

## Extract from Minutes

### 8.1 Asset Disposal - expression of Interest to buy vacant Council owned land – offer received from Beach Drilling Pty Ltd

Moved Cr Tate  
Seconded Cr Till

That Pursuant to Section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of Sam Johnson (Chief Executive Officer) and Kathryn Crisp (Executive Assistant), be excluded from the meeting as Council considers that the requirement for the meeting to be conducted in a place open to the public has been outweighed in circumstances where the Council will receive and consider a report containing 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 (namely, information regarding an expression of interest received *from Beach Drilling in relation to 5-13 South Terrace Wirrabara*, which if made public could negatively impact the expression of interest process) and would, on balance be contrary to the public interest.

**Carried Unanimously**  
[039-2023]

4.32pm the Presiding Member sought agreement of the meeting to suspend formal meeting procedures pursuant to Regulation 20(1) of the Local Government (Procedures at Meetings) Regulations 2013.

5.03pm formal meeting procedures resumed.

Moved Cr Tate  
Seconded Cr Till

That Council:

1. receives and notes the report;
2. authorises the Chief Executive Officer to obtain an independent valuation of Allotments 162, 163, 164, 165 & 166, 5-13 South Terrace Wirrabara South Australia 5481;
3. requests that the valuation report be presented to Council for further consideration and any further action;
4. acknowledges the Council Disposal of Land and Other Assets Policy, and provides authorisation for the Chief Executive Officer to continue the process based on further information being prepared; and
5. acknowledges the offer as received, and advises Beach Drilling Pty Ltd that Council will be obtaining further information to best consider its offer.

**Carried Unanimously**  
[040-2023]

Moved Cr Till  
Seconded Cr Tate

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999*, Council orders that this report item 8.1 – Asset disposal - expression of Interest to buy vacant Council owned land – offer received from Beach Drilling, the attachments to this report, discussion at the meeting and

resolution pertaining to this item having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the basis that it contains 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 (namely an unsolicited expression of interest from Beach Drilling offering to purchase 5-13 South Terrace Wirrabara, which if made public could negatively impact on the consideration of the expression of interest received and would, on balance, be contrary to the public interest. This order is to remain in force until further order of the Council, noting that it will be reviewed at least annually in accordance with the *Local Government Act 1999*.

2. Pursuant to Section 91(9)(c) of *the Local Government Act 1999*, the Council delegates to the Chief Executive Officer the power to revoke this order and any other orders made by the Council under Section 91(7) in relation to the expression of interest received from Beach Drilling offering to buy 5-13 South Terrace Wirrabara, South Australia 5481. This delegation may be exercised by the Chief Executive Officer for any purpose including, but not limited to, the of publishing information as part of the public consultation processes approved by Council at this meeting.

**Carried Unanimously**  
[041-2023]