

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

13 March 2024

His Worship the Mayor & Councillors

Notice of Ordinary Meeting of Bathurst Regional Council – Wednesday 20 March 2024

I have to advise that an Ordinary Meeting of Bathurst Regional Council will be held in the Council Chambers on Wednesday 20 March 2024 commencing at 6:00 PM or immediately following the conclusion of the Public Forum session.

Public Forum will be held from 6.00 pm where there will be an opportunity for members of the public to raise matters relating to the agenda with Council.



D J Sherley
GENERAL MANAGER

**MINUTES OF THE ORDINARY MEETING OF
BATHURST REGIONAL COUNCIL
HELD ON Wednesday 20 March 2024**

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1 PUBLIC FORUM

MINUTE

Rowan Bracken - Overtime Figures – Spoke to his questions raised at last meeting of Council. Asked for overtime figures and what budget is provided for overtime? Requests overtime figures for the last 4 years to be provided. Noted concerns that the budget is not allowing for this. Questioned accuracy of Council’s financial reports.

DCSF provided a response to the queries concerning budget practice.

Ingrid Pearson – Mayoral Minute – Spoke to the Mayoral minute regarding Charity fund proposal. Concerned at the impact on future gallery fund raising project?

GENERAL MANAGER provided details on the purpose of the Mayors Charitable Fund.

BIMC DEPBS – 1.1.4 - Discussed the transfer of the title to a private developer and what the ramifications of this are. Spoke to \$5 million contribution.

DEPBS spoke to the principals adopted by Council and what the activity will mean for the region; economics; medical and community needs. Gave some details on the \$5 million funding and timing.

Vanessa Comisky – Annual Operational Plan – Spoke of resilience re climate change and the impacts of reducing the carbon footprint. The reduction of green house gases, who sets the targets? When targets are set, is Council aware of the costs? Some people in Bathurst don’t believe that humans are causing climate change. Where is the proof? Spoke of Bureau of Meteorology figures and issues she has with them. If climate change is so real, why do people go to such extent to present questionable data?

DEPBS noted that the decision to reduce emissions was a Council adoption.

MAYOR noted evidence that has been provided on climate change around the world.

Stuart Pearson - Cr Aubin’s Notice of Motion re carparking at Bathurst Base Hospital – Spoke to proposal to build a new carpark before the hospital is upgraded. Has concerns about this proposal and also noted consultation processes that have been occurring for a number of years. There are 3 official bodies working on the hospital upgrade, NSW Health hasn’t completed its traffic analysis. The Notice of Motion is premature, Council needs to wait till the official number of car spaces is released.

Gordon Crisp – Go Kart Track proposal and Council’s finances – Spoke to the Go Kart Track proposal that is proposed for land near the Harness Racing track. Mr Crisp then challenged the accuracy of Council financial statements.

DEPUTY MAYOR requested that Mr Crisp resume his seat as he was not talking to the agenda. Mr Crisp acknowledged he was speaking off the topic but continued to talk, disrupting the meeting. Mr Crisp was requested several times to resume his seat and he refused. Eventually Mr Crisp resumed his seat and ceased disrupting the meeting.

Public Forum closed 6.29pm

2 RECORDING OF MEETINGS

3 MEETING COMMENCES

MINUTE

Meeting commenced at 6.29 pm.

Present: Cr W Aubin, Cr K Burke, Cr B Fry, Cr J Jennings (ARRIVED AT 7:10PM), Cr G Hanger, Cr M Hogan, Cr I North, Cr A Smith (TEAMS), Cr R Taylor

4 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

5 APOLOGIES OR ATTENDANCE BY AUDIO-VISUAL LINK

MINUTE

MOVED: Cr I North SECONDED: Cr R Taylor

RESOLVED:

That the apology of Cr J Jennings be accepted and leave of absence granted until his arrival at 7:10pm.

That the attendance via audio-visual link of Cr A Smith be accepted.

6 MINUTES

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.

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]

MINUTE

RESOLUTION NUMBER: ORD2024-47

MOVED: Cr W Aubin SECONDED: Cr K Burke

RESOLVED:

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

7 DECLARATION OF INTEREST

Declaration of Interest

MINUTE

RESOLUTION NUMBER: ORD2024-48

MOVED: Cr I North SECONDED: Cr K Burke

RESOLVED: That the Declaration of Interest be noted.

Cr K Burke declared a pecuniary interest in item 9.1.4 of the DEPBS Report.

REASON: The potential construction company of the carpark is a company we(our business) are working for.

Cr K Burke declared a pecuniary interest in item 13.1.1 of the DEPBS Confidential Report.

REASON: The potential construction company of the carpark is a company we(our business) are working for.

Cr M Hogan declared a pecuniary interest in item 11.2 of Cr North's - Project Elevate Notice of Motion Report.

REASON: Two of the principals of Project Elevate donated to my election campaign.

Cr B Fry declared a pecuniary interest in item 11.2 of Cr North's - Project Elevate Notice of Motion Report.

REASON: Councillors business is a member of the Project Elevate Group.

8 MAYORAL MINUTE

8.1 MAYOR OF BATHURST CHARITABLE FUND (MBCF)

File No: 03.00477

RECOMMENDATION:

That Council establish a *Mayor of Bathurst Charitable Fund* to attract charitable and philanthropic donations across Council's operations and tie seven separate existing donation vehicles under one single philanthropic umbrella policy.

By donating to this fund, donors can specify which area of Council operations they wish to support to directly benefit the Bathurst community in the manner of their choosing.

It is noted that Tax Deductible Gift Recipient status apply for donations directed to:

- Bathurst Library
- Railway Museum
- Chifley Home Museum
- Bathurst Regional Art Gallery
- National Motor Racing Museum
- Australian Fossil & Mineral Museum
- Bathurst Memorial Entertainment Centre

REPORT:

Australia has a growing culture of philanthropy and Bathurst Regional Council has Tax Deductible Gift Recipient (DGR) status for seven cultural and community assets. The *Mayor of Bathurst Charitable Fund* ties these seven separate donation vehicles under one single umbrella policy.

This philanthropic connection across Council offers donors to have their contribution publicly recognised for what it is: a generous donation to the betterment of the entire Bathurst community that goes beyond the specific activity they wish to support. Anonymity is available if the donor prefers, noting that Council's existing Code of Conduct rules always apply.

The dollar value of philanthropy is growing in Australia, although the number of donors has declined slightly over the past decade. Nevertheless, a key trend in philanthropy is that more personalised donor experiences are becoming more popular, as is flexibility in the choice of projects to donate to. See Figure 1 below as a guide to the motivations for giving.

The *Mayor of Bathurst Charitable Fund* offers donors a personalised connection with Council across an array of interests for the betterment of the Bathurst community.

Figure: Motivations for giving



References:

1. Philanthropy Australia website: www.philanthropy.org.au
2. Productivity Commission, *Philanthropy Public Inquiry*, see www.pc.gov.au

A copy of the Mayor of Bathurst Charitable Fund procedure can be found at **attachment 1**.

FINANCIAL IMPLICATIONS:

Nil at this stage.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 2: A smart and vibrant economy.

Strategy 2.6 Promote our City and Villages as a tourist destination.

Objective 4: Sustainable and balanced growth.

Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.

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. MAYOR OF BATHURST CHARITABLE FUND [8.1.1 - 3 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-49

MOVED: Cr I North SECONDED: Cr G Hanger

RESOLVED:

Suspension of standing orders.

