1.1 WELCOME
Mayor Sloane declared the meeting open at 5.00pm.

1.2 MEMBERS PRESENT
Mayor Bob Sloane, Crs Michael (Bim) Lange (Deputy Mayor), Mark Grossman, David de Vries, Tony Hurn, Christopher Harms, Scotty Milne and Richard Miller

1.3 LEAVE OF ABSENCE
Cr Margaret Harris
Cr Leonie Boothby
Cr John Angas

1.4 APOLOGIES
Cr Michael Seager

MOVED Cr Milne that the apology received from Cr Seager be noted. Seconded Cr Grossman CARRIED 2014-18/1408

2. VISITORS TO THE MEETING
HEARING OF PUBLIC SUBMISSIONS ON THE 2018/19 – 2027/28 LONG TERM FINANCIAL PLAN AND 2018/19 ANNUAL BUDGET AND BUSINESS PLAN
Mayor Sloane advised at 5.01pm that an hour shall be set aside for the hearing of public submissions on the 2018/19 – 2027/28 Long Term Financial Plan and 2018/19 Annual budget and Business Plan.

As there were no members of the public present to make submissions at 5.01pm Mayor Sloane advised that the meeting would proceed to the next item of business – Confidential item 5.1.1 - should a member of the public attend to make a submission they would be given the opportunity to speak immediately by adjourning the confidential meeting. No members of the public presented during matters dealt with in confidence.

3. DEBATE AGENDA
Nil

4. ADJOURNMENT OF COUNCIL MEETING
Nil
5. CONFIDENTIAL MATTER – 5.19PM

5.1 WORKS AND ENGINEERING SERVICES – CONFIDENTIAL – 5.19PM

5.1.1 BAROSSA REGIONAL PROCUREMENT GROUP – PROVISION FOR THE SUPPLY AND DELIVERY OF BULK FUEL

The matter of the agenda item being a tender to carry out works pursuant to Section 90(3)(k) of the Local Government Act 1999 (“the Act”) being information that must be considered in confidence in order to ensure that commercial in confidence information is not divulged and Council does not disclose information which may prejudice the outcome of the tender or future tenders.

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 reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contract to the public interest are that:-

- The disclosure would unreasonably expose commercial in confidence information provided by tenderers through the tender process and the Council report, attachments, and associated documents; and
- The disclosure would give an unfair advantage to a person with whom Council proposes to do business.

On balance, the above reasons which support the need for confidentiality pursuant to Section 90(2) of the Act outweigh the factors in favour of the public interest of open decision making.

MOVED Cr Miller that Council:

(1) Under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Community Projects, Director Development and Environmental Services, Director Works and Engineering Services, Acting Director Corporate and Community Services and the Minute Secretary, in order to consider in confidence a report relating to Section 90(3)(k) of the Local Government Act 1999 relating to the receiving, reviewing and assessing of tenders for the supply and delivery of bulk fuel being information that must be considered in confidence in order to ensure that Council does not disclose information relating to tenders for the supply of goods, the provision of services or the carrying out of works; and

(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 to prevent the unreasonable exposure of commercial in confidence information provided by tenderers through the tender process and the Council report, attachments and associated documents and to prevent an unfair advantage to a person with whom Council proposes to do business.

Seconded Cr de Vries  CARRIED 2014-18/1409
RESUMPTION OF OPEN COUNCIL MEETING – 5.22PM
The open meeting of Council resumed at 5.22pm.

In the matter 5.1.1 Barossa Regional Procurement Group – Provision for the Supply and Delivery of Bulk Fuel:

**MOVED** Cr Lange that Council:

(1) Confidential resolution

(2) Having considered this matter in confidence under Section 90(3)(k) of the Local Government Act 1999 makes an order pursuant to Section 91 (7) of the Local Government Act 1999, that the minutes, report, attachments and associated documents in relation to Confidential Item 5.1.1 of the Special Council Meeting held 6 June 2018 and titled Barossa Regional Procurement Group - Provision for the supply and delivery of bulk fuel, other than the minutes relating to this confidentiality order (part 2 and 3), be kept confidential and not available for public inspection, until the end of the Provision for the Supply and Delivery of Bulk Fuel Contract and that the Chief Executive Officer be delegated the power to review and revoke this order.

(3) Pursuant to Section 91 (8) (b) and (ba) of the Local Government Act 1999, Council notes that the minutes will be released to ensure that Council discloses the successful tender, value of the contract and reason for awarding the contract when the Provision for the Supply and Delivery of Bulk Fuel Contract is executed by all relevant parties.

Seconded Cr Milne  CARRIED CO2014/18-76

5.1. WORKS AND ENGINEERING SERVICES – CONFIDENTIAL – 5.22PM

5.1.2 BAROSSA REGIONAL PROCUREMENT GROUP – PROVISION OF FUEL FLEET CARDS

B7361 18/33610

The matter of the agenda item being a tender to carry out works pursuant to Section 90(3)(k) of the Local Government Act 1999 (“the Act”) being information that must be considered in confidence in order to ensure that commercial in confidence information is not divulged and Council does not disclose information which may prejudice the outcome of the tender or future tenders.

