



Minutes of an Extraordinary Council Meeting held in the Council Chambers on Wednesday, 3rd May, 2017 commencing at 9:00am.

Min. No. **Present:** Cr. Matthew Hannan (Mayor)
Crs: John Bruce, Daryll Morris, Colin Jones, Denis Glanville, Bernard Curtin, John Taylor, Ross Bodey, Director of Corporate Services (Matthew Hansen) and General Manager (Rowan Perkins).

Apology

Nil.

Declaration of Items of Pecuniary and other Interests

Nil

3. TENDER T02/16/17 YARRAWONGA ROAD REALIGNMENT

AUTHOR: Executive Engineer

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities

FILE NO: T02/16/17

87 RESOLVED Crs Morris and Bodey that the Council

1. accepts the tender submission from Andrew Goldman Excavations in the amount of \$240,411.80;
2. sign and seal the contract documents in relation to 1 above;
3. appoint the Director of Technical Services as the Contract Superintendent.

Min. No.

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 TENDER T02/16/17 YARRAWONGA ROAD
REALIGNMENT**

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

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- 88** **RESOLVED** Crs: Curtin and Morris 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*.

4.1 **TENDER T02/16/17 YARRAWONGA ROAD
REALIGNMENT**

Council closed its meeting at 9:02am. The staff, public and media left the Chamber.

- 90** **RESOLVED** Crs: Morris and Glanville that the Council move out of closed and into open Council.

Open Council resumed at 9:03am.

Min. No.

RESOLUTIONS FROM THE CLOSED COUNCIL MEETING

The Mayor advised those present of the following resolution made while the meeting was closed to the public.

**4.1 TENDER T02/16/17 YARRAWONGA ROAD
REALIGNMENT**

AUTHOR: Executive Engineer

**STRATEGIC OUTCOME: Sustainable natural and built
landscapes**

**STRATEGIC OBJECTIVE: 1.3 Connect and protect our
communities**

FILE NO: T02/16/17

**“that Council notes the report on the Yarrowonga Road
Realignment Tender.”**

There being no further business the meeting closed at 9:03am