

21 CONFIDENTIAL ITEMS

21.1 TRANS-TASMAN ENERGY GROUP CLAIM - UPDATE

RECOMMENDATION

“that:

- 1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except:
 - Chief Executive Officer;
 - Acting Director Corporate Services;
 - Acting Director Finance;
 - Director Infrastructure and Environment;
 - Director Development and Community;
 - Manager Governance;
 - Executive Assistance to the CEO and Mayor/Minute Taker;
 - Governance Administration Officer; and
 - Kate Brandon of HWL Ebsworth Lawyers;be excluded from attendance at the meeting of Council for *Item 21.1 Trans-Tasman Energy Group Claim - Update*;**
- 2. Council is satisfied that pursuant to sections 90(3)(h) and (o) of the *Local Government Act 1999*, *Item 21.1 Trans-Tasman Energy Group Claim – Update* concerns information of a confidential nature, the disclosure of which would involve the unreasonable disclosure of legal advice; AND information relating to actual litigation, or litigation that Council believes on reasonable grounds will take place, involving the council or an employee of Council; and**
- 3. Council is satisfied the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”**

RECOMMENDATION

“that Council, having considered *Item 21.1 Trans-Tasman Energy Group Claim – Update* in confidence under sections 90(2) and 90(3)(h) and (i) of the *Local Government Act 1999*, resolves that:

1. The

- report; and
- minutes

pertaining to Agenda *Item 21.1 Trans-Tasman Energy Group Claim - Update*, remain confidential and not available for public inspection until further order of Council;

2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and**3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order to the Chief Executive Officer.”**

21.2 RECRUITMENT OF AN INDEPENDENT MEMBER - INFRASTRUCTURE AND ENVIRONMENT COMMITTEE

RECOMMENDATION

“that:

- 1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except:**

- **Chief Executive Officer;**
- **Acting Director Corporate Services;**
- **Acting Director Finance;**
- **Director Infrastructure and Environment;**
- **Director Development and Community;**
- **Manager Governance;**
- **Executive Assistance to the CEO and Mayor/Minute Taker; and**
- **Governance Administration Officer;**

be excluded from attendance at the meeting of Council for *Item 22.2 Recruitment of an Independent Member - Infrastructure and Environment Committee*;

- 2. Council is satisfied that pursuant to sections 90(a) of the *Local Government Act 1999*, *Item 22.2 Recruitment of an Independent Member - Infrastructure and Environment Committee* concerns information of a confidential nature, the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);**
- 3. Council is satisfied the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”**

21.3 AUSTRALIA DAY AWARDS 2024

RECOMMENDATION

“that:

- 1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except:**

- **Chief Executive Officer;**
- **Acting Director Corporate Services;**
- **Acting Director Finance;**
- **Director Infrastructure and Environment;**
- **Director Development and Community;**
- **Manager Governance;**
- **Manager Library and Community;**
- **Executive Assistance to the CEO and Mayor/Minute Taker; and**
- **Governance Administration Officer;**

be excluded from attendance at the meeting of Council for *Item 22.3 Australia Day Awards 2024*;

- 2. Council is satisfied that pursuant to sections 90(o) of the *Local Government Act 1999*, *Item 22.3 Australia Day Awards 2024* concerns information relating to a proposed award recipient before the presentation of the award;**
- 3. Council is satisfied the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”**

RECOMMENDATION

“that Council, having considered *Item 22.3 Australia Day Awards 2024* in confidence under sections 90(2) and 90(3)(o) of the *Local Government Act 1999*, resolves that:

- the report;
- minutes; and
- attachment 1–12;

pertaining to *Item 22.3 Australia Day Awards 2024*, remain confidential and not available for public inspection under section 91(7) of the *Local Government Act 1999* until all award recipients have been notified of Council’s decision.”

**21.4 TWO WELLS TOWN CENTRE - LAND FACILITATION AGREEMENT: ADELAIDE PLAINS
COUNCIL AND PREFERRED PROPONENT**

RECOMMENDATION

“that:

- 1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except:**

- **Chief Executive Officer;**
- **Acting Director Corporate Services;**
- **Acting Director Finance;**
- **Director Infrastructure and Environment;**
- **Director Development and Community;**
- **Manager Governance;**
- **Executive Assistance to the CEO and Mayor/Minute Taker;**
- **Governance Administration Officer;**
- **Mr Sean Kernighan of Norman Waterhouse Lawyers;**
- **Mr Ben Koop of Alinea Group;**

be excluded from attendance at the meeting of Council for Item 21.4 – *Two Wells Town Centre - Land Facilitation Agreement: Adelaide Plains Council and Preferred Proponent*;

- 2. Council is satisfied that pursuant to sections 90(3)(b)(i) of the *Local Government Act 1999*, Item 21.4 – *Two Wells Town Centre - Land Facilitation Agreement: Adelaide Plains Council and Preferred Proponent* concerns information of a confidential nature, the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council;**
- 3. Council is satisfied the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”**

22 CLOSURE