



ORDINARY MEETING OF
COUNCIL FOLLOWING POLICY
COMMITTEE

30 November 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, 7 December 2011 commencing at approximately 6.00 pm (or immediately following the conclusion of the Policy Committee).

A handwritten signature in blue ink, appearing to read "DJS", is positioned above the typed name.

D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

TO BE HELD ON WEDNESDAY, 7 DECEMBER 2011

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

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

| ITEM | SUBJECT | REASON FOR CONFIDENTIALITY |
|------|---|--|
| 1 | REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PANTHERS FOOTBALL | 10A (2) (d) (i) – contains commercial information of a confidential nature that would, |

| | | |
|---|---|---|
| | CLUB | 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 | BAD DEBT WRITE OFF - JFTA PTY LTD | 10A (2) (b) – contains advice concerning hardship of a resident or ratepayer, disclosure of which would not be in the public interest as it would prejudice the personal position of the individual concerned. |
| 3 | CARILLON THEATRICAL SOCIETY 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. |
| 4 | RURAL FIRE SERVICE - POTENTIAL LOCATIONS FOR A NEW CHIFLEY ZONE FIRE CONTROL CENTRE | 10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it. |

6. RESOLVE INTO OPEN COUNCIL
7. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
8. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

2 APOLOGIES
MOVED: T Carpenter SECONDED: R Thompson

RESOLVED: That the apologies from Cr B Bourke and Cr M Morse be accepted and leave of absence granted.

MINUTE

3 DECLARATION OF INTEREST 11.00002
MOVED: P Toole SECONDED: W Aubin

RESOLVED: That the following Declarations of Interest be noted.

Cr North

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

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE
DIRECTOR CORPORATE SERVICES & FINANCE'S REPORTS & MINUTES

7 DECEMBER 2011

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT TO THE ORDINARY
MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE MEETING HELD ON 7
DECEMBER 2011**

General Manager
Bathurst Regional Council

1 BLUE HELIOTROPE (18.00004)

Recommendation: That Council contribute \$5,000 to Upper Macquarie County Council to be used in the control of Blue Heliotrope.

Report: During 2009/2010 Council contributed \$25,000 towards the control of Blue Heliotrope by Upper Macquarie County Council. This contribution allowed Upper Macquarie County Council to commence a control/eradication program for this weed.

During the preparation of the Management Plan 2010/2011 this expenditure item was missed from the budget process. In order to assist Upper Macquarie County Council with a follow up program for this year it is requested that Councillor's provide \$5,000 to Upper Macquarie County Council and that it be funded from Bathurst Regional Council Weed Control Program which has a vote of \$20,000 and an expenditure so far this year of \$0.

Financial Implications: There are no overall changes to the budget as the total expenditure on this item will remain at \$20,000.

MINUTE

4 Item 1 BLUE HELIOTROPE (18.00004)

MOVED: R Thompson SECONDED: W Aubin

RESOLVED: That Council contribute \$5,000 to Upper Macquarie County Council to be used in the control of Blue Heliotrope.

2 SUBMISSION ON FINANCIAL STATEMENTS (16.00034-07/041)

Recommendation: That the submissions be noted and that they be referred to Council's auditors.

Report: Council has received a submission from Mr G.A Crisp shown at **Attachment 1.**

Financial Implications: Nil.

MINUTE

5 Item 2 SUBMISSION ON FINANCIAL STATEMENTS (16.00034-07/041)

MOVED: G Hanger SECONDED: T Carpenter

RESOLVED: That the submissions be noted and that they be referred to Council's auditors.

3 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PANORAMA CHORUS (18.00004)

Recommendation: That Council donate \$806.25 to Bathurst Panorama Chorus towards the cost of hiring Bathurst Memorial Entertainment Centre for the 20th Anniversary Concert from Section 356 Donations. By allowing for:

1. 50% reduction in venue hire charge for the Theatre (8 hour hire for evening performance)
2. 50% reduction in hire charge for acoustic panels
3. 50% reduction in hire charge for Grand Piano
4. 50% reduction in hire charge for Audio Visual projector screens

Report: Council has received a request from Bathurst Panorama Chorus for financial assistance to assist with the hire charges for the Bathurst Memorial Entertainment Centre for the 20th Anniversary Concert. A copy of the request is provided at **attachment 1**.

