
MINUTES OF THE EXTRA ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA ON THURSDAY 9 MAY 2013 COMMENCING AT 4.53 PM

The following members were present:

Clr Gash – Chairperson
Clr Tribe
Clr Robertson
Clr Anstiss
Clr White
Clr Wells
Clr Baptist
Clr Watson
Clr McCrudden

450. Apologies/Leave of Absence **File 28866E**

Clr Kearney, Clr Guile, Clr Findley and Clr Kitchener forwarded their apologies for the Extra Ordinary Meeting of Thursday 9 May 2013.

MOTION: Moved: Robertson/ Second: Baptist

That the apologies from Clr Kearney, Clr Findley and Clr Kitchener be accepted and a leave of absence be granted to Clr Guile for the Extra Ordinary Meeting of Thursday 9 May 2013.

CARRIED

451. Declarations of Interest

NIL

CITY SERVICES AND OPERATIONS

452. Worrigee Road Improvement Works - Tender **File 46927E**

MOTION: Moved: Watson / Second: White

That in accordance with Section 10A (2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter.

CARRIED

453. Parma Road Bridge Replacement Works, Falls Creek Tender **File 46856E**

MOTION: Moved: Watson / Second: White

That in accordance with Section 10A (2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter.

CARRIED

454. Shoulder Widening & Speed Camera Decommissioning for Part of Bolong Road, Coolangatta - Tender **File 47069E**

MOTION:

Moved: Watson / Second: White

That in accordance with Section 10A (2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter.

CARRIED

STRATEGIC PLANNING AND INFRASTRUCTURE

455. Bomaderry Creek and Tabourie Lake Floodplain Risk Management Studies and Plans Tender **File 46832e**

MOTION:

Moved: Watson / Second: White

RECOMMENDED that in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter.

CARRIED

CONFIDENTIAL REPORT OF THE GENERAL MANAGER

CITY SERVICES & OPERATIONS

Item	Reason
Tender – Worrigeer Road Improvement Works	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)
Tender – Parma Road Bridge Replacement Works, Falls Creek	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)
Tender – Shoulder Widening and Speed Camera Decommissioning for Part of Bolong Road, Coolangatta	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

STRATEGIC PLANNING & INFRASTRUCTURE

Item	Reason
Bomaderry Creek and Tabourie Lake Floodplain Risk Management Studies and Plans Tender	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

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

MOTION:

Moved: Wells / Second: Baptist

That the Committee exclude the press and public from the Meeting pursuant to section 10A(1)(a) of the Local Government Act, 1993 as it was to consider the following of a confidential nature in relation to matters pursuant to Section 10A(2)(d)(i). On balance the public interest in preserving the confidentiality of information about the tenders outweighs the public interest in maintaining openness and transparency in council decision making as it may impact on the ability of Council to attract competitive tenders in the future.

- a) Tender – Worrigeer Road Improvement Works – File 46927E
- b) Tender – Parma Road Bridge Replacement Works, Falls Creek – File 46856E
- c) Tender – Shoulder Widening and Speed Camera Decommissioning for Part of Bolong Road, Coolangatta – File 47069E
- d) Bomaderry Creek and Tabourie Lake Floodplain Risk Management Studies & Plans Tender – File 46832E

CARRIED

The meeting moved into confidential the time being 4.56 pm.

The meeting moved into open session, the time being 5.07 pm.

456. Tender – Worrigeer Road Improvement Works **File**

The following resolution of the Extra Ordinary Meeting of Council whilst closed to the public, was read to the meeting by the Executive Support Manager:

MOTION:

That:

- a) **Council accept the tender of Hisway Pty Ltd in the amount of \$225,310 (excluding GST) for improvement works on Worrigeer Road in accordance**

with the tender subject to confirmation of the Roads and Maritime Services (RMS) funding approval and acceptable conditions.

- b) Council acknowledges that if the RMS funding conditions are considered unacceptable, the General Manager will report back to Council the reasons.
- c) Subject to a) contract documents and associated documents, including variation be executed by the General Manager (Director City Services and Operations).
- d) The report remains confidential in accordance with section 10A(2)(d)(i) of the Local Government Act 1993 and for the 'public interest' reasons stated above, however the decision is made public.

457. Tender – Parma Road Bridge Replacement Works, Falls Creek File

The following resolution of the Extra Ordinary Meeting of Council whilst closed to the public, was read to the meeting by the Executive Support Manager:

MOTION:

That:

- a) Council accept the Tender of Talis Civil Pty Ltd in the amount of \$383,822 (excluding GST) for Parma Road Bridge Replacement Works, Falls Creek;
- b) Contract documents and associated documents, including variations be executed by the General Manager (Director City Services & Operations).
- c) The report remains confidential in accordance with section 10A(2)(d)(i) of the Local Government Act 1993 and for the 'public interest' reasons stated above, however the decision is made public.

458. Tender – Shoulder Widening and Speed Camera Decommissioning for Part of Bolong Road, Coolangatta File

The following resolution of the Extra Ordinary Meeting of Council whilst closed to the public, was read to the meeting by the Executive Support Manager:

MOTION:

That:

- a) Council accept the tender of Druce DP Pty Ltd for shoulder widening and speed camera decommissioning for part of Bolong Road, Coolangatta for the contract value of \$1,395,108.50 (excluding GST) in accordance with the tender and subject to confirmation of the Roads and Maritime Services (RMS) funding approval and acceptable conditions.
- b) Council acknowledges that if the funding conditions are considered unacceptable, the General Manager may not accept the tender, and report to Council the reasons.

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- c) **Subject to a) contract documents and associated documents, including variation be executed by the General Manager (Director City Services and Operations).**
 - d) **The report remains confidential in accordance with section 10A(2)(d)(i) of the Local Government Act 1993 and for the ‘public interest’ reasons stated above, however the decision is made public.**

459. Bomaderry Creek and Tabourie Lake Floodplain Risk Management Studies and Plans Tender File

The following resolution of the Extra Ordinary Meeting of Council whilst closed to the public, was read to the meeting by the Executive Support Manager:

MOTION:

That:

- a) **Council accept the tender of Cardno, in the amount of \$223,098.00 (excluding GST) for the Bomaderry Creek and Tabourie Lake Floodplain Risk Management Studies & Plans;**
- b) **Council allocate \$148,732.00 to the project from the general Floodplain Management Program budget; and**
- c) **The report remains confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 and for the “public interest” reasons stated above, however the decision is made public.**

460. Procedural Motion - Introduction of Item as a Matter of Urgency

MOTION:

Moved: Watson / Second: Wells

That the matter of Additional Item – Federal Government National Crime Prevention Grant Application be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as one of urgency as grant applications close at the end of May and allowed its introduction.

461. Additional Item – Federal Government National Crime Prevention Grant Application File

MOTION:

Moved: Watson / Second: Wells

That:

- a) **Council endorse the staff action in submitting applications to the Federal Government for National Crime Prevention Grants under the authority of the Mayor and General Manager; and**

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- b) A précis of the project brief be distributed to Councillors; and
 - c) A further report be presented to Council should the applications be successful.

CARRIED

There being no further business, the meeting concluded, the time being 5.14 pm.

Clr Gash
CHAIRPERSON