



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

8 February 2012

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, 15 February 2012 commencing at 6.00 pm.

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

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

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 15 FEBRUARY 2012

1. 6:00 PM - MEETING COMMENCES
2. PUBLIC QUESTION TIME
3. PRAYER
Almighty God, Give wisdom to those in authority and guide all peoples in the way of righteousness and peace, so that we may share with justice the resources of the earth, work together in trust and seek the common good. Amen.
4. APOLOGIES
5. MINUTES
 - * Minutes - Ordinary Meeting of Bathurst Regional Council - 1 February 2012
6. DECLARATION OF INTEREST
To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Section 451 of the Local Government Act, in relation to Declaration of Interest at meetings.
7. MAYORAL MINUTE - Nil
8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS
 - * Director Environmental Planning & Building Services' Report
 - * Director Corporate Services & Finance's Report
 - * Director Engineering Services' Report
 - * Director Cultural & Community Services' Report
 - * General Manager's Report
9. REPORTS OF OTHER COMMITTEES
 - * Minutes - Policy Committee Meeting - 1 February 2012
 - * Minutes - Traffic Committee Meeting - 7 February 2012
10. NOTICES OF MOTION - Nil
11. RESCISSION MOTIONS - Nil
12. DELEGATES REPORTS

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

Recommendation: That:

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

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

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF LICENCE AGREEMENT - BATHURST STAMP COIN AND COLLECTABLES CLUB - PARK STREET EGLINTON	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF LEASE - 7 LEE STREET KELSO - UPPER MACQUARIE COUNTY COUNCIL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the

		<p>person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.</p>
3	<p>ALTERATION TO TENANCY - 200 COLLEGE ROAD, BATHURST</p>	<p>10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.</p>
4	<p>TRACKCORP ADRENALIN PTY LTD</p>	<p>10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.</p>
5	<p>REGIONAL A-LEAGUE GAME IN BATHURST</p>	<p>10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.</p>
6	<p>LOCAL GOVERNMENT FINANCIAL SUPER (LGFS) COURT CASE</p>	<p>10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.</p>

		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	COMMUNICATIONS TOWER LEASE - MONKEY HILL	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	RENEWAL OF RESIDENTIAL LEASE - 215 DURHAM STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	TRANSFER OF LICENCE AGREEMENT - STOCKS AGRICULTURE PTY LTD TO P WILSON - WINDRADYNE RESIDUE LAND	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	CAMS TRACK LICENCE AGREEMENT	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	ENDORSEMENT OF TRANSFER OF TITLE, ACQUISITION FOR ROAD WIDENING, LOTS 1 TO 10, AND LOT 14 DP875743, 2435 AND 2630 TURONDALE ROAD, TURONDALE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	COMPULSORY ACQUISITION OF CROWN LAND, LOTS 1 TO 5 DP1171406, SOFALA WASTE MANAGEMENT CENTRE, SOFALA ROAD, SOFALA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

2 PUBLIC QUESTION TIME

Mr G Crisp – ratepayer

- congratulated speed of Engineer's Department responding to a footpath problem.
- Congratulated Division of Local Government on the new reporting format introduced, reports are much easier to understand. Queried spelling mistakes in new format. Are they there to confuse the reader? Referred to page 7, note 1 - costs re ICAC Inquiry, legal fees for Inquiry, insurance policy costs, losses on staff superannuations. Spoke to funding of increased legal costs.
- Spoke to Lehman matter and costs of this.

Ms F Thompson - Executive Director, Mitchell Conservatorium (DCSF #7 - request for financial assistance for events)

- thanked Council for renewal of lease for the Machattie Park Cottage.
- spoke to report and requested Council's support for the 2012 season, including events such as the Winter Showcase Concert and Monster Band Day.

Mr B Triming - resident (DES #4 - William Street Pram Ramps)

- has been raising this matter for four (4) years or more. Appears to be only William Street in front of Council Chambers is being done, will the rest be covered?

The **Director Engineering Services** advised all areas required to be addressed will be included in the 2012/2013 budget for consideration.

- Mr Triming then spoke to recent seminars sponsored by NRMA held covering emergency matters related to disability issues - disappointing as BRC was not represented.

Mr M Windsor - Bathurst Cycle Club - spoke to positive progression of the cycle park proposal. This is an important venue and will fill an important gap. Noted history of facility use and availability of suitable facilities. The existing track cannot be upgraded. Referred to facilities at Orange & Wellington. Spoke to productive meetings with Council. Bicycle groups are seeking support from other areas.

Mr P Dowling - ratepayer - spoke to Waste Management Centre operations and assistance provided by staff, and expressed thanks to staff.

MINUTE

3 APOLOGIES

MOVED: B Bourke SECONDED: I North

RESOLVED: That the apology from Cr Toole be accepted and leave of absence granted.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MINUTES

MINUTES TO THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
MEETING HELD ON 15 FEBRUARY 2012

General Manager
Bathurst Regional Council

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

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 1 February 2012 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 1 February 2012, are attached.

Financial Implications: N/A

MINUTE

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

MOVED: W Aubin SECONDED: T Carpenter

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 1 February 2012 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 1 FEBRUARY 2012**

MEETING COMMENCES

1 MEETING COMMENCES

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

G Crisp – Ratepayer

- Spoke to submission he had previously made on Councillor expenses and use of computers by Councillors and access to various sites.
- Raised the cost of insurance premiums due to the Hadley case, the details of the ICAC inquiry, sacking of staff and responsibility for internal controls.
- Spoke to Wivenhoe Dam report and liabilities over water releases, Council policies and procedures on dam control.

The **General Manager** and **Director Engineering Services** responded to issues raised, noting changes to insurance, ICAC is yet to hand down its report, responsibility and controls at Chifley Dam.

I McPherson – National Trust - DEPBS #5 DA2011/0384 - 133-137 Keppel St - asked is there a commitment by Council to preserve heritage. Is demolition by neglect a way of getting around Council's decisions?

Have some issues with respect to the report. Proceeded to speak to the report and history of DA's on the site. Queried figures in report on preserving the site as quoted. Concern this will create a precedent for others. Council has powers in the conservation area, please exercise these. Recently participated in Bathurst 2036 process - this included preservation of heritage and peoples' pride in the local area.

S Bathgate – National Trust - DEPBS #5 DA2011/0384 - 133-137 Keppel St - stated this is a difficult matter to make a decision on. There is flimsy evidence and assertions on which to base a decision. More information should have been provided - reports are currently flawed and incomplete. Also no plan exists for any infill development. Plans for any proposal should come to Council and be commenced, if approved, before any demolition commences. Building setback should be 30 metres and scale/style to same size should occur. The site should be controlled. The applicants heritage report misses the issue of streetscape and there is no independent report. There are no engineers reports only unsubstantiated assertions. This is "cherry picking" the Development Application. Questioned where are the various studies that should be provided.

C Sarah - Owner - DEPBS #5 DA2011/0384 - 133-137 Keppel St - advised inherited property from Father. Spoke to history of the site and the structural state of the buildings. The cottages have passed their use-by date, it is not demolition by neglect. Have restored 141 & 143 Keppel Street at great cost to himself. The state of the properties subject to the DA does not allow restoration. Requests approval by Council.

M McMillan - Volunteer Representative - Rural Fire Service - DCSF Confidential #6 - Site for new Fire Control Centre - seeks Council support on land allocation for the new Fire Control Centre. Thanks Council for support to date.

B Trimming – Resident

- **DEPBS #5 DA2011/0384 - 133-137 Keppel St** - surprised at outburst on these buildings, this has not been demolition by neglect.
- **DEPBS #7 DA2011/0435 - 13-15 Cross St** - spoke to proposed development in Cross Street and the benefit of heritage and who pays for it.
- **DEPBS #9 - Car parking at Bathurst Chase** - Council needs to keep close observation on this proposed change. Expressed concerns at how the change will be implemented, issues such as boom-gates, restricted parking monitoring etc were raised. Possible issues in the future as to how people will be treated, what are fine levels. If carpark is lost, will we see a reduction in Council parking officers.

APOLOGIES

3 **APOLOGIES**

Nil.

MINUTES

4 **Item 1 MINUTES - ORDINARY MEETING OF COUNCIL FOLLOWING POLICY - 7 DECEMBER 2011 (11.00005)**

MOVED Cr P Toole

and **SECONDED** Cr M Morse

RESOLVED: That the Minutes of the Ordinary Meeting of Council following Policy Committee held on 7 December 2011 be adopted.

5 **Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 14 DECEMBER 2011 (11.00005)**

MOVED Cr I North

and **SECONDED** Cr T Carpenter

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 14 December 2011 be adopted.

DECLARATION OF INTEREST

- 6 **DECLARATION OF INTEREST 11.00002**
MOVED Cr B Bourke and **SECONDED** Cr T Carpenter

RESOLVED: That the following Declarations of Interest be noted.

Cr Aubin
Item #5 of the Director Corporate Services & Finance's Confidential report

Cr Carpenter
Item #5 of the Director Corporate Services & Finance's Confidential report

Cr North
Item #2 of the Director Corporate Services & Finance's Confidential report

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 P Toole and **SECONDED** Cr M Morse

RESOLVED: That the information be noted.

- 8 **Item 2 GENERAL REPORT (03.00053)**
MOVED Cr P Toole and **SECONDED** Cr T Carpenter

RESOLVED: That the information be noted.

- 9 **Item 3 BATHURST REGION RURAL STRATEGY - GROWTH IN THE VICINITY OF SOFALA (20.00099)**
MOVED Cr R Thompson and **SECONDED** Cr I North

RESOLVED: That the information be noted.

- 10 **Item 4 DEVELOPMENT APPLICATION NO. 2011/0421 – THREE LOT RURAL SUBDIVISION – 1395 TARANA ROAD, LOCKSLEY. APPLICANT: ANTHONY DAINTITH TOWN PLANNING. OWNER: MR M & MRS A MILLER (DA/2011/0421)**
MOVED Cr I North and **SECONDED** Cr P Toole

RESOLVED: That Council:

- (a) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 3;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lot 3;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2011/0421, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

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

The result of the division was:

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

Against the motion - NIL

Absent - NIL

Abstain - NIL

11

Item 5 DEVELOPMENT APPLICATION NO. 2011/0384 - DEMOLITION OF EXISTING 4 BUILDINGS, LOTS 4 & 7 DP 758065 AND LOT 1 DP 794563, 133-137 KEPPEL STREET, BATHURST. APPLICANT: CRAIG SHARAH. OWNER: VIVIENNE SHARAH AND PAUL SHARAH (DA/2011/0384)

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

RESOLVED: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2011/0384, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - (i) The bricks are to be carefully removed from the building, cleaned and securely stored offsite, protected from vandalism, stealing and the weather for reuse for a future development proposal on the property.
- (b) call a division.

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

The result of the division was:

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

Against the motion - Cr T Carpenter,
Absent - NIL
Abstain - NIL

- 12** **Item 6 DEVELOPMENT APPLICATION NO. 2011/0489 – TWO LOT SUBDIVISION AT 761 & 783 ROCKLEY ROAD, ROCKLEY MOUNT. APPLICANT: VOERMAN & RATSEP CONSULTING SURVEYORS. OWNER: MR M GODDARD, MR G & MRS T RANKINE (DA/2011/0489)**
MOVED Cr I North and **SECONDED** Cr P Toole

RESOLVED: That Council:

- (a) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 27 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 2 and 3;
- (b) support the variation to the 1(e) Outer Rural 100 hectare minimum lot size as prescribed in the Clause 28 (1) of *Bathurst Regional (Interim) Local Environmental Plan 2005* for proposed Lots 2 and 3;
- (c) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2011/0489, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979; and
- (d) call a division.

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

The result of the division was:

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

- 13** **Item 7 DEVELOPMENT APPLICATION NO. 2011/0435 - 4 X 3 BEDROOM AND 2 X 2 BEDROOM UNITS, THREE LOT SUBDIVISION AND DEMOLITION OF TWO DWELLINGS, LOTS 1 AND 2 DP 584337, 13 - 15 CROSS STREET. APPLICANT/OWNER: MS B G GARROD (DA/2011/0435)**
MOVED Cr P Toole and **SECONDED** Cr W Aubin

RESOLVED: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2011/0435, subject to conditions able to be imposed pursuant to Section 80(A) of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - (i) The external materials are to be consistent with those used within the local

streetscape.

- (ii) Prior to issue of Construction Certificate, the developer is to submit a photographic archival report in accordance with Council Guidelines.
- (iii) A schedule of materials and finishes is to be provided to Council prior to the issue of Construction Certificate.
- (iv) A Construction/Traffic Management Plan is to be prepared and submitted to Council prior to issue of Construction Certificate for approval. The Plan is to specifically address the management of the impacts of construction of the buildings on Cross Street and prescribe measures to ensure Cross Street remains open for all residents.

(b) call a division.

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

The result of the division was:

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

Against the motion - Cr B Bourke,

Absent - NIL

Abstain - NIL

- 14** **Item 8 LAND AND ENVIRONMENT COURT PROCEEDINGS - TELSTRA CORPORATION ATS BATHURST REGIONAL COUNCIL (34.00070 & 2010/0629)**
MOVED Cr R Thompson and **SECONDED** Cr T Carpenter

RESOLVED: That the information be noted.

- 15** **Item 9 TERMINATION OF CAR PARK MONITORING AGREEMENT: BATHURST CHASE (28.00001)**
MOVED Cr P Toole and **SECONDED** Cr M Morse

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report

- 16** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

- 17** **Item 2 YEAR TO DATE REVIEW - 2011/2012 MANAGEMENT PLAN AND BUDGET (16.00126)**
MOVED Cr G Hanger and **SECONDED** Cr I North

RESOLVED: That the information be noted.

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

MOVED Cr B Bourke and **SECONDED** Cr P Toole

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

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

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

RESOLVED: That the information be noted.

20 **Item 5 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PANTHERS FOOTBALL CLUB (18.00004)**

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

RESOLVED: That Council donate \$3,000 to Bathurst Panthers Football Club towards the cost of Bathurst Rugby League Knockout from Section 356 Donations.

21 **Item 6 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST WOMEN'S HOUSING PROGRAM INCORPORATED (18.00004)**

MOVED Cr T Carpenter and **SECONDED** Cr I North

RESOLVED: That Council donate \$439.00 to Bathurst Women's Housing Program Inc towards the cost of hanging the banner across William Street from Section 356 Donations.

22 **Item 7 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST DISTRICT PROSTATE CANCER SUPPORT GROUP (18.00004)**

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

RESOLVED: That Council donate \$400 to Bathurst District Prostate Cancer Support Group towards the cost of conducting a Men's Health Night from Section 356 Donations.

23 **Item 8 REQUEST FOR FINANCIAL ASSISTANCE - ROTARY CLUB OF BATHURST (18.00004)**

MOVED Cr P Toole and **SECONDED** Cr B Bourke

RESOLVED: That Council:

- a) Provide the use of the Bathurst Memorial Entertainment Centre City Hall in the way of a Section 356 Donation of \$456 for the Sports Award Gala Evening.
- b) Not provide catering.

- c) Not provide a contribution towards the cost of a guest speaker.

Director Engineering Services' Report

- 24** **Item 1 PROPOSED RESERVATION, ROCKLEY BUSHFIRE SHED - LOT 2 DP48619 PINE HILL CRESCENT ROCKLEY (22.08894-02)**
MOVED Cr P Toole and **SECONDED** Cr T Carpenter

RESOLVED: That Council:

- (a) Rescind the resolution made at its meeting held 19 October 2005, in part, to compulsorily acquire Lot 2 DP48619 located at Pine Hill Crescent Rockley, and
(b) Approve Council entering an agreement with the Department of Primary Industries to become Trust Manager of Lot 2 DP48619 being land reserved for a public purpose as detailed in the Director Engineering Services' report.

- 25** **Item 2 PROPOSED DEDICATION OF PUBLIC ROAD - LOT 47 DP843032 BRADWARDINE ROAD, ROBIN HILL (25.00047-04)**
MOVED Cr W Aubin and **SECONDED** Cr B Bourke

RESOLVED: That Council approve the dedication of land as public road under Section 10 of the Roads Act 1993 the land contained in Lot 47 DP843032 and name that section of road Bradwardine Road, as detailed in the Director Engineering Services' report.

- 26** **Item 3 PROPOSED ROAD DEDICATION, LOT 1 DP48361, GILMOUR STREET, KELSO (25.00031-04)**
MOVED Cr I North and **SECONDED** Cr R Thompson

RESOLVED: That Council approve the dedication of land in Lot 1 DP48361 to the public as road under Section 10 of the Roads Act 1993, as detailed in the Director Engineering Services' report.

Director Cultural & Community Services' Report

- 27** **Item 1 SCATTERED BONES PROGRAM (21.00106)**
MOVED Cr R Thompson and **SECONDED** Cr I North

RESOLVED: That the information be noted.

- 28** **Item 2 BATHURST REGIONAL ART GALLERY - FEDERAL GOVERNMENT'S CULTURAL GIFTS PROGRAM (21.00039)**
MOVED Cr M Morse and **SECONDED** Cr T Carpenter

RESOLVED: That the information be noted.

REPORTS OF OTHER COMMITTEES**Policy Committee Meeting****29 Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 DECEMBER 2011 (07.00064)****MOVED** Cr B Bourke and **SECONDED** Cr I North**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 7 December 2011 be adopted.**Climate Change Committee Meeting****30 Item 1 MINUTES - CLIMATE CHANGE COMMITTEE MEETING - 7 DECEMBER 2011 (07.00006)****MOVED** Cr P Toole and **SECONDED** Cr W Aubin**RESOLVED:** That the recommendations of the Climate Change Committee Meeting held on 7 December 2011 be adopted.**DELEGATES REPORTS****31 Item 1 2015 BICENTENARY CELEBRATIONS COMMITTEE MEETING - 6 DECEMBER 2011 MINUTES (23.00080)****MOVED** Cr T Carpenter and **SECONDED** Cr M Morse**RESOLVED:** That the information be noted.**RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS****32 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS****MOVED** Cr P Toole and **SECONDED** Cr M Morse

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

There we no representations from the public.**RESOLVED:** That:

- (a) Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be

considered is classified confidential under the provisions of section 10A(2) as outlined above.

- (c) Correspondence and reports relevant to the subject business be withheld from access.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF LEASE - MITCHELL CONSERVATORIUM INC. - MACHATTIE PARK COTTAGE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF LEASE - UNIT 4 55 SEYMOUR STREET BATHURST - ACQUIRED BRAIN INJURY SERVICES NSW INC.	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED SALE OF PROPERTY, 12 WHITEMAN PLACE, 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.
4	PROPOSED NEW LICENCE AGREEMENT - BATHURST BUSHRANGERS - AFL CLUBHOUSE - GEORGE PARK BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	WATER CHARGES - BATHURST 75 FOOTBALL CLUB	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	RURAL FIRE SERVICE - PROPOSED SITE FOR A NEW CHIFLEY ZONE FIRE CONTROL 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.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PROPOSED ROAD WIDENING LOT 1 DP749758 CONROD STRAIGHT MOUNT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed,

	PANORAMA	prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PROPOSED ACQUISITION OF LAND FOR CONSTRUCTION OF THE PERTHVILLE LEVEE, LOTS 279 AND 299 DP750354 2 NORTH STREET PERTHVILLE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	PROPOSED COMPULSORY ACQUISITION FOR ROAD WIDENING, LOTS 7034 AND 7035 DP1114692, PARTS OF LOTS 7032 AND 7033 DP1114695, PANORAMA AVENUE, 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.
4	ENDORSEMENT OF ACQUISITION PLAN FOR ROAD WIDENING, LOT 105 DP756873, 3246 HILL END ROAD, HILL END	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Director Corporate Services & Finance's Report

- a** **Item 1 RENEWAL OF LEASE - MITCHELL CONSERVATORIUM INC. - MACHATTIE PARK COTTAGE (04.00012)**
MOVED Cr R Thompson and **SECONDED** Cr B Bourke

That Council approves entering into a new commercial lease agreement for part Lot 11 DP851096 known as the Machattie Park Cottage with the Mitchell Conservatorium Inc. for a period of two (2) years as detailed in the report.

- b** **Item 2 RENEWAL OF LEASE - UNIT 4 55 SEYMOUR STREET BATHURST - ACQUIRED BRAIN INJURY SERVICES NSW INC. (22.00185)**
MOVED Cr R Thompson and **SECONDED** Cr B Bourke

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

Reason: Daughter works for applicant on a casual basis.

That Council approves entering into a new lease agreement with Acquired Brain Injury Services NSW Inc. (formerly Wareemba Community Living Services (WCL) Inc.) for part Lot 180 DP862410 known as Unit 4, 55 Seymour Street, Bathurst for a period of six (6) months with a six (6) month option period as detailed in the report.

- c** **Item 3 PROPOSED SALE OF PROPERTY, 12 WHITEMAN PLACE, BATHURST (22.00202)**
MOVED Cr W Aubin and **SECONDED** Cr M Morse

That Council approves the listing for sale of Lot 127 DP249576 known as 12 Whiteman Place, Bathurst and direct the General Manager to negotiate the sale of the property.

- d** **Item 4 PROPOSED NEW LICENCE AGREEMENT - BATHURST BUSHRANGERS - AFL CLUBHOUSE - GEORGE PARK BATHURST (04.00042)**
MOVED Cr R Thompson and **SECONDED** Cr B Bourke

That Council approves entering into a new licence agreement with the Bathurst Bushrangers ARFC Inc for the AFL clubhouse located on part Lot 7324 DP1157012 known as George Park, Bathurst for a period of five (5) years as detailed in the report.

- e** **Item 5 WATER CHARGES - BATHURST 75 FOOTBALL CLUB (04.00018-02)**
MOVED Cr R Thompson and **SECONDED** Cr M Morse

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

Reason: Son plays soccer for Bathurst 75's

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

Reason: Son plays soccer for Bathurst 75's

That Council act in accordance with the recommendation of this report.

- f** Item 6 RURAL FIRE SERVICE - PROPOSED SITE FOR A NEW CHIFLEY ZONE FIRE CONTROL CENTRE (13.00020)
MOVED Cr I North and SECONDED Cr R Thompson

That Council

- (a) subdivide Lot 201 DP1074567 as per the provided site plan.
- (b) reserve new Lot 2011 for the location of the new Rural Fire Service & State Emergency Service facilities.
- (c) include a bid in the 2012/2013 Rural Fire Service Estimates for the new Fire Control Centre of \$2 million (Council's contribution being 11.7% or \$234,000).
- (d) If funding is not available from the Rural Fire Service within two years, then Council reconsider its position in relation to the allocation of funding to this project.

Director Engineering Services' Report

- g** Item 1 PROPOSED ROAD WIDENING LOT 1 DP749758 CONROD STRAIGHT MOUNT PANORAMA (25.00155)
MOVED Cr I North and SECONDED Cr B Bourke

That Council approve the proposed road widening affecting Lot 1 DP749758 at Conrod Straight, Mount Panorama, and dedicate the road to the public as road, as detailed in the Director Engineering Services' report. The land is to be classified as Operational land.

