

**MINUTES of the EXTRAORDINARY MEETING of RIVERINA WATER  
COUNTY COUNCIL, held at 91 HAMMOND AVENUE, WAGGA WAGGA,  
on WEDNESDAY 4<sup>th</sup> JUNE 2014 at 9.30 am**

**PRESENT:** Clr. G. Hiscock, Clr. R. Kendall, Clr. J. McInerney, Clr. K. Poynter, Clr. D Meyer OAM and Clr. G Verdon.

The General Manager, Director of Engineering, and Operations Manager were in attendance.

14/52 Apologies for non-attendance was received from Clrs. Funnell, Kreuzberger and Negline and leave of absence was GRANTED on the motion of Clrs. Kendall and Verdon.

**ACKNOWLEDGEMENT OF COUNTRY**

14/53 Chairperson Clr. Hiscock read out the Acknowledgement of Country.

**DECLARATION OF PECUNIARY & NON-PECUNIARY INTEREST**

14/54 No declarations of Pecuniary & Non-pecuniary interest received.

**GENERAL MANAGER'S REPORT**

**TENDER RFT2014/019 SUPPLY OF ELECTRICITY TO LARGE AND SMALL SITES**

14/55 RESOLVED on the motion of Clrs. Kendall and Poynter that Council consider the report "TENDER RFT2014/019 SUPPLY OF ELECTRICITY TO LARGE & SMALL SITES & STREET LIGHTING", whilst the meeting is closed to the public, as it relates to commercial information the disclosure of which would prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(c) of the NSW Local Government Act

Chairperson: Next Meeting will be Council Meeting to be held on Wednesday, 25<sup>th</sup> June 2014.

## **RESOLUTION TO MOVE INTO CLOSED COUNCIL**

14/56 RESOLVED, on the motion of Clrs. Kendall and Poynter that Council now resolve itself into Closed Council to consider business identified.

Council closed its meeting at 9.35 am

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.

No members of the public were present or made representations.

## **CLOSED COUNCIL**

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

14/57 RESOLVED, on the motion of Clrs. Kendall and Poynter that:

1. 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 is to be considered is classified confidential under the provisions of section 10A(2)(c) as outlined above.
2. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required under section 11(2) of the Local Government Act 1993.

## **TENDER RFT2014/019 SUPPLY OF ELECTRICITY TO LARGE AND SMALL SITES**

This item is classified as confidential under Section 10A(2)(c) of the Local Government Act which permits the meeting to be closed to the public for business relating to the following:

- c) Commercial Information, the disclosure of which would be likely to prejudice the commercial position of the persons who supplied it.

14/58 RESOLVED on the motion of Clrs Kendall and Poynter that Council:

- a) in accordance with Section 55 of the Local Government Act 1993 (NSW) and in accordance with Clause 178 of the Local Government (General Regulation) 2005 resolve not to accept any tender for the supply of electricity to large and small sites and street lighting,

- b) pursuant to clause 178(3)(e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract supply of electricity to large and small sites and street lighting,
- c) note the reason for declining to invite fresh tenders or applications is that this action would not produce different or more satisfactory offers,
- d) note the reason for determining to enter into negotiations is that the evaluation has identified inconsistencies between the offer(s) and Council's tender specification; negotiation is expected to produce a satisfactory offer,
- e) subject to successful negotiations authorise the General Manager or his delegate together with the Chairperson, to enter into a contract with the preferred contractor for the supply of electricity to large and small sites.
- f) authorise the affixing of Council's common seal to documents as required.

### **OPEN COUNCIL**

14/59

RESOLVED, on the motion of Cllrs McInerney and Poynter that Council move out of Closed Council and into Open Council.

### **DECISIONS READ ALOUD**

The Chairman read aloud the decisions of the Council made whilst the meeting was closed to the public.

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The Meeting concluded at 9.40 am

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