

## 15.2 Confidential - Aldinga District Centre land considerations

*Cr Richardson MOVED:*

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 information 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 potential acquisition of land 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; and*
- *informed debate about issues and public participation in democracy*

*the public interest is outweighed by the following factors, that:*

- *disclosure may unduly inhibit the achievement of the objectives of the Act at Section 8, ie. obtaining value for money for the community;*
- *disclosure would provide a commercial advantage to another party; and*
- *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 Nash.*

*CARRIED*

Cr Greaves resumed her seat in the chamber at 8.11pm.

Cr Kilby resumed her seat in the chamber at 8.11pm.

*Cr Nash MOVED:*

2. *That in respect of either the whole or portion of Allotments 33, 36, 37 and 38 contained in deposited plan 25006 McRae Street and Heathersay Avenue, Aldinga Beach in the current ownership of The Salvation Army (SA) Property Trust (as indicatively identified in yellow on the land ownership plan in Attachment 1) that Council approves the acquisition of land to support the development of future community facilities, subject to successful negotiations between the parties based on council's independent land valuations as outlined in this report.*
3. *That in respect of a portion of Allotment 1 Pridham Boulevard, Aldinga Beach in deposited plan 72306 in the current ownership of the Minister for Health (as indicatively identified in purple on the land ownership plan in attachment 1 to the agenda report) that Council approves the acquisition of land to support the creation of a new public road, subject to successful negotiations between the parties based on Council's independent land valuations as outlined in this report.*
4. *That the funding for the land acquisitions be funded from the Suburban Jobs Program grant if a successful grant award is received or alternatively that the acquisitions are funded from the Aldinga District Centre Community Facilities allocation currently identified in the Major Project Fund for 2012-13.*
5. *That Council resolves that as the land is to be utilised for Council operational purposes, that any land purchased be excluded from its status as community land under the provisions of Section 193(4)(a) of the Local Government Act 1999.*
6. *That Council delegate authority to the Mayor and Chief Executive Officer to enter into the required land contracts and any resulting land transactional documentation (including extinguishment of easements) required to give effect to the land acquisitions.*
7. *That a further report be presented to Council in relation to the 2012 Aldinga Community Facilities Feasibility Study - Options Analysis reports by Urban and Regional Planning Solutions to inform future decision making in relation to the delivery and construction of community facilities in Aldinga.*

*Seconded by Cr Schulze.*

**CARRIED**

*Cr Swann MOVED:*

8. *That the matter of the Aldinga District Centre – Land Considerations 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 – Land Considerations and the minutes and the report of the Council relating to discussion on the subject matter be kept confidential until any agreements relating to the land transactions are in place, or where determined by Council that land transactions do not proceed for 12 months.*

*Seconded by Cr Kilby.*

**CARRIED**