



ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL

1 December 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, 8 December 2010 commencing at 4.00 pm.

From 4.00 pm to 4.15 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, 8 DECEMBER 2010**

1. 4.00 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 - 17 November 2010
  - \* Minutes - Extraordinary Meeting of Bathurst Regional Council - 24 November 2010
6. DECLARATION OF INTEREST  
To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Section 451 of the Local Government Act, in relation to Declaration of Interest at meetings.
7. MAYORAL MINUTE - Nil
8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS
  - \* Director Environmental Planning & Building Services' Report
  - \* Director Corporate Services & Finance's Report
  - \* Director Engineering Services' Report
  - \* Director Cultural & Community Services' Report
9. REPORTS OF OTHER COMMITTEES
  - \* Minutes - Policy Committee Meeting - 1 December 2010
10. NOTICES OF MOTION - Nil
11. RESCISSION MOTIONS - Nil
12. DELEGATES REPORTS

- \* Councillors Meeting With Community Groups/representatives held 10 November 2010
- \* Councillors Meeting With Community Groups/representatives held 24 November 2010
- \* Minutes of The Bathurst Regional Youth Council Meeting held on Thursday, 11 November 2010
- \* Bathurst Health Council - Delegates Report - Ian North

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

**Recommendation:** That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	AUTOFEST MOTORCAR EVENT MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

2	TENANCY OF 200 COLLEGE ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TRANSFER OF LICENCE AGREEMENT, COUNTER SPACE, BATHURST AERODROME TERMINAL	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	AUSTRALIAN GT	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	BATHURST SOCCER EXTENSIONS	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 BATHURST WASTE WATER TREATMENT WORKS INLET STRUCTURE REMEDIAL WORKS (CONCRETE)	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	ANNUAL TENDER FOR STORMWATER DRAINAGE PIPES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	ANNUAL TENDER FOR THE HIRE OF 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.
4	ANNUAL TENDER FOR SAND AND/OR TOPSOIL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would

		prejudice the commercial position of the person who supplied it.
5	ANNUAL TENDER FOR NATURAL GRAVEL QUARRY ACCESS & EXTRACTION	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	LICENCE FEES: BUYBACK FACILITY, BATHURST WASTE MANAGEMENT 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.
7	ANNUAL TENDER FOR HIRE OF PLANT	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.
8	TENDER FOR SUPPLY & DELIVERY OF ONE 16,500KG GVM BITUMEN MAINTENANCE TRUCK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial

		position of the person who supplied it.
9	TENDER FOR THE SUPPLY & DELIVERY OF ONE ONLY SIDE LOADING GARBAGE COMPACTOR TRUCK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
10	TENDER FOR SUPPLY, DELIVERY & LAYING OF ASPHALTIC CONCRETE SURFACING	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
11	TENDER FOR BATHURST WASTE WATER TREATMENT WORKS INLET STRUCTURE REMEDIAL WORKS (CONCRETE)	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* Mayoral Minute**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	GENERAL MANAGER'S APPRAISAL	10A (2) (a) – Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would

	reveal personal details of the individuals concerned.
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14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE



## MINUTE

### 1 MEETING COMMENCES

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

## MINUTE

### 2 PUBLIC QUESTION TIME

**M Woods** – Quinn Court (DEPBS #5) - spoke to vegetation proposal and impact on Darwin Drive. Would like shrubs, not the originally proposed trees. Still concerned at mixed bed plantings proposed as a result of the review, unable to ascertain what trees will go in. Spoke of local amenity, motorbike drivers and possibility of anti-social behaviour. Need support of Council for the residents views. Spoke of drainage reserve concerns, width of Darwin Drive, it is too skinny, and adjoining land has trade waste on it. Does not want trees that will block views, wants shrubs no higher than 2 metres high.

**G Crisp** – Ratepayer (Confidential Mayoral Minute - General Manager's appraisal) - spoke of complaints re parking by DEPBS and statutory declaration he submitted. Made numerous allegations about parking. Spoke of his recent rates notice and incorrect charges made on him. Alleged corrupt conduct by General Manager. Spoke to timing of meeting 8 December 2010.

**The Mayor** referred to responses sent to Mr Crisp re his complaint and request for certain actions Mr Crisp has been asked to enact.

**The General Manager** noted he would be declaring a pecuniary interest in the Mayor's Confidential Minute.

**MINUTE**

**3     APOLOGIES**

Nil

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
MINUTES

**MINUTES TO THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**  
**MEETING HELD ON 8 DECEMBER 2010**

General Manager  
Bathurst Regional Council

**1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 17**  
**NOVEMBER 2010 (11.00005)**

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

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

**Financial Implications:** N/A

**MINUTE**

**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL**  
**- 17 NOVEMBER 2010**

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

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

**2 MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 24 NOVEMBER 2010 (11.00005)**

**Recommendation:** That the Minutes of the Extraordinary Meeting of Bathurst Regional Council held on 24 November 2010 be adopted.

**Report:** The Minutes of the Extraordinary Meeting of Bathurst Regional Council held on 24 November 2010, are attached.

**Financial Implications:** N/A

**MINUTE**

**5 Item 2 MINUTES - EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 24 NOVEMBER 2010**

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

**RESOLVED:** That the Minutes of the Extraordinary Meeting of Bathurst Regional Council held on 24 November 2010 be adopted.



**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
HELD ON 17 NOVEMBER 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** – Ratepayer - Feels he and his wife have been victims of actions by the Council. Seeks this policy to cease as it is affecting his health. Spoke to charges raised by Council that he feels were not correct. Referred to policy on the role of Councillors and his attempts to get senior staff prosecuted. Spoke of harassment he feels he is receiving and spoke of Councillors resigning. Tabled a document with details of his concerns.

**B Triming** - Chair Regional Access Committee - DCCS Item #1 - Disabled Access Fund - Thanks Council for this scheme and noted he is now on the Regional Access Committee. Spoke of role of the Local Access Committee, brochures that have been developed by the Committee and grants proposed. It is a shame more businesses do not take advantage of the scheme.

**APOLOGIES**

**3 APOLOGIES**

Nil

**MINUTES**

**4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 OCTOBER 2010 (11.00005)**

**MOVED** Cr B Bourke

and **SECONDED** Cr I North

**RESOLVED:** That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 October 2010 be adopted.

**DECLARATION OF INTEREST**

**5 DECLARATION OF INTEREST**

**MOVED** Cr I North

and **SECONDED** Cr W Aubin

That the following Declarations of Interest be noted.

Cr Bourke

Item #5 of the Director Corporate Services & Finance report

Cr Toole

Item #9 of the Director Corporate Services & Finance Confidential report

## MAYORAL MINUTE

- 6** **Item 1 ORDINARY COUNCIL MEETING - 8 DECEMBER 2010 - CHANGE OF COMMENCEMENT TIME (11.00005)**  
**MOVED** Cr P Toole

**RESOLVED:** That the Ordinary Council Meeting to be held on 8 December 2010 commence at 4 pm.

## RECEIVE AND DEAL WITH DIRECTORS' REPORTS

### Director Environmental Planning & Building Services' Report

- 7** **Item 1 SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)**  
**MOVED** Cr R Thompson and **SECONDED** Cr G Westman

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

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

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

- 9** **Item 3 BATHURST REGION LOCAL APPROVALS POLICY 2009 (20.00130)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Morse

**RESOLVED:** That Council:

- (a) note the amendment to the Draft Local Approvals Policy 2009 in accordance with the condition imposed by the Director General Department of Planning;
- (b) adopt the Draft Local Approvals Policy 2009; and
- (c) give public notice of the revocation of the Local Approvals Policy 2005 and the adoption and commencement of the Local Approvals Policy 2009 in accordance with Section 166 of the Local Government Act 1993.

- 10** **Item 4 CENTRAL WEST HERITAGE NETWORK (CWHN) SEMINAR (18.00096)**  
**MOVED** Cr G Westman and **SECONDED** Cr W Aubin

**RESOLVED:** That Council note the success of the seminar and write to David Young, the Technical Advisory Group and owners of buildings utilised for the site inspections, as part of the CWHN seminar, to thank them for ensuring the day was a

success and beneficial to the participants.

**11 Item 5 RESULTS OF FINANCE SECTION ENERGY PILOT STUDY (37.00278)**  
**MOVED** Cr B Bourke and **SECONDED** Cr I North

**RESOLVED:** That Council:

- (a) note the report;
- (b) implement the installation of motion sensor lights in applicable low use areas and the replacement of T8 fluorescent lights with more efficient T5 electronic ballast in main office areas; and
- (c) install simple timers on high energy use equipment such as copiers and printers.

**12 Item 6 STATE OF THE ENVIRONMENT REPORT (13.00062)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr G Hanger

**RESOLVED:** That Council:

- (a) note that the 2010 Supplementary State of the Environment Report has been completed;
- (b) forward a copy of the 2010 Supplementary State of the Environment Report to the Minister for Local Government; and
- (c) make electronic copies of the 2010 Supplementary State of the Environment Report available on Bathurst Regional Council's Website.

**13 Item 7 GREATER CENTRAL WEST REGIONAL STATE OF ENVIRONMENT REPORT (13.00004)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

**RESOLVED:** That Council:

- (a) note that the 2010 Supplementary Regional State of the Environment Report has been completed;
- (b) note that a copy of the 2010 Supplementary Regional State of the Environment Report will be forwarded to the Minister for Local Government in accordance with Council's statutory obligations; and
- (c) note that the 2010 Supplementary Regional State of the Environment Report will be placed on Bathurst Regional Council's website.

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

**14 Item 1 STATEMENT OF INVESTMENTS (16.00001)**

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

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

**15** **Item 2 YEAR TO DATE REVIEW - 2010/2011 MANAGEMENT PLAN AND BUDGET (16.00121)**

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

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

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

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

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

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

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

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

**18** **Item 5 REQUEST FOR FINANCIAL SUPPORT - DISABILITY INFORMATION ADVOCACY SERVICE INC (18.00004-23/041)**

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

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

**Reason: Member of the DIAS Board.**

**RESOLVED:** That Council donate \$418.00 to Disability Information Advocacy Service Inc towards the cost of displaying the DIAS banner in William Street from 22 November 2010 to 5 December 2010 from Section 356 Donations.

**19** **Item 6 INTERNATIONAL CYCLING GRAND PRIX SERIES (23.00026-13)**

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

**RESOLVED:** That Council support the International Cycling Grand Prix Series event to be held on the 8 December 2010 in Bathurst and that the event be funded from the Special Events cost centre.

**20** **Item 7 MOUNT PANORAMA USAGE REPORTS (04.00001)**

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

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

- 21** **Item 8 REQUEST FOR FINANCIAL SUPPORT - MS DEBBIE CAMPBELL (18.00004)**  
**MOVED** Cr T Carpenter

That Council grant a 20% discount to Ms Debbie Campbell for the hire of City Hall at the Bathurst Memorial Entertainment Centre for the V8 Ball which was held on 8 October 2010 to be funded from Mount Panorama donations.

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

- 22** **Item 8 REQUEST FOR FINANCIAL SUPPORT - MS DEBBIE CAMPBELL (18.00004)**  
**MOVED** Cr I North and **SECONDED** Cr G Westman

**RESOLVED:** That Council not grant a discount to Ms Debbie Campbell for the hire of City Hall at the Bathurst Memorial Entertainment Centre for the V8 Ball which was held on 8 October 2010.

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

- 23** **Item 1 EXTINGUISHMENT OF EASEMENT FOR PIPELINE 3 METRES WIDE - LOTS 11 AND 12 DP1158231; LOTS 1, 2 AND 30 DP1062075 BLUE RIDGE DRIVE WHITE ROCK (2010/0627)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

**RESOLVED:** That Council approve the extinguishment of the easement for pipeline 3 metres wide created by DP266404 affecting Lots 11 and 12 DP1158231, and Lots 1, 2 and 30 DP1062075 located at Blue Ridge Drive, White Rock, in accordance with the Director Engineering Services' report.

- 24** **Item 2 PROPOSED ROAD DEDICATION - GALLIPOLI ROAD BATHURST (25.00142)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr R Thompson

**RESOLVED:** That Council approve the dedication of Gallipoli Road Bathurst as a public road, as detailed in the Director Engineering Services' report.