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 reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contract to the public interest are that:-

- The disclosure would unreasonably expose commercial in confidence information provided by tenderers through the tender process and the Council report, attachments, and associated document; and
- The disclosure would give an unfair advantage to a person with whom Council proposes to do business.

The Barossa Council Minutes of Special Council Meeting held on Wednesday 6 June 2018
On balance, the above reasons which support the need for confidentiality pursuant to Section 90(2) of the Act outweigh the factors in favour of the public interest of open decision making.

**MOVED** Cr de Vries that Council:

(1) Under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Community Projects, Director Development and Environmental Services, Director Works and Engineering Services, Acting Director Corporate and Community Services and the Minute Secretary, in order to consider in confidence a report relating to Section 90(3)(k) of the Local Government Act 1999 relating to the receiving, reviewing and assessing of tenders for the provision of fuel fleet cards being information that must be considered in confidence in order to ensure that Council does not disclose information relating to tenders for the supply of goods, the provision of services or the carrying out of works; and

(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 to prevent the unreasonable exposure of commercial in confidence information provided by tenderers through the tender process and the Council report, attachments and associated documents and to prevent an unfair advantage to a person with whom Council proposes to do business.

**Seconded** Cr Miller  
**CARRIED 2014-18/1410**

**RESUMPTION OF OPEN COUNCIL MEETING – 5.24PM**

The open meeting of Council resumed at 5.24pm.

In the matter 5.1.2: Barossa Regional Procurement Group – Provision of Fuel Fleet Cards;

**MOVED** Cr Lange that Council:

(1) Confidential resolution

(2) Having considered this matter in confidence under Section 90(3)(k) of the Local Government Act 1999 makes an order pursuant to Section 91 (7) of the Local Government Act 1999, that the minutes, report, attachments and associated documents in relation to Confidential Item 5.1.2 of the Special Council Meeting held 6 June 2018 and titled Barossa Regional Procurement Group - Provision of Fuel Fleet Cards, other than the minutes relating to this confidentiality order (part 2 and 3), be kept confidential and not available for public inspection, until the end of the Provision of Fuel Fleet Cards Contract and that the Chief Executive Officer be delegated the power to review and revoke this order.

(3) Pursuant to Section 91 (8) (b) and (ba) of the Local Government Act 1999, Council notes that the minutes will be released to ensure that Council discloses the successful tender, value of the contract and reason for awarding the contract when the Provision of Fuel Fleet Cards Contract is executed by all relevant parties.

**Seconded** Cr Miller  
**CARRIED CO2014/18-77**

At 5.40pm Ms Shelley James and Ms Ngaire Ingham attended and addressed Council on the following themes:
1. Concern expressed about the placement of a 5G telecommunications tower by Telstra on Basedow Road and impact of microwaves on residents.
2. The Nuriootpa pool was closing and it shouldn’t and instead it should be enclosed as it then can be used in winter as well as summer.
3. Change rooms for ladies football and sport generally at Nuriootpa Centennial Park are urgent.
4. 2.5% rate increase is a concern and not affordable on the three properties she owns with low/fixed incomes not increasing.

Cr Hurn entered the meeting at 5.43pm.

5. Concern about improving public consultation processes generally.
6. Heritage look of Tanunda is being lost especially on the northern entrance coming from Nuriootpa, commercial uses are creeping in, too many car yards - new buildings facades have different colors - are they in keeping with heritage requirements?
7. The Big Project is a general concern.

Cr de Vries stated there is nothing in the budget or business plan about Nuriootpa pool being closed and asked various follow up questions related to public consultation improvement and what services should be reduced in her view to fund initiatives Ms James would like to see.

Ms James responded that she had no specific ideas about how to improve the public consultation processes nor ideas about other services that should be reduced to pay for additional items sought. Ms James did suggest that perhaps announcements could be made at the local church and/or Council have public/community meetings.

At 5.52pm Mayor Sloane thanked the representors for attending and presenting to Council.

There being no more public present to make a representation on the budget and business plan for 2018/19 Mayor Sloane declared the meeting closed at 6.06pm.

6. NEXT MEETING
Tuesday 19 June 2018 at 9.00am

7. CLOSURE OF MEETING
Mayor Sloane declared the meeting closed at 6.06pm.

Confirmed at Council Meeting – Tuesday 19 June 2018

Date:........................................ Mayor:.................................
CONFIDENTIAL MINUTES
OF THE SPECIAL MEETING OF THE BAROSSA COUNCIL
held pursuant to the provisions of Section 90(2) of the Local Government
Act 1999 on
Wednesday 6 June 2018 commencing at 5.19pm

MEMBERS PRESENT
Mayor Bob Sloane, Crs Michael (Bim) Lange, Deputy Mayor, Mark Grossman,
Scotty Milne, Christopher Harms, Richard Miller and Dave de Vries

OFFICERS PRESENT
Mr Martin McCarthy, Chief Executive Officer, Mr Matt Elding, Director Works and
Engineering Services, Mr Louis Monteduro, Acting Director Development and
Environmental Services, Mrs Joanne Thomas, Director Community Projects, Mrs
Rebecca Tappert, Acting Director Corporate and Community Services and Ms
Lorraine Walsh, Executive Assistant

