

Bass Coast Shire Council
Council Meeting Minutes

Wednesday 15 November 2023

Council Chamber

Bass Coast Civic Centre

Baillieu Street East, Wonthaggi

Commencing at 1:07 pm

The meeting commenced at 1:07 pm.

The Acting CEO read the Temporary Chair Statement, Virtual Meeting Statement, Mobile Telephone Reminder and Statement of Acknowledgement.

Virtual Meeting Statement

The Governance Rules 2020 provision allows Council meeting attendance by electronic means.

In the event of technical issues with the livestream the meeting will not be adjourned as the meeting is open to the public.

Councillors are deemed as being in attendance if:

- They can hear proceedings
- They can see other members in attendance and can be seen by other members
- They can be heard (to speak)

Cr. David Rooks read the Councillor Statement.

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1 Present and Apologies

Councillors: Cr Clare Le Serve, Western Port Ward (Mayor)
Cr Rochelle Halstead, Western Port Ward (Deputy Mayor)
Cr Leticia Laing, Bunurong Ward
Cr Brett Tessari Bunurong Ward
Cr Les Larke, Bunurong Ward
Cr Ron Bauer, Island Ward
Cr David Rooks, Island Ward
Cr Michael Whelan Island Ward
Cr Geoff Ellis, Western Port Ward

Officers: Mr James Stirton, Acting Chief Executive Officer
Ms Robyn Borley, General Manager Business Transformation
Mr Greg Box, General Manager Partnerships, Economy and Culture
Ms Donna Taylor, Acting General Manager Place Making
Ms Jodi Kennedy, General Manager Resilient Communities
Ms Sharyn Tilley, Manager Governance and Property

Apologies: Nil

2 Declarations of Interest

There were no Declarations of Interest.

3 Confirmation of Minutes

3.1 Council Meeting 18 October 2023

Council Decision

Moved: Cr. Geoff Ellis / Seconded: Cr. Ron Bauer

That the minutes of the Council Meeting held on 18 October 2023 be confirmed.

CARRIED

4 Reports Requiring Council Decision

4.1 Election of Mayor

Council Decision

The CEO received two written nominations in line with the Governance Rules for the appointment of the Mayor.

Cr Halstead was nominated by Cr Ellis and the nomination was seconded by Cr Tessari.

Cr Le Serve was nominated by Cr Rooks and the nomination was seconded by Cr Laing.

Cr Clare Le Serve received the absolute majority of votes, and was declared elected as Mayor.

Cr. Ron Bauer called for a division

For: Cr. Clare Le Serve, Cr. David Rooks, Cr. Geoff Ellis, Cr. Leticia Laing and Cr. Michael Whelan

Against: Cr Rochelle Halstead, Cr. Brett Tessari, Cr. Les Larke, Cr. Ron Bauer

The Acting Chief Executive Officer James Stirton vacated the Chair.

The Mayor Cr Clare Le Serve assumed position of Chair at 1.17pm

4.2 Election of Deputy Mayor

Council Decision

The CEO received three nominations in line with the Governance Rules for the appointment of the Deputy Mayor.

Cr Brett Tessari was nominated by Cr Bauer and the nomination was seconded by Cr Halstead.

Cr David Rooks was nominated by Cr Laing and the nomination was seconded by Cr Le Serve.

Cr Rochelle Halstead was nominated by Cr Bauer and the nomination was seconded by Cr Tessari

Cr Brett Tessari withdraw his nomination.

Cr Rochelle Halstead therefore had the absolute majority of votes, and was declared elected as Deputy Mayor.

Cr. Ron Bauer called for a division

For: Cr. Brett Tessari, Cr. Geoff Ellis, Cr. Les Larke, Cr. Rochelle Halstead and Cr. Ron Bauer

Against: Cr David Rooks: Cr. Clare Le Serve, Cr. Leticia Laing and Cr. Michael Whelan

Meeting adjourned

The meeting was adjourned at 1:25pm

Meeting resumed

The meeting was resumed at 1:40pm

Meeting adjourned

The meeting was adjourned due to technical difficulties at 1:41pm

Meeting resumed

The meeting was resumed at 1:55pm

4.3 Council Meeting Schedule 2024

Council Decision

Moved: Cr. Leticia Laing / Seconded: Cr. Brett Tessari

That Council adopt the meeting schedule for 2024 as follows:

Date	Venue	Time
21 February 2024	Wonthaggi, Civic Centre Chamber	1.00pm
20 March 2024	Wonthaggi, Civic Centre Chamber	1.00pm
17 April 2024	Wonthaggi, Civic Centre Chamber	1.00pm
15 May 2024	Wonthaggi, Civic Centre Chamber	1.00pm
19 June 2024	Wonthaggi, Civic Centre Chamber	1.00pm
17 July 2024	Wonthaggi, Civic Centre Chamber	1.00pm
21 August 2024	Wonthaggi, Civic Centre Chamber	1.00pm
18 September 2024	Wonthaggi, Civic Centre Chamber	1.00pm
16 October 2024	Wonthaggi, Civic Centre Chamber	1.00pm
20 November 2024	Wonthaggi, Civic Centre Chamber	1.00pm
11 December 2024	Wonthaggi, Civic Centre Chamber	1.00pm

CARRIED

4.4 Economic Development Framework 2030

Council Decision

Moved: Cr. David Rooks / Seconded: Cr. Rochelle Halstead

That Council:

1. Adopts the Economic Development Framework 2030;
2. Notes the 2023/24 actions of the Economic Development Framework 2030; and
3. Receives an annual report no later than 30 June of each year of the Framework with the recommended future year annual actions.

CARRIED

4.5 Quarterly Performance Report - Quarter One - July - September 2023

Council Decision

Moved: Cr. David Rooks / Seconded: Cr. Brett Tessari

That Council:

1. Receive the September 2023 Quarterly Performance Report.

CARRIED

4.6 Instruments of Appointment and Authorisation

Council Decision

Moved: Cr. Ron Bauer / Seconded: Cr. Leticia Laing

That Council in the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, resolves that:

1. The members of Council staff referred to in the attached instrument be appointed and authorised as set out in the instrument:
    - Annette Guilfoyle
    - Ellen Whatley
2. The instrument comes into force immediately it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.
3. Revokes the instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* to:
    - Andrea Nino

CARRIED

5 Notices of Motion

There were no Notices of Motion.

6 Petitions and Joint Letters

6.1 Petition - Baillieu Street Conditions

Council Decision

Moved: Cr. Leticia Laing / Seconded: Cr. Ron Bauer

That Council:

1. Receive the petition, Baillieu Street Conditions and resolve to deal with it at this Council Meeting.

2. Continue to work with the head petitioner and other property owners to investigate treatments and potential costs to resolve reported issues.

3. Note that a potential upgrade project would need to be considered in accordance with the Urban Roads and Drainage Project at a future meeting.

4. Advise the head petitioner of Council's decision.

CARRIED

7 Statutory Reports

Council Decision

Moved: Cr. Leticia Laing / Seconded: Cr. Ron Bauer

That agenda items 7.1, 7.2, 7.3, 7.4 be considered as a block.

CARRIED

7.1 Informal Meeting of Councillors

That Council receive the attached Informal Meeting of Councillors records.

7.2 Planning and Building Statistics - September 2023

That Council:

1. Receives and notes the Planning Permits issued report for September 2023; and
2. Receives and notes the Planning and Building Activity Report for September 2023.

7.3 Contracts Awarded and or Extended under CEO Delegation for September 2023

That Council notes the above contracts that were awarded and or extended under the delegated authorities in accordance with the Procurement Policy during September 2023.

7.4 Councillor Expenses for the Council Term - 9 November 2020 to 30 September 2023

That Council receive the report on Councillor Expenditure for the Council term between 9 November 2020 and 30 September 2023.

Council Decision

Moved: Cr. Leticia Laing / Seconded: Cr. Brett Tessari

That the recommendations attached to agenda items 7.1, 7.2, 7.3, 7.4 be adopted.

CARRIED

8 Mayor and Councillor Reports

8.1 Cr Michael Whelan - Councillor Report

I thank Councillors for the opportunity to again lead Bass Coast as Mayor. In particular, I would like to thank my Deputy Mayor Rochelle Halstead for her support as well as her commitment to completing the Australian Company Directors Course over the year. I have encouraged councillors to enhance their governance knowledge and also, I am pleased that over my terms as Mayor, Councillor Rooks also successfully completed the course. Councils' role is the governance of the Shire, so a deeper understanding through such courses is a sound investment for Council. I acknowledge the work in my previous term of my first Deputy Mayor Councillor Leticia Laing and acknowledge her work toward achieving her legal practice certificate also enhancing Councils skill base.