This concert will include performers who have been participating in the recent guest program. The concert will also highlight the talent of local students with performances by Cirkus Surreal from Denison College Kelso High campus and students aged 8-15 years from the Ali Lavis Suzuki Piano Studio.

As you are aware, Bathurst Panorama Chorus is a not-for-profit community group. The Chorus currently has 31 active members. The Chorus regularly participates in community and cultural events and has represented the Bathurst Region with distinction in national and international competitions during its 20 year history.

The aim of the concert is to celebrate the Chorus' history and achievements and promote the artistic talents of local youth. The concert will contribute to fund-raising for the ongoing operations of the Chorus.

Financial Implications: Council's BMEC Section 356 vote has been exhausted therefore this funding will need to come from the General Section 356 Donations which currently has a balance of \$26,791.70.

MINUTE

6 Item 3 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PANORAMA CHORUS (18.00004)

MOVED: P Toole SECONDED: T Carpenter

RESOLVED: That Council donate \$806.25 to Bathurst Panorama Chorus towards the cost of hiring Bathurst Memorial Entertainment Centre for the 20th Anniversary Concert from Section 356 Donations. By allowing for:

1. 50% reduction in venue hire charge for the Theatre (8 hour hire for evening performance)
2. 50% reduction in hire charge for acoustic panels
3. 50% reduction in hire charge for Grand Piano
4. 50% reduction in hire charge for Audio Visual projector screens

4 BATHURST REGIONAL COUNCIL PICNIC DAY (07.00046)

Recommendation: That Council:

- (a) designate Friday 17 February 2012 as the Picnic Day holiday.

Report: Council has received notification from the Council's United Services Union Delegate, that they wish to designate Friday, 17 February 2012 as the Picnic Day. Whilst a number of Council services may be closed, emergency services will still remain available in accordance with normal on-call arrangements.

As all Council employees are not eligible for the picnic day Council will maintain operational staff on the 17 February 2012.

Financial Implications: Council has allowed for a Picnic Day within its Management Plan Process.

MINUTE

7 Item 4 BATHURST REGIONAL COUNCIL PICNIC DAY (07.00046)

MOVED: P Toole SECONDED: W Aubin

RESOLVED: That Council:

- (a) designate Friday 17 February 2012 as the Picnic Day holiday.

**5 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST HEALTH COUNCIL
(18.00004)**

Recommendation: That Council donate \$917 to Bathurst Health Council towards the cost of hiring Bathurst Memorial Entertainment Centre for meetings to be held in February and March 2012 from Section 356 Donations.

Report: Council has received a request from Bathurst Health Council for financial assistance to provide a meeting room at Bathurst Memorial Entertainment Centre for two events. The events are:

- An industry forum in mid February focussing on aged care issues in light of the Productivity Commissioners recent report "Caring for Older Australian's". the day will explore the implications for Bathurst, local providers and seek to identify ways in which services can be delivered more effectively within the community. we would anticipate approximately 40 people would attend this day which would attend this day which would run between 9am and 4pm.
- A "Seniors Expo" to be held during Seniors Week 2012. the expo would be open to the general public between 9am and 3pm and will include both information sessions and general information from local providers. Typically, these events draw between 100 and 200 people.

Bathurst Health Council have also asked that Council provide food/light meal for both these events.

As Council is providing a meeting venue at a cost of \$917 the further provision of food should be the responsibility of Bathurst Health Council. Should Council provide the cost of food this would approximately be \$700.

A copy of the request is provided at **attachment 1**.

Financial Implications: Council's BMEC Section 356 vote has been exhausted therefore this funding will need to come from the General Section 356 Donations which currently has a balance of \$26,791.70.

MINUTE

8 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST HEALTH COUNCIL (18.00004)

MOVED: T Carpenter SECONDED: R Thompson

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

Reason: Member of Bathurst Health Council

RESOLVED: That Council donate \$1500 to Bathurst Health Council towards the cost of hiring Bathurst Memorial Entertainment Centre for meetings to be held in February and March 2012 from Section 356 Donations to cover hire of:

- (a) City Hall for Seniors Expo with an additional meeting room.
- (b) Provision of meeting room for industry forum and tea and coffee.