- 25** **Item 3 CITY ENTRANCE- RAGLAN (13.00019)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

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

- 26** **Item 4 MOWING OPERATIONS (04.00034)**  
**MOVED** Cr W Aubin and **SECONDED** Cr T Carpenter

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



- 31** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING HELD 2 NOVEMBER 2010 (07.00006)**  
**MOVED** Cr W Aubin and **SECONDED** Cr G Westman

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

### **DELEGATES REPORTS**

- 32** **Item 3 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES HELD 13 OCTOBER 2010 (11.00019)**  
**MOVED** Cr M Morse and **SECONDED** Cr G Westman

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

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

- 33** **RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

The Mayor advised the following:

- (a) That a Mayoral Minute has been added to the agenda.
- (b) Director Corporate Services & Finance Confidential Report Item #7 has been withdrawn.

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.

**\* Mayoral Minute**

ITEM	SUBJECT	REASON FOR
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		CONFIDENTIALITY
1	MOTOR RACING EVENT - EASTER 2011	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**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	FESTIVAL OF SPORTING CARS (FOSC) UPDATE	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.
2	LOCAL GOVERNMENT FINANCIAL SERVICES PTY LTD (LGFS) UPDATE	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.
3	TRACKCORP EVENT 10-14 NOVEMBER 2010	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
4	REQUEST FOR FINANCIAL ASSISTANCE - BATHURST AGRICULTURAL HORTICULTURAL & PASTORAL ASSOCIATION INC. (BATHURST AH&P)	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council



		would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	EXTENSION OF LICENCE AGREEMENT - VALE ROAD & LLOYDS ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	TERMINATION OF LEASE - THE SMASH REPAIR TEAM LTD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	PROPOSED SALE OF 88 LEE STREET, 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.
8	TRADE CENTRE LAND AREA - MITCHELL HIGHWAY, BATHURST	10A (2) (c) – contains information that would, if disclosed, confer a

		commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
9	RURAL LICENCE AGREEMENT - 200 COLLEGE ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED ACQUISITION OF LAND FOR RESERVOIR, LOT 1 DP779471 AND LOT 10 DP1093763 CONROD STRAIGHT MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	ACQUISITION OF LAND FOR ROAD WIDENING PURPOSES - PART LOT 7300 DP1130683; PART LOTS 7301, 7304, 7307 DP1123612; PART LOT 544 DP755790; PARTIAL	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

	CLOSURE OF UNNECESSARY ROADS AND PROPOSED RIGHT OF CARRIAGEWAY LOT 54 DP755800 HILL END ROAD SOFALA	the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	ACQUISITION OF LAND FOR LEVEE CONSTRUCTION, PART LOT 1 DP732767 - 28 CARLINGFORD 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.
4	ACQUISITION OF LAND FOR LEVEE CONSTRUCTION, PART LOT 41 DP252817, 32 CARLINGFORD STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	ACQUISITION OF LAND FOR LEVEE CONSTRUCTION, PART LOT 2 DP1006386, ALPHA STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	ACQUISITION OF LAND FOR LEVEE CONSTRUCTION, PART LOT 1 DP1007965, 16	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed,

	BERESFORD STREET BATHURST	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	ACQUISITION OF LAND FOR LEVEE CONSTRUCTION, PART LOT 2 DP719983, 2 VALE ROAD BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	ACQUISITION OF LAND FOR LEVEE CONSTRUCTION AND SUBDIVISION OF RESIDUE, LOTS 47 AND 48 DP252817, AND PART LOTS 44, 45, 46 AND 49 DP252817, 26 CARLINGFORD 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.
9	PROPOSED PARTIAL CLOSURE OF ROADS - BERESFORD STREET AND CARLINGFORD 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.
10	PROPOSED PUBLIC	10A (2) (d) (i) – contains

	GATE TO LEE STREET KELSO	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.
11	TENDER FOR THE DESIGN & CONSTRUCTION OF A TELEMETRY IRRIGATION SYSTEM TO 6 PARKS/SPORTS FIELDS - 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.
12	TENDER FOR THE DESIGN, INSTALLATION AND COMMISSIONING OF AERODROME LIGHTING	10A(2)(d)(i) - tenders, leases, property acquisition and purchases
13	TENDER FOR TENNIS COURT LIGHTING, JOHN MATTHEWS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

### Mayoral Minute

- a** Item 1 MOTOR RACING EVENT - EASTER 2011 (04.00111)  
MOVED Cr P Toole

That Council act in accordance with the recommendations contained in the Mayoral Minute.

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

- b** **Item 1 FESTIVAL OF SPORTING CARS (FOSC) UPDATE (04.00111)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

That the information be noted.

- c** **Item 2 LOCAL GOVERNMENT FINANCIAL SERVICES PTY LTD (LGFS) UPDATE (34.00057-04)**  
**MOVED** Cr G Westman and **SECONDED** Cr M Morse

That the information be noted.

- d** **Item 3 TRACKCORP EVENT 10-14 NOVEMBER 2010 (04.00110)**  
**MOVED** Cr G Hanger and **SECONDED** Cr B Bourke

That the information be noted.

- e** **Item 4 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST AGRICULTURAL HORTICULTURAL & PASTORAL ASSOCIATION INC. (BATHURST AH&P) (18.00108-02/071)**  
**MOVED** Cr R Thompson and **SECONDED** Cr M Morse

That Council support the Bathurst AH&P with their request for Council to contribute \$5,000 to support the community stage for the 2011 show.

- f** **Item 5 EXTENSION OF LICENCE AGREEMENT - VALE ROAD & LLOYDS ROAD, BATHURST (22,12383)**  
**MOVED** Cr G Hanger and **SECONDED** Cr I North

That Council approves entering into a new licence agreement with Craig Hotham for Part Lot 1 DP784476 and Lots 134, 137, 138, 144 and 145 in DP750357 located on Vale Road and Lloyds Road, Bathurst for a period of one (1) year with a one (1) year option (at Council's discretion) as detailed in the report.

- g** **Item 6 TERMINATION OF LEASE - THE SMASH REPAIR TEAM LTD (04.00041-08)**  
**MOVED** Cr B Bourke and **SECONDED** Cr W Aubin

That Council approves terminating the licence agreement with The Smash Repair Team Ltd for the shed located on part Lot 3 and part Lot 4 DP112509 Conrod Straight Mt Panorama as detailed in the report.

**h Item 7 PROPOSED SALE OF 88 LEE STREET, KELSO (22.00574)**

The item was WITHDRAWN.

**i Item 8 TRADE CENTRE LAND AREA - MITCHELL HIGHWAY, BATHURST (22.02770)**

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

That Council approves the General Manager to negotiate the land purchase as detailed in the report.

**i Item 9 RURAL LICENCE AGREEMENT - 200 COLLEGE ROAD, BATHURST (22.05258)**

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

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

Reason: Personal friend of Applicants.

The Mayor vacated the Chair.

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

That Council approves entering into a new licence agreement with Stephen and Vicki Harris for part Lot 2 in DP749758 located at 200 College Road Bathurst for a period of twelve (12) months with a twelve (12) month option period at a lease fee of \$110.00 per week as detailed in the report.

**Director Engineering Services' Report****k Item 1 PROPOSED ACQUISITION OF LAND FOR RESERVOIR, LOT 1 DP779471 AND LOT 10 DP1093763 CONROD STRAIGHT MOUNT PANORAMA (22.11212)**

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

That Council approve the proposed acquisition of land for water reservoir for future works, being part Lot 1 DP779471 at Conrod Straight, Mount Panorama, subject to conditions outlined in the Director Engineering Services' report.

**l Item 2 ACQUISITION OF LAND FOR ROAD WIDENING PURPOSES - PART LOT 7300 DP1130683; PART LOTS 7301, 7304, 7307 DP1123612; PART LOT 544 DP755790; PARTIAL CLOSURE OF UNNECESSARY ROADS AND PROPOSED RIGHT OF CARRIAGEWAY LOT 54 DP755800 HILL END ROAD SOFALA (25.00262-05)**

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

That Council make application to the Land and Property Management Authority to compulsorily acquire Crown land for road dedication, close sections of unnecessary

road and create 2 rights of carriageway over Crown land, as detailed in the Director Engineering Services' report. The land includes:-

- (a) For road widening purposes - acquire part Lot 7300 DP1130683, part Lots 7301, 7304 and 7305 DP1123612. The application to follow provisions of the Roads Act 1993 and procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991;
- (b) Containing the Bell's Bridge – acquire part Lot 7300 DP1130683 and part Lot 7301 DP1123612. The application to follow provisions of the Local Government Act 1993 and procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991;
- (c) To close 2 sections of Old Hill End Road (Council Public Road) and a section of unformed Council road located on each side of Tanwarra Creek north of the existing bridge, and return the former road land to The Crown as part compensation for its land lost for road under the Roads Act 1993;
- (d) To close a section of Council Public Road severing Lot 544 DP755790 and transfer the former road land to the adjoining owner as compensation for their land lost under the Roads Act 1993;
- (e) To provide 2 rights of carriageway over the track in use in order to provide road frontage for 319 and 324 Hill End Road, Sofala.

The acquired parcels of land are to be classified as Operational land.

**m** **Item 3 ACQUISITION OF LAND FOR LEVEE CONSTRUCTION, PART LOT 1 DP732767 - 28 CARLINGFORD STREET, BATHURST (31.00001-06)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

That Council approve the acquisition of land for construction of the Carlingford Levee, being Part Lot 1 DP732767, at 28 Carlingford Street Bathurst, and classify the land as operational under the provisions of Section 31(2) of the Local Government Act 1993, as detailed in the Director Engineering Services' report.

**n** **Item 4 ACQUISITION OF LAND FOR LEVEE CONSTRUCTION, PART LOT 41 DP252817, 32 CARLINGFORD STREET BATHURST (31.00001-06)**  
**MOVED** Cr R Thompson and **SECONDED** Cr T Carpenter

That Council approve the acquisition of land for construction of the Carlingford Levee, being Part Lot 41 DP252817, at 32 Carlingford Street Bathurst, and classify the land as operational under the provisions of Section 31(2) of the Local Government Act 1993, as detailed in the Director Engineering Services' report.

**o** **Item 5 ACQUISITION OF LAND FOR LEVEE CONSTRUCTION, PART LOT 2 DP1006386, ALPHA STREET BATHURST (31.00001-06)**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

That Council approve the acquisition of land for construction of the Carlingford Levee, being Part Lot 2 DP1006386, at Alpha Street Bathurst, and classify the land



as operational under the provisions of Section 31(2) of the Local Government Act 1993, as detailed in the Director Engineering Services' report.

- p** **Item 6 ACQUISITION OF LAND FOR LEVEE CONSTRUCTION, PART LOT 1 DP1007965, 16 BERESFORD STREET BATHURST (31.00001-06)**  
**MOVED** Cr G Hanger and **SECONDED** Cr G Westman

That Council approve the acquisition of land for construction of the Carlingford Levee, being Part Lot 1 DP1007965, at 16 Beresford Street Bathurst, and classify the land as operational under the provisions of Section 31(2) of the Local Government Act 1993, as detailed in the Director Engineering Services' report.

- q** **Item 7 ACQUISITION OF LAND FOR LEVEE CONSTRUCTION, PART LOT 2 DP719983, 2 VALE ROAD BATHURST (31.00001-06)**  
**MOVED** Cr G Westman and **SECONDED** Cr R Thompson

That Council approve the acquisition of land for construction of the Carlingford Levee, being Part Lot 2 DP719983, at 2 Vale Road Bathurst, and classify the land as operational under the provisions of Section 31(2) of the Local Government Act 1993, as detailed in the Director Engineering Services' report.

- r** **Item 8 ACQUISITION OF LAND FOR LEVEE CONSTRUCTION AND SUBDIVISION OF RESIDUE, LOTS 47 AND 48 DP252817, AND PART LOTS 44, 45, 46 AND 49 DP252817, 26 CARLINGFORD STREET BATHURST (31.00001-06, 25.00524 & 25.00222)**  
**MOVED** Cr W Aubin and **SECONDED** Cr I North

That Council approve the acquisition of land for construction of the Carlingford Levee, being the whole of Lots 47 and 48 DP252817, and parts of Lots 44, 45, 46 and 49 DP252817 at 26 Carlingford Street Bathurst, and classify the land as operational under the provisions of Section 31(2) of the Local Government Act 1993, as detailed in the Director Engineering Services' report.

- s** **Item 9 PROPOSED PARTIAL CLOSURE OF ROADS - BERESFORD STREET AND CARLINGFORD STREET BATHURST (31.00001-06, 25.00524 AND 25.00222)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr G Hanger

That Council approve the partial closure of:-

- a) Beresford Street between Nea Street and the Queen Charlotte Vale Creek;
- b) Carlingford Street between 25 Carlingford Street and the Queen Charlotte Vale Creek.