- h** Item 2 PROPOSED ACQUISITION OF LAND FOR CONSTRUCTION OF THE PERTHVILLE LEVEE, LOTS 279 AND 299 DP750354 2 NORTH STREET PERTHVILLE (22.05810 and 31.00001-10)
MOVED Cr W Aubin and SECONDED Cr P Toole

That Council approve the proposed acquisition of land for construction of the Perthville Levee located at Lot 279 and Lot 299 DP750354 being 2 North Street,

Perthville, subject to the conditions outlined in the Director Engineering Services' report. The acquired land is to be classified as Operational land under the provisions of Section 31(2) of the Local Government Act 1993.

- i** **Item 3 PROPOSED COMPULSORY ACQUISITION FOR ROAD WIDENING, LOTS 7034 AND 7035 DP1114692, PARTS OF LOTS 7032 AND 7033 DP1114695, PANORAMA AVENUE, MOUNT PANORAMA (25.00105-02)**
MOVED Cr P Toole and **SECONDED** Cr W Aubin

That Council make application to the Department of Primary Industries Crown Lands Division to compulsorily acquire Lot 7034 and Lot 7035 DP1114692, and parts of Lot 7032 and Lot 7033 DP1114695 at Panorama Avenue Mount Panorama, for the construction of a roundabout. The application to follow the provisions of the Roads Act 1993 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991, and does not include mineral rights. The acquired land is to be classified as operational land.

- i** **Item 4 ENDORSEMENT OF ACQUISITION PLAN FOR ROAD WIDENING, LOT 105 DP756873, 3246 HILL END ROAD, HILL END (25.00262-05, 22.12580 & 25.00340)**
MOVED Cr I North and **SECONDED** Cr T Carpenter

That Council approve endorsement by the General Manager of an acquisition plan for road widening of Hill End Road affecting Lot 105 DP756873 being 3246 Hill End Road, Hill End, as detailed in the Director Engineering Services' report.

RESOLVE INTO OPEN COUNCIL

- 33** **RESOLVE INTO OPEN COUNCIL**
MOVED Cr W Aubin and **SECONDED** Cr R Thompson

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 34** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr W Aubin and **SECONDED** Cr I North

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

MEETING CLOSE

- 35** **MEETING CLOSE**

The Meeting closed at 7.54 pm.

CHAIRMAN: _____

Date: _____ **(15 February 2012)**

MINUTE

5 DECLARATION OF INTEREST 11.00002

MOVED: I North SECONDED: W Aubin

RESOLVED: That the following Declarations of Interest be noted.

Cr Morse

Item #7 of the Director Corporate Services & Finance report

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

Cr Thompson

Item #7 of the Director Corporate Services & Finance Confidential report

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT & MINUTES
15 FEBRUARY 2012

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 15
FEBRUARY 2012**

General Manager
Bathurst Regional Council

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

Recommendation: That the information be noted.

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

Financial Implications: Nil.

MINUTE

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

MOVED: B Bourke SECONDED: R Thompson

RESOLVED: That the information be noted.

2 GENERAL REPORT (03.00053)

Recommendation: That the information be noted.

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

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during January 2012 (**attachment 1**)
- (b) Applications refused during January 2012 (**attachment 2**)
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**)
- (d) Applications pending approval for greater than 40 days as at the date of compilation of this report (**attachment 4**)
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 approved in January 2012 (**attachment 5**).

Financial Implications: Nil.

MINUTE

7 Item 2 GENERAL REPORT (03.00053)

MOVED: R Thompson SECONDED: M Morse

RESOLVED: That the information be noted.

3 NAMING OF PUBLIC ROADS – COACHWORKS WAY (20.00024)

Recommendation: That Council:

- (a) adopt the name Coachworks Way ; and
- (b) direct the Director Environmental, Planning & Building Services Department to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

Report: The connecting road between Freeman Circuit and Evernden Road, created by the subdivision of Lot 629 DP 1164690, is currently unnamed (see location map at **attachment 1**).

The current theme within the Avonlea Estate is to name streets after early explorers and settlers of the Bathurst Region. This part of the estate has a particular connection to the city's past Cobb & Co era, with Freeman Circuit and Cobb Avenue in close proximity to the unnamed road.

The most obvious suggestion would be to name the road after the owner and Manager of Cobb & Co, James Rutherford, who made the decision to base the company at Bathurst. "Rutherford" is currently taken by a road within West Bathurst so this is ruled out. Cobb & Co has had many other owners but not as prominent as Freeman, Cobb or James Rutherford, who already have streets named in their honour in Bathurst. Therefore, it is suggested that the unnamed road should instead be named with regards to the actual activities of Cobb & Co.

It is proposed to call the unnamed road Coachworks Way in honour of the link between Bathurst and Cobb & Co. Coachworks were established by Cobb & Co in Bathurst, Bourke, Goulburn, Hay and Charleville, with Bathurst being the first. These Coachworks would be involved in the various processes required to build Cobb & Co's famous coaches.

The name complies with Bathurst Regional Council's *Guidelines for the Naming of Roads*.

Financial Implications: Nil.

MINUTE

8 Item 3 NAMING OF PUBLIC ROADS – COACHWORKS WAY (20.00024)

MOVED: R Thompson SECONDED: T Carpenter

RESOLVED: That Council:

- (a) adopt the name Coachworks Way ; and
- (b) direct the Director Environmental, Planning & Building Services Department to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

4 ABORIGINAL HERITAGE ASSESSMENT - CHIFLEY DAM PIPELINE (20.00159)

Recommendation: That the information be noted.

Report: In 2008, Council commenced the process of investigating the feasibility of constructing a pipeline from the Ben Chifley Dam to the Water Treatment Plant at Bathurst within the next 10 to 15 years. As part of that process Council resolved to engage consultants to undertake an Aboriginal Heritage Report (AHR) with regard to the preliminary identified routes of the pipeline. Council commissioned OzArk in September 2010 to complete an Aboriginal Heritage Report of the proposed pipeline routes which aimed to identify any items, relics or places of significance to the local Aboriginal community. As potential Aboriginal items or sites of significance will not alter with time, an AHR was prepared for Council to better prepare itself for when the project moves to the next stage.

A total of six (6) Aboriginal sites were recorded during the survey, of which five (5) were open sites and one (1) was an isolated find. Of these, two (2) can be avoided by both proposed pipeline options. Pipeline option two (river bank option) is likely to result in harm to more Aboriginal sites. Option One (road option) avoids three (3) of the six sites. If Aboriginal sites cannot be avoided by the final project design, an Aboriginal Heritage Impact Permit (AHIP) will be required in order to destroy or partially destroy the affected sites.

To this end, the AHR made specific recommendations that:

- All identified sites should be avoided if possible;
- Sites that cannot be avoided may be required to be subject to test excavation in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales: Part 6 National Parks and Wildlife Act 1974* (DECCW, 2010) in order to determine their nature, extent and integrity. For some sites, this is a necessary precursor to AHIP application; and
- An AHIP will be required for surface collection and/or salvage excavation prior to pipeline works at all sites where ground disturbing works will dissect surface or subsurface archaeological deposits.

Copies of the AHR can be obtained from Council's Environmental, Planning & Building Services Department.

Conclusion:

No more specific action is required in relation to this matter until other investigations are completed and the final pipeline route determined. To this end this report can, at this stage, be noted.

Financial Implications: Nil.

MINUTE

9 Item 4 ABORIGINAL HERITAGE ASSESSMENT - CHIFLEY DAM PIPELINE
(20.00159)

MOVED: R Thompson SECONDED: G Hanger

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'D R Shaw', with a large, stylized flourish at the end.

D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT & MINUTES
15 FEBRUARY 2012

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 15 FEBRUARY
2012**

General Manager
Bathurst Regional Council

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$61,021,107.58 was invested at 31 January 2012 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

Year to Date Averages

(as per the CBA & RBA for comparison purposes)

Reserve Bank of Australia - Cash Rate	4.25%
AFMA - 90 day Bank Bill Swap Rate (BBSW)	4.79%
Three Year Swap Rate - Commonwealth	4.61%

Short Term 1 – 365 Days

**(Comprising Commercial Bills,
Debentures and Certificates of
Deposit:**

	<u>Rating</u>		<u>Average Return</u>
ANZ Banking Group Ltd	A-1+	\$1,000,000.00	5.74%
Bank of Western Australia Ltd	A-1+	\$4,500,000.00	5.89%
Bank of Queensland Limited	A-2	\$5,500,000.00	6.04%
Bendigo and Adelaide Bank Ltd	A-2	\$5,500,000.00	5.96%
IMB Ltd	A-3	\$9,000,000.00	5.92%
Maritime, Mining & Power Credit Union	ADI	\$3,000,000.00	5.85%
National Australia Bank	A-1+	\$5,500,000.00	6.01%
Railways Credit Union Limited	ADI	\$500,000.00	6.22%
SGE Credit Union	ADI	\$1,000,000.00	5.91%
Westpac Banking Corporation	A-1+	<u>\$2,500,000.00</u>	<u>5.90%</u>
		\$38,000,000.00	5.94%

Long Term

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

Committed Rolling Investments

Westpac	AA	\$2,000,000.00	5.56%
Westpac	AA	\$2,000,000.00	5.75%
Westpac	AA	\$2,000,000.00	5.96%

Westpac	AA	<u>\$2,000,000.00</u>	<u>5.55%</u>
		<u>\$8,000,000.00</u>	<u>5.70%</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>

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

Commonwealth Bank	AA	<u>\$2,000,000.00</u>	<u>5.45%</u>
Commonwealth Bank	AA	<u>\$2,000,000.00</u>	<u>5.79%</u>
		<u>\$4,000,000.00</u>	<u>5.62%</u>

Floating Rate Notes

ANZ	AA	<u>\$2,000,000.00</u>	<u>5.59%</u>
Barclays Bank PLC – Australian Branch	AA-	<u>\$2,000,000.00</u>	<u>6.34%</u>
Bendigo Bank 2007	BBB	<u>\$2,000,000.00</u>	<u>5.64%</u>
Bendigo & Adelaide Bank Retail Bond	BBB	<u>\$2,000,000.00</u>	<u>5.95%</u>
Lehman Brothers Treasury Co		<u>\$90,000.00</u>	<u>0.00%</u>
Mackay Permanent Building Society	BBB-	<u>\$0.00</u>	<u>0.00%</u>
The Royal Bank of Scotland – Australian Branch	A+	<u>\$2,000,000.00</u>	<u>7.08%</u>
		<u>\$10,090,000.00</u>	<u>6.07%</u>

Total Investments \$61,021,107.58 5.82%

These funds were held as follows:

Reserves Total (includes unexpended loan funds)		\$33,984,884.10
Grants held for specific purposes		\$3,865,705.90
Section 94 Funds held for specific purposes		\$21,675,612.88
Unrestricted Investments – All Funds		\$1,494,904.70
*General Fund	\$805.50	
*Water Fund	\$623,122.24	
*Sewer Fund	\$335,808.16	
*Waste Fund	<u>\$535,168.80</u>	

Total Investments \$61,021,107.58

**Total interest revenue to 31/01/2012
on investments** \$2,208,582.91 5.82%

**R Roach
Responsible Accounting Officer**

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

MINUTE

10 Item 1 STATEMENT OF INVESTMENTS (16.00001)

MOVED: B Bourke SECONDED: W Aubin

RESOLVED: That the information be noted.