**6 REQUEST FOR FINANCIAL ASSISTANCE - THE RICHMOND FELLOWSHIP
(18.00004)**

Recommendation: That Council donate \$405 to The Richmond Fellowship towards the cost of hiring the Library Meeting Room from Section 356 Donations.

Report: Council has received a request from The Richmond Fellowship for financial assistance hiring the Library Meeting Room for 3 days, 28 November 2011 to 30 November 2011. A copy of the request is provided at **attachment 1**.

The Richmond Fellowship is a not for profit, non-government organisation, which has been providing recovery focused programs, accommodation support and hope for people living with mental illness in Bathurst for the past five years and in NSW for over 30 years. Their objective is to support people with a mental health issue who have complex needs and experience significant social disadvantage, to live independently in the community and to achieve their life goals.

Financial Implications: This request could be funded from Council's Section 356 Donations which currently has a balance of \$26,791.70.

MINUTE

9 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - THE RICHMOND FELLOWSHIP (18.00004)

MOVED: P Toole SECONDED: G Hanger

RESOLVED: That Council donate \$405 to The Richmond Fellowship towards the cost of hiring the Library Meeting Room from Section 356 Donations.

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

MINUTE

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

MOVED: P Toole **SECONDED:** W Aubin

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 Corporate Services & Finance's Report**

| ITEM | SUBJECT | REASON FOR CONFIDENTIALITY |
|------|--|---|
| 1 | REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PANTHERS FOOTBALL CLUB | 10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it. |
| 2 | BAD DEBT WRITE OFF - JFTA PTY LTD | 10A (2) (b) – contains advice concerning hardship of a resident or ratepayer, disclosure of which would not be in the public interest as it would prejudice the personal position of the individual concerned. |
| 3 | CARILLON THEATRICAL SOCIETY INC | 10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council |

| | | |
|--|--|---|
| | | <p>is conducting (or proposes to conduct) business.</p> <p>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.</p> |
| | <p>RURAL FIRE SERVICE - POTENTIAL LOCATIONS FOR A NEW CHIFLEY ZONE FIRE CONTROL CENTRE</p> | <p>10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.</p> <p>Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.</p> |

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE
DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL MINUTES

7 DECEMBER 2011

MINUTE

a Item 1 REQUEST FOR FINANCIAL ASSISTANCE - BATHURST PANTHERS FOOTBALL CLUB (04.00008-09/069)

MOVED: T Carpenter SECONDED: R Thompson

That the information be noted.

MINUTE

b Item 2 BAD DEBT WRITE OFF - JFTA PTY LTD (16.00041-06/029)

MOVED: T Carpenter SECONDED: W Aubin

That Council write off the amount of \$26,728.00 for tip charges incurred during May 2011.

MINUTE

c Item 3 CARILLON THEATRICAL SOCIETY INC (18.00203/036)

MOVED: T Carpenter SECONDED: I North

That Council agree to a further extension of twelve (12) months of:

1. no principal repayments to be made for the period to December 2012, and
2. reducing the current interest rate of 6.23% by half to 3.12%

MINUTE

d Item 4 RURAL FIRE SERVICE - POTENTIAL LOCATIONS FOR A NEW CHIFLEY ZONE FIRE CONTROL CENTRE (13.00020)

MOVED: R Thompson SECONDED: W Aubin

That Council

- (a) continue the feasibility study into Lot 201 DP 1074567 Hampden Park Road to determine its suitability as the site for the construction of a proposed Fire Control Centre for Chifley Zone NSW Rural Fire Service and Bathurst SES unit
- (b) continue negotiations with RFS regarding the design and construction of the proposed facilities to determine a total cost for the project
- (c) refer the provision of contribution to the Rural Fire Fighting Fund for the proposed facility to the 2012/2013 Management Plan
- (d) continue negotiations with State Emergency Service to ascertain requirements for their proposed facility and funding options

Yours faithfully



R Roach
**DIRECTOR
CORPORATE SERVICES & FINANCE**

MINUTE

- 11 **RESOLVE INTO OPEN COUNCIL**
MOVED: W Aubin SECONDED: I North

RESOLVED: That Council resume Open Council.

MINUTE

- 12 **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED: W Aubin SECONDED: R Thompson

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

MINUTE

13 MEETING CLOSE

The Meeting closed at 6.03 pm.

CHAIRMAN: _____

Date: _____ **(1 February 2012)**