Defer the Mayoral Minute to later in the meeting.

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

9.1 DIRECTOR ENVIRONMENTAL PLANNING AND BUILDING SERVICES REPORT

9.1.1 GENERAL REPORT

File No: 03.00053

RECOMMENDATION:

That the information be noted.

REPORT:

The following reports are provided for Council's information.

- (a) Applications approved using authority delegated to the Director Environmental Planning & Building Services during February 2024 (**Attachment 1**).
- (b) Applications refused during February 2024 (**Attachment 2**).
- (c) Applications under assessment as at the date of compilation of this report (**Attachment 3**).
- (d) Applications pending determination for greater than 40 days as at the date of compilation of this report (**Attachment 4**).
- (e) Applications with variations to development standards under Clause 4.6 of Bathurst Regional LEP 2014 approved in February 2024 (**Attachment 5**).
- (f) No political disclosure statements have been received in relation to any "planning applications" being considered at this meeting.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 4: Sustainable and balanced growth.

Strategy 4.6 Plan for, assess and regulate development activity.

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. DAs approved [9.1.1.1 - 1 page]
2. DAs refused [9.1.1.2 - 1 page]
3. DAs pending [9.1.1.3 - 2 pages]
4. Over 40 days [9.1.1.4 - 1 page]
5. Variations [9.1.1.5 - 1 page]

MINUTE

RESOLUTION NUMBER: ORD2024-50

MOVED: Cr R Taylor SECONDED: Cr W Aubin

RESOLVED:

That the information be noted.

9.1.2 NAMING OF PUBLIC ROAD – EVISTON DRIVE

File No: 20.00024

RECOMMENDATION:

That Council:

- (a) give notice of its intention to adopt the name Eviston Drive for the new road created by the subdivision of Lot 1126, DP 1215618 off Richardson Street and Governors Parade, Windradyne; and
- (b) direct the General Manager to undertake procedures pursuant to the requirements of the Roads Act 1993 to have the name gazetted, should no objections be received.

REPORT:

On 28 April 2021 Council approved a Development Application for a 205 lot residential subdivision off Richardson Street and Governors Parade in the suburb of Windradyne (Windy 1100). The subdivision includes six new roads as well as the extension of Richardson Street and Governors Parade.

See location plan and aerial at **attachment 1** and annotated plan of subdivision at **attachment 2**).

Council at its Ordinary Meeting held 18 October 2023 adopted the name “Neville Dawson Drive”, amongst others, for the subdivision. The names “Neville Dawson Drive” and later “Dawson Drive” were rejected by the Geographic Names Board (GNB).

“Neville Dawson Drive” was rejected by GNB because the new *NSW Address Policy and User Manual, May 2021* strictly only permits the use of one name – either given name or surname but not both. Council appealed the decision of the GNB however the NSW Surveyor General upheld the decision to reject.

Council’s fallback option “Dawson Drive” was also rejected by GNB because of its similarity to the nearby Mawson Close.

Council has investigated other features within the approved subdivision to name in recognition of Neville Dawson and a separate report on that will be put to Council.

The following name has been chosen to replace the rejected name.

Name	Suffix	Significance
Eviston	Drive	John Eviston Born: 1844 Died: 1925 Born in Tipperary Ireland, John Eviston immigrated to Australia in 1864, first

		<p>to Victoria. In 1869, he came to Bathurst, where he settled for life. Not long after arriving he married Elizabeth Connelly and co-established a successful men's wear business, 'Kelaheer & Eviston'. Renowned for his business integrity, John Eviston was equally renowned for his community service. A devout Catholic, he gave valuable service to his church in many ways, not least in his dedicated work as parish treasurer overseeing important building projects. He was a founding member of Bathurst's St Vincent de Paul Society and the Australian Holy Catholic Guild, two charitable organisations. A "true Irishman", Eviston was always at the forefront of the Irish cause locally. John Eviston's hand extended across the sectarian division that then separated Bathurst along religious and ethnic lines. Eviston served the wider community for thirty years as an energetic Bathurst District Hospital Committee member, as well fourteen years as Deputy Coroner. He was one of the founders of the <i>National Advocate</i>, a voice for community concerns. On his death, John Eviston was remembered by the Bathurst community as a "valuable citizen", a man who had led "an honest, upright life".</p> <p>Source: <i>The Pillars of Bathurst</i></p>
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The above names comply with Bathurst Regional Council's *Guidelines for the Naming of Roads*.

FINANCIAL IMPLICATIONS:

Funding for this item is contained within existing budgets

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 1: Our sense of place and identity.

Strategy 1.2 Protect, enhance and promote the region's Non-Indigenous heritage assets and character.

Objective 4: Sustainable and balanced growth.

Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.

Strategy 4.2 Provide safe and efficient road, cycleway and pathway networks to improve accessibility.

Strategy 4.3 Ensure services, facilities and infrastructure meet the changing needs of our region.

Strategy 4.6 Plan for, assess and regulate development activity.

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

Strategy 6.5 Be open and fair in our decisions and our dealings with people.

COMMUNITY ENGAGEMENT:

02 **Consult** - to obtain public feedback on alternatives and/or decisions

ATTACHMENTS:

1. Location plan [9.1.2.1 - 2 pages]
2. Annotated Plan of Subdivision [9.1.2.2 - 1 page]

MINUTE

RESOLUTION NUMBER: ORD2024-51

MOVED: Cr K Burke SECONDED: Cr M Hogan

RESOLVED:

That Council:

- (c) give notice of its intention to adopt the name Eviston Drive for the new road created by the subdivision of Lot 1126, DP 1215618 off Richardson Street and Governors Parade, Windradyne; and
- (d) direct the General Manager to undertake procedures pursuant to the requirements of the Roads Act 1993 to have the name gazetted, should no objections be received.

9.1.3 NAMING OF PATHWAY – NEVILLE & JOHANNA DAWSON PATHWAY

File No: 20.00024-10

RECOMMENDATION:

That Council:

- (a) adopt the name the “Neville & Johanna Dawson Pathway” for the pathway starting from the intersection of Bradwardine Road and the Mitchell Highway and finishing at Eyre Close;
- (b) publicly exhibit, for a period of 28 days, its intention to name the pathway; and
- (c) should no objections be received during the public exhibition period, officially record the pathway name and install appropriate signage at either end of the pathway.

REPORT:

As noted in a previous report, the names “Neville Dawson Drive” and later “Dawson Drive” were rejected by the Geographic Names Board (GNB) for the new road created by the subdivision of Lot 1126, DP 1215618 off Richardson Street and Governors Parade, Windradyne (Windy 1100).

In order to honour its commitment to recognise the contribution of Mr Dawson, Council now proposes to name the pathway starting from the intersection of Bradwardine Road and the Mitchell Highway and finishing at Eyre Close in the subdivision the “Neville & Johanna Dawson Pathway”. Mrs Dawson has been included in this naming proposal as she also made a noteworthy contribution to the Bathurst community in her own right, in both business and voluntary work.

See map identifying the subject pathway at **attachment 1**.

Neville Alfred Dawson

Born 24/03/1933

Died 13/11/2022

- Co-founder of the St Patrick’s Sporting Club.
- Long-term member of Bathurst Rotary (including being a past Club President).
- Member of various committees for the Catholic Church.
- Neville was the co-founder of Dawson’s Removals & Storage.

Neville was a family man. He was married to Johanna for over 65 years and they had four children – Judy, Deb, Peter and Bernadette.

