



ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL

8 June 2011

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 June 2011 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 JUNE 2011

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 - 18 May 2011
 - * Minutes - Ordinary Meeting of Bathurst Regional Council Following Policy - 1 June 2011
6. DECLARATION OF INTEREST
To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Section 451 of the Local Government Act, in relation to Declaration of Interest at meetings.
7. MAYORAL MINUTE - Nil
8. RECEIVE AND DEAL WITH DIRECTORS' REPORTS
 - * Director Environmental Planning & Building Services' Report
 - * Director Corporate Services & Finance's Report
 - * Director Engineering Services' Report
 - * Director Cultural & Community Services' Report
9. REPORTS OF OTHER COMMITTEES
 - * Minutes - Policy Committee Meeting - 1 June 2011
 - * Minutes - Traffic Committee Meeting 7 June 2011
10. NOTICES OF MOTION - Nil
11. RESCISSION MOTIONS - Nil
12. DELEGATES REPORTS

* Councillors Meeting with Community Groups/representatives held 11 May 2011

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

Recommendation: That:

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

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

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

*** Director Environmental Planning & Building Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	QUOTATION 37.00336 BIODIVERSITY MANAGEMENT PLAN	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	OWNERSHIP OF CHIFLEY ENGINE CARRIAGES	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	PROPOSED NEW RESIDENTIAL LEASE - 310 BROCK SKYLINE, MT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	FUTURE MOTOR RACING EVENTS - EASTER 2012-2015	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER FOR BIOSOLIDS	10A (2) (d) (i) – contains

	REUSE	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 ACQUISITION OF LAND FOR THE RAGLAN CREEK DIVERSION CHANNEL - PART LOT 6 DP1034958 AND THE TRANSFER OF PART LOT 1 DP1086580, GREAT WESTERN HIGHWAY (SYDNEY ROAD), KELSO	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	COMPULSORY ACQUISITION OF LAND FOR CARLINGFORD LEVEE - LOT 23 DP1162278 PYE STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	COMPULSORY ACQUISITION OF LAND FOR CARLINGFORD LEVEE - LOT 13 DP1162278 PYE STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	TENDER FOR CLEANING OF PUBLIC BUILDINGS	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	TENDER FOR PROVISION OF SECURITY TO COUNCIL BUILDINGS	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 Cultural & Community Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) CATERING SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

2 PUBLIC QUESTION TIME

J Jennings – Treasurer & Acting President: Bathurst Wholefood Cooperative & representing TASTE Bathurst & Skillset - DCSF Item #17 - spoke to cause of the group. Will work with other community groups to develop proposals and direction. Raised issue of food security and this is a central tenet of Wholefood Group. Other items noted; economic development. Requests opportunity for future collaboration with Council, would like to work with Council into the future. Will run workshop with funding that has been approved by Council.

G Fry – Mount Panorama - DCSF Confidential Item #13 - In 2013 it is the 75th anniversary of motor racing at Mount Panorama, recommends Council celebrate this. Referred to car that could be displayed, and noted bikes are also of great importance. Feels Easter in 2013 would be a good time to celebrate 75 years. Happy to work with the Council to make the event happen. Bathurst at Yetholme held the first Australian Grand Prix in 1914. This should also be celebrated. Disappointed other historic race drivers will not be able to race at Easter. Asks Council to bear this in mind.

B. Triming – Rate Payer - Raised the following matters:

- Footpath/Cycle Plan - Has made submissions on these documents. Expressed concern about his submission to the bike plan and how represented in the report, particularly regarding the discussion on input seeks an apology.
- Management Plan - spoke of concerns about the cycle park and limited dollars on footpaths and cycleways. Need more funds allocated to footpaths and cycleways. Referred to compliance issues of access to Council and community facilities. The Cycle Park is to be funded by borrowings for an item of extravagance. Request Council scrap the cycle park and spend money on basic rights of equal access.

P Dowling – Rate Payer - Raised the following Matters:

- Agrees with Mr Triming on the issues he raised.
- Further spoke to proposal of a green bin, does not wish this to happen. Do not impose it on people. Many pensioners cannot afford this, referred to existing recycling bin facility. Stated he does not want a green waste bin.
- Ohkuma Appeal - People of Bathurst have helped already. Council's \$10,000 should go to North Coast floods or New Zealand.

MINUTE

3 APOLOGIES
MOVED: T Carpenter SECONDED: B Bourke

RESOLVED: That the apology from Cr Hanger 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 JUNE 2011

General Manager
Bathurst Regional Council

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 18 MAY 2011 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 May 2011 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held 18 May 2011, are attached.

Financial Implications: N/A

MINUTE

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 18 MAY 2011 (11.00005)

MOVED: G Westman SECONDED: I North

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 May 2011 be adopted.

**2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
FOLLOWING POLICY - 1 JUNE 2011 (11.00005)**

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council Following Policy held on 1 June 2011 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council Following Policy held on 1 June 2011, are attached.

Financial Implications: N/A

MINUTE

**5 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
FOLLOWING POLICY - 1 JUNE 2011 (11.00005)**

MOVED: R Thompson SECONDED: M Morse

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council Following Policy held on 1 June 2011 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 18 MAY 2011**

6.00 PM - MEETING COMMENCES

1 MEETING COMMENCES

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

PUBLIC QUESTION TIME

2 PUBLIC QUESTION TIME

D Tyson – History of Bathurst Saleyards - DCSF Item #7 - Spoke to request for funds to produce a book on the history of the Bathurst Saleyards. Asked Council to kindly consider the request, funds raised will go to Glenray.

M. Watts – Development Application 129 Stewart Street - DEPBS Item #3 - Spoke to Development Application before Council and cost of repairs. Notes how development will be put together and comply with infill policy and heritage values.

G Crisp – Ratepayer - Raised a number of issues including; money stolen from his superannuation, contacting of Police and says prosecution will be occurring, spoke to legislative requirements concerning actions of Councillors and staff.

B Trimming – Resident & Disability Advocate - GM Item #1 - Spoke to report where survey for 2010/2011 will not occur and funds will be transferred to little Scallywags facility. Has concern the survey will be scrapped and asks Council not to agree to the proposal. Raised issues about Council budget allocations including areas such as footpaths, cycle facility and compliance with access laws. Asked when will the plans of the velodrome be made available to the public.

APOLOGIES

3 APOLOGIES

MOVED Cr I North

and **SECONDED** Cr B Bourke

RESOLVED: That the apology from Cr Hanger for late arrival to the meeting be accepted and leave of absence granted.

MINUTES

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 APRIL 2011 (11.00005)

MOVED Cr G Westman

and **SECONDED** Cr I North

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 April 2011 be adopted.

5 Item 2 MINUTES - ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE - 4 MAY 2011 (11.00005)

MOVED Cr T Carpenter

and **SECONDED** Cr W Aubin

RESOLVED: That the Minutes of the Ordinary Meeting of Council following Policy Committee held on 4 May 2011 be adopted.

DECLARATION OF INTEREST

- 6** **DECLARATION OF INTEREST 11.00002**
MOVED Cr B Bourke and **SECONDED** Cr I North

RESOLVED: That the following Declarations of Interest be noted.

Cr Carpenter
Item #4 of the Director DEPBS's report

Cr North
Item #12 of the Director DES's Confidential report

Cr Thompson
Item #7 of the Director DCSF's report

Cr Toole
Item #6 of the Director DES's Confidential report
Item #10 of the Director DES's Confidential report

Cr Westman
Item #3 of the Director DEPBS's 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 G Westman and **SECONDED** Cr W Aubin

RESOLVED: That the information be noted.

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

RESOLVED: That the information be noted.

Cr Hanger arrived at 6.20pm

- 9** **Item 3 DEVELOPMENT APPLICATION NO. 2010/0959 – DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 5 X 2 BEDROOM UNITS AND 2 X 3 BEDROOM UNITS AT 129 STEWART STREET, BATHURST. APPLICANT & OWNER: M & M WATTS (DA/2010/0959)**
MOVED Cr B Bourke and **SECONDED** Cr I North

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

Reason: Lease commercial premise from proposed builder.

RESOLVED: That Council:

- (a) approve Development Application 2010/0959 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 applicant is to provide a detailed photographic record of the building to Council prior to demolition; and
 - (ii) During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Branch, Department of Planning, and Council. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977, recorded, and details given to Council prior to the continuing of works.

NOTE: A Section 140 Permit will need to be obtained to disturb archaeological relics. This permit is to be obtained from the Heritage Branch, Department of Planning, prior to the disturbance of the archaeological relics.

- (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,

Against the motion - Cr TCarpenter,

Absent - Cr G Westman,

Abstain - NIL

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Item 4 DEVELOPMENT APPLICATION NO. 2011/0120 – DEMOLITION OF EXISTING DWELLING AND ERECTION OF 3 X 2 BEDROOM UNITS AT 141-143 WILLIAM STREET BATHURST. APPLICANT: ROBBIE LEE DEVELOPMENTS. OWNER: SA, RA & MW LEE (DA/2011/0120)

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

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

Reason: Husband works for applicant.

RESOLVED: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve Development Application No. 2010/0959, 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 applicant is to provide a detailed photographic record of the building to Council prior to demolition commencing; and
 - (ii) During the carrying out of the proposed works, if any archaeological remains are discovered, the developer is to stop works immediately and notify the Heritage Branch, Department of Planning, and Council. Any such find is to be dealt with appropriately and in accordance with the Heritage Act 1977,

recorded, and details given to Council prior to the continuing of works.

NOTE: A Section 140 Permit will need to be obtained to disturb archaeological relics. This permit is to be obtained from the Heritage Branch, Department of Planning, prior to the disturbance of the archaeological relics.

(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 - NIL

Absent - Cr T Carpenter,

Abstain - NIL

11 **Item 5 SUSTAINABLE LIVING EXPO (23.00124)**
MOVED Cr T Carpenter and **SECONDED** Cr G Westman

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report

12 **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED Cr B Bourke and **SECONDED** Cr M Morse

RESOLVED: That the information be noted.

13 **Item 2 YEAR TO DATE REVIEW - 2010/2011 MANAGEMENT PLAN AND BUDGET (16.00121)**
MOVED Cr I North and **SECONDED** Cr W Aubin

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

14 **Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)**
MOVED Cr G Hanger and **SECONDED** Cr T Carpenter

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

15 **Item 4 BATHURST MOTOR FESTIVAL - EASTER 2011 (04.00125)**
MOVED Cr G Westman and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

16 **Item 5 REQUEST FOR FINANCIAL ASSISTANCE - LIONS CLUB OF BATHURST (18.00004, 18.00296/018, 41.00089)**
MOVED Cr G Westman and **SECONDED** Cr T Carpenter

RESOLVED: That Council

(a) provide \$2,000 annually to Lions Club of Bathurst towards the cost of purchasing of flags for the Evans Bridge flag poles from Council's Promotions Budget.

(b) update the Policy Manual accordingly.

17 Item 6 GOODS AND SERVICES TAX - COUNCIL COMPLIANCE REQUIREMENTS FOR 2010/2011 (16.00054)

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

RESOLVED: That Council authorise the signing of the Goods & Services Tax Certificate, payment of voluntary GST 1 May 2010 - 30 April 2011.

18 Item 7 REQUEST FOR FINANCIAL ASSISTANCE - MR DENNIS TYSON (18.00004, 21.00035)

MOVED Cr B Bourke and **SECONDED** Cr M Morse

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

Reason: Has occasional business dealings with proponent.

RESOLVED: That :

- (a) Council provide financial assistance of \$5,120 to Mr D Tyson to print 500 copies of the book "Going, Going, Gone ... a History of the Bathurst Saleyards"
- (b) 3 copies of the book be provided to the Australian National Library
- (c) 3 copies of the book be provided to the NSW State Library
- (d) 5 copies of the book be provided to the Bathurst Library
- (e) the remaining copies be distributed by Mr Tyson and that the profit from the sale be given to Glenray Industries.

Director Cultural & Community Services' Report

19 Item 1 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST THEATRE COMPANY/YOUTH THEATRE DRAMA CLASSES - USE OF BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) (21.00012)

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

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

20 Item 2 MUSEUMS AUSTRALIA SYMPOSIUM WORKSHOP PRESENTATION (18-19 APRIL 2011) (21.00106)

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

RESOLVED: That the information be noted.

21 Item 3 AUSTRALIAN FOSSIL & MINERAL MUSEUM - TORCHLIGHT TOURS (21.00106)

MOVED Cr M Morse and **SECONDED** Cr T Carpenter

RESOLVED: That the information be noted.

22 Item 4 AUSTRALIAN FOSSIL & MINERAL MUSEUM - SCATTERED BONES - BROADCAST TO ALASKA (21.00106)

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

RESOLVED: That the information be noted.

23 Item 5 BATHURST LIBRARY - ATTENDANCE (21.00054)

MOVED Cr M Morse and **SECONDED** Cr G Hanger

RESOLVED: That the information be noted.

General Manager's Report

24 Item 1 CHILDCARE SERVICES - LITTLE SCALLYWAGS (09.00007, 09.00008, 09.00005)

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

RESOLVED: That Council reallocate the funding of \$20,000 provided in the 2010/2011 budget for the Community Survey to the Little Scallywags cost centre.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

25 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 MAY 2011 (07.00064)

MOVED Cr M Morse and **SECONDED** Cr G Westman

RESOLVED: That the recommendations of the Policy Committee Meeting held on 4 May 2011 be adopted.

Traffic Committee Meeting

26 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING 3 MAY 2011 (07.00006)

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

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 3 May 2011 be adopted.

DELEGATES REPORTS

27 Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES HELD 13 APRIL 2011 (11.00019)

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

RESOLVED: That the information be noted.

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

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

The Mayor advised that a Confidential Mayoral Minute had been added to the agenda.

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

There were no representations from the public.

RESOLVED: That:

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

*** Mayoral Minute**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	EXTENSION OF V8 SUPERCAR CONTRACT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY

1	REQUEST FOR FINANCIAL ASSISTANCE - LIONS CLUB OF BATHURST INC	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.
2	LEGAL ACTION WITH TRACKCORP ADRENALIN PTY LTD	10A (2) (g) – contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
3	CONTRACTUAL AGREEMENT BETWEEN BATHURST REGIONAL COUNCIL AND SPRING CAR NATIONALS	10A (2) (d) (ii) – contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the Council.
4	BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council’s position in negotiating commercial and or financial arrangements.

* Director Engineering Services' Report

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR PROVISION OF LABOUR AND EQUIPMENT - MOWING MAINTENANCE CONTRACT	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	PROPOSED TRANSFER OF LOTS 13 AND 14 DP1049399 EGLINTON ROAD LLANARTH	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
3	RELEASE AND CREATION OF RIGHT OF CARRIAGEWAY VARIABLE WIDTH - LOT 111 DP1145879 CARLYLE AVENUE LLANARTH	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	COMPULSORY ACQUISITION LOTS 94	10A (2) (c) – contains information that would, if

	DP8799007 EGLINTON ROAD EGLINTON	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.
5	COMPULSORY ACQUISITION - LOT 11 DP814483 SYDNEY ROAD KELSO	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
6	TENDER FOR CONSTRUCTION OF 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.
7	TENDER FOR CONSTRUCTION BOX CULVERT AND ROAD WORKS, SCHUMACHERS ROAD TRIANGLE FLAT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be

		contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	TENDER FOR CLEANING OF PUBLIC TOILETS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
9	TENDER FOR PROVISION OF SANITARY SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
10	TENDER FOR CONSTRUCTION OF AMENITIES BLOCK AT BERRY 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.
11	TENDER FOR ROAD STABILISING WORK	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who

		supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
12	TENDERS FOR PROVISION OF TRAFFIC CONTROL SERVICES	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.
13	TENDERS FOR SPRAYED BITUMINOUS SURFACING	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
14	PROPOSED ACQUISITION FOR DIVERSION CHANNEL AND ROAD SIGNAGE, PART LOT 10 DP814483, AND THE TRANSFER OF PART LOT 1 DP1086580, GREAT WESTERN HIGHWAY (SYDNEY ROAD), KELSO	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.
15	TENDER FOR PREFERRED CONTRACTORS LIST	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.
16	TENDER FOR CLEANING OF PUBLIC BUILDINGS	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Mayoral Minute

- a** Item 1 EXTENSION OF V8 SUPERCAR CONTRACT (04.00001)
MOVED Cr P Toole

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

Director Corporate Services & Finance's Report

- b** Item 1 REQUEST FOR FINANCIAL ASSISTANCE - LIONS CLUB OF BATHURST INC (18.00004, 22.00645-02/013)
MOVED Cr B Bourke and SECONDED Cr G Westman

That Council provide a loan to the Bathurst Lions Club of \$10,000 @ 8.47% over five years to fund the proposed modifications to an existing shed.

- c** Item 2 LEGAL ACTION WITH TRACKCORP ADRENALIN PTY LTD (34.00065-06/016)
MOVED Cr B Bourke and SECONDED Cr G Westman

That the information be noted.

- d** Item 3 CONTRACTUAL AGREEMENT BETWEEN BATHURST REGIONAL COUNCIL AND SPRING CAR NATIONALS (04.00126)
MOVED Cr G Westman and SECONDED Cr M Morse

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

report.

- e** **Item 4 BATHURST 75 FOOTBALL CLUB FINANCIAL POSITION (18.00175)**
MOVED Cr R Thompson and **SECONDED** Cr G Westman

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

Director Engineering Services' Report

- f** **Item 1 TENDER FOR PROVISION OF LABOUR AND EQUIPMENT - MOWING MAINTENANCE CONTRACT (36.00415)**
MOVED Cr T Carpenter and **SECONDED** Cr W Aubin

That Council accept the tender of Glenray Industries Pty Ltd in the amount of \$554,348.18 (GST Exclusive), subject to adjustments and provisional sums, for a three year contract to provide labour and equipment - mowing maintenance.

- g** **Item 2 PROPOSED TRANSFER OF LOTS 13 AND 14 DP1049399 EGLINTON ROAD LLANARTH (2002/0522)**
MOVED Cr B Bourke and **SECONDED** Cr G Westman

That Council approve the transfer of Lots 13 and 14 DP1049399 to All Saints College Bathurst Council, and consolidate the property into the All Saints College Bathurst Council land, as detailed in the Director Engineering Services' report.

- h** **Item 3 RELEASE AND CREATION OF RIGHT OF CARRIAGEWAY VARIABLE WIDTH - LOT 111 DP1145879 CARLYLE AVENUE LLANARTH (22.01240)**
MOVED Cr G Hanger and **SECONDED** Cr I North

That Council approve the release and creation of a Right of Carriageway to Lot 111 DP1145879 having proposed frontage to Westbourne Drive at Llanarth, as detailed in the Director Engineering Services' report.

- i** **Item 4 COMPULSORY ACQUISITION LOT 94 DP8799007 EGLINTON ROAD EGLINTON (22.06165)**
MOVED Cr G Hanger and **SECONDED** Cr M Morse

That Council make application to the Minister and/or the Governor to compulsorily acquire Lot 94 DP879007 to allow the construction of Council's future works at Eglinton Road, Eglinton. The application to follow provisions of the Local Government Act 1993 and 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.

- j** **Item 5 COMPULSORY ACQUISITION - LOT 11 DP814483 SYDNEY ROAD KELSO (22.00270-03)**
MOVED Cr G Hanger and **SECONDED** Cr B Bourke

That Council make application to the Minister and/or the Governor to compulsorily acquire Lot 11 DP814483 to allow the construction of Council's diversion channel and future works at Sydney Road and the Macquarie River, Kelso. The application to follow provisions of the Local Government Act 1993 and 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.

k Item 6 TENDER FOR CONSTRUCTION OF AFL CLUBHOUSE, GEORGE PARK BATHURST (36.00421)

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

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

Reason: Family relationship with one of the tenderers.

That Council accept the tender of Warren Harvey Homes Pty Ltd for the amount of \$462,230 (inc GST), subject to alterations and provisional items.

l Item 7 TENDER FOR CONSTRUCTION BOX CULVERT AND ROAD WORKS, SCHUMACHERS ROAD TRIANGLE FLAT (36.00419)

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

That Council not accept any tenders.

m Item 8 TENDER FOR CLEANING OF PUBLIC TOILETS (36.00422)

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

That Council accept the tender of Nimdor Cleaning Services Pty Ltd for the amount of \$132,984 (incl. GST), subject to alterations and provisional items.

n Item 9 TENDER FOR PROVISION OF SANITARY SERVICES (36.00423)

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

That Council accept the tender of ISS Hygiene Services Pty Ltd for the amount of \$51,114.80 (incl. GST), for the provision of sanitary services, subject to alterations and provisional items.

o Item 10 TENDER FOR CONSTRUCTION OF AMENITIES BLOCK AT BERRY PARK BATHURST (36.00420)

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

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

Reason: Family relationship with one of the tenderers.

That Council accept the tender of Warren Harvey Homes Pty Ltd for the amount of \$143,550 (incl. GST), subject to variations and provisional items.

p Item 11 TENDER FOR ROAD STABILISING WORK (36.00418)

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

That Council accept the tender from Stabiltrac for Road Stabilising Work for Contract No. 36.00418.

q Item 12 TENDERS FOR PROVISION OF TRAFFIC CONTROL SERVICES (36.00416)

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

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

Reason: Has had business dealings with one of the tenderers.

That Council accept the tender from Mid West Traffic Management for the provision of Traffic Control Services for Contract No. 36.00416.

r **Item 13 TENDERS FOR SPRAYED BITUMINOUS SURFACING (36.00417)**
MOVED Cr M Morse and **SECONDED** Cr T Carpenter

That Council accept the tender from Downer EDI Works for the provision of Sprayed Bituminous Surfacing for Contract No. 36.00417.

s **Item 14 PROPOSED ACQUISITION FOR DIVERSION CHANNEL AND ROAD SIGNAGE, PART LOT 10 DP814483, AND THE TRANSFER OF PART LOT 1 DP1086580, GREAT WESTERN HIGHWAY (SYDNEY ROAD), KELSO (22.01283)**
MOVED Cr G Westman and **SECONDED** Cr T Carpenter

That Council approve the proposed acquisition of land for construction of a diversion channel for the Raglan Creek and road signage within part Lot 10 DP814483, and the transfer of part Lot 1 DP1086580 at Sydney Road, Kelso, subject to conditions outlined in the Director Engineering Service's report. The acquired land is to be classified as Operational land.

t **Item 15 TENDER FOR PREFERRED CONTRACTORS LIST (36.00425)**
MOVED Cr G Hanger and **SECONDED** Cr M Morse

That Council accept the Preferred Contractor List for the engagement of contractors for minor building works up to the value of \$20,000 (incl. GST) as listed in the report, subject to submission of complete information being supplied for casual hire and in accordance with the General Conditions of Tender.

u **Item 16 TENDER FOR CLEANING OF PUBLIC BUILDINGS (36.00427)**
MOVED Cr W Aubin and **SECONDED** Cr B Bourke

That Council accept the tenders of (incl. GST):

- | | |
|--|-------------------------------|
| (a) Elizabeth Vasquez for \$78,000 | [for Separable Portion (i)] |
| (b) Northern Contract Cleaning for \$128,740 | [for Separable Portion (ii)] |
| (c) Pam Evans for \$78,000 | [for Separable Portion (iii)] |
| (d) Northern Contract Cleaning for \$62,600 | [for Separable Portion (iv)] |
| (e) Northern Contract Cleaning for \$97,100 | [for Separable Portion (v)] |
| (f) Northern Contract Cleaning for \$71,960 | [for Separable Portion (vi)] |
| (g) Northern Contract Cleaning for \$36,343 | [for Separable Portion (vii)] |

subject to alterations and provisional items.