As Mayor I have placed a significant emphasis on reconciliation with First nations community members. It is important and whilst acknowledging it was not always clear sailing, I believe our relationship is solid and improving.

We continue to experience the impact of climate change especially through the ongoing and at times alarming cases of coastal erosion. Over my time as councillor, I have represented Council on the Australian Coastal Councils and have worked to increase the awareness of the threat of sea level rise. My words have come to reality in Inverloch and Silverleaves, with Silverleaves being an urgent issue. Council is taking immediate action to address the immediate threat, but we await the State Government's inquiry on coastal processes and then action plan to address this issue. Council has been a leader in sea level rise and inundation adaptation through its work on the LSIO or Land Subject to Inundation overlay in the Planning Scheme – work that has become increasingly pertinent of late.

As Mayor I advocated strongly in support of the protection of the Westernport Woodlands from sand mining and remain hopeful that with the impending government SERA project that this area will be protected into the future.

The Arts in Bass Coast received a mighty boost with the completion and launch of Berninneit. The launch of the arts and entertainment program was stunning and the building has already been owned by the community. Berninneit will be managed in conjunction with our other great venue WUCAC in a way that will put Bass Coast on the arts touring map for future decades. The staff of Bass Coast are committed and very competent we are well served by them as is evidenced by the delivery of Berninneit and a range of award winning projects that have been delivered over the last couple of years.

Finally, I thank all of those groups with whom I have been able to work closely for some excellent community outcomes. Bass Coast is an incredibly community rich place that has amazing potential into the future.

In brief the Mayoral activities have included the following:

Activities

- Berninneit walk through prior to opening events
- Exhibition Opening briefing
- 2023 Bass Coast Business Awards
- Official Opening of Berninneit
  - Senator Jess Walsh
  - Jordan Crugnale Member for Bass
- Open PICO 10th Anniversary Event
- Meeting: Kevin Love, Phillip Island Nature Parks
- Official Berninneit Launch
- Baluk Arts Exhibition and Opening of Council Art Gallery - Launch at Berninneit
- Site Visit to The Cape - Sustainable Living Cape Paterson
- SECCCA Annual Leaders Breakfast Mordialloc
- Mayor's Community Thank You 2023, Berninneit

Meetings

Attended Council Workshops and Briefings

Chaired Councillor Only Meetings

Weekly meetings with CEO, Council Support and Communications

Additional Meetings:

- SECCCA meeting with the Office of Minister Catherine King MP, Canberra
- Bass Coast Delegation Meeting with Minister McBain, Canberra
- SECCCA Delegation meeting with Office of Minister Watt, Canberra
- S & Senator McAllister SECCCA meeting with Ms Peta Murphy, Canberra
- SECCCA Delegation Meeting with Office of Assistant Minister Jenny McAllister, Canberra
- One Gippsland: Closed Mayoral Discussion
- One Gippsland - October Board Meeting
- One Gippsland - October Local Government Meeting
- MAV Gippsland Regional Meeting
- Minister Steve Dimopoulos Visit to Cowes Recycle Bank
- Alan Stokes Australian Coastal Council Cr Sarah Race Mornington Peninsula Shire Council
- Matt Netherwood, Global Manager, Hubble - latest initiatives in the tech-driven sustainability sector for the Bass Coast Shire Council.
- Wonthaggi Secondary College meeting
- Pre-Event Briefing - Official Opening, Program Launch Berninneit

- Update for Island Ward Former CFA building retro-fit for Community Groups
- CEO Employment Matters Committee Meeting
- Mayoral run through of Berninneit Launch Opening
- SECCCA Leaders Breakfast Meeting
  - Discussion Minister for Climate Change and Government Members
  - Shadow Climate Change Minister, Deputy Opposition Leader and Opposition Members
  - Secretary of DEEECA
- Proposed Victorian Coastal Forum Discussion
- Pre event briefing - Mayors Community Thank you
- Shadow Minister Local Government Peter Walsh MP & Danny OBrien MP Member for South Gippsland
- Advisors Office of the Minister for Climate Change, Minister for Energy and Resources and Minister for State Electricity Commission

Other

Media Enquiries/Interviews

- ABC Gippsland Regional Interview - with William Howard
- Triple M - Pre-recording opening of Berninneit
- ABC interview pre-Recording - Berninneit opening
- SECCCA: Interview with Triple M

Phone calls, emails and letters

8.2 Cr Clare Le Serve - Councillor Report

25th Oct Council Briefings Wonthaggi

27th Oct Councillor invitation to Berninneit walk through prior to opening events.

