

# PALM ISLAND ABORIGINAL SHIRE COUNCIL

## POLICY STATEMENT

- SUBJECT:** CLOSURE OF MEETINGS TO THE PUBLIC
- AUTHORITY:** Council of the Whole.
- PURPOSE:** To clearly specify the instances where Council Ordinary and Committee Meetings will be closed to the public.
- BACKGROUND:** Section 462 of the Local Government Act 1993 provides that meetings are open to the public unless the Local Government or Committee has resolved that the Meeting be closed under Section 463. The latter section sets out eight (8) instances when a Meeting can be considered necessary to be closed.
- It is clear that a general resolution cannot be made closing all meetings in these circumstances, as a resolution is required, specific to each Meeting. This presents some difficulties with members of the public who may travel to a Council Meeting only to discover that a resolution is passed closing it to the public. As the Chief Executive Officer or anyone cannot pre-empt a resolution to close a Meeting, a legal means was required which would give an indication to the public that a Meeting would be closed in certain circumstances.
- By adopting a Policy that Council will close Meetings in accordance with the provisions of Section 463(1) of the Act and publicising this fact, the public will be less likely to be inconvenienced when attending Meetings and it will also serve as direction for Members to resolve to close a meeting.
- POLICY:** Council will resolve to close Meetings where the following items are discussed in accordance with the provisions of Section 463(1) of the Local Government Act 1993:
- (a) the appointment, dismissal or discipline of employees;
  - (b) Industrial matters affecting employees;
  - (c) the Council Budget;
  - (d) rating concessions;
  - (e) contracts proposed to be made;
  - (f) starting or defending legal proceedings;
  - (g) any action taken by Council under the Local Government (Planning and Environment Act) 1990, including deciding application made to it under that Act;

(h) other business for which a public discussion would be likely to prejudice the interests of Council or someone else, or enable a person to gain a financial advantage.

The Chief Executive Officer is authorised to indicate on all agendas prepared whether in his opinion an item on that agenda is likely to fall within the Policy and be discussed in closed session.

DELEGATION: Authority in respect of this Policy is hereby delegated to the Chief Executive Officer.

RESOLUTION DATED: May 2009