2 QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2011 (16.00126)

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

Report: Clause 203(1) of the *Local Government (General) Regulation 2005* (the Regulation) requires a council's responsible accounting officer to prepare and submit a quarterly budget review statement to the governing body of council. The quarterly budget review statement must show, by reference to the estimated income and expenditure that is set out in the management plan or operational plan adopted by council for the relevant year, a revised estimate of income and expenditure for that year. It also requires the budget review statement to include a report by the responsible accounting officer as to whether or not they consider the statement indicates council to be in a satisfactory financial position (with regard to its original budget) and if not, to include recommendations for remedial action.

The Division of Local Government has now set a prescribed format for the Quarterly Budget Review Statement (QBRS). The new statement is in the same format as the requirements for the new Annual Operational Plan that will replace the Management Plan from 1 July 2012. This format is substantially different to previously presented Management Plans and is in the format of a commercial Income and Expenditure Statement. **Attachment 1** is the new report that has been prepared in the specified format.

At **attachment 2** is an update of the strategies for the 2011/2012 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 Quarterly Budget Review Statement.

MINUTE

11 Item 2 QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2011
(16.00126)

MOVED: R Thompson SECONDED: W Aubin

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

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

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

Report: At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 31 January 2012.

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

Section 356:	\$15,505.10
BMEC Community use:	\$Nil
Mount Panorama :	\$28,527.00

MINUTE

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

MOVED: I North SECONDED: M Morse

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

4 POWER OF ATTORNEY (11.00007)

Recommendation: That the information be noted.

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

- Warranong Holdings P/L - Lot 801 Watt Drive, Lot 801 DP1160678 - Transfer.
- Baidon, A & Malone, S - Lot 803 Watt Drive, Lot 803 DP1160678 - Transfer.

Linen Plan Release

- Bayliss/BRC - 43 Lot Residential Subdivision & 1 Residual Lot - Evernden Road.

Financial Implications: Nil

MINUTE

13 Item 4 POWER OF ATTORNEY (11.00007)

MOVED: B Bourke SECONDED: R Thompson

RESOLVED: That the information be noted.

5 BATHURST BUSINESS CHAMBER BOARD - REQUEST FOR MEMBERS (18.00027)

Recommendation: That Council:

- (a) decline the offer to nominate a Councillor and one other representative from Bathurst Regional Council as a member of the Bathurst Business Chamber Board
- (b) continue to maintain one Councillor delegate on the Bathurst Business Chamber

Report: Council has received a request from the Bathurst Business Chamber Board to nominate a Councillor and one other representative from Bathurst Regional Council to be members of the Board with no voting rights. A copy of the request is provided at **attachment 1.**

Council has for some years provided a delegate to the Bathurst Business Chamber. Currently our delegate is Cr Paul Toole. The Council delegate sat on the Chamber in a liaison role and has not been a member of the Board. This is the practice with Councillor delegates on most community committees and enables Council to maintain impartiality, whilst still assisting the community organisation.

Council has been invited to nominate a Councillor and a representative of Council as a member of the Board, but as Council generally seeks to maintain independence in its representation on various committees, it is recommended that Council continue its current practice to provide one Councillor delegate to the Chamber.

Financial Implications: Nil

MINUTE

14 Item 5 BATHURST BUSINESS CHAMBER BOARD - REQUEST FOR MEMBERS (18.00027)

MOVED: T Carpenter SECONDED: R Thompson

RESOLVED: That Council:

- (a) decline the offer to nominate a Councillor and one other representative from Bathurst Regional Council as a member of the Bathurst Business Chamber Board
- (b) continue to maintain one Councillor delegate, being the Mayor (with Deputy Mayor as alternate delegate) on the Bathurst Business Chamber.

6 REQUEST FOR FINANCIAL ASSISTANCE - FLICKERFEST (18.00004)

Recommendation: That Council not provide financial assistance towards the Flickerfest, International Short Film Festival Organisation event to be held at the Bathurst Memorial Entertainment Centre (BMEC) on Saturday, 3 March 2012.

Report: Council has received a request from Flickerfest, International Short Film Festival Organisation for financial assistance in running their event at BMEC on Saturday, 3 March 2012.

Flickerfest is an individual organisation which promotes a local community and cultural tourism project for the Bathurst Region. Financial Assistance sought for this event is shown at **attachment 1**. Council has not provided Flickerfest with funding in previous years, however, in 2010 they received assistance through the Local Stages at BMEC.

Financial Implications: No funds are available in the Bathurst Memorial Entertainment Community Use Subsidy budget. This has been fully expended.

MINUTE

15 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - FLICKERFEST (18.00004)

MOVED: T Carpenter SECONDED: R Thompson

RESOLVED: That Council provide \$1,000 of financial assistance towards the Flickerfest, International Short Film Festival Organisation event to be held at the Bathurst Memorial Entertainment Centre (BMEC) on Saturday, 3 March 2012, to be funded from Section 356 donations.

**7 REQUEST FOR FINANCIAL ASSISTANCE - MITCHELL CONSERVATORIUM
(18.00023, 18.00004)**

Recommendation: That Council provide the use of the Theatre and City Hall at the Bathurst Memorial Entertainment Centre for use by the Mitchell Conservatorium for 4 events during 2012, to be funded from Section 356 Donations.

Report: Council has received a request from Mitchell Conservatorium for use of the Bathurst Memorial Entertainment Centre to book 4 events for 2012 as follows:

1. 18 March 2012 - Scholarship Concerts - Theatre
2. 14 June 2012 - Monster Band Day - City Hall
3. 15 June 2012 Awesome Orchestra Day - City Hall
4. 26 August 2012 - Winter Showcase (Community ensembles + Mitchell Conservatorium senior ensembles) - Theatre

Council has been advised that these 4 events are part of the overall Mitchell Conservatorium music year. The Mitchell Conservatorium have advised that the Winter Showcase and the Scholarship Concerts will be by way of a \$1 donation to attend, whereas, the public concert for the Monster Band Day and Awesome Orchestra Day will be free entry.

Mitchell Conservatorium is an integral part of the cultural facilities of the city. The cost of the venue hire for the 4 events will be approximately \$3,900.

Financial Implications: \$3,000 to be funded from the 2011/12 Section 356 Donations which currently has a balance of \$15,505.10 and \$900 to be funded from the BMEC Community Use Subsidy 2012/13.

MINUTE

16 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - MITCHELL CONSERVATORIUM (18.00023, 18.00004)

MOVED: B Bourke SECONDED: R Thompson

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

Reason: member of the Bathurst Chamber Orchestra (a Conservatorium affiliated club)

RESOLVED: That Council provide the use of the Theatre and City Hall at the Bathurst Memorial Entertainment Centre for use by the Mitchell Conservatorium for four (4) events during 2012, to be funded by \$1,500 from 2011/2012 Section 356 Donations, \$1,500 from 2011/2012 BMEC Community Use Subsidy and \$900 from 2012/2013 BMEC Community Use Subsidy.

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENGINEERING SERVICES' REPORT & MINUTES
15 FEBRUARY 2012

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL MEETING HELD ON 15 FEBRUARY 2012**

General Manager
Bathurst Regional Council

**1 REQUEST FOR REDUCTION OF FEES - SCOUTS NSW GOLDEN WEST CUB CAMP
- CARRINGTON PARK NOVEMBER 2012 (04.00008)**

Recommendation: That Council charge the Macquarie District Golden West Scouts Association for the use of Carrington Park in November 2012 in accordance with its standard policy for junior hire of sporting facilities.

Report: Correspondence has been received from the NSW Golden West Region Scouts' Australia, requesting permission to utilise Carrington Park on Saturday 24 and Sunday 25 November 2012 to host a Regional Cub Scout Camp. This camp is for children aged between 8-11 years of age and the intended use of Carrington Park is for on site camping, use of the canteen / kitchen facilities and shower / change rooms. Activities to be conducted at Carrington Park are to involve the Scouts general rope based activities which are to be conducted within the surrounds of Carrington Park but not on the playing field.

The Association has advised that this event is expected to attract in the vicinity of 150 people to Bathurst, would be sourcing food and supplies locally and would be undertaking a number of tourism activities within Bathurst including visits to the National Motor Racing Museum and the Australian Fossil and Mineral Museum.

The organisers of this event have advised that they do not require the use of the playing field and will ensure that this area is not utilised during the event. It is envisaged that there will be little in the way of preparation required from Council staff for this event, other than normal mowing maintenance to the surrounds of Carrington Park.

The Scouts' Association have requested Council to consider a reduction to the hire fee for this event. Council's current fees and charges for the 2011/2012 financial year, which would normally apply for such an event, amount to a ground hire charge of \$846 plus an additional daily hire of \$80 for use of the canteen and \$70 for use of the change rooms. There is also a security deposit / cleaning fee of \$1,000 which is refundable, upon the facility being returned in a clean, tidy and undamaged condition after the event. As such the general fee for this event would amount to \$1,146 plus the refundable cleaning deposit. These fees will likely increase by CPI in the 2012/2013 Management Plan.

However, Council would be aware of its general policy that sporting facilities are made available for junior sporting events at no charge, except for charges levied for the use of change room and canteen facilities at the grounds. Although the request for use of Carrington Park is not for a sporting event requiring the use of the playing field, it will be an active recreational based event specifically for children aged between 8-11 years of age. As such, it is recommended that Council charge the Macquarie District Golden West Scouts Association for the use of Carrington Park in November 2012 in accordance with its standard policy in respect to junior hire of sporting facilities.

Financial Implications: Should Council agree to charge the Macquarie District Golden West Region Scouts in accordance with its standard policy for use by junior organisations, Council's hire fee for this event would amount to \$300.00 plus a refundable cleaning deposit.

MINUTE

17 Item 1 REQUEST FOR REDUCTION OF FEES - SCOUTS NSW GOLDEN WEST CUB CAMP - CARRINGTON PARK NOVEMBER 2012 (04.00008)

MOVED: B Bourke SECONDED: R Thompson

RESOLVED: That Council charge the Macquarie District Golden West Scouts Association for the use of Carrington Park in November 2012 in accordance with its standard policy for junior hire of sporting facilities and this charge to be funded from the 2012/2013 Section 356 Donations.

2 BUNORA PARK PLAYGROUND (04.00043)

Recommendation: That Council make allowance in the 2012/2013 Management Plan to fund modifications to the Bunora Park Playground as a means of reducing vandalism at the facility.

Report: At its Meeting held 20 July 2011, Council was made aware of regular vandalism incidents that were occurring to the playground equipment at Bunora Park Kelso and the costs associated with regularly repairing the damage sustained. At the time of the July report, in excess of \$10,000 worth of repairs had been required at the playground since its installation in 2008 to ensure that the equipment met the stringent regulatory safety requirements for children's playgrounds. In the report Councillors were advised that the Engineering Department would continue to monitor this park and present a further report to Council on a recommended option concerning this facility.

Since the July report, further vandalism events have occurred to the playground equipment at Bunora Park, including slashed swing seats, removed rubber climbing discs on fireman's pole, damaged and unbolted spring rocker, unbolted bar from climbing frame, fire damage to another plastic side panel, further torn and burnt shade sails, and general graffiti on the surface of playground equipment.

Having monitored Bunora Park over the past 6 months, it has been found that vandalism to the playground is mainly occurring to rubber or plastic based structures, as these items are easier to damage with fire, cutting with sharp objects such as knives or via impact damage with hammers or other blunt objects. Generally, as the main frame of the playground equipment is metal based, most of the damage is being caused to the infrastructure that is attached to the equipment such as the plastic play panels, plastic slides and rubber seat swings. Other damage that is being caused is the unbolting of locking bolts that connect sections of the play equipment to each other, even though these bolts are designed to be vandal proof and requiring specialist tools.

