20.1 Confidential - Annual Review Confidential Items

<table>
<thead>
<tr>
<th>Report Type</th>
<th>Officer Report - Confidential</th>
</tr>
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<tbody>
<tr>
<td>Department</td>
<td>Corporate Services</td>
</tr>
<tr>
<td>Author</td>
<td>Catherine Loder</td>
</tr>
<tr>
<td>Disclosure of Interest</td>
<td>No Council Officers or Contractors have declared a Conflict of Interest regarding the matter under consideration. Some Council Members have declared a conflict of interest relating to some of the confidential items referenced in this report.</td>
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<td>Current Risk Rating</td>
<td>Medium</td>
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<td>Strategic Plan Reference</td>
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<td>5.2 Govern in a responsible and responsive way.</td>
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<td>File Reference</td>
<td>GF/9.73.1/1</td>
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<tr>
<td>Attachments</td>
<td>1. List of Current Confidential Orders 2020 [20.1.1 - 2 pages]</td>
</tr>
<tr>
<td></td>
<td>2. Confidential Orders Released Since Last Annual Review [20.1.2 - 1 page]</td>
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</tbody>
</table>

**Purpose of Report**

To undertake an annual review of all current items being held in confidence.

**Report Details**

As this report relates to items currently held in confidence under order of the Council or Council Committees it is recommended to also consider this item in confidence.

Confidentiality orders are those that are made by Council under Section 91(7) of the *Local Government Act* (The Act).

Council is required to undertake an annual review of items that have a current confidentiality order that exceeds 12 months in duration (refer to section 91(9)(a) of the *Local Government Act 1999* [the Act]). The last review was conducted in April 2019.

Council maintains a register of items that are currently held under confidentiality orders and the conditions under which they are kept (Attachment 1). There are currently 29 confidentiality orders in place requiring minutes, reports and/or attachments to be retained in confidence. All items listed in table 1 are to be considered as part of this annual review.

As part of the annual review process, Council must ascertain whether the information (e.g. minutes, reports, documents) relating to each item can be released to the public. Confidential items can be released when:

- an existing order expires due to the passage of time; or
- an order is revoked by Council; or
- an order is revoked by an employee of the Council (only when provided with delegated authority under Section 91(9)(c) through council resolution, usually only given to the CEO).

If there is a requirement for information to remain confidential beyond what is specified in an existing order, a new order must be made in accordance with the Act and prior to the expiry of the existing order.
Only Council may make a new confidentiality order (refer section 91(9)(ab)(ii) of the Act).

It is not possible to place a new order on items where an existing order has expired or been revoked, as it became public at the time of expiry or revocation (refer section 91(9)(ab)(i) of the Act).

The orders in table 1 have been reviewed by relevant staff. Refer to the “Recommendation” column in table 1 for details on respective recommendations, which are summarised below:

- make 13 further orders to extend the period of time that respective items will be retained in confidence;
- 15 orders are retained until their existing expiry date;
- 1 order is assessed by the Audit & Risk Committee within the next 12 months.

In reviewing these items, Council must consider Section 90 & 91 of the Act.

Council or a Council Committee may delegate to an employee of the Council (e.g. Chief Executive Officer) the power to revoke a confidentiality order. During the review period, the CEO has exercised the delegated power to revoke orders and release information where permitted.

The table in attachment 2 contains the list of items that have been fully released since the last annual review.

Financial Considerations

<table>
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<td>Budget Variation Requested</td>
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There are no known financial implications related to this report. Many of the items held under confidentiality orders relate to financial matters.

Risk Considerations

Please refer to Wattle Range Council’s SharePoint Register – Item 117.

Policy Considerations

Public Access to Council and Committee Meetings and Associated Documents Code of Practice.

Legislative Considerations

Section 90 and 91 of the Local Government Act 1999 (refer attached).
Environmental / Sustainability Considerations

There are no known environmental or sustainability considerations related to this report.

Communication & Consultation Considerations

There are no known communication and consultation considerations related to this report.

