

Elected Member Briefing Agenda

Tuesday 7 August 2018

Time: 6.30pm
(Dinner provided for Elected Members from 6.00pm)

Location: Civic Centre (571 Montague Road, Modbury)

** Please note that timeframes are approximate and subject to change*

6.30 - 7.45pm **Richardson Reserve (Confidential Item – closed to public)**
Facilitated by Ryan McMahon, Director Organisational Services & Excellence

1. *That pursuant to section 90(2) of the Local Government Act 1999 the Council orders that the public with the exception of the people making the deputation and staff on duty be excluded from the meeting to enable a deputation on the Unsolicited Offer from Kaufland Australia and Council's Consultant to comment on same.*
2. *That the Council is satisfied that pursuant to section 90(3)(d(i))(d(ii)) of the Act, the information to be received, discussed or considered in relation to this item is:*
 - *Commercial information of a confidential nature (not being a trade secret) the disclosure of which –*
 - *would prejudice the commercial position of the person who supplied the information*
 - *would on balance be contrary to the public interest*
 - *on the basis that release of this information has the ability to compromise the relevant company's ability to prepare a Heads of Agreement*
3. *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 on the basis that it may prejudice the commercial position of the company who is making the deputation.*
4. *That the Council is satisfied that the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter by the need to keep the discussion of this matter confidential because it may confer a commercial advantage on a third party.*



7.45 - 8.00pm **Short break**

8.00 - 8.45pm **Open Space**

Facilitated by Ben Clark, Assets Business Administrator, Andrew Sellars, Manager Parks and Thornton Harfield, Director Assets & Environment

8.45 - 9.30pm **Waste Management (Confidential Item – closed to public)**

Facilitated by Ryan McMahon, Director Organisational Services & Excellence and Thornton Harfield, Director Assets & Environment

That pursuant to section 90(2) of the Local Government Act 1999 the Chief Executive Officer orders that the public with the exception of the people making the deputation and staff on duty be excluded from the meeting to enable information relating to Council's Waste Management contracts to be provided to Elected Members

That the Council is satisfied that pursuant to section 90(3)(d(i))(d(ii)) of the Act, the information to be received, discussed or considered in relation to this item is:

- *Commercial information of a confidential nature (not being a trade secret) the disclosure of which –*
 - *would prejudice the commercial position of the person who supplied the information*
 - *would on balance be contrary to the public interest*
 - *on the basis that release of this information has the ability to compromise the relevant company's ability to prepare a Heads of Agreement*

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 on the basis that it may prejudice the commercial position of the company who is making the deputation.

That the Council is satisfied that the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter by the need to keep the discussion of this matter confidential because it may confer a commercial advantage on a third party.