During the past 6 months, Council Officers have received a small number of calls from local residents of the area, advising of their views and recommendations to reduce the vandalism and antisocial behaviour at Bunora Park. The most common view point from callers has been that the playground is mostly hidden from the view of the road and residential houses of the area by a large mound, making it easier for vandals to damage the equipment without being seen.

In light of the types of damage being sustained, the issue of the area being secluded and the general consensus that residents of the area want the playground to remain at Bunora Park, it is recommended that the following works be implemented to the playground at this location:

- 1) Remove the mound and fencing surrounding the playground site to make the area more visible to passing traffic and residents. This suggestion has come from a number of residents who reside in close proximity to the playground.

Removal of the fence should not have any similar concerns as raised with the Adventure Playground as Bunora Park playground is not situated on a main thoroughfare and is only a residential park which is similar to other residential parks throughout Bathurst which have no fencing.

- 2) Where possible, replace plastic and rubber based fixtures of the play equipment with metal items at the time damage occurs. For example, as plastic side panels or the

plastic slide becomes damaged, replace these with metal fixtures, provided that these items conform to the relevant standards.

- 3) Plant additional trees to the surrounds of the playground to substitute the need for reinstating the material shade structure.
- 4) Allow sufficient funding within the 2012/2013 Management Plan to be able to undertake the works

As advised in the July 2011 report to Council, since the installation of the new equipment in 2008, there have been numerous vandalism attacks and wilful damage happening on an ongoing basis to both the play equipment and the shade sail by the users of this public facility. It is believed that the ongoing cost to the community to keep this playground operational in its original set up, with plastic components and easy to damage integrated play items such as clear bubble viewing panels, noughts & crosses panels etc, is hard to justify due to the damage and acts of vandalism that continually occur at Bunora Park, involving the extensive abuse of equipment and significant amount of graffiti attacks.

It is considered that the recommended changes to the existing equipment at Bunora Park would reduce the amount of damage being caused and, although providing fewer play components, would still provide the Bunora Park users with a staple mix of equipment including, swings, climbing apparatus, slides and rockers. However, should the level of vandalism continue following these latest measures to lessen the incidences of vandalism, Council will need to seriously consider the future of the playground at this location.

Financial Implications: Costs associated with the removal of the mound, fence removal and replacement of plastic panels and other components to the existing equipment will amount to \$20,414. Therefore, allowing for contingencies and price rises for playground equipment, an amount of \$24,000 is considered necessary to ensure the works can be completed.

It is recommended that the costs to undertake this work be provided for in the 2012/2013 Management Plan.

MINUTE

18 Item 2 BUNORA PARK PLAYGROUND (04.00043)

MOVED: W Aubin SECONDED: T Carpenter

RESOLVED: That Council make allowance in the 2012/2013 Management Plan to fund modifications to the Bunora Park Playground as a means of reducing vandalism at the facility.

3 ROAD SAFETY OFFICER PROGRAM UPDATE (16.00018)

Recommendation: That Council continues its commitment to the Road Safety Officer Program and extends the current RSO employment contract to 30 June 2013, subject to the ongoing support of the Blayney Shire Council and Roads and Maritime Services.

Report: A report was presented to the 3 February 2010 meeting of Council which outlined the then status of the Road Safety Program and the position of Road Safety Officer.

At that meeting Council resolved:

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

The current contract term for the RSO position expires on 30 June 2012 and it is therefore opportune that Council considers its ongoing commitment to the program.

Roads and Maritime Services (RMS) has recently sent correspondence to council providing an opportunity to extend the current contract by 12 months, thus expiring 30 June 2013.

Council has been a part of the Roads and Maritime Services RSO Program since 1999 when it joined Oberon, Evans, Rylstone, Blayney and the RMS to form the Tablelands Road Safety Group. The program and Council's participation continues today, although due to amalgamations and the withdrawal of Oberon Shire Council the membership has been reduced to Blayney, Bathurst and the RMS.

The program arrangements are defined by the Program Funding Agreement on the basis that 50% of employment costs are borne by the RMS, while the remainder is provided by the member Councils. Bathurst's current share is 33% plus the provision of office space. The cost of individual projects conducted within any year, is subject to approval from and is fully funded by the RMS.

Blayney Shire Council is also considering its future membership in the Tablelands RSO Group. However, it is expected that it will continue to support the program.

The Tablelands Roads Safety Officer has also been able to source external funding from the Mines Safety Advisory Council and local community organizations for the provision of road safety programs and this financial year will contribute at least \$15,000 of income to the program.

Given the benefits of the Road Safety Program in implementing road safety behavioural projects and increasing road safety awareness at a local level, it is recommended that Council continue to participate in the Program until 30 June 2013. Should Blayney withdraw from the program then a further report will be presented to Council.

Financial Implications: The annual funding for the position is 33% of employment costs, estimated to be \$22,000.

MINUTE

19 Item 3 ROAD SAFETY OFFICER PROGRAM UPDATE (16.00018)

MOVED: I North SECONDED: W Aubin

RESOLVED: That Council continues its commitment to the Road Safety Officer Program and extends the current RSO employment contract to 30 June 2013, subject to the ongoing support of the Blayney Shire Council and Roads and Maritime Services.

4 WILLIAM STREET PRAM RAMPS (25.00002)

Recommendation: That Council include funding in the 2012/2013 Management Plan for the installation of two new pram ramps as detailed in the report.

Report: Concern has been expressed, over a period of time, regarding the need to improve the perambulator ramps across William Street at the intersection with Russell Street. The pram ramps in question are in front of the Civic Centre and directly opposite on William Street.

Whilst this request would seem simple enough and under normal circumstances be programmed as a part of Council's forward works program, two major Telstra pits exist at both locations creating significant obstacles for the works to be undertaken.

Relocation of or adjustment of these pits in order to upgrade the existing pram ramps would incur excessive cost. Council has been advised an estimated cost would be in excess of \$100,000 per pit, to undertake appropriate adjustment works. The reason for this, being that, the cables located within the pit include major communication and optic fibre lines. Staff have been advised that the lines in question are very sensitive requiring a complicated relocation/adjustment process. Some of these lines are located within 200mm of the footpath surface, which would be the depth required to lower the pits in order to construct an appropriately graded pram ramp to Councils standard. In addition the nature of the pits and outgoing conduits would require major excavations to allow for the appropriate grade on the above footpath to the newly lowered pit.

A possible alternative is to relocate the pram ramps adjacent to the existing ones, about 1m further from the pedestrian crossing. This would, however, require the reconstruction and installation of a suspended slab above the existing stormwater kerb inlets and alteration to the inlet of each of these extensive pits

Whilst the alternative is also not without obstacles it is estimated that the cost would be far less, at an estimated \$8,500 per pit.

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

MINUTE

20 Item 4 WILLIAM STREET PRAM RAMPS (25.00002)

MOVED: I North SECONDED: B Bourke

RESOLVED: That Council include funding in the 2012/2013 Management Plan for the installation of two new pram ramps as detailed in the report.

Yours faithfully



Doug Patterson
**DIRECTOR
ENGINEERING SERVICES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT & MINUTES
15 FEBRUARY 2012

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 15 FEBRUARY
2012**

General Manager
Bathurst Regional Council

1 BATHURST SOCIAL AND COMMUNITY PLAN 2011-2016 (20.00056)

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

Report: The Bathurst Social and Community Plan 2011-2016 was adopted by Council in November 2010. The Social Plan and Community Plan identifies the assets/strengths as the key issues and strategies for people living in the Bathurst Region based on seven key mandatory target groups identified by the NSW Government. These include Youth, People with a Disability, Indigenous, Older People, Women, Children and Culturally and Linguistically Diverse. Additional target groups included Men and Villages. These two groups were also included in the Bathurst Social and Community Plan 2006-2010.

Implementation of the Social Plan is reviewed on an annual basis. Highlights from the review ending 2011 are included in the review document at **Attachment 1**.

Financial Implications: Council considers the provision of funding to support strategies contained within the Social Plan during the annual management planning process.

MINUTE

21 **Item 1 BATHURST SOCIAL AND COMMUNITY PLAN 2011-2016 (20.00056)**

MOVED: I North **SECONDED:** R Thompson

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

2 REVITALISING REGIONAL LIBRARIES (21.00054)

Recommendation: That the information be noted.

Report: Council has received advice that the New South Wales State Government is rolling out a \$2 million program of funding for Country libraries called Revitalising Regional Libraries.

Under the program all 111 NSW Country libraries will receive a single grant of \$16,000 to help revitalise their public library service.

Some 27 Councils will receive this funding in 2011/2012 followed each year by 28 Councils until 2014/2015, Bathurst is in the first group scheduled to receive the funding this year.

The State library staff will work with each Council on a needs assessment to drive the expenditure of the grant.

Financial Implications: Funding provided by State Library.

MINUTE

22 Item 2 REVITALISING REGIONAL LIBRARIES (21.00054)

MOVED: M Morse SECONDED: B Bourke

RESOLVED: That the information be noted.

Yours faithfully



Annabell Miller
DIRECTOR
CULTURAL & COMMUNITY SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
GENERAL MANAGER'S REPORT & MINUTES
15 FEBRUARY 2012

**GENERAL MANAGER'S REPORT TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 15 FEBRUARY 2012**

General Manager
Bathurst Regional Council

1 DRAFT BATHURST 2036 COMMUNITY STRATEGIC PLAN (02.00003)

Recommendation: That Council adopt the Bathurst 2036 Community Strategic Plan.

Report: The draft Bathurst 2036 Community Strategic Plan is the first Community Strategic Plan (CSP) for the Bathurst Region. It is an integral part of the new Integrated Planning and Reporting framework now required under the Local Government Act 1993.

It is important that the draft Bathurst 2036 Plan be considered in light of other supporting documentation. This includes Councils:

- Asset Management Plans
- Workforce Plan
- Environmental Studies that detail natural asset management
- Community Engagement Strategy

A list of all key related plans and studies are provided in appendix 1 of the draft Bathurst 2036 Plan. These can be accessed via the Bathurst Region website (www.bathurstregion.com.au/2036).

Council, at its meeting held on 14 December 2011, resolved to seek community input by placing the draft Bathurst 2036 Community Strategic Plan on public exhibition for a minimum 28 days. The plan was exhibited immediately thereafter until 3 February 2012.

This report considers the submissions received by Council since the People's Convention held on 9 November 2011 and during the public exhibition period. It also considers the outcomes of the Bathurst Community Survey 2011 as it relates to the draft Plan.

It should be noted that the public exhibition period of the draft Plan represents stage 3 of the engagement process undertaken in the development of the plan under Council's Community Engagement Strategy. The engagement process has incorporated:

- Stage 1 – identifying a vision (earlier consultation undertaken as Council prepared various studies and strategies)
- Stage 2 – discussing a vision and strategies for the future (undertaken in November/December 2011 including the Peoples Convention)
- Stage 3 – public exhibition of the draft Community Strategic Plan (undertaken from December 2011 to beginning of February 2012).

Submissions

Submissions received by Council since the People's Convention held on 9 November 2011 and during the Stage 3 public exhibition period are provided at **attachment 1**. The table

below summarises the issues raised and how those issues are addressed by the draft Plan including any amendments proposed to the Plan.

