

# CITY OF MONASH

## CERTIFICATE

### DESIGNATION OF A MATTER UNDER SECTION 89(2) OF THE LOCAL GOVERNMENT ACT 1989

**COUNCIL MEETING DATE**

26/02/2019

**ITEM** (provide information to the public about the item (as is possible without breaching confidentiality))

**That the following matter be listed for Confidential Business, and the meeting be closed to the members of the public:**

Legal Matter

**DESIGNATION UNDER S.89(2) OF THE LOCAL GOVERNMENT ACT 1989**

- |   |                                     |
|---|-------------------------------------|
| (a) personnel matters   | <input type="checkbox"/>            |
| (b) the personal hardship of any resident or ratepayer  | <input type="checkbox"/>            |
| (c) industrial matters  | <input type="checkbox"/>            |
| (d) contractual matters   | <input type="checkbox"/>            |
| (e) proposed developments   | <input type="checkbox"/>            |
| (f) legal advice  | <input checked="" type="checkbox"/> |
| (g) matters affecting the security of Council property  | <input type="checkbox"/>            |
| (h) any other matter which the Council or special committee considers would prejudice the Council or any person | <input checked="" type="checkbox"/> |
| (i) a resolution to close the meeting to members of the public  | <input type="checkbox"/>            |

**DECISION TO BE MADE** (explain the type of decision which Council is considering (to the extent possible without disclosing confidential business)):

Note action taken to date and resolve on the outcome of the legal matter.

**WILL THIS ITEM BE MADE PUBLICLY AVAILABLE?**

YES

If yes, date of release: ...../...../.....

NO

If NO, why it is not appropriate to release the item and decision?:

Prejudice to Council and ongoing consideration of legal advice.

Once Council has resolved to give effect to Recommendation 14 of this report, confidentiality will no longer apply to the matters listed in Recommendation 15 of this report.

**CONSIDERATIONS**

1. Consideration has been given to whether part of the item could be considered in open Council and whether, in the interests of transparent decision making, it was worth splitting this part of the decision from the confidential part so it could be made in open Council.
2. Any consideration of embarrassment to, or potential adverse criticism of Council, any councillor or any Council officer, has not been a factor in reaching the view that the item is confidential.

**SIGN OFF (NOTICE OF MOTION/URGENT BUSINESS)**

SUBMITTING COUNCILLOR:

SIGNATURE: .....

DATE: ...../...../.....

**SIGN OFF (OFFICER'S REPORT)**



ANDI DIAMOND

Chief Executive Officer

DATE: 15 / 2 / 19 .....