

11. Confidential

11.1 Confidential Witton Centre Port Noarlunga - commercial opportunity

Cr Ferguson, Cr Manson and Mayor Rosenberg declared an interest as Vice Patrons of the Port Noarlunga Surf Life Saving Club.

Cr Nash MOVED:

1. *That*

a. *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public with the exception of the Chief Executive Officer, General Manager Corporate and Community, General Manager Projects and Services, General Manager City Development, Chief Finance Officer, Group Manager Sustainability, Group Manager Economic Development, Manager Business Information, Manager Employment and Customer, Manager of Strategic Projects, Team Leader Civic and Executive Administration, Project Leaders and Minute Secretary 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 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

(ii) would, on balance, be contrary to the public interest.

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 Manson.

CARRIED

Cr Manson MOVED:

2. *That Council approve Para Praia Pty Ltd as the preferred respondent for negotiating a final lease agreement to occupy the commercial area within the Witton Centre, Port Noarlunga.*

3. *That Council delegate authority to the Chief Executive Officer to finalise and execute a lease agreement with Para Praia Pty Ltd to occupy the commercial area within the Witton Centre, Port Noarlunga, based on advice from our legal and commercial advisors.*

Seconded by Cr Fletcher.

CARRIED

Cr Fletcher MOVED:

3. *That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the abovementioned 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)(d) until such time as the lease is executed.*

Seconded by Cr Nash.

CARRIED