

LOCKHART RIVER ABORIGINAL SHIRE COUNCIL

CLOSURE OF MEETINGS TO THE PUBLIC POLICY



ADOPTION SCHEDULE:	July 2026
NEXT REVIEW:	July 2027
DIVISION:	Corporate
RESPONSIBLE OFFICER:	Chief Executive Officer

1. Purpose

This Policy provides guidance on when Lockhart River Aboriginal Shire Council may close a Council or committee meeting to the public in accordance with Queensland local government legislation.

2. Policy Statement

Council is committed to conducting meetings in a manner that is open to the public wherever possible. Council may only close a meeting to the public by resolution and only where the matter to be discussed falls within a permitted legislative ground for a closed meeting. A closed meeting must not be used to avoid public scrutiny, and Council must return to an open meeting to make any substantive decision unless legislation permits otherwise.

3. Scope

This policy applies to Council, councillors, the Chief Executive Officer, employees preparing Council agendas and reports, and members of committees when considering whether a meeting, or part of a meeting, should be closed to the public.

4. Responsibilities

Council	Ensure meetings are conducted transparently and only closed where permitted by legislation.
Mayor	Manage meeting procedure, ensure the resolution to close a meeting is properly put, and return the meeting to open session when appropriate.
Chief Executive Officer	Ensure agendas, reports and minutes support compliance with legislative requirements and this policy.
Councillors and Committee Members	Consider each matter on its merits, maintain confidentiality, and act in accordance with governance and conduct obligations.
Employees	Prepare reports and confidential attachments appropriately and comply with confidentiality requirements.

5. Legislative Framework

This policy is guided by the Local Government Act 2009 and the Local Government Regulation 2012, including the local government principles of transparent and effective decision-making, democratic representation, meaningful community engagement, good governance, and ethical and legal behaviour.

Local Government Act 2009 provides that meetings are open to the public unless the Local Government or Committee decides by resolution that the Meeting be closed to the public under section 254J (3) of Local Government Regulation 2012.

The latter section sets out ten (10) 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 LGA 2009 of the Act and publicizing 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.

Council will resolve to close Meetings where the following items are discussed in accordance with the provisions of the Local Government Act 2009:

- 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) matters that may directly affect the health and safety of an individual or a group of individuals;
- 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.
- i) negotiations relating to taking of land by the Council under the Acquisition of Land Act 1967
- j) a matter the Council is required to keep confidential under law or formal arrangements with, the Commonwealth or state

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.

6. Confidentiality

Information discussed in a closed session must be treated as confidential unless Council has authorised its release or the information is otherwise lawfully available. Councillors, employees and committee members must not disclose confidential information unless authorised by Council or required by law.

7. Records and Minutes

The minutes must record the resolution to close the meeting, the general nature of the matter considered, the time the meeting was closed, the time the meeting was reopened, and any resolutions made after the meeting returned to open session. Confidential reports and attachments must be managed in accordance with Council's records management and information privacy obligations.

DOCUMENT END