

20. ITEMS RECOMMENDED FOR CONSIDERATION IN CONFIDENCE:

20.2 Council Dredging Operations

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Chief Executive Officer, Director Infrastructure & Operations, Director Corporate Services, Finance Manager, Sustainability & Projects Coordinator, Dean Newbery Consulting and the Minute Taker, be excluded from attendance at the meeting for agenda item 20.2 "Council Dredging Operations".

The order is made on the ground that, pursuant to Section 90(3)(b)(i) of the act, the information to be received, discussed or considered in relation to this agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the commercial nature of the report, which could reasonably be expected to prejudice the commercial position of the Council.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details of the report is commercial information of a confidential nature and any disclosure of this report and/or associated discussion will be prejudicial to the Council's position.

Cr W Armfield / Cr T Harding CARRIED (2023-038)

With leave of the meeting, at 4.26pm Mayor Jeff Pope suspended meeting procedures to allow for open discussion regarding Council's Dredging Operations.

John Jovicevic of Dean Newbery joined the meeting via teams at 4.26pm.

At 4.56pm, Mayor J Pope resumed meeting procedures.

20.2 Council Dredging Operations Update

That Council:

1. accept, for the purposes of negotiation and analysis, an unsolicited proposal from Maritime Constructions Pty Ltd for dredging operations;
2. endorse the actions of the Chief Executive Officer in obtaining legal, technical and financial advice in order to analyse the proposal;
3. endorse the Cape Jaffa Long Term Dredging Maintenance Proposal Independent Assessment – Commercially Confidential report by Dean Newbery, as amended;
4. agree to exempt any request for tender process as contained in its Procurement Policy, as they relate to Council dredging operations; and
5. grant delegated authority to the Chief Executive Officer to progress, as a priority, the 'matters for further consideration' as contained in Item 6 of the report.

Cr T Harding / Cr C England CARRIED (2023-039)

John Jovicevic of Dean Newbery left the meeting at 5.07pm

That having considered this agenda item in confidence under section 90(2) and (3)(b)(i) of the Act, the Council orders pursuant to section 91(7) of the Act, that the minutes together with the report inclusive of all attachments be retained in confidence until such time as the Chief Executive Officer determines to revoke this order (and the Council delegates to the Chief Executive Officer the power to revoke the order), with the order to be reviewed annually in the meantime, as required by the Act.

Cr T Harding / Cr F Rasheed CARRIED (2023-040)