

**6.1 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 21 FEBRUARY 2024**

**File No: 11.00005**

**RECOMMENDATION:**

That the Minutes of the Ordinary Council Meeting of Bathurst Regional Council held on 21 February 2024 be adopted.

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**REPORT:**

The Minutes of the Ordinary Council Meeting of Bathurst Regional Council held on 21 February 2024 are attached.

**FINANCIAL IMPLICATIONS:**

Nil

**BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:**

**Objective 6: Community leadership and collaboration.**

Strategy 6.4 Meet legislative and compliance requirements.

**COMMUNITY ENGAGEMENT:**

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

**ATTACHMENTS:**

1. 210224 Ordinary Minutes Only [6.1.1 - 26 pages]

**MINUTES OF THE ORDINARY MEETING OF  
BATHURST REGIONAL COUNCIL  
HELD ON Wednesday 21 February 2024**

**1 PUBLIC FORUM**

**MINUTE**

**Rowan Bracken** – Budget and Barn Project – Mr Bracken provided comments relating to BARN project. Asked a series of questions relating to BARN budget. Spoke to the transfer of funds from the Carrington Park to Hereford Street projects. Detailed Diesel Fuel rebate and whether this is an ongoing oversight. Asked about overtime budget vs actual budget. Spoke to asset management and the actuals vs budgeted. Spoke to asset sale information. Alleges a deficit of \$63k per day. Spoke to the forecasted losses continued.

**Gavin Press** - Depot Meal Room and Budget – Spoke to concerns with the Depot Meal Room and the increased accepted cost over the budget. Spoke to the previous discussions by Councillors at June 2023 Council Meeting. Asked whether consideration was given to pre-fab buildings and concerned about project over-runs for projects in the past. Spoke to the General Managers contract extension and advised that it should be delayed until new Council.

**Anne Balcomb** - Budget relating to BARN and Art Gallery - Spoke to being a supporter of the arts. Spoke to the economic position of Council. Urged Councillors to own the financial situation and make hard decisions. Spoke to the previous quarterly budget review and the expenses on items such as BARN (over \$250k) and the Art Gallery toilet block. Spoke to the BARN project – funding, design, timing of the development. Noted federal grant funding proposal. Noted this is a luxury item. Noted BMEC condition and works that are needed, it is sub-optimal. What is Council doing about BMEC?

**Marilyn Osborne** – General Manager’s Appraisal – Spoke to work culture at Council. Feels micro-management occurs, constraint monitoring, staff feel disconnected, bullying and harassment, inequity, favouritism. The work culture needs to be addressed. Support resources need to be provided. This required commitment of leadership and employees. Councillors are allowing senior management team to introduce toxic culture.

**Stuart Driver** – General Manager’s Appraisal – Spoke to the role of the Mayor and the instability of the continued changes to the Mayoralty. Noted there have been 6 Mayors in 7 years. Noted that the General Manager has continued to advise the Councillors for the need for additional income. Suggested that the Councillors ignore the advice. Spoke to the need for current Councillors to operate Council using existing income. Spoke to the length of service of the General Manager and senior staff. Spoke to the need not to extend the contract of General Manager before new Council elected.

**Vanessa Comisky** – **General Manager's Appraisal** – Spoke to the General Manager's appraisal, believes that the General Manager's contract should not be extended. Spoke to previous salary increase. Believes that the decision will be a test of character of the Councillors. Spoke to her previous questions at the 7 February 2024 Ordinary Council meeting regarding New Years Eve, requested that she is still waiting on figures.

**GENERAL MANAGER** requested Ms Comisky forward her request in writing.

Ms Comisky spoke to the development of the Smart Cities Program and the ongoing cost. Asked how much it was costing Bathurst?

**DEPBS** took the questions on notice and will prepare a response.

Ms Comisky spoke to grants received by Council and requested details of each grant received for Smart Cities.

**DEPBS** noted he will prepare a response.

Ms Comisky spoke to the disappointing consultation about Smart Cities and the early implementation prior to any consultation. Requested Council re-open discussion on Smart Cities.

**Ashley Bland** - **Rockley Mount** - Thanked Council for the work it does. Commended Council on Aboriginal Engagement piece. Then spoke to working on wellness budgets and the benefits of these mechanisms. Will Council investigate wellness budgets? Commended Council on the Renewable Energy Action Plan. Asked how Council is tracking these.

**DEPBS** provided advice on Energy efficiency targets from the report to Council.

Ms Bland spoke to large scale renewable energy projects, Council should look at being involved will help the budget. Please look at taking a more active participation, this will save money. Invited Councillors to Green Drinks symposium.

**Sophie Wright** – **General Manager's Appraisal** - Spoke to the General Managers appraisal. Spoke to the emails sent out to the Councillors about tonight's decision. Asked that the length of the proposed extension be made public.

**MAYOR** advised this is a confidential report and the data will not be released.

Ms Wright spoke to the General Manager having overseen the Council and has been there while financial mismanagement has occurred. Noted that his contract should not be renewed. Believes that any extension of contract will create greater financial liability for the Council and that the General Manager can apply for the position when advertised. Believes there is sufficient time post-election to determine whether there is another suitable candidate. Discussed that Figure It Out BRC spoke to the need for change.

**Natalie Cranston** – **General Manager's Appraisal** - Thanked Councillors who responded to her email. Spoke against the need for the General Manager's contract to be extended. Noted that the new Council should get to decide. This is a lack of transparency and there are ethical considerations. Councillors need to be transparent. There is a lack of trust. Concerned the decision has already been made, need to build community trust. The matter should be made in open Council. Council votes need to be recorded individually. Queried the process to adopt.

**MAYOR** and **GENERAL MANAGER** advised on process to occur in tonight's meeting and the adoption of it.

**Charlene Bingham** - General Manager's Appraisal – Spoke to the General Manager's Appraisal and her concerns that the matter is being considered in an election year. Advised that her research has discovered by-laws that exclude the ability for General Manager's contract to be extended. Provided clarification that the contract is still valid beyond next Council election.

**MAYOR** provided a response noting that the caretaker period is for 4 weeks prior to the election. Also noted that he is happy to look at any draft policies that are available.

**Monique Constable** – Website errors and Council By-laws – Asked where are Council By-laws? **GENERAL MANAGER** provided a response that Council policies are available on the website. Ms Constable noted that she has been experiencing lots of error messages on the website and is unable to access anything.

**GENERAL MANAGER** asked that she please identify the problems she is experiencing so they can be rectified.

Ms Constable also spoke to the Mayor's poor demeanour and behaviour.

**Russell James** – Car Races – Spoke to the recent 12-hour event and inability to access Council's Corporate Suites. Seeking permission to access to the Suites.

**MAYOR** advised Mr James to please contact him directly to discuss.

**Bob Trimming** – Disability Access Advocate – Spoke to the previously mentioned toilet upgrades and the library toilets. Spoke to the balance of funds for access grants and the improvements to the building. Spoke to the excessive force required to open the accessible toilets on the ground floor of the Civic centre. Asked whether Council is installing reserved parking in Mitre Street for the hospital. Concern at the footpath access being blocked and costs.

**DES** advised that Department of Health are looking at various options, but no final decision has been made.

Public Forum closed 7.08pm

**2 RECORDING OF MEETINGS**

**3 MEETING COMMENCES**

**MINUTE**

Meeting commenced at 7.10pm.

**Present:** Cr W Aubin, Cr K Burke (TEAMS), Cr B Fry, Cr J Jennings, Cr G Hanger, Cr M Hogan, Cr I North, Cr A Smith, Cr R Taylor

**4 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY**

**5 APOLOGIES OR ATTENDANCE BY AUDIO-VISUAL LINK**

**MINUTE**

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

**RESOLVED:**

That the attendance via audio-visual link of Cr K Burke be accepted.

