



COUNCIL MINUTES

for the Special meeting

rescheduled from Monday 6 July 2020 to Thursday 9 July 2020

Special meeting conducted remotely



Present - The Right Honourable the Lord Mayor, Sandy Verschoor (Presiding);
Deputy Lord Mayor, Councillor Hyde;
Councillors Abrahamzadeh, Couros, Donovan, Hou, Khera, Knoll,
Mackie, Martin, Moran and Simms.

Acknowledgement of Country

At the opening of the Special Council Meeting, the Lord Mayor stated:

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

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’

Apologies and Leave of Absence

Nil

Report for Council

1. Item 3.1 - Presiding Members Report – Timing of Ordinary Council Meetings [2018/04062] [C]

Discussion ensued during which Deputy Lord Mayor (Councillor Hyde) entered the Special meeting at 5.45pm.

It was then

Moved by Councillor Khera,
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL:

1. Approves the starting time of ordinary meetings of Council to be 2.00pm to allow sufficient time to complete all items on the agenda. Meetings will be held in the Council Chamber, Adelaide Town Hall.

Discussion continued

The motion was then put and lost,
in the absence of unanimous support by all members

Councillor Couros then requested that a division be taken on the motion

Division

For (9):

Deputy Lord Mayor (Councillor Hyde) and Councillors Abrahamzadeh, Couros, Donovan, Hou, Khera, Knoll, Mackie and Simms.

Against (2):

Councillors Martin and Moran.

In the absence of unanimous support by all members,
the division was declared against the motion

Exclusion of the Public

Item 5.1 – City Connector Deed of Agreement listed for consideration in confidence was withdrawn.

2. Item 4.1. - Exclusion of the Public [2018/04291] [C]

For the following report for Council seeking consideration in confidence

5.2. Presiding Members Report – Contract Matter [s 90(3) (a)]

Order to Exclude for Item 5.2:

Moved by Deputy Lord Mayor (Councillor Hyde),
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in s 90(3) (a) and s 90(2) & (7) of the *Local Government Act 1999 (SA)*, this Special meeting of the Council dated 9/7/2020 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 5.2 [Presiding Members Report – Contract Matter] listed on the Agenda.

Grounds and Basis

The Item contains information that must be considered in confidence to ensure the Council does not breach any law, any duty of confidence, or other legal obligation or duty. Disclosure would involve the unreasonable disclosure of information concerning the personal affairs of the CEO, in that, details of his performance review will be discussed, which are sensitive and are details only known to those who have participated in the review process

2. Pursuant to s 90(2) of the *Local Government Act 1999 (SA)*, this Special meeting of the Council dated 9/7/2020 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 5.2 [Presiding Members Report – Contract Matter] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in s 90(3) (a) of the Act.

Carried

The public and members of Corporation staff not directly involved with Item 5.2 left the Special meeting at 6.27pm.

Confidential Item 5.2

Presiding Members Report – Contract Matter

Section 90 (3) (a) of the *Local Government Act 1999* (SA)

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The Special meeting re-opened to the public at 6.42pm

Confidentiality Order

Minute 3 - Item 5.2 - Presiding Members Report – Contract Matter [C]

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 5.2 [Presiding Members Report – Contract Matter] listed on the Agenda for the Special meeting of the Council held on 9 July 2020 was received, discussed and considered in confidence pursuant to Section 90(3) (a) of the *Local Government Act 1999 (SA)*, this Special meeting of the Council do order that

- 1 the resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until the person no longer resides in the State of South Australia for a period of at least one (1) year.
- 2 the confidentiality of the matter be reviewed in December 2021.
- 3 the Chief Executive Officer and Deputy Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Closure

The Special meeting closed at 6.42pm.

Clare Mockler,
Acting Chief Executive Officer

Sandy Verschoor,
Lord Mayor.

Documents Attached for Reference

Nil