

15. Confidential items

15.1 Noarlunga Regional Centre Market Sounding

MOVED Cr Parslow.

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 staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.*
- b. *the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the report at the meeting on the following grounds:*
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; and*
 - (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 Olbrich.

CARRIED

Cr Kilby left the meeting at 10.17pm.

MOVED Cr Hennessy.

2. *That Council note the outcome of the Market Sounding process.*
3. *That given the lack of a suitable proposal Council terminate the Market Sounding process.*
4. *That opportunities to divest Council's surplus land in the centre to support the Noarlunga Regional Centre vision be further considered and pursued through normal disposal processes with references to the overall NRC vision.*

Seconded by Cr Greaves.

At 10.00pm Cr Chapman MOVED that the meeting continue until the conclusion of business.

Seconded by Cr Swann.

CARRIED

Cr Olsen MOVED an AMENDMENT.

- 2. That Council note the outcome of the Market Sounding process.*
- 3. That given the lack of a suitable proposal Council terminate the Market Sounding process.*
- 4. That a new strategic review be conducted of Councils land holdings in the Noarlunga Regional Centre and be reported back to Council.*

Seconded by Cr Chapman.

The AMENDMENT was PUT and CARRIED.

The MOTION, thus AMENDED, was PUT and CARRIED.

MOVED Cr Merritt.

- 5. That the matter of Noarlunga Regional Centre Market Sounding having been considered by the Council in confidence under sections 90(2) and 90(3)90(3)(d)(i) and (ii) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7)and (9) of the Local Government Act 1999 that the agenda report, any informal questions and responses, discussion and minutes of the Council relating to discussion of the subject matter be kept confidential until 30 June 2020.*
- 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 Gunn.

CARRIED