LEAVE OF ABSENCE
Cr Leonie Boothby
Cr John Angas
Cr Margaret Harris

APOLOGIES
Cr Michael Seager

5.1 DIRECTOR WORKS AND ENGINEERING SERVICES - CONFIDENTIAL

5.1.1 BAROSSA REGIONAL PROCUREMENT GROUP – PROVISION FOR THE SUPPLY AND
DELIVERY OF BULK FUEL
B6453 18/33282

MOVED Cr Lange that Council:

(1) Approves the awarding of the tender to Mini/Maxi Tankers (Refuelling
Australia) for the supply and delivery of bulk diesel and unleaded fuel to
The Barossa Council, estimated value being $181,800 (exclusive of GST),
commencing on 1 July 2018 for three years in accordance with the
tendered schedule of rates, with the option for one extension of the
agreement for an additional three years, at the sole discretion of the
Barossa Regional Procurement Group of Councils, as they represent the
best value for money on a regional basis.

(2) Having considered this matter in confidence under Section 90(3)(k) of the
Local Government Act 1999 makes an order pursuant to Section 91 (7) of
the Local Government Act 1999, that the minutes, report, attachments
and associated documents in relation to Confidential Item 5.1.1 of the
Special Council Meeting held 6 June 2018 and titled Barossa Regional
Procurement Group - Provision for the supply and delivery of bulk fuel,
other than the minutes relating to this confidentiality order (part 2 and 3), be kept confidential and not available for public inspection, until the end of the Provision for the Supply and Delivery of Bulk Fuel Contract and that the Chief Executive Officer be delegated the power to review and revoke this order.

(3) Pursuant to Section 91 (8) (b) and (ba) of the Local Government Act 1999, Council notes that the minutes will be released to ensure that Council discloses the successful tender, value of the contract and reason for awarding the contract when the Provision for the Supply and Delivery of Bulk Fuel Contract is executed by all relevant parties.

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<td>Cr Milne</td>
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**CLOSURE OF CONFIDENTIAL MEETING**

There being no further business the confidential meeting closed at 5.22pm.

Confirmed at Council meeting Tuesday 19 June 2018

Date: ............................................                    Mayor: ..............................................
CONFIDENTIAL MINUTES
OF THE SPECIAL MEETING OF THE BAROSSA COUNCIL
held pursuant to the provisions of Section 90(2) of the Local Government
Act 1999 on
Wednesday 6 June 2018 commencing at 5.22pm

MEMBERS PRESENT
Mayor Bob Sloane, Crs Michael (Bim) Lange, Deputy Mayor, Mark Grossman, Scotty Milne, Christopher Harms, Richard Miller and Dave de Vries

OFFICERS PRESENT
Mr Martin McCarthy, Chief Executive Officer, Mr Matt Elding, Director Works and Engineering Services, Mr Louis Monteduro, Director Development and Environmental Services, Mrs Joanne Thomas, Director Community Projects, Mrs Rebecca Tappert, Acting Director Corporate and Community Services and Ms Lorraine Walsh, Executive Assistant

LEAVE OF ABSENCE
Cr Leonie Boothby
Cr John Angas
Cr Margaret Harris

APOLOGIES
Cr Michael Seager

5.1 DIRECTOR WORKS AND ENGINEERING SERVICES - CONFIDENTIAL

5.1.2 BAROSSA REGIONAL PROCUREMENT GROUP – PROVISION OF FUEL FLEET CARDS
B7361 18/33611

MOVED Cr Lange that Council:

(1) Approves the awarding of the Provision of Fuel Fleet Cards to BP for a period of three years, estimated value being $95,000, commencing on 1 July 2018 in accordance with the tendered schedule of rates, with the option for one extension of the agreement for an additional three years, at the sole discretion of the Barossa Regional Procurement Group of Councils, as they represent the best value for money on a regional basis.

(2) Having considered this matter in confidence under Section 90(3)(k) of the Local Government Act 1999 makes an order pursuant to Section 91 (7) of the Local Government Act 1999, that the minutes, report, attachments and associated documents in relation to Confidential Item 5.1.2 of the Special Council Meeting held 6 June 2018 and titled Barossa Regional Procurement Group - Provision of Fuel Fleet Cards, other than the minutes relating to this confidentiality order (part 2 and 3), be kept confidential and not available for public inspection, until the end of the Provision of Fuel Fleet Cards Contract and that the Chief Executive Officer be delegated the power to review and revoke this order.
(3) Pursuant to Section 91 (8) (b) and (ba) of the Local Government Act 1999, Council notes that the minutes will be released to ensure that Council discloses the successful tender, value of the contract and reason for awarding the contract when the Provision of Fuel Fleet Cards Contract is executed by all relevant parties.

Seconded Cr Miller

CARRIED CO2014/18-77

CLOSURE OF CONFIDENTIAL MEETING
There being no further business the confidential meeting closed at 5.24pm.

Confirmed at Council meeting Tuesday 19 June 2018

Date: ............................................                    Mayor: ..............................................