

15.3 Confidential - Office accommodation

Cr Greaves 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)(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 concerning the discussions of lease negotiations could 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 Schulze.

CARRIED

Cr Nash MOVED:

2. *That Council enter into a lease with CPT Custodian Pty Ltd for a period of five years with a right of renewal of a further two years with a commencing rent of \$290 per square metre (commencing base rent of \$242,150 (ex GST) per annum) plus specified outgoings.*
3. *That the Mayor and Chief Executive Officer be delegated authority to execute the lease document and any other documentation relating to the lease arrangements.*
4. *That Council approve the exclusion of the subject lease area from the classification as community land pursuant to Section 193(4)(a) of the Local Government Act due to the operational nature of the leased premises for municipal office accommodation.*

Seconded by Cr Merritt.

CARRIED

Cr Parslow MOVED:

5. *That the matter of the Office accommodation having been 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 Office accommodation and the minutes and the report of the Council relating to discussion of the subject matter be kept confidential until a lease document is executed by both parties.*

Seconded by Cr Schulze.

CARRIED