



The Barossa Council

MINUTES OF THE SPECIAL MEETING OF THE BAROSSA COUNCIL

held on Wednesday 30 September 2020 commencing at 6.02pm and held digitally via Microsoft Teams, recorded and posted on the Council website for future reference.

1.1 WELCOME

Mayor Bim Lange declared the meeting open at 6.02pm.

1.2 MEMBERS PRESENT

Mayor Bim Lange, Deputy Mayor, Cr Leonie Boothby, Crs John Angas, Tony Hurn, David de Vries, David Haebich, Don Barrett, Carla Wiese-Smith, Cathy Troup, Richard Miller, Kathryn Schilling and Russell Johnstone.

1.3 LEAVE OF ABSENCE

Nil

2. DEBATE ITEMS

Nil

3.1 CONFIDENTIAL AGENDA – MANAGER COMMUNITY PROJECTS

3.1.1

2021 SANFL SOUTH AUSTRALIA COUNTRY FOOTBALL CHAMPIONSHIPS

The matter of the agenda item being a Report regarding Council's potential Expression of Interest to host an event or events in the 2021 SANFL South Australia Country Football Championships and pursuant to Section 90(3)(d)(i) of the Local Government Act 1999 ("the Act") being commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and (ii) would on balance, be contrary to the public interest.

There is strong public interest in enabling members of the public to observe Council's transparent and informed decision-making. This helps to ensure accountability, maintain transparency of public expenditure, facilitate participation, assist public awareness and allow for the scrutiny of information. Attendance at a Council meeting is one means of satisfying this interest. The public will only be excluded from a Council meeting when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision making.

In this matter, the reason that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest is that the information has been provided to Council as commercial in confidence. The matter has been requested to be kept confidential until such dates any embargo on the announcement regarding venues for the 2021 SANFL South Australia Country Football Championships.

On balance, the above reason which supports the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

MOVED Cr Angas that Council:

- (1) Under the provisions of Section 90(2) of the Local Government Act 1999, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate and Community Services, Director Development and Environmental Services, Director Works and Engineering, Manager Community Projects, Communications Officer and the Minute Secretary, in order to consider in confidence, a report relating to Section 90(3) (d) of the Local Government Act 1999 relating to agenda item 3.1.1 2021 SANFL South Australia Country Football Championships being information that must be considered in confidence in order to ensure that Council does not disclose commercial information of a confidential nature (not being a trade secret) the disclosure of which – (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.
- (2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential as the information has been provided to Council as commercial in confidence and Council could be prejudiced if it disclosed this information.

Seconded Cr Hurn

CARRIED 2018-22/255

RESUMPTION OF OPEN COUNCIL MEETING – 6.15PM

The open meeting of Council resumed at 6.15pm

In the matter 3.1 – 2021 SANFL South Australia Country Football Championships:

MOVED Cr de Vries that Council:

- (1) Confidential Resolution
- (2) Confidential Resolution
- (3) Having considered this matter in confidence under Section 90(2) of the Local Government Act (the Act) pursuant to Section 90(3)(b)(i) and (ii) of the Act being information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct business, or to prejudice the commercial

position of the council, makes an order pursuant to Section 91 (7) of the Local Government Act 1999, that the minutes, report and attachments other than the minutes relating to the confidentiality order of the Confidential Council Meeting held on 30 September 2020 in relation to Confidential Item Number 3.1.1 and titled 2021 SANFL South Australia Country Football Championships, be kept confidential and not available for public inspection until such date as any embargo on the announcement regarding venues for the 2021 SANFL South Australia Country Football Championships is lifted.

Seconded Cr Johnstone

CARRIED CO2018-22/30

3. NEXT MEETING

Tuesday 20 October 2020 at 9.00am.

4. CLOSURE OF MEETING

Mayor Lange declared the meeting closed at 6.16pm.

Confirmed at Council Meeting on 20 October 2020

Date:.....

Mayor:.....