



ORDINARY MEETING OF
COUNCIL FOLLOWING POLICY
COMMITTEE

31 May 2017

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 7 June 2017

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 7 June 2017 commencing at approximately 6.16 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, 7 JUNE 2017

1. 6:16 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 CORPORATE SERVICES & FINANCE'S 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 ENGINEERING SERVICES' REPORT

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR	10A (2) (d) (i) – contains commercial information

	PROVISION OF TRAFFIC CONTROL SERVICES	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 ROAD STABILISING WORKS	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 THE SUPPLY, DELIVERY AND PLACEMENT OF 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.
4	TENDER FOR THE 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.
5	TENDER FOR THE 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.
6	TENDER FOR THE 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.
7	TENDER FOR PREFERRED CONTRACTORS LIST FOR MINOR BUILDING WORKS	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 THE PROVISION OF SECURITY FOR 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.
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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, Morse, Westman.

MINUTE

2 APOLOGIES

MOVED: Cr M Coote SECONDED: Cr B Bourke

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

MINUTE

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

RESOLVED: That the following Declaration of Interest be noted.

Cr Hanger

Item # 7 of the Director Engineering Services' confidential report.

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

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

7 JUNE 2017

1 LOAN FUNDING FROM NSW TREASURY CORPORATION (16.00020)

Recommendation: That Council approve the execution of the Loan Agreement with New South Wales Treasury Corporation.

Report: Bathurst Regional Council's Annual Operating Plan 2016/2017 includes loan funding for various projects.

Council is now able to take advantage of borrowing at a reduced interest rate through NSW Treasury Corporation (TCorp). The rates offered by TCorp, shown at **attachment 1** are 3.10% for a ten year loan and 3.75% for a twenty year loan, the higher rate due to the interest rate risk uncertainty over the longer term. As a comparison, last year's borrowings from ANZ were completed at an interest rate of 3.47% fixed for ten years and Council also has a ten year floating rate loan with NAB which was reset on 17 May 2017 at 3.69%.

Part of the requirements of the borrowing process is that the execution of the loan agreement, shown at **attachment 2** must be approved at a Council meeting.

Financial Implications: Loan funding, and subsequent repayment, has been included in the Annual Operating Plan 2016/2017 to undertake various capital projects.

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 28.6
- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.3
- Objective 33: To be and develop good leaders. Strategy 33.5

MINUTE

- 4 **Item 1 LOAN FUNDING FROM NSW TREASURY CORPORATION (16.00020)**
MOVED: Cr G Westman SECONDED: Cr M Morse

RESOLVED: That Council approve the execution of the Loan Agreement with New South Wales Treasury Corporation.

Yours faithfully



R Roach
DIRECTOR
CORPORATE SERVICES & FINANCE

MINUTE

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

MOVED: Cr W Aubin SECONDED: Cr M Coote

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 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.
2	TENDER FOR ROAD STABILISING WORKS	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 THE SUPPLY, DELIVERY AND PLACEMENT OF 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.
4	TENDER FOR THE 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.
5	TENDER FOR THE	10A (2) (d) (i) – contains commercial information of a

	CLEANING OF PUBLIC TOILETS	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 THE 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.
7	TENDER FOR PREFERRED CONTRACTORS LIST FOR MINOR BUILDING WORKS	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 THE PROVISION OF SECURITY FOR 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 ENGINEERING SERVICES' CONFIDENTIAL MINUTES

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

7 JUNE 2017

MINUTE

(a) Item 1 TENDER FOR PROVISION OF TRAFFIC CONTROL SERVICES
(36.00628)

MOVED: Cr B Bourke SECONDED: Cr M Coote

That Council accept the tender from Work Control for Provision of Traffic Control Services for Contract No. 36.00628.

MINUTE

(b) Item 2 TENDER FOR ROAD STABILISING WORKS (36.00629)
MOVED: Cr G Westman SECONDED: Cr B Bourke

That Council accept the tender from Downer EDI Works for Road Stabilising Work for Contract No. 36.00629.

