MINUTES RELEASED FROM CONFIDENCE
4/06/2024 - NREC20960824

5.2 CONFIDENTIAL - Community Land Revocation

SC122024 Moved: Cr Angela Schiller
Seconded: Cr Carol Schofield

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except Acting Chief Executive Officer (Graham Pathuis), Acting Director Community and Development (Dustin Georgeson), Director Environment and Infrastructure (Jodi Roberts), Director Corporate and Customer Service (Karen Rokicinski), Group Manager Governance and Finance (Kellie Knight-Stacey), Project Officer (Louise Hampel), Executive Assistant (Katie Common) and Strategy & Engagement Business Partner (Michelle James), be excluded from attendance at the meeting for Agenda Item 5.2 – CONFIDENTIAL – Community Land Revocation

That Council is satisfied that, pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is proposing to conduct business or would prejudice the commercial position of the Council. This is considered due to the inextricable link to the Heads of Agreement, considered in the previous item. The information that forms part of this report and attachments are appropriate for release to the public once both the Heads of Agreement and land revocation process are endorsed, providing a level of commitment from the Council, and warranting a release of certain information from the commercial partner relevant to the revocation process.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of the Council's commercial position may severely prejudice Council's ability to be able to negotiate a proposal for the benefit of the Council and the community in this matter.

CARRIED

SC132024 Moved: Cr Marilyn Henderson
Seconded: Cr Michael Quinton

That Council endorse commencement of the process for the revocation of the community land classification for the portion of the land parcel identified as Lot 202 Armstrong Road, Victor Harbor, Certificate of Title 6264792, as identified in Figure 1 of this report, including public consultation for the proposed Revocation of Community Land Classification Public Consultation Report as required under Section 194 of the *Local Government Act 1999*.

CARRIED

SC142024 Moved: Cr Carol Schofield
Seconded: Cr Nick Mckenzie

That having considered Agenda Item 5.2 – CONFIDENTIAL – Community Land Revocation - and (3)(d) of the Local Government Act 1999, the Council

i. Pursuant to section 91(7) of that Act orders that the Council report and all minutes be retained in confidence until the commencement of the process for the revocation and subsequent public consultation has been endorsed, or as otherwise determined by the Chief Executive Officer; and
ii. The public be readmitted to the meeting.

CARRIED