

15. Confidential items

15.1 Strategic Directions Committee minutes

MOVED Cr Nash.

1. *That:*

- a. *Under the provisions of the 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. *Council is satisfied that it is necessary that the public be excluded to enable the Council to receive discuss and consider this item 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;*

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 is outweighed by the following factors, that:

- *disclosure may unduly inhibit the achievement of objectives of the Act at Section 8, ie 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.*

- 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 Greaves.

CARRIED

MOVED Cr Parslow.

2. *That Council note the following resolution of the Strategic Directions Committee:*

That a report be presented to Council on the Aldinga District Centre Library and Volt Facility by the end of June 2013.

Seconded by Cr Greaves.

CARRIED

MOVED Cr Nash.

3. *That the matter of the Aldinga District Centre Library and 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 the Aldinga District Centre Library and Volt Facility and the minutes relating to discussion of the subject matter be kept confidential until the completion of all commercial negotiations regarding the lease arrangements and the associated land purchase, which has also been the subject of previous confidential Council reports.*
4. *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.*
5. *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 Kilby.

CARRIED