Johanna (Jo) Magdaline Dawson

Born 19/03/1931

Died 27/07/2022

- Co-founder of Dawson's Removals & Storage.
- Long-term member of Bathurst Inner Wheel Club.

Source: Dawson family, Dawson's Removals & Storage website and Western Advocate.

The naming of the pathway has been welcomed by the Dawson family and they were very grateful for the inclusion and subsequent recognition of Mrs Dawson.

FINANCIAL IMPLICATIONS:

Funding for this item is contained within existing budgets

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 1: Our sense of place and identity.

Strategy 1.2 Protect, enhance and promote the region's Non-Indigenous heritage assets and character.

Objective 4: Sustainable and balanced growth.

Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.

Strategy 4.2 Provide safe and efficient road, cycleway and pathway networks to improve accessibility.

Strategy 4.3 Ensure services, facilities and infrastructure meet the changing needs of our region.

Strategy 4.6 Plan for, assess and regulate development activity.

Objective 6: Community leadership and collaboration.

Strategy 6.4 Meet legislative and compliance requirements.

Strategy 6.5 Be open and fair in our decisions and our dealings with people.

COMMUNITY ENGAGEMENT:

02 **Consult** - to obtain public feedback on alternatives and/or decisions

ATTACHMENTS:

1. Map of Pathway [9.1.3.1 - 1 page]

MINUTE

RESOLUTION NUMBER: ORD2024-52

MOVED: Cr I North SECONDED: Cr R Taylor

RESOLVED:

That Council:

- (d) adopt the name the “Neville & Johanna Dawson Pathway” for the pathway starting from the intersection of Bradwardine Road and the Mitchell Highway and finishing at Eyre Close;
- (e) publicly exhibit, for a period of 28 days, its intention to name the pathway;
and
- (f) should no objections be received during the public exhibition period, officially record the pathway name and install appropriate signage at either end of the pathway.

9.1.4 BATHURST INTEGRATED MEDICAL CENTRE AND GEORGE STREET CAR PARK – UPDATE

File No: 20.00345

RECOMMENDATION:

That the information be noted.

REPORT:

At the 13 December 2023 meeting of Council, the following Statement of Intent was adopted.

Statement of Intent of Bathurst Regional Council to enter an Agreement with Bathurst Integrated Medical Centre Pty Ltd

1. Bathurst Regional Council (BRC) agrees in principle subject to further negotiation to transfer title of part lot 11/1160748 to Bathurst Integrated Medical Centre Pty Ltd (BIMC) for the purpose of allowing BIMC to affect the construction of a new multi storey car park building on the land. BRC requires to be granted a first registered mortgage interest over the relevant area of land, estimated at 4,891 sqm.
2. The relevant area of land, the number of parking spaces able to be provided and the general arrangement of landscaping and associated works is to be consistent with drawing DA 12A from Zauner Constructions project 4926 dated August 2023, to be confirmed at the time of Construction Certificate application.
3. The remainder of the land will remain in BRC ownership.
4. BIMC will be responsible for constructing the new building and all parking spaces, roadworks, landscaping and associated works external to the building, being the full scope of works described in drawing DA 12A.
5. Subject to satisfactory completion of the building and registration of a part building strata scheme over the building, BRC agrees to become the owner of a stratum lot within the strata scheme of not less than 256 publicly available parking spaces.
6. No less than an additional 155 parking spaces are to be available to the public in other stratum lots within the new building.
7. The remaining land owned by BRC will contain no less than 69 parking spaces and will include landscaping, roadways and associated works in accordance with drawing DA 12A.
8. BRC agrees there can be 90 spaces in the new building reserved for permit parking in addition to those spaces available to the public.

9. BRC reserves the sole right to determine the relative proportions of timed and all day parking for those spaces that are available to the public and whether a fee for parking is applied.
10. Maintenance and renewal cost recovery of the new building is to be identified in the by-laws of the owners corporation of the strata scheme.
11. Provision of the required number of publicly available parking spaces will be in satisfaction of BIMC obligation to pay s7.11 developer contributions in respect of the development.
12. BRC agrees to contribute net \$5m toward the completion of the project, payable at completion of the new building and registration of the part building strata scheme within an agreed timeframe.
13. Bathurst Regional Council further negotiate with BIMC Pty Ltd for the provisions of an additional 170 parking spaces which are to be available to the public in other stratum lots within the building.

During General Business at the Policy Committee meeting of 6 March, Cr North requested a report to update Councillors in discussions with Bathurst Integrated Medical Centre (BIMC).

BIMC are yet to finalise their position and are yet to lodge a Development Application. Given the negotiations are commercial in confidence, additional information will be provided in a Confidential report to this meeting.

FINANCIAL IMPLICATIONS:

Nil at this stage.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 4: Sustainable and balanced growth.

- | | |
|--------------|---|
| Strategy 4.3 | Ensure services, facilities and infrastructure meet the changing needs of our region. |
| Strategy 4.4 | Provide parking to meet the needs of the City. |

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. BIMC Ho A Proposal 240123 [9.1.4.1 - 5 pages]

Cr K Burke declared a pecuniary interest and left the room.

REASON: The potential construction company of the carpark is a company we (our business) are working for.

MINUTE

RESOLUTION NUMBER: ORD2024-53

MOVED: Cr G Hanger SECONDED: Cr M Hogan

RESOLVED:

That the information be noted.

9.2 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

9.2.1 STATEMENT OF INVESTMENTS

File No: 16.00001

RECOMMENDATION:

That the information be noted.

REPORT:

\$72,925,000 was invested at 29th February 2024 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<u>Rating</u>	<u>Balance</u> \$	<u>Average</u> <u>Return</u>
<u>Short Term 1 – 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits):			
National Australia Bank Limited	A-1+	12,000,000	5.00%
CBA	A-1+	10,500,000	5.14%
Suncorp	A-1	13,500,000	4.83%
AMP	A2	4,500,000	4.82%
Bank of Queensland Limited	A2	4,500,000	5.23%
IMB	A2	1,500,000	5.27%
Maritime, Mining & Power Credit Union Ltd	ADI	6,000,000	5.29%
		52,500,000	5.03%
<u>Long Term > 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Bonds):			
<u>Floating Rate Term Deposits</u>			
Westpac Coupon Select 2	AA-	1,500,000	4.50%
Westpac Fixed Term deposit	AA-	1,500,000	1.25%
Maritime Mining & Power Credit Union Ltd	ADI	125,000	1.45%
		3,125,000	2.82%
<u>Floating Rate Notes</u>			
CBA Green	AA-	1,500,000	4.78%
National Australia Bank	AA-	700,000	5.29%
National Australia Bank 1	AA-	1,200,000	4.75%
National Australia Bank 2	AA-	1,000,000	5.24%
HSBC Sydney	AA-	1,500,000	5.20%
HSBC Sydney 1	AA-	1,500,000	5.42%
Westpac	AA-	1,000,000	5.38%

Macquarie Bank 2	A+	1,500,000	4.84%
Macquarie Bank 3	A+	800,000	5.20%
UBS AG Australian	A+	650,000	5.21%
Suncorp Metway Ltd	A+	500,000	4.79%
Suncorp Metway Ltd 1	A+	1,550,000	4.83%
Suncorp Metway Ltd 2	A+	500,000	5.27%
Sumitomo Mitsui Banking Corp	A	1,000,000	5.53%
Auswide Bank	BBB+	1,000,000	5.86%
Bendigo & Adelaide Ltd 4	BBB+	900,000	4.89%
Bendigo & Adelaide Ltd 5	BBB+	500,000	5.51%
		17,300,000	5.14%
Total Investments		72,925,000	4.96%

These funds were held as follows:

Reserves Total (includes unexpended loan funds)	24,172,539
Grants held for specific purposes	1,571,448
Section 7.11 Funds held for specific purposes	47,148,816
Unrestricted Investments	32,197

Total Investments	72,925,000
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Total Interest Revenue to 29 February 2024	2,692,041.21	4.96%
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A Jones
Responsible Accounting Officer

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 Meet legislative and compliance requirements.
- Strategy 6.6 Manage our money and our assets to be sustainable now and into the future.

