



MINUTES OF THE MEETING OF SPECIAL COUNCIL MEETING

held on Tuesday 19 November 2024 commencing at 5.00pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

MINUTES

Welcome by Mayor Bim Lange declared the meeting open at 5.02pm.

1. ATTENDANCE RECORD

1.1 Members Present

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

Apologies

Nil

Not Present

Nil

Leave of Absence

Nil

2. CONFIDENTIAL REPORTS

2.1 Office of the Mayor and CEO

Pursuant to Section 75 of the Local Government Act 1999, Cr Evans disclosed a general Conflict of Interest in the matter Item number 2.1 – Australia Day Awards 2025 – Citizen of the Year as she nominated one of the nominees. She advised that she would remain in the Chamber but would not debate or vote.

2.1.1 AUSTRALIA DAY AWARDS 2025 - CITIZEN OF THE YEAR 24/91520

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 they contain private information of nominees and those who nominated them for an Australia Day Award including contact details, addresses and personal testimonials

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 Schilling

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 Service and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

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

information relating to a proposed award recipient before the presentation of the award;

- (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 they contain private information of nominees and those who nominated them for an Australia Day Award including contact details, addresses and personal testimonials

SECONDED Cr Greatwich

CARRIED 2022-26/551

The meeting moved into confidence at 5.03pm

MOVED Cr Schilling

That Council:

- (1) Council Resolution.
- (2) Having considered this matter in confidence under Sections 90(2) and 90(3)(o) 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 19 November 2024 in relation to item 2.1.1 Australia Day Awards 2025 - Citizen of the Year be kept confidential and not available for public inspection until annual review and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr de Vries**CARRIED CO 2022-26/552***Resumption of open council meeting at 5.04pm*

2.1.2 AUSTRALIA DAY AWARDS 2025 - YOUNG CITIZEN OF THE YEAR **24/91521**

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 they contain private information of nominees and those who nominated them for an Australia Day Award including contact details, addresses and personal testimonials

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 Service and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

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

information relating to a proposed award recipient before the presentation of the award;

- (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 they contain private information of nominees and those who nominated them for an Australia Day Award including contact details, addresses and personal testimonials

SECONDED Cr Greatwich

CARRIED 2022-26/553

The meeting moved into confidence at 5.05pm

MOVED Cr de Vries

That Council:

- (1) Council Resolution.
- (2) Having considered this matter in confidence under Sections 90(2) and 90(3)(o) 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 19 November 2024 in relation to item 2.1.2 Australia Day Awards 2025 - Citizen of the Year be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Lane

CARRIED CO 2022-26/554

Resumption of open council meeting at 5.06pm

Pursuant to Section 75 of the Local Government Act 1999, Cr Troup disclosed a general Conflict of Interest in the matter Item number 2.1.2 – Australia Day Awards 2025 – Community Event of the Year as she was Deputy Chair at the time of the event and was a nominator for one of the nominees. She advised that she would leave the Chamber.

Cr Troup left the meeting at 5.07pm

2.1.3 AUSTRALIA DAY AWARDS 2025 - COMMUNITY EVENT OF THE YEAR **24/91522**

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 they contain private information of nominees and those who nominated them for an Australia Day Award including contact details, addresses and personal testimonials

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 Service and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

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

information relating to a proposed award recipient before the presentation of the award;

- (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 they contain private information of nominees and those who nominated them for an Australia Day Award including contact details, addresses and personal testimonials

SECONDED Cr de Vries

CARRIED 2022-26/555

The meeting moved into confidence at 5.07pm

MOVED Cr Greatwich

That Council:

- (1) Council Resolution.
- (2) Having considered this matter in confidence under Sections 90(2) and 90(3)(o) 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 19 November 2024 in relation to item 2.1.3 Australia Day Awards 2025 - Citizen of the Year be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Evans

CARRIED CO 2022-26/556

Resumption of open council meeting at 5.08pm

Cr Troup returned to the meeting at 5.08pm

2.1.4 AUSTRALIA DAY AWARDS 2025 - AWARD FOR ACTIVE CITIZENSHIP **24/91524**

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 they contain private information of nominees and those who nominated them for an Australia Day Award including contact details, addresses and personal testimonials

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 Evans

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 Service and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

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

information relating to a proposed award recipient before the presentation of the award;

- (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 they contain private information of nominees and those who nominated them for an Australia Day Award including contact details, addresses and personal testimonials

SECONDED Cr Greatwich

CARRIED 2022-26/557

The meeting moved into confidence at 5.09pm

MOVED Cr Evans

That Council:

- (1) Council Resolution.
- (2) Having considered this matter in confidence under Sections 90(2) and 90(3)(o) 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 19 November 2024 in relation to item 2.1.4 Australia Day Awards 2025 - Citizen of the Year be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Cr Lane

CARRIED CO 2022-26/558

Resumption of open council meeting at 5.09pm

3. NEXT MEETING

Tuesday 19 November 2024 at 5.30pm

4. CLOSURE

Mayor Lange declared the meeting closed at 5.09pm.

Confirmed at Council Meeting on 19 November 2024

Date:.....

Mayor:.....