



ORDINARY MEETING OF  
COUNCIL FOLLOWING POLICY  
COMMITTEE

28 March 2012

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, 4 April 2012 commencing at approximately 5.15 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, 4 APRIL 2012**

1. 5:15 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 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	HIRE OF MOUNT PANORAMA CIRCUIT	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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**\* Director Engineering Services' Report**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	CONSTRUCTION OF THE CARLINGFORD LEVEE	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 ACQUISITION FOR PERTHVILLE LEVEE CONSTRUCTION, PART LOT 14 DP246890, 11 BRIDGE STREET, PERTHVILLE	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 EASEMENT TO DRAIN WATER VARIABLE WIDTH - LOT 303 DP1072293, 7 QUINN COURT, LLANARTH	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

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

## MINUTE

### 1 MEETING COMMENCES

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

**MINUTE**

**2     APOLOGIES**

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

**RESOLVED:** That the apologies from Crs Toole & Carpenter be accepted and leave of absence granted.

**MINUTE**

**3     DECLARATION OF INTEREST 11.00002**

**MOVED: I North SECONDED: M Morse**

**RESOLVED:** That the Declaration of Interest be noted.

**MINUTE**

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

**MOVED: M Morse 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.

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

4 APRIL 2012

**MINUTE**

a **Item 1 HIRE OF MOUNT PANORAMA CIRCUIT (04.00009-16/024)**

**MOVED: W Aubin SECONDED: R Thompson**

**That** Council act in accordance with the report.

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTE

4 APRIL 2012

**MINUTE**

**b     Item 1   CONSTRUCTION OF THE CARLINGFORD LEVEE (36.00445)**

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

**That** Council accept the tender of Hynash Pty Ltd in the amount of \$1,404,163.20 (incl GST) for construction of the Carlingford Levee subject to adjustments and provisional items.

**MINUTE**

**c     Item 2   PROPOSED ACQUISITION FOR PERTHVILLE LEVEE  
CONSTRUCTION, PART LOT 14 DP246890, 11 BRIDGE STREET, PERTHVILLE  
(22.00528 and 31.00001-11)**

**MOVED: I North SECONDED: M Morse**

**That** Council approve the proposed acquisition of land for construction of the Perthville Levee located at Lot 14 DP246890 being 11 Bridge Street, Perthville, subject to the conditions outlined in the Director Engineering Services report. The acquired land is to be classified as Operational land under the provisions of Section 31(2) of the Local Government Act 1993.

**MINUTE**

**d Item 3 PROPOSED EASEMENT TO DRAIN WATER VARIABLE WIDTH - LOT 303 DP1072293, 7 QUINN COURT, LLANARTH (22.10726)**

**MOVED: G Hanger SECONDED: R Thompson**

**That** Council approve the creation of a proposed easement to drain water variable width located at Lot 303 DP1072293 being 7 Quinn Court Llanarth, as detailed in the Director Engineering Services' report.

**MINUTE**

**5     RESOLVE INTO OPEN COUNCIL**

**MOVED: B Bourke SECONDED: G Hanger**

**RESOLVED:** That Council resume Open Council.



**MINUTE**

**6     ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**

**MOVED: W Aubin SECONDED: I North**

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

**MINUTE**

**7     MEETING CLOSE**

The Meeting closed at 5.48 pm.

**CHAIRMAN:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **(18 April 2012)**