

Confidential Minutes of the Ordinary Meeting of **Regional Council of Goyder** held in the **Council Chambers**, 1 Market Square, Burra on **19th February, 2019 at 4:08pm.**

13.2 Ombudsman SA - Lewis Investigation

Moved: Cr. Gebhardt

Seconded: Cr. Thompson

- 38/19 1. Pursuant to Sections 90(2) and 90(3)(g) of the *Local Government Act 1999*, Council orders that the public be excluded from attendance at the part of this meeting relating to item 13.2 Ombudsman SA excepting the following persons:

- Chief Executive Officer David J. Stevenson
- Executive Services Officer Emily Moore

To enable the Council to consider 13.2 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence information relating to 13.2:

- matters that must be considered in confidence in order to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty; Specifically the present matter relates to Ombudsman SA – Lewis Investigation.

2. Accordingly, on this basis, the principle that meetings of Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

CARRIED

CONFIDENTIAL MOTION

Moved: Cr. Schiller

Seconded: Cr. Kellock

- 39/19 1. That Council authorise the CEO to prepare a written apology to Mr. & Mrs. Lewis to the effect of the findings identified in the SA Ombudsman report; and
2. That the CEO conduct an internal review in accordance with Council policy; and
3. That the Internal Review be appraised by Minter Ellison and LGA Mutual Liability Scheme; and
4. That Council note that the Mayor has denied a deputation requested by Mrs. Lewis on the basis of a potential civil liability claim.

CARRIED

Moved: Cr. Gebhardt

Seconded: Cr. Thompson

- 39/19 1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(g) of the Act:

- matters that must be considered in confidence in order to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty; Specifically the present matter relates to Ombudsman SA – Lewis Investigation Conclusion.

Specifically the present matter relates to 13.2 Ombudsman SA – Lewis Investigation

This order shall operate for a period until further order by the Council and will be reviewed at least annually in accordance with Section 91(9)(a) of the Act.

- 2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such a revocation has occurred.**
- 3. Further, that at the completion of the confidential session the meeting be reopened to the public.**

CARRIED

CONFIRMED MAYOR DATE..... / /

CONFIRMED CEO DATE..... / /