



MINUTES OF THE MEETING OF SPECIAL COUNCIL MEETING

held on Thursday 26 October 2023 commencing at 5.30 pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

MINUTES

1. THE BAROSSA COUNCIL

1.1 Welcome

Welcome by Mayor Bim Lange declared the meeting open at 5.30 pm.

1.2 Members Present

Mayor Bim Lange, Crs John Angas, Don Barrett, David de Vries, Tony Hurn, Kathryn Schilling, Cathy Troup, Jane Evans, Bruce Preece, and Rick Lane.

1.3 Leave of Absence

Nil

1.4 Apologies for Absence

Crs Jess Greatwich and Heidi Thompson

2. CONFIDENTIAL REPORTS

2.1 Office of the Mayor and CEO

2.1.1 INFORMATION UPDATE – TANUNDA OVAL CONTRACT 23/91662

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 public 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 reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that relates to the management of an awarded contract for services

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 Preece

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 Services and Business Innovation, Director Development and Community Services, Director Infrastructure and Environmental Services, in order to consider in confidence a report relating to 2.1.1 Information Update – Tanunda Oval Contract being information that must be considered in confidence pursuant to:

Section 90(3)(b) of the *Local Government Act 1999*:

information the disclosure of which-

- (i) 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; 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 in order that relates to the management of an awarded contract for services

SECONDED Cr Hurn

CARRIED 2022-26/281

The meeting moved into confidence at 5.30pm

MOVED Mayor Lange

- (1) Confidential resolution.
- (2) Having considered this matter in confidence under Sections 90(2) and 90(3)(b) of the *Local Government Act 1999*, makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Council Meeting held on 26 October 2023 in relation to item 2.1.1 Information Update – Tanunda Oval Contract be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Preece

LOST

Resumption of open council meeting at 6.18pm

MOVED CR HURN

THAT COUNCIL:

1. HAVING DETERMINED TO EXPAND THE LEVEL OF SERVICE AT THE TANUNDA RECREATION PARK OVAL BY EXTENDING THE OVAL TO 171M, INSTRUCT THE CHIEF EXECUTIVE OFFICER OR HIS DELEGATE TO PREPARE:
 - A. A PRESS RELEASE FROM THE MAYOR OUTLINING THE INVESTMENT DECISION;
 - B. AN UPDATED LANDSCAPING DESIGN AND TREE REPLANTING PROGRAM FOR THE TANUNDA RECREATION PARK.
2. INSTRUCTS THE CHIEF EXECUTIVE OFFICER TO BRING THE UPDATED LANDSCAPING PLAN AND TREE REPLACEMENT PROGRAM, FUNDING NEEDS AND IMPLEMENTATION TIMEFRAME BACK TO COUNCIL AS A MATTER OF URGENCY FOR CONSIDERATION AND APPROVAL AS A MATTER OF URGENCY.

SECONDED CR DE VRIES

CARRIED 2022-26/282

3. NEXT MEETING

Tuesday 21 November 2023 at 5.30pm

4. CLOSURE

Mayor Lange declared the meeting closed at 6.25pm.

Confirmed at Council Meeting on 21 November 2023

Date:.....

Mayor:.....