27th Oct Bass Coast Business Awards, Cape Paterson.

28th Oct Official Opening of the new Berninneit cultural centre in Cowes.

1st Nov Council Briefing Wonthaggi.

1st Nov Community Cultural Centre Launch.

8th Council Briefing Wonthaggi

9th Nov Berninneit Cultural Centre – Mayors Thank you.

10th Nov CFA 50th years Celebration, Awards & Dinner Corinella

11th Nov Remembrance Day Service San Remo.

12th Nov KBCC 50th year Celebration Bass.

8.3 Cr Leticia Laing - Councillor Report

Events

Yes Walk for Reconciliation

Australian Motorcycle GP

Inverloch Surf Parade town hall meeting

Berninneit Official Opening

Berninneit Program Launch

Mayoral Thank You for Community event

The Cape EcoVillage Kingston City Council tour and veggie garden weigh-in

Wonthaggi RSL Remembrance Day Ceremony

Meetings

Myli – My Community Library September board meeting

Myli – My Community Library October board meeting

Access and Inclusion Advisory Committee meeting

Meeting with residents

Briefings

Old Wonthaggi Secondary College site

Economic Development Framework

Financial Hardship Policy

Integrated Transport Strategy

Surf Beach Sunderland Bay Special Charge Scheme

8.4 Cr David Rooks - Councillor Report

Meetings

Council meeting

Chaired Bass Coast Event Advisory meeting

Update on former CFA site

Briefings

Weekly Wednesday Council Briefings

Functions

Bass Coast Business Awards

Official Opening of Berninneit

Community opening of Berninneit

Baluk Arts opening at Berninneit

Mayors thank you

Berninneit staff thank you dinner

Other

Berninneit walk through pre opening

Phillip Island Community Orchard 10th anniversary

Phillip Island Regenerative workshop

Ongoing

Prepared for monthly Councillor meeting.

Dealt with constituents' issue and queries – email, phone.

8.5 Cr Rochelle Halstead - Councillor Report

Council Briefings

Emergency Management Tourism Update

Program update for Berninneit Smart Communities Strategy Gender Equity Training Part 2 Financial Hardship Policy Wonthaggi Secondary College Site

Surf Beach / Sunderland Bay Special Charge Scheme Integrated Transport Study

Council Meetings

Onsite visit Berninneit

CFA (former building) update

Community Meetings / Events

Phillip Island MotoGP Brakefast Phillip Island MotoGP

Connecting2Australia 70th Birthday Celebration Bass Coast Business Awards 2023

Berninneit Official Opening Halloween Crawl (YES youth hub)

St Judes Wonthaggi Year 5/6 Leadership talk San Remo Bowls Club Oaks Day

Mayors Community Thank You Corinella CFA Annual Awards Night

Kilcunda Bass Cricket Club 50th Anniversary Celebration

9 Public Question Time

9.1 Fred Morris, Concrete pathway through to the Inverloch Surf Club

Council has a plan to extend its concrete pathway through to the Inverloch Surf Club. Will council modify the plan to have a one-metre-wide concrete path suitable for wheelchairs, prams and pedestrians with parallel parking adjoining?

Response:

Based on the outcome of community engagement, Council will consider options for a pathway at its February 2024 meeting.

9.2 Fred Morris, San Remo Town Boundary

Has the Planning Minister informed Council prior to the determination outcomes to the Distinctive Area Landscape (DAL) that the San Remo Town Boundary will be set at the Punch Bowl Road, San Remo?

Response:

No. Council has not yet been informed of any changes to the San Remo town boundary. We anticipate that finalisation of the DAL process, including confirmation of changes to the town boundary will occur in mid-2024.

9.3 Melissa Dagg, Councils Annual Report 2022/2023

Councils Annual Report 2022/2023

1. Councils Annual Report 2022/2023 page 163 note 9.1(b) Other reserves, 'carry over works', end of period for 2023 of $6,001,000. Please provide the project numbers, description of projects and the allocated funding for each project?
2. Council Annual Report 2022/2023 page 122 note 3.7 Other Income, recorded 'Dividends of $3000 for 2023. What was the principle fund that generated the Dividends?

