



TWEED
SHIRE COUNCIL

Mayor: Cr B Longland

Councillors: P Youngblutt (Deputy Mayor)
D Holdom
K Milne
W Polglase
K Skinner
J van Lieshout

Minutes

Extraordinary Council Meeting Tuesday 6 March 2012

held at Murwillumbah Cultural and Civic Centre
commencing at 3.00pm

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 3.00pm.

IN ATTENDANCE

Cr B Longland (Mayor), Cr P Youngblutt (Deputy Mayor), Cr K Milne, Cr W Polglase and Cr J van Lieshout.

Also present were Mr Mike Rayner (General Manager), Mr Patrick Knight (Director Engineering and Operations), Mr David Oxenham (Director Community and Natural Resources)(3.09PM), Mr Neil Baldwin (Manager Corporate Governance/Public Officer) and Mrs Maree Morgan (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 a Prayer lead by the Mayor, Councillor Barry Longland.

APOLOGIES

Cr K Skinner informed the General Manager that his absence was caused by being out of the Shire.

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Cr P Youngblutt
Cr J van Lieshout

RESOLVED that the apology of Cr K Skinner be accepted and the necessary leave of absence be granted.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr D Holdom, Cr K Skinner

Cr D Holdom informed the General Manager that her absence was caused by attendance at the Seachange Conference in Tasmania on 6 March 2012.

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Cr P Youngblutt
Cr J van Lieshout

RESOLVED that the apology of Cr D Holdom be accepted and the necessary leave of absence be granted.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr D Holdom, Cr K Skinner

DISCLOSURE OF INTEREST

Nil.

ORDINARY ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE DIRECTOR ENGINEERING AND OPERATIONS

- 1 **[EO-ECM] Contract EC2012-028 Supply of Revetment Rock - Stage D Works at Kingscliff Foreshore**

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Cr P Youngblutt
Cr J van Lieshout

RESOLVED that this report be considered in conjunction with the further addendum report to be tabled at the meeting and being Confidential Item 1.

The Motion was Carried

FOR VOTE - Voting - Unanimous
ABSENT. DID NOT VOTE - Cr D Holdom, Cr K Skinner

CONFIDENTIAL COMMITTEE

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Cr P Youngblutt
Cr J van Lieshout

RESOLVED that Council resolves itself into a Confidential Committee in accordance with Section 10A(2) of the Local Government Act 1993 (as amended) and that the press and public be excluded 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 reasons of the confidential nature of the business to be transacted.

The Motion was **Carried**

FOR VOTE - Cr W Polglase, Cr P Youngblutt, Cr J van Lieshout, Cr B Longland
AGAINST VOTE - Cr K Milne
ABSENT. DID NOT VOTE - Cr D Holdom, Cr K Skinner

CONFIDENTIAL ITEMS FOR CONSIDERATION

The General Manager reported that the Confidential Committee 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:-

Cr K Milne left the meeting at 03:19 PM

REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE DIRECTOR ENGINEERING AND OPERATIONS IN COMMITTEE

1 [EO-ECM] Contract EC2012-028 Supply of Revetment Rock - Stage D Works at Kingscliff Foreshore

REASON FOR CONFIDENTIALITY:

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

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That:

1. The tender from Boral Construction Materials be accepted at the scheduled rate of \$37.84 per tonne (estimated total cost for 6,300 tonnes is \$238,392 including GST).
2. The General Manager be given delegated authority to approve variations up to \$150,000 excluding GST above the initial tender price and those variations reported to Council following completion of works. This variation is dependent on the total cost of works not exceeding the amount authorised by the Tweed Coast Holiday Parks Reserve Trust.

3. The second lowest tenderer, Hanson Construction Materials be utilised as a back-up supplier in the event that Boral Construction Materials at any time during the job cannot supply due to unforeseen circumstances (such as quarry shut down) that could interrupt the flow of rock to the beach site and cause the works to cease.

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Cr P Youngblutt
Cr W Polglase

RESOLVED that the recommendations of the Confidential Committee be adopted.

The Motion was **Carried**

FOR VOTE - Cr W Polglase, Cr P Youngblutt, Cr J van Lieshout, Cr B Longland
ABSENT. DID NOT VOTE - Cr K Milne Cr D Holdom, Cr K Skinner

There being no further business the Meeting terminated at 3.20pm



Minutes of Meeting Confirmed
at the Council Meeting held on
xxx

Chairman