



ORDINARY MEETING OF
COUNCIL FOLLOWING POLICY
COMMITTEE

29 July 2015

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 5 August 2015

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 5 August 2015 commencing immediately following the conclusion of the Policy Committee (Discussion Forums), which is scheduled for 6 pm.

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

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

TO BE HELD ON WEDNESDAY, 5 AUGUST 2015

1. 7:00 PM - MEETING COMMENCES

2. APOLOGIES

3. 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.

4. 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 accordance with Section 9(2A) of the Local Government Act 1993, it is the opinion of the General Manager that 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 ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR THE DESIGN AND CONSTRUCTION OF A NEW PASSENGER	10A (2) (d) (i) – contains commercial information of a confidential nature that would,

	ELEVATOR, BATHURST CIVIC CENTRE	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 VARIATION FOR THE CONSTRUCTION OF A BMX TRACK AT BATHURST BIKE PARK	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. RESOLVE INTO OPEN COUNCIL

6. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

7. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

Present: Councillors Rush (Chair), Aubin, Bourke, Coote, Jennings, Morse, North, Westman.

MINUTE

- 2 **APOLOGIES**
MOVED: Cr I North SECONDED: Cr B Bourke

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

MINUTE

3 DECLARATION OF INTEREST 11.00002
MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That the following Declarations of Interest be noted.

Cr Rush

Item #2 of the Director Engineering Services Confidential report

Cr Westman

Item #2 of the Director Engineering Services Confidential report

MINUTE

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

MOVED: Cr M Coote 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 ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR THE DESIGN AND CONSTRUCTION OF A NEW PASSENGER ELEVATOR, BATHURST CIVIC CENTRE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER VARIATION FOR THE CONSTRUCTION OF A BMX TRACK AT BATHURST BIKE PARK	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' CONFIDENTIAL MINUTES

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

5 AUGUST 2015

MINUTE

- a Item 1 TENDER FOR THE DESIGN AND CONSTRUCTION OF A NEW PASSENGER ELEVATOR, BATHURST CIVIC CENTRE (36.00525)
MOVED: Cr B Bourke SECONDED: Cr W Aubin

RESOLVED: That Council accept the tender of KONE Elevators for \$203,535.20 (GST incl.), subject to variations and provisional items.

MINUTE

b Item 2 TENDER VARIATION FOR THE CONSTRUCTION OF A BMX TRACK AT BATHURST BIKE PARK (36.00547)

MOVED: Cr B Bourke SECONDED: Cr M Coote

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

Reason: BMX Club Secretary

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

Reason: One of the Tenderers is a relative of partner

Cr North took the Chair.

RESOLVED: That Council accept the variation from Central West Civil Pty Ltd for the amount of \$265,786.82 (incl. GST) for the addition of an International 8m Start Ramp for the Bathurst BMX track.

The Mayor returned to the meeting and took the Chair.

MINUTE

- 5 **RESOLVE INTO OPEN COUNCIL**
MOVED: Cr M Coote SECONDED: Cr I North

RESOLVED: That Council resume Open Council.

MINUTE

- 6** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED: Cr M Coote SECONDED: Cr I North

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

MINUTE

7 MEETING CLOSE

The Meeting closed at 7.42 pm.

CHAIRMAN: _____

Date: _____ **(19 August 2015)**