

21.1 Milang Shacks Tenure Proposal (Confidential)

ACM17543 Moved Cr Featherston seconded Cr Stewart:

That pursuant to Sections 90 (2) and (3) (b) (i) (ii) of the Local Government Act 1999, the Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, General Managers, Executive Assistant, Minute Taker and the officer responsible for the report, on the basis that the Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider information by way of a report and associated documents in relation to agenda item 21.2 and titled Milang Shacks Tenure Proposal and the Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation contains/involves:

(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.

Substantiation:

To allow confidential evaluation of future tenure options for the Milang shacks.

CARRIED UNANIMOUSLY

ACM17544 Moved Cr Featherston seconded Cr Gartrell:

1. That the draft 'Milang Shacks Tenure Proposal' be received.
2. That Council consents to the draft 'Milang Shacks Tenure Proposal' (the Proposal) being discussed with the Department of Environment, Water and Natural Resources, the Port Milang Shack Owners Association, and to seeking preliminary legal advice on matters relating to the shack site (collectively known as Stage 1).
3. That Council approves an amount of \$35,000 to complete Stage 1 to be included in the 2018-19 Annual Business Plan and Budget process.
4. That Council note that at the completion of Stage 1, any necessary modifications will be made to the Proposal, and along with a summary of Stage 1 discussions, be returned to Council for a decision about proceeding with Stage 2 works (as outlined in the Proposal).
5. That pursuant to Sections 91 (7) and (9) of the Local Government Act 1999, the Council orders that the reports, minutes, attachments and associated documents of the Council meeting held on 11 December 2017 in relation to confidential item number 21.2 and titled Milang Shacks Tenure Proposal, remain confidential and not available for public inspection for a period of

twelve months from the date of this meeting or a lesser period as determined by the Chief Executive Officer.

CARRIED