RESOLVE INTO OPEN COUNCIL

29 **RESOLVE INTO OPEN COUNCIL**
MOVED Cr M Morse and **SECONDED** Cr I North

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

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

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

MEETING CLOSE

- 31** **MEETING CLOSE**

The Meeting closed at 7.34 pm.

CHAIRMAN: _____

Date: _____ (**15 June 2011**)

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE
HELD ON 1 JUNE 2011**

MEETING COMMENCES

1 MEETING COMMENCES

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

APOLOGIES

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

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

DECLARATION OF INTEREST

3 DECLARATION OF INTEREST 11.00002
MOVED Cr R Thompson and **SECONDED** Cr B Bourke

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Environmental Planning & Building Services' Report

**4 Item 1 DEVELOPMENT APPLICATION NO. 2010/0461 – DEMOLITION OF
COMMERCIAL BUILDING AT 66-68 GEORGE STREET. APPLICANT & OWNER:
BOLAM PROPERTY INVESTMENTS PTY LTD (DA/2010/0461)**
MOVED Cr T Carpenter and **SECONDED** Cr W Aubin

RESOLVED: That Council:

- (a) direct the Director Environmental, Planning & Building Services to approve the modification to Development Application No. 2010/0461 by waiving Condition 4; and
- (b) call a division.

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

The result of the division was:

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

RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH

CONFIDENTIAL REPORTS**5 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS****MOVED** Cr G Westmanand **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 were no representations from the public.

RESOLVED: That:

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

*** Director Environmental Planning & Building Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER 36.00414 URBAN DRAINS REVEGETATION PLAN: REVEGETATION PROGRAM	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TRANSFER OF LICENCE AGREEMENT - SINCLAIR TO OWENS - BEN CHIFLEY DAM	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	V8 CONTRACT	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 Environmental Planning & Building Services' Report

- a** Item 1 TENDER 36.00414 URBAN DRAINS REVEGETATION PLAN: REVEGETATION PROGRAM (36.00414)
MOVED Cr G Westman and SECONDED Cr R Thompson

That Council accepts the tender of Australian Wetlands Pty Ltd, for the implementation of the Bathurst Urban Drainage Reserve Vegetation Link: Revegetation Program in the amount of \$222,764.00 Inc. GST subject to adjustments.

Director Corporate Services & Finance's Report

- b** Item 1 TRANSFER OF LICENCE AGREEMENT - SINCLAIR TO OWENS - BEN CHIFLEY DAM (32.00005-05)
MOVED Cr G Westman and SECONDED Cr W Aubin

That Council approves the transfer of the current Licence Agreement for part Lot 2 DP224864 (paddocks 3, 4 5) and Lot 10 DP224864 (paddock 6) and 11 DP224864 (paddocks 7 and 8) Ben Chifley Dam in the name of Don Sinclair to Stephen and Dan Owens as detailed in the report.

- c** Item 2 V8 CONTRACT (04.00001)
MOVED Cr G Westman and SECONDED Cr B Bourke

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

MINUTE

- 6** **DECLARATION OF INTEREST 11.00002**
MOVED: I North **SECONDED: G Westman**

RESOLVED: That the following Declaration of Interest be noted.

Cr Aubin

Item #14 of the Director Corporate Services & Finance's report.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT
15 JUNE 2011

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT TO THE
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 15
JUNE 2011**

General Manager
Bathurst Regional Council

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

Recommendation: That the information be noted.

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

Financial Implications: Nil.

MINUTE

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

MOVED: I North SECONDED: B Bourke

RESOLVED: That the information be noted.

2 GENERAL REPORT (03.00053)

Recommendation: That the information be noted.

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

- (a) Applications determined using authority delegated to the Director Environmental Planning & Building Services during May 2011 (**attachment 1**)
- (b) Applications refused during May 2011 (**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 May 2011 (**attachment 5**).

Financial Implications: Nil.

MINUTE

8 Item 2 GENERAL REPORT (03.00053)

MOVED: R Thompson SECONDED: M Morse

RESOLVED: That the information be noted.

3 BATHURST COMMUNITY ACCESS AND CYCLING PLAN 2011 (20.00165)

Recommendation: That Council:

- a) adopt the Bathurst Community Access and Cycling Plan 2011 subject to the inclusion of the amendments/alterations outlined in this report; and
- b) notify those who lodged submissions of Council's decision.

Report: The draft Bathurst Community Access and Cycling Plan was placed on public exhibition from 21 February to 21 March 2011.

This report summarises the content of the draft Plan, the public exhibition process, associated issues raised by the community and Council's Environmental, Planning & Building Services Department (EP&BS) response to those issues, together with a staff review process.

Context of the Bathurst Community Access and Cycling Plan 2011

The Bathurst Community Access and Cycling Plan (BCACP) 2011 has been prepared to review, update and expand on the 3 key Access Plans of the former Bathurst City Council; the 1993 Bike Plan, 1999 Strategic Access Plan and the 2001 Pedestrian Access and Mobility Plan (PAMP).

This Plan is intended to be the primary guiding document for the construction of footpaths and cycleways in the Bathurst Region. The resulting table of works will assist Council to program, forecast and apply for funding for footpaths and cycleways into the future. The BCACP 2011 also includes footpaths in the Region's rural villages.

A copy of the final version of the Plan can be obtained from Council's Environmental Planning & Building Services Department.

The Public Exhibition Process

During the public exhibition period, Council held an information session on Monday 7 March 2011 for stakeholders who were involved in the initial process. A total of 12 people attended the information session.

Council received a total of 20 written submissions in response to the draft Plan and these are provided at **attachment 1**.

Issues raised and Council's Environmental Planning and Building Services (DEP&BS) response to those issues.

The issues raised in the submissions and the Planning staff's response to the issues raised are summarised in the following tables.

Combined Bathurst Bicycle Users Group	
Issues Raised	Response to Issues Raised
The draft Plan only refers to Bathurst bicycle users Groups, where it should refer to Combined Bathurst	Plan has been amended to reflect the two groups where relevant.

Bicycle Users Group (CBBUGS) and Bathurst and District Bicycle Users Group (BADBUGS)	
Onroad routes have been identified in the draft Plan (pages 71 to 75), although these have not been developed	Council acknowledges that many of these routes were identified as part of previous plans, however Council had not completed the majority of actual road markings due to locational constraints, such as carriageway width, and that the majority of the budget was spent on offroad routes. Council, as part of the implementation of this Plan, will include the marking of onroad routes as recommended by this Plan, and as the budget permits.
Please include the following route. From Denison Bridge, under the railway bridges and up to Russell Street.	Council considers that this route is unsuitable for a number of reasons. While the levee banks appear a favourable location for cycleways, this poses a significant imposition to Council relating to maintaining the levee network and is not supported by Council's Engineering Department. An alternative route has been identified in the draft plan (via Havannah Street & Russell Street), although this does present difficulties at the Havannah Street / Russell Street intersection.
Havannah Street / Russell Street roundabout.	As indicated above, this intersection poses problems to create a safe offroad route through the intersection. This will require future engineering investigations as works proceed. The intersection has been included in Appendix 4 of the Plan.
Denison Bridge cycleway	This was omitted from the draft Plan, and has been included in the final Plan.
Use of the term 'investigate' without any further action.	Council has reviewed the draft Plan and included, where appropriate, more descriptive actions to be completed.
CBBUGS 2007 Audit of Existing Cycleway Facilities.	The 2007 CBBUGS report has been reviewed and 9 out of 13 items have been included into the final Plan.
No ongoing reference group or reporting for the progress of the Plan.	The final Plan has been amended to include periodic reports to Council to inform on the progress of the Plan's implementation.

Ms Diane Solomon Westerhuis

Issues Raised	Response to Issues Raised
The level of road safety lessons, and increase in safety of children should be improved	This was outside the scope of the Plan. Council provides facilities within the public areas of the LGA, and can only encourage Schools to provide those activities within their curriculum. The Plan recommends specific young rider education facilities.

Ms Tracy Sorensen

Issues Raised	Response to Issues Raised
Provides support for Council's strategy encouraging young riders.	No action required.

Mr Michael Grabham

Issues Raised	Response to Issues Raised

The funding section of the Plan should include a budget.	Council considers the inclusion of a budget as unwarranted, given the numerous variables that can occur. Council allocates funds annually and also applies for various funding grants to assist with the construction of the footpaths and cycleways. The Plan includes estimated costs of works where these have been able to be determined at this stage.
Is it realistic to have \$4 million of projects as Priority 1?	During the community consultation process as part of the discussion paper, a number of projects were identified by the community, many of which are included in the plan as a high priority. The large number of projects as Priority 1 will also assist Council in applying for funding grants.
Lighting of the paths is excessive and generates light pollution.	It was intended to investigate options for the lighting of isolated paths only, and consult with Essential Energy for the use of solar lights for those locations. This has been clarified in the final Plan. Furthermore, lighting will be required to comply with AS 4282.

Ms Edwina McPherson

Issues Raised	Response to Issues Raised
Cyclists still using the roadway rather than the shoulder along the Vale Road.	The plan identifies that the paths are to be periodically maintained. Works to improve the road shoulders on Vale Road are continuing. There is no road rule to force cyclists to use a road shoulder instead of the actual road carriageway.

Mr Tony & Mrs Deidre Robertson

Issues Raised	Response to Issues Raised
Footpaths in Rockley – must be improved, have been in a bad state for many years.	The draft Plan identifies a new footpath for the Village. While it is identified on the southern side of Budden Street, the final location of the path will be determined by Council's Engineering Department during the design phase.
The identified onroad routes within the village give a false sense of security (in relation to road safety).	The final Plan has been amended to reflect the comments. The creation of the onroad routes will be delayed until such time that the issue of road speed through the village has been addressed.
Rockley is becoming a 'sea' of signs.	Regulatory signs will be used as necessary within the village, and is unlikely to detract from the village significance.
Rockley is visited by people walking as well as cycling.	The Plan identifies footpaths for both Budden Street and Church Street.

Bathurst Cycling Club

Issues Raised	Response to Issues Raised
The existing cycling facilities such as the velodrome were omitted.	Noted. This has now been included in the final plan within Section 7.
The proposed bike park has been omitted from the plan.	Council has approved the location of the bike park on Vale Road. Council has engaged the services of a consultant to prepare a feasibility study for the bike park. To date the bike park is yet to commence construction. Subsequent amendments to the Plan can accommodate more detail of the facility, as a design is yet to be approved by Council. Importantly, the plan includes cycleway links to the future bike park location.

The Plan should establish the standards for onroad cycleways.	Note. This has now been included in the final Plan. The standards established by the RTA have been used.
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Mr Jim & Mrs Julia Blackwood	
Issues Raised	Response to Issues Raised
Urge Council to explore all avenues of funding options.	No action required. This will be done by Council as funding opportunities arise.
Commuters need to be made aware that cycling is a safe transport option.	The Plan aims at increasing the level of people using bicycles for commuting through the construction of additional cycleways.
Would like to see a mechanism for reporting on the progress of the Plan.	The final Plan has been amended to include periodic reports to Council to inform on the progress of the Plan's implementation.

RM & DE Todd	
Issues Raised	Response to Issues Raised
No path has been identified on the southern side of Marsden Lane.	The path has been identified within the drainage reserve between Coolabah Close and Marsden Lane. This location was chosen due to site constraints adjacent to Marsden Lane. The final location of the path will ultimately be chosen during the design phase, taking into consideration the site constraints.
The path within Hughes Street should be located on the western side as there are less road crossings.	The path has been shown on the eastern side for illustrative purposes and the final location of the path will ultimately be chosen during the design phase, taking into consideration the site constraints.
The priority rating of Marsden Lane should be reviewed.	The plan identifies a cycleway along Marsden Lane, as well as an onroad route. The onroad route has been given a lower priority because the cycleway can be used as an alternative, when constructed.
Supports the cycleway through the open space from Hughes Street to Rosemont Avenue.	No action required.

Mr Chris Marshall	
Issues Raised	Response to Issues Raised
Supports Council updating the plan.	No action required.
The plan should include a long term community vision.	A vision statement has been included in the final version of the plan.
Population and bicycle ownership data should be included in the plan.	Council staff are not aware of any bicycle ownership data available for the LGA. This data is not collected by the ABS as part of the Census. The Plan does include travel to work data from the census which includes travel by bicycles. The Plan has been amended to also include population projections from Council's Urban Strategy (2007). It is a fair assumption that the number of individuals cycling to work will increase as the population grows, even if the proportion of the population cycling to work does not. As implementation of the

	<p>plan continues it is likely that this in itself will increase the proportion of the population cycling.</p> <p>The Plan has also been amended to include recommendations for Council to consider:</p> <p>a) a program of ongoing bicycle user counts on offroad cycle routes; and</p> <p>b) the inclusion of cycling related questions in its annual community survey.</p>
The plan should identify the major drivers for changes in commuting, for example petrol prices.	The implementation of the Plan itself will be a major driver in changing transport usage within the LGA. It is difficult to identify all drivers in changing commuter behaviour. The Plan has been amended to identify some factors likely to impact on bicycle usage.
The plan lacks a mechanism for reporting on the progress of the Plan.	The final Plan has been amended to include periodic reports to Council to inform on the progress of the Plan's implementation.
The method of dealing with pedestrian / cyclist / vehicle conflict has not been addressed.	The plan includes a key recommendation of introducing a 'share the road' education program.
The plan should also include gravel paths as options for the cycleway network.	Council has identified a number of paths which have the option to be constructed as a 2-coat seal as an alternative to concrete, reducing the overall construction cost. Council has avoided, to date, gravel paths. The introduction of a 2-coat seal option will contribute to major projects being funded within a more appropriate timeframe.
Council's role in advocating and facilitation of cycleway projects should be acknowledged upfront within the Plan.	Council drives the plan preparation process and obviously will drive the construction of new infrastructure. The Plan does, however, identify that other community groups / bodies can also play an important advocacy role and this is critical to the implementation of many of the non-infrastructure recommendations.
Inclusion of 'low priority' projects should have a more positive category adopted.	The majority of the identified projects within the Plan with a higher priority were identified by the Community, and therefore included in the Plan. The Plan must include a relative ranking of priority.
More appropriate action words should be used.	Amendments have been made where considered appropriate.

Mr Patrick Forman	
Issues Raised	Response to Issues Raised
Schools should be linked with signed cycleways.	The Plan identified footpaths and cycleways leading to Schools as a high priority.
Local businesses and schools should play their part in providing bicycle parking.	The Plan states that Council is not necessarily the responsible agency. It is acknowledged that Council has a civic responsibility, but there are areas and recommendations which are more appropriately addressed by other organisations. The recently adopted Development Control Plan provides new development standards for the provision of bicycle parking facilities for certain development types.
Onroad cycleways should be marked, rather than just mapped.	Council acknowledges that many of these routes were identified as part of previous plans, however Council had not completed the majority of actual road markings due to

	<p>locational constraints, such as carriageway width, and that the majority of the budget was spent on offroad routes. Council, as part of the implementation of this Plan, will include the marking of onroad routes as recommended by this Plan, and as the budget permits.</p>
<p>The plan should be reviewed biannually and report on the progress of the Plan.</p>	<p>The final Plan has been amended to include periodic reports to Council to inform on the progress of the Plan's implementation.</p>
<p>Appropriate directional signs should be installed to key destinations.</p>	<p>A key recommendation of the Plan is to install directional signage to key facilities and locations.</p>
<p>On road routes should be physically separated from vehicular traffic.</p>	<p>Site constraints within the existing road reserves and carriageways will ultimately dictate whether this is possible. Further investigations need to be conducted prior to inclusion in future Plans or in the implementation of the recommendations of this Plan.</p>
<p>Recreational cycleways could be constructed as gravel to reduce the cost of construction.</p>	<p>Council has identified a number of paths which have the option to be constructed as a 2-coat seal as an alternative to concrete, reducing the overall construction cost. Council has avoided, to date, gravel paths. The introduction of a 2-coat seal option will contribute to major projects being funded within a more appropriate timeframe.</p>
<p>Council should install iconic bicycle racks outside the civic centre to be seen as civic leaders</p>	<p>The Plan identifies several locations for bicycle racks to be installed, including the Civic Centre.</p>
<p>Population, increasing vehicle costs should be included into the Plan.</p>	<p>These have been considered as outlined in an earlier response above.</p>
<p>A preamble explaining what it means to be cycle friendly should be included in the final Plan.</p>	<p>The Plan itself promotes a city which, upon its implementation, would be both more cycle and access friendly.</p>
<p>Businesses should be encouraged to adopt pro-cycle policies encouraging employees to cycle to work.</p>	<p>The Plan's scope investigated the public domain. Council has little influence on private businesses, apart from development standards to require new bicycle parking on private property. The Plan recommends opportunities for promotion and marketing which to be successful will rely on bicycle groups and other community groups to engage in promotional activities.</p>

Ms Wendy Hasting	
Issues Raised	Response to Issues Raised
<p>The integrated cycleway and footpath system is likely to support cycle commuting and walking.</p>	<p>No action required.</p>
<p>It is encouraging to see that businesses provide bicycle parking facilities and showers / change rooms.</p>	<p>Council's Development Control Plan introduces development standards for new buildings, requiring bicycle racks and showers. The rate is determined by the landuse and the scale of the development.</p>
<p>Signage to indicate the</p>	<p>The draft Plan identifies this as a key recommendation.</p>

location of bike paths is needed.	
An ongoing evaluation process is required to assess how effectively the plan is being implemented.	The final Plan has been amended to include periodic reports to Council to inform on the progress of the Plan's implementation.

Bathurst Community Climate Action Network (BCCAN)	
Issues Raised	Response to Issues Raised
Impressed with the inclusion of the villages and provision of young rider facilities.	No action required.
Suggests that Council should facilitate the establishment of a bicycle hire business located at the visitors centre.	The Plan included a key recommendation to implement a bicycle hire business in the Region. Its establishment will ultimately be dictated by commercial decisions. Council will assist, where appropriate, in the establishment of such a business. Again other community groups can also play a role in facilitating new business opportunities.
A barrier to commuting as a cyclist is the lack of shower facilities. New developments should provide these facilities adjacent to bicycle parking facilities.	Council's recently adopted Development Control Plan has introduced standards for the provision of bicycle parking and shower facilities for various development types.
Council should include some bicycles in their own fleet of vehicles.	Due to the nature of much of Council's business (ie carrying of files and covering large areas within the City and the Region), the use of a bicycle is not seen as a viable option at this point in time.

Mr John Bedwell	
Issues Raised	Response to Issues Raised
No cycleway connecting Sutor Street to Mitchell Highway.	Bradwardine Road extension had both on road and off road routes identified in the draft Plan.
No footpaths are shown in Illumba Way near Illumba gardens.	A footpath was illustrated in the draft plan for Illumba Way from Marsden Lane to Miriyan Drive.

Mr William Amer	
Issues Raised	Response to Issues Raised
The footpath proposed for Budden Street (Rockley) should be located on the northern side within Stephens Park	The draft Plan identifies a new footpath for Rockley. While it is identified on the southern side of Budden Street, the final location of the path will be determined by Council's Engineering Department during the design phase.
The cycleways and any new signage should be delayed until traffic is controlled within the village.	The final Plan has been amended to reflect the comments. The creation of the onroad routes will be delayed until such time that traffic control measures are investigated and implemented within the Village in relation to the issue of speeding vehicles. Regulatory signs will be used as necessary within the village, and is unlikely to detract from the

village significance.

