

11. Confidential items

Mayor Rosenberg brought forward item 11.2 Confidential – Award of contracts and variations to construct the trade waste scheme plus associated modifications to other elements of stage 1 of Water Proofing the South (WPS1) and item 11.3 Legal advice regarding resolution of 1 March 2011 at this point.

11.2 Confidential – Award of contracts and variations to construct the trade waste scheme plus associated modifications to other elements of stage 1 of Water Proofing the South (WPS1)

Cr Nash declared a conflict of interest due to her husband's employment with Tonkin Consulting and left the chamber at 9.36pm.

Cr Sutherland declared a conflict of interest as a director of a company with a trade waste interest and left the chamber at 9.36pm.

Cr Wenham left her seat in the chamber at 9.36pm.

Cr Wenham resumed her seat in the chamber at 9.37pm.

Cr Parslow MOVED:

1. *That*
 - a. *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded with the exception of Chief Executive Officer, Chief Financial Officer, General Manager Corporate and Community, General Manager Projects and Services, Manager Development Services, Manager Development Policy, Manager Infrastructure, Group Manager Governance, Project Leader- Water Proofing the South and Minute Secretary 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) (k) tenders for the supply of goods, the provision of services or the carrying out of works.
 - 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 Bray.

CARRIED

Cr Olsen MOVED:

2. *That for the construction of the Trade Waste scheme, Council:*
 - a. *accept the tender proposed by Fulton Hogan for Contract No. 10062 for the value of \$2,069,137 (GST inclusive) including those variations to the*

contract value identified in section 3.1 of this report and authorise the Chief Executive Officer to sign all required documentation to finalise the contract with Fulton Hogan.

- b. accept the variation proposed by TRILITY to the CWMS management contract for the value of \$1,091,213 (GST inclusive) as identified in section 3.2 of this report and authorise the Mayor and the Chief Executive Officer to affix the seal and sign all required documentation to finalise the variation.*
- 3. That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the abovementioned 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 purchase orders have both been placed and confirmed.*

Seconded by Cr Chapman.

Cr Parslow MOVED that the MOTION be PUT.

Seconded by Cr de Jonge.

CARRIED

The MOTION was PUT and CARRIED

Cr Nash and Cr Sutherland resumed their seats in the chamber at 9.53pm.