

# AMENDED ITEM

13 July 2011  
To the Ordinary Meeting

Procedural Item  
Corporate Services Department

## 1.5 Notice of Intention to Deal with Matters in Confidential Session

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TRIM REFERENCE: F2011/00027 - D02663763  
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### SUMMARY

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the "Confidential" business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

### RECOMMENDATION

- 1 ***That Council consider the following matters in Confidential Session, pursuant to Section 10A(2c) and (2g) of the Local Government Act 1993:***
  - 7.1 ***Contract CPA/194920 - Construction of Two Chain Wire Mesh Softball Cages and Other Miscellaneous Chain Wire Mesh and Balustrade Fencing at the Bateau Bay Sports Complex***
  - 7.2 ***Commercial Agreements***
  - 7.3 ***Contract CPA/115479 – Rehabilitation and Redevelopment of the Closed Bateau Bay Landfill – Status of Court Proceedings and Negotiations***
- 2 ***That Council note its reasons for considering Items 7.1, 7.2 and 7.3 in confidential session are because items 7.1 and 7.2 contain information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business and item 7.3 contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,.***
- 3 ***That Council request the General Manager to report on these matters in open session of Council.***

Note: Explanation - Section 10A of the Local Government Act 1993 states, in part, as follows:

10A *Which parts of a meeting can be closed to the public?*

- (1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:*
- (2) (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business*
- (2) (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege*