



ORDINARY MEETING OF
COUNCIL FOLLOWING POLICY
COMMITTEE

29 March 2017

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 5 April 2017

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 5 April 2017 commencing at approximately 6.00 pm (or immediately following the conclusion of the Policy Committee).

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 APRIL 2017

1. 6:00 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. RECEIVE AND DEAL WITH DIRECTORS' REPORTS

- * DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT
- * DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT
- * DIRECTOR ENGINEERING SERVICES' REPORT

5. 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 ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	SUBDIVISION OF LAND AT 129 OPHIR ROAD, LLANARTH	10A (2) (d) (iii) – contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.

*** DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	PURCHASE OF LAND AT EVANS PLAINS	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 DEMOLITION AND DISPOSAL OF REDUNDANT SODA ASH EQUIPMENT AT BATHURST WATER FILTRATION PLANT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER FOR DESIGN OF WINDRADYNE SUBDIVISION STAGE 1100	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	TENDER FOR CONSTRUCTION OF PERTHVILLE FLOOD MITIGATION	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	TENDER FOR CONSTRUCTION OF PERTHVILLE STORMWATER DRAINAGE	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. RESOLVE INTO OPEN COUNCIL
7. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
8. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

Present: Councillors Hanger (Chair), Aubin, Bourke, Coote, North, Westman.

MINUTE

2 APOLOGIES

MOVED: Cr B Bourke SECONDED: Cr W Aubin

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

MINUTE

3 DECLARATION OF INTEREST 11.00002 MOVED: Cr W Aubin SECONDED: Cr M Coote

RESOLVED: That the following Declaration of Interest be noted.

Cr Hanger

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

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES'
REPORT AND MINUTES**

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

5 APRIL 2017

**1 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, DA 2010/0089)**

Recommendation: That the information be noted.

Report: The following items have been included in the confidential section of the business paper for Council's consideration:

1 SUBDIVISION OF LAND AT 129 OPHIR ROAD, LLANARTH (DA2010/0089)

The report concerns the proposed residential subdivision and the requirement to construct a sewer pump station at Ophir Road, Llanarth.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8

MINUTE

4 Item 1 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, DA 2010/0089)

MOVED: Cr B Bourke SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'J. Bingham', with a long horizontal flourish extending to the right.

J Bingham
ACTING DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND
MINUTES**

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

5 APRIL 2017

**1 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 22.01512)**

Recommendation: That the information be noted.

Report: The following items have been included in the confidential section of the business paper for Council's consideration:

1 PURCHASE OF LAND AT EVANS PLAINS (22.01512)

The report concerns the proposed purchase of land at Boundary Road, Evans Plains.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

MINUTE

5 Item 1 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 22.01512)

MOVED: Cr G Westman SECONDED: Cr M Coote

RESOLVED: That the information be noted.

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

5 APRIL 2017

**1 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 21.00026, 36.00627, 36.00623, 36.00624)**

Recommendation: That the information be noted.

Report: The following items have been included in the Confidential section of the business paper for Council's consideration:

**1. TENDER FOR DEMOLITION AND DISPOSAL OF REDUNDANT SODA ASH
EQUIPMENT AT BATHURST WATER FILTRATION PLANT (21.00026)**

The report considers the tender for the demolition and disposal of redundant soda ash dosing equipment at the Water Filtration Plant.

**2. TENDER FOR THE DESIGN OF WINDRADYNE SUBDIVISION STAGE 1100
(36.00627)**

The report considers the tender for the design of the Windradyne Residential Subdivision Stage 1100.

**3. TENDER FOR THE CONSTRUCTION OF PERTHVILLE FLOOD MITIGATION
(36.00623)**

The report considers the tender for the construction of Perthville Flood Mitigation.