RECOMMENDATION 1

Order to exclude the public

That:

1. Pursuant to Sections 90(2) and 90(3)(a),(b),(d),(e),(h) & (k) of the Local Government Act 1999, the Council orders that the public be excluded from attendance at that part of this meeting relating to Item 20.1, excepting the following persons:

   - Ben Gower - Chief Executive Officer
   - Paul Duka – Director Corporate Services
   - Steve Chapple – Director Development Services
   - Peter Halton – Director Engineering Services
   - Catherine Allen – Executive Assistant / Minute Taker

   to enable the Council to consider Item 20.1 - Confidential - Annual Review Confidential Items in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 20.1 - Confidential - Annual Review Confidential Items:

   - information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
   - information the disclosure of which:
     (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
     (ii) would, on balance, be contrary to the public interest;
   - 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
   - matters affecting the security of the council, members or employees of the Council, or Council property, or the safety of any person
   - tenders for the supply of goods, the provision of services or the carrying out of works

Specifically, the present matters relate to:
• Information relating to actual litigation involving the Council, being litigation and compensation relating to the Penola bypass; and
• Council's internal controls; and
• Potential sale values on Council land; and
• A remission of rates request; and
• The Millicent Community Club; and
• Information pertaining to unpaid rates; and
• A tender to construct parking areas at the Millicent Community Hub, Fifth Street, Millicent; and
• A tender to construct pedestrian management works located at the intersection of Davenport Street, Glen Street and Stuckey Street, Millicent; and
• A verbal complaint against an employee of Council and it would be unreasonable to receive, discuss or consider this matter in public; and
• Financial information relating to an appointment of a member of the Building Fire Safety Committee under Section 71 of the Development Act 1993; and
• A tender for a new enterprise software management system; and
• A tender to purchase a Street Sweeper; and
• A tender to purchase two new tip truck and trailer combinations; and
• A tender to operate swimming pools and CWMS and supervise pools; and
• A tender for a new front deck mower; and
• A tender for building construction works; and
• A tender for the annual bituminous reseal program for 2019/20; and
• A tender to operate swimming pools and CWMS and supervise pools; and
• A tender for a new enterprise software management system; and
• Consideration of options for the future of the Southend Caravan Park; and
• A tender for renovations to Rymill Hall; and
• Tender for collection services for scrap metal from Council’s five waste facilities; and
• An individual complainant's continuous and sustained vexatious behaviour towards Council;
• Information pertaining to unpaid rates; and
• Information pertaining to the personal affairs of persons within the Engineering Services Department; and
• A tender for the Penola Stormwater and Road Design – South Terrace / Queen Street catchment area; and
• A tender for Stage 2 construction of underground drainage in Arthur Street (and Church Street, Alfred Street and Portland Street), Penola.

2. 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 matter confidential.
RECOMMENDATION 2

New order: Penola Bypass Road – Road Openings Compensation

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 8 May 2012 and reviewed on 10 April 2018 and 9 April 2019 under section 90(2) and (3)(b) of the Local Government Act 1999, pursuant to Section 91(7) of that Act, the Council orders that the following document(s) (or part) shall be kept confidential being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b) of the Act:

   • The reports and documents of Item 11.1.3 Penola Bypass Road - Road Openings - Compensation of 8 May 2012 Ordinary Council meeting

   on the grounds that the document(s) (or part) relates to information about the payment of compensation that could prejudice the commercial position of Council by impacting on Council’s negotiating position and is, on balance contrary to the public interest because it is in the public interest to retain Council's negotiations in confidence.

   This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.
RECOMMENDATION 3

New order: Penola Bypass Road – Road Openings Compensation

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 29 May 2012 and reviewed on 10 April 2018 and 9 April 2019 under section 90(2) and (3)(b) of the Local Government Act 1999, pursuant to Section 91(7) of that Act, the Council orders that the following document(s) (or part) shall be kept confidential being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b) of the Act:

- The reports and documents of Item 4.3.1.1 Penola Bypass Road - Road Openings - Compensation of 29 May 2012 Ordinary Council meeting

on the grounds that the document(s) (or part) relates to information about the payment of compensation that could prejudice the commercial position of Council by impacting on Council’s negotiating position and is, on balance contrary to the public interest because it is in the public interest to retain Council’s negotiations in confidence.