Submission from Mr Bob Triming and Bathurst Region Access Committee	
Issues Raised	Response to Issues Raised
Only 1 other person was asked to review the draft Plan.	Council distributed a copy of the draft Plan to those who were consulted as part of the discussion paper. The draft Plan was also placed on Council's website and notices were included in the Council Notices section of the newspaper. Approximately 90 copies of the draft Plan were distributed to the community.
The plan should include the amount of new roads being constructed as a comparison.	The inclusion of this data would be of little comparative benefit. The majority of new road construction is completed by developers associated with new subdivisions. Notwithstanding that Council itself is a developer and funds road construction as part of the development cost.
The following matters have not been included in the draft Plan a) Cycleway at the Bradwardine Road / Eglinton Road intersection b) 20m missing path opposite Carenne School in George park c) Path in front of Trinity Heights shopping centre	The paths identified were included as part of Appendix 2 & 4 of the draft Plan, as exhibited.
A large proportion of the existing footpaths and cycleways are poorly designed, poorly maintained or have inaccessible laybacks.	The Plan addresses this issue by ensuring that new and replacement laybacks are constructed to current standards.
Access issues relate to the entire community rather than the 22% of the community with disabilities.	Minor amendment made as access is critical for all the community but particularly for those with disabilities.
The sentence 'The saddle survey' concluded that the network, in its current form, is comprehensive and covers a significant portion of the city' is misleading and should be removed from the final Plan.	This comment is in relation to the existing offroad cycle network. This has been clarified.
The inclusion of seats, shade trees, lighting, toilets and water stations is excessive and should be completed at a later date.	The Plan recommends a range of support facilities for footpaths and cycleways. Ultimately the provision of these facilities will be dependant upon budgetary considerations.
The plan does not include disability tourism and	Disability tourism was a key recommendation within section 6 – Tourism, promotion and marketing, of the draft Plan as

<p>suggestions for inclusion have been ignored.</p>	<p>exhibited. For completeness, the key recommendation is repeated in the executive summary of the final Plan.</p>
<p>Other priorities which should be listed include:</p>	<ul style="list-style-type: none"> <li data-bbox="580 262 1401 432"> <p>a) Replace all old style gutter ramps to comply with the Australian Standard. Council continues to install new or replace inappropriate existing gutter ramps as identified. This has been included in the Plan.</p> <li data-bbox="580 465 1401 530"> <p>b) Complete the missing links within the network. A number of missing links are identified within the Plan.</p> <li data-bbox="580 564 1401 801"> <p>c) Repair the existing paths to remove trip & mobility aid hazards. Council has a maintenance program which rectifies hazards within the footpath network. A key recommendation of the Plan is to implement a hazard report form to inform Council of hazards on footpaths and cycleways.</p> <li data-bbox="580 835 1401 1005"> <p>d) Rectify the footpaths which have been changed from Council's standard finishes (eg Reliance Centre and Bathurst Liquidation Centre). These will be undertaken as part of the ongoing CBD Beautification Improvement Program.</p> <li data-bbox="580 1039 1401 1240"> <p>e) Complete the outstanding items in the previous plans. Appropriate projects from the 1999 and 2001 access plans have been included in the current Plan. See further comment below under staff review with respect to this recommendation.</p> <li data-bbox="580 1274 1401 1543"> <p>f) Rebuild the recently completed paths at the proposed minimum width of 1.5m. Council is yet to adopt the proposed standard. It is the intent that the proposed standard will apply to new constructions only. Until a particular path is replaced, it will remain at the existing formation. A final decision on the replacement width would be made when the path is replaced.</p> <li data-bbox="580 1576 1401 1711"> <p>g) Strategic access routes should include schools, child care facilities, BIL's, shopping centres and the like. A priority of the Plan is to connect these facilities with footpaths.</p> <li data-bbox="580 1744 1401 1845"> <p>h) Implement section 94 plans for all developments. The plan identified the possible use of Section 94 funding for the construction of footpaths and cycleways.</p> <li data-bbox="580 1879 1401 2004"> <p>i) Require all housing developments to adopt the Victorian scheme of accessible housing. The 2011 Building Code of Australia (BCA) refers to the</p>

	<p>new Australian Standard (AS1428.1:2009) for Class 2 – 9 buildings in relation to access, facilities and the like. Residential dwellings are excluded from the new Australian Standard.</p> <p>j) Council should train its staff in the requirements of the DDA and implement procedures to ensure compliance with the building standards. Council staff undertake continued professional development training as courses become available.</p> <p>k) Why the new subdivision off Ecrates Place has approximately 2.57km of proposed paths while Raglan has waited over 30 years for approximately 3.5km of path. Council has identified both projects within the current Plan, and considers the projects equally as important.</p>
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Western Institute TAFE	
Issues Raised	Response to Issues Raised
Supports the implementation of the Plan.	No action required.
Advised that TAFE have installed 24 bike racks and 4 change / shower rooms (2 x F, 2 x M). TAFE is considering increasing funding to increase the number of bike racks and lockers installed.	These details have been included in the final version of the Plan.

Mr John Kellett	
Issues Raised	Response to Issues Raised
Commented that it is increasingly important to have access to safe cycleways to reduce the dependence on cars and improve the health and fitness of the community.	These comments are covered as part of the study and project objectives in Section 1 of the Plan.

Ms Anne Llewellyn	
Issues Raised	Response to Issues Raised
Commented that no access from Hughes Street to Rosemont Avenue.	The draft Plan identified a path through the drainage reserve connecting Hughes Street, Ilumba Way and Rosemont Avenue. Notwithstanding that an engineering solution is required for the Hughes Street end of the path. This has been identified in the Plan and is identified as a high priority project.

Ms Wendy Stroeve	
Issues Raised	Response to Issues Raised
Commented that no access	The draft Plan identified a path through the drainage reserve

from Hughes Street to Ilumba Way.

connecting Hughes Street, Ilumba Way and Rosemont Avenue. Notwithstanding that an engineering solution is required for the Hughes Street end of the path. This has been identified in the Plan and is identified as a high priority project.

Staff review and comments

Concurrently with the public exhibition, Council staff further reviewed the plan and made comments with respect to several projects.

As a result of the comments received from Council staff, a number of amendments were made to the final Plan. Those amendments are listed below:

- Modification of the circumstances where a 1.5m wide footpath will be constructed. 1.5m wide paths will now only be constructed on identified strategic access routes. This will minimise the increase in cost of footpath construction but also enable wider footpaths in key locations.
- Deletion of some paths where an engineering solution is not readily available.
- Modification of some paths from cycleways to footpaths due to the identification of locational constraints.
- Alteration of the priority of some paths within the CBD areas of Bathurst.

Conclusion

The draft BCACP has been placed on public exhibition. A total of 20 submissions were received. The Plan is intended to be the primary guiding document for the construction of footpaths and cycleways in the Bathurst Region. The resulting table of works will assist Council to program, forecast and apply for funding for footpaths and cycleways into the future.

It is therefore recommended that Council adopt the Bathurst Community Access and Cycling Plan 2011, including those amendments as outlined in this report.

Financial Implications: Works will be undertaken as resources become available in future Management Plans.

MINUTE

9 Item 3 BATHURST COMMUNITY ACCESS AND CYCLING PLAN 2011
(20.00165)

MOVED: W Aubin SECONDED: T Carpenter

RESOLVED: That Council:

- a) adopt the Bathurst Community Access and Cycling Plan 2011 subject to the inclusion of the amendments/alterations outlined in this report; and
- b) notify those who lodged submissions of Council's decision.
- c) Correct response to issues raised at Item 1 of Mr Triming's submission to reflect consultation process undertaken by Mr Triming.

**4 BATHURST REGIONAL (INTERIM) LOCAL ENVIRONMENTAL PLAN 2005
(AMENDMENT NO 4) (20.00162)**

Recommendation: That the information be noted.

Report: Amendment No 4 to the LEP was gazetted on 13 May 2011. This amendment is the outcome of Council's Heritage Planning Proposal. The effect of the amendment is to:

- a) list 298 properties as heritage items under the LEP;
- b) list 10 areas as heritage conservation areas under the LEP.

These new listings are the result of Council's early work to complete the Bathurst Regional Heritage Study 2007 and the Bathurst Conservation Area Review 2007.

A copy of the amendment is included at **attachment 1**.

It is pleasing to see Council's long term strategic planning studies finally reaching fruition. Importantly this now achieves protection of the regions rural and village heritage assets.

Financial Implications: Nil.

MINUTE

10 Item 4 BATHURST REGIONAL (INTERIM) LOCAL ENVIRONMENTAL PLAN 2005 (AMENDMENT NO 4) (20.00162)

MOVED: G Westman SECONDED: R Thompson

RESOLVED: That the information be noted.

**5 BATHURST REGIONAL COUNCIL HERITAGE STRATEGY ANNUAL REPORT
2010-2011 AND BATHURST REGIONAL COUNCIL HERITAGE STRATEGY FOR THE
BATHURST REGION 2011/12 TO 2013/14 (20.00123)**

Recommendation: That Council:

- a) note the Bathurst Regional Council Heritage Strategy Annual Report 2010-2011;
- b) adopt the Bathurst Regional Council Heritage Strategy for the Bathurst Region 2011/12 to 2013/14; and
- c) refer both documents to the NSW Heritage Office.

Report: As a requirement of the NSW Heritage Grants Local Government heritage advisor program Council must:

- a) prepare and submit an annual report on the implementation of Council's Heritage Strategy to Council and to the Heritage Branch; and
- b) adopt and implement a 3 year Heritage Strategy (the next period being from 2011/12 to 2013/14;

Attachment 1 provides Council's annual report for the 2010-11 year. **Attachment 2** provides a draft 3 year Heritage Strategy for the period 2011/12 to 2013/14.

Annual Report

The Annual Report for 2010/11 highlights a number of key achievements for Council in the implementation of its current Heritage Strategy.

These include the following.

- Adoption of the Bathurst Regional (Interim) DCP 2011 which includes a chapter on heritage and urban design, providing standards and guidelines for heritage impact assessment, assessment of demolition proposals, criteria for infill development, standards for new development in heritage conservation areas, requirements for archaeological permits and criteria for assessing aboriginal significance. The DCP also provides specific building standards for the historic rural villages.
- Gazettal of the Heritage Planning proposal which sees 298 heritage items and 10 heritage conservation areas listed on Council's LEP. Importantly this now provides protection for the regions rural and village heritage assets.
- Completion of the draft Bridges Conservation Management Plan (CMP) which seeks to catalogue the historically significant bridges and road structures in the LGA, identify their significance and rarity, map the items and make recommendations for their future management and interpretation.
- Commencement of the Bathurst Regional Archaeological Management Plan.
- Bathurst Regional Local Heritage Fund 2010/11 – 47 projects completed with the total value of works being \$812,598 with the fund contributing \$42,750. This is by far the most successful year yet and highlights again the success of this funding program.
- Coordination of the Central West Heritage Network (CWHN) which included:
 - Salt Attack & Rising Damp Seminar which was well received by local professionals, tradespersons and owners;
 - Local planners forum focusing on the disaster management of heritage assets.
- Provision of in-house heritage management training for Councillors.

- Opening of the Ben Chifley Home Interpretation Centre.
- Reinstatement of the restored Ben Chifley Engine at the Bathurst railway station precinct.
- Erection of new interpretative signage for the Ben Chifley Engine, Old Vale Road circuit and the Long Swamp cemetery.
- Maintenance works at Old Government Cottage including reroofing, drainage and paint removal.
- Receipt of the draft Aboriginal assessment for the proposed pipeline between Ben Chifley Dam and the City of Bathurst

Three Year Heritage Strategy – 2011/12 – 2013/14

Key existing programs will continue over the next three years including the Heritage Advisory Service and Local Heritage fund. Other projects that have already commenced will be completed in this time including the Archaeological Management Plan, finalisation of the Bridges CMP, and Aboriginal assessment for the pipeline.

Council will continue to participate in the Central West Heritage Network although this will now be coordinated by Orange City Council. Bathurst will run local seminars if the need warrants.

Opportunities will be identified to continue to expand interpretative signage.

Staff will continue to review Council's policies and DCP standards as they relate to heritage management. Ongoing review will continue of the LEP listed heritage items.

New initiatives include:

- identifying opportunities for a heritage cycling trail brochure;
- provide heritage management training for the incoming Council;
- investigate the establishment of a separate funding scheme to provide small grants to private property owners for the preparation of Conservation Management Plans/Strategies prepared primarily to guide maintenance (ie not related to major development projects);
- prepare a brochure for the installation of solar panels on heritage items and buildings within heritage conservation areas;
- commence the "20 imminent citizens of Bathurst" project - a cultural pack interpretation project.

Conclusion

Council's heritage management program continues to improve with significant key results achieved this year. The results of Council's efforts are visible and valued by the community.

Financial Implications: Council implements its heritage management program through various allocations in the Management Plan.

MINUTE

11 Item 5 BATHURST REGIONAL COUNCIL HERITAGE STRATEGY ANNUAL REPORT 2010-2011 AND BATHURST REGIONAL COUNCIL HERITAGE STRATEGY FOR THE BATHURST REGION 2011/12 TO 2013/14 (20.00123)

MOVED: G Westman SECONDED: I North

RESOLVED: That Council:

- a) note the Bathurst Regional Council Heritage Strategy Annual Report 2010-2011;
- b) adopt the Bathurst Regional Council Heritage Strategy for the Bathurst Region 2011/12 to 2013/14; and
- c) refer both documents to the NSW Heritage Office.

6 SYDNEY CARAVAN, CAMPING & 4WD SUPERSHOW 2011 (21.00041)

Recommendation: That the information be noted.

Report: The Bathurst Region was represented at the Sydney Caravan, Camping & 4WD Supershow on both the Central NSW Tourism (CNSWT) stand and Bathurst Region/Blue Mountains stand.

The Bathurst Visitor Information Centre was responsible for the coordination of both these stands.

The CNSWT stand promoted the LGAs it represents, with staff and brochures from around the region assisting with this promotion. Not all LGAs chose to send staff or brochures; however some combined material ensured all CNSWT LGAs received exposure at the show.

This was the first year that Bathurst combined with Lithgow and Oberon to consolidate the partnership that has been formed between the three visitor centres. The new publication 'Making Tracks – Lithgow, Oberon & Bathurst' was on display and was very well received by the show attendees. Staff from each LGA was on hand to encourage and advise attendees on visitation to our region as well as a suitable range of publications for collection.

The final attendance for 2011 was 80,022. This consisted of 66.7% Adults, 23.9% Concessions and 9.4% Children.

The daily break-down is in the table below, with comparisons from the previous 2 years:

	2011	2010	2009
Saturday 30 April	11,851*	14,494	11,738
Sunday 1 May	17,474	17,288	12,256
Monday 2 May	6,865	7,722	6,806
Tuesday 3 May	5,868	6,993	6,127
Wednesday 4 May	6,014	6,616	6,105
Thursday 5 May	6,063	6,465	6,045
Friday 6 May	6,804	6,705	6,933
Saturday 7 May	10,776	11,658	12,058
Sunday 8 May	8,307**	10,296	10,124
Total Show	80,022	88,237	78,192

* Rain

** Mothers Day

Tourism NSW won the Best Tourism Display for the show which Council's stands were part of.

Financial Implications: Funding for attendance at this show occurred from previously allocated funds.

MINUTE

12 **Item 6 SYDNEY CARAVAN, CAMPING & 4WD SUPERSHOW 2011 (21.00041)**

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

RESOLVED: That the information be noted.

7 CENTRAL WEST SALINITY AND WATER QUALITY ALLIANCE (07.00047)

Recommendation: That Council note:

1. The updated five year plan for the Central West Salinity and Water Quality Alliance; and
2. The final report for the Central West Green Team.

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

Over this time Bathurst Regional Council has specifically benefited from its involvement in the Alliance through the contribution of funds towards a number of projects and through training provided by the Alliance.

The Alliance Five Year Plan has recently been reviewed and updated and a copy of the plan is provided as **attachment 1**. While the strategic goals of the plan remain unchanged, targets and projects to achieve these goals have been updated.

The major projects identified for 2011 are:

- Develop willow control plans for each member Council.
- Develop targeted strategic plans of management and restoration for key environmental assets in each Council's LGA.
- Investigate the formation of a local Green Team.
- Provide NRM training for Council staff across Central West and OROC Regions.

Since the last report to Council regarding the activities of the Alliance the Central West Green Team project has been completed. A final report was produced and the portion relating to Green Team activities in Bathurst is provided as **attachment 2**. A copy of the full report can be obtained from the Environmental, Planning & Building Services Department.

Financial Implications: Bathurst Regional Council supports the activities of the Alliance through a \$5,000.00 allocation in the 2010/2011 and 2011/2012 Management Plan.

MINUTE

13 Item 7 CENTRAL WEST SALINITY AND WATER QUALITY ALLIANCE
(07.00047)

MOVED: M Morse SECONDED: T Carpenter

RESOLVED: That Council note:

- a) The updated five year plan for the Central West Salinity and Water Quality Alliance;
and
- b) The final report for the Central West Green Team.

8 HYDROGEOLOGICAL STUDY (13.00023)

Recommendation: That the information be noted.

Report: Council at its Ordinary Meeting on 15 September 2010 resolved to allocate funding for the preparation of a Hydrogeological Study of the Bathurst region by staff from the Department of Environment, Climate Change and Water (now the Office of Environment and Heritage (OEH) in the Department of Premier and Cabinet).

Council will recall that the project was broken into three key components:

- Urban study
- Rural study
- Chifley Dam catchment study

OEH have undertaken extensive field work in each of the three study areas, and further have broken up the various areas into the characteristic geological formations. OEH have drafted detailed reports on each geological formation which describe the underlying geology, the hydrogeology of the area, the presence/absence of salinity impacts on infrastructure and the scale of salinity impacts where present. Further, the reports provide detailed management options for each of the areas which will guide development control, management of Council owned assets, heritage management and water quality (for both drinking water and environmental management).

The draft report will be submitted to Council in July 2011 for internal review and the final report will be presented to Council at a later date.

Training for Council staff in both recognising and managing salinity impacted assets and land is an important component of the project, and this will take place in July and August. Training/presentations will target a variety of groups within Council (including a presentation to Councillors) ranging from Department Heads to operational staff (eg water and sewer maintenance crews).

The information provided in the reports will further assist Council in advising and educating residents on a variety of issues such as outdoor water use and construction techniques in saline environments.

Financial Implications: The Hydrogeological study project has been funded to the value of \$50,000 from the Town Planning Consultancy reserve, \$50,000 from the salinity hazard mapping study allocation and \$36,000 from the Water Fund.

MINUTE

14 Item 8 HYDROGEOLOGICAL STUDY (13.00023)

MOVED: R Thompson SECONDED: W Aubin

RESOLVED: That the information be noted.

9 LOCAL GOVERNMENT NATIONAL BROADBAND SUMMIT (35.01684)

Recommendation: That the information be noted.

Report: Council's Manager Economic Development attended the Local Government National Broadband Summit (NBN) held in Sydney on 4 May 2011. The Summit provided comprehensive advice for Local Governments preparing for the rollout of the NBN. This report provides a summary of information provided and applications for the Bathurst Region.

The one day summit was attended by approximately 100 delegates from NSW and other states. Speakers included Duncan Bremner, Stakeholder Relations Advisor NBN Co, Genia McCaffrey, President, Australian Local Government Association and Stephen Albin, Chief Executive UDIA NSW. Speakers from the City of Onkaparinga, Moreland City Council, Townsville Council, Ipswich City Council and City of Prospect spoke on their experiences in being the first sites selected in the NBN rollout.

The rollout of the National Broadband Network is one of the largest infrastructure projects to be undertaken in Australia's history. At an estimated cost of \$36 billion and a nine year rollout, NBN will cover 90% of Australian homes, schools and workplaces with 100 megabits per second broadband, the remaining 10% will receive 12 megabits per second coverage. Super high speed broadband is not copper or ADSL ½, however optical fibre with a download of 100 megabits per second expected to reach 1 gbps in coming years.

NBN Co is essentially a construction company, started in 2009. In 2010 it has been undertaking the planning, design and consultation and in 2011 the building, testing and onboarding of NBN. By 2020 over 250,000 km of optic fibre will be laid. By 2014 the company plan to launch two new satellites. The roll out of NBN is in a precarious situation with the second test sites (19) and future planning pending the final sign off of the agreement with Telstra regarding utilization of pit and pipes.

The Councils that were involved in the rollout of the first test beds sites gave advice to local government participants' including:

- Single Point of contact for Councils (all Economic Development Officers/Managers)
- Project Team
- Identify future major capital works and notify NBN (eg Mainstreet renewal programs)
- Preempt issues (FAN box placement, overhead power- visual effect, planning and heritage elements, parked cars access issues)
- Identify potential localised applications
- Information gathering (Telecommunications road map)
- Utilise Council Media/communications staff for notifications.

There are currently some issues regarding co-development at Greenfield sites, due to the legislative framework for subdivisions under 100 lots. From 1 January 2011, if a developer wants NBN Co to service its development with fibre, it can go to NBN Co –providing the development is within or adjacent to the NBN Co long term fibre footprint. Essentially developers must cover costs of trenching and ducting with NBN Co covering the costs of installing fibre in the development, including backhaul. From 1 January 2011 – Telstra will not be required to provide infrastructure in new developments, but it will be required to provide standard telephone services to end users in developments where there is no other retail service provider. An estimated 1.9 million new premises will be constructed across Australia by 2014. NBN Co plans to pass around 320,000 premises in Greenfield estates by June 2013. Since 1 January 2011, NBN Co has received more than 200 online applications submitted by developers.

The roll out of NBN presents many opportunities to Regional Australia through its potential applications. Council's Economic Development Strategy is in the final stages of development and identifies the need to develop a 'Digital Economy Strategy' to assist in bringing together the key stakeholders (Health, Education, Industry sectors) to explore applications for the National Broadband Network. At the May Evocities Committee meeting, discussions were held on undertaking a combined Digital Economy Strategy which identifies unique attributes to each city. Discussions with the State Government through Industry and Investment, indicate the possibility of funding to assist with the development of the Strategy.

Conclusion

The Summit was interesting and informative, particularly representation from Local Government representatives from the Test Bed Sites. As such a presentation will be given to Council's Managers in order to provide better knowledge should Bathurst be announced in the third test bed stage. Reports will be provided to Council as information is provided.

Financial Implications: Nil.


MINUTE

15 **Item 9 LOCAL GOVERNMENT NATIONAL BROADBAND SUMMIT (35.01684)**

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

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
15 JUNE 2011

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 15 JUNE 2011**

General Manager
Bathurst Regional Council

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$56,521,107.58 was invested at 31 May 2011 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	4.75%
AFMA - 90 day Bank Bill Swap Rate (BBSW)	4.91%
Three Year Swap Rate - Commonwealth	5.19%

Short Term 1 – 365 Days

(Comprising Commercial Bills,

Debentures and Certificates of

Deposit:

	<u>Rating</u>		<u>Average Return</u>
Bankwest	A-1+	\$ 4,000,000.00	6.12%
Bank of Queensland	A-2	\$2,500,000.00	6.12%
Bendigo and Adelaide Bank Ltd	A-2	\$7,000,000.00	6.17%
IMB Ltd	A-3	\$7,500,000.00	6.15%
National Australia Bank	A-1+	\$8,000,000.00	6.12%
Railways Credit Union	ADI	\$4,000,000.00	6.15%
Reliance Credit Union	ADI	\$1,000,000.00	6.02%
Savings and Loans Credit Union	ADI	\$1,000,000.00	6.12%
SGE Credit Union	ADI	\$1,000,000.00	6.18%
Westpac Banking Corporation	A-1+	<u>\$1,000,000.00</u>	<u>6.03%</u>
		\$37,000,000.00	6.13%

Long Term

(comprising Commercial Bills, Term

Deposits and Bonds):

Committed Rolling Investments

Westpac	AA	\$2,000,000.00	6.01%
Westpac	AA	\$2,000,000.00	6.21%
Westpac	AA	<u>\$2,000,000.00</u>	<u>6.32%</u>
		\$6,000,000.00	6.18%

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)		\$931,107.58	0.00%

Negotiable & tradeable Certificates of Deposits

Commonwealth Bank	AA	<u>\$2,000,000.00</u>	<u>5.86%</u>
		\$2,000,000.00	5.86%

Floating Rate Notes

ANZ	AA	\$2,000,000.00	6.02%
Barclays Bank PLC – Australian Branch	AA-	\$2,000,000.00	6.64%
Bendigo Bank 2007	BBB	\$2,000,000.00	6.08%
Bendigo & Adelaide Bank Retail Bond	BBB	\$2,000,000.00	6.34%
Lehman Brothers Treasury Co		\$90,000.00	0.00%
Mackay Permanent Building Society	BBB-	\$500,000.00	5.94%
The Royal Bank of Scotland – Australian Branch	A+	<u>\$2,000,000.00</u>	<u>7.38%</u>
		<u>\$10,590,000.00</u>	<u>6.41%</u>

Total Investments **\$56,521,107.58** **6.08%**

These funds were held as follows:

Reserves Total (includes unexpended loan funds)		\$33,954,091.88	
Grants held for specific purposes		\$3,865,705.90	
Section 94 Funds held for specific purposes		\$16,431,919.62	
Unrestricted Investments – All Funds		\$2,269,390.18	
*General Fund	\$18,149.43		
*Water Fund	\$938,892.26		
*Sewer Fund	\$505,980.47		
*Waste Fund	<u>\$806,368.00</u>		

Total Investments **\$56,521,107.58**

Total interest revenue to 31/05/2011 on investments **\$3,331,265.51** **6.08%**

R Roach
Responsible Accounting Officer

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

MINUTE

16 Item 1 STATEMENT OF INVESTMENTS (16.00001)

MOVED: W Aubin SECONDED: M Morse

RESOLVED: That the information be noted.

