

IN ATTENDANCE

Councillors W J Polglase (Mayor), L F Beck (Deputy Mayor), M R Boyd, R D Brinsmead, B J Carroll, S Dale, D M Holdom, H James, J F Murray.

Also present were Dr John Griffin (General Manager), Mr Reg Norvill (Executive Manager-Office of the General Manager), Mr Mike Rayner (Director Engineering and Operations), Mr Noel Hodges (Director Planning & Environment), Mr Neil Baldwin (Governance Officer/Public Officer).

PRAYER

The meeting opened with a Prayer by the Mayor.

APOLOGIES

Cr G B Bell and Cr G J Lawrie.

Cr Bell informed the General Manager that his absence was caused by illness.

Cr Lawrie informed the General Manager that his absence was caused by work commitments.

368 RESOLUTION:

Cr M R Boyd
Cr L F Beck

RESOLVED that the apologies of Cr G B Bell and Cr G J Lawrie be accepted and the necessary leave of absence be granted.

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr Bell, Cr Lawrie

DISCLOSURE OF INTEREST

Nil.

ITEMS TO BE MOVED FROM ORDINARY TO CONFIDENTIAL - CONFIDENTIAL TO ORDINARY

Nil.

COMMITTEE OF THE WHOLE

369 RESOLUTION:

Cr M R Boyd
Cr J F Murray

RESOLVED that Council resolves itself into a Confidential Committee of the Whole and the press and public be excluded from the Committee meeting.

FOR VOTE - Unanimous
ABSENT. DID NOT VOTE - Cr Bell, Cr Lawrie

The General Manager reported that the Confidential Committee of the Whole had excluded the press and public from the whole of the Committee Meeting because, in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest, by reason of the confidential nature of the business to be transacted, and made the following recommendations to Council:-

REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

Council's legal representatives, Mr Tony Smith and Mr Larry Brazel of Stacks Northern Rivers, were present at the meeting and provided general legal advice.

**REPORTS FROM EXECUTIVE MANAGER - OFFICE OF THE GENERAL MANAGER
IN COMMITTEE**

1 [OGM] Tweed Shire Council Public Inquiry

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(g) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

MOTION:

That this matter be deferred. (This Motion was withdrawn)

C 73 RECOMMENDATION:

RECOMMENDED that:-

- A. The Memorandum of Advice provided by Mr Bret Walker, Senior Counsel and Ms Sandra Duggan, Junior Counsel, be forwarded to the Minister for Local Government, the Hon Tony Kelly, MP and that Council seeks a meeting between the Minister, the Mayor and the General Manager to discuss the contents of the advice both for the Tweed Shire Council Public Inquiry and any future public inquiries that may involve local government authorities.
- B. The Memorandum of Advice provided by Mr Bret Walker, Senior Counsel and Ms Sandra Duggan, Junior Counsel, be made public at a time determined by the General Manager.

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr Bell, Cr Lawrie

REPORTS FROM DIRECTOR ENGINEERING AND OPERATIONS IN COMMITTEE

2 [EO] Kingscliff Sewage Treatment Plant

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) 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
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

C 74 RECOMMENDATION:

RECOMMENDED

1. That Council receives and notes the advice from Stacks and acts in accordance with the legal advice provided, that is, to proceed with settlement of both Contracts with Kareena Developments Pty Ltd, now known as Gales Holdings Pty Ltd prior to registration of the subdivision plan; and
2. All necessary documentation be executed under the common seal of Council.

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr Bell, Cr Lawrie

370 RESOLUTION:

Cr J F Murray
Cr S M Dale

RESOLVED that the report, recommendations and voting of the Confidential Committee of the Whole be adopted.

FOR VOTE - Unanimous

ABSENT. DID NOT VOTE - Cr Bell, Cr Lawrie

There being no further business the Meeting terminated at 10.10pm.



Minutes of Meeting Confirmed by Council

at Meeting held

**I hereby certify that I have authorised the affixing of my
electronic signature to the previous pages numbered 1 to 5 of these Minutes**

Chairman