

CONFIDENTIAL ITEMS 2003 – SEPTEMBER 2016

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
104	6 June 2016	Mount Barker and Tourist Caravan Park	<p>Pursuant to Section 90(3)(g)</p> <p>1. Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except CEO, General Manager Corporate Services, General Manager Council Services, General Manager Planning and Development, General Manager Infrastructure and Projects, Risk and Governance Officer and Minute Secretary be excluded from attendance at the meeting for Agenda Item 17.1 Confidential Report - Mount Barker Tourist and Caravan Park.</p> <p>The Council is satisfied that pursuant to Section 90(3)(g) of the Act, the information concerning matters that must be considered in confidence in order to ensure that the Council does not breach a law, order or direction of a court or tribunal constituted by law, and breach any other legal obligation or duty in that Council is legally obliged to consider this matter in confidence and that it also contains matters related to a confidential agreement.</p> <p>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 because the disclosure of this information would be acting contrary to law as permission has only been granted to provide this information to Council.</p> <p>That having considered Agenda Item 17.1 Confidential Report - Mount Barker Tourist and Caravan Park in confidence under 90(2) and 3(g) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the discussion, report and attachment remain</p>	Council report and attachment	<p>Information concerning matters that must be considered in confidence in order to ensure that the Council does not breach a law, order or direction of a court or tribunal constituted by law, and breach any other legal obligation or duty in that Council is legally obliged to consider this matter in confidence and that it also contains matters related to a confidential agreement.</p> <p>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 because the disclosure of this information would</p>	Until the confidential settlement details expire on 13 September 2030 or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.	5 Sep 16	4 Sep 17	<i>Minute released 4 August 2016 and on Council's website 4 August 2016</i>

## ATTACHMENT 1: REPORTS RELEASED (IN FULL OR PART) SINCE LAST REVIEW

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
			confidential until the author of the attachment allow for its release and until the confidential settlement details expire on 13 September 2030 or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.		be acting contrary to law as permission has only been granted to provide this information to Council.				

## **17. CONFIDENTIAL REPORTS**

**17.1 REPORT TITLE: CONFIDENTIAL REPORT – MOUNT BARKER  
TOURIST AND CARAVAN PARK**  
**DATE OF MEETING: 6 JUNE 2016**  
**FILE NUMBER: DOC/16/47658**

At 9.21pm Councillors Hamilton and Grosser left the Chamber.

Moved Councillor Keen that

### **Section 90 (3) (g) Order**

1. Pursuant to Section 90(3)(g)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except CEO, General Manager Corporate Services, General Manager Council Services, General Manager Planning and Development, General Manager Infrastructure and Projects, Risk and Governance Officer and Minute Secretary be excluded from attendance at the meeting for Agenda Item 17.1 Confidential Report - Mount Barker Tourist and Caravan Park.

The Council is satisfied that pursuant to Section 90(3)(g) of the Act, the information concerning matters that must be considered in confidence in order to ensure that the Council does not breach a law, order or direction of a court or tribunal constituted by law, and breach any other legal obligation or duty in that Council is legally obliged to consider this matter in confidence and that it also contains matters related to a confidential agreement.

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 because the disclosure of this information would be acting contrary to law as permission has only been granted to provide this information to Council.

Seconded Councillor Morrison

CARRIED  
OM20160606.10

Moved Councillor Morrison

2. That the report and attachment be noted.

At 9.24pm Councillor Hamilton returned to the Chamber.

At 9.25pm Councillor Grosser returned to the Chamber.

Seconded Councillor Campbell

CARRIED  
OM20160606.11

Councillor Hamilton called for a division

The vote was set aside.

Members voting in the affirmative Councillors Morrison, Buchmann, Keen, Bettcher, Seager, Campbell and Bailey.

Members voting in the negative Councillors Hamilton and Grosser.

The Acting Mayor declared the motion CARRIED.

Moved Councillor Keen

3. **Section 91(7) Order**

Pursuant to Section 91(7)

That having considered Agenda Item 17.1 Confidential Report - Mount Barker Tourist and Caravan Park in confidence under 90(2) and 3(g) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the discussion, report and attachment remain confidential until the author of the attachment allow for its release and until the confidential settlement details expire on 13 September 2030 or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.

Seconded Councillor Morrison

CARRIED  
OM20160606.12