

## 10 Confidential items

### 10.1 Confidential - Response to expression of interest process

Cr Hammond declared an interest as his daughter has an investment property within 500 metres of the residential area of Lovelock Street which is situated near 14 Rowley Road Aldinga Beach.

*Cr Oakes 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 Corporate and Community, General Manager City Development, General Manager Projects and Services, Chief Financial Officer, Group Manager Sustainability, Manager Property and Recreation Services, Manager Development Services, Manager Infrastructure, Asset Planner 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*
- (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*
  - (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 Merritt.*

**CARRIED**

Cr Swann resumed his seat in the chamber at 9.25pm.

Cr Webster left his seat in the chamber at 9.47pm.

Cr Webster resumed his seat in the chamber at 9.50pm.

*Cr Parslow MOVED:*

2. *That Council approve the lodgement of an option agreement for Allotment 14 Rowley Road, Aldinga Beach as a response to the current Expression of Interest process, subject to the following conditions:*
  - (a) *that the option nominates a value for the land that is benchmarked on the valuation received by Southwick Goodyear of \$990,000*
  - (b) *that the option agreement be for a period until 30 June 2011*
3. *That Council approve the formal notification of its interest in Allotment 33 in DP 25006, McCrae Street, Aldinga Beach be sent to the Salvation Army expressing a desire to have a 'first right' over the land open until 30 June 2011.*
4. *That the processes identified in 2 and 3 above be subject to the presentation of further reports on the Aldinga Development Plan Amendment process and the Aldinga Community Facilities Study to Council for consideration prior to formalising any land acquisition negotiations by March 2011.*
5. *That the Mayor and Chief Executive Officer be delegated authority for:*
  - (a) *the lodgement of an option agreement bid on the land at Allotment 14 Rowley Road, Aldinga Beach subject to the conditions outlined above.*
  - (b) *an acknowledgement letter to be sent to the Salvation Army to register Council's interest in obtaining a non binding 'first right' agreement over the land at Allotment 33 in DP 25006, McCrae Street, Aldinga Beach.*
6. *That in the event that we are unsuccessful in the process to gain an option over the land at Allotment 14 Rowley Road, Aldinga Beach, that Council approve the acquisition of an easement over the land for the preservation of the drainage infrastructure and that the expenditure associated with this acquisition be incorporated in a future budget review.*

*Seconded by Cr Oakes.*

*At 10.04pm in accordance with Council's resolution regarding meeting procedures Cr de Jonge MOVED that the meeting continue until the conclusion of business.*

*Seconded by Cr Chapman.*

*CARRIED*

*The MOTION was PUT and CARRIED.*

*Cr Nash MOVED:*

7. *That the matter of the Response to expression of interest process - Aldinga District Centre having been considered in confidence under Section 90(3)(b), 90(3)(d) of the Local Government Act 1999 an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the Response to expression of interest process - Aldinga District Centre and the minutes and the report of the relating to discussion of the subject matter be kept confidential until 30 June 2012.*

*Seconded by Cr Swann.*

*CARRIED*