**6 MINUTES**

**6.1 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 7  
FEBRUARY 2024**

**File No: 11.00005**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-23**

**MOVED: Cr R Taylor SECONDED: Cr G Hanger**

**RESOLVED:**

That the Minutes of the Ordinary Council Meeting of Bathurst Regional Council held on 7 February 2024 be adopted.

## 7 DECLARATION OF INTEREST

### MINUTE

**RESOLUTION NUMBER: ORD2024-24**

**MOVED: Cr B Fry SECONDED: Cr A Smith**

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

David Sherley (General Manager) declared a pecuniary interest in item 11.1.1 of the Mayor's Confidential Report.

REASON: Concerns the General Manager's employment contract.

## 8 MAYORAL MINUTE

NIL

## 9 RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS

### 9.1 GENERAL MANAGER'S REPORT

#### 9.1.1 PATHWAY TO SUSTAINABILITY DECISION MAKING PROCESS AND UPDATE

File No: 16.00197

#### MINUTE

RESOLUTION NUMBER: ORD2024-25

MOVED: Cr R Taylor SECONDED: Cr B Fry

#### RESOLVED:

That Council:

- (a) note the report;
- (b) adopt the update on the Morrison Low Organisational Sustainability Review; and
- (c) note the review of the 2023/24 Budget.



**9.2 DIRECTOR ENVIRONMENTAL PLANNING AND BUILDING SERVICES REPORT**

**9.2.1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**File No: 03.00053**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-26**

**MOVED: Cr I North SECONDED: Cr M Hogan**

**RESOLVED:**

That the information be noted.

**9.2.2 GENERAL REPORT**

**File No: 03.00053**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-27**

**MOVED: Cr B Fry SECONDED: Cr I North**

**RESOLVED:**

That the information be noted.

**9.2.3 DEVELOPMENT APPLICATION NO. 2017/396. WORKS IN KIND ARRANGEMENT – 221 LOT SUBDIVISION AT FREEMANTLE ROAD, EGLINTON. APPLICANT: HYNASH PTY LTD. OWNER: HYNASH PTY LTD**

**File No: 2017/396**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-28**

**MOVED: Cr R Taylor SECONDED: Cr A Smith**

**RESOLVED:**

That Council:

- a) enter into a works in kind arrangement with Hynash Pty Ltd, being the developer for the subdivision development at Lot 11, DP 872964, Freemantle Road, Eglinton, for construction of part of a cycleway along the northern side of Logan Street adjacent to the approved subdivision;
- b) allocate \$85,000.00 towards the construction cost from Council's Section 7.11 Development Contributions Plan "Bathurst Regional Community Facilities";
- c) notify the developer of its decision; and
- d) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

**The result of the division was:**

In favour of the motion - Cr W Aubin, Cr K Burke, Cr B Fry, Cr J Jennings, Cr G Hanger, Cr M Hogan, Cr I North, Cr A Smith and Cr R Taylor

Against the Motion - Nil

Absent - Nil

Abstain - Nil

**9.2.4 MODIFICATION TO DEVELOPMENT APPLICATION 2015/106 -  
EXTRACTIVE INDUSTRY AT NAPOLEON REEF ROAD, NAPOLEON  
REEF. APPLICANT: HOTHAMS SAND SOIL & GRAVEL SUPPLIES  
PTY LTD. OWNER: HOTHAMS SAND SOIL & GRAVEL SUPPLIES  
PTY LTD**

**File No: 2015/106**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-29**

**MOVED: Cr R Taylor SECONDED: Cr B Fry**

**RESOLVED:**

That Council:

- (a) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to the modification to Development Application No. 2015/106, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:

1. The proponent must ensure that blasting on the site does not cause exceedances of the criteria in the following table at any time:

<b>Location</b>	<b>Airblast overpressure (dB(Lin Peak))</b>	<b>Ground vibration (mm/s)</b>
Dwelling on privately owned land	115	5
All other public infrastructure		50

2. Prior to the commencement of the first blast the proponent must arrange for monitoring devices to be placed at the nearest non-associated dwelling (134 Mersing Road Glanmire) to measure airblast overpressure and ground vibration during the first blast. In the event of landowner agreement not being provided, an alternative location for monitoring devices is to be agreed. A report on the measurements taken during the first blast, demonstrating compliance or otherwise with the above maximums, shall be submitted to Council within 21 days of the occurrence of the first blast. Should the above maximums be exceeded, the report must include additional measures to achieve compliance and a subsequent report will be required after the second blast.