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. 29 February 2024 Investments [9.2.1.1 - 2 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-54

MOVED: Cr I North SECONDED: Cr K Burke

RESOLVED:

That the information be noted.

9.2.2

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

File No: 16.00187

RECOMMENDATION:

That the information be noted.

REPORT:

Bathurst Regional Council has in place the Our Region Our Future Community Strategic Plan which aims to inform the community about the major directions and programs Council is undertaking in shaping the future of the Bathurst Region. These directions are summarised as objectives and strategies in the Community Strategic Plan which was adopted by Council on 15 June 2022. The Plan is available for viewing at the council offices at 158 Russell Street or can be downloaded from the Public Documents section of Council's website, www.bathurst.nsw.gov.au/council/plans-policies/community-strategic-plan. A listing of the Objectives and Strategies from the Community Strategic Plan can be found within the Plan commencing from page 18.

At **attachment 1** is an update of Council's progress towards achieving the Strategies and Objectives for the 2022-2026 Delivery Plan and the Annual Operational Plan 2022-2023. The Local Government (General) Regulation 2021 has been amended by inserting clause 413A to make it the duty of the General Manager to give timely information to Councillors about any fines or penalty notices from agencies such as the Australian Taxation Office, the Roads and Maritime Services or the Environment Protection Authority, or where a court or tribunal makes a costs order against a council. Fines or penalty notices this month - Refer to **attachment 1**.

FINANCIAL IMPLICATIONS:

N/A

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. Feb 24 Operational Plan Review [9.2.2.1 - 78 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-55

MOVED: Cr K Burke SECONDED: Cr R Taylor

RESOLVED:

That the information be noted.

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

File No: 18.00004

RECOMMENDATION:

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

REPORT:

At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 29 February 2024 including a report on annual Rental Subsidies granted by Council.

FINANCIAL IMPLICATIONS:

Council's Sundry Section 356 Donations and Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies are included in the current budget, which currently have a balance as follows:

Section 356:	\$ 0.00 **
BMEC Community use:	\$ 0.00
Mount Panorama:	\$ 19,362.73

** The above amount includes donations already committed but not yet paid. After allowing for the committed donations the remaining balance is \$0.00.

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. 356 Council Report Feb 2024 [**9.2.3.1** - 3 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-56

MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED:

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

9.2.4 POWER OF ATTORNEY

File No: 11.00007

RECOMMENDATION:

That the information be noted.

REPORT:

That the General Manager's action in affixing the Power of Attorney to the following be noted.

Purchaser	Address	Lot & DP	Agreement Type
Kent and Melissa Bestwick	200 College Rd Mount Panorama	Lot 2 DP749758	Residential Licence Agreement
Bathurst Aircraft Maintenance Pty Ltd	PJ Moodie Memorial Drive, Raglan	Lot 32	Commercial Lease
Rebecca Howard	94 Gilmour Street Kelso NSW 2795	Lot 6 DP1142438	Rural Licence Agreement
Buslines Group Pty Ltd	Reid Park Tower	Part Lot 40 DP1056379	Licence Agreement
Budget Rent a Car Australia Pty Ltd	Bathurst Airport Terminal	Part Lot 6 DP1262801	Licence Agreement
W T H Pty Ltd Trading as AVIS Australia	Bathurst Airport Terminal	Part Lot 6 DP1262801	Licence Agreement
Upper Macquarie County Council	5-7 Lee Street Kelso	Part Lots 101, 102 and 103, DP1204847	Licence Agreement
Rugby Union Cricket Club Inc	Brooke Moore Oval	Part Lot 7013 DP1114435 and Part Lot 262 DP728890	Licence Agreement

Linen Plan Release

Applicant	Subdivision Type	Lot & DP	Address
Mr G E Cutler, Pretty Heights Pty	23 lot residential subdivision and 1	Lot 1152 DP1297680	240 Limekilns Road, Kelso

Ltd & Lara (NSW) Pty Ltd	residual lot		
Mr J L Ryan & Ms R A Preece	Two lot boundary adjustment	Lot 2 & Lot 3 DP153404	100 & 106 Hope Street, Bathurst

General Items

Nil

FINANCIAL IMPLICATIONS:

N/A

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:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-57

MOVED: Cr I North SECONDED: Cr K Burke

RESOLVED:

That the information be noted.

**9.2.5 REQUEST FOR FINANCIAL ASSISTANCE - CAN ASSIST
BATHURST**

File No: 04.00024

RECOMMENDATION:

That Council waive the Mount Panorama venue hire fees of \$328.00 for the “Country Cruisin’ for Can Assist Bathurst” event scheduled for 14 April 2024, with funding to be provided by Council’s Section 356 – Mount Panorama Fee Subsidies allocation.

REPORT:

Council is in receipt of a request from the organisers of the sixth annual “Country Cruisin’ for Can Assist” fundraiser, seeking a waiver of the venue hire fees for their event which is scheduled to occur in McPhillamy Park, on 14 April 2024. A copy of their request is provided at **Attachment 1**.

The organisers are seeking to run a car show style of event, with an anticipated 200 show cars and bikes on display.

All proceeds raised from this event will be going to Can Assist Bathurst.

The venue hire fees for this event are \$328.00. Any costs associated with post-event cleaning and/or Council staff/security call-outs will be charged at cost and will be payable by the hirer.

The organisers have obtained the required insurance coverage for this event, and have provided Council with copies of the relevant certificates of currency.

FINANCIAL IMPLICATIONS:

Should Council resolve in accordance with the recommendation of this report, there are sufficient funds within Councils Section 356 – Mount Panorama Fee Subsidies allocation to fund this request.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 2: A smart and vibrant economy.

- Strategy 2.1 Support local business and industry.
- Strategy 2.5 Support Mount Panorama Wahluu as a premier motor sport and event precinct.
- Strategy 2.6 Promote our City and Villages as a tourist destination.

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. can assist letter - attachment 1 Redacted [9.2.5.1 - 1 page]

MINUTE

RESOLUTION NUMBER: ORD2024-58

MOVED: Cr R Taylor SECONDED: Cr M Hogan

RESOLVED:

That Council waive the Mount Panorama venue hire fees of \$328.00 for the “Country Cruisin’ for Can Assist Bathurst” event scheduled for 14 April 2024, with funding to be provided by Council’s Section 356 – Mount Panorama Fee Subsidies allocation.

**9.2.6 BATHURST REGIONAL COUNCIL - AGENCY
INFORMATION GUIDE**

File No: 11.00003

RECOMMENDATION:

That Council adopt the updated Bathurst Regional Council Agency Information Guide.

