

AMENDED ITEM



Item No: 1.5
Title: Notice of Intention to Deal with Matters in Closed Session
Department: Governance

26 July 2017 Ordinary Council Meeting

D12764956

Summary

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in closed session. The reports are incorporated in the "Confidential" business paper which has been circulated.

The *Local Government Act 1993* requires the Acting Chief Executive Officer to identify those matters listed on the business paper which may be confidential in terms of s. 10A of the *Local Government Act 1993*.

Recommendation

1 *That the Council resolve that the following matters be dealt with in closed session, pursuant to s. 10A(2)(c) and (a) of the Local Government Act 1993:*

Report 5.1 *Future Mode of Operation - FMO 2.0 ERP Time and Attendance Project*

Report 5.2 *Approval to Acquire Strategically Important Land*

Report 5.3 *Mayoral (Administrator) Minute - CEO*

2 *That the Council note the reason for considering Report No 5.1 – Future Mode of Operation - FMO 2.0 ERP Time and Attendance Project and Report No 5.2 – Approval to Acquire Strategically Important Land in closed session is that the reports contain:*

2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

3 *That the Council note the reason for considering Report No 5.3 – Mayoral (Administrator) Minute - CEO in closed session is that the report contains:*

2(a) personnel matters concerning particular individuals (other than Councillors)

4 *That the Council request the Chief Executive Officer to report on these matters in open session of Council.*

Note: Explanation - Section 10A of the Local Government Act 1993 states:

- 2(a) personnel matters concerning particular individuals (other than Councillors),*
- 2(b) the personal hardship of any resident or ratepayer,*
- 2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*
- 2(d) commercial information of a confidential nature that would, if disclosed:*
- (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the Council, or*
 - (iii) reveal a trade secret,*
- 2(e) information that would, if disclosed, prejudice the maintenance of law,*
- 2(f) matters affecting the security of the Council, Councillors, Council staff or Council property,*
- 2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- 2(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land."*

Attachments

Nil