

Minutes 9th May 2006



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on 9th May 2006, commencing at 8.40pm.

PRESENT:

Councillors R. Swan (Deputy Mayor); G. Dingle; G. Francis; G Robinson; J Nell;
H. Brown; S. Dover; R. Westbury; J. Hodges;
K. Jordan; S. Tucker; General Manager; Executive Manager – Corporate Management; Facilities and Services Group Manager; Sustainable Planning Group Manager; Business and Support Group Manager, Minutes Clerk

503	Councillor Nell Councillor Jordan	It was resolved that an apology from Cr Baumann be received and noted.
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INDEX

SUBJECT

PAGE NO

- | | |
|--|---|
| 1. MOTION TO CLOSE MEETING TO THE PUBLIC | 3 |
| 2. MOTION TO CLOSE MEETING TO THE PUBLIC | 4 |

CONFIDENTIAL ITEMS

- | | |
|---|--|
| 1. TENDER FOR CEMETERY MOWING SERVICES T06-2006..... | |
| 2. LEASE OF SUITE 3 & 4 TERRACE SHOPPING VILLAGE, WILLIAM STREET, RAYMOND TERRACE | |

MINUTES FOR ORDINARY MEETING – 9 MAY 2006
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504	Councillor Hodges Councillor Robinson	It was resolved that Council move into Confidential Session
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ITEM NO. 1

FILE NO: 1740-175 &PSC2005-3605

MOTION TO CLOSE MEETING TO THE PUBLIC

POSITION TITLE: BUSINESS PAPER CO-ORDINATOR

RECOMMENDATION:

- 1) That pursuant to section 10A(2)(d) of the Local Government Act, 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Ordinary meeting agenda namely ***Tender for Cemetery mowing services T06-2006.***
- 2) That the reasons for closing the meeting to the public to consider this item be that:
 - i) The report and discussion will include details of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the tenderers; and
 - ii) In particular, the report includes confidential pricing information in respect of ***Tender for Cemetery mowing services T06-2006.***
- 3) That on balance, it is considered that receipt and discussion of the matter in open Council would be contrary to the public interest, as disclosure of the confidential commercial information could compromise the commercial position of the tenderers and adversely affect Council's ability to attract competitive tenders for other contracts.
- 4) That the report and minutes of the closed part of the meeting are to remain confidential and that Council makes public its decision including the name and amount of the successful tenderer in accordance with Clause 179 of the Local Government (General) Regulation 2005.

505	Councillor Brown Councillor Hodges	It was resolved that the information paper be received and noted.
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ITEM NO. 2

FILE NO: A2004-0873

MOTION TO CLOSE MEETING TO THE PUBLIC

POSITION TITLE: BUSINESS PAPER CO-ORDINATOR

RECOMMENDATION:

- 1) That pursuant to section 10A(2)(d) (ii) of the Local Government Act, 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 2 on the Ordinary Meeting agenda namely ***Lease of Suite 3 & 4 Terrace Shopping Village, William St, Raymond Terrace.***
- 2) That the reasons for closing the meeting to the public to consider this item be that the report and discussion will include details of commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of Council;
- 3) That on balance it is considered that receipt and discussion of the matter in open Council would be contrary to the public interest, as it may prejudice Council's commercial position and Council should have the same protection for its confidential commercial activities as that applying to other persons.
- 4) That the minutes of the closed part of the meeting are to be made public as soon as possible after the meeting and the report is to remain confidential.

506	Councillor Brown Councillor Hodges	It was resolved that the recommendation be adopted.
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