REPORT:

Provided as an attachment to this report is a copy of Bathurst Regional Council's Agency Information Guide which has recently been updated.

Council's Agency Information Guide is produced in accordance with Section 20 of the Government Information (Public Access) Act 2009 and is reviewed annually.

As outlined in the Agency Information Guide, the purpose of the guide is to provide the following information in relation to Council:

- the structure and functions of Bathurst Regional Council
- how those functions affect the community
- the ways Council engage with the community
- the type of information we hold and
- how Council make information publicly available.

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. Agency Information Guide 2024 [9.2.6.1 - 19 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-59

MOVED: Cr M Hogan SECONDED: Cr K Burke

RESOLVED:

That Council adopt the updated Bathurst Regional Council Agency Information Guide.

9.2.7 REQUEST FOR FINANCIAL ASSISTANCE - GRIP LEADERSHIP

File No: 21.00012

RECOMMENDATION:

That Council:

- i) provide a reduction of \$641.20 in BMEC venue hire fees to GRIP Leadership for their 2024 Bathurst Primary School GRIP Leadership Conference, to be funded from Section 356 – BMEC Community Use Budget; and
- ii) approve a budget transfer from the Section 356 – Mount Panorama allocation to fund this request.

REPORT:

Council has received a request from GRIP Leadership seeking a reduced hire fee for their use of BMEC for the 2024 Bathurst Primary School GRIP Student Leadership Conference. See **attachment 1**.

The organisation GRIP Leadership is an independent organisation that exists to train and develop leaders with a special focus on school students and the educational sector. Mostly known for the 'GRIP Student Leadership Conferences,' the team also presents tailored seminars and presentations for schools. GRIP Leadership programs are fresh, practical, interactive and enjoyed by tens of thousands of students each year. GRIP Leadership is endorsed by leaders, educators, politicians and business people around Australia.

Council's Revenue Policy allows for a 40% discount to the commercial venue hire fee for Schools and Universities. Given the nature of this conference, it could be considered appropriate to apply an equivalent discount to the venue hire for this event. Council applied this rate and provided a discount to the group in 2017, 2019 and in 2023. Should Council resolve to support this request, then a reduction of approximately \$641.20 (including GST) in BMEC venue hire fees would be incurred. It is recommended that Council support this request with the reduction in venue hire fees being funded from Section 356 - BMEC Community Use Budget.

FINANCIAL IMPLICATIONS:

Should Council resolve in accordance with the recommendation of this report the request is able to be accommodated within Council's adopted budget. Note, that as the Section 356 – BMEC Community Use budget has been fully committed, a budget transfer from the Section 356 – Mount Panorama allocation is required to fund this request.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 1: Our sense of place and identity.

Strategy 1.3 Enhance the cultural vitality of the region.

Objective 5: Community health, safety and well being.

Strategy 5.2 Help make the Bathurst CBD, neighbourhoods and the region's villages attractive and full of life.

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. GRIP Leadership request [9.2.7.1 - 1 page]

MINUTE

RESOLUTION NUMBER: ORD2024-60

MOVED: Cr R Taylor SECONDED: Cr G Hanger

The following MOTION was MOVED

That Council:

- i) provide a reduction of \$641.20 in BMEC venue hire fees to GRIP Leadership for their 2024 Bathurst Primary School GRIP Leadership Conference, to be funded from Section 356 – BMEC Community Use Budget; and
- ii) approve a budget transfer from the Section 356 – Mount Panorama allocation to fund this request.

The MOTION was PUT and LOST

9.3 DIRECTOR ENGINEERING SERVICES' REPORT

9.3.1 WATER SUPPLY UPDATE

File No: 32.00017

RECOMMENDATION:

That the information be noted.

REPORT:

Council at its Ordinary Meeting held 16 March 2022 requested a monthly report regarding storage levels within Council's water supply dams.

As at Tuesday 5 March 2024, Chifley Dam was at 99.4%, with 29,910ML in storage. Refer to **attachment 1** for a graph of Chifley Dam storage levels. Chifley Dam has been at capacity or overflowing for over 41 months.

Water release from Chifley Dam outlet pipework is currently 4.35ML/day.

Winburndale Dam was at 73.1% on Tuesday 5 March 2024. The level is 2.25m below the crest level and there is 1,242ML in storage.

In Bathurst, the estimated residential water usage varies from week to week and whilst it has risen over summer, it remains at the target for Level 5 water restrictions. Over the last 4 weeks, the average estimated residential water usage is 11.9ML/d. Refer to **attachment 2** for details of consumption.

FINANCIAL IMPLICATIONS:

Nil

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 3: Environmental stewardship.

Objective 3: Environmental stewardship.

Strategy 3.2 Develop Bathurst as a Smart City.

Strategy 3.3 Minimise the City's environmental footprint, live more sustainably and use resources more wisely.

Objective 4: Sustainable and balanced growth.

Strategy 4.3 Ensure services, facilities and infrastructure meet the changing needs of our region.

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. Chifley Dam Monthly Storage Graph 5 Mar [9.3.1.1 - 1 page]
2. Estimated Residential Water Usage Graph 5 Mar [9.3.1.2 - 1 page]

MINUTE

RESOLUTION NUMBER: ORD2024-61

MOVED: Cr A Smith SECONDED: Cr M Hogan

RESOLVED:

That the information be noted.

9.3.2

REQUEST FOR TRANSFER OF CROWN ROAD SECTION OF GARTHOWEN ROAD TO COUNCIL

File No: 25.00601

RECOMMENDATION:

That Council does not support taking over the ownership of the Crown road section of Garthowen Road at Tannas Mount.

REPORT:

Correspondence has been received from property owners adjacent to Garthowen Road, Tannas Mount seeking Council's consideration to take over the ownership of the Crown road sections of Garthowen Road. A copy of the correspondence is available at **attachment 1**.

A location diagram indicating the section of Garthowen Road already under Council's control, in relation to the Crown road section proposed for transfer is available at **attachment 2**.

If Council assumed ownership of the Crown road, it is anticipated that initial costs to repair the road to an acceptable standard will exceed \$300,000 with ongoing annual maintenance costs of \$5,000. Additionally, the road in use is not aligned with the dedicated road reserve, which will result in additional legal and acquisition costs to correct. Funding is not available from the NSW State Government to undertake the works, should the road be transferred into Council's ownership.

Councillors will be aware of the asset backlog and the current financial pressures on the annual operating plan to fund essential maintenance of Council owned assets. With the limited funding and resources for road related works, it is recommended that Council does not support taking over ownership of the Crown road section of Garthowen Road at Tannas Mount.

FINANCIAL IMPLICATIONS:

Should Council resolve to support the recommendation, there are no financial considerations.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 4: Sustainable and balanced growth.

Strategy 4.2 Provide safe and efficient road, cycleway and pathway networks to improve accessibility.

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. Unknown Contact - Residents of Garthowen Road. Request Council take over the maintenance of Garthowe [9.3.2.1 - 5 pages]
2. Council report attachment 2 [9.3.2.2 - 1 page]

MINUTE

RESOLUTION NUMBER: ORD2024-62

MOVED: Cr M Hogan SECONDED: Cr W Aubin

RESOLVED:

That Council does not support taking over the ownership of the Crown road section of Garthowen Road at Tannas Mount.

