

**11 Confidential items**

**11.1 Confidential - Contract No. 09032 Christie Creek Upgrade - Morrow Road Sedimentation Ponds**

*Cr Nash MOVED:*

1. *That*

- a *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public with the exception of Chief Executive Officer, General Manager Projects and Services, General Manager Corporate and Community, General Manager City Development, Group Manager Economic Development, Chief Finance Officer, Project Leader Corporate and Community, Project Leader Projects and Services and Minute Secretary be excluded from attendance at the meeting in order to consider in confidence this item.*
- b *the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting on the following grounds:*
  - *Section 90 (3) (k) tenders for the supply of goods, the provision of services or the carrying out of works.*
- c *accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*

*Seconded by Cr Fletcher.*

*CARRIED*

*Cr Ferguson MOVED:*

2. *That for the construction of the Morrow Road sedimentation ponds, Council accept the tender proposed by ADCIV Pty. Ltd for Contract No. 09032 for the value of \$1,524,690.33 (GST inclusive).*
3. *That Council authorise the Chief Executive Officer to sign all required documentation.*

*Seconded by Cr Jamieson.*

*CARRIED*

*Cr Nash MOVED:*

4. *That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the abovementioned document (or part of such document) including the minutes and the report of the Council relating*

*to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in 90(3)(k) until the purchase order has been placed and confirmed.*

*Seconded by Cr Erwin.*

*CARRIED*

Mayor Rosenberg reopened the meeting to the public at 10.50pm.

## **11.2 2012 Surf Life Saving World Championships**

*Cr Mazzachi MOVED:*

1. *That a report be submitted to Council on the 2012 World Life Saving Championships by 31 August 2009.*

*Seconded by Cr Nash.*

*CARRIED*

## **11.3 Confidential Item – Issues of Confidentiality**

*Cr Ferguson MOVED:*

1. *That:*
  - a. *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at the meeting in order to consider in confidence this item.*
  - b. *the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider report at the meeting on the following grounds:*
    - *Section 90 (3)(a) of the Local Government Action 1999 the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*
  - c. *accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*

*Seconded by Cr Coomans.*

*CARRIED*

*Cr Schulze MOVED:*

2. *That a report be provided to Council by the end of August 2009 advising Council if there has been an alleged breach of Code of Conduct and/or the Local Government Act by Cr Apap in relation to the Chief Executive Officer's remuneration package.*

*Seconded by Cr Manson.*

*CARRIED*

*Cr Fletcher MOVED:*

*That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that this document (or part of such document) including the minutes of the Council/Committee relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in Section 90(3)(a), until the complaint has been resolved.*

*Seconded by Cr Ferguson.*

Mayor Rosenberg reopened the meeting to the public at 11.10pm

## **12 Closure**

There being no further business Mayor Rosenberg officially declared the meeting closed at 11.10pm