

**11 Confidential items**

**11.2 Confidential - Seaford District Centre - development and land considerations**

*Cr Greaves 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 from attendance at the meeting in order to consider in confidence this item with the exception of Mr Damien Ellis and Mr Caillin Howard of Hames Sharley and Mr Kym Walters.*
- b. *the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the information 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; and*
- (ii) would, on balance, be contrary to the public interest;*

*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 de Jonge*

*CARRIED*

Damien Ellis and Caillin Howard from Hames Sharley gave a presentation in relation to the Seaford District Centre – development and land considerations.

At the conclusion of the presentation Mr Damien Ellis, Mr Caillin Howard and Mr Kym Walters left the Chamber.

*Cr Richardson MOVED:*

2. *That in respect of Allotment 2128 in Deposited Plan 48511, Allotment 2126 in Deposited Plan 47713 and Allotment 1110 in Deposited Plan 45911 together with the whole of the road reserve comprising Walker Avenue and Patterson Street, Seaford, that Council:*
  - (a) supports 'in principle' discussions being held with Leasecorp, as the adjoining property owner, in relation to development proposals that*

*may necessitate the Council considering the disposal of land parcels and road reserves, subject to:*

- i. the Council's expectation that it will receive a commercial market value for its land and roads, and*
- ii. that these negotiations include investigating the future role of Council in relation to the 2001 Car Parking Agreement, and*
- iii. a further report to be tabled by April 2012 for Council's consideration on the outcomes of the 'in principle' negotiations, and that this report will also provide information relating to community land and road closure processing requirements (if required).*

*Seconded by Cr Greaves.*

*Cr Wenham MOVED an AMENDMENT.*

*2. That in respect of Allotment 2128 in Deposited Plan 48511, Allotment 2126 in Deposited Plan 47713 and Allotment 1110 in Deposited Plan 45911 together with the whole of the road reserve comprising Walker Avenue and Patterson Street, Seaford, that Council:*

- (a) supports 'in principle' discussions being held, after the stakeholder engagement on 30 November 2011, with Leasecorp, as the adjoining property owner, in relation to development proposals that may necessitate the Council considering the disposal of land parcels and road reserves, subject to:*
  - i. the Council's expectation that it will receive a commercial market value for its land and roads, and*
  - ii. that these negotiations include investigating the future role of Council in relation to the 2001 Car Parking Agreement, and*
  - iii. a further report to be tabled by April 2012 for Council's consideration on the outcomes of the 'in principle' negotiations, and that this report will also provide information relating to community land and road closure processing requirements (if required).*

*Seconded by Cr Bray.*

Leave of the meeting for the amendment was sought and granted.

*The AMENDMENT was PUT and CARRIED. The MOTION, thus AMENDED, was PUT and CARRIED.*

*Cr Nash MOVED:*

*3. That the matter of the Seaford District Centre - development and land considerations having been considered in confidence under Section 90(3)(b) 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 Seaford District Centre - development and land considerations and the minutes and the report of the Council relating to discussion of the subject matter be kept confidential until any agreements relating to land transactions are in place, or a determination by Council that land transactions will not proceed.*

*Seconded by Cr Parslow.*

*CARRIED*

RELEASED 6/11/20