



Item No: 19.1

File No: 16.51.2.1

Date: 17 February 2020

Attachment: C

Meeting:	Council
Title:	Strategic Property Review – 39 Smith St – Attachment C
Responsible Manager:	Group Manager Corporate Services, Katy Bone
Author:	Business Analyst (Property & Contracts), Scott Reardon
Key Focus Area:	Strategic Community Plan Focus area 3- Transparent and accountable local tier of Government
Key Focus Area:	Financial Guiding Principle 1- Finances managed responsibly
Type of Report:	Decision Required

Pursuant to Section 83(5) of the Local Government Act 1999, the Chief Executive Officer indicates that the matter contained in this Attachment may, if the Council so determines, be considered in confidence pursuant to Section 90(2) of the *Local Government Act 1999* on the basis that the information contained in the Attachment is information of the nature specified in subsections 90(3)(h) of the Act being legal advice.

Recommendation (Public)

Pursuant to s90(3)(h)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public except, Chief Executive Officer Kiki Cristol, Group Manager Corporate Services Katy Bone, Business Analyst (Property & Contracts) Scott Reardon and Council Secretariat Vanessa Davidson, be excluded from attendance at the meeting for Agenda Item 19.1 – Strategic Property Review – 39 Smith Street – Attachment C.

The Council is satisfied that, pursuant to section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Item is legal advice provided by Council's Lawyers, which is subject to professional privilege and relates to Agenda Item 14.1.2.

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 advice provided is subject to professional privilege.

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 19.1 – Strategic Property Review – 39 Smith Street in confidence under section 90(2) and (3)(h) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that 'Attachment C' relevant to this Agenda Item be retained in confidence and reviewed in 12 months' time, excepting that Council authorises the release of the minutes to enable enactment of the resolution and that pursuant to Section 91(9)(c) of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the power to review and revoke this Order as and when required.

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the Local Government Act 1999 Council and re-admit the public.

Attachment

Attachment C	CONFIDENTIAL legal advice from Mellor Olsson - to be read in relation to Agenda Item 14.1.2
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