9.4 DIRECTOR CULTURAL AND COMMUNITY SERVICES' REPORT

9.4.1 2023/2024 RURAL VILLAGE IMPROVEMENT PROGRAM - UPDATE

File No: 16.00104

MINUTE

RESOLUTION NUMBER: ORD2024-63

MOVED: Cr I North SECONDED: Cr M Hogan

RESOLVED:

That Council further distribute the 2023/2024 Rural Village Improvement Program funding as follows:

Name of Association	Project Requested	Total Requested
Peel Residents Association	Chairs and tables to update those currently in Old School House for use by community for meetings and events.	\$2,500
TOTAL AMOUNT		\$2,500

9.4.2

BATHURST VISITOR INFORMATION CENTRE - 2024 TOYO HIGH SCHOOL VISIT

File No: 23.00025

RECOMMENDATION:

That the information be noted.

REPORT:

Students from Toyo High School in Tokyo, Japan, visited Bathurst from 1-4 March 2024 on a cultural exchange visit as a part of their ongoing sister school relationship with Denison College.

This was the 22nd visit to Bathurst of Toyo High School, with 85 students visiting and requiring billeting amongst host families in 2024. 40 Families took part in home hosting of students for this visit. This was the first visit of Toyo High School since 2019, with the COVID-19 pandemic disrupting what had been an annual event previously.

Whilst in Bathurst the students enjoyed a weekend of free time with their host families, many of whom took the opportunity to show off local attractions and activities to the students. The weekend concluded with a celebration and concert on the evening of Sunday 3 March at Bathurst High attended by an audience of over 150 made up of host families and of the local community. Students, teachers, host families and delegates from both Bathurst Regional Council and Toyo High School attended and participated in the event, which included an address from Mayor Jess Jennings and an exchange of gifts.

Feedback from students, teaching staff of Toyo High and Denison College and from host families was overwhelmingly positive and emphasised the importance of this ongoing cultural exchange program.

On Monday morning students, host families, teachers gathered for the official group photo at the Bathurst Visitor Information Centre and were farewelled by the Mayor. Toyo students completed a half day of activities organised with the Bathurst High and Kelso High campuses of Denison College and with Charles Sturt University.

Activities and home hosting arrangements were coordinated by staff of the Bathurst Visitor Information Centre (BVIC). It is the role of BVIC staff to liaise with the Japanese Tour Agency and to source and confirm all host families, including provision of specialised information relating to each student and arrangement of all payments. BVIC also organises and books all student activities and travel arrangements during their Bathurst stay and prepares the welcome packs and information for host families as well as for visiting teachers and tour leaders.

The visit injected over \$45,000 directly into the local economy, including payments made to participating host families.

BVIC staff are preparing for the upcoming 'Wings of Hope' visit from our Sister City of

Ohkuma, Japan, which will take place from 23-29 March 2024 with approximately 15 students and 6 adults including teachers, and city officials expected to visit Bathurst. This will be the first official delegation from Ohkuma to visit Bathurst since 2018.

FINANCIAL IMPLICATIONS:

There are no financial implications resulting from this report.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 1: Our sense of place and identity.

Strategy 1.3 Enhance the cultural vitality of the region.

Objective 2: A smart and vibrant economy.

Strategy 2.1 Support local business and industry.

Strategy 2.6 Promote our City and Villages as a tourist destination.

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:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-64

MOVED: Cr K Burke SECONDED: Cr W Aubin

RESOLVED:

That the information be noted.

10 REPORTS OF OTHER COMMITTEES

10.1 TRAFFIC COMMITTEE REPORT - 5 MARCH 2024

File No: 07.00006

MINUTE

RESOLUTION NUMBER: ORD2024-65

MOVED: Cr W Aubin SECONDED: Cr K Burke

RESOLVED:

That the recommendations of the Traffic Committee Meeting of Bathurst Regional Council held on 5 March 2024 be adopted.

10.2

POLICY COMMITTEE REPORT - 6 MARCH 2024

File No: 07.00064

MINUTE

RESOLUTION NUMBER: ORD2024-66

MOVED: Cr R Taylor SECONDED: Cr M Hogan

RESOLVED:

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

11 NOTICES OF MOTION

11.1 CR AUBIN - CARPARKING BATHURST HEALTH SERVICE (PUBLIC HOSPITAL)/PANORAMA CLINIC

File No: 11.00004

RECOMMENDATION:

That Council:

1. Make urgent representations to NSW Health to have a proper car park built at the Bathurst Health Service (public hospital) before commencement of works on the refurbishment of the hospital,
2. Fight to retain the Panorama Clinic to be operational at the Bathurst facility and not moved to Orange for the duration of the Bathurst Hospital rebuild, and
3. Contact The Minister for Health and The Minister for Mental Health NSW about the above concerns.

REPORT:

Councillor Warren Aubin submitted the following Notice of Motion in regard to Bathurst Health Service (Public Hospital) / Mount Panorama.

Motion:

That Council:

1. Make urgent representations to NSW Health to have a proper car park built at the Bathurst Health Service (public hospital) before commencement of works on the refurbishment of the hospital,
2. Fight to retain the Panorama Clinic to be operational at the Bathurst facility and not moved to Orange for the duration of the Bathurst Hospital rebuild, and
3. Contact The Minister for Health and The Minister for Mental Health NSW about the above concerns.

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-67

MOVED: Cr I North SECONDED: Cr K Burke

RESOLVED:

Extension of time.

That an extension of time for Cr Aubin be granted.

MINUTE

RESOLUTION NUMBER: ORD2024-68

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED:

That Council:

1. Make urgent representations to NSW Health to obtain a commitment to have a proper car park to be built at the Bathurst Health Service (public hospital) before commencement of works on the refurbishment of the hospital,
2. Fight to retain the Panorama Clinic to be operational at the Bathurst facility and not moved to Orange for the duration of the Bathurst Hospital rebuild, and
3. Contact The Minister for Health and The Minister for Mental Health NSW about the above concerns.

The Mayor Jess Jennings arrived at 7:10pm and took the chair of the meeting, during item 11.1 Notice of Motion: Cr North - Project Elevate.

11.2

CR NORTH - PROJECT ELEVATE

File No: 11.00004

RECOMMENDATION:

That Council implement the following in relation to Project Elevate.

1. Acknowledge the positive support for the new not-for-profit private sector Destination marketing body, Project Elevate;
 2. Continue to work with Project Elevate to develop a possible collaborative Tourism working model between the Bathurst Visitor Information Centre, Project Elevate, Councillors and senior staff;
 3. Consider as part of the draft 2024/25 budget, business support for a Project Elevate type initiative.
-

REPORT:

Councillor Ian North submitted the following Notice of Motion in relation to Project Elevate.

Motion:

That Council:

1. Acknowledge the positive support for the new not-for-profit private sector Destination marketing body, Project Elevate;
2. Continue to work with Project Elevate to develop a possible collaborative Tourism working model between the Bathurst Visitor Information Centre, Project Elevate, Councillors and senior staff;
3. Consider as part of the draft 2024/25 budget, business support for a Project Elevate type initiative.

ATTACHMENTS:

Nil

Cr M Hogan declared a pecuniary interest and left the room.

REASON: Two of the principals of Project Elevate donated to my election campaign.

Cr B Fry declared a pecuniary interest and left the room.

REASON: Councillor's business is a member of the Project Elevate group.

MINUTE

RESOLUTION NUMBER: ORD2024-69

MOVED: Cr I North SECONDED: Cr K Burke

RESOLVED:

That Council implement the following in relation to Project Elevate.