Response:

1. A list of the projects will be provided in the minutes.

Project	Reserve Transfer
100121 - Maj Bldgs Cowes Cultural & Community Centre Redevelopment	2,652,493.61
100181 - Implementation of Domestic Animal Management Plan 2017-2020	26,968.00
100331 - Phillip Island 20 Year Visitor Economy Strategy Actions	6,620.00
100339 - Disability Action Plan Implementation Actions	29,000.00
100342 - Community Planning Projects	17,174.00
100344 - Creative Gippsland	5,250.00

100359 - Coast & bush land - risk management project	29,657.00
100368 - Implementation of RAMP	52,303.00
100481 - Min Bldgs Wonthaggi Croquet Club Pavillion	47,994.00
100482 - Min Bldgs Wonthaggi Tennis Club Pavillion	10,414.00
100490 - Maj Land Imp Wonthaggi Activity Centre Plan Priorities	535,692.33
100505 - Storm Water Group - Bayview Ave Tenby Point - WSUD	23,501.00
100585 - Neighbourhood Character and Housing Strategy	121,264.00
100648 - Growth Area Alignment - DCP Implementation	32,268.00
100703 - Min Land Impr Wonthaggi Field Lighting & Soccer Pavilion	6,163.00
100718 - Min Land Impr Kilcunda Skate Park	267,104.00
100762 - Min Land Impr Dinosaur Trail - Design	69,051.25
100778 - Ren Roads Urban Roads Group Cuttriss Street Inverloch Design	5,000.00
100786 - Ren Bldgs OpSp Wonthaggi Museum Platform Design & Construct	49,164.91
100793 - Ren Roads Rural Roads Group Stewarts Rd Kongwak	11,599.00
100798 - Ren Rural Roads Archies Creek Road Archies Creek	56,643.00
100804 - Climate Change Action Plan Operating	118,649.00
100821 - Min Land Impr Wonthaggi Rec Res Power Upgrade & Consolidatio	222,284.00
100828 - Ext Grt Land Impr EV Public & Council Chargers DCAV EVCCF	284,377.23
100830 - Environment Carbon Fund	30,529.00
100831 - San Remo Structure Plan - DALs	108,948.00
100832 - Min Roads Shetland Heights Road - Road and Drainage Upgrade	- 184,733.00
100833 - Min Bldgs Kindergarden/MCH Expansion Project - Wonthaggi PS	3,398.48
100845 - Camping Review	25,000.00
100848 - Maj Pathway Woolamai-Nyora Trail Extension - Tracks & Trails	125,000.00
100855 - Min Land Imp Blue Gum Community Garden Cowes	3,910.00
100856 - Min Land Imp Rhyll Playground - Stage 2	109,515.54
100857 - Min Bldgs Pioneer Bay Reserve, Toilets & Community Space	31,140.00
100860 - Min Bldgs Mechanics workshop storage & extension	169,065.00
100871 - Ren Bldgs Rhyll Mechanics Hall	493,911.00
100872 - Ren Bldgs Cowes Senior Citizens	141,611.00
100874 - Ren Bldgs Refurbishment of CFA Building Cowes	173,745.00
100881 - Ren Pathway Marine Pde San Remo Bergin Grove Woolamai Grove	36,501.00
100936 - Signage - Review and Delivery of Guidelines	53,000.00

2. Council's earned $3,000 in dividend income in 2022/23 from its investment in the San Remo Community Bank.

9.4 Graham Jolly - Council reports end of year results

Council reports end of year results

30/6/2023 council reports end of year results of Carry Overs.

4th Quarter Operational page 34, $2,544,000, page 35 Capital $11,979,000, page 40 Capital Works Projects Spreadsheet $12,043,572, multiple Annual Reports pages 64, 163, $6,001,000, First Quarter Report page 29, $12,629,371. What is the correct Carry Over financial figure?

Response:

Council carried over $12.63 million for the capital works program.

The figures in the three named reports will not match as they are prepared for different purposes.

9.5 Graham Jolly, Community Engagement

Community Engagement is an important direct connection for Council and it's residents. What community markets has Council attended across the shire during the year to engage one to one with community members in attendance?

Response:

Councillors and Council staff engage regularly with community through a variety of methods including Engage Bass Coast, surveys, local media, social media and pop-up and activations at events, markets and a wide range of other community activities such as Rhyll, Phillip Island and Inverloch Twilight Markets, Kilcunda Lobster Festival and the Wonthaggi Agricultural Show to name a few.

