

MINUTES

of

Special Council Meeting



Pursuant to the provisions of Section 84 (1) of the
Local Government Act 1999

HELD

by electronic means

on

Monday 4 May 2020 at 6.00pm

The Mayor formally declared the meeting open at 6.00pm.

1. ATTENDANCE RECORD

1.1 Present:

Mayor Mark Wasley		<i>By audio-visual link</i>
Councillor John Lush	Mallala/Dublin Ward	<i>By audio-visual link</i>
Councillor Marcus Strudwicke	Mallala/Dublin Ward	<i>By audio-visual link</i>
Councillor Terry-Anne Keen	Mallala/Dublin Ward	<i>By audio-visual link</i>
Councillor Kay Boon	Two Wells Ward	<i>By audio-visual link</i>
Councillor Joe Daniele	Two Wells Ward	<i>By audio-visual link</i>
Councillor Margherita Panella	Lewiston Ward	<i>By audio-visual link</i>
Councillor Brian Parker	Lewiston Ward	<i>By audio-visual link</i>

Also in Attendance by audio-visual link:

Chief Executive Officer	Mr James Miller
General Manager – Governance and Executive Office	Ms Sheree Schenk
General Manager – Finance and Business	Mr Rajith Udugampola
General Manager – Infrastructure and Environment	Mr Thomas Jones
Manager Governance and Administration/Minute Taker	Ms Alyssa Denicola
IT Officer	Mr Thomas Harris-Howson
Chairperson, Audit Committee	Mr Alan Rushbrook
Principal, Norman Waterhouse Lawyers	Mr Dale Mazzachi

1.2 Apologies:

Councillor Frank Maiolo	Two Wells Ward
Councillor Carmine Di Troia	Lewiston Ward

2. ADJOURNED BUSINESS

Nil

3. DECLARATION OF MEMBERS' INTEREST

Nil

4. CONFIDENTIAL ITEMS**4.1 Legal Advice – CWMS Depreciation – Council Resolution 2020/117**

Moved Councillor Parker Seconded Councillor Boon **2020/143**

“that:

- 1. Pursuant to section 90(2) of the Local Government Act 1999, the Council orders that all members of the public, except Chief Executive Officer, General Manager – Governance and Executive Office, General Manager – Finance and Business, General Manager – Infrastructure and Environment, Manager Governance and Administration/Minute Taker, IT Officer, Alan Rushbrook, Chairperson, Audit Committee and Dale Mazzachi, Principal, Norman Waterhouse Lawyers be excluded from attendance at the meeting of the Council for Item 4.1 – *Legal Advice – CWMS Depreciation – Council Resolution 2020/117*;**
- 2. Council is satisfied that pursuant to section 90(3)(h) of the Local Government Act 1999, Item 4.1 – *Legal Advice – CWMS Depreciation – Council Resolution 2020/117* concerns legal advice; and**
- 3. Council is satisfied that 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

Mr Dale Mazzachi of Norman Waterhouse Lawyers gave an overview of his written legal advice pertaining to Item 14.1 – *Legal Advice – CWMS Depreciation – Council Resolution 2020/117*.

4.1 Moved Councillor Keen Seconded Councillor Lush **2020/144**

“that Council, having considered Item 4.1 – *Legal Advice – CWMS Depreciation – Council Resolution 2020/117*, dated 4 May 2020, receives and notes the report and in doing so, and in consideration of resolution 2020/117, instructs the Chief Executive Officer to bring a further report back to Council outlining all relevant information pertaining to the setting of the Community Wastewater Management System annual service charge which may impact on the Draft 2020/2021 Budget, ESCOSA requirements, the general ratepayer base and those end users of the system.”

CARRIED

4.1 Moved Councillor Parker Seconded Councillor Daniele **2020/145**

“that Council, having considered the matter of Item 4.1 – *Legal Advice – CWMS Depreciation – Resolution 2020/117* in confidence under sections 90(2) and 90(3)(h) of the Local Government Act 1999, resolves that:

- 1. Attachment 1 pertaining to Item 4.1 – *Legal Advice – CWMS Depreciation – Resolution 2020/117* remains 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 to the Chief Executive Officer."

CARRIED

There being no further business, the Mayor declared the meeting closed at 7.01pm.

Confirmed as a true record.



Mayor:

Date: 25/5/2020