

MINUTES

of the

Special Council Meeting



Held, pursuant to the provisions of the
Local Government Act 1999, in the

**Council Chamber
Old Port Wakefield Road
Two Wells**

on

Tuesday 20 February 2024 at 12:30pm

A handwritten signature in blue ink, appearing to be "mw", is located in the bottom right corner of the page.

The Mayor formally declared the meeting open at 12:32pm.

1 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges that we meet on the traditional country of the Kurna people of the Adelaide Plains and pays respect to elders past, present and emerging. We recognise and respect their cultural heritage, beliefs and relationship with the land and we acknowledge that they are of continuing importance to the Kurna people living today.

2 ATTENDANCE RECORD

Present:

Mayor Mark Wasley

Deputy Mayor Marcus Strudwicke

Councillor Kay Boon

Councillor Carmine Di Troia

Councillor Terry-Anne Keen

Councillor Dante Mazzeo

Councillor Margherita Panella

Councillor David Paton

Councillor Eddie Stubing

Staff in Attendance:

Chief Executive Officer

Director Infrastructure and Environment

Manager Governance

Executive Assistant to the CEO and Mayor

Governance Administration Officer/Minute Taker

Mr James Miller

Mr Thomas Jones

Ms Rachel Kammermann

Ms Susan Cook

Ms Paige Graham

Apologies:

Councillor Alana Bombardieri

3 DECLARATION OF MEMBERS' INTEREST

Councillors Di Troia, Stubing and Keen declared a material conflict of interest in relation to Item 4.1– *Court of Disputed Returns – Electoral Commission of South Australia – Petitions*, on the basis that they are listed as a respondent in the Court of Disputed Returns proceedings.

Councillors Boon, Panella, Paton, Mazzeo and Strudwicke declared a material conflict of interest in relation to Item 4.1 – *Court of Disputed Returns – Electoral Commission of South Australia – Petitions*, on the basis that the Court of Disputed Returns determination in respect of the petitions has the ability to impact their election.

Councillors Boon, Panella, Paton, Mazzeo and Strudwicke participated in the meeting in accordance with the Ministers approval under section 75C(5)(c) of the *Local Government Act*, dated 16 February 2024.

Councillor Terry-Anne Keen left the meeting at 12:36pm.

Councillor Carmine Di Troia left the meeting at 12:36pm.

Councillor Eddie Stubing left the meeting at 12:36pm.

4 CONFIDENTIAL ITEMS

4.1 COURT OF DISPUTED RETURNS - ELECTORAL COMMISSION OF SOUTH AUSTRALIA - PETITIONS

RESOLUTION 2024/20

Moved: Councillor Boon

Seconded: Councillor Paton

"that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except:
 - Chief Executive Officer;
 - Director Infrastructure and Environment;
 - Manager Governance;
 - Executive Assistant to the CEO and Mayor;
 - Governance Administration Officer/Minute Taker;
 - Mr Dale Mazzachi of Norman Waterhouse Lawyers;
 be excluded from attendance at the meeting of Council for Item 4.1 – *Court of Disputed Returns - Electoral Commission of South Australia – Petitions*;
2. Council is satisfied that pursuant to sections 90(3)(h) and 90(3)(i) of the *Local Government Act 1999*, Item 4.1 – *Court of Disputed Returns - Electoral Commission of South Australia – Petitions* concerns information of a confidential nature, being legal advice from Council's solicitors AND 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;
3. Council is satisfied the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.

CARRIED UNANIMOUSLY

4.1 COURT OF DISPUTED RETURNS - ELECTORAL COMMISSION OF SOUTH AUSTRALIA - PETITIONS

.....

RESOLUTION 2024/23**Moved: Councillor Mazzeo****Seconded: Councillor Strudwicke**

“that Council, having considered the matter of Item 4.1 - *Court of Disputed Returns - Electoral Commission of South Australia - Petitions* in confidence under sections 90(2) and 90(3)(h) and 90(3)(i) of the *Local Government Act 1999*, resolves that:

- 1. The agenda, report and all documents tabled at the meeting and minutes pertaining to Item 4.1 - *Court of Disputed Returns - Electoral Commission of South Australia - Petitions*, remain confidential and not available for public inspection until further order of the Council;**
- 2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and**
- 3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order in whole or part to the Chief Executive Officer.”**

CARRIED UNANIMOUSLY**5 CLOSURE**

There being no further business, the Mayor declared the meeting closed at 1:27pm.

Confirmed as a true record.

Mayor: 

Date: 26 / 2 / 2024