



NOTICE OF ORDINARY COUNCIL MEETING
Tuesday 18 March 2025
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa,
commencing at 5.30pm.

A recording of the meeting will be available to view on the
Council's website.

Martin McCarthy
CHIEF EXECUTIVE OFFICER
THE BAROSSA COUNCIL

COUNCIL MEETING

18 MARCH 2025

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A Office of the Mayor and CEO

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COVER SHEET

CONFIDENTIAL REPORT

18 March 2025

Council Meeting

A Office of the Mayor and CEO

**A.1 GEBER SUPER PTY LTD VERSUS THE BAROSSA COUNCIL ASSESSMENT PANEL -
SETTLEMENT OF COSTS**

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 legal advice provided to resolve settlement costs.

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.

RECOMMENDATION

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)(h) of the Local Government Act 1999:

legal advice;

- (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 legal advice provided to resolve settlement costs.