



## **MINUTES OF SPECIAL COUNCIL MEETING**

**HELD ON**

**TUESDAY 10 MARCH 2020**

**AT 5.30PM**

**IN COUNCIL CHAMBERS  
CIVIC CENTRE  
MANDURAH TERRACE MANDURAH**

### ***PRESENT:***

MAYOR	R WILLIAMS	
COUNCILLOR	C KNIGHT	NORTH WARD
COUNCILLOR	P JACKSON	NORTH WARD
COUNCILLOR	L RODGERS	EAST WARD
COUNCILLOR	D PEMBER	EAST WARD
COUNCILLOR	M DARCY	COASTAL WARD
COUNCILLOR	J GREEN	COASTAL WARD
COUNCILLOR	C DI PRINZIO	COASTAL WARD
COUNCILLOR	P ROGERS	TOWN WARD
COUNCILLOR	M ROGERS	TOWN WARD

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MS	C MIHOVILOVICH	DIRECTOR CORPORATE SERVICES, RECORDING OF MINUTES
MR	D McLEOD	LEGAL REPRESENTATIVE AND ADVISOR FOR THE CITY OF MANDURAH
MS	M SARACENI	COUNSEL ADVISING THE CITY ON BEHALF OF MCLEODS BARRISTERS AND SOLICITORS

### **OPENING OF MEETING [AGENDA ITEM 1]**

The Mayor declared the meeting open at 5:36pm.

### **ACKNOWLEDGEMENT OF COUNTRY [AGENDA ITEM 2]**

Mayor Williams acknowledged that the meeting was being held on the traditional land of the Bindjareb people, and paid his respect to their Elders past and present.

### **APOLOGIES [AGENDA ITEM 3]**

Leave of Absence  
Councillor Schumacher

Apologies  
Councillor Lee  
Councillor Zilani

### **DISCLAIMER [AGENDA ITEM 4]**

The Mayor advised that the purpose of this Special Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware that the provisions of the *Local Government Act 1995* (Section 5.25(e)) and Council's Consolidated Local Laws (Section 4.86) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The City of Mandurah expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

### **PUBLIC QUESTION TIME [AGENDA ITEM 5]**

Nil.

### **DEPUTATIONS [AGENDA ITEM 6]**

Nil.

### **DECLARATION OF INTERESTS [AGENDA ITEM 7]**

Nil.

**CONFIDENTIAL QUESTIONS FROM ELECTED MEMBERS [AGENDA ITEM 8]**

**MOTION**

**Moved:** Mayor Williams  
**Seconded:** Councillor P Jackson

That the meeting proceeds with closed doors at 5:51pm in accordance with Section 5.23(2) (a) of the Local Government Act 1995, to allow for the discussion of confidential items concerning a matter affecting an employee and approve the City's legal advisors to remain in the Council Chamber.

CARRIED: 10/0

*The Chief Executive Officer, Director Corporate Services and the City's external legal representation remained with Elected Members.*

THE MEETING PROCEEDED WITH CLOSED DOORS AT 5:38PM

**8.1 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

**SP.4/3/20 COUNCILLOR CAROLINE KNIGHT**

Councillor Knight submitted confidential questions which were responded to by the Chief Executive Officer via email to all Elected Members prior to the meeting.

**SP.5/3/20 COUNCILLOR LYNN RODGERS**

Councillor Lynn Rodgers asked confidential questions which were responded to by the Chief Executive Officer via email to all Elected Members prior to the meeting.

**8.2 QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN**

**SP.6/3/20 COUNCILLOR CAROLINE KNIGHT**

Councillor Knight asked confidential questions which the Chief Executive Officer responded to via email to all Elected Members.

**SP.7/3/20 COUNCILLOR PETER ROGERS**

Councillor Peter Rogers asked confidential questions which the Chief Executive Officer responded to via email to all Elected Members.

**REPORTS [AGENDA ITEM 9]**

Nil.

**CONFIDENTIAL BUSINESS [AGENDA ITEM 10]**

**SP.8/3/20           SUSPENSION OF STANDING ORDERS**

**MOTION**

**Moved:           Mayor Williams**  
**Seconded:       Councillor P Jackson**

**That the City of Mandurah Standing Orders 8.5 and 8.6, placing limitations on the number and duration of speeches, be suspended at 5:42pm to facilitate discussion on the following item.**

**CARRIED:       10/0**

**SP.9/3/20           REINSTATE STANDING ORDERS**

**MOTION**

**Moved:           Mayor Williams**  
**Seconded:       Councillor M Rogers**

**That the City of Mandurah Standing Orders be reinstated at 6:32pm.**

**CARRIED:       10/0**

**SP.10/3/20        CONFIDENTIAL ITEM: ORGANISATIONAL STRUCTURE**

Confidential discussion ensued regarding this issue.

**MOTION**

**Moved:           Mayor Williams**  
**Seconded:       Councillor P Jackson**

**That Council support the Chief Executive Officer's preferred option as detailed in the confidential report.**

**CARRIED:       7/3**  
**FOR:            Mayor Williams, Councillors M Darcy, Lynn Rodgers, P Jackson, C Di Prinzio, J Green, D Pember**  
**AGAINST:       Councillors C Knight, Peter Rogers, Matt Rogers**

**SP.11/3/20 CONFIDENTIAL ITEM: EMPLOYMENT CONTRACT**

Confidential discussion ensued regarding this issue.

**MOTION**

**Moved:** Mayor Williams  
**Seconded:** Councillor L Rodgers

**That Council support the Chief Executive Officer's preferred option as detailed in the confidential report.**

**CARRIED:** 6/4  
**FOR:** Mayor Williams, Councillors M Darcy, Lynn Rodgers, P Jackson, C Di Prinzio, D Pember  
**AGAINST:** Councillors C Knight, Peter Rogers, Matt Rogers, J Green

**SP.12/3/20**

**MOTION**

**Moved:** Mayor Williams  
**Seconded:** Councillor M Rogers

**That the meeting proceeds with open doors.**

**CARRIED UNANIMOUSLY:** 10/0

THE MEETING PROCEEDED WITH OPEN DOORS AT 7:34pm

**SP.13/3/20**

**MOTION**

**Moved:** Mayor Williams  
**Seconded:** Councillor Di Prinzio

**That Council endorses the resolutions taken with closed doors.**

**CARRIED UNANIMOUSLY:** 10/0

**CLOSE OF MEETING [AGENDA ITEM 11]**

There being no further business the Mayor declared the meeting closed at 7:34pm.

CONFIRMED ..... (MAYOR)