

## 15. Confidential items

### 15.1 Aldinga District Centre - Library and Volt Facility

*MOVED Cr Chapman.*

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.*
- b. *the Council is satisfied that it is necessary that the public be excluded to enable the Council to discuss and 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; and*
  - (ii) *would, on balance, be contrary to the public interest;*
- c. *The Council is satisfied that it is reasonably foreseeable that the public disclosure or discussion of information concerning the lease arrangements and land purchase would provide a commercial advantage to another party.*

*The Council is also satisfied in considering the public interest that whilst disclosure would enhance:*

- *the accountability of council or council staff in the performance of their official powers, duties and responsibilities*
- *the community's ability to inform their own decisions*
- *informed debate about issues and public participation in democracy*

*the public interest is outweighed by the following factors, that:*

- *disclosure may unduly inhibit the achievement of the objectives of the Act at Section 8, i.e. obtaining value for money for the community*
- *disclosure would provide a commercial advantage to another party*
- *disclosure may have a detrimental effect on the efficient and effective conduct of government functions.*

*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*

**MOVED Cr Jamieson.**

2. *That Council:*

- a) *Approve in principle the relocation of the Aldinga Library to a purpose built facility to be leased from Ashford Holdings Pty Ltd on an anticipated 10 year lease with a right of renewal for a further 10 years subject to the outcomes of negotiations of the commercial lease terms being satisfactory to Council.*
- b) *Approves in principle the expansion of the VOLT Youth Centre by incorporating this expansion into the leased tenancy of the existing library immediately adjacent to its current location on an appropriate short term lease subject to the outcomes of negotiations of the commercial lease terms being satisfactory to Council.*
- c) *Delegates authority to the Chief Executive Officer to negotiate the commercial terms of the lease arrangements and execute the required documentation to effect a lease as referred to in recommendation (b) and (c) above with Ashford Holdings Pty Ltd which underpin the proposed new and amended tenancies.*
- d) *Delegates authority to the Chief Executive Officer to seek out and lodge applications for external funding opportunities for the project and/or elements of the project including library, VOLT, main street and town square.*
- e) *Note that further investigations into the most effective facility delivery model for a community centre and the options for the existing facility will be the subject of a further report to Council.*

3. *In the event of no funding being able to be secured from the Federal and/or State Government prior to caretaker provisions coming into effect in the lead up to the scheduled elections in 2013 and 2014, that Council:*

- a) *Funds the delivery of the project (Library and VOLT fit-out, new main street and basic infrastructure for the town square) to a total of \$6.19M, consisting of:*
  - *2013-14 - \$1.34M for land purchase*
  - *2014-15 - \$2.5M*
  - *2015-16 - \$2.35M**to allow Council to fully fund the construction of the main street and town square to support the lease 2021 option.*
- b) *Where external funding cannot be attracted prior to the federal and state elections Council continues to seek funding opportunities to deliver the final elements of the town square including the civic playground, public art and community event infrastructure being the components of the project not required to be delivered at the same time as the road civil infrastructure.*

*Seconded by Cr Chapman.*

**CARRIED**

**Cr Bray** called a Division.

*For:*

<i>Cr Olsen</i>	<i>Cr Kilby</i>	<i>Cr Chapman</i>	<i>Cr Sutherland</i>	<i>Cr Merritt</i>
<i>Cr Gunn</i>	<i>Cr Swann</i>	<i>Cr Jamieson</i>	<i>Cr Parslow</i>	<i>Cr Richardson</i>
<i>Cr Nash</i>				

*Against:*

<i>Cr S Brown</i>	<i>Cr Bray</i>	<i>Cr R Brown</i>		
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**CARRIED**

**MOVED Cr Merritt.**

4. *That Council revokes the Order of Confidentiality made on 5 February 2013 over Item 15.1 Aldinga Community Facilities Feasibility Study including the report and minutes of the Council relating to discussion of the subject matter.*
5. *That the matter of the Aldinga District Centre – Library & VOLT Facility 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 this report Item 15.1 Aldinga District Centre – Library & VOLT Facility and the report and minutes of Item 15.1 Aldinga Community Facilities Feasibility Study of the 5 February 2013, with the exception of Attachment 5 - Draft Connor Holmes Retail & Infrastructure Investigation Study, relating to discussion of the subject matter be kept confidential until the completion of all commercial negotiations regarding lease arrangements and the associated land purchase of GP Plus Land Holdings, which has been the subject of previous confidential Council reports.*
6. *That, pursuant to section 91(9)(a) of the Local Government Act 1999, Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.*
7. *That, pursuant to section 91(9)(c) of the Local Government Act 1999, Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.*

**Seconded by Cr Chapman.**

**CARRIED**