Kyogle Council

Confirmed Minutes of the Extraordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday 27 October 2008.

PRESENT

Cr. R. Brown (Mayor in the Chair), Cr. J. Wilson, Cr. J. O'Reilly, Cr. L. Passfield ,
Cr. L. Zito, Cr. R. Dwyer, Cr. R. Leadbeatter, Cr. E. Bennett and Cr. T. Cooper.

IN ATTENDANCE

The General Manager, the Director of Technical Services, the Director of Corporate & Community Services, the Director of Planning & Environmental Services and the Personal Assistant to the General Manager & Corporate Services.

MEETING COMMENCEMENT

The Mayor declared the meeting open at 3.31 p.m.

ITEM 1 APOLOGIES

Nil

ITEM 2 OPENING PRAYER

The Mayor read the opening prayer.

ITEM 3 TRADITIONAL LANDS ACKNOWLEDGEMENT

The Mayor acknowledged that the meeting was being held on the Traditional Lands of the Bundjalung people.

ITEM 4 DECLARATION OF INTERESTS

Nil

ITEM 5 GENERAL MANAGER 'S REPORT

5.1 PRESENTATION FROM AUDITORS ON 2007/2008 FINANCIAL STATEMENTS

271008/ 1 RESOLVED

Moved Councillor Lindsay Passfield, seconded Councillor Lynette Zito.

That the Presentation from Council's Auditors Thomas, Noble & Russell on the 2007/2008 Financial Reports was received.

CARRIED

FOR VOTE - Unanimous vote

5.2 2007/2008 FINANCIAL STATEMENTS

271008/ 2 RESOLVED

Moved Councillor Lindsay Passfield, seconded Councillor Tom Cooper.

That Council:

1. Adopts the 2007/2008 General Purpose Financial Report;
2. Authorises the Mayor, Deputy Mayor, General Manager and Manager Financial Services (Responsible Accounting Officer) to sign the Financial Statement to the General Purpose Financial Report;
3. Adopts the 2007/2008 Special Purpose Financial Report;
4. Authorises the Mayor, Deputy Mayor, General Manager and Manager Financial Services (Responsible Accounting Officer) to sign the Financial Statement to the Special Purpose Financial Report.

CARRIED

FOR VOTE - Unanimous vote

ITEM 6 URGENT BUSINESS WITHOUT NOTICE

6.1 SUSPENSION OF STANDING ORDERS

271008/ 3 RESOLVED

Moved by Councillor Lynette Zito, seconded by Councillor Robert Dwyer.

That Council suspends standing orders to consider the Mayoral Minute - November 2008 Ordinary Meeting Date

CARRIED

FOR VOTE - Unanimous vote

6.2 MAYORAL MINUTE - NOVEMBER 2008 ORDINARY MEETING DATE

271008/ 4 RESOLVED

Moved Councillor Ross Brown.

That the date for the November 2008 Ordinary Council Meeting be changed to 20 November, 2008

CARRIED

FOR VOTE - Ernie Bennett, John O'Reilly, Lindsay Passfield, Lynette Zito, Robert Dwyer, Robert Leadbeatter, Ross Brown, Tom Cooper

AGAINST VOTE - Janet Wilson

6.3 DEFERRED ITEM - OCTOBER ORDINARY MEETING

271008/ 5 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Robert Leadbeatter.

That the following report/item be considered and determined by Council at this Extraordinary Meeting;

- Confidential Item - Tenders for Mobile Crushing - Supplementary Report

CARRIED

FOR VOTE - Unanimous vote

ITEM 7 CONFIDENTIAL BUSINESS PAPER

7.1 MOVE INTO CLOSED COUNCIL

Item 7.1 Tenders for Mobile Crushing

This item is classified CONFIDENTIAL under section 10A(2) (i) 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.

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tender process. Some information provided to Council by tenderers is provided on the basis that Council will treat is as commercial in confidence.

It is not in the public interest to reveal all details of these tenders or the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by Council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to council's decision.

Pursuant to section 10A(4), the public were invited to make representations to the council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

271008/ 6 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Robert Dwyer

1. That council resolve to move into closed council to consider business identified, together with any late reports tabled at the meeting.
2. 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.
3. 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.

CARRIED

Council Closed its meeting at 4.21 p.m. The public and media left the Chamber.

FOR VOTE - Unanimous vote

7.2 MOVE OUT OF CLOSED COUNCIL

271008/ 7 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Lynette Zito.

That Council move out of Closed Council and into Open Council.

CARRIED

FOR VOTE - Unanimous vote

7.3 RESOLUTIONS FROM THE CLOSED COUNCIL MEETING

271008/ 8 RESOLVED

Moved by Councillor Robert Dwyer, seconded by Councillor Lynette Zito.

That the following resolutions of council while the meeting was closed to the public were read to the meeting by the Mayor.

CARRIED

FOR VOTE - Unanimous vote

7.4 TENDERS FOR MOBILE CRUSHING - SUPPLEMENTARY REPORT

That the supplementary report on Tenders for Mobile Crushing was received and noted for consideration in conjunction with the report on Tenders for Mobile Crushing.

7.5 TENDERS FOR MOBILE CRUSHING

That

1. The Tender from Davis Earthmoving and Quarrying Pty Ltd for crushing of quarry products at Millers and Medhursts Quarries be accepted.
2. That the Mayor and General Manager be authorised to execute the contract documents under Council seal.

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 4.38 p.m.

Signature of Chairperson…….