

Mayor Rosenberg brought forward item 11.2 at this time.

## 11.2 Confidential - Coastal Kiosk Update

*Cr Fletcher MOVED*

1. (a) *That under the provisions of Section 90(2) of the Local Government Act at the meeting with the exception of Chief Executive Officer, Group Manager Governance, General Manager City Development, General Manager Corporate Services, Acting General Manager City Services, Manager Property, Projects Officer, Economic Development Officer, and the Minute Secretary in order to consider in confidence this item.*
  - o *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)(i)(ii) 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) *That 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 Nash.*

**CARRIED**

*Cr Nash MOVED*

2. (a) *That a notice be served on Ms Robson advising it is Council's intention to withdraw from further negotiations with her and to revoke acceptance of the Robson tender unless documented evidence can be provided within a fourteen day period of her right and capacity to undertake the project and a willingness to accept the term of the lease offered by Council.*
- (b) *That if the information requested in the Notice is not provided to us within the given time frame, that the endorsement of the Robson proposal for the development and operation of the Maslin Beach kiosk and convenience store service be withdrawn.*
- (c) *That subject to the withdrawal of the endorsement of the Robson proposal a new Expression of Interest be called for the development*

*and operation of a coastal kiosk and convenience store service at the nominated site at Maslin Beach.*

- (d) *That following due diligence and probity audit process, the results of the Expression of Interest be recommended to Council for endorsement.*
3. *That in the event that Ms Robson is able to provide the requested documented evidence and commitment to the term of the lease a report be presented to Council for consideration of whether it is willing to accept the changed arrangements with Ms Robson or alternatively to withdraw the endorsement of the Robson proposal for the development and operation of the Maslin Beach kiosk and convenience store service.*

*Seconded by Cr Fletcher.*

*CARRIED*

*Cr Fletcher 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)(a), 90(3)(b) until the position of Ms Robson to undertake the project is confirmed.*

*Seconded by Cr Nash.*

*CARRIED*

**CITY OF ONKAPARINGA  
MINUTES OF THE COUNCIL MEETING HELD ON 2 OCTOBER 2007**

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