

Monday 18th December 2006

Dear Elected Member

I wish to give notice that a Special Council Meeting will be held on Tuesday 19th December 2006 at the Council Chambers Smillie Street, Robe commencing at 5.00pm.

Yours sincerely

Glenn Sanford
Acting Chief Executive Officer

AGENDA

PRESENT

APOLOGIES

AGENDA ITEMS

MATTERS RECOMMENDED TO BE CONSIDERED IN CONFIDENCE

It is recommended by the Acting Chief Executive Officer pursuant to Section 83[5] of the Local Government Act 1999 that the matter contained in this report be considered in confidence under Chapter 6, Part 3 of the Local Government Act 1999.

The information contained in the attached report is information in respect of which an order may be made, if the Council so determines, to exclude the public from attendance at a meeting to the extent considered necessary for the Council to receive, discuss or consider the information in confidence pursuant to section 90[2] and 90[3] [a] of the Local Government Act 1999 on the basis that;

Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) being a matter that pertains to the resignation of the Chief Executive Officer

Item Number: 1

LGA Industrial Relations Advisor Rob Wallace to Address Council

Moved:

Seconded:

1] That under the provisions of the Local Government Act, 1999 an order be made under Section 90[2] that the public, except the Acting Chief Executive Officer be excluded from attendance at the meeting in order to consider in confidence Item Number 1 under Sub Section 90 [3] [a]

2] That the Council is satisfied that it is necessary that the public be excluded to enable the Council to discuss the matter at the meeting on the following grounds –
Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) and the agenda item relates to the resignation of the Chief Executive Officer.

3] That accordingly, on that basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.

TO KEEP REPORT/MOTION(S) IN CONFIDENCE THE FOLLOWING RESOLUTION NEEDS TO BE ADOPTED.

That under the provisions of Section 91 (7) of the Local Government Act 1999, the abovementioned Report including the minutes of the Council relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds that –

The Minutes and Report contain information relating to –
Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

until the matter is finalized after which this order shall be reviewed.

**MATTERS RECOMMENDED
TO BE CONSIDERED IN CONFIDENCE**

It is recommended by the Acting Chief Executive Officer pursuant to Section 83[5] of the Local Government Act 1999 that the matter contained in this report be considered in confidence under Chapter 6, Part 3 of the Local Government Act 1999.

The information contained in the attached report is information in respect of which an order may be made, if the Council so determines, to exclude the public from attendance at a meeting to the extent considered necessary for the Council to receive, discuss or consider the information in confidence pursuant to section 90[2] and 90[3] [b] [d] [h] of the Local Government Act 1999 on the basis that;

(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;

(d) Commercial information of a confidential nature (not being a trade secret) the disclosure of which – (i) 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; and (ii) would, on balance, be contrary to the public interest;

(h) Legal advice - (i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council; being a matter that pertains to the Robe Marina Corporation and the Marina project.

Item Number: 2

Robe Marina Corporation Financial Viability Audit Report.

Moved:

Seconded:

1] That under the provisions of the Local Government Act, 1999 an order be made under Section 90[2] that the public, except the Acting Chief Executive Officer be excluded from attendance at the meeting in order to consider in confidence Item Number 2 under Sub Section 90 [3] [b] [d] [h]

2] That the Council is satisfied that it is necessary that the public be excluded to enable the Council to discuss the matter at the meeting on the following grounds –

(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;

(d) Commercial information of a confidential nature (not being a trade secret) the disclosure of which – (i) 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; and (ii) would, on balance, be contrary to the public interest;

(h) Legal advice - (i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council; concerning the Robe Marina Corporation and the Marina project.

3] That accordingly, on that basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.

TO KEEP REPORT/MOTION(S) IN CONFIDENCE THE FOLLOWING RESOLUTION NEEDS TO BE ADOPTED.

That under the provisions of Section 91 (7) of the Local Government Act 1999, the abovementioned Report including the minutes of the Council relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds that –

The Minutes and Report contain information relating to –

(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;

(d) Commercial information of a confidential nature (not being a trade secret) the disclosure of which – (i) 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; and (ii) would, on balance, be contrary to the public interest;

(h) Legal advice - (i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;

until the matter is finalized after which this order shall be reviewed.