

# CITY OF MONASH

## CERTIFICATE

### DESIGNATION OF A MATTER UNDER SECTION 66(2) OF THE LOCAL GOVERNMENT ACT 2020

#### COUNCIL MEETING DATE

15 December 2020

**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 Advice – Smoking.

#### DESIGNATION UNDER S.66(2) OF THE LOCAL GOVERNMENT ACT 2020

(a) the meeting is to consider confidential information

(b) security reasons

(c) to enable the meeting to proceed in an orderly manner

**IF THE MEETING IS TO CONSIDER CONFIDENTIAL INFORMATION, WHY IS THE INFORMATION CONFIDENTIAL?** (explain with reference to the categories of Confidential Information under S.3(1) of the *Local Government Act 2020*):

**The information is legal privileged information, being information to which legal professional privilege or client legal privilege applies.**

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

**Consider legal advice**

**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?:

**The information is legal privileged information, being information to which legal professional privilege or client legal privilege applies.**

**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

**03 12 2020**

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