

## 11.1 Confidential items

### Actions following Code of Conduct breach

*Cr Coomans MOVED:*

1. *That:*
  - a. *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public with the exception of the Chief Executive Officer, General Manager Corporate and Community, General Manager Projects and Services and Minute Secretary be excluded from attendance at the meeting in order to consider in confidence this item.*
  - b. *the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the matter at the meeting on the following grounds:*
    - *Section 90(3)(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*
  - c. *accordingly, on this 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.*

*Seconded by Cr Schulze.*

*CARRIED*

*Cr Schulze MOVED:*

2. *That Council note the reports of Michael Craig of Michael Craig Consulting and Michael Kelledy of Wallmans Lawyers.*

*Seconded by Cr Coomans.*

*CARRIED*

*Cr Fletcher MOVED:*

3. *That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the abovementioned document (or part of such document) including the minutes and the report 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 of information contained in 90(3)(a), until 19 January 2011.*

*Seconded by Cr Swann.*

*CARRIED*