3. The proponent shall only carry out blasting between 9.00 am and 5.00 pm on Monday to Friday (inclusive). No blasting is permitted on Saturdays, Sundays or on public holidays.
4. The proponent shall only carry out a maximum of four (4) blast events per calendar year with consecutive blasts to be at least one month apart.

NOTE 1: For the purposes of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the quarry.

NOTE 2: For the avoidance of doubt, should an additional blast be required after a blast misfire, this additional blast and the blast misfire are counted as a single blast.

5. The proponent must:
  - (a) take all reasonable steps to:
    - i. protect the safety of people and livestock in the areas surrounding blasting operations; and
    - ii. protect public or private infrastructure and property in the surrounding area from damage from blasting operations;
  - (b) operate a suitable system to enable the public to get up-to date information on the proposed blasting schedule on site; and
  - (c) carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent.
6. The proponent must prepare a Blast Management Plan for the development. This plan must:
  - (a) be prepared by a suitably qualified and experienced person/s;
  - (b) describe the blast management system and the measures that will be implemented to ensure compliance with the blasting criteria and conditions of this consent;
  - (c) include a monitoring program for evaluating and reporting on compliance with the relevant conditions of this consent;
  - (d) include a protocol for identifying any blast-related exceedance, incident or non-compliance and for notifying Council, the EPA and relevant stakeholders of these events;
  - (e) include a review mechanism and contingency measures if blasting causes amenity impacts at levels below the relevant criteria;
  - (f) include public notification procedures to enable members of the public, particularly surrounding residents, to get up-to-date information on the proposed blasting schedule; and
  - (g) include a protocol for investigating and responding to blast-related complaints.

7. The proponent must not commence operation until the Blast Management Plan has been prepared and a copy has been provided to Council for approval.
  8. The proponent must implement the Blast Management Plan in full.
- (c) notify those that made submissions of its decision; and
- (d) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

**The result of the division was:**

In favour of the motion - Cr W Aubin, Cr K Burke, Cr B Fry, Cr J Jennings, Cr G Hanger, Cr M Hogan, Cr I North, Cr A Smith and Cr R Taylor

Against the Motion - Nil

Absent - Nil

Abstain - Nil

**9.2.5 URBAN DESIGN EXCELLENCE - R3 MEDIUM DENSITY AND E1 LOCAL CENTRE ZONES**

**File No: 20.00335**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-30**

**MOVED: Cr B Fry SECONDED: Cr I North**

**RESOLVED:**

That Council:

- (a) place the draft Policy “Urban Design Excellence - R3 Medium Density and E1 Local Centre zones” on public exhibition for a period of 28 days.
- (b) adopt the Policy in the event that no submissions are received; and
- (c) further consider the matter in the event of reasonable submissions being lodged.

**9.2.6 RENEWABLE ENERGY ACTION PLAN AND  
EMISSIONS REDUCTION PLAN UPDATE**

**File No: 13.00097**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-31**

**MOVED: Cr B Fry SECONDED: Cr I North**

**RESOLVED:**

That the information be noted.

### 9.3 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

#### 9.3.1 STATEMENT OF INVESTMENTS

File No: 16.00001

#### MINUTE

RESOLUTION NUMBER: ORD2024-32

MOVED: Cr R Taylor SECONDED: Cr I North

#### RESOLVED:

That the information be noted.