Submission details	Objectives/Strategies of the Draft Bathurst 2036 Plan that address the submission
<p>Tony Thorpe Seeks to create points of difference in Bathurst as compared to other communities in respect of projects that include:</p> <ol style="list-style-type: none"> 1. Gateway Signage 2. New recreation opportunities 3. Enhancement of public open space areas 4. Restoration of historic sites 5. New sporting facilities 	<ol style="list-style-type: none"> 1. Strategy: 4.9 2. Strategy: 6.3 3. Strategy: 6.3 4. Objective:11 5. Strategy: 6.3
<p>Elsbeth Holgate</p> <ol style="list-style-type: none"> 1. Green waste bins and smaller general waste bins 2. Removal of dead animals from roadways 3. Levy on large non Bathurst businesses that locate to Bathurst the proceeds of which to assist local businesses 	<ol style="list-style-type: none"> 1. Objective:16 2. Strategy: 22.11 3. Strategy: 1.1
<p>Bill Kierath Seeks improvements in Bathurst’s transport system to cater for increased growth including:</p> <ol style="list-style-type: none"> 1. a public transport system capable of future growth 2. the reservation of transport corridors 	<ol style="list-style-type: none"> 1. Strategy: 7.1 and Objective: 24 2. Strategy: 24.1
<p>Ross Macindoe (23/11/11) Congratulates Council on the success of the People’s Convention and the way in which it was conducted. Seeks a more sustainable agriculture sector where a greater proportion of food consumed in the region is grown locally.</p>	<p>Objective:2 Strategy: 8.9</p>
<p>Friends of the Sommerville Collection The AFMM has demonstrated its popularity as a tourist attraction and as an educational and cultural provider. The AFMM therefore deserves maximum support to build on its already outstanding reputation, including a museum director, an expanded collection, improved and expanded facilities, improved access arrangements and signage.</p>	<p>Strategies: 20.2 and 20.4</p>
<p>NSW Rural Fire Service Acknowledge receipt of draft Plan.</p>	<p>N/A</p>
<p>Ross Macindoe (6/1/12) Seeks an additional strategy 5.9: “Explore</p>	<p>An additional strategy is not required, as</p>

<p>the possibility of planning a cap on the economic and population growth of Bathurst, based on the local availability of non-renewable resources”.</p> <p>Seeks an amendment to page 99 – comment made was “plan for a no-growth economy”, not “plan for the loss of growth”.</p>	<p>strategy 28.5 requires the preparation and implementation of relevant economic, social and environmental strategies and plans to guide the growth and development of the Bathurst Region. As these are being prepared the ability for growth to occur, including a consideration of the availability of non-renewable resources, would be determined by these studies and plans.</p> <p>An amendment to page 99 as suggested, including a reference to strategy 28.5, has been made to the final plan.</p>
<p>Bathurst Early Learning Support</p> <ol style="list-style-type: none"> 1. Recognize the importance of play. 2. Increase footpaths and cycleways. 3. Increase safety 4. Provide outreach services to families 5. Encourage backyard sizes to accommodate outdoor play 6. Identify funding for swimming lesson subsidy 7. Community events for early childhood and families with young children 8. Support children’s week 9. Identify relevant facilities for family groups with young children 10. Increase public transport 11. Support learning facilities for children under 5 12. Recognize preschoolers as students in relation to the NSW State Plan priorities 13. Increase no. of early childhood centres and preschools 14. Promote sustainability programs especially for disadvantaged communities 15. Support healthy living programs 	<ol style="list-style-type: none"> 1. Strategies: 6.3, 21.6, 27.9 2. Strategies: 14.1, 24.7 3. Objective: 22 4. Objective 21 5. Strategy: 28.5 6. Strategy 21.3 7. Strategy 23.3 8. Added to Strategy: 27.3 9. Objective: 21 10. Objective: 24 11. Objective: 26 12. Objective: 26. Note Council cannot change State Plan. 13. Objective 21 and particularly Strategy: 21.3 14. Strategy: 8.2 15. Added to Strategy: 25.5
<p>Upper Lachlan Shire Council Commends Council on developing such a well presented document.</p>	<p>N/A</p>
<p>Mark Buttsworth, Tablelands and Buttsworth Surveyors</p> <ol style="list-style-type: none"> 1. Seeks more definitive actions in the plan. 2. Seeks the retention of Bathurst’s older buildings and a more appropriate architectural style for modern buildings. 	<ol style="list-style-type: none"> 1. The Community Strategic Plan (CSP) is the broad strategic document that guides the future direction of Council and the Bathurst community. On this basis the strategies within it are overarching. More definitive actions are spelt out in Council’s 4 year Delivery Program and the annual Operational Plan that sit underneath the CSP.

	2. Objective 11.
<p>Central west Catchment Management Authority</p> <ol style="list-style-type: none"> 1. Support the comprehensive list of environmental sustainability actions listed in the CSP which should support many of the targets identified in the State Catchment Action Plan (CAP). 2. Suggest minor change to Strategy 12.1 and 12.4 in relation to water sensitive urban design (WSUD) 	<ol style="list-style-type: none"> 1. Noted. 2. A minor change made to strategy 12.4 to include a process of review of Council's Stormwater Management Plan, including WSUD principles.
<p>Civil Aviation Safety Authority</p> <ol style="list-style-type: none"> 1. Acknowledge references to the Bathurst Aerodrome in the CSP but indicate that insufficient detail is provided to comment. 2. Suggest inclusion of the aerodrome in the infrastructure assets table. 	<ol style="list-style-type: none"> 1. The Community Strategic Plan (CSP) is the broad strategic document that guides the future direction of Council and the Bathurst community. On this basis the strategies within it that relate to the aerodrome are overarching. More definitive actions are spelt out in Council's 4 year Delivery Program, the annual Operational Plan and the Asset Management Plan for the Aerodrome that sit underneath the CSP. 2. The table at appendix 7 of the CSP outlines likely future major infrastructure works identified by the plan. Council's Asset Management Plan for the Aerodrome indicates major asset replacement of the runway at an estimated cost of \$2m. In addition there is a need to extend reticulated sewer to the Aerodrome estimated at \$1.5m. These projects have been included in appendix 7.
<p>Federal Department of Sustainability, Environment, Water, Population and Communities</p> <p>The Department makes no specific comments as the plan does not impact on matters of national environmental significance.</p> <p>Information is provided to Council on the possible application of the Environment Protection and Biodiversity Act 1999 in the Bathurst Region.</p>	Noted.
<p>NSW Department of Primary Industries</p> <ol style="list-style-type: none"> 1. Support objective 2 to protect the region's primary resources. 2. Support the acknowledgement of the 	Noted.

- | | |
|---|--|
| <p>importance of transport to the agricultural sector in strategy 7.2.</p> <p>3. Support objective 12 and strategies 9.1 and 9.8 to protect natural waterways and riparian ecology.</p> | |
|---|--|

Bathurst Community Survey 2011

The Bathurst Community Survey 2011 was undertaken by the Western Research Institute. The aims of the survey are to:

- Assess resident satisfaction with respect to facilities and services provided by Council.
- Determine the relative importance of a variety of local issues to residents within the LGA.
- Provide information to assess Council's performance against past results.

The 2011 survey provided Council with an opportunity to test the key visions and priorities articulated in the draft Bathurst 2036 Plan. Many questions in the survey were linked to the priorities outlined in the draft plan.

The survey addresses 5 key Council areas: planning and development, infrastructure, the environment, community and cultural facilities and communication with Council.

1. Planning and Development

The top five priorities in 2011 with respect to how Council plans for the future were:

1. Roads and infrastructure
2. Health and aged care services
3. Environment
4. Youth services and facilities
5. Community services and facilities

The only difference from the earlier 2009 results was that employment was no longer one of the largest concerns.

Since the 2009 survey, roads and infrastructure has increased considerably in importance, the environment has remained stable, whilst the importance of health and aged care services has slipped.

The draft Bathurst 2036 Plan responds to each of these priority areas as illustrated in the table below.

Priority from 2011 Bathurst Community Survey	Objectives from draft Bathurst 2036 Plan that address the priority
Roads and infrastructure	Objectives: 6, 7, 14, 16, 24, 29
Health and aged care services	Objectives: 19, 21, 24, 25
Environment	Objectives: 8, 9, 10, 11, 12, 13, 14, 15, 16, 28
Youth services and facilities	Objectives: 20, 21, 26, 27 33
Community facilities and services	Objectives: 19, 20, 21, 22, 23, 24, 25, 26, 27, 28

2. Infrastructure

The 2011 survey asked respondents to rate their satisfaction with various aspects of Bathurst's infrastructure.

Considerable increases in satisfaction since the 2009 survey were reported for the provision of street signage, parks and gardens, recreation areas along the Macquarie River and sports fields and sporting amenities.

Infrastructure areas of least satisfaction were rural road surfaces, urban road surfaces and footpaths and cycle ways. The draft Bathurst 2036 plan responds to each of these infrastructure areas as illustrated in the table below.

Infrastructure area with low satisfaction from 2011 Bathurst Community Survey	Objectives/Strategies from draft Bathurst 2036 Plan that address the Infrastructure Area
Urban and rural road surfaces	Strategies: 6.1, 6.6, 29.1, 29.3, 29.4
Footpaths & cycle ways	Strategies: 3.7, 24.7, 29.4 Objective: 14

3. Environment

The 2011 Survey asked respondents to nominate the most important thing Council could do to protect the natural environment. The top five results were:

1. Waste management
2. Improve management and maintenance of the natural environment
3. Protect and maintain natural waterways
4. Improve overall water management
5. Encourage the use of renewable energies and energy conservation

The draft Bathurst 2036 Plan responds to these five priorities as illustrated in the table below.

Priority from 2011 Bathurst Community Survey	Objectives from draft Bathurst 2036 Plan that address the priority
Waste Management	Objective: 16
Improve natural environment	Objectives: 9, 10, 12, 15
Improve natural waterways	Objective: 12
Improve water management	Objectives: 15, 31
Renewable energy & energy conservation	Objectives: 8, 18

The 2011 Survey also asked respondents to nominate, from a pre-specified list, actions Council should prioritise to address environmental concerns in the Bathurst Region. The top three actions were:

1. Improve water quality and enhance the health of rivers and creeks
2. Secure a sustainable water supply and raise awareness of water issues
3. Generate renewable energy locally

The table above also illustrates how the draft Bathurst 2036 Plan responds to these priority

actions. Water conservation and management was the top rating concern for respondents of the survey.

4. Community and Culture

The 2011 survey asked respondents to rate their satisfaction with the various community and cultural facilities provided by Council. All rated highly. Strategies 20.1 and 21.1 of the draft Bathurst 2036 Plan respond to the provision of these services.

The 2011 survey asked respondents whether or not there were any gaps in community or cultural service provision in the Bathurst Region. Whilst 57% of respondents felt there were no gaps, those that did, indicated that the main gaps in service provision were:

- general cultural activities, facilities and entertainment
- for teenagers and youth
- for the elderly
- in communication and education services
- for disabled persons

The draft Bathurst 2036 plan responds to these service gaps as illustrated in the table below.

Service Gaps from 2011 Bathurst Community Survey	Strategies from draft Bathurst 2036 Plan that address the Service Gap
Cultural activities, facilities and entertainment	Objective: 20
Teenage/Youth Facilities	Objectives: 20, 21, 26, 27
Elderly Facilities	Objectives: 19, 20, 21, 24, 25
Communication/Education Facilities	Objectives: 23, 26
Disabled Persons	Objective: 19

The 2011 survey indicated that:

- 86% of respondents felt they were part of their local community
- 81% of respondents believe their quality of life is improving

The 2011 survey asked respondents to nominate the best things about living in Bathurst. The least common responses (i.e. those responses where improvements might best be targeted) were:

- Proximity to Sydney
- Educational facilities and opportunities
- General accessibility issues

The draft Bathurst 2036 Plan responds to these as illustrated in the table below.