MINUTE

**(c) Item 3 TENDER FOR THE SUPPLY, DELIVERY AND PLACEMENT OF
SPRAYED BITUMINOUS SURFACING (36.00630)**

MOVED: Cr W Aubin SECONDED: Cr G Westman

That Council accept the tender from SRS Roads Pty Ltd for the provision of Sprayed Bituminous Surfacing for Contract No. 36.00630.

MINUTE

(d) Item 4 TENDER FOR THE CLEANING OF PUBLIC BUILDINGS (36.00635)

MOVED: Cr G Westman SECONDED: Cr B Bourke

That Council accept the tendered prices (incl GST) of:

Nimdor Cleaning Services Pty Ltd	Separable Portion (i)	\$87,600.00
SKG Cleaning Services Pty Ltd	Separable Portion (ii)	\$94,380.00
TJS Services Group Pty Ltd	Separable Portion (iii)	\$56,350.27
Northern Contract Cleaners Pty Ltd	Separable Portion (iv)	\$59,528.00
Nimdor Cleaning Services Pty Ltd	Separable Portion (v)	\$101,700.00
Nimdor Cleaning Services Pty Ltd	Separable Portion (vi)	\$71,080.00
Nimdor Cleaning Services Pty Ltd	Separable Portion (vii)	\$46,070.00
Nimdor Cleaning Services Pty Ltd	Separable Portion (viii)	\$5,200.00
Nimdor Cleaning Services Pty Ltd	Separable Portion (ix)	\$38,220.00
SKG Cleaning Services Pty Ltd	Separable Portion (x)	\$27,283.12

MINUTE

(e) Item 5 TENDER FOR THE CLEANING OF PUBLIC TOILETS (36.00634)
MOVED: Cr G Westman SECONDED: Cr B Bourke

That Council accept the tender of Nimdor Cleaning Services Pty Ltd for the amount of \$149,556.00 (inc.GST) for the Cleaning of Council Public Toilets, subject to alterations and provisional items, with the option for Council to extend for a further two (2) years at an additional cost of \$149,556.00 (inc.GST).

MINUTE

**(f) Item 6 TENDER FOR THE PROVISION OF SANITARY SERVICES
(36.00633)**

MOVED: Cr G Westman SECONDED: Cr W Aubin

That Council accept the tender of Flick Anticimex Pty Ltd for the amount of \$29,873.25 (inc.GST) for the Provision of Sanitary Services, subject to alterations and provisional items, with the option for Council to extend for a further two (2) years at a cost of \$31,366.91 (inc. GST).

MINUTE

(g) Item 7 TENDER FOR PREFERRED CONTRACTORS LIST FOR MINOR BUILDING WORKS (36.00636)

MOVED: Cr B Bourke SECONDED: Cr M Morse

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

Reason: Business tendering for Industrial Electrical Preferred Contractors list is owned by a family member.

The Mayor, Cr Hanger vacated the Chair.

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

That Council accepts 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 Director Engineering Services' report, subject to submission of complete information being supplied for casual hire and in accordance with the General Conditions of Tender.

MINUTE

(h) Item 8 TENDER FOR THE PROVISION OF SECURITY FOR COUNCIL BUILDINGS (36.00632)

MOVED: Cr G Westman SECONDED: Cr M Coote

That Council accept the tender from Smith and Co Security Pty Ltd for the provision of Security for Council Buildings for the tender amount of \$179,631.85 (inc GST) plus provisional items for two (2) years, with the option for Council to extend for a further two (2) years at \$186,774.29.

MINUTE

- 6** **RESOLVE INTO OPEN COUNCIL**
MOVED: Cr G Westman SECONDED: Cr W Aubin

RESOLVED: That Council resume Open Council.

MINUTE

7 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
MOVED: Cr B Bourke SECONDED: Cr G Westman

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

MINUTE

8 MEETING CLOSE

The Meeting closed at 6.31 pm.

CHAIRMAN: _____