#### 9.3.2 MONTHLY REVIEW - 2022/2026 DELIVERY PLAN AND OPERATIONAL PLAN 2022/2023

File No: 16.00187

#### MINUTE

RESOLUTION NUMBER: ORD2024-33

MOVED: Cr M Hogan SECONDED: Cr R Taylor

#### RESOLVED:

That the information be noted.

**9.3.3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY**

**File No: 16.00182**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-34**

**MOVED: Cr R Taylor SECONDED: Cr M Hogan**

**RESOLVED:**

That the information be noted and any additional expenditure be voted.

**9.3.4 POWER OF ATTORNEY**

**File No: 11.00007**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-35**

**MOVED: Cr W Aubin SECONDED: Cr M Hogan**

**RESOLVED:**

That the information be noted.



**9.3.5                    QUARTERLY BUDGET REVIEW STATEMENT DECEMBER  
2023 - Q2 FY2024**

**File No:                    11.00040**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-36**

**MOVED: Cr M Hogan    SECONDED: Cr I North**

**RESOLVED:**

That the information be noted and budget variations including the variations proposed as part of the "Pathway to Sustainability" be approved.

**9.3.6                    RECOVERY OF MERCHANT FEES**

**File No:                    16.00192, 16.00197**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-37**

**MOVED: Cr R Taylor    SECONDED: Cr M Hogan**

**RESOLVED:**

That the information be noted.

**9.4 DIRECTOR ENGINEERING SERVICES' REPORT**

**9.4.1 WATER SUPPLY UPDATE**

**File No: 32.00017**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-38**

**MOVED: Cr M Hogan SECONDED: Cr W Aubin**

**RESOLVED:**

That the information be noted.

## 9.5 DIRECTOR CULTURAL AND COMMUNITY SERVICES' REPORT

### 9.5.1 INTERNATIONAL MUSEUM SELFIE DAY, 17 JANUARY 2024

File No: 21.00144

#### MINUTE

RESOLUTION NUMBER: ORD2024-39

MOVED: Cr G Hanger SECONDED: Cr B Fry

#### RESOLVED:

That the information be noted.

### 9.5.2 ABORIGINAL COMMITMENT STRATEGY UPDATE: AUGUST 2023 - JANUARY 2024

File No: 09.00060

#### MINUTE

RESOLUTION NUMBER: ORD2024-40

MOVED: Cr I North SECONDED: Cr B Fry

#### RESOLVED:

That the information be noted.

**9.5.3 BATHURST ACCESS GRANT 2023/2024 BALANCE OF FUNDING**

**File No: 16.00107-07**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-41**

**MOVED: Cr M Hogan SECONDED: Cr I North**

**RESOLVED:**

That the information be noted.

**9.5.4 LOCAL GOVERNMENT NSW - DESTINATION AND VISITOR ECONOMY CONFERENCE, 28-30 MAY 2024, WAGGA WAGGA, JUNEE, COOLAMON**

**File No: 18.00074**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-42**

**MOVED: Cr A Smith SECONDED: Cr R Taylor**

**RESOLVED:**

That Council:

- (a) Note the information contained in the report regarding the 2024 Destination and Visitor Economy Conference being co-hosted by City of Wagga Wagga, Junee Shire Council and Coolamon Shire Council.
- (b) Appoint the Mayor to attend the conference.
- (c) Approve registration and associated costs, incurred in attending the conference, to be met by Council.

9.5.5                    **BATHURST VISITOR INFORMATION CENTRE, 2024  
WOTIF AUSSIE TOWN OF THE YEAR AWARD**

**File No:**                    **21.00041**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-43**

**MOVED: Cr I North    SECONDED: Cr M Hogan**

**RESOLVED:**

That the information be noted.

**10 REPORTS OF OTHER COMMITTEES**

**10.1 TRAFFIC COMMITTEE REPORT - 6 FEBRUARY 2024**

**File No: 07.00006**

**MINUTE**

**RESOLUTION NUMBER: ORD2024-44**

**MOVED: Cr B Fry SECONDED: Cr R Taylor**

**RESOLVED:**

That the recommendations of the Traffic Committee Meeting of Bathurst Regional Council held on 6 February 2024 be adopted.