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

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

Report: At **attachment 1 and 2** is the revised summary and detail of the Management Plan and Budget for the period to 31 May 2011.

	Original Estimate	Previously Revised Estimate	Revised Estimate	Variance for the Month
Engineering Services	12,535,291	12,590,922	12,590,922	0
Corporate Services & Finance	(20,125,874)	(20,169,840)	(20,169,840)	0
Cultural & Community Services	4,437,528	4,437,528	4,437,528	0
Environmental Planning & Building Services	3,050,100	3,038,435	3,038,435	0
TOTAL	(102,955)	(102,955)	(102,955)	0

Variations for the Month of May 2011 - Nil.

The Responsible Accounting Officer believes that the above statement indicates that the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure.

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

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

Fines or penalty notices this month - Nil.

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

MINUTE

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

MOVED: I North SECONDED: G Westman

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 May 2011.

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:	\$18,017.28
BMEC Community use:	\$10,126.03
Mount Panorama :	\$18,177.00

MINUTE

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

MOVED: B Bourke SECONDED: R Thompson

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

4 POWER OF ATTORNEY (11.00007)

Recommendation: That the information be noted.

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

- Breemar Homes P/L - McGirr Street - Lot 411, DP1150579 - Transfer
- Burke G & C - Bathurst Aerodrome - Lot 13, DP1041715 - Licence Agreement
- DJ & JF Finn - McGirr Street - Lot 408, DP1150519 - Transfer
- DL & SE Morris - Westbourne Drive - Lot 602, DP1164690 - Transfer
- Downer EDI Works P/L - 23 Zagreb Street - Lot 300, DP1099537 - Variation of Lease
- Brown S - Westbourne Drive - Lot 620, DP1164690 - Transfer
- M & B Peterson - Ben Chifley Dam - Part Lot 1, DP632418 - Licence Agreement

Linen Plan Release

- Tooby/BRC - 2 Lot Subdivision for Leasing Purposes - 13 PJ Moodie Drive, Raglan.
- Searl/BRC - Road Closures for Levee Construction - Beresford and Carlingford Streets, Bathurst.
- Streeter/BRC - Road Acquisition and Closure - Green Gully Road Mount Rankin.
- Buttsworth/BRC - Road Acquisition - Hamilton Street, Eglinton.
- Bayliss/BRC - 2 Lot Industrial Subdivision - Corporation Avenue, Robin Hill.
- Gallen/Bennett/BRC - Road Acquisition and Closure - 2473 Ophir Road, Rock Forest.
- Burge/BRC - 30 Lot Residential Subdivision - Lot 423, DP1150519, Evernden Road, Llanarth.
- Ratsep/BRC - 2 Lot Commercial Subdivision and New Road, Wark Parade, Windradyne.
- Ratsep/Bathurst Christian Life Centre - Two Lot Subdivision - 200 Gilmour Street, Kelso.

Financial Implications: Nil.

MINUTE

19 Item 4 POWER OF ATTORNEY (11.00007)

MOVED: M Morse SECONDED: W Aubin

RESOLVED: That the information be noted.

5 SUBMISSIONS - DRAFT 2011/2012 MANAGEMENT PLAN (16.00126)

Recommendation: That Council consider the submissions individually.

Report: Council currently has the Draft Management Plan for 2011/2012 on exhibition for the required period of 28 days.

Financial Implications: There are no financial implications at present however, if any submissions are received and changes made to the advertised Management Plan the implications of each submission will be provided individually.

Council has received nine (9) submissions in relation to the 2011/2012 Draft Management Plan.

Submissions have been made on various matters and are detailed below for Councillors information.

(a) **NSW Fire Board Contribution**

Recommendation: That Council

(a) Not amend its Management Plan for 2011/2012 to reflect the cost of operating the Bathurst Fire Station on a 24/7 rotation roster. The cost of this additional services is estimated at \$157,621.

(b) Request from the NSW Fire & Rescue Department for a submission regarding the proposed change of the roster to incorporate a 24/7 fire station.

Report: Council has been advised by the NSW Government Fire and Rescue Department may become a 24/7 Fire Station, Council has met with Officers of this Department who have advised that they were preparing a detailed report and a submission to Council recommending a 24/7 Fire Station. Despite Council contacting them on several occasions Council has not received a copy of the submission nor have Councillors been able to discuss the financial implications of such a report. See **attachment 1.**

Financial Implications If Council adopts this recommendation, there will be no alteration to the Draft Budget.

(b) **Tony Thorpe**

Recommendation: That Council not amend its Management Plan for 2011/2012 in respect of the submission received from Mr T Thorpe.

Report: Council has received a submission from Mr T Thorpe in relation to various matters contained in the budget and in particular matters affecting parks and gardens, tourism, regional development and community building actions. See **attachment 2.**

Financial Implications If Council adopts this recommendation, there will be no alteration to the Draft Budget.

(c) **Mr Ray Carter**

Recommendation: That Council not amend its Management Plan for 2011/2012 in respect of the submission received from Mr Ray Carter

Report: Council has received a submission from Mr Ray Carter in relation to sewer access charges as introduced by Bathurst Regional Council on 1 July 2004.

There is a long history of submissions and letters in respect to this matter raised by Mr Carter. Mr Carter has been advised on previous occasions that Council has the option to adopt either of two methods in relation to sewer charges.

The first method is the sewer discharge factor method which this Council has adopted. Council has been charging its ratepayers using this method since 2004 as the preferred charge for access to the sewer system.

The second method is the Equivalent Tenement method (ET method) which uses a nominal size of water meter to arrive at a charge for access to the sewer system.

Numerous reports to Councillors for their information and decisions have been made in detail over a long period of time.

The submission received from Mr Ray Carter is shown at **attachment 3**. The attachments referred to in the submission will be provided to Councillors under separate cover and tabled at the meeting.

Financial Implications If Council adopts this recommendation, there will be no alteration to the Draft Budget.

(d) **Wattle Flat Progress Association**

Recommendation: That Council not amend its Management Plan for 2011/2012 in respect of the submission received from Wattle Flat Progress Association and that this matter be referred to the Village Infrastructure fund.

Report: Council has received advice from Wattle Flat Progress Association that there is a need for a playground to be constructed in the Village of Wattle Flat.

This matter has been referred to the Village Infrastructure process. See **attachment 4**.

Financial Implications If Council adopts this recommendation, there will be no alteration to the Draft Budget.

(e) **Mr G A Crisp**

Recommendation: That Council not amend its Management Plan for 2011/2012 in respect of the submission received from Mr G A Crisp.

Report: Council has received a submission from Mr G A Crisp in respect to the 2011/2012 Management Plan, Mr Crisp has attached an executive summary. Refer to **attachment 5** for detail.

Financial Implications If Council adopts this recommendation, there will be no alteration to the Draft Budget.

(f) **Regional Express - REX**

Recommendation: That Council

(a) not increase the landing charges

(b) arrange a meeting with REX representatives to discuss landing charges and REX services to Bathurst.

Report: Council has received advice from the General Manager Network Strategy of REX of their objection of the \$1 per head tax increase for landing charges at Bathurst Airport. Council currently is arranging a meeting with Regional Express to discuss the future of REX air services between Sydney and Bathurst particularly in respect to the press release advising that REX were looking at ways to reduce their operational costs. See **attachment 6**.

Financial Implications If Council adopts this recommendation, there will be no alteration to the Draft Budget.

(g) **Esther Hall-Matthews**

Recommendation: That Council not amend its Management Plan for 2011/2012 to reflect the suggestions and recommendations in respect of the submission received from Esther Hall-Matthews

Report: Council has received a submission from Esther Hall-Matthews in respect to the 2011/2012 Management Plan. See **attachment 7**.

Financial Implications If Council adopts this recommendation, there will be no alteration to the Draft Budget.

(h) **Eglinton War Memorial Hall and Park**

Recommendation: That Council adopt the pricing policy for the hiring for the Eglinton War Memorial Hall as per **attachment 8**

Report: Council has received a submission from the secretary of the Eglinton War Memorial Hall regarding a revised pricing policy on the hiring of the hall. It is recommended that Council adopt the new pricing policy as submitted.

Financial Implications Income from the hiring of the hall will increase according to the new hiring charges, this income is retained by the hall committee.

(i) **Bob Triming**

Recommendation: That Council not amend its Management Plan for 2011/2012 in respect of the submission received from Bob Triming including footpaths, cycleways, Mount Panorama, Australian Mineral & Fossil Museum, Chifley House, Library Art Gallery, Bike Park/Velodrome complex and BMEC.

Report: Council has received a submission from Mr Triming on various matters contained within the management plan. See **attachment 9** for detail.

Financial Implications If Council adopts this recommendation, there will be no alteration to the Draft Budget.

Financial Implications: Nil

MINUTE

20 Item 5 SUBMISSIONS - DRAFT 2011/2012 MANAGEMENT PLAN (16.00126)

MOVED: I North SECONDED: T Carpenter

RESOLVED: That Council consider the submissions individually.

MINUTE

21 Item 5 SUBMISSIONS - DRAFT 2011/2012 MANAGEMENT PLAN (16.00126)

MOVED: I North SECONDED: T Carpenter

(a) **NSW Fire Board Contribution**

RESOLVED: That Council:

- a) Support in principle a 24 hour (10/14) fire station for Bathurst.
- b) Amend its Management Plan for 2011/2012 to reflect the cost of operating the Bathurst Fire Station utilising around the clock permanent fire fighters. The cost of this additional service is estimated at \$157,621, excluding any relieving station Officer component that may be required.
- c) Prepare a report on available funding sources, so as to ensure Council maintains a balanced budget.

MINUTE

22 **Item 5 SUBMISSIONS - DRAFT 2011/2012 MANAGEMENT PLAN (16.00126)**

MOVED: R Thompson SECONDED: I North

(b) **Tony Thorpe**

RESOLVED: That Council not amend its Management Plan for 2011/2012 in respect of the submission received from Mr T Thorpe.

MINUTE

23 Item 5 SUBMISSIONS - DRAFT 2011/2012 MANAGEMENT PLAN (16.00126)

MOVED: R Thompson SECONDED: I North

(c) **Mr Ray Carter**

RESOLVED: That Council not amend its Management Plan for 2011/2012 in respect of the submission received from Mr Ray Carter

MINUTE

24 Item 5 SUBMISSIONS - DRAFT 2011/2012 MANAGEMENT PLAN (16.00126)

MOVED: T Carpenter SECONDED: G Westman

(d) Wattle Flat Progress Association

RESOLVED: That Council not amend its Management Plan for 2011/2012 in respect of the submission received from Wattle Flat Progress Association and that this matter be referred to the Village Infrastructure fund.

MINUTE

25 **Item 5 SUBMISSIONS - DRAFT 2011/2012 MANAGEMENT PLAN (16.00126)**

MOVED: I North SECONDED: W Aubin

(e) **Mr G A Crisp**

RESOLVED: That Council not amend its Management Plan for 2011/2012 in respect of the submission received from Mr G A Crisp.

MINUTE

26 Item 5 SUBMISSIONS - DRAFT 2011/2012 MANAGEMENT PLAN (16.00126)

MOVED: M Morse SECONDED: W Aubin

(f) **Regional Express - REX**

RESOLVED: That Council

- a) not increase the landing charges
- b) arrange a meeting with REX representatives to discuss landing charges and REX services to Bathurst.

MINUTE

27 Item 5 SUBMISSIONS - DRAFT 2011/2012 MANAGEMENT PLAN (16.00126)

MOVED: B Bourke SECONDED: W Aubin

(g) Esther Hall-Matthews

RESOLVED: That Council not amend its Management Plan for 2011/2012 to reflect the suggestions and recommendations in respect of the submission received from Esther Hall-Matthews.

MINUTE

28 Item 5 SUBMISSIONS - DRAFT 2011/2012 MANAGEMENT PLAN (16.00126)

MOVED: T Carpenter SECONDED: W Aubin

(h) Eglinton War Memorial Hall and Park

RESOLVED: That Council adopt the pricing policy for the hiring for the Eglinton War Memorial Hall with the amendment of the Regular Users Rate from \$10 to \$15.

MINUTE

29 Item 5 SUBMISSIONS - DRAFT 2011/2012 MANAGEMENT PLAN (16.00126)

MOVED: R Thompson SECONDED: I North

(i) **Bob Triming**

RESOLVED: That Council not amend its Management Plan for 2011/2012 in respect of the submission received from Bob Triming including footpaths, cycleways, Mount Panorama, Australian Fossil & Mineral Museum, Chifley House, Library Art Gallery, Bike Park/Velodrome complex and BMEC.

6 2011/2012 MANAGEMENT PLAN (16.00126)

Recommendation: That following consideration of the submissions received by Council, the 2011/2012 Draft Management Plan be adopted as the Bathurst Regional Council 2011/2012 Management Plan, subject to the inclusion of any amendment adopted as a result of the submissions received, and all expenditure and income items incorporated in the 2011/2012 Budget be voted.

Report: The Draft Management Plan has been advertised for the statutory 28 days and submissions considered by Council.

Submissions have been received and it will be necessary for Council to consider any adjustments to the Management Plan.

Financial Implications: The 2011/2012 Management Plan is the budget of the Bathurst Regional Council for the 2011/2012 financial year.

MINUTE

30 Item 6 2011/2012 MANAGEMENT PLAN (16.00126)

MOVED: G Westman SECONDED: R Thompson

RESOLVED: That following consideration of the submissions received by Council, the 2011/2012 Draft Management Plan be adopted as the Bathurst Regional Council 2011/2012 Management Plan, subject to the inclusion of any amendment adopted as a result of the submissions received, and all expenditure and income items incorporated in the 2011/2012 Budget be voted.

7 2011/2012 REVENUE POLICY (16.00126)

Recommendation: That following consideration of the submissions received by Council, the Revenue Policy for 2011/2012 as presented to Council be adopted as the Bathurst Regional Council 2011/2012 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

Report: Council's Revenue Policy for 2011/2012 has been advertised for the statutory 28 days and submissions considered by Council.

Included in this year's Management Plan is the provision of six waste management vouchers consisting of 3 Mixed Refuse Vouchers of 200kg each and 3 Green Waste Vouchers of 200kg each. It is proposed that this service continue for ratepayers as part of issuing of rates and charges during 2011/2012. For Councillors' information the number of vouchers used for the last five years is as follows:

<u>YEAR</u>	<u>QUANTITY</u>
2005/2006	5,082 (500kg vouchers)
2006/2007	13,696 (200kg vouchers)
2007/2008	14,186 (200kg vouchers)
2008/2009	17,537 (200kg vouchers)
2009/2010	18,042 (200kg vouchers)

Financial Implications: The 2011/2012 Revenue Policy sets out the fees and charges for Council services for the 2011/2012 financial year. These fees and charges assist Council to achieve its budgeted income for the year.

MINUTE

31 Item 7 2011/2012 REVENUE POLICY (16.00126)

MOVED: W Aubin SECONDED: I North

RESOLVED: That following consideration of the submissions received by Council, the Revenue Policy for 2011/2012 as presented to Council be adopted as the Bathurst Regional Council 2011/2012 Revenue Policy with the inclusion of any amendments adopted as a result of the submissions received.

8 2011/2012 RATE LEVY (16.00126)

Recommendation: That Council formally resolve to make the following rates and charges in relation to the 2011/2012 Rating Year.

- (a) ORDINARY RATES FOR 2011/2012 - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Management Plan for the twelve months to 30 June 2012 was adopted by the Council on 15 June 2011 it is hereby recommended that:
1. a **Residential Rate** of zero point three three four nine three four (0.334934) cents in the dollar on the land value of all rateable land categorised as Residential in accordance with Section 516 of the local Government Act, 1993 excepting those parcels of land sub-categorised as "Residential Town/Villages", AND THAT
 2. a **Residential Town/Villages Rate** of zero point nine nine zero one two five (0.990125) cents in the dollar on the land value of all rateable land sub-categorised as Residential – Town/Villages, in accordance with Section 529(2) (b) of the Local Government Act, 1993, AND THAT
 3. a **Farmland Rate** of zero point two four five seven five five (0.245755) cents in the dollar on the land value of all rateable land categorised as Farmland in accordance with Section 515 of the Local Government Act, 1993, AND THAT
 4. a **Business Rate** of zero point three four one zero four four (0.341044) cents in the dollar on the land value of all rateable land categorised as Business in accordance with Section 518 of the Local Government Act, 1993, excepting those parcels of land sub-categorised as "Business Bathurst Urban", "Business Forest Grove", "Business Ceramic Avenue", "Business Eglinton Non-Urban", "Business Orton Park", "Business Stewarts Mount", "Business Electricity Sub - Evans Plains" AND THAT
 5. a **Business Bathurst Urban Rate** of one point seven nine seven two one five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Bathurst Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 6. a **Business Forest Grove Rate** of one point seven nine seven two one five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Forest Grove in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 7. a **Business Ceramic Avenue Rate** of one point seven nine seven two one five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Ceramic Avenue in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 8. a **Business Eglinton Non-Urban Rate** of one point seven nine seven two one five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Eglinton Non-Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 9. a **Business Orton Park Rate** of one point seven nine seven two one five

(1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Orton Park in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT

10. a **Business Stewarts Mount Rate** of one point seven nine seven two one five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Stewarts Mount in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
11. a **Business Electricity Sub - Evans Plains Rate** of one point seven nine seven two one five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Electricity Sub - Evans Plains in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
12. a **Mining Rate** of zero point four zero five one five seven (0.405157) cents in the dollar on the land value of all rateable land categorised as Mining in accordance with Section 517 of the Local Government Act, 1993,

BE NOW MADE for the 2011/2012 Rating Year subject to the following Minimum and Base Amounts in accordance with Section 548 and Section 499 of the Local Government Act, 1993, AND THAT aggregation of values of certain parcels of land subject to a minimum or base amount in accordance with Section 548A of the Local Government Act, 1993, be permitted.

	Category	Minimum Amount	Base Amount	%Yield Base Amount
1	Residential		\$221.00	32
2	Residential/Town Village	\$324.00		
3	Farmland		\$300.00	23
4	Business	\$347.00		
5	Business Bathurst Urban	\$347.00		
6	Business Forest Grove	\$347.00		
7	Business Ceramic Avenue	\$347.00		
8	Business Eglinton Non-Urban	\$347.00		
9	Business Orton Park	\$347.00		
10	Business Stewarts Mount	\$347.00		
11	Business Electricity Sub - Evans Plains	\$347.00		
12	Mining		\$221.00	47

- (b) DOMESTIC WASTE MANAGEMENT CHARGES FOR 2011/2012- That the annual charge for each parcel of rateable land where the service is available under Section 496 of the Local Government Act, 1993, for the weekly removal of garbage and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2011 being two hundred and thirteen dollars (\$213.00) for the provision of one waste mobile bin and one recycle mobile bin be made by the Council, and that the annual charge to be made for each parcel of rateable vacant land where the service is available under Section 496 of the Local Government Act, 1993, for the twelve months commencing 1 July 2011 being five dollars (\$5.00) be made by the Council and further that a charge where the service is provided under Section 496 of the Local Government Act, 1993, for each additional domestic waste collection service of one

hundred and forty seven dollars (\$147.00) per mobile bin and for each additional fortnightly recycling collection service of sixty six dollars (\$66.00) per mobile bin be made by the Council.

- (c) WASTE MANAGEMENT SERVICE CHARGES FOR 2011/2012 (NON DOMESTIC) – That the annual charge where the service is provided under Section 501/503 of the Local Government Act, 1993, for the weekly removal of garbage being one hundred and forty seven dollars (\$147.00) per mobile bin and the fortnightly collection of material for recycling being sixty six dollars (\$66.00) per mobile bin for the twelve months commencing 1 July 2011 be made by the Council.
- (d) WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2011/2012 – That the annual waste charge for each property where rural tip access is provided under Section 501 of the Local Government Act, 1993, for the twelve months commencing 1 July 2011 being sixty five dollars (\$65.00) be made by the Council.
- (e) SEWERAGE CHARGES FOR 2011/2012 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2011.
 - 1. That the annual charge for single residential (including residential strata) and un-metered properties be four hundred and nineteen dollars and zero cents (\$419.00).
 - 2. That the annual charge for vacant land be two hundred and twenty two dollars and zero cents (\$222.00).
 - 3. That the annual access charges for non-residential and multiple residential properties are to be the total of the metered charges applicable to the property as shown in the table below multiplied by a sewerage discharge factor.

Size of Water Connection (mm)	Charge for 2011/2012 \$
20	360
25	561
32	921
40	1,440
50	2,251
65	3,804
80	5,761
100	9,001
150	20,253
Strata Properties (Each non-residential lot)	360
Assumption School	1,126

- 4. That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be one dollar and five cents (\$1.05) per kilolitre of filtered water supplied multiplied by a sewerage discharge factor.
- (f) SEWERAGE CHARGES -TRADE WASTE 2011/2012

That in accordance with Sections 501,503, 539, and 541 of the Local Government Act,

1993, the following charges are made for the twelve months commencing 1 July 2011.

1. That the Annual Trade Waste Fee for individual businesses be eighty four dollars and thirty cents (\$84.30).
2. That the Annual Trade Waste Fee (Large Discharger) for individual business be five hundred and sixty four dollars and ten cents (\$564.10).

(g) WATER CHARGES 2011/2012 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2011.

