1. **PRESENT**

Cr P J Raison, Chairperson, Cr J W Hall and Cr S P Wilkinson.

2. **IN ATTENDANCE**

Mr G Hill, Director Infrastructure Services,
Mr N Cook, Waste Management Coordinator,
Mr C Hempel, Acting Director Corporate & Financial Services,
Mrs T Lawes, Infrastructure Services Support Officer.

3. **COMMENCEMENT AND WELCOME**  2-30 P M

4. **APOLOGIES** Were received from Mayor D J Burgess, Cr B J Taylor and Mr R Peate, Chief Executive Officer.

353/1 Cr Hall moved that the apologies be received.
Seconded Cr Wilkinson

**CARRIED.**

5. **BUSINESS**

5.1 **Confidential Item:** Further Consideration of Future Levels of Service - Barossa Regional Procurement Group (BRPG) – Waste Collection Services Tender as per report tabled at the Meeting of the Waste Management Advisory Committee 23 January 2018

Confidential item pursuant to Section 90 –

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;

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;

90(3)(k) – tenders for the supply of goods, the provision of services or the carrying out of works.
5. BUSINESS CONT’D

5.1 Confidential Item: Further Consideration of Future Levels of Service - Barossa Regional Procurement Group (BRPG) – Waste Collection Services Tender as per report tabled at the Meeting of the Waste Management Advisory Committee 23 January 2018

Time: 2-01 P.M

354/1 Cr Hall moved that

(1) Under the provision of Section 90(2) and (3)(b), (d) and (k) of the Local Government Act 1999 an order be made that with the exception of Mr Greg Hill, Mr Neil Cook, Mr Clive Hempel and Mrs Tracey Lawes, all other persons present and the public be excluded from attendance at the meeting in order to receive a report and to consider matters under Section 90(3)(b), (d) and (k).

(2) The Mid Murray Council Waste Management Advisory Committee is satisfied that pursuant to Section 90(3)(b), (d) and (k) of the Act, the information to be received, discussed or considered in relation to the agenda item are tenders for the provision of Waste Management Services.

(3) Accordingly, on this basis, the principle that meetings of Mid Murray Council Waste Management Advisory Committee should be conducted in a place open to the public has been outweighed by the need to keep the discussion confidential because the information to be disclosed and discussed has the potential to impact adversely on each of the tenderers as competitive commercial information will be disclosed.

Seconded Cr Wilkinson

CARRIED

3-25 P.M

354/2 Cr Hall moved that

(1) Pursuant to Section 91(7) of the Local Government Act 1999, the Mid Murray Council Waste Management Advisory Committee orders that Confidential Minutes Pages 50 - 52 of the meeting held on 6 February 2018, the Confidential Report item 5.1 (Further Consideration of Future Levels of Service – Barossa Regional Procurement Group (BRPG) – Waste Collection Services Tender as per report tabled at the Meeting of the Waste Management Advisory Committee 23 January 2018) and attachments and all discussions relating to the matter which was considered in confidence pursuant to Section 90(2) and (3)(b),(d) and (k) remain confidential and not available for public inspection until the end of the Waste Management Services Contract and that the Chief Executive Officer be delegated the power to review and revoke this order; and

(2) Makes an order that the minutes relating to the above confidentiality order and other information required to be released in accordance with the requirements of Section 91(8)(b) and (ba) of the Local Government Act 1999, be kept confidential until the Waste Management Services Contract is executed by both parties.

Seconded Cr Wilkinson.

CARRIED.

3-43 P.M The Chairperson declared the meeting closed.
5.1 Further Consideration of Future Levels of Service - Barossa Regional Procurement Group (BRPG) – Waste Collection Services Tender as per Report Tabled at the Meeting of the Waste Advisory Committee 23 January

Confidential item pursuant to Section 90 –

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;

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;

90(3)(k) – tenders for the supply of goods, the provision of services or the carrying out of works.

Time: P M
Cr moved that

(1) Under the provision of Section 90(2) and (3)(b), (d) and (k) of the Local Government Act 1999 an order be made that with the exception of Mr Russell Peate, Mr Greg Hill, Mr Neil Cook, and Mrs Tracey Lawes, all other persons present and the public be excluded from attendance at the meeting in order to receive a report and to consider matters under Section 90(3)(b), (d) and (k).

(2) The Mid Murray Council Waste Management Advisory Committee is satisfied that pursuant to Section 90(3)(b), (d) and (k) of the Act, the information to be received, discussed or considered in relation to the agenda item are tenders for the provision of Waste Management Services.

(3) Accordingly, on this basis, the principle that meetings of Mid Murray Council Waste Management Advisory Committee should be conducted in a place open to the public has been outweighed by the need to keep the discussion confidential because the information to be disclosed and discussed has the potential to impact adversely on each of the tenderers as competitive commercial information will be disclosed.

Greg Hill
Director Infrastructure Services