## 11 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS

### 11.0 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE

#### 11.0.1 Resolve into Confidential Committee of the Whole

Sophie Wright asked that Councillors record their vote to the General Manager's Appraisal.

#### MINUTE

RESOLUTION NUMBER: ORD2024-45

**MOVED: Cr W Aubin SECONDED: Cr A Smith**

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

**There were no representation from the public.**

#### RESOLVED:

That:

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.

## 11.1 MAYOR'S REPORT

### 11.1.1 GENERAL MANAGERS APPRAISAL

**Reason:** 10A (2) (a) Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned

This item relates to the employment contract of the General Manger.

**David Sherley (General Manager) declared a pecuniary interest in item 11.1.1 of the Mayor's Confidential report and left the room.**

**REASON: Concerns the General Manager's employment contract.**

#### MINUTE

**RESOLUTION NUMBER: CONF2024-6**

**MOVED: Cr B Fry SECONDED: Cr A Smith**

The Councillors would like it to me made known their votes.

For: Cr M Hogan, Cr G Hanger, Mayor J Jennings, Cr B Fry and Cr R Taylor

Against: Cr W Aubin, Cr I North, Cr A Smith and Cr K Burke

#### **RESOLVED:**

That

- (a) Council note the performance review of the General manager, which was rated as more than satisfactory;
- (b) Council reappoint, upon the expiration of his current contract of employment, Mr David Sherley to the position of General Manager, Bathurst Regional Council for a period of twelve (12) months.



## 11.2 GENERAL MANAGER'S REPORT

### 11.2.1 WATER HARVESTING CONTRACT PROGRESS

**Reason:** 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.

This item relates to the progress of the Water Harvesting contract.

#### MINUTE

**RESOLUTION NUMBER: CONF2024-7**

**MOVED: Cr B Fry SECONDED: Cr M Hogan**

#### RESOLVED:

That Council delegate the General Manager to act in accordance with this report.

## 11.3 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

### 11.3.1 FINANCIAL STATEMENTS - 2023 BATHURST 12 HOUR

**Reason:** 10A (2) (c) Contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, and Commercial information of a confidential nature that would, if disclosed, (i) prejudice the commercial position of the person who supplied it, (ii) confer a commercial advantage on a competitor of the Council.

This item relates to the financial statements for the 2023 Bathurst 12 Hour event.

#### MINUTE

**RESOLUTION NUMBER: CONF2024-8**

**MOVED: Cr W Aubin SECONDED: Cr R Taylor**

#### RESOLVED:

That the information be noted.

## 11.4 DIRECTOR ENGINEERING SERVICES' REPORT

### 11.4.1 VARIATION TO WINDRADYNE 1100 SUBDIVISION

**Reason:** 10A (2) (d) (ii) Contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. 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 Council.

This item relates to the proposal for variation to the Windradyne 1100 Subdivision.

#### MINUTE

**RESOLUTION NUMBER: CONF2024-9**

**MOVED: Cr W Aubin SECONDED: Cr A Smith**

#### RESOLVED:

That Council endorse the actions of the General Manager as indicated in the report.

## 12 RESOLVE INTO OPEN COUNCIL

#### MINUTE

**RESOLUTION NUMBER: CONF2024-10**

**MOVED: Cr I North SECONDED: Cr B Fry**

**RESOLVED:** That Council resume open Council.

## 13 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

#### MINUTE

**RESOLUTION NUMBER: ORD2024-46**

**MOVED: Cr R Taylor SECONDED: Cr B Fry**

#### RESOLVED:

That the Report of the Committee of the Whole, resolution numbers Conf2024-6 to Conf2024-10 be adopted.

**14 MEETING CLOSE**

**MINUTE**

The Meeting closed at 9.56pm.

**CHAIR:**

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