



Minutes of an Extraordinary Council Meeting held in the Council Chambers on Wednesday 1st August, 2018 commencing at 9:00am

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1. PRESENT:

Cr Matthew Hannan (Mayor),
Crs: John Bruce, Colin Jones, John Taylor, Daryll Morris, Director Corporate Services (Matthew Hansen), Development Manager (Laurie Stevens), Engineering Services Manager (Matthew Clarke), General Manager (Rowan Perkins), Town Planner (Elizabeth Schindler) and Enterprise Risk Manager (Michelle Koopman)

2. APOLOGIES

139 RESOLVED Crs Taylor and Jones that apologies for non-attendance be received from Cr Ross Bodey and Cr Denis Glanville.

3. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST

Nil

4. VISITORS ATTENDING MEETING

Nil

5.1 DEVELOPMENT APPLICATION NO. 111/18/DA/D5 - CARPORT

AUTHOR: Development Manager

STRATEGIC OUTCOME: Sustainable natural and built landscapes

STRATEGIC OBJECTIVE: 1.1 Support sustainable use of our natural resources and built landscapes

FILE NO: 111/18/DA/D5

140 RESOLVED Crs Morris and Taylor that the Council refuse Development Application No. 111/18/DA/D5 – Carport as it considers that the bulk and scale of the application is contrary to the provisions of the Berrigan Development Control Plan.

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Division

In Favour: All Councillors

Against: Nil

**5.2 TENDER NO. T14/17/18 – DESIGN AND CONSTRUCTION
OF TOCUMWAL SPLASH PARK**

AUTHOR: Director Corporate Services

STRATEGIC OUTCOME: Good government

STRATEGIC OBJECTIVE: 2.2 Ensure effective governance by
Council of Council operations and
reporting

FILE NO: T14/17/18

- 141** **RESOLVED** Crs Morris and Taylor that, in relation to T14/17/18 – Design and Construction of Tocumwal Splash Park, the Council appoint Water Features by Design Pty Ltd as its preferred tenderer, subject to agreement on a suitable design and costs.

6. 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:

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- (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.

**6.1 TENDER T14/17/18 – DESIGN AND CONSTRUCTION OF
TOCUMWAL SPLASH PARK**

This item is classified CONFIDENTIAL under section 10A(d)(i) (These numbers are selected from the information above and are relevant to the report – remove this note once you have worked it out) 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.

142 RESOLVED Crs Bruce 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*.

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**6.1 TENDER T14/17/18 – DESIGN AND CONSTRUCTION OF
TOCUMWAL SPLASH PARK**

Council closed its meeting at 9:15am.

Open Council resumed at 9:16am.

RESOLUTIONS FROM THE CLOSED COUNCIL MEETING

There were no resolutions of the Council while the meeting was closed to the public.

There being no further business the meeting closed at 9:16am.