

10.2 Seaford Heights

Cr Wenham 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, Chief Financial Officer, General Manager Corporate and Community, General Manager Projects and Services, General Manager City Development, Group Manager Governance, Group Manager Sustainability, Manager Infrastructure, Project Leader 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) (i) information relating to actual litigation or litigation that the Council believes on reasonable grounds will take place involving the council
 - 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 Wenham MOVED:

2. *That legal advice be sought in relation to Council's options to challenge the decision of the Minister for Urban Development Planning and the City of Adelaide to not undertake further formal consultation under the Development Act in relation to proposed changes to the public consultation version of the Seaford Heights DPA.*
3. *That the outcomes of legal advice be reported to Council by 3 May 2011 Council meeting.*

Seconded by Cr Olsen.

LOST

Cr Wenham called a division.

For

<i>Cr Richardson</i>	<i>Cr Kilby</i>	<i>Cr Olsen</i>	<i>Cr Wenham</i>	<i>Cr Schulze</i>
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Against

<i>Cr Hammond</i>	<i>Cr Knight</i>	<i>Cr Jamieson</i>	<i>Cr Chapman</i>	<i>Cr S Brown</i>
<i>Cr Webster</i>	<i>Cr Swann</i>	<i>Cr R Brown</i>	<i>Cr Merritt</i>	<i>Cr Parslow</i>
<i>Cr Bray</i>	<i>Cr Sutherland</i>	<i>Cr de Jonge</i>		

LOST

Cr Jamieson MOVED:

- 4. 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)(i) until we have a response from the Minister for Urban Development Planning to our letter dated 16 March 2011 and for the matter to then be reviewed.*

Seconded by Cr de Jonge.

CARRIED