1. Acknowledge the positive support for the new not-for-profit private sector Destination marketing body, Project Elevate;
2. Continue to work with Project Elevate to develop a possible collaborative Tourism working model between the Bathurst Visitor Information Centre, Project Elevate, Councillors and senior staff;
3. Consider as part of the draft 2024/25 budget, business support for a Project Elevate type initiative.

11.3

**CR NORTH - SUSTAINABILITY REVIEW - STAFF
STRUCTURE**

File No: 11.00004

RECOMMENDATION:

That Council act on the request outline in the following Notice of Motion asking that Council include a full and complete review of the structure of the following into Council's Sustainability Review:

1. The Directors roles
 2. The departments that fall under each Director
 3. Do we have the required number of roles and staff allocated to the departments that fall under Director.
-

REPORT:

Motion:

Cr Ian North submitted a Notice of Motion in relation to Council's Sustainability review requesting that Council include a full and complete review of the structure of:

1. The Directors roles
2. The departments that fall under each Director
3. Do we have the required number of roles and staff allocated to the departments that fall under Director.

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-70

MOVED: Cr I North SECONDED: Cr M Hogan

The following MOTION was MOVED

That Council act on the request outline in the following Notice of Motion asking that Council include a full and complete review of the structure of the following into Council's Sustainability Review:

1. The Directors roles
2. The departments that fall under each Director

3. Do we have the required number of roles and staff allocated to the departments that fall under Director.

The MOTION was PUT and LOST

11.4 CR NORTH - DA PROCESS OF ROAD MAINTENANCE AND REPAIR

File No: 11.00004

RECOMMENDATION:

That Council act on the Notice of Motion submitted by Councillor North requesting that Council complete a review on how we maintain our roads infrastructure in the Local Government Bathurst Regional Council.

1. Pothole repairs
 2. Re Sealing of roads
 3. New Seals of roads as pothole repairs and re sealing of roads is no longer working
-

REPORT:

Councillor Ian North submitted the following Notice of Motion requesting that Council complete a review on how they maintain our roads infrastructure in the Local Government Bathurst Regional Council Area.

Motion:

A complete review on how we maintain our roads infrastructure in the Local Government Bathurst Regional Council.

1. Pothole repairs
2. Re Sealing of roads
3. New Seals of roads as pothole repairs and re sealing of roads is no longer working.

ATTACHMENTS:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-71

MOVED: Cr I North SECONDED: Cr W Aubin

The following MOTION was MOVED

That Council act on the Notice of Motion submitted by Councillor North requesting that Council complete a review on how we maintain our roads infrastructure in the Local Government Bathurst Regional Council.

1. Pothole repairs
2. Re Sealing of roads

3. New Seals of roads as pothole repairs and re sealing of roads is no longer working

The MOTION was PUT and LOST

MINUTE

RESOLUTION NUMBER: ORD2024-72

MOVED: Cr I North SECONDED: Cr M Hogan

RESOLVED:

That Council resume standing orders at 7.49pm.

MINUTE

RESOLUTION NUMBER: ORD2024-73

MOVED: Cr J Jennings

RESOLVED:

That

1. Council establish a Mayor of Bathurst Charitable Fund to attract charitable and philanthropic donations across Council's operations and tie seven separate existing donation vehicles under one single philanthropic umbrella policy.

By donating to this fund, donors can specify which area of Council operations they wish to support to directly benefit the Bathurst community in the manner of their choosing.

It is noted that Tax Deductible Gift Recipient status apply for donations directed to:

- Bathurst Library
- Railway Museum
- Chifley Home Museum
- Bathurst Regional Art Gallery
- National Motor Racing Museum
- Australian Fossil & Mineral Museum
- Bathurst Memorial Entertainment Centre

2. The procedural document (attachment 1) be amended as follows.

- a. Clause 3 add the following;

Donors over \$5,000 are to provide details of any existing or possible interactions

with Council which would help in the assessment e.g., DA's, Special Interest Groups, Committees/Boards

b. Administrative action

Renumber clauses to remove duplication of Header Clause 6.

c. Clause 7(f) clause amended to read.

Consequences of changes which may occur over time (for example, a shift in the relationship, risk of reputational damage, new policies, new corporate missions or objectives).

d. Clause 10 add the following;

The movement in the Fund for the quarterly period will be included in the Quarterly review of the Delivery Plan/Operational Plan.

12 COUNCILLORS / DELEGATES REPORTS

12.1 MINUTES - BATHURST REGIONAL YOUTH COUNCIL - 5 FEBRUARY 2024

File No: 11.00020

RECOMMENDATION:

That the information be noted.

REPORT:

The Bathurst Regional Youth Council considered a number of items at their meeting held on Monday 5 February 2024, including the following:

- Guest Speaker – Tony Rothacker – gave information on how Youngster Co was founded and the current work they do within the community.
- Social media discussion.
- Youth Council project planning discussion.
- Youth Week 2024

The minutes of the Bathurst Regional Council Meeting, held Monday 5 February 2024, are attached.

FINANCIAL IMPLICATIONS:

There are no financial implications resulting from this report.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 4: Sustainable and balanced growth.

Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.

Objective 5: Community health, safety and well being.

Strategy 5.1 Provide opportunities for our community to be healthy and active.

Strategy 5.4 Make our public places safe and welcoming.

Objective 6: Community leadership and collaboration.

Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

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. Minutes 5 February 2024 [12.1.1 - 3 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-74

MOVED: Cr B Fry SECONDED: Cr K Burke

RESOLVED:

That the information be noted.

12.2

MINUTES - COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 14 FEBRUARY 2024

File No: 11.00019

RECOMMENDATION:

That the information be noted.

REPORT:

Present: Mayor Jess Jennings, Neil Southorn (DEPBS), Janelle Middleton (A/DCCS), Darren Sturgiss (DES), David Sherley (General Manager), Cr Ben Fry, Cr Robert Taylor, Cr Margaret Hogan, Cr Ian North, Cr Graeme Hanger, Cr Kirralee Burke (TEAMS), Nicholas Murphy (MCG)

Apologies: Cr Andrew Smith, Cr Warren Aubin

1. Bathurst hand weavers and spinners guild – Lesley Picker

- Provided the background and an update on the Association. Currently have approximately 40 members.
- Currently renting the Bathurst Aero Club with storage in a storage container. Raised a number of concerns with the current venue.
- Provided a plan of a preferred building (floor area ~220sqm) for their use as their permanent home.
- Requested Council consider the purchase/construction of a permanent venue including workshop area, as well as storage areas, as well as a contribution towards the purchase of additional equipment.

2. Bathurst Floodplain Model Update – Stantec (Alireza Pouya, Martin Griffin), Xenghong Meng

- DES provided an introduction to the Flood Study and the importance of the project. Council received grant funding to undertake the project and the model will assist planning decisions and flood mitigation works.
- Provided an update on the project and the works completed to date.
- Original Flood Management Plan was adopted in 1995, and the majority of the recommendations have since been implemented. New model was sought using the latest information available including rainfall and runoff data and climate change.
- Will incorporate the 2023 Flood Risk Management Manual.
- Spoke to the model catchment boundaries and the inputs to the model.
- Spoke to the recent inclusion of urban expansion areas adjacent to the Macquarie River.
- Model focusses on Bathurst urban areas, including Georges Plains, Perthville and downstream of Eglinton.
- The project is progressing towards Community Consultation to supplement the data already available.
- Spoke to the community consultation methodology and processes.