1. That the annual water availability charges are to be the total of the metered charges applicable to the property as shown in the table below for:

Size of Water Connection (mm)	Charge for 2011/2012 \$
20	130
25	203
32	333
40	520
50	813
65	1,374
80	2,081
100	3,251
150	7,316
Hillview Water Supply	130

2. That the minimum annual water availability charge for each unit within a Strata development be one hundred and thirty dollars (\$130.00).
3. That the annual water availability charge for vacant unconnected land be one hundred and thirty dollars (\$130.00).
4. That the annual water availability charge for unmetered properties be five hundred and nine dollars and fifty cents (\$509.50).
5. That if water pressure at a property is less than 120 kpa, then a larger service may attract a charge of one hundred and thirty dollars (\$130.00).
6. That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for 2011/2012
Hillview Estate Water Supply	First 250 kl	\$1.52
	> 250 kl	\$3.20
Residential Filtered	First 250 kl	\$1.32
	> 250 kl	\$1.98
Residential Raw	First 250 kl	\$0.60
	> 250 kl	\$0.99
Other Filtered	First 250 kl	\$1.32

	> 250 kl	\$1.98
Other Raw	First 250 kl	\$0.60
	> 250 kl	\$0.99
Large Industrial Filtered	>0 kl	\$1.32
Large Industrial Raw	>0 kl	\$0.88
Bathurst Golf Club Raw	First 18,000 kl	\$0.60
	>18,000kl, <32,000kl	\$0.80
	>32,000kl	\$1.20
Strata Unit property	First 250 kl (for each unit)	\$1.32
	>250 kl (for each unit)	\$1.98
Home Dialysis – subject to doctors certificate	First 200 kl	Free
	200kl-250 kl	\$1.32
	>250 kl	\$1.98

- (h) Included in this year's Management Plan in the Water Fund are amounts for Operational expenditure at the Aquatic Centre. This is to be financed from revenue raised from the Water Fund as detailed in the Management Plan.
- (i) INTEREST ON OVERDUE RATES AND CHARGES FOR 2011/2012 – That in accordance with Section 566 of the Local Government Act, 1993 Council charge interest on overdue rates at a rate of 9.0% per annum for the 12 month period commencing 1 July 2011 or the rate as advised by the Minister.
- (j) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 2.8%, a 5.0% increase in Sewer Charges, Waste Charges have been calculated on the basis of the reasonable cost of providing the service and Water Charges have been calculated on achieving a 25/75 basis (25% access charge and 75% usage charge) based on the Best Practice Guidelines introduced by the Department of Energy, Utilities and Sustainability.

Report: As per recommendation.

Financial Implications: Nil.

MINUTE

32 Item 8 2011/2012 RATE LEVY (16.00126)

MOVED: W Aubin SECONDED: M Morse

RESOLVED: That Council formally resolve to make the following rates and charges in relation to the 2011/2012 Rating Year.

- (a) ORDINARY RATES FOR 2011/2012 - That in accordance with Sections 534 and 535 of the Local Government Act, 1993, WHEREAS the Management Plan for the twelve months to 30 June 2012 was adopted by the Council on 15 June 2011 it is hereby recommended that:
1. a **Residential Rate** of zero point three three four nine three four (0.334934) cents in the dollar on the land value of all rateable land categorised as Residential in accordance with Section 516 of the local Government Act, 1993 excepting those parcels of land sub-categorised as "Residential Town/Villages", AND THAT
 2. a **Residential Town/Villages Rate** of zero point nine nine zero one two five (0.990125) cents in the dollar on the land value of all rateable land sub-categorised as Residential – Town/Villages, in accordance with Section 529(2) (b) of the Local Government Act, 1993, AND THAT
 3. a **Farmland Rate** of zero point two four five seven five five (0.245755) cents in the dollar on the land value of all rateable land categorised as Farmland in accordance with Section 515 of the Local Government Act, 1993, AND THAT
 4. a **Business Rate** of zero point three four one zero four four (0.341044) cents in the dollar on the land value of all rateable land categorised as Business in accordance with Section 518 of the Local Government Act, 1993, excepting those parcels of land sub-categorised as "Business Bathurst Urban", "Business Forest Grove", "Business Ceramic Avenue", "Business Eglinton Non-Urban", "Business Orton Park", "Business Stewarts Mount", "Business Electricity Sub - Evans Plains" AND THAT
 5. a **Business Bathurst Urban Rate** of one point seven nine seven two one five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Bathurst Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 6. a **Business Forest Grove Rate** of one point seven nine seven two one five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Forest Grove in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 7. a **Business Ceramic Avenue Rate** of one point seven nine seven two one five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Ceramic Avenue in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
 8. a **Business Eglinton Non-Urban Rate** of one point seven nine seven two one

five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Eglinton Non-Urban in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT

9. a **Business Orton Park Rate** of one point seven nine seven two one five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Orton Park in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
10. a **Business Stewarts Mount Rate** of one point seven nine seven two one five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Stewarts Mount in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
11. a **Business Electricity Sub - Evans Plains Rate** of one point seven nine seven two one five (1.797215) cents in the dollar on the land value of all rateable land sub-categorised as Business Electricity Sub - Evans Plains in accordance with Section 529(2)(d) of the Local Government Act, 1993, AND THAT
12. a **Mining Rate** of zero point four zero five one five seven (0.405157) cents in the dollar on the land value of all rateable land categorised as Mining in accordance with Section 517 of the Local Government Act, 1993,

BE NOW MADE for the 2011/2012 Rating Year subject to the following Minimum and Base Amounts in accordance with Section 548 and Section 499 of the Local Government Act, 1993, AND THAT aggregation of values of certain parcels of land subject to a minimum or base amount in accordance with Section 548A of the Local Government Act, 1993, be permitted.

	Category	Minimum Amount	Base Amount	%Yield Base Amount
1	Residential		\$221.00	32
2	Residential/Town Village	\$324.00		
3	Farmland		\$300.00	23
4	Business	\$347.00		
5	Business Bathurst Urban	\$347.00		
6	Business Forest Grove	\$347.00		
7	Business Ceramic Avenue	\$347.00		
8	Business Eglinton Non-Urban	\$347.00		
9	Business Orton Park	\$347.00		
10	Business Stewarts Mount	\$347.00		
11	Business Electricity Sub - Evans Plains	\$347.00		
12	Mining		\$221.00	47

- (b) DOMESTIC WASTE MANAGEMENT CHARGES FOR 2011/2012- That the annual charge for each parcel of rateable land where the service is available under Section 496 of the Local Government Act, 1993, for the weekly removal of garbage and the fortnightly collection of material for recycling for the twelve months commencing 1 July 2011 being two hundred and thirteen dollars (\$213.00) for the provision of one waste mobile bin and one recycle mobile bin be made by the Council, and that the annual

charge to be made for each parcel of rateable vacant land where the service is available under Section 496 of the Local Government Act, 1993, for the twelve months commencing 1 July 2011 being five dollars (\$5.00) be made by the Council and further that a charge where the service is provided under Section 496 of the Local Government Act, 1993, for each additional domestic waste collection service of one hundred and forty seven dollars (\$147.00) per mobile bin and for each additional fortnightly recycling collection service of sixty six dollars (\$66.00) per mobile bin be made by the Council.

- (c) WASTE MANAGEMENT SERVICE CHARGES FOR 2011/2012 (NON DOMESTIC) – That the annual charge where the service is provided under Section 501/503 of the Local Government Act, 1993, for the weekly removal of garbage being one hundred and forty seven dollars (\$147.00) per mobile bin and the fortnightly collection of material for recycling being sixty six dollars (\$66.00) per mobile bin for the twelve months commencing 1 July 2011 be made by the Council.
- (d) WASTE MANAGEMENT SERVICE CHARGES – RURAL AREAS FOR 2011/2012 – That the annual waste charge for each property where rural tip access is provided under Section 501 of the Local Government Act, 1993, for the twelve months commencing 1 July 2011 being sixty five dollars (\$65.00) be made by the Council.
- (e) SEWERAGE CHARGES FOR 2011/2012 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2011.
1. That the annual charge for single residential (including residential strata) and un-metered properties be four hundred and nineteen dollars and zero cents (\$419.00).
 2. That the annual charge for vacant land be two hundred and twenty two dollars and zero cents (\$222.00).
 3. That the annual access charges for non-residential and multiple residential properties are to be the total of the metered charges applicable to the property as shown in the table below multiplied by a sewerage discharge factor.

Size of Water Connection (mm)	Charge for 2011/2012 \$
20	360
25	561
32	921
40	1,440
50	2,251
65	3,804
80	5,761
100	9,001
150	20,253
Strata Properties (Each non-residential lot)	360
Assumption School	1,126

4. That the Sewer Usage Charge (Section 502) for non-residential and multiple residential properties be one dollar and five cents (\$1.05) per kilolitre of filtered

water supplied multiplied by a sewerage discharge factor.

(f) SEWERAGE CHARGES -TRADE WASTE 2011/2012

That in accordance with Sections 501,503, 539, and 541 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2011.

1. That the Annual Trade Waste Fee for individual businesses be eighty four dollars and thirty cents (\$84.30).
2. That the Annual Trade Waste Fee (Large Discharger) for individual business be five hundred and sixty four dollars and ten cents (\$564.10).

(g) WATER CHARGES 2011/2012 – That in accordance with Sections 501,502, 503, 539, 541 and 552 of the Local Government Act, 1993, the following charges are made for the twelve months commencing 1 July 2011.

1. That the annual water availability charges are to be the total of the metered charges applicable to the property as shown in the table below for:

Size of Water Connection (mm)	Charge for 2011/2012 \$
20	130
25	203
32	333
40	520
50	813
65	1,374
80	2,081
100	3,251
150	7,316
Hillview Water Supply	130

2. That the minimum annual water availability charge for each unit within a Strata development be one hundred and thirty dollars (\$130.00).
3. That the annual water availability charge for vacant unconnected land be one hundred and thirty dollars (\$130.00).
4. That the annual water availability charge for unmetered properties be five hundred and nine dollars and fifty cents (\$509.50).
5. That if water pressure at a property is less than 120 kpa, then a larger service may attract a charge of one hundred and thirty dollars (\$130.00).
6. That Water Usage Charges (Section 502) be as follows in the below table.

Type	Consumption	Tariff per kilolitre for 2011/2012
Hillview Estate Water Supply	First 250 kl	\$1.52
	> 250 kl	\$3.20

Residential Filtered	First 250 kl	\$1.32
	> 250 kl	\$1.98
Residential Raw	First 250 kl	\$0.60
	> 250 kl	\$0.99
Other Filtered	First 250 kl	\$1.32
	> 250 kl	\$1.98
Other Raw	First 250 kl	\$0.60
	> 250 kl	\$0.99
Large Industrial Filtered	>0 kl	\$1.32
Large Industrial Raw	>0 kl	\$0.88
Bathurst Golf Club Raw	First 18,000 kl	\$0.60
	>18,000kl, <32,000kl	\$0.80
	>32,000kl	\$1.20
Strata Unit property	First 250 kl (for each unit)	\$1.32
	>250 kl (for each unit)	\$1.98
Home Dialysis – subject to doctors certificate	First 200 kl	Free
	200kl-250 kl	\$1.32
	>250 kl	\$1.98

- (h) Included in this year's Management Plan in the Water Fund are amounts for Operational expenditure at the Aquatic Centre. This is to be financed from revenue raised from the Water Fund as detailed in the Management Plan.
- (i) INTEREST ON OVERDUE RATES AND CHARGES FOR 2011/2012 – That in accordance with Section 566 of the Local Government Act, 1993 Council charge interest on overdue rates at a rate of 9.0% per annum for the 12 month period commencing 1 July 2011 or the rate as advised by the Minister.
- (j) The rates and charges have been based upon the advertised estimates of income and expenditure, which provided for increases in Ordinary Rates of 2.8%, a 5.0% increase in Sewer Charges, Waste Charges have been calculated on the basis of the reasonable cost of providing the service and Water Charges have been calculated on achieving a 25/75 basis (25% access charge and 75% usage charge) based on the Best Practice Guidelines introduced by the Department of Energy, Utilities and Sustainability.

9 RURAL FIRE SERVICE - POTENTIAL LOCATIONS FOR A NEW CHIFLEY ZONE FIRE CONTROL CENTRE (13.00020)

Recommendation: That Council:

- (a) provide the land at the corner of Hampden Park Road and Michigan Road as the site for the construction of a proposed Fire Control Centre for Chifley Zone NSW Rural Fire Service
- (b) enter into negotiations with Chifley Zone RFS and State Emergency Service to ascertain requirements for both parties for the new centre
- (c) in July 2011 retain the services of a qualified draft person to design the best configuration of the facilities required at the site
- (d) seek a further report once the design is finalised

Report: Councillors will recall that on 23 February 2011, a Working Party was held to discuss the proposal for a new Fire Control Centre for Chifley Zone Rural Fire Service. That report gave details on the current location at 7 Lee Street, Kelso and outlined the belief from the Rural Fire Service that the current facilities are not suitable for a contemporary Fire Control Centre (FCC).

Some of the issues discussed at the Council Working Party include:

- FCC Working Party was formed of Council representatives, Rural Fire Service staff and volunteers.
- FCC Working Party recommended that Council consider a large sized FCC.
- A large FCC is expected to cost around \$2 million, of which Council would contribute 11.7% (\$234,000).
- A possible site was identified in Hampden Park Road, Kelso to which the Rural Fire Service suggested they would like to add a further 1,600 square metres bringing the total area to approximately 7,000 square metres at a cost of approximately \$350,000.
- This block has now been sold and new locations need to be identified.

Following on from further discussions in relation to co-location of the State Emergency Service to the proposed Fire Control Centre site, a potential block on College Road was discussed, being Lot 10, DP717095. Investigations into this block have revealed that the cost of providing services (electricity, water and sewer) to the block may be prohibitive and consequently, in order to provide the Council with viable alternatives, a report was requested to consider other options for the location of the Fire Control Centre.

Following discussions with the Director Corporate Services & Finance and the Property Officer three additional areas were considered as possibilities. These include; Hampden Park Road, the Trade Centre (behind the RTA) and Lee Street, Kelso site of the former Evans Shire Council.

Cr North, Cr Thompson and Council's Manager Corporate Governance undertook an inspection of the three sites and following discussion with the Director Corporate Services & Finance agreed that a report be prepared outlining the advantages and disadvantages of the

three sites.

1. Hampden Park Road

Hampden Park Road has available several blocks that have already been subdivided and at the end of Hampden Park Road, (shown at **attachment 1** is a plan of subdivision) where it joins with Michigan Road, there is land available that has not yet been subdivided and therefore, would be available to cut off the specific block size that would require the most efficient use of land (shown at **attachment 2** is an aerial photo). As this area of land has access to both Hampden Park Road and Michigan Road, it would provide an ingress and egress point and therefore not require the provision of additional land to allow large vehicles to turn around on the block. This would provide obvious efficiencies in the amount of land required. Utilities including water, sewer and electricity are located within the industrial subdivision and would only need to be extended to the particular piece of land.

Advantages

- This land could be used as a Greenfield site and would be able to be subdivided to the size and shape required.
- The site has the ability to allow access on to Hampden Park Road and Michigan Road.
- Utilities (including water, sewer and electricity) are readily available.
- The block of land could readily be designed to incorporate the co-location of the State Emergency Service on the site.
- The land is relatively flat thereby minimising excavation/landscaping costs.

Disadvantages

- Access onto the highway from Littlebourne Street can be slow due to traffic volumes on the highway. However, there are lights at this intersection and this should not be a major issue as the majority of responses from the Fire Control Centre would not be under lights and siren.

2. Trade Centre (behind RTA)

The Trade Centre involves a substantial area of land off Corporation Avenue, Irving Place and Bradwardine Road (refer **attachment 3** plan of subdivision and **attachment 4** aerial photo). Currently there are approximately six blocks subdivided off. However, the largest of these is only 2,972 square metres which is insufficient area for the Fire Control Centre. There is also a substantial amount of land between the three streets and the houses behind which is not yet established and there is the potential for an area to be subdivided off.

Advantages

- The land is available that could be used as a Greenfield site and therefore the required amount could be subdivided off.
- Utilities would be readily available and, again, would need to be extended from existing blocks.
- Trade Centre is on the western side of the river, and this would suit the State Emergency Service as their preference is for a location on the western side of the river.

Disadvantages

- The majority of blocks in this area are much smaller blocks in the vicinity of 1,000 - 3,000 square metres and the area is well established for smaller businesses.
- Cost is slightly dearer at \$59 per square metre than Hampden Park Road (\$49 per square metre).

3. Lee Street, Kelso (former Evans Shire Council Depot site)

The former Evans Shire Council office and depot is largely used. The Family Day Care, Upper Macquarie County Council and Rural Fire Service are located in the old Council Chamber and Max Hire are currently utilising the sheds and some of the land at the back. There is still approximately 5,800 square metres available at the rear of the site in an L-shape (refer **attachment 5** plan of subdivision and **attachment 6** aerial photo) which extends from the rear of the panel beaters across to the boundary on the southern side of the former Evans Shire building extending down in a westerly direction towards the specialist shops in the Bunnings area complex. This area, whilst quite large, is a little disjointed and may not accommodate the co-location benefits being sought by bringing the Rural Fire Service and the State Emergency Service into one area.

Advantages

- Utilities would be readily available in the area, however, not sure of cost as it would have to be an additional service implemented rather than an augmentation of the current service to the former Evans Depot area.

Disadvantages

- The majority of the land is in an L-shape and it would make it more difficult (though not impossible) to accommodate the Rural Fire Service and the State Emergency Service efficiently.
- It is anticipated that the retail value of this land would be much higher than either Hampden Park Road or the Trade Centre.
- Traffic from Lee Street can only exit onto the highway by left turn heading towards Bathurst. Access to the Sydney side of Kelso, would be via Stockland Drive, which at the present time only has stop signs and can cause considerable delays entering on to the highway when turning right towards Sydney.
- There may be insufficient land available at this site.

Financial Implications: Financial implications for the FCC would depend on the allocation of \$2 million by Rural Fire Service and the Minister in the Council's 2011/2012 Fire Fighting Fund allocation. If this amount is allocated then Council's additional contribution to the fund would be \$234,000 which has not been included in the budget at the present time. Council would incur a loss of income from sales of industrial land as this block would have been part of a future subdivision. There would also be a cost to extend services to the block.

MINUTE

33 Item 9 RURAL FIRE SERVICE - POTENTIAL LOCATIONS FOR A NEW CHIFLEY ZONE FIRE CONTROL CENTRE (13.00020)

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

RESOLVED: That Council:

- (a) provide the land at the corner of Hampden Park Road and Michigan Road as the site for the construction of a proposed Fire Control Centre for Chifley Zone NSW Rural Fire Service
- (b) enter into negotiations with Chifley Zone RFS and State Emergency Service to ascertain requirements for both parties for the new centre
- (c) in July 2011 retain the services of a qualified draft person to design the best configuration of the facilities required at the site
- (d) seek a further report once the design is finalised

10 LOAN BORROWING REQUIREMENTS 2010/2011 (16.00020)

Recommendation: That Council authorise the General Manager to draw down a \$3,135,000 loan for 10 years with the National Australia Bank on the 21 June 2011 in accordance with the report.

Report: In Council's 2010/2011 Management Plan, total borrowings of \$10,330,000 have been budgeted for. The borrowing needs will be split, with the first amount called for being \$3,135,000 to undertaken the following capital works projects; Cycling facility, Mount Panorama, Bradwardine Road, Run way lighting and Netball Clubhouse.

Interest rate quotes were invited from the following 10 banking institutions; ANZ, Bankwest, Bendigo & Adelaide Bank, Commonwealth Bank of Australia, IMB Building Society, National Australia Bank, Reliance Credit Union, Savings & Loans Credit Union, St George Bank and Westpac Bank.

IMB Building Society advised that their loan policy was currently under review and therefore were unable to provide a loan quote. Bankwest, Reliance Credit Union, Savings & Loans Credit Union and St George Bank did not reply to the quote offer.

For a 10 year loan term, with quarterly principal and interest repayments the following rates were offered;

ANZ	7.57%
Bendigo & Adelaide Bank	8.65% (establish fee \$5,000 & 400p.a. account fee)
Commonwealth Bank of Aust.	7.76%
National Aust. Bank	7.48%
Westpac Bank	7.87%

It is therefore recommended that council approve the draw down of a \$3,135,000 loan on Tuesday 21 June 2011 through the National Australia Bank at the rate of 7.48%.

Financial Implications: This amount has been provided for in the 2010/2011 Management Plan.

MINUTE

34 Item 10 LOAN BORROWING REQUIREMENTS 2010/2011 (16.00020)

MOVED: G Westman SECONDED: M Morse

RESOLVED: That Council authorise the General Manager to draw down a \$3,135,000 loan for 10 years with the National Australia Bank on the 21 June 2011 in accordance with the report.

11 PURCHASE OF 449 CONROD STRAIGHT MT PANORAMA (22.04682)

Recommendation: That the property known as 449 Conrod Straight, Mt Panorama be classified as operational land.

Report: Council at its Ordinary Meeting held on 6 April 2011 (see Confidential Section, Director Corporate Services & Finance, Item 1) resolved to purchase 449 Conrod Straight, Mt Panorama as it was identified as strategic to Council. Under the Local Government Act 1993 it must be classified as either community or operational land. Map shown at **attachment 1**.

It is recommended that this property be classified as operational land.

Financial Implications: Nil

MINUTE

35 Item 11 PURCHASE OF 449 CONROD STRAIGHT MT PANORAMA (22.04682)

MOVED: I North SECONDED: W Aubin

RESOLVED: That the property known as 449 Conrod Straight, Mt Panorama be classified as operational land.

12 PURCHASE OF LOT 1 DP1086580 SYDNEY ROAD, BATHURST (22.12424)

Recommendation: That the property known as Lot 1 DP1086580 Sydney Road, Bathurst be classified as operational land.

Report: Council at its Ordinary meeting held on 16 February 2011 (see Confidential Section, Director Corporate Services & Finance, Item 6) resolved to purchase Lot 1 DP1086580 Sydney Road, Bathurst as it was identified as strategic to Council. Under the Local Government Act 1993 it must be classified as either community or operational land. Map shown at **attachment 1**.

It is recommended that this property be classified as operational land.

Financial Implications: Nil

MINUTE

36 Item 12 PURCHASE OF LOT 1 DP1086580 SYDNEY ROAD, BATHURST
(22.12424)

MOVED: B Bourke SECONDED: I North

RESOLVED: That the property known as Lot 1 DP1086580 Sydney Road, Bathurst be classified as operational land.

13 REQUEST FOR FINANCIAL ASSISTANCE - ARTS OUTWEST (18.00004, 21.00012-07/018)

Recommendation: That Council financially support the holding of an Arts OutWest event at the Bathurst Memorial Entertainment Centre on 12 July 2011.