This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.
RECOMMENDATION 4

New order: Council Land Options – Mount Gambier Road Millicent

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 13 February 2018 and reviewed on 10 April 2018 & 9 April 2019 under section 90(2) and (3)(d) of the Local Government Act 1999, pursuant to Section 91(7) of that Act, the Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(d) of the Act:

- The Report of Item No. 17.1 Council Land Options – Mount Gambier Road Millicent of 13 February 2018 Ordinary Council Meeting

on the grounds that the document(s) (or part) relates to 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.

Specifically, the present matter relates to potential sale values on Council land.

This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.
RECOMMENDATION 5

New order: Motion on Notice – Millicent Community Club

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 11 December 2018 and reviewed on 9 April 2019 under section 90(2) and (3)(b)&(d) of the Local Government Act 1999, pursuant to Section 91(7) of that Act, the Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b)&(d) of the Act:

- The Minutes of Item 17.2 Motion on Notice – Millicent Community Club of 11 December 2018 Ordinary Council Meeting

On the grounds that the document(s) (or part) is:

information the disclosure of which:

(i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct business, or to prejudice the commercial position of the council; and

(ii) would, on balance be contrary to the public interest; and

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.

Specifically, the present matter relates to the Millicent Community Club.

This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.
RECOMMENDATION 6

New order: Review of Eligible Section 184 – Sale of Properties for Unpaid Rates

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 15 January 2019 and reviewed on 9 April 2019 under section 90(2) and (3)(a) of the Local Government Act 1999, pursuant to Section 91(7) of that Act, the Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:


On the grounds that the document contains:

Information the disclosure of which would involve the unreasonable disclosure or information concerning the personal affairs of any person (living or dead).

Specifically, the present matter relates to information pertaining to unpaid rates.

The disclosure of this information would be unreasonable because the information is sensitive / confidential and is not a matter of public knowledge.

This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.
RECOMMENDATION 7

New order: Millicent Community Club

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 12 February 2019 and reviewed 9 April 2019 under section 90(2) and (3)(b) of the Local Government Act 1999, pursuant to Section 91(7) of that Act, the Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b) of the Act:

• The Minutes, Report & Attachments of Item 19.1 Millicent Community Club of 12 February 2019 Ordinary Council Meeting

On the grounds that the document(s) (or part) is:

information the disclosure of which:

(i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct business, or to prejudice the commercial position of the council; and

(ii) would, on balance be contrary to the public interest.

Specifically, the present matter relates to the Millicent Community Club.

This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.
RECOMMENDATION 8

New order: Verbal Complaint Report

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 9 April 2019 under Section 90(2) and (3)(a) of the Local Government Act 1999, Council varies the order to substitute “90(3)(b)” with “90(3)(a)”.

2. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 9 April 2019 under section 90(2) and (3)(a) of the Local Government Act 1999, pursuant to Section 91(7) of the Local Government Act 1999, the Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:


On the grounds that the document(s) (or part) is:

Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Specifically, the present matter relates to a verbal complaint against an employee of Council and it would be unreasonable to receive, discuss or consider this matter in public.

This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.
RECOMMENDATION 9

New order: Enterprise Software System

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 13 August 2019 under section 90(2) and (3)(k) of the Local Government Act 1999, pursuant to Section 91(7) of the Local Government Act 1999, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(k) of the Act:


On the grounds that the document(s) (or part) relates to tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to a tender for a new enterprise software management system.

This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.
RECOMMENDATION 10

New order: Enterprise Software System

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 12 November 2019 under section 90(2) and (3)(k) of the Local Government Act 1999, pursuant to Section 91(7) of the Local Government Act 1999, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(k) of the Act:


On the grounds that the document(s) (or part) relates to tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to a tender for a new enterprise software management system.

This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.
RECOMMENDATION 11

New order: Southend Caravan Park Update

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 12 November 2019 under Section 90(2) and (3)(b)&(d) of the Local Government Act 1999, pursuant to Section 91(7) of the Local Government Act 1999, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b)&(d) of the Act:

- The Report and Attachments of Item 19.2 Confidential Southend Caravan Park Update of 12 November 2019 Ordinary Council Meeting

On the grounds that the document(s) (or part) is:

Information the disclosure of which:

(i) could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting or proposing to conduct business, or to prejudice the commercial position of the Council; and

(ii) would, on balance, be contrary to the public interest.

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.

Specifically, the present matter relates to consideration of options for the future of the Southend Caravan Park.

