

CONFIDENTIAL ITEMS 2003 – JUNE 2013

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
69	3 Dec 2012	Adelaide Hills Region Waste Management Authority	<p>1. Pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that all members of the public, with the exception of the CEO, General Manager Corporate Services, General Manager Infrastructure and Projects, General Manager Council Services, Adelaide Hills Region Waste Management Authority CEO, and the Minute Secretary be excluded from attendance at the meeting for agenda item 16.1.</p> <p>The Council is satisfied that pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is:</p> <ul style="list-style-type: none"> - conducting business; and - would prejudice the commercial position of the Council <p>in that the Council as a member of the AHRWMA is engaged in negotiations with another party which includes detailed costings the disclosure of which would prejudice the Council's commercial position during the current</p>	Agenda Attachments		Pursuant to section 91(7) of the Local Government Act 1999, orders that the attachments, reports and minutes pertaining to this matter, including discussions and considerations, be retained in confidence until the negotiations are complete and the matter is determined, but not longer than 12 months.		2 Sept 13	Minute only released and on web 20/6/13

CONFIDENTIAL ITEMS 2003 – JUNE 2013

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
			ongoing negotiations. The Council is satisfied that pursuant to Section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda item 16.1 is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected: -to prejudice the commercial position of the person who supplied the information in that the financial details of will be provided and discussed. In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. 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						

51 **CONFIDENTIAL REPORTS**

**REPORT TITLE: CONFIDENTIAL: ADELAIDE HILLS REGION
WASTE MANAGEMENT AUTHORITY**

DATE OF MEETING: 3 DECEMBER 2012

FILE NUMBER: 12/101167

51.1 Moved Councillor Westwood that Council:

1. Pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that all members of the public, with the exception of the General Manager Corporate Services, General Manager Infrastructure and Projects, General Manager Council Services, and the Minute Secretary be excluded from attendance at the meeting for agenda item 16.1.

The Council is satisfied that pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is:

- conducting business; and
- would prejudice the commercial position of the Council

in that the Council as a member of the AHRWMA is engaged in negotiations with another party which includes detailed costings the disclosure of which would prejudice the Council's commercial position during the current ongoing negotiations.

The Council is satisfied that pursuant to Section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda item 16.1 is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:

- to prejudice the commercial position of the person who supplied the information

in that the financial details of will be provided and discussed.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. 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 Council's commercial position may severely prejudice Council's ability to be able

to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

Seconded Councillor Campbell and CARRIED

51.2 Moved Councillor Westwood

2. That Council endorse the Adelaide Hills Region Waste Management Authority Board's resolution to accept the Southern Waste ResourceCo Settlement Proposal as detailed in Attachment 2 to this report.
3. That having considered this matter in confidence under section 90(2) and 90 (3) (b) and (d) of the Local Government Act 1999, the Council, pursuant to section 91(7) of the Local Government Act 1999, orders that the attachments, reports and minutes pertaining to this matter, including discussions and considerations, be retained in confidence until the negotiations are complete and the matter is determined, but not longer than 12 months.

Seconded Councillor Campbell and CARRIED

MEETING DECLARED CLOSED AT 9.36PM

MAYOR

DATE