

15.2 Audit, Risk, Value and Efficiency Committee confidential minutes

This is a regular or standard report.

Manager: Andrea Sargent, Manager Risk and Compliance
Report Author: Karen Ferry, Governance Officer
Contact Number: 08 8384 0612
Attachments: Nil

A meeting of the Audit, Risk, Value and Efficiency Committee was held on 11 May 2015. There are no items that require a resolution of Council. The following confidential resolution is for noting only.

Recommendations

12.1 Australian Competition and Consumer Commission Authorisations

1. That:
 - a. under the provisions of Section 90(2) of the *Local Government Act 1999* an order be made that the public be excluded from attendance at the meeting in order to consider this item in confidence.
 - b. the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting on the following grounds:

Section 90(3)(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; and

Section 90(3)(h) legal advice.
 - 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 and/or discussion confidential.
2. That Council note the following resolution of the Audit, Risk, Value and Efficiency Committee:
 2. *That the Audit, Risk, Value & Efficiency Committee note the confidential report presented to Council on 5 May 2015 at Item 15.1 regarding Australian Competition and Consumer Commission Authorisations of Council Solutions.*
3. That the matter of Audit, Risk Value and Efficiency Committee confidential minutes having been considered by the Council in confidence under sections 90(2), 90(3)(d) and 90(3)(h) of the *Local Government Act 1999* that an order be made under the provisions of sections 91(7) and (9) of the *Local*

***Government Act 1999* that the Audit, Risk, Value and Efficiency Committee confidential minutes and the minutes and the report of the Council relating to discussion of the subject matter be kept confidential until the matter is resolved in regards to Australian Competition and Consumer Commission Authorisation to each council's satisfaction.**

- 4. That, pursuant to section 91(9)(a) of the Local Government Act 1999, Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.**
- 5. That, pursuant to section 91(9)(c) of the Local Government Act 1999, Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.**

RELEASED 15/7/20