

REGIONAL COUNCIL OF GOYDER

Minutes of the Confidential meeting of the **Regional Council of Goyder** held on **19th December 2017** in the Council Meeting Room, 1 Market Square, Burra commencing at **3.18pm**

1. ATTENDANCE**1.1 Present****1.1.1 Councillors Present**

Crs. S.P. Matthey (Mayor), J. M. Kellock (Deputy Mayor), P.L. Dunn, J.H. Neal, B.A. Rule, W. D. Gebhardt, D.J. Venning.

1.1.2 Staff Present

Mr. D. Stevenson (Chief Executive Officer), Mr. G. Campbell (Finance Manager), Mr. L. Wallis (Technical Services Manager), Ms. E. J. Moore (Executive Services Officer).

17.1 Judicial Review

Moved Cr. Venning

Seconded: Cr. Kellock

256/17 1. Pursuant to Sections 90(2) and 90(3)(g)(h)(i) of the *Local Government Act, 1999* the Council orders that the public be excluded from attendance at that part of this meeting relating to Item 17.1, excepting the following persons:

- David J. Stevenson - Chief Executive Officer
- Griff Campbell – Finance Manager
- Lee Wallis – Technical Services Manager
- Emily Moore – Executive Services Officer

To enable the Council to consider 17.1 in confidence on the basis that 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 the following information or matter relating to item 17.1;

(g) 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;

(h) legal advice;

(i) 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;

- Specifically the present matter relates to a Judicial Review

2. Accordingly, on this basis, the principle that meetings of the 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

Moved: Cr. Dunn

Seconded: Cr. Kellock

- 71/18 1. Council has received, reviewed and considered the Information supplied regarding the Judicial Review and pursuant to Section 91(7)(a)(b) of the *Local Government Act, 1999* the Council orders that the information shall be kept confidential, being documents (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(g)(h)(i) of the *Local Government Act, 1999*.

Council's position is to adopt the recommendations dated 15th December, 2017 from the Barrister at this point in time.

2. On the grounds that the information relates to 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; legal advice; 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.

This order shall operate until 15th May 2018 and will be reviewed in 3 months.

CARRIED

4.54pm The meeting closed

CONFIRMED

MAYOR

___/___/___

CONFIRMED

CHIEF EXECUTIVE OFFICER

___/___/___