

Mayor: Cr B Longland

Councillors: Cr M Armstrong (Deputy Mayor)
G Bagnall
K Milne
C Byrne
W Polglase
P Youngblutt



TWEED
SHIRE COUNCIL

Minutes

Extraordinary Council Meeting Thursday 7 November 2013

held at Murwillumbah Cultural and Civic Centre
commencing at 4.15pm

COUNCIL'S CHARTER

Tweed Shire Council's charter comprises a set of principles that are to guide Council in the carrying out of its functions, in accordance with Section 8 of the Local Government Act, 1993.

Tweed Shire Council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- to exercise community leadership;
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism;
- to promote and to provide and plan for the needs of children;
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- to have regard to the long term and cumulative effects of its decisions;
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible;
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government;
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants;
- to keep the local community and the State government (and through it, the wider community) informed about its activities;
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected;
- to be a responsible employer.

The Meeting commenced at 4.15pm.

IN ATTENDANCE

Cr B Longland (Mayor), Cr M Armstrong (Deputy Mayor), Cr C Byrne, Cr W Polglase and Cr P Youngblutt.

Also present were Mr Troy Green (Acting General Manager), Mr Neil Baldwin (Acting Director Technology and Corporate Services), Mr Patrick Knight (Director Engineering and Operations), Mr Vince Connell (Director Planning and Regulation), Mr Stewart Brawley (Manager Recreation Services), and Mrs Meredith Smith (Minutes Secretary).

ABORIGINAL STATEMENT

The Mayor acknowledged the Bundjalung Aboriginal Nation with the following statement::

"We wish to recognise the generations of the local Aboriginal people of the Bundjalung Nation who have lived in and derived their physical and spiritual needs from the forests, rivers, lakes and streams of this beautiful valley over many thousands of years as the traditional owners and custodians of these lands."

PRAYER

The meeting opened with the Council Prayer by the Mayor, Cr B Longland.

APOLOGIES

Cr G Bagnall, Cr K Milne.

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Cr B Longland
Cr M Armstrong

RESOLVED that the apology of Cr G Bagnall and Cr K Milne be accepted and the necessary leave of absence be granted.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr K Milne, Cr G Bagnall

DISCLOSURE OF INTEREST

Nil.

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

Nil.

REPORTS THROUGH THE ACTING GENERAL MANAGER

REPORTS FROM THE DIRECTOR ENGINEERING AND OPERATIONS

- 1 [EO-CM] (Separable Portion A) EC2013-092 Arkinstall Park Regional Tennis Centre Design and Construct 8 Courts + Construct New Clubhouse Building**

697

**Cr M Armstrong
Cr P Youngblutt**

RESOLVED that:

1. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (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.
2. The tender from Court Craft (Aust) Pty Ltd be accepted to the value of \$1,533,459.60 excluding GST for tender EC2013-092 Arkinstall Regional Tennis Centre Design and Construct 8 Courts + Construct New Clubhouse Building (Separable Portion A).
3. The General Manager is given delegated authority to approve variations up to 10% of the initial contract sum to a maximum of \$150,000 and those variations be reported to Council following completion of the tendered works/services.

The Motion was Carried

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr K Milne, Cr G Bagnall***

2 [EO-CM] (Separable Portion B) EC2013-092 Arkinstall Park Regional Tennis Centre Design and Construct 8 Courts + Construct New Clubhouse Building

698

**Cr P Youngblutt
Cr M Armstrong**

RESOLVED that:

1. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (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.
2. The tender from Lanskey Constructions Pty Ltd be accepted to the value of \$631,210.00 exclusive of GST for tender EC2013-092 Arkinstall Park Regional Tennis Centre Design and Construct 8 Courts + Construct New Clubhouse Building (Separable Portion B).
3. The General Manager is given delegated authority to approve variations up to 10% of the initial contract sum to a maximum of \$150,000 and those variations be reported to Council following completion of the tendered works/services.

The Motion was Carried

***FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr K Milne, Cr G Bagnall***

There being no further business the Meeting terminated at 4.22pm.



Minutes of Meeting Confirmed by Council

at the

Council Meeting held on xxx

Chairman

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