



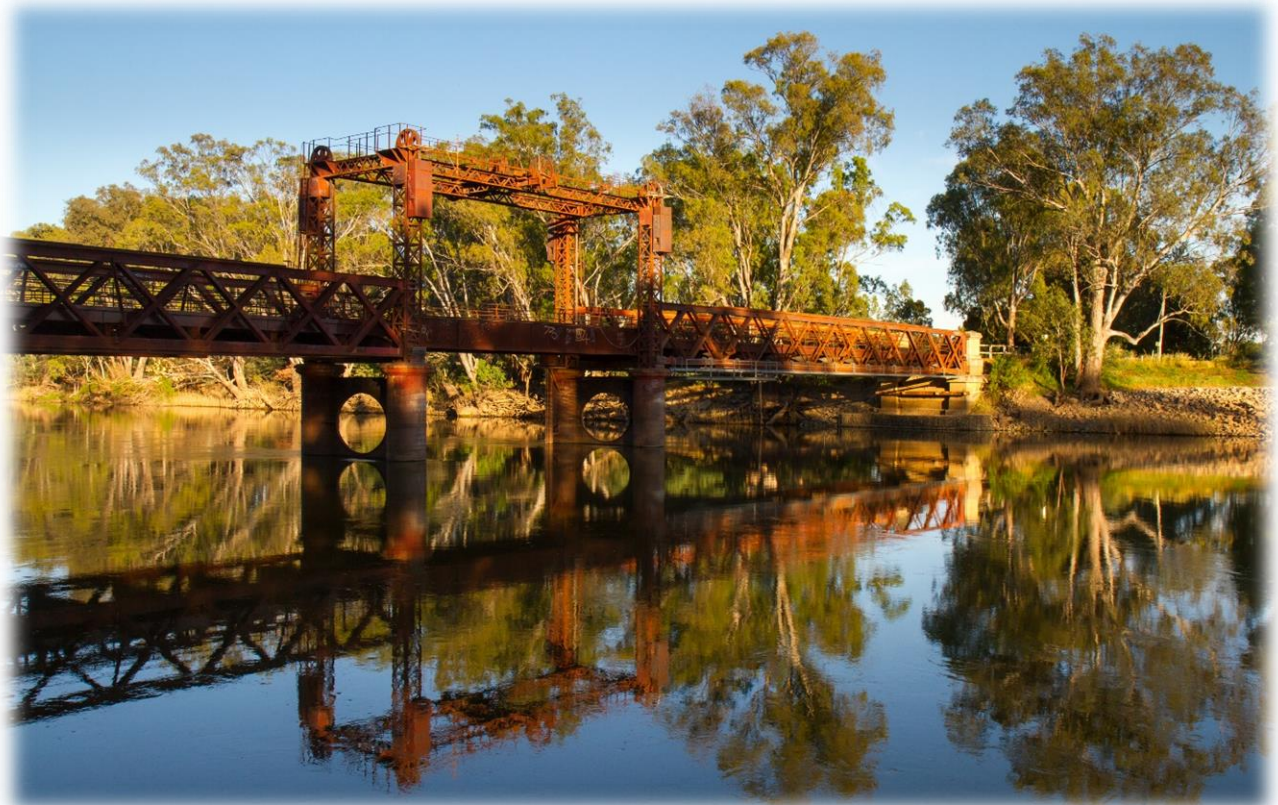
EXTRAORDINARY MEETING OF COUNCIL

Wednesday 26 August 2020

at 9:00am

Council Chambers

56 Chanter Street, Berrigan



Agenda

Notice is hereby given than an Extraordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **Wednesday 26th August, 2020** commencing at 9:00am, to consider and order upon:

ITEMS OF BUSINESS

1.	APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE	3
2.	DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTERESTS	3
3.	ITEMS FOR RESOLUTION	3
3.1	Tocumwal Foreshore Building Development	4
4.	CLOSED COUNCIL	5
4.1	Tocumwal Foreshore Building Development Costings	Error! Bookmark not defined.
	RESOLUTIONS FROM THE CLOSED COUNCIL MEETING	6
5.	CLOSE OF MEETING	6

Other business may be considered at an extraordinary meeting of the Council, even though due notice of the business has not been given, if:

- a) A motion is passed to have the business considered at the meeting, and
- b) The business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

A motion moved as above can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

Only the mover of a motion moved as above can speak to the motion before it is put.



ROWAN PERKINS
GENERAL MANAGER



Extraordinary Council Meeting

Wednesday 26 August, 2020

BUSINESS PAPER

This meeting is being webcast and those in attendance should refrain from making any defamatory statements.

1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE
2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTERESTS
3. ITEMS FOR RESOLUTION

Council Meeting

26 August 2020

3.1 Tocumwal Foreshore Building Development

Report by: Project Manager, Nathan O'Connell

Strategic Outcome: 1. Sustainable natural and built landscapes

Strategic Objective: 1.1 Support sustainable use of our natural resources and built landscapes

Recommendation:

That the Council:

1. Accepts the amended tender costing from Bowden Constructions to construct the Marie Le Touze Design;
2. Sign and seal the contact documents in relation to 1 above;
3. Appoint the Director of Technical Services as the Contract Superintendent.

Report:

Following the Council resolution and the preferred tenderer being nominated from Council, a tender negotiation process has been undertaken by Council staff. This negotiation process has resulted in the tender submission price being amended.

The cost items are indicated in *Item 4.1 Tocumwal Foreshore Building Development Costings* in the confidential section of this agenda are following the results of an all-inclusive assessment and aimed at a complete build and therefore a complete build cost.

The evaluation is intended to minimize the consequence of any major variations during the construction of the Tocumwal Foreshore Building.

Council should be conscious that some PC item variations may still be unavoidable and that any changes to the design of the building at this stage will result in further costings being incurred.

The present final costing will require approximately \$40,000 in additional Council funding. The actual detail of the final tender costing is included in the confidential section of this agenda.

Supervisor

The superintendent of the contract will be the Director of Technical Services and the superintendent's representative will be the Project Manager.

4. CLOSED COUNCIL

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

4.1 Tocumwal Foreshore Building Development Costings

This item is classified CONFIDENTIAL under section 10A(2) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or

It is not in the public interest to reveal the commercial information provided by the consultant.

RECOMMENDATION: That the Council move into a closed session to consider the following business together with any reports tabled at the meeting.

And further that 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 and that the

correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

Council closed its meeting at The public and media left the Chamber.

Open Council resumed at

RESOLUTIONS FROM THE CLOSED COUNCIL MEETING

The following resolutions of the Council while the meeting was closed to the public were read to the meeting by the Mayor:

5. CLOSE OF MEETING