

Elected Member Briefing Agenda

Tuesday 21 August 2018

Time: 6.30pm
(Dinner provided for Elected Members from 6.00pm)

Location: Civic Centre (571 Montague Road, Modbury)

** Please note that timeframes are approximate and subject to change*

6.30 - 7.30pm Public Lighting

*Facilitated by Gabby D'Aloia, Manager Civil Assets and Thornton Harfield,
Director Assets & Environment*

7.30 - 8.00pm Service Centre Update

*Facilitated by Andrew Craig, Manager Civil Thornton Harfield, Director
Assets & Environment*

8.00 - 8.10pm Short break

**8.10 – 8.40pm Berryman Reserve – Community Engagement Outcome – High Level
Overview**

John Moyle, Chief Executive Officer



8.10 – 8.40pm Tolley Road Expression of Interest (Confidential Item – closed to public)

Facilitated by Ryan McMahon, Director Organisational Services & Excellence and John Moyle, Chief Executive Officer

That pursuant to Section 90(2) of the Local Government Act 1999 the Chief Executive Officer orders that the public with the exception of staff on duty be excluded from the meeting to enable discussion on the Expression of Interest process in regards to the sale of Tolley Road to be provided to Elected Members.

That the Council is satisfied that pursuant to section 90(3)(b(i))(b(ii)) and 90(3)(d(i))(d(ii)) of the Act, the information to be received, discussed or considered in relation to this item is:

- *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*
 - *would, on balance, be contrary to the public interest,*
 - *The disclosure of the included information would directly impact Council's ability to negotiate the best value for money and outcome for the community.*
- *Commercial information of a confidential nature (not being a trade secret) the disclosure of which –*
 - *would prejudice the commercial position of the person who supplied the information, AND*
 - *would on balance be contrary to the public interest*
 - *on the basis that release of this information has the ability to compromise the relevant company's ability to prepare a Heads of Agreement*

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 on the basis that it may prejudice Council's ability to be able to negotiate a cost effective outcome for the benefit of Council and the community.

That the Council is satisfied that the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter by the need to keep the discussion of this matter confidential because it may confer a commercial advantage on a third party

