

18.2 **Review of Service (Report No: 102/24)**

Motion - Exclusion of the Public – Section 90(3)(j) Order **C090424/7727**

1. That pursuant to section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 102/24 - Review of Service in confidence.
2. That in accordance with section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 102/24 - Review of Service on the following grounds:

- j. pursuant to section 90(3)(j) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would divulge information provided on a confidential basis by or to the Auditor General (not being an employee of the Council, or a person engaged by the Council).

The Auditor-General in the information between Council, Auditor-General and relevant parties relating to the service review is requested by the Auditor-General to remain confidential until the report is delivered to Parliament.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Councillor Miller, Seconded Councillor Lindop

Carried Unanimously

The Auditor-General has conducted a review of the City of Holdfast Bay's management of its urban tree canopy. The report outlined the findings and recommendations from the review. The outcome of the review along with a final written comment from Council will be reported to Parliament by the Auditor-General.

The Auditor-General's letter, review findings and recommendations, and the final written response were tabled and approved by Council's Audit and Risk Committee at the meeting held 27 March 2024.

Motion

C090424/7728

That Council:

1. receives the letter to the Mayor from the Auditor-General;
2. receives the review findings and recommendations; and
3. approves the final written response prepared by Administration provided in Attachment 2.

RETAIN IN CONFIDENCE - Section 91(7) Order

4. That having considered Agenda Item 18.2 - Review of Service in confidence under section 90(2) and (3)(j) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachment and minutes be retained in confidence for a period of 12 months and/or the Chief Executive Officer is authorised to release the documents when the report is delivered to Parliament and that this order be reviewed every 12 months.

Moved Councillor Smedley, Seconded Councillor Miller

Carried Unanimously

CONFIRMED

9 April 2024

MAYOR