The proposed part road closures is for construction of the Carlingford Levee, and the land is to be classified as Operational land, as detailed in the Director Engineering Services' report.

- t** **Item 10 PROPOSED PUBLIC GATE TO LEE STREET KELSO (28.00007-04)**  
**MOVED** Cr W Aubin and **SECONDED** Cr M Morse

That Council approve the leasing of part of Lee Street Kelso, adjacent to Lot 1 DP 211174, subject to the conditions of the Director Engineering Services' report.

- u** **Item 11 TENDER FOR THE DESIGN & CONSTRUCTION OF A TELEMETRY IRRIGATION SYSTEM TO 6 PARKS/SPORTS FIELDS - BATHURST (36.00394)**  
**MOVED** Cr T Carpenter and **SECONDED** Cr G Westman

That Council accept the tender of Greenspan MCE in the amount of \$177,879.00 (GST inclusive), subject to adjustments and provisional sums, for the design and construction of a telemetry irrigation system to be installed at 6 parks/sporting facilities, Bathurst.

- v** **Item 12 TENDER FOR THE DESIGN, INSTALLATION AND COMMISSIONING OF AERODROME LIGHTING (36.00396)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

That Council:

- (a) accept the tender of Siegert Electrical Pty Ltd for the amount of \$454,026.30 (inc GST), subject to alterations and provisional items, and
- (b) provide additional funding in the amount of \$30,000 from the Aerodrome Improvement Reserve.

- w** **Item 13 TENDER FOR TENNIS COURT LIGHTING, JOHN MATTHEWS (36.00392)**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

That Council accept the tender of MRG Electrical Services Pty Ltd for the design and installation of the John Matthews Court lighting, in the amount of \$270,064.30 (inc GST), subject to variations and provisional items.

### **RESOLVE INTO OPEN COUNCIL**

- 34** **RESOLVE INTO OPEN COUNCIL**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

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

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

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

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

**MEETING CLOSE****36**      **MEETING CLOSE**

The Meeting closed at 7.26 pm.

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

**Date:** \_\_\_\_\_ **(8 December 2010)**

**MINUTES OF THE EXTRAORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
HELD ON 24 NOVEMBER 2010**

**MEETING COMMENCES**

**MEETING COMMENCES**

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

**APOLOGIES**

**APOLOGIES**

Nil

**DECLARATION OF INTEREST**

**DECLARATION OF INTEREST**

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

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

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

**Item 1 AUDITED FINANCIAL REPORTS (16.00055)**

**MOVED** Cr R Thompson and **SECONDED** Cr B Bourke

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

**MEETING CLOSE**

**MEETING CLOSE**

The Meeting Closed at 5.16 pm.

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

**Date:** \_\_\_\_\_ **(8 December 2010)**

**MINUTE**

- 6**     **DECLARATION OF INTEREST**  
          **MOVED: T Carpenter SECONDED: G Hanger**

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

General Manager

Item #1 - Confidential Mayoral Minute.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT  
8 DECEMBER 2010

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE  
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 8  
DECEMBER 2010**

General Manager  
Bathurst Regional Council

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

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

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

**Financial Implications:** Nil.

**MINUTE**

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

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

**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 the period 1 - 25 November 2010 (**attachment 1**)
- (b) Applications refused during the period 1 - 25 November 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 November 2010 (**attachment 5**).

**Financial Implications:** Nil.

**MINUTE**

**8     Item 2   GENERAL REPORT**

**MOVED: M Morse SECONDED: G Westman**

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

### **3 TELECOMMUNICATIONS AND RADIOCOMMUNICATIONS POLICY (11.00011)**

**Recommendation:** That Council:

- (a) adopt the Policy entitled Telecommunications and Radiocommunications; and
- (b) that the Policy become effective from midday on 9 December 2010.

**Report:** Council at its policy committee meeting held 29 September 2010 resolved to place its revised draft Telecommunications and Radiocommunications Policy on public exhibition for a period of 28 days. Following exhibition the policy was to be referred back to Council for adoption.

The Policy review was prompted by the NSW Department of Planning release of the "*NSW Telecommunications Facilities Guideline including Broadband*" in July 2010. The Guideline introduced a series of Exempt and Complying development activities under State Environmental Planning Policy (SEPP) (Infrastructure) 2007 relating to telecommunication facilities. This enables some telecommunications facilities to be built with either no approval (exempt), complying development where set criteria are met as alternatives to the traditional DA path. The DA path remains for development which is neither exempt or complying. This new regime gave rise to inconsistencies between Council's Policy and the Department's Guideline.

As a result of the guidelines and the legislative changes to SEPP (Infrastructure) 2007, Council has revised its Policy with respect to Telecommunications and Radiocommunications facilities to reflect the changes. A copy of the amended Policy is at **attachment 1**.

The main changes to the Policy are:

- 1. reference to the Exempt and Complying Developments within SEPP (Infrastructure);
- 2. changes to the flowchart of Low Impact Facilities; and
- 3. minor formatting of the document.

The intent and application of the Policy has not significantly altered apart from the abovementioned change.

Council advertised the amended Policy for a period of 28 days from 18 October 2010 to 15 November 2010. **No submissions on the proposed amendments were received.**

It is acknowledged that mobile phone towers create a significant amount of debate within the community. This debate generally centres around the issues of electro magnetic emissions and visual impact.

As a result of the ongoing debate there has been a significant amount of research done by Councils, the government most recently through the Department of Planning and through the Australian Radiation Protection and Nuclear Safety Authority (ARPANSA) to address these issues in a policy format which has resulted in the NSW Telecommunications Facilities Guideline being released in July 2010.

**Additionally, the Land and Environment Court has handed down many decisions dealing with the issues of emission levels and the application of the "precautionary principle", most notably Telstra Corporation vs Hornsby Shire Council 2006. Whilst the existing policy framework and decisions through the Courts may not satisfy the whole community they do represent the planning and statutory regime which currently exists.**

### Applicability of the Australian Standard

The applicability of ARPANSA Australian Standard RPS3 has been dealt with on numerous occasions by the Land & Environment Court.

In terms of the standing of RPS3 the following principles would apply (Telstra Corporation vs Hornsby Shire Council 2006).

1. **His Honour (Preston CJ) found that it is not appropriate for the Court to set aside or disregard such an authoritative and scientifically credible standard as the Australian Standard RPS3.**
2. **Nor is it appropriate for the Court to pioneer standards of its own. The creation of new standards is the responsibility of other authorities with special expertise, such as ARPANSA.**
3. **The Court should accept and apply the Australian Standard.**
4. **His Honour (Preston CJ) found that the levels of RF EME emitted from the proposed base station would easily comply with the Australian Standard RPS3 and the risk of any harm to the health and safety of people or the environment caused by exposure to such extremely low levels of RF EME was negligible. Accordingly, there was no basis on which the precautionary principle could be applied to the proposal.**
5. **Preston CJ stated that the conclusion was a direct consequence of the fact that a precautionary approach has already been adopted in the standard setting process, the terms of the Australian Standard RPS3, the design and location of the proposed base station, the equipment to be provided, the operation of the equipment, the application of the Standard to the RF EME generated from the base station, and the likelihood of actual RF EME being significantly less than predicted RF EME.**

**The findings of Preston CJ in Telstra v Hornsby have recently been adopted into the NSW Department of Planning's Telecommunication Facilities Guideline including Broadband July 2010.**

**It would therefore be remiss of Council to adopt any standard other than that of the ARPANSA Australian Standard without comprehensive scientific data which establishes alternative standards.**

It is also worth noting that Council's existing Telecommunications policy adopted at its meeting held 19 November 2008 provides the following:

*Bathurst Regional Council accepts the Australian Standard RPS3 as a precautionary approach for the radio frequency exposure relating to the facilities covered by this policy.*

The revised policy therefore retains the status quo in relation to acceptable emission levels.

**Financial Implications:** Nil.

**MINUTE**

**9     Item 3   TELECOMMUNICATIONS AND RADIOCOMMUNICATIONS POLICY**

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

**RESOLVED:** That Council:

- (a) adopt the Policy entitled Telecommunications and Radiocommunications; and
- (b) that the Policy become effective from midday on 9 December 2010.

#### **4 VISITOR INFORMATION CENTRE STATISTICS (21.00041)**

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

**Report:** As part of NSW Accredited Visitor Information Centre network (AVIC) Bathurst Visitor Information Centre contributes monthly door and phone statistics to Aurora Research. This data is then collated into reports forming the basis of the NSW AVIC annual statistic report. Only 38% of members supplied their statistical data to Aurora for evaluation.

A copy of the results for Bathurst in comparison to other level 1 centres is provided below. Level 1 centres are those centres that are predominately full time LGA or Tourist Association-managed Visitor Centres that operate a minimum of 56 hours per week and include 63 level 1 centres. Accredited Visitor Information Centres (AVICs) are recognisable by their branding with the accredited logo.



Only AVICs are able to display the exclusive 'i' sign, which serves to guarantee quality service and reliable information. Extensive marketing and promotion of the branding ensures visitors to New South Wales recognise AVICs and the values they represent.

The past financial year report shows that Bathurst Visitor Information Centre figures for the number of walk in visitors at the centre for the financial year ending June 2010 is close to the average for all level 1 centres in the state. The figures also show that BVIC phone enquiries are considerably higher than the average.

<i>Average throughout Level 1 centres in NSW</i>	<b>AVIC</b>		<b>BVIC</b>	
	Monthly	Annual	Monthly	Annual
Walk in visitation	6,192	73,650	6,115	73,388
Phone enquiries	810	9,726	1,296	15,550

**Financial Implications:** Nil.

**MINUTE**

**10    Item 4    VISITOR INFORMATION CENTRE STATISTICS**

**MOVED: G Westman   SECONDED: M Morse**

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

## **5 URBAN DRAINAGE RESERVE VEGETATION LINK: REVEGETATION PLAN (20.00174)**

**Recommendation:** That Council:

- (a) adopt the Bathurst Urban Drainage Reserve Vegetation Link Stage 1 and 2; and
- (b) amend "Darwin Drive section – sheet 8" in the two highlighted sections from "woodland planting" to "mixed bed planting" as shown in attachment 2

**Report:** As part of the Bathurst – Orange – Dubbo Alliance of Council's Bathurst Regional Council received part of \$2 million dollars in funding to complete the project "Inspiring and Integrating Change". This project was funded by the NSW Government through its Environmental Trust. A focus for Bathurst has been biodiversity which has resulted in the identification of an important vegetation link using modified urban drainage reserves.

The Urban Drainage Reserve Vegetation Link: Revegetation Plan will guide the planting of thousands of seedlings to improve water quality, reduce erosion, increase habitat linkages and increase community awareness about urban environments.

The Revegetation Plan includes the following drainage reserves:

1. Reserve running parallel to Marsden Lane and extending from Marsden Lane to Willow Drive, Kelso.
2. Reserve running parallel to Rosemont Avenue and extending from Illumba Way to Gilmour St, Kelso.
3. Reserve running parallel to Eltham Drive from Gilmour St to behind Newell Place, Kelso. Also including reserve running parallel to Wentworth Drive in the same location.
4. Reserve and detention basin running between Darwin Drive and Endurance Court, running from Evernden Road to Eglinton Road, Llanarth.
5. Reserve running parallel to Ussher Crescent, starting at Richardson Street, Windradyne.
6. Reserve running parallel to Cedar Drive and running from Bradwardine Rd to Eglinton Rd, Llanarth.
7. Reserve and detention basin between the Mitchell Hwy and Richardson Street, Windradyne.
8. Reserve and detention basin between Boundary Road and Gleaneagles close, Robin Hill.
9. Reserve between McDiarmid Street, Mid Western Highway and Boundary Road, Robin Hill.
10. Reserve between Toronto and Kobe Streets and starting from Bradford Street, Kelso.
11. Reserve and detention basin at corner of O'Connell Road and Littlebourne Streets, Kelso.

The plan was placed on public exhibition from 20 September to 18 October 2010. The plan was advertised in the Western Advocate, on Council's website, posters in local shopping centres (Westpoint and Trinity Heights) and through letters to all residents adjoining the reserves.

A full copy of the report and plans has previously been provided to all Councillors. Interested members of the public may obtain a copy by contacting the Environmental, Planning and Building Services department.

Council received eight submissions during this period, copies of which are at **attachment 1**. All submissions related to the plans for the reserve running between Darwin Drive and



Endurance Court (number 4 above).