This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.
RECOMMENDATION 12

New order: Confidential – Unreasonable Customer Conduct

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 10 December 2019 under Section 90(2) and (3)(a),(e) & (h) of the Local Government Act 1999, pursuant to Section 91(7) of the Local Government Act 1999, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3) (a),(e) & (h) of the Act:

- Minutes, Report and Attachments of Item 19.3 Confidential Unreasonable Customer Conduct of 10 December 2019 Ordinary Council Meeting

On the grounds that the document(s) (or part) is:

information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and

matters affecting the security of the Council, members or employees of the Council, or Council property, or the safety of any person; and legal advice.

Specifically, the matter relates to an individual complainant's continuous and sustained vexatious behaviour towards Council.

This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.
RECOMMENDATION 13

New order: Confidential – Review of Eligible Section 184 – Sale of Properties for Unpaid Rates

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 10 December 2019 under Section 90(2) and (3)(a) of the Local Government Act 1999, pursuant to Section 91(7) of the Local Government Act 1999, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:

- The Attachment of Item 19.5 Confidential Review of Eligible Section 184 – Sale of Properties for Unpaid Rates of 10 December 2019 Ordinary Council Meeting

on the grounds that the document(s) (or part) is:

Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Specifically, the present matter relates to information pertaining to unpaid rates. The disclosure of this information would be unreasonable because the information is sensitive / confidential and is not a matter of public knowledge.

This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.
RECOMMENDATION 14

New order: Confidential – Engineering Services Restructure

1. Pursuant to Section 91(9)(a), having reviewed the confidentiality order made on 10 December 2019 under Section 90(2) and (3)(a) of the Local Government Act 1999, pursuant to Section 91(7) of the Local Government Act 1999, Council orders that the following shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:

- Report of Item 19.6 Confidential Engineering Services Restructure of 10 December 2019 Ordinary Council Meeting

On the grounds that the document(s) (or part) is:

Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Specifically, the matter relates to information pertaining to the personal affairs of persons within the Engineering Services Department.

The disclosure of this information would be unreasonable because the information is sensitive and is not a matter of public knowledge.

This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.
RECOMMENDATION 15

Order regarding this report (Item 20.1 - Confidential - Annual Review Confidential Items) and minutes for this item

That Council:

1. That having considered Item 20.1 - Confidential - Annual Review Confidential Items in confidence under Section 90(2) and (3)(a),(b),(d),(e),(h) & (k) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that the Report, Attachment(s) and Minutes related to this item be released to the public.
## Excerpt from Register of Confidential Items - Items currently held under a Confidentiality Order

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<tr>
<td>Audit Committee</td>
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### Attachment 20.1.1

**Meetings**

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<th>Meeting Type</th>
<th>Meeting Date</th>
<th>Item Number</th>
<th>Title</th>
<th>Reason</th>
<th>Order Expiry Date</th>
<th>Expiry Type</th>
<th>CEO Power to Revoke</th>
<th>Minutes</th>
<th>Report</th>
<th>Attachment(s)</th>
<th>Recommendation</th>
</tr>
</thead>
</table>

- a. information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- b. information the disclosure of which—
  (i) would reasonably be expected to confer a commercial advantage on a person with whom the council is contracting, or proposing to contract, business, or to prejudice the commercial position of the council; and
  (ii) would, in balance, be contrary to the public interest;
- c. information the disclosure of which—
  (i) would reasonably be expected to prejudice the commercial position of any person who supplied the information, or to confer a commercial advantage on a third party; and
  (ii) would, in balance, be contrary to the public interest;
- d. information the disclosure of which would reveal a trade secret;
- e. commercial information of a confidential nature (not being a trade secret) the disclosure of which—
  (i) would 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, in balance, be contrary to the public interest;
- f. information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;
- g. matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
- h. legal advice;
- i. information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;
- j. information relating to a proposed amendment to a development plan under the Development Act 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act;
### Excerpt from Register of Confidential Items - Items fully released since previous annual review of confidential orders

**Date:** 26-March-2020

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Item Number</th>
<th>Title</th>
<th>Reason</th>
<th>Minutes Released</th>
<th>Report Released</th>
<th>Attachment(s) Released</th>
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* blank cells indicate there was no attachment