

15.2 Audit, Risk, Value and Efficiency Committee confidential minutes

MOVED Cr Kilby.

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.*

Seconded by Cr Hennessy.

CARRIED

MOVED Cr Kilby.

2. *That Council note the following resolution of the Audit, Risk, Value and Efficiency Committee:*
 - 12.1 *Australian Competition and Consumer Commission Authorisations*
 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.*

Seconded by Cr Wainwright.

CARRIED

MOVED Cr Swann.

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.*

Seconded by Cr Jamieson.

CARRIED

RELEASED 15/7/20