9.6 Susie Wickes, Special Charge Scheme

1. Is Council able to advise of voting percentages relating to the Special Charge Scheme prior to the December Council meeting when the report abandoning the scheme is to be tabled? If yes what was the percentage that voted against the scheme?
2. Has any council employee or sitting Cr shared with anyone in the community, address details (not including name) of properties that voted against or did not lodge a vote for the SBSB special charge scheme?

Response:

1. **A one page summary of submissions and/or objections has been published on the project page on Engage Bass Coast.**
2. **Individual property owner submissions and/or objections will remain confidential.**

9.7 Philip Davey, Special Charge Scheme

Why did council spend around $1million on survey works for Sunderland Bay Surf Beach when senior council staff have stated that only a concept plan was required for the special charge scheme voting?

Why did council state in the SBSB Special Charge Scheme Public Notice that "A Detailed Plan is available of the scheme area for viewing" when in fact it was only the original incorrect and incomplete Concept Plan Option 1 with modifications with no details of modifications proposed?

Response:

As of 30 June 2023, Council has spent $488,225 on this project. This amount spent was required to undertake extensive community engagement, developed concept plans and a cost estimate for the project considering various project risks.

More detailed road and drainage construction plans are only commenced if the project is supported through the declaration process. This has not occurred.

9.8 Ross Bencraft, Surf Beach and Sunderland Bay

Can council please advise why a council officer has provided specific data and information regarding the special charge scheme to members of the "Surf Beach and Sunderland Bay Improvement Group" on Facebook, but has refused to provide the same information to the "Say No" group when requested via email.

Response:

Details to explain the process for a community-initiated upgrade project have been provided to some community members.

This has occurred as property owners supportive of an upgrade have enquired about Council's Urban Road and Drainage Upgrade Policy 2019 mechanism for a community-initiated upgrade project. The 'Say No' group have not requested the same information

9.9 Leanne Sumpter, Surf Beach and Sunderland Bay

Has Council advised some members of the community in Surf Beach and Sunderland Bay details and data relating to voting percentages and locations regarding the Special Charge Scheme? And if yes, why has this taken place prior to the release of the report formally abondoning the scheme table for December.

Response:

Details to explain the process for a community-initiated upgrade project have been provided to some community members.

This has occurred as property owners supportive of an upgrade have enquired about Council's Urban Road and Drainage Upgrade Policy 2019 mechanism for a community-initiated upgrade project. The 'Say No' group have not requested the same information

10 Urgent Business

There was no Urgent Business.

11 Mayoral Announcement of Next Meeting of Council

The next Council Meeting will be held on 13 December 2023 in the Bass Coast Civic Centre Council Chamber, Baillieu Street East, Wonthaggi commencing at 1.00pm.

Council Decision

Moved: Cr. Leticia Laing / Seconded: Cr. Brett Tessari

That the meeting be closed to members of the public pursuant to Section 66 of the *Local Government Act 2020*, to consider an item/s as they deal with:

> (k) information prescribed by the regulations to be confidential information for the purposes of this definition;

CARRIED

Meeting adjourned

That the meeting be adjourned at 2:20pm

Meeting resumed

That the meeting be resumed at 2:24pm

Items Closed to the Public

Excerpt of Section 66 of the Local Government Act 2020.

(5) If a Council or delegated committee determines that a meeting is to be closed to the public to consider confidential information, the Council or delegated committee must record in the minutes of the meeting that are available for public inspection—

(a) the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in the definition of ***confidential information*** in section 3(1); and

(b) an explanation of why the specified ground or grounds applied.

confidential information means the following information—

(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;

(b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;

(c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;

(d) law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;

(e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;

(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;

(g) private commercial information, being information provided by a business, commercial or financial undertaking that—

i. relates to trade secrets; or

ii. if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;

(h) confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);

(i) internal arbitration information, being information specified in section 145;

(j) Councillor Conduct Panel confidential information, being information specified in section 169;

(k) information prescribed by the regulations to be confidential information for the purposes of this definition;

(l) information that was confidential information for the purposes of section 77 of the **Local Government Act 1989;**

12 Confirmation of Closed Minutes

12.1 Closed Council Meeting held on 20 September 2023

13 Reports Requiring Council Decision Closed to the Public

13.1 Chief Executive Officer Employment Matters Committee

It is recommended that the meeting be closed to members of the public pursuant to Section 66 of the *Local Government Act 2020*, to consider this item for the following reason:

(k) information prescribed by the regulations to be confidential information for the purposes of this definition;

14 Meeting Closed

That the meeting be closed. 2:30pm