The eight properties in the Endurance Court/Darwin Drive area that lodged submissions are among 62 properties that back onto this particular reserve who were notified of the proposal.

In summary the submissions raised the following issues for Council's consideration:

- Generally in favour of landscaping and planting of vegetation in the reserves
- All expressed concerns specifically relating to the use of "woodland style" planting, which included:
  - Loss of views/vistas
  - Negative impact on property values
  - Encouraging birds, snakes and other native wildlife
  - Anti-social behaviour
  - Bush fire hazard
  - Shading of properties/loss of natural light
- Some suggested that shrubs or smaller trees be used as an alternative to 10-20 metre tall eucalypts

A discussion forum was held on 1 December 2010 regarding this project and the minutes of this forum will be provided to all Councillors under separate cover.

**Council should note that before being placed on public exhibition, the plan was referred to the local NSW Police Crime Prevention Unit and the Rural Fire Service for comment. Neither organisation raised any objection to the plans in their respective areas of expertise, namely security and anti-social behaviour, and bush fire hazard risk.**

A key priority in this project is to improve biodiversity values in urban areas, and to provide additional habitat for native wildlife.

The designs have been prepared to minimise shading of private property and would have a negligible impact on natural light entering any adjoining premises.

In response to the concerns raised by residents in the area it is recommended that Council amend two areas within the Darwin Drive reserve from "woodland planting" to "mixed bed planting" as indicated in the highlighted area on **attachment 2**. Mixed bed planting includes grasses, shrubs and trees, however the trees are at a lower density than in the woodland planting. It is believed that this will address the concerns raised by residents with regard to possible loss of views.

**Financial Implications:** The preparation of the plan and the implementation of Stage 1 have been funded by the NSW Government through its Environmental Trust.

**MINUTE**

**11 Item 5 URBAN DRAINAGE RESERVE VEGETATION LINK: REVEGETATION PLAN**

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

**RESOLVED:** That Council:

- (a) adopt the Bathurst Urban Drainage Reserve Vegetation Link Stage 1 and 2; and
- (b) amend "Darwin Drive section – sheet 8" in the two highlighted sections from "woodland planting" to "mixed bed planting" as shown in attachment 2

Yours faithfully



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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT  
8 DECEMBER 2010

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY  
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 8 DECEMBER  
2010**

General Manager  
Bathurst Regional Council

**1 STATEMENT OF INVESTMENTS (16.00001)**

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

**Report:** \$59,021,107.58 was invested at 25 November 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	4.75%
AFMA - 90 day Bank Bill Swap Rate (BBSW)	4.67%
Three Year Swap Rate - Commonwealth	5.03%

**Short Term 1 – 365 Days**

**(Comprising Commercial Bills,**

**Debentures and Certificates of**

**Deposit:**

	<b><u>Rating</u></b>		<b><u>Average Return</u></b>
Bankwest	A-1+	\$7,000,000.00	6.10%
Bank of Queensland	A-2	\$3,500,000.00	6.12%
Bendigo and Adelaide Bank Ltd	A-2	\$6,000,000.00	6.17%
IMB Ltd	A-3	\$9,000,000.00	6.12%
National Australia Bank	A-1+	\$7,500,000.00	6.07%
Railways Credit Union	ADI	\$3,500,000.00	6.19%
Reliance Credit Union	ADI	\$1,000,000.00	6.01%
Savings and Loans Credit Union	ADI	\$1,000,000.00	6.14%
SGE Credit Union	ADI	\$2,000,000.00	6.19%
Westpac Banking Corporation	A-1+	<u>\$1,000,000.00</u>	<u>6.14%</u>
		\$41,500,000.00	6.12%

**Long Term**

**(comprising Commercial Bills, Term**

**Deposits and Bonds):**

Railways Credit Union	ADI	<u>\$0.00</u>	<u>0%</u>
		\$0.00	0%

**Committed Rolling Investments**

Westpac	AA	\$2,000,000.00	5.94%
Westpac	AA	\$2,000,000.00	6.07%

Westpac	AA	<u>\$2,000,000.00</u>	<u>6.29%</u>
		<u>\$6,000,000.00</u>	<u>6.10%</u>

**Community Income Note**

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

**Negotiable & tradeable Certificates of Deposits**

Commonwealth Bank	AA	<u>\$2,000,000.00</u>	<u>4.71%</u>
		<u>\$2,000,000.00</u>	<u>4.71%</u>

**Floating Rate Notes**

ANZ	AA	\$2,000,000.00	5.94%
Barclays Bank PLC – Australian Branch	AA-	\$2,000,000.00	6.51%
Bendigo Bank 2007	BBB	\$2,000,000.00	6.05%
Lehman Brothers Treasury Co		\$90,000.00	0.00%
Mackay Permanent building Society	BBB-	\$500,000.00	5.81%
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>

<b>Total Investments</b>		<b><u>\$59,021,107.58</u></b>	<b><u>6.01%</u></b>
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***These funds were held as follows:***

Reserves Total (includes unexpended loan funds)		\$36,597,876.01	
Grants held for specific purposes		\$3,865,705.90	
Section 94 Funds held for specific purposes		\$18,469,978.85	
Unrestricted Investments – All Funds		\$87,546.82	
*General Fund		\$14,384.92	
*Water Fund		\$30,512.57	
*Sewer Fund		\$16,443.60	
*Waste Fund		<u>\$26,205.73</u>	

<b>Total Investments</b>		<b><u>\$59,021,107.58</u></b>	
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<b><u>Total interest revenue to 25/11/2010 on investments</u></b>		<b><u>\$1,655,682.25</u></b>	<b><u>6.01%</u></b>
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**R Roach**  
**Responsible Accounting Officer**

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

**MINUTE**

**12    Item 1    STATEMENT OF INVESTMENTS**

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

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

**2 YEAR TO DATE REVIEW - 2010/2011 MANAGEMENT PLAN AND BUDGET**  
**(16.00121)**

**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 November 2010.

	<b>Original Estimate</b>	<b>Previously Revised Estimate</b>	<b>Revised Estimate</b>	<b>Variance for the Month</b>
<b>Engineering Services</b>	12,535,291	12,590,922	12,590,922	0
<b>Corporate Services &amp; Finance</b>	(20,125,874)	(20,181,505)	(20,169,840)	11,665
<b>Cultural &amp; Community Services</b>	4,437,528	4,437,528	4,437,527	(1)
<b>Environmental Planning &amp; Building Services</b>	3,050,100	3,050,100	3,038,435	(11,665)
<b>TOTAL</b>	(102,955)	(102,955)	(102,956)	(1)

Variations for the Month of November 2010:

- RMCC - RTA Income Contribution - (\$446,469)
- MR 54 Extra Heavy Patching - \$404,692
- MR253 Heavy Patching - \$19,035
- HW6 Blayney Rd Heavy Patching - \$22,742
- Building Services Internal Contribution - (\$125,450)
- Environmental Services Internal Contribution - \$125,450
- Tourism Internal Contribution - (\$11,665)
- Marketing Internal Contribution - \$11,665
- Kelso Community Centre Expenditure - \$36,363
- Kelso Community Centre Income - (\$36,364)

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**

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

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

**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 November 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:	\$43,228.74
BMEC Community use:	\$19,662.91
Mount Panorama :	\$30,000.00

**MINUTE**

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

**MOVED: G Hanger SECONDED: T Carpenter**

**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.

- Mumberson, L - Land Near Eglinton Bridge - Part Lot 7004 DP1002346 - Licence
- Bathurst Amateur Swimming Club - Stanley Street - Lot 291 DP863083 - Licence

#### **Linen Plan Release**

- Brooks/O'Bryan - 4 Lot Residential Subdivision - 1609 Trunkey Road, Georges Plains
- Ratsep/Hynash - 20 Lot Residential Subdivision - 1 Residue Lot - Cox Lane Eglinton

**Financial Implications:** Nil.

**MINUTE**

**15    Item 4    POWER OF ATTORNEY**

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

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

## **5 BATHURST REGIONAL COUNCIL PICNIC DAY (07.00046)**

**Recommendation:** That Council:

- (a) designate Friday 18 February 2011 as the Picnic Day holiday.

**Report:** Council has received notification from the Council's United Services Union Delegate, that they wish to designate Friday, 18 February 2011 as the Picnic Day. Whilst a number of Council services may be closed, emergency services will still remain available in accordance with normal on-call arrangements.

As all Council employees are not eligible for the picnic day Council will maintain operational staff on the 18 February 2011.

**Financial Implications:** Council has allowed for a Picnic Day within its Management Plan Process.

**MINUTE**

**16    Item 5    BATHURST REGIONAL COUNCIL PICNIC DAY**

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

**RESOLVED:** That Council designate Friday 18 February 2011 as the Picnic Day holiday.

## **6 SUPPORT FOR BATHURST SEYMOUR CENTRE - APPROVAL IN PRINCIPLE (22.00185)**

**Recommendation:** That Council approves, in principle, to support the Bathurst Seymour Centre located at 55 Seymour Street, Bathurst (Lot 180 DP862410), as detailed in the report.

**Report:** Council in July 2010 received correspondence from the Bathurst Seymour Centre Inc. seeking support from Bathurst Regional Council for capital works projects should they be successful in receiving funding. Please see correspondence at **attachment 1**. The Bathurst Seymour Centre is located on Lot 180 DP862410.

Bathurst Seymour Centre's Manager, Terisa Ashworth, subsequently held discussions with Council's General Manager and staff in the Property, Finance and Environmental, Planning and Building Services sections regarding the contents of her correspondence.

Investigations were then carried out on adjoining properties to source a suitable location. The Bathurst Seymour Centre Inc. criteria for Dementia Specific Dwellings is very extensive. These properties were deemed unsuitable.

A further suggestion was for Council to provide land on which a specific purpose built facility could be developed.

A suitable area has been identified on the adjoining carpark land (Lot 2 DP 861474). Subject to the usual Development Application this land is deemed ideal as the proposed facility would be located adjacent to the current Seymour Centre precinct.

It is understood that the Bathurst Seymour Centre Inc. will prepare the funding submission in time for the next round of grants and to have support from Council, by way of the above mentioned parcel of land, would ensure the application provided sufficient information and hopefully enhance the chances of receiving funding.

The mentioned area of land is approximately 400m<sup>2</sup> however this may vary depending on final requirements. As the map shows there is ample space available to cater for the proposed new development. (See map **attachment 2**).

It is recommended that Council approves, in principle, to support the Bathurst Seymour Centre Inc. by making available the necessary portion of land, should their funding application be successful.

**Financial Implications:** Nil at this time.

**MINUTE**

**17 Item 6 SUPPORT FOR BATHURST SEYMOUR CENTRE - APPROVAL IN PRINCIPLE**

**MOVED: T Carpenter SECONDED: B Bourke**

**RESOLVED:** That Council approves, in principle, to support the Bathurst Seymour Centre located at 55 Seymour Street, Bathurst (Lot 180 DP862410), as detailed in the report.

Yours faithfully



R Roach  
**DIRECTOR  
CORPORATE SERVICES & FINANCE**



ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

DIRECTOR ENGINEERING SERVICES' REPORT

8 DECEMBER 2010

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL MEETING HELD ON 8 DECEMBER 2010**

General Manager  
Bathurst Regional Council

**1 PROPOSED TRANSFER OF LOT 12 DP719838 WIMBLEDON ROAD, GEORGES  
PLAINS (25.00447)**

**Recommendation:** That Council approve the transfer of Lot 12 DP719838 at Wimbledon Road, Georges Plains, as public road, as detailed in the Director Engineering Services' report. The land is to be classified as Operational.

**Report:** As part of Council's investigation into the status of Old Wimbledon Road, Georges Plains, it has been found that the section of Wimbledon Road contained in Lot 12 DP719838 was declared public road in Government Gazette dated 27 September 1991 Folio 8428. Please refer to copy notice at **attachment 1**.

The property containing the road is vested in Bathurst Regional Council with the transfer incomplete.

To finalise the transfer, it is recommended that Council approve the application to Land and Property Management Authority to transfer Lot 12 DP719838 to its ownership by issuing the Certificate of Title in the name of Council. The property contained in Lot 12 DP719838 is to be classified as Operational land and the road to be called Wimbledon Road.

**Financial Implications:** It is estimated legal fees will cost \$1,000 for the registration of the Request form. This will be financed from the Laneway Opening and Closing.

**MINUTE**

**18 Item 1 PROPOSED TRANSFER OF LOT 12 DP719838 WIMBLEDON ROAD, GEORGES PLAINS**

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

**RESOLVED:** That Council approve the transfer of Lot 12 DP719838 at Wimbledon Road, Georges Plains, as public road, as detailed in the Director Engineering Services' report.

