



Minutes of the City of Unley
Confidential Strategic Property Committee Meeting
Tuesday, 19 November 2019, 6:30pm
Council Chambers
181 Unley Road Unley

PRESENT

Presiding Member D. Palmer
Councillor K. Anastassiadis
Councillor M. Broniecki
Councillor M. Rabbitt
Councillor P. Hughes
Mayor M. Hewitson – Ex-Officio

OFFICERS PRESENT

Chief Executive Officer, Mr P. Tsokas
General Manager City Development, Mr C. Malak
General Manager Business Support & Improvement, Ms N. Tinning
General Manager City Service, Ms M. Berghuis
Executive Manager Office of the CEO, Ms T. Norman
Executive Assistant City Development, Ms E. Morgan

GUEST

Nil

ACKNOWLEDGEMENT

The Presiding Member welcomed Members to the meeting and opened the meeting with the Acknowledgement.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Councillor J. Dodd

1.2 LEAVE OF ABSENCE

Nil

1.3 CONFLICT OF INTEREST

Nil

1.4 MINUTES

Nil

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. REPORTS

Nil

3. OTHER BUSINESS

Nil

4. CONFIDENTIAL ITEMS

ITEM 4.1

CONFIDENTIALITY MOTION FOR 4.2 - POSSIBLE PROPERTY ACQUISITION OPPORTUNITY - KING WILLIAM ROAD

MOVED Councillor M. Broniecki

SECONDED Councillor K. Anastassiadis

That:

1. Pursuant to Section 90(2) and (3)(b)(i) and (ii) and (d)(i) and (ii) of the *Local Government Act 1999*, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because it relates to:
 - information the disclosure of which 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
 - commercial information of a confidential nature (not being a trade secret) the disclosure of which 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.
2. In weighing up the factors related to disclosure:
 - disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations; and
 - non-disclosure of this item at this time will enable Council to consider the acquisition of property without compromising the commercial position of either council or a third party.

On that basis, the public's interest is best served by not disclosing 4.2 Possible Property Acquisition Opportunity - King William Road, Report and discussion at this point in time.

3. Pursuant to Section 90(2) of the *Local Government Act 1999* it is recommended the Council orders that all members of the public be excluded, with the exception of staff of the City of Unley on duty in attendance.

CARRIED UNANIMOUSLY

***Resolution No.* SPCCC0001/19**

The meeting moved into confidence and the doors were closed at 6.31pm.

ITEM 4.2

POSSIBLE PROPERTY ACQUISITION OPPORTUNITY - KING WILLIAM ROAD

Confidential – removed from the public minutes.

The meeting moved out of confidence at 6.58pm.

ITEM 4.3

CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 4.2 - POSSIBLE PROPERTY ACQUISITION OPPORTUNITY - KING WILLIAM ROAD

MOVED Councillor K. Anastassiadis

SECONDED Councillor M. Broniecki

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 4.2 Possible Property Acquisition Opportunity - King William Road, considered at the Strategic Property Committee Meeting Meeting on 19 November 2019:

- ☒ Minutes
- ☒ Report
- ☒ Attachments

remain confidential until the property acquisition is finalised or until 20 November 2020, whichever is the earlier, and not available for public inspection until the cessation of that period.

2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, the power to revoke the order under Section 91(7) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

CARRIED UNANIMOUSLY

Resolution No. SPCCC0002/19

ITEM 4.4

CONFIDENTIALITY MOTION FOR 4.5 - MORNINGTON HOUSE

MOVED Councillor M. Rabbitt

SECONDED Councillor M. Broniecki

That:

1. Pursuant to Section 90(2) and (3)(b)(i) and (ii) of the *Local Government Act 1999*, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because it relates to information the disclosure of which:
 - 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.
2. In weighing up the factors related to disclosure:
 - disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations; and
 - non-disclosure of this item at this time will enable Council to consider matters relating to Mornington House and any role Council may have in relation to the property.

On that basis, the public's interest is best served by not disclosing 4.5 Mornington House, Report and discussion at this point in time.

3. Pursuant to Section 90(2) of the *Local Government Act 1999* it is recommended the Council orders that all members of the public be excluded, with the exception of staff of the City of Unley on duty in attendance.

The meeting moved into confidence and the doors were closed at 6.59pm.

ITEM 4.5

MORNINGTON HOUSE

Confidential – removed from the public minutes.

The meeting moved out of confidence at 7.20pm.

ITEM 4.6

**CONFIDENTIALITY MOTION TO REMAIN IN CONFIDENCE FOR 4.5 -
CONFIDENTIALITY MOTION - MORNINGTON HOUSE**

MOVED Councillor M. Broniecki

SECONDED Councillor M. Rabbitt

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 4.5 Confidentiality Motion - Mornington House, considered at the Strategic Property Committee Meeting Meeting on 19 November 2019:

☒ Minutes

☒ Report

remain confidential until an agreement relating to Mornington House is entered into by the Council or 2 July 2021, whichever is the earlier, and not available for public inspection until the cessation of that period.

2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, the power to revoke the order under Section 91(7) prior to any review or as a result of any review is delegated to the Chief Executive Officer.

CARRIED UNANIMOUSLY

Resolution No. SPCCC0003/19

The doors to the Council Chambers were opened and the meeting closed at 7.20pm.

CLOSURE

The Presiding Member declared the meeting closed at 7.20pm.

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PRESIDING MEMBER