- Spoke to the development and validation of the model by mid-2024. Ongoing modelling to occur to be completed by the end of 2024.
- Public exhibition of the draft Flood Model around March 2025. Final adoption of the model to be considered mid-2025 after consideration of community feedback.
- DES outlined that community consultation to happen during 2024 is about seeking data and the invite will be to all flood affected properties.
- DES and DEPBS provided clarification about the process to amend the planning controls which is subsequent to this process.

FINANCIAL IMPLICATIONS:

N/A

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:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-75

MOVED: Cr B Fry SECONDED: Cr R Taylor

RESOLVED:

That the information be noted.

12.3 MINUTES- BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE - 22 FEBRUARY 2024

File No: 07.00107

RECOMMENDATION:

That the information be noted.

REPORT:

The Bathurst Regional Community Safety Committee considered a number of items at their meeting held on 22 February 2024, including the following:

- Election of Committee Chair and Cochair
- Emergency Services Session
- Seniors Road Safety Session
- Don't be Next/Lock It or Lose It Campaign
- Domestic Violence Campaign Development

The Minutes of the Bathurst Regional Community Safety Committee held on the 22 February 2024 are **attached**.

FINANCIAL IMPLICATIONS:

There are no financial implications resulting from this report.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 4: Sustainable and balanced growth.

Strategy 4.1 Facilitate development in the region that considers the current and future needs of our community.

Objective 5: Community health, safety and well being.

Strategy 5.1 Provide opportunities for our community to be healthy and active.

Strategy 5.4 Make our public places safe and welcoming.

Objective 6: Community leadership and collaboration.

Strategy 6.1 Communicate and engage with the community, government and business groups on important matters affecting the Bathurst region.

Strategy 6.3 Advocate for our community.

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. Minutes 22 February 2024 [12.3.1 - 4 pages]

MINUTE

RESOLUTION NUMBER: ORD2024-76

MOVED: Cr K Burke SECONDED: Cr B Fry

RESOLVED:

That the information be noted.

12.4 MINUTES - COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 28 FEBRUARY 2024

File No: 11.00019

RECOMMENDATION:

That the information be noted.

REPORT:

Present: Mayor Jess Jennings (TEAMS), Neil Southorn (DEPBS), Janelle Middleton (A/DCCS), Darren Sturgiss (DES), David Sherley (General Manager), Aaron Jone (DCSF), Cr Ben Fry, Cr Robert Taylor, Cr Margaret Hogan, Cr Ian North, Cr Graeme Hanger, Cr Kirralee Burke and Cr Warrin Aubin (arrived 6.20pm)

Apologies: Cr Andrew Smith

1. **Eisteddfod – Renee Fowler, Jane Kensit and Donna Miller**
 - Social and economic benefit of the Eisteddfod to Bathurst.
 - 1st Grand Concert held in 1866.
 - 1924 became District Eisteddfod.
 - 2023 – 1200 events, 4000 performers over 20 days.
 - Bathurst is the largest NFP Eisteddfod outside of Sydney.
 - Have sent out a survey to participants.
 - Volunteer base of over 80 individuals.
 - Economic spend – conservative estimate of \$380,000
 - Are activating other venues within Bathurst.
2. **Project Elevate – Nick Jones, Mes Keith, Hamish Keith and Caddie Marshall.**
 - Spoke to presentation.
 - Project Elevate is a group of businesses who want to do more for tourism.
 - Working to do tourism together.
 - Transparency builds confidence and engagement.

FINANCIAL IMPLICATIONS:

N/A

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:

Nil

MINUTE

RESOLUTION NUMBER: ORD2024-77

MOVED: Cr R Taylor SECONDED: Cr G Hanger

RESOLVED:

That the information be noted.

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

13.0 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE

13.0.1 Resolve into Confidential Committee of the Whole

MINUTE

RESOLUTION NUMBER: ORD2024-78

MOVED: Cr G Hanger SECONDED: Cr R Taylor

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.

13.1 DIRECTOR ENVIRONMENTAL PLANNING AND BUILDING SERVICE'S REPORT

13.1.1 BATHURST INTEGRATED MEDICAL CENTRE AND GEORGE STREET CAR PARK – UPDATE

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 Bathurst Intergrated Medical Centre and George Street car park.

Cr Burke declared a pecuniary interest and left the room.

REASON: The potential construction company of the carpark is a company we (our business) are working for.

MINUTE

RESOLUTION NUMBER: CONF2024-11

MOVED: Cr B Fry SECONDED: Cr R Taylor

RESOLVED:

That the information be noted.

13.2 DIRECTOR CORPORATE SERVICES AND FINANCE'S REPORT

13.2.1 LAND SALES - WINDY 1100 (STAGE 1)

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 Stage 1 of the Windy1100 Subdivision project.

MOVED: Cr R Taylor SECONDED: Cr B Fry

RESOLVED:

That Council:

- (a) approves the release for sale of 91 Lots shown as Lots 100 to 190 inclusive in the new residential subdivision known as Windy 1100 Stage 1 release, located at Richardson and Colville streets, Windradyne;
- (b) note that the sale of the land will be as unregistered parcels, requiring the completion of the sale after the land has been registered with Land Registry Services;
- (c) note that the following land sales methods will be used for the sale of the land:
 - 1. Dual Serviced Lots via Sale by Tender; and
 - 2. Single Serviced Lots via ballot;
- (d) note that builders terms will not be available on the lots for sale as part of Stage 1;
- (e) grant approval for the General Manager to finalise lot sale prices and process once registration has occurred, as detailed in the report.

13.3 DIRECTOR ENGINEERING SERVICES' REPORT

13.3.1 INSTALLATION OF TYRE WALL, TURN 2, MOUNT PANORAMA

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 proposed installation of a tyre wall at Mount Panorama.

MINUTE

RESOLUTION NUMBER: CONF2024-13

MOVED: Cr M Hogan SECONDED: Cr B Fry

RESOLVED:

That Council:-

- a. not call tenders for the construction of a tyre wall at Turn 2 at Mount Panorama due to the inability to identify experienced and qualified companies to carry out this work in accordance with Section 55 Part 3(i) of the NSW Local Government Act and,
- b. accept the quotation from iEDM for the construction of a tyre wall at Turn 2 Mount Panorama Racing Circuit at a cost of \$255,577.30 (inc GST) subject to adjustments and provisional sums.

**13.3.2 FINALISATION OF BATHURST ANIMAL REHOMING CENTRE
CONSTRUCTION CONTRACT**

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 finalisation of Bathurst Animal Rehoming Centre construction contract.

MINUTE

RESOLUTION NUMBER: CONF2024-14

MOVED: Cr W Aubin SECONDED: Cr K Burke

RESOLVED:

That:

1. Council act in accordance with Option 1 as contained within the report.

2. A further report comeback to Council by June 2024.

14 RESOLVE INTO OPEN COUNCIL

MINUTE

RESOLUTION NUMBER: CONF2024-15

MOVED: Cr B Fry SECONDED: Cr M Hogan

RESOLVED: That Council resume open Council.

15 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MINUTE

RESOLUTION NUMBER: ORD2024-79

MOVED: Cr M Hogan SECONDED: Cr A Smith

RESOLVED:

That the Report of the Committee of the Whole, resolution numbers Conf2024-11 to Conf2024-15 be adopted.

16 MEETING CLOSE

MINUTE

The Meeting closed at 9.08pm.

CHAIR:
