

15. Confidential items**15.1 Expressions of Interest - Seaford, Hub and Hill Recreation Centres**

MOVED Cr Kilby.

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 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;*

The Council is satisfied that it is reasonably foreseeable that the public disclosure or discussion of information at the meeting may:

- *prejudice the commercial position of the companies that supplied the information; or*
- *confer a commercial advantage on a third party; or*
- *prejudice any ongoing negotiations with the preferred supplier*

potentially causing damage to the interests of the Council.

- 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 Chapman.

CARRIED

Cr Wenham resumed her seat in the Chamber at 8.40pm.

Cr Chapman left his seat in the Chamber at 9.06pm.

Cr Chapman resumed his seat in the Chamber at 9.08pm.

At 9.08 pm Cr Chapman moved that the meeting adjourn for a 10 minute break.

Seconded by Cr Wenham.

LOST

Cr Kilby left her seat in the Chamber at 9.15pm.

Cr Kilby resumed her seat in the Chamber at 9.18pm.

MOVED Cr Parslow.

2. *That Council approve Wellness Lifestyle (SA) Pty Ltd (as trustee of the Wellness Lifestyle Trust) as the preferred respondent for negotiating a final lease agreement for the management of the Seaford, Hub and Hill Recreation Centres.*
3. *That Council delegate authority to the Chief Executive Officer to finalise a lease agreement of five years with the option for a further five years with Wellness Lifestyle (SA) Pty Ltd (as trustee of the Wellness Lifestyle Trust) to manage the Seaford, Hub and Hill Recreation Centres, subject to the Chief Executive Officer's satisfaction of negotiated outcomes with the preferred registrant.*
4. *That Council delegate authority to the Mayor and Chief Executive Officer to execute and affix the Council Seal to all relevant documentation to complete the transaction.*

Seconded by **Cr Merritt.**

Cr Richardson MOVED that the MOTION be PUT.

Seconded by **Cr R Brown.**

CARRIED

The MOTION was PUT and CARRIED.

MOVED Cr Bray.

5. *That the matter of the Expressions of Interest – Seaford, Hub and Hill Recreation Centres having being considered in confidence under Section 90(3)(d) 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 Expressions of Interest – Seaford, Hub and Hill Recreation Centres and the minutes and the report of the council relating to discussion of the subject matter, be kept confidential until the contract is signed with the exception of Attachment 1.*
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.*

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MOVED Cr Jamieson.

5. *That the matter of the Expressions of Interest – Seaford, Hub and Hill Recreation Centres having being considered in confidence under Section 90(3)(d) 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 Expressions of Interest – Seaford, Hub and Hill Recreation Centres and*

the minutes and the report of the council relating to discussion of the subject matter, be kept confidential until the contract expiration.

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 Olsen**.

CARRIED

RELEASED