

**15 Confidential items**

**15.1 Confidential - Suburban Jobs Program - Aldinga District Centre land considerations**

*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 be excluded from attendance at the meeting in order to consider in confidence this item.*
- b. *That Council is satisfied that it is necessary that the public be excluded to enable Council to consider the report 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 this meeting of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and/or discussion confidential.*

*Seconded by Cr Greaves.*

*CARRIED*

*Cr Nash MOVED:*

*2. That in respect of:*

- a portion of Allotment 33 Section 412 in Deposited Plan 25006; and*
- a portion of Allotment 36 Section 412 in Deposited Plan 25006 in the current ownership of The Salvation Army (SA) Property Trust and*
- a portion of Allotment 1 in Deposited Plan 72306 currently owned by Health SA located at the Aldinga District Centre*

*(as indicatively identified on the land ownership plan in attachment 1 to the agenda report) that Council:*

*Supports 'in principle' negotiations being held with Health SA in relation to the GP Plus land and The Salvation Army (SA) Property Trust in relation to their two land parcels subject to:*

- i. a further report to be tabled by May 2012 for Council's consideration on the outcomes of the negotiations including:*
  - funding options,*
  - independent land valuations,*
  - terms and conditions of land transactions; and*
  - 2012 Aldinga Community Facilities Feasibility Study - Options Analysis reports.*
- 3. In the event that Council does not support any of the options presented in Recommendation 2 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 expected to be completed in April, 2012 to inform future decision making in relation to community facilities in Aldinga.*

*Seconded by Cr Swann.*

*CARRIED*

*Cr Richardson MOVED:*

- 4. 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 of the subject matter be kept confidential until any agreements relating to land transactions are in place, or where determined by Council that land transactions not proceed until such time as any land transaction is completed.*

*Seconded by Cr Merritt.*

*CARRIED*