

**3. Confidential items**

**3.1 Confidential – Water Proofing the South Stage 2 – Council’s Role**

*Cr Coomans MOVED:*

*1. That*

- a. under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public with the exception of the Chief Executive Officer, General Manager Projects and Services, General Manager Corporate and Community, General Manager City Development, Group Manager Economic Development, Chief Financial Officer, Team Leader Management Accounting, Team Leader Revenue Services, Manager of Strategic Projects, Project Leader Projects and Services and Minute Secretary be excluded from attendance at the meeting in order to consider in confidence this item.*
- b. the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting on the following grounds:*
  - Section 90 (3) (b) information the disclosure of which :*
    - (i) 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; and*
    - (ii) would on balance, be contrary to the public interest*
  - Section 90 (3) (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which:*
    - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
    - (ii) would, on balance, be contrary to the public interest*
- c. accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*

*Seconded by Cr Jamieson.*

*CARRIED*

*Cr Schulze MOVED:*

- 2. That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the commercial aspects of the above mentioned document (or part of such document) including the minutes and the*

*report of the Council relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in 90(3)(k) until the conclusion of negotiations with the federal and state governments regarding funding and Council's resolution of its water pricing policy.*

*Seconded by Cr Erwin.*

*CARRIED*

Deputy Mayor Mazzachi reopened the meeting to the public at 8.12pm.

**4. Closure**

There being no further business Deputy Mayor Mazzachi closed the meeting at 8.12pm.

*Certified Correct.....Chair*

/ / 2009