Least nominated “best thing” about Bathurst from 2011 Bathurst Community Survey	Objectives/Strategies from draft Bathurst 2036 Plan that address the item
Proximity to Bathurst	Strategies: 6.5, 7.2

Educational Facilities	Objective: 26
Accessibility	Objectives: 19, 24

5 Community and Council

The 2011 Survey asked respondents to indicate their satisfaction with Council in relation to communication. Satisfaction with Council's communication with residents, customer service and professional performance have generally remained stable with some areas of improvement.

Strategies/objectives within the draft Bathurst 2036 plan to improve these areas of Council performance are illustrated in the table below.

Communication area from the Bathurst Community Survey 2011	Objectives/Strategies from draft Bathurst 2036 Plan that address the area
Communication with Residents	Objective: 30
Customer Service	Strategy: 30.6
Professional Performance	Objectives: 28, 29, 30

The tables above provide Council with an insight into the community's priorities with respect to the various objectives and strategies of the Bathurst 2036 Plan. This is invaluable information and therefore the draft Plan has been amended to add a new appendix 5 titled "Priority objectives and strategies as identified by the Bathurst Community Survey 2011".

Staff Review

Whilst the draft Plan was on public exhibition staff also reviewed the document. Some minor text, grammar and typographical errors have been fixed. These changes do not impact on the intent of the Plan as exhibited.

More significant changes recommended to be made to the draft plan as a result of staff review include the following additional strategies:

- Strategy 10.11 – which seeks to raise awareness in the community of key threatening processes.
- Strategy 11.9 – which seeks to identify, collect, manage and preserve moveable and intangible heritage.
- Strategy 15.9 – which seeks to support programs to promote farm practices which reduce reliance on irrigation.
- Strategy 17.9 – which seeks to continue support for new and existing cultural, community and recreational services/programs to rural and village locations.
- Strategy 20.6 – which seeks to support and develop professional artistic and cultural partnerships.
- Strategy 27.9 – which seeks to support the development of cultural, social and recreational programs and activities that engage youth.

Conclusion

The draft Bathurst 2036 Plan has been developed around 4 key theme areas (as required by legislation):

- Economic prosperity
- Environmental sustainability
- Liveable communities
- Sound leadership

The plan has been developed based on the following underlying principles:

- Good custodianship
- Enhancing prosperity
- Conserving our place
- Valuing diversity
- Empowering people
- Shared responsibility

The plan represents the blueprint for the future by describing the focus of Council's activities.

Following an extensive consultation and engagement process it is considered that the plan identifies and responds to the community's visions and priorities, subject to the amendments proposed to the draft plan as outlined in this report. **Attachment 2** provides the final Plan presented to Council for its adoption.

It is recommended that Council adopt the Bathurst 2036 Community Strategic Plan.

Financial Implications: The Plan has been prepared within existing budgets.

MINUTE

23 Item 1 DRAFT BATHURST 2036 COMMUNITY STRATEGIC PLAN (02.00003)

MOVED: B Bourke SECONDED: T Carpenter

RESOLVED: That Council adopt the Bathurst 2036 Community Strategic Plan.

Yours faithfully



D J Sherley
GENERAL MANAGER

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
POLICY COMMITTEE MEETING

**POLICY COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 15 FEBRUARY 2012**

General Manager
Bathurst Regional Council

1 MINUTES - POLICY COMMITTEE MEETING - 1 FEBRUARY 2012 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 1 February 2012 be adopted.

Report: The Minutes of the Policy Committee Meeting held 1 February 2012, are attached.

Financial Implications: N/A

MINUTE

24 Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 FEBRUARY 2012
(07.00064)

MOVED: B Bourke SECONDED: G Hanger

RESOLVED: That the recommendations of the Policy Committee Meeting held on 1 February 2012 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 1 FEBRUARY 2012

MEETING COMMENCES

1 MEETING COMMENCES

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

In attendance: General Manager, Director Corporate Services & Finance, Director Cultural & Community Services, Director Engineering Services, Director Environmental Planning & Building Services, Manager Corporate Governance, Manager Water & Waste, Manager Technical Services, Manager Recreation.

APOLOGIES

2 APOLOGIES

Nil

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 DECEMBER 2011 (07.00064)

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

RESOLVED: That the Minutes of the Policy Committee Meeting held on 7 December 2011 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

MOVED Cr P Toole 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

- 5** **Item 1 BATHURST COMMUNITY SURVEY 2011 (02.00003)**
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That Council note the results of the 2011 Bathurst Community Survey and incorporate its findings into existing operational plans specifically in regards to the implementation of the Bathurst 2036 Community Strategic Plan.

GENERAL BUSINESS

- 6** **SOFALA TREE CUT DOWN - CLARET ASH (13.00019)**

Cr Carpenter - Spoke to representations received concerning a tree cut down in Sofala. Queried process undertaken on removal and whether a replacement would be planted. Raised issue of representative nature of Associations, can we get details of their memberships and incorporations.

The **Director Engineering Services** advised on process undertaken and liaison with Progress Association on the removal. Can look at possible replacement for the tree but must be careful due to location in Denison Street with safety, structural issues and drinking water quality. Noted the hall area is not the Council's.

The **Director Cultural and Community Services** and **General Manager** spoke to consultation programs that are in place for working with the villages.

- 7** **BUS SHELTER - HAMILTON STREET, EGLINTON (25.00050)**

Cr Thompson - advised there is a large amount of graffiti on this shelter, can someone look into this?

- 8** **WINBURNDALE COTTAGE (21.00058)**

Cr Thompson - asked what are plans for caretaker, has received representations on this. Could staff get back to him.

- 9** **CHIFLEY DAM - PROVISION OF FOOD (32.00005)**

Cr Thompson - asked what the position is on this.

The **General Manager** advised Council does not facilitate service of food. Available for a private operator if interested and complies with statutory obligations.

10 **CARILLON (04.00021)**

Cr Thompson - queried as to status of works on this building.

The **General Manager** noted two issues involved. One was maintenance works, these were completed a number of years ago. The installation of a clavier which a community group is raising funds for, is the outstanding item.

11 **BI-CENTENNIAL PARK - RUBBISH (04.00017)**

Cr Morse - advised has had concerns raised about the level of rubbish in the park, particularly on weekends. Can this be investigated please? Also there is a lot of rubbish at the library area, you cannot see a garbage bin in this area, please review, perhaps signage re "don't leave rubbish" could be installed.

12 **CARBON TAX (16.00130)**

Cr Aubin - asked could a report come back to Council on the impact to Council of the tax, particularly at the Waste Management Centre.

13 **DRAINAGE RESERVE - PEEL STREET NEAR WORKS DEPOT (25.00073)**

Cr North - advised has had approaches about the level of water recently in this area and that the drainage reserve is a mess. Can we look into taking some action in this area?

14 **WEED CONTROL (13.00022)**

Cr North - advised has received approaches about concern at Weed Control in the Bathurst Regional Council area- roads, Council property, private lands, UMCC role.

The **Director Engineering Services** spoke of actions taken by the Council, budget limitations and linkage with UMCC.

15 **MUSEUMS - WHALE MUSEUM ALBANY W.A (16.00044)**

Cr North - advised recently attended Whale Museum on WA. Their local residents are entitled to enter free of charge, if bring a paying customer in with them. Appears to be working very well, could we look at this?

16 **STREETS IN CBD (20.00019)**

Cr North - advised has received concerns from people about "bumpiness" of streets in the CBD. Do we have any plans in place?

The **Director Engineering Services** spoke to planning in place, weather issues occurring and funding levels.

17 **REPLACEMENT OF TREES AT CHIFLEY PARK (04.00067)**

Cr North - asked for progress on this matter.

The **Director Engineering Services** advised trees have been ordered, not yet received, will be planted when received.

18 **WILLMAN PLACE OFF LLOYDS ROAD - PURCHASING WALKWAY (25.00421)**

Cr North - spoke to approaches from ratepayer to purchasing walkway, could this be followed up?

19 **CREMATORIUM (36.00246)**

Cr Bourke - asked for an update on the Norwood Park development?

The **Mayor** advised that Norwood Park have received a number of Expressions of Interest which will go to their Board for consideration.

20 **STORMWATER DAMAGE MORRISSET AND STANLEY STREETS (32.00015)**

Cr Bourke - advised need to look at doing something down in this area, particularly the creek. There is damage to properties.

The **Director Engineering Services** spoke to size of the rain events that occurred. Will look at the creek area and what works may be able to be undertaken. Contact has been made with residents.

21 **ROADS IN CBD (20.00019)**

Cr Bourke - advised there are problems with road surfaces needs to be looked at eg Russell Street.

22 **LIGHTS - HAVANNAH/DURHAM STREETS (25.00027)**

Cr Bourke - advised problems with traffic backing up here due to lights.

Cr Aubin advised the matter is being reviewed by the RMS.

MEETING CLOSE

23 **MEETING CLOSE**

The Meeting closed at 5.35 pm.

CHAIRMAN: _____

Date: _____ **(15 February 2012)**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
TRAFFIC COMMITTEE MEETING

**TRAFFIC COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 15 FEBRUARY 2012**

General Manager
Bathurst Regional Council

1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 FEBRUARY 2012 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 7 February 2012 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 7 February 2012, are attached.

Financial Implications: N/A

MINUTE

25 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 7 FEBRUARY 2012
(07.00006)

MOVED: W Aubin SECONDED: T Carpenter

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 7 February 2012 be adopted.

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 7 FEBRUARY 2012

MEETING COMMENCES

1 PRESENT

Members: Cr Warren Aubin (Chair), Sgt Mark Gunning (Police)

Present: Manager Technical Services, Infrastructure Development Engineer, Road Safety Officer, Acting Manager Environment

APOLOGIES

2 APOLOGIES

That the apologies from Jackie Barry (RMS) and David Veness (MP Representative) be accepted.

3 QUORUM

While there is no need for a specific quorum to allow a Traffic Meeting to proceed, any advice can only be returned to the elected Council or their sub-delegate by the Traffic Committee if the views of the Road & Maritime Services (RMS) and the NSW Police Force have been obtained.

Endorsement will be sought from the RMS to allow the recommendations of this meeting to be forwarded to Council for adoption.

REPORT OF PREVIOUS MEETING

4 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 6 DECEMBER 2011 (07.00006)

That the Minutes of the Traffic Committee Meeting held on 6 December 2011 be adopted.

DECLARATION OF INTEREST

5 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

6 **Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 6 DECEMBER 2011 (07.00006)**

That the information be noted and necessary actions be taken.

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

That the information be noted.

8 **Item 3 THE ROYAL BATHURST SHOW 2012 (18.00108-03)**

That Council raise no objection to implementation of the Traffic Management Plan for the 2012 Royal Bathurst Show on Friday 27 April 2012, Saturday 28 April 2012 and Sunday 29 April 2012. The event is to be classified as a Class 1 event and approved subject to conditions detailed in the Director Engineering Services' report.

9 **Item 4 NO STOPPING SIGNS FOR 11 LEE STREET KELSO (25.00074-02)**

That Council not approve the installation of two "No Parking" (R5-400 (L) & (R) signs on Lee Street at the property boundaries of 11 Lee Street Kelso.

10 **Item 5 NO STOPPING SIGN - 56 BOYD STREET, KELSO (28.00007-04)**

That Council approve the relocation of the No Stopping sign on the corner of Boyd Street and Allambie Boulevard to the southern side of the driveway to 56 Boyd Street.