Report: Council has received a request from Arts OutWest for financial support for the venue hire of Bathurst Memorial Entertainment Centre with charges amounting to \$3,550. A copy of the request is provided at **attachment 1**.

Arts OutWest advise that they are holding a major show case of Aboriginal Arts for the Central West Region. The event called Marramarra will be held at the Bathurst Memorial Entertainment Centre and Arts OutWest have been working with the Aboriginal community in Bathurst to host the event. The event will bring Aboriginal performers and artists together from across the region including Condobolin, Lake Cargelligo, Cowra, Forbes, Parkes, Peak Hill, Wellington, Orange, Dubbo and Bathurst.

There are two main audiences that they are aiming to attract to the day, firstly the Aboriginal community from the Central West and secondly an audience from outside the region who would benefit from becoming aware of the Central West regions activity of Aboriginal arts.

Arts OutWest have chosen to stage this event in Bathurst for a number of reasons. Bathurst is well situated for people to attend from cities such as Sydney and Canberra and is also a manageable distance to bring people in from the Central West communities.

For Councillor's information Council contributes \$19,486 in the 2011/2012 Management Plan towards the operations of Arts OutWest.

Arts Out West have also supplied a copy of the proposed budget for this project which shows the total expenditure of \$59,280. An examination of the expenditure shows that the budget allows for a venue hire of \$3,550.

It is recommended that Council agree to the donation of the Bathurst Memorial Entertainment Centre Venue hire charges of \$3,550.

Financial Implications: This donation of \$3,550 can be funded from the BMEC section of Section 356 which has a current balance of \$10,126.03

MINUTE

37 Item 13 REQUEST FOR FINANCIAL ASSISTANCE - ARTS OUTWEST
(18.00004, 21.00012-07/018)

MOVED: M Morse SECONDED: T Carpenter

RESOLVED: That Council financially support the holding of an Arts OutWest event at the Bathurst Memorial Entertainment Centre on 12 July 2011, to the level of \$3,550 for venue hire from BMEC Subsidy vote.

14 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST DISTRICT CRICKET ASSOCIATION (18.00004)

Recommendation: That Council not agree to reduce the fee for the Winter Cricket Association competition for ground hire.

Report: Council has received a request from Bathurst District Cricket Association for a reduction in the ground hire fee for the Bathurst District Cricket Association Winter Cricket Competition.

The five competing teams are required to pay \$2,000 or \$400 per team for ground fees. For the seven rounds of the competition this equals to \$57 per team per game or \$5 per player per game.

The Bathurst District Cricket Association advise that this is the inaugural season of this competition and request Council to consider reducing the fee to \$1,000 or \$200 per team.

Financial Implications: Council's income will reflect the charges made.

MINUTE

38 Item 14 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST DISTRICT CRICKET ASSOCIATION (18.00004)

MOVED: I North SECONDED: B Bourke

Cr Aubin declared a non-pecuniary interest in this item and left the Chamber and took no part in discussion.

Reason: Player in winter cricket competition.

RESOLVED: That Council agree to reduce the fee for the 2011 Winter Cricket Association competition for ground hire, by \$1,000 to be funded from Section 356 donations.

15 REQUEST FOR FINANCIAL ASSISTANCE - QUOTA INTERNATIONAL (18.00004)

Recommendation: That Council donate \$500 to Quota International towards the cost of purchasing books to assist the QuoCKa Reading Program from Section 356 Donations.

Report: Council has received a request from Quota International for financial assistance towards the cost of purchasing books to assist the QuoCKa Reading Program. A copy of the request is provided at **attachment 1**.

The program commenced in 2010 and this year three schools are involved including Carene Public School, Kelso Public School and Bathurst West Public School. The aim of the program is:

- To increase the literacy levels of children.
- To build a presence within the community.
- Police Officers are involved in the program to break down the barriers between children and the police.
- Volunteers are sourced from Quota members, Police officers, community service organisations, retired teachers, university students, retired business professionals and basically anyone wishing to volunteer their time of approx 1 hour per week to become involved in this very unique program.
- Books are purchased by Quota International through various outlets at reasonable prices.
- The target group for children is from kindergarten through to year 3 as this is the time when children need to be taught the love of reading, and by reading a book to them each week, we are actually addressing this need.
- This is a "Win/Win" situation as not only does each child in the class receive their own book, books are also donated to the school library.

Financial Implications: This request could be funded from Council's Section 356 Donations which currently has a balance of \$18,017.28.

MINUTE

39 Item 15 REQUEST FOR FINANCIAL ASSISTANCE - QUOTA INTERNATIONAL
(18.00004)

MOVED: M Morse SECONDED: I North

RESOLVED: That Council donate \$500 to Quota International towards the cost of purchasing books to assist the QuoCKa Reading Program from Section 356 Donations.

16 REQUEST DONATION TO OHKUMA APPEAL (23.00011)

Recommendation: That Council donate \$10,000 toward the Ohkuma Appeal to be funded as follows:

- \$8,000 from sister city 2010/2011 unspent funds
- balance of \$2,000 from Section 356

Report: At Council's meeting held 1 June 2011 a Mayoral Minute was presented to Councillors for their consideration of a donation of \$20,000 towards the Ohkuma Appeal.

Council resolved that Council make a donation to the Ohkuma Appeal, with a further report being made to the June 2011 Council meeting.

Council has had a long history with Ohkuma as a sister city and in March 2011 Ohkuma experienced extreme devastation.

Councillors have been requested to consider the amount of donation and a funding source before such a donation.

Financial Implications: Council currently has \$18,017 in Section 356 donations less any amounts donated at this meeting (June 2011). A further funding source Council may consider using the funds provided in this years budget for the future Ohkuma visits which amount to \$8,000.

MINUTE

40 Item 16 REQUEST DONATION TO OHKUMA APPEAL (23.00011)

MOVED: B Bourke SECONDED: M Morse

RESOLVED: That Council donate \$10,000 toward the Ohkuma Appeal to be funded as follows:

- \$8,000 from sister city 2010/2011 unspent funds
- balance of \$2,000 from Section 356

17 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST WHOLEFOOD CO-OPERATIVE LTD AND TASTE BATHURST (SUPPORTED BY SKILLSET) (18.00004, 18.00195-23/025)

Recommendation: That Council:

- (a) assist the Bathurst Wholefood Co-operative Limited source external funding for a Mobile cool room to store fresh produce \$12,000 inc GST
- (b) request further information on TASTE Bathurst, the structure, membership, aims and objectives
- (c) assist TASTE Bathurst source external funding to develop a marketing and business plan
- (d) not agree to the funding of \$17,500 (including GST)

Report: Council has received a request from Bathurst Wholefood Co-operative, TASTE and Skillset for financial assistance to establish an organisation in Bathurst.

These organisations have a mutual interest and are currently developing collaborative relationships to progress their respective objectives, for example, the Co-op is a preferred and likely supplier of regional produce for the TASTE Bathurst network.

Bathurst Wholefood Co-operative Limited

The Co-op is a community organisation established in November 2010 with the primary aim to encourage production and consumption of locally grown and organic produce. The Co-op believes that fostering a strong relationship among those who grow food, those who sell food and those who purchase that same food is the grounding for a healthy community, sustainable lifestyles and dynamic food culture. Current membership of the Co-op stands at 120, with a database of over 200 potential suppliers.

The current objectives of the Co-operative are to:

- 1. operate a retail outlet in Bathurst, stocking (where possible) locally sourced food and related products;
- 2. buy fresh produce from local farmers for sale in the retail store;
- 3. stock a selection of organic food and products for sale in the store; and
- 4. provide information and awareness-raising activities in the store and elsewhere on the benefits of buying /consuming locally sourced and/or organic products.

TASTE Bathurst

To supplement the work being done by the Co-op is the development of TASTE Bathurst, an organisation focused on promoting Food, Wine, Heritage and the Arts as a key component to attracting tourism to the Bathurst area. So that this Organisation can develop its strategic position, a further donation of \$5,000 is sought to facilitate TASTE Bathurst consulting with its stakeholders such as industry representatives, State Governments and Council, and to prepare a business and marketing plan.

Both the Co-op and TASTE Bathurst are planning a mutual opening launch that can coincide with the opening of the Flannery Centre in November 2011, to deliver community events, such as a 100-mile Dinner.

An examination of Bathurst Wholefood Co-operative business plan indicates in the executive summary the direction of this organisation. Contained under general information is a section in relation to a retail shop to operate as a commercial shop within the CBD. For complete detail see **attachment 1**.

An examination of Council's Section 356 successful applications for 2011/2012 indicates that Council has already donated \$1,000 towards this organisation to assist a one-day workshop for potential suppliers of the Co-operative: the workshop seeks to determine availability of local fruit and vegetables.

It would appear that this one-day workshop has not occurred and therefore the business plan would not have received the input from this one-day workshop. Councillors also need to be aware that this application is from a commercial organisation and if Council were to become involved they would be required to give public notice of 28 days of any Section 356 contributions to this organisation.

As a commercial organisation Council would essentially be providing funding to a private business.

No documentation was provided with the request on the structure, membership and objectives of the newly formed TASTE Bathurst. It is recognised that Food and Wine product is a niche market of Bathurst's overall tourism product offering. Council's draft Economic Development Strategy, due for completion June 2011, recognises tourism as a key growth sector and recommends the development of a Tourism Plan for the Bathurst Region, which will include all tourism product offering including heritage, arts, events, business tourism, film and television and food and wine.

Conclusion

Notwithstanding the above it is not appropriate that Council fund a Co-operative which will be in direct competition with other private sector food and wine businesses operating within the CBD and Bathurst Region.

Therefore it will be recommended that Council not fund the Bathurst Wholesale Food Cooperative to the amount of \$17,500 for the purchase of a mobile coolroom. However Council can assist by investigating other potential external funding sources.

No information was presented to Council in relation to TASTE Bathurst. It is recommended that Council request further information on TASTE Bathurst in relation to the structure, membership base, aims and objectives.

Financial Implications: Should Council adopt the recommendation there will be no direct financial implications. However should Council resolve to provide the funding it will need to source funding from other areas as there is no current budget allocation.

MINUTE

41 Item 17 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST WHOLEFOOD CO-OPERATIVE LTD AND TASTE BATHURST (SUPPORTED BY SKILLSET) (18.00004, 18.00195-23/025)

MOVED: R Thompson SECONDED: T Carpenter

RESOLVED: That Council

- (a) assist the Bathurst Wholefood Co-operative Limited source external funding for a Mobile cool room to store fresh produce \$12,000 inc GST
- (b) request further information on TASTE Bathurst, the structure, membership, aims and objectives
- (c) assist TASTE Bathurst source external funding to develop a marketing and business plan
- (d) not agree to the funding of \$17,500 (including GST)

18 CLASSIFICATION OF LAND - STOCKLAND DRIVE, KELSO (22.00485)

Recommendation: That the property known as Lot 103 DP 1158930 located on Stockland Drive, Kelso be classified as operational land.

Report: Council at its ordinary meeting held on 18 April 2007 (see Confidential Section, Director Environmental Planning and Building Services, report no 2) approved the sale of Lot 9 DP1087621 to Grainforce Commodities Pty Ltd. The plan of subdivision of Lot 9 DP1087621 has now been registered as Lot 103 DP1158930 Stockland Drive, Kelso. This portion of land is a dedicated drainage reserve. A plan of the area is shown at **attachment 1**. Under the Local Government Act 1993 it must be classified as either community or operational land.

It is recommended that this portion of land be classified as operational land.

Financial Implications: Nil

MINUTE

42 Item 18 CLASSIFICATION OF LAND - STOCKLAND DRIVE, KELSO (22.00485)

MOVED: G Westman SECONDED: B Bourke

RESOLVED: That the property known as Lot 103 DP 1158930 located on Stockland Drive, Kelso be classified as operational land.

19 FINAL LOAN BORROWINGS 2010/2011 (16.00020)

Recommendation: That Council authorise the General Manager to draw down a \$3,100,000 loan for 10 years as detailed in the report.

Report: In Council's 2010/2011 Management Plan, a total borrowing requirement of \$10,330,000 had been budgeted. Previous interest rate quotes have been obtained for the amount of \$3,135,000 which has been reported separately to council in this months meeting.

This years actual final borrowing requirements to fund current capital projects is \$6,235,000. As mentioned above, council has already obtained loan quotes for \$3,135,000.

The second loan of \$3,100,000 will fund the following capital works projects; Sustainability living building, AFL Clubhouse, Chifley Engine Structure, Road Construction - various locations, Storm water Trunk drainage and Major pavement rehabilitation works - various locations.

Interest rate quotes will again need to be called for from the following 10 banking institutions; ANZ, Bankwest, Bendigo & Adelaide Bank, Commonwealth Bank of Australia, IMB Building Society, National Australia Bank, Reliance Credit Union, Savings & Loans Credit Union, St George Bank and Westpac, with an expected interest rate range of 7.48% to 8.70%.

As the loan draw down will be required to occur prior to 30 June 2011, council will need to delegate the approval for this new loan of \$3,100,000 to the General Manager.

It is therefore recommenced that council authorise the General Manager to draw down a \$3,100,000 loan for 10 years at the lowest competitive interest rate inclusive of any fees, from the listed 10 banking institutions.

Financial Implications: This amount has been provided for in the 2010/2011 Management Plan.

MINUTE

43 Item 19 FINAL LOAN BORROWINGS 2010/2011 (16.00020)

MOVED: I North SECONDED: M Morse

RESOLVED: That Council authorise the General Manager to draw down a \$3,100,000 loan for 10 years as detailed in the report.

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

DIRECTOR ENGINEERING SERVICES' REPORT

15 JUNE 2011

**DIRECTOR ENGINEERING SERVICES' REPORT TO THE ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL MEETING HELD ON 15 JUNE 2011**

General Manager
Bathurst Regional Council

**1 PRODUCTIVITY COMMISSION DRAFT REPORT: AUSTRALIA'S URBAN WATER
SECTOR (32.00026)**

Recommendation: That the information be noted.

Report: The Australian Government Productivity Commission released the above report on 13 April 2011, with submissions due on 18 May 2011.

Due to the time constraints on report writing, the submission has been prepared and sent to comply with the submission deadline, and the matter subsequently reported to Council.

This report follows the Infrastructure Australia report and the National Water Commission report on the same topic, both of which have been reported to Council.

The Productivity Commission report is very detailed at well over 600 pages, and is far more balanced and realistic than the two previous reports.

Full details are available at:

<http://www.pc.gov.au/projects/inquiry/urban-water/draft>

The entire report or selected chapters are available for reading or download.

As the report is very extensive, it is difficult to condense it to a couple of pages, however, there are two tables provided below which help.

Table 14.1 Universally applicable reforms

Set overarching objective for government policy in the sector

Provision of water, wastewater and storm water services in an economically efficient manner to maximise net benefits to the community

Develop appropriate policies and principles that align with overarching objective

Consider the costs and benefits of all supply augmentation options using a real options approach

Remove 'policy bans' on sources of supply augmentation, and consider supply augmentation and demand management options together

Provide consumers with information on costs, benefits, and risks of supply augmentation options

Restrict provision of subsidies to the limited set of circumstances identified by the Commission

Phase out water restrictions and mandated water use efficiency and conservation measures

Allow retailers to offer a variety of price/service options to suit consumer preferences, subject to policy guidelines that promote efficient pricing

Provide consumers with information on costs and benefits of water saving activities, and using price and non-price demand management measures

Clearly define property rights

Use universal assistance measures to ensure that social objectives are met at least cost to efficiency. Where specific measures are required, use a rebate or concession that is independent of consumption levels and fully funded as a Community Service Obligation (CSO)

Put in place best practice institutional, regulatory and governance arrangements

Clearly define the objectives, roles and responsibilities of elected representatives, utilities and regulators (economic, health and environmental), and those decisions best made by consumers

Assign the role of procurement of supply augmentation to retailer–distributors

Ensure best practice governance of GTEs by devising a charter that provides guidance to utilities on:

- obligations to serve (security, reliability, procurement)
- processes and procedures for choosing supply augmentation
- principles, processes and procedures for setting prices
- borrowings and dividends policies
- customer service standard/hardship policies
- risk allocation
- nature and funding of CSOs

Monitor performance of GTEs against the charter subject to review by a suitable body

Further apply corporatisation model to GTEs and appoint an independent skills based board

Phase out price setting, and allow utilities to set their own prices subject to guidance in the charter. Adopt price monitoring where necessary

Regularly review CSO payments

Clearly define objectives for regulation and provide regulators with greater guidance (less discretion)

Ensure best practice regulatory processes and procedures (independence, transparency and accountability)

Establish a consumer representative body with a formal consultative role in supply augmentation and pricing/service issues, funded by a surcharge on water bills

Mandate compliance with Australian Drinking Water Guidelines

Provide Indigenous communities with water and wastewater services that are of the same standard as those provided to comparable non-Indigenous communities

The report states: It is the Commission's view that implementing the universally applicable reforms should be the highest priority for reforming Australia's urban water sector. These reforms to policy, governance and institutions present the greatest scope for efficiency gains, and are an essential prerequisite to pursuing any structural reforms.

Table 14.2 Optional structural reforms

Reform	Details
Metropolitan areas	
Vertically integrated water utility (option 1)	Procurement of bulk water services using transparent selection processes and procedures, with contracting out and public-private partnerships
Contestability in bulk water supply (option 2)	Vertical separation of the bulk water supply function
	Horizontal separation of bulk water service providers

	by type of supply source
Contestability in bulk water supply and wastewater treatment (option 3)	Procurement of bulk water services via bilateral contracts, using transparent and contestable processes and procedures In addition to option 2 reforms: <ul style="list-style-type: none"> • Vertical separation of the wastewater treatment function • Horizontal separation of wastewater treatment service providers • Wastewater treatment services also procured using bilateral contracts
Contestability in bulk water supply and wastewater treatment, and	In addition to option 3 reforms: <ul style="list-style-type: none"> • Horizontal separation of retail – distribution function into regional geographic monopolies • Shared transmission network services provider / /grid manager • Transmission services also procured using bilateral contracts
Decentralised competitive market (option 5)	Decentralised supply and demand decisions, coordinated using market prices Futures market

Regional urban areas in NSW and Qld (outside of south-east Qld)

Aggregate small utilities to exploit economies of scale	Options include: <ul style="list-style-type: none"> • County councils • Regional water corporations • Regional organisation of councils / alliances
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Regional urban areas in SA, WA and NT

Disaggregation of jurisdiction-wide utilities	Options include: <ul style="list-style-type: none"> • Multiple regional water corporations • Retain jurisdiction-wide utility but price according to geographic boundaries
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The report states: *“It is the Commission’s view that the optional structural reforms are of secondary importance. Once the universally applicable reforms have been introduced, however, there are further efficiency gains to be had from implementing structural reform. Some of these reforms have already occurred in some jurisdictions.*

In regards to regional reform, the report provides the following conclusion:

There is considerable scope for (appropriate) aggregation of regional water utilities to give rise to material productive efficiencies for a significant number of local council water utilities in regional New South Wales and Queensland, relative to the current arrangements.

Such reform may improve the financial performance of affected regional water businesses and reduce the impact of water industry skills shortages (all else equal), with corresponding benefits for investment in — and operation of — water supply and wastewater infrastructure, the incidence of utility compliance with a range of public health and environmental regulations and the standards of services delivered to customers.

The precise benefits and costs of aggregation will depend on the characteristics of the affected local council utilities, and should be assessed on a case-by-case basis.

In particular, it is critical that factors such as network costs, the geography and topology of the area, coordination of water service provision with planning and resource management and distances between urban centres of demand are considered. This work should take full account of the costs imposed on legacy local governments and their communities as a consequence of aggregation, and consider whether there is merit in developing arrangements for mitigating these impacts.

The Commission recognises that New South Wales has already dedicated significant resources towards this type of analysis, culminating in a series of recommendations for aggregation of regional water utilities throughout non-metropolitan New South Wales. The Commission endorses the large majority of the findings and recommendations of the Armstrong and Gellatly inquiry, and urges the New South Wales Government to progress this work as soon as possible.

Specifically, the Commission:

- Fully endorses recommendations 2, 3, 5, 6 and 7 of the Armstrong and Gellatly inquiry report.*
- Agrees that amalgamation of regional water utilities will lead to efficiency gains (as implied by recommendation 1) but does not necessarily support grouping these utilities into 32 regional aggregations. Rather, the precise approach to aggregation should be determined by jurisdictions following a comprehensive cost–benefit analysis of aggregation options (including catchment-based groupings, corporatisation of utilities and the establishment of alliances).*
- Does not endorse recommendation 4, as the Commission does not consider that it is efficient for water utility prices (regional or otherwise) to be approved by an independent body (chapter 11).*

Queensland has also made significant progress toward utility consolidation in recent years (as part of a broader local government reform program), particularly in south-east Queensland. Notwithstanding this, the Commission expects that additional aggregations in other areas of Queensland would be efficient. The Queensland Government should consider the costs and benefits of further consolidation of water businesses in more detail as a matter of priority.

There will be a number of regional water utilities for whom aggregation is not an efficient option. In this circumstance there may be merit in corporatising the stand-alone utility, or conversely, adopting a more informal approach to resource sharing, such as a regional alliance (section 13.3). Alternatively, the best solution may be to retain the current local council water utility model, pending implementation of the various reforms set out in chapter 11. In extreme cases, direct funding from relevant State and Territory Governments may be necessary to ensure adequate provision of services, especially in relation to drinking water quality.

Other notable recommendations

There are some further points of recommendation that should be noted:

The Australian, State and Territory Governments should not provide subsidies for supply augmentations and other urban water infrastructure, except where:

- it directs a utility to invest to produce a particular environmental outcome unrelated to its service delivery responsibilities and the subsidy is commensurate with the costs attributable to achieving the outcome
- a formal process has identified that a particular community should be exempted from

the requirement to fully recover costs through water charges

Metering technology should be introduced in all new single and multi-unit dwellings. The case for retro-fitting existing single and multi-unit dwellings with separate metering technology should be assessed by utilities.

Utilities should charge tenants directly for all water charges, both fixed and volumetric, where water is separately metered. Where this does not already occur, State and Territory Governments might need to put in place transitional arrangements to ensure that savings to landlords are passed through to tenants.

More consumer choice in urban water tariff offerings should be available. This would:

- allow consumers to express their preferences on security of supply and price stability
- provide an opportunity for water utilities to manage demand better as water availability changes over time.

Utilities would be required to provide default two-part tariffs with a single volumetric component.