**4. TENDER FOR CONSTRUCTION OF PERTHVILLE STORMWATER DRAINAGE
(36.00624)**

The report considers the tender for the construction of Perthville Stormwater Drainage.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

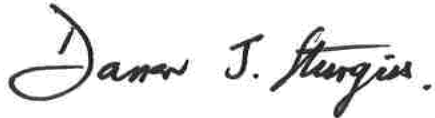
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MINUTE

6 Item 1 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 21.00026, 36.00627, 36.00623, 36.00624)
MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink that reads "Darren J. Sturgiss". The signature is written in a cursive, flowing style.

Darren Sturgiss
**ACTING DIRECTOR
ENGINEERING SERVICES**

MINUTE

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

MOVED: Cr M Coote SECONDED: Cr G Westman

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.
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*** DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

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*** DIRECTOR ENGINEERING SERVICES' REPORT**

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	BATHURST WATER FILTRATION PLANT	as it would prejudice the commercial position of the person who supplied it.
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**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES'
CONFIDENTIAL MINUTES**

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

5 APRIL 2017

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(a) Item 1 SUBDIVISION OF LAND AT 129 OPHIR ROAD, LLANARTH (DA2010/0089)

MOVED: Cr G Westman SECONDED: Cr B Bourke

That Council accept a bank guarantee for the sewer pump station for Development Application 2010/0089.

**DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL
MINUTES**

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

5 APRIL 2017

MINUTE

(b) Item 1 PURCHASE OF LAND AT EVANS PLAINS (22.01512)
MOVED: Cr B Bourke SECONDED: Cr G Westman

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

Reason: Family members are involved.

The Mayor, Cr Hanger vacated the Chair.

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

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

DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

5 APRIL 2017

MINUTE

(c) Item 1 TENDER FOR DEMOLITION AND DISPOSAL OF REDUNDANT SODA ASH EQUIPMENT AT BATHURST WATER FILTRATION PLANT (21.00026)

MOVED: Cr G Westman SECONDED: Cr M Coote

That Council accept the tender from Hunter Tech Services Pty Ltd for the Demolition and Disposal of Redundant Soda Ash Dosing Equipment at the Water Filtration Plant for the sum of \$48,735.60 including GST subject to adjustments and provisional items.

MINUTE

(d) Item 2 TENDER FOR DESIGN OF WINDRADYNE SUBDIVISION STAGE 1100 (36.00627)

MOVED: Cr I North SECONDED: Cr G Westman

That Council accepts the tender of AT&L for the Design of the Windradyne Residential Subdivision Stage 1100 to the amount of \$133,532.00 incl. GST subject to adjustments and provisional items.

MINUTE

(e) Item 3 TENDER FOR CONSTRUCTION OF PERTHVILLE FLOOD MITIGATION (36.00623)

MOVED: Cr M Coote SECONDED: Cr G Westman

That:

- (a) Council decline to accept any of the tenders
- (b) Council enter into negotiations with Hynash Constructions Pty Ltd with a view to entering into a contract in relation to the Perthville Flood Mitigation works
- (c) the reasons for declining to invite fresh tenders are due to funding limitations, construction timing and coordination restrictions
- (d) the reason for determining to enter into negotiations with Hynash Constructions Pty Ltd is that they are the preferred tenderer in accordance with the Selection Criteria for the tendered works

MINUTE

**(f) Item 4 TENDER FOR CONSTRUCTION OF PERTHVILLE
STORMWATER DRAINAGE (36.00624)**

MOVED: Cr M Coote SECONDED: Cr G Westman

That Council defer consideration of this matter pending receipt of further information.

MINUTE

- 8** **RESOLVE INTO OPEN COUNCIL**
MOVED: Cr M Coote SECONDED: Cr W Aubin

RESOLVED: That Council resume Open Council.

MINUTE

9 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
MOVED: Cr M Coote SECONDED: Cr W Aubin

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

MINUTE

10 MEETING CLOSE

The Meeting closed at 7.20 pm.

CHAIRMAN: _____