Council provide one three day entry pass per permanent employee to attend the 2011 Bathurst Motor Festival.

MINUTE

c Item 2 CONSENT TO MORTGAGE ON SALE OF COMMERCIAL LAND - PROPOSED LOT 802 IN LOT 714 DP1103109 - WATT DRIVE, BATHURST TRADE CENTRE

MOVED: G Hanger SECONDED: W Aubin

That Council agrees to the terms of purchase as outlined in this report for the sale of commercial land in Watt Drive, Bathurst Trade Centre, namely proposed Lot 802 in Lot 714 DP1103109 as detailed in the report.

MINUTE

**d Item 3 PROPOSED SALE OF LAND, PROPOSED LOT 804 IN LOT 714
DP1103109 - BRADWARDINE ROAD, BATHURST TRADE CENTRE**

MOVED: I North SECONDED: W Aubin

That Council approves the subdivision and sale of proposed Lot 804 in Lot 714 DP1103109 Bradwardine Road, Bathurst Trade Centre as detailed in the report.

MINUTE

e Item 4 PROPOSED LEASE OF RIVER BANK LAND - LOT 704 DP1002346 - EGLINTON BRIDGE

MOVED: G Westman SECONDED: B Bourke

That Council approves entering into a new licence agreement with Lynn Mumberson for part Lot 7004 DP1002346 located on river bank land near the Eglinton Bridge for a period of one (1) year with two (2) x one (1) year option periods at a yearly lease fee of \$260 per annum as detailed in the report.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

DIRECTOR ENGINEERING SERVICES' REPORT

20 OCTOBER 2010

MINUTE

f Item 1 TENDER FOR CONSTRUCTION OF CIVIL WORKS AT BRADWARDINE ROAD BATHURST TRADE CENTRE

MOVED: R Thompson SECONDED: T Carpenter

That Council accepts the tender of JH & MJ Trindade Pty Ltd for construction of Civil Works at Bradwardine Road at the Bathurst Trade Centre in the amount of \$220,972.81 (incl. GST) subject to adjustments and provisional items.

MINUTE

g Item 2 NETWASTE TENDER 145/534/987/3 – TENDER FOR NETWASTE REGIONAL HOUSEHOLD CHEMICAL COLLECTION

MOVED: T Carpenter SECONDED: M Morse

That Council act in accordance with the Director Engineering Service's report.

MINUTE

**h Item 3 PROPOSED ACQUISITION BY HOUSING NSW OF PUBLIC RESERVE
AT LOT 42 DP 260917 PAYNE CLOSE KELSO**

MOVED: B Bourke SECONDED: W Aubin

That Council approve the proposed acquisition by Housing NSW of the Public Reserve located near Payne Close between Bonnor Street and Perrier Place at Kelso, as detailed in the Director Engineering Services' report.

MINUTE

i Item 4 STANLEY STREET SEWER MAIN & PEDESTRIAN BRIDGE

MOVED: I North SECONDED: T Carpenter

That Council accept the tender of Webber Concrete Constructions Pty Ltd for the construction of the sewer main and pedestrian bridge, in the amount of \$206,400 (inc. GST), subject to variations and provisional items.

MINUTE

**37 RESOLVE INTO OPEN COUNCIL
MOVED: G Westman SECONDED: T Carpenter**

RESOLVED: That Council resume Open Council.

MINUTE

38 **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED: I North **SECONDED: W Aubin**

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

MINUTE

39 MEETING CLOSE

The Meeting closed at 7.15 pm.

CHAIRMAN: _____

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