



ORDINARY MEETING OF
COUNCIL FOLLOWING POLICY
COMMITTEE

28 March 2018

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 4 April 2018

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 4 April 2018 commencing at approximately 7.39 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 2018

1. 7:39 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 GENERAL MANAGER'S AND DIRECTORS' REPORTS

* 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 10B(1) it is considered that discussion of the matter in open meeting, would on balance, be contrary to the public interest.

3. 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 REFURBISHMENT OF PIT STRAIGHT WALKWAY BRIDGE	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, Christian, Fry, Jennings, Morse, North.

MINUTE

2 APOLOGIES

MOVED: Cr A Christian SECONDED: Cr M Morse

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

MINUTE

- 3** **DECLARATION OF INTEREST 11.00002**
 MOVED: Cr W Aubin SECONDED: Cr J Jennings

RESOLVED: That the Declaration of Interest be noted.

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

4 APRIL 2018

1 MACHATTIE PARK FLYING-FOX UPDATE (04.00012)

Recommendation: That the information be noted.

Report: The following information is provided to update Council on the various actions that have occurred over the past months in relation to the Flying-fox camp at Machattie Park.

Since December 2017, a colony of flying-foxes established a camp within the tree canopy of Machattie Park. It is estimated that in January 2018, the colony had reached a peak population size of approximately 2,500 individuals and are occupying an area of approximately 1/3 of the park. The colony consists of two species of flying-fox, including the Grey-headed flying-fox (*Pteropus poleocephalus*) and Little red flying-fox (*Pteropus scapulatus*).

On 30 January 2018 Council was awarded a grant under the Local Government NSW and Office of Environment's Flying-fox Grant Program of up to \$22,059 (GST Inc) to assist with clean-up works to maintain the amenity and usability of Machattie Park. As per the grant conditions, Council is required to match the grant funding on a dollar for dollar basis with cash and in-kind contributions. A contract has already been awarded to a local business for weekly lawn and path raking to clean up the additional debris dropped by the flying-foxes. A contract has also been awarded to a local company to clean the bench seats located under the flying-fox colony on a twice weekly basis. The maintenance and cleaning works will continue until mid-April or sooner if the Flying-foxes migrate from the park.

On 16 February 2018 Council was awarded another grant under the Local Government NSW and Office of Environment's Flying-fox Grant Program of up to \$16,500 (GST Inc) to contribute towards the preparation of a Flying-fox Camp Management Plan. This plan must be prepared in line with the NSW State Government's *Flying-fox Camp Management Policy 2015* and approved by the Office of Environment and Heritage prior to any actions that disturb or harm the flying-foxes or alter their habitat. Council will be required to match the grant funding on a dollar for dollar basis with cash and in-kind contributions.

Council had sought quotations for and subsequently awarded a contract to Eco Logical Australia, who are experienced ecological consultants, to prepare Council's Flying-fox Camp Management Plan. Eco Logical Australia has previously prepared a number of Flying-fox Camp Management Plans for other Councils across NSW including colonies that have been located adjacent to highly populated residential areas. The development of the plan will include a compulsory community consultation period to gauge community concerns, provide education surrounding the risks associated with flying-foxes, describe experiences from other colonies within NSW and develop specific management actions. The consultation process will involve a community information session, online survey, and letters to key stakeholders and nearby properties. It is envisaged that the Management Plan will be ready for Council adoption by the end of the financial year.

At the time of writing this report, the flying-fox colony at Machattie Park was observed to be declining in numbers and with the onset of colder nights, it is envisaged that the colony will soon migrate out of the Bathurst Region.

Financial Implications: Council has been awarded a Grant from NSW Local Government to cover 50% of the cost of preparing a Flying-fox Camp Management Plan. Council's contribution for the development of the plan is estimated to be \$8,690 GST Inc.

Council has also been awarded a Grant from NSW Local Government to cover 50% of the

cost of providing additional park maintenance and cleaning works at Machattie Park. Council's expected contribution for these works is estimated to be \$7,920 GST Inc.

Contributions towards the above actions and plan will be funded within the existing 2017/18 Management Plan.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 10: To protect and enhance the region's biodiversity. Strategy 10.4, 10.6
- Objective 22: To improve community safety. Strategy 22.11

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

MINUTE

- 4 Item 1 MACHATTIE PARK FLYING-FOX UPDATE (04.00012)
MOVED: Cr M Morse SECONDED: Cr B Bourke

RESOLVED: That the information be noted.

2 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005 & 36.00662)

Recommendation: That the information be noted.

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

1 TENDER FOR REFURBISHMENT OF PIT STRAIGHT WALKWAY BRIDGE (36.00662)

This report considers the tender for the refurbishment of the Pit Straight Walkway Bridge.

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

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

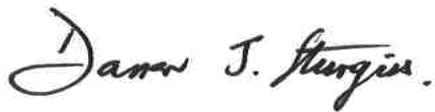
MINUTE

5 Item 2 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005 & 36.00662)

MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

Yours faithfully



Darren Sturgiss
DIRECTOR
ENGINEERING SERVICES

MINUTE

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

MOVED: Cr I North SECONDED: Cr 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 ENGINEERING SERVICES' REPORT**

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DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

4 APRIL 2018

MINUTE

(a) **Item 1 TENDER FOR REFURBISHMENT OF PIT STRAIGHT WALKWAY BRIDGE (36.00662)**

MOVED: Cr W Aubin SECONDED: Cr B Bourke

That Council:

- (a) decline to accept any of the tenders for the proposed contract
- (b) invite, in accordance with clause 167, fresh tenders based on different specifications.

MINUTE

- 7** **RESOLVE INTO OPEN COUNCIL**
 MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That Council resume Open Council.

MINUTE

8 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
MOVED: Cr W Aubin SECONDED: Cr A Christian

RESOLVED: That the Report of the Committee of the Whole, Item (a) be adopted.

MINUTE

9 MEETING CLOSE

The Meeting closed at 8 pm.

CHAIRMAN: _____