The use of water restrictions should be limited to times of emergency where a water shortage arises unexpectedly, or in regional urban areas where there are no viable new water sources available to augment supply and restrictions are needed to avoid running out of water. Consumers should instead be able to exercise choice in their water consumption behaviour through an efficient price mechanism.

Neither governments nor regulators should mandate water use efficiency and conservation activities, unless there is a market failure present and it is clearly established that the social benefits of intervention exceed the social costs.

All remaining impediments to rural–urban trade, particularly volumetric restrictions and excessive termination fees, should be removed as soon as possible.

Any bans (legislated or otherwise) preventing trade between regional water utilities should be independently reviewed and, if it cannot be shown the bans provide net public benefits, they should be removed.

There is a strong case for undertaking aggregation of small water and wastewater utilities in regional areas of New South Wales and Queensland. The precise approach — including identification of affected councils and the preferred grouping of councils — should be assessed and determined by relevant State Governments, in consultation with Local Governments and affected communities.

This process should consider the relative merits of alternative organizational structures, including:

- county council
- regional water corporation
- regional alliance (or regional organisation of councils).

The New South Wales Government should provide a formal response to the recommendations of the Armstrong and Gellatly inquiry as a matter of priority.

Compliance with the health critical elements of the Australian Drinking Water Guidelines should be mandatory, and implemented via legislation.

Utility performance against all elements of the Australian Drinking Water Guidelines should

be publicly reviewed and reported on annually by State and Territory Governments. Sanctions should apply if water utilities do not comply with the mandatory elements of the guidelines, and directors or other accountable persons such as councillors should be personally liable for the risks associated with non-compliance.

Utilities that do not comply with the non-health critical elements of the guidelines must develop and implement a risk management plan (approved by the relevant health department) that will move the utility toward full compliance with all elements of the guidelines.

The Way Forward

As advised earlier, written submissions to the Productivity Commission closed on Wednesday, 18 May 2011. The final Productivity Commission report will be prepared after submissions have been received and public hearings held, and this will be forwarded to the Government by 31 August 2011.

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

MINUTE

44 Item 1 PRODUCTIVITY COMMISSION DRAFT REPORT: AUSTRALIA'S URBAN WATER SECTOR 32.00026

MOVED: R Thompson SECONDED: W Aubin

RESOLVED: That the information be noted.

2 WASTE 2 ART 2011 EXHIBITION AND COMPETITION (14.00007)

Recommendation: That the information be noted.

Report: Commencing on 20 May 2011, Council held the 2011 Waste 2 Art exhibition and competition at the Bathurst Memorial Entertainment Centre.

Waste 2 Art is a community art exhibition and competition that showcases creative works made from reused and recyclable waste materials. The purpose of the project is to encourage the concept of reduce, reuse and recycle.

The Waste 2 Art exhibition and competition is supported by Netwaste. Councils across the Central West that are members of CENTROC and Netwaste are encouraged to participate. This year has been the first time that Council has been involved with this project since 2007, partly as the Waste 2 Art project is a highly resource intensive project. Planning for the 2011 event commenced in early August 2010.

This event was managed by staff in the Water and Waste Section of Council's Engineering Services Department and in order to manage the resourcing of this project, Council staff worked in collaboration with a group of 3 students from Charles Sturt University. Each year through a partnership run by the Director of Cultural and Community Services, Council provides the opportunity for CSU students to participate in Council projects in order to gain experience in areas such as Events, Project Management and Marketing. The Water and Waste Section has found this relationship with CSU to be very productive over the past 2 years and this years Waste 2 Art event would not have been possible without the support of these students.

Sixty-five artworks, across 10 categories were entered into the 2011 competition which is a marked increase on previous years. These artworks were judged by a panel of 3 judges; Cr Monica Morse, Ms Mary Cuppaidge from ArtsAlive 2795 and Mr Ashley Bland to determine the winner in each category. The quality of the artworks entered into the competition was very high and the diversity of the pieces entered reflected the broad range of age and experience of participants. Artworks were judged on the concept behind the piece, the quality of the work and how the artist was able to incorporate recycled materials into the piece. There were some very creative uses of material such as paper, metal, fabric and household items that could otherwise be considered as waste.

The Bathurst Memorial Entertainment Centre provided an accessible community venue for the exhibition and competition.

The winners across each of the 10 categories have now been entered into the Regional Exhibition which opens in Grenfell on 25 June 2011 and it is pleasing that these artworks will demonstrate to the audience attending that exhibition the depth of artistic ability present within the Bathurst community. Council will continue to follow the progress of the Bathurst entries at the Regional Exhibition, and should there be local winners across any of the categories Council will share this information with the community via local media.

Feedback by participants and visitors to the exhibition regarding the Waste 2 Art 2011 exhibition and competition has been overwhelmingly positive.

Financial Implications: Funding for managing the 2011 Waste 2 Art exhibition and competition was sourced from existing budgets.

MINUTE

45 Item 2 WASTE 2 ART 2011 EXHIBITION AND COMPETITION (14.00007)

MOVED: M Morse SECONDED: I North

RESOLVED: That the information be noted.

3 APPLICATION TO CONDUCT JET ADVENTURE JOY FLIGHTS (21.00008)

Recommendation: That Council approve the request from Top Gun Australia Pty Ltd to conduct up to up 8 jet adventure joy flights per year from the Bathurst Aerodrome, subject to conditions outlined in the Director of Engineering's report.

Report: Council has received an application from Top Gun Australia Pty Ltd to operate jet adventure joy flights from Bathurst Aerodrome, utilising an L-39 Albatros Jet, a CJ-6 Nanchang, and a Jet Provost aircraft.

Under the Air Navigation (Aircraft Noise) Regulation (1984) aircraft operators seeking to conduct adventure joy flights using either propeller aircraft with a maximum take off weight of 1500kg, or jet aircraft, must apply to the Department of Infrastructure and Transport (the Department) for an Operating Permit.

To obtain a permit, aircraft operators are required to liaise with the both the local council responsible for the aerodrome and the aerodrome owner (if owned separately) to obtain a letter in support of the permit application. The letter of support is required to contain information such as number of flight movements per month, times of operation and areas to be avoided. Once a letter of support is provided by the council, it is the council's responsibility, and not that of the Department, to monitor and respond to complaints regarding aircraft noise from adventure flight operations. The Operating Permit will be withdrawn by the Department if the council no longer provides its support.

Bathurst Aerodrome currently has one existing adventure joy flight operator which utilises the L-39 Albatros jet aircraft, and this Operating Permit expires on 1 March 2012. In the past 12 months, no more than 4 adventure flights have been conducted by this operator at this airport.

Bathurst Aerodrome reportedly has the only jet maintenance facility for the L-39 Albatros aircraft within Australia. It should be noted that flights to and from Bathurst Aerodrome for aircraft maintenance purposes do not require any approval from Bathurst Regional Council nor the Department.

The request by Top Gun Australia Pty Ltd is for permission to conduct adventure joy flights in a L-39 Albatros from Bathurst Aerodrome, to be scheduled at the same time that the aircraft has periodic maintenance carried out. In addition, Top Gun Australia is seeking approval to operate a locally based jet Provost aircraft and a CJ-6 Nanchang.

The L-39 Albatros is a small jet fighter/training aircraft developed by Czechoslovakia and dates from the 1970's. It is a small jet of 4,700 kg maximum take off weight and has a top speed of 750kmh. The Jet Provost aircraft is a British developed aircraft, which dates from the 1960's, has a maximum take-off weight of 4,200kg, and has a top speed of approximately 700kmh. The CJ-6 Nanchang is a radially powered propeller driven 1950's Chinese trainer/fighter aircraft with a top speed of 300kmh and has a maximum take off weight of 1400kg.

Conditions that are currently in place with the existing permit holder are as follows:-

- (a) No circuits, aerobatics or over flights are permitted within the Bathurst area.
- (b) Jet operations to be restricted to between the hours of 08:00 and 19:00.
- (c) Where possible departures and arrivals are to be from the west.
- (d) Noise abatement procedures are to be practised during take-off and landing.
- (e) Landing charges are to be paid in accordance with Council Fees and Charges.

Bathurst Aerodrome has been operating from the current site since the early 1940's and currently has, on average, 1200 aircraft movements per month. It is considered that the request by Top Gun Australia Pty Ltd for up to 8 adventure flights per annum would have a minimal impact upon the overall noise footprint of the aerodrome.

It is recommended that Council approve the request for adventure flights from Top Gun Australia Pty Ltd for up to 8 adventure flights per year, with the conditions as are in place for the current operator.

Financial Implications: Nil

MINUTE

46 Item 3 APPLICATION TO CONDUCT JET ADVENTURE JOY FLIGHTS
(21.00008)

MOVED: I North SECONDED: G Westman

RESOLVED: That Council approve the request from Top Gun Australia Pty Ltd to conduct up to up 8 jet adventure joy flights per year from the Bathurst Aerodrome, subject to conditions outlined in the Director of Engineering's report.

4 KINGS PARADE DEODARS (04.00039)

Recommendation: That the information be noted.

Report: Council may be aware that on 3 occasions this year, major limbs have failed on a number of deodars within Kings Parade. These failures have occurred suddenly without warning, which poses a significant safety concern within this highly utilised public park.

The cause of the sudden branch drop to these trees is mainly due to the type of tree species, as well as their current size and density. Deodars by nature have a very soft and brittle wood structure which is prone to branch failures. Due to the current dense growth of the deodars in Kings Parade, including the existence of large co-dominant lateral branching, there is a continued possibility of further failures to occur as these trees continue to grow.

As a result of the risk that these trees pose to users of Kings Parade, Council commissioned a report from an independent local arborist, Mr Gregor Van Emmerik of Agile Arbor Pty Ltd, to provide Council with recommendations to reduce the potential for further branch drop. A copy of the report is at **attachment 1** for information.

As a result of the inspections and discussions with Council's tree consultant, it has been determined that weight reduction pruning be undertaken to the 10 large deodar trees as soon as possible. The density of growth that has developed over the past 20 years within the deodars has created significant weight loads on lateral branching, to a point that it is now placing adverse stress on the main branches. Weight reduction pruning is an industry adopted method of tree maintenance that significantly reduces branch failure risk, whilst keeping the existing integrity, form and structure of the trees. In fact, it is recommended that as part of general tree maintenance practices, weight reduction works should be undertaken to trees within public places on a 5 -10 yearly basis, depending upon their age and height. It is believed that due to their existing form, it has been many years since these trees have had this type of pruning works conducted.

For information, in order to prolong the life of a number of old mature elm trees in Machattie Park, the same lateral branch thinning works that are to be implemented in Kings Parade were recently completed by professional arborists. Due to the requirement to climb the trees to successfully undertake weight reduction works, the proposed work to the deodars in Kings Parade will also be contracted out to experienced arborists who have the expertise and necessary tree climbing equipment.

In addition to weight reduction pruning, it is also recommended that further investigation be undertaken on the potential to reduce the risk associated with future sudden branch failures. Although it is believed that cable bracing would not be a viable option for Council, or be visually suitable for this high profile park, it is believed possible that the placement of loose strapping, linking a number of main lateral branches together in each tree, can achieve a similar result in controlling future failures by suspending them within the tree or controlling their fall. This type of proposal will be investigated on each individual tree at the time the weight reduction pruning works are being undertaken. It would only be at this stage whilst the arborists are within the canopy of the trees that a clear assessment can be made as to bracing ability.

Quotations are currently being sourced for professional arborists to undertake the necessary works and it is anticipated that this project will cost in the vicinity of \$20,000.

Financial Implications: It is anticipated that the required works to the 10 large deodar trees within Kings Parade will cost in the vicinity of \$20,000. Sufficient funding for this work is available in the existing Street Tree Audit Program.

MINUTE

47 Item 4 KINGS PARADE DEODARS (04.00039)

MOVED: I North SECONDED: T Carpenter

RESOLVED: That the information be noted.

Yours faithfully



Doug Patterson
DIRECTOR
ENGINEERING SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT
15 JUNE 2011

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT TO THE ORDINARY
MEETING OF BATHURST REGIONAL COUNCIL MEETING HELD ON 15 JUNE 2011**

General Manager
Bathurst Regional Council

**1 AUSTRALIAN FOSSIL & MINERAL MUSEUM - LGSA CULTURAL AWARD 2011
(21.00106)**

Recommendation: That the information be noted.

Report: Council was awarded a 2011 Cultural Award by the Local Government and Shires Association on Friday, 6 May 2011 at NSW Parliament House under the Programs Projects and Partnerships category Division B. The awards recognize excellence and innovation in a local government run cultural activity and places the Australian Fossil and Mineral Museum's Scattered Bones video conference education program amongst the State's best cultural programs. *Scattered Bones* was the winning project for a local government area with a population between 20,000 and 60,000.

Councillor Graeme Hanger (an alternate Board Member of the Somerville Company), Director of Cultural and Community Services and the Australian Fossil and Mineral Museum's Public Programs Officer accepted the award at NSW Parliament House.

The dinosaur-themed Scattered Bones literacy module broadcast live from the Australian Fossil & Mineral Museum in Bathurst has been leading the way in the development of web-based educational concepts of the future. Thousands of school students across NSW and isolated schools in Alaska have visited the Australian Fossil and Mineral Museum (AFMM) in Bathurst from connected classrooms using video conference technology. The Scattered Bones program is a series of dinosaur themed writing workshops delivered to regionally isolated schools across NSW (including School of the Air). It is a fun and interactive combination of palaeontology and creative narrative writing hosted by Paul Stafford, author and literacy consultant, and the AFMM's Public Programs Officer Penny Packham. The workshops enable isolated schools to meet and work together writing stories inspired by the spectacular Somerville Collection.

As a partnership between the AFMM, the Department of Education and Training's Connections program and Paul Stafford, the innovative workshop formula specifically targets the development of literacy skills in remote and regional NSW. By utilising the video conferencing, students across the state have been given access to the wonders of the AFMM along with a high quality science & literacy module.

Scattered Bones has reached students from remote and local schools in NSW, from School of the Air (Hay, Broken Hill, Tibooburra) to metropolitan Sydney, from White Cliffs to Wilcannia, the far north coast, to nearby Spring Hill. So far it has reached over 13,000 students from 120 schools over the past two years.

The modules are an irresistible mix of paleontological science from the Public Programs Officer and writing workshops from author Paul Stafford. Schools can meet each other across vast distances, exchange and brainstorm ideas, and share creative output. Teachers learn new approaches to overcoming some students' reluctance to write, the technology helps overcome regional isolation, and there's virtually zero carbon footprint. Plus there's Australia's only T. Rex. What's not to like?

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

MINUTE

48 Item 1 AUSTRALIAN FOSSIL & MINERAL MUSEUM - LGSA CULTURAL AWARD 2011 (21.00106)

MOVED: B Bourke SECONDED: W Aubin

RESOLVED: That the information be noted.

2 RECALL TO DUTY – ART GALLERY DIRECTOR – BOSTON CONFERENCE AND MUSEUM OF MODERN ART'S ART & ALZHEIMERS WORKSHOP PROGRAM (21.00039)

Recommendation: That the information be noted.

Report: The Director of the Bathurst Regional Art Gallery (BRAG) was granted a recall to duty by the Bathurst Regional Council to attend the TransCultural Exchange's Conference on International Opportunities in the Arts: the Interconnected World where he had been invited to make a presentation on BRAG's Hill End Artists in Residence Program.

The TransCultural Exchange conference provides a forum for international residency programs and support networks. It was held in Boston from April 7-10, 2011.

The conference was attended by over 400 delegates including artists (of all disciplines and career levels), teachers, residency directors, curators, collectors, arts administrators and critics.

The Conference has been previously held in Boston in 2007 and 2009 and is known internationally as the only forum of its kind for networking, showcasing, supporting and promoting artists and residency programs. The Art Gallery Director attended the conference in both 2007 and 2009 where he had been invited to talk about Hill End.

At the 2011 conference, the Director was one of more than 70 representatives from around the world who presented papers on their residency programs and participated in networking opportunities for artists to interact with their international peers.

The 2011 Conference was TransCultural Exchange's largest to date; including workshops, networking events, off-site activities, screenings, talks, tours, international presentations integrated into topic-focused panels, portfolio review/mentoring sessions.

Council's Art Gallery Director spoke on the panel entitled *The Missed Opportunity: Beyond Youth*.

Approximately 120 people attended the session that ran for 2 hours. There were four residency programs represented on the panel that debated several questions including:

Are we too focused on helping young artists? What about mid-career or established artists, people who turned to art after a career in another field or who need time to consider a new direction for their work?

The moderator for the session was *Janna Longacre, Curator of MassArt in Cuba and Professor at the Massachusetts College of Art and Design.*

Each of the panellists spoke about their programs. The panellists were:

- *Dirk Drijbooms, Director, Apothiki Foundation, Athens/Paros-Cyclades, Greece*. Apothiki aims at introducing artists and organizations to the 'island atmosphere' of Paros – a unique and creative environment that has inspired artists for more than 5000 years.
- *Karola Teschler, artist and Director of the European Artists Association, based in Velbert, near Essen, Germany*. The organization accepts international members and has held short-term symposia/residencies since 2003 in Germany and other countries. Exhibitions have usually followed the programs, which give international exposure to resulting works.
- *Richard Perram, Director, Bathurst Regional Art Gallery, Bathurst, New South Wales, Australia*. Bathurst Regional Art Gallery's Hill End Artists in Residence

Program aims to provide an opportunity for creative development in all areas of the visual arts in the unique environment of Hill End.

- *Csaba and Suzanne Kiss, Directors, At Home Gallery/Synagogue Association for Arts and Culture, Samorin, Slovakia* . A unique center for contemporary arts, incorporating a historical synagogue and a home-like residence for artists, writers or musicians with the possibility to exhibit or perform in the synagogue. The residence was ceremonially opened by the Dalai Lama in 2000.

Additionally, Council's Art Gallery Director also participated in 2 mentoring/portfolio sessions (2 x 3 hours = 6 hours) in which he spoke to 13 artists who were interested in coming to Australia and participating in the Hill End residency program. The quality of the artists was exceptionally high and it is hoped that a number will make application to come to Hill End in 2012.

Museum of Modern Art's Art & Alzheimers Workshop Program

On Thursday, 14 April 2011, Council's Art Gallery Director spent half a day attending a workshop program held by the Museum of Modern Art (MoMA) in New York in conjunction with their Art & Alzheimers Program. Attendance at this workshop provided additional information to coincide with a workshop on 18 and 19 May by BRAG in conjunction with the National Gallery of Australia, Arts Outwest and the Bathurst Area Health Service a two day practical workshop for gallery personnel, health workers and artists about the NGA's Art and Alzheimers Program.

Laurel Humble, one of the co-ordinators of the program at MoMA, explained the background to this inspirational program. The program operates in two ways, firstly as an in gallery tour where people with dementia and their carers interact with works of art and secondly as a practical workshop whereby there is direct experience with creating works of art based on their interaction with the original works of art. Both of these programs occur once a week over a six week period, three times a year.

Some 21 people including people with dementia and their carers attended the workshop. One woman with dementia spoke highly of the program because it treated her as a person and not a patient. She said it was one of the highlights of her week. The workshop was beautifully arranged and provided moments of humour and tenderness for people with this dreadful, affliction. It also gave the carers time to interact with each other.

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

MINUTE

**49 Item 2 RECALL TO DUTY – ART GALLERY DIRECTOR – BOSTON
CONFERENCE AND MUSEUM OF MODERN ART'S ART & ALZHEIMERS WORKSHOP
PROGRAM (21.00039)**

MOVED: M Morse SECONDED: W Aubin

RESOLVED: That the information be noted.

3 YOUTH COUNCIL - YOUTH ACTION POLICY ASSOCIATION (YAPA) GRANT (11.00020)

Recommendation: That the information be noted.

Report: The Bathurst Regional Youth Council's Youth Participation Grants Working Party was recently successful in gaining one of only ten grants awarded by the Youth Action Policy Association (YAPA) in the sum of \$3,300.

The Bathurst Regional Youth Council proposed to run a twenty-four hour film competition. The idea behind the competition is to plan, design and create a short film within twenty-four hours. Youth will be asked to pre-register so that 'packs' can be distributed with the details, instructions and all necessary participation information included. The pack will also detail a number of items, places or sentences that must appear in the film to ensure that it was created in the given time period.

The purpose of the competition is to allow youth creativity and ability, highlighting views of Bathurst Region Youth being recorded as a short film and screened to the wider public. The Youth Council will submit these films as part of Bathurst Regional Council's Youth Strategy, identified as another medium in which youth can actively contribute to Strategic Planning of the Bathurst Region.

Financial Implications: This project will be fully funded by the YAPA Youth Participation Grant of \$3,300.

MINUTE

50 Item 3 YOUTH COUNCIL - YOUTH ACTION POLICY ASSOCIATION (YAPA)
GRANT (11.00020)

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

RESOLVED: That the information be noted.

4 ART AND ALZHEIMER'S OUTREACH PROGRAM 18 AND 19 MAY 2011 (21.00039)

Recommendation: That the information be noted.

Report: Bathurst Regional Art Gallery in collaboration with the National Gallery of Australia, Arts OutWest, Bathurst Health Service Western NSW Local Health Network and Bathurst Seymour Centre presented, on 18 and 19 May, a specialised training and information workshop to assist galleries and arts and health professionals to establish a sustainable *Art and Alzheimer's* program in the Bathurst region.

The issue of Dementia/Alzheimer's Disease is one of the greatest health challenges currently being faced by society. It will become a more serious issue in future years unless a cure can be found for this debilitating disease.

The outreach program was facilitated by Adrian Boag and Sally Collignon who coordinate the program at the National Gallery of Australia.

The two day Art and Alzheimer's training workshop included:

- An overview of the effects of Dementia;
- A practical workshop on the development and delivery of a sustainable program;
- Practical demonstration tours involving clients of Seymour Centre, a respite day care centre in Bathurst; and
- Activities and discussions to develop communication skills.

The aim of the Art and Alzheimer's Outreach Program is to:

- Assist existing art centres and galleries in remote, regional and metropolitan communities to develop a sustainable model of tours for people with Dementia;
- Support communities to implement meaningful and intellectually engaging non-pharmacological activities for people living with Dementia;
- Productively use the resources and experience of the National Gallery of Australia in the area of special access in regional, remote and metropolitan communities; and
- Evaluate the benefits of these tours for the participants and stakeholders.

The overall objectives of the *Art and Alzheimer's Outreach Program* are to:

- Reconnect people with Dementia with their community by extending social networks (social inclusion);
- Encourage participation in cultural activity and broadening of horizons of people with Dementia and their carers;
- Improve quality of life through a re-established sense of self by connecting with memories and recounting experiences;
- Increase self-esteem through intellectual stimulation generated by discussion based on art works and the value placed on participants responses; and
- Use works of art to extend existing communication and to develop new ways of communicating through conversation, listening, the use of body language and by developing an emotional rapport with participants.

