

31 July 2019

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday, 7 August 2019

I have to advise that an **Ordinary Meeting** of council will be held in the Council Chamber on Wednesday, 7 August 2019 commencing immediately following the conclusion of the Policy Committee Discussion Forums which commence at 6.15 pm.



D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

TO BE HELD ON WEDNESDAY, 7 AUGUST 2019

1. 6:15 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 Part 4 and Part 5 of the Council Code of Conduct, in relation to Declaration of Interest at meetings.

4. RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS

* 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 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 CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST AERODROME LAND LEASES	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' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR CONSTRUCTION OF ROUNDBOUT AT THE INTERSECTION OF MITRE, SUTTOR AND LAMBERT STREETS, BATHURST	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, Fry, Jennings, Morse, North, Rudge.

MINUTE

2 APOLOGIES

MOVED: Cr I North SECONDED: Cr B Bourke

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

MINUTE

3 DECLARATION OF INTEREST 11.00002
MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That the Declaration of Interest be noted.

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

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

7 AUGUST 2019

**1 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(21.00147)**

Recommendation: That the information be noted.

Report: 1 BATHURST AERODROME LAND LEASES

This reports considers the matter of the Bathurst Aerodrome land leases.

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.5
- Objective 6: Community leadership and collaboration Strategy 6.4, 6.6

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 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(21.00147)

MOVED: Cr B Bourke SECONDED: Cr M Morse

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A Jones', written over a large, light-colored oval shape.

A Jones
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

7 AUGUST 2019

1 PROPOSED ROUNDABOUT AT INTERSECTION OF SUTTOR, MITRE AND LAMBERT STREETS - COMMUNICATION PLAN (36.00713)

Recommendation: That the information be noted.

Report: As Councillors would be aware, a roundabout is proposed to be constructed at the intersection of Mitre, Suttor and Lambert Streets, in response to community concerns about safety issues at the existing intersection. Council will consider tenders for this project in the Confidential Section of this Council Business Paper.

The project will be complex and time-consuming because of the design of the intersection and the number of underground services in the area. The project will include the construction of the roundabout as well as the relocation of a carpark and realignment of utilities and services including trunk and reticulated water, gas, electricity, Telstra and NBN.

Council acknowledges the roundabout construction will cause significant issues in the precinct with changes to traffic, parking and access to neighbouring businesses, school, community facilities and residences.

To assist in providing information and keeping the community informed on the works, Council has developed an engagement and communication plan to guide its stakeholder engagement before and during the roundabout construction and associated infrastructure works.

Council liaised with businesses and schools in the area from May 2019 to provide initial details around the project, following completion of the final design of the project. Discussions have also been held with other organisations including emergency services via the Local Emergency Management Committee, bus and taxi companies and users of the adjacent community facilities.

In July, a project page was launched on the YourSay Bathurst website to provide interested community members with an opportunity to sign up to receive a regular project newsletter which will be distributed throughout the construction project. The project page and the option to join a mailing list was promoted to the YourSay Bathurst database of registered users (more than 900 recipients), Council's business e-newsletter database, on the Council Facebook page, in Council's weekly advertising in the Western Advocate and Bathurst City Life and in Council's community diary radio advertising on Bathurst Broadcasters and 2MCE.

Upon resolution from Council for the appointment of a successful Contractor for this project, Council will work with the contractor to determine full details for the delivery of the project including road closures and other traffic impacts. This will need to be resolved prior to works commencing on site.

Once the timeline for works on the intersection are finalised, Council will host two drop-in information sessions to provide interested community members with an opportunity to access information and ask questions about the project. A letterbox drop is also being co-ordinated to residents to provide information on the project and the information sessions.

This information will also be available on the Mitre, Suttor and Lambert Street project page on YourSay Bathurst.

The YourSay page will be regularly updated throughout the project and an electronic project newsletter will be distributed via email at least monthly to provide updates on the works

schedule. This information will also be promoted via Council's Facebook page to keep the community informed of progress and made available on the YourSay project page.