TRAFFIC REGISTER

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

That the information be noted.

MEETING CLOSE

12 **MEETING CLOSE**

The Meeting closed at 2.30 pm.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DELEGATES REPORTS

**DELEGATES REPORTS TO THE ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL MEETING HELD ON 15 FEBRUARY 2012**

General Manager
Bathurst Regional Council

**1 MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING HELD ON 10
NOVEMBER 2011 (11.00020)**

Recommendation: That the information be noted.

**Report: MINUTES OF BATHURST REGIONAL YOUTH COUNCIL MEETING HELD IN
COUNCIL CHAMBERS ON THURSDAY, 10 NOVEMBER 2011 AT 11 AM**

PRESENT: Mitchell Dwyer (Youth Mayor), Hugo Newell (Deputy Youth Mayor), Caitlin Sharp, Zack Marlan, Liz Pickford, Dominica Condon, Anne Murray, Nathan Inwood, Hayden Callan, Laura Cole, Kanja le Roux, Carmen Stassen, Eric Mayhew, Ryan Fitch (12 noon), Cr Tracey Carpenter (11.30 am), Cr Graeme Hanger (11.38 am).

IN ATTENDANCE: Kiri Armstrong, Robyn Doig (Youth Development Officers).

1. APOLOGIES

RESOLVED that the apologies from Melinda Nockles be accepted.

Ryan Fitch will be arriving later in the meeting.

**2. MS EMMA HILL, EDUCATION AND PUBLIC PROGRAMS OFFICER BATHURST
REGIONAL COUNCIL**

- Emma Hill works at the art gallery, working on educational programs for school.
- Emma wanted to meet the Youth council to introduce herself to the group, to also create another link in which the Youth Council can communicate between.
- Emma`s role is to communicate with the schools around Bathurst – Emma aims to bring her ideas to the first Youth Council meeting held next year.
- Emma is available at the Art Gallery or via email emma.hill@nsw.gov.au to email her suggestion or ideas for youth presents and ideas in gathering youth based ideas.
- Ideas and programs to be talked about in the next meeting.

3. ADOPTION OF PREVIOUS MINUTES

RESOLVED that the minutes of the meeting held on 8 September 2011 be accepted.

MOVED Hugo Newell and **SECONDED** Laura Cole.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

- Matters arising from previous minutes have been resolved.
- Still keen to visit the Bathurst Goldfields – may need to organise for 2012.

5. YOUTH WEEK – FRIDAY 13 APRIL – SUNDAY 22 APRIL 2012

Youth Week will be held from Friday, 13 April to Sunday, 22 April 2012. Information was distributed regarding the design competition for 2012 Youth Week. Prize money is \$1,000.

Cr Carpenter arrived at 11.30 am

6. INDENT APPLICATION

- Application will be submitted for an Indent grant of \$2,500 for youth activities during Youth Week in 2012. If successful, Council will match funding.
- For the purposes of the grant, current Youth Councillors agreed for their names to be included in the application as support crew.
- Concept is for a music festival/bands night at the Bathurst Memorial Entertainment Centre.

7. END OF YEAR CELEBRATION

Suggestions for end of year events included:

- Paintball
- Gold panning
- Movies
- Bowling
- White water rafting
- Lawn bowls
- Laser skirmish
- Picnic/games in the park.
- Dinner.

The date, time and choice of event will be finalised via email everyone needs to remember to check their email and reply to Kiri and Robyn about their preferences for laser skirmish followed by a takeaway dinner at a local park. Suggested dates Sunday 27 November or Sunday, 4 December 2011.

An event in Bathurst would be more appropriate than travelling.

Cr Hanger arrived at 11.38 am

8. GENERAL BUSINESS

(a) Thank you letter from headspace for donation

That the information be noted.

(b) Bathurst 2036 People's Convention

Cr Tracey Carpenter spoke to the meeting about the success of the consultation for the 2036 People's Convention. The Youth Council agreed to discuss as part of the meeting the following:

Four main priorities:

- A Liveable Community
- Sound Leadership
- Economic Prosperity
- Environmental Sustainability

Ryan Fitch arrived at 12 noon.

Various ideas from the Youth Council were discussed, including:

- Creating a vibrant CBD.
- Promote Bathurst as a place to live, work, study and play.
- Improve public transport between Bathurst and Sydney.
- Help Council to understand what young people want for the future.
- Vision for a youth centre.

The suggestions from the Youth Council were documented and passed on to relevant Council officers for inclusion in the draft 2036 Community Strategic Plan.

9. MEETING CLOSE

There being no further business, the meeting closed at 12.30 pm.

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

MINUTE

**26 Item 1 MINUTES OF THE BATHURST REGIONAL YOUTH COUNCIL MEETING
HELD ON 10 NOVEMBER 2011 (11.00020)**

MOVED: M Morse SECONDED: T Carpenter

RESOLVED: That the information be noted.

MINUTE

27 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 we no representations from the public.

RESOLVED: That:

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

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF LICENCE AGREEMENT - BATHURST STAMP COIN AND COLLECTABLES CLUB - PARK STREET EGLINTON	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RENEWAL OF LEASE - 7 LEE STREET KELSO - UPPER MACQUARIE COUNTY COUNCIL	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	ALTERATION TO TENANCY - 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.
4	TRACKCORP ADRENALIN PTY 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.
5	REGIONAL A-LEAGUE GAME IN BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	LOCAL GOVERNMENT FINANCIAL SUPER (LGFS) COURT CASE	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	COMMUNICATIONS TOWER LEASE - MONKEY HILL	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	RENEWAL OF RESIDENTIAL LEASE - 215 DURHAM STREET, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	TRANSFER OF LICENCE AGREEMENT - STOCKS AGRICULTURE PTY LTD TO P WILSON - WINDRADYNE RESIDUE LAND	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	CAMS TRACK LICENCE AGREEMENT	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	ENDORSEMENT OF TRANSFER OF TITLE, ACQUISITION FOR ROAD WIDENING, LOTS 1 TO 10, AND LOT 14 DP875743, 2435 AND 2630 TURONDALE ROAD, TURONDALE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	COMPULSORY ACQUISITION OF CROWN LAND, LOTS 1 TO 5 DP1171406, SOFALA WASTE MANAGEMENT CENTRE, SOFALA ROAD, SOFALA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
CONFIDENTIAL MINUTES

DIRECTOR CORPORATE SERVICES & FINANCE CONFIDENTIAL MINUTES

MINUTE

(a) Item 1 RENEWAL OF LICENCE AGREEMENT - BATHURST STAMP COIN AND COLLECTABLES CLUB - PARK STREET EGLINTON (22.02252)

MOVED: B Bourke SECONDED: R Thompson

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

Reason: Patron of Club.

That Council approves entering into a new licence agreement with the Bathurst Stamp, Coin and Collectables Club for part Lot 72 DP755779 known as the Old Bush Fire Shed, Park Street, Eglinton for a period of four (4) years as detailed in the report.

MINUTE

(b) Item 2 RENEWAL OF LEASE - 7 LEE STREET KELSO - UPPER MACQUARIE COUNTY COUNCIL (22.02268)

MOVED: B Bourke SECONDED: W Aubin

That Council approves entering into a new licence agreement with Upper Macquarie County Council for office space and the chemical shed located at the former Evans Shire Council building known as 5-7 Lee Street, Kelso (part Lot 1 DP1001027 and part Lot 1 DP1090555) for a period of three (3) years as detailed in the report.

MINUTE

(c) Item 3 ALTERATION TO TENANCY - 200 COLLEGE ROAD, BATHURST
(22.05258)

MOVED: R Thompson SECONDED: M Morse

That Council approves a change to the Residential Tenancy Agreement and Bond Lodgement for 200 College Road, Bathurst for the remaining period of the residential lease, as detailed in the report.

MINUTE

(d) **Item 4 TRACKCORP ADRENALIN PTY LTD (04.00110)**

MOVED: W Aubin SECONDED: R Thompson

That Council act in accordance with the report.

MINUTE

(e) **Item 5 REGIONAL A-LEAGUE GAME IN BATHURST (04.00008-09)**

MOVED: M Morse SECONDED: B Bourke

That Council act in accordance with the report.

MINUTE

(f) Item 6 LOCAL GOVERNMENT FINANCIAL SUPER (LGFS) COURT CASE
(34.00057)

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

That the information be noted.

MINUTE

(g) **Item 7 COMMUNICATIONS TOWER LEASE - MONKEY HILL (22.09636)**

MOVED: T Carpenter SECONDED: W Aubin

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

Reason: has commercial transactions (business) with the property owner.

That Council enter into a Lease Agreement with M L, C J, M L and J L Healey for premises located within Lot 2 DP547966 at Monkey Hill for a period of 1 year with an option for a further 5 years in accordance with the report.

MINUTE

(h) Item 8 RENEWAL OF RESIDENTIAL LEASE - 215 DURHAM STREET, BATHURST (22.01218)

MOVED: I North SECONDED: B Bourke

That Council approves entering into a new residential lease agreement for Lot A Section 59 DP158048 known as 215 Durham Street, Bathurst with Ms Tania Paama and Mr Dale Blattman for a further twelve (12) months with a twelve (12) month option period, as detailed in the report.

MINUTE

(i) Item 9 TRANSFER OF LICENCE AGREEMENT - STOCKS AGRICULTURE PTY LTD TO P WILSON - WINDRADYNE RESIDUE LAND (20.00119)

MOVED: M Morse SECONDED: R Thompson

That Council approves, in principle, the transfer of the current licence agreement for Lot 138 and part Lot 136 DP1123180 known as the Windradyne Residue land in the name of Stocks Agriculture Pty Ltd to Mr Peter Wilson, as detailed in the report.

MINUTE

(j) **Item 10 CAMS TRACK LICENCE AGREEMENT (04.00029)**

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

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

DIRECTOR ENGINEERING SERVICES CONFIDENTIAL MINUTES

MINUTE

(k) Item 1 ENDORSMENT OF TRANSFER OF TITLE, ACQUISITION FOR ROAD WIDENING, LOTS 1 TO 10, AND LOT 14 DP875743, 2435 AND 2630 TURONDALE ROAD, TURONDALE (25.00340)

MOVED: B Bourke SECONDED: W Aubin

That Council approve endorsement by the General Manager of a Transfer form for road widening of Turondale Road, Turondale affecting Lots 1 to 10, and Lot 14 DP875743 being properties at 2435 and 2630 Turondale Road, Turondale, as detailed in the Director Engineering Services report.

MINUTE

(I) Item 2 COMPULSORY ACQUISITION OF CROWN LAND, LOTS 1 TO 5 DP1171406, SOFALA WASTE MANAGEMENT CENTRE, SOFALA ROAD, SOFALA (14.00079)

MOVED: M Morse SECONDED: B Bourke

That Council approve the application to the Minister and/or Governor to compulsory acquire Lots 1 to 5 DP1171406 to allow construction of the Sofala Waste Management Centre located at Sofala Road, Sofala. The application to follow the provisions of the Local Government Act 1993 and the procedures set out in the Land Acquisition (Just Terms Compensation) Act 1991, as detailed in the Director Engineering Services' report. The acquired parcel of land is to be classified as Operational land.

MINUTE

28 RESOLVE INTO OPEN COUNCIL

MOVED: W Aubin SECONDED: R Thompson

RESOLVED: That Council resume Open Council.

MINUTE

29 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MOVED: I North SECONDED: M Morse

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

MINUTE

30 MEETING CLOSE

The Meeting closed at 7.10 pm.

CHAIRMAN: _____

Date: _____ **(21 March 2012)**