Fourteen people participated in the workshop including gallery staff and volunteers from Bathurst and Orange Regional Galleries, health care professionals, carers, educators and local artists.

The workshop allowed the Gallery to reach out to a new section of the Bathurst community, forming a strong network of support for the Gallery and its positive engagement with this serious health issue.

Feedback from the participants of the workshop was uniformly complimentary about the high quality of the workshop presentations and highly supportive of the establishment of a pilot project on Art & Alzheimers in the Bathurst region based at the Bathurst Regional Art Gallery.

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Financial Implications: Workshop held within current budgetary allocations with assistance from participating organisations.

MINUTE

51 Item 4 ART AND ALZHEIMER'S OUTREACH PROGRAM 18 AND 19 MAY 2011
(21.00039)

MOVED: B Bourke SECONDED: G Westman

RESOLVED: That the information be noted.

5 LIBRARY ACTIVITIES (41.00072)

Recommendation: That the information be noted.

Report: A number of activities have been held in Bathurst library recently, broadening the profile of the library or raising funds for charity.

Australia's Biggest Morning Tea @ Bathurst Library

Bathurst Library held an 'Australia's Biggest Morning Tea' on Thursday 26 May to raise funds for the Cancer Council. It was a great success with approximately 300 people attending. Library staff donned aprons and baked cakes and slices for the occasion. Library staff managed to acquire sponsorship from 26 local businesses, including: hair/beauty/massage treatments, book vouchers, music vouchers, cafe vouchers, cakes and sandwiches.

The morning tea provided a great opportunity for people of the community to get together over a cuppa for a great cause. The library invited their clients from nursing homes around town, and transport to and from the library was provided free of charge by Bathurst Community Transport. Over all, the Library managed to raise over \$1,000 for the charity through cups of tea/coffee/cake and raffle ticket sales.

National Simultaneous Storytime – @ Bathurst Library

Bathurst youngsters joined in on the National Simultaneous Storytime held at Bathurst Library on 25 May. More than 60 people turned up for the reading of Rod Clement's book "Feathers for Phoebe", including a Kindergarten Class from the Scots School. This is the first time Bathurst Library has conducted the official National Simultaneous Storytime, and we have claimed it a great success.

The children who attended were mesmerized throughout the story; they loved helping to choose which crest, wings, tail etc Phoebe should choose to make herself more colourful. It was also evident that the children grasped the message of self-acceptance at the end of the story when Phoebe befriended another plain grey bird. Local bookstore, BooksPlus the ABC Store, came along to help spread the joy of reading with copies of "Feathers for Phoebe" and other Rod Clement stories for sale. Children's Library staff and BooksPlus staff Jenny Barry got into the spirit of the day by donning colourful feathered wings and crests for the occasion.

New Kids on the Book – Baby Time @ Bathurst Library

Children's services at Bathurst Library have extended to include new baby rhyme and read sessions. Our new baby club is called "New Kids on the Book" with the catch phrase; "combining expectation with surprise"! The Outreach Programs team have enlisted a positive, enthusiastic staff member to run the sessions who has brought character and language alive for the mums and bubs of Bathurst. Our sessions run every Wednesday during school term from 10:30 -11:00 am, and include rhymes, songs, finger plays, puppets, and 'basket time' with a special surprise inside each week. We have included elements of baby massage, invited guest speakers, and swapped parenting tips amongst the the group.

The interest in New Kids has grown every week, with new families to town coming along to meet other mums, as well as regulars inviting more friends to attend.

The Outreach Programs team have also been invited as guest speakers to the Community Nurses division in Bathurst to help spread the word about this great new program.

Financial Implications: This program is contained within current budget allocations.

MINUTE

52 **Item 5 LIBRARY ACTIVITIES (41.00072)**

MOVED: M Morse SECONDED: T Carpenter

RESOLVED: That the information be noted.

Yours faithfully



Annabell Miller
DIRECTOR
CULTURAL & COMMUNITY SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
POLICY COMMITTEE MEETING

**POLICY COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 15 JUNE 2011**

General Manager
Bathurst Regional Council

1 MINUTES - POLICY COMMITTEE MEETING - 1 JUNE 2011 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 1 June 2011 be adopted.

Report: The Minutes of the Policy Committee Meeting held 1 June 2011, are attached.

Financial Implications: N/A

MINUTE

53 Item 1 MINUTES - POLICY COMMITTEE MEETING - 1 JUNE 2011 (07.00064)

MOVED: T Carpenter SECONDED: G Westman

RESOLVED: That the recommendations of the Policy Committee Meeting held on 1 June 2011 be adopted with the following amendment:

Item #7 to reflect that Cr Carpenter requested a report on projects that could be developed for Catchment Management Month.

MINUTES OF THE POLICY COMMITTEE
HELD ON 1 JUNE 2011

5PM MEETING COMMENCES

1 MEETING COMMENCES

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

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

APOLOGIES

2 APOLOGIES

MOVED Cr M Morse

and **SECONDED** Cr W Aubin

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

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 MAY 2011 (07.00064)

MOVED Cr G Westman

and **SECONDED** Cr R Thompson

RESOLVED: That the Minutes of the Policy Committee Meeting held on 4 May 2011 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

MOVED Cr G Hanger

and **SECONDED** Cr R Thompson

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

5 Item 1 POLICY - PROTECTED DISCLOSURES (11.00006, 18.00132, 41.00089)

MOVED Cr B Bourke

and **SECONDED** Cr W Aubin

RESOLVED: That Council adopt the amended Protected Disclosures Policy and update the Policy Manual accordingly.

GENERAL BUSINESS

6 NOTICE OF ABSENCE (11.00005)

Cr Hanger - advised he will be absent from 10 June 2011 till 4 July 2011 from

Council. He requested that an apology be registered for all meetings

7 **CATCHMENT MANAGEMENT MONTH (07.00047)**

Cr Carpenter - advised September is Catchment Management month. Suggested a possible tour of Council projects for Councillors, staff and volunteers.

8 **AUSTRALIAN INSTITUTE OF ENERGY (14.00007)**

Cr Carpenter - referred to half day workshop on energy from waste. Asked how methane project at Waste Management Centre was progressing.

The Director Engineering Services gave an update.

9 **LOCAL GOVERNMENT WOMEN'S ASSOCIATION CONFERENCE (18.00008)**

Cr Carpenter - gave report on Conference, good speakers. Most Councils had staff at Conference - suggest 1 or 2 staff attend next year. Mentioned Mid Western Regional Council Women's Program, would like Bathurst to look at similar program.

10 **LOCAL GOVERNMENT ELECTION (12.00010)**

Cr Carpenter - suggested Council should encourage women to stand at the next election. Suggested Council hold a women's breakfast involving staff & community to promote Council - maybe as part of Local Government Week.

11 **MOUNT PANORAMA PROMOTION (20.00020)**

Cr Thompson - received letter from Eglinton resident re methods for promoting Mount Panorama.

The Deputy Mayor suggested this matter be discussed at a future Working Party.

12 **TRAFFIC STRATEGY FOR BATHURST (28.00017)**

Cr Westman - asked have Council done a forward planning Traffic Strategy to 2030 for CBD.

The Director Environmental, Planning & Building Services gave an update and advised that the 1997 Bathurst City Traffic Study was still relevant

13 **PLANNING LAWS (02.00018)**

Cr Westman - requested an update on planning law changes in relation to building matters.

The Director Environmental Planning & Building Services advised that a Working Party could be held on this matter.

14 **TRAFFIC - HOWICK STREET (25.00006)**

Cr Morse - spoke to traffic problems in Howick Street
- cars crossing footpath at Stockland entry - a hazard for pedestrians
- can Council publicise safety issues

The Director Engineering Services responded and will review possible strategies that could be implemented at this site.

15 COMMUNITY GROUPS - INFRASTRUCTURE ON COUNCIL LAND (04.00034)

Cr Morse - spoke to arrangements in place when community groups install infrastructure on Council land. For example, the Rotary Memorial which has issues with its condition. Requested a report on arrangements between groups and Council.

16 LOCAL GOVERNMENT WOMEN'S CONFERENCE (18.00008)

Cr Morse - advised Conference agenda indicated Conference was not worthwhile, and did not attend.

17 MEDIA POLICY (11.00003)

Cr Aubin - asked if there was a Policy for Councillors making comments to media

The General Manager advised Media Policy has previously been provided to Councillors and will be resent.

18 PIGEONS (14.00009)

Cr Bourke - believes money in budget for study is a waste. Need to take some action. Mentioned Melbourne's response.

The Deputy Mayor advised Council will contact Melbourne for information.

Cr Morse - need to encourage the community to become involved as many buildings in CBD are privately owned.

Cr Carpenter - mentioned Blacktown Council hire traps to the community.

19 MEDIA INTERVIEWS (08.00009)

Cr Hanger - advised that 2BS were conducting interviews with Councillors on Friday afternoons.

MEETING CLOSE

20 MEETING CLOSE

The Meeting closed at 5.35 pm.

CHAIRMAN: _____

Date: _____ **(15 June 2011)**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
TRAFFIC COMMITTEE MEETING

**TRAFFIC COMMITTEE MEETING TO THE ORDINARY MEETING OF BATHURST
REGIONAL COUNCIL MEETING HELD ON 15 JUNE 2011**

General Manager
Bathurst Regional Council

1 MINUTES - TRAFFIC COMMITTEE MEETING 7 JUNE 2011 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 7 June 2011 be adopted.

Report: The Minutes of the Traffic Committee Meeting held 7 June 2011, are attached.

Financial Implications: N/A

MINUTE

54 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING 7 JUNE 2011 (07.00006)

MOVED: W Aubin SECONDED: M Morse

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 7 June 2011 be adopted.

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 7 JUNE 2011

2 PM MEETING COMMENCES

1 PRESENT

Members: Cr Warren Aubin (BRC), Sgt Warren Bow (Police), Richard Dunbar (RTA)

Present: Manager Technical Services, Tablelands Area Road Safety Officer

APOLOGIES

2 APOLOGIES

That the apology from Paul Toole MP be accepted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 3 MAY 2011 (07.00006)

That the Minutes of the Traffic Committee Meeting held on 3 May 2011 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 3 MAY 2011 (07.00006)

That the information be noted and necessary actions be taken.

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

That the information be noted.

7 Item 3 PERTHVILLE DEVELOPMENT GROUP SIGN (28.00007-04)

That Council approve the relocation of the Perthville Community sign from its current location outside of the local rural bushfire headquarters to a new location along the Vale Road.

8 Item 4 LOGAN STREET NO STOPPING SIGNS (28.00007-04)

That Council approve the relocation of the 2 No Stopping signs in Logan Street, on the western side of the intersection with Alexander Street. The relocation would be approximately 12 m to the west of their current location.

9 Item 5 FREEMANTLE ENDURANCE RIDERS CLUB INC RIDE (23.00026)

That Council classify the 2011 Freemantle Endurance Riders Club Endurance Ride, to be held in the 6 and 7 August 2011, as a Class 2 event, and the event be approved subject to conditions detailed in the Director Engineering Services' report.

10 Item 6 EGLINTON PUBLIC SCHOOL PEDAL PUSH 2011 (23.00026)

That Council approve the staging of the Eglinton School Pedal Push on Friday 23 September 2011. The event is to be classified as a Class 4 event and approved subject to conditions detailed in the Director Engineering Services' report.

11 Item 7 B-DOUBLE ROUTE – WEST MITCHELL ROAD (28.00012-05)

That Council approve the application for a B-Double route for West Mitchell Road to the Dark Corner Road intersection.

12 Item 8 B-DOUBLE ROUTE – SUNNY CORNER ROAD AND BOBS CREEK ROAD (28.00012-05)

That Council:

- (a) Not approve the application for a B-Double route for Sunny Corner Road from the boundary with Lithgow City Council to Bobs Creek Road.
- (b) Refer the application for a B-Double route along Bobs Creek Road to the Land and Property Management Authority as the controlling body for Crown Roads.

13 Item 9 B-DOUBLE ROUTE – SUNNY CORNER ROAD AND BACK CREEK ROAD (28.00012-05)

That Council:

- (a) Approve the application for a B-Double route for Sunny Corner Road from the boundary with Lithgow City Council to Back Creek Road.
- (b) Refer the application for a B-Double route along Back Creek Road to the Land and Property Management Authority as the controlling body for Crown Roads.

TRAFFIC REGISTER

14 Item 1 TRAFFIC REGISTER (07.00006)

That the information be noted.

MEETING CLOSE

15 MEETING CLOSE

The Meeting closed at 2.52 pm.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DELEGATES REPORTS

**DELEGATES REPORTS TO THE ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL MEETING HELD ON 15 JUNE 2011**

General Manager
Bathurst Regional Council

**1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES HELD
11 MAY 2011 (11.00019)**

Recommendation: That the information be noted.

Report: PRESENT:

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

Director Corporate Services & Finance, Director Engineering
Services, Director Cultural & Community Services, Director
Environmental Planning and Building Services, Manager Corporate
Governance, Manager Environment, Manager of Tourism.

APOLOGIES: Crs Toole and Crs Bourke.

1. BATHURST VIGNERONS (11.00019)

Tony Hatch and Mike Burleigh from the Bathurst Vignerons Association attended the meeting to discuss the promotion of Bathurst Wines.

Discussion included:

- Thanked Council for the support provided at the Bathurst Visitors Information Centre and the Cool Climate Wine Show.
- Advised Bathurst was the first place outside of Sydney to produce wine in the 1830's.
- The Vignerons Association were involved with Bred on the Bridge, Orange Food Week and Canowindra Dinner with Neighbours.
- Advised that at the National Cool Climate Wine Show for the last five years Bathurst Wines have won the Central Ranges Award.
- Bathurst Wines are available at the Bathurst Memorial Entertainment Centre.
- The Bathurst Wine Industry has made a positive contribution to tourism in Bathurst and they would like to expand on this.
- The items they would like Council to consider are:
 - Promotion of Bathurst Wines at Bathurst Regional Council Civic events, these wines could be made available at an agreeable price.

- Sensible and agreeable signage for Wineries in the Bathurst Region.

- The group are currently working on a Wineries of Bathurst website and when completed would like a link from Council's website.
- Mr Hatch also advised that there are five wineries in Bathurst that are all part of the Bathurst Vignerons Association.
- The group has developed a Marketing Strategy, the first stage of which is to have Wines from Bathurst in local restaurants and then stage two of the strategy is to expand into the Blue Mountains.

Financial Implications: N/A

MINUTE

**55 Item 1 COUNCILLORS MEETING WITH COMMUNITY
GROUPS/REPRESENTATIVES HELD 11 MAY 2011 (11.00019)**

MOVED: I North SECONDED: B Bourke

RESOLVED: That the information be noted.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

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

MINUTE

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

MOVED: I North SECONDED: B Bourke

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

There were no representations from the public.

RESOLVED: That:

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

*** Director Environmental Planning & Building Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	QUOTATION 37.00336 BIODIVERSITY MANAGEMENT PLAN	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

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

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	OWNERSHIP OF CHIFLEY ENGINE CARRIAGES	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	PROPOSED NEW RESIDENTIAL LEASE - 310 BROCK SKYLINE, MT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	FUTURE MOTOR RACING EVENTS - EASTER 2012-2015	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** Director Engineering Services' Report**

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

2	TENDER FOR BIOSOLIDS REUSE	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 ACQUISITION OF LAND FOR THE RAGLAN CREEK DIVERSION CHANNEL - PART LOT 6 DP1034958 AND THE TRANSFER OF PART LOT 1 DP1086580, GREAT WESTERN HIGHWAY (SYDNEY ROAD), KELSO	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	COMPULSORY ACQUISITION OF LAND FOR CARLINGFORD LEVEE - LOT 23 DP1162278 PYE STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	COMPULSORY ACQUISITION OF LAND FOR CARLINGFORD LEVEE - LOT 13 DP1162278 PYE STREET BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	TENDER FOR CLEANING	10A (2) (d) (i) – contains

	OF PUBLIC BUILDINGS	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	TENDER FOR PROVISION OF SECURITY TO COUNCIL BUILDINGS	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 Cultural & Community Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) CATERING SERVICES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT
15 JUNE 2011

MINUTE

a **Item 1 QUOTATION 37.00336 BIODIVERSITY MANAGEMENT PLAN (37.00336)**

MOVED: B Bourke SECONDED: I North

That Council accepts the quotation of Mactaggart Natural Resource Management for the preparation of the Biodiversity Management Plan in the amount of \$75,350 inclusive of GST subject to adjustments and provisional items.

Yours faithfully



D R Shaw
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT
15 JUNE 2011

MINUTE

b Item 1 OWNERSHIP OF CHIFLEY ENGINE CARRIAGES (23.00022-01)

MOVED: T Carpenter SECONDED: B Bourke

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

MINUTE

c Item 2 PROPOSED NEW RESIDENTIAL LEASE - 310 BROCK SKYLINE, MT PANORAMA (22.01640)

MOVED: M Morse SECONDED: B Bourke

That Council approves entering into a new residential tenancy agreement for Lot 9 DP1047248 known as 310 Brock Skyline, Mt Panorama with Kenton and Fiona Hope for a period of twelve (12) months with a twelve (12) month option period as detailed in the report.

MINUTE

d **Item 3 FUTURE MOTOR RACING EVENTS - EASTER 2012-2015 (04.00125)**

MOVED: R Thompson SECONDED: I North

That Council by reason of extenuating circumstances not invite tenders for the Bathurst Motor Festival for 2012 to 2015 and authorise the General Manager to negotiate with Yeehah Events to conduct the Bathurst Motor Festival at Easter for the period 2012 to 2015 because at the time of initial negotiation for the 2011 event there were no other reliable tenderers available and that Yeehah Events would only undertake the initial event if given a four year option to run the event in 2012, 2013, 2014 and 2015.

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

DIRECTOR ENGINEERING SERVICES' REPORT

15 JUNE 2011

MINUTE

e Item 1 TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS (36.00424)

MOVED: R Thompson SECONDED: G Westman

That Council accept the following tenders for the supply and delivery of Water Treatment Chemicals from 1 July 2011 to 30 June 2012:

- a) Chemprod Nominees Pty Ltd t/a Omega Chemicals for liquid aluminium sulphate,
- b) Redox Pty Ltd for soda ash.

MINUTE

f **Item 2 TENDER FOR BIOSOLIDS REUSE (36.00426)**

MOVED: G Westman SECONDED: R Thompson

That Council accept the tender from CW and MR Townsend trading as Terra Farma for the reuse and/or reprocessing of Bathurst Regional Council Biosolids from 1 July 2011 to 30 June 2015 with the option to extend the contract period by twelve months pending prevailing circumstances at the conclusion of the four year period.

MINUTE

g Item 3 PROPOSED ACQUISITION OF LAND FOR THE RAGLAN CREEK DIVERSION CHANNEL - PART LOT 6 DP1034958 AND THE TRANSFER OF PART LOT 1 DP1086580, GREAT WESTERN HIGHWAY (SYDNEY ROAD), KELSO (22.05868)

MOVED: B Bourke SECONDED: I North

That Council approve the proposed acquisition of part Lot 6 DP1034958 for construction of a diversion channel for the Raglan Creek and the transfer of Lot 15 DP1086580 as compensation, subject to conditions outlined in the Director Engineering Services' report.

The acquired land is to be classified as Operational Land.

MINUTE

h Item 4 COMPULSORY ACQUISITION OF LAND FOR CARLINGFORD LEVEE - LOT 23 DP1162278 PYE STREET BATHURST (31.00001-07)

MOVED: M Morse SECONDED: W Aubin

That Council make application to the Minister and Governor to compulsorily acquire Lot 23 DP1162278 Pye Street Bathurst under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 and the Local Government Act 1993, for construction of the Carlingford Levee, as set out in the Director Engineering Services' report. The acquired land is to be classified as Operational land.

MINUTE

i Item 5 COMPULSORY ACQUISITION OF LAND FOR CARLINGFORD LEVEE - LOT 13 DP1162278 PYE STREET BATHURST (31.00001-07)

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

That Council make application to the Minister and Governor to compulsorily acquire Lot 13 DP1162278 Pye Street Bathurst under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 and the Local Government Act 1993, for construction of the Carlingford Levee, as set out in the Director Engineering Services' report. The acquired land is to be classified as Operational land.

MINUTE

j Item 6 TENDER FOR CLEANING OF PUBLIC BUILDINGS (36.00427)

MOVED: B Bourke SECONDED: G Westman

That Council:-

- a) Accept the withdrawal of Elizabeth Vasquez from Separable Portion (i) of the Contract, without penalty.
- b) Accept the withdrawal of Pam Evans from Separable Portion (iii) of the Contract, without penalty.
- c) Call fresh tenders for Separable Portions (i) and (iii).

MINUTE

k Item 7 TENDER FOR PROVISION OF SECURITY TO COUNCIL BUILDINGS
(36.00428)

MOVED: G Westman SECONDED: B Bourke

That Council accept the tender of Smith and Co Security Pty Ltd for the Provision of Security to Council Buildings for the amount of \$273,218.40 plus provisional items.

Yours faithfully



Doug Patterson
DIRECTOR
ENGINEERING SERVICES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT
15 JUNE 2011

MINUTE

I Item 1 TENDER FOR BATHURST MEMORIAL ENTERTAINMENT CENTRE (BMEC) CATERING SERVICES (36.00429)

MOVED: R Thompson SECONDED: W Aubin

That Council:

- a) decline to accept any of the tenders received in accordance with Clause 178 (3) of the Local Government (General) Regulation 2005;
- b) not call for fresh tenders as Council is of the opinion that it is not advantageous to do so, given the responses received.
- c) enter into negotiations with both Piper Catering and The Carrington Function Centre and Theatre with a view to entering into a contract in relation to the Contract at BMEC as described in tender 36.00429 and that a further report with the outcomes and recommendations be presented to Council; and
- d) note that Council believe that both Piper Catering and The Carrington Function Centre and Theatre are both suitably qualified and experienced contractors who have the capacity to provide the services of the Contract to the required standard.

Yours faithfully



Annabell Miller
DIRECTOR
CULTURAL & COMMUNITY SERVICES

MINUTE

57 RESOLVE INTO OPEN COUNCIL
MOVED: W Aubin SECONDED: I North

RESOLVED: That Council resume Open Council.

MINUTE

58 **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED: I North SECONDED: G Westman

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

MINUTE

59 MEETING CLOSE

The Meeting closed at 7.27 pm.

CHAIRMAN: _____

Date: _____ **(20 July 2011)**