Council will also continue to make information available at key milestones via media releases, and advertising in local media.

Financial Implications: Funding is available within the existing budget to fund the communication plan.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.1

Community Engagement

- Involve To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

MINUTE

5 Item 1 PROPOSED ROUNDABOUT AT INTERSECTION OF SUTTOR, MITRE AND LAMBERT STREETS - COMMUNICATION PLAN (36.00713)
MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED: That the information be noted.

**2 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 36.00713)**

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 CONSTRUCTION OF ROUNDABOUT AT THE INTERSECTION OF
MITRE, SUTTOR AND LAMBERT STREETS, BATHURST (36.00713)**

This report considers the tender for the construction of a roundabout at the intersection of Mitre Street, Suttor Street and Lambert Street.

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

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

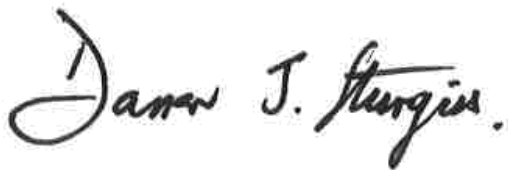
MINUTE

6 Item 2 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 36.00713)

MOVED: Cr I North SECONDED: Cr J Rudge

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 style with a large initial 'D'.

Darren Sturgiss
DIRECTOR
ENGINEERING SERVICES

MINUTE

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

MOVED: Cr I North SECONDED: Cr J Fry

The Mayor invited members of the public to make submissions on whether the matter should or should not be dealt with in Confidential Committee.

Representations were: Mrs McNab felt that the item should be dealt with in open Council as it relates to a matter of extreme importance to the public. If this isn't agreed to, then requested that Mr and Mrs McNab remain in the chamber to listen to the debate. Spoke to statutory declaration made to maintain confidentiality.

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
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*** DIRECTOR ENGINEERING SERVICES' REPORT**

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

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

7 AUGUST 2019

MINUTE

- (a) **Item 1 BATHURST AERODROME LAND LEASES (21.00147)**
MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That:

- (a) Council note the current market rate of \$6.00 per m² (plus GST), effective 13 June 2019 for the Bathurst Aerodrome land leases that are currently under dispute as detailed within this report; and
- (b) For those disputed leases with a rate review date between 14 August 2016 and 13 June 2019 (inclusive), that the \$6.00 per m² (plus GST) be applied at that date.
- (c) Council rescind resolution (b) from DCSF Confidential Report #1 - 6 June 2018.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A Jones', enclosed within a large, hand-drawn oval.

A Jones
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES

ORDINARY MEETING OF COUNCIL FOLLOWING POLICY COMMITTEE

7 AUGUST 2019

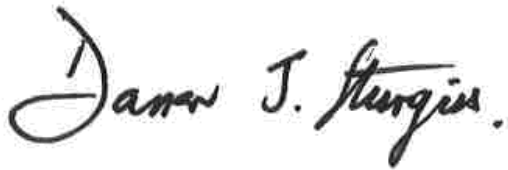
MINUTE

(b) Item 1 TENDER FOR CONSTRUCTION OF ROUNDABOUT AT THE INTERSECTION OF MITRE, SUTTOR AND LAMBERT STREETS, BATHURST (36.00713)

MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That the tender from Talis Civil Pty Ltd be accepted in the amount of \$2,209,899.40 (incl. GST), subject to provisional items and variations.

Yours faithfully

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

Darren Sturgiss
**DIRECTOR
ENGINEERING SERVICES**

MINUTE

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

RESOLVED: That Council resume Open Council.

MINUTE

9 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE MOVED: Cr I North SECONDED: Cr J Fry

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

Councillors Hanger, Aubin and Morse asked that their negative vote be recorded against Item #1 of the Director Engineering Services Confidential report.

MINUTE

10 MEETING CLOSE

The Meeting closed at 8.06 pm.

CHAIRMAN: _____