## **2 WATERWISE BATHURST: WATER CONSERVATION AWARENESS AND EDUCATION CAMPAIGN FOR SUMMER 2010/2011 (18.00243)**

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

**Report:** Council would be aware that the 2010 Spring period has been one of higher than average rainfall and that Chifley Dam has been overflowing for an extended period of time.

Whilst Chifley Dam remains full, there are opportunities for Council to conserve more water than may have been possible in previous years. Accordingly staff have been and will continue to pursue opportunities to educate, inform and involve residents and other water users in water conservation activities.

A range of promotion and marketing opportunities have been identified that will be utilised to spread the **Waterwise Bathurst** message throughout the upcoming 2010/2011 summer period. The Waterwise Bathurst message focuses on the positive aspects of what individuals can do in order to conserve water in their homes and gardens, businesses, schools and on holidays.

These marketing opportunities include; television advertising, radio ads, print media, on-hold telephone messages, website updates and the inclusion of brochures with the most recent ratepayer newsletter focussed on being Waterwise in Bathurst.

This campaign follows on from similar activities undertaken across the 2009/2010 summer period with positive feedback being received.

All of the messaging will be presented under the logo of Waterwise Bathurst as included below.



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

**MINUTE**

**19 Item 2 WATERWISE BATHURST: WATER CONSERVATION AWARENESS AND EDUCATION CAMPAIGN FOR SUMMER 2010/2011**

**MOVED: G Hanger SECONDED: T Carpenter**

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

### **3 ROAD TRANSFER AND DEDICATION, PARTIAL ROAD CLOSURE AND TRANSFER OF LAND - GREEN GULLY ROAD, MOUNT RANKIN (25.00513)**

**Recommendation:** That Council :-

- (a) approve the application to the Land and Property Management Authority to transfer the section of Crown public road Green Gully Road, Mount Rankin between Willow Tree and Briar Lanes;
- (b) dedicate to the public as road the 'constructed' section of Green Gully Road severing Lot 9 DP1080900; and
- (c) close and transfer the 'paper' sections of road considered not necessary to the owner of Lot 9 DP1080900 under the provisions of the Roads Act 1993, as per the Director Engineering Services report.

**Report:** Council will recall the report of 21 July 2010 at **attachment 1**. Further to that report, Council has recently transferred Willow Tree Lane, to Green Gully Road, to its care and control, and Briar Lane is dedicated public road. The section of Green Gully Road between them, that Council must traverse in order to access and maintain them, is not. In this particular instance, given the circumstances, it is considered appropriate that this section of Green Gully Road should be transferred to Council's care and control and regular maintenance on it be undertaken.

The appurtenant section of narrow gravel road is in poor condition and contains:-

- 1 Large ruts caused by traffic and weather erosion; and
- 2 Bends at crests which are overgrown with vegetation causing poor sight distance.

The constructed section of Green Gully Road at Mount Rankin, between Willow Tree Lane and Briar Lane, Mount Rankin, is generally not within the road's correct 'paper' alignment. The location of the road is shown as "Reserved road 20.115 wide" in DP1080900 (copy at **attachment 2**) and is a Crown public road.

The road severs Lot 9 DP1080900, a property owned by Mr J Gannon. Mr Gannon has agreed to Council's proposal to transfer and dedicate the sections of Green Gully Road constructed on his property.

For the Council to maintain Green Gully Road between Willow Tree and Briar Lanes, it should make application to the Land and Property Management Authority (LPMA) to transfer the Crown public road to its care and control. The LPMA has indicated it will not oppose the application.

Following the transfer, to save construction costs, Council can acquire the constructed road's position by production of a plan of survey prepared under the Roads Act 1993. Under this format, the 'constructed' position of Green Gully Road is dedicated to the public as road and the 'paper' location, which does not contain the road, is transferred to the adjoining owner.

Upon registration of the plan, the constructed road is dedicated to the public as Green Gully Road and the unformed "paper" public road is transferred to Mr Gannon's ownership simultaneously.

Council will need to:-

- (i) Transfer the Crown road from LPMA to its care and control;
- (ii) Define the 'constructed' road's boundaries of the existing Green Gully Road and the 'paper' boundaries by survey under the Roads Act 1993;
- (iii) Have the plan registered at Land and Property Management Authority;
- (iv) Pay all associated reasonable legal and survey costs.

Estimated costs include the transfer of the road, surveys works, registration fees for the survey plan and other expenses totalling \$8,000.

**Financial Implications:** Expenses to be paid from the Roads Maintenance Fund.

## MINUTE

### **20 Item 3 ROAD TRANSFER AND DEDICATION, PARTIAL ROAD CLOSURE AND TRANSFER OF LAND - GREEN GULLY ROAD, MOUNT RANKIN**

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

**RESOLVED:** That Council :-

- (a) approve the application to the Land and Property Management Authority to transfer the section of Crown public road Green Gully Road, Mount Rankin between Willow Tree and Briar Lanes;
- (b) dedicate to the public as road the 'constructed' section of Green Gully Road severing Lot 9 DP1080900; and
- (c) close and transfer the 'paper' sections of road considered not necessary to the owner of Lot 9 DP1080900 under the provisions of the Roads Act 1993, as per the Director Engineering Services report.



#### **4 ASSET MANAGEMENT PLANS (03.00170)**

**Recommendation:** That the Asset Management Plans for Water, Sewer, Buildings, Drainage and Parks and Recreation be adopted.

**Report:** Following Council's Meeting of 20 October 2010, the Draft Asset Management Plans for:-

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

have been advertised for the statutory 28 days, with nil submissions received.

At **attachment 1** is a copy of the previous report to Council's October meeting detailing the need for these plans.

Asset Management Planning is one of the key elements of the Resourcing Strategy to support the Community Strategic Plan under integrated planning requirements. Council has been developing all of the required Asset Management Plans with further plans being developed to draft stage including -

- Bathurst Aerodrome

This plan will be reported to Council in coming months.

The adoption of these plans will provide further input into the Annual Management Plans to ensure the continuing appropriate funding of Council's Asset responsibilities.

It is therefore recommended that Council adopt the above completed plans.

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

**MINUTE**

**21     Item 4     ASSET MANAGEMENT PLANS**

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

**RESOLVED:** That the Asset Management Plans for Water, Sewer, Buildings, Drainage and Parks and Recreation be adopted.

## **5 REPORT ON 2010 NATIONAL LOCAL ROADS & TRANSPORT CONGRESS, BUNBURY, WA (18.00008)**

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

**Report:** On the 14-15 October 2010 Council's Manager Works attended the National Local Roads and Transport Congress in Bunbury, Western Australia. The Congress was well patronised with over 300 delegates from Councils across Australia attending.

The National Local Roads and Transport Congress is an annual (the first held in Moree in 2000) event at which Councils across the nation come together as a united force to develop and refine a coherent national case for improved investment in local government owned transport infrastructure that impacts on our communities.

Since its inception 11 years ago the congress can lay claim to playing a crucial role in persuading the then Howard Government to introduce the Roads to Recovery Program and for its two subsequent extensions and increase by \$50 million annually from the original \$300 million. The congress acknowledging the significant impact of the Roads to Recovery Program to date, as well as commending the government on its continuation of the program to 2014 and urging for its continuation thereafter.

The overwhelming focus of the congress this year was the estimated \$1.2 billion shortfall in local road funding identified as a result of the Australian Local Government Association study into local road funding. At **attachment 1** is the Communique released by ALGA outlining the delegate's response and further detail on the funding shortfall. (Bathurst Regional Council has identified a funding shortfall of \$596,000 noted in its Urban and Rural Road Asset Management Plans).

The Congress featured keynote speaker Rocco Forte, currently the Director of Emergency Preparedness and Regulatory Services for the City of Minneapolis. He commanded the Emergency Operations Centre for the 10 days it was operational following the collapse of the I35W Bridge in 2007 (a major bridge into the city of Minneapolis). His presentation highlighted the value of teamwork, cooperation and having the right people for the right job. All essential components in the successful management of the bridge collapse. Rocco was recognised by the then President, George Bush, for his professional leadership during the emergency.

Whilst promoting the need for funding is the pivotal role of the Congress, the broader political and policy environment within which Councils operate was also considered on the agenda. An example, being the recommendation of the Henry Tax Review, to introduce road pricing (already being considered by COAG for heavy vehicles). Regardless of political persuasion or viewpoint, a solid understanding of policy must be had in order to influence them, and make arguments for future transport funding. The congress featured presentations from various practitioners and experts on policy and practice providing valuable information to assist in the development of such arguments.

For the Council's information.

**Financial Implications:** Nil

**MINUTE**

**22 Item 5 REPORT ON 2010 NATIONAL LOCAL ROADS & TRANSPORT CONGRESS, BUNBURY, WA**

**MOVED: G Westman SECONDED: M Morse**

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

Yours faithfully



Doug Patterson  
**DIRECTOR  
ENGINEERING SERVICES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT  
8 DECEMBER 2010

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT TO THE ORDINARY  
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 8 DECEMBER  
2010**

General Manager  
Bathurst Regional Council

**1 BATHURST REGIONAL YOUTH COUNCIL ACHIEVEMENTS FOR 2010 (11.00020)**

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

**Report:** The following information is provided detailing the Bathurst Regional Youth Council achievements during 2010.

**(a) LIVE IT NOW YOUTH WEEK FESTIVAL 2010**

The Youth Council were involved in the staging of the "Live it Now" Youth Week Festival held at Learmonth Park on Saturday 17 April. The event was successful and incident free. There were approximately 300 young people in attendance throughout the day. The event showcased 47 local young musicians including bands, acoustic duos and solo artists. The quality of performers was of a high calibre and they engaged well with the crowd. Other activities included a creative arts workshop using recyclable materials (GarbaRRRT), archery, a Nintendo Wii tent, the PCYC van fitted out with X Box's, graffiti panels, roving circus performers as well as local service providers including Central West headspace, Centrelink, Bathurst Women's Health, Aftercare (PHAMS), Arts Out West/Bathurst Theatre Company, Greater Western Area Health Service and Kelso Community Centre who set up information and activity stalls.

**(b) "OUT OF IT" SHORT FILM**

The Youth Council have been working with Desert Pea Media during 2010 to complete a short film entitled "Out of it". The film addresses the issues and at risk behaviours associated with young people and alcohol consumption. The Youth Council created the framework for the film, which deals with the issue of local "open house" parties and associated risks including alcohol, drink driving, cannabis use, fighting, malicious damage and unwanted sexual advances.

The film is complete and early in 2011 the final resource pack will be developed to go with the film, with the assistance of Central West headspace. The film is aimed at year 9 and 10 students and will be trialled in secondary schools and youth services next year. The aim of the film is to be used as a resource to encourage conversation around the above issues mentioned. The goal of the film was also that it be developed by young people, for young people and to address specific local issues.

**(c) "MASQUERADE MADNESS" DANCE PARTY**

The Youth Council hosted a dance Party on Saturday, 21 August at BMEC with the theme being "Masquerade Madness". The dance party was very successful with a strong attendance of 520 young people. There were no incidents to report at the event and those in attendance enjoyed the DJ and the fact that they could socialise in a safe environment.

The staging of this event has been as a result of two previous successful dance parties held by the Youth Council. It is hoped that these will become a regular event. The issue of the costs involved with the hire of BMEC and BMEC staff as well as the hire of security, which is essential, is an ongoing concern. Entrance to the dance party incurs a \$5.00 cover charge, and the Youth Council are working towards making the event eventually self sustaining.

**(d) INDENT 10 YEAR TOUR AND SEP (SKILLS ENHANCEMENT PROGRAM)**

The Youth Council were successfully involved in the Indent 10 year tour, supported by NRMA Motoring and Services and staged the Central West leg of the event on Sunday, 3 October at BMEC. The event was coordinated by Indent Music NSW in celebration of their ten years of supporting all ages drug and alcohol free gigs in NSW.

There were approximately 165 young people in attendance. Unfortunately crowd numbers were not as strong as anticipated, however several factors may have contributed to this. Indent selected the date which was the Sunday of a long weekend, during school holidays and the week before the Supercheap Auto Bathurst 1000.

The event was successful with two local support acts playing and the event was headlined by a hip hop artist, "Urthboy".

The six Youth Council members who participated in the pilot program with TAFE and MUSIC NSW (SEP- Skills Enhancement Program) have completed their evidence portfolios which are being assessed by TAFE towards certificate competencies.

**(e) YAPA SHIFT THIS CONFERENCE**

Two Youth Council members represented the Youth Council at the YAPA (Youth Action and Policy Association) "Shift This" conference in Sydney from 29 September to 1 October.

The conference included a range of presentations, workshops and entertainment and looked at empowering young people to learn leadership skills, public speaking etc

**(f) CENTROC SUMMIT**

Three Youth Council members were invited to attend the Centroc Summit at the Mount in September and address the Summit. The Youth Council members found the experience worthwhile and enjoyed the opportunity to speak to the Summit about the issues being discussed at the Summit from a young person's perspective.

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

**MINUTE**

**23     Item 1     BATHURST REGIONAL YOUTH COUNCIL ACHIEVEMENTS FOR 2010**

**MOVED: T Carpenter   SECONDED: G Hanger**

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



## **2 COMMUNITY SAFETY PLAN 2011-2016 (20.00056)**

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

**Report:** A Community Safety Plan is currently being developed in partnership with key stakeholders and the broader Bathurst community. Wide reaching community consultation took place during the first half of 2010 as part of the development of the Social and Community Plan 2011 - 2016. Questions were asked and information collected that directly related to opportunities and challenges specific to community safety. This information and the data included in the Bathurst Crime Profile, developed by WRI in 2009, will form the basis for the development of the Community Safety Plan.

The Community Safety Plan will be a complementary plan to the newly adopted Social and Community Plan 2011 – 2016. It will facilitate a holistic approach to community safety focusing on and developing the existing assets of the community that support the prevention of crime and promote safety. It will reflect and combine the current crime statistics and the community's perceptions of safety to prioritise the areas of concern for the community. Actions will then be developed in partnership with key stakeholders to address the priorities identified through the process.

The Community Safety Plan will be completed ready for adoption by Council in May 2011, following a public submission period. Analysis of the data collected to date is currently underway. The crime statistics included in the Bathurst Crime Profile will also be updated. The areas of concern the community have identified are now the basis of further consultation with key stakeholders, both internal and external. This is planned for the beginning of the year and will form the basis of the action plan. The draft Community Safety Plan will be ready for public comment during April 2011.

**Financial Implications:** Provision to undertake the development of the Community Safety Plan has been incorporated into the Bathurst Regional Council's Management Plan 2010-11.

Actions identified in the Community Safety Plan 2011-16 that sit within the core business of Council will be part of Council's decision making processes in the development of the budget for oncoming years. These actions will compete with all other budget items. Other actions identified in the plan that are the core business of outside agencies/groups will be funded according to that organisations financial plan and as such are not the responsibility of Bathurst Regional Council.

**MINUTE**

**24     Item 2   COMMUNITY SAFETY PLAN 2011-2016**

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

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

### **3 KELSO COMMUNITY CENTRE ACTIVITIES (09.00026)**

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

**Report:** During 2010 Bathurst has seen the emergence of the Aboriginal Performing Arts Program (APAP), with the Kelso Community Centre (KCC) playing a central role to this program development. The Centre has been host to initial APAP meetings, as well as the site of Saturday morning circus workshops aimed at generating interest in performing arts. In the first week of the October school holidays a 'Workshop Week' was held at Kelso, the first major event for APAP, to attempt to draw the Aboriginal community together through performing arts. This event was overwhelmingly successful, with numbers of between 80-120 community members participating each day, resulting in positive and fulfilling engagement between community members and the activities on offer.

These successes have been recognised and an ongoing program of events has been developed. Programs commenced beginning mid-November and building on interest generated from the October workshops. These programs will operate on Monday and Thursday evenings and Saturday mornings, at KCC.

Council has received funding to operate a breakfast program for local school students and this will begin operation late in November, aiming to be running at full capacity by the beginning of Term 1, 2011.

The final Community Markets for 2010 at KCC will occur on Saturday, 11 December. These markets have been well received by the community. This market will also include a general Community Christmas Party.

The Housing NSW Regeneration Program - Building Stronger Communities, is beginning to take shape in Kelso and most residents are feeling positive about the changes in their community. KCC is working with Housing NSW over the next few weeks to host four Community Pride Days, a chance to clean out the house and yard whilst enjoying a sausage sandwich. Part of this program will be the creation of mosaics to be used in footpaths and children attending the after-school program, TR@K, at KCC will be working on these.

As a result of grant funding from the State and Federal Governments, an expansion of the shed at KCC is occurring. Improvements include a covered outdoor workspace, as well as being fitted out with cupboards and workbenches. Both TAFE and Central West Community College identified courses that they may be able to partially deliver from this venue once these upgrades become operational. The vegetable garden is once again planted for summer and the new gardens and trees are growing well.

On a final positive note vandalism rates have been extremely low, with graffiti so rare that we have not been able to provide Probation and Parole with regular work for their teams of Community Service Offenders. There are several strong community members who are playing a more visible positive role in activities at the Centre and the benefits of respect and recognition from the wider community are being felt. Complaints are down and engagement in activities and programs is up. This is largely a result in the changing engagement patterns staff and external service providers have taken at the Centre. It is anticipated the goodwill will grow further in the coming year as the physical and emotional changes in Kelso become concreted within the community.

During the last two weeks of school holidays (Monday, 17 January 2011 to Friday, 28 January 2011) the Centre will be running the Kelso Activities Program (KAP), with a combination of cooking, craft, outdoor activities and water play for all school aged children.

The program is funded by the Building Stronger Communities (Housing NSW) and is run by the Bathurst Information & Neighbourhood Centre using volunteers to implement the program.

The Centre will return to normal activities as from Monday, 31 January 2011.

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

**MINUTE**

**25    Item 3    KELSO COMMUNITY CENTRE ACTIVITIES**

**MOVED: B Bourke   SECONDED: T Carpenter**

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

Yours faithfully



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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
POLICY COMMITTEE MEETING

**POLICY COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST  
REGIONAL COUNCIL MEETING HELD ON 8 DECEMBER 2010**

General Manager  
Bathurst Regional Council

**1 MINUTES - POLICY COMMITTEE MEETING - 1 DECEMBER 2010 (07.00064)**

**Recommendation:** That the recommendations of the Policy Committee Meeting held on 1 December 2010 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held on 1 December 2010, are attached.

**Financial Implications:** N/A

**MINUTE**

26 **Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 DECEMBER 2010**

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

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



**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 1 DECEMBER 2010**

**5PM MEETING COMMENCES**

**1 MEETING COMMENCES**

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

**In attendance:** General Manager, Director Corporate Services & Finance, Director Cultural & Community Services, Director Engineering Services, Director Environmental Planning & Building Services, Manager Corporate Governance, Manager Environment, Manager Strategic Planning, Sustainability Strategy Officer, Manager Recreation, Manager Water & Waste, Senior Development Control Planner, Development Control Planner x 2.

**The Mayor called the meeting to order and requested a minutes silence in memory of former Mayors Kath Knowles and Neville Barlow.**

**APOLOGIES**

**2 APOLOGIES**

Nil.

**REPORT OF PREVIOUS MEETING**

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

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

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

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST**

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

**RESOLVED:** That the following Declarations of Interest be noted.

Mayor (Cr Toole)

Item #3 of the Director Environmental, Planning & Building Services Report to DA Discussion Forum - 185 Seymour Street

Cr Bourke

## **RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

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

- 5** **Item 1 POLICY - FLEA MARKETS, KINGS PARADE (04.00039, 41.00089)**  
**MOVED** Cr R Thompson and **SECONDED** Cr M Morse

**RESOLVED:** That Council replace the existing policy titled Flea Markets - Kings Parade with the new policy outlined in the report.

## **GENERAL BUSINESS**

- 6** **DOG ATTACKS & REQUESTS FOR ADDITIONAL SERVICE LEVELS (16.00126, 05.00002)**

**Cr Thompson** - could Council refer request for additional patrols, etc, to the 2011/2012 Management Plan.

- 7** **PIT COMPLEX (04.00009)**

**Cr Thompson** - request report on how can increase economic return and usage for Mount Panorama facilities.

- 8** **SOCCER FACILITIES (04.00014)**

**Cr Morse** - spoke to issue of soccer fields and use of Police Paddock.

**General Manager** noted report will come to Council next week.

- 9** **GIFT OF A TREE XMAS PROJECT (04.00006)**

**Cr Morse** - commended Parks and Gardens department on the new Gift of a Tree Xmas project.

- 10** **DOG ATTACKS (05.00002)**

**Cr North** - spoke of issues that have been raised and noted comments received by Councillors from ratepayers.

- 11** **SMOKING - ADVENTURE PLAYGROUND (04.00123, 04.00121)**

**Cr North** - has received complaints about people smoking in the Adventure Playground. Could we include a note in next Newsletter.

The Director Engineering Services noted signage has been put up.

**12 DOG ATTACKS (05.00002)**

Cr Bourke - spoke to question of dog attacks and responsibilities of owners.

**13 PUBLIC ACCESS TO COMMUNITY AGENCIES NEWSLETTERS (23.00078)**

Cr Carpenter - can Council facilitate public access to Community Agencies Newsletters, e.g. at the Library and Bathurst Information & Neighbourhood Centre.

**14 MIGRANT CAMP (23.00057)**

Cr Carpenter - can Council look at holding a function for the people associated with the migrant camp? Next year is the 50th Anniversary.

**15 ADVENTURE PLAYGROUND (04.00121, 04.00119)**

Cr Carpenter - noted has been discussions on expanding water facilities at the Adventure Playground. Should consider Aquatic Centre in any discussions and the construction of a water slide.

**DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS**

**16 Item 1 URBAN DRAINAGE RESERVE VEGETATION LINK: REVEGETATION PLAN (20.00174)**

The Director Environmental, Planning & Building Services gave an update on this program and how it has been developed as part of the Bathurst, Orange and Dubbo Alliance.

Discussion included:

**Cheryl Kelley (71 Violet Street)**

Lives on western side of the park and tabled photos of the area. Concerned at bottom area of the park where the creek is. Feels value of house is being diminished via lost views and what is proposed. Area has had a lot of break-ins and the area looks disgusting. Path alongside fence has not been mowed. There are concerns about snakes and the weed area is expanding. Willows are growing in the creek, area needs mowing.

The Mayor noted this area is not part of the Revegetation Plan which is being considered by Council.

**Michael Woods (14 Quinn Court)**

Has some concern with what is proposed in Darwin Drive area. The trees are not suitable. Will impact on views. Spoke to submission made and loss of property value that he feels will occur. The area has had some anti-social behaviour, the trees will exacerbate this. Feels parking problems will be created by the proposal. Requests shrubs 1-1.5m go in, not trees.

**Ashley Bland (Greening Bathurst)**

Commend Council on engaging in this planning. Urge Council work with residents. Also ask Council to look at ecological functioning of the area. Noted often well designed park areas do increase property values.

**M Billington (Darwin Drive)**

Looks across to N.E. The trees will block view which is why bought in this area. Request smaller native plantings, spoke to submission made. Some attention needs to be given to park area due to holes.

**C Woods (14 Quinn Ct)**

Support development of the area, but wish views to be kept. Want people to enjoy public space but don't do to detriment of residents.

**17 Item 2 DRAFT BATHURST REGIONAL (INTERIM) DEVELOPMENT CONTROL PLAN 2010 (DCP) (20.00163)**

The Director Environmental, Planning & Building Services gave an update on the process to develop the DCP, that has been followed. Will go to February 2011 Council Meeting.

Discussion included:

**V Schembri (1st National R.E)**

Spoke to submission made. Two main issues; Lot sizes at Eglinton (Precinct 3) and allowable sizes, and secondly the need for affordable housing. The DCP does not address affordable housing. Gave a history of his experience currently principal of First National Real Estate

Speaking as a representative of Sarvo Nominees as well who have development in to Council. To keep young people and allow people to downsize need affordable land. The DCP will stop this in the villages which are in precinct 3.

Development is not catering for our youth/first homebuyers and there is not support from the State Government or other levels of Government.

Sarvo nominees is trying to address this gap. The recent DA has not been able to do this as they would like and are now having to go to dual occupancies, which is

not the preferred option.

Looking at doing individual homes on 600 m<sup>2</sup> block in the \$240,000 - \$300,000 range. Current houses which have been done are excellent quality, look at Wellesley Court. Mr Schembri tabled document of works done and photos.

The homes are not slums. DCP proposal should not apply to Wellesley Court. Already have done works and have sales in place. If DCP comes in, will force land cost to increase by \$40,000 per block. Council's land plans do not cater for affordable housing, it should do this.

**J Kellett (Bathurst by Design and BCCAN)**

Noted both groups have put submissions in. Council plans need to reflect past and future, need to be careful when see what has happened in Sydney. Need to think imaginatively of the future eg transport links eg light rail. Must allow for diversity, don't want just a pushing out of what already exists. Need to cater for changes in lifestyle.

**J Swane**

People go to an area because they like what they see. In areas like Eglinton and Perthville, want village aspect and large blocks. Currently lives in historic area in town around Bentinck/William/Rocket Streets. Spoke to submission made and issues of visual scape and ecology of area. Wants residential character kept. Council need to ensure heritage areas are preserved and development compliments the area.

**T McBirney (Integrated Designing Group and Bathurst by Design Group)**

Challenge for Councillors is to stand back and create a vision for the town. There is an inherent "conservativeness" in the document and this lacks vision. Council needs to look at new and old ways to carry the character that is "Bathurst". Spoke of problems in Western Sydney and the loss of identity and the social dysfunction that occurs. Spoke of history of development of Bathurst back to Macquaries time. In 15 years the size of Bathurst has trebled yet population has increased 10%. Need to look at sustainability and do we want it to continue to grow as it is. Diversity is very important, need houses, units, various block sizes all juxtaposed. Councillors should look at other options and think again what makes Bathurst what it is.

**Laurie Parks (Mortgage Broker)**

Need to think carefully what we are doing for first home buyers and the youth. Why must the blocks be 900 m<sup>2</sup>. Consultation and inventiveness can make land available for first home owners, we don't want people stuck in the rental cycle.

**R McDonald (Hub Cafe)**

Operates business in Keppel Street. Nice part of town. Wondering what is going to happen to this area in to the future. Happy to talk about ideas for the future.

**Susan Douglas (Shop 59 Keppel Street)**

Spoke to preservation of Keppel Street, concern at this being lost like section between William and Bentinck. Keep old original appeal.

**Ashley Bland (Greening Bathurst)**

Plan is positive and contains many initiatives. Would like WSUD imbedded and landscaping plan needs more development.

**18** **Item 3 DEVELOPMENT APPLICATION NO. 2010/0735 – GENERAL STORE ATTACHED TO EXISTING DWELLING AT 185 SEYMOUR STREET, BATHURST. APPLICANT: MR M HONARMAND. OWNER: MR M & MRS R HONARMAND (DA/2010/0735)**

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

**Reason: Part owner of commercial premise at 292 Havannah Street, Bathurst, The Mayor vacated the Chair.**

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

**Cr Bourke declared a non-pecuniary interest in this item.**

**Reason: Neighbour to Development. Lives in Seymour Street.**

The Director Environmental, Planning & Building Services gave current status of this matter. Will be reported to February 2011 Council Meeting.

Discussion included:

**J Swane (Resident)**

Spoke against development. This is a residential area. There is shop space already available in this area.

**J Herschell (Resident - Seymour Street)**

Has put in a submission, lives next door to the proposed shop. Don't know what type of shop is proposed. DEPBS advised proposal is a general store. Mr Herschell raised concerns at noise from deliveries at 4.00am, the type of food which could be offered, signs that may be put up, safety of students from St Stanislaus (has a traffic count been taken of Brilliant Street?) Noted high traffic usage that occurs. What happens if present owner sells premises? What are the trading hours?

**P Favero (46 Brilliant Street)**

Spoke to submission made and objection to the development. Spoke of visual

impact of a shop. The existing amenity of the site is poor. There is a shop available for lease within 500m.

**J Sandra (Doctor)**

Lives just around the corner. Objects to shop where no infrastructure to cater for it is in place and spoke of safety concerns. Brilliant Street is the quickest way to get from West Bathurst to East Bathurst and is being used by more and more traffic.

**G Spence (71 Brilliant Street)**

Spoke of lifestyle issues. Major concern is safety issues, noted bus interchange factors, high levels of traffic and potential for an accident.

**L Boyd (63 Brilliant Street)**

Development will downgrade property. Be aware of historical nature of the area.

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

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

**MOVED** Cr I North

and **SECONDED** Cr W Aubin

**RESOLVED:** That the Director of Corporate Services & Finance Late Confidential Item be transacted at the meeting in accordance with Clause 241(3)(a)&(b) of the Local Government (General) Regulation.

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

**MOVED** Cr R Thompson

and **SECONDED** Cr I North

**RESOLVED:** 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	BATHURST MOTOR FESTIVAL - EASTER 2011	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 BATHURST MOTOR FESTIVAL - EASTER 2011 (04.00125)**  
**MOVED** Cr I North and **SECONDED** Cr W Aubin

**RESOLVED:** That Council:

- (a) act in accordance with the Director Corporate Services & Finance report
- (b) notes that the recommendation will be acted on immediately.

**RESOLVE INTO OPEN COMMITTEE**

- 21** **RESOLVE INTO OPEN COMMITTEE**  
**MOVED** Cr I North and **SECONDED** Cr B Bourke

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

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

- 22** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED** Cr I North and **SECONDED** Cr M Morse

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



**MEETING CLOSE**

**23      **MEETING CLOSE****

The Meeting closed at 6.44 pm.

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

**Date:** \_\_\_\_\_ **(8 December 2010)**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
DELEGATES REPORTS

**DELEGATES REPORTS TO THE ORDINARY MEETING OF BATHURST REGIONAL  
COUNCIL MEETING HELD ON 8 DECEMBER 2010**

General Manager  
Bathurst Regional Council

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

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

**Report: PRESENT:**

Crs North (Chair), Bourke, Carpenter, Hanger, Thompson, Westman  
General Manager, Director Corporate Services & Finance, Director  
Environmental Planning and Building Services, Director Engineering  
Services, Director Cultural & Community Services, Manager  
Corporate Governance, Manager Water & Waste

**APOLOGIES:** Crs Toole, Aubin, Morse

**1. TELSTRA (TCI ) COMMUNICATION TOWERS (11.00019)**

Representatives from Telstra, Darren Smith, Mike Packett and representatives from TCI Adam Yoeman and Vessna Greet - Area GM Western NSW attended the meeting and gave a presentation to Councillors.

Discussion included:

- The Bathurst market and the need for improved 'Next-G' Telstra coverage.
- Telsta mobile infrastructure footprint, existing sites and also the need for future sites.
- Site selection process which detailed the considerations taken into account when considering a site for a proposed tower.
- Sighting and quantity of towers is based on the number of calls expected, depth of coverage and physical constraints such as topography. Areas requiring additional towers to provide sufficient coverage include Kelso, Kelso South, Abercromie, Raglan and Peel.
- The group provided an overview on how the mobile phone network works.
- Explanation of Electro Magnetic Emissions (EME).

**2. CENTROC (07.00017)**

Jenny Bennett, Executive Officer of CENTROC addressed the Council.

Matters discussed included:

- A brief outline of the members of the CENTROC Group of Councils.
- Provided a list of the CENTROC advocacy priorities including:
  - 1 Bells Line Express Way
  - 2 Infrastructure (Transport and Water)
  - 3 Environmental Sustainability
  - 4 Health
  - 5 Telecommunications
  - 6 Regional Economic Development
- Provided Councillors with examples of some of the cost saving initiatives introduced through CENTROC.
- Advised Councillors of CENTROC website and invited them to have a look at it.
- Ms Bennett also gave Councillors an update on a health strategy currently being pursued by CENTROC. The aim of this programme is a marketing strategy aimed at addressing the shortage of health professionals in the CENTROC region and actively encouraging health professionals to move into the Central West area.
  - The programme is entitled 'Beyond the Range a new Horizon in Health'.
  - CENTROC is seeking funding for the 'Beyond the Range' initiative from State Government, Greater Western Area Health Service and the Department industry and Investment.
  - Funding is also provided by Councils . The programme has also developed a website which can be viewed at [www.beyondtherange.com.au](http://www.beyondtherange.com.au).

**Financial Implications:** Nil

**MINUTE**

**27 Item 1 COUNCILLORS MEETING WITH COMMUNITY  
GROUPS/REPRESENTATIVES HELD 10 NOVEMBER 2010**

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

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

## **2 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES HELD 24 NOVEMBER 2010 (11.00019)**

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

**Report:** **PRESENT:**

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

General Manager, Director Corporate Services & Finance, Director Environmental Planning and Building Services, Director Engineering Services, Director Cultural & Community Services, Manager Corporate Governance, Manager Parks & Recreation, Manager Water & Waste

**APOLOGIES:** Nil

### **1. NORWOOD PARK**

Representatives from Norwood Park, Malcolm Tucker and Marc Allison addressed the Council.

Matters discussion included:

- The type of building that they envisage for Bathurst Crematorium.
- Internal layout of the building.
- Provision of an artist's impression of the building from each direction.
- Discussed possible timeline for construction.
- Answered questions from Councillors in relation to the design layout and amenities of the building.

### **2. ROAD AND TRAFFIC AUTHORITY**

Representatives from the Road and Traffic Authority, Dion Killiby and Geoff Hall addressed the Councillors on the proposed upgrade of the Great Western Highway between Stockland Drive and Ashworth Drive, Kelso.

Discussion included details on their public consultation process. They advised 17,000 brochures had been posted, 150 written responses had been received back and 3 workshops had been held with various representatives of the community.

- Advised that there were several proposals for that section of road including roundabouts, traffic lights and various other combinations.
- Also advised that the public consultation process included the possibility of not being able to turn right into View Street coming from Raglan.
- Received a lot of public feedback on that proposal from members of the public, particularly residents of Kelso.

- Answered questions from Councillors in relation to the proposal and possible timeline for completion of the work.

**Financial Implications:** Nil

**MINUTE**

**28 Item 2 COUNCILLORS MEETING WITH COMMUNITY  
GROUPS/REPRESENTATIVES HELD 24 NOVEMBER 2010**

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

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



### **3 MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING HELD ON THURSDAY, 11 NOVEMBER 2010 (11.00020)**

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

### **Report: MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING HELD ON THURSDAY, 11 NOVEMBER 2010 AT 1.15PM**

**PRESENT:** Melinda Nancarrow, Nathan Inwood, Georgia Brancourt, Charlotte Inwood, Mitchell Dwyer, Ryan Fitch, Brianna Wade, Maddison Luchetti, Carmen Stassen, Hannah Condon, Chris Killham, Hugo Newell

**IN ATTENDANCE:** Megan Bargwanna (Youth Development Officer), Janelle Middleton (2.00pm), Cr Tracey Carpenter (2.34pm)

#### **1. APOLOGIES**

**RESOLVED** that the apologies from Ben Larnach, Iris Dorsett be accepted.

#### **2. ADOPTION OF PREVIOUS MINUTES (9 SEPTEMBER 2010)**

**RESOLVED** that the minutes of the meeting held 9 September 2010 be accepted.

#### **3. BUSINESS ARISING FROM PREVIOUS MINUTES**

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

#### **4. YAPA CONFERENCE- REPORTS CHARLOTTE INWOOD AND HUGO NEWELL**

- Hugo and Charlotte attended the 3 day conference in Sydney.
- The first day was orientation, with each day going from 9.00-5.00pm.
- Workshops covered topics such as cyber safety, how to get published, drug and alcohol, nutrition, global change, poverty (including role plays), "Flashmob" (seen on Youtube).
- The Youth Minister attended and was available to speak to.
- Participants received a copy of DIY Reality book which is a toolkit for event planning. Bathurst Regional Youth Council appears in the book for their event "This is Us" held in 2008 with the assistance of YAPA funding.
- The session on Facebook looked at experiments with passwords and what a great promotional tool it is for events.
- Both participants felt the conference was worthwhile and made some good connections, had fun and were amongst only a few who attended from a Regional area.

#### **5. INDENT 10 YEAR TOUR AND SEP REPORT- RYAN FITCH**

- The process involved several meetings, OH&S training, risk assessments, event planning etc which will go towards a TAFE qualification.
- There were 165 people who attended the event, which was well attended in comparison to the other nine events held around the state.
- The project was challenging, but enjoyable and worth pursuing in the future.

- Indent are planning to run the event again.
- Portfolios are still being assessed, and feedback from the TAFE assessors so far is that they have been very impressed with the professionalism and quality of the participants portfolios, as well as the excellent team work and communication skills the team adopted.
- Report from Ryan Fitch (Production Coordinator):

*“Mid year 2010, the Bathurst Youth Council were chosen to be a part of the SEP Indent Tour. This was a great opportunity where six young individuals were able to organise a professional event, plus earn a TAFE qualification for their efforts. Alongside Megan Bargwanna and Hannah Condon (as the SEP supervisors), the SEP team discovered that the process proved to be challenging quite frequently.*

*Valuable skills were also learnt along the way; OH& S training, risk assessment, the ability to negotiate with businesses, converse with the media, and developing the e-mailing skills to expert. The organisation of this event was highly dependent on teamwork; this provided all individuals involved knowledge of how ‘real-life’ events would be planned as well as dealing with the many personalities within the production crew.*

*On the day of the event; the team’s gruelling preparation was now put to the test. To the relief of all involved it proved to be successful. The all ages event provide a community atmosphere; as children as young as seven years entered the BMEC doors, with the large amount of varied ages fun was had by everyone.”*

## **6. “OUT OF IT” SHORT FILM**

- The film was viewed by the Youth Councillors and feedback from each member was received.
- Comments included: good timing and exits, the effectiveness of the circular narrative, the storyline makes you think that it could happen to anyone, the fact that there were no lines/words was very powerful, the music was a great way to add suspense, may be a bit long, there was a focus on a lot of issues- hope this doesn’t lose impact, the stealing from the handbag was not as dramatic as other issues, focus on risk taking was good, good overview of issues, some humour regarding the actors remembering the filming process.
- The aim of having the film prompt discussion has been achieved.
- The next stage is that the Youth Development Officer and the Youth Council will be working with Central West headspace to develop a resource pack to go with the film and then it will be trialled in local secondary schools at year 9 and 10 level, possibly year 8 in 2011 initially.
- The kit will explain the DVD and include fact sheets about the range of issues the film raises.
- Acknowledgements at the end of the film by Christian name only is a safety factor.
- The film will be a positive resource for the community
- The film is up to date and produced by local young people relating to local issues
- The Youth Council will consider entering the film in appropriate competitions.

## **7. END OF YEAR CELEBRATION**

- Suggestions for end of year celebration included: lawn bowling, ten pin bowling, laser tag, paintball, pool party and McDonalds, camping or day trip near flat rock, sky diving.
- Cr Carpenter offered access to her property for the event.

- Decision made to have a day time outing to Cr Carpenter's property on Friday 17 December, leaving Council at 2.00pm and returning at 6.30pm. Transport to be arranged by Manager Community Services.
- Flyer with details to be emailed to the group including RSVP date.

## **8. GENERAL BUSINESS**

### **8.1 Ryan Fitch - Youth magazine:**

- Ryan is looking into developing a Youth magazine and requested Youth Councillors to give suggestions as to the content. The target age will be secondary schools. Georgia expressed an interest in assisting Ryan.
- Suggestions included: sport achievements jobs, events, movies, profiles of young people, music reviews, service information, what's on.
- The magazine may be able to be circulate with the school newsletters.
- Anyone interested to contact Ryan with suggestions.

### **8.2 Youth Development Officer, Youth Engagement Strategy:**

- Council will be undertaking consultation for the Strategy beginning early in 2011.
- The Youth Council were requested to encourage their peers to participate and have a say when the consultations come to the schools
- Manager Community Services spoke about the concept of using a postcard to get feedback from young people
- Suggestions prizes included: Wii console, Iphone, Ipod touch, movie tickets, pool pass.

### **8.3 Cr Carpenter:**

- Cr Carpenter spoke about the Aquatic Centre being underutilised and asked the Youth Council if the inclusion of a slide would make the centre more appealing to teenagers. Cr Carpenter encouraged young people to promote the idea.
- There was discussion about how to better utilise the Centre- the group suggested possibly having the Youth Week Festival there and/or movie nights.
- This idea to be considered for Youth Week 2011.

## **9. MEETING CLOSURE**

There being no further business, the meeting closed at 2.50pm.

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

**MINUTE**

**29 Item 3 MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING  
HELD ON THURSDAY, 11 NOVEMBER 2010**

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

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

#### **4 BATHURST HEALTH COUNCIL - DELEGATES REPORT - IAN NORTH (18.00035)**

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

**Report:** The Deputy Mayor, Cr North, is Council's delegate on the Bathurst Health Council. Please find at **attachment 1** a report on the Bathurst Health Service from the Chair of the Health Council.

**Financial Implications:** Nil.

**MINUTE**

**30    Item 4    BATHURST HEALTH COUNCIL - DELEGATES REPORT - IAN NORTH**

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

**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

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

MOVED: B Bourke SECONDED: I North

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

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

**RESOLVED:** That:

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

Note: Late Report, Director Engineering Services Confidential #11 - Tender for Bathurst Wastewater Treatment Works Inlet Structure remedial works (36.00397) will be dealt with at the meeting. Notice of the business included in this report was given to Councillors at Director Engineering Services Confidential Report #1.

- (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	AUTOFEST MOTORCAR EVENT MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENANCY OF 200 COLLEGE ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.



		Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	TRANSFER OF LICENCE AGREEMENT, COUNTER SPACE, BATHURST AERODROME TERMINAL	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	AUSTRALIAN GT	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	BATHURST SOCCER EXTENSIONS	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 BATHURST	10A (2) (d) (i) – contains

	WASTE WATER TREATMENT WORKS INLET STRUCTURE REMEDIAL WORKS (CONCRETE)	commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	ANNUAL TENDER FOR STORMWATER DRAINAGE PIPES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	ANNUAL TENDER FOR THE HIRE OF 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.
4	ANNUAL TENDER FOR SAND AND/OR TOPSOIL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	ANNUAL TENDER FOR NATURAL GRAVEL	10A (2) (d) (i) – contains commercial information of a

	QUARRY ACCESS & EXTRACTION	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	LICENCE FEES: BUYBACK FACILITY, BATHURST WASTE MANAGEMENT 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.
7	ANNUAL TENDER FOR HIRE OF PLANT	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.
8	TENDER FOR SUPPLY & DELIVERY OF ONE 16,500KG GVM BITUMEN MAINTENANCE TRUCK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	TENDER FOR THE SUPPLY & DELIVERY OF ONE ONLY SIDE LOADING GARBAGE	10A (2) (d) (i) – contains commercial information of a confidential nature that would,

	COMPACTOR TRUCK	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.
10	TENDER FOR SUPPLY, DELIVERY & LAYING OF ASPHALTIC CONCRETE SURFACING	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
11	TENDER FOR BATHURST WASTE WATER TREATMENT WORKS INLET STRUCTURE REMEDIAL WORKS (CONCRETE)	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**\* Mayoral Minute**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	GENERAL MANAGER'S APPRAISAL	10A(2)(a) - Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
CONFIDENTIAL DIRECTOR CORPORATE SERVICES & FINANCE'S MINUTES  
8 DECEMBER 2010

**MINUTE**

**a Item 1 AUTOFEST MOTORCAR EVENT MOUNT PANORAMA**

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

That Council act in accordance with the Director Corporate Services & Finance report.

**MINUTE**

**b     Item 2   TENANCY OF 200 COLLEGE ROAD, BATHURST**

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

That Council approves entering into a new residential lease agreement for 200 College Road Bathurst (Lot 2 DP 749758) as detailed in the report.

**MINUTE**

**c Item 3 TRANSFER OF LICENCE AGREEMENT, COUNTER SPACE, BATHURST AERODROME TERMINAL**

**MOVED: G Hanger SECONDED: T Carpenter**

That Council approves the transfer of the licence agreement from Kingmill Pty Ltd trading as Thrifty Car Rental to Johnson & Arthur Holdings Pty Ltd for counter space at the terminal building at the Bathurst Aerodrome as detailed in the report.



**MINUTE**

**d     Item 4   AUSTRALIAN GT**

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

That Council advise motorsport authorities that it intends to call for expressions of interest for the conduct of the last available full track closure at Mount Panorama during early 2011

**MINUTE**

**e Item 5 BATHURST SOCCER EXTENSIONS**

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

That Council:

- (a) allow Bathurst 75's to remain at Alec Lamberton field to the end of the 2011 football season, with no extensions.
- (b) the proposal for future development of the Proctor Park/Police Paddock precinct be referred to a Working Party in early 2011.

Yours faithfully



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

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
CONFIDENTIAL DIRECTOR ENGINEERING SERVICES' MINUTES  
8 DECEMBER 2010

**MINUTE**

**f Item 1 TENDER FOR BATHURST WASTE WATER TREATMENT WORKS  
INLET STRUCTURE REMEDIAL WORKS (CONCRETE)**

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

That the information be noted.

**MINUTE**

**g     Item 2   ANNUAL TENDER FOR STORMWATER DRAINAGE PIPES**

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

That Council accept the tender from Rocla Pipeline Products for supply of stormwater drainage pipes, headwalls and lintels for 2011.

**MINUTE**

**h     Item 3   ANNUAL TENDER FOR THE HIRE OF TRUCKS**

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

That Council accept the Tenders for Hire of Trucks, as listed in the Director Engineering Services' Report, subject to the submission of complete particulars required by the documents, and in accordance with the General Conditions for the Hire of Trucks for casual hire of tip trucks during 2011.

## MINUTE

### i Item 4 ANNUAL TENDER FOR SAND AND/OR TOPSOIL

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

That Council accept the tender from -

- (a) Australian Native Landscapes for the supply of topsoil for 2011, and
- (b) Burke's Earthmoving and Haulage for the supply of filling sand for 2011.

**MINUTE**

**j Item 5 ANNUAL TENDER FOR NATURAL GRAVEL QUARRY ACCESS & EXTRACTION**

**MOVED: G Hanger SECONDED: M Morse**

That Council accept the tender from Macquarie Vale Pty Ltd for Natural Gravel Quarry Access and Extraction, under Contract No. 36.00403.



**MINUTE**

**k Item 6 LICENCE FEES: BUYBACK FACILITY, BATHURST WASTE  
MANAGEMENT CENTRE**

**MOVED: T Carpenter SECONDED: B Bourke**

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

## MINUTE

### I Item 7 ANNUAL TENDER FOR HIRE OF PLANT

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

That Council accept the Tenders for the hire of plant for 2011, as listed in the report, subject to submission of complete information being supplied for casual hire, and in accordance with the General Conditions for the Hire of Plant.

**MINUTE**

m **Item 8 TENDER FOR SUPPLY & DELIVERY OF ONE 16,500KG GVM BITUMEN MAINTENANCE TRUCK**

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

That Council purchase the unit from Ausroads Systems with the Izusu FVD 1000 cab chassis for a purchase price of \$271,781.00 and accept the trade offer from Ausroads Systems of \$32,000.00.

**MINUTE**

n **Item 9 TENDER FOR THE SUPPLY & DELIVERY OF ONE ONLY SIDE  
LOADING GARBAGE COMPACTOR TRUCK**

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

That Council accept the tender from Iveco Trucks Australia for an Iveco F2350G truck, fitted with Superior Pak Raptor side loader garbage compactor body, for a purchase price of \$375,739.10.

**MINUTE**

**o Item 10 TENDER FOR SUPPLY, DELIVERY & LAYING OF ASPHALTIC CONCRETE SURFACING**

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

That Council accept the tender from Downer EDI Limited for the Supply, Delivery and Laying of Asphaltic Concrete Surfacing for Contract No. 36.00405.

**MINUTE**

**p Item 11 TENDER FOR BATHURST WASTE WATER TREATMENT WORKS  
INLET STRUCTURE REMEDIAL WORKS (CONCRETE)**

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

That Council accept the tender from Interflow Pty Ltd for the remediation of the Inlet Works (Concrete) at the Waste Water Treatment Works for the sum of \$200,658 subject to provisional items and variations.

Yours faithfully



Doug Patterson  
**DIRECTOR  
ENGINEERING SERVICES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL  
CONFIDENTIAL MAYORAL MINUTE

**MINUTE**

**q     Item 1   GENERAL MANAGER'S APPRAISAL**

**MOVED: P Toole SECONDED: Nil**

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

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

That Council note:

- (1) The performance review of the General Manager, which was rated as better than satisfactory
- (2) That the General Manager's employment package has been set at \$267,788.

Yours faithfully



Paul Toole  
**MAYOR OF BATHURST**



**MINUTE**

**32     RESOLVE INTO OPEN COUNCIL  
MOVED: R Thompson SECONDED: W Aubin**

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

**MINUTE**

**33**     **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**  
**MOVED: T Carpenter SECONDED: R Thompson**

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

**MINUTE**

**34    MEETING CLOSE**

The Meeting closed at 5.34 pm.

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

**Date:** \_\_\_\_\_ **(2 February 2011)**