

10.1 Proposed Open Space Acquisition - Sturt River Linear Park

Cr Nash MOVED

- 1 (a) *That under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded with the exception of Chief Financial Officer, Manager Infrastructure, General Manager City Services, General Manager Corporate Services, General Manager City Development, Group Manager Economic Development, Senior Program Leader Sustainability and Climate Change, Asset Planner, General Manager City Projects, Chief Executive Officer, Group Manager Governance and the Minute Secretary from attendance at the meeting in order to consider in confidence this item.*
- (b) *That 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 Fletcher.

CARRIED

Cr Fletcher MOVED

1. *That Council receive this report.*
2. *For the property at 384 Main Road, Coromandel Valley being Allotment 97 in Filed Plan 149182 Certificate of Title Volume 5353 Folio 115:*
 - (a) *That Council approve the acquisition for inclusion into the Sturt River Linear Park in accord with the land acquisition priorities identified within the Sturt River Linear Park Strategy.*
 - (b) *That Council authorise the Chief Executive Officer to negotiate purchase of the land for no more than \$385,000 (excluding GST) plus fees charges and associated costs.*

- (c) *That Council fund the purchase through a transfer from the Sturt River Linear Park Trust Fund.*
- (d) *That Council seek reimbursement from Planning SA for up to 50% of the purchase price.*
- 3. *That Council authorise the Mayor and the Chief Executive Officer to complete any documentation necessary to purchase the land.*
- 4. *That Council authorise the Mayor and the Chief Executive Officer to complete any necessary documentation for a leaseback of the property to the current owner or a rental agreement to a suitable tenant until the site is required as public reserve.*

Seconded by Cr Manson.

CARRIED

Cr Nash MOVED

- 5. *That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that this 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)(b)(i)(ii) until settlement has been completed.*

Seconded by Cr Coomans.

CARRIED

10.2 Development Assessment Panel - Appointment of Public Officer

Crs Nash, Apap and Coomans declared an interest as members of the City of Onkaparinga's Development Assessment Panel.

Cr Apap MOVED

- 1. *That*

under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance with the exception of Chief Financial Officer, Manager Infrastructure, General Manager City Services, General Manager Corporate Services, General Manager City Development, Group Manager Economic Development, Senior Program Leader Sustainability and Climate Change, General Manager City Projects, Chief Executive Officer, Group Manager Governance and the Minute Secretary at the meeting in order to consider in confidence this item.

the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider information at the meeting on the following grounds:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*

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 Erwin.

CARRIED

Cr Nash MOVED

- 2. That Council make an offer of appointment to Mr Robert (Bob) John Fuss as Public Officer pursuant to Section 56A(22) of the Development Act 1993, in accordance with the general terms and conditions incorporated into the agenda report, for a period of three years.*
- 3. That the Chief Executive Officer be delegated authority to negotiate and finalise the appointment on behalf of Council within the general intent and parameters of Council's decision.*

Seconded by Cr Ferguson.

CARRIED

Cr Coomans MOVED

- 4. That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that 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) and that the need or otherwise for continued confidentiality be reviewed no later than 12 months from the date of decision.*

Seconded by Cr Erwin.

CARRIED

Cr Mazzachi MOVED

5. *That the Chief Executive Officer be delegated authority to announce the appointment of the Public Officer as soon as it has been finalised, and provide notice of the appointment pursuant to Section 56A(23) of the Development Act 1993.*

Seconded by Cr Erwin.

CARRIED

11. Closure

There being no further business Mayor Rosenberg closed the meeting at 11.12